



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, March 20, 2025

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 # 25-207

Conch Bubbles LLC
Grzegorz Kowalik- **Registered Agent**
5030 5th Ave Unit 6
Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail: 3-10-2025
Initial Hearing: 3-30-2025

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 \$250.00 administrative cost as well as the licensing annual fee of \$118.00, and 25% delinquent fee of \$29.50, and penalty fee of \$250.00 for a total of \$647.50. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost as well as the licensing annual fee of \$118.00, and 25% delinquent fee of \$29.50, and penalty fee of \$250.00 for a total of \$647.50.

2

Case # 25-618

Stephan Wischerth
1411 Eliza Street 2

Sec. 66-102 Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail: 3-7-2025
Initial Hearing: 3-20-2025

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 the respondent did come into compliance 7 March 2025, and the City was requesting a finding of the violation \$250.00 administrative cost. The Special Magistrate thought that there was substantial evidence for finding of the violation and imposed \$250.00 administrative cost.

3

Case # 25-619

Stephan Wischerth
1018 Georgia Street
Sec. Dates due and delinquent; penalties
Officer Erin Buechele
Certified Mail: 3-7-2025
Initial Hearing: 3-20-2025

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 the respondent did come into compliance 7 March 2025, and the City was requesting a finding of the violation \$250.00 administrative cost. The Special Magistrate thought that there was substantial evidence for finding of the violation and imposed \$250.00 administrative cost.

4

Case # 23-1196

T-Jams LLC
Mary Rando- **Registered Agent**
1425 Catherine Street 2
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 2-27-2025
Initial Hearing: 3-20-2025

In compliance as of 4 March 2025; 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 4 March 2025. The Special Magistrate granted the dismissal.

5

Case # 25-241

A-Wax Window Cleaning

LK & Associates- **Registered Agent**

6099 Overseas Highway #66W

Sec. 66-102 Dates due and delinquent; penalties- **Repeat**

Officer Sophia Doctoche

Certified Mail: 2-19-2025- **Amended Notice**

Initial Hearing: 3-30-2025

New Case

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

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche read her timeline. She stated that this business has been in violation before with Officer Slection in 2023, and Officer Skinner in 2024 where there was a finding of the violation. The City requested \$250.00 administrative cost and \$500.00 fine since this is a repeat violation. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$500.00 fine for the repeat violation.

6

Case # 24-1195

Palmisano Re Investments LLC

Mike R. Palmisano- **Home Owner**

1500 Johnson Street

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

Officer Ashton Gentry

Hand Posted: 3-10-2025- **Amended Notice**

Initial Hearing: 3-30-2025

Settlement Agreement

Count 1: Failure to obtain all required city, county and state licensing to advertise and rent short-term.

This case had a settlement agreement between the City and Mike Palmisano

which outlined the following: an administrative cost in the amount of \$250.00. The total due to the City is \$250.00. The settlement agreement was signed by all parties and the Special Magistrate executed the agreement.

7

Case # 24-1195Tammy Katrina Stiles- **Property Manager**

1500 Johnson Street

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

Officer Ashton Gentry

Hand Posted: 3-10-2025- **Amended Notice**

Initial Hearing: 3-30-2025

New Case

Count 1: Failure to obtain all required city, county and state licensing to advertise and rent short-term.

The Code Officer was Ashton Gentry. The Respondent did not attend. Officer Gentry read his timeline and evidence was shown. The City requested a finding of the violation \$250.00 fine. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 fine.

8

Case # 25-17

B.O.'s Fish Wagon INC.

801 Caroline Street

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

Officer Ashton Gentry

Hand Served: 1-16-2025

Initial Hearing: 2-20-2025

Continued from 20 February 2025

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

The Code Officer was Ashton Gentry. The Respondent Holly Owen co-owner of the subject business was present. Officer Gentry read his timeline. The Respondent stated that she is working with the City to get the extra 10 seats licensed. The Respondent requested a continuance for more time to continue the process to get those seats paid for and licensed. The City did not object. The Special Magistrate granted a continuance to 17 April 2025.

9

Case # 25-299

DJ Picosound

Alison D Narvaez- **Registered Agent**
22 Bluewater Drive
Sec. 66-102 Dates due and delinquent; penalties
Officer Todd MacFarlane
Certified Mail:
Initial Hearing: 3-20-2025

In compliance as of 11 March 2025; 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 11 March 2025. The Special Magistrate granted the dismissal.

10

Case # 24-665
Corporation Service Company
1300 15th CT #67
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Alma Montano
Certified Mail: 12-3-2024
Initial Hearing: 12-19-2024

Continued from 20 February 2025

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

The Code Officer was Alma Montano. Attorney Richard McChesney was present on behalf of the Respondent. Attorney Richard McChesney gave an update about where this case is at. He also requested a continuance. The City did not object. The Special Magistrate granted a continuance to 17 April 2025.

11

Case # 24-963
4911 Carter LLC
Michael J. Santis- **Registered Agent**
3608 Duck Ave
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Alma Montano
Certified Mail: **Amended Notice**
Initial Hearing: 9-26-2024

Continued from 20 February 2025

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

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano stated that the home owner came into compliance that morning before the hearing and requested a dismissal of the case. The Special Magistrate granted the dismissal.

12

Case # 25-451

Painter Dave Inc
Pribramsky & Zulech- **Registered Agent**
27979 Lobster Tail Tr
Sec. 66-102 Dates due and delinquent; penalties
Officer Alma Montano
Certified Mail:
Initial Hearing: 3-20-2025

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. The Special Magistrate asked Officer Montano if she had achieved good service for the notice. Officer Montano stated that the Respondent did reach out to her saying that he did receive the notice, and that the Respondent has also come into compliance, but the City would be requesting a finding of the violation. The Special Magistrate could not impose fines on a Respondent who was not properly noticed. The Special Magistrate continued the case to 17 April 2025 to achieve good service.

13

Case # 25-603

Wawa Group LLC
Azoulay Assaf
905 Trinity Drive 1
Sec. 66-102 Dates due and delinquent; penalties
Officer Alma Montano
Certified Mail:
Initial Hearing: 3-20-2025

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 requested a continuance to achieve good service. The Special Magistrate granted a continuance to 17 April 2025.

14

Case # CCBLD24-29

Julie Marie McGrane

2205 Harris Ave

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

Officer Alma Montano

Hand Posted: 1-15-2025

Initial Hearing: 1-23-2025

Continued from 20 February 2025

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

The Code Officer was Alma Montano. George Wallace was present on behalf of the Respondent. Mr. Wallace testified that the home owner Julie McGrane has hired an engineer to come up with drawings and plans for the shed that was moved to her property without permits. Mr. Wallace requested a continuance for time to receive these drawings and submit them to the Building Department for review. The City did not object. The Special Magistrate granted a continuance to 17 April 2025.

15

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 Paul Navarro

Hand Served: 7-15-2024

Initial Hearing: 7-25-2024

Continued from 23 January 2025

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 Paul Navarro. Assistant City Attorney Ryan Waterhouse

was present on behalf of the City. Assistant City Attorney Waterhouse stated that the Respondent is entering into a settlement agreement with the City. The Special Magistrate granted a continuance to 17 April 2025 to execute the agreement.

16

Case # 24-947

Paul Leon Janker & Rori Jean Janker
418 United St
Sec. 14-325 Permits required
Sec. 14-327 Inspection
Sec. 14-40 Permits in historic districts
Sec. 122-630 Dimensional requirements
Officer Paul Navarro
Certified Mail:
Initial Hearing: 2-20-2025

Continuance granted to 17 April 2025

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

Count 2: Failure to contact and schedule all required inspections with the City of Key West Building Department

Count 3: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

Count 4: Failure to apply and obtain variances with City of Key West Planning Department.

This case was previously granted a continuance to 17 April 2025.

17

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

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.

18

Case # 25-38

Fritas LLC
Joseph Cohen- **Registered Agent**
425 Southard Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Leo Slecton
Hand Served: 1-15-2025
Initial Hearing: 2-20-2025

In compliance as of 4 March 2025; Request dismissal

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

This case came into compliance as of 4 March 2025. The Special Magistrate granted the dismissal.

19

Case # 25-43

Oasis Mediterranean Cuisine
TFR & Company INC- **Registered Agent**
1019 White Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Leo Slecton
Hand Served: 1-15-2025
Initial Hearing: 2-20-2025

Continued from 20 February 2025

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

The Code Officer was Leo Slecton. The Respondent did not attend. Officer Slecton read his timeline. Officer Slecton stated that the business did come into compliance that morning. The City requested a finding of the violation \$250.00 administrative cost. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost.

20

Case # 25-45

The Cafe
David Iannuzzi- **Registered Agent**
509 Southard Street
Sec. 66-87 Business tax receipt required for all holding themselves out to

be engaged in business
 Officer Leo Slecton
 Hand Served: 1-15-2025
 Initial Hearing: 2-20-2025

In compliance as of 18 March 2025; Request dismissal

Count 1: Failure to contact the City of Key West Licensing Department to update license for the excess seats.

This case came into compliance as of 18 March 2025. The Special Magistrate granted the dismissal.

21

Case # 25-115

Peter Janker
 1301 Whitehead St
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions- **Irreparable**
 Sec. 14-40 Permits in historic districts- **Irreparable**
 Sec. 18-150 Certificate of competency required- **Irreparable**
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Sec. 14-40 Permits in historic districts
 Officer Leo Slecton
 Hand Served: 1-30-2025
 Initial Hearing: 2-20-2025

Continued from 20 February 2025

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**

Count 3: Failure to achieve Certificate of Competency.- **Irreparable**

Count 4: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 5: 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 Pater Janker did attend. Contractor Samantha Jones was present via Zoom. Director Jim Young was present on behalf of the City. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Samantha Jones testified to being the licensed contractor on the job at the subject business and she explained the scope of work that was being done to the home. Samantha also stated that she was ill and absent during the time where there was unpermitted work being done to the second-floor at the subject address. Affidavits from employees of Samantha

Jones were introduced which indicated that Peter Janker the home owner directed the workers to perform the unpermitted work on the second-floor. The Respondent Peter Janker stated that he did not direct any employees of Samantha Jones to perform unpermitted work at his home. The Special Magistrate dismissed count 3 which indicted that the Respondent acted as a licensed contractor stating that there was no evidence to prove that he acted as a contractor while Samantha Jones was out sick. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost, \$5,000.00 for the Irreparable counts 1 and 2, and \$250.00 per count per day for counts 4 and 5 if not in compliance by 14 April 2025 at 5:00PM.

22

Case # 25-9

William Crawl

255 Trumbo Road

Sec. 74-31 Unlawful deposits- **Irreparable**Sec. 62-1 Deposits of oil, grease or other waste- **Irreparable**

Officer David Wilson

Hand Served: 3-2-2025

Initial Hearing: 1-23-2025

Continued from 20 February 2025

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

Count 2: Failure to prevent grease or waste from spilling onto the City right of way.- **Irreparable**

The Code Officer was David Wilson. The Respondent William Crawl did attend. Officer Wilson read his timeline and evidence was shown. The Respondent stated that the truck belongs in his name, but the petroleum spill was made by Bence Horvath who was also present at the hearing. Bence Horvath stated that he was fixing the brakes on Mr.Crowls truck and made a petroleum spill during the process to which he did come back to the site and cleaned it as well as he could. Mr.Horvath asked the court to dismiss the charges against William Crawl since he was not the one who did the spill. The Special Magistrate granted a dismissal for William Crawl. The City requested a finding of the violation \$250.00 administrative cost and \$500.00 for the Irreparable charge with \$4,500.00 suspended fine. The Special Magistrate thought there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$500.00 for the Irreparable charge with \$4,500.00 suspended fine.

23

Case # 25-219

Amerigas Propane

Robert C Mauch

86400 Overseas Highway

Sec. 66-102 Dates due and delinquent; penalties

Officer David Wilson

Certified Mail: 3-10-2025
Initial Hearing: 3-20-2025

New Case

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

The Code Officer was David Wilson. Officer Wilson stated that there had not been good service for the notice that was sent and requested a continuance. The Special Magistrate granted a continuance to 17 April 2025.

24

Case # 25-221

Amsterdam Family Trust 2/13/2019
C/O Trustee's Phillip Amsterdam and Nancy Amsterdam
320 Peacon Lane
Sec. 66-102 Dates due and delinquent; penalties
Officer David Wilson
Certified Mail: 2-28-2025
Initial Hearing: 3-20-2025

In compliance as of 3 March 2025; 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 3 March 2025. The Special Magistrate granted the dismissal.

25

Case # 25-222

Anchor Aluminum Products South
Troy Trent- **Registered Agent**
6475 2nd Street East
Sec. 66-102 Dates due and delinquent; penalties
Officer David Wilson
Hand Served: 3-13-2025
Initial Hearing: 3-20-2025

New Case

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

The Code Officer was David Wilson. The Respondent did not attend. Officer

Wilson read his timeline. The Respondent did come into compliance, but this a recurring violation so the City requested a finding of the violation \$250.00 administrative cost. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost.

26

Case # 25-286

De La Gallery Inc.
Jeffery M Rodriguez
419 Duval Street B
Sec. 66-102 Dates due and delinquent; penalties
Officer David Wilson
Certified Mail:
Initial Hearing: 3-20-2025

New Case

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

The Code Officer was David Wilson. The Respondent did not attend. Officer Wilson read his timeline. The Respondent did come into compliance, but this a recurring violation so the City requested a finding of the violation \$250.00 administrative cost. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost.

27

Case # 25-287

De Leon Property Services LLC
Angela De Leon
3209 Pearl Ave
Sec. 66-102 Dates due and delinquent; penalties
Officer David Wilson
Certified Mail:
Initial Hearing: 3-20-2025

In compliance as of 7 March 2025; 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 7 March 2025. The Special Magistrate granted the dismissal.

28

Case # 25-294

Discover Your Key West LLC
Sarah Louise Compton
1901 S Roosevelt Blvd 407S
Sec. 66-102 Dates due and delinquent; penalties

Officer David Wilson
Certified Mail: 3-1-2025
Initial Hearing: 3-20-2025

In compliance as of 26 February 2025; 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 26 February 2025. The Special Magistrate granted the dismissal.

29

Case # 25-632

Rockhouse Live Key West LLC
Zach Bair- **Registered Agent**
501 Greene Street
Sec. 26-192 Unreasonably excessive noise prohibited
Officer Jim Young
Certified Mail: 3-7-2025
Initial Hearing: 3-20-2025

New Case

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

The Code Officer was Jim Young. The Respondent Zach Bair was present. The Complainant Danny Hughes was present. Police Officer Janihya McCurdy was present on behalf of the City. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Officer Jim Young presented the case, stating a noise complaint was received on February 28, 2025. Officers Christina and McCurdy responded to the complaint at 112 Ann Street. A disturbing noise form was completed by complainant Danny Hughes and forwarded to Code Enforcement. A Notice of Code Violation was issued on March 12, 2025. The City called upon Police Officer McCurdy as a witness to verify body cam footage taken on February 28, 2025. Officer McCurdy testified that she did not hear music while inside the complainant's residence, and that music was audible upon approaching the property. Officer McCurdy issued a warning to the business Rockhouse Live that night. The Complainant Danny Hughes testified that music emanating from Rockhouse Live disturbed his sleep, and he used a personal decibel meter to record 84 dB inside his bedroom. He also stated that Rockhouse Live is over 100 feet from his residence. The Respondent Zach Bair called upon Charles Travis Smith the manager of Rockhouse Live. Travis Smith testified that he was on duty that night and that the business has a mounted decibel meter which is set to 80 dB before midnight and 70 dB after midnight. Travis also stated that when the Police Officers came to the business they did turn down the music for courtesy and that the business does not use a sub woofer. Danny Hughes then provided a conditional use that was approved at a Planning Board Hearing that Rockhouse Live is required to cease music at 12:00AM. Assistant City Attorney Ryan Waterhouse confirmed that the conditional use does say that 'live music' must cease at 12:00AM, and

emphasized that the hearing is focused on noise disturbance, and not a conditional use violation. The Special Magistrate requested a copy of this conditional use and continued the case to 17 April 2025 for further review.

Adjournment