



**CODE COMPLIANCE
SPECIAL MAGISTRATE HEARING**
Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, December 17, 2020 at 2:00 P.M.
Minutes

A. CALL TO ORDER

The Code Compliance Special Magistrate Hearing of December 17, 2020 was called to Order by Special Magistrate, James (Jack) Bridges at 2:04 P.M., at the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida.

Staff Present:

City Attorney Steven Williams
Code Compliance Officer Angela Yetter
Code Compliance Officer Erin Dafoe
Vacation Rental Code Officer Jessica Young

Members of the public present.

B. ADDITIONS/DELETIONS/CORRECTIONS/ANNOUNCEMENTS

DELETIONS:

The following cases were withdrawn:

- 10. C2020-0121
- 11. C2020-0124

The following cases were continued:

- 2. C2017-0305 7. C2012-0504
- 4. C2020-0003 8. C2012-0505
- 5. C2016-0101 9. C2020-0017
- 6. C2020-0102

C. APPROVAL OF MINUTES

- Special Magistrate Bridges approved the minutes of November 19, 2020, hearing.

D. SWEARING IN OF WITNESSES TO TESTIFY

- Special Magistrate Bridges called for witnesses to be sworn in and administered the Oath.

E. NOTICES

- Notices were read into the record.
- There were no Ex-Parte Communications.

F. CASES FOR PUBLIC HEARING:

Code Officer, Angela Yetter

3. C2019-0212

Yoel Lopez and Dayanis Cordovi
369 110th Street, Marathon, FL (RE#00343710-000000)

Based on the evidence presented at the hearing, the Respondent(s) have violated §6-52 (a) (1) b. of the City of Marathon Code, as set forth in the Notice of Violation/Notice of Hearing served upon the Respondent, for the construction/remodeling of a shed without the benefit of a permit.

An initial inspection conducted on November 5, 2019 of the subject property confirmed the construction/remodeling of a shed.

Exhibits A through D were entered and accepted into evidence by Special Magistrate Bridges.

The Respondent(s) were present at the hearing, were sworn in, were properly noticed of the hearing by certified mail and afforded the opportunity to appear and speak. The Respondent(s) admitted to the violation and are willing to work with the City to bring the property into compliance.

RECOMMENDATION(S): The Special Magistrate heard the testimony, and a Findings of Fact, Conclusion of Law and Order was entered finding the property in violation of the stated code and Ordered Respondent(s) shall apply for and obtain after-the-fact building permit for the construction/remodeling of a shed without the benefit of a permit or apply for and obtain an after-the-fact building permit to remove the structure within sixty (60) days from the date of this hearing, December 17, 2020. Respondent(s) shall pay an Administrative Fee in the amount of Three Hundred Dollars (\$300.00) within thirty (30) days from the date of this hearing, December 17, 2020. In the event the violation(s) is/are not corrected by the date set for compliance, February 16, 2021, Respondent(s) shall pay a fine in the amount of One Hundred Dollars (\$100.00) per day, which shall accrue for each day the violation(s) continues to exist past the compliance date set forth herein. This fine is calculated by taking into consideration: the gravity of the violation; the steps taken by the Respondent to correct the violation; and any previous violations, pursuant to Chapter 162.09 (2) (b) (1) - (3), F.S.

Code Officer, Erin Dafoe

13. C2020-0201

Dagoberto Roblejo
6099 Overseas Hwy 51W, Marathon, FL (RE#00338830-001870)

Based on the evidence presented at the hearing, the Respondents have violated §6-52 (a) (1) b. of the City of Marathon Code, as set forth in the Notice of Violation/Notice of Hearing served upon the Respondent, for the installation of a new roof over the dock without the benefit of a permit.

An inspection conducted on August 19, 2020 of the subject property confirmed the installation of a roof over the dock. An online investigation on August 22, 2020, revealed alterations including but not limited to new kitchen cabinets and refurbishment of existing bathrooms.

Exhibits A through D were entered and accepted into evidence by Special Magistrate Bridges.

The Respondent was present at the hearing and sworn in, was properly noticed of the hearing by certified mail, and afforded the opportunity to appear and speak. Mr. Roblejo admitted to the violation and stated he applied for a permit; however, the City review the application and noticed that more information was needed to process the permit. Mr. Roblejo explained that the interior alterations were there when he bought the property; however, he willing to comply with the City to bring the property into compliance.

RECOMMENDATION(S): The Special Magistrate heard the testimony, and a Findings of Fact, Conclusion of Law and Order was entered finding the property in violation of the stated code and Ordered the Respondent to apply for and obtain an after-the-fact building permit for the installation of a roof over the dock and any other existing renovations performed without the benefit of a permit, within sixty (60) days from the date of this hearing, December 17, 2020. The Respondent(s) shall pay an Administrative Fee in the amount of Three Hundred Dollars (\$300.00) within thirty (30) days from the date of this hearing, December 17, 2020. In the event the violation(s) is/are not corrected by the date set for compliance, February 16, 2021, Respondent(s) shall pay a fine in the amount of One Hundred Dollars (\$100.00) per day, which shall accrue for each day the violation(s) continues to exist past the compliance date set forth herein. This fine is calculated by taking into consideration: The gravity of the violation; the steps taken by the Respondent to correct the violation; and any previous violations, pursuant to Chapter 162.09 (2) (b) (1) - (3), F.S.

Code Officer, Angela Yetter

1. C2012-0363

302 South Street LLC / Travis Wallace, Registered Agent
58876 Overseas Highway, Grassy Key, FL 33050 (RE#00099990-000000)

This case came before the Special Magistrate for a Final Order to transfer imposition of lien in the name of the now current owner(s) of record.

The Respondent(s) was/were not present at the hearing but was/were properly noticed of the hearing by certified mail and afforded the opportunity to appear and speak; The Respondent(s) was/were not represented and did not submit evidence for review.

RECOMMENDATION(S): The Special Magistrate heard the testimony and granted the request to transfer the lien to new owner(s) of record.

Code Officer, Erin Dafoe

12. C2020-0155

Zaida and Julian Gonzalez
11200 1st Ave, Marathon, FL (RE#00335700-000000)

Based on the evidence presented at the hearing, the Respondents have violated §6-52 (a) (1) b. of the City of Marathon Code, as set forth in the Notice of Violation/Notice of Hearing served upon the Respondent, for the construction of a tiki hut without the benefit of a permit.

An initial inspection conducted on July 2, 2020 of the subject property, confirmed the installation of a new tiki-hut without the benefit of a permit and a follow-up case review on November 17, 2020, revealed no permit application has been submitted for said work.

Exhibits A through D were entered and accepted into evidence by Special Magistrate Bridges.

The Respondent(s) were not present at the hearing but were properly noticed of the hearing by certified mail and afforded the opportunity to appear and speak.

RECOMMENDATION(S): The Special Magistrate heard the testimony, and a Findings of Fact, Conclusion of Law and Order was entered finding the property in violation of the stated code and Ordered the Respondent to apply for and obtain an after-the-fact building permit for the construction of a tiki-hut without the benefit of a permit, within sixty (60) days from the date of this hearing, December 17, 2020. The Respondent(s) shall pay an Administrative Fee in the amount of Three Hundred Dollars (\$300.00) within thirty (30) days from the date of this hearing, December 17, 2020. In the event the violation(s) is/are not corrected by the date set for compliance, February 16, 2021, Respondent(s) shall pay a fine in the

amount of One Hundred Dollars (\$100.00) per day, which shall accrue for each day the violation(s) continues to exist past the compliance date set forth herein. This fine is calculated by taking into consideration: the gravity of the violation; the steps taken by the Respondent to correct the violation; and any previous violations, pursuant to Chapter 162.09 (2) (b) (1) - (3), F.S.

H. OLD BUSINESS - None

I. NEW BUSINESS - None

J. DISCUSSION ITEMS - None

K. ADJOURNMENT - With no further business to come before the Special Magistrate, the meeting was adjourned at 2:25P.M.

The above represents a summary of the Code Compliance Hearing held December 17, 2020. This is not a verbatim record. A recorded disc is available upon request.

These minutes were reviewed and approved by James (Jack) Bridges, Special Magistrate.



James (Jack) Bridges, Special Magistrate

01/21/2021

Date