



CODE COMPLIANCE HEARING AGENDA

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, September 16, 2021 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ADDITIONS/DELETIONS/CORRECTIONS/ANNOUNCEMENTS**
- D. APPROVAL OF THE MINUTES OF AUGUST 19, 2021, MEETING**
- 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 Code Board/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 Code Board/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 Code Board/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 Code Board/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 Code Board/Special Magistrate about a quasi-judicial matter outside of a public meeting, at such time that particular issue is brought before the Code Board/Special Magistrate, the Code Board/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 Code Board/Special Magistrate's ability to impartially consider the evidence presented.

G. CASES FOR PUBLIC HEARING:

CODE OFFICER, ERIN DAFOE

- 1. Case No: C-20-242 (C2020 -0247) (NEW CASE - STOP WORK ORDER)**
Respondent(s): Beach House Marathon LLC, c/o Thomas Wright, Registered Agent
Location: 107 Ave D, Unit 204, Marathon, FL 33050 (RE# 00363860-000204)
Violation(s): Screen room work performed without a permit. Stop Work Order posted October 9, 2020.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

- 2. Case No: C-21-37 (NEW CASE- VACATION RENTAL W/O A LICENSE)**
Respondent(s): Ocean Oasis LLC, Charles R Hollowell, JR. Registered Agent
Location: 1057 68th St., Marathon, FL 33050 (RE #00338970-000000)
Violation(s): Advertising and Renting the property as a vacation rental without a Vacation Rental License.
Code Section(s): **Section 8-12 (a) (1) Vacation Rentals, "Licenses required"**
Section 8-14 (16) "Vacation Rentals", "General Provisions"

- 3. Case No: C-20-248 (C2020-0253) (NEW CASE)**
Respondent(s): Xiao Family Partnership LLC, Gang Xiao, Registered Agent
Location: 7885 Overseas Hwy, Marathon FL 33050 (RE# 00347010-000000)
Violation(s): The placement of unauthorized sign without a permit.
Code Section(s): Section 107.59 A. D. 1. "Applicability"

- 4. Case No: C-21-68 ((NEW CASE- STOP WORK ORDER)**
Respondent(s): Spencer C Blanton
Location: 900 Camino Real, Marathon, FL 33050 (RE# 00356230-000000)
Violation(s): Stop work order placed for spalling repair, concrete work and decking without a permit
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

- 5. Case No: C-21-83 ((NEW CASE)**
Respondent(s): Edilberto Lopez and Malena Vazquez
Location: 10001 Gulf of Mexico Blvd (RE#00358230-000101)
Violation(s): Structure built without a permit, advertising and renting without a vacation rental license less than 7 nights, pavers installed without a permit, structure built over a dock without a permit, violation of easement and deed restrictions filed within the city for conservation and BPAS, removal of native vegetation, and failure to connect/tampering with sewer connection systems.
Code Section(s): Section 8-12 (a) (1) "Licenses Required"
Section 8-14 (16) "General Provisions"
Section 6-52 (a)(1) a, b, c "Building or Site Preparation Permits Required: Exceptions"
Section 107.101 "Permits"
Section 107.102 "Protection of Endangered Species"

Section 106.57 "Permanent Protection"
Section 104.64 "Waterfront Walkways and Docks"
Section 107.09 "BPAS Scoring System"
Section 34-26 "Tampering"

CODE OFFICER, DON LAW

6. Case No: **C-21-71 (NEW CASE)**
Respondent(s): Margaret A. Broz
Location: 427 26th Street, Ocean, Marathon (RE.# 00321270-000000)
Violation(s): Piles of trash/junk and debris and someone living on a sailboat docked in the canal
Code Section(s): **Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"**
Section 104.28 "Live-aboard Vessel"

7. Case No: **C-21-72 (NEW CASE)**
Respondent(s): Ronald Freeman
Location: 105 26th Street, Marathon (RE# 00321290-000000)
Violation(s): Garbage/debris and abandoned vehicles.
Code Section(s): **Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"**
Section 103.18 "Abandoned vehicles"

H. OLD BUSINESS

I. NEW BUSINESS - Next Special Magistrate meeting: October 21, 2021 at 2:00pm

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.