



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, February 26, 2014

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 305-809-3731 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 # 13-1171

Tong Sio San and Miao Ling He

3301 Duck Avenue B

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

Sec. 34-130 Violations (1)(3)

Officer Bonnita Badgett

Certified Service: 2-13-2014

Initial Hearing: 2-26-2014

Continuance granted to March 19, 2014

Count 1: A stop work order was posted on October 1, 2013 for not having a building, plumbing and electrical permit for converting non-habitable space into habitable space. **Count 2:** Construction was done in violation with the city's floodplain management ordinance.

Attachments: [13-1171 3301 Duck Ave B revised NOH](#)

2

Case # 14-124

Glenn Wilson & Barbara Ross
621 United Street
Sec. 58-31 Containers and receptacle requirements
Office Bonnita Badgett
Certified Service: 2-14-2014
Initial Hearing: 2-26-2014

In compliance, request dismissal

Count 1: Trash and recycle bins were out of the city right of way on Wednesday, January 15, 2014 and again on Thursday, January 30, 2014. Pickup day is Tuesday.

Attachments: [14-124 621 United St. NOH](#)
[14 -124 621 United Street pics 1-15-14](#)
[14-124 621 United St pic 1.30.14](#)

3

Case # 13-1354

William T Lane
1122 Angela Street
Sec. 122-1406 Obstructions to visibility
Officer Peg Corbett
Certified Service: 12-14-2013
Initial Hearing: 1-29-14

In compliance, request dismissal

Count 1: The trees and foliage extending from the subject property blocks the line of site on the Ashe Street side of the property.

Attachments: [13-1354 1122 Angela St NOH](#)

Legislative History

1/29/14 Code Compliance Hearing Continuance

4

Case # 13-1417

Dasha Renee Ray

1215 Mac Millan Drive

Sec. 62.2 Obstructions

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

Sec. 14-261 Failure to obtain

Sec. 90-363 Certificate of occupancy - Required

Sec. 58-61 Determination and levy of charge

Sec. 74-206 Owner's responsibility for payment

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

Officer Peg Corbett

Certified Service: 1-7-2014

Initial Hearing: 1-29-2014

Continuance granted to March 19, 2014

Count 1: A scooter was blocking the city sidewalk. **Count 2:** The property owner was issued a permit to "enclose empty space at rear for laundry and infill of a carport under existing roof for storage only: in October 2001. The area is currently occupied by a tenant. No permits for the renovation for the second kitchen or the second bathroom.

Count 3: The property owner did not apply for or obtain an electrical permit for the second kitchen. **Count 4:** The property owner has a second unit which is occupied without the benefit of a certificate of occupancy. **Count 5:** The property owner has not obtained the required utility accounts for the second unit. **Count 6:** The property owner has a delinquent utility account. **Count 7:** The subject property has two units individually rented without the benefit of the required business tax receipt.

Attachments: [13-1417 1215 Mac Millan Dr NOH](#)

Legislative History

1/29/14 Code Compliance Hearing Continuance

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Case # 13-1500

Northside Builders, Inc.
Michael Halpern, R/A
1215 1st Street
Sec. 122-1406 Obstructions to visibility
Officer Peg Corbett
Certified Service:
Initial Hearing: 2-26-2014

In compliance, request dismissal

Count 1: On December 16, 2013, it was observed that the buttonwoods are exceeding the allowable height which is causing a line of site issue at the stop sign on Roosevelt Drive and 1st Street.

Attachments: [13-1500 1215 1st Street NOH](#)
[13-1500 1215 1st Street pics](#)

6

Case # 13-1512

Five Guys Burgers & Fries
Corporation Service Company, R/A
E. Miles Prentice, Mgr.
500 Truman Avenue 1
Sec. 114-103 Prohibited signs
Sec. 114-104 Restriction on the number of signs permitted
Officer Peg Corbett
Certified Service: 1-16-2014
Certified Service: 2-7-2014 - revised notice
Initial Hearing: 1-29-2014

Continuance granted to March 19, 2014

Count 1: The subject business has an interior illuminated sign and five paper signs/banners attached to the windows facing both Duval and Truman contrary to city ordinance. **Count 2:** The subject business has six signs

Attachments: [13-1512 500 Truman 1 NOH 0083](#)
[13-1512 500 Truman 1 NOH 0090](#)

Legislative History

1/29/14 Code Compliance Hearing Continuance

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Case # 13-1569

Joseph P Browning TR
c/o Michael L Browning Trustee
1907 Roosevelt Drive
Sec. 58-31 Container and receptacle requirements
Officer Peg Corbett
Certified Service: 2-6-2014
Initial Hearing: 2-26-2014

In compliance, request dismissal

Count 1: On Friday, December 13, 2013, trash receptacles were stored on the city right of way. On Friday, December 27, 2013, Saturday, January 11, 2014 and Friday, January 31, 2014 the trash receptacles were photographed on the city right of way. Trash pickup is on Thursdays.

Attachments: [13-1569 1909 Roosevelt Dr. NOH](#)
[13-1569 1909 Roosevelt Dr pics 1](#)
[13-1569 1909 Roosevelt Dr pics 2](#)

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Case # 13-1612

James H Jr & Tracey L Waddell
2310 Staples Avenue
Sec. 122-1406 Obstructions to visibility
Officer Peg Corbett
Certified Service: 1-18-2014
Initial Hearing: 2-26-2014

In compliance, request dismissal

Count 1: On December 19, 2013, photos were taken of an overgrown tree blocking the line of sight.

Attachments: [13-1612 2310 Staples Ave NOH](#)
[13-1612 2310 Staples Ave Green Card](#)

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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 - **Dismiss**
 Sec. 90-391 Variances - **Dismiss**
 Sec. 108-887 Same - Elevation of residential buildings
 Sec. 14-256 Required - Electrical Permit
 Sec. 14-258 Plans and specifications - **Dismiss**
 Sec. 14-362 Connection to public sewer - **Dismiss**
 Officer Leonardo Hernandez
 Certified Service: 6-11-2013
 Initial Hearing: 6-26-2013

In compliance as of February 11, 2014. Still owes fees

Count 1: Failure to obtain a building permit for detached habitable space. **Count 2:** Habitable space was built below required flood elevation. **Count 3:** Failure to obtain electrical permit.

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
12/18/13	Code Compliance Hearing	Continuance
1/29/14	Code Compliance Hearing	Continuance

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Case # 13-1465

Southern Most Cigar Club

Marc Miclette

Dragonfly Consulting, R/A

230 East 7th Street Associates

c/o The Cohen Organization

300 Front Street 1

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

Sec. 14-40 Permits in the historic district

Officer Leonardo Hernandez

Certified Service: 1-7-2014

Initial Hearing: 1-29-2014

Continued from January 29, 2014 for compliance

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

Attachments: [13-1465 300 Front Street #1 NOH letter business owner 5699](#)

[13-1465 300 Front Street #1 NOH letter property owner 5675](#)

[13-1465 300 Front Street #1 NOH letter register agent 5682](#)

[13-1465 300 Front Street # 1 pics](#)

[13-1465 300 Front Street #1 good service NOH letter to corporation register age](#)

[13-1465 300 Front Street #1 good service NOH letter to violator 5699](#)

[13-1465 300 Front Street #1 property owner letter and copy of NOH 5774](#)

[13-1465 300 Front Street 1 NOH letter to owner 5774](#)

Legislative History

1/29/14

Code Compliance Hearing

Continuance

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Case # 13-1509

Susan Rafferty

514 Duval Street / 512 1/2 Duval Street

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

Sec. 14-40 Permits in historic district

Officer Leonardo Hernandez

Certified Service: 1-13-2014

Initial Hearing: 1-29-2014

In compliance, request dismissal

Count 1: For failure to obtain a building permit for the hanging sign and the stationary "ice cream cone" sign. **Count 2:** For failure to obtain a certificate of appropriateness for the hanging sign and the stationary "ice cream cone" sign.

Attachments: [13-1509 514 Duval Street NOH letter 7951](#)
[13-1509 514 Duval Street NOH letter 7968](#)
[13-1509 514 Duval Street NOH letter 7975](#)
[13-1509 514 Duval Street good service NOH letter to corporation register agent](#)
[13-1509 514 Duval Street good service NOH letter to property owner 7951](#)
[13-1509 514 Duval Street NOH letter 7975](#)
[13-1509 514 Duval street compliance pic](#)

Legislative History

1/29/14 Code Compliance Hearing Continuance

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Case # 13-1607

Michael Murrell

1801 N Roosevelt Blvd T40

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

Officer Leonardo Hernandez

Certified Service: 2-5-2014

Initial Hearing: 2-26-2014

In compliance, request dismissal

Count 1: For failure to provide plans to the building department for the permit.

Attachments: [13-1607 1801 N Roosevelt Blvd # 40 NOH 7883](#)
[13-1607 1801 N Roosevelt Blvd # 40 letter to owner 7890](#)
[13-1607 1801 N Roosevelt Blvd # 40 green card NOH 7890](#)
[13-1607 1801 N Roosevelt Blvd #40 good service NOH 7883](#)

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Case # 13-1621

Timothy Behan
1801 N Roosevelt Blvd M18
Sec. 14-185 Compartmentation and flotation devices
Sec. 14-37 Building permits; professional plans, display of permits
Officer Leonardo Hernandez
Posted: 1-30-2014
Initial Hearing: 2-26-2014

New Case

Count 1: Decking material shall be of a type not adversely affected by moisture or shall be treated. **Count 2:** For failure to obtain building permits for the ceiling beams and deck joists

Attachments: [13-1621 1801 N Roosevelt Blvd M18 NOH](#)
[13-1621 1801 N Roosevelt Blvd M18 returned mail 1](#)
[13-1621 1801 N Roosevelt Blvd M18 returned mail 2](#)
[13-1621 1801 N Roosevelt Blvd M18 affiv. of mailing](#)
[13-1621 1801 N Roosevelt Blvd M18 affiv. of posting](#)

14

Case # 14-215

Angela Williamson
John Kunke
Abaco Gold
422 Front Street
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Leonardo Hernandez
Certified Service: 2-14-2014
Initial Hearing: 2-26-2014

Continuance granted to March 19, 2014

Count 1: For failure to pay for the fire code inspection fee.

Attachments: [14-215 420 Front Street NOH letter 2759](#)
[14-215 420 Front Street letter to owner NOH 2742](#)
[14-215 422 Front Street good service NOH 2742](#)
[14-215 422 Front Street good service NOH letter 2759](#)

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Case # 13-1583

Whitehead Street Inc.

410 Angela Street

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

Officer Mathew Willman

Certified Service: 1-27-2014

Initial Hearing: 2-26-2014

In compliance, request dismissal**Count 1:** For failure to obtain a business tax receipt to rent the property.**Attachments:** [13-1583 410 Angela NOH 5323](#)

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Case # 13-1630

Seadog Tavern

Sandra Pope

Michael Sutilla

Jenny Robinson

Historic Tours of America, Inc.

Gerogetown Key West, LLC

William LaRose, R/A

628 Duval Street

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

Sec. 18-57 Required, application; fee; term; exemption

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

Sec. 14-40 Permits in historic districts

Officer Mathew Willman

Certified Service: 1-22-2014

Initial Hearing: 2-26-2014

New Case

Count 1: For failure to obtain a business tax receipt for the Seadog Tavern. **Count 2:** For failure to obtain an entertainment license. **Count 3:** For failure to obtain a building permit for the sign. **Count 4:** For failure to obtain a certificate of appropriateness for the sign.

Attachments: [13-1630 628 Duval St NOH 1](#)
[13-1630 628 Duval St NOH 2](#)
[13-1630 628 Duval St NOH 3](#)
[13-1630 628 Duval St NOH 4](#)
[13-1630 628 Duval St pic 2 \(1\)](#)
[13-1630 628 Duval St pic 2 \(2\)](#)

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Case # 13-57

Yuliya Andrews
 The Adult Entertainment Club
 Anthony B Huggins
 Albert L Kelley, R/A
 200 Block of Duval Street
 Sec. 18-415 (b) (1) a. Restrictions in the Historic District
 Sec. 18-441 Required
 Officer Jim Young
 Certified Service: 1-14-2013 - Albert Kelley
 Certified Service: 1-14-2013 - Yuliya Andrews
 Initial Hearing: 1-30-2013

Continued from October 2, 2013**Repeat/Irreparable Violation**

Count 1: On January 10, 2013 at approximately 1:33 am, Anthony B Huggins was soliciting customers for the Adult Entertainment Club at 210 Duval Street which is a prohibited area. **Count 2:** An Off-Premises Canvassing permit is required to engage in off-premises canvassing.

Attachments: [13-57 200 Blk of Duval St NOH](#)

[13-57 Huggins NOH](#)

[12-67 Findings and Order](#)

[13-57 Evidence](#)

[13-57 Green Cards](#)

[13-57 Subpoenas](#)

Legislative History

1/30/13	Code Compliance Hearing	Continuance
2/27/13	Code Compliance Hearing	Continuance
4/24/13	Code Compliance Hearing	Continuance
5/22/13	Code Compliance Hearing	Continuance
6/26/13	Code Compliance Hearing	Continuance
7/31/13	Code Compliance Hearing	Continuance
8/28/13	Code Compliance Hearing	Continuance
10/2/13	Code Compliance Hearing	Continuance

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Case # 13-185

KWSC, Inc. d/b/a
 Adult Entertainment Club
 Yuliya Andrews, Owner
 Neile Bassi Favreau
 Albert L Kelley, R/A
 300 Block of Duval Street
 Sec. 18-411 Title
 Sec. 18-415 Restrictions in the historic district
 Officer Jim Young
 Certified Service: 2-8-2013 - R/A
 Certified Service: 2-9-2013 - Owner
 Initial Hearing: 2-27-2013

Continued from October 2, 2013**Repeat/Irreparable Violation**

Count 1: This article shall be known as the off-premises canvassing ordinance. **Count 2:** On January 10, 2013 at approximately 1:30 am, Neile Bassi Favreau was soliciting customers for the Adult Entertainment Club in the 300 block of Duval Street which is a prohibited area.

Attachments: [13-185 Adult Entertainment Club 330 Blk of Duval NOH](#)
[13-185 300 Blk of Duval NOH](#)
[13-185 300 Duval Bassi NICV NOH](#)

Legislative History

2/27/13	Code Compliance Hearing	Continuance
4/24/13	Code Compliance Hearing	Continuance
5/22/13	Code Compliance Hearing	Continuance
6/26/13	Code Compliance Hearing	Continuance
7/31/13	Code Compliance Hearing	Continuance
8/28/13	Code Compliance Hearing	Continuance
10/2/13	Code Compliance Hearing	Continuance

Adjournment