



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final Code Compliance Hearing

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Wednesday, September 17, 2014

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 305-809-3731 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

The case was continued to October 29, 2014.

**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.

This case was dismissed as requested by the code officer.

**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.

The case was continued to November 14, 2014.

**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

The case was continued to October 29, 2014.

**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.

The case was continued to October 29, 2014.

**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

The Special Magistrate granted the request for a findings and order with no fines or fees.

**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 delinquent

This case is in compliance but the fines and fees are still due.

**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

This case was dismissed as requested by the code officer.

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.

This case was dismissed as requested by the code officer.

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.

**The case was continued to October 30, 2014.**

**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.

**The case was continued to October 30, 2014.**

**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.

**The case was continued to October 30, 2014.**

**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

**This case was dismissed as requested by the code officer.**

**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

**This case was dismissed as requested by the code officer.**

**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

**This case was dismissed as requested by the code officer.**

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

**The Special Magistrate granted the request for a findings and order with no fines or fees.**

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.

**The case was continued to October 29, 2014.**

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

**The Special Magistrate imposed the fines and fees as requested by the code officer. Compliance has not been achieved.**

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

**The Special Magistrate found Mr. Mills in violation. Cost of \$250 were imposed.  
Also imposed was a fine of \$250. The total amount due to the City is \$500.**

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

This case was dismissed as requested by the code officer.

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

This case was dismissed as requested by the code officer.

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

This case was dismissed as requested by the code officer.

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

This case was dismissed as requested by the code officer.

24

**Case # 14-1245**

Peter Williams - Property Owner  
Kinky Construction  
Michael Skoglund  
1322 Olivia Street  
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.

This case was dismissed as requested by the code officer.

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.

This case was dismissed as requested by the code officer.

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

This case was dismissed as requested by the code officer.

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.

This case was dismissed as requested by the code officer.

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.

This case was dismissed as requested by the code officer.

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.

This case was dismissed without prejudice as requested by the code officer.

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.

The case was continued to November 14, 2014.

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.

**This case is in compliance but the fees are still due.**

**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:**

**The Special Magistrate found Ms. Lembach in violation. Cost of \$250 were imposed. A compliance hearing will be held on December 17, 2014.**

**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

The case was continued to October 29, 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.

The case was continued to October 29, 2014.

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.

The case was continued to October 29, 2014.

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).

The Special Magistrate found Mr. Bacon in violation. Cost of \$250 were imposed. Also imposed was a fine of \$250 per day, per count in compliance is not achieved by October 28,2014. A compliance hearing will be held on October 29, 2014.

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

This case was dismissed as requested by the code officer.

**Liens**

38

**Case # 05-530**

Dynamic Transportation Inc.  
Keys Shuttle

Raul Cisneros, Registered Agent  
City of Key West  
Certified Service: 8-18-2014

**The Special Magistrate approved filing the lien.**

**39**

**Case # 12-243**  
Dynamic Transportation Inc.  
Keys Shuttle  
Raul Cisneros, Registered Agent  
3990 S Roosevelt Blvd  
Certified Service: 8-18-2014

**The Special Magistrate approved filing the lien.**

**40**

**Case # 12-416**  
Dynamic Transportation Inc.  
Keys Shuttle  
Raul Cisneros, Registered Agent  
701 Thomas Street B  
Certified Service: 8-18-2014

**The Special Magistrate approved filing the lien.**

**41**

**Case # 13-379**  
Maurice & Lynn De La Valette  
1100 Virginia Street  
Certified Service: 8-13-2014

**In compliance 9-9-2014, request dismissal**

**This case was dismissed as requested by the code officer.**

**42**

**Case # 13-383**  
Maurice & Lynn De La Valette  
1028 Virginia Street  
Certified Service: 8-13-2014

**In compliance 9-9-2014, request dismissal**

**This case was dismissed as requested by the code officer.**

**Adjournment**