



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final Code Compliance Hearing

Thursday, July 28, 2022

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.

You may also attend these meetings virtually Via Zoom by telephoning +1 646 558 8656
Meeting ID: 882 3637 1600 Passcode: 758007 or Online at:
[https://cityofkeywest-fl-gov.zoom.us/j/88236371600?](https://cityofkeywest-fl-gov.zoom.us/j/88236371600?pwd=WmpzcEN5c2ZUR25qUElwbllsbWhZZz09)
pwd=WmpzcEN5c2ZUR25qUElwbllsbWhZZz09 Meeting ID: 882 3637 1600 Passcode:
758007

Call Meeting to Order

Code Violations

1

Case # 21-722

Key Home Investors LLC
C/O The Mack Company
2811 North Roosevelt Blvd
Sec. 26-126 Clearing of property of debris and noxious material required
Sec. 14-364 Stormwater retention
Officer Jim Young
Hand Served: 6-8-2022
Initial Hearing: 7-28-2022

New Case

Count 1: Failure to trim the landscaping and remove the refuse and trash.

Count 2: Failure to develop and maintain a stormwater retention plan.

The Code Officer was Director Jim Young. The Respondent Anwar Dudley Assistant Manager of Home Depot was present. Director Young stated that this

case came from a complaint from the Key Cove Home Owners Association and Commissioner Kaufman where the storm water is not being retained on the property of Home Depot. Also in the swale area there was over grown landscaping and garbage. Director Young said Home Depot was issued a Notice of Code Violation on April 22, 2021, and was given to the Assistant Manager Corey at the time. There was a discussion before the hearing between Director Young and the Assistant Manager Anwar Dudley that the Assistant Manager would admit to the violations, and that this case would take so time to come into compliance. Director Young also stated that Home Depot has submitted a storm water retention plan and that the City will need to make sure once the plan is implemented that it works. Their plan is to fill in the swale area to be level with the parking lot and also install a curb around the area to divert the water to the rear of the building. Assistant Manager Anwar Dudley stated that the plan was submitted, but he has not heard back on when the work will start or when it will be completed. Director Young stated that a 60 day continuance would work, and that the other part of the complaint is that there is homeless people camping out in the swale area, so the Police Department might need to get involved. The Special Magistrate continued the case until the September 29, 2022 Hearing.

2

Case # 20-1335

John Lindle

1617 White Street

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

Officer Jim Young

Certified Mail: 2-2-2021

Initial Hearing: 2-18-2021

Continued from 26 May 2022

Count 1: Failure to apply and obtain after the fact permits for building, electrical and plumbing.

The Code Officer was Director Jim Young. Attorney Van Fischer was present on behalf of the respondent. Director Young stated that Attorney Fischer and the property owner was supposed to attend the DRC Meeting that was postponed until July 29, 2022, so he believes that Mr.Fischer will be asking for a continuance until after the DRC Meeting and the City would not object. Attorney Van Fischer stated that once the DRC votes on the lot split application that should be able to get the permits and then the case would be in compliance. Attorney Fischer said a 60 day continuance would be best to give time for the DRC Meeting vote and to get permits. The City did not object to a 60 day continuance. The Special Magistrate granted the continuance to 29 September 2022.

3

Case # 20-524

Gregory G Farrelly- Registered Agent

828 Windsor Lane

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

address; exceptions
Sec. 58-61 Determination and levy of charge
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Jim Young
Certified Mail: 6-30-2021
Initial Hearing: 6-24-2021

Continued from 26 May 2022

Count 1: Failure to submit as built certifications to the City of Key West.

Count 2: Failure to apply and obtain an LUD with the City of Key West Planning Department.

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

The Code Officer was Director Jim Young. Attorney Van Fischer was present on behalf of the Respondent. Director Young stated that the property owner has paid the back Utilities Fees, and are attempting to get an Engineer to submit the as built certified letter to the Building Department. Attorney Fischer stated once the as built letter gets completed then the necessary Business Tax Receipt can be obtained. Attorney Fischer said that a 60 day continuance will work since we are dealing with an Engineer. The Special Magistrate granted the continuance to 29 September 2022.

4

Case # 22-831

Borders Nidia F Revocable Trust 4/26/2020
1415 1st Street
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 14-359 Permit display
Sec. 14-262 Request for inspection
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 6-30-2022
Initial Hearing: 7-28-2022

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 the appropriate building permits with the City of Key West Building Department.

Count 3: Failure to contact the City of Key West Building Department for an inspection.

Count 4: Failure to apply and obtain a business tax receipt from the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondent Carina Borders Perez was present. The Special Magistrate started off by saying that the Respondent contacted him to represent them for a different property than what was before the court. Assistant Attorney Ron Ramsingh stated that he would look into retaining another Magistrate to hear this case and would request this case to be postponed. The Special Magistrate continued the case to 25 August 2022.

5

Case # 22-437

Jean Fenold Metellus
1213 14th Street Lot 193
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Sophia Doctoche
Certified Mail: 5-11-2022
Initial Hearing: 5-26-2022

Continued from 26 May 2022

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

The Code Officer was Sophia Doctoche. The Respondent Jean Metellus was present. Director Jim Young was present on behalf of the City. Assistant City Attorney Ron Ramsingh was present also on the behalf of the City. Officer Doctoche explained that the Respondent is waiting for a stamp from an Engineer that the building is safe. The Respondent Jean stated that he is looking for another Engineer, because he had hired one but they were not a certified Engineer. Jean also stated that he met the Engineer Surge and he said he would do the work but did not say when he could start or when the work will be done, so he is asking for another continuance. Director Jim Young asked the Respondent Jean if he signed a contract with the Engineer Surge. Respondent Jean did not sign a contract with Surge, but Surge told him that he was busy and that they could reconvene in the middle of August to get a contract signed. Assistant City Attorney Ron Ramsingh said that the City would like to ask for a finding of violation being that it is a building ordinance issue and we are in hurricane season right now. The Special Magistrate found the Respondent to be in violation and imposed an administrative cost of \$250.00 and \$250.00 per count per day with a compliance date of 26 September 2022.

6

Case # 22-1131

Martin Romero
1509 Seminary Street
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Roman Stenko
Hand Served: 7-25-2022

Initial Hearing: 7-28-2022

New Case

Count 1: Failure to clean property of noxious materials and debris.

The Code Officer was Roman Stenko. The Respondent Martin Romero was present. Officer Stenko stated that this case has been heard already under a different case number and that this time the City cited the violator and not the property owner. Officer Stenko read his timeline and evidence was shown. Officer Stenko stated the Respondent is willing to admit to all the violations at this property and that he came into compliance this morning and cleaned the property. The Respondent stated that everything Officer Stenko is true. The Special Magistrate found there was enough evidence for a finding of violation and imposed \$250.00 administrative cost and no fines.

7

Case # 22-1106

Gloria Bradford

1509 Seminary Street

Sec. 26-126 Clearing of property of debris and noxious material required- **Repeat**

Officer Roman Stenko

Hand Served: 7-25-2022- **Amended Notice**

Initial Hearing: 7-28-2022

New Case

Count 1: Failure to clean property of noxious materials and debris.-

Repeat

The Code Officer was Roman Stenko. The Respondent Darlene Bradford was present via Zoom. Officer Stenko stated that this is the same case that was previously heard, but this time the property owner was cited and that this is a repeat offence. Darlene stated that she was notified that her tenant was keeping a lot of cats on the property, but was advised that he cleaned the area and got rid of the cats. She had no idea the violations were occurring as she is in Central Florida taking care of her mother. Officer Stenko stated that the City is seeking \$500.00 for a one time fine. The Special Magistrate found there was enough evidence for a finding of violation and imposed \$500.00 one time fine for the repeat count.

8

Case # 22-732

John A Hadfield

2801 Flagler Ave

Sec. 62-2 Obstructions

Officer Keenan Mellendorf

Certified Mail: 6-28-2022

Initial Hearing: 7-28-2022

New Case

Count 1: Failure to remove yard debris from the City right of way.

The Code Officer was Keenan Mellendorf. The Respondent John Hadfield was present. Officer Mellendorf read his timeline and evidence was shown. He also stated that the respondent did come into compliance this morning and that the City is asking to dismiss the case. The Special Magistrate granted the dismissal.

9

Case # 22-602

BLKW LLC

418 William Street

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

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 7-28-2022

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. Officer Doctoche stated the City would like a continuance due to not getting good service. The Special Magistrate granted the continuance to 25 August 2022.

10

Case # 22-623

Jetsurf Watersports

United States Corporation Agents Inc.- Registered Agent

2018 S Roosevelt Blvd

Sec. 82-72 Watercraft prohibited near beaches and parks

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

Officer Sophia Doctoche

Hand Posted: 7-22-2022

Initial Hearing: 7-28-2022

In compliance as of 25 July 2022; Request dismissal

Count 1: Failure to avoid operating any motorized watercraft within 300 feet of the shoreline.

Count 2: Failure to apply and obtain a business tax receipt with the City

of Key West Licensing Department.

This case came into compliance as of 25 July 2022. The Special Magistrate granted the dismissal.

11

Case # 22-811

Leporace Joseph 2003 Trust for Anna Marie Frusco
3308 Duck Ave
Sec. 66-87 Business tax receipt for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 7-28-2022

In compliance as of 21 June 2022; 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 21 June 2022. The Special Magistrate granted the dismissal.

12

Case # 22-815

Gwendolyn J Campbell
1902 Seidenberg Ave
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Hand Posted: 7-13-2022
Initial Hearing: 7-28-2022

In compliance as of 25 July 2022; 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 25 July 2022. The Special Magistrate granted the dismissal.

13

Case # 22-836

Dorr Ted Allen
1515 Josephine Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche

Certified Mail: 6-28-2022
Initial Hearing: 7-28-2022

In compliance as of 17 June 2022; 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 17 June 2022. The Special Magistrate granted the dismissal.

14

Case # 22-906

Hart Daghan
Ricciardi James Joseph
2229 Seidenberg Ave 2
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 7-28-2022

In compliance as of 8 July 2022; 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 July 2022. The Special Magistrate granted the dismissal.

15

Case # 22-641

Crocs Retail LLC
CT Corporation System- Registered Agent
211 Duval Street B
Sec. 2-939 Revocable Licenses
Officer Keenan Mellendorf
Certified Mail: 5-25-2022
Initial Hearing: 5-26-2022

Continued from 26 May 2022

Count 1: Failure to apply for and obtain a revocable license with the City of Key West Licensing Department.

The Code Officer was Keenan Mellendorf. The Respondent did not attend. Officer Mellendorf read his timeline and stated that Croc's is still not in

compliance. The City is requesting finding of the violation with \$250.00 administrative cost and \$250.00 per count per day. The Special Magistrate imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 1 August 2022.

16

Case # 22-562

Paul Mead
2924 Riviera Dr
Sec. 100-292 Failure to achieve a compliance agreement
Officer Paul Navarro
Hand Posted: 3-9-2022
Initial Hearing: 3-24-2022

In compliance as of 21 July 2022; Request dismissal

Count 1: Failure to comply with the settlement agreement.

This case came into compliance as of 21 July 2022. The Special Magistrate granted the dismissal.

17

Case # 22-1024

JCWS General Services Inc
Cardoso Beregeno Salgado, Walison- Registered Agent
1100 Southard Street
Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Paul Navarro
Certified Mail:
Initial Hearing: 7-28-2022

Settlement Agreement

Count 1: Failure to register Florida State License with the City of Key West Licensing Department.

Count 2: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

This case has a Settlement Agreement of \$250.00 Administrative Coast and \$250.00 fine, for a total of \$500.00. The Settlement Agreement was signed by all parties and the Special Magistrate executed the agreement.

18

Case # 22-1031

John & Rose Ingram
1100 Southard Street
Sec. 18-117 Acts declared unlawful

Officer Paul Navarro
Certified Mail: 7-18-2022
Initial Hearing: 7-28-2022

Settlement Agreement

Count 1: Failure to hire a licensed contractor.

This case has a Settlement Agreement of \$250.00 Administrative Coast and \$250.00 fine, for a total of \$500.00. The Settlement Agreement was signed by all parties and the Special Magistrate executed the agreement. Fines were paid before the hearing.

19

Case # 21-1329

Love In Key West LLC
Stocker Marsha Evans Law
407 Front Street 4 D
Sec. 58-68 Commercial solid waste accounts
Officer Laurie Skinner
Certified Mail:
Initial Hearing: 7-28-2022

New Case

Count 1: Failure to contact Waste Management for a commercial waste account.

The Code Officer was Laurie Skinner. The Respondent did not attend. Officer Skinner asked for a continuance due to no good service. The Special Magistrate granted the continuance to 25 August 2022.

20

Case # 22-728

Just Beds of Key West LLC
Richard Klitenick Esq.- Registered Agent
2726 N Roosevelt Blvd
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Laurie Skinner
Certified Mail: 5-17-2022
Initial Hearing: 5-26-2022

In compliance as of 1 June 2022; Request dismissal

Count 1: Failure to pay delinquent fee for fire alarm inspections.

This case came into compliance as of 1 June 2022. The Special Magistrate granted the dismissal.

21**Case # 22-616**

The Key West Yacht Club Inc.

Scott Saunders- Registered Agent

2315 N Roosevelt Blvd

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

Sec. 14-256 Permit required

Sec. 14-262 Request for inspection

Officer Leo Slecton

Certified Mail:

Initial Hearing: 5-26-2022

In compliance as of 8 June 2022; Request dismissal

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

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

Count 3: Failure to contact the City of Key West Building Department and schedule an inspection.

This case came into compliance as of 8 June 2022. The Special Magistrate granted the dismissal.

22**Case # 22-853**

604 Building LLC

Stewart Applerouth- Registered Agent

604 Duval Street

Sec. 2-939 Revocable Licenses

Officer Leo Slecton

Certified Mail:

Initial Hearing: 7-28-2022

In compliance as of 29 June 2022; Request dismissal

Count 1: Failure to renew revocable license with the City of Key West Licensing Department.

This case came into compliance as of 29 June 2022. The Special Magistrate granted the dismissal.

23**Case # 19-1465**

Robert B & Voctory Walsh
810 Terry Lane
Sec. 62-2 Obstructions
Officer Jim Young
Certified Mail: 7-18-2022
Initial Hearing: 7-28-2022

Continuance granted to 25 August 2022

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

This case was previously granted a continuance to 25 August 2022.

24

Case # 19-1468

Nancy A. Paulic Revocable Trust 8/11/2015
812 Terry Lane
Sec. 62-2 Obstructions
Officer Jim Young
Certified Mail: 6-28-2022
Initial Hearing: 7-28-2022

Continuance granted to 25 August 2022

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

This case was previously granted a continuance to 25 August 2022.

25

Case # 20-676

Futterman Phenphak
1704 Jamaica Drive
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-262 Request for inspection
Officer Jim Young
Certified Mail: 4-10-2021
Initial Hearing: 4-29-2021

In compliance as of 19 July 2022; Request dismissal

Count 1: Failure to apply and obtain the after the fact permits for all un-permitted work.

Count 2: Failure to schedule an inspection for all work that has been

completed.

This case came into compliance as of 19 July 2022. The Special Magistrate granted the dismissal.

26

Case # 21-1344

Lawney Management
Company C/O James Dix, P
124 Duval Street
Sec. 18-601 License required
Sec. 122-1371 (d)(9) Transient living accommodations in residential dwellings; regulations
Officer Jim Young
Certified Mail: 7-11-2022
Initial Hearing: 7-28-2022

In compliance as of 23 June 2022; Request dismissal

Count 1: Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

Count 2: Failure to cease and desist renting the extra unit or obtain a transient license with the City of Key West Licensing Department.

This case came into compliance as of 23 June 2022. The Special Magistrate granted the dismissal.

27

Case # 22-757

Murphy Jean F Living Trust 01/18/2012
1115 Southard Street
Sec. 58-31 Container and receptacle requirements
Officer Jim Young
Certified Mail: 7-19-2022
Initial Hearing: 7-28-2022

Settlement Agreement

Count 1: Failure to remove garbage bins from City right of way.

This case has a Settlement Agreement that stipulates a finding of violation with no fees or fines. The Settlement Agreement was signed by all parties and the Special Magistrate executed the agreement.

Adjournment