



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, May 23, 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

1

Case # 24-209

Andrea Alvarez
57 Palmetto Drive
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Hand Posted: 4-21-2024
Initial Hearing: 4-18-2024

In compliance as of 25 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 25 April 2024. The Special Magistrate granted the dismissal.

2

Case # 24-260

Midgard Self Storage Key West FL III LLC
URS Agents LLC- **Registered Agent**
920 Virginia Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail: 4-18-2024
Initial Hearing: 5-23-2024

In compliance as of 10 May 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 10 May 2024. The Special Magistrate granted the dismissal.

3

Case # 24-613

John Thomas McCalla
1703 Seminary Street
Sec. 62-31 Maintenance of area between property line and adjacent paved roadway
Officer Erin Buechele
Certified Mail:
Initial Hearing: 5-23-2024

In compliance as of 30 April 2024; Request dismissal

Count 1: Failure to clear tree foliage obstructing the stop sign.

This case came into compliance as of 30 April 2024. The Special Magistrate granted the dismissal.

4

Case # 24-679

Whitehead & Company LLC- **Business**
Darren M. Horan
Sound Wave Productions- **DJ**
Jimmy Cooper
907 Whitehead Street
26-192 Unreasonably excessive noise prohibited
Officer Erin Buechele
Certified Mail: 4-20-2024- **Business**
Certified Mail: 4-25-2024- **DJ**
Initial Hearing: 5-23-2024

Continuance granted to 27 June 2024

Count 1: Failure to keep music at a legal level.

This case was previously granted a continuance to 27 June 2024.

5

Case # 24-682

Cortinas Angelica Marie

816 South Street 3
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 4-17-2024
Initial Hearing: 5-23-2024

In compliance as of 8 May 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 8 May 2024. The Special Magistrate granted the dismissal.

6

Case # 24-683

Southernmost Island Realty
Donna Windle
816 South Street 3
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 4-12-2024
Initial Hearing: 5-23-2024

In compliance as of 8 May 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 8 May 2024. The Special Magistrate granted the dismissal.

7

Case #24-739

Conch Collection
Theresa Evans- **Registered Agent**
1500 Seminary Street 5A
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 5-23-2024

New Case

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

The Code Officer was Sophia Doctoche. The Respondent Theresa Evans did attend. Officer Doctoche read her timeline and evidence was shown. Officer Doctoche stated that the City is requesting a finding of the violation with \$250.00 administrative cost. The Special Magistrate found that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and no fines.

8

Case # 24-564

Jesse M. Navarro Revocable Trust 05/09/2019

1119 Simonton Street B

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

Sec. 122-809 Prohibited uses- **Irreparable**

Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(1)- **Irreparable**

Officer Ashton Gentry

Certified Mail: 3-30-2024- **Amended Notice**

Initial Hearing: 3-28-2024

Continuance granted to 27 June 2024

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

Count 2: Failure to adhere to zoning regulations.- **Irreparable**

Count 3: Failure to display transient medallion- **Irreparable**

This case was previously granted a continuance to 27 June 2024.

9

Case # 24-566

Joe M Navarro & Kathy A Navarro

1119 Simonton Street A2

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

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

Officer Ashton Gentry

Certified Mail: 3-8-2024

Initial Hearing: 3-28-2024

Continuance granted to 27 June 2024

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

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

This case was previously granted a continuance to 27 June 2024.

10

Case # 24-632

Jesse M. Navarro Revocable Trust 05/09/2019

1119 Simonton Street B

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

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

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

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

Officer Ashton Gentry

Certified Mail: 3-30-2024

Initial Hearing: 3-28-2024

Continuance granted to 27 June 2024

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

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

Count 3: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Repeat**

Count 4: Failure to apply and obtain a transient license with the City of Key West Licensing Department.- **Repeat**

This case was previously granted a continuance to 27 June 2024.

11

Case # 23-886

Harry Aure

1300 15th Court #60

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

Officer Keenan Mellendorf

Certified Mail: 11-21-2023

Initial Hearing: 12-7-2023

Continued from 28 March 2024

Count 1: Failure to apply and obtain the appropriate building permits

with the City of Key West Building Department.

The Code Officer was Keenan Mellendorf. Attorney John Agnetti was present on behalf of the Respondent. Attorney Agnetti made a motion to extend the compliance date as his client is aware that he needs to remove the structure that was built onto the trailer. The City did not to the extended compliance date. The Special Magistrate granted a new compliance date of 23 June 2024.

12

Case # 24-71

Dollar Tree Stores Inc.
Corporation Service Company- **Registered Agent**
1120 Key Plaza
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Keenan Mellendorf
Certified Mail: 4-30-2024
Initial Hearing: 5-23-2024

In compliance as of 16 May 2024; Request dismissal

Count 1: Failure to pay delinquent fire inspection fees.

This case came into compliance as of 16 May 2024. The Special Magistrate granted the dismissal.

13

Case # 24-701

Whitehead & Company LLC
Darren M. Horan
907 Whitehead Street
Sec. 26-192 Unreasonable noise prohibited
Officer Keenan Mellendorf
Certified Mail: 4-20-2024
Initial Hearing: 5-23-2024

Continuance granted to 27 June 2024

Count 1: Failure to keep music at a legal level.

This case was previously granted a continuance to 27 June 2024.

14

Case # 20-887

Rooster Rental LLC
Szentgyorgyi Istvan - registered agent
5031 5th Ave
Sec. 66-102 Dates due and delinquent; penalties
Officer Troy Montero

Certified mail: 11-2-2020
Initial Hearing: 11-19-2020

City request to vacate findings and order; Request dismissal

Count 1: Failure to contact the Licensing Department to renew or close this license.

The City requested to vacate the finding and order. The Special Magistrate granted vacating the finding and order.

15

Case # 24-628

Alfredo Gonzalez
1409 Whalton Street
Sec. 26-126 Clearing of property of debris and noxious material required
Sec. 62-2 Obstructions
Sec. 58-31 Container and receptacle requirements
Officer Laurie Skinner
Certified Mail: 4-24-2024
Initial Hearing: 5-23-2024

In compliance as of 8 May 2024; Request dismissal

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

Count 2: Failure to remove bulk trash from the City right of way.

Count 3: Failure to remove trash bins from the City right of way.

This case came into compliance as of 8 May 2024. The Special Magistrate granted the dismissal.

16

Case # 24-643

Nem Green LLC
Efi Marsiano- **Registered Agent**
704 Duval Street
Sec. 58-68 Commercial solid waste accounts
Officer Laurie Skinner
Certified Mail:
Initial Hearing: 5-23-2024

New Case

Count 1: Failure to hold a trash account with Waste Management.

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner stated that the City is requesting to dismiss this case. The Special Magistrate granted the dismissal.

17

Case # 24-644

Nem Green LLC

Efi Marsiano- **Registered Agent**

423 Duval Street

Sec. 58-68 Commercial solid waste accounts

Officer Laurie Skinner

Certified Mail:

Initial Hearing: 5-23-2024

New Case

Count 1: Failure to hold a trash account with Waste Management.

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner stated that her notice did not receive good service, but she has a letter written by the Respondent which states that Respondent has received the notice. The Special Magistrate decided to move on with the case due to an admission in the written letter by the Respondent. Officer Skinner continued on to read her timeline. The City was seeking a finding of the violation with \$250.00 administrative cost and no fines. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and no fine.

18

Case # 24-726

DD 81 Holdings LLC

C/O John Sansac

908 Caroline Street

Sec. 74-31 Unlawful deposits

Sec. 58-34 Unlawful disposal

Officer Laurie Skinner

Hand Served: 5-14-2024

Initial Hearing: 5-23-2024

New Case

Count 1: Failure to cease the deposit of any human or animal excrement, garbage, or other waste on any public property within the City.

Count 2: Failure to lawfully deposit hazardous waste.

The Code Officer was Laurie Skinner. The Respondent John Sansac did attend. John Sansac explained that he is a shift manager for the company that was cited in this case. Due to John not having a power of attorney to speak on the behalf of the cited company the City requested a continuance. The Respondent did not object. The Special Magistrate granted a continuance to 27 June 2024.

19

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

In compliance as of 20 May 2024; Request dismissal

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

This case came into compliance as of 20 May 2024. The Special Magistrate granted the dismissal.

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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 18 April 2024

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 Special Magistrate stated all the findings he noticed in this case. Due to the Respondents admission of the violation the Special Magistrate imposed

\$250.00 administrative cost and \$1,500.00 per two irreparable counts for a total of \$3,250.00.

Adjournment