



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final Code Compliance Hearing

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Wednesday, December 18, 2013

1:30 PM

Old 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 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.
- This case was dismissed by the Special Magistrate at the request of the code officer.**
- 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.

This case was continued to January 29, 2014.

**3****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.

This case was dismissed by the Special Magistrate at the request of the code officer.

**4****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.

**This case was closed by the Special Magistrate at the request of the code officer. Compliance was achieved and the fees were paid.**

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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.

**The Special Magistrate found Ms. Antich in violation. Costs of \$250 were imposed. Also imposed was a fine of \$100 per day if compliance is not met by January 28, 2014. A compliance hearing will be held on January 29, 2014.**

**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.

This case was continued to January 29, 2014.

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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.

The Special Magistrate approved the request to extend the compliance date to January 28, 2014. Costs of \$250 were. A compliance hearing will be held on January 29, 2014. The court reserves the right to impose fines if compliance is not met.

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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.

This case was dismissed by the Special Magistrate at the request of the code officer.

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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.

This case was continued to January 29, 2014.

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**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.

This case was continued to January 29, 2014 for the Settlement Agreement.

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**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

**This case was continued to January 29, 2014.**

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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**

**The Special Magistrate found Dana Knox in violation. A Settlement Agreement  
was presented and approved. Costs of \$250 were imposed.**

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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.

This case was dismissed by the Special Magistrate at the request of the code officer.

**Adjournment**