

**BEFORE THE CONTRACTORS' EXAMINING BOARD  
FOR THE CITY OF KEY WEST, FLORIDA**

**IN RE:**

**Gendron General Contracting, LLC  
3808 Duck Avenue  
Key West, FL 33040**

**Case No. 17-CEB-006  
618 Free School Lane  
Key West, FL 33040**

**STAFF REPORT**

**Contractor:**

**Gendron General Contracting, LLC  
3808 Duck Avenue  
Key West, FL 33040**

**Code Officer: Sophia Doctoche**

**Property Address: 618 Free School Lane**

**Code Violation(s):**

**Count-1:** Sec. 14-37. - Building permits; professional plans; display of permits; address; exceptions.  
(a) Building permit required; display. Building permits shall be procured from the chief building official before performance of any work or construction of any character, whether permanent or temporary. Within 48 hours after it is issued, the applicant must cause the permit to be posted and displayed at the work site so that it is readily visible from an adjacent public street throughout the term of the work. No work shall be performed unless a proper permit is so posted.

Inspections may not be performed if the permit is not posted and address numbers are not a minimum of 4" high and clearly visible from the street.

Exception 1: Total contract price less than \$1,000.00 per FBC Sect. 105.2.2 Minor Repairs. Ordinary minor repairs may be made with the approval of the chief building official without a building permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; additionally, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical circuit wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

Any new electrical circuits or wiring will require a permit.

Any new plumbing fixtures or piping will require a permit.

Exception 2: Painting, both interior and exterior, residential or commercial does not require a permit. Tile repair or installation, floor covering, including carpet, laminate, resilient, and wood, both residential and commercial, do not require a permit.

Work that falls under the \$1,000.00 threshold for a building permit may be performed only by the property owner or a licensed contractor. Unlicensed workers, including 'handymen' are not allowed to conduct any type of work to a residential or commercial structure.

(b) Professional plans required. Professional plans shall be required as follows:

(1) Plans for work requiring a building permit shall be submitted in multiple sets, as determined by the chief building official, to the chief building official and shall be prepared by, and bear the seal of, an

architect or structural engineer duly registered in the state, except if the work is by the owner-occupant upon a one- or two-family residence, and the work is cosmetic, nonstructural repair, alteration or addition.

(2) Notwithstanding subsection (b)(1) of this section, plans for work which requires a building permit and which involves mechanical, plumbing or electrical repairs, alterations or additions shall be prepared by and shall bear the impress seal of an engineer duly registered in the state, as reasonably required in the interest of health and safety by the chief building official.

(3) The chief building official may waive the requirements in [subsection] (b)(1) and/or (2) by special permission.

**Count-2:** Sec. 14-40. - Permits in historic districts.

(a) Requirements. No building or work permit required by this Code for work in the historic zoning districts of the city or in tidal waters contiguous to and within 600 feet of the historic zoning districts shall be issued until a certificate of appropriateness has been granted by vote of the historic architectural review commission (HARC), attested by signature of its presiding member, and until the chief building official finds that the building or work permit conforms to all laws and regulations of the city.

(b) Contents. All permits issued by the city shall show the nature and extent of the intended work in detail sufficient to demonstrate that the project is consistent with all city laws and regulations and of HARC.

(c) [Scope, etc.] Building permit application shall be identical in scope, description and elevation views of the HARC project.

(d) Stop work order; penalty. The chief building official is authorized to post a signed and dated notice to stop work on any site on which work is being performed in violation of the city laws and regulations or of HARC. Any person shall be guilty of an offense punishable as provided in section 1-15 if the person:

(1) Performs work with actual or constructive knowledge that the work site has been posted by such notice, which notice has not been withdrawn by a dated, signed order of the chief building official; or

(2) Removes, defaces, conceals or alters such notice to stop work, without a dated, signed authorization of the chief building official.

Where such offenses are of a continuing nature, no two separate offenses shall be charged against the same person within any one-hour period.

**Prior violations: NONE**

**Factual Allegations:**

Code Officer **Sophia Doctoche**

**Count-1:** "Code Compliance received a complaint that work to the pool is going on at the subject property. During investigation, Officer Waite and I observed a work truck leaving the property, and construction done to the pool without the required permits. A Red Tag was placed on the subject Address.

**Count-2:** Code Compliance received a complaint that work to the pool is going on at the subject property without the required permits. During investigation, Officer Waite and I observed a work truck leaving the property and further construction to the pool without permits awaiting HARC approval"

Signed this **26th** day of **April 2017** by the for the Contractors' Examining Board.