



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final Code Compliance Hearing

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Thursday, December 7, 2023

1:30 PM

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 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**

11

**Case # 23-315**

La Grignote Key West LLC

Kathryn Ann Harwood- **Registered Agent**

1211 Duval Street

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

Officer Leo Slecton

Hand Served: 8-3-2023

Initial Hearing: 8-31-2023

**Continued from 16 November 2023**

**Count 1:** Failure to contact the City of Key West Licensing Department to update license for the excess seats.

The Code Officer was Leo Slecton. Jim Young Assistant City Attorney Nicholas Trovato was present on behalf of the City. Attorney Michael Halpern was present on behalf of the Respondent. Assistant City Attorney Trovato explained that there is no question of how much is owed or when its owed, the only question is who owes the money. The Special Magistrate asked how much money is owed. Director Young stated that the amount owed for impact fees for the 10 seats is \$7,000.00 and some change. Attorney Halpern agreed that they were not contesting the amount that is owed. Attorney Halpern stated that the Respondents have reduced the seats since buying the business and currently have 36 seats which is the number of seats they can have inside with out

people falling over others which is 10 more than what occupational license states. Attorney Halpern argued that the initial owners of the business owe the impact fees that is due to the City for the extra seats. The Special Magistrate ordered for Attorney Halpern to put his final argument in a packet for him to review and he will make his decision. The Special Magistrate also ordered for the final argument to be delivered to him no later than 22 January 2024. The Special Magistrate granted a continuance to 29 February 2023.

5

**Case # 23-1150**Griffin, Sean Robert- **Musician**

903 Duval Street

Sec. 26-192 Unreasonable noise prohibited

Officer Keenan Mellendorf

Certified Mail: 10-26-2023

Initial Hearing: 10-19-2023

**Continued from 16 November 2023****Count 1:** Failure to keep music at a legal level.

The Code Officer was Keenan Mellendorf. Assistant City Attorney Nicholas Trovato was present on behalf of the City. Attorney Van Fischer was present on behalf of the musician Sean Robert Griffin. Officer Mellendorf read his timeline and evidence was shown. Assistant City Attorney asked Officer Mellendorf questions about his sound meter training. Attorney Van Fischer asked Officer Mellendorf if the noise reading and ambient sound reading was done between the time of 9:34PM and 9:37PM. Officer Mellendorf answered that both the sound and ambient reading was done within the time frame stated by Attorney Fischer. Attorney Fischer asked Officer Mellendorf if a second sound reading was done that same night. Officer Mellendorf stated that he did do a sound reading previously in the night. Attorney Fischer asked Officer Mellendorf what the sound reading was during the first visit. Officer Mellendorf answered that he did not recall. Attorney Vischer asked Officer Mellendorf when he obtained the sound reading of 81dBc. Officer Mellendorf stated that he obtained the 81dBc reading after the first reading. Attorney Fischer asked Officer Mellendorf if scooters or cars passing by affects the noise reading. Officer Mellendorf stated yes. Attorney Fischer asked Officer Mellendorf if the sound meter is on a tripod while doing a reading. Officer Mellendorf stated that the meter is hand held and also explained where and how to point the meter to perform the noise readings. Attorney Fischer stated that in the body cam footage during the night of the violation at approximately 6 minutes in the sound meter is visible and the meter said 76.4dBc and asked Officer Mellendorf to explain the 81dBc. Officer Mellendorf explained that while the reading is happening the sound meter is constantly measuring the pressure and when the reading is done for the noise and the ambient sound the meter gives an average which is why the noise was calculated at 81dBc. Attorney Fischer asked Officer Mellendorf what the dBc limit was for that district. Officer Mellendorf answered 77dBc. The Special Magistrate thought that there was substantial evidence for a finding of violation and imposed no fees or fines.

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**Case # 23-1150**

Patagonia Ventures LLC

Robert E. Clark LLC- **Registered Agent**

903 Duval Street

Sec. 26-192 Unreasonable noise prohibited- **Repeat**

Officer Keenan Mellendorf

Hand Served: 10-6-2023

Initial Hearing: 10-19-2023

**Continued from 16 November 2023****Count 1:** Failure to keep music at a legal level.-**Repeat**

The Code Officer was Keenan Mellendorf. Assistant City Attorney Nicholas Trovato was present on behalf of the City. Attorney Ryan Abrams was present on behalf of the Respondent Patagonia Ventures LLC. All parties agreed to adopt the testimony from the previous case. The City was requesting a finding of the violation with \$250.00 administrative cost and \$500.00 fine for the repeat count. Attorney Abrams stated that the Respondents were not noticed of the repeat count and also stated that the business has no control over the musicians and that the business will no longer be having live music at their venue anymore. Officer Mellendorf stated that he did notice the Respondents of the repeat violation. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and no fine.

9

**Case # 23-974**

Jonathan Ring

1208 Virginia Street

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

Sec. 14-40 Permits in historic districts- Irreparable

Officer Paul Navarro

Hand Posted: 8-16-2023

Initial Hearing: 8-31-2023

**Continuance granted to 23 February 2023****Count 1:** Failure to apply and obtain the appropriate building permits from 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.

Attorney Ben McMahan was present of behalf of the Respondent. This case was previously granted a continuance to 29 February 2024.

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**Case # 23-1011**

Gulf Southern Construction Company KW Inc.

David H. Steinmeyer Jr.- **Registered Agent**

1208 Virginia Street

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

Sec. 14-40 Permits in historic districts- **Irreparable**

Officer Paul Navarro

Hand Served: 8-8-2023

Initial Hearing: 8-31-2023

**Continuance granted to 23 February 2023**

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

**Count 2:** Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.- **Irreparable**

Attorney Ben McMahan was present of behalf of the Respondent. This case was previously granted a continuance to 29 February 2024.

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**Case # 23-1146**

ECI Construction INC.

John Jackson- **Registered Agent**

1521 Seminary Street

Sec. 62-1 Deposits of oil, grease or other waste- **Irreparable**

Officer Jim Young

Certified Mail: 10-16-2023

Initial Hearing: 10-19-2023

**Continued from 16 November 2023**

**Count 1:** Failure to prevent grease or waste to be placed on the City right of way.- **Irreparable**

The Code Officer was Jim Young. Attorney Ben McMahan was present on behalf of the Respondent. Officer young stated that an amended notice of hearing was sent to the Respondent and the City would like to dismiss the case. The Special Magistrate granted the dismissal of the case.

6

**Case #23-1153**

LKT Services & Companies LLC

Richard McChesney- **Registered Agent**

409 Caroline Street

Sec. 26-192 Unreasonable noise prohibited  
Officer Keenan Mellendorf  
Hand Served: 11-9-2023  
Initial Hearing: 12-7-2023

**New Case**

**Count 1:** Failure to keep music at a legal level.

The Code Officer was Keenan Mellendorf. Attorney Richard McChesney was present on behalf of the business Hanks Hair of the Dog Saloon. Attorney Ryan Abrams was present on behalf of the complainants. Stephen Marshall Morlock the musician was present as well. Attorney McChesney requested a continuance. Attorney Abrams objected to the continuance. All parties agreed to a continuance to the January docket. The Special Magistrate granted a continuance to 25 January 2023.

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**Case # 23-1153**

Stephen Marshall Morlock- **Musician**  
409 Caroline Street  
Sec. 26-192 Unreasonable noise prohibited  
Officer Keenan Mellendorf  
Hand Posted: 11-9-2023  
Initial Hearing: 12-7-2023

**New Case**

**Count 1:** Failure to keep music at a legal level.

The Code Officer was Keenan Mellendorf. Attorney Richard McChesney was present on behalf of the business Hanks Hair of the Dog Saloon. Attorney Ryan Abrams was present on behalf of the complainants. Stephen Marshall Morlock the musician was present as well. Attorney McChesney requested a continuance. Attorney Abrams objected to the continuance. All parties agreed to a continuance to the January docket. The Special Magistrate granted a continuance to 25 January 2023.

1

**Case # 23-1164**

Maouad-Newton LLC  
C/O Jad Maouad  
1220 Newton Street 2  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business- **Repeat**  
Officer Sophia Doctoche  
Certified Mail: 11-3-2023 **Amended Notice**  
Initial Hearing: 11-16-2023

**In compliance as of 30 November 2023; Request dismissal**

**Count 1:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Repeat**

**This case came into compliance as of 30 November 2023. The Special Magistrate granted the dismissal.**

**2**

**Case # 23-61**

Carrco Enterprises LLC  
Jeremy Carr- **Registered Agent**  
105 Fitzpatrick Street  
Sec. 2-939 Revocable licenses  
Officer Keenan Mellendorf  
Certified Mail: 11-16-2023  
Initial Hearing: 12-7-2023

**New Case**

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

**The Code Officer was Keenan Mellendorf. The Respondent did not attend. Officer Mellendorf read his timeline and evidence was shown. The City requested a finding of the violation with \$250.00 administrative cost and \$250.00 fine. The Special Magistrate thought there was substantial evidence for a finding and imposed \$250.00 administrative cost and \$250.00 fine if not in compliance by 14 December 2023.**

**3**

**Case # 23-886**

Harry Aure  
1300 15th Court #60  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
Officer Keenan Mellendorf  
Certified Mail: 11-21-2023  
Initial Hearing: 12-7-2023

**Continuance granted to 26 January 2023**

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

**This case was previously granted a continuance to 25 January 2024.**

**8**

**Case # 22-781**

Willis Vaughn Luther Key  
2712 Staples Ave  
Sec. 58-61 Determination and levy of charge  
Sec. 90-363 Certificate of occupancy required  
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; address; exceptions  
Sec. 62-2 Obstructions  
Officer Paul Navarro  
Certified Mail: 9-20-2023  
Initial Hearing: 10-19-2023

**In compliance as of 21 November 2023; Request dismissal**

- Count 1:** Failure to apply and obtain a LUD with the City of Key West Planning Department.
- Count 2:** Failure to achieve a Certificate of Competency.
- Count 3:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.
- Count 4:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.
- Count 5:** Failure to remove vessel and trailer from the City right of way.

**This case came into compliance as of 21 November 2023. The Special Magistrate granted the dismissal.**

**Adjournment**