



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, August 31, 2023

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 # 23-231

On Point Restaurant Group LLC

Darren M. Horan- **Registered Agent**

524 Duval Street

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

Officer Sophia Doctoche

Certified Mail: 8-14-2023

Initial Hearing: 8-31-2023

In compliance as of 23 August 2023; Request dismissal

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

This case came into compliance as of 23 August 2023. The Special Magistrate granted the dismissal.

2

Case # 23-885

Jad Maouad

Ghada Maouad

1025 Sandy's Way

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

Officer Sophia Doctoche
Certified Mail: 8-7-2023
Initial Hearing: 8-31-2023

In compliance as of 2 August 2023; 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 2 August 2023. The Special Magistrate granted the dismissal.

3

Case # 23-889

Nicholas Pierre Bomerhi
Jennifer Erin Dellantonio
1518 United Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Hand Posted: 7-21-2023
Initial Hearing: 7-27-2023

In compliance as of 11 August 2023; 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 11 August 2023. The Special Magistrate granted the dismissal.

4

Case # 23-992

RedStar91 LLC
Robert E. Clark LLC- **Registered Agent**
722 Duval Street
Sec. 2-939 Licenses
Officer Sophia Doctoche
Certified Mail: 8-4-2023
Initial Hearing: 8-31-2023

New Case

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche read her timeline. The City requested a finding of the violation with \$250.00 administrative cost. The Special Magistrate thought there was substantial evidence to find that there was a violation and imposed \$250.00 administrative costs.

5**Case # 23-1003**

Paul H. McGrail

Tami L. McGrail

2619 Gulfview Drive

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

Officer Sophia Doctoche

Certified Mail: 8-8-2023

Initial Hearing: 8-31-2023

In compliance as of 10 August 2023; 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 10 August 2023. The Special Magistrate granted the dismissal.

6**Case # 23-582**

Katharina Tiffany and Veritas Gassmann LLC

Palani Meador- **Registered Agent**

1104 Packer Street

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

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Sec. 18-601 License required

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

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regulations D(9)
Sec. 58-61 Determination and levy of charge
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Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Ashton Gentry
Hand Posted: 5-3-2023 **Amended Notice**
Initial Hearing: 4-27-2023

Continued from 27 July 2023

Count 1-4: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

Count 5-9: Failure to apply and obtain a transient medallion with the City of Key West Licensing Department.

Count 10-14: Failure to apply and obtain all required city, county, and state licensing to advertise and rent short-term.

Count 15-18: Failure to apply and obtain a LUD with the City of Key West Planning Department.

Count 19: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

The Code Officer was Ashton Gentry. The Respondents did not attend. Officer Gentry stated that the Respondents did come into compliance with counts 1-14. The Special Magistrate granted a dismissal of counts 1-14. Officer Gentry also stated that the City would be asking for finding of violation \$250.00 administrative cost and \$250.00 per count per day for the remaining counts 15-19. The Special Magistrate granted the finding of violation and imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by September 8, 2023.

7

Case # 23-930

Jesse M. Navarro Revocable Trust
1119 Simonton Street B
Sec. 18-601 License required- **Irreparable**
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations D(9)- **Irreparable**
Officer Ashton Gentry
Certified Mail: 7-17-2023
Initial Hearing: 8-31-2023

Settlement Agreement

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Irreparable**

Count 2: Failure to apply and obtain a transient license with the City of Key West Licensing Department.- **Irreparable**

This case had a settlement agreement of \$250.00 Administrative Cost and a \$3,174.00 fine with a \$1,826.00 suspended fine. The settlement agreement was signed by all parties and the Special Magistrate executed the agreement.

8

Case # 23-931

Joe M. Navarro

Kathy A. Navarro

1119 Simonton Street A2

Sec. 18-601 License required- **Irreparable**Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(9)- **Irreparable**

Officer Ashton Gentry

Certified Mail: 7-17-2023

Initial Hearing: 8-31-2023

Settlement Agreement

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Irreparable**

Count 2: Failure to apply and obtain a transient medallion with the City of Key West Licensing Department.- **Irreparable**

This case had a settlement agreement of \$250.00 Administrative Cost and a \$1,285.00 fine with a \$3,715.00 suspended fine. The settlement agreement was signed by all parties and the Special Magistrate executed the agreement.

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Case # 23-1001

Key Lime Transportation Inc.

Margaret Scholl- **Registered Agent**

930 West Indies Drive

Sec. 78-130 Renewal

Officer Ashton Gentry

Hand Posted: 8-17-2023

Initial Hearing: 8-31-2023

In compliance as of 21 August 2023; Request dismissal

Count 1: Failure to renew license with the City of Key West Licensing Department for passenger vehicle for hire.

This case came into compliance as of 21 August 2023. The Special Magistrate granted the dismissal.

10

Case # 23-970

Patagonia Ventures LLC
Robert E. Clark LLC- **Registered Agent**
Douglas Robert Fowler- **Musician**
903 Duval Street
Sec. 26-192 Unreasonable noise prohibited
Officer Keenan Mellendorf
Hand Served: 7-28-2023- **Patagonia Ventures LLC**
Certified Mail: 8-4-2023- **Musician**
Initial Hearing: 8-31-2023

Continuance granted to 28 September 2023

Count 1: Failure to keep music at a legal level.

This case was previously granted a continuance to 28 September 2023.

11

Case # 22-1194

Kava Culture Key West Co.
Jacqueline L. Rusher- **Registered Agent**
901 Fleming Street
Sec. 66-87 Business tax receipt required for all holding themselves out
be engaged in business
Officer Paul Navarro
Certified Mail: 12-16-2022
Initial Hearing: 1-26-2023

Continued from 27 July 2023

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

The Code Officer was Paul Navarro. The Respondents did not attend. Officer Navarro stated that the Respondents were not in compliance as they have not applied for a business tax receipt. Officer Navarro asked for a finding of the violation. The Special Magistrate imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by September 1, 2023 5:00PM.

12

Case # 22-1556

Peter N. Brawn
1512 S Roosevelt Blvd
Sec. 122-1406 Obstructions to visibility
Officer Paul Navarro
Hand Served: 7-27-2023
Initial Hearing: 8-31-2023

In compliance as of 4 August 2023; Request dismissal

Count 1: Failure to trim grape leaves to stop the obstruction to traffic visibility.

This case came into compliance as of 4 August 2023. The Special Magistrate granted the dismissal.

13

Case # 23-974

Jonathan Ring
1208 Virginia Street
Sec. 14-37 Building permits; professional plans; display of permits;
address exceptions- Irreparable
Sec. 14-40 Permits in historic districts- Irreparable
Officer Paul Navarro
Hand Posted: 8-16-2023
Initial Hearing: 8-31-2023

Continuance granted to 28 September 2023

Count 1: Failure to apply and obtain the appropriate building permits from 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.

This case was previously granted a continuance to 28 September 2023.

14

Case # 23-1011

Gulf Southern Construction Company KW Inc.
David H. Steinmeyer Jr.- **Registered Agent**
1208 Virginia Street
Sec. 14-37 Building permits; professional plans; display of permits;
address exceptions- **Irreparable**
Sec. 14-40 Permits in historic districts- **Irreparable**
Officer Paul Navarro
Hand Served: 8-8-2023

Initial Hearing: 8-31-2023

Continuance granted to 28 September 2023

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

Count 2: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.- **Irreparable**

This case was previously granted a continuance to 28 September 2023.

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Case # 23-315

La Grignote Key West LLC

Kathryn Ann Harwood- **Registered Agent**

1211 Duval Street

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

Officer Leo Slecton

Hand Served: 8-3-2023

Initial Hearing: 8-31-2023

Continuance granted to 28 September 2023

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 September 2023.

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Case # 23-740

Green Pineapple Holdings LLC

Edward Russo- **Manager**

1130 Duval Street

Sec. 18-615 Revocation or suspension

Sec. 58-31 Container and receptacle requirements

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

Sec. 102-282 Outdoor display of goods

Officer Leo Slecton

Hand Served: 8-24-2023- **Amended Notice**

Initial Hearing: 7-27-2023

Continuance granted to 28 September 2023

Count 1: Failure to meet all conditions of the Conditional use Permit.

Count 2: Failure to remove trash bins from the right of way.

Count 3: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

Count 4: Failure to remove outdoor display.

This case was previously granted a continuance to 28 September 2023.

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Case # 22-1571

Janker Living Trust 11/16/2021

Peter Janker- **Property Owner**

1301 Whitehead Street 1

Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy required

Officer Jim Young

Hand Posted: 4-19-2023

Initial Hearing: 4-27-2023

Continued from 27 July 2023

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.

The Code Officer was Director Jim Young. The Respondent did not attend. Director Young stated that the Respondent did not come into compliance by the compliance date given by the Special Magistrate. The Special Magistrate imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by September 1, 2023.

Liens

18

Case # 22-1327

CP LTD Partnership

2104 Fogarty Ave

Hand Posted: 8-17-2023- **Amended Notice**

Continued from 27 July 2023

Ashley Dixon Legal Analyst was present on behalf of the City. The Respondent did not attend. Ashley Dixon Legal Analyst stated that she was in contact with the Respondent this morning, and he did come into compliance by obtaining the non-transient license, but the fines that had accrued have not been paid. The Respondent had hoped to attend the meeting via Zoom but that was not

possible. The Special Magistrate thought that there was ample time for the Respondent to come into compliance before the hearing and ordered for the lien to be imposed.

Adjournment