



## CITY OF MARATHON CODE COMPLIANCE HEARING AGENDA

Marathon Council Chambers  
9805 Overseas Highway, Marathon  
Thursday, January 19, 2023 at 2:00 P.M.

### A. CALL TO ORDER

### B. PLEDGE OF ALLEGIANCE

### C. ADDITIONS/DELETIONS/CORRECTIONS

- 8. C-21-118 continued to next hearing
- 9. C-22-164 and 10. C-22-193 withdrawn by compliance

### 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-22-122 (CONTINUED FROM THE LAST HEARING ON 11/21/22)**
  - Respondent(s): Anthony and Krystyna Filinski
  - Location: 1998 Coco Plum Dr, Coco Plum Key (RE#00365850-000100)
  - Violation(s): The placement of a fence and gate in the City Right-of-Way and failure to construct fence in accordance with the approved permit plans (#U2018-1834).
  - Code Section(s): Section 26-26 "Permit required"  
Section 26-28 "Permit Review by City"  
Section 6-52 (a) (1) a. b. c. "Building or Site Preparation Permits Required; Exceptions"

**CODE OFFICER DON LAW:**

2. Case No: **C-22-170 (CONTINUED FROM THE LAST HEARING ON 11/21/22 )**
- Respondent(s): Nationwide Plumbing Service Inc. (Contractor) / Yamile Rey, Registered Agent  
Home Depot USA Inc No 6302 c/o Property Tax Department No 6302  
Corporation Service Company, Registered Agent
- Location: 4555 Overseas Hwy, Marathon, FL (RE # 00103090-000000)
- Violation(s): Illicit Discharge into the storm drain at a business known as The Home Depot
- Code Section(s): Section 34-26. "Tampering"; Section 34-59. "Violations"; Section 34-65. "Prohibitions"  
Section 34-135 (e) "Illicit discharges"
- 

**CODE OFFICER DON LAW:**

3. Case No: **C-22-162**
- Respondent(s): Islamorada Pool Service & Maintenance LLC (Contractor)  
Daniel J Dillon, Registered Agent  
M & E Keys Properties LLC (Owners)  
Ryan P MacPhee, Registered Agent
- Location: 900 50th St., Gulf, Marathon (RE#: 00328220-000000)
- Violation(s): Water being pumped/drained directly from the pool excavation site onto the street and into open waters of the Gulf without any type of filtration, as well as construction of the swimming pool performed without a permit A Stop Work Order was posted on the property 9/23/22.
- Code Section(s): Section 34-135 "Illicit Discharges"  
Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
- 

**CODE OFFICER DON LAW:**

4. Case No: **C-22-186**
- Respondent(s): Guillermo and Dianelys Gonzalez
- Location: 11140 2nd Ave, Ocean, Marathon (RE#00344140-000000)
- Violation(s): The property is being advertised and rented as a vacation rental without a valid Vacation Rental License.
- Code Section(s): Section 8-12. Vacation Rentals, "Licenses required"  
Section 8-14 (16) Vacation Rentals, "General Provisions"  
Section 8-17. (1) "Sign and Notification Requirements"
- 

**CODE OFFICER DON LAW:**

5. Case No: **C-22-195**
- Respondent(s): Cham III Yves
- Location: 955 27th St., Marathon (RE# 00323030-000000)
- Violation(s): Advertising and renting without a valid Vacation Rental License, as well as renting for less than seven (7) nights
- Code Section(s): Section 8-12. Vacation Rentals, "Licenses required"  
Section 8-14 (16) Vacation Rentals, "General Provisions"  
Section 8-17. (1) "Sign and Notification Requirements"

**CODE OFFICER DON LAW:**

6. Case No: **C-22-197**  
Respondent(s): John G and Dawn A Epifano  
Location: 7820 Gulfstream Blvd, Marathon (RE# 00329080-000000)  
Violation(s): Advertising and renting without a valid Vacation Rental License, as well as renting for less than seven (7) nights  
Code Section(s): Section 8-12. Vacation Rentals, "Licenses required"  
Section 8-14 (16) Vacation Rentals, "General Provisions"  
Section 8-17. (1) "Sign and Notification Requirements"
- 

**CODE OFFICER MATT SALATA:**

7. Case No: **C-22-182**  
Respondent(s): Biza Corporation c/o Northwest Registered Agent LLC  
Location: 1361 Overseas Hwy., Lot CH, Marathon (RE#00320190-000000)  
Violation(s): The unpermitted installation of a mobile home (RV style trailer) on Lot CH connected to electric and utilities, without the benefit of a permit or inspections.  
Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
- 

**CODE OFFICER MATT SALATA:**

8. Case No: **C-21-118**  
Respondent(s): Gabriel L and Cynthia G L Imperato  
Location: 58559 Morton St Marathon Fl (RE#00375430-000000)  
Violation(s): The cutting and/or removal of seven (7) native plants/trees/vegetation from the adjacent Parcel# 00375440-000000 without benefit of permits.  
Code Section(s): Section 106.08 "Relocation, Replacement and Mitigation Required"  
Section 106.09 "Relocation, Replacement and Mitigation Required."  
Section 106.10 "Mitigation Required"  
Section 106.11 "Permitting"
- 

CONTINUED TO NEXT HEARING

**CODE OFFICER MATT SALATA:**

9. Case No: **C-22-164**  
Respondent(s): Eduardo Rizo Pereira and Zuzel Trujillo  
Location: 905 25th ST Ocean., Marathon FL (RE#00323920-000000)  
Violation(s): Exterior work performed without benefit of a building permit. Stop Work Order was posted on the property for said work.  
Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
- 

WITHDRAWN BY COMPLIANCE

**CODE OFFICER MATT SALATA:**

**WITHDRAWN BY COMPLIANCE**

**10. Case No:** C-22-193

**Respondent(s):** Florida Keys Resort Holdings LLC  
c/o Index Management Services LLC, Registered Agent and  
Christian Landscaping

**Location:** 4000 Sombrero Blvd, Marathon FL 33050 (RE#00355330-000000)

**Violation(s):** Processing fill material performed on said property by Christian Landscaping without  
the benefit of a permit.

**Code Section(s):** Section 6-52 “Building or Site Preparation Permits Required; Exceptions”

---

**G. OTHER BUSINESS:** The next hearing is scheduled on February 16, 2023 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.