



# 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 22, 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 # 07-676**

Sylvia E Marucci Shelly TR U/T/D 09-02-88

Carolyn Cochrane Executive

1402 Vernon Avenue Down Rear

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

Sec. 90-363 Certificate of Occupancy

Officer Bonnita Badgett

Certified Service: 7-27-2012

Initial Hearing: 8-22-2012

**Continued from August 22, 2012**

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

**2:** A certificate of occupancy is required for all units located on the property. There are a total of 5 units and the city only recognizes 3.

**Attachments:** [07-676 1402 Vernon Ave NOH](#)

[07-676 1402 Vernon St leases](#)

[07-676 1402 Vernon letter to DCA](#)

2

**Case # 11-1413**

710 Caroline St LLC  
 Richard Klitenick, Esq.  
 710 Caroline Street  
 Sec. Certificate of occupancy - required  
 Sec. 58-63 Delinquency  
 Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
 Officer Bonnita Badgett  
 Certified Service: 7-26-2012  
 Initial Hearing: 8-22-2012

**In compliance, request dismissal**

**Count 1:** A certificate of occupancy is required for the single family residence. **Count 2:** The sewer/solid waste accounts are delinquent. **Count 3:** A business tax receipt is required to rent your property.

**Attachments:** [11-1413 710 Caroline St NOH](#)  
[11-1413 710 Caroline CO](#)

3

**Case # 11-1541**

James & Judith Wert  
 1424 Petronia Street  
 Sec. 66-87 Business tax receipt required  
 Sec. 58-61 Determination and levy of charge  
 Sec. 14-37 Building permits; professional plans; display of permits  
 Sec. 90-363 Certificate of Occupancy required  
 Officer Bonnita Badgett  
 Certified Service: 4-13-2012  
 Initial Hearing: 4-25-2012

**Continued to September 26, 2012 for compliance**

**Count 1:** A business tax receipt for all units is required to rent the property. **Count 2:** A solid waste account is required for all units. **Count 3:** A building permit is required to build a third unit. **Count 4:** A certificate of occupancy is required prior to renting the third unit.

**Attachments:** [11-1541 1424 Petronia St NOH](#)

**Legislative History**

4/25/12	Code Compliance Hearing	Continuance
5/23/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance

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**Case # 12-153**

Stella A Rylander

532 Duval Street 534

Sec. 10-11 Keeping fowl or wildlife

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

Officer Bonnita Badgett

Certified Service: 4-26-2012

Initial Hearing: 5-23-2012

**Continued from July 25, 2012 for Settlement Agreement**

**Count 1:** The chickens and roosters were not secure and the chicken feed was spread all over the entire yard, porches and driveway. Approximately three pounds of fresh cat food was in bowls all over the yard. The cage for the chickens and roosters has not been cleaned on a regular basis. **Count 2:** The odor from the droppings and the flies have become a nuisance to the city and the neighboring properties.

**Attachments:** [12-153 532 Duval St 534 NOH](#)

[12-153 332 Southard St pics 1.26.12](#)

[12-153 532 Southard St pics 3.29.12](#)

[12-153 532-534 Duval St. 4.12.12 pics](#)

[12-153 532-534 Duval St. 5.1.12 pics](#)

[12-153 532-534 Duval St. 5.2.12 pics](#)

[12-153 532-534 Duval St. 6.10.12 pics](#)

[12-153 532-534 Duval St. 7.1.12 pics](#)

[12-153 532-534 Duval St. 7.10.12 pics](#)

[12-153 532-534 Duval St. 7.16.12 pics](#)

[12-153 532-534 Duval St. 7.23.12 pics](#)

[12-153 532-534 Duval St. 7.25.12 pics](#)

**Legislative History**

5/23/12      Code Compliance Hearing      Continuance

7/25/12      Code Compliance Hearing      Continuance

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**Case # 12-221**

Sylvia E Marucci Shelly TR U/T/D/ 09-02-88  
Carolyn Cochran Executive  
1402 Vernon Avenue  
Sec. 62-31 Maintenance of area between property line and adjacent  
paved roadway  
Officer Bonnita Badgett  
Certified Service: 7-30-2012  
Initial Hearing: 8-22-2012

**In compliance, request dismissal**

**Count 1:** Tile pavers were installed, a fence was built and plants were planted on the city right of way without benefit of a right of way permit.

**Attachments:** [12-221 1402 Vernon Ave NOH](#)

6

**Case # 12-344**

Dan & Joanna Schoneck  
3675 Seaside Drive 439  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Bonnita Badgett  
Posted: 8-30-2012  
Initial Hearing: 9-26-2012

**Continued from September 26, 2012 for compliance**

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

**Attachments:** [12-344 3675 Seaside Dr 439 NOH](#)  
[12-344 3675 Seaside Drive # 439 lease](#)

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**Case # 12-440**

Janice Isherwood  
523 Elizabeth Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Bonnita Badgett  
Certified Service: 4-25-2012  
Initial Hearing: 5-23-2012

**In compliance. Administrative fees due.**

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

**Attachments:** [12-440 523 Elizabeth St NOH](#)

**Legislative History**

5/23/12	Code Compliance Hearing	Continuance
6/12/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance

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**Case # 12-586**

Michael Coppola  
1109 Fleming Street  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Sec. 58-63 Delinquency  
Officer Bonnita Badgett  
Certified Service: 7-30-2012  
Initial Hearing: 8-22-2012

**Continued from August 22, 2012 for compliance**

**Count 1:** A business tax receipt is required to rent your property. **Count 2:** The sewer/solid waste accounts are delinquent.

**Attachments:** [12-586 1109 Fleming St NOH](#)  
[12-586 1109 Fleming St. lease](#)

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**Case # 12-637**

Robert W Olin  
1803 Atlantic Blvd 1  
Sec. 58-31 Container and receptacle requirements  
Officer Bonnita Badgett  
Certified Service: 7-27-2012  
Initial Hearing: 8-22-2012

**In compliance, request dismissal**

**Count 1:** Garbage receptacles are being left on the city right of way.

**Attachments:** [12-637 1803 Atlantic Blvd 1 NOH](#)

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**Case # 12-662**

Argelia A McCrory  
1800 Blanche Street  
Sec. 58-31 Container and receptacle requirements  
Sec. 58-63 Delinquency  
Officer Bonnita Badgett  
Certified Service: 7-9-2012  
Initial Hearing: 8-22-2012

**In compliance, request dismissal**

**Count 1:** Yard debris and garbage containers left of the city right of way.

**Count 2:** The sewer/solid waste account is delinquent.

**Attachments:** [12-662 1800 Blanche St NOH](#)

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**Case # 12-766**

Paul S Mills  
1541 5th Street  
Sec. 66-102 Dates due and delinquent; penalties  
Sec. 58-63 Delinquency  
Officer Bonnita Badgett  
Certified Service: 5-30-2012  
Initial Hearing: 7-25-2012

**Continued from July 25, 2012 for status**

**Count 1:** The business tax receipt for Paul S Mills, CPA is delinquent.

**Count 2:** The sewer/solid wastes accounts are past due.

**Attachments:** [12-766 1541 5th St NOH](#)

**Legislative History**

7/25/12          Code Compliance Hearing          Continuance

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**Case # 11-1417**

Michael Syring  
Michael Marrone T/C  
905 Trinity Drive  
Sec. 74-31 Unlawful Deposits  
Officer Peg Corbett  
Certified Service: 6-4-2012  
Initial Hearing: 7-25-2012

**In compliance. OMI fees due.**

**Count 1:** On 11-22-11 it was observed what appeared to be old cooking oil spilled from a 50-gallon barrel. OMI was contacted to have the hazardous oil cleaned up which was completed on 11-24-2012. The OMI invoice has not been paid. Total due is \$375.00.

**Attachments:** [11-1417 905 Trinity Dr NOH](#)

**Legislative History**

7/25/12          Code Compliance Hearing          Continuance

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**Case # 12-569**

Clifford C Cutler  
726 Olivia Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 8-22-2012

**New case**

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

Attachments: [12-569 726 Olivia St NOH](#)

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**Case # 12-762**

709 Windsor Lane LLC  
c/o Peter Nelson Brawn  
Vacation Homes of Key West  
c/o Cindy Rhoades  
B, B & B-B Registries, LLC/ R/A  
709 Windsor Ln Rear, D & E  
Sec. 18-601 License Required  
Sec. 122-1371 Transient Living Accommodations in Residential Dwellings; Regulations - Counts 2 through 8  
Sec. 122-629 Prohibited uses (HHDR)  
Officer Peg Corbett  
Certified Service: 6-27-2012 Peter Brawn  
Certified Service: 6-29-2012 Cindy Rhoades  
Initial Hearing: 8-22-2012

**Continued from September 26, 2012****Irreparable violation**

**Count 1:** The captioned property was held out/or advertised as being available transiently on May 19, 2012 through May 26, 2012. **Counts 2 through 8:** The respondent(s) held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 19, 2012 through May 26, 2012. **Count 9:** The captioned property is located in the Historic High Density Residential (HHDR) district which prohibits transient rentals.

Attachments: [12-762 709 Windsor D&E NOH](#)

[12-762 709 Windsor Ln 10-1537](#)

[12-762 709 Windsor Ln 11-362](#)



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**Case # 12-815**

Joseph L Lamaraca III  
Bonnie Chu T/C  
Larry Doyle  
Property Manager  
1318 Petronia Street  
Sec. 18-601 License required  
Sec. 122-1371 Transient Living Accommodations in Residential  
Dwellings; Regulations  
Sec. 122 599 Prohibited uses  
Officer Peg Corbett  
POSTED: 8-3-2012  
Initial Hearing: 8-22-2012

**New case - Settlement Agreement  
Irreparable violation**

**Count 1:** The captioned property was held out/or advertised as being available transiently on May 31, 2012 through June 4, 2012. **Counts 2 through 6:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 31, 2012 through June 4, 2012. **Count 7:** Transient rentals are prohibited in the Historic Medium Density Residential (HMDR) district.

**Attachments:** [12-815 1318 Petronia NOH](#)

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**Case # 12-845**

Southermost Development Inc.  
Roberto Sanchez  
1111 12th Street  
Sec. 14-37 Building permits; professional plans; display of permits  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 8-22-2012

**In compliance, request dismissal**

**Count 1:** A building permit is required prior to the repair/modification of the shed.

**Attachments:** [12-845 1111 12th St NOH](#)

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**Case # 12-918**

Joseph L Lamarca III

Bonnie Chu T/C

1318 Petronia Street

Sec. 18-601 License required

Sec. 122-1371 Transient Living Accommodations in Residential  
Dwellings; Regulations

Sec. 122-599 Prohibited uses

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

Officer Peg Corbett

POSTED: 8-4-2012

Initial Hearing: 8-22-2012

**New Case - Settlement Agreement****Irreparable violation****Count 1:** The captioned property was held out and/or advertised as  
being available transiently on June 24, 2012 through July 1, 2012.**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  
June 24, 2012 through July 1, 2012. **Count 9:** The captioned property is  
located in the Historic Medium Density Residential (HMDR) district  
which prohibits transient rentals. **Count 10:** A business tax receipt is  
required to rent your property non-transiently.**Attachments:** [12-918 1318 Petronia \(2\) NOH](#)

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**Case # 12-689**

Charles & Jacqueline Hewett  
Vacation Homes of Key West  
c/o Cindy Rhoades  
1006 Packer Street  
Sec. 18-601 Transient License  
Sec. 122-1371 Transient Living Accommodations in Residential  
Dwellings; Regulations - Counts 2 through 8  
Sec. 122-599 Prohibited uses  
Officer Leonardo Hernandez  
Certified Service: 7-6-2012  
Initial Hearing: 8-22-2012

**Continued from September 26, 2012****Irreparable violation**

**Count 1:** The captioned property was held out and/or advertised as being available transiently on June 4, 2012 through June 11, 2012.

**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 June 4, 2012 through June 11, 2012. **Count 9:** The captioned property is located in the Historic Medium Density Residential (HMDR) district which prohibits transient rentals.

**Attachments:** [12-689 1006 Packer St 8 NOH](#)

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**Case # 12-950**

Angela Petronia LLC

Charles Krumel

610 Angela Street

Sec. 18-601 License required

Sec. 122-1371 Transient Living Accommodations in Residential  
Dwellings; Regulations

Sec. 122-629 Prohibited uses

Office Leonardo Hernandez

Certified Service: 7-31-2012

Initial Hearing: 8-22-2012

**Continued from August 22, 2012****Irreparable violation**

**Count 1:** The subject property was rented transiently from July 1, 2012 through July 6, 2012 without a transient business tax receipt. **Counts 2 through 7:** The respondent held out the property in question as being available for rent transiently contrary on July 1, 2012 through July 6, 2012. **Count 8:** Transiently rental are prohibited in the Historic High Density Residential (HHDR) district.

**Attachments:** [12-950 610 Angela St NOH](#)

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**Case # 11-633**

Arturo Cobo

Elsa Degraffenreid R/S

1517 Dennis Street

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

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

Sec. 14-256 Required

Sec. 14-262 Request for inspection

Sec. 14-325 Permits required

Sec. 14-358 Amendments to Florida Plumbing Code

Sec. 14-327 Inspection

Sec. 14-362 Connection to public sewer

Sec. 90-363 Certificate of occupancy - required

Officer Barbara Meizis

Certified Service: 5-22-2012

Initial Hearing: 6-12-2012

**Continued from August 22, 2012**

**Count 1:** A business tax receipt is required to rent the five dwelling units. **Count 2:** A building permit is required prior to subdividing the building into five dwelling units. **Count 3:** An electrical permit is required prior to doing any electrical work. **Count 4:** An electrical inspection is required. **Count 5:** A mechanical permit is required prior to doing any mechanical work. **Count 6:** A plumbing inspection is required prior to doing any plumbing work. **Count 7:** A mechanical inspection is required. **Count 8:** Coin operated washing machines and all other plumbing disposal systems must be connected to public sewer after having been inspected by the chief building official. **Count 9:** A certificate of occupancy is required for each of the five dwelling units.

**Attachments:** [11-633 1517 Dennis St NOH](#)

[11-633 1517 Dennis St Plng Ltr & Photos](#)

**Legislative History**

6/12/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance

**HARC Appeals**

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**SMA 12-05**

Daniel Harris  
c/o Patrick Wright  
914 James Street

**Withdrawn**

- Attachments:** [914 James St Hearing Notice](#)  
[914 James St Appeal Letter](#)  
[914 James St Letter of Denial](#)  
[914 James St Staff Report](#)  
[914 James St Application](#)

**Adjournment**