



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### Code Compliance Hearing

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Wednesday, September 26, 2018

1:30 PM

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 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting to Order**

#### Code Violations

**1**

**Case # 18-1098**

Southernmost Homes, Inc.

Joseph Cleghorn, Jr

2002 Seidenberg Avenue

Sec. 62-2 Obstruction of Streets

Sec. 26-126 Clearing of property of debris and noxious material required

Officer Bonnita Badgett

Certified Service:

Initial Hearing: 9-26-2018

**Request continuance for good service**

**Count 1:** In front and side of the property at 2002 Seidenberg Avenue, the City right of way has trash and furniture obstructing the passage of pedestrians. **Count 2:** Failure to clear the City right of way of debris and noxious materials.

2

**Case # 18-357**

Bob Sunderman  
922 Catherine Street  
Sec. 110-292 Failure to achieve a compliance agreement  
Officer Wherden Charles  
Certified Service:  
Initial Hearing: 4-25-2018

**Continued from 29 Aug 2018 for compliance**

**Count 1:** For failure to come into compliance with the signed settlement agreement for violations Sec. 110-256 and 110-321. The payment of \$500 and the planting of one coconut palm 8' tall has not been met.

Legislative History

4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

3

**Case # 18-595**

Curtis A Skomp  
410 Caroline Street  
Sec. 14-40 Permits in historic districts  
Officer Wherden Charles  
Certified Service: 8-6-2018  
Initial Hearing: 9-26-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Failure to obtain required HARC permit for approval of signage.

4

**Case # 18-734**

Vincent Gannuscio  
420 Fleming Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Wherden Charles  
Certified Service:  
Initial Hearing: 9-26-2018

**In compliance 2 Aug 2018; request dismissal**

**Count 1:** The subject business owner has not renewed their license which expired 30 Sept 2017.

5

**Case # 18-756**

Juan C. Betancur  
109 Duval Street  
Sec. 102-282 Outdoor display of goods  
Sec. 114-103 Prohibited signs  
Officer Sophia Doctoche  
Certified Service: 8-21-2018  
Initial Hearing: 9-26-2018

**In compliance 30 Aug 2018; request dismissal**

**Count 1:** Failure to obtain an outdoor display exception from the Planning Board. **Count 2:** Failure to obtain a certificate of appropriateness for the signs located at the business the HARC Department.

6

**Case # 18-849**

Child Life Society  
Chaim A. Wolkenfeld  
1000 17th Street  
Sec. 110-292 Failure to achieve a compliance agreement  
Officer Sophia Doctoche  
Posted: 7-5-2018  
Initial Hearing: 7-25-2018

**Continued from 29 Aug 2018 for compliance**

**Count 1:** Failure to achieve compliance regarding a settlement agreement with Karen Demaria of Urban Forestry.

**Legislative History**

7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

7

**Case # 18-866**

Zachary Humphries  
 14 D 10th Avenue  
 Sec. 18-150 Certificate of competency required  
 Sec. 66-87 Business tax receipt required  
 Officer Sophia Doctoche  
 Certified Mail: 8-1-2018  
 Initial Hearing: 7-25-2018

**Settlement Agreement**

**Count 1:** Advertising to be a contractor without the required certificate of competency. **Count 2:** Holding himself out for business in the City of Key West without procuring a city business tax receipt.

Legislative History

7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

8

**Case # 18-913**

Federal National Mortgage Association  
 3367 Donald Avenue  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Sophia Doctoche  
 Certified Service: 7-31-2018  
 Initial Hearing: 8-29-2018

**Continued from 29 Aug 2018**

**Count 1:** Redoing windows and door without the benefit of permits.

Legislative History

8/29/18	Code Compliance Hearing	Continuance
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9

**Case # 18-927**

RCJB Properties Inc.  
3402 Eagle Avenue  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Sophia Doctoche  
Certified Service: 7-23-2018  
Initial Hearing: 9-26-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Failure to obtain permits for installation of a new door, windows and stucco on the house.

10

**Case # 18-1039**

Ashby Street LLC  
1417 Ashby Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Certified Service: 8-22-2018  
Initial Hearing: 9-26-2018

**In compliance 24 Aug 2018; request dismissal**

**Count 1:** New property owner has not obtained the non-transient business tax receipt.

11

**Case # 18-1064**

Marsh Enterprises of SW Florida Inc  
412 Frances Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Sophia Doctoche  
Certified Service: 8-21-2018  
Initial Hearing: 9-26-18

**Continuance granted to 31 Oct 2018**

**Count 1:** Failure to obtain a building permit for putting in a new fence.

12

**Case # 18-1095**

Zachary Lee Humphries

1213 14th Street Z

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

Sec. 18-150 Certificate of competency required

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

Officer Sophia Doctoche

Certified Service: 8-1-2018

Initial Hearing: 9-26-2018

**Irreparable Violations****Settlement Agreement**

**Count 1:** Failure to obtain required building permits for work going on in the house. **Count 2:** Failure to obtain a certificate of competency. **Count 3:** Failure to obtain required business tax receipt for all holding themselves out to be engaged in business.

13

**Case # 18-1176**

Mark Morales

1715 Washington Street

Sec. 18-150 Certificate of competency required

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

Officer Sophia Doctoche

Hand Served: 8-27-2018

Initial Hearing: 9-26-2018

**Repeat Violations****New Case**

**Count 1:** Failure to obtain a certificate of competency before engaging in business as a licensed contractor. Previous case #18-751 where there was a signed settlement agreement and a fine of \$500 which was paid.

**Count 2:** Failure to obtain a business tax receipt as he is not recognized as a licensed contractor through the City of Key West. Previous case #18-751 where there was a signed settlement agreement and a fine of \$500 which was paid.

14

**Case # 18-1632**

Doug Scott

2911 Seidenberg Avenue

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; address; exceptions

Sec. 18-150 Certificate of competency required

Officer Sophia Doctoche

Hand Served: 9-4-2018

Initial Hearing: 9-26-2018

**Settlement Agreement**

**Count 1:** Doug Scott of SSD Contracting was holding himself out for business without a business tax receipt. **Count 2:** Deck work being done without a building permit. **Count 3:** Doug Scott of SSD Contracting is not recognized as a licensed contractor.

15

**Case #18-1677**

Zachary Lee Humphries

916 James Street

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

Officer Sophia Doctoche

Hand Served: 9-21-2018

Initial Hearing: 9-26-2018

**Settlement Agreement**

**Count 1:** Doing landscaping work without a business tax receipt.

16

**Case # 17-716**

Rockwell Property, Inc. - Property Owner  
 Gregory G. Farrelly - Registered Agent  
 816 Fleming Street  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Leonardo Hernandez  
 Certified Service: 4-13-2018 - Registered Agent  
 Certified Service: 4-16-2018 - Property Owner  
 Initial Hearing: 5-30-2018

**Continued from 29 Aug 2018**

**Count 1:** Addition to the roof with black tar coating poured down that extends to the neighbor's property was erected without the required building permits.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

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**Case # 18-69**

Lam Fong Yin  
 Tong Yat Hok  
 2108 Harris Avenue  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 exceptions; address  
~~Sec. 14-261 Failure to obtain - Dismissed~~  
 Sec. 14-262 Request for inspection  
 Officer Leonardo Hernandez  
 Posted: 4-10-2018  
 Initial Hearing: 4-25-2018

**Continued from 29 Aug 2018 for compliance**

**Count 1:** For failure to obtain building permits for the interior work involving dry wall, ceiling and exterior porch roof coverage. **Count 2:** ~~An electrical permit was obtained but the work performed was not done by that electrical contractor. - Dismissed.~~ **Count 3:** For failure to obtain required electrical inspections.

Legislative History

4/25/18	Code Compliance Hearing	Continuance
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6/27/18 Code Compliance Hearing Continuance  
 8/29/18 Code Compliance Hearing Continuance

18

**Case # 18-536**

Brugman Holdings LLC - Owner  
 Thomas J Sireci, Jr - Registered Agent  
 10 Hilton Haven Drive C  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Leonardo Hernandez  
 Certified Service: 5-30-2018 - Owner  
 Certified Service: 5-23-2018 - Registered Agent  
 Initial Hearing: 6-27-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Failure to obtain an after-the-fact building permit for interior framing of shed and dock behind shed.

Legislative History

6/27/18 Code Compliance Hearing Continuance  
 7/25/18 Code Compliance Hearing Continuance

19

**Case # 18-556**

Wendall A. Wall  
 4 Go Lane  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Leonard Hernandez  
 Certified Service: 5-18-2018  
 Initial Hearing: 6-27-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Failure to obtain after-the-fact building permit for fence with required supporting documents provided to the Planning Department and Urban Forestry Manager.

Legislative History

6/27/18 Code Compliance Hearing Continuance

20

**Case # 18-745**

Ronit Berdugo - Violator

Brian Behar, ESQ. - Registered Agent

The Oaks Key West LLC - Property Owner

330 Julia Street

Sec. 18-601 License required - **Counts 1 through 36**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - **Counts 37 through 72**Sec. 122-1371 D (9) Transient living accommodations in residential  
dwellings; regulations - **Counts 73 through 108**

Officer Leonardo Hernandez

Certified Service: 6-21-2018 - Registered Agent

Posted: 6-28-2018 - Violator/Property Owner

Initial Hearing: 6-27-2018

**Repeat Violations****Settlement Agreement**

**Counts 1 through 36:** Subject property held out for short term rental without the benefit of a transient rental license. **Counts 37 through 72:** Subject property holding out/advertising for short term rental without the benefit of the required city, county and state licensing. Subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 73 through 108:** Subject property is holding out for transient rental for 27 nights the dates of 3 Jun 2018 thru 30 Jun 2018 for a total of \$3,529.00. Property owner is holding out for transient rental for 9 nights during the dates of June 11, 2018 - June 20, 2018 for a total of \$1,495.05. This is a total of 36 nights of holding out for transient rental.

**Legislative History**

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

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**Case # 18-864**

Shawarma of Key West, LLC

Nir Chen

413 Greene Street

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

Officer Leonardo Hernandez

Certified Service: 8-15-2018 - Shawarma of Key West, LLC

Certified Service: 8-10-2018 - Nir Chen

Initial Hearing: 9-26-2018

**Continuance granted to 31 Oct 2018****Count 1:** Failure to obtain a business tax receipt to operate as a food service establishment.

22

**Case # 18-978**

Always Sunny Cleaning

Corrie Jean May

Cynthia Winter

195525 Date Palm Drive

Sec. 66-102 Dates due and delinquent; penalties

Officer Leonardo Hernandez

Posted: 8-13-2018

Initial Hearing: 9-26-2018

**In compliance 15 Aug 2018; request dismissal****Count 1:** Failure to renew business tax receipt that expired 30 Sept 2017.

23

**Case # 18-979**

Computers Are My Life  
Mike Mongo  
1407 United Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonard Hernandez  
Certified Service:  
Initial Hearing: 9-26-2018

**In compliance 8 Aug 2018; request dismissal**

**Count 1:** Failure to renew the business tax receipt which expired 30 Sept 2017.

24

**Case # 18-981**

G&B Cleaning Service  
Omaira Urbay  
720 Pardo Circle  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service:  
Initial Hearing: 9-26-2018

**In compliance 3 Aug 2018; request dismissal**

**Count 1:** Failure to renew the business tax receipt which expired 30 Sept 2017.

25

**Case # 18-988**

Cruz's Lawn & Garden Services  
Jacqueline D. Bojorge  
F6 Cross Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service:  
Initial Hearing: 9-26-2018

**In compliance 31 Jul 2018; request dismissal**

**Count 1:** The subject business has not renewed their license which expired 30 September 2017.

26

**Case # 18-1024**

Michael McMahon

100 Admiral Lane

Sec. 18-601 License required - **Counts 1-10**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - **Counts 11-20**Sec. 122-1371 D (9) Transient living accommodations in residential  
dwellings; regulations - **Counts 21-30**

Officer Leonardo Hernandez

Posted: 9-4-2018

Initial Hearing: 8-29-2018

**Repeat/Irreparable****Continued from 29 Aug 2018**

**Counts 1-10:** On July 16, 2018 found the property to be advertised on VRBO.com hosted by Michael McMahon and pre-booked it for 5 nights at a nightly rate of \$596.95 with a service fee of \$180.00 for a total of \$3,164.73 from August 23rd to August 28th, 2018. Previous cases with pending fines #17-166 (02.02.2017), #17-1154 (08.03.2017) & #17-1187 (08.11.2017). **Counts 11-20:** The subject property is holding out/advertising for short term rental without the benefit of the required city, county and state licensing. The subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 21-30:** July 20, 2018 the subject property was advertised by the host, Michael McMahon on VRBO. com again for the dates of August 28 through September 2, 2018 for a total of \$3,164.73.

Legislative History

8/29/18

Code Compliance Hearing

Continuance

27

**Case # 18-1040**

JC Electric of the Fla Keys  
Juan Carlos Manuel - Qualifier  
Consolidated Environmental LLC  
3343 Flagler Avenue  
Sec. 14-261 Failure to obtain  
Sec. 14-262 Request for inspection  
Sec. 18-117 Acts declared unlawful  
Officer Leonardo Hernandez  
Posted: 8-21-2018  
Initial Hearing: 9-26-2018

**Settlement Agreement**

**Count 1:** Failure to obtain required electrical permit. **Count 2:** Failure to obtain electrical inspection. **Count 3:** Failure to complete and have required inspections for work performed.

28

**Case # 18-1113**

Federal National Mortgage Association  
2811 Staples Avenue  
Sec. 90-363 Certificate of occupancy - Required - **Dismissed**  
Sec. 58-61 Determination and levy of charge  
FBC P2503.1 Inspections  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business  
Officer Leonardo Hernandez  
Certified Service: 8-6-2018  
Initial Hearing: 8-29-2018

**Continuance granted to 31 Oct 2018 for compliance**

**Count 1:** ~~For failure to obtain a certificate of occupancy for second unit. -~~  
Dismissed **Count 2:** For failure to obtain utility accounts for second unit.  
**Count 3:** For failure to obtain inspections for plumbing work. **Count 4:**  
For failure to obtain building permits for the kitchen, storage room, wall  
siding and ceiling work that was done. **Count 5:** For failure to obtain  
required business tax receipt to rent non-transiently.

**Legislative History**

8/29/18      Code Compliance Hearing      Continuance

29

**Case # 18-1196**

Hoover and Hoover LLC

Deanne Hoover

605 Angela Street

Sec. 18-601 License required - **Counts 1-28**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - **Counts 29-56**Sec. 122-1371 SUB (8) Transient living accommodations in residential  
dwellings; regulations - **Counts 57-84**

Officer Leonardo Hernandez

Certified Service: 8-28-2018 - Hoover and Hoover, LLC

Initial Hearing: 9-26-2018

**Repeat Violations****Settlement Agreement**

**Counts 1-28:** Failure to obtain a business tax receipt for short-term rental of a residential property. Repeat violation Case# 17-1296. **Counts 29-56:** Failure to obtain the required city, county and state licensing. Subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. Repeat violation Case#17-1296. **Counts 57-84:** Property owner is holding out for transient rental for 28 nights from 1 Sept 2018 through 29 Sept 2018 for a total of \$11,336.50 without a business tax receipt. Repeat violation Case# 17-1296.

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**Case # 18-1208**

Shawn Cowles &amp; Adele Williams

1216 White Street

Sec. 18-601 License required - **Counts 1-10**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - **Counts 11-20**Sec. 122-1371 SUB D (9) Transient living accommodations in residential  
dwellings; regulations - **Counts 21-30**

Officer Leonardo Hernandez

Certified Service: 9-5-2018

Initial Hearing: 9-26-2018

**Repeat Violations****Settlement Agreement****Count 1-10:** Subject property held out for short term rental without the  
benefit of a transient rental license. Repeat violation Case# 14-613.**Counts 11-20:** Subject property owner is holding out/advertising for short  
term rental without the benefit of the required city, county and state  
licensing. The subject property does not have a transient medallion and  
has not been inspected by the City of Key West Fire Department. Repeat  
violation Case #14-613. **Counts 21-30:** The subject property is holding  
out/advertising for 10-night stay from 1 Sept 2018 through 11 Sept 2018  
for a total of \$2,319.28. Repeat violation Case# 14-613.

31

**Case # 16-720**

Trevor Cook

Elizabeth Fuller

908 Packer Street

Sec. 62-2 Obstructions

Officer Beau Langford

Certified Service: 6-21-2018

Initial Hearing: 6-27-2018

**Continued from 25 Jul 2018 for compliance****Count 1:** Fence was built over the property line and will either need to be  
demolished or a variance applied for.**Legislative History**

6/27/18 Code Compliance Hearing Continuance

7/25/18 Code Compliance Hearing Continuance



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**Case # 16-1570**

Robert Reilly

Nicola Roques

1535 5th Street

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

FBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected  
Enclosed Below Design Flood Elevation

Sec. 122-238 Dimensional requirements. Paragraph 6, Section a.

Single-family

Officer Beau Langford

Certified Service: 10-16-2017

Initial Hearing: 11-15-2017

**Continued from 29 Aug 2018 for compliance**

**Count 1:** Construction of a new one room structure and roof structural changes to the original house have been made without the benefit of required permits. **Count 2:** Did install, or installing or allowed to be installed, an inhabitable structure within a FEMA designated AE-8 flood zone, below the minimum required elevation deemed necessary for flood damage prevention. **Count 3:** One room structure is currently being built within the rear setback of the property and possibly on top of a 10' utility easement.

**Legislative History**

11/15/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

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**Case # 17-710**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3333 Duck Avenue J204

Sec. 122-1371 D (9) Transient living accommodations in residential dwellings; regulations - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**Counts 1 - 7:** During a routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property was held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017.

**Legislative History**

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 17-724**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

620 Thomas Street 165

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**Counts 1 - 7:** During routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property held out for short term rental without benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 11 June 2017 through 18 June 2017.

**Legislative History**

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 17-745**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

714 Thomas Street

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**Counts 1-7:** During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 July 2017 through 8 July 2017 for a total of \$1,638.00.

**Legislative History**

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 17-746**

AIRBNB, Inc. - Registered Agent

Brian Chesky - CP

Lawyers Incorporating Services 2710

1207 Florida Street

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9) - Counts 1 thru 4Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9) - Count 5

Officer Beau Langford

Certified Service: 5-22-2017

Certified Service: 1-5-2018 - Amended Notice of Hearing

Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**AIRBNB, Inc.:** **Counts 1-4:** During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 4 nights for the dates of 1 July 2017 through 5 July 2017 for a total of \$551.00. **Count 5:** For unlawful holding out or advertising of a transient rental by an owner, tenant, broker, realtor, agent or other representative of the owner if the property is not permitted.

Legislative History

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 17-751**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3312 Northside Drive 106

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9) - Counts 1 thru 7

Officer Beau Langford

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**Counts 1-7:** During a routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017 for a total of \$808.00.

**Legislative History**

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 17-866**

AIRBNB, Inc  
Lawyers Inc Service - Registered Agent  
721 Georgia Street A  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9)  
Officer Beau Langford  
Certified Service: 11-15-2017 Amended Notice  
Initial Hearing: 7-26-2017

**Continuance granted to 19 Dec 2018**

**Counts 1-7:** The subject property was held out/advertised by the respondent for transient rental for 7 nights the dates of 19 June 2017 through 26 June 2017 for a total of \$834.00

**Legislative History**

7/26/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

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**Case # 18-06**Brian Sharples - Director - **Counts 3 through 20**

Corporation Service Company - Registered Agent

D/B/A CSC - Lawyers Inc. - **Counts 3 through 20**Michael J McMahon - **Counts 1 through 20**

107 Front Street Unit 217

Sec. 18-601 License required - **Irreparable**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulationsSec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9)

Officer Beau Langford

Certified Service: 1-12-2018 - Brian Sharples

Certified Service: 1-17-2018 - Corporate Service Company

Certified Service:

Initial Hearing: 2-28-2018

**Continuance granted to 28 Nov 2018**

**Count 1:** During a routine inspection, found a black Cadillac parked in the subjects parking space. Made contact with Frances and Valerie Sirotzki inside the unit. Mrs. Sirotzki forwarded the rental agreement along with all correspondence between the couple, HomeAway and Michael J McMahon. Rental agreement was for 18 nights, dates of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66. **Count 2:** The subject property has not had the requisite fire inspection. Owner has not provided the requisite TDC tax account with Monroe County Tax Collector or DBPR licensing information. There is no medallion for this property. **Counts 3 through 20:** The subject property owner is holding out for transient rental for 18 nights, the date of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66.

**Legislative History**

2/28/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance



40

**Case # 18-856**

Jose Alonzo  
 2803 Harris Avenue  
 Sec. 66-102 Dates due and delinquent; penalties  
 Officer Beau Langford  
 Certified Service: 7-27-2018  
 Initial Hearing: 9-26-2018

**In compliance 24 Aug 2018; request dismissal**

**Count 1:** Subject business owner has not renewed their license which expired 30 Sept 2017.

41

**Case # 17-1203**

Browning Family Irrevocable Trust  
 Michael Leo Browning  
 1300 White Street  
 Sec. 78-126 Required  
 Sec. 78-91 Required  
 Officer Jorge Lopez  
 Posted: 7-2-2018  
 Initial Hearing: 6-27-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Subject business owner has not renewed their vehicle for hire license. **Count 2:** The subject individual has not received their documented permit which is required to operate a passenger vehicle for hire within the city limits.

**Legislative History**

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

42

**Case # 17-1213**

Erwin Mayer &amp; Didier R Moritz - property owner

1300 15th Court Lot 77

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

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

Officer Jorge Lopez

Certified Service: 11-16-2017

Initial Hearing: 12-20-2017

**Continuance granted to 31 Oct 2018****Count 1:** For failure to obtain a certificate of occupancy for the addition that was built. **Count 2:** For failure to pay impact fees related to utilities.**Count 3:** For failure to obtain building permits for the addition to the trailer and for the installed plumbing.**Legislative History**

12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

43

**Case # 17-1579**

Home Depot U.S.A. Inc.  
Corporation Service Company - Registered Agent  
2811 North Roosevelt Boulevard  
Sec. 26-192 Unreasonably excessive noise prohibited  
Officer Jorge Lopez  
Certified Service: 6-15-2018  
Initial Hearing: 7-25-2018

**Continued from 25 Jul 2018**

**Count 1:** Noise complaint was investigated and the noise emanating from the subject property on 8 Jan 2018 was 83.9 Decibels which exceeds the noise limitation of 77 Decibels. As of this date, the subject property has not scheduled a sound reading to check that the noise level is within the limits set forth by the ordinance.

**Legislative History**

7/25/18            Code Compliance Hearing            Continuance

44

**Case # 18-241**

Theresa Cioffi

Wilmington Trust Company

CT Corporation System

3222 Riviera Drive

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

Sec. 122-238 Dimensional requirements

Sec. 90-363 Certificate of occupancy - Required

Sec. 58-61 Determination and levy of charge

Sec. 26-32 Nuisance illustrated

Officer Jorge Lopez

Certified Service: 6-15-2018 - CT Corporation System

Certified Service: 7-17-2018 - Theresa Cioffi

Initial Hearing: 5-30-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Observed the roof built in the setbacks and a detached dwelling that the city does not recognize which did not have the required permits and inspections. **Count 2:** The roof is located in the rear side of the subject property in the setbacks. **Count 3:** The detached unit located in the rear side of the property has not been issued the requisite certificate of occupancy. **Count 4:** This unit has not paid impact fees related to utilities. **Count 5:** Observed the pool with stagnant water.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

45

**Case # 18-392**

Silver KW, Inc.

Alon Croitoru - Registered Agent

137 Duval Street 141

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

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Sec. 2-939 Licenses

Officer Jorge Lopez

Certified Service: 6-11-2018

Initial Hearing: 5-30-2018

**City Requesting Continuance**

**Count 1:** New installation of rolling steel doors on the exterior of the building without the benefit of a permit. **Count 2:** The rolling steel doors and the hanging sign over the sidewalk were installed without the benefit of a certificate of appropriateness. **Count 3:** Multiple prohibited signs on the exterior of the building. **Count 4:** The sign hanging over the sidewalk does not have a revocable license.

**Legislative History**

5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

46

**Case # 18-668**

Waterfront Brewery LLC.

Joseph Walsh - Registered Agent

201 William Street

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

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Posted: 7-18-2018

Initial Hearing: 7-25-2018

**Continued from 29 Aug 2018**

**Count 1:** Speakers and lights installed on the exterior of the building without obtaining required permits. **Count 2:** Speakers and lights installed on the exterior of the building without obtaining certificate of appropriateness. **Count 3:** Speakers and lights installed at the subject property without the required permits and inspections.

Legislative History

7/25/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

47

**Case # 18-673**

John Cameron

Lara Schmidt

620 Thomas Street 178

Sec. 14-325 Permit required - **In compliance 26 Sept 2018; Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions - **In compliance 26 Sept 2018; Request dismissal**Sec. 14-40 Permits in historic districts - **In compliance 26 Sept 2018; Request dismissal**

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Certified Service: 6-28-2018

Initial Hearing: 7-25-2018

**Continued from 25 Jul 2018****Count 1:** Installation of the HVAC system without required permit. **Count****2:** The HVAC system was installed without required mechanical permit.**Count 3:** HVAC system was installed without certificate ofappropriateness. **Count 4:** HVAC installed without required permits and inspections.Legislative History

7/25/18

Code Compliance Hearing

Continuance

48

**Case # 18-675**

Victor &amp; Cynthia Mills

1202 White Street

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

Sec. 14-325 Permit required - **City request dismissal**Sec. 14-262 Request for inspection - **City request dismissal**

Officer Jorge Lopez

Certified Service: 6-6-2018

Initial Hearing: 6-27-2018

**Continued from 27 Jun 2018****Count 1:** Failure to obtain all required permits for drywall work and ceilingwork. **Count 2:** Failure to obtain mechanical permits for the HVAC systeminstallation. **Count 3:** Failure to obtain all required inspections.Legislative History

6/27/18

Code Compliance Hearing

Continuance

49

**Case # 18-755**

Joseph Humberger

421 United Street

Sec. 122-630 Dimensional requirements - **Dismissed**Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **Dismissed**Sec. 14-40 Permits in historic districts - **Dismissed**Sec. 14-262 Request for inspection - **Dismissed**

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Jorge Lopez

Certified Service: 7-13-2018

Initial Hearing: 8-29-2018

**In compliance 14 Sept 2018; fees pending**

~~Count 1: Structures (2 aviaries) built are in the setback and will need either a variance or to relocate 20 feet back from rear property line. -~~

~~Dismissed Count 2: Failure to obtain an electrical permit for the placement of a camera installed on the second floor of the subject property. -~~

~~Dismissed Count 3: Failure to obtain a certificate of appropriateness for the installation of a camera on the second floor of the subject property. -~~

~~Dismissed Count 4: The camera installed on the subject property's second floor needs an electrical inspection. -~~

**Count 5:** A noise complaint was filled out for disturbing noise emanating from multiple birds at the subject property and upon investigation this was found to be a disturbing noise.

**Legislative History**

8/29/18

Code Compliance Hearing

Continuance



50

**Case # 18-763**

Capt. Tony's Key West Bar, Inc.  
Joseph Faber - Registered Agent  
428 Greene Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Sec. 18-117 Acts declared unlawful  
Officer Jorge Lopez  
Posted: 9-19-2018  
Initial Hearing: 9-26-2018

**In compliance 25 Sept 2018; request dismissal**

**Count 1:** Failure to obtain the required building permits for installation of a new door. **Count 2:** Failure to obtain the certificate of appropriateness from HARC. **Count 3:** The installation of a new door was performed by an unlicensed contractor.

51

**Case # 18-785**

Eithne Dunne  
John Dunne  
Josephine Dunne  
1506 Rose Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-262 Request for inspection  
Officer Jorge Lopez  
Certified Service: 9-21-2018  
Initial Hearing: 9-26-2018

**Continuance granted to 31 Oct 2018**

**Count 1:** Electrical outlets and sliding glass doors installed without permits. **Count 2:** Failure to obtain electrical inspection.

52

**Case # 18-1175**

Circle K Stores Inc.  
Corporation Service Company - Registered Agent  
1890 North Roosevelt Boulevard  
Sec. 74-32 Discharges to natural outlets  
Officer Jorge Lopez  
Certified Service: 8-21-2018 - Corporation Service Company  
Initial Hearing: 9-26-2018

**Irreparable & Repeat Violation****In compliance 26 Sept 2018; request dismissal**

**Count 1:** Observed car wash overflowing purple water into the property's storm drain. This business was cited previously and a settlement agreement was completed for Case# 16-1587.

53

**Case # 18-1177**

Victor & Cynthia Mills  
1204 White Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Jorge Lopez  
Certified Service:  
Initial Hearing: 9-26-2018

**New Case**

**Count 1:** Failure to obtain building permits for drywall work.

54

**Case # 18-1186**

George Michael Perrone

1405 Truman Avenue

Sec. 18-150 Certificate of competency required

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

Officer Jorge Lopez

Certified Service: 8-31-2018

Initial Hearing: 9-26-2018

**In compliance 21 Sept 2018; Request Finding of Violation with Administrative Fee and No Fine**

**Count 1:** Failure to obtain a certificate of competency for engaging in the business of a contractor. **Count 2:** Failure to obtain a business tax receipt as a licensed contractor.

55

**Case # 18-794**

Christopher H. Wardlow

1007 United Street B

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

Sec. 14-40 Permits in historic districts

Sec. 18-150 Certificate of competency required

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

Officer Paul Navarro

Hand Served: 9-12-2018

Posted: 8-23-2018

Initial Hearing: 9-26-2018

**New Case**

**Count 1:** Failure to obtain a required building permit for construction of a pit. **Count 2:** Failure to obtain a certificate of appropriateness for the pool project. **Count 3:** Failure to obtain a required certificate of competency as a licensed contractor. **Count 4:** Failure to obtain a business tax receipt as a licensed contractor.

56

**Case # 18-1004**

Rosalina Cabrera De Alonso  
2803 Harris Avenue  
Sec. 108-680 Recreational vehicles and boats  
Sec. 108-681 Camping vehicles and equipment  
Officer Paul Navarro  
Certified Service:  
Initial Hearing: 9-26-2018

**In compliance 26 Sept 2018; Request dismissal**

**Count 1:** Failure to have recreational vehicle stored in the side or rear yard. **Count 2:** Failure to have recreational vehicle parked within the rear yard.

57

**Case # 17-1198**

Harold J Merritt II

Marianne L Csigi

1301 Atlantic Drive

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **City request dismissal**

Sec. 90-363 Certificate of Occupancy - required - **City request dismissal**

Sec. 58-61 Determination and levy of charge - **City request dismissal**

Sec. 14-262 Request for inspection - **City request dismissal**

FBC 1612.4 & ASCE 24-05 Floor hazard construction

FBC 1612.5; ASCE 24-05 Sec 2.6 Flood venting required

FBC 301.16 Flood hazard

Director Jim Young

Certified Service: 10-23-2017

Initial Hearing: 12-20-2017

**Continuance granted to 31 Oct 2018**

**Count 1:** For failure to obtain building permits to convert the shed into habitable space. **Count 2:** For failure to obtain a Certificate of Occupancy for the shed. **Count 3:** For failure to obtain a solid waste account for shed. **Count 4:** For failure to obtain an electrical inspection for installing electric in the storage area/habitable space below the house for the window air conditioners. **Count 5:** For the construction of habitable space under the elevated home in a flood zone for use other than the permitted uses for storage, parking or access to higher building levels. **Count 6:** For failure to provide adequate flood venting for a substantially improved residential building located in the AE-8 flood zone. **Count 7:** Electrical appliances have been installed below the minimum flood safety elevation.

**Legislative History**

12/20/17	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
8/29/18	Code Compliance Hearing	Continuance

**Liens**

**58**

**Case #18-1689**

Antonia German, Jr  
1075 Duval Street, C5&6  
Sec. 42-1 Offenses under state law (c) (1)  
Certified Service:  
Initial Hearing: 9-26-2018

**Request continuance for good service**

**Mitigations**

**59**

**Case # 18-247**

Juan Betancur  
291 Front Street, Suite 112

**Adjournment**