



CITY OF MARATHON CODE COMPLIANCE HEARING AGENDA

Marathon Council Chambers
9805 Overseas Highway, Marathon
Wednesday, October 12, 2022 at 2:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ADDITIONS/DELETIONS/CORRECTIONS

Cases withdrawn by compliance:

13. C-22-154 | 14. C-22-150 | 15. C-22-151

Cases continued to next hearing of 11/17/22:

11. C-22-144 | 12. C-22-145 | 16. C-22-155 | 17. C-22-84

D. 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 THIS HEARING, 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.

PURSUANT TO FLORIDA STATUTE SECTION 162.07, IF THE CITY PREVAILS IN PROSECUTING A CASE BEFORE THE SPECIAL MAGISTRATE, THE CITY SHALL BE ENTITLED TO RECOVER ALL COSTS INCURRED IN PROSECUTING THE CASE BEFORE THE SPECIAL MAGISTRATE AND SUCH COSTS MAY BE INCLUDED IN THE LIEN AUTHORIZED UNDER SECTION 162.09(3), FLORIDA STATUTE.

E. SWEARING IN OF WITNESSES TO TESTIFY

F. CASES FOR PUBLIC HEARING:

CODE OFFICER DON LAW:

1. Case No: C-22-125 (NEW CASE-CONTINUED FROM LAST HEARING)

Respondent(s): Harold J. and Sandra Beerbower

Location: 1780 109th St Gulf Marathon (RE# 00334950-000000)

Violation(s): Advertising and renting on VRBO as a vacation rental without a Vacation Rental License.

Code Section(s): Section 8-12 "Licenses Required" | Section 8-14 "General provisions"

CODE OFFICER DON LAW:

2. Case No: **C-21-53 (NEW CASE)**
Respondent(s): Christine A. Leird
Location: 2860 Dolphin Dr. Marathon, FL 33050 (RE#00332310-000000)
Violation(s): Concrete repair work being done on the canal dockage area without the benefit of a permit.
Code Section(s): Section 104.64 (b) "Waterfront Walkways and Docks"
Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
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CODE OFFICER DON LAW:

3. Case No: **C-22-89 (NEW CASE)**
Respondent(s): Bernardo Ornelas
Location: 9988 Aviation Blvd. Marathon (RE# 00331061-003000)
Violation(s): The installation of pavers in the driveway and sidewalk areas of the property without the benefit of a permit.
Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
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CODE OFFICER DON LAW:

4. Case No: **C-22-130 (NEW CASE)**
Respondent(s): Richard Gogan
Location: 525 23rd Street, Gulf Marathon (RE# 00102270-000000)
Violation(s): Advertising and renting on VRBO as a vacation rental without a Vacation Rental License.
Code Section(s): Section 8-12 "Licenses Required" | Section 8-14 "General provisions"
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CODE OFFICER DON LAW:

5. Case No: **C-22-152 (NEW CASE)**
Respondent(s): James Christensen
Location: 1248 Overseas Hwy, Marathon (RE#00101750-000000)
Violation(s): A truck that has a business wrap advertising **Sea Dog Charters** onsite without a proper vehicle registration.
Code Section(s): Section 107.61 (7) "**Prohibited Signs**" per Ordinance 2022-02
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CODE OFFICER MATT SALATA:

6. Case No: **C-22-99 (NEW CASE- CONTINUED FROM LAST HEARING)**
Respondent(s): Tammi Genovese
Location: 952 91st Court, Ocean, Marathon (RE#00350240-000000)
Violation(s): Travel Trailer/RV being used for habitation and not registered
Code Section(s): Section 103.22 "Parking of Travel Trailers, Trailers and Trucks in Residential Districts"

CODE OFFICER MATT SALATA:

7. Case No: **C-22-113 (NEW CASE)**
Respondent(s): G&R Vacation Properties LLC c/o Grayce Scardina, Registered Agent
Clayton R. Randolph JR
Location: 779 26th St Marathon FL (RE#00323400-000000)
Violation(s): The property is being advertised on VRBO and rented as a vacation rental without a valid Vacation Rental License for less than (7) nights which is prohibited.
Code Section(s): Section 8-12 (a) (1) Vacation Rentals, "Licenses Required"
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CODE OFFICER MATT SALATA:

8. Case No: **C-22-139 (NEW CASE)**
Respondent(s): Julian and Zaida Gonzalez
Location: 11200 1st Ave Gulf Marathon FL (RE#00335700-000000)
Violation(s): Downstairs/ground floor renovations performed without the benefit of a permit. Additionally, the property is being advertised and rented on VRBO and Airbnb, without a valid Vacation Rental License.
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
Section 8-14(16) Vacation Rentals, "General Provisions"
Section 8-12(a)(1) Vacation Rentals, " Licenses Required"
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CODE OFFICER MATT SALATA:

9. Case No: **C-22-141 (NEW CASE)**
Respondent(s): 203 Sombrero Beach Road 1 LLC / Randall E. and Toni A. Wheeler
Wright, Thomas D, ESQ. (Registered Agent)
Location: 203 Unit 1 Sombrero Beach Road Marathon FL (RE#00327000-000200)
Violation(s): The property is being advertised on VRBO and rented as a vacation rental without a valid Vacation Rental License
Code Section(s): Section 8-14(16) Vacation Rentals, "General Provisions"
Section 8-12(a)(1) Vacation Rentals, " Licenses Required"
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CODE OFFICER MATT SALATA:

10. Case No: **C-22-149 (NEW CASE)**
Respondent(s): The Hermit Crab LLC c/o Wright Barrows PLLC, Registered Agent
Location: 1638 Overseas Hwy, Marathon (RE#00102560-000000)
Violation(s): The placement of a metal sign for business known as **7 Mile Fly Shop** sign on the Right-of-Way (ROW).
Code Section(s): Section 107.61 (14) "Prohibited Signs" in accordance with New Sign Ordinance 2022-02

CODE OFFICER DON LAW:

CONTINUED

11. Case No: C-22-144 (NEW CASE)

Respondent(s): FL Keys Food Service LLC d/b/a Porky's Bayside Restaurant & Marina

Location: 1472 Coral Dr., (1410 Overseas), Marathon (RE#00320340-000000)

Violation(s): Removal and Replacement of the thatch roof without a permit. A Stop Work Order was posted on August 30, 2022.

Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
Section 6-61 Working Through a Stop Work Order/Red Tag"

CODE OFFICER DON LAW:

CONTINUED

12. Case No: C-22-145 (NEW CASE)

Respondent(s): Advance Construction Corp. c/o Eusebio Verrier

Location: 1472 Coral Dr., (1410 Overseas), Marathon (RE#00320340-000000)

Violation(s): Removal and Replacement of the thatch roof at Porky's Bayside Restaurant & Marina without a permit. A Stop Work Order was posted on August 30, 2022.

Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
Section 6-61 Working Through a Stop Work Order/Red Tag"

CODE OFFICER DON LAW:

WITHDRAWN BY COMPLIANCE

13. Case No: C-22-154 (NEW CASE)

Respondent(s): RGSG Inc. c/o Sandra E Garza, Registered Agent

Location: 2219 Overseas Hwy, Marathon (RE#00327040-000000)

Violation(s): A large tower style business sign advertising 7 Mile Restaurant in an unregistered trailer, as well as double sided stand-alone sign in excess of 12 Sq. Ft. on the Right-of-Way (ROW)

Code Section(s): Section 107.61 (7) "**Prohibited Signs**" in accordance with New Sign Ordinance 2022-02

CODE OFFICER MATT SALATA:

WITHDRAWN BY COMPLIANCE

14. Case No: C-22-150 (NEW CASE)

Respondent(s): Gimbel Inc c/o Joann Sipes, Registered Agent

Location: 4540 Overseas Hwy, Marathon (RE#00327760-000000)

Violation(s): The placement of three (3) flutter signs for business known as Paradise Produce Farmer's Market on the Right-of-Way (ROW),

Code Section(s): Section 107.61 (14) "Prohibited Signs" in accordance with New Sign Ordinance 2022-02

CODE OFFICER MATT SALATA:

WITHDRAWN BY COMPLIANCE

15 . Case No: C-22-151 (NEW CASE)
Respondent(s): Eugene F Smith Jr
Location: 4250 Overseas Hwy, Marathon (RE# 00103140-000000)
Violation(s): The placement of three (3) flutter signs for business known as **Taqueria Taco Stand** on the Right-of-Way (ROW).
Code Section(s): Section 107.61 (14) "Prohibited Signs" in accordance with New Sign Ordinance 2022-02

CODE OFFICER MATT SALATA:

CONTINUED

16 . Case No: C-22-155 (NEW CASE)
Respondent(s): Robert S Wilson Revocable Trust 5/26/15 c/o Robert S and Diane J Wilson
Location: 219 Unit 1 Sombrero Beach Road Marathon FL (RE#00327000-001000)
Violation(s): The property is being advertised and rented on VRBO and Flipkey, without a valid Vacation Rental License for less than (7) nights which is prohibited.
Code Section(s): Section 8-14(16) Vacation Rentals, "General Provisions"
Section 8-12(a)(1) Vacation Rentals, " Licenses Required"

CODE OFFICER MATT SALATA:

CONTINUED

17. Case No: C-22-84 (NEW CASE)
Respondent(s): Robert V and Beverly A Plath
Location: 7964 Gulfstream Blvd Marathon Fl (RE#00329630-000000)
Violation(s): Two second floor storage/bonus rooms constructed/finished and converted into bedrooms without permits. In addition, the property is being rented and advertised on VRBO as a vacation rental without a valid Vacation Rental License for less than (7) nights and above occupancy and is listed on the VRBO Ad as six bedroom (sleeps fourteen), which exceeds what is allowed per Florida Fire Prevention Code and Florida Building Code.
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
Section 8-12 (a) (1) Vacation Rentals, "Licenses required"
Section 8-14 (10) a "Vacation Rentals", "General Provisions"

G. OTHER BUSINESS: The next scheduled hearing will be on November 17, 2022 at 2:00PM.

H. 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.