



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail Code Compliance Hearing

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Friday, November 14, 2014

1:30 PM

Old City Hall

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**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 at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**Call Meeting to Order**

### Code Violations

**1**

**Case # 14-1205**

Melissa Bordelon - **In compliance November 14, 2014, request dismissal**

Paradise Spa

Cindy's Signs, Inc. dba Eye Catcher Display & Designs

Cindy Phillips

Sandra Phillips, R/A

1012 Truman Avenue

Sec. 14-40 Permits in historic district

Officer Bonnita Badgett

Certified Service: 9-6-2014 - Bordelon

Hand Served: 11-4-2014 - C Phillips

Certified Service: 10-31-2014 - S Phillips

Initial Hearing: 10-29-2014

**Repeat Violation for Cindy's Signs, Inc.**

**Continued from October 29, 2014**

**Count 1:** For failure to obtain HARC approval for the signs.

**Legislative History**

10/29/14

Code Compliance Hearing

Continuance

2

**Case # 13-292**

Torres Real Estate LLC  
 Orlando F Torres, R/A  
 Alexander's Guest House  
 1118 Fleming Street  
 Sec. 18-601 License Required  
 Sec. 122-1371 Transient living accommodations in residential dwellings  
 Sec. 122-599 Prohibited uses - HMDR - **Dismiss**  
 Officer Peg Corbett  
 Certified Service: 3-15-2013  
 Initial Hearing: 3-27-2013

**Continuance granted to January 28, 2015****Irreparable violation**

**Count 1:** The subject property was held out and/or advertised as being available transiently on 22 February 2013 for a total of 17 units. Transient license is for 15 units only. **Count 2:** The subject property was held out and or advertised as being available transiently on 22 February 2013 for a total of 17 units when they are only licensed for 15. **Count 3:** Transient rentals are not permitted in Historic Medium Density Residential areas.

**Attachments:** [13-292 1118 Fleming St NOH](#)  
[13-292 1118 Fleming St Ammended NOH](#)  
[13-292 1118 Fleming Web Advertisement](#)

**Legislative History**

3/27/13	Code Compliance Hearing	Continuance
5/22/13	Code Compliance Hearing	Continuance
10/2/13	Code Compliance Hearing	Continuance
1/29/14	Code Compliance Hearing	Continuance
3/19/14	Code Compliance Hearing	Continuance
4/23/14	Code Compliance Hearing	Continuance

3

**Case # 14-479**

New Potter's Cottage, LLC

Charles T Kemp, R/A

1212 Duval Street

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

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

Sec. 14-40 Permits in historic districts

Sec. 90-363 Certificate of occupancy - required

Sec. 14-256 Required

Sec. 14-325 Permits required

Sec. 58-61 Determination of levy of charge

Officer Peg Corbett

Certified Service:

Initial Hearing: 7-30-2014

**In compliance October 10, 2014, request dismissal**

**Counts 1 - 2:** The subject property has two units for which there are no business tax receipts for non-transient rental. **Counts 3 - 4:** The City of Key West recognizes three units. The subject property has five units. There are no building permits for the additional two units. **Counts 5 - 6:** The subject property has two units for which a HARC Certificate of Appropriateness has not been obtained. **Counts 7 - 8:** The subject property has tenants in the two units that have not received a certificate of occupancy from the City of Key West. **Counts 9 - 10:** The subject property did not obtain a required electrical permits for units 4 and 5. **Counts 11 - 12:** The subject property did not obtain the required mechanical permits for units 4 and 5. **Counts 13 - 14:** The subject property has two units for which there are no active utility accounts contrary to city ordinance.

**Legislative History**

7/30/14	Code Compliance Hearing	Continuance
8/20/14	Code Compliance Hearing	Continuance

4

**Case # 14-820**

Vicki Gordon  
1406 Leon Street  
Sec. 62-2 Obstructions  
Officer Peg Corbett  
Certified Service: 6-9-2014  
Initial Hearing: 9-17-2014

**In compliance October 31, 2014, request dismissal**

**Count 1:** A wall and pool are five feet onto the city right of way on the Washington Street side and two feet on the Leon Street side.

Legislative History

9/17/14            Code Compliance Hearing            Continuance

5

**Case # 14-936**

Stephen & Janice Dickson  
816 Eaton Street  
Sec. 122-600 Dimensional requirements - **Dismiss**  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 14-40 Permits in historic districts  
Officer Peg Corbett  
Certified Service: 9-15-2014  
Initial Hearing: 9-17-2014

**Continued from October 29, 2014**

**Count 1:** The air conditioning unit was installed within the 5' setback for HMDR. **Count 2:** The fence is 8' which exceeds the scope of the permit. **Count 3:** The fence is 8' which exceeds the certificate of appropriateness.

Legislative History

9/17/14            Code Compliance Hearing            Continuance

10/29/14          Code Compliance Hearing            Continuance

6

**Case # 14-1380**

Colonial Suites, Inc.  
Joseph Cohen  
326 Duval Street  
Sec. 14-294 Penalty for violation  
Officer Peg Corbett  
Certified Service: 10-6-2014  
Initial Hearing: 10-29-2014

**In compliance November 13, 2014, request dismissal**

**Count 1:** The electrical box is blocked by Kiosks

**Legislative History**

10/29/14      Code Compliance Hearing      Continuance

7

**Case # 14-1400**

Barefoot Bill's Inc.  
William Mosblech  
Paradise Fishing Inc.  
Robert Henkel  
903 Duval Street  
Sec. 14-40 Permits in historic district  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 114-104 Restrictions on number of signs permitted  
Officer Peg Corbett  
Certified Service: 10-23-2014 - Henkel & Mosblech  
Initial Hearing: 11-14-2014

**In compliance November 5, 2014, request dismissal**

**Count 1:** A booth was installed on this property without the benefit of a HARC certificate of appropriateness. **Count 2:** A business tax receipt is required for sell water sports tickets and scooter and electric car rentals for Barefoot Billy's. **Count 3:** For exceeding the number of allowable signs.

8

**Case # 14-1423**

Patricia Eables  
302 Southard Street  
Sec. 66-102 Date due and delinquent; penalties  
Officer Peg Corbett  
Certified Service: 11-3-2014  
Initial Hearing: 11-14-2014

**In compliance November 12, 2014, request dismissal**

**Count 1:** The business tax receipt is delinquent

9

**Case # 14-1444**

Candida Cobb  
1016 Varela Street F  
Sec. 66-89 Individual professionals required to pay license fee  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 11-14-2014

**Continue for service**

**Count 1:** All professions are required to obtain and renew yearly their  
business tax receipt. **Count 2:** A business tax receipt is required for the  
the professional business.

10

**Case # 14-1508**

Helen Carbonell  
c/o Ron Saunders  
1315 Olivia Street  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 11-14-2014

**Continue for service**

**Count 1:** The property is overgrown and unsightly

11

**Case # 13-1418**

Carolyn Sprogell

907 Frances Street

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

Sec. 14-40 Permits in historic district

Sec. 62-2 Obstructions

Officer Leonardo Hernandez

Certified Service: 10-5-2014

Initial Hearing: 11-14-2014

**Continuance granted to January 28, 2014****Count 1:** For building a eight foot fence without benefit of a permit.**Count 2:** For building a eight foot fence without benefit of HARCapproval. **Count 3:** The fence and the are on the City's right of way.

12

**Case # 14-203**

Salvatore Zappulla

9 Gerome Avenue

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

Sec. 14-40 Permits in historic district

Sec. 62-2 Obstructions

Officer Leonardo Hernandez

Posted: 6-20-2014

Initial Hearing: 7-2-2014

**In compliance November 13, 2014, administrative fees still due****Count 1:** For failure to obtain a building permit for the fence. **Count 2:**For failure to obtain a certificate of appropriateness for the fence. **Count****3:** The fence is obstructing the city right of way.**Legislative History**

7/2/14	Code Compliance Hearing	Continuance
8/20/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

13

**Case # 14-429**

Thomas &amp; Paula Yardley

Mary Elizabeth Yardley

206 Olivia Street

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

Sec. 14-40 Permits in historic districts

Officer Leonardo Hernandez

Certified Service: 8-14-2014

8-12-2014

Initial Hearing: 9-17-2014

**In compliance November 12, 2014, request dismissal**

**Count 1:** For failure to obtain a building permit prior to the construction of a deck and walkway. **Count 2:** For failure to obtain a certificate of appropriateness prior to the construction of a deck and walkway.

**Legislative History**

9/17/14 Code Compliance Hearing Continuance

10/29/14 Code Compliance Hearing Continuance

14

**Case # 14-878**

1415 Olivia St LLC

David MJR Graham, R/A

1415 Olivia Street

Sec. 62-2 Obstructions

Officer Leonardo Hernandez

Certified Service: 9-19-2014

Initial Hearing: 11-14-2014

**Continuance granted to December 17, 2014**

**Count 1:** For installing pavers and plants on the city's right of way.

15

**Case # 14-906**

Duc Nguyen  
1213 14th Street 278  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 14-256 Required  
Sec. 14-358 Amendments to Florida Plumbing Code - **Dismiss**  
Officer Mary Lockyear  
Posted: 9-30-2014  
Initial Hearing: 11-14-2014

**Continuance granted to December 17, 2014**

**Count 1:** For covering the side of the trailer with wooden siding, enclosing the washer, dryer, Jacuzzi and hot water heater with wood and wrapping the existing deck and steps in new wood without benefit of a permit. **Count 2:** For failure to obtain an electrical permit for the washer, dryer, Jacuzzi and hot water installation. **Count 3:** For failure to obtain a plumbing permit for the washer, Jacuzzi and hot water installation.

16

**Case # 14-908**

Joseph & Ellen Tetreault  
2509 Harris Avenue  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service: 10-9-2014  
Initial Hearing: 11-14-2014

**In compliance October 10, 2014, request dismissal**

**Count 1:** The business tax receipt to rent this property is delinquent.

17

**Case # 14-1162**

ATL Productions  
Jose Collazo  
Mobile Vendor  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service:  
Initial Hearing: 11-14-2014

**In compliance October 29, 2014, request dismissal**

**Count 1:** The business tax receipt for ATL Productions is delinquent.

18

**Case # 14-1199**

Dominion Key West LLC  
3841 N Roosevelt Blvd Bldg 2  
Sec. 66-102 Date due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service: 9-18-2014  
Initial Hearing: 11-14-2014

**In compliance November 6, 2014, request dismissal**

**Count 1:** The business tax receipt to rent this property is delinquent.

19

**Case # 14-1203**

Claude A & Terry L Johnson  
3214 Harriet Avenue  
Sec. 66-102 Date due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service:  
Initial Hearing: 11-14-2014

**In compliance September 16, 2014, request dismissal**

20

**Case # 14-1227**

Washington International Insurance  
Chief Financial Officer  
Mobile Vendor  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service: 9-12-2014  
Initial Hearing: 11-14-2014

**In compliance November 13, 2014, request dismissal**

**Count 1:** The business tax receipt for Washington International Insurance is delinquent.

21

**Case # 14-1298**

North American Specialty Insurance  
Mobile Vendor  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Mary Lockyear  
Certified Service: 9-12-2014  
Initial Hearing: 11-14-2014

**In compliance November 13, 2014, request dismissal**

**Count 1:** The business tax receipt for North American Specialty Insurance is delinquent

22

**Case # 14-1392**

Barefoot Billy's  
William Mosblech  
109 Duval Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Mary Lockyear  
Certified Service: 9-26-2014  
Initial Hearing: 11-14-2014

**In compliance October 30, 2014, request dismissal**

**Count 1:** A business tax receipt is required for Barefoot Billy's

23

**Case # 14-1467**

McConnell's Pub and Grill  
Gerard F Kehoe  
900 Duval Street  
Sec. 75-169 Discharge of potentially harmful wastes  
Sec. 62-1 Deposits of oil, grease or other waste  
Officer Mary Lockyear  
Certified Service: 10-18-2014  
Initial Hearing: 10-29-2014

**Continued from October 29, 2014**

**Count 1:** Water is flowing across the sidewalk from the side of McDonnell's Pub and Grill turning the sidewalk green and is extremely slippery. **Count 2:** Water is flowing across the sidewalk.

**Legislative History**

10/29/14      Code Compliance Hearing      Continuance

24

**Case # 14-542**

Jan & George LLC  
 Jan K Oostdijk, Registered Agent  
 Jan & George LLC  
 600 Frances Street  
 Sec. 102-152 Requirements for permits  
 Sec. 62-2 Obstructions  
 Officer Barbara Meizis  
 Certified Service: 6-14-2014  
 Initial Hearing: 7-30-2014

**Continued from October 29, 2014**

**Count 1:** The step sticks out across the city right of way approximately 18 inches. There has not been an application to the Historic Architectural Review Commission for this step. **Count 2:** There is a larger protrusion over the original concrete step as pictured in a HARC application for the Historic Marker from 2011

Legislative History

7/30/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

25

**Case # 14-722**

Hana Siebertova  
 Tomas Zindulka, T/C  
 3806 Cindy Avenue  
 Sec. 90-359 Expiration of building permits  
 Sec. 90-363 Certificate of occupancy - Required  
 Officer Barbara Meizis  
 Certified Service: 8-26-2014  
 Initial Hearing: 9-17-2014

**Continued from September 17, 2014**

**Count 1:** Building permit 13-5379 was issued on December 20, 2013 and has had no inspections. It has been 181 days. Building permit 13-2617 was issued on September 26, 2013 and has had no inspections. It has been 266 days.

Legislative History

9/17/14	Code Compliance Hearing	Continuance
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26

**Case # 14-1333**

Ted Franse Living Trust 9/22/11  
 616 Petronia Street  
 Sec. 18-601 License required  
 Sec. 122-629 Prohibited Uses  
 Sec. 122-1371 (d)(9)  
 Officer Matt Willman  
 Certified Service: 9-2-2014  
 Initial Hearing: 9-17-2014

**Continued from October 29, 2014****Irreparable Violation**

**Counts 1 - 6:** A transient rental license is required to rent the property transiently. **Counts 7 - 13:** Transient rental are prohibited in the Historic High Density Residential district (HHDR). **Counts 14 - 20:** The subject property was rented transiently from August 12, 2014

Legislative History

9/17/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

27

**Case # 14-1334**

Ted Franse Living Trust 9/22/11  
 815 Pearl Street 3  
 Sec. 18-601 License Required  
 Sec. 122-699 Prohibited uses  
 Sec. 122-1371 Transient living accommodations in residential dwellings;  
 regulations  
 Officer Matt Willman  
 Certified Service: 9-2-2014  
 Initial Hearing: 9-17-2014

**Continued from October 29, 2014 for Settlement Agreement**

**Count 1:** A transient license is required to rent your property transiently.  
**Count 2:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR). **Count 3:** On August 27, 2014, the property owner was holding out this property for transient rental, 11 days.

Legislative History

9/17/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

28

**Case # 14-1346**

Ted Franse Living Trust 9/22/11  
616 Petronia Street  
Sec. 18-601 License Required  
Sec. 122-629 Prohibited uses  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Matt Willman  
Certified Service: 9-2-2014  
Initial Hearing: 9-17-2014

**Continued from October 29, 2014 for Settlement Agreement**

**Count 1:** A transient license is required to rent your property transiently.

**Count 2:** Transient rentals are prohibited in the Historic High Density Residential district (HHDR). **Count 3:** The property owner has offered this property for transient rent from April 12 through April 16, 2015.

**Legislative History**

9/17/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

29

**Case # 14-1489**

June K Waage  
921 Whitehead Street  
Sec. 122-1371 Transient living accommodations in residential dwellings  
Sec. 122-5-99 Prohibited uses  
Sec. 18-601 License required  
Officer Mathew Willman  
Certified Service:10-14-2014  
Initial Hearing: 11-14-2014

**New Case**

**Count 1:** This property was held out for transient rental of six nights.

**Count 2:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR). **Count 3:** A transient rental license is required to rent the property transiently.

30

**Case # 14-1540**

Stella A Rylander

419 Southard Street

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations

Sec. 18-601 License required

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

Officer Mathew Willman

Certified Service:

Initial Hearing: 11-14-2014

**Continue for service**

**Count 1:** This property was found advertising transient rentals on  
Craigslist. **Count 2:** A transient rental license is required to rent this  
property out transiently. **Count 3:** A business tax receipt is required to  
rent this property out non-transiently.

31

**Case # 14-1578**

Richard C Walker

2407 N Roosevelt Blvd

Sec. 74-32 Discharges to natural outlet

Officer Jim Young

Certified Service: 10-23-2014

Initial Hearing: 11-14-2014

**New Case - Settlement Agreement****Irreparable violation**

**Count 1:** For discharging gray water into the bay bottom.

**Liens**

32

**Case # 13-1640**

Martha J Wilkerson Estate

Karen Allen-Valdez

914 Emma Street Front

Certified Service:

**Adjournment**