



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, July 25, 2012

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 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 # 11-1326

Carton J Ditto

906 Olivia Street

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

Officer Bonnita Badgett

Posted: 5-17-2012

Initial Hearing: 6-12-2012

In compliance - fees still due

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

Attachments: [11-1326 906 Olivia St NOH Posted](#)

Legislative History

6/12/12

Code Compliance Hearing

Continuance

2

Case # 11-1463

Michael Downer
 Jessica Johnson
 1420 6th Street

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. 14-37 Building permits; professional plans; display

Sec. 90-363 Certificate of Occupancy

Officer Bonnita Badgett

POSTED: 6-28-2012

Initial Hearing: 7-25-2012

In compliance, request dismissal

Count 1: A business tax receipt is required to rent your property. **Count 2:** Solid waste accounts are required for each unit. **Count 3:** Building permits are required to divide the property into two units. **Count 4:** A certificate of occupancy is required for the second unit.

Attachments: [11-1463 1420 6th St NOH](#)

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 Myers

Certified Service: 4-13-2012

Initial Hearing: 4-25-2012

Settlement Agreement

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 |

4

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 Myers

Certified Service: 4-26-2012

Initial Hearing: 5-23-2012

Continued from May 23, 2012

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

5

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 Myers
Certified Service: 4-7-2012
Initial Hearing: 4-25-2012

Continued from May 23, 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](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 4/25/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |

6

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

Continued from June 12, 2012

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

Case # 12-572

Mark & Lynn Burris
3301 Duck Avenue E
Sec. 66-87 Business tax receipt required for all holding themselves out
to be engaged in business
Officer Bonnita Badgett
Certified Service:
Initial Hearing: 7-25-2012

In compliance, request dismissal

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

Attachments: [12-572 3301 Duck Ave E NOH](#)

8

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

New Case

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](#)

9

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

New Case

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](#)

10

Case # 12-370

Old Keystone Church, Inc.
Teresa Willis
328 Julia Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service: 5-21-2012
Initial Hearing: 6-12-2012

Continued from June 12, 2012 for compliance

Count 1: The business tax receipt to rent unit B is delinquent

Attachments: [12-370 328 Julia St NOH](#)

Legislative History

6/12/12 Code Compliance Hearing Continuance

11

Case # 12-719

Eric R Dickstein
727 Emma Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 58-67 Delinquency
Sec. 74-206 Owner's responsibility for payment.
Officer Peg Corbett
Certified Service: 6-6-2012
Initial Hearing: 7-25-2012

In compliance, request dismissal

Count 1: A business tax receipt is required to rent this property. **Count 2:** The sewer account is past due. **Count 3:** The solid waste account is past due.

Attachments: [12-719 727 Emma St NOH](#)

12

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
Sec. 102-158 Stop work order and penalty
Officer Leonardo Hernandez
Certified Service: 1-26-2012
Initial Hearing: 2-29-2012

**Continued from May 23, 2012 for compliance
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. **Count 3:** On December 9, 2011 it was noticed that more of the fence had been worked on. A second stop work order was posted.

Attachments: [11-1467 1316 Eliza St NOH](#)
[11-1467 1316 Eliza St pics](#)
[11-1467 1316 Eliza St pics](#)
[11-1467 1316 Eliza St HARC Denial](#)
[11-1467 1316 Eliza St Permits](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 2/29/12 | Code Compliance Hearing | Continuance |
| 3/28/12 | Code Compliance Hearing | Continuance |
| 4/25/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |

13

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**Continued from June 12, 2012 for ruling**

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](#)
[11-1444 730 Southard St pics](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 1/25/12 | Code Compliance Hearing | Continuance |
| 2/29/12 | Code Compliance Hearing | Continuance |
| 3/28/12 | Code Compliance Hearing | Continuance |
| 4/25/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |
| 6/12/12 | Code Compliance Hearing | Continuance |

14

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 April 25, 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 |

15

Case # 12-372

Cynthia D Fairbanks
3408 Eagle Avenue
Sec. 66-102 Date due and delinquent; penalties
Officer Leonardo Hernandez
Posted: 6-28-2012
Initial Hearing: 5-23-2012

In compliance, request dismissal

Count 1: The business tax receipt to rent the second unit is delinquent

Attachments: [12-372 3408 Eagle Ave NOH](#)
[12-372 3408 Eagle Ave NOH Posting](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 5/23/12 | Code Compliance Hearing | Continuance |
|---------|-------------------------|-------------|

16

Case # 12-439

Alan & Marci Mather
3930 S Roosevelt Blvd N106
Sec. 66-87 Business tax receipt required
Officer Leonardo Hernandez
Certified Service: 4-23-2012
Initial Hearing: 5-23-2012

In compliance, request dismissal

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

Attachments: [12-439 3930 S Roosevelt Blvd N106 NOH](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 5/23/12 | Code Compliance Hearing | Continuance |
| 6/12/12 | Code Compliance Hearing | Continuance |

17

Case # 12-526

James E & Laura D Thornbrugh
2014 Roosevelt Drive
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 58-63 Delinquency
Sec. 74-206 Owner's responsibility for payment
Officer Leonardo Hernandez
Certified Service:
Initial Hearing: 6-12-2012

Continued from June 12, 2012

Count 1: A business tax receipt is required to rent the property. **Count 2:** The solid waste account is past due. **Count 3:** The solid waste account is past due.

Attachments: [12-526 2014 Roosevelt Dr NOH](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 6/12/12 | Code Compliance Hearing | Continuance |
|---------|-------------------------|-------------|

18

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 September 26, 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 |

19

Case # 09-1501

Angel & Daniela Rodriguez

Angel Rodriguez Dr

908 Trinity Drive #4

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

Sec. 14-256 Required for electric

Sec. 14-262 Request for inspection

Sec. 14-325 Permits required

Sec. 14-327 Mechanical inspection

Sec. 14-358 Plumbing permit required

Sec. 14-362 Connect to public sewer

Sec. 90-363 Certificate of occupancy

Officer Barbara Meizis

Certified Service: 11-8-2011

Initial Hearing: 12-14-2011

Continued from June 12, 2012 for status

Count 1: On May 10, 2010, planning department received an after the fact variance for an after the fact accessory unit which was constructed without building permits. **Count 2:** Electrical work done on the accessory unit without the benefit of an electrical permit. **Count 3:** Electrical inspections are required for all electrical work done. **Count 4:** Mechanical work done without the benefit of a mechanical permit. **Count 5:** Mechanical inspections are required for all mechanical work done. **Count 6:** Plumbing work done without the benefit of a plumbing permit. **Count 7:** Connection to the city sewer system is required. **Count 8:** A certificate of occupancy is required for the accessory unit.

Attachments: [09-1501 908 Trinity NOH](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 3/28/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |
| 6/12/12 | Code Compliance Hearing | Continuance |

20

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

Continuance granted to 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

21

Case # 11-1385

Dean Townsend
826 Olivia Street
Sec. 14-40 Permits in the Historic District
Sec. 14-37 Building permits; professional plans; display of permits
Officer Barbara Meizis
Certified Service: 6-22-2012
Initial Hearing: 7-25-2012

New Case

Count 1: An air conditioner condenser was installed without HARC approval. **Count 2:** An air conditioner condenser was installed without the benefit of a building permit.

Attachments: [11-1385 826 Olivia St NOH](#)
[11-1385 826 Olivia St - photos](#)

22

Case # 12-436

James E & Laura D Thornbrugh
2016 Roosevelt Drive
Sec. 66-102 Date due and delinquent; penalties
Sec. 58-63 Delinquency
Sec. 74-206 Owner's responsibility for payment
Officer Barbara Meizis
Certified Service: 5-16-2012
Initial Hearing: 6-12-2012

Continued from June 12, 2012

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: [12-436 2016 Roosevelt Dr NOH](#)

Legislative History

6/12/12 Code Compliance Hearing Continuance

23

Case # 12-680

Scott J & Karen A Mangini

1401 Olivia Street Down

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulationsSec. 122-599 Prohibited uses in the HMDR (historic medium density
residential) district

Officer Barbara Meizis

Certified Service: 5-16-2012

Initial Hearing: 6-12-2012

Settlement Agreement

Count 1: You shall not rent your property transiently without a transient license to do so. **Count 2:** The property was rented out on May 3, 2012 in violation of Sec. 122-1371(b)(9). **Count 3:** Transient rentals are prohibited in the HMDR (historic medium density residential) district.

Attachments: [12-680 1401 Olivia St NOCV-NOH](#)

[12-680 1401 Olivia St ITEX Website](#)

[12-680 1401 Olivia St BTR4-2NonTrans](#)

Legislative History

6/12/12

Code Compliance Hearing

Continuance

24

Case # 12-731

Ingo Scharrenbroich
1612 Josephine Street
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations (d)(9) 4 Counts
Sec. 122-237 Prohibited uses in the SF (Single Family) district
Sec. 66-87 Business tax receipt required for all holding themselves out
to be engaged in business
Officer Barbara Meizis
Certified Service: 5-21-2012
Initial Hearing: 6-12-2012

Settlement Agreement

Count 1: You shall have a business tax receipt from the City of Key West to rent your property transiently. **Count 2:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 11, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 12, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 13, 2012. **Count 5:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on May 14, 2012. **Count 6:** Transient rentals are prohibited in the SF (Single Family) district. **Count 7:** A business tax receipt is required to rent your property.

Attachments: [12-731 1612 Josephine St IrrepNOCV-NOH](#)
[12-731 1612 Josephine St - 3WebsitesHoldingOut](#)

Legislative History

6/12/12 Code Compliance Hearing Continuance

25

Case # 10-1450

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

Continued from May 23, 2012 for compliance

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 |
| 2/29/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |

26

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 from May 23, 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 |
| 2/29/12 | Code Compliance Hearing | Continuance |
| 3/28/12 | Code Compliance Hearing | Continuance |
| 4/25/12 | Code Compliance Hearing | Continuance |
| 5/23/12 | Code Compliance Hearing | Continuance |

27

Case # 12-603

Fred Tillman - owner

Robert Chinnis Construction

Robert Chinnis - contractor

301 Whitehead Street 303

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

Sec. 14-40 Permits in historic district

Officer Dotty Austin

Certified Service: 5-22-2012

Initial Hearing: 6-12-2012

In compliance, request dismissal

Count 1: On April 11, 2012, a complaint was filed that Chinnis Construction constructed railings and attached them to a tree on the back deck of 301 Whitehead Street without building permits. **Count 2:** On April 11, 2012, a complaint was filed that Chinnis Construction constructed railings and attached them to a tree on the back deck of 301 Whitehead Street without HARC approval.

Attachments: [12-603 301 Whitehead St owner](#)
[12-603 301 Whitehead St NOH contr](#)
[12-603 301 Whitehead Street pics](#)

Legislative History

| | | |
|---------|-------------------------|-------------|
| 6/12/12 | Code Compliance Hearing | Continuance |
|---------|-------------------------|-------------|

28

Case # 11-262

Turtle Kraals

231 Margaret Street

City's Motion to Correct Findings and Order

Attachments: [11-262 231 Margaret St FO](#)

HARC Appeals

29 **SMA 12-02**
Gary Burchfield
300 Front Street
H12-01-870

Attachments: [SMA 12-02 300 Front St](#)

Mitigations

30 **Case # 09-2058**
Bank of New York Mellon
923 Eaton Street

Attachments: [09-2058 923 Eaton St Mitigation](#)
[90-2058 923 Eaton St Letter](#)

31 **Case # 10-919**
John A Williams
Paul N Hayes, R/A for
Rent Key West Vacations
1328 Atlantic Blvd

Attachments: [10-919 1328 Atlantic Blvd Mitigation](#)
[10-919 1328 Atlantic Blvd Architect Ltr](#)

Liens

32 **Case # 10-1454**
Rishi Gidwani
3609 Northside Drive

Attachments: [10-1454 3609 Northside Dr Lien](#)

33 **Case # 11-785**
Brian & Kimberly Blanchette
1312 Reynolds Street

Attachments: [11-785 1312 Reynolds St Lien](#)

Adjournment