



**CITY OF MARATHON
SPECIAL MAGISTRATE HEARING
AGENDA**

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, September 21, 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 DARLENE POINTER:

- 1. Case No: C-23-224 (CONTINUED FROM LAST HEARING: 8/17/23)**
 - Respondent(s): La Casa De Las Piscinas Inc./The House of the Pools Inc. (**CONTRACTOR**)
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:

- 2. Case No: C-23-160 (CONTINUED FROM LAST HEARING: 8/17/23)**
 - Respondent(s): Francisco and Olivia Estrada (**OWNER**)
 - 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/Red Tag."
Section 6-59. "Revocation of Building Permit"

CODE OFFICER DARLENE POINTER:

3. Case No: **C-23-232 (CONTINUED FROM LAST HEARING: 8/17/23)**
Respondent(s): Scott and Christine Miller (**OWNERS**)
Aqua Artisans LLC c/o David Jungclaus (**CONTRACTOR**)
Location: 15 Ocean East, Marathon (RE# 00104670-001500)
Violation(s): Multiple
Code Section(s): Section 6-59 - Revocation of building permit.
Section 6-52 - Building or site preparation permits required; exceptions.
Section 34-134 - Stormwater discharges from industrial, commercial and construction activities.
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CODE OFFICER DARLENE POINTER:

4. Case No: **C-23-236 (CONTINUED FROM LAST HEARING: 8/17/23)**
Respondent(s): Breezy Resort LLC c/o Law Offices of Svetlana Z. Nemeroff
Location: 270 83rd Street, Ocean, Marathon (RE# 00347560-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights, which is prohibited.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
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CODE OFFICER DARLENE POINTER:

5. Case No: **C-23-264**
Respondent(s): Rolando Emilio Chaves Miranda; Maribel Albor Nunez
Sisi Carnero; Cesar Tobias Rodriguez Sotolongo
Location: 780 92nd Street, Ocean, Marathon (RE# 00350320-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights, which is prohibited.
The accumulation of trash/yard waste on the road and City's Right-of-Way
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (2) "General Provisions"
Section 8-17. (5) "Sign and Notification Requirements"
Section 22-20 (1) "Premises to be Cleaned of Debris and Noxious Material"
Section 22-21 "Storage of Solid Waste so as to Cause Air Pollution"
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CODE OFFICER DARLENE POINTER:

6. Case No: **C-23-296**
Respondent(s): Kale and Melissa Allen c/o Island Breeze Realty, Kasey Platt, Vacation Rental Agent
Location: 11600 1st Avenue, Gulf Unit 8, Marathon (RE# 00104180-001080)
Violation(s): Advertising and renting without a valid Vacation Rental License. The last valid Vacation Rental License VACA-20-1363 (PLR2020-00442) expired in December 2021.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER DARLENE POINTER:

7. Case No: **C-23-328 (Previous Case C-20-127 / C2020-0130)**
Respondent(s): Elias Legra Jr
Location: 939 15th Street, Marathon (RE# 00104180-001080)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
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CODE OFFICER MATT SALATA:

8. Case No: **C-23-70 (CONTINUED FROM LAST HEARING: 8/17/23)**
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"
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CODE OFFICER MATT SALATA:

9. 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): Section 18-125 (a) "Offenses Under State Law; Prohibited"
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CODE OFFICER MATT SALATA:

10. Case No: **C-23-215 (CONTINUED FROM LAST HEARING: 8/17/23)**
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. Last valid vacation rental license (VACA-20-1034/1037) expired September 2022.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
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CODE OFFICER MATT SALATA:

11. Case No: **C-23-260**
Respondent(s): Timothy Pulice and Janell Megee
Location: 11295 3rd Ave Gulf, Marathon FL (RE#00335880-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License. Previous vacation rental license (VACA-21-445) expired September 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:

12. Case No: C-23-270
Respondent(s): Cocoplum Estates LLC c/o Wilgrens Torres Sr., Registered Agent
Location: 251 Pescayo Ave, Marathon FL (RE#00363451-001600)
Violation(s): Dock work performed without a building permit. A Stop Work Order was posted on 8/7/23. Also, Mangrove removal without a permit.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
Section 36-88 "Mangrove Maintenance"
Section 106.08 "Permitting"
Section 106.09 "Relocation, Replacement and Mitigation Required"
Section 106.11 "Unauthorized Removal"
Section 36-88 "Mangrove Maintenance"

CODE OFFICER MATT SALATA:

13. Case No: C-23-271
Respondent(s): Victor Alfonso Santana
Location: 468 100th St Ocean, Marathon FL (RE#00352470-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License for less than (7) nights. The last valid vacation rental license(VACA-22-386) expired on December 31, 2022.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER MATT SALATA:

14. Case No: C-23-287
Respondent(s): Precision Fiberglass Pools of the Keys c/o John Miller, Registered Agent
Bruce and Kelly Pavlik (Owners)
Location: 699 116th St Ocean, Marathon FL (RE#00345870-000000)
Violation(s): A Stop Work Order was posted due to a pool that was installed without any inspections or/and final inspection. Also, exterior stair replacement/repair, and new plywood ceiling above the car port completed without a building permit.
Code Section(s): Section 6-52 (a) (1) b. "Building or Site Preparation Permits Required; Exceptions"
Section 6-56 "Work Concealed Prior to Inspection"

CODE OFFICER MATT SALATA:

15. Case No: C-23-312
Respondent(s): Sunset Paradise Investment LLC c/o Rogelio Guerrero Sr., "Registered Agent"
Location: 2030 Avenue H, Marathon FL (RE#00364730-000000)
Violation(s): Advertising and renting without a valid Vacation Rental License.
Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"

CODE OFFICER DARLENE POINTER:

CASE RESOLVED THROUGH STIP AGREEMENT

16. Case No: C-23- 262
- Respondent(s): Treasure Cay A Condominium/Treasure Cay Condominium Association, Inc.
c/o Kruszka, Linda, Registered Agent
Affordable Asphalt c/o Tom E Woods, Registered Agent
- Location: 130 Coco Plum Dr, Marathon (RE # 00364381-000000)
- Violation(s): Working through a Stop Work Order/Red Tag.
- Code Section(s): Section 6-61 "Working Through a Stop Work Order/ Red Tag"
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CODE OFFICER DARLENE POINTER:

CONTINUED TO 10/19/23 HEARING

17. Case No: C-23-220
- Respondent(s): Michael and Maria Henry
- Location: 57967 Morton Street, Grassy Key (RE# 00374840-000000)
- Violation(s): Advertising and renting over occupancy and for less than (7) nights, which is prohibited.
- Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (10) (a) "General Provisions"
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CODE OFFICER MATT SALATA:

CONTINUED TO 10/19/23 HEARING

18. Case No: C-23-325
- Respondent(s): Kevin Donato and Sean Donato
- Location: 737 24th ST Ocean, Marathon FL (RE#00102170-000000)
- Violation(s): Advertising and renting without a valid Vacation Rental License. The last Vacation Rental License (VACA-20-318), expired October 31, 2021.
- Code Section(s): Section 8-12 (a) (1) "License Required"
Section 8-14 (16) "General Provisions"
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G. OTHER BUSINESS: The next hearing is scheduled for October 19, 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.