



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final Code Compliance Hearing

Thursday, April 18, 2024

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

17

Case # 23-1254

Debra S. Flynn
4115 Eagle Ave
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Leo Slecton
Certified Mail: 4-3-2024
Initial Hearing: 3-28-2024

Continued from 28 March 2024

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

The Code Officer was Leo Slecton. Klara Vyhildalova from Keys Home and Investments was present speaking on the behalf of the Respondent. Officer Slecton read his timeline and evidence was shown. Klara explained that they have applied for the building permit on 25 March 2024 and corrections needed to be made. They need an engineer drawing and the engineer told Keys Home and Investments that the drawings will be done 7 to 10 days. The Special found that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 22 May 2024.

16

Case # 23-401

901 Fleming Street LLC
Joseph Cohen- **Registered Agent**
901 Fleming Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 90-363 Certificate of occupancy required
Sec. 90-363 Certificate of occupancy required
Sec. 90-363 Certificate of occupancy required
Sec. 58-61 Determination and levy of charge
Sec. 58-61 Determination and levy of charge
Sec. 58-61 Determination and levy of charge
Officer Leo Slecton
Certified Mail: 2-29-2024
Initial Hearing: 3-28-2024

Continued from 28 March 2024

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

Count 2-4: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

Count 5-7: Failure to apply and obtain a LUD with the City of Key West Planning Department.

The Code Officer was Leo Slecton. Thomas Francis Sigburg from Trepanier & Associates Inc. was present on behalf of the Respondent. Officer Slecton read his timeline and evidence was shown. Thomas Francis Sigburg stated that they were hired to submit the LUD application at the end of January. Thomas also stated that it would take 2 to 3 months to prepare for the LUD application. The LUD application was submitted 10 April 2024 and from experience LUD applications take 239 days on average to be approved. Thomas Francis Sigburg asked for a continuance to December. The Special Magistrate stated that he will not continue the case that long. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 26 June 2024.

15

Case # 24-112

A-Wax Window Cleaning LLC
C/O LK Financial & Management Services Inc.
921 65th Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Laurie Skinner
Certified Mail:
Initial Hearing: 3-28-2024

Continued from 28 March 2024

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

The Code Officer was Laurie Skinner. The Respondent was Debra Carroll who was present. There was not good service for the notice that was sent, but Debra Carroll decided to accept service for the day of the hearing. Officer Skinner read her timeline. Debra stated that she had bought the business from the previous owner who had told her that they would take care of renewing the business tax receipt and they did not. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed no fees or fines.

12

Case # 23-974

Jonathan Ring
1208 Virginia Street
Sec. 14-37 Building permits; professional plans; display of permits;
address exceptions- Irreparable
Sec. 14-40 Permits in historic districts- Irreparable
Officer Paul Navarro
Hand Posted: 8-16-2023
Initial Hearing: 8-31-2023

Request dismissal without prejudice

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

Count 2: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

The City request that this case be dismissed without prejudice. The Special Magistrate granted the dismissal without prejudice.

1

Case # 24-207

Derubeis Fine Art of Metal Key West LLC
Artist Group Ink LLC- **Registered Agent**
619 Duval Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail:
Initial Hearing: 4-18-2024

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for

the delinquent business tax receipt.

The Code Officer was Erin Buechele. The Respondent did not attend. Officer Buechele read her timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$223.00 for the licensing renewal fee, \$55.75 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$778.75. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$223.00 for the licensing renewal fee, \$55.75 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$778.75.

2

Case # 24-209

Andrea Alvarez
57 Palmetto Drive
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail:
Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Erin Buechele. The Respondent did not attend. Officer Buechele stated that she has not received good service for this notice and would request a continuance. The Special Magistrate granted a continuance to 23 May 2024.

3

Case # 24-460

Santos Brett Dylan Special Needs Trust 02/18/2003
3930 S. Roosevelt Blvd 403W
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail:
Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Erin Buechele. The Respondent did not attend. Officer Buechele read her timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$22.05 for the licensing renewal fee, \$5.51 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$527.56. The Special Magistrate thought that there was substantial

evidence for a finding of the violation and imposed \$250.00 administrative cost and \$223.00 for the licensing renewal fee, \$55.75 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$527.56.

4**Case # 24-568**

Slattery Mary S Living Trust

1322 Olivia Street Unit 3

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

Officer Sophia Doctoche

Certified Mail: 4-8-2024

Initial Hearing: 4-18-2024

In compliance as of 5 April 2024; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 5 April 2024. The Special Magistrate granted the dismissal.

5**Case # 24-398**

Off The Wall Pressure Cleaning LLC

Michael A Gil- **Registered Agent**

3930 S Roosevelt Blvd 304N

Sec. 66-102 Dates due and delinquent; penalties

Officer Ashton Gentry

Hand Posted: 4-8-2024

Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry read his timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25.

6**Case # 24-521**

Ty Morlang LLC

Tylyn E. Morlang- **Registered Agent**

41 7th Ave
Sec. 66-102 Dates due and delinquent; penalties
Officer Ashton Gentry
Hand Posted: 4-8-2024
Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry read his timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25.

7

Case # 24-524

Virginia and Packer Holdings LLC
Key West Holdings Management LLC- **Registered Agent**
1100 Packer Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Ashton Gentry
Hand Posted: 4-8-2024
Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry read his timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$66.15 for the licensing renewal fee, \$16.54 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$582.69. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$66.15 for the licensing renewal fee, \$16.54 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$582.69.

8

Case # 24-557

Shawn Anthony Schnabl
918 Southard Street 109

Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(9)- **Irreparable**

Sec. 18-601 License required- **Irreparable**

Officer Ashton Gentry

Certified Mail: 3-11-2024

Initial Hearing: 3-28-2024

Continued from 28 March 2024

Count 1: Failure to apply and obtain a transient license with the City of Key West Licensing Department.- **Irreparable**

Count 2: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Irreparable**

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry stated that the City would like to dismiss the case. The Special Magistrate granted the dismissal.

9

Case # 24-302

Katharina Tiffany And Veritas Gassman LLC

1104 Packer Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Keenan Mellendorf

Certified Mail: 4-4-2024

Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Keenan Mellendorf. The Respondent did not attend. Officer Mellendorf read his timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$22.05 for the licensing renewal fee, \$5.51 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$527.56. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$223.00 for the licensing renewal fee, \$55.75 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$527.56.

10

Case # 24-431

Pawadise Pet Sitting

Mirka Miskovska- **Registered Agent**

3000 Flagler Ave #2

Sec. 66-102 Dates due and delinquent; penalties

Officer Keenan Mellendorf
Certified Mail: 3-14-2024
Initial Hearing: 3-28-2024

Continued from 28 March 2024

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

The Code Officer was Keenan Mellendorf. The Respondent Mirka Miskovska did attend. Officer Mellendorf read his timeline. The City requested a finding of the violation with no fees or fines. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed no fees or fines.

11

Case # 24-381

Local Waters Marine Repair LLC
Chirstopher D. Smittle- **Registered Agent**
6801 Shrimp Road
Sec. 66-102 Dates due and delinquent; penalties
Officer Alma Montano
Hand Served: 3-18-2024
Initial Hearing: 4-18-2024

New Case

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

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano read her timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25.

14

Case # 24-107

Arjay Hasty Photography LLC
C/O Ronald Hasty
934 Truman Ave 1
Sec. 66-102 Dates due and delinquent; penalties
Officer Laurie Skinner
Hand Posted: 4-8-2024
Initial Hearing: 3-28-2024

Continued from 28 March 2024

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

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner read her timeline. The City requested a finding of the violation with \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$113.00 for the licensing renewal fee, \$28.25 for the licensing delinquent fee, and \$250.00 for the licensing penalty fee for a total of \$641.25.

18

Case # 24-146

Margaret Tobin
3709 Donald Ave
Sec. 66-102 Dates due and delinquent; penalties
Officer Leo Slecton
Hand Posted: 3-25-2024
Initial Hearing: 4-18-2024

In compliance as of 4 April 2024; Request dismissal

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

This case came into compliance as of 4 April 2024. The Special Magistrate granted the dismissal.

19

Case # 24-464

Paul S. Mills CPA
1541 5th Street
Sec. 66-102 Dates due and delinquent; penalties- **Repeat**
Officer Leo Slecton
Certified Mail:
Initial Hearing: 3-28-2024

In compliance as of 27 March 2024; Request dismissal

Count 1: Failure to pay all past due, delinquent and collection fess for the delinquent business tax receipt.- **Repeat**

This case came into compliance as of 27 March 2024. The Special Magistrate

granted the dismissal.

13

Case # 23-1011

Gulf Southern Construction Company KW Inc.

David H. Steinmeyer Jr.- **Registered Agent**

1208 Virginia Street

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

Sec. 14-40 Permits in historic districts- **Irreparable**

Officer Paul Navarro

Hand Served: 8-8-2023

Initial Hearing: 8-31-2023

Continued from 7 December 2023

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.- **Irreparable**

Count 2: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.- **Irreparable**

The Code Officer Paul Navarro was not present. The Respondent David Steinmeyer was present. Attorney Luke Lansa was present on behalf of the Respondent Assistant City Attorney Nicholas Trovato was present on behalf of the City. Tarin Wright City of Key West Building Inspector was present. Chief Building Official Raj Ramsingh was present. Enid Torregrosa City of Key West Historic Architectural Preservation Planner was present. John Castro Senior City of Key West Building Department Plan Reviewer/ Inspector was present. Assistant City Attorney Nicholas Trovato called upon Tarin Wright as the first witness. Assistant City Attorney Nicholas Trovato asked Tarin Wright a series of questions and they were answered. Attorney Lansa cross examined witness Tarin Wright. The City called upon Chief Building Official Raj Ramsingh as a witness. Assistant City Attorney Nicholas Trovato asked Chief Building Official Raj Ramsingh a series of questions and they were answered. Attorney Lansa cross examined witness Chief Building Official Raj Ramsingh. The City called upon Enid Torregrosa City of Key West Historic Architectural Preservation Planner as a witness. Assistant City Attorney Nicholas Trovato asked Enid Torregrosa City of Key West Historic Architectural Preservation Planner a series of questions and they were answered. Attorney Lansa cross examined witness Enid Torregrosa City of Key West Historic Architectural Preservation Planner. The City called upon John Castro Senior City of Key West Building Department Plan Reviewer/ Inspector. Assistant City Attorney Nicholas Trovato asked John Castro Senior City of Key West Building Department Plan Reviewer/ Inspector a series of questions and they were answered. Attorney Lansa cross examined witness John Castro Senior City of Key West Building Department Plan Reviewer/ Inspector. Attorney Lansa called upon witness David Steinmeyer. Attorney Lansa asked David Steinmeyer a series of questions and they were answered. Assistant City Attorney Nicholas Trovato cross examined David Steinmeyer. The Special Magistrate stated that he would like both parties closing final arguments by 29 April 2024.

Adjournment