

CITY OF MARATHON



Memorandum

Meeting Date: December 14, 2021
To: Honorable Mayor John Bartus and City Council Members
Through: George Garrett, City Manager
From: Ted Lozier, Code Compliance Director
Subject: Code Compliance Report

Code Compliance Department

The Code Department continues to work with the public on education and compliance with the goal of reducing the number of cases going before the special magistrate or code board hearings.

The Code Department sent two notices for hearing before the Special Magistrate scheduled on November 18, 2021. Prior to the meeting, one case was withdrawn by compliance. The remaining case was found in violation by the Special Magistrate.

The next Code Hearing before the Special Magistrate or Code Board is December 16, 2021, at 2:00 PM at Marathon City Hall Council Chambers, 9805 Overseas Highway, Marathon FL. Currently, five cases are noticed for this Hearing.

A vacant position was filled with a new Code Compliance Officer who started working with the Code Department on Monday, November 15.

• Code Compliance Activity

Code Department staff responded to numerous complaints either by telephone, email, online, or in-person. A total of 22 new code cases were opened in November. Not all complaints resulted in open cases as they were either quickly resolved, unfounded, civil in nature, or subsequent complaints on an existing Code case. Staff continue follow-up activities of outstanding cases; multiple cases are under review for the next legal step to collect outstanding fines.

- **Right of Way Use – 2 Study Areas**

The City's rights of way are established in part to ensure adequate access for utilities and maintenance. Depending on location, these rights of way vary in dimension, and the alternate use-by-others varies as well. These uses predominantly relate to temporary passenger vehicle parking, but also include uses such as landscaping, temporary equipment, trailer and/or boat parking.

Two of these right of way areas are currently under review:

Sombrero Boulevard: One study area is the right of way along Sombrero Boulevard, particularly the area from Sombrero Beach Road to Blue Cobia Point Condominium. This area is used mainly for boat trailer and passenger vehicle parking. Zoning along this distance is a combination of Mixed Use and Residential High along the northwest side of Sombrero Blvd and Parks and Recreation along the southeast side (along the golf course). The City has received several notices regarding concern that this right of way is being used for boat trailer storage, is not properly maintained, is becoming unsightly and is a potential safety issue for pedestrians, bicyclers, and vehicle traffic.

After an assessment of the site conditions, and follow-up discussions with some of the neighboring property owners, a potential resolution was reached. The recommendation is to prohibit trailer parking and allow for passenger vehicle parking along the roadway in designated areas only. Certain areas will be designated no parking, and the parking zones will be selected through a series of open meetings with the area property owners. Both the designated parking zones and the no parking zones within the right of way will be properly developed, marked and maintained by the City.

Coco Plum Drive: The second study area is the right of way along Coco Plum Drive, particularly the area from Overseas Highway to Avenue D. The circumstances for this area are different from Sombrero Blvd. This area has many various uses within the right of way, which include landscaped areas, passenger vehicle parking, commercial vehicle parking, unregistered trailer and vehicle parking, storage of commercial equipment and supplies, and developed parking areas. However, the City has only received complaints about one specific use along a particular section of the road. It would be difficult, and likely irresponsible, for the City to address just this one use without addressing all of the other various uses by others.

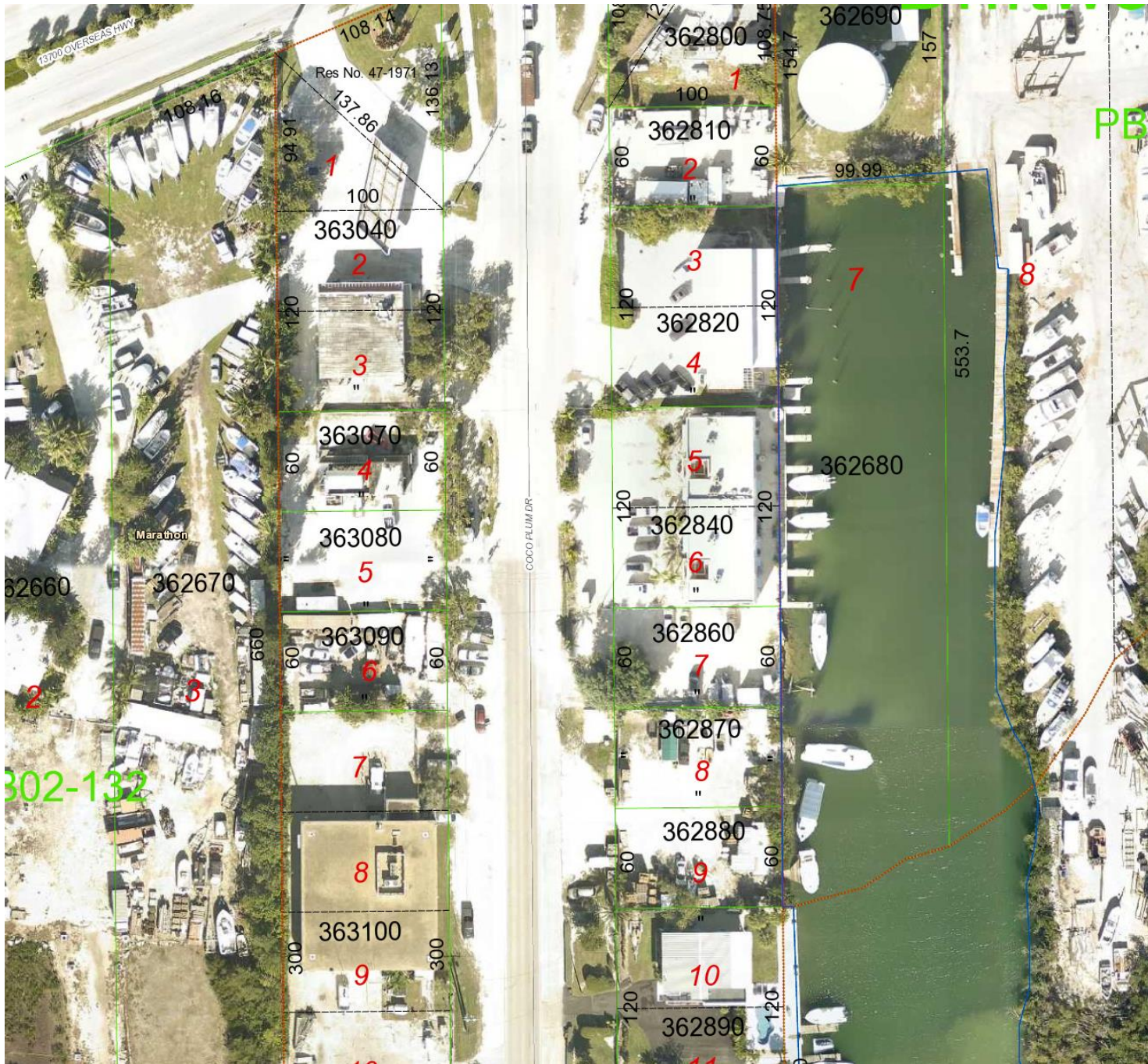
The zoning along this distance of road varies. From Overseas Highway to just before Pescayo Avenue, the zoning is mostly Mixed Use Maritime with some Residential High and Mixed Use (closer to Overseas Highway). From Pescayo Ave to Avenue D the zoning is mostly Residential High and Residential Medium, with a few parcels zoned Mixed Use Maritime.

Attached are photos of road sections along this study area showing the road, the right of way, and the various uses within the right of way.

Because of the varying, multiple uses of the right of way, it is a challenge to develop a viable solution that will satisfy all the various stakeholders. Staff will continue working with property owners and stakeholders to develop possible remedies.

Coco Plum Drive from Overseas Hwy (Zoned Mixed Use, Mixed Use Maritime, and Residential High)

↓ Right of Way ↓



↑ Right of Way ↑

Coco Plum Drive (Zoned Mixed Use Maritime)

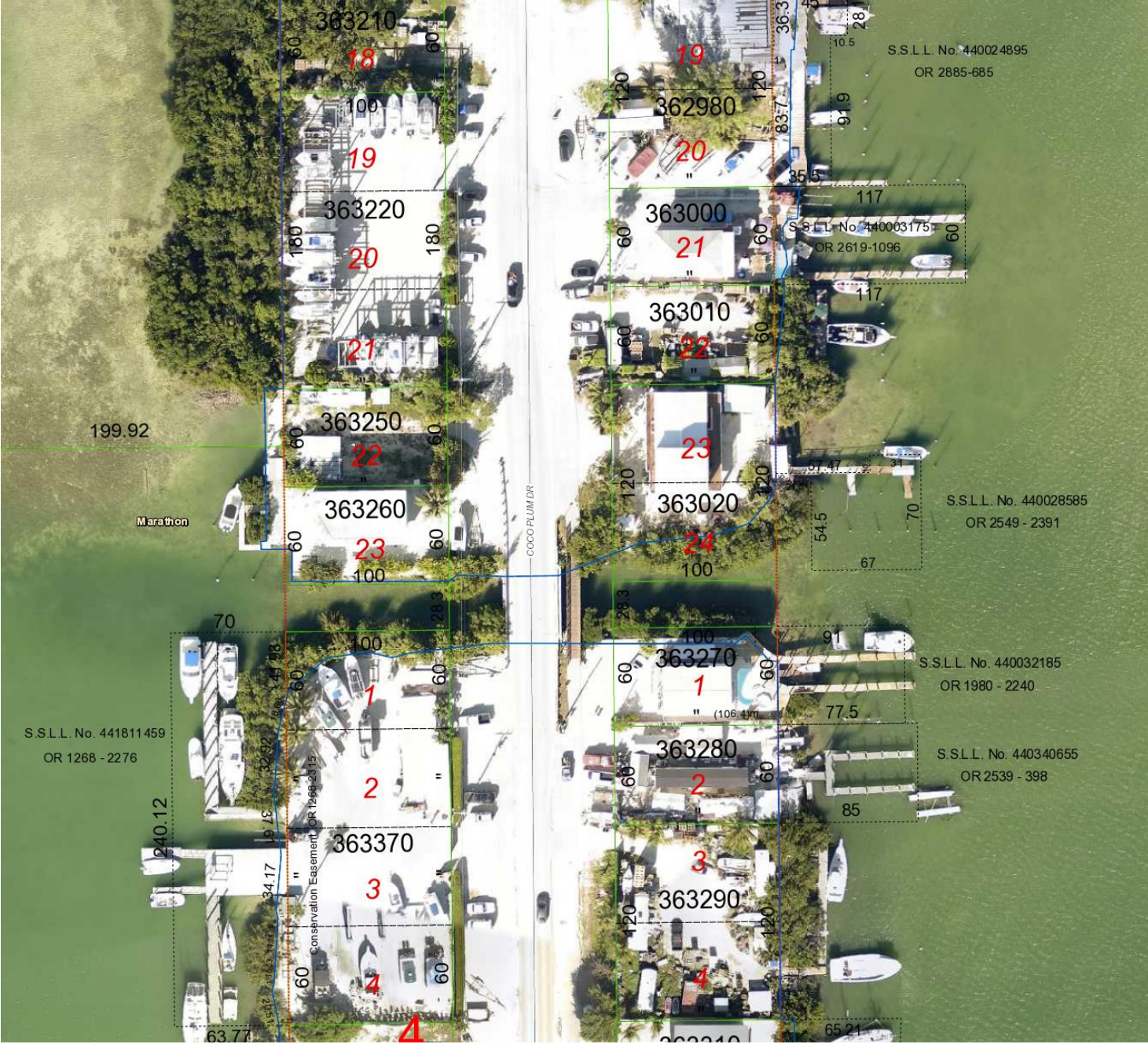
↓ Right of Way ↓



↑ Right of Way ↑

Coco Plum Drive (Zoned Mixed Use Maritime)

↓ Right of Way ↓



↑ Right of Way ↑

Coco Plum Drive (Zoned Mixed Use Maritime and Mixed Use)

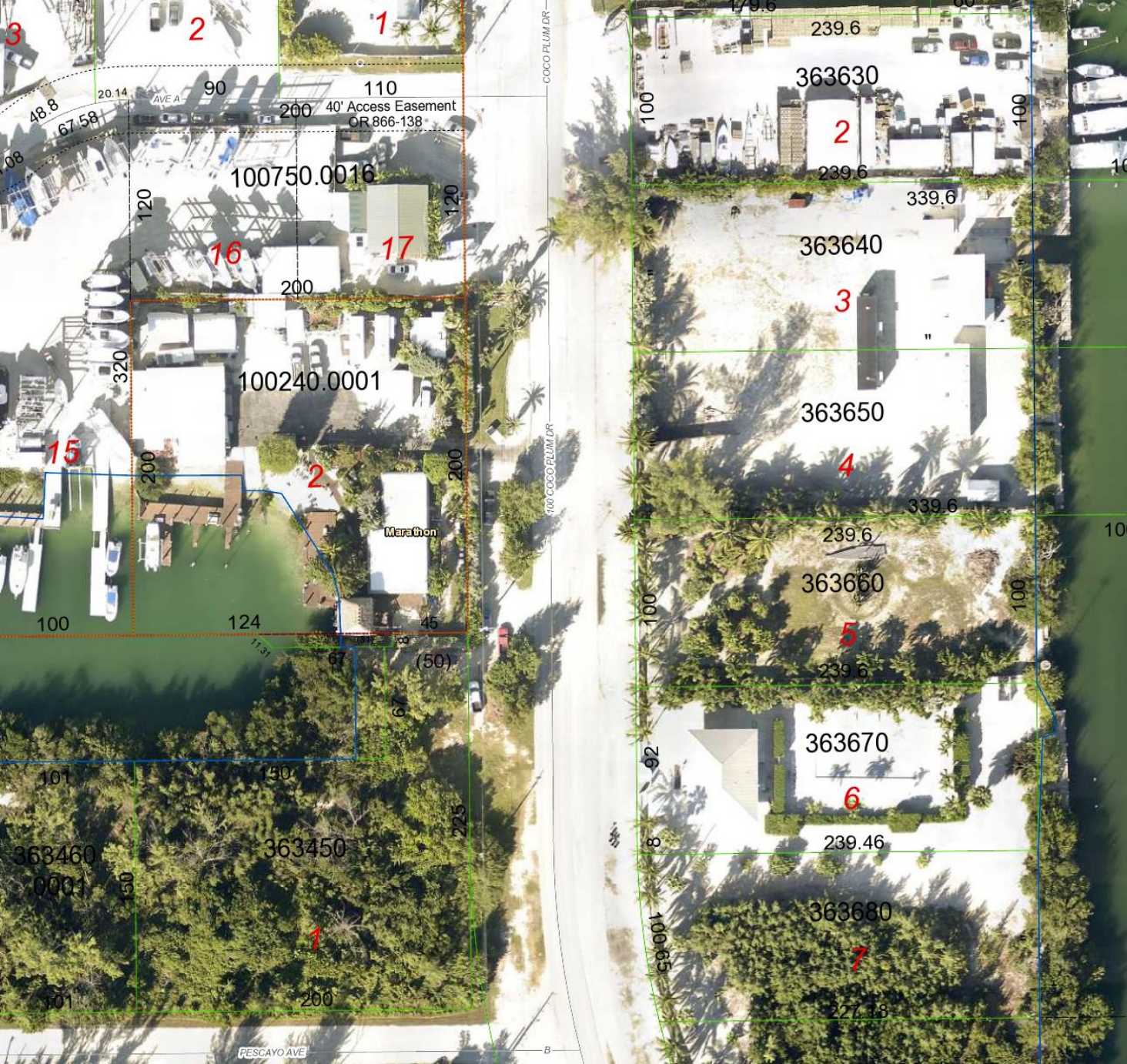
↓ Right of Way ↓



↑ Right of Way ↑

Coco Plum Drive (Zoned Mixed Use Maritime and Residential High)

↓ Right of Way ↓



↑ Right of Way ↑

Coco Plum Drive from Pescayo Ave to Avenue D (Zoned Mixed Use Maritime, Residential High, and Residential Medium (RM-1))

↓ Right of Way ↓

