

# City of Key West, FL

# Meeting Agenda Full Detail

# **Code Compliance Hearing**

Wednesday, January 30, 2013	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
 SMA-08-PD

 Bare Bones Beach Shop, Inc.

 Tamara Camden

 2770 N Roosevelt Blvd

 2
 SMA-09-PD

 J & M Threading

 Josh Ben-Shoaff

 101 Duval Street

 Continuance granted to February 27, 2013

 3
 SMA-10-PD

 Charles Taylor

 1117 Royal Street

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# 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

# Continuance granted to February 27, 2013

Count 1: A business tax receipt is required to rent your property. Count2: 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
10/17/12	Code Compliance Hearing	Continuance
12/19/12	Code Compliance Hearing	Continuance

# Case # 12-181

Roger J Moyle 911 Virginia Street Sec. 14-40 Permits in Historic District Sec. 14-37 Building permits; professional plans; display of permits Sec. 108-452 Required sight distances for landscaping adjacent to public rights-of-way and points of access Officer Bonnita Badgett Hand Served: 1-7-2013 Initial Hearing: 1-30-2013

# In compliance, request dismissal

Count 1: A fence was erected without benefit of HARC approval.Count 2: A fence was erected without benefit of a building permit.Count 3: The fence that was erected is obstructing the line of site.

Attachments: 12-181 911 Virginia St NOH

# Case # 12-836

SHS Investment of South Florida Inc. Si Stern Robert M Weinberger, Registered Agent 820 White Street Sec. 14-40 Permits in historic district Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Sec. 90-363 Certificate of occupancy - required Officer Bonnita Badgett Certified Service: 8-31-2012 - Owner 9-13-2012 - Registered Agent Initial Hearing: 9-26-2012

# Continuance granted to February 27, 2013

**Count 1:** Placed low voltage cameras outside without HARC approval. In compliance. **Count 2:** A business tax receipt is required for all 32 rooms. Only licensed for 19 guestrooms and 1 transient rental. **Count 3:** A certificate of occupancy is required for the extra 12 rooms.

<u>Attachments:</u>	<u>12-836 820 White St NOH</u>
	12-836 820 White St NOH RA

9/26/12	Code Compliance Hearing	Continuance
12/19/12	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

# Continued from October 17, 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: <u>12-1082 1730 Bahama Dr NOH</u> <u>12-1082 1730 Bahama Drive photos interior</u>

Legislative History

10/17/12 Code Compliance Hearing Continuance

Case # 12-1421 Kevin & Beverly Jacobsen 2413 Linda Avenue Sec. 14-37 Building permits; professional plans; display of permits Officer Bonnita Badgett Certified Service: 12-6-2012 Initial Hearing: 1-30-2013

Continuance granted to April 3, 2013

Count 1: Replaced shed without benefit of a building permit

Attachments: 12-1421 2413 Linda Ave NOH

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#### Case # 12-1523

Jean Delice Christella Brevil 1116 White Street Sec. 58-63 Delinquency Sec. 74-206 Owner's responsibility for payment Officer Bonnita Badgett Certified Service: 11-24-2012 Initial Hearing: 12-19-2012

# In compliance, fees still due

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

Attachments: 12-1523 1116 White St NOH

Legislative History

12/19/12 Code Compliance Hearing Continuance

# Case # 12-1752

Amanda Phelps 3029 N Roosevelt Blvd 37 Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Officer Bonnita Badgett Certified Service: 1-16-2013 Initial Hearing: 1-30-2013

# In compliance, request dismissal

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

Attachments: 12-1752 3029 N Roosevelt Blvd 37 NOH

# Case # 12-1489

Eye Catcher Display & Signage (Cindy's Signs Inc.) Cynthia Phillips Sandra Phillips Registered Agent All Keys Construction Inc. Amber Shaffer 1700 N Roosevelt Blvd Sec. 18-146 License Required - Eye Catcher Sec. 18-117 Acts declared unlawful - All Keys Construction Officer Kevin Caruso Certified Service: 12-2-2012 - Eye Catcher Initial Hearing: 12-19-2012

# Continuance granted to February 27, 2013

**Count 1:** Eye Catcher Display & Signage was installing a sign on or about October 9, 2012 without benefit of a contractor's license. **Count 2:** On or about October 9, 2012, Eye Catcher Display & Signage was installing a sign. The permit was issued to All Keys Construction. Eye Catcher Display & Signage does not have a license to install signs.

 Attachments:
 12-1489 1700 N Roosevelt Blvd NOH Eye Catcher

 12-1489 1700 N Roosevelt Blvd NOH All Keys Construction

 12-1489 1700 N Roosevelt Pics

Legislative History

12/19/12 Code Compliance Hearing Continuance

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# Case # 12-1771

Alexel Saenko 406 Petronia Street Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Sec. 122-869 Prohibited uses - HNC-3 Officer Kevin Caruso Certified Service: Initial Hearing: 1-30-2013

# New Case

**Count 1:** A business tax receipt is required to rent your property. **Count 2:** Boarding houses are prohibited in the HNC-3 district.

<u>Attachments:</u> <u>12-1771 406 Petronia St NOH</u> <u>12-1771 406 Petronia St Pics</u>

Case # 12-1799 John Minskoff 801 Duval Street - sidewalk Sec. 6-3 Locations Officer Kevin Caruso Hand Served: 12-20-2012 Initial Hearing: 1-30-2013

# **New Case**

**Count 1:** On December 13, 2012, Mr. Minskoff was performing in front of 801 Dual Street which is a prohibited area.

Attachments: <u>12-1799 John Minskoff NOH</u> <u>12-1799 John Minskoff Agreement</u> <u>12-1799 801 Duval St Pics</u>

#### Case # 11-1286

Faye G Logun 2310 Patterson Avenue Sec. 122-1078 Restrictions on buildings and structures, including entryways, Counts 1-5 Sec. 14-37 Building permits; professional plans; display of permits, Count 6 Sec. 90-356 Building permits required, Count 7 Sec. 90-391 Variances, Counts 8 and 9 Officer Peg Corbett Certified Service: 8-3-2012 Initial Hearing: 9-26-2012

# Continued from December 19, 2012 for compliance

**Counts 1-5:** Subject property has five rooms held out for rent (3 occupied at the time of inspection) without proper ingress/egress. **Count 6:** The main house was altered/renovated to add the above five subject rooms without the benefit of a building permit(s). **Count 7:** Two additional rooms were added to the original home in 2005 without the benefit of a building permit. **Counts 8 and 9:** For extending the main house to add the subject rooms identified in count one through five on the side setback of the property. For adding an outdoor shared bathroom facility on the rear setback of the property.

Attachments: 11-1286 2310 Patterson Ave NOH

11-1286 2310 Patterson Ave Amended NOCV

11-1286 2310 Patterson Ave Print Screen of Permits

9/26/12	Code Compliance Hearing	Continuance
12/19/12	Code Compliance Hearing	Continuance

# Case # 12-991

Rishi Gidwani 3609 Northside Drive Sec. 14-37 Building permits; professional plans; display of permits Officer Peg Corbett Posted: 12-27-2012 Initial Hearing: 1-30-2013

# **New Case**

Count 1: New side door was installed without benefit of a permit.

<u>Attachments:</u> <u>12-991 3609 Northside Dr NOH</u> <u>12-991 3609 Northside Dr Photos of door</u>

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# Case # 12-1225

Michael Pettry Wanda Weeks, R/S 3635 Flagler Avenue Sec. 58-61 Determination and levy of charge Sec. 90-363 Certificate of occupancy - required Sec. 14-37 Building permits; professional plans; display of permits Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Sec. 122-237 Prohibited uses - Single Family Officer Peg Corbett Certified Service: 12-24-2012 Initial Hearing: 1-30-2013

# Continuance granted to February 27, 2013

Count 1: There are two units on this property. The city only recognizes one unit. Count 2: A certificate of occupancy is required for the second unit. Count 3: In April of 2000, permits were obtained to add a bedroom and bath. This conversion was subsequently modified to add a second unit without benefit of building permits and required inspections. Count 4: A business tax receipt is required to rent the second unit. Count 5: Multiple dwelling units are not permitted in the single family district.

<u>Attachments:</u> <u>12-1225 3635 Flagler Ave NOH</u> <u>12-1225 3635 Flagler Email Planner to Home Owner</u> 12-1225 3635 Flagler Planning Document outlining options to comply

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# Case # 12-1255

Youman Carey Richardson 917 Center Street Sec. 66-102 Dates due and delinquent; penalties Officer Peg Corbett Certified Service: 11-9-2012 Initial Hearing: 12-19-2012

Continued from December 19, 2012 for compliance - In compliance, fees paid on January 29, 2013.

**Count 1:** The business tax receipt for the mobile business is delinquent

Attachments: 12-1255 917 Center St NOH

Legislative History

12/19/12 Code Compliance Hearing

Continuance

Case # 12-1428 Kevin Todd Williams Andrew Theede T/C 1717 South Street Sec. 62-2 Obstructions Sec. 26-126 Clearing of property of debris and noxious materials required Officer Peg Corbett POSTED: 12-27-2012 Initial Hearing: 1-30-2013

# **New Case**

**Count 1:** Palm trees and other plantings are on the city right of way without benefit of a permit. **Count 2:** There is a fish pond that is filled with algae. The property is severely overgrown and overgrowth onto the city right of way.

Attachments: 12-1428 1717 South St NOH

12-1428 1717 South St Photos of Overgrowth

# Legislative History

12/19/12 Code Compliance Hearing Continuance

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### Case # 12-1454

Wilma R Jetter Estate Roger A Wigle 2601 S Roosevelt Blvd C324 Sec. 14-37 Building permits; professional plans; display of permits Sec. 102-158 Stop work order and penalty Officer Peg Corbett Certified Service: 11-13-2012 Initial Hearing: 12-19-2012

# Continued from December 19, 2012

**Count 1:** Remodeling unit without benefit of a permit. **Count 2:** For working over a stop work order.

Attachments: 12-1454 2601 S Roosvelt Blvd C324 NOH

Legislative History

12/19/12 Code Compliance Hearing Continuance

# Case # 12-1549

Thomas Merrill Drew Timothy John Thirkield 506 Grinnell Street Sec. 58-63 Delinquency Officer Peg Corbett Certified Service: 12-11-2012 Initial Hearing: 1-30-2013

# In compliance, request dismissal

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

Attachments: 12-1549 506 Grinnell St NOH

### Case # 12-1590

Margaret Makris, Rev. Tr. 303 Grinnell Street Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Officer Peg Corbett Certified Service: 12-12-2012 Initial Hearing: 1-30-2013

# New Case

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

Attachments: 12-1590 303 Grinnell St 201 NOH

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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

# Continued from December 19, 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.

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
10/17/12	Code Compliance Hearing	Continuance
11/14/12	Code Compliance Hearing	Continuance
12/19/12	Code Compliance Hearing	Continuance

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Blanche M S Michael J Mo 28 Seaside S Sec. 66-87 E Officer Leona POSTED: 1-	Stapleton cMahon R/S South Court Business tax receipt require ardo Hernandez 4-2013	ed
New Case		
Count 1: A b	ousiness tax receipt is requ	ired to rent your property
<u>Attachments:</u>	12-822 28 Seaside South Cou	rt NOH
	12-822 28 Seaside South Ct P	osting Pic
Legislative Histo	<u>ory</u>	
12/19/12	Code Compliance Hearing	Continuance
Vladimir Prol 2301 Linda A Sec. 90-363 Sec. 58-61 E Sec. 66-87 E to be engage Sec. 90-356 Officer Leona Certified Ser	khodnoy Avenue Certificate of occupancy - Determination and levy of c Business tax receipt require ed in business Building permits required ardo Hernandez tvice: 8-8-2012	harge
Continued f	rom December 19, 2012 fo	or status
<b>Count 2</b> : A s <b>Count 3</b> : A b	olid waste account is requi pusiness tax receipt is requ	ired for all units on the property. ired to rent your property. <b>Count</b>
	Blanche M S Michael J Ma 28 Seaside S Sec. 66-87 E Officer Leona POSTED: 1- Initial Hearin New Case Count 1: A b Attachments: Legislative Histo 12/19/12 Case # 12-89 Vladimir Prof 2301 Linda A Sec. 90-363 Sec. 58-61 E Sec. 66-87 E to be engage Sec. 90-356 Officer Leona Certified Ser Initial Hearin Continued for Count 1: A c Count 2: A s Count 3: A b	Count 1: A business tax receipt is required         Attachments:       12-822 28 Seaside South Countil

Attachments: 12-851 2301 Linda Ave NOH

9/26/12	Code Compliance Hearing	Continuance
10/17/12	Code Compliance Hearing	Continuance
12/19/12	Code Compliance Hearing	Continuance

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# Case # 12-1484

Conch Shell Properties Inc. Fouad Samaha, R/A Hard Rock Cafe 313 Duval Street Sec. 62-1 Deposits of oil, grease or other waste Officer Leonardo Hernandez Certified Service: 10-15-2012 Initial Hearing: 11-14-2012

# Continued from December 19, 2012 for the Settlement Agreement Irreparable violation

**Count 1:** The grease receptacle spilled onto Rose Lane, down Duval Street towards Caroline on October 6, 2012. The sidewalk and street needed to be closed for cleanup.

# Attachments: 12-1484 313 Duval St NOH

12-1484 313 Duval St NOH 2

# Legislative History

11/14/12	Code Compliance Hearing	Continuance
12/19/12	Code Compliance Hearing	Continuance

# Case # 12-1538

Timothy Behan 1801 N Roosevelt Blvd M18 Sec. 14-37 Building permits; professional plans; display of permits Officer Leonardo Hernandez Hand Served: 1-4-2013 Certified Service: 1-18-2013 Initial Hearing: 1-30-2013

# In compliance, request dismissal.

**Count 1:** The roof deck was being built/rebuilt, new wood columns were installed around the roof deck without benefit of a building permit.

Attachments: 12-1538 1801 N Roosevelt Blvd M18 NOH hand delivered

# Case # 12-1659

Key West Office Management Inc. Dr. Eshri Singh Pegasus International Hotel 420 Southard Street Sec. 108-681 Camping vehicles and equipment Sec. 14-37 Building permits; professional plans; display of permits Sec. 122-929 Prohibited uses in HRO Officer Leonardo Hernandez Certified Service: 1-7-2013 Initial Hearing: 1-30-2013

# In compliance, request dismissal

**Count 1:** Camping is not allowed except in a licensed trailer park or areas appropriately zoned for trailers. **Count 2:** Building permits are required prior to the installation of an outside shower. **Count 3:** Camping is prohibited in the HRO (historic residential/office district)

Attachments: 12-1659 420 Southard St NOH (2)

12-1659 420 Southard St Compliance Pics

# Case # 12-1159

Daniel Soldano 617 Angela Street Sec. 14-256 Electrical permit required Sec. 14-262 Request for inspection Officer Barbara Meizis Certified Service: Initial Hearing: 1-30-2013

# **New Case**

**Count 1:** Temporary electric pole shall be disconnected and permanent connection from house to main pole shall be installed. **Count 2:** Electrical inspection is required.

Attachments: <u>12-1159 617 Angela St NOH</u> <u>12-1159 617 Angela St Photos</u>

# Case # 12-1531

400 Duval Retail LLC Nrai Services, Inc. R/A Subway/Tom Thumb Food Stores I Sandra D Pceod McCarthy, R/A Preferred Signs, Inc. Howard Weber, R/A Mark Weber, Qualifier 422 Eaton Street Sec. 14-40 Permits in the historic district Sec. 14-37 Building permit; professional plans; display of permits Officer Barbara Meizis Certified Service: 12-14-2012 Initial Hearing: 1-30-2013

# **New Case**

**Count 1:** For working over the scope of HARC by installing a sign over the sidewalk at least three feet from the building that was permitted to be installed flush to the building over the door. For installing a lighting fixture below the sign without HARC approval. **Count 2:** For working over the scope of the building permit by installing a sign over the sidewalk at least three feet from the building that was permitted to be installed flush to the building over the door. For installing a lighting fixture below the sign without a building permit.

 Attachments:
 12-1531 422 Eaton St Amended NOH

 12-1531 422 Eaton St Bldg Permits

 12-1531 422 Eaton St Disapproved Insp-bldg

 12-1531 422 Eaton St Disapproved Insp-HARC

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### Case # 12-1613

Orlando Alvarido 1010 Whitehead Street Sec. 14-37 Building permits; professional plans; display of permits Sec. 14-40 Permits in the historic district Officer Barbara Meizis Certified Service: Initial Hearing: 1-30-2013

# **New Case**

**Count 1:** A building permit is required prior to the construction of a new roof. **Count 2:** A certificate of appropriateness is required prior to the construction of a new roof.

Attachments: <u>12-1613 1010 Whitehead St - Amended NOH</u> <u>12-1613 1010 Whitehead St - photos</u>

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 July 25, 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

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
7/25/12	Code Compliance Hearing	Continuance

# Case # 12-1820

Living Dolls Inc. Glenn Tanner Herschell Major Bianco Digennaro 516 Fleming Street Sec. 114-103 Prohibited signs Sec. 70-116 Prohibited parking Officer Jim Young Certified Service: 1-12-2013 Initial Hearing: 1-30-2013

# Continuance granted to February 27, 2013

**Count 1:** On 11 Dec 12, 17 Dec 12, 18 Dec 12, 19 Dec 12, 10 Jan 13 at ~ 12:46 am and 10 Jan 13 at ~ 1:04 am I observed a 1995 Chevrolet pick-up truck parked at the subject property with a prohibited portable sign attached to the rear bed. **Count 2:** No person shall park a vehicle upon any city street for the purpose of displaying advertising.

Attachments: 12-1820 516 Fleming St NOH 12-1820 Living Dolls truck pic B 12-1820 Living Dolls truck pic

# Case # 13-55

Kenneth (Kenyatta) Arrington 400 Duval Street Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business Officer Jim Young Hand Served: 1-9-2013 Initial Hearing: 1-30-2013

# New Case

Irreparable Violation

**Count 1:** On January 9, 2013, Mr. Arrington was performing on private property without a business tax receipt. Subject was soliciting money for his performance.

 Attachments:
 13-55 Kenneth Arrington NOH Hand Served

 13-55 400 Duval Street pic

13-55 400 Duval Street Chico's letter

# Case # 13-57

Yuliya Andrews The Adult Entertainment Club Albert L Kelley, R/A 200 Block of Duval Street Sec. 18-415 (b) (1) a. Restrictions in the Historic District Sec. 18-441 Required Officer Jim Young Certified Service: 1-14-2013 - Albert Kelley Initial Hearing: 1-30-2013

Continuance granted to February 27, 2013 Repeat/Irreparable

**Count 1:** On January 10, 2013 at approximately 1:33 am, Anthony B Huggins was soliciting customers for the Adult Entertainment Club at 210 Duval Street which is a prohibited area. **Count 2:** An Off-Premises Canvassing permit is required to engage in off-premises canvassing.

Attachments: 13-57 200 Blk of Duval St NOH

#### Case # 13-59

Living Dolls Glenn Tanner Chelsea Lawson 300 Block of Duval Sec. 18-415 (b) (1) a. Restrictions in the Historic District Sec. 18-441 Required Officer Jim Young Certified Service: Hand Serve: 1-10-2013 Chelsea Lawson Certified Service: 1-12-2013 Initial Hearing: 1-30-2013

# Continuance granted to February 27, 2013

**Count 1:** On January 10, 2013 at approximately 1:45 am, Chelsea Lawson was soliciting customers for Living Dolls at 300 Block Duval Street which is a prohibited area. **Count 2:** An Off-Premises Canvassing permit is required to engage in off-premises canvassing.

 Attachments:
 13-59 300 Blk of Duval St NOH Hand Served

 13-59 300 Blk of Duval St NOH

 13-59 Living Dolls NOH Amended

# **HARC Appeals**

36 SMA 12-07 Carl Reid Southernmost Sign Service 218 Duval Street

# Continuance granted to January 30, 2013

<u>Attachments:</u>	SMA 12-07 Letter of Appeal	
	SMA 12-07 Letter of Denial	
Legislative His	tory	
12/19/12	Code Compliance Hearing	Continuance

Liens

37	<b>Case # 09-1502</b> Timothy Wegman 702 Pearl Street Posted: 1-14-2013	
	<u>Attachments:</u>	09-1502 702 Pearl St
38		to
39	<b>Case # 12-302</b> David Neil Austin 1215 Duncan Street Posted: 12-19-12	
	<u>Attachments:</u>	<u>12-302 1215 Duncan St NOH L</u>

Adjournment