



# 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, October 17, 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](#)

**Legislative History**

8/22/12      Code Compliance Hearing      Continuance

2

**Case # 12-222**

Peter Anderson  
1205 11th Street  
Sec. 66-102 Dates due and delinquent; penalties  
Sec. 58-72 Responsibility of owner and tenant for payment  
Sec. 74-206 Owners responsibility for payment  
Officer Bonnita Badgett  
Certified Service: 8-6-2012  
Initial Hearing: 9-26-2012

**Rehearing**

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

**Count 2:** The solid waste account is past due. **Count 3:** The sewer account is past due.

**Attachments:** [12-222 1205 11th St NOH](#)  
[12-222 1205 11th St past due](#)  
[12-222 1205 11th St current tenant](#)  
[12-222 1205 11th St Keys Energy Acct Info](#)  
[12-222 1205 11th St Lease](#)  
[12-222 1205 11th St Utilities](#)

**Legislative History**

9/26/12      Code Compliance Hearing      Continuance

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**Case # 12-338**

James & Holly Cooney  
 415 United Street  
 Sec. 66-87 Business tax receipt required  
 Sec. 58-61 Determination and levy of charge  
 Sec. 90-363 Certificate of occupancy - required  
 Officer Bonnita Badgett  
 Certified Service: 4-7-2012  
 Initial Hearing: 4-25-2012

**Continued from September 26, 2012**

**Count 1:** A business tax receipt is required to rent the two units on the property. **Count 2:** A solid waste account is required for both units. **Count 3:** A certificate of occupancy is required for the second unit.

**Attachments:** [12-338 415 United St NOH](#)  
[12-338 415 United pics 6.8.12](#)  
[12-338 415 United St Resolution 89-290](#)

**Legislative History**

4/25/12	Code Compliance Hearing	Continuance
5/23/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance

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**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](#)

**Legislative History**

8/22/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance

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**Case # 12-1082**

Tony's Sheet Metal & Roofing  
Emigdio A Gill  
1730 Bahama Drive  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 18-150 Certificate of competency required  
Officer Bonnita Badgett  
Certified Service: 9-21-2012  
Initial Hearing: 10-17-2012

**Continuance granted to November 14, 2012  
Irreparable Violation**

**Count 1:** A building permit is required to do structural work on the trusses prior to commencement. **Count 2:** A certificate of competency is required for structural work.

**Attachments:** [12-1082 1730 Bahama Dr NOH](#)  
[12-1082 1730 Bahama Drive photos interior](#)

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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  
Posted: 7-25-2012  
Initial Hearing: 9-26-2012

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

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

**Attachments:** [12-569 726 Olivia St NOH Posting](#)  
[12-569 726 Olivia Keys Energy Acct Info](#)  
[12-569 726 Olivia St Lease](#)  
[12-569 726 Olivia St tenant affidavit](#)  
[12-569 726 Olivia St NOCV](#)

**Legislative History**

9/26/12      Code Compliance Hearing      Continuance

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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 for Settlement Agreement  
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](#)

**Legislative History**

8/22/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance

**8** Case # 12-896  
Island Oasis LLC  
Donald E Whitehead  
630 South Street  
Sec. 58-63 Delinquency  
Sec. 74-206 Owner's responsibility for payment  
Officer Peg Corbett  
Certified Service: 9-15-2012  
Initial Hearing 10-17-2012

**In compliance, request dismissal**

**Count 1:** The solid waste account is past due. **Count 2:** The sewer account is past due.

**Attachments:** [12-896 630 South St NOH](#)

**9** **Case # 12-1052**  
Delice St Martin  
1213 14th Street Lot 61  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 102-158 Stop work order and penalty  
Officer Peg Corbett  
Certified Service: 8-29-2012  
Initial Hearing: 9-26-2012

**Continuance granted to October 17, 2012**

**Irreparable violation**

**Count 1:** Restored/repared a screened addition without benefit of a building permit. **Count 2:** Work was continued after the stop work order was posted. The stop work order was removed without permission.

**Attachments:** [12-1052 1213 14th St 61 NOH](#)

**Legislative History**

9/26/12 Code Compliance Hearing Continuance

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**Case # 12-1077**

Samantha Levin

3739 Duck Avenue

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

Officer Peg Corbett

Certified Service: 9-21-2012

Initial hearing: 10-17-2012

**In compliance, request dismissal**

**Count 1:** A building permit is required prior to the commencement of building a deck.

**Attachments:** [12-1077 3739 Duck Ave NOH](#)

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**Case # 12-1231**

Paul Findlay &amp; Yolande Guillaume

1124 Varela Street

Sec. 62-2 Obstructions

Officer Peg Corbett

Certified Service: 9-29-2012

Initial Hearing: 10-17-2012

**New Case**

**Count 1:** Trash containers are left on the sidewalk seven days a week.

**Attachments:** [12-1231 1124 Varela NOH](#)  
[12-1231 1124 Varela St Pics](#)

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**Case # 11-1548**

Tamara Redhead

1101 Simonton Street

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

Sec. 14-40 Permits in historic district

Sec. 90-363 Certificate of occupancy - required

Officer Leonardo Hernandez

Certified Service: 3-14-2012

Initial Hearing: 3-28-2012

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

**Count 1:** A complaint was received on December 27, 2011 that the shed was converted into living space without a permit. **Count 2:** A complaint was received on December 27, 2011 that the shed was converted into living space without HARC approval. **Count 3:** A Certificate of Occupancy was not issued to use the shed as a living unit.

**Attachments:** [11-1548 1101 Simonton St NOH](#)

[11-1548 1101 Simonton St pics](#)

[11-1548 1101 Simonton St Misc](#)

[11-1548 1101 Simonton St pics 2](#)

**Legislative History**

3/28/12	Code Compliance Hearing	Continuance
4/25/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance



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**Case # 12-671**

Cynthia A Grissom  
1401 Sunset Drive  
Sec. 58-61 Determination and levy of charge  
Officer Leonardo Hernandez  
Certified Service: 5-5-2012  
Initial Hearing: 5-23-2012

**Continuance granted to November 14, 2012****Repeat Violation**

**Count 1:** Repeat violation of having two units when the City only recognizes one unit.

**Attachments:** [12-671 1401 Sunset Dr NOH](#)  
[12-671. 1401 Sunset Lease, etc.](#)

**Legislative History**

5/23/12	Code Compliance Hearing	Continuance
6/12/12	Code Compliance Hearing	Continuance
7/25/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance

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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 for Settlement Agreement  
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](#)

**Legislative History**

8/22/12	Code Compliance Hearing	Continuance
9/26/12	Code Compliance Hearing	Continuance

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**Case # 12-851**

Vladimir Prokhodnoy  
2301 Linda Avenue  
Sec. 90-363 Certificate of occupancy - required  
Sec. 58-61 Determination and levy of charge  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 90-356 Building permits required  
Officer Leonardo Hernandez  
Certified Service: 8-8-2012  
Initial Hearing: 9-26-2012

**Continued from September 26, 2012**

**Count 1:** A certificate of occupancy is required for the two extra units.  
**Count 2:** A solid waste account is required for all units on the property.  
**Count 3:** A business tax receipt is required to rent your property. **Count 4:** A building permit is required for all renovations that have been done.

**Attachments:** [12-851 2301 Linda Ave NOH](#)

**Legislative History**

9/26/12            Code Compliance Hearing            Continuance

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**Case # 12-1020**

Danielle K Kehoe  
Andrew J Mendez  
1006 17th Street  
Sec. 14-37 Building permits; professional plans; display of permits  
Officer Leonardo Hernandez  
Certified Service: 8-31-2012  
Initial Hearing: 9-26-2012

**Continued from September 26, 2012**

**Count 1:** A building permit is required prior to the commencement of work.

**Attachments:** [12-1020 1006 17th St NOH](#)

**Legislative History**

9/26/12            Code Compliance Hearing            Continuance

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**Case # 12-904**

Sean Seckel

Scott Zurbrigen

1224 Florida Street

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations Counts 2 through 9Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business

Sec. 122-599 Prohibited uses

Sec. 58-63 Delinquency

Sec. 74-206 Owner's responsibility for payment

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

Sec. 14-40 Permits in historic district

Officer Barbara Meizis

Hand Served:

Initial Hearing: 9-26-2012

**Continued from September 26, 2012****Repeat/Irreparable Violation**

**Count 1:** A transient rental license is required to rent your property transiently. **Counts 2 through 9:** The property owners held out the property as being available for rent transiently contrary to Sec. 122-1371 on June 20, 2012 through June 27, 2012. **Count 10:** A business tax receipt is required to rent your property. **Count 11:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR). **Count 12:** The solid waste account is delinquent. **Count 13:** The sewer account is delinquent. **Count 14:** Cameras were installed without benefit of a build permit. **Count 15:** Cameras were installed without benefit of a certificate of appropriateness.

**Attachments:** [12-904 1224 Florida Street NOH](#)  
[12-904 1224 Florida St - rental contract](#)  
[12-904 1224 Florida St - Findings & Order 08-795](#)

**Legislative History**

9/26/12      Code Compliance Hearing      Continuance

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**Case # 12-1239**

Island Cigar &amp; Tobacoria

Alon Croitoru

Carol Croitoru

135 Duval Company - Property Owner

c/o Peter Nelson Brawn

Charles Ittah, Registered Agent

Sec. 106-51 Prohibited - Counts 1 through 3 - Repeat

Sec. 42-6 Tattoo establishments; temporary tattoos

Officer Barbara Meizis

Certified Service: 9-13-2012

Initial Hearing: 9-26-2012

**Continued from September 26, 2012 for Settlement Agreement  
Repeat Violation**

**Counts 1 through 3:** On September 1, 2012, September 2, 2012 and September 5, 2012, a "boat" filled with cigars; a ' tall cigar "man" display and another display with cigars in it were located on the exterior of the building. The two doors which open out to Greene Street had a sign board on one with temporary henna tattoos and the other door had cigar boxes attached to it. This business does not currently have an exception to the outdoor display ordinance. **Count 4:** On September 1, 2012, September 2, 2012 and September 5, 2012, the signage warning about PPD was not displayed.

**Attachments:** [12-1239 501 Greene St NOH](#)

**Legislative History**

9/26/12            Code Compliance Hearing            Continuance

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**Case # 12-1135**

Dennie & Karen Baso R/S  
William & Delaina M Leird  
3715 Donald Avenue  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Sec. 74-206 Owner's responsibility for payment  
Officer Jim Young  
Certified Service: 10-11-2012  
Initial Hearing: 10-17-2012

**New Case**

**Count 1:** A business tax receipt is required to rent your property. **Count 2:** The sewer/solid waste account is past due. As of October 5, 2012, the total amount due is \$1,039.58.

**Attachments:** [12-1135 3715 Donald Ave NOH](#)  
[12-1135 3715 Donald Ave Lease](#)  
[12-1135 3715 Donald Ave. Keys Energy Account](#)

**HARC Appeals**

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**SMA 12-06**

Carlos Octavio Rojas AIA  
300 Front Street  
H12-01-1491

**Attachments:** [SMA 12-06](#)

**Liens**

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**Case # 11-1326**

Carlton J Ditto  
906 Olivia Street  
Certified Service:

**Attachments:** [11-1326 906 Olivia St LH](#)

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**Case # 12-243**

Keys Shuttle

Raul Cisneros

3990 S Roosevelt Blvd

Certified Service: 9-11-2012

Attachments: [12-243 3990 S Roosevelt Blvd LH](#)

**Adjournment**