



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Thursday, December 16, 2021

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.

You may also attend these meetings virtually via Zoom by telephoning +1 646-558-8656 Meeting ID: 863 7517 8145 Passcode: 076350 or Online at: <https://cityofkeywest-fl.gov.zoom.us/j/86375178145?pwd=MFp3aDBsWjdmUHR6U3EyS0NXd3Zldz09> Meeting ID: 863 7517 8145 Passcode: 076350

Call Meeting to Order

Code Violations

1

Case # 21-1808

Rent Key West Vacations Inc.

Paul N Hayes- Registered Agent

Michael A. Mele- Property Owner

504 Catherine Street

Sec. 18-601 License required- **Irreparable**

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

Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(9)- **Irreparable**

Officer Sophia Doctoche

Certified Mail: 11-22-2021- Rent Key West Vacations Inc.

Certified Mail: Michael A. Mele

Initial Hearing: 12-16-2021

Continuance granted to 27 January 2021

Count 1-5: Unlawful to lease a residential property for a period of less than thirty days or one calendar month without having obtained a business tax receipt.- **Irreparable**

Count 6-8: Failure to obtain the required city, county or state license for holding out/ advertising a short-term rental at this property.- **Irreparable**

Count 9-13: Unlawfully holding out this short-term rental for five nights.- **Irreparable**

2

Case # 21-246

Thomas L Fortin

1106 Grinnell Street

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

Sec. 14-40 Permits in historic districts

Sec. 122-600 Dimensional requirements

Officer Edward Keane

Certified Mail:

Initial Hearing: 8-26-2021

Continued from 21 October 2021

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 2: Failure to apply and obtain the appropriate roofing permits for the HARC district.

Count 3: Failure to have the proper dimensional setback requirements for the HARC district.

3

Case # 20-227

Tadd Mallard

3359 Flagler Ave

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

Officer Paul Navarro

Hand Posted: 9-30-2021

Initial Hearing: 10-21-2021

In compliance as of 7 December 2021; Request dismissal

Count 1: Failure to apply and obtain permits from the City of Key West Building Department.

4

Case # 21-1569

801/803 Elizabeth St LLC

C/O Peter Brawn

801 Elizabeth Street

Sec. 108-453 Required clearance over roadways and fire lanes

Officer Paul Navarro

Certified Mail: 11-18-2021- **Amended**
Initial Hearing: 12-16-2021

In compliance as of 13 December 2021; Request dismissal

Count 1: Failure to trim Poinciana tree branches fourteen feet from the roadway.

5

Case # 21-1586

Barbary House Key West
Diamondrock KW South Tenant, LLC
NRAI Services, INC
2001 S Roosevelt Blvd
Sec. 30-5 Excessive false alarms declared a public nuisance
Sec. 30-6 False alarm signal service charge; collection
Officer Paul Navarro
Certified Mail: 10-18-2021
Initial Hearing: 10-21-2021

In compliance as of 25 October 2021; Request dismissal

Count 1: Failure to avoid more than three false alarms within a 12-month period.

Count 2: Failure to pay false alarm fees with the City of Key West Revenue Department or City of Key West Fire Department.

6

Case # 21-1631

Tadd Mallard
3359 Flagler Ave
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Paul Navarro
Hand Posted: 12-1-2021
Initial Hearing: 12-16-2021

Continuance granted to 27 January 2021

Count 1: Failure to apply and obtain permits from the City of Key West Building Department.

7

Case # 21-1846

Margaritaville Beach House Key West
Diamondrock KW South Tenant, LLC
2001 S Roosevelt Blvd
Sec. 30-5 Excessive false alarms declared a public nuisance
Sec. 30-6 False alarm signal service charge; collection

Officer Paul Navarro
Hand Posted: 12-1-2021
Initial Hearing: 12-16-2021

New Case

Count 1: Failure to avoid more than three false alarms within a 12-month period.

Count 2: Failure to pay false alarm fees with the City of Key West Revenue Department or City of Key West Fire Department.

8

Case # 21-1537

Richard Hoy
1011 Windsor Lane
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 14-256 Permit required
Sec. 14-262 Request for inspection
Sec. 14-359 Permit display
Sec. 18-117 Acts declared unlawful
Officer Leo Slecton
Certified Mail: 9-27-2021
Initial Hearing: 10-21-2021

Continuance granted to 27 January 2022

Count 1: Failure to apply and obtain a building permits with the City of Key West Building Department.

Count 2: Failure to apply and obtain a Certificate of Appropriateness with the City of Key West HARC Department.

Count 3: Failure to apply and obtain electrical permits with the City of Key West Building Department.

Count 4: Failure to schedule a required inspection with the City of Key West Building Department.

Count 5: Failure to apply and obtain a plumbing permit with the City of Key West Building Department.

Count 6: Failure to apply and obtain a Business Tax Receipt with the City of Key West Licensing Department.

9

Case # 21-1537

Alan Walker
1011 Windsor Lane
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions- **Repeat**

Sec. 14-40 Permits in historic districts- **Repeat**
Sec. 14-256 Permit required
Sec. 14-262 Request for inspection
Sec. 14-359 Permit display
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 Leo Slecton
Hand Posted- 10-15-2021
Initial Hearing: 10-21-2021

Continued from 21 October 2021

Count 1: Failure to apply and obtain building permits with the City of Key West Building Department.- **Repeat**
Count 2: Failure to apply and obtain a Certificate of Appropriateness with the City of Key West HARC Department.- **Repeat**
Count 3: Failure to apply and obtain electrical permits with the City of Key West Building Department.
Count 4: Failure to schedule a required inspection with the City of Key West Building Department.
Count 5: Failure to apply and obtain a plumbing permit with the City of Key West Building Department.
Count 6: Failure to apply and obtain a Business Tax Receipt with the City of Key West Licensing Department.- **Repeat**
Count 7: Failure to achieve Certificate of Competency.- **Repeat**

10

Case # 21-1789
Ashford Pier House LP
1 Duval Street
Sec. 62-1 Deposits of oil, grease or other waste- **Irreparable**
Officer Leo Slecton
Hand Posted: 11-9-2021
Initial Hearing: 12-16-2021

Settlement Agreement

Count 1: Failure to prevent or cause any oil, grease or other waste to flow or otherwise be placed upon any right of way, street, alley, swale, public square or sidewalk with in the city.- **Irreparable**

11

Case # 19-1445
Adrienne Bond
1207 19th Terrace
Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy required
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 66-87 Business tax required for all holding themselves out to be
 engaged in business
 Officer: Igor Timus
 Certified Mail:
 Initial Hearing: 5-27-2021

Continued from 21 October 2021

Count 1: Failure to contact the Revenue Department to pay all delinquent utility fees.

Count 2: Failure to contact the Building Department to apply and obtain a Certificate of Occupancy for the additional residential unit.

Count 3: Failure to contact the Building Department to apply and obtain the after the fact permits.

Count 4: Failure to contact the Licensing Department to apply and obtain a business tax receipt for a non transient rental license.

12

Case # 19-1707

211 Duval Company
 C/O Duval Group
 Charles Ittah- Registered Agent
 215 Duval Street

~~Sec. 2-939 Licenses-~~ **Dismissed**

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

Sec. 114-108 Maintenance of all signs

~~Sec. 14-40 Permits in historic districts-~~ **Dismissed**

Officer Igor Timus
 Certified Mail: 10-4-2021
 Initial Hearing: 11-18-2021

Continued from 18 November 2021

~~Count 1: Failure to apply and obtain a revocable license from the City of Key West Licensing Department.-~~ **Dismissed**

~~Count 2: Failure to apply and obtain a permit from the City of Key West Building Department.-~~ **Dismissed**

Count 3: Failure to restore historic sign.

~~Count 4: Failure to apply and obtain a certificate of appropriateness from the City of Key West HARC Department.-~~ **Dismissed**

13

Case # 18-1639

Jessica Clark
1824 Fogarty Ave 1
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
Sec. 14-72 Minimum facilities
Officer Jim Young
Certified Mail: 1-27-2021
Initial Hearing: 2-18-2021

Continued from 21 October 2021

Count 1: Failure to apply and obtain a certificate of occupancy for the unit located in the rear side of the property.

Count 2: Failure to contact the Planning Department to apply and obtain cost of impact fees.

Count 3: Failure to provide an as-built certificate to the Building Department.

Count 4: Failure to remove the tarp and bed from this area.

14

Case # 20-676

Futterman Phenphak
1704 Jamaica Drive
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-262 Request for inspection
Officer Jim Young
Certified Mail: 4-10-2021
Initial Hearing: 4-29-2021

Continued from 21 October 2021

Count 1: Failure to apply and obtain the after the fact permits for all un-permitted work.

Count 2: Failure to schedule an inspection for all work that has been completed.

15

Case # 20-1335

John Lindle
1617 White Street
Sec. 14-37 Building permits; professional plans; display of permits;

address; exceptions
Officer Jim Young
Certified Mail: 2-2-2021
Initial Hearing: 2-18-2021

Continued from 21 October 2021

Count 1: Failure to apply and obtain after the fact permits for building, electrical and plumbing.

16

Case # 21-128

Singh Business Trust V
518 Elizabeth Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 122-629 Prohibited uses
Officer Jim Young
Certified Mail: 11-15-2021
Initial Hearing: 12-16-2021

New Case

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

Count 2: Conducting tours in the Historic High Density Residential District which prohibits this type of activity.

17

Case # 21-1557

Donna Chavis
827 Emma Street
Sec. 110-292 Failure to achieve a settlement agreement
Officer Jim Young
Certified Mail: 11-01-2021- **Amended Notice**
Initial Hearing: 11-18-2021

Continued from 18 November 2021

Count 1: Failure to comply with the settlement agreement.

18

Case # 21-1562

Michael Donoghue
1501 George Street
Sec. 110-292 Failure to achieve a settlement agreement

Officer Jim Young
Certified Mail: Amended Notice
Initial Hearing: 11-18-2021

Continued from 18 November 2021

Count 1: Failure to comply with the settlement agreement.

Mitigations

19

Case # 19-1592

Rosemie Thomas
1213 14th Street 54
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Troy Montero
Certified Mail: 11-25-2019
Initial Hearing: 1-30-2020

Mitigation

Count 1: Failure to obtain all proper building permits.

20

Case # 21-1537

Edward A. Chilton
1011 Windsor Lane
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 14-256 Permit required
Sec. 14-262 Request for inspection
Sec. 14-359 Permit display
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 Leo Slecton
Certified Mail: 11-01-2021
Initial Hearing: 10-21-2021

Mitigation

Count 1: Failure to apply and obtain building permits with the City of Key West Building Department.

Count 2: Failure to apply and obtain a Certificate of Appropriateness with

the City of Key West HARC Department.

Count 3: Failure to apply and obtain electrical permits with the City of Key West Building Department.

Count 4: Failure to schedule a required inspection with the City of Key West Building Department.

Count 5: Failure to apply and obtain a plumbing permit with the City of Key West Building Department.

Count 6: Failure to achieve Certificate of Competency.

Count 7: Failure to apply and obtain a Business Tax Receipt with the City of Key West Licensing Department.

Adjournment