



CODE COMPLIANCE HEARING AGENDA

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, October 21, 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 SEPTEMBER 21, 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, DON LAW:

1. Case No: **C-21-102 (NEW CASE)**
Respondent(s): David Marabella and Tammy Marabella
Location: Vacant Land, Offshore Islands (RE#00105810-000000)
Violation(s): Land clearance and removal of Native Trees and Vegetation from the island without the proper permits
Code Section(s): Section 106.08 "Permitting"; Section 106.07 "Applicability";
Section 36-88. "Mangrove Maintenance"
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2. Case No: **C-20-242 (C2020 -0247) (NEW CASE)**
CONTINUED FROM LAST HEARING 9/16/21
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 10/9/2020.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
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3. Case No: **C-13-218 (C2013-0221)**
Respondent(s): RMTP Trust c/o Ruishmore Loan Management Services LLC
Location: 1021 27th St, Marathon, FL 33050 (RE#00323050-000000)
Violation(s): Failure to Connect to the Central Wastewater System
Code Section(s): Section 34-35 "Wastewater Utility Service Rules and Regulations-Failure to Connect"
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H. OLD BUSINESS

I. NEW BUSINESS - Next Special Magistrate meeting: November 18, 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.