



**CITY OF MARATHON  
SPECIAL MAGISTRATE AND  
CODE COMPLIANCE BOARD HEARING AGENDA**

Marathon Council Chambers  
9805 Overseas Highway, Marathon  
Thursday, July 20, 2023 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. ADDITIONS/DELETIONS/CORRECTIONS:** 3. C-23-164 continued to next hearing 8/17/23

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 MATT SALATA:**

- 1. Case No: C-23-165**
  - Respondent(s): Abel Menendez and Mayelys Morales
  - Location: 960 95th St Ocean, Marathon FL (RE#00350990-000000)
  - Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License for less than (7) nights which is prohibited.
  - Code Section(s): Section 8-12. Vacation Rentals, "Licenses required"

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**CODE OFFICER MATT SALATA:**

- 2. Case No: C-23-176**
  - Respondent(s): Land A Home 5 LLC - Daniel Garcia, Registered Agent
  - Location: 11455 3rd Ave Ocean, Marathon FL (RE#00345460-000000)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License for less than (7) nights, which is prohibited. Previous vacation rental license (VACA-20-224) expired on September 31, 2022.

Code Section(s): Section 8-12(a)(1) "Vacation License Required"  
Section 8-14(16) "Advertising without a Vacation License"

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**CODE OFFICER MATT SALATA:**

**CONTINUED TO NEXT HEARING**

3. Case No: **C-23-164**

Respondent(s): R2TP Inc. Susan Corbin, Registered Agent

Location: 10875 Overseas Hwy, Marathon FL 33050 (RE#00326380-000000)

Violation(s): A business known as **The Green House** distributed a bulk mailer advertising "Recreational Cannabis in Marathon."

Code Section(s): Florida Statute 381.986 (8) (g)

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**CODE OFFICER DON LAW:**

4. Case No: **C-23-147**

Respondent(s): Paul R. McDaniel and Sharyl McDaniel

Location: 11733 2nd Ave Ocean, Marathon (RE# 00346610-000000)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License and being listed as a 3-bedroom; 3-baths, where County records show 2-bedrooms, 2-baths, including interior renovations without the benefit of building permit.

Code Section(s) Section 8-12 (a) (1) "License Required"  
Section 8-14 (16) "General Provisions"  
Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

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**CODE OFFICER DON LAW:**

5. Case No: **C-23-152 (NON-COMPLIANCE) - REPEAT VIOLATION**

Respondent(s): Allen Charles Rogan Family Trust  
C/O Marcie Allen Van Mol Trustee

Location: 2751 Yellowtail Dr. Marathon (RE# 00332010-000000)

Violation(s): Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DON LAW:**

6. Case No: **C-23-158**

Respondent(s): Angelo Durlach and Kristina Durlach Kristina

Location: 67 Tingler Ln, Marathon (RE# 00105050-000000)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License.

Code Section(s): Section 8-12 (a) (1) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DON LAW:**

7. Case No: **C-23-178**

Respondent(s): James Dykstra and Yolanda Dykstra

Location: 2201 Grouper Dr, Marathon (RE# 00331540-000000)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License.

Code Section(s): Section 8-12 (a) (1) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

8. Case No: **C-23-115**

Respondent(s): Sombrero Beach Villa LLC - Leticia Padron, Registered Agent

Location: 203 Sombrero Beach Rd 2, Marathon (RE#00327000-000201)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License.

Code Section(s): Section 8-14 (16) "General Provisions"  
Section 8-12 (a) (1) "License Required"

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**CODE OFFICER DARLENE POINTER:**

9. Case No: **C-23-132**

Respondent(s): Kevin Yeagers and Joseph M Hoover

Location: 850 Manor Ln, Marathon (RE#00355415-001000)

Violation(s): Advertising and renting over occupancy, which exceeds what is allowed per Florida Fire Prevention Code and Florida Building Code. Including a bedroom and bathroom added to the downstairs enclosure without the benefit of a building permit.

Code Section(s): Section 8-14 (16) "General Provisions"  
Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

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**CODE OFFICER DARLENE POINTER:**

10. Case No: **C-23-168**

Respondent(s): Jeffrey Taylor and DFT Properties LLC

Location: 11600 1st Ave Gulf 26, Marathon (RE#00104180-001260)

Violation(s): Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**11. Case No:** C-23-175  
**Respondent(s):** Ronald Dalton and Donelda Lorraine McMillan  
**Location:** 11600 1st Ave Gulf 64, Marathon (RE#00104180-001640)  
**Violation(s):** Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**12. Case No:** C-23-177  
**Respondent(s):** Greaves Family Management Company LLC, Brian Greaves (Owner)  
**Location:** 11600 1st Ave Gulf 67, Marathon (RE#00104180-001670)  
**Violation(s):** Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**13. Case No:** C-23-179  
**Respondent(s):** Nightengale Brian S Living Trust  
Krapff Fred L Rev Trust 1/20/00  
**Location:** 11600 1st Ave Gulf 22, Marathon (RE#00104180-001220)  
**Violation(s):** Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**14. Case No:** C-23-180  
**Respondent(s):** Donald T Peterson II and Karin R Peterson  
**Location:** 11600 1st Ave Gulf 63, Marathon (RE#00104180-001630)  
**Violation(s):** Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**15. Case No: C-23-181**

Respondent(s): James L Kuhn and Margaret L Kuhn

Location: 11600 1st Ave Gulf 65, Marathon (RE#00104180-001650)

Violation(s): Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**16. Case No: C-23-183**

Respondent(s): Harry Humphreys and Kathleen J Humphreys

Location: 444 Calle De Luna, Marathon (RE# 00356070-000000)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License.

Code Section(s): Section 8-12 (a) (1) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DARLENE POINTER:**

**17. Case No: C-23-190**

Respondent(s): John and Sandra Herbert

Location: 11600 1st Ave Gulf 56, Marathon (RE# 00104180-001560)

Violation(s): Advertising and renting the property 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DON LAW:**

**18. Case No: C-23-182**

Respondent(s): Joseph R Zappa Jr

Location: 11600 1st Ave Gulf 25, Marathon (RE# 00104180-001250)

Violation(s): Advertising and renting the property as a vacation rental without a valid Vacation Rental License.

Code Section(s): Section 8-12 (a) (1) "License Required"  
Section 8-14 (16) "General Provisions"

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**CODE OFFICER DON LAW:**

19. Case No: C-22-188  
Respondent(s): Joseph R Zappa Jr  
Location: 11600 1st Ave Gulf 25, Marathon (RE# 00104180-001250)  
Violation(s): Installation of an ADA Ramp without the benefit of a building permit.  
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

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**CODE COMPLIANCE BOARD**

**G. CASE FOR PUBLIC HEARING:**

**CODE OFFICER DARLENE POINTER:**

1. Case No: C-23-202  
Respondent(s): KeysCaribbean Middle Keys, LLC  
Key Vaca Rentals, LLC  
Samuel Schorr, Registered Agent  
Location: 11600 1st Ave Gulf 22, Marathon (RE# 00104180-001220)  
11600 1st Ave Gulf 25, Marathon (RE# 00104180-001250)  
11600 1st Ave Gulf 26, Marathon (RE# 00104180-001260)  
11600 1st Ave Gulf 56, Marathon (RE# 00104180-001560)  
11600 1st Ave Gulf 63, Marathon (RE# 00104180-001630)  
11600 1st Ave Gulf 64, Marathon (RE# 00104180-001640)  
11600 1st Ave Gulf 65, Marathon (RE# 00104180-001650)  
11600 1st Ave Gulf 67, Marathon (RE# 00104180-001670)  
444 Calle De Luna, Marathon (RE# 00356070-000000)  
Violation(s): Advertising and renting the properties 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) "License Required"  
Section 8-14 (16) "General Provisions"

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**H. OTHER BUSINESS:** The next hearing is scheduled for August 17, 2023 at 2:00PM.

**I. 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.

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/Special Magistrate, regarding matters, which are to be heard and decided by said quasi-judicial Board/Special Magistrate. Site visits and expert opinions are also considered ex-parte communications. In the event that someone contacts a Board Member/Special Magistrate about a quasi-judicial matter outside of a public meeting, at such time, that particular issue is brought before the Board/Special Magistrate; the Board Member/Special Magistrate should state on the record the existence of any ex-parte communication, the nature of the communication, and the party who originated the ex-parte communication. Similarly, any correspondence received by a Board Member/Special Magistrate must be forwarded to the Board/Special Magistrate Clerk. You should also state whether or not the ex-parte communication affects your ability to impartially consider the evidence presented.