



**CITY OF MARATHON
SPECIAL MAGISTRATE HEARING AGENDA**

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, August 17, 2023 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ADDITIONS/DELETIONS/CORRECTIONS**

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

- D. SWEARING IN OF WITNESSES TO TESTIFY**
- E. CASES FOR PUBLIC HEARING:**

CODE OFFICER DON LAW:

- 1. 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"

CODE OFFICER DON LAW:

2. Case No: **C-23-241**
Respondent(s): Francelia Maurell
Location: 1027 74th Street, Ocean, Marathon (RE# 00342850-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights, which is prohibited. Previous vacation rental license (VACA-21-507) expired in March 31, 2023.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
-

CODE OFFICER DON LAW:

3. Case No: **C-23-204**
Respondent(s): Kenco Ventures LLC c/o Peter Castro, Registered Agent
Location: 10999 3rd Avenue, Gulf, Marathon (RE#00335550-000000)
Violation(s): Interior/Exterior work performed without the benefit of a building permit. Advertising and renting over occupancy without a valid Vacation Rental License, which exceeds what is allowed per Florida Fire Prevention Code and Florida Building Code. Additionally, being listed as a 4-bedroom, 3-baths. Monroe County Property Appraiser has it listed as a 2-bedrooms, 3-baths home.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
-

CODE OFFICER DON LAW:

4. Case No: **C-23-213**
Respondent(s): Vincent and Sarah J Carfora
Location: 600 62nd Street, Ocean, Marathon (RE#00338780-000400)
Violation(s): Advertising and renting without a valid Vacation Rental License. Previous vacation rental license expired in December 31, 2021.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
-

CODE OFFICER DON LAW:

5. Case No: **C-23-217**
Respondent(s): 2404 Coco Plum LLC c/o Mark B Goldstein, P.A.
Location: 2405 Coco Plum Dr., Coco Plum Key (RE# 00366690-000000)
Violation(s): Recreational Vehicle (RV) being used for habitation in a residential zoning district.
Code Section(s): Section 103.22. "Parking of Travel Trailers, Trailers and Trucks in Residential Districts"

CODE OFFICER DARLENE POINTER:

6. Case No: **C-23-132 (CONTINUED FROM LAST HEARING: 7/20/23)**
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"
-

CODE OFFICER DARLENE POINTER:

7. Case No: **C-23-237**
Respondent(s): 1516 Harbor LLC c/o Lucas A Sadowski, Registered Agent
Location: 1516 Harbor Dr, Marathon (RE# 00330930-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License.
Expired Permit P-22-804 for Smoke Detectors and Emergency Lights
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
Section 6-58 "Expiration of Building Permit"
-

CODE OFFICER MATT SALATA:

8. Case No: **C-23-164 (CONTINUED FROM LAST HEARING: 7/20/23)**
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)
-

CODE OFFICER MATT SALATA:

9. Case No: **C-23-95**
Respondent(s): Bueno Concrete Services LLC c/o Carlos L. Del Valle, Registered Agent
Location: 7505 Gulfstream Blvd, Marathon Fl (RE#00328950-000000)
Violation(s): Yard waste and debris
Code Section(s): Section 22-20 "Premises to be Cleaned of Debris and Noxious Material"

CODE OFFICER MATT SALATA:

10. Case No: C-23-103
Respondent(s): Yusmani and Elisama Camacho
Location: 126 Gulfwinds Ln, Marathon FL (RE#00331061-015200)
Violation(s): Advertising and renting without a valid Vacation Rental License. Previous vacation rental license (VACA-21-324) expired on August 31, 2022.
Code Section(s): Section 8-12(a) (1) "Vacation License Required"
Section 8-14 (16) "Advertising without a Vacation License"

CODE OFFICER MATT SALATA:

11. Case No: C-23-70
Respondent(s): John C. Kornetti and Justin A. Kornetti
Location: 130 109th St Gulf Marathon FL (RE#00335610-000000)
Violation(s): Work performed without a building permit.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"

CODE OFFICER MATT SALATA:

12. Case No: C-23-203
Respondent(s): Greg and Sandra Robinson
Location: 1159 Camino Del Vientos, Marathon FL (RE#00353670-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License. Previous vacation rental license (VACA-21-342) expired on August 31, 2022.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER MATT SALATA:

13. Case No: C-23-209
Respondent(s): Lina Paola Contento and Nerio I Lopez
Location: 565 95th St Ocean, Marathon FL (RE#00350900-000000)
Violation(s): Advertising and renting for less than (7) nights, which is prohibited and over occupancy without a valid Vacation Rental License, which exceeds what is allowed per Florida Fire Prevention Code and Florida Building Code.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER MATT SALATA:

14. Case No: C-23-215
Respondent(s): Michael P. and Vanessa Schimmack
Location: 247 Sombrero Beach Rd 2, Marathon FL (RE#00327000-002401)
Violation(s): Advertising and renting without a valid Vacation Rental License. Previous vacation rental license (VACA-20-1034/1037) expired in September 2021.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER MATT SALATA:

15. Case No: C-23-230
Respondent(s): Damiana Linares and Ross G. Lavin Jr.
Location: 11455 2nd Ave Ocean, Marathon FL (RE#00345410-000000)
Violation(s): Advertising and renting for less than (7) nights, which is prohibited. Vacation Rental License (VACA-22-223) expired on July 31, 2023.
Code Section(s): Section 8-12 (a) (1) "License Required"

CODE OFFICER MATT SALATA:

16. Case No: C-23-242
Respondent(s): Seagar Venture LLC c/o Peter G. Castro, Registered Agent
Location: 11229 4th Ave Ocean, Marathon FL (RE#00344660-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights, which is prohibited.
Code Section(s): Section 8-14 (16) "General Provisions"
Section 8-12 (a) (1) "License Required"

F. CASES CONTINUED UNTIL THE NEXT HEARING ON 9/21/23

CODE OFFICER DARLENE POINTER:

CONTINUED TO NEXT HEARING

17. Case No: C-23-160
Respondent(s): Francisco and Olivia Estrada (Owners)
Location: 10976 3rd Avenue, Gulf, Marathon (RE # 00335560-000000)
Violation(s): Working through a stop work order/red tag. Revocation of building permit.
Code Section(s): Section 6-61 "Working Through a Stop Work Order"
Section 6-59 "Revocation of Building Permit"

CODE OFFICER DARLENE POINTER:

CONTINUED TO NEXT HEARING

- 18. Case No:** C-23-224
- Respondent(s):** La Casa De Las Piscinas Inc./The House of the Pools Inc.
c/o Maria C Rodriguez, Registered Agent
- Location:** 10976 3rd Avenue, Gulf, Marathon (RE # 00335560-000000)
- Violation(s):** Working through a stop work order/red tag. Revocation of building permit.
- Code Section(s):** Section 6-61 "Working Through a Stop Work Order"
Section 6-59 "Revocation of Building Permit"
-

CODE OFFICER DARLENE POINTER:

CONTINUED TO NEXT HEARING

- 19. Case No:** C-23-232
- Respondent(s):** Scott and Christine Miller (Owners)
Aqua Artisans LLC c/o David Jungclaus, Registered Agent
- Location:** 15 Ocean East, Marathon (RE # 00104670-001500)
- Violation(s):** Work commenced on Permit P-22-1321 prior to the Silt Fence Inspection.
- Code Section(s):** Section 6-59 "Revocation of Building Permit"
Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
Section 34-134 "Stormwater Discharges from Industrial, Commercial and Construction Activities"
-

G. OTHER BUSINESS: The next hearing is scheduled for September 21, 2023 at 2:00PM.

H. ADJOURNMENT:

In accordance with the Americans with Disabilities Act (ADA) and Section 286.26, Florida Statutes, persons with disabilities requiring special accommodations or assistance in order to participate in this proceeding, shall notify the City ADA Coordinator at (305) 289-5022 of such need at least 72 hours in advance.