



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, July 27, 2016

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 1-800-955-8771 or for voice 1-800-955-8770 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 # 16-232**
Charley Toppino and Sons
Frank Toppino
3840 N. Roosevelt Boulevard
Sec. 14-37 Building permits; professional plans; display of permits;
exceptions
Officer Bonnita Badgett
Certified Service: 7-5-2016
Initial Hearing: 7-27-2016

In compliance July 12, 2016, request dismissal

Count 1: For failure to obtain a permit for the parking lot that was repaved and striped.

2

Case # 09-1501

Wells Fargo Bank, NA
c/o Select Portfolio Servicing
Choice Legal Group PA
908 Trinity Drive 4
Sec. 14-37 Building permits, professional plans, display of permits
Officer Peg Corbett
Certified Service:
Initial Hearing: 3-30-2016

Request continuance to August 31, 2016 for service

FYI: On May 10, 2011, Planning Department received a variance request for an after the fact accessory unit which was constructed without building permits or a Certificate of Occupancy. The variance request was for building coverage, impervious surface ratio, and side and rear yard setback requirements. The variance was denied at the Planning Board Hearing of July 21, 2011. The Planning Board Resolution 2011-036 went into effect on August 2, 2011. There was no appeal to the City Commission.

The construction of the accessory unit, if a permit was submitted, would not have been approved for the above reasons. This accessory unit must be demolished to bring this property into compliance.

Count 1: A demolition permit must be obtained to remove the accessory unit.

Legislative History

3/30/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance

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Case # 15-1207

Nailtini LLC
 Edward Flynn Jr
 817 Duval Street
 Sec. 14-40 Permits in historic districts
 Officer Peg Corbett
 Certified Service: 5-13-2016
 Initial Hearing: 7-27-2016

In compliance June 6, 2016, request dismissal

Count 1: Sign overhanging Duval does not have a HARC certificate of appropriateness or the requisite building permit. Permits are being withheld due to not having a revocable license.

4

Case # 15-1327

Far Niente, LLC
 Jack Spottswood, Registered Agent
 416 Elizabeth Street
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-40 Permits in historic districts
 Officer Peg Corbett
 Certified Service: 2-18-2016
 Initial Hearing: 3-30-2016

Continued from June 29, 2016 for compliance

Count 1: A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a building permit. **Count 2:** A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a certificate of appropriateness.

Legislative History

3/30/16	Code Compliance Hearing	Continuance
4/27/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance
6/29/16	Code Compliance Hearing	Continuance

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Case # 16-260

Michael J. McMahon
Blanche Stapleton
28 Seaside South Court
Sec. 18-601 - License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Certified Service:
Initial Hearing: 7-27-2016

Request continuance to August 31, 2016 for service

Count 1: Being held out/advertised for short term rental on AIRBNB without license. Notice of code violation was not accepted and property was posted on 31st day of May 2016. **Count 2:** Being held out/advertised without the property licensing and vetting by the city, state and county and without the required medallion. Does not have required fire inspection by the city of Key West Fire Department.

6

Case # 16-339

Tara Budzyn
904 James Street B&C
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Posted: 6-13-2016
Initial Hearing: 7-27-2016

New Case

Count 1: Being held out/advertised for short term rental on AIRBNB as per investigation without business tax receipt. Posted for Notice of Code Violation due to no service from the USPS. **Count 2:** Being rented for less than 30 days without the requisite stipulations and licensing.

7

Case # 16-492

Sally 1008 LLC

Tony Willis - Registered Agent

1108 Duval Street D

Sec. 66-102 Dates due and delinquent; penalties

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

Officer Peg Corbett

Certified Service: 5-26-2016

Initial Hearing: 7-27-2016

In compliance June 22, 2016, request dismissal

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:** Expired transient medallion which was withheld at renewal due to no state licensing. Yearly fire inspection is required.

8

Case # 16-493

Peter Sushka Living Trust

Mary Jane Abbitt Living Trust

411 B Emma Street F2

Sec. 66-102 Dates due and delinquent; penalties

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

Officer Peg Corbett

Certified Service: 6-27-2016

Initial Hearing: 7-27-2016

New Case

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:** Expired transient medallion which was withheld at renewal due to no state licensing. Yearly fire inspection is required.

9

Case # 16-495

Oakland Park 13 LLC

John P. Wilkes - Registered Agent

726 Fleming Street

Sec. 66-102 Dates due and delinquent; penalties

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

Officer Peg Corbett

Certified Service: 5-9-2016

Initial Hearing: 7-27-2016

In compliance June 15, 2016, request Finding of Violation without fees and fines

Count 1: Transient medallion expired 30 Sept 2015. Previously cited for delinquent business tax receipt Case #15-595. **Count 2:** Expired transient medallion which was withheld at renewal due to no state licensing. Yearly fire inspection is required.

10

Case # 16-500

William Wright Living Trust

1307 Laird Street

Sec. 66-102 Dates due and delinquent; penalties

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

Officer Peg Corbett

Certified Service: 7-11-2016

Initial Hearing: 7-27-2017

In compliance July 26, 2016, request dismissal

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:** Expired transient medallion which was withheld at renewal due to no state licensing. Yearly fire inspection is required.

11

Case # 16-503

Ramon & Martha Myaing

512 Petronia Street R

Sec. 66-102 Dates due and delinquent: penalties

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

Officer Peg Corbett

Certified Service: 7-5-2016

Initial Hearing: 7-27-2016

In compliance June 28, 2016, request dismissal

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:**
Expired transient medallion which was withheld at renewal due to no
state licensing. Yearly fire inspection is required.

12

Case # 16-513

Norbert & Anne Fischer

3625 Seaside Drive 409

Sec. 66-102 Dates due and delinquent; penalties

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

Officer Peg Corbett

Certified Service: 6-3-2016

Initial Hearing: 7-27-2016

Continuance granted to August 31, 2016

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:**
Expired transient medallion which was withheld at renewal due to no
state licensing. Yearly fire inspection is required.

13

Case # 16-528

Steven & Sonia Blais
257 Southard Street
Sec. 66-102 Dates due and delinquent; penalties
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Certified Service: 6-25-2016
Initial Hearing: 7-27-2016

In compliance July 22, 2015, request dismissal

Count 1: Transient medallion expired on 30 Sept 2015. **Count 2:**
Expired transient medallion which was withheld at renewal due to no
state licensing. Yearly fire inspection is required.

14

Case # 16-556

Richard & Betsy Naselli
1209 Packer Street
Sec. 18-601 License required
Sec. 122-1371 - Transient living accommodations in residential
dwellings; regulations
Officer Peg Corbett
Certified Service: 5-9-2016
Initial Hearing: 5-25-2016

Settlement Agreement

Count 1: Code Director and Officer Waite conducted a site visit on 3
May 2016 and met with the tenants. They were advised by the tenants
that they had obtained a rental agreement from the property owner for a
stay of 4 nights for a total of \$3250.25. Tenants forwarded the rental
agreement to the transient code officer on 4 May 2016. The subject
property does not have the required transient rental license. **Count 2:**
The subject property is being transiently rented without the benefit of the
required vetting outlined in this city ordinance.

Legislative History

5/25/16 Code Compliance Hearing Continuance

15

Case # 16-570

Jane Fenwick-Goodwin
1124 Margaret Street
Sec. 66-102 Dates due and delinquent; penalties
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Posted: 6-9-2016
Initial Hearing: 7-27-2016

New Case

Count 1: Failure to renew medallion and transient license which expired 30 Sept 2015. **Count 2:** Failure to renew and transfer medallion and license to new owner after completion of requirements within the city ordinance.

16

Case # 16-574

Charles B Hoffman
1420 Whalton Street
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Certified Service: 5-18-2016 - Notice of Hearing
Certified Service: 7-23-2016 - Amended Notice of Hearing
Initial Hearing: 7-27-2016

Repeat Violation**Continuance request was denied**

Count 1: Being held out for short term rental on TripAdvisor & FlipKey web sites without appropriate license. Previously cited and found in violation for same activity - Case #16-219. **Count 2:** Transiently renting and advertising without the proper vetting for state, county and city licensing and the requisite medallion.

17

Case # 16-579

Left Shore LLC

Carol Pallen - Registered Agent

3910 South Roosevelt Boulevard S207

Sec. 18-601 License Required

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

Officer Peg Corbett

Certified Service:

Initial Hearing: 7-27-2016

Request continuance to August 31, 2016 for service

Count 1: Being held out/advertising on AIRBNB for short term rental without a business tax receipt. **Count 2:** Being rented short term without requisite city, state and county licensing. Has had no fire inspection. Has no medallion.

18

Case # 16-588

Richard A & Betsy Naselli

1209 Packer Street

Sec. 18-601 License required

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

Officer Peg Corbett

Certified Service: 5-23-2016

Initial Hearing: 5-25-2016

Settlement Agreement

Count 1: Being held out/advertising for short term rental without proper licensing. Second irreparable case. Prior case # 16-556. **Count 2:** Being rented for 30 days without requisite stipulations and licensing. **Count 3:** Transient rentals are not permitted in historic medium density residential zoning.

19

Case # 16-717

Traci Totino
1800 Atlantic Boulevard B418
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Certified Service: 6-6-2016
Initial Hearing: 7-27-2016

Settlement Agreement

Count 1: Being held out/advertised for transient rental on AIRBND without a transient rental license. Repeat violation case # 12-60. **Count 2:** Being held out/advertised without proper city, state, and county licensing. Has not had a fire inspection. Does not have a medallion. Repeat violation - case # 16-20.

20

Case # 16-782

Left Shore LLC
Carol Pallen - Registered Agent
3910 South Roosevelt Boulevard E209
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings,
regulations
Officer Peg Corbett
Posted: 7-12-2016
Initial Hearing: 7-27-2016

New Case

Count 1: Being held out/advertised for short term rental without a transient rental license. Cited for same violation - case # 16-579.
Count 2: Renting short term without the benefit of city, state and county licenses. Has not applied for or obtained a transient rental medallion and has not had a fire inspection.

21

Case # 16-793

Ronald Kaisen
1211 Catherine Street
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulation
Officer Peg Corbett
Certified Service:
Initial Hearing: 7-27-2016

**Request continuance to August 31, 2016 for service
Repeat violation**

Count 1 & 2: Being held out/advertised for short term rental on AIRBNB and VRBO without obtaining a license. Two previous cases where findings of violation were issued. Entered into a settlement agreement in both cases. **Count 3 & 4:** Failure to provide city, state and county licensing. Does not have transient medallion and has not had a fire inspection. Repeat violations.

22

Case # 16-800

Left Shore LLC
Carol Pallen - Registered Agent
3920 South Roosevelt Boulevard N313
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations
Officer Peg Corbett
Posted: 7-12-2016
Initial Hearing: 7-27-2016

New Case

Count 1: Is being held out/advertised on AIRBNB for short term rental without business tax receipt. Carol Pallen (registered agent for Left Shore LLC) was previously cited for same - case #16-579 for Ocean Walk S207 unit. **Count 2:** Transiently renting without the benefit of all required city, state, and county licensing. Unit does not have transient medallion or fire inspection.

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Case # 16-801

Left Shore LLC

Carol Pallen - Registered Agent

3920 South Roosevelt Boulevard N213

Sec. 18-601 License required

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

Officer Peg Corbett

Posted: 7-12-2016

Initial Hearing: 7-27-2016

New Case

Count 1: Is being held out/advertised on AIRBNB for short term rental without business tax receipt. Carol Pallen (registered agent for Left Shore LLC) was previously cited for same - case #16-579 for Ocean Walk S207 unit. **Count 2:** Transiently renting without the benefit of all required city, state, and county licensing. Unit does not have transient medallion or fire inspection.

24

Case # 16-823

June K Waage

921 Whitehead Street

Sec. 18-601 License required

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

Officer Peg Corbett

Certified Service:

Initial Hearing: 7-27-2016

Request continuance to August 31, 2016 for service**Repeat Violation**

Count 1: Being held out/advertising on VRBO for short term rental without business tax receipt. Repeat violation - Ms. Waage signed a settlement agreement 17 Dec 2014 wherein she agreed to cease this activity - Case # 14-1489. **Count 2:** Being transiently rented without proper city, state and county licensing. Does not have transient medallion or yearly fire inspection. Repeat violation

25

Case # 14-1488

Sunrise at Seaside Condo Association
3625 Seaside Drive
FBC. 1612.4 (ASCE 24-05) Floor Hazard Construction
Officer Scott Fraser
Certified Service: 9-15-2015
Initial Hearing: 10-21-2015

Continued from January 27, 2016**Count 1:** Unprotected enclosed structures below design flood elevation.Legislative History

10/21/15 Code Compliance Hearing Continuance

26

Case # 16-239

Christopher Belland
Piper Smith
626 Grinnell Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Leonardo Hernandez
Posted: 5-18-2016
Initial Hearing: 5-25-2016

Continued from June 29, 2016**Count 1:** Notified on Mar. 11, 2016 of the requirements needed to achieve compliance regarding the hurricane shutters at this property. As of April 25, 2016, there has been no progress towards compliance.**Count 2:** Notified on Mar. 11, 2016 of the requirements needed to achieve compliance regarding the hurricane shutters at this property. As of April 25, 2016, there has been no progress towards compliance.Legislative History

5/25/16 Code Compliance Hearing Continuance

6/29/16 Code Compliance Hearing Continuance

27

Case # 16-532

Truman Books & Video

Ms. Terry G. Galardi - Business Owner

Ms. Patricia Burnside - Register Agent

Mr. Michael L. Browning Trust 6.28.91 - Property Owner

922 Truman Avenue

Sec. 14-40 Permits in historic districts

Officer Leonardo Hernandez

Certified Service: 6-21-2016 - Business Owner

Certified Service: 6-22-2016 - Registered Agent

Initial Hearing: 7-27-2016

New Case**Count 1:** For failure to obtain a certificate of appropriateness for exterior painting

28

Case # 16-623

Keynoter Publishing Company

1405 Duval Street

Sec. 62-176 Label required

Officer Leonardo Hernandez

Certified Service: 7-14-2016

Initial Hearing: 7-27-2016

In compliance July 18, 2016, request dismissal**Count 1:** Failure to have permit label affixed to news rack.

29

Case # 16-25

Konk Life
Guy deBoer
305 Duval Street
Sec. 62-180 Affixing label after issuance - **in compliance**
Sec. 62-184 Relocation - **in compliance**
Sec. 62-186 News rack mounting standards
Officer Beau Langford
Hand Served: 6-24-2016
Initial Hearing: 6-29-2016

Continued from June 29, 2016

Count 1: Konk Life news rack does not have the required permit affixed.
Count 2: Konk Life news rack is not in it's assigned spot. **Count 3:** Konk Life news rack does not have the requisite base nor does it weigh 80 pounds.

Legislative History

6/29/16 Code Compliance Hearing Continuance

30

Case # 16-210

Konk Life
Guy deBoer
102 Duval Street
Sec. 62-180 Affixing label after issuance
Sec. 62-184 Relocation
Sec. 62-186 News rack mounting standards
Officer Beau Langford
Hand Served: 6-24-2016
Initial Hearing: 6-29-2016

In compliance July 13, 2016, request dismissal

Count 1: Konk Life news rack does not have the required permit affixed.
Count 2: Konk Life news rack is not in it's assigned spot. **Count 3:** Konk Life news rack does not have the requisite base nor does it weigh 80 pounds.

Legislative History

6/29/16 Code Compliance Hearing Continuance

31

Case # 16-417

Jack & Jennifer Smith

1510 Johnson Street

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - **in compliance**

Sec. 122-1183 Walls and fences

Officer Beau Langford

Certified Service: 5-10-2016

Initial Hearing: 6-29-2016

In compliance July 27, 2016, request dismissal

Count 1: For failure to obtain a building permit for the 6 foot fence that extends across the front of the property. **Count 2:** The fence that was built across the front of the property is a solid 6 foot fence which is not allowed.

Legislative History

6/29/16 Code Compliance Hearing Continuance

32

Case # 16-680

Bumble Bee Silver Co.

Conch Tee's & Souvenirs, Inc.

Pibramsky & Zuelch, registered agent

419 Greene Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Beau Langford

Certified Service: 6-3-2016

Initial Hearing: 6-29-2016

In compliance June 30, 2016, request dismissal

Count 1: The business tax receipt for Bumble Bee Silver Co. has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

33

Case # 16-683

Cynthia D Fairbanks
3408 Eagle Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Beau Langford
Posted: 7-12-2016
Initial Hearing: 6-29-2016

In compliance July 13, 2016, request Finding of Violation without fees and fines

Count 1: The business tax receipt to rent this property has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

34

Case # 16-685

David Service Landscaping
1610 Patricia Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Beau Langford
Posted: 7-12-2016
Initial Hearing: 6-29-2016

In compliance July 18, 2016, request Finding of Violation without fees and fines

Count 1: The business tax receipt for David Service Landscaping has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

35

Case # 16-686

Griffins' Nest LLC
James McQuade, registered agent
2431 Seidenberg Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Beau Langford
Certified Service: 7-21-2016 - Ronald A Swogger
Initial Hearing: 6-29-2016

In compliance July 25, 2016, request Finding of Violation without fees and fines.

Count 1: The business tax receipt to rent this property has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

36

Case # 16-688

James E & Laura D Thornbrugh
2016 Roosevelt Drive
Sec. 66-102 Date due and delinquent; penalties
Officer Beau Langford
Posted: 7-8-2016
Initial Hearing: 6-29-2016

Repeat Violation
Continued from June 29, 2016

Count 1: The business tax receipt to rent this property has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

37

Case # 16-689

Jorge Romero
2805 Flagler Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Beau Langford
Certified Service: 6-20-2016
Initial Hearing: 6-29-2016

In compliance July 5, 2016, request Finding of Violation without fees and fines

Count 1: The business tax receipt to rent this property has been delinquent since 30 Sept 2015.

Legislative History

6/29/16 Code Compliance Hearing Continuance

38

Case # 16-706

LIG Key West LLC
Mark Gaglis Messmore - Registered Agent
532 Duval Street 534
Sec. 66-102 Dates due and delinquent; penalties
Sec. 66-103 Transfer of license
Officer Beau Langford
Certified Service: 6-18-2016 - Registered Agent
Initial Hearing: 7-27-2016

In compliance July 27, 2016, request dismissal

Count 1: Failure to renew license which expired 30 Sept 2015. **Count 2:** Failure to transfer business tax receipt to new business.

39

Case # 16-707

533 Duval Street Association, Inc.
Christian Zuelch - Registered Agent
533 Duval Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Beau Langford
Certified Service: 6-20-2016 - Registered Agent
Initial Hearing: 7-27-2016

In compliance July 13,2016, request dismissal

Count 1: Failure to renew business license which expired 30 Sept 2015.

40

Case # 15-1359

Tropicar Inc.

Robert Ramey III - Registered Agent

1300 Duval Street

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 4-23-2016

Initial Hearing: 5-25-2016

Continued from May 25, 2016

Count 1: Observed and photographed 2 signs installed on top of the roof without benefit of building permit. Records show you have applied for an after-the-fact permit on Nov. 3, 2015. The permit has not been issued due to the corrections needed and have not been corrected as of today. **Count 2:** HARC Dept. received an after-the-fact application not matching the description of the current signs at the subject property. This permit is still in call back due to corrections needed and have not been corrected as of today.

Legislative History

5/25/16

Code Compliance Hearing

Continuance

41

Case # 16-358

Frederick L & Diane Covan

1409 Albury Street 1

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

Sec. 14-40 Permits in historic districts

Sec. 14-327 Inspections

Officer Jorge Lopez

Certified Service: 5-23-2016

Initial Hearing: 6-29-2016

In compliance July 3, 2016, request dismissal

Count 1: Renovations and changes on the exterior of this building were done without benefit of the required building permits including the HVAC units which are installed in the set back. **Count 2:** Renovations and changes on the exterior of this building were done without benefit of the required certificate of appropriateness including the HVAC units which are installed in the set back. **Count 3:** The HVAC system was installed without the required inspections.

Legislative History

6/29/16 Code Compliance Hearing Continuance

42

Case # 16-411

Patrick Ritter

Samantha O'Farrell

1707 Leon Street

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

Officer Jorge Lopez

Certified Service: 5-24-2016 - Ritter

Posted: 6-24-2016 - O'Farrell

Initial Hearing: 5-25-2016

Continued from June 29, 2016

Count 1: Subject property is being non-transiently rented without the benefit of a non-transient rental license. Subject property owner was previously cited for the same violation Case # 12-453.

Legislative History

5/25/16 Code Compliance Hearing Continuance

6/29/16 Code Compliance Hearing Continuance

43

Case # 16-634

Peter N Brawn

B-B Registries, LLC - Registered Agent

525 Caroline Street

Sec. 14-37 Building permits; profesional plans; display of permits;
address; exceptions

Sec. 14-40 Permits in historic districts

Sec. 14-262 Requets for inspection

Officer Jorge Lopez

Certified Service: 6-17-2016 - Registered Agent

Initial Hearing: 7-27-2016

New Case

Count 1: For failure to obtain building permit for installion of bathtub and toilet. **Count 2:** For failture to obtain a certificate of appropriateness to do siding replacement, deck repairs and installatin of exterior door.

Count 3: Must request inspection for electrical work as soon as job is ready

44

Case # 16-727

Whammy Key LLC

Alfred Phillips - Registered Agent

903 Duval Street

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Jorge Lopez

Certified Service: 6-30-2016

Initial Hearing: 7-27-2016

New Case

Count 1: Was given warning with a DBC of 86.9 on 6/3/16. Received another complaint, conducted a second reading on 6/25/16 with a DBC of 81.1 and was found in violation.

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Case # 16-766

Adnan S Khan & Catherine B Dela Cruz
905 White Street 1

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 7-14-2016

Initial Hearing: 7-27-2016

Request continuance to August 31, 2016

Count 1: Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

46

Case # 16-768

Townsend A Vanfleet
905 White Street 2

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

Sec. 14-40 permits in historic districts.

Officer Jorge Lopez

Certified Service: 7-11-2016

Initial Hearing: 7-27-2016

Request continuance to August 31, 2016

Count 1: Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

47

Case # 16-769

Alan Eckstein
905 White Street 3
Sec. 14-37 Building permits; profesional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in the historic districts
Officer Jorge Lopez
Certified Service: 7-8-2016
Initial Hearing: 7-27-2016

Request continuance to August 31, 2016

Count 1: Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

48

Case # 16-770

Patricia Frost
907 White Street 4
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 permits in historic districts
Officer Jorge Lopez
Certified Service: 7-8-2016
Initial Hearing: 7-27-2016

Request continuance to August 31, 2016

Count 1: Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

49

Case # 16-771

James & Stephanie M Keegan
907 White Street 5
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Jorge Lopez
Certified Service:
Initial Hearing: 7-27-2016

Request continuance to August 31, 2016

Count 1: Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

50

Case # 16-890

GMBG#3 LLC
Dustin Hunter - Registered Agent
217 Duval Street
Sec. 26-192 Unreasonably excessive noise prohibited
Officer Jorge Lopez
Certified Service: 7-11-2016 - Registered Agent
Initial Hearing: 7-27-2016

Settlement Agreement

Count 1: Was given warning with a DBC of 94.7 on 5/1/16. Received another complaint, conducted a second reading on 7/5/16 with a DBC of 101.4 and was found in violation.

51

Case # 16-581

Michael T McGrath Living Trust
Paul Gray Living Trust
822 Carstens Lane
Sec. 14-40 Permits in historic districts
Officer Kenneth JW Waite
Certified Service: 5-27-2016
Initial Hearing: 6-29-2016

In compliance July 14, 2016, request dismissal

Count 1: Reed fencing is prohibited in the historic district.

Legislative History

6/29/16 Code Compliance Hearing Continuance

52

Case # 16-653

Jane F Goodwin & Sam Dickson
518 Margaret Street 1
Sec. 66-102 Dates due and delinquent; penalties
Officer Kenneth JW Waite
Certified Service: 6-10-2016
Initial Hearing: 7-27-2016

In compliance June 10, 2016, request dismissal

Count 1: For failure to renew business license which expired 30 Sept 2015.

53

Case # 16-721

BLB Retail LLC
Shay Priove
211 Duval Street A
Sec. 18-415 Restrictions in historic district
Sec. 18-704 Requirements for obtaining permit
Sec. 14-40 Permits in historic districts
Officer Kenneth JW Waite
Hand Served: 6-24-2016
Initial Hearing: 7-27-2016

Settlement Agreement

Count 1: Was observed actively engaged in off premise canvassing on the city right of way on Duval St. which is strictly prohibited. **Count 2:** Failure to have Registered Agent on the Cosmetic Store application. **Count 3:** Failure to obtain certificate Certificate of Appropriateness for drape attached to awning.

54

Case # 16-803

EO Investments, LLC
Moshe Ozana - Registered Agent
218 Duval Street
Sec. 18-415 Restrictions in historic districts
Officer Kenneth JW Waite
Posted: 7-8-2016
Initial Hearing: 7-27-2016

Settlement Agreement

Count 1: For off-premise canvassing on Duval Street which is prohibited.

55

Case # 16-805

Peter & Dixie Janker
1301 Whitehead Street
Sec. 110-259 Duty of private property owner
Officer Kenneth JW Waite
Certified Service: 6-21-2016
Initial Hearing: 7-27-2016

In compliance July 1, 2016, request Finding of Violation without fees or fines

Count 1: Failure to maintain landscape at least 80 inches above a walking surface for passage of pedestrians on sidewalks. Cited previously - case # 12-1223 and case # 14-371.

56

Case # 16-807

4 Gold LLC
Oz Elidor
119 Duval Street
Sec. 18-705 Requirements of permit holder
Officer Kenneth JW Waite
Hand Served: 6-27-2016
Initial Hearing: 7-27-2016

Settlement Agreement

Count 1: Failure to issue a written estimate prior to application or purchase of product.

57

Case # 13-57

KWSC, Inc.
DBA Adult Entertainment Club
Yuliya Andrews, President
Robert Goldman, P.A.
210 Duval Street
Sec. 18-415 Restrictions in the historic districts
Sec. 18-441 Required
Officer Jim Young
Certified Service: 7-11-2016 - Robert Goldman, P.A.
Initial Hearing: 1-30-2013

Irreparable Violation**Repeat Violation****Opened to Rehear Case**

Count 1: Off premise canvassing on Duval Street which is prohibited.

Count 2: Failure to obtain off premise canvassing license.

58

Case # 13-1011

David & Marjorie A Rodriguez
1819 Venetia Street
Sec. 66-87 Business tax receipt required for all holdings themselves out
to be engaged in business
Sec. 90-363 Certificate of occupancy required
Officer Jim Young
Certified Service: 6-18-16
Initial Hearing: 7-27-16

Continuance granted to August 31, 2016

Count 1: This property is being rented without the benefit of a non-transient business tax receipt. **Count 2:** This property has not been issued a certificate of occupancy.

59

Case # 13-1012

David & Marjorie A. Rodriguez
1823 Venetia Street
Sec. 66-87 Business tax receipt required
Sec. 90-363 Certificate of occupancy required
Officer Jim Young
Certified Service: 6-18-2016
Initial Hearing: 7-27-2016

Continuance granted to August 31, 2016

Count 1: This property is being rented without the benefit of a non-transient business tax receipt. **Count 2:** There is no certificate of occupancy for the subject property.

60

Case # 15-1237

Ann McFarland
Wardlow Building Group
1314 William Street
Sec. 14-37 Building Permits
Sec. 14-40 Permits in Historic District
Officer Jim Young
Certified Service: 6-15-2016 - Ann McFarland
Initial Hearing: 7-27-2016

New Case

Count 1: Failure to obtain building permits for removal/replacement of two windows. Notice of code violation was issued on Jan. 5, 2016.
Count 2: Failure to obtain HARC Certificate of Appropriateness for removal/replacement of two windows.. A notice of code violation was issued on Jan. 5, 2016.

61

Case # 16-562

Overseas Radio, LLC
Guy deBoer, Registered Agent
Neil Willets, MGRM
City's Right of way, Duval Corridor
Sec. 106-56 Use of Streets and Sidewalks
Officer Jim Young
Posted: 5-20-2016
Initial Hearing: 7-27-2016

Repeat Violation**New Case**

Counts 1 through 42: Unlawful to use city right of way for advertising or display purposes as provided in subpart B. Forty-two repeat violations.

62

Case # 16-891

Curtis A. Skomp, CCIM - Broker/Owner
Re/Max Keys Connection
410 Caroline Street
Officer Jim Young
Certified Service: 7-14-2016

False Alarm Appeal

63

Case # 16-892

James Otis Pasco Jr
416 Margaret Street
Officer Jim Young
Certified Service: 7-12-2016

False Alarm Appeal

64

Case # 16-893

Joaquin Barros
Asset & Profit Protection Manager
K-Mart 4725
Key Plaza Shopping Center
Officer Jim Young
Certified Service: 7-8-2016

False Alarm Appeal

HARC Appeals

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SMA 15-02

Far Niente, LLC
Eric Detwiler and Elizabeth Ford
Walter S. Szot and Dawn Szot
David M. Keller and Janine C. Keller
G.C.J., LLC
Land Trust #426KW dated 2/11/2010
Duck and Dolphin Antiques, LLC
Conch Republic Cycle, LLC
Bike Fit Key West, Inc.
616 Eaton Street

Adjournment