



# 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, August 31, 2011

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 # 09-1412  
Lee & Sherry Mattingly  
2333 Fogarty Avenue  
Sec. 74-167 Infiltration and inflow and other discharges to sewer prohibited  
Sec. 74-32 Discharges to natural outlets  
Officer Gary Addleman  
POSTED: 8-9-2011  
Initial Hearing: 8-31-2011

#### **In compliance, request dismissal**

For allowing sewerage to flow into natural outlets. for allowing or to cause infiltration of storm water, etc. into the City's sewer system.

**Attachments:** [09-1412 2333 Fogarty NOH](#)

2                   Case # 11-233  
Michael Ben-Shoaff  
for Key West Style, Inc.  
Sunset Plaza Inc.  
for Hamuy  
Key West Style  
101 Duval Street  
Sec. 18-192 Permit Required  
Officer Gary Addleman  
Certified Service: 8-1-2011  
Initial Hearing: 8-31-2011

**In compliance, request dismissal.**

A custom wearing apparel permit is required prior to engaging in the business of selling custom wearing apparel.

**Attachments:**   [11-233 101 Duval NOH](#)

3                   Case # 11-722  
Keith Reilly  
101 Petronia Street  
Sec. 66-102 Delinquent Business Tax  
Officer Gary Addleman  
Certified Service: 8-1-2011  
Initial Hearing: 8-31-2011

**New Case**

For renting your property with a delinquent business tax receipt.

**Attachments:**   [11-722 101 Petronia NOH](#)

4 Case # 11-646  
First-Citizens Bank & Trust Company  
3883 S Roosevelt Blvd  
Sec. 26-126 Clearing of Property  
Sec. 26-37 Removal of Graffiti  
Officer Gary Addleman  
Certified Service: 8-16-2011  
Initial Hearing: 8-31-2011

**New Case**

The property needs to be cleared of debris and maintained. The graffiti needs to be removed from the storage trailer.

**Attachments:** [11-646 3883 S Roosevelt NOH](#)  
[11-646 3883 S Roosevelt Blvd pics](#)  
[11-646 3883 S Roosevelt Blvd pics 1](#)

5 Case # 11-781  
David N Hartman  
David E Bray R/S  
721 Windsor Lane  
Sec. 18-117 Acts Declared Unlawful  
Sec. 14-37 Building Permits, Display  
Sec. 14-40 Permits in the Historic District  
Officer Gary Addleman  
Certified Service: 6-24-2011  
Initial Hearing: 8-3-2011

**Continued from 8-3-2011**

For aiding and abetting an unlicensed contractor. A building permit and HARC approval are required prior to the demolition and rebuild of a deck and fencing, re-plumbing outside shower and replacing two lite doors prior to the commencement of work.

**Attachments:** [11-781 721 Windsor F NOH Contr 8-3-11](#)  
[11-781 721 Windsor F NOH Owner 8-3-11](#)  
[11-781 721 Windsor Contract](#)  
[11-781 721 Windsor pics](#)

**Legislative History**

8/3/11 Code Compliance Hearing Continuance

6

Case # 11-782  
Charles Lee  
727 Windsor Lane  
Sec. 18-117 Acts Declared Unlawful  
Sec. 14-37 Building Permits, Display  
Sec. 14-40 Permits in the Historic District  
Officer Gary Addleman  
Certified Service: 6-17-2011  
Initial Hearing: 8-3-2011

**Continued from 8-3-2011**

For aiding and abetting an unlicensed contractor. A building permit and HARC approval are required for the deck and fence prior to the commencement of work.

**Attachments:** [11-782 727 Windsor NOH Contr 8-3-11](#)  
[11-782 727 Windsor NOH Owner 8-3-11](#)  
[11-782 727 Windsor Contract](#)  
[11-782 727 Windsor pics](#)

**Legislative History**

8/3/11	Code Compliance Hearing	Continuance
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7

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

**Continuance granted to September 28, 2011**

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

**Attachments:** [10-642 1405 4th St NOH](#)

**Legislative History**

6/29/11	Code Compliance Hearing	Continuance
8/3/11	Code Compliance Hearing	Continuance

8

Case # 11-674  
White Knuckle LLC  
Teah & Douglas Getchel  
2407 N Roosevelt Blvd  
Sec. 66-92 License required for each location  
Officer Dotty Austin  
Certified Service: 6-15-2011  
Initial Hearing: 8-3-2011

**In compliance, request dismissal.**

A business tax receipt is required for each location.

**Attachments:** [11-674 2407 N Roosevelt NOH](#)  
[11-674 2407 N Roosevelt Pics](#)  
[11-674 2407 N Roosevelt Pic 6-9-11](#)

**Legislative History**

8/3/11            Code Compliance Hearing            Continuance

9

Case # 10-1274  
Rockwell Property, INc.  
Catalfomo & Farrelly, R/A  
Trepanier & Assoc., Inc.  
Owen Trepanier  
2 Scheppens Lane  
Sec. 14-37 Building Permits, Display  
Sec. 14-40 Permits in the Historic District  
Sec. 122-1371 Transient Living Accommodations  
Officer Dotty Austin  
Certified Service: 8-15-2011  
Initial Hearing: 8-31-2011

**New Case**

Roof demolition and deck construction require permits and HARC approval prior to commencement. Unlicensed transient rental use is prohibited in the City of Key West.

**Attachments:** [10-1274 2 Scheppen's Ln NOH](#)  
[10-1274 2 Scheppens Ln Pics 111010](#)  
[10-1274 2 Scheppens Web](#)

10 Case # 10-1454  
Rishi Gidwani  
3609 Northside Drive  
Sec. 66-87 Business tax receipt required  
Officer Dotty Austin  
POSTED: 7-7-2011  
Initial Hearing: 8-31-2011

**New Case**

A business tax receipt is required to rent your property.

**Attachments:** [10-1454 3609 Northside NOH](#)  
[10-1454 3609 Northside Dr Lease info](#)  
[10-1454 3609 Northside Dr Utility bill](#)

11 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  
Sec. 14-256 Required for Electric  
Officer Dotty Austin  
Certified Service: 7-25-2011  
Initial Hearing: 8-31-2011

**New Case**

**Continuance granted to September 28, 2011**

A building permit and HARC approval are required prior to the commencement of building a shed. An electrical permit is required prior to the installation of pool equipment.

**Attachments:** [11-712 804 Eisenhower NOH](#)  
[11-712 804 Eisenhower Pics 6-2-11](#)  
[11-712 804 Eisenhower Pics 72211](#)

12

Case # 11-732  
Edward G DeLeon  
1005 United Street A  
Sec. 18-601 Transient License  
Sec. 122-1371 Transient Living Accommodations  
Sec. 122-269 Prohibited Uses - MDR  
Officer Dotty Austin  
Certified Service: 7-25-2011  
Initial Hearing: 8-31-2011

**New Case**

A transient rental license is required prior to renting units transiently. Unlicensed transient rental use of residential dwellings is prohibited. Transient rental use of residential dwellings is prohibited in the MDR district.

**Attachments:**    [11-732 1005A United St NOH Amended](#)  
                          [11-732 1005 United A Rental Quote](#)  
                          [11-732 1005 United A License](#)

13

Case # 11-821  
Oliver S Blake  
1624 Bertha Street 3  
Sec. 66-102  
Officer Dotty Austin  
Certified Service: 8-2-2011  
Initial Hearing: 8-31-2011

**In compliance as of 7-28-2011, request dismissal**

Renting unit 3 with a delinquent business tax receipt.

**Attachments:**    [11-821 1624 Bertha NOH](#)

- 14 Case # 11-904  
The Artist House on Fleming Street  
Raymond & Joanna Kearney, MGMR  
1016 Fleming Street 1  
Sec. 66-102 Delinquent Business Tax  
Officer Dotty Austin  
Certified Service: 8-11-2011  
Initial Hearing: 8-31-2011

**In compliance, request dismissal**

The business tax receipt for medallions #235, 236, 237, 238 and 239 is delinquent.

**Attachments:** [11-904 1016 Fleming St 1 NOH](#)

- 15 Case # 10-760  
Gordon & Juliana MacDowell  
910 United Street  
Sec. 14-37 Building Permits, Display  
Sec. 14-40 Permits in the Historic District  
Officer Yesenia Beltranena  
Certified Service: 6-18-2011  
Initial Hearing: 8-3-2011

**In compliance, request dismissal**

For failure to obtain building permits for removal of walls, kitchen and bath and to re-frame several walls and re-drywall.

**Attachments:** [10-760 910 United St NOH](#)

**Legislative History**

8/3/11 Code Compliance Hearing Continuance



16 Case # 10-1026  
 Maria D Tuya  
 2209 Flagler Avenue  
 Sec. 66-102 Delinquent Business Tax Receipt  
 Officer Yesenia Beltranena  
 POSTED: 8-17-2011  
 Initial Hearing: 8-31-2011

**New Case**

Delinquent business tax receipt for two non-transient units, front and rear.

**Attachments:** [10-1026 2209 Flagler NOH](#)  
[10-1026 2209 Flagler Ave Front Unit](#)  
[10-1026 2209 Flagler Ave Rear](#)  
[10-1026 2209 Flagler Ave. Pics](#)

17 Case # 10-1429  
 Perfect Pedicab, Inc.  
 Anthony Catalfomo R/A  
 Front & Duval  
 Sec. 18-415 Restrictions in the Historic District  
 Officer Yesenia Beltranena  
 Certified Service: 1-8-2011  
 Initial Hearing: 1-26-2011

**Continued from 6-29-2011 for ruling**

For off premises canvassing in a prohibited area.

**Attachments:** [10-1429 Front & Duval NOH](#)  
[10-1429 Front & Duval Pic](#)

**Legislative History**

3/30/11	Code Compliance Hearing	Continuance
4/27/11	Code Compliance Hearing	Continuance
5/25/11	Code Compliance Hearing	Continuance
6/29/11	Code Compliance Hearing	Continuance

18

Case # 10-1526  
Perfect Pedicab, Inc.  
Anthony Catalfomo R/A  
Front & Duval  
Sec. 18-415 Restrictions in the Historic District  
Officer Yesenia Beltranena  
Certified Service: 1-8-2011  
Initial Hearing: 1-26-2011

**Continued from 6-29-2011 for ruling**

For off premises canvassing in a prohibited area.

**Attachments:** [10-1526 Front & Duval NOH](#)

**Legislative History**

3/30/11	Code Compliance Hearing	Continuance
4/27/11	Code Compliance Hearing	Continuance
5/25/11	Code Compliance Hearing	Continuance
6/29/11	Code Compliance Hearing	Continuance

19

Case \$ 11-517  
Jack Farley R/A for Loyal Order of Moose  
Joe Warren VP  
William Russell TD  
Julian Barrios PD  
700 Eisenhower Drive  
Sec. 58-31 Container & Receptacle  
Officer Yesenia Beltranena  
Certified Service: 7-25-2011  
Initial Hearing: 8-31-2011

**In compliance, request dismissal**

All businesses in the city shall have and maintain property watertight metal garbage containers.

**Attachments:** [11-517 700 Eisenhower NOH](#)

20

Case # 11-934  
Kenneth (Kenyatta) Arrington  
Street Performer  
Sec. 6-2 Permit Required  
Sec. 6-4 Permit Regulations  
Officer Yesenia Beltranena  
Hand Served: 7-21-2011  
Initial Hearing: 8-31-2011

**New Case**

Permittee shall furnish and maintain public liability and property damage insurance. Amplified music is prohibited.

**Attachments:** [11-934 Kenneth Arrington NOH](#)  
[11-934 Kenneth Arrington Pic](#)  
[11-934 Arrington Pics](#)  
[11-934 Arrington Pics\(2\)](#)  
[11-934 Arrington Pics\(3\)](#)  
[11-934 Arrington E-mails](#)

21

Case # 11-935  
Elizabeth O'Connor  
Street Performer  
Sec. 6-2 Permit Required  
Officer Yesenia Beltranena  
Hand Served: 7-14-2011  
Initial Hearing: 8-31-2011

**In compliance, request dismissal**

Permittee shall furnish and maintain public liability and property damage insurance.

**Attachments:** [11-935 Elizabeth O'Connor NOH](#)  
[11-935 O'Connor Pics](#)  
[11-935 O'Connor Pics\(2\)](#)

22

Case # 11-936  
Tiger Maximus & River Seine  
c/o Earl Washington  
Street Performer  
Sec. 6-2 Permit Required  
Officer Yesenia Beltranena  
Hand Served: 7-14-2011  
Initial Hearing: 8-31-2011

**New Case**

Permittee shall furnish and maintain public liability and property damage insurance.

**Attachments:** [11-936 Maximum & Seine NOH](#)  
[11-936 Maximus-Seine Pics](#)  
[11-936 Maximus-Seine Pics\(2\)](#)

23

Case # 11-939  
George B Davis  
Street Performer  
Sec. 6-3 Locations  
Sec. 6-2 Permit Required  
Officer Yesenia Beltranena  
Hand Served: 7-20-2011  
Initial Hearing: 8-31-2011

**New Case**

Performing less than 20' for the closest intersection. Permittee shall furnish and maintain public liability and property damage insurance.

**Attachments:** [11-939 George Davis NOH](#)  
[11-939 Davis Pics](#)  
[11-939 Davis Pics\(2\)](#)  
[11-939 measurement of corner Eaton and duval](#)

24

Case # 11-678  
Earl Washington  
Parent/Guardian Street Performers  
Sec. 6-4 Permit Regulations  
Officer Ginny Haller  
Certified Service: 5-28-2011  
Initial Hearing: 6-29-2011

**New Case**

(k) Performers display area larger than allowed. (w) Amplification in any form is prohibited.

**Attachments:** [11-678 Earl Washington NOH](#)  
[11-678 Earl Washington photos](#)

**Legislative History**

6/29/11          Code Compliance Hearing          Continuance

25

Case # 11-615  
Constance Kara & John McCoy  
215 Eneas Lane  
Sec. 14-37 Building Permits, Required  
Sec. 102-152 Certificate of Appropriateness  
Sec. 102-158 Stop Work Order & Penalty  
Officer Ginny Haller  
Certified Service: 8-4-2011  
Initial Hearing: 8-31-2011

**Irreparable Violation**  
**New Case**

A building permit and Certificate of Appropriateness are required prior to change out the door, stucco, installation of A/C units and installation of copper tubing. For working over a stop work order.

**Attachments:** [11-615 215 Eneas 2nd Amended NOH](#)  
[11-615 215 Eneas AMENDED NOH](#)  
[11-615 215 Eneas NOH](#)  
[11-615 215 Eneas debris pic](#)  
[11-615 215 Eneas door pic](#)  
[11-615 215 Eneas pic](#)  
[11-615 215 Eneas changes and new air cond pic](#)  
[11-615 215 Eneas changes pic](#)  
[11-615 215 Eneas left side house Pt 1 pic](#)  
[11-615 215 Eneas left side house Pt 2 pic](#)

26 Case # 10-1181  
 Gloria K McGee  
 John W McGee T/C  
 2812 Fogarty Avenue  
 Sec. 10-16 Number Restricted  
 Officer Barbara Meizis  
 Certified Service: 5-6-2011  
 Initial Hearing: 5-25-2011

**In compliance, request dismissal.**

Number of domestic animals is limited to four unless animals are six months or younger, or operating a duly licensed kennel or pet shop.

**Attachments:** [10-1181 2812 Fogarty NOH](#)  
[10-1181 2812 Fogarty Response 2NOCV](#)

**Legislative History**

5/25/11	Code Compliance Hearing	Continuance
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27 Case # 10-1365  
 Thomas Savage  
 Rebecca Anderson  
 Perfect Pedicab, Inc.  
 Tifts at Front  
 Sec. 6-151 Conditions of Use  
 Officer Barbara Meizis  
 Certified Service: 11-10-2010  
 Initial Hearing: 12-8-2010

**Continued from 6-29-2011 for ruling  
 Repeat violation for Perfect Pedicab**

For parking in a prohibited area and for driving the wrong way on a one way street.

**Attachments:** [10-1365 Tifts & Front NOH](#)

**Legislative History**

3/30/11	Code Compliance Hearing	Continuance
4/27/11	Code Compliance Hearing	Continuance
5/25/11	Code Compliance Hearing	Continuance
6/29/11	Code Compliance Hearing	Continuance

28

Case # 10-1375  
MCCAR Investment Corp  
Michael Browning, R/A  
924 Kennedy Drive A  
Sec. 14-37 Building Permits, Display  
Sec. 14-256 Permit Required for Electric  
Sec. 14-262 Request for Inspection  
Sec. 14-358 Permit Required for Plumbing  
Sec. 58-61 Determination & Levy  
Sec. 90-356 Building Permit Required  
Sec. 90-363 Certificate of Occupancy  
Officer Barbara Meizis  
Certified Service: 7-13-2011  
Initial Hearing: 8-31-2011

**New Case**

Electrical and plumbing permits are required prior to installation of electrical outlets and running water. Electrical permit is required before installation of electricity. An electrical inspection is required. Plumbing plans must be submitted, approval secured and a permit obtained and paid for prior to commencing work. Property owner must obtain a determination & levy for solid waste collection on new shed/unit. Building permits are required. A certificate of occupancy is required.

**Attachments:** [10-1375 924 Kennedy Dr NOH](#)  
[10-1375 924 kennedy dr photos exterior of sheds](#)  
[10-1375 924 kennedy dr photos exterior-door hanger](#)  
[10-1375 924 kennedy dr photos interior of sheds](#)



29

Case # 11-192  
Shirley L Mills  
1015 Packer Street  
Sec. 108-680 Recreational Vehicles/Boats  
Sec. 108-681 Camping Vehicles & Equipment  
Officer Barbara Meizis  
POSTED: 8-15-2011  
Initial Hearing: 8-31-2011

**Continuance granted to September 28, 2011**

Trailers shall be parked within an enclosed structure or screened by a fence or vegetation of sufficient height and opaqueness so as not to be seen from off-site. Trailers may not be parked forward of front building line or occupied for living quarters except in a licensed trailer park.

**Attachments:** [11-192 1015 Packer St Illegal Trlr on prop](#)  
[11-192 1015 Packer St scanned photos](#)

30

Case # 11-648  
Perfect Pedicabs  
South & Whitehead  
Sec. 6-151 Conditions of Use  
Officer Barbara Meizis  
Certified Service: 5-28-2011  
Initial Hearing: 6-29-2011

**Repeat Violation****Continued from 6-29-2011**

You shall not park, stand, or stop at a yellow curb and/or with a "no parking anytime tow away zone" sign thereby creating a hazardous situation.

**Attachments:** [11-648 Str City NOCV repeat-NOH Perfect Pedicab](#)  
[11-648 Perfect Pedicab & Dmytro Kubrak photos](#)

**Legislative History**

6/29/11	Code Compliance Hearing	Continuance
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31

Case # 11-649  
Pirate One Pedicab  
South & Whitehead  
Sec. 6-151 Conditions of Use  
Officer Barbara Meizis  
Certified Service: 6-1-2011  
Initial Hearing: 6-29-2011

**Continued from 6-29-2011**

You shall not park, stand or stop at a yellow curb and/or with a "no parking anytime tow away zone" sign thereby creating a hazardous situation.

**Attachments:** [11-649 Pirate One Pedicab NOCV-NOH](#)  
[11-649 Pirate One Pedicab & Olena Rychkova photos](#)

**Legislative History**

6/29/11          Code Compliance Hearing          Continuance

32

Case # 11-325  
Rolando Rivera  
1019 Watson Street  
Sec. 66-87 Business Tax Receipt Required  
Officer Bonnita Myers  
Certified Service: 7-28-2011  
Initial Hearing: 8-31-2011

**In compliance, request dismissal**

A business tax receipt is required to rent your property.

**Attachments:** [11-325 1019 Watson NOH](#)

33 Case # 11-329  
Joanne C Robertson  
706 Elizabeth Street A  
Sec. 14-37 Building Permits, Display  
Officer Bonnita Myers  
Certified Service: 8-12-2011  
Initial Hearing: 8-31-2011

**Continuance granted to September 28, 2011**

A building permit is required prior to changing out a window.

Attachments: [11-329 706 Elizabeth A NOH](#)

34 Case # 11-785  
Brian & Kimberly Blanchette  
1312 Reynolds Street 1  
Sec. 14-40 Permits in the Historic District  
Sec. 14-31 Florida Building Code  
Sec. 66-87 Business Tax Receipt  
Officer Bonnita Myers  
Certified Service: 8-1-2011  
Initial Hearing: 8-31-2011

**Continuance granted to September 28, 2011**

A building permit and HARC approval is required prior to replacing roof with V-crimp. A business tax receipt is required to rent your property.

Attachments: [11-785 1312 Reynolds 1 NOH](#)  
[11-785 1312 Reynolds St. pics](#)

**HARC Appeals**

35 SMA 11-03  
Arch. William Rowan  
1107 Grinnell Street  
H11-01-445

**Continuance granted to September 28, 2011**

Attachments: [SMA 11-03 Hearing Notice](#)  
[SMA 11-03 Letter HARC Denial](#)

Legislative History

5/25/11 Code Compliance Hearing Continuance

6/29/11      Code Compliance Hearing      Continuance

**Liens**

36            Case # 08-1477  
              David Blain  
              1019 Elgin Lane

**Posted 8-11-2011**

Attachments:    [08-1477 1019 Elgin Lien](#)

37            Case # 10-673  
              Norma Barton  
              1922 Patterson Avenue

**Posted 8-11-2011**

Attachments:    [10-673 1922 Patterson Lien](#)

38            Case # 10-1059  
              Matthew K McDowell  
              1333 20th Street

**Certified Service: 7-15-2011**

Attachments:    [10-1059 1333 20th Lien](#)

**Adjournment**