



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, July 25, 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 # 24-679

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

Settlement Agreement

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

This case had a settlement agreement between the City and Whitehead & Company LLC for code cases 24-679 and 24-701 of an administrative cost in the amount of \$500.00 and a one time fine of \$500.00. The total due to the City is \$1,000.00. The settlement agreement was signed by all parties and the Special Magistrate executed the agreement.

2

Case # 24-779

Brian Keane

3312 Northside Drive 705

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 7-25-2024

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 did not attend. Officer Doctoche requested a continuance to achieve good service for the notice. The Special Magistrate granted the continuance to 29 August 2024.

3

Case # 24-806

2955 Vallejo Street LLC
1017 White Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 7-9-2024
Initial Hearing: 7-25-2024

In compliance as of 16 July 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 16 July 2024. The Special Magistrate granted the dismissal.

4

Case # 24-853

Alexis Investments LLC
735 Poorhouse Lane
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 7-25-2024

In compliance as of 18 July 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 18 July 2024. The Special Magistrate granted the dismissal.

5

Case # 24-855

Berkshire Hathaway- Knight Gardner

Zainya Zimmerer- **Registered Agent**

735 Poorhouse Lane

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

Officer Sophia Doctoche

Certified Mail: 7-11-2024

Initial Hearing: 7-25-2024

In compliance as of 18 July 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 18 July 2024. The Special Magistrate granted the dismissal.

6

Case # 24-951

Berkshire Hathaway

Becky Cobo- **Property Manager**

3029 N Roosevelt Blvd 22

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

Officer Sophia Doctoche

Certified Mail: 7-2-2024

Initial Hearing: 7-25-2024

In compliance as of 18 July 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 18 July 2024. The Special Magistrate granted the dismissal.

7

Case # 23-1304

Key West Rentals LLC

Michael A Stanley- **Registered Agent**

1228 Flagler Ave

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

address; exceptions
 Sec. 14-256 Permit required
 Sec. 14-262 Request for inspection
 Officer Ashton Gentry
 Certified Mail: 1-11-2024
 Initial Hearing: 1-25-2024

In compliance as of 3 June 2024; Request dismissal

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

Count 2: Failure to apply and obtain electrical permits with the City of Key West Building Department.

Count 3: Failure to schedule a required inspection with the City of Key West Building Department.

This case came into compliance as of 3 June 2024. The Special Magistrate granted the dismissal.

8

Case # 24-719

Brenda Konz
 918 Southard Street 109
 Sec. 18-601 License required- **Irreparable**
 Sec. 122-629 Prohibited uses- **Irreparable**
 Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(1)- **Irreparable**
 Officer Ashton Gentry
 Certified Mail: 4-24-2024
 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.- **Irreparable**

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

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

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry requested a dismissal of the case. The Special Magistrate granted the dismissal.

9

Case # 22-328

712 Eaton St Land Trust

Eaton St Enterprises LLC
Richard M. Klitenick- **Registered Agent**
712 Eaton Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 122-600 Dimensional requirements
Officer Keenan Mellendorf
Hand Served: 7-15-2024
Initial Hearing: 7-25-2024

Continuance granted to 29 August 2024

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

This case was previously granted a continuance to 29 August 2024.

10

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

Settlement Agreement

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

This case had a settlement agreement between the City and Whitehead & Company LLC for code cases 24-679 and 24-701 of an administrative cost in the amount of \$500.00 and a one time fine of \$500.00. The total due to the City is \$1,000.00. The settlement agreement was signed by all parties and the Special Magistrate executed the agreement.

11

Case # 24-972

B.O's Fish Wagon Inc.
801 Caroline Street
Sec. 58-68 Commercial solid waste accounts
Officer Laurie Skinner
Hand Posted: 7-15-2024

Initial Hearing: 7-25-2024

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 requested a continuance to achieve good service. The Special Magistrate granted the continuance to 29 August 2024.

12

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 Slection

Certified Mail: 2-29-2024

Initial Hearing: 3-28-2024

Continued from 27 June 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 Slection. Jackie Lemes from Owen Trepanier's Office was present on behalf of the Respondent. Officer Slection stated that the Planning Department has been reviewing the LUD application and since the last hearing it has been discovered that the business at the subject address has unpaid code compliance fines and according to City Key West Ordinance Sec. 14-1 The city and its agencies, departments, boards and authorities shall not issue any permit, approval, development order, variance, or certificate on any lot or parcel of property in the city until all fees, fines, charges and assessments of any nature due or accruing to the city have been paid on the subject parcel or lot. the Planning Department can not approve the LUD or issue until the fines from the previous code case 22-1194 are paid. Officer Slection asked for a continuance to allow time for the Respondent to pay and

come into compliance for code case 22-1194. The Special Magistrate granted the continuance to 29 August 2024.

Adjournment