



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Enforcement Hearing

Thursday, July 31, 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 # 25-765**
RCJB Properties Inc
Bill Havre- **Registered Agent**
3401 Flagler Ave
Sec. 62-2 Obstructions
Officer Erin Buechele
Certified Mail: 6-5-2025
Initial Hearing: 6-26-2025

Continued from 26 June 2025

Count 1: Failure to clear palms back from the City right of way.

The Code Officer was Erin Buechele. The Respondent did not attend. Officer Buechele stated that this case had a finding of the violation imposed at the last hearing with \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 7 July 2025. Officer Buechele explained that the Respondent did come into compliance before 7 July 2025 and requested to dismiss the case. The Special Magistrate granted to dismiss the case.

- 2** **Case # 24-1101**
Sandoval Jose Azuaje
Azuaje Jose Cristobal
Popp Filip

Sandoval Fabiola
3202 Duck Ave
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-262 Request for inspection
Sec. 90-363 Certificate of occupancy required
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 Sophia Doctoche
Hand Posted: 7-11-2025
Initial Hearing: 7-31-2025

New Case

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

Count 2: Failure to schedule a required inspection with the City of Key West Building Department.

Count 3: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

Count 4: Failure to apply and obtain a LUD with the City of Key West Licensing Department.

Count 5: Failure to apply and obtain the appropriate business tax receipt with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. Jackie Lemes Office Staff of Owen Trepanier was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Jackie Lemes stated that her office was obtained for this case this week and requested a 90 day continuance. The City did not object to a 30 day continuance. The Special Magistrate granted a continuance to 28 August 2025.

3**Case # 25-1014**

Best of Key West Rentals
Gregory S. Oropeza Esq.- **Registered Agent**
913 Watson Street
Sec. 66-87 Business tax receipt required for all holding themselves out to
be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 7-31-2025

In compliance as of 17 July 2025; 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 17 July 2025. The Special Magistrate granted the dismissal.

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Case # CCBLD25-14

Pinku Chandra Debnath

MD Lutful Imad

1213 14th Street 179

Sec. 14-256 Required

Sec. 14-262 Request for inspection

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

Officer Sophia Doctoche

Hand Posted: 6-25-2025

Initial Hearing: 7-31-2025

New Case

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

Count 2: Failure to schedule a required inspection with the City of Key West Building Department.

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

The Code Officer was Sophia Doctoche. Joe Clements Office Staff of Gary the Carpenter was present on behalf of the Respondent. Joe Clements he is waiting for an electrician to come out to the property and once that's done he will call for an inspection. Officer Doctoche stated that they are working hard to come into compliance and did not see any reason to not continue the case. The Special Magistrate granted a continuance to 28 August 2025.

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Case # 25-47

Hanks Hair of The Dog Saloon

Richard McChesney- **Registered Agent**

409 Caroline Street

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

Officer Ashton Gentry

Hand Served: 6-25-2025- **Amended Notice**

Initial Hearing: 2-20-2025

Continuance granted to 28 August 2025

Count 1: Failure to contact the City of Key West Licensing Department

to update license for the excess seats.

This case was previously granted a continuance to 28 August 2025.

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Case # 25-795

Glazed Donuts & Coffee LLC
Zenbusiness Inc.- **Registered Agent**
420 Eaton Street
Sec. 2-939 Revocable licenses E(8)
Officer Ashton Gentry
Hand Served: 7-2-2025
Initial Hearing: 7-31-2025

In compliance as of 24 July 2025; Request dismissal

Count 1: Failure to pay past due, delinquent and collection fees for the delinquent regulatory license.

This case came into compliance as of 24 July 2025. The Special Magistrate granted the dismissal.

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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- **Irreparable**
Sec. 14-40 Permits in historic district
Sec. 58-61 Determination and levy of charge
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 Alma Montano
Hand Posted: 6-16-2025- **Amended Notice**
Initial Hearing: 5-22-2025

Continuance granted to 28 August 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.- **Irreparable**

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

Count 4: Failure to apply and obtain a LUD with the City of Key West Planning Department.

Count 5: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

Count 6: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case was previously granted a continuance to 28 August 2025.

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Case # CCBLD25-79

Oleh Shalimanov

3031 Flagler Ave

Sec. 18-150 Certificate of competency- **Irreparable**

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

Officer Alma Montano

Certified Mail: 7-22-2025

Initial Hearing: 7-31-2025

New Case

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

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

The Code Officer was Alma Montano. The Respondent Oleh Shalimanov was present with his translator Victor Brodin. Victor was given direction from the Special Magistrate to only translate what is said from English to Ukrainian. Officer Montano testified that during a routine neighborhood inspection on July 1st, she observed construction materials and individuals working at the subject property. Contact was made with the homeowner, Maureen Lydic, who allowed access to the rear yard. There, Officer Montano observed individuals compacting gravel and noted poured concrete and post holes indicating preparation for fence installation. Officer Montano presented body cam footage to support her testimony, which was admitted without objection. She confirmed that the footage accurately depicted the conditions observed and reiterated that neither respondent nor his associate provided a certificate of competency or a business tax receipt. The respondent was provided an opportunity to testify and stated he did not know a license was required for compacting gravel and claimed he did not pour the concrete. He further stated that he typically works with wood and was only trying to help. Assistant City Attorney Waterhouse questioned the respondent briefly, confirming the presence of freshly poured concrete at the site. The respondent denied pouring the concrete himself. The Special Magistrate dismissed count one failure to achieve a certificate of competency since there been nothing shown that you had to have a permit just to pack gravel. The Special Magistrate thought that there was competent substantial evidence for a finding of the violation for count 2 and imposed \$250.00 administrative cost and \$500.00 fine for a total of

\$750.00.

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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 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.

The Code Officer was Paul Navarro. Attorney Wayne Smith was present on behalf of the Respondent. Chris Counsellor the Director of Code was present on behalf of the City. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Both Attorney Smith and Assistant City Attorney Waterhouse gave an update about what is happening with the case. There has been engineer drawing submitted to the Planning Department who is waiting for some additional information to move forward with the permit. Both parties were requesting a continuance. However, Attorney Smith raised concerns about not being able to attend the August Code Hearing due to being out of town. He stated that he would appear via Zoom if needed. Director Counsellor stated that he wouldn't object to attending via zoom and that progress should be made up until the next hearing. The Special Magistrate did not seem a reason for Attorney Smith to attend via zoom at the next hearing and granted a continuance to 28 August 2025.

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Case # 25-717

415 Bahama Key Corp

Eddie Standifer- **Registered Agent**

2500 Patterson Ave

Sec. 58-61 Determination and levy of charge

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 David Wilson

Hand Posted: 5-21-2025

Initial Hearing: 6-26-2025

Continued from 26 June 2025

Count 1: Failure to apply and obtain a LUD with the City of Key West Planning Department.

Count 2: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

Count 3: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

The Code Officer was David Wilson. Attorney Van Fischer was present on behalf of the Respondent. Attorney Fischer made a motion to dismiss the case due to no evidence. The Special Magistrate asked when Attorney Fischer sent his motion to dismiss and Attorney Fischer stated that he's making the motion now. Assistant City Attorney Waterhouse objected to the motion to dismiss. The Special Magistrate asked Attorney Fischer if he would like to request a continuance. Attorney Fischer then requested a continuance to file the proper motions and set up any witnesses. The Special Magistrate asked if the City had any objection to the continuance. Attorney Fischer stated that he just received an affidavit from Matthew Willman. The Special Magistrate granted a continuance to 28 August 2025.

HARC Appeals

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SMA 25-01

Hugh J. Morgan
402 South Street
COAC2025-0049

HARC Appeal

This case went before the Special Magistrate on 31 July 2025; Hugh Morgan was the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Daniela Saluma HARC Manager was present on behalf of the City. At the time the appeal was called (approximately 2:05 p.m.), the appellant, Mr. Hugh Morgan, was not present. The hearing notice was properly issued and sent via certified mail on July 17, 2025, and the City confirmed that notice was sent. The appellant did not request a continuance.

City Attorney Ryan Waterhouse and Market Manager Daniela Saluma presented the City's position, stating that the HARC Board's decision was supported by competent, substantial evidence based on applicable guidelines and law. No new evidence was introduced, as the appeal was limited to the record below.

The Special Magistrate determined that the City demonstrated the decision was not contrary to the law and that there was no ambiguity in the HARC findings. Based on this, the Special Magistrate denied the appeal.

Mr. Morgan entered the hearing room at approximately 2:16 p.m., after the ruling had been made. He was sworn in and stated that he had assumed a later arrival time would be sufficient based on the length of the agenda. The Magistrate explained that all hearings are noticed for 1:30 p.m., and that fairness required consistent treatment of all parties. The Magistrate advised Mr. Morgan that while the ruling would not be reversed, he had the right to seek further remedy through a motion for reconsideration or other appropriate channels. The Special Magistrate denied the HARC appeal.

Adjournment