



# 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, May 26, 2022

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.**

**You may also attend these meetings virtually via Zoom by telephoning +1 312 626 6799**  
**Meeting ID: 818 9322 8282 Passcode: 157075 or Online at:**  
**[https://cityofkeywest-fl-gov.zoom.us/j/81893228282?](https://cityofkeywest-fl-gov.zoom.us/j/81893228282?pwd=TGdLcEpOcGkyS2t6RUhFYXZaRkhPQT09)**  
**pwd=TGdLcEpOcGkyS2t6RUhFYXZaRkhPQT09 Meeting ID: 818 9322 8282 Passcode:**  
**157075**

**Call Meeting to Order**

**Code Violations**

**1**

**Case # 22-437**

Jean Fenold Metellus  
1213 14th Street Lot 193  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Sophia Doctoche  
Certified Mail: 5-11-2022  
Initial Hearing: 5-26-2022

**New Case**

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

The code officer was Sophia Doctoche. The respondent Jean Metellus was present as well. Officer Doctoche read her timeline and evidence was shown. Jean stated that he just needs more time to fix the issue. Officer Doctoche stated that he has been working toward compliance. The City did not object to a continuance. The Special Magistrate granted the continuance to July.

2

**Case # 22-570**

Susan J. Murphy

307 Elizabeth Street #4

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

Officer Sophia Doctoche

Certified Mail: 5-11-2022

Initial Hearing: 5-26-2022

**In compliance as of 6 May 2022; Request dismissal**

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

**This case came into compliance as of 6 May 2022. The Special Magistrate granted the dismissal.**

3

**Case # 22-661**

Cocotte O'Clock DBA Egg O'Clock

Elisabeth Chalaca Odou

517 Fleming Street

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

Officer Sophia Doctoche

Hand Served: 4-20-2022- Amended Notice

Initial Hearing: 4-28-2022

**Continued from 28 April 2022**

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

**The code officer was Sophia Doctoche. The respondent did not attend. Officer Doctoche stated that at the last hearing the Special Magistrate imposed a fine with a compliance date set, and the respondent did not come into compliance. The Special Magistrate ordered that the fines begin running from the compliance date that was set which was 2 May 2022.**

4

**Case # 22-699**

Tropical Properties LLC

Michele Puckett- Registered Agent

814 Ashe Street

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

Officer Sophia Doctoche  
Certified Mail: 4-26-2022  
Initial Hearing: 5-26-2022

**In compliance as of 22 April 2022; Request dismissal**

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

**This case came into compliance as of 22 April 2022. The Special Magistrate granted the dismissal.**

**5**

**Case # 22-641**

Crocs Retail LLC  
CT Corporation System- Registered Agent  
211 Duval Street B  
Sec. 2-939 Revocable Licenses  
Officer Keenan Mellendorf  
Certified Mail: 5-25-2022  
Initial Hearing: 5-26-2022

**New Case**

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

**The code officer was Keenan Mellendorf. Elaine Hollowood Crocs Manager was present on behalf of the respondent. Elaine explained that she talked to Amanda Chief Licensing Official about the process of the revocable license, and that she would like an extension to give time for corporate to fill out the paper work. The City did not object to a continuance. The Special Magistrate granted the continuance to July.**

**6**

**Case # 21-391**

Christian E Teves and Michael S Burau  
533 Petronia Street  
Sec. 62-2 Obstructions  
Officer Paul Navarro  
Certified Mail: 6-7-2021  
Initial Hearing: 6-24-2021

**Request to dismiss to re file against new owner**

**Count 1:** Failure to remove obstructing palm trees from the right-of-way.

The code officer was Paul Navarro. Assistant City Attorney Ron Ramsingh was present on behalf of the City. The respondent did not attend. Assistant City Attorney Ramsingh stated that the City would like to dismiss the case so the new property owner can be cited for the violations happening at the subject address. The Special Magistrate granted the dismissal.

7

**Case # 22-721**

Shakti Yoga Key West INC  
Sofia Maria Artola- Registered Agent  
1114 White Street  
Sec. 30-1 Fees for false alarms and fire code inspections  
Officer Laurie Skinner  
Certified Mail: 5-11-2022  
Initial Hearing: 5-26-2022

**New Case**

**Count 1:** Failure to pay delinquent fees for fire alarm inspections.

The code officer was Laurie Skinner. The respondent did not attend. Officer Skinner read her timeline. The City asked for a finding of violation with no fees or fines. The Special Magistrate granted the finding.

8

**Case # 22-728**

Just Beds of Key West LLC  
Richard Klitenick Esq.- Registered Agent  
2726 N Roosevelt Blvd  
Sec. 30-1 Fees for false alarms and fire code inspections  
Officer Laurie Skinner  
Certified Mail: 5-17-2022  
Initial Hearing: 5-26-2022

**New Case**

**Count 1:** Failure to pay delinquent fee for fire alarm inspections.

The code officer was Laurie Skinner. Assistant City Attorney Ron Ramsingh was present. The respondent did not attend. Officer Skinner read her timeline. The City was requesting a finding of violation with administrative cost and fines. Assistant City Attorney Ramsingh stated that he has had meetings with the Fire Department and they do consider false alarm fires to be a life safety issue since the fire fighters are responding to a false alarm when they could be helping a real situation. The Special Magistrate granted the finding with administrative cost and \$250.00 per count per day if not in compliance by May 31, 2022.

9

**Case # 22-616**

The Key West Yacht Club Inc.  
Scott Saunders- Registered Agent  
2315 N Roosevelt Blvd  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-256 Permit required  
Sec. 14-262 Request for inspection  
Officer Leo Slecton  
Certified Mail:  
Initial Hearing: 5-26-2022

**New Case**

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

**Count 2:** Failure to apply and obtain the appropriate electrical permits with the City of Key West Building Department.

**Count 3:** Failure to contact the City of Key West Building Department and schedule an inspection.

The code officer was Leo Slecton. The respondent did not attend. Officer Slecton stated that there was not good service for the notice of hearing and that the City was asking for a continuance. The Special Magistrate granted the continuance.

10

**Case # 20-524**

Gregory G Farrelly- Registered Agent  
828 Windsor Lane  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
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 Jim Young  
Certified Mail: 6-30-2021  
Initial Hearing: 6-24-2021

**Continued from 28 April 2022**

**Count 1:** Failure to submit as built certifications to the City of Key West.

**Count 2:** Failure to apply and obtain an LUD with the City of Key West Planning Department.

**Count 3:** Failure to apply and obtain a non-transient license from the City of Key West Licensing Department.

Amanda Brady Chief Licensing Official was present on behalf of the City. Attorney Van Fischer was present on behalf of the respondent. Amanda Brady stated that the home owners need more time finding an engineer for the as built application and the City is requesting a continuance. Attorney Van Fischer stated that he had hoped his client was going to pay the back utility fees before the hearing, but that did not happen. The Special Magistrate granted the continuance to July.

11

**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 24 March 2022**

**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.

Assistant City Attorney Ron Ramsingh was present on behalf of the City. Assistant City Attorney Ramsingh stated that Michael Halpern wanted a continuance due to covid. The City did not object to a continuance. The Special Magistrate granted the continuance to July.

12

**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 28 April 2022**

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

Katie Halloran Planning Director was present on behalf of the City. Amanda Brady Chief Licensing Official was present on behalf of the City. Attorney Van

Fischer was present on behalf of the respondent. Katie Halloran explained that she has the plans to review this subject address and should have it finished within a couple of days and that the City would be asking for a continuance. Attorney Van Fischer did not object to the continuance. The Special Magistrate granted the continuance to July.

13

**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 28 April 2022**

**Count 1:** Failure to comply with the settlement agreement.

Assistant City Attorney Ron Ramsingh was present on behalf of the City. Karen DeMaria Urban Forestry Manager was present on behalf of the City. The respondent Michael Donoghue was present via zoom. Assistant City Attorney Ramsingh explained to the court that this was a settlement agreement between the respondent and the Tree Commission and that the respondent now has a different idea of what the settlement agreement should have said. Mr. Donoghue went back before the Tree Commission to offer to pay money instead of the trees and the Tree Commission denied his request. Mr. Donoghue went on to explain that he signed a settlement agreement and he thought he was in compliance until he received a \$23,000.00 bill from Code Compliance where that was wiped out. Karen DeMaria explained that the respondent removed a mango tree and that he was required to replace that with trees from the approved list. Mr. Donoghue was also required to safely transplant a key lime tree. Karen also stated that the transplant of the key lime tree was not successful. Karen DeMaria also went on to explain that there is a signed settlement agreement and a tree permit that goes with the agreement that does add on inches to previous 6.1 inches mentioned in the settlement agreement. The Special Magistrate asked the respondent what the problem was because the settlement agreement seems very straight forward. Mr. Donoghue stated that he planted trees which they are gone now because of a hurricane. He also stated the he bought a dirt lot and made it into a lush garden. The Special Magistrate asked the respondent if he complied with the settlement agreement. Mr. Donoghue said he did, but he does not have evidence of compliance. Karen DeMaria stated the verbiage within the notices that were sent to Mr. Donoghue which said that the respondent needed to call for an inspection and Mr. Donoghue failed to do so which resulted in his file never being closed with the Tree Commission. Assistant City Attorney Ramsingh explained that the fine of \$23,000.00 Mr. Donoghue keeps referencing has been dismissed and that the settlement agreement he signed states that the trees must survive one year. The Special Magistrate agreed with Attorney Ramsingh and stated that he is there to see if he complied with the settlement agreement. Mr. Donoghue stated that the one year survival of the trees could not be determined because Karen did not come to inspect his trees after one

year. The Special Magistrate explained to Mr. Donoghue that it was his responsibility to call for a compliance inspection which he failed to do. The Special Magistrate decided to impose a finding of violation with a compliance date set for June 30 to have the trees planted and contingent that the trees a total of 6.1 caliper inches from the approved tree list stay alive for one year and if not the fines of \$250.00 per one count will start running from the July 2023 hearing date.

## Mitigations

14

### Case # 22-400

Eileen Luongo

1114 Elgin Lane

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

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

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

Officer Sophia Doctoche

Certified Mail: 2-25-2022

Initial Hearing: 3-24-2022

### Continued from 28 April 2022

**Count 1-15:** Failure to obtain a transient medallion and license to advertise and rent short-term.- **Repeat**

**Count 16-18:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.- **Repeat**

**Count 19-33:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.- **Repeat**

The Code Officer was Sophia Doctoche. Assistant City Attorney Ron Ramsingh was present on behalf of the City. The respondent Eileen Luongo was present via zoom. Eileen went on to explain that she has been in bad health and that the last code hearing she missed she was in the hospital. She also explained that she did not know what her daughter was doing or why she had the rental advertisement as 15 nights at the subject property, but she takes full responsibility for it. Officer Doctoche stated that she has cited Mrs. Luongo once in 2021 and twice this year, and that she has been a constant problem. The Special Magistrate asked if the full amount of \$18,352.69 was from the rentals. Officer Doctoche explained that the fine consisted of \$500.00 per 33 repeat counts and a suspended fine from a previous settlement agreement. Assistant City Attorney Ramsingh stated that the City does take illegal rentals very seriously especially since what is going on in the community now with the shortage of long term rentals. The Special Magistrate decided to deny Mrs. Luongo's request for mitigation as he felt it was not in good heart to mitigate the fine.



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**Case # 22-612**

Eileen Luongo

1114 Elgin Lane

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

Officer Sophia Doctoche

Hand Posted: 3-28-2022

Initial Hearing: 4-28-2022

**Mitigation****Counts 1-15:** Failure to obtain a transient medallion and license to  
advertise and rent short term.- **Repeat****Counts 16-18:** Failure to obtain all required city, county and state  
licensing to advertise and rent short-term.- **Repeat****Counts 19-33:** Failure to obtain all required city, county and state  
licensing to advertise and rent short-term.- **Repeat**

The code officer was Sophia Doctoche. The respondent Eileen Luongo was present via zoom. Officer Doctoche explained that this is the same situation as the previous case. The Special Magistrate decided on reducing the fine 50% from \$8,500.00 to \$4,250.00 and suspending \$4,250.00 if she is ever found in violation again she will owe \$4,250.00.

16

**Case # 22-325**

Alex Aiello

1701 Jamaica Drive

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

Officer Leo Slecton

Certified Mail: 3-10-2022

Initial Hearing: 3-24-2022

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

This was a mitigation case. The code officer was Leo Slecton. Gary Burchfield was present on behalf of the respondent. Assistant City Attorney Ron Ramsingh was present on behalf of the City. Gary Burchfield stated his role in this case that he was the contractor on this job. He also stated that it was his responsibility to pull a permit for the fence work that turned into a bigger

project than they had planned. Officer Slecton stated that Gary Burchfield did act fast to correct the situation with in 27 days. Assistant City Attorney Ramsingh stated that the respondent is eligible for up to 90% mitigation. The Special Magistrate granted the 90% reduction of the \$7,000.00 to \$700.00.