



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, December 18, 2013

1:30 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting to Order

Code Violations

1

Case # 13-345

Richard C Wilson

Anne Wilson R/S

1024 Virginia Street

Sec. 14-40 Permits in historic district

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

Officer Peg Corbett

Certified Service: 6-20-2013

Initial Hearing: 11-20-2013

In compliance, request dismissal

Count 1: For failure to obtain a certificate of appropriateness for the fence. **Count 2:** For failure to obtain a building permit for the fence.

Attachments: [13-345 1024 Virginia NOH 5408](#)

Legislative History

11/20/13

Code Compliance Hearing

Continuance

2

Case # 13-374

Ybarnea Artica (Q) &
Kevin & Yvette M Talbott R/S
Anola Mira L/E
c/o Appraisers of Key West
1104 Virginia Street
Sec. 14-40 Permits in the historic district
Sec. 14-37 Building permits; professional plans; display of permits
Officer Peg Corbett
Certified Service: 6-19-2013
Initial hearing: 7-31-2013

Continuance granted to January 29, 2014

Count 1: The fence was built without the benefit of a certificate of appropriateness. **Count 2:** The fence was built without the benefit of a building permit.

Attachments: [13-374 1104 Virginia NOH 5453](#)
[13-374 1104 Virginia NOH 5460](#)
[13-374 Survey](#)

Legislative History

7/31/13	Code Compliance Hearing	Continuance
8/28/13	Code Compliance Hearing	Continuance
11/20/13	Code Compliance Hearing	Continuance

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Case # 13-566

Jake Brady

Tetyana Rassokhina

3635 Flagler Avenue

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

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

Officer Peg Corbett

Posted: 10-17-2013

Initial Hearing: 10-30-2013

In compliance, request dismissal

Count 1: Subject property has two units. The rear unit must obtain utility accounts. **Count 2:** A certificate of occupancy is required for the second unit. **Count 3:** Building permits were obtained in 2000 to add a bedroom. This conversion was subsequently modified to add a second unit without the benefit of building permits and required inspections. **Count 4:** A non-transient rental license is required for the second unit.

Attachments: [13-566 NOH 2 9871](#)

[13-566 NOH 8270](#)

[13-566 Affidavit of Mailing](#)

[13-566 Affidavit of Posting](#)

[13-566 Photo of Posting NOH](#)

Legislative History

10/30/13 Code Compliance Hearing Continuance

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Case # 13-894

Stephen Pla Estate

407 Olivia Street

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

Sec. 14-40 Permits in the historic district

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

Officer Peg Corbett

Certified Service: 9-27-2013

Initial Hearing: 10-30-2013

In compliance, request dismissal

Count 1: A new front door was installed without benefit of a building permit. **Count 2:** A new front door was installed without benefit of a HARC certificate of appropriateness. **Count 3:** The subject property is being rented without the benefit of a non-transient rental license.

Attachments: [13-894 NOH 9864](#)

Legislative History

10/30/13 Code Compliance Hearing Continuance

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Case # 13-1135

Patricia P Antich

704 Catherine Street

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

Sec. 14-40 Permits in historic district

Officer Peg Corbett

Certified Service: 11-9-2013

Initial Hearing: 12-18-2013

New Case

Count 1: For partial demolition of a second story deck without benefit of a building permit. **Count 2:** For partial demolition of a second story deck without benefit of a certificate of appropriateness.

Attachments: [13-1135 704 Catherine Street NOH](#)

6

Case # 12-414

Gordon & Juliana McDowell

910 United Street

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

Sec. 14-40 Permits in historic district

Sec. 14-261 Failure to obtain

Sec. 90-363 Certificate of occupancy - required

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

Officer Leonardo Hernandez

Certified Service: 11-14-2013

Initial Hearing: 12-18-2013

Continuance granted to January 29, 2014

Count 1: Failure to obtain building permits. **Count 2:** For failure to obtain a certificate of appropriateness. **Count 3:** For failure to obtain electrical permits. **Count 4:** A certificate of occupancy is required for the second unit. **Count 5:** A business tax receipt is required to rent the second unit.

Attachments: [12-414 910 United Street NOH letter 9481](#)

[12-414 910 United Street NOH letter 9498](#)

[12-414 910 United Street pics \(1\)](#)

[12-414 910 United Street pics \(2\)](#)

[12-414 910 United Street good service notice of hearing 9498](#)

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Case # 13-541

Armando & Mercedes Parra
 2922 Flagler Avenue
 Sec. 90-356 Building permits required
 Sec. 90-363 Certificate of occupancy - Required
 Sec. 90-391 Variances
 Sec. 108-887 Same - Elevation of residential buildings
 Sec. 14-256 Required - Electrical Permit
 Sec. 14-258 Plans and specifications
 Sec. 14-362 Connection to public sewer
 Officer Leonardo Hernandez
 Certified Service: 6-11-2013
 Initial Hearing: 6-26-2013

Continued from November 20, 2013 for compliance

Count 1: Failure to obtain a building permit for detached habitable space. **Count 2:** A certificate of occupancy is required for the new habitable space. **Count 3:** A variance is required to build in the setback. **Count 4:** Habitable space was built below required flood elevation. **Count 5:** Failure to obtain electrical permit. **Count 6:** Failure to submit plans for electrical work. **Count 7:** Failure to connect to public sewer.

Attachments: [13-541 2922 Flagler Ave NOH 8583](#)
[13-541 2922 Flagler Ave green card 8583](#)
[13-541 2922 Flagler Ave NOCV 6864](#)
[13-541 2922 Flagler Ave pics](#)
[13-541 2922 Flagler NOCV hand served](#)
[13-541 2922 Flagler NOCV 6864 good service](#)

Legislative History

6/26/13	Code Compliance Hearing	Continuance
7/31/13	Code Compliance Hearing	Continuance
11/20/13	Code Compliance Hearing	Continuance

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Case # 13-1220

Delfina Rodriguez
1315 William Street
Sec. 26-31 Offensive and nuisance conditions prohibited
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Leonardo Hernandez
Certified Service: 11-8-2013
Initial Hearing: 11-20-13

In compliance, request dismissal

Count 1: Windows are opened and may contribute to the entrance of pests or potential break-ins. **Count 2:** Property needs to be cleared of debris and trash.

Attachments: [13-1220 1315 William Street NOH 9719](#)
[13-1220 1315 William St Green Card 9719](#)

Legislative History

11/20/13 Code Compliance Hearing Continuance

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Case # 13-1188

Roger W Akers
Sandra J Henning R/S
804 Eisenhower Drive
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Barbara Meizis
Certified Service: 10-16-2013
Initial Hearing: 10-30-2013

Continued from October 30, 2013**Repeat Violation**

Count 1: Pine Street side of property is littered with discarded items and is leaning against the neighbor's fencing along the entire 50 feet of the property. There is a second pile of debris located on the Eisenhower side and is visible from the city right of way.

Attachments: [13-1188 804 eisenhower nocv&noh signed](#)

Legislative History

10/30/13 Code Compliance Hearing Continuance

10

Case # 13-1337

David J Cuff

David Zelinske and

Karen S Wells-Zelinske

1223 2nd Street

Sec. 18-601 License required

Sec. 18-602 Rebuttable presumption of violation

Sec. 122-269 Prohibited uses

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

Officer Paul Nickle

Certified Service: 11-22-2013

Initial Hearing: 12-18-2013

New Case - Settlement Agreement**Count 1:** For failure to obtain a transient rental license. **Count 2:** For holding out this property for transient rentals without a transient license.**Count 3:** Transient rentals are prohibited in the Medium Density Residential District. **Count 4:** A business tax receipt is required to rent a parking facility.

Attachments: [13-1337 1223 2nd street notice of irreparable code violation letter 6040](#)
[13-1337 1223 2nd street notice of irreparable code violation letter 6046](#)
[13-1337 1223 2nd street holding out evidence \(2\)](#)
[13-1337 1223 2nd street photos](#)

Legislative History

11/20/13

Code Compliance Hearing

Continuance

11

Case # 12-898

Cameron R and Gerri Jewell
1505 Washington Street
Sec. 122-237 Prohibited Uses
Officer Jim Young
Posted: 11-12-2013
Initial Hearing: 12-18-2013

Continuance granted to January 29, 2014

Count 1: For storing vehicles, trailers and pods in a prohibited district;
Single Family

Attachments: [12-898 1505 Washington St Notice of Hearing Posted](#)
[12-898 1505 Washington St Affidavit of Posting](#)
[12-898 1505 Washington St pixs](#)

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Case # 13-1361

Dana Knox
1018 James Street
Sec. 18-601 Transient license required, Counts 1 through 4
Sec. 122-1371 Transient living accommodations (d)(9), Counts 5
through 8
Sec. 122-599 Prohibited uses in the Historic Medium Density
Residential District (HMDR), Counts 9 through 12
Officer Jim Young
Certified Service: 11-21-2013
Initial Hearing: 12-18-2013

Settlement Agreement

Attachments: [13-1361 1018 James St NOH](#)

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Case # 12-429

Coral City Elks Lodge #610 &
Coral City Temple #400
IBOPE of the World
1107 Whitehead Street
Sec. 2-939 Licenses
Officer Jim Young
Posted: 11-21-2013
Initial Hearing: 12-18-2013

In compliance, request dismissal

Count 1: Use of the City's right of way requires a revocable license.

Adjournment