City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Enforcement Hearing

Thursday, August 27, 2026 | **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 # 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 Christopher Counsellor
Hand Served: 7-15-2024
Initial Hearing: 7-25-2024

Continued from 30 July 2026

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 Director Christopher Counsellor. Attorney AJ Davila was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Attorney Davila elected not to contest the alleged violations of Sections 14-37 and 14-40, while reserving the right to appeal. The City requested a finding of violation, $250.00 in administrative

costs, and a compliance date. Attorney Davila requested six months to one year to achieve compliance due to the permitting and approval process, including a pending Board of Adjustment matter. The Special Magistrate declined to allow that length of time but stated that an extension could be considered if substantial progress toward compliance was demonstrated. Based upon competent substantial evidence and the Respondent's admissions, the Special Magistrate 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 1 December 2026 12:00PM.

2 **Case # 26-13**

Rajindhar M Ramsingh
Deborah F Ramsingh
2827 Harris Ave
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 14-42 Construction site requirements
Sec. 90-363 Certificate of occupancy
Officer Christopher Counsellor
Hand Posted: 6-15-2026
Initial Hearing: 6-25-2026

Continued from 30 July 2026

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.
Count 2: Failure to submit approved/ stamped set of plans and obtain required inspections.
Count 3: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

The Code Officer was Director Christopher Counsellor. Attorney Van Fischer was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Assistant City Attorney Ryan Waterhouse appeared on behalf of the City. Attorney Dan Fisher appeared on behalf of the Respondents.
The Special Magistrate stated that he had reviewed the filings submitted to the Hearing Coordinator and forwarded to him but had not reviewed the accompanying exhibits. The Special Magistrate explained that it was not appropriate for him to determine the authenticity, relevance, admissibility, or evidentiary value of the exhibits prior to the hearing.
The Special Magistrate first addressed the Respondents' objection to the City's dismissal of a portion of the case. The Special Magistrate questioned the legal basis upon which the Respondents could prevent the City from voluntarily dismissing a count. Attorney Fisher acknowledged that the filing had been poorly drafted and clarified the Respondents' position.
The City advised that it intended to dismiss the portions of Counts I and II of the Amended Notice of Violation dated January 14, 2026, relating to the rear accessory structure, which the parties referred to as a "tiki hut." The City would proceed only with the alleged violations concerning the front portion of the residence.

The Special Magistrate confirmed that, based upon the City's dismissal, no violation relating to the rear accessory structure would be considered in the present proceeding. The Special Magistrate explained that there would be no finding or order concerning that structure. Any future enforcement action would require the initiation of a separate complaint or case.
The City stated that it did not presently intend to pursue a future enforcement case concerning the rear accessory structure. The Special Magistrate cautioned that dismissal of the allegation during the present proceeding could create legal arguments regarding whether the City would be permitted to prosecute the same alleged violation in the future. The City stated that it understood the possible consequences and nevertheless elected to dismiss that portion of the case.
The Special Magistrate accepted the City's announcement of dismissal and concluded consideration of the issue concerning the rear accessory structure.
The Special Magistrate next addressed the parties' proposed Joint Stipulation.
The Special Magistrate explained that a stipulation regarding exhibits should identify those exhibits for which the parties agree that no evidentiary foundation is required. Such a stipulation generally establishes the authenticity of the documents but does not automatically render the exhibits relevant, competent, admissible, or admitted into evidence.
Attorney Fisher stated that the parties intended to stipulate to the authenticity of all exhibits. The Special Magistrate explained that objections concerning relevance, competency, or other grounds could still be raised at the final hearing. Each exhibit would still need to be offered and admitted into evidence, although the stipulation would eliminate the necessity of laying a foundation as to authenticity.
The Special Magistrate further explained that language reserving the parties' arguments regarding relevance, waiver, intent, the characterization of prior proceedings, and other contested issues was unnecessary because those matters could be addressed during the hearing. The Special Magistrate stated that the parties could also stipulate to agreed facts but should clearly distinguish stipulated facts from stipulations concerning the authenticity of exhibits.
The Special Magistrate directed the parties to confer and revise the Joint Stipulation to clarify the specific exhibits whose authenticity was undisputed and any facts to which both parties agreed. The Special Magistrate advised that the purpose of the stipulation was to streamline the presentation of evidence and reduce unnecessary foundational testimony.
The Special Magistrate determined that the matter would not be heard that day and stated that it would be specially set for an extended hearing. The Special Magistrate indicated that the hearing would begin earlier than the regular docket because the matter was expected to require more than a few hours to complete.

3 **Case # 25-248**

Skelton House LLC
Northwest Registered Agent LLC- **Registered Agent**
517 Eaton Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Sophia Lariz
Certified Mail: 6-26-2026
Initial Hearing: 7-30-2026

In compliance as of 25 August 2026; 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 August 2026. The Special Magistrate granted the dismissal.

4 **Case # 25-249**
Skelton House LLC
Northwest Registered Agent LLC- **Registered Agent**
517 Eaton Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Sophia Lariz
Certified Mail: 6-26-2026
Initial Hearing: 7-30-2026

In compliance as of 25 August 2026; 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 August 2026. The Special Magistrate granted the dismissal.

5 **Case # 25-250**
Skelton House LLC
Northwest Registered Agent LLC- **Registered Agent**
517 Eaton Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Sophia Lariz
Certified Mail: 6-26-2026
Initial Hearing: 7-30-2026

In compliance as of 25 August 2026; 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 August 2026. The Special Magistrate granted the dismissal.

6 **Case # 26-1847**
Keys PM LLC
Dasha Ray- **Registered Agent**
1921 Fogarty Ave

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Lariz
Certified Mail: 8-11-2026
Initial Hearing: 8-27-2026

In compliance as of 3 August 2026; 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 3 August 2026. The Special Magistrate granted the dismissal.

7 **Case # 26-1887**
Ashlee Dent
Nicholas Dent
1824 Fogarty Ave
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Sophia Lariz
Certified Mail: 5-21-2026
Initial Hearing: 6-25-2026

In compliance as of 25 August 2026; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.
Count 2: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

This case came into compliance as of 25 August 2026. The Special Magistrate granted the dismissal.

8 **Case # 26-2116**
Joseph D. Cleghorn Jr.
701 Waddell Ave
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Lariz
Certified Mail:
Initial Hearing: 8-27-2026

In compliance as of 19 August 2026; 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 19 August 2026. The Special Magistrate granted the dismissal.

9 **Case # 25-1405**
Beach Front Auto Care Corp
Karen Anderson- **Registered Agent**
245 Front Street Pier
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 18-354 Permit required; application; franchise fees
Sec. 18-351 Registration of rental units
Officer Alma Montano
Hand Served: 6-10-2026
Initial Hearing: 7-30-2026

Continued from 30 July 2026

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.
Count 2: Failure to contact the City of Key West Licensing Department to schedule an inspection.
Count 3: Failure to register recreational vehicles with the City of Key West Licensing Department.

The Code Officer was Alma Montano. The Respondent Fabian Varona was present. Officer Montano stated that the case is in compliance and that the City is requesting a finding of violation with $250.00 administrative cost. The Respondent did not object to a finding of the violation. The Special Magistrate granted a finding of the violation with no fees and fines.

10 **Case # 25-1671**
John and Melanie Zahner
1514 5th Street
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 58-61 Determination of levy of charge
Sec. 90-363 Certificate of occupancy, required
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations
Sec. 122-1371 D(9) Transient living accommodations in residential dwellings; regulations
Sec. 14-325 Permits required

Sec. 14-327 Inspection
Sec. 14-359 Permit display
Sec. 14-256 Required
Sec. 14-262 Request for inspection
Sec. 66-87 Business tax receipt for all holdings themselves out to be engaged in business
Officer Alma Montano
Hand Posted: 4-21-2026- **Amended Notice**
Initial Hearing: 12-18-2025

Settlement Agreement

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 LUD with the City of Key West Licensing Department.
Count 3: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.
Count 4: Failure to obtain a transient medallion and license to advertise and rent short-term.
Count 5: Failure to obtain all required city, county and state licensing to advertise and rent short-term.
Count 6-12: Failure to obtain all required city, county and state licensing to advertise and rent short-term.
Count 13: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.
Count 14: Failure to schedule inspections with the City of Key West Building Department.
Count 15: Failure to apply and obtain a plumbing permit with the City of Key West Building Department.
Count 16: Failure to apply and obtain electrical permits with the City of Key West Building Department.
Count 17: Failure to schedule inspections with the City of Key West Building Department.
Count 18: Failure to apply and obtain a license from the City of Key West Licensing Department.

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano stated that the City would like to dismiss counts 4-12 for the transient rental violations. The Special Magistrate dismissed counts 4-12. Officer Montano read her timeline and evidence was shown. The City requested a finding of the violation. 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 count per day if not in compliance by 7 September 2026 12:00PM.

11 **Case # 26-984**
Beach Front Auto Care Corp

Karen Anderson- **Registered Agent**
626 Josephine Parker Road
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 18-355 Recreational rental vehicle deemed conditional use
Sec. 18-354 Permit required; application; franchise fees
Sec. 18-351 Registration of rental units
Sec. 18-359 Identification by decal
Officer Alma Montano
Hand Served: 7-13-2026
Initial Hearing: 7-30-2026

Continued from 30 July 2026

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.
Count 2: Failure to apply and obtain a conditional use with the City of Key West Licensing Department.
Count 3: Failure to contact the City of Key West Licensing Department to schedule an inspection.
Count 4: Failure to register recreational vehicles with the City of Key West Licensing Department.
Count 5: Failure to register recreational vehicles with the City of Key West Licensing Department.

The Code Officer was Alma Montano. The Respondent Fabian Varona was present. Officer Montano read her timeline and evidence was shown. The City requested a finding of the violation $250.00 administrative cost and $250.00 per count per day. The Respondent stated that he was working with a Planning Department employee until they were no longer working for the City. He has also hired an attorney Richard McChesney, to help him with applying for the conditional use. The Special Magistrate thought that there was substantial evidence for a finding of the violations and imposed $250.00 administrative hearing and $250.00 per count per day if not in compliance by 14 September 2026.

12 **Case # 26-1951**
A&M Scooter of Key West LLC
Andrew H. Hetu- **Registered Agent**
1330 Simonton Street
Sec. 18-360 Annual inspection
Sec. 62-2 Obstructions
Officer Alma Montano
Certified Mail: 8-11-2026
Initial Hearing: 8-27-2026

New Case

Count 1: Failure to schedule an inspection with the City of Key West Licensing Department.
Count 2: Failure to remove vehicles from the City right of way.

The Code Officer was Alma Montano. The Respondent did not attend. Director Christopher Counsellor was present on behalf of the City. Officer Montano stated that the case came into compliance yesterday and that the City would like a finding of the violation. Director Counsellor stated that the City would like to dismiss count 1 and have a finding for count 2 Sec. 62-2 Obstructions. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed no fees or fines.

13 **Case # 26-1952**
A&M Scooter of Key West LLC
Andrew H. Hetu- **Registered Agent**
523 Truman Ave
Sec. 18-360 Annual Inspection
Sec. 62-2 Obstructions
Officer Alma Montano
Certified Mail: 8-11-2026
Initial Hearing: 8-27-2026

New Case

Count 1: Failure to schedule an inspection with the City of Key West Licensing Department.
Count 2: Failure to remove vehicles from the City right of way.

The Code Officer was Alma Montano. The Respondent did not attend. Officer Montano stated that this case came into compliance yesterday. The Special Magistrate granted the dismissal.

14 **Case # 26-2035**
Sharkys Golf Cart Repair & Rental LLC
Marc J. Raymond- **Registered Agent**
City of Key West
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 18-354 Permit required; application; franchise fees
Sec. 18-351 Registration of rental units
Sec. 18-359 Identification by decal
Officer Alma Montano
Certified Mail: **Amended Notice**
Initial Hearing: 8-27-2026

Continued from 27 August 2026

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.
Count 2: Failure to contact the City of Key West Licensing Department to schedule an inspection.
Count 3: Failure to register recreational vehicles with the City of Key West Licensing Department.
Count 4: Failure to register recreational vehicles with the City of Key West Licensing Department.

The Code Officer was Alma Montano. Marc J Raymond was present on behalf of the Respondent. The Special Magistrate asked the Respondent what relationship he has with the business. Marc Raymond stated that he does the work for the business and that his wife has ownership with the business. The Special Magistrate stated that if he could not produce a document stating that he can represent the business then he will continue the case. The Special Magistrate granted a continuance to 17 September 2026.

15 **Case # 26-2211**
230 East 7th Street Associates
C/O Joseph Cohen
300 Front Street
Sec. 18-117 Acts declared unlawful- **Irreparable**
Officer Alma Montano
Certified Mail:
Initial Hearing: 8-27-2026

New Case

Count 1: Failure to hire a licensed contractor.- **Irreparable**

The Code Officer was Alma Montano. The Property Manager Rafi Gvili was present on behalf of the Respondent. Officer Montano read her timeline and evidence was shown. The City was requesting a finding of the violation $250.00 administrative cost and fine. The Special Magistrate imposed a finding of the violation due to an admission of the violation and imposed $250.00 administrative cost and $5,000.00 fine for the irreparable count.

16 **Case # 26-2188**
Thomas Whisler
1627 George Street
Sec. 18-117 Acts declared unlawful- **Irreparable**
Sec. 74-392 Requirement to prevent, control, and reduce storm, water pollutants by the use of best management practices- **Irreparable**
Officer Kenia Orellana
Certified Mail: 7-28-2026

Initial Hearing: 8-27-2026

Settlement Agreement

Count 1: Failure to hire a licensed contractor.- **Irreparable**
Count 2: Failure to cease the deposit of any human or animal excrement, garbage, or other waste on any public property within the City.- **Irreparable**

This case had a settlement agreement between the City and Thomas Whisler. The Respondent stipulates to the imposition of $250.00 administrative cost. The Respondent also stipulates to a fine of $500.00 for irreparable count 1 and $750.00 for count 2. The total due to the City is $1,500.00.

17 **Case # 26-2197**
Cutimanco Jaime Roger
1627 George Street
Sec. 18-150 Certificate of competency required- **Irreparable**
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Kenia Orellana
Certified Mail: 8-4-2026
Initial Hearing: 8-27-2026

Settlement Agreement

Count 1: Failure to achieve Certificate of Competency.- **Irreparable**
Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case had a settlement agreement between the City and Cutimanco Jaime Roger. The Respondent stipulates to the imposition of a $250.00 administrative cost. The Respondent also stipulates to a fine of $500.00. The total due to the City is $750.00.

18 **Case # 26-2198**
Martinez Castro Roberto
1627 George Street
Sec. 18-150 Certificate of competency required- **Irreparable**
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Kenia Orellana
Certified Mail: 7-28-2026
Initial Hearing: 8-27-2026

Settlement Agreement

Count 1: Failure to achieve Certificate of Competency.- **Irreparable**
Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case had a settlement agreement between the City and Martinez Castro Roberto. The Respondent stipulates to the imposition of a $250.00 administrative cost. The Respondent also stipulates to a fine of $500.00. The total due to the City is $750.00.

19 **Case # 26-2199**
Castro Martinez Giovanny
1627 George Street
Sec. 18-150 Certificate of competency required- **Irreparable**
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Kenia Orellana
Certified Mail: 8-4-2026
Initial Hearing: 8-27-2026

Settlement Agreement

Count 1: Failure to achieve Certificate of Competency.- **Irreparable**
Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case had a settlement agreement between the City and Castro Martinez Giovanny. The Respondent stipulates to the imposition of a $250.00 administrative cost. The Respondent also stipulates to a fine of $500.00. The total due to the City is $750.00.

20 **Case # BLD26-2**
James Gregory
C/O Joni Brand
314 Catherine 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: 7-22-2026
Initial Hearing: 7-30-2026

Continued from 30 July 2026

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. Alexander Fernandez was present on behalf of the Respondent. Officer Slecton read his timeline and evidence was shown. The City was requesting a finding of the violation with $250.00 administrative cost and $250.00 per count per day if not in compliance by 16 September 2026. The Special Magistrate thought continuing the case would be a good idea. The Code Officer Leo Slecton suggested that since he will be absent from the September hearing that there should be a finding of the violation with a compliance date and if the Respondent is not close to compliance by the date they can request an extension of the compliance date. 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 16 September 2026 by 12:00PM.

Adjournment