



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Thursday, January 28, 2021

1:30 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 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 # 19-1715

Futerman Phenphak - Owner

3011 Riviera Drive

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

~~Sec. 14-256 Permit required~~

~~Sec. 14-359 Permit display~~

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

Officer Edward Keane

Posted: 7-31-2020

Initial Hearing: 3-26-2020

Continued from 17 December 2020

Count 1: Failure to obtain all proper building permits.

~~Count 2: Failure to obtain all electrical permits and or convert the structure back to storage.~~

~~Count 3: Failure to obtain all plumbing permits or convert the structure back to storage.~~

~~Count 4: Failure to cease renting the storage enclosure and apply for a LUD from the City Planning Department.~~

Legislative History

7/30/20 Code Compliance Hearing Continuance

8/27/20 Code Compliance Hearing Continuance

10/22/20	Code Compliance Hearing	Continuance
11/19/20	Code Compliance Hearing	Continuance
12/17/20	Code Compliance Hearing	Continuance

2**Case # 20-622**

Jean Azard

1300 15th Ct lot 12

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

Officer Edward Keane

Posted: 11-24-2020

Initial Hearing: 12-17-2020

Continued to 28 January 2021 for compliance**Count 1:** Failure to apply for and obtain the appropriate building permits.Legislative History

12/17/20	Code Compliance Hearing	Continuance
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3**Case # 20-790**

Lisa Rivard

727 Emma Street

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

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

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

Sec. 14-40 Permits in historic districts

Officer Edward Keane

Certified Mail: 11-6-2020

Initial Hearing: 11-19-2020

Continued from 17 December 2020**Count 1:** Failure to apply and obtain the appropriate electrical permits.**Count 2:** Failure to apply and obtain the appropriate plumbing permits.**Count 3:** Failure to apply and obtain the appropriate building permits.**Count 4:** Failure to apply and obtain a HARC Certificate of Appropriateness.Legislative History

11/19/20	Code Compliance Hearing	Continuance
12/17/20	Code Compliance Hearing	Continuance

4**Case # 20-1267**

Gary Stern - Registered Agent
 820 White Street
~~Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions~~
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Sec. 14-262 Request for inspection
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Sec. 14-327 Inspection
 Officer Edward Keane
 Certified Mail: 12-3-2020
 Initial Hearing: 12-17-2020

Continued to 28 January 2021 for compliance

~~**Count 1:** Failure to apply and obtain the appropriate plumbing permits through a licensed contractor.~~

Count 2: Failure to apply and obtain the appropriate electrical permits through a licensed contractor.

Count 3: Failure to contact and schedule all required inspections with the city of key west building department.

Count 4: Failure to apply and obtain the appropriate mechanical HVAC permits through a licensed contractor.

Count 5: Failure to contact and schedule all required inspections with the city of key west building department.

Legislative History

12/17/20 Code Compliance Hearing Continuance

5

Case # 20-1365

Jackson D Steadman
 1713 George Street
 Sec. 26-126 Clearing of property of debris and noxious material required
 Officer Edward Keane
 Certified Mail: 12-31-2020
 Initial Hearing: 1-28-2021

New Case

Count 1: Failure to clear property of garbage, litter, rubbish, refuse, solid waste, trash, and yard debris.

6

Case # 19-846

Bimini Village Condominium
James Marsh - Registered agent
806 Thomas Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Rachel Kobylas
Certified Mail: 1-19-2021
Initial Hearing: 1-28-2021

New Case

Count 1: Failure to apply and obtain a demolition permit to remove all unpermitted construction, roof and awning structures and return the building to its original state.

Count 2: Failure to apply for a certificate of appropriateness from HARC, for the fence.

7**Case # 21-14**

Monroe County Surveying & Mapping Inc
Eddie Martinez
1100 Truman Ave
Sec. 66-102 Dates due and delinquent; penalties
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Rachel Kobylas
Certified Mail:
Initial Hearing: 1-28-2021

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

Count 2: Failure to contact the City of Key West Licensing Department to apply for, purchase and obtain a current Business tax receipt.

8**Case # 19-1568**

TU-TI-FRU-TI, Inc.
Charles Mendola - Registered agent
828 Duval Street
Sec. 114-103 Prohibited signs
Sec. 14-40 Permits in historic districts

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

~~Sec. 66-109 Schedule of taxes~~

~~Sec. 2-939 Revocable Licenses~~

Officer Troy Montero

Certified Mail: 3-2-2020

Initial Hearing: 3-26-2020

Continued from 17 December 2020

Count 1: Failure to obtain HARC approval for signage.

Count 2: Failure to obtain HARC certificate of appropriateness for installation of cameras and outside bar.

~~Count 3: Failure to obtain building permits.~~

~~Count 4: Failure to obtain approval for additional seating.~~

~~Count 5: Failure to obtain revocable license for awning over city right of way.~~

Legislative History

7/30/20	Code Compliance Hearing	Continuance
10/22/20	Code Compliance Hearing	Continuance
11/19/20	Code Compliance Hearing	Continuance
12/17/20	Code Compliance Hearing	Continuance

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Case # 20-313

SH5 LTD

Robert A. Spottswood - registered agent

3841 N Roosevelt Blvd

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

Officer Troy Montero

Certified Mail: 6-15-2020

Initial Hearing: 7-30-2020

Continued from 19 November 2020

Count 1: Failure to apply for fence permits.

Legislative History

7/30/20	Code Compliance Hearing	Continuance
8/27/20	Code Compliance Hearing	Continuance
10/22/20	Code Compliance Hearing	Continuance
11/19/20	Code Compliance Hearing	Continuance

10

Case # 21-30

Eric G. Castellanos

1075 Duval Street C22

Sec. 21-01 Requirement of wearing facial covering

Officer Troy Montero
Hand Served: 1-11-2021
Initial Hearing: 1-28-2021

New Case

Count 1: Failure to wear facial covering according to Ordinance 21-01

11

Case # 19-1691

Alena Lembach
3226 Eagle Ave
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 122-63 Review; enforcement
Officer Paul Navarro
Certified Mail: 11-17-2020
Initial Hearing: 12-17-2020

Continued from 17 December 2020

Count 1: Failure to apply and obtain a demolition permit or reapply for a new building permit.

Count 2: Failure to apply and obtain a demolition permit or reapply for a new variance.

Legislative History

12/17/20 Code Compliance Hearing Continuance

12

Case # 20-241

Saintelien Louis
1300 15th Ct Lot 31
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-262 Request for inspection
Sec. FBC P2503.1 Inspections
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Paul Navarro
Certified Mail: 11-24-2020
Initial Hearing: 12-17-2020

Continuance previously granted to 28 January 2021

Count 1: Failure to apply and obtain all permits for the un permitted work

or apply and obtain for a demolition permit.

Count 2: Failure to schedule all required inspections.

Count 3: Failure to schedule all required inspections.

Count 4: Failure to apply and obtain all permits for un permitted work.

Legislative History

12/17/20 Code Compliance Hearing Continuance

13

Case # 20-1422

Flying Monkeys

Joseph Walsh

227 Duval Street

Sec. 20-18 Requirement of wearing facial covering

Officer Sophia Doctoche

Hand Served: 12-5-2020

Initial Hearing: 1-7-2021

Continued from 7 January 2021

Count 1: Failure to wear facial covering according to Ordinance 20-18.

Legislative History

1/7/21 Code Compliance Hearing Continuance

14

Case # 20-1383

Waterfront Brewery LLC

Joseph H Walsh

201 William Street

Sec. 20-18 Requirement of wearing facial covering

Officer Paul Navarro

Hand Served: 1-5-2021

Initial Hearing: 1-7-2021

Continued from 7 January 2021

Count 1: Failure to wear facial covering according to Ordinance 20-18.

Legislative History

1/7/21 Code Compliance Hearing Continuance

15

Case # 20-1386

Hanks Saloon

Paul Fernando C Lopez - General Manager

409 Caroline Street

Sec. 20-18 Requirement of wearing facial covering

Officer Paul Navarro

Hand Served: 11-21-2020

Initial Hearing: 12-17-2020

Settlement Agreement

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

Legislative History

12/17/20	Code Compliance Hearing	Continuance
1/7/21	Code Compliance Hearing	Continuance

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Case # 20-1388

Schooner Wharf Bar
Eric Maurice Smith
202 William Street
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

Settlement Agreement

Count 1: Failure to wear facial covering according to Ordinance 20-18.

Legislative History

12/17/20	Code Compliance Hearing	Continuance
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Case # 21-28

Barefoot Billy's
Vernch K Strapp - operator of booth
Sec. 21-01 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 1-10-2021
Initial Hearing: 1-28-2021

New Case

Count 1: Failure to wear facial covering according to Ordinance 21-01

18

Case # 21-27

Hero's Bar
Iran Sergeevich Bolshakov - Manager on duty
506 Southard Street
Sec. 21-01 Requirement of wearing facial covering
Officer Laurie Skinner
Hand Served: 1-9-2021
Initial Hearing: 1-28-2021

New Case**Count 1:** Failure to wear facial covering according to Ordinance 20-01**Harris School****19****Case # 19-672**

808 Southard Street LLC

C/O Brawn Peter Nelson

The Tree Man

Sean Creedon - Registered Agent

808 & 812 Southard Street

Sec. 26-192 Unreasonably excessive noise prohibited - 808 Southard Street LLC

Sec. 26-192 Unreasonably excessive noise prohibited - The Tree Man

Sec. 122-597 Permitted uses - 808 Southard Street LLC

Sec. 122-597 Permitted uses - The Tree Man

Sec. 122-598 Conditional Uses - 808 Southard Street LLC

Sec. 122-598 Conditional Uses - The Tree Man

Sec. 122-837 Use permitted - 808 Southard Street LLC

Sec. 122-837 Use permitted - The Tree Man

Sec. 108-677 Parking and storage of certain vehicles - 808 Southard Street LLC - **ONLY**

Officer Dorian Patton

Certified Mail: 1-11-20

Initial Hearing: 1-30-2020

Continuance granted to 30 November 2020**Count 1:** Failure to cease from allowing the company "Tree Man" from operating their equipment and performing their business. - **both parties****Count 2:** Failure to remove all commercial vehicles, utility trailers. and boat/jet ski trailers from all residential lots on the property. - **both parties****Count 3:** Failure to refrain from using residential lots for commercial use or for the storage of vehicles, utility trailers, and boat/jetski trailers. - **both parties****Count 4:** Failure to stop the company "Tree Man" from performing light industrial activity on the property. - **both parties****Count 5:** Failure to relocate all vehicles that have a missing or expired license plate to an enclosed building. - **808 Southard Street LLC ONLY****Legislative History**

1/30/20

Code Compliance Hearing

Continuance

2/20/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance
8/27/20	Code Compliance Hearing	Continuance
10/9/20	Code Compliance Hearing	Continuance

Cases from December 17, 2020**20****Case # 20-1358**

Waterfront Brewery
 Joseph H. Walsh
 201 William Street
 Sec. 20-17 Requirement of wearing facial covering
 Officer Troy Montero
 Hand Served: 11-16-2020
 Initial Hearing: 12-3-2020

New Case**Count 1:** Failure to wear a facial covering according to Ordinance 20-17.**Legislative History**

12/3/20	Code Compliance Hearing	Continuance
12/17/20	Code Compliance Hearing	Continuance

21**Case # 20-1385**

Jack Flats
 Ricardo Carlos Flores - Shift manager
 509 1/2 Duval Street
 Sec. 20-18 Requirement of wearing facial covering
 Officer Paul Navarro
 Hand Served: 11-21-2020
 Initial Hearing: 12-17-2020

New Case**Count 1:** Failure to wear a facial covering according to Ordinance 20-18.**Legislative History**

12/17/20	Code Compliance Hearing	Continuance
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22**Case # 20-1368**

Jack Flats
 Melissa Gilbert - Manager
 509 Duval Street
 Sec. 20-17 Requirement of facial covering
 Officer Laurie Skinner
 Hand Served: 11-22-2020

Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Legislative History

12/17/20 Code Compliance Hearing Continuance

23

Case # 20-1374

Fogarty's
Michael Taylor - Manager
227 Duval Street
Sec. 20-17 Requirement of wearing facial covering
Officer Laurie Skinner
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Legislative History

12/17/20 Code Compliance Hearing Continuance

24

Case # 20-1376

Caroline Cafe
Nesia Rose Pearson - Manager
310 Duval Street
Sec. 20-17 Requirement of wearing facial covering
Officer Laurie Skinner
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Legislative History

12/17/20 Code Compliance Hearing Continuance

25

Case # 20-1458

Fogarty's
Joseph Walsh
227 Duval Street

Sec. 20-17 Requirement of wearing facial covering
Officer Jorge Lopez
Hand Served: 11-17-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Legislative History

12/17/20 Code Compliance Hearing Continuance

Adjournment