



# 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, February 29, 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 # 10-1450**

Peter Gomez  
Ann Marie Robinson R/S  
Wayne Garcia General Contracting  
936 United Street  
Sec. 102-152 Requirements for permits  
Officer Gary Addleman  
Certified Service: 9-24-2011  
Initial Hearing: 10-19-2011

**Continued from January 25, 2012**

The columns that were installed are square and were approved as turned (round) columns.

**Attachments:** [10-1450 936 United NOH - Contr.](#)  
[10-1450 936 United NOH - Owner](#)  
[10-1450 936 United Street Pics](#)

**Legislative History**

10/19/11	Code Compliance Hearing	Continuance
12/14/11	Code Compliance Hearing	Continuance
1/25/12	Code Compliance Hearing	Continuance

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**Case # 11-1029**

1200 Duval Street, LLC

Juan Carlos Betancur

Olha Lysyak

Richard Klitenick, R/A

1200 Duval Street

Sec. 14-325 Mechanical permits required

Sec. 14-256 Electrical permits required

Sec. 14-40 Permits in historic district

Officer Gary Addleman

Certified Service: 11-22-2011

Initial Hearing: 12-14-2011

**Continued from January 25, 2012 for compliance**

On August 12, 2011 a complaint was received from the Mechanical Inspector that an A/C unit had been mounted on to the rear portion of the building without mechanical and electrical permits.

**Attachments:** [11-1029 1200 Duval NOH](#)

3

**Case # 10-1319**

Eloy M Lopez Jr

Stacy O'Keefe T/C

2403 Patterson Avenue Up

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

Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy - required

Officer Jim Young

POSTED: 2-22-2012

Initial Hearing: 1-25-2012

**New Case**

**Count 1:** A business tax receipt is required is required to rent the two units.

**Count 2:** There are two rental units on this property and only one sewer/solid waste account.

**Count 3:** A certificate of occupancy is required for the second unit.

**Attachments:** [10-1319 2403 Patterson Posting NOH](#)

**Legislative History**

1/25/12      Code Compliance Hearing      Continuance

4

**Case # 11-1233**

Asset Holdings Group, LP

Jeanette M Straga, PSTD

3601 Northside Drive

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

Sec. 14-256 Electrical permit required

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

Sec. 18-117 Acts declared unlawful

Officer Dotty Austin

Certified Service: 12-6-2011

Initial Hearing: 1-25-2012

**Continued from January 25, 2012 for compliance - In Compliance**

**Count 1:** On October 1, 2010, a bathroom was demolished without permits

**Count 2:** June 10, 2011 a new kitchen was constructed without permits

**Count 3:** June 10, 2011 new plumbing was installed in the new kitchen without permits

**Count 4:** June 10, 2011 Drywall was installed and finished in hall and future a/c closet

**Count 5:** February 11, 2011, concrete was added to a bedroom floor after tiles were removed.

**Count 6:** Electrical wiring and fixtures were installed in the kitchen, added exterior flood lights, bedroom ceiling fan and outlets on or around June 10, 2011 without electrical permits.

**Count 7:** Property has been rented without a business tax receipt since Dec. 2010.

**Count 8:** Work was performed was by unlicensed contractors.

5

**Case # 11-1515**

RPV Realty Trust 7/16/02

Roland Valois

Dan-Ace Roofing

Daniel Eloy Acevedo

1008 Eaton Street

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

Sec. 14-40 Permits in the Historic District

Officer Dotty Austin

Certified Service: 12-23-2011

Initial Hearing: 1-25-2012

**Continued from January 25, 2012 for compliance - In compliance**

**Count 1:** Four (4) Scuttles were removed and replaced with V-Crimp roofing without building permits on a contributing structure in the Historic District. **Count 2:** Four (4) Scuttles were removed and replaced with V-Crimp roofing without HARC approval on a contributing structure in the Historic District.

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**Case # 11-1530**

Larry Z &amp; Helen Barcza

1700 Bahama Drive

Sec. 74-141 Separate building sewers required; exception

Sec. 74-131 Required where public sewer available

Officer Dotty Austin

Certified Service: 2-7-2012

Initial Hearing: 2-29-2012

**In compliance, request dismissal**

**Count 1:** In December, 2011, during a sewer lateral repair at 1704 Bahama Drive, it was discovered that the sewer lateral from 1700 Bahama Drive is connected into the neighboring sewer lateral. **Count 2:** Per Count 1, existing sewer lateral at subject property is connected to neighbor's lateral connecting to the City's Sanitary System and is not directly connected as required by code.

**Attachments:** [11-1530 1700 Bahama Dr NOH](#)

7

**Case # 11-1551**

Richard &amp; Tammy Fox

1110 Fleming Street 2

Sec. 18-601 Transient License

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

Sec. 122-599 Prohibited uses in HMDR

Officer Ginny Haller

Certified Service:

Initial Hearing: 2-29-2012

**Continuance granted to March 28, 2012**

**Count 1:** The captioned property was held out and/or advertised as being available transiently on April 1, 2011 through April 8, 2011, June 4, 2011 through June 12, 2011, October 25, 2011 through October 28, 2011 and December 18, 2011 through December 25, 2011 without the benefit of a valid transient rental license. **Counts 2 through 30:** The captioned property was held out and/or advertised as being available transiently on April 1, 2011 through April 8, 2011, June 4, 2011 through June 12, 2011, October 25, 2011 through October 28, 2011 and December 18, 2011 through December 25, 2011. **Count 31:** Transient rentals are prohibited in the HMDR district.

**Attachments:** [11-1551 1110 Fleming St 2 NOH](#)  
[11-1551 1110 Fleming Emails to rent](#)  
[11-1551- 1110 Fleming Subpoenas](#)  
[11-1551 1110 Fleming-booking confirmation and rental agreement](#)  
[11-1551-1110 Fleming- VRBO](#)

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**Case # 12-176**

Island Cigar & Tobacoria  
Along Croitoru & Carol Croitoru  
501 Greene Street  
Sec. 106-51 Prohibited - 2 Counts  
Officer Ginny Haller  
Certified Service: 2-1-2012  
Initial Hearing: 2-29-2012

**Repeat Violation****New Case**

**Count 1 and Count 2:** The display with cigars was on the sidewalk on January 29, 2012 at approximately 1:49 pm and on January 30, 2012 at approximately 12:18 pm.

**Attachments:** [12-176 501 Greene NOH](#)

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**Case # 11-1444**

Bird Construction LLC  
Deborah & Richard Bird  
730 Southard Trust  
c/o Vincent F Barletta, Trustee  
730 Southard Street  
Sec. 14-37 Building permits professional plans; display of permits  
Sec. 14-40 Permits in the Historic District  
Officer Leonardo Hernandez  
Certified Service: 12-23-2011  
Initial Hearing: 1-25-2012

**Irreparable Violation****Continuance granted to March 28, 2012**

**Count 1:** The chimney at this location was demolished without a demolition permit. **Count 2:** The chimney at this location was demolished without HARC approval.

**Attachments:** [11-1444 730 Southard St NOH](#)

**Legislative History**

1/25/12      Code Compliance Hearing      Continuance

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**Case # 11-1467**

Victor W Olson

1316 Eliza Street

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

Sec. 102-152 Requirements for permits

Officer Leonardo Hernandez

Certified Service: 1-26-2012

Initial Hearing: 2-29-2012

**Continuance granted to March 28, 2012****New Case****Irreparable violation for working over a stop work order**

**Count 1:** On December 6, 2012 a stop work order was issued for renovations of the fence without a building permit. **Count 2:** On December 6, 2012 a stop work order was issued for renovations of the fence without a certificate of appropriateness.

**Attachments:** [11-1467 1316 Eliza St NOH](#)

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**Case # 11-1559**

Gene B Demambro

2514 Staples Avenue

Sec. 18-601 Transient license

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

Sec. 122-599 Prohibited uses in SF

Officer Leonardo Hernandez

Certified Service: 1-25-2012

Initial Hearing: 2-29-2012

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

**Count 1:** The captioned property was held out and/or advertised as being available transiently on December 26, 2011 through January 1, 2012 without the benefit of a valid transient rental license. **Count 2:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 26, 2011. **Count 3:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 27, 2011.

**Count 4:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 28, 2011. **Count 5:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 29, 2011. **Count 6:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 30, 2011. **Count 7:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on December 31, 2011. **Count 8:** The respondent held out the property in questions as being available for rent transiently contrary to 122-1371(d)(9) on January 1, 2012. **Count 9:** The captioned property is located in the SF (single family) district which prohibits transient rentals.

**Attachments:** [11-1559 2514 Staples Ave NOH](#)  
[11-1559 2514 Staples Ave Affidavit](#)



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**Case # 12-27**

Bank of America

Tiaquanda S Turner, Field Services

Alliance Roofing Corporation

Adam Ryckman R/A

3220 Eagle Avenue

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

Sec. 118-516 Stop work orders

Officer Leonardo Hernandez

Certified Service: 1-26-2012 - Contractor

Initial Hearing: 2-29-2012

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

**Count 1:** On January 5, 2012 a complaint was received that roofing work was being done without permits. A stop work order was issued.

**Count 2:** On January 18, 2012, while conducting an inspection, two workers were on the roof working over the stop work order.

**Attachments:** [12-27 3220 Eagle Ave - Owner -NOH](#)

[12-27 3220 Eagle Ave - Contractor - NOH](#)

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**Case # 12-49**

Richard L Rettig Revocable TR  
1011 Whitehead Street  
Sec. 18-601 Transient License  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations(d)(9) - **Three Counts**  
Sec. 122-599 Prohibited uses in HMDR  
Officer Leonardo Hernandez  
Certified Service: 1-13-2012  
Initial Hearing: 2-29-2012

**Continuance granted to March 28, 2012****New Case****Irreparable Violation**

**Count 1:** The captioned property was held out and/or advertised as being available transiently on January 7, 2012 through January 9, 2012 without benefit of a valid transient rental license. **Count 2:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on January 7, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on January 8, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on January 9, 2012. **Count 5:** The captioned property is located in the HMDR district which prohibits transient rentals.

**Attachments:** [12-49 1011 Whitehead St NOH](#)  
[12-49 1011 Whitehead St Confirmation BTR](#)

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**Case # 11-785**

Brian & Kimberly Blanchette  
1312 Reynolds Street 1  
Sec. 14-40 Permits in the Historic District  
Sec. 14-31 Florida Building Code  
Officer Bonnita Myers  
Certified Service: 8-1-2011  
Initial Hearing: 8-31-2011

**Continued from January 25, 2012 for compliance**

A building permit and HARC approval is required prior to replacing roof with V-crimp.

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

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**Case # 11-1043**

Donald R Dye

825 Elizabeth Street

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

Sec. 18-601 Transient license

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

Sec. 122-629 Prohibited uses in HHDR

Officer Bonnita Myers

Certified Service: 1-12-2012

Initial Hearing: 1-25-2012

**Continuance granted to February 29, 2012 for Settlement Agreement**

**Count 1:** The captioned property was held out and/or advertised as being available on April 5, 2011 through April 13, 2011, on June 16, 2011 through July 1, 2011 and again on August 1, 2011 through August 31, 2011 without benefit of a non-transient license. **Count 2:** A transient license is required to rent your property transiently. **Counts 3 through 27:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 5, 2011, April 6, 2011, April 7, 2011, April 8, 2011, April 9, 2011, April 10, 2011, April 11, 2011, April 12, 2011, April 13, 2011, June 16, 2011, June 17, 2011, June 18, 2011, June 19, 2011, June 20, 2011, June 21, 2011, June 22, 2011, June 23, 2011, June 24, 2011, June 25, 2011, June 26, 2011, June 27, 2011, June 28, 2011, June 29, 2011, June 30, 2011 and July 1, 2011. **Count 28:** Transient rentals are prohibited in the HHDR district.

**Attachments:** [11-1043 825 Elizabeth NOH](#)

**Legislative History**

1/25/12

Code Compliance Hearing

Continuance

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**Case # 12-60**

Traci Totino

1800 Atlantic Blvd A208

Sec. 18-601 Transient license

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations(d)(9) - **Eight Counts**

Sec. 66-87 Business tax receipt required

Sec. 122-299 Prohibited uses in MDR-C

Officer Bonnita Myers

Certified Service: 1-17-2012

Initial Hearing: 2-29-2012

**New Case**

**Count 1:** The captioned property was held out and/or advertised as being available transiently on March 5, 2012 through March 12, 2012 without the benefit of a valid transient rental license. **Count 2:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 5, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 6, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 7, 2012. **Count 5:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 8, 2012. **Count 6:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 9, 2012. **Count 7:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 10, 2012. **Count 8:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 11, 2012. **Count 9:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 12, 2012. **Count 10:** The captioned property was held out and/or advertised as being available on March 5, 2012 through March 12, 2012 without benefit of a non-transient rental license. **Count 11:** The captioned property was is located in the MDR-C district which prohibits transient rentals.

**Attachments:** [12-60 1800 Atlantic Blvd A208 NOH](#)

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**Case # 10-919**

John A Williams  
 Paul N Hayes, R/A for  
 Rent Key West Vacations  
 1328 Atlantic Blvd  
 Sec. 66-87 Business Tax Receipt required for all holding themselves out  
 to be engaged in business  
 Officer Jim Young  
 Certified Service: 9-22-2011  
 Initial Hearing: 10-29-2011

**Continued to February 29, 2012 for compliance**

A business tax receipt is required for all units being rented

**Attachments:** [10-919 1328 Atlantic Blvd NOH\(1\)](#)  
[10-919 1328 Atlantic Blvd NOH\(2\)](#)

**Legislative History**

10/19/11	Code Compliance Hearing	Continuance
12/14/11	Code Compliance Hearing	Continuance
1/25/12	Code Compliance Hearing	Continuance

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**Case # 10-1453**

Richard Wunsch  
 613 Ashe Street  
 Sec. 66-87 Business Tax Receipt Required  
 Sec. 14-37 Building Permits, Display  
 Sec. 90-363 Certificate of Occupancy  
 Officer Jim Young  
 POSTED: 5-6-2011  
 Initial Hearing: 5-25-2011

**Continued to February 29, 2012 for compliance**

A business tax receipt is required to rent your property. A building permit is required to add a living unit. A certificate of occupancy is required for the third unit.

**Attachments:** [10-1453 613 Ashe St NOH](#)  
[10-1453 613 Ashe St pics](#)  
[10-1453 613 Ashe St. Posting pic](#)

**Legislative History**

4/27/11	Code Compliance Hearing	Continuance
5/25/11	Code Compliance Hearing	Continuance
8/3/11	Code Compliance Hearing	Continuance

11/16/11	Code Compliance Hearing	Continuance
1/25/12	Code Compliance Hearing	Continuance

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**Case # 11-929**

Cecil E Alf Irrevocable Trust  
Knabe Family Ltd. Partnership T/C  
c/o Craig Knabe, R/A  
431 Front Street  
Sec. 14-37 Building Permits Required; Display  
Sec. 14-40 Permits in the Historic District  
Officer Jim Young  
Certified Service: 8-15-2011  
Initial Hearing: 9-28-2011

**Continued from September 28, 2011**

On July 19, 2011 a new sign was erected atop of the ticket booth located at 431 Front Street C without the required HARC Certificate of Appropriateness.

**Attachments:** [11-929 431 Front C NOH](#)  
[11-929 431 Front C Docs](#)  
[11 929 431 Front C Don Craig Email](#)  
[11-929 431 Front C Pic](#)

**Legislative History**

9/28/11	Code Compliance Hearing	Continuance
11/16/11	Code Compliance Hearing	Continuance

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**Case # 12-16**

Ronald D Kaisen

1211 Catherine Street

Sec. 18-601 Transient License

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations(d)(9) Eight Counts

Sec. 122-599 Prohibited uses in HMDR

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

Officer Jim Young

Certified Service: 1-12-2012

Initial Hearing: 1-25-2012

**Continued from January 25, 2012 for Settlement Agreement****Count 1:** A transient license is required to rent your property transiently.**Counts 2 through 9:** The respondent held out the property in question  
as being available for rent transiently contrary to 122-1371(d)(9) on  
March 1, 2012, March 2, 2012, March 3, 2012, March 4, 2012, March 5,  
2012, March 6, 2012, March 7, 2012, and March 8, 2012. **Count 10:**The caption property is located in the HMDR district which prohibits  
transient rentals. **Count 11:** The captioned property was held out and/or  
advertised as being available on March 1, 2012 through March 8, 2012  
without benefit of a non-transient rental license.**Attachments:** [12-16 1211 Catherine St NOH](#)**Legislative History**

1/25/12

Code Compliance Hearing

Continuance

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**Case # 10-950**

IBERIABANK

1208 Florida Street

Amend Findings of Fact, Conclusions of Law and Order

Certified Service: 2-27-2012

Initial Hearing: 2-29-2012

**Amend Findings of Fact, Conclusions of Law and Order**



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**Case # 11-1209**

Darryl Fohrman R/A for  
Hildenborough Hotels LTD., Inc.  
1129 Fleming Street  
Sec. 122-839 Prohibited uses in HNC-2  
Officer Jim Young  
Certified Service: 10-26-2011  
Initial Hearing: 11-16-2011

**Continued from January 9, 2012 for ruling**

The subject property has a bar and restaurant open to the general public. This type of activity is prohibited in the HNC-2 zoning district.

**Attachments:** [11-1209 1129 Fleming NOH](#)  
[11-1209 1129 Fleming Docs](#)  
[Case 11-1209 1129 Fleming Street photos](#)

**Legislative History**

11/16/11      Code Compliance Hearing      Continuance

**Mitigations**

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**Case # 11-125**

Oscar Javier Alvarado  
2927 Seidenberg Avenue

**Attachments:** [11-125 2927 Seidenberg Ave Letter](#)  
[11-125 2927 Seidenberg Ave Time Line](#)

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**Case # 11-1233**

Asset Holdings Group, LP  
3601 Northside Drive

**Attachments:** [11-1233 3601 Northside Dr Letter](#)  
[11-1233 3601 Northside Dr Mitigation](#)

**Adjournment**