



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, January 30, 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 # 18-1865**
Paul Bahan
1301 Newton Street
Sec. 58-31 Container and receptacle requirements
Officer Bonnita Badgett
Posted: 1-15-2019
Initial Hearing: 1-30-2018

In compliance 18 Jan 2019; Request dismissal

Count 1: Failure to remove garbage containers on the city right of way.

2**Case # 18-2134**

Old Town Development, LTD
Edwin Swift III
Chris C. Belland
620 Duval Street on Aronovitz Lane
Sec. 26-126 Clearing of property of debris and noxious material required
Sec. 58-34 Unlawful disposal
Officer Bonnita Badgett
Certified Mail:
Initial Hearing: 1-30-2019

In compliance 9 Jan 2019; Request dismissal

Count 1: Failure to remove household debris from the property. **Count 2:** Failure to dispose of household debris properly

3**Case # 18-613**

Jana Ruzickova
1617 Bahama Drive
Sec. 14-37 Building Permits
Sec. 90-363 Certificate of Occupancy
Sec. 14-261 Failure to obtain
Sec. 14-262 Request for inspection
Officer Sophia Doctoche
Certified Mail: 10-23-2018
Initial Hearing: 11-28-2018

In compliance 9 Jan 2019; Request dismissal

Count 1: Construction of a shed in the rear of the property without the benefit of required building permits. **Count 2:** Construction of a shed into a guest unit. **Count 3:** Failure to obtain an electrical permit for work performed. **Count 4:** Request for inspection for electrical work performed is required after permit is obtained.

Legislative History

11/28/18 Code Compliance Hearing Continuance

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Case # 18-927

RCJB Properties Inc.
 3402 Eagle Avenue
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Officer Sophia Doctoche
 Certified Service: 7-28-2018
 Initial Hearing: 9-26-2018

Continuance granted to 27 Feb 2019 for compliance

Count 1: Failure to obtain permits for installation of a new door, windows and stucco on the house.

Legislative History

9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance

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Case # 18-1009

Edward J Mccallum III
 Sharon S Mccallum
 2617 Staples Avenue
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-262 Request for inspection - **Request dismissal**
 Officer Sophia Doctoche
 Posted: 10-29-2018
 Initial Hearing: 11-28-2018

Continued from 19 Dec 2018

Count 1: Replacement of a roof without the benefit of building permit.

Count 2: Failure to obtain a final inspection.

Legislative History

11/28/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 18-1064

Heron House Court
 Marsh Enterprises of SW Florida Inc
 412 Frances Street
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Officer Sophia Doctoche
 Certified Service: 8-21-2018
 Initial Hearing: 9-26-18

Continuance granted to 27 Feb 2019 for compliance

Count 1: Failure to obtain a building permit for putting in a new fence.

Legislative History

9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance

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Case # 18-1963

Mark Morales - **Repeat for Counts 1 & 2**
 Julie Moore
 1600 Josephine Street
 Sec. 18-150 Certificate of competency required
 Sec. 66-87 Business tax receipt required for all holding themselves out to
 be engaged in business
 Officer Sophia Doctoche
 Posted: 1-8-2019 - Mark Morales
 Posted: 1-8-2019 - Julie Moore
 Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Doing roof work without the benefit of a certificate of competency. **Count 2:** Failure to obtain a business tax receipt from the City of Key West.

Legislative History

12/19/18	Code Compliance Hearing	Continuance
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Case # 18-1969

Gary the Carpenter
Gary Burchfield - Registered Agent
1600 Josephine Street
Sec. 18-117 Acts declared unlawful
Officer Sophia Doctoche
Certified Mail: 11-16-2018
Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Obtaining permits for an unlicensed person to do roofing work.

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 18-1972

Mark Morales - **Repeat for Counts 1 & 2**
Julie Moore
824 Center Street
Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to
be engaged in business
Officer Sophia Doctoche
Posted: 1-8-2019 - Mark Morales
Posted: 1-8-2019 - Julie Moore
Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Doing roof work without the benefit of a certificate of competency. **Count 2:** Failure to obtain a business tax receipt from the City of Key West.

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 18-1974

Gary the Carpenter
Gary Burchfield
516 Olivia Street
Sec. 18-117 Acts declared unlawful
Officer Sophia Doctoche
Certified Mail: 11-16-2018
Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Obtaining permits for an unlicensed person to do roofing work.

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 18-1979

Julie Moore
Mark Morales - **Repeat for Counts 1 & 2**
516 Olivia Street
Sec. 18-150 - Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Posted: 1-8-2019 - Julie Moore
Posted: 1-8-2019 - Mark Morales
Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Doing roof work without the benefit of a certificate of competency. **Count 2:** Failure to obtain a business tax receipt from the City of Key West.

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 18-2014

Mark Morales

1118 Petronia Street

Sec. 18-150 Certificate of competency required - **Repeat**Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business - **Repeat**

Officer Sophia Doctoche

Certified Mail: 12-21-2018

Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Holding himself out as a contractor without a current certificate of competency. - **Repeat.** **Count 2:** Failure to obtain a business tax receipt with the City of Key West. - **Repeat.**

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 18-2016

Mark Morales

1120 Petronia Street

Sec. 18-150 Certificate of competency required - **Repeat**Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business. - **Repeat**

Officer Sophia Doctoche

Certified Mail: 12-21-2018

Initial Hearing: 12-19-2018

Continuance granted to 27 Feb 2019

Count 1: Holding himself out as a contractor without the benefit of a certificate of competency. - **Repeat.** **Count 2:** Failure to obtain a business tax receipt with the City of Key West. - **Repeat.**

Legislative History

12/19/18 Code Compliance Hearing Continuance

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Case # 19-67

Mark Morales

Julie Moore

908 Trinity Drive #5

Sec. 18-150 Certificate of competency required - **Repeat Violation for Mark Morales**

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business - **Repeat Violation for Mark Morales**

Officer Sophia Doctoche

Hand Serviced: 1-19-2019 - Mark Morales

Hand Serviced: 1-19-2019 - Julie Moore

Continuance granted to 27 Feb 2019

Count 1: Holding themselves out as a contractor without the benefit of a certificate of competency. **Count 2:** Failure to obtain a business tax receipt from the City of Key West.

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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

Officer Leonardo Hernandez

Certified Service: 5-30-2018 - Owner

Certified Service: 5-23-2018 - Registered Agent

Initial Hearing: 6-27-2018

Continued from 28 Nov 2018

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

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Case # 18-556

Wendall A. Wall
 4 Go Lane
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Officer Leonard Hernandez
 Certified Service: 5-18-2018
 Initial Hearing: 6-27-2018

Continued from 31 Oct 2018 for compliance

Count 1: Failure to obtain after-the-fact building permit for fence with required supporting documents provided to the Planning Department and Urban Forestry Manager.

Legislative History

6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance

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Cases # 18-1113 & 18-30

Federal National Mortgage Association
 2811 Staples Avenue
~~Sec. 90-363 Certificate of occupancy Required~~ **Dismissed**
 Sec. 58-61 Determination and levy of charge
 FBC P2503.1 Inspections
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 66-87 Business tax receipt required for all holding themselves out to
 be engaged in business
 Officer Leonardo Hernandez
 Certified Service: 8-6-2018
 Initial Hearing: 8-29-2018

Continued from 19 Dec 2018 for compliance

~~Count 1: For failure to obtain a certificate of occupancy for second unit.~~
Dismissed Count 2: For failure to obtain utility accounts for second unit.
Count 3: For failure to obtain inspections for plumbing work. **Count 4:**
 For failure to obtain building permits for the kitchen, storage room, wall
 siding and ceiling work that was done. **Count 5:** For failure to obtain
 required business tax receipt to rent non-transiently.

Legislative History

8/29/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance

10/31/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 18-2079

Collage Beauty
 Far Beauty LLC - Business Owner
 Raziel Buchris - Title Ambassador
 Aviv Shmuel - Registered Agent
 211 Duval Company - Property Owner
 211 Duval Street A
 Sec. 18-415 Restrictions in historic district - **Repeat**
 Officer Leonardo Hernandez
 Certified Mail: 12-11-2018 - Collage Beauty
 Certified Mail: 12-14-2018 - Far Beauty LLC
 Certified Mail: 12-14-2018 - Raziel Buchris
 Certified Mail: 12-14-2018 - Aviv Shmuel
 Certified Mail: 12-14-2018 - 211 Duval Company
 Initial Hearing: 1-30-2019

Continuance granted to 27 Mar 2019

Count 1: On area canvas, an employee of Collage Beauty at 211 Duval Street was off premise canvassing. Repeat violation Case #17-1554.

19

Case # 16-720

Trevor Cook
 Elizabeth Fuller
 908 Packer Street
 Sec. 62-2 Obstructions
 Officer Beau Langford
 Certified Service: 6-21-2018
 Initial Hearing: 6-27-2018

Continued from 31 Oct 2018 for compliance

Count 1: Fence was built over the property line and will either need to be demolished or a variance applied for.

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

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Case # 16-773

Brittany D Delgado

~~Mark R Delgado Estate~~

2807 Seidenberg Avenue

Sec. 90-363 Certificate of occupancy - Required

Sec. 58-61 Determination and levy of charge

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

Officer Beau Langford

Certified Service:

~~Posted: 8-10-2017~~

Posted: 7-10-2018

Initial Hearing: 8-30-2017

Continued from 28 Nov 2018 for compliance

Count 1: Failure to obtain a Certificate of Occupancy for residential unit in the rear of the property. **Count 2:** Failure to have Utilities associated with the residential unit in the rear of the property. **Count 3:** Failure to have a non-transient business tax receipt for the residential unit in the rear of the property.

Legislative History

8/30/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	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
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance

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Case # 16-1570

Robert Reilly

Nicola Roques

1535 5th Street

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

FBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected
Enclosed Below Design Flood Elevation

Sec. 122-238 Dimensional requirements. Paragraph 6, Section a.

Single-family

Officer Beau Langford

Certified Service: 10-16-2017

Initial Hearing: 11-15-2017

In compliance 10 Dec 2018; Request dismissal

Count 1: Construction of a new one room structure and roof structural changes to the original house have been made without the benefit of required permits. **Count 2:** Did install, or installing or allowed to be installed, an inhabitable structure within a FEMA designated AE-8 flood zone, below the minimum required elevation deemed necessary for flood damage prevention. **Count 3:** One room structure is currently being built within the rear setback of the property and possibly on top of a 10' utility easement.

Legislative History

11/15/17	Code Compliance Hearing	Continuance
1/31/18	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
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

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Case # 17-710

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3333 Duck Avenue J204

Sec. 122-1371 D (9) Transient living accommodations in residential dwellings; regulations - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

Counts 1 - 7: During a routine investigation of the online website www.airbnb.com, the subject property was held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 17-724

AIRBNB, Inc.

Lawyers Incorporating Services 2710

620 Thomas Street 165

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

Counts 1 - 7: During routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 11 June 2017 through 18 June 2017.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 17-745

AIRBNB, Inc.

Lawyers Incorporating Services 2710

714 Thomas Street

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

Counts 1-7: During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 July 2017 through 8 July 2017 for a total of \$1,638.00.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 17-746

AIRBNB, Inc. - Registered Agent

Brian Chesky - CP

Lawyers Incorporating Services 2710

1207 Florida Street

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d) (9) - Counts 1 thru 4Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d) (9) - Count 5

Officer Beau Langford

Certified Service: 5-22-2017

Certified Service: 1-5-2018 - Amended Notice of Hearing

Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

AIRBNB, Inc.: **Counts 1-4:** During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 4 nights for the dates of 1 July 2017 through 5 July 2017 for a total of \$551.00. **Count 5:** For unlawful holding out or advertising of a transient rental by an owner, tenant, broker, realtor, agent or other representative of the owner if the property is not permitted.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 17-751

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3312 Northside Drive 106

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

Counts 1-7: During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017 for a total of \$808.00.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 17-866

AIRBNB, Inc
Lawyers Inc Service - Registered Agent
721 Georgia Street A
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations. D (9)
Officer Beau Langford
Certified Service: 11-15-2017 Amended Notice
Initial Hearing: 7-26-2017

Continuance granted to 27 Feb 2019

Counts 1-7: The subject property was held out/advertised by the respondent for transient rental for 7 nights the dates of 19 June 2017 through 26 June 2017 for a total of \$834.00

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

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Case # 18-06Brian Sharples - Director - **Counts 3 through 20**

Corporation Service Company - Registered Agent

D/B/A CSC - Lawyers Inc. - **Counts 3 through 20**Michael J McMahon - **Counts 1 through 20**

107 Front Street Unit 217

Sec. 18-601 License required - **Irreparable**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulationsSec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d) (9)

Officer Beau Langford

Certified Service: 1-12-2018 - Brian Sharples

Certified Service: 1-17-2018 - Corporate Service Company

Certified Service:

Initial Hearing: 2-28-2018

Continuance granted to 27 Feb 2019

Count 1: During a routine inspection, found a black Cadillac parked in the subjects parking space. Made contact with Frances and Valerie Sirotzki inside the unit. Mrs. Sirotzki forwarded the rental agreement along with all correspondence between the couple, HomeAway and Michael J McMahon. Rental agreement was for 18 nights, dates of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66. **Count 2:** The subject property has not had the requisite fire inspection. Owner has not provided the requisite TDC tax account with Monroe County Tax Collector or DBPR licensing information. There is no medallion for this property. **Counts 3 through 20:** The subject property owner is holding out for transient rental for 18 nights, the date of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66.

Legislative History

2/28/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance

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Case # 18-1038

Brookwood LLC

Dan Marrin

1216 Watson Street

Sec. 18-601 License required - Counts 1-8 - **Repeat Irreparable**Sec. 122-1371 - Counts 9-11 - **Repeat Irreparable**Sec. 122-1371 D (9) - Counts 12-19 - **Repeat Irreparable**

Officer Beau Langford

Certified Mail:

Initial Hearing: 1-30-2019

New Case - Repeat Irreparable Violations

Counts 1-8: Short-term rental from Saturday 11/17/18 to Saturday 11/24/18 without the required business tax receipt issued by the City of Key West. This is a repeat violation: Cases #17-1478 and #14-785.

Counts 9-11: Subject property owner is renting on a short-term basis without the benefit of the required city, county and state licensing. The subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 12-19:**

Subject property held out for transient rental for 7 nights the dates of 11/17/18 - 11/24/18 for a total of \$5600. This property is listed on VRBO for 1-30 night stay at \$800 per night for a total monthly rental cost of \$24,000 before taxes and fees.

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Case # 17-1146

Jordan James & Sara Key

1309 Newton Street

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions - **In compliance 9 Nov 2018; Request dismissal**Sec. 14-40 Permits in historic districts - **In compliance 9 Nov 2018;****Request dismissal**

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

Continuance granted to 27 Feb 2019 for compliance

Count 1: For failure to obtain a mechanical permit to install the A/C condenser on the roof. **Count 2:** For failure to obtain HARC approval for installation of the A/C condenser on the roof. **Count 3:** For failure to obtain an inspection for the A/C condenser.

Legislative History

4/25/18	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
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance

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Case # 17-1203

Michael Deegan Rev Trust
~~Browning Family Irrevocable Trust~~
 Michael Leo Browning
 1300 White Street
 Sec. 78-126 Required
 Sec. 78-91 Required
 Officer Jorge Lopez
 Posted: 7-2-2018
 Initial Hearing: 6-27-2018

Continued from 28 Nov 2018

Count 1: Subject business owner has not renewed their vehicle for hire license. **Count 2:** The subject individual has not received their documented permit which is required to operate a passenger vehicle for hire within the city limits.

Legislative History

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

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Case # 17-1213

Erwin Mayer & Didier R Moritz - property owner

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; exceptions

Officer Jorge Lopez

Certified Service: 11-16-2017

Initial Hearing: 12-20-2017

Continuance granted to 27 Feb 2019 for compliance**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.**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

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Case # 17-1579

Home Depot U.S.A. Inc.
Corporation Service Company - Registered Agent
2811 North Roosevelt Boulevard
Sec. 26-192 Unreasonably excessive noise prohibited
Officer Jorge Lopez
Certified Service: 6-15-2018
Initial Hearing: 7-25-2018

In compliance 28 Jan 2019; Request dismissal

Count 1: Noise complaint was investigated and the noise emanating from the subject property on 8 Jan 2018 was 83.9 Decibels which exceeds the noise limitation of 77 Decibels. As of this date, the subject property has not scheduled a sound reading to check that the noise level is within the limits set forth by the ordinance.

Legislative History

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

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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 - **In compliance 20 Dec 2018; Request
Dismissal**Sec. 26-126 Clearing of property of debris and noxious material required -
In compliance 20 Dec 2018; Request Dismissal

Officer Jorge Lopez

Certified Service: 6-15-2018 - Registered Agent

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

Initial Hearing: 5-30-2018

Continued from 31 Oct 2018

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. **Count 4:** Debris located on the driveway of this property which causes a nuisance or other unsightly or unsanitary condition.

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

35

Case # 18-392

Silver KW, Inc.

Alon Croitoru - Registered Agent

137 Duval Street 141

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

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Sec. 2-939 Licenses

Officer Jorge Lopez

Certified Service: 6-11-2018

Initial Hearing: 5-30-2018

Continuance granted to 27 Feb 2019 for compliance

Count 1: New installation of rolling steel doors on the exterior of the building without the benefit of a permit. **Count 2:** The rolling steel doors and the hanging sign over the sidewalk were installed without the benefit of a certificate of appropriateness. **Count 3:** Multiple prohibited signs on the exterior of the building. **Count 4:** The sign hanging over the sidewalk does not have a revocable license.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
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

36

Case # 18-615

Martin Busam

1126 Grinnell Street

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

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection - **In compliance 13 Nov 2018;****Request Dismissal**Sec. 102-152 Requirements for permits - **In compliance 13 Nov 2018;****Request Dismissal**

Officer Jorge Lopez

Certified Service: 5-23-2018

Initial Hearing: 6-27-2018

Continued from 31 Oct 2018 for compliance**Count 1:** Ductless AC units installed without the benefit of a permit.**Count 2:** Metal fence was installed and a new structure is being built in the rear side of the property without the benefit of a HARC certificate of appropriateness. **Count 3:** Two ductless AC units were installed withoutthe benefit of inspections. **Count 4:** Significant alterations were made to the deck at the subject property without the benefit of applying and obtaining the required HARC certificate of appropriateness.**Legislative History**

6/27/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance

37

Case # 18-825

Cuban Coffee Queen LLC

Marius Venter - Registered Agent

508 Southard Street

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Mail: 12-13-2018 - Marius Venter

Initial Hearing: 1-30-2019

In compliance 10 Dec 2018; Request dismissal

Count 1: Failure to obtain the required permit for doing roof work. **Count 2:** Failure to obtain a certificate of appropriateness for the roof work being done.

38

Case # 18-1011

Bahama Gardens LTD

Steven Justi - Registered Agent

712 Thomas Street

Sec. 14-325 Permit required - **In compliance 06 Dec 2018; Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - **In compliance 06 Dec 2018; Request dismissal**Sec. 14-40 Permits in historic districts - **In compliance 06 Dec 2018; Request dismissal**

Sec. 14-262 Request for inspections

Officer Jorge Lopez

Certified Service: 09-17-2018

Initial Hearing: 10-31-2018

In compliance 28 Jan 2019; Request dismissal

Count 1: Failure to obtain required permits for a new HVAC system installed in the rear side of the subject property. **Count 2:** Failure to obtain mechanical permit for the installation of a new HVAC system in the rear side of the subject property. **Count 3:** Failure to obtain the certificate of appropriateness from HARC for the new HVAC system. **Count 4:** Failure to obtain all required inspections for the new HVAC system.

Legislative History

10/31/18	Code Compliance Hearing	Continuance
12/19/18	Code Compliance Hearing	Continuance

39

Case # 18-1178

Old Town Trolley Tours of Washington, Inc.

Edwin Swift III - Registered Agent

201 Front Street Suite 224

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

Sec. 14-40 Permits in Historic districts

Officer Jorge Lopez

Certified Mail: 10-23-2018

Initial Hearing: 11-28-2018

In compliance 8 Jan 2019; Request dismissal**Count 1:** Directory sign was replaced without benefit of building permit.**Count 2:** Directory sign replaced without the benefit of a certificate of
appropriateness.**Legislative History**

11/28/18 Code Compliance Hearing Continuance

40

Case # 18-1211

Island-West Investments Corp.

Richard Estevez - Owner

Hugh J Morgan - Registered Agent

1213 14th Street 41

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

Officer Jorge Lopez

Certified Mail: 12-12-2018 - Hugh Morgan

Certified Mail: 12-18-2018 - Richard Estevez

Initial Hearing: 1-30-2019

New Case**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.

41

Case # 18-1669

Island-West Investment Corp.

Julian Jasmine Collins

Hugh Morgan - Registered Agent

1213 14th Street 82

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

Officer Jorge Lopez

Posted: 1-2-2019 - Julian Jasmine Collins

Certified Mail: 11-19-2018 - Per USPS

Initial Hearing: 12-19-2018

Continued from 19 Dec 2018

Count 1: Failure to obtain permit for working on the roof. **Count 2:** Failure to obtain permit for framing of the residence. **Count 3:** Failure to obtain a permit for electric work. **Count 4:** Failure to obtain a permit for plumbing work done underneath the residence.

Legislative History

12/19/18 Code Compliance Hearing Continuance

42

Case # 18-1779

Jean Griffith

3635 Seaside Drive 417

Sec. 26-197 Animals

Officer Jorge Lopez

Certified Mail: 12-8-2018

Initial Hearing: 1-30-2019

In compliance 28 Jan 2019; Request dismissal

Count 1: Allowing your dog to bark for long periods of time which is disturbing to the neighbors.

43

Case # 18-1904S Group Inc - **Counts 1 & 2 only**Andrienne Sanchez - Registered Agent - **Counts 1 & 2 only**Richard & Deborah Pesce - Property Owners - **Counts 1 thru 10 and 12 only**Michael Herrera - **Counts 1 thru 10 and 12 thru 13 with Repeat Count 11.**

712 Eaton Street

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

Sec. 14-40 Permits in historic districts

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

Sec. 14-261 Failure to obtain

Sec. 14-327 Inspection

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

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

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

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

Sec. 14-40 Permits in historic districts

Sec. 18-150 Certificate of competency required

Sec. 18-117 Acts declared unlawful

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

Officer Jorge Lopez

Certified Mail: 12-13-2018 - Registered Agent (Amended Notice)

Certified Mail: 12-18-2018 - Richard & Deborah Pesce (Amended Notice)

Posted: 1-7-2019 - Michael Herrea

Initial Hearing: 1-30-2019

New Case - Repeat Violation

Count 1: Failure to obtain the permit for the exterior renovations regarding the railings and column. **Count 2:** Failure to obtain the certificate of appropriateness for the railings on the second floor and one column removal on the first floor. **Count 3:** Electrical work performed without the benefit of an electrical permit. **Count 4:** Failure to obtain an electrical permit. **Count 5:** Failure to obtain an electrical inspection. **Count 6:** Plumbing work performed without the benefit of a plumbing permit. **Count 7:** Installation of new kitchen cabinets without the benefit of

permits. **Count 8:** Framing and plumbing work performed without the benefit of permits. **Count 9:** New structure being built in the rear side of the property without the benefit of a permit. **Count 10:** New structure being built without the benefit of a certificate of appropriateness. **Count 11:** Does not have a certificate of competency to operate as a licensed electric contractor nor a licensed plumbing contractor. Mr. Herrera was found in violation in Case# 17-1019. **Count 12:** Unlawful for work to be performed by an unlicensed contractor. **Count 13:** Failure to obtain a business tax receipt which is required.

44

Case # 18-1930

Toppino Construction Company, Inc.

Edward Toppino Sr. - Registered Agent

2011 Flagler Avenue

Sec. 122-389 Prohibited uses

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

Sec. 122-390 Dimensional requirements

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

Officer Jorge Lopez

Certified Mail: 12-15-2018 - Toppino Construction

Certified Mail: 12-19-2018 - Edward Toppino Sr.

Initial Hearing: 1-30-2019

In compliance 25 Jan 2019; Request Dismissal

Count 1: Renting this property as residential units which is prohibited in the Limited Commercial Zone District. **Count 2:** Failure to obtain a non-transient business tax receipt. **Count 3:** Two sheds and one carport are located within the setbacks. **Count 4:** Failure to obtain a building permit for the construction of a carport in the rear side of the subject location.

45

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) - **In compliance 17****Dec 2018; Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions (Amended Notice)

Sec. 14-40 Permits in historic districts (Amended Notice)

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

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

Officer Jorge Lopez

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

Continuance granted to 27 Feb 2019**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. **In compliance 17 Dec 2018; Request dismissal.****Count 1 (Amended Notice):** Two signs installed without the benefit of a building permit. **Count 2 (Amended Notice):** Signs installed without the benefit of a certificate of appropriateness. **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.

46

Case # 18-2070

Michael Herrera -

Artist House Key West Group, LLC - **Counts 1 thru 3 only**

CT Corporation System - Registered Agent

1016 Fleming Street

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

Sec. 14-40 Permits in historic districts

Sec. 18-117 Acts declared unlawful

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

Officer Jorge Lopez

Posted: 1-7-2019 - Michael Herrera

Certified Mail: 12-24-2018 - CT Corporation System

Initial Hearing: 1-30-2019

Continuance granted to 27 Feb 2019

Count 1: Failure to obtain building permits for new deck built on the second floor, 3 new posts and deck frame. Michael Herrera is the maintenance manager at this property and did not obtain permits. **Count 2:** Failure to obtain a certificate of appropriateness for building a new second floor dec, 3 new posts, deck frame, siding work in the rear side of the building and multiple paint buckets on the property. **Count 3:** Mr. Herrera is not qualified as a license contractor and was employed by the property owner. Repeat violation from Case# 17-1019 for Mr. Herrera. **Count 4:** Mr. Herrera does not have a business tax receipt to provide servies as a licensed contractor. Repeat violation from Case# 17-1019

47

Case # 18-1079

Kermit Inc

Kevin Joseph Solari - Registered Agent

431 Front Street B

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

Sec. 14-40 Permits in the historic districts

Sec. 114-103 Prohibited signs

Officer Paul Navarro

Certified Mail: 1-2-2019 - Registered Agent

Certified Mail: 1-8-2019 - Kermit, Inc.

Initial Hearing: 1-30-2019

New Case**Count 1:** Failure to obtain the required permit for a wood fram with a sign.**Count 2:** Failure to obtain a certificate of appropriateness for signs in the rear, side and front of the subject property. **Count 3:** A prohibited sign

has been placed at the subject property.

48

Case # 18-1934

OfficeMax North America, Inc

Corporate Creations Network Inc - Registered Agent

1118 Key Plaza

Sec. 30-1 Fees for false alarms and fire code inspections

Officer Paul Navarro

Certified Mail: 1-2-2019 - Registered Agent

Certified Mail: 1-2-2019 - OfficeMax North America

Initial Hearing: 1-30-2019

In compliance 22 Jan 2019; Request dismissal**Count 1:** Failure to pay for four annual fire inspections**Mitigations**

49

Case # 18-673

John Cameron

Lara Schmidt

620 Thomas Street 178

50

Case # 18-730

David Cunningham

428 Greene Street

Adjournment