



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, May 22, 2025

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 # 25-741

Berkshire Hathaway

Benton W. Langley- **Registered Agent**

Rebecca Cobo- **Property Manager**

732 Windsor Lane

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

Officer Sophia Doctoche

Certified Mail: 4-17-2025

Initial Hearing: 5-22-2025

New Case

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

The Code Officer was Sophia Doctoche. Attorney Greg Oropeza was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Officer Doctoche read her timeline. Officer Docotche noted four prior instances involving Ms. Cobo and/or Berkshire Hathaway regarding non-compliance with non-transient licensing requirements. The City was requesting a finding of the violation and \$250.00 administrative cost. Attorney Oropeza, acknowledged the issue but contested the characterization of the violation as a repeat offense.

He further contended that Summers, the property owner, had no business

license at the time of advertisement but was not directly cited. Once the issue was identified, Berkshire obtained a business license for the property. He stressed that no tenants had entered the property and no rental had occurred.

The Special Magistrate expressed strong disapproval of ongoing patterns of rental advertisement without proper licensure, particularly the shifting of responsibility from owners to brokers. It was emphasized that brokers and real estate agents have a duty to ensure that properties are properly licensed before listing or advertising them. The Special Magistrate granted a dismissal.

2**Case # 25-17**

B.O.'s Fish Wagon INC.

801 Caroline Street

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

Officer Ashton Gentry

Hand Served: 1-16-2025

Initial Hearing: 2-20-2025

Continued from 17 April 2025

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

The Code Officer was Ashton Gentry. Officer Gentry stated that the business has come into compliance today and the City is requesting a dismissal of the case. The Special Magistrate granted the dismissal.

3**Case # 25-63**

El Rinconcito Mexican Food Inc

La Morenita Professional Services Inc- **Registered Agent**

2804 N Roosevelt Blvd

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

Officer Ashton Gentry

Hand Served: 5-7-2025

Initial Hearing: 5-22-2025

In compliance as of 15 May 2025; Request dismissal

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

This case came into compliance as of 15 May 2025. The Special Magistrate granted the dismissal.

4**Case # CCBLD25-42**

Dailier Asfalto LLC

Dailier Perez Arrigoitia- **Registered Agent**

2900 N Roosevelt Blvd
Sec. 18-150 Certificate competency 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
Officer Todd MacFarlane
Certified Mail:
Initial Hearing: 5-22-2025

New Case

Count 1: Failure to achieve Certificate of Competency.

Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

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

The Code Officer was Todd MacFarlane. The Respondent did not attend. Officer MacFarlane requested a continuance to achieve good service. The Special Magistrate granted a continuance to 26 June 2025.

5**Case # 25-220**

B.O's Fish Wagon Inc.
Dragonfly Consulting
801 Caroline Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Todd MacFarland
Hand Posted: 5-9-2025
Initial Hearing: 5-22-2025

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

The Code Officer was Todd MacFarlane. The Respondent did not attend. Officer MacFarlane requested a continuance to achieve good service. The Special Magistrate granted a continuance to 26 June 2025.

6**Case # 25-465**

Leviathan Studios LLC
Angela Megow
513 Fleming Street 10
Sec. 66-102 Dates due and delinquent; penalties
Officer Todd MacFarlane

Hand Posted: 5-9-2025
Initial Hearing: 5-22-2025

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

The Code Officer was Todd MacFarlane. The Respondent did not attend. Officer MacFarlane read his timeline and the City requested a finding of the violation with \$250.00 administrative cost and the licensing fees. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost.

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Case # 25-560

Salty Seaweed LLC
Bryan Silva- **Registered Agent**
512 Front Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Todd MacFarlane
Hand Posted: 5-9-2025
Initial Hearing: 5-22-2025

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

The Code Officer was Todd MacFarlane. The Respondent did not attend. Officer MacFarlane stated that the business had come into compliance as of today and the City would be requesting a dismissal of the case. The Special Magistrate granted the dismissal.

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Case # CCBLD24-29

Julie Marie McGrane
2205 Harris Ave
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Alma Montano
Hand Posted: 1-15-2025
Initial Hearing: 1-23-2025

Continued from 17 April 2025

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

The Code Officer was Alma Montano. Attorney George Wallace was present on behalf of the Respondent. Officer Montano stated that the subject address had come into compliance on May 20th 2025, and the City would be requesting a dismissal of the case. The Special Magistrate granted the dismissal.

9

Case # CCBLD25-11

The Key West Hotel LLC

Richard M. Klintenick- **Registered Agent**

325 Duval Street

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

Sec. 14-40 Permits in historic district

Sec. 14-256 Permits required

Sec. 14-359 Permit display

Sec. 34-126 Permits

Sec. 14-328 Dangerous installations

Officer Alma Montano

Certified Mail: 3-21-2025

Initial Hearing: 4-17-2025

Continuance granted to 26 June 2025

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 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 apply and obtain plumbing permits with the City of Key West Building Department.

Count 5: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 6: Failure to request an inspection from the City of Key West Building Department.

This case was previously granted a continuance to 26 June 2025.

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Case # CCBLD25-33

DGK Key West LLC

Henry Degroot III

1320 Seminary Street

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

Sec. 18-117 Acts declared unlawful

Sec. 14-40 Permits in historic district

Officer Alma Montano

Certified Mail: 4-28-2025

Initial Hearing: 5-22-2025

Continuance granted to 26 June 2025

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

Count 2: Failure to hire a licensed contractor.

Count 3: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

This case was previously granted a continuance to 26 June 2025.

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Case # CCBLD25-50

Oscar Javier Alvarado

2927 Seidenberg Ave

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**

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

Sec. 14-256 Required

Sec. 14-326 Plans and specifications

Officer Alma Montano

Certified Mail: 5-5-2025

Initial Hearing: 5-22-2025

New Case

Count 1: Failure to achieve Certificate of Competency.- **Repeat**

Count 2: Failure to apply and obtain a business tax receipt from the City of Key West Licensing Department.- **Repeat**

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

Count 4: Failure to apply and obtain electrical permits with the City of Key West Building Department.

Count 5: Failure to submit plans to the City of Key West Building Department.

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano requested a continuance to amend the notice that was sent to the Respondent. The Special Magistrate granted the continuance to 26 June 2025.

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Case # CCBLD25-51

Fabiola Azuaje Sandoval

1706 Patricia 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 Alma Montano

Hand Posted: 5-12-2025

Initial Hearing: 5-22-2025

New Case

Count 1: Failure to achieve Certificate of Competency.- **Repeat**

Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.- **Repeat**

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano requested a continuance to amend the notice that was sent to the Respondent. The Special Magistrate granted the continuance to 26 June 2025.

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Case # 22-328

712 Eaton St Land Trust

Eaton St Enterprises LLC

Richard M. Klitenick- **Registered Agent**

712 Eaton 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 Paul Navarro

Hand Served: 7-15-2024

Initial Hearing: 7-25-2024

Continued from 17 April 2025

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 a certificate of appropriateness with the City of Key West HARC Department.

The Code Officer was Paul Navarro. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Attorney Wayne Smith was present on behalf of the Respondent. Attorney Wayne Smith stated that the City and himself have made a joint motion to continuance the case to draft a settlement agreement. The Special Magistrate granted the continuance to 26 June 2025.

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Case # 25-115

Peter Janker

1301 Whitehead St

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

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

~~Sec. 18-150 Certificate of competency required - Irreparable -~~

Dismissed

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

Sec. 14-40 Permits in historic districts

Officer Leo Slecton

Hand Served: 1-30-2025

Initial Hearing: 2-20-2025

Continued from 17 April 2025

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**

~~Count 3: Failure to achieve Certificate of Competency. - Irreparable -~~

Dismissed

Count 4: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 5: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

The Code Officer was Leo Slecton. Attorney Van Fischer was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Attorney Van Fischer requested a continuance for this case stating that the Respondent is working with the City to come into compliance. The Special Magistrate granted the continuance to 26 June 2025.

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Case # 25-632

Rockhouse Live Key West LLC

Zach Bair- **Registered Agent**

501 Greene Street

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Jim Young

Certified Mail: 3-7-2025

Initial Hearing: 3-20-2025

Continued from 17 April 2025

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

The Code Officer was Jim Young who was not present. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Attorney Van Fischer was present on behalf of the complainant. The Respondent Zach Bair was present via zoom. Attorney Van Fischer gave an update about the case and said that he had did a lot of research for the petition to intervene, but could not find any evidence where this petition would be applicable to this case. The City requested for this case to be dismissed. The Special Magistrate granted the

dismissal.

Adjournment