



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, August 28, 2019

1:30 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting to Order

Code Violations

1

Case # 18-1922

3314 Northside Dr. 29 LLC

Joanne Tarantino Wilson

3314 Northside Drive 29

Sec. 90-363 Certificate of occupancy required

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Bonnita Badgett

Posted: 8-2-2019

Initial Hearing: 7-31-2019

Continuance granted to 25 Sept 2019

Count 1: An "As built certificate" or other means of proof is needed to show the unit meets the Florida Building Code as is required for the process of the Legal Unit Determination for the 2nd Unit. **Count 2:** Apply for and obtain a business tax receipt as is required for the process of the Legal Unit Determination for the 2nd Unit if being rented out.

2**Case # 18-2089**

Duval and Caroline, LLC

Joseph Walsh

429 Caroline Street

~~Sec. 66-109 Schedule of taxes - Dismissed~~

Sec. 14-40 Permits in historic districts

Officer Sophia Doctoche

Posted: 4-30-2019

Initial Hearing: 4-24-2019

Continued from 27 June 2019 for compliance

Count 1: ~~Failure to obtain seating authorization for the seats located at the subject property. - Dismissed.~~ **Count 2:** Failure to apply for and obtain an after the fact certificate of appropriateness for the subject property.

Legislative History

4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance

3**Case # 19-270**

Sasi Moshe

3312 Northside Drive #606

Sec. 66-102 Dates due and delinquent; penalties

Officer Sophia Doctoche

Certified Mail: 7-18-2019

Initial Hearing: 8-28-2019

In compliance 27 July 2019; Request dismissal

Count 1: Failure to pay the subject business tax receipt which was due on 30 September 2018.

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Case # 19-835

ABC Key West Rentals
Dennis Saviano - Registered Agent
301 Duval Street
Sec. 18-354 Permits required; application; franchise fees
Officer Sophia Doctoche
Certified Mail: 7-25-2019
Initial Hearing: 8-28-2019

In compliance 23 July 2019; Request dismissal

Count 1: Failure to complete the annual recreational vehicle inspection.

5

Case # 19-845

Sunshine Scooters, Inc.
Jon Brenner - Registered Agent
1910 North Roosevelt Boulevard
Sec. 18-354 Permits required; application; franchise fees
Officer Sophia Doctoche
Certified Mail: 7-25-2019
Initial Hearing: 8-28-2019

In compliance 23 July 2019; Request dismissal

Count 1: Failure to complete the annual recreational vehicle inspection.

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Case # 19-572

Yuniesky Enterprise LLC
Yosbani Fundora
410 Avenue A, Big Coppitt Key
Sec. 66-102 Dates due and delinquent; penalties
Officer Lindsey Dunlap
Certified Mail: 5-30-2019
Initial Hearing: 6-27-2019

Request to Vacate Findings and Order; and Dismissal of Case

Count 1: Subject business owner has not renewed their business tax receipt which expired 30 September 2018.

Legislative History

6/27/19 Code Compliance Hearing Violation Fine

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Case # 19-889

A&M Mart Inc

Anwar Hossain

648 William Street

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Sec. 14-40 Permits in historic districts

Officer Lindsey Dunlap

Certified Mail: 7-22-2019

Initial Hearing: 8-28-2019

In compliance 28 Aug 2019; Request dismissal**Count 1:** Failure to obtain Building Permit for wall mounted outdoor lights.**Count 2:** Failure to obtain a HARC Certificate of Appropriateness.

8

Case # 17-1213Erwin Mayer & Didier R Moritz - **Request dismissal**

Jean Lefils Bien - Tenant

1300 15th Court Lot 77

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptionsSec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - Amended Notice

Officer Edward Keane

Certified Service: 11-16-2017

Certified Service: 7-9-2019 - Amended - Tenant

Certified Service: 7-15-2019 - Amended - Property Owner

Initial Hearing: 12-20-2017

Continuance granted to 30 October 2019**Count 1:** For failure to obtain a certificate of occupancy for the addition
that was built. **Count 2:** For failure to pay impact fees related to utilities.**Count 3:** For failure to obtain building permits for the addition to the trailer
and for the installed plumbing. **Count 4:** For failure to obtain building
permits for the addition to the trailer and for the installed plumbing.**Legislative History**

12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance

3/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

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Case # 19-863

Lil' Lepouski

John Lepouski

722 Duval Street

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Sec. 14-40 Permits in historic districts

Sec. 2-939 Revocable licenses

Sec. 114-103 Prohibited signs

Officer Edward Keane

Certified Mail: 8-23-2019

Initial Hearing: 8-28-2019

Continuance granted to 25 Sept 2019

Count 1: Failure to obtain permits for installed signs. **Count 2:** Failure to apply for and obtain the HARC permits for installed signs. **Count 3:** Failure to obtain a revocable license for an installed sign over the public right of way. **Count 4:** Failure to remove prohibited signs.

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Case # 19-911

Energy of Key West, Inc
Calas Group
716 Duval Street
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Edward Keane
Certified Mail: 7-29-2019
Initial Hearing: 8-28-2019

In compliance 23 August 2019; Request dismissal

Count 1: Delinquent on their fire inspection fee for annual fire inspection on 29 March 2018 of Fifty Dollars (\$50).

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Case # 19-807

C&V Multi Services Group Inc.
Josie Val - Registered Agent
3110 Flagler Avenue
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Paul Navarro
Certified Mail: 6-26-2019
Initial Hearing: 7-31-2019

In compliance 27 August 2019; Administrative fees pending

Count 1: Failure to apply for business tax receipts for all the services that are provided at the subject property.

Legislative History

7/31/19 Code Compliance Hearing Continuance

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Case # 19-955

Old Town Tavern Key West, LLC
David Kronenfeld - Registered Agent
900 Duval Street
Sec. 90-142 Historic Architectural Commission Design Guidelines
adopted
Officer Paul Navarro
Certified Mail: 7-26-2019
Initial Hearing: 8-28-2019

New Case

Count 1: Failure to remove unpermitted sign (A Frame) from the City's right of way.

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Case # 19-1105

Walgreen Company Store 7089
Richard Ashworth - President/Director
Joana Pierce - Store Manager
Kathleen Seus - National Program Manger
Prentice-Hall Corporation System, Inc. - Registered Agent
527 Duval Street
Sec. 114-108 Maintenance of all signs
Officer Paul Navarro
Certified Mail: 8-21-2019 - Kathleen Seus
Certified Mail: 8-21-2019 - Richard Ashworth
Certified Mail: 8-12-2019 - Joana Pierce
Certified Mail: 8-12-2019 - Prentice-Hall Corporation System, Inc.
Initial Hearing: 8-28-2019

New Case

Count 1: Failure to provide the proper maintenance to the historic sign as it was not functioning as its intended use.

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Case # 18-1784

Lindholm Construction, Inc

Richard Lindholm - Registered Agent

Native Builders, Inc

Carl Denny - Registered Agent

Nicholas Obea LLC

Clint Gordon - Registered Agent

1610 Dennis Street

Sec. 14-262 Request for inspection

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptionsSec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Officer Rebecca Porter

Certified Mail: 5-30-2019 - Lindholm Construction, Inc.

Certified Mail: 5-30-2019 - Native Builders, Inc.

Posted: 7-19-2019 - Nicholas Obea LLC

Initial Hearing: 6-27-2019

Continued from 27 June 2019

Count 1: Electrical work was performed without the benefit of permit and inspection. **Count 2:** Interior structural work at the subject location without the benefit of a permit. **Count 3:** Interior plumbing work performed at the subject location without the benefit of a permit.

Legislative History

6/27/19

Code Compliance Hearing

Continuance

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Case # 19-914

Coach Factory Store

515 Duval Street

Sec. 30-1 Fees for false alarms and fire code inspection - **In compliance****11 Jul 2019; Request Dismissal**

Sec. 66-103 Transfer of License

Officer Rebecca Porter

Hand Served: 7-27-2019

Initial Hearing: 8-28-2019

New Case

Count 1: Failure to pay the delinquent fire inspection fees for fire inspections performed in December 2017 and September 2018. **Count 2:** Failure to transfer the business tax receipt as the corporate ownership had changed.

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Case # 19-921

Pete F. Woldanski

316 Julia Street

Sec. 10-11 Keeping fowl or wildlife

Officer Rebecca Porter

Posted: 8-2-2019

Initial Hearing: 8-28-2019

New Case

Count 1: Containers of food on the ground around the house for feeding chickens which are nesting and residing on the property.

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Case # 19-951

Burak Yilmaz
426 Petronia Street
Sec. 114-103 Prohibited signs
Officer Rebecca Porter
Certified Mail: 8-21-2019
Initial Hearing: 8-28-2019

New Case

Count 1: Failure to remove the A-frame sign from the exterior of the building, remove the LED lights from the window, and make the LED "open" sign stationary (not animated/rotating).

18

Case # 19-1021

Jesus Gomez
617 Front Street
1105 Simonton Street
105 5th Court, Stock Island
Sec. 18-354 Permit required; application; franchise fees
Officer Rebecca Porter
Certified Mail: 7-27-2019
Initial Hearing: 8-28-2019

New Case

Count 1: More than 45 days delinquent for their annual recreational vehicle permit inspection.

19

Case # 18-241

Theresa Cioffi

Wilmington Trust Company

CT Corporation System - Registered Agent

3222 Riviera Drive

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Sec. 122-238 Dimensional requirements

~~Sec. 26-32 Nuisance illustrated -~~ **Dismissed**~~Sec. 26-126 Clearing of property of debris and noxious material required -~~**Dismissed**

Director Jim Young

Certified Service: 6-15-2018 - Registered Agent

Certified Service: 7-17-2018 - Theresa Cioffi - Amended Notice

Initial Hearing: 5-30-2018

Continued from 27 June 2019

Count 1: Observed the roof built in the setbacks and a detached dwelling that the city does not recognize which did not have the required permits and inspections. **Count 2:** The roof is located in the rear side of the subject property in the setbacks. **Count 3:** ~~Observed the pool with stagnant water that is a breeding ground or feeding area for mosquitoes. - Dismissed.~~ **Count 4:** ~~Debris located on the driveway of this property which causes a nuisance or other unsightly or unsanitary condition. - Dismissed.~~

Legislative History

5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance

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Case # 18-536

Brugman Holdings LLC - Owner

Thomas J Sireci, Jr - Registered Agent

10 Hilton Haven Drive C

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Director Jim Young

Certified Service: 5-30-2018 - Owner

Certified Service: 5-23-2018 - Registered Agent

Initial Hearing: 6-27-2018

Continued from 31 July 2019 for compliance**Count 1:** Failure to obtain an after-the-fact building permit for interior framing of shed and dock behind shed.**Legislative History**

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

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Case # 18-1211Island-West Investments Corp. - **Request Dismissal**

Richard Estevez

1213 14th Street 41

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions

Director Jim Young

Certified Mail: 12-12-2018 - Hugh Morgan

Certified Mail: 12-18-2018 - Richard Estevez

Initial Hearing: 1-30-2019

Continuance granted to 30 Oct 2019

Count 1: Failure to obtain a building permit for an addition built. A demolition permit had been applied for on 6 Nov 2018 and more details are needed along with the property card.

Legislative History

1/30/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

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Case # 18-2029

218 Duval Street Corp.

Elizabeth Johnson - Business Registered Agent

Famlo Development Corporation

Michael Halpern - Building Registered Agent (Amended Notice only)

Jennifer Stefanacci Doll - Sec. 26-32 only (Original Notice)

218 Duval Street

~~Sec. 26-32 Nuisances illustrated (Original Notice only)~~ - **Dismissed**~~Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions (Amended Notice)~~ - **Dismissed**~~Sec. 14-40 Permits in historic districts (Amended Notice)~~ - **Dismissed**

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions (Amended Notice)

Sec. 14-262 Request for inspection (Amended Notice)

Director Jim Young

Certified Mail: 12-7-2018 (Original Notice) - Jennifer Stefanacci Doll

Certified Mail: 1-4-2019 (Amended Notice) - Michael Halpern

Posted: 1-17-2019 (Amended Notice) - Elizabeth Johnson

Initial Hearing: 1-30-2019

Continued from 31 July 2019 for compliance

Count 1 (Original Notice): ~~The use of a foam machine spreading foam on the City's right of way which was causing a hazard to pedestrians and adjacent properties.~~ **Dismissed.** **Count 1 (Amended Notice):** ~~Two signs installed without the benefit of a building permit.~~ - **Dismissed.**

Count 2 (Amended Notice): ~~Signs installed without the benefit of a certificate of appropriateness.~~ - **Dismissed.** **Count 3 (Amended**

Notice): Two flood lights installed without the benefit of an electrical permit. **Count 4 (Amended Notice):** Electrical work performed without an inspection.

Legislative History

1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

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Case # 18-2033

SK II, Inc.
 Robert A. Spottswood - RA
 2700 North Roosevelt Boulevard
 Sec. 122-63 Review; enforcement
 Director Jim Young
 Certified Mail:
 Initial Hearing: 3-27-2019

In compliance 21 August 2019; Pending Administrative Fees

Count 1: The masonry wall behind store plaza was damaged and needs to be replaced as per Resolution 89-26. Our records indicate that an application has not been submitted to rebuild the masonry wall. The only permit applied for is Permit #2018-2722 to remove fence debris.

Legislative History

3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

Mitigations

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Case # 19-103

H and S of Key West, LLC
 Hal Schuhmacher
 324 Southard Street

HARC Appeals

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SMA 19-02

KHP IV Key West LLC
 Barton W. Smith, Esq.
 601 Caroline Street
 H2019 - 20

Continued from 31 July 2019Legislative History

7/31/19	Code Compliance Hearing	Continuance
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Adjournment

