



## **CODE COMPLIANCE HEARING AGENDA**

Special Magistrate, Jack Bridges  
Marathon Council Chambers  
9805 Overseas Highway, Marathon  
Wednesday, January 16, 2019 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ADDITIONS/DELETIONS/CORRECTIONS/ANNOUNCEMENTS**
- D. APPROVAL OF AGENDA AND MINUTES**
- E. SWEARING IN OF WITNESSES TO TESTIFY**
- F. NOTICES**

This meeting is open to the public. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Special Magistrate, with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based.

Please be advised that the following cases on the agenda are quasi-judicial in nature. If you wish to testify in any of these cases, please inform the Code Compliance Recording Secretary by filling out the available sign-up form. If authorized by the Special Magistrate, third parties may testify in a case after the City and the Respondent have made their presentations. Third parties will not be permitted to cross-examine witnesses, but third parties may suggest questions for the Special Magistrate to ask the parties and witnesses. All testimony will be given under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony may not be considered. A copy of the rules for hearings before the Special Magistrate may be obtained from the Code Compliance Secretary.

### **NOTICE REGARDING EX-PARTE COMMUNICATIONS**

An ex-parte communication is defined as any contact, conversation, communication, writing, correspondence, memorandum or any other verbal or written communication that takes place outside a public hearing between a member of the public and a member of a quasi-judicial board or special magistrate, regarding matters which are to be heard and decided by said quasi-judicial board or special magistrate. Site visits and expert opinions are also considered ex-parte communications. In the event that someone contacts the Special Magistrate about a quasi-judicial matter outside of a public meeting, at such time that particular issue is brought before the Special Magistrate, the Special Magistrate must state on the record the existence of any ex-parte communication, the nature of the communication, the party who originated the ex-parte communication and whether the ex-parte communication will affect the Special Magistrate's ability to impartially consider the evidence presented.

**G. CASES FOR PUBLIC HEARING:**

Code Officer, Cody Ward

1. Case No: **C2017-0186 (NON-COMPLIANCE)**  
Respondent(s): JM & MM Properties LLC  
Guy Moreau, Registered Agent  
  
Location: 60 Pelican Rd., Grassy Key, FL (RE# 00375940-000000)  
Violation(s): Construction of a Tiki-Hut without the benefit of a permit.  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
- 

Code Officer, Cody Ward

2. Case No: **C2018-0238 (NON-COMPLIANCE)**  
Respondent(s): Beverly J Guitar Living Trust 6/13/2001  
Location: 111 W Bruce Ct., Marathon, FL (RE# 00331061-016200)  
Violation(s): A back porch and stairs constructed without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
- 

Code Officer, Patti Childress

3. Case No: **C2018-0028 (NON-COMPLIANCE)**  
Respondent(s): Brownlow L Hyder Living Trust Agreement 9/20/2012  
Location: 1000 97th St., Marathon, FL (RE#00351760-000000)  
Violation(s): Repairs to an existing dock without the benefit of a permit.  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
- 

Code Officer, Patti Childress

4. Case No: **C2017-0295 (UNSAFE STRUCTURE)**  
Respondent(s): Vaclav and Bohuslava Persl  
Location: 11524 Overseas Hwy, Marathon, FL (RE#00334750-000000)  
Violation(s): Unsafe Structure  
Code Section(s): Section 6-91 (a), (b) (1) (2), (c) (3), (5), (9), (11) (d), (f), (g) "Unsafe Buildings or Systems"
- 

Code Officer, Patti Childress

5. Case No: **C2018-0032 (UNSAFE STRUCTURE)**  
Respondent(s): David Zelinske and Karen Wells  
Location: 58438 Overseas Hwy., Marathon, FL (RE#00368280-000000)

Violation(s): Unsafe Structure  
Code Section(s): Section 6-91 (a), (b) (1) (2), (c) (1) (2) (4), (d), (f), (g) "Unsafe Buildings or Systems"

---

~~Code Officer, Patti Childress~~

~~6. Case No: **C2018-0213 (NEW CASE)**  
Respondent(s): Bank of New York Mellon, c/o Shapiro, Fishman & Gache, LLP  
Location: 11585 6th Ave, Marathon, FL (RE#00345950-000000)  
Violation(s): Grass/weeds exceeding 12 inches and trash/debris  
Code Section(s): Section 22-24 "Lot Mowing and Maintenance"  
Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"~~

---

Code Officer, Patti Childress

7. Case No: **C2018-0259 (UNSAFE STRUCTURE)**  
Respondent(s): Bank of New York Mellon, c/o Shapiro, Fishman & Gache, LLP  
Location: 11585 6th Ave, Marathon, FL (RE#00345950-000000)  
Violation(s): Unsafe Structure.  
Code Section(s): Section 6-91 (a), (b) (1), (2), (c) (3), (5), (9), (d), (f), (g) "Unsafe Buildings or Systems"

---

~~Code Officer, Patti Childress~~

~~8. Case No: **C2018-0357 (UNSAFE STRUCTURE)**  
Respondent(s): Nicholas A Miller  
Location: 11455 3rd Ave., Marathon, FL (RE# 00345460-000000)  
Violation(s): Unsafe Structure of a pool that is unsecured and holding stagnant water  
Code Section(s): Section 6-91 (a); (b) (1) (2) (8) "Unsafe Buildings or Systems"~~

---

Code Officer, Cody Ward

9. Case No: **C2018-0409 (REPEAT VIOLATIONS)**  
Respondent(s): Sally Ann Mishmash  
Location: 620 99th Street, Ocean, Marathon, FL 33050 (RE #00351990-000000)  
Violation(s): Repeat violations  
Code Section(s): Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"  
Section 22-22 (b) of the Marathon Code entitled, "Unlawful Disposal of Solid Waste"  
Section 103.15 (A) and Table 103.15.1 "Standards"  
Section 18-28 (a) (1), (4), and (5) of the Marathon Code, entitled "Fence Maintenance"  
Section 103.22 A. B. D. "Parking of Travel Trailers, Trailers and Trucks in Residential Districts"  
Section 103.19 "Abandoned Watercraft"  
Section 18-29. "Stagnant Water Conditions Prohibited"

---

Code Officer, Patti Childress

- 10. Case No: C2016-0359 (NEW CASE)**  
Respondent(s): Angel Broche and Barbarita R/S Morales  
Location: 597 74th St., Ocean, Marathon, FL (RE# 00342810-000000)  
Violation(s): The construction of a wooden deck without the benefit of a permit  
Code Section(s): Section 6-52 (a) (2) "Building Permits Required"
- 

Code Officer, Cody Ward

- 11. Case No: C2018-0034 (STOP WORK ORDER)**  
Respondent(s): Angel Broche and Barbarita Morales R/S  
Location: 597 74th St., Marathon, FL (RE#00342810-000000)  
Violation(s): A large amount of remodeling work performed without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
- 

~~Code Officer, Cody Ward~~

- ~~**12. Case No: C2018-0331 (NEW CASE- VACATION RENTAL/CITATION NO. 3198)**  
Respondent(s): Tom Cirrito  
Location: 619 Sombrero Beach Rd., Marathon, FL (RE#00104900-000605)  
Violation(s): Property advertised and rented as a vacation rental without a Vacation Rental License  
Code Section(s): Section 8-12 (a) (1) "Licenses required"  
Section 8-14 (16) "General Provisions"~~
- 

~~Code Officer, Patti Childress~~

- ~~**13. Case No: C2017-0305 (NEW CASE- STOP WORK ORDER)**  
Respondent(s): Jules Irwin Beckwitt, c/o Helba Charlene P  
Location: 765 107th St., Marathon, FL (RE#00104260-000000)  
Violation(s): Work without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"~~
- 

Code Officer, Cody Ward

- 14. Case No: C2017-0308 (NEW CASE- STOP WORK ORDER)**  
Respondent(s): Guy Moreau  
Location: 459 Margate Dr., Marathon, FL (RE#00329300-000000)  
Violation(s): Substantial portion of land cleared of all vegetation without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) a. "Building or Site Preparation Permits Required; Exceptions"  
Section 106.07 B. "Applicability"

Section 106.08 C. "Permitting"  
Section 106.11 and Table 106.11.1 "Unauthorized Removal"

---

Code Officer, Cody Ward

- 15. Case No: C2018-0111 (NEW CASE)**  
Respondent(s): Ronald J Mc Ewan and Margaret L McEwan H/W  
Location: 917 80th St., Marathon, FL (RE#00347410-000000)  
Violation(s): New deck and supporting columns constructed without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
- 

~~Code Officer, Cody Ward~~

- ~~**16. Case No: C2018-0182 (NEW CASE)**  
Respondent(s): Joseph R Zappa Jr and C. Randy Massey T/C  
Location: 11600 1st Ave., 24, Marathon, FL (RE# 00104180-001240)  
Violation(s): Back trellis built onto the structure without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"~~
- 

Code Officer, Cody Ward

- 17. Case No: C2018-0275 (NEW CASE)**  
Respondent(s): Keys RV Rentals LLC  
Location: 6099 Overseas Hwy 110W, Marathon, FL (RE#00338830-003000)  
Violation(s): A Recreational Vehicle (RV) connected to utilities and being used for habitation  
Code Section(s): Section 103.22 "Parking of Travel Trailers, Trailers and Trucks in Residential Districts"
- 

Code Officer, Patti Childress

- 18. Case No: C2018-0305 (NEW CASE)**  
Respondent(s): Robert E Mowder Jr  
Location: 2207 Yellowtail Dr., Marathon, FL (RE# 00332130-000000)  
Violation(s): A lawn in need of maintenance, unregistered boat trailers and an unregistered vessel  
Code Section(s): Section 22-24 "Lot Mowing and Maintenance"  
Section 103.18 "Abandoned vehicles"  
Section 103.19 "Abandoned Watercraft"
- 

~~Code Officer, Patti Childress~~

- ~~**19. Case No: C2018-0350 (NEW CASE)**  
Respondent(s) Southern Bell Telephone and Telegraph CO  
c/o Bellsouth Telecommunications Inc. D/B/A AT&T FL~~

Location: Vacant land, 23rd St, Ocean, Marathon, FL 33050 (RE#00320880-000000)  
Violation(s): Grass/weeds exceeding 18 inches  
Code Section(s): Section 22-24 "Lot Mowing and Maintenance"

---

~~Code Officer, Patti Childress~~

~~20. Case No: **C2018-0386 (NEW CASE)**  
Respondent(s): Marathon RT LLC,  
Stephen C Enriquez, Registered Agent  
Location: 1075 75th St., Marathon, FL (RE#00101190-000000)  
Violation(s): Air intake pipe (candy cane) damaged and in need of maintenance  
Code Section(s): Section 34-28 (b) "Customer's Duty to Maintain Installation"~~

---

Code Officer, Patti Childress

21. Case No: **C2018-0240 (NEW CASE)**  
Respondent(s): Jennifer Blair Laigo  
Location: 984 81st St., Marathon, FL (RE#00348360-000000)  
Violation(s): Interior renovations/repairs without the benefit of a permit  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

---

~~Code Officer, Patti Childress~~

~~22. Case No: **C2018-0358 (NEW CASE)**  
Respondent(s): Real Estate of South FL LLC  
Marisela Delgado, Registered Agent  
Location: 1301 Grouper Dr., Marathon, FL (RE#00331680-000000)  
Violation(s): A pile of debris  
Code Section(s): Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"~~

---

## H. OLD BUSINESS

## I. NEW BUSINESS

## J. DISCUSSION ITEMS

## K. ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 286.26, Florida Statutes, persons with disabilities needing a special accommodation in order to participate in this proceeding should contact City Hall at (305)743-0033, no later than five (5) days prior to the hearing or meeting.