



CODE COMPLIANCE HEARING AGENDA

Special Magistrate, Jack Bridges
Marathon Council Chambers
9805 Overseas Highway, Marathon
Wednesday, February 20, 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: **C2017-0308 (NEW CASE – STOP WORK ORDER)
CONTINUED FROM LAST HEARING 1/16/19)**
- 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”
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Code Officer, Cody Ward

2. Case No: **C2018-0136 (NEW CASE)**
- Respondent(s): Larry Breedlove, Jan Breedlove R/S
John Breedlove, Russel Breedlove, Angie Haral
- Location: 13900 Overseas Hwy, Marathon, FL (RE#00362700-000000)
- Violation(s): An office building and ramp/stairs connected to the office building constructed without the benefit of a permit.
- Code Section(s): Section 6-52 (a) (1) b. “Building or Site Preparation Permits Required; Exceptions”
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Code Officer, Cody Ward

3. Case No: **C2018-0432 (NEW CASE)**
- Respondent(s): Marathon H M A Inc.
C/O Altus Group
- Location: 83rd St, Marathon (RE#: 00349020-000000)
- Violation(s): High grass/weeds in excess of 18 inches over a substantial portion of the Property
- Code Section(s): Section 22-24 “Lot Mowing and Maintenance”.
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Code Officer, Patti Childress

4. Case No: **C2018-0032 (UNSAFE STRUCTURE)
(CONTINUED FROM LAST HEARING 1/16/19)**
- 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”
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5. Case No: C2017-0337 (NEW CASE) CITATION NO. 3238
Respondent(s): John E Timinsky
Lisa E Mann T/C

Location: Vacant Land, Overseas Hwy, Grassy Key, FL (RE #00374600-000000)
Overseas Hwy, Grassy Key, FL (RE #00374610-000000)
Vacant Land, Overseas Hwy, Grassy Key, FL (RE #00374620-000000)
Overseas Hwy, Grassy Key, FL (RE #00374630-000000)
Overseas Hwy, Grassy Key, FL (RE #00374640-000000)

Violation(s): The removal and destruction of native vegetation and habitat.

Code Section(s): Section 6-52 (1) b. "Building or Site Preparation Permits Required Exceptions"
Section 106.07. B. "Applicability"
Section 106.08 C. "Permitting"
Section 106.11. "Unauthorized Removal" and Table 106.11.1.

Code Officer, Patti Childress

6. Case No: C2018-0383 (UNSAFE STRUCTURE)
Respondent(s): Sun Key Real Estate LLC
John F Demarco, Sr., Registered Agent

Location: 181 109th St., Marathon, FL (RE#00343550-000000)
Violation(s): Damaged air intake pipe (candy cane) and in need of maintenance.
Code Section(s): Section 34-28 (b) "Customer's Duty to Maintain Installation".

Code Officer, Patti Childress

7. Case No: C2018-0412 (NEW CASE)
Respondent(s): M A B Properties LLC
Mark A Brooks, Registered Agent

Location: 100 Avenue I 26, Marathon, FL (RE# 00364990-000226)
Violation(s): The installation 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".

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.