



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, September 17, 2014

1:30 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3731 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 # 14-1358

ICS Team Clean

Taran Edge

2101 Harris Avenue

Sec. 58-34 Unlawful Disposal

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

Officer Bonnita Badgett

Certified Service: 9-3-2014

Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014

Count 1: For illegally dumping kitchen grease into the storm drain.

Count 2: ICS Team Clean does not have a business tax receipt

2

Case # 14-309

Norma Jean Peacock Sonzogni
Nancy Fay Peacock Ruiz T/C
825 Southard Street Rear
Sec. 14-40 Permits in historic district
Sec. 14-37 Building permits; professional plans; display of permits
Officer Peg Corbett
Certified Service: 3-10-2014
Initial Hearing: 4-23-2014

In compliance September 8, 2014, request dismissal

Count 1: For failure to obtain a certificate of appropriateness for the deck and pavers. **Count 2:** For failure to obtain a building permit for the deck and pavers.

Legislative History

4/23/14	Code Compliance Hearing	Continuance
5/28/14	Code Compliance Hearing	Continuance
7/2/14	Code Compliance Hearing	Continuance

3

Case # 14-820

Vicki Gordon
1406 Leon Street
Sec. 62-2 Obstructions
Officer Peg Corbett
Certified Service: 6-9-2014
Initial Hearing: 9-17-2014

Continuance granted to November 14, 2014

Count 1: A wall and pool are five feet onto the city right of way on the Washington Street side and two feet on the Leon Street side.

4

Case # 14-823

Timothy & Amy Williams
1500 Atlantic Boulevard 101
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 9-2-2014
Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014

Count 1: The business tax receipt to rent this property is delinquent

5

Case # 14-936

Stephen & Janice Dickson
816 Eaton Street
Sec. 122-600 Dimensional requirements
Sec. 14-47 Building permits; professional plans; display of permits
Sec. 14-40 Permits in historic districts
Officer Peg Corbett
Certified Service: 9-15-2014
Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014

Count 1: The air conditioning unit was installed within the 5' setback for HMDR. **Count 2:** The fence is 8' which exceeds the scope of the permit. **Count 3:** The fence is 8' which exceeds the certificate of appropriateness.

6

Case # 14-1053

Boo Ya II
Patrick Cattern
1801 N Roosevelt Boulevard
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Posted: 8-28-2014
Initial Hearing: 8-20-2014

In compliance 8-29-2014 - Request a finding - no fees or fines

Count 1: The business tax receipt for the subject vessel is delinquent

Legislative History

8/20/14

Code Compliance Hearing

Continuance

7

Case # 14-1086

Arthur Grizzle - Property Owner
Florida Reference Lab - Tenant
Armando Vicente - R/A
3150 Northside Drive
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 8-11-2014 - Owner
Certified Service: 8-4-2014 - Tenant
Initial Hearing: 8-20-2014

In compliance 8-25-2014 - still owes fines and fees**Count 1:** The business tax receipt is delinquentLegislative History

8/20/14 Code Compliance Hearing Continuance

8

Case # 14-1150

Margaret Tobin
3709 Donald Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service:
Initial Hearing: 9-17-2014

Continue for service**Count 1:** The business tax receipt is delinquent

9

Case # 14-1154

Maximus Properties, LLC
Corp. Service Co. - Registered Agent
421 Angela Street Up & Down
Sec. 66-102 Dates due and delinquent; penalties
Sec. 66-103 Transfer of license
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Peg Corbett
Certified Service: 8-14-2014
Initial Hearing: 9-17-2014

In compliance 8-15-2014, request dismissal

Count 1: The property has one delinquent non-transient rental business tax receipt. **Count 2:** The subject business tax receipt needs to be transferred to the new owner, Maximus Properties. **Count 3:** The subject property has an unlicensed rental unit that the previous owner occupied.

10

Case # 14-1218

Historic Tours of America Inc
Edwin O Swift III - R/A - Property Owner
Five Guys Burgers & Fries - Tenant
Corporate Service Co - R/A
500 Truman Avenue 1
Sec. 114-104 Restriction on number of signs permitted
Officer Peg Corbett
Certified Service: 7-29-2014 - Property Owner
Certified Service: 7-31-2014 - Tenant
Initial Hearing: 8-20-2014

Continuance granted to October 30, 2014 9:00 am

Count 1: On July 16, 2014 the directory signs for Five Guys Burgers had been reinstalled on both directory locations, increasing their sign count by four for a total of six signs. Advised that they were reinstalled by the maintenance staff of the property owner.

Legislative History

8/20/14 Code Compliance Hearing Continuance

11

Case # 14-1219

Historic Tours of America Inc.
Edwin O Swift, III - R/A - Property Owner
Fury Management Inc - Tenant
Scott Saunders - R/A
500 Truman Avenue
Sec. 114-104 Restrictions on number of signs permitted
Officer Peg Corbett
Certified Service: 7-30-2014 - Property Owner
Certified Service: - Tenant
Initial Hearing: 8-20-2014

Continuance granted to October 30, 2014 9:00 am

Count 1: On July 16, 2014 the directory signs for Fury Sports had been reinstalled on both directory locations increasing their sign count by four for a total of six signs. Was advised that these directory signs were reinstalled by the maintenance staff of the property owner.

Legislative History

8/20/14 Code Compliance Hearing Continuance

12

Case # 14-1221

Historic Tours of America Inc
Edwin O Swift, III - R/A - Property Owner
Sofa King Hot Sauces Inc
Peter Legrady - R/A
500 Truman Avenue 6
Sec. 114-104 Restrictions on the number of signs permitted - Repeat
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Peg Corbett
Certified Service: 7-30-2014 - Property Owner
Certified Service: 7-29-2014 - Tenant
Initial Hearing: 8-20-2014

Continuance granted to October 30, 2014 9:00 am

Count 1: On July 16, 2014 the directory signs had been reinstalled increasing their sign count by four for a total of six signs. Advised that these directory signs were reinstalled by the maintenance staff of the property owner. **Count 2:** Sofa King Hot Sauces does not have a business tax receipt to conduct retail sales.

Legislative History

8/20/14 Code Compliance Hearing Continuance

13

Case # 14-1235

Escape Paddleboard Adventures
Angelo Morrison
Janelle Mounger
1445 S Roosevelt Boulevard
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 9-2-2014
Initial Hearing: 9-17-2014

In compliance 9-9-2014, request dismissal

Count 1: The business tax receipt for Escape Paddleboard Adventures is delinquent

14

Case # 14-1236

Key West Island Weddings
Lizelle Jacobs-Vosser - Director
Incorp Services, Inc. - Registered Agent
422 Fleming Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 8-18-2014
Initial Hearing: 9-17-2014

In compliance 8-21-2014, request dismissal

Count 1: The business tax receipt for Key West Island Weddings is delinquent

15**Case # 14-1237**

Dockmaster Marine Construction
Tom Domiano - Director
Spiegel & Utrera - Registered Agent
Key West - Mobile Business
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 9-3-2014 - Registered Agent
Initial Hearing: 9-17-2014

In compliance 9-12-2014, request dismissal

Count 1: The business tax receipt for Dockmaster Marine Construction is delinquent

16**Case # 14-1296**

New Stop and Shop 2
Mashin Ahmed - Sole Proprietor
712 Caroline Street
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Peg Corbett
Certified Service: 8-13-2014
Initial Hearing: 9-17-2014

In compliance 8-27-2014 - Request a Finding - No fees or fines

Count 1: The business owner was issued a good neighbor courtesy notice for the same violation on 11-21-2013 for case # 13-1049

17

Case # 14-429

Thomas & Paula Yardley

Mary Elizabeth Yardley

206 Olivia Street

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

Sec. 14-40 Permits in historic districts

Officer Leonardo Hernandez

Certified Service: 8-14-2014

8-12-2014

Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014

Count 1: For failure to obtain a building permit prior to the construction of a deck and walkway. **Count 2:** For failure to obtain a certificate of appropriateness prior to the construction of a deck and walkway.

18

Case # 14-967

Bank of America

Specialized Loan Services, LLC

Nationstar Mortgage LLC

1627 Laird Street

Sec. 26-126 Clearing of property of debris and noxious material required

Officer Leonardo Hernandez

Certified Service: 8-1-2014

Certified Service: 8-5-2014

Certified Service: 7-28-2014

Initial Hearing: 8-20-2014

Continued from 8-20-2014 for compliance

Count 1: Property is overgrown and full of debris

Legislative History

8/20/14

Code Compliance Hearing

Continuance

19

Case # 14-885

Paul Mills, CPA
1541 5th Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Mary Lockyear
Certified Service: 7-31-2014
Initial Hearing: 9-17-2014

New Case

Count 1: The business tax receipt is delinquent for the accounting business

20

Case # 14-1027

JHB Backflow Master, LLC
Jean Bonheur
1213 14th Street 174
Sec. 66-102 Dates due and delinquent; penalties
Officer Mary Lockyear
Certified Service: 8-20-2014
Initial Hearing: 9-17-2014

In compliance 9-16-14, request dismissal

Count 1: JHB Backflow Master has a delinquent business tax receipt

21

Case # 14-1164

Michael Curry
828 Elizabeth Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Mary Lockyear
Certified Service: 8-14-2014
Initial Hearing: 9-17-2014

In compliance 8-15-2014, request dismissal

Count 1: The business tax receipt is delinquent

22

Case # 14-1170

Marsha Garrard
2616 Patterson Avenue 1
Sec. 66-102 Dates due and delinquent; penalties
Officer Mary Lockyear
Certified Service: 7-31-2014
Initial Hearing: 9-17-2014

In compliance 8-4-2014, request dismissal

Count 1: The business tax receipt is delinquent

23

Case # 14-1183

Jamson Private Investigations
Ted Herzog
Key West
Sec. 66-102 Date due and delinquent; penalties
Officer Mary Lockyear
Certified Service: 8-20-2014
Initial Hearing: 9-17-2014

In compliance 8-29-2014, request dismissal

Count 1: The business tax receipt is delinquent

24

Case # 14-1245

Peter Williams - Property Owner
Kinky Construction
Michael Skoglund
Sec. 14-37 Building permits; professional plans; display of permits
Officer Mary Lockyear
Certified Service: 9-8-2014
Initial Hearing: 9-17-2014

In compliance 9-11-2014, request dismissal

Count 1: A window was removed without benefit of a building permit.

25

Case # 14-1254

Studio Hair & Tanning Salon

Scarlett Williams

1106 Key Plaza A

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

Officer Mary Lockyear

Certified Service: 8-20-2014

Initial Hearing: 9-17-2014

In compliance 8-21-2014, request dismissal**Count 1:** A business tax receipt is required to cosmetology.

26

Case # 14-1255

Studio Hair & Tanning Salon

Kelly Belanger

1106 Key Plaza A

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

Officer Mary Lockyear

Certified Service: 8-20-2014

Initial Hearing: 9-17-2014

In compliance 8-21-2014, request dismissal**Count 1:** A business tax receipt is required to do cosmetology

27

Case # 14-1322

R Butler Pools & Decks LLC

Roderick Butler

Verna Fisher

1005 United Street A

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

Sec. 18-117 Acts declared unlawful

F.S. 489-103 Contracting

Officer Mary Lockyear

Certified Service: 8-27-2014

Initial Hearing: 9-17-2014

In compliance 8-29-2014, request dismissal

Count 1: R Butler Pools & Decks LLC is not a qualified business in the state of Florida. **Count 2:** Property owner hired R Butler Pools & Decks LLC, an unlicensed contractor, to complete work at the subject property without applying for permits. **Count 3:** Property owner obtained a homeowner's permit and then retained the unlicensed contractor to do the work.

28

Case # 13-1333

801/803 Elizabeth Street LLC

c/o Peter Nelson Brawn

G, B & B-B Registries, LLC

801 Elizabeth Street

Sec. 14-325 Permits required

Sec. 14-327 Inspection

Sec. 14-40 Permits in historic districts

Officer Barbara Meizis

Certified Service: 6-10-2014

Initial Hearing: 7-2-2014

In compliance 9-9-2014, request dismissal

Count 1: For failure to obtain a permit for the condenser. **Count 2:** For failure to obtain an inspection for the condenser. **Count 3:** For failure to obtain a certificate of appropriateness for the condenser.

Legislative History

7/2/14	Code Compliance Hearing	Continuance
--------	-------------------------	-------------

8/20/14	Code Compliance Hearing	Continuance
---------	-------------------------	-------------

29

Case # 13-1524

Mama's Rock and Sand Inc.
 Michael Biskupick
 William H & Holly A Fehr - New Owner
 1405 Petronia Street
 Sec. 14-40 Permits in historic district
 Sec. 14-37 Building permits; professional plans; display of permits
 Officer Barbara Meizis
 Certified Service: 4-4-2014 - Mama's Rock and Sand
 Certified Service: - Owner
 Initial Hearing: 4-23-2014

Request dismissal without prejudice

Count 1: For exceeding the scope of the certificate of appropriateness by installing brick pavers on the city right of way.

Count 2: For exceeding the scope of the building permit by installing brick pavers on the city right of way.

Legislative History

4/23/14	Code Compliance Hearing	Continuance
5/28/14	Code Compliance Hearing	Continuance
7/2/14	Code Compliance Hearing	Continuance
7/30/14	Code Compliance Hearing	Continuance
8/20/14	Code Compliance Hearing	Continuance

30

Case # 14-722

Hana Siebertova
 Tomas Zindulka, T/C
 3806 Cindy Avenue
 Sec. 90-359 Expiration of building permits
 Sec. 90-363 Certificate of occupancy - Required
 Officer Barbara Meizis
 Certified Service: 8-26-2014
 Initial Hearing: 9-17-2014

Continuance granted to November 14, 2014

Count 1: Building permit 13-5379 was issued on December 20, 2013 and has had no inspections. It has been 181 days. Building permit 13-2617 was issued on September 26, 2013 and has had no inspections. It has been 266 days.

31

Case # 14-544

Poinciana Park Partners LLP
Gabriele Ostrowsicki PA R/A
Mary Louis - tenant
1300 15th Court 38
Sec. 14-37 Building permits; professional plans; display of permits
Officer Matt Willman
Certified Service: 7-18-2014 - property owner
Hand Served: 7-24-2014 - tenant
Initial Hearing: 7-30-2014

In compliance 8-21-2014, still owes fees

Count 1: For failure to obtain a building permit for the floor/deck.

Legislative History

7/30/14	Code Compliance Hearing	Continuance
8/20/14	Code Compliance Hearing	Continuance

32

Case # 14-727

Alena Lembach
3226 Eagle Avenue
Sec. 14-37 Building permits; professional plans, display of permits
Sec. 18-157 Employment of unlicensed persons prohibited
Officer Matt Willman
Hand Served: 8-8-2014
Initial Hearing: 8-20-2014

Continued from August 20, 2014

Count 1: For building an addition onto the rear of the house in the setback. **Count 2:**

Legislative History

8/20/14	Code Compliance Hearing	Continuance
---------	-------------------------	-------------

33

Case # 14-1333

Ted Franse Living Trust 9/22/11
616 Petronia Street
Sec. 18-601 License required
Sec. 122-629 Prohibited Uses
Sec. 122-1371 (d)(9)
Officer Matt Willman
Certified Service: 9-2-2014
Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014**Irreparable Violation**

Count 1: A transient rental license is required to rent the property transiently. **Count 2:** Transient rental are prohibited in the Historic High Density Residential district (HHDR). **Count 3:** The subject property was rented transiently from August 12, 2014

34

Case # 14-1334

Ted Franse Living Trust 9/22/11
815 Pearl Street 3
Sec. 18-601 License Required
Sec. 122-699 Prohibited uses
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Matt Willman
Certified Service: 9-2-2014
Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014

Count 1: A transient license is required to rent your property transiently. **Count 2:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR). **Count 3:** On August 27, 2014, the property owner was holding out this property for transient rental, 11 days.

35

Case # 14-1346

Ted Franse Living Trust 9/22/11

616 Petronia Street

Sec. 18-601 License Required

Sec. 122-629 Prohibited uses

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

Officer Matt Willman

Certified Service: 9-2-2014

Initial Hearing: 9-17-2014

Continuance granted to October 29, 2014**Count 1:** A transient license is required to rent your property transiently.**Count 2:** Transient rentals are prohibited in the Historic High Density Residential district (HHDR). **Count 3:** The property owner has offered this property for transient rent from April 12 through April 16, 2015.

36

Case # 14-1369

Robert S Bacon

1310 Catherine Street

Sec. 18-601 License required

Sec. 122-1371 (d)(9)

Sec. 122-599 Prohibited uses

Officer Matt Willman

Certified Service: 9-12-2014

Initial Hearing: 9-17-2014

New Case**Count 1:** A transient rental business tax receipt is required to rent unit 2 transiently. **Count 2:** The property is being rented on Vacation Homes of Key West as two side by side town homes. **Count 3:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR).

37

Case # 14-1305

US Bank National Association
c/o Aldridge Connors, LLP
2717 Staples Avenue
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Jim Young
Certified Service: 8-25-2014
Initial Hearing: 9-17-2014

New Case

Count 1: The yard is overgrown with landscaping and debris

Liens

38

Case # 05-530

Dynamic Transportation Inc.
Keys Shuttle
Raul Cisneros, Registered Agent
City of Key West
Certified Service: 8-18-2014

39

Case # 12-243

Dynamic Transportation Inc.
Keys Shuttle
Raul Cisneros, Registered Agent
3990 S Roosevelt Blvd
Certified Service: 8-18-2014

40

Case # 12-416

Dynamic Transportation Inc.
Keys Shuttle
Raul Cisneros, Registered Agent
701 Thomas Street B
Certified Service: 8-18-2014

41

Case # 13-379

Maurice & Lynn De La Valette
1100 Virginia Street
Certified Service: 8-13-2014

In compliance 9-9-2014, request dismissal

42

Case # 13-383

Maurice & Lynn De La Valette
1028 Virginia Street
Certified Service: 8-13-2014

In compliance 9-9-2014, request dismissal

Adjournment