



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail Code Compliance Hearing

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Wednesday, January 25, 2012

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 # 10-1450**

Peter Gomez

Ann Marie Robinson R/S

936 United Street

Sec. 102-152 Requirements for permits

Officer Gary Addleman

Certified Service: 9-24-2011

Initial Hearing: 10-19-2011

**Continuance granted to February 29, 2012**

The columns that were installed are square and were approved as turned (round) columns.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 10/19/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

2

**Case # 11-1029**

1200 Duval Street, LLC

Juan Carlos Betancur

Olha Lysyak

Richard Klitenick, R/A

1200 Duval Street

Sec. 14-325 Mechanical permits required

Sec. 14-256 Electrical permits required

Sec. 14-40 Permits in historic district

Officer Gary Addleman

Certified Service: 11-22-2011

Initial Hearing: 12-14-2011

**Continued from December 14, 2011**

On August 12, 2011 a complaint was received from the Mechanical Inspector that an A/C unit had been mounted on to the rear portion of the building without mechanical and electrical permits.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 12/14/11 | Code Compliance Hearing | Continuance |
|----------|-------------------------|-------------|

3

**Case # 11-1116**

Diane &amp; Richard Cain

Mildred B Lehecka

1103 Virginia Street

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

Sec. 14-40 Permits in the historic district

Officer Gary Addleman

Certified Service: 10-14-2011

Initial Hearing: 11-16-2011

**In compliance, request dismissal**

Building permit and HARC approval required prior to the construction of a carport

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

4

**Case # 09-1193**

Allen Hansen  
 2002 Seidenberg Avenue  
 Sec. 58-61 Determination of Levy 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 Dotty Austin  
 Certified Service: 9-22-2011  
 Initial Hearing: 10-19-2011

**Continued from November 16, 2011**

For renting two units when only 1 sewer/solid waste account exists with the City. A certificate of occupancy is required for all units. A business tax receipt is required for all units.

Legislative History

|          |                         |             |
|----------|-------------------------|-------------|
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |

5

**Case # 10-642**

Mary Jo Pfund  
 1405 4th Street  
 Sec. 14-37 Building Permits, Display  
 Officer Dotty Austin  
 Certified Service: 5-12-2011  
 Initial Hearing: 6-29-2011

**Continued from December 14, 2011 for status**

Interior build outs, plumbing and electrical work require building permits prior to commencement of work.

Legislative History

|          |                         |             |
|----------|-------------------------|-------------|
| 6/29/11  | Code Compliance Hearing | Continuance |
| 8/3/11   | Code Compliance Hearing | Continuance |
| 8/31/11  | Code Compliance Hearing | Continuance |
| 9/28/11  | Code Compliance Hearing | Continuance |
| 10/19/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

6

**Case # 10-1274**

Rockwell Property, Inc.  
 Catalfomo & Farrelly, R/A  
 Trepanier & Assoc., Inc.  
 Owen Trepanier  
 Richard W Hoy, DPS  
 2 Scheppens Lane  
 Sec. 14-37 Building Permits, Display  
 Sec. 14-40 Permits in the Historic District  
 Officer Dotty Austin  
 Certified Service: 8-15-2011  
 Certified Service: 11-10-2011 - Irreparable Notice  
 Initial Hearing: 8-31-2011

**Continued from December 14, 2011 for Settlement Agreement**  
**Continuance request denied**

**Count 1:** Prior to October 8, 2010 it was determined that a staircase was demolished without a building permit. **Count 2:** Prior to October 8, 2010 it was determined that a staircase was demolished without HARC approval. **Count 3:** Prior to October 8, 2011 it was determined that a staircase was built without required building permits. **Count 4:** Prior to October 8, 2010 it was determined that a gable roof was demolished without a building permit. **Count 5:** Prior to October 8, 2010 it was determined that a roof deck was built without required building permits. **Count 6:** Prior to October 8, 2010 it was determined that a fence was built on the roof deck without building permits.

Legislative History

|          |                         |             |
|----------|-------------------------|-------------|
| 8/31/11  | Code Compliance Hearing | Continuance |
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

7

**Case # 10-1319**

Eloy M Lopez Jr

Stacy O'Keefe T/C

2403 Patterson Avenue Up

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

Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy - required

Officer Dotty Austin

Certified Service:

Initial Hearing: 1-25-2012

**New Case**

**Count 1:** A business tax receipt is required is required to rent the two units.

**Count 2:** There are two rental units on this property and only one sewer/solid waste account.

**Count 3:** A certificate of occupancy is required for the second unit.

8

**Case # 10-1425**

Richard Walker

2407 N Roosevelt Blvd

Sec. 14-37 Building Permits; Professional Plans; Display of Permits

Officer Dotty Austin

Certified Service: 10-11-2011

Initial Hearing: 10-19-2011

**Continued from December 14, 2011 for status on the permits to keep or remove the docks, railings, buildings, electric, etc.**

On May 16, 2011, construction and or renovations of docks, railings, 3 buildings including plumbing and electrical was observed on the property. No permits have been issued for this work.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

9

**Case # 11-712**

Roger W Akers  
 Sandra J Henning  
 804 Eisenhower Drive  
 Sec. 14-37 Building Permits, Display  
 Sec. 14-40 Permits in the Historic District  
 Sec. 26-126 Clearing of Property  
 Officer Dotty Austin  
 Certified Service: 7-25-2011  
 Initial Hearing: 8-31-2011

**In compliance, request dismissal**

A building permit and HARC approval are required prior to the commencement of building a shed. Yard is littered with discarded demo items and yard waste adding to unsanitary and nuisance conditions.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 8/31/11  | Code Compliance Hearing | Continuance |
| 9/28/11  | Code Compliance Hearing | Continuance |
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |

10

**Case # 11-1170**

Samuel Albury Est  
 c/o Jeremiah Albury  
 G.F. Albury P/O/A  
 403 Amelia Street  
 Sec. 14-37 Building Permits, display, professional plans; display of permits  
 Sec. 14-40 Permits in the Historic District  
 Officer Dotty Austin  
 Certified Service: 12-6-2011  
 Initial Hearing: 1-25-2012

**In compliance, request dismissal**

A 6' wood fence was built without benefit of a building permit or HARC approval.

11

**Case # 11-1233**

Asset Holdings Group, LP

Jeanette M Straga, PSTD

3601 Northside Drive

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

Sec. 14-256 Electrical permit required

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

Sec. 18-117 Acts declared unlawful

Officer Dotty Austin

Certified Service: 12-6-2011

Initial Hearing: 1-25-2012

**Repeat Violation****New Case****Count 1:** On October 1, 2010, a bathroom was demolished without permits**Count 2:** June 10, 2011 a new kitchen was constructed without permits**Count 3:** June 10, 2011 new plumbing was installed in the new kitchen without permits**Count 4:** June 10, 2011 Drywall was installed and finished in hall and future a/c closet**Count 5:** February 11, 2011, concrete was added to a bedroom floor after tiles were removed.**Count 6:** Electrical wiring and fixtures were installed in the kitchen, added exterior flood lights, bedroom ceiling fan and outlets on or around June 10, 2011 without electrical permits.**Count 7:** Property has been rented without a business tax receipt since Dec. 2010.**Count 8:** Work was performed was by unlicensed contractors.

12

**Case # 11-1482**

715 Duval Street Realty LLC  
Eric Gilliland  
Lazy Days of Key West, Inc.  
David Mizrachi, Pres. R/A  
715 Duval Street  
Sec. 106-51 Exterior displays prohibited  
Officer Dotty Austin  
Certified Service: 12-21-2011  
Initial Hearing: 1-25-2012

**New Case**

On December 9th, 15th, and 18th, 2011, merchandise was displayed outside the entryway to the store.

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**Case # 11-1515**

RPV Realty Trust 7/16/02  
Roland Valois  
Dan-Ace Roofing  
Daniel Eloy Acevedo  
1008 Eaton Street  
Sec. 14-37 Building Permits, display; professional plans; display of permits  
Sec. 14-40 Permits in the Historic District  
Officer Dotty Austin  
Certified Service: 12-23-2011  
Initial Hearing: 1-25-2012

**New Case**

**Count 1:** Four (4) Scuttles were removed and replaced with V-Crimp roofing without building permits on a contributing structure in the Historic District. **Count 2:** Four (4) Scuttles were removed and replaced with V-Crimp roofing without HARC approval on a contributing structure in the Historic District.



14

**Case # 11-854**

Christie V Gagnon, Registered Agent for  
Simple Breeze Property Management, LLC  
310 Elizabeth Street  
Sec. 14-325 Permits required for mechanical  
Officer Ginny Haller  
Certified Service: 11-18-2011  
Initial Hearing: 12-14-2011

**In compliance, request dismissal**

**Count 1:** A mechanical final inspection was disapproved for an air conditioner package unit that was not properly installed and two air conditioner units that were installed or replaced without permits that do not meet the minimum code requirements.

**Legislative History**

12/14/11      Code Compliance Hearing      Continuance

15

**Case # 09-1501**

Angel &amp; Daniela Rodriguez

Angel Rodriguez Sr

908 Trinity Drive #4

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

Sec. 14-256 Permit required for electric

Sec. 14-262 Request for inspection of electric

Sec. 14-325 Permit required for mechanical

Sec. 14-327 Request for inspection of mechanical

Sec. 14-358 Permit required for plumbing

Sec. 14-362 Connect to public sewer

Sec. 90-363 Certificate of Occupancy required

Officer Barbara Meizis

Certified Service: 11-8-2011

Initial Hearing: 12-14-2011

**Continued from December 14, 2011****Count 1:** Failure to obtain a building permit for the accessory unit.**Count 2:** Failure to obtain an electrical permit for the accessory unit.**Count 3:** Failure to obtain an electrical inspection for the accessory unit.**Count 4:** Failure to obtain a mechanical permit for the accessory unit.**Count 5:** Failure to obtain a mechanical inspection for the accessoryunit. **Count 6:** Failure to obtain a plumbing permit for the accessory unit.**Count 7:** Failure to connect the accessory unit to public sewer. **Count****8:** Failure to obtain a certificate of occupancy for the accessory unit**Legislative History**

12/14/11

Code Compliance Hearing

Continuance

16

**Case # 11-1444**

Bird Construction LLC  
Deborah & Richard Bird  
730 Southard Trust  
c/o Vincent F Barletta, Trustee  
730 Southard Street  
Sec. 14-37 Building permits professional plans; display of permits  
Sec. 14-40 Permits in the Historic District  
Officer Leonardo Hernandez  
Certified Service: 12-23-2011  
Initial Hearing: 1-25-2012

**Irreparable Violation****Continuance granted to February 29, 2012**

**Count 1:** The chimney at this location was demolished without a demolition permit. **Count 2:** The chimney at this location was demolished without HARC approval.

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**Case # 11-750**

Joan Thoman  
1107 Varela Street  
Sec. 58-31 Container and receptacle requirements  
Officer Bonnita Myers  
Certified Service: 11-22-2011  
Initial Hearing: 12-14-2011

**In compliance, request dismissal**

**Count 1:** June 29, 2011 the city received a complaint of recycle and garbage bins being stored on the sidewalk

**Legislative History**

12/14/11      Code Compliance Hearing      Continuance

18

**Case # 11-785**

Brian & Kimberly Blanchette  
 1312 Reynolds Street 1  
 Sec. 14-40 Permits in the Historic District  
 Sec. 14-31 Florida Building Code  
 Officer Bonnita Myers  
 Certified Service: 8-1-2011  
 Initial Hearing: 8-31-2011

**Continued from December 14, 2011 for a plan on how this violation will be resolved.**

A building permit and HARC approval is required prior to replacing roof with V-crimp.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 8/31/11  | Code Compliance Hearing | Continuance |
| 9/28/11  | Code Compliance Hearing | Continuance |
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

19

**Case # 11-859**

Patrick W & Ann T Plauga O'Neal  
 3314 Northside Drive 112  
 Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
 Officer Bonnita Myers  
 Certified Service: 12-23-2011  
 Initial Hearing: 1-25-2012

**In compliance, request dismissal**

**Count 1:** A business tax receipt is required to rent your property

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**Case # 11-1193**  
Helen S Carbonell  
c/o Ron Saunders  
1315 Olivia Street  
Sec. 26-126 Clearing of Property  
Officer Bonnita Myers  
Certified Service: 12-21-2011  
Initial Hearing: 1-25-2012

**In compliance, request dismissal**

**Count 1:** Property needs to be mowed and maintained

21

**Case # 11-1360**  
Martin Busam  
1126 Grinnell Street  
Sec. 62-31 Maintenance of area between property line and adjacent paved roadway.  
Officer Bonnita Myers  
Certified Service: 12-20-2011  
Initial Hearing: 1-25-2012

**In compliance, request dismissal**

**Count 1:** The area between the property line to the pavement needs to be clear of weeds and overgrown plantings

22

**Case # 11-1442**  
Joseph Cleghorn  
Mark Burris T/C  
1421 1st Street  
Sec. 26-192 Prohibition against unreasonable noise  
Officer Bonnita Myers  
Certified Service: 12-9-2011  
Initial Hearing: 1-25-2012

**In compliance, request dismissal**

**Count 1:** Roosters crowing and are disturbing the neighbors

23

**Case # 11-1043**

Donald R Dye

825 Elizabeth Street

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

Sec. 18-601 Transient license

Sec. 122-1371 Transient living accommodations in residential dwellings; regulations

Sec. 122-629 Prohibited uses in HHDR

Officer Bonnita Myers

Certified Service: 1-12-2012

Initial Hearing: 1-25-2012

**Continuance granted to February 29, 2012 for Settlement Agreement**

**Count 1:** The captioned property was held out and/or advertised as being available on April 5, 2011 through April 13, 2011, on June 16, 2011 through July 1, 2011 and again on August 1, 2011 through August 31, 2011 without benefit of a non-transient license. **Count 2:** A transient license is required to rent your property transiently. **Counts 3 through 27:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 5, 2011, April 6, 2011, April 7, 2011, April 8, 2011, April 9, 2011, April 10, 2011, April 11, 2011, April 12, 2011, April 13, 2011, June 16, 2011, June 17, 2011, June 18, 2011, June 19, 2011, June 20, 2011, June 21, 2011, June 22, 2011, June 23, 2011, June 24, 2011, June 25, 2011, June 26, 2011, June 27, 2011, June 28, 2011, June 29, 2011, June 30, 2011 and July 1, 2011. **Count 28:** Transient rentals are prohibited in the HHDR district.

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**Case # 10-919**

John A Williams

Paul N Hayes, R/A for

Rent Key West Vacations

1328 Atlantic Blvd

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

Officer Jim Young

Certified Service: 9-22-2011

Initial Hearing: 10-29-2011

**Continued to February 29, 2012 for compliance**

A business tax receipt is required for all units being rented

Legislative History

|          |                         |             |
|----------|-------------------------|-------------|
| 10/19/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

25

**Case # 10-1453**

Richard Wunsch

613 Ashe Street

Sec. 66-87 Business Tax Receipt Required

Sec. 14-37 Building Permits, Display

Sec. 90-363 Certificate of Occupancy

Officer Jim Young

POSTED: 5-6-2011

Initial Hearing: 5-25-2011

**Continued to February 29, 2012**

A business tax receipt is required to rent your property. A building permit is required to add a living unit. A certificate of occupancy is required for the third unit.

Legislative History

|          |                         |             |
|----------|-------------------------|-------------|
| 4/27/11  | Code Compliance Hearing | Continuance |
| 5/25/11  | Code Compliance Hearing | Continuance |
| 8/3/11   | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |

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**Case # 10-1554**

Reshma Gidwani  
 3700 Pearlman Court  
 Sec. 14-37 Building Permits, Display  
 Sec. 66-102 Delinquent Business Tax  
 Officer Jim Young  
 Hand Served: 7-15-2011  
 Initial Hearing: 8-3-2011

**In compliance, request dismissal**

For failure to obtain a building permit for installing electricity in the shed and the business tax receipt is delinquent

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 8/3/11   | Code Compliance Hearing | Continuance |
| 9/28/11  | Code Compliance Hearing | Continuance |
| 10/19/11 | Code Compliance Hearing | Continuance |
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |

27

**Case # 11-1334**

Kenneth (Kenyatta) Arrington  
 Street Performer  
 Sec. 6-2(c)(vi)  
 Sec. 6-4(w)  
 Officer Jim Young  
 Hand Served: 11-2-2011  
 Initial Hearing: 11-16-2011

**Continued from December 14, 2011 for compliance**

**Count 1:** On October 27, 2011 at ~ 8:22 pm, Kenneth (Kenyatta) Arrington was in front of the La Concha performing. Mr. Arrington has not obtained public liability and property damage insurance and therefore is not allowed to perform on the city right-of-way. **Count 2:** On October 27, 2011 at ~ 8:22 pm, Kenneth (Kenyatta) Arrington was in front of the La Concha performing using an amplifier which is prohibited.

**Legislative History**

|          |                         |             |
|----------|-------------------------|-------------|
| 11/16/11 | Code Compliance Hearing | Continuance |
| 12/14/11 | Code Compliance Hearing | Continuance |



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**Case # 12-15**

Joseph H &amp; Carol D Irwin

508 Louisa Street, Unit 2

Sec. 18-601 Transient License

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations; Count 2 through 8

Officer Jim Young

Certified Service: 1-9-2012

Initial Hearing: 1-25-2012

**New Case****Count 1:** A transient license is required to rent your property transiently.**Counts 2 through 8:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 7, 2012, May 8, 2012, May 9, 2012, May 10, 2012, May 11, 2012, May 12, 2012, and May 13, 2012.

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**Case # 12-16**

Ronald D Kaisen

1211 Catherine Street

Sec. 18-601 Transient License

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations(d)(9) Eight Counts

Sec. 122-599 Prohibited uses in HMDR

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

Officer Jim Young

Certified Service: 1-12-2012

Initial Hearing: 1-25-2012

**Continuance granted to February 29, 2012****Count 1:** A transient license is required to rent your property transiently.**Counts 2 through 9:** The respondent held out the property in question  
as being available for rent transiently contrary to 122-1371(d)(9) on  
March 1, 2012, March 2, 2012, March 3, 2012, March 4, 2012, March 5,  
2012, March 6, 2012, March 7, 2012, and March 8, 2012. **Count 10:**The caption property is located in the HMDR district which prohibits  
transient rentals. **Count 11:** The captioned property was held out and/or  
advertised as being available on March 1, 2012 through March 8, 2012  
without benefit of a non-transient rental license.**Liens**

30

**Case # 10-1026**

Maria D Tuya

2209 Flagler Avenue

Posted: 12-29-2011

**Adjournment**