

RESOLUTION NO. 26-_____

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, (GRANTING/DENYING) AN APPEAL BY VAN D. FISCHER, ESQ., ON BEHALF OF THE PROPERTY OWNER(S) RAJINDHAR AND DEBORAH RAMSINGH, OF THE PROPERTY LOCATED AT 2827 HARRIS AVE., KEY WEST, FL (RE# 00067390-000000); HEREBY (UPHOLDING/AMENDING/DENYING) THE CHIEF BUILDING OFFICIAL'S NOTICE OF REVOCATION OF CERTIFICATE OF OCCUPANCY DATED MAY 19, 2026 FOR THE PROPERTY LOCATED AT 2827 HARRIS AVENUE, KEY WEST, FLORIDA; FINDING THAT THE CHIEF BUILDING OFFICIAL'S REVOCATION (WAS/WAS NOT) SUPPORTED BY SUBSTANTIAL COMPETENT EVIDENCE IN THE RECORD AND (WAS/WAS NOT MADE) IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE CODE OF ORDINANCES AND/OR LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 15, 2023, the Chief Building Official for the City of Key West, issued a Certificate of Occupancy for the property located at 2827 Harris Ave., Key West, FL 33040 (the "Property");

WHEREAS, on May 19, 2026, the Chief Building Official for the City of Key West, issued a notice of revocation of Certificate of Occupancy for the property located at 2827 Harris Ave., Key West, Florida, ("Property"), on the grounds that the property lacked the required building permits as required by Section 14-37 of the City of Key West Code of Ordinances, and that the property lacked the required inspections and approvals outlined in Florida Building Code [A] 110.3; and

WHEREAS, pursuant to Florida Building Code [A] 110.3, the Building Official is authorized to revoke a Certificate of Occupancy if a building is found to be in violation of applicable regulations or poses a risk to public health and safety; and

WHEREAS, the Board of Adjustment, being a duly constituted quasi-judicial body of the City of Key West, has authority to hear and decide appeals from decisions of the Chief Building Official pursuant to Section 9-430 of the Code of Ordinances; and

WHEREAS, the Board of Adjustment held a duly noticed public hearing on August 6, 2026, at which all interested parties were afforded a full and fair opportunity to be heard, and at which the Board received testimony, evidence, and argument from the Appellant, City staff, and members of the public; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the appeal of the Chief Building Official's notice of revocation of the Certificate of Occupancy for the property located at 2827 Harris Ave., Key West, FL is hereby **[granted/denied]**, based upon the following findings:

Section 2: That the revocation of the Certificate of Occupancy for the Property by the Chief Building Official is hereby [**upheld and affirmed/amended/denied**] as the revocation of the Certificate of Occupancy for the Property [**was/was not**] supported by substantial competent evidence in the record and [**was/was not**] made in accordance with the applicable provisions of the Code of Ordinances and/or Land Development Regulations.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Board.

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Passed and adopted by the Board of Adjustment at a meeting
held this _____ day of _____, 2026.

Authenticated by the Presiding Officer and Clerk of the Board
on the _____ day of _____, 2026.

Filed with the Clerk on _____, 2026.

Chair Danise Henriquez	_____
Vice Chair Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner District V	_____
Commissioner Sam Kaufman	_____

DANISE HENRIQUEZ, CHAIR

ATTEST:

KERI O'BRIEN, CITY CLERK