



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### Code Compliance Hearing

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Wednesday, June 28, 2017

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 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 # 17-455**  
Silver & Gold Treasures, LLC  
Ricardo Adefuin  
114 Fitzpatrick Street 116  
Sec. 58-68 Commercial solid waste accounts  
Officer Bonnita Badgett  
Certified Service: 4-9-2017  
Initial Hearing: 5-31-2017

**Continued from May 31, 2017 for compliance**

**Count 1:** Failure to have an active Waste Management garbage account.

**Legislative History**

5/31/17              Code Compliance Hearing              Continuance

**2****Case # 17-488**

Kenneth Fagen  
1409 Flagler Avenue  
Sec. 26-126 Clearing of property of debris and noxious material required  
Sec. 108-677 Parking and storage of certain vehicles  
Sec. 26-31 Offensive and nuisance conditions prohibited  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Certified Service:  
Initial Hearing: 6-28-2017

**Request for continuance to July 26, 2017 for service**

**Count 1:** Failure to maintain the property to prevent unsanitary conditions and a breeding place for snakes, rodents and vermin.  
**Count 2:** Failure to have a valid license plate for a trailer on the property or to store the trailer in a completely enclosed building. **Count 3:** Failure to maintain all substances that may cause a foul odor in the neighborhood along with maintaining the growth of the lot. **Count 4:** Failure to have business tax receipts for the businesses Carpenter on Wheels and property manager.

**3****Case # 17-617**

Lawrence U. Taube  
3405 Flagler Avenue  
Sec. 66-103 Transfer License  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Certified Service: 6-6-2017  
Initial Hearing: 6-28-2017

**In compliance June 13, 2017, request dismissal**

**Count 1:** Failure to transfer license to the new property owner. **Count 2:** Failure to renew license which expired 30 September 2016.

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**Case # 17-620**

Richard & Marcia Weaver  
651 William Street #4  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Certified Service:  
Initial Hearing: 6-28-2017

**Request for continuance to July 26, 2017 for service**

**Count 1:** Failure to renew the business license which expired 30 September 2016.

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**Case # 17-648**

Peter Brawn  
B. B&B-B Registries, LLC  
812 Southard Street  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Sophia Doctoche  
Certified Service: 5-18-2017 - Peter Brawn  
Certified Service: 5-4-2017 - G. B&B-B Registries, LLC  
Initial Hearing: 6-28-2018

**In compliance May 10, 2017; request Finding of Violation without fees or fines**

**Count 1:** Failure to cut the overgrown weeds around the subject property and remove trash.

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**Case # 17-663**

Marshall Shaker  
Christine Fifer  
600 White Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Certified Service: 5-26-2017  
Initial Hearing: 6-28-2017

**In compliance May 24, 2017; request dismissal**

**Count 1:** Failure to renew business license which expired 30 September 2016.

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**Case # 17-879**

Patrick Curry  
 1720 North Roosevelt Boulevard  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Sophia Doctoche  
 Certified Service:  
 Initial Hearing: 6-28-2017

**In compliance June 9, 2017; request Finding of Violation without fees or fines**

**Count 1:** Failure to obtain permits for air conditioning work that has been performed.

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**Case # 16-917**

Phillip & Patsy Amsterdam - Property Owner  
 512 Caroline Street  
 Sec. 18-601 License required.  
 Sec. 90-363 Certificate of occupancy - Required.  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions.  
 Officer Leonardo Hernandez  
 Certified Service: 12-15-2016 - Property Owner  
 Certified Service: 12-15-2016 - Registered Agent  
 Initial Hearing: 1-25-2017

**Continuance granted to December 20, 2017**

**Count 1:** This business is renting short term at least two illegal units without the required license. There are 8 actual units, one is allegedly employee housing but only 5 are recognized. **Count 2:** Required certificate of occupancy was never procured or issued for 3 units in question. **Count 3:** Required building permits were never procured or issued for the 3 units in question.

**Legislative History**

1/25/17	Code Compliance Hearing	Continuance
2/15/17	Code Compliance Hearing	Continuance
4/26/17	Code Compliance Hearing	Continuance

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**Case # 16-1028**

Phillip &amp; Patsy Amsterdam - Property Owner

511 Caroline Street

Sec. 18-601 License required.

Sec. 90-363 Certificate of occupancy - Required.

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

Officer Leonardo Hernandez

Certified Service: 12-15-2016 - Property Owner

Certified Service: 12-15-2016 - Registered Agent

Initial Hearing: 1-25-2017

**Continuance granted to December 20, 2017**

**Count 1:** This business is renting short term 5 units without the required license. **Count 2:** Required certificate of occupancy was never procured or issued for 5 units in question. **Count 3:** Required building permits were never procured or issued for the 5 units in question.

Legislative History

1/25/17	Code Compliance Hearing	Continuance
2/15/17	Code Compliance Hearing	Continuance
4/26/17	Code Compliance Hearing	Continuance

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**Case # 17-706**

Omar Rubio

Higgs Beach "Deck by pier"

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

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Leonardo Hernandez

Hand Served: 6-6-2017

Initial Hearing: 6-28-2017

**In compliance June 20, 2017; request dismissal**

**Count 1:** Failure to obtain a business tax receipt. **Count 2:** On May 30, 2017, Officer Hernandez responded to a noise complaint and determined that the noise was disturbing.

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**Case # 16-939**

R R Beason Jr Trust 12/18/2000

1603 Von Phister Street

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

Officer Jorge Lopez

Certified Service: 10-5-2016

Initial Hearing: 10-19-2016

**Continued from April 26, 2017 for compliance****Count 1:** For failure to obtain building permits for the interior and exterior renovations.Legislative History

10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance
1/25/17	Code Compliance Hearing	Continuance
3/29/17	Code Compliance Hearing	Continuance
4/26/17	Code Compliance Hearing	Continuance

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**Case # 17-49**

Keys Cooling, LLC

Christopher Gazzale - Registered Agent

Scott Ostlund - Property Owner

620 Thomas Street 286

Sec. 14-325 Permit required - **Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **Request dismissal**Sec. 14-40 Permits in historic districts - **Request dismissal**

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Posted: 3-29-2017

Initial Hearing: 3-29-2017

**Continued from May 31, 2017****Count 1:** Failure to obtain required permits for the installation of HVAC units. **Count 2:** Failure to apply and obtain the required mechanical permit for the HVAC units. **Count 3:** Failure to obtain a certificate of appropriateness for the HVAC units. **Count 4:** Failure to obtain required permits and inspections for the HVAC units.Legislative History

3/29/17	Code Compliance Hearing	Continuance
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4/26/17 Code Compliance Hearing Continuance  
5/31/17 Code Compliance Hearing Continuance

**13****Case # 17-206**

James Hamilton &amp; Dwinell James

1019 Elgin Lane A

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 4-19-2017

Initial Hearing: 5-31-2017

**In compliance June 27, 2017; Request closing**

**Count 1:** Failure to obtain required permits and inspections for the  
10-12 ft. fence. **Count 2:** Failure to obtain certificate of  
appropriateness.

Legislative History

5/31/17 Code Compliance Hearing Continuance

**14****Case # 17-256**

Meisel Holdings FL 1321 Simonton St, LLC.

Erica Hughes-Steerling - Registered Agent

1321 Simonton Street

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 6-9-2017

Initial Hearing: 6-28-2017

**New Case**

**Count 1:** Chain link fence installed without required permits and  
inspections. **Count 2:** Failure to submit the corrections needed to  
process the HARC application.

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**Case # 17-733**

Michael & Cindy Delongchamp  
926 Southard Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Jorge Lopez  
Certified Service: 6-10-2017  
Initial Hearing: 6-28-2017

**Continuance granted to July 26, 2017**

**Count 1:** Installation of a new fence without obtaining a building permit.

**Count 2:** Installation of a new fence without obtaining a certificate of appropriateness.

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**Case # 17-461**

Waterfront Brewery, LLC  
Joseph Walsh - Registered Agent  
201 William Street  
Sec. 26-192 Unreasonably excessive noise prohibited  
Sec. 14-40 Permits in historic districts  
Sec. 90-142 Historic Architectural Commission Design Guidelines  
adopted - **Request dismissal**  
Officer Jorge Lopez  
Posted: 6-9-2017  
Initial Hearing: 5-31-2017

**Continued from May 31, 2017**

**Count 1:** Responding to this complaint, I conducted a site visit on May 12, 2017. I met with the complainant and she filled out an affidavit stating she suffers from disturbing noise within the boundaries of her property. **Count 2:** Failure to obtain the required certificate of appropriateness for the installation of speakers on the exterior of the building. **Count 3:** I observed and photographed carports located on the second floor of the building. Carports located in the historic districts and visible from city's right of way are prohibited.

**Legislative History**

5/31/17      Code Compliance Hearing      Continuance



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**Case # 17-767**

Wendell Wall

1610 South Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsFBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected  
Enclosed Below Design Flood Elevation

Officer Demi R Vazquez

Posted: 6-7-2017

Initial Hearing: 6-28-2017

**Continuance granted to July 26, 2017**

**Count 1:** Failure to obtain building permits for a structure being built in the rear of the property. **Count 2:** Subject property being within a FEMA designated AE-7 flood zone without benefit of required building permits has demolished the interior, windows electrical and plumbing contrary to flood damage prevention provisions of the Florida Building Code. Said area being below the established minimum safe flood elevation for purposes other than storage and parking, contrary to the state building code.

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**Case # 16-455**

Donald R Lynch

820 Carstens Lane

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **Counts 1 - 3**Sec. 102-152 Required for permits - **Counts 4 - 5**Sec. 90-142 Historic Architectural Commission Design Guidelines  
adopted - **Count 6**

Officer Kenneth JW Waite

Certified Service: 2-3-2017 - amended notice

Posted: March 30, 2017

Initial Hearing: 10-19-2016

**Request continuance to July 26, 2017**

**Count 1:** For failure to obtain a building permit for the enclosure of the second story porch. **Count 2:** For failure to obtain a building permit for the exterior stairway. **Count 3:** For failure to obtain a building permit and inspections for the plumbing that was installed. **Count 4:** For failure to obtain a certificate of appropriateness for the enclosure of the second story porch. **Count 5:** For failure to obtain a certificate of appropriateness for the exterior stairway. **Count 6:** For failure to obtain a certificate of appropriateness for the satellite dish that was installed.

**Legislative History**

10/19/16	Code Compliance Hearing	Continuance
11/16/16	Code Compliance Hearing	Continuance
12/21/16	Code Compliance Hearing	Continuance
1/25/17	Code Compliance Hearing	Continuance
2/15/17	Code Compliance Hearing	Continuance
3/29/17	Code Compliance Hearing	Continuance
5/31/17	Code Compliance Hearing	Continuance

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**Case # 16-867**

Tropicar, Inc.  
 Robert Ramey III - Registered Agent  
 1300 Duval Street  
 Sec. 18-359 Identification by decal  
 Officer Kenneth JW Waite  
 Certified Service: 1-30-2017 - Registered Agent  
 Initial Hearing: 3-29-2017

**In compliance June 22, 2017; Request closing**

**Count 1:** For failure to obtain and post required decals on electric cars.

Legislative History

3/29/17	Code Compliance Hearing	Continuance
4/26/17	Code Compliance Hearing	Continuance

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**Case # 17-483**

Far Beauty LLC dba Collage Beauty  
 Aviv Shmuel - Registered Agent  
 Giselle Geller - Violator  
 211 Duval Street A  
 Sec. 18-441 Required - **Repeat Violation**  
 Officer Kenneth JW Waite  
 Hand Served: 4-12-2017 - Giselle Geller  
 Hand Served: 4-12-2017 - Aviv Shmuel  
 Initial Hearing: 5-31-2017

**Settlement Agreement**

**Count 1:** Failure to hold a valid off-premises canvassing permit.

Legislative History

5/31/17	Code Compliance Hearing	Continuance
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**HARC Appeals**

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**SMA 17-01**

Donald and Susan Lynch  
 William Rowan - Architect  
 Gregory S. Oropeza, Esq.  
 820 Carsten Lane  
 H16-03-0015

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**SMA 17-02**

Tropical Soup Corporation  
Joseph H. Walsh  
Pike Architects, Inc.  
Van D. Fischer, Esquire  
Mallory Square  
H17-03-0008

**Continuance granted to August 30, 2017**

**Adjournment**