



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Contractors Examining Board

Wednesday, December 6, 2023

3:30 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.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

Call Meeting To Order - 3:32 P.M.

Roll Call

Absent 3 - Mr. Chinnis, Mr. Vazquez, and Chairman Castellanos

Present 4 - Mr. Balbuena Sr, Mr. Millelli, Ms. Norris, and Mr. Waite

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as presented.

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 September 6, 2023

Attachments: [Minutes](#)

A motion was made by Ms. Norris, seconded by Mr. Waite, to approve the Minutes. The motion passed unanimously.

Action Items

2 (HEAR)
Case: #2022-01542
Address: 10 Lowes Lane

Contractor: Key West Trim Works (Luigi Vaccaro, III)
Code Officer: Roman Stenko

Count 1: Sec. 14-37 - Work performed beyond the scope of the issued permit.

On 11/21/2022 Code Officer Roman Stenko, in response to a complaint regarding unpermitted work at the subject address 10 Lowes Lane. Officer Stenko along with Building Inspector Tarin Wright conducted an inspection where they observed and photographed work that was performed over the scope of permits that had been issued to the property (BLD22-3106 and BLD22-3108). The contractor of record is Key West Trim Works. A Stop Work Order was placed. Mr. Darek Lyzwinski is the property owner of record and stated that he worked for Key West Trim Works. They agreed to apply for an after the fact permit for Electrical Demo.

Count 2: Sec. 14-40 Permit in historic districts; Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

Count 3: Sec. 18.117 Acts declared unlawful

It shall be unlawful for any contractor, as defined in Section 18-116, operating anywhere within the city, licensed individually or as a firm contractor, or any officers, directors or qualified representatives of a firm contractor to commit any one or more of the acts or omissions set forth in this section. It shall also be unlawful for any property owner to commit any one or more of the acts or omissions set forth in this section as it may pertain to a property. Violations of this section by a property owner shall be subject to the authority of the special master.

Sponsor: Mr. Ramsingh

Attachments: [22 00001542\(191029\) - PICS-VIDEO - PICTURES - PICS-VIDEO](#)
[22 00001542\(191029\) - PICS-VIDEO - PICTURES - PICS-VIDEO2](#)
[22 00001542\(191029\) - PICS-VIDEO - PICTURES - PICS-VIDEO3](#)
[22 00001542\(191029\) - PICS-VIDEO - PICTURES - PICS-VIDEO4](#)
[22 00001542\(191029\) - PICS-VIDEO - PICTURES - PICS-VIDEO5](#)
[Case Details \(44\)](#)
[EXTERNAL Delivered Notice of Hearing to appear before the Contractors Examining Board on September 6 2023 at 3 30 pm - Luigi Vaccaro Key West Trim Works](#)

A motion was made by Ms. Norris, seconded by Mr. Balbuena, to Postpone this item to the March 6, 2024 Contractors Examining Board meeting. The motion passed unanimously.

3

(HEARING)

Address: 1023 Grinnell St.
 Contractor: Wayne Garcia Builders Contr, Inc.
 (Wayne Garcia)

Date of Violation(s) 9/12/2023

Code Violation:

Count 1: Sec. 14-37 - Work permits; Failure to apply and obtain the appropriate permits.

Address: 1023 Grinnell St.

On 9/12/2023, Code Officer Keenan Mellendorf accompanied CBO Raj Ramsingh to his inspection of the subject property. When we arrived there was work (interior/exterior renovations) being performed on the house. The contractor present was Wayne Garcia. Raj Ramsingh informed him that some of the work that was being done at the time of our inspection was over the scope of what was currently approved. Mr. Ramsingh informed Mr. Garcia that he would need to submit some plans for approval and also obtain approval from HARC for some of the work. Mr. Garcia understood and said he would work on it.

Count 2: Sec. 14-40 Permits in historic districts; Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

Sponsor: Mr. Ramsingh

Attachments: [1023 Grinnell Garcia CEB 12.6.23 - Copy](#)
 [Case Details \(62\)](#)
 [original-2B1D8E3D-102C-49D5-B102-004E90888510](#)
 [original-63640370-C90A-47E5-A2E5-B43ECF6635E7](#)

A motion was made by Mr. Balbuena, seconded by Mr. Waite, that the Board does find a violation of two counts by Mr. Garcia of Wayne Garcia Building Contractor Inc., and that there be a letter of reprimand issued with a \$100.00 administrative fee.

4

(Hearing)

Address: 718 Southard St.
Contractor: Moore Builders, Inc.
(Gary Elliott Moore, Jr.)

Date of Violation(s) 9/12/2023

Code Violation:

Count 1: Sec. 14-37 - Building permits; Failure to apply and obtain the appropriate permits.

Address: 718 Southard St.

On 9/12/2023, Code Officer Keenan Mellendorf accompanied CBO Raj Ramsingh to 718 Southard St. for an inspection after learning that the house had been demoed without permits or HARC approval. When we arrived we observed and photographed that the house had been almost completely demoed. Most, if not all historic elements of the house are gone. The roofing, flooring, electrical, and interior structural supports have all been removed. The contractor responsible is Moore Builders, Inc. Moore Builders pulled a permit for windows, wall petition, framing for interior doors, mill work, new columns in the rear structure, pool decking repair, pool storage area, and art stucco in April of 2022. A Stop Work Order was placed on the front door.

Count 2: Sec. 14-40 - Permits in the historic districts: Failure to apply and obtain a certificate of appropriateness with the City

of Key West HARC Department.

Sponsor: Mr. Ramsingh

Attachments: [718 Southard Moore CEB 12.6.23](#)

[Case Details \(58\)](#)

[718 Southerd photos](#)

A motion was made by Ms. Norris, seconded by Mr. Balbuena, that the Board does find a violation of two counts by Mr. Moore of Moore Builders, Inc., and that there be a letter of reprimand issued, with a \$250.00 fine and \$100.00 administrative fee.

5

(Hearing)

Address: 1015 Fleming St.

Contractor: Tomkins Electric, LLC
(Gary Luther Germanton)

Date of Violation(s) 10/12/2023

Code Violation:

Count 1: Sec. 14-37 - Building Permits: Failure to apply and obtain the appropriate permits.

Address: 1015 Fleming St.

On the morning of October 12th, 2023, during field inspections, Code Officer Ashton Gentry, observed and photographed workers and work materials in the parking lot adjacent to 1015 Fleming St. (Eden House). He approached the worker on-site who identified himself as Shawn Hollan of 5th Carpentry out of Sarasota, FL. Shawn stated he was building stairways and decks on the property. Shawn stated he was not a licensed contractor and did not have permits for work. The property 1510 Fleming St. (Eden House) has an active permit for Pool resurfacing only. The work documented on site included extensive demolition of old decks and stairways and framing of new stairways and decks. The general manager of the property having daily plumbing issues being resolved by Patti the Plumber and the pool area also had a new concrete foundation that was included in the work of a pool resurfacing permit (BLD2023-2218). The general manger also gave us background information on the work crews, scope of the demolition, and scope of ongoing work at the site. The manager also informed us that Tomkins Electric, LLC had added or replaced 5 new electrical service units. The general manager informed us that Shawn and 5TH Carpentry were hired by the owner of the hotel to oversee the construction and most of the labor was being performed by the hotel maintenance staff at the direction of

the owner. All parties were informed to cease all work and secure the construction areas until all licensing and permitting issues had been resolved. A Stop Work Order was posted on the front of the building, a code case has been opened, evidence photos stored and body cam video stored.

Sponsor: Mr. Ramsingh

- Attachments:**
- [1015 Fleming St Germanton](#)
 - [Case Details \(60\)](#)
 - [23 00001172 NOCV Tomkins Electric LLC Unpermitted Work](#)
 - [EDEN HOUSE](#)
 - [23 00001172\(197299\) - PICS-VIDEO - PICTURES - PICS-VIDEO](#)
 - [23 00001172\(197299\) - 3](#)
 - [23 00001172\(197299\) - 4](#)
 - [23 00001172\(197299\) - 5](#)
 - [23 00001172\(197299\) - 2](#)
 - [23 00001172\(197299\) - 6](#)
 - [23 00001172\(197299\) - 7](#)
 - [23 00001172\(197299\) - 8](#)
 - [23 00001172\(197299\) - 9](#)
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 - [23 00001172\(197299\) - 18](#)
 - [23 00001172\(197299\) - 19](#)
 - [23 00001172\(197299\) - 20](#)
 - [23 00001172\(197299\) - 21](#)

A motion was made by Mr. Waite, seconded by Mr. Balbuena, that the Board does find a violation of one count by Mr. Germanton of Tomkins Electric, LLC, and that there be a letter of reprimand issued, with a \$250.00 fine and \$100.00 administrative fee.

Reports

Adjournment - 3:56 P.M.