



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, August 29, 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 # 24-779

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
Hand Posted: 7-24-2024
Initial Hearing: 7-25-2024

In compliance as of 29 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 29 July 2024. The Special Magistrate granted the dismissal.

2

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

City request to vacate findings and order; Request dismissal

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

The City requested to vacate the finding and order from a previous hearing. The Special Magistrate ordered to vacate the finding and order.

3

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 26 September 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 26 September 2024.

4

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

Continued from 25 July 2024

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

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner read her timeline and evidence was shown. Officer Skinner stated that the trash account was suspended by Waste Management for non-payment and this is not the first time they have been cited for not holding a trash account with Waste Management. The City requested \$250.00 administrative costs since this business is now in compliance. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative costs.

5

Case # 24-1043

Corporation Service Company

Circle K #9004

3228 Flagler Ave

Sec. 58-31 Container and receptacle requirements

Sec. 62-31 Maintenance of area between property line and adjacent paved roadway

Officer Laurie Skinner

Certified Mail: 8-13-2024

Initial Hearing: 8-29-2024

New Case

Count 1: Failure to provide sufficient containers to contain all refuse between collections.

Count 2: Failure to keep clean the area between the property line and the nearest adjacent paved roadway.

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner read her timeline and evidence was shown. The City requested a finding of the violation with \$250.00 administrative cost and \$250.00 per two counts per day until compliance is achieved. The Special Magistrate thought that there was substantial evidence for a finding of the violations and imposed \$250.00 administrative cost and \$250.00 per two counts per day if not in compliance by 6 September 2024 by 12:00PM.

6

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

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Sec. 58-61 Determination and levy of charge

Officer Leo Slecton
Certified Mail: 2-29-2024
Initial Hearing: 3-28-2024

Continuance granted to 31 October 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.

This case was previously granted a continuance to 31 October 2024.

7

Case # 24-1060

Southernmost Contracting LLC

Kevin Pickett

518 Margaret Street

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

Sec. 14-40 Permits in historic districts

Officer Leo Slecton

Certified Mail: 8-21-2024

Initial Hearing: 8-29-2024

New Case

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.

The Code Officer was Leo Slecton. The Respondent Kevin Pickett was present. Officer Slecton read his timeline and evidence was shown. Officer Slecton read in this timeline that during his inspection at the subject address he observed over the scope work for an active building permit BLD2024-1385. The work Officer Slecton observed contained of removing 3 exterior walls and, structural components of roofing. The Respondent Kevin Pickett stated that his company did start the application for BLD2024-1988 which was for rebuilding the rear house and the permit had not been approved by the Building Department or HARC Department, but he worked on the rear structure of the house due to Tropical Storm Debby, and he stated that he could see the structure sway. The City requested a finding of the violation with \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 25 September 2024. The Special Magistrate said that there was an admission to

the violation and imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 23 September 2024 by 4:00PM. The Special Magistrate also advised the Respondent that if he can not make the compliance date to reach out to the City and request a compliance date extension.

Adjournment