



CODE COMPLIANCE HEARING AGENDA

Special Magistrate Jack Bridges
Marathon Council Chambers
9805 Overseas Highway, Marathon
Wednesday, October 16, 2019 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ADDITIONS/DELETIONS/CORRECTIONS/ANNOUNCEMENTS**
- D. APPROVAL OF AGENDA AND MINUTES**
- E. SWEARING IN OF WITNESSES TO TESTIFY**
- F. 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 such hearing or meeting, one will need a record of the proceedings, and for such purpose, 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.

Please be advised that the following cases on the agenda are quasi-judicial in nature. If you wish to testify in any of these cases, please inform the Code Compliance Recording Secretary by filling out the available sign-up form. If authorized by the Special Magistrate, third parties may testify in a case after the City and the Respondent have made their presentations. Third parties will not be permitted to cross-examine witnesses, but third parties may suggest questions for the Special Magistrate to ask the parties and witnesses. All testimony will be given under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony may not be considered. A copy of the rules for hearings before the Special Magistrate may be obtained from the Code Compliance Secretary.

NOTICE REGARDING EX-PARTE COMMUNICATIONS

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 or special magistrate, regarding matters which are to be heard and decided by said quasi-judicial board or special magistrate. Site visits and expert opinions are also considered ex-parte communications. In the event that someone contacts the Special Magistrate about a quasi-judicial matter outside of a public meeting, at such time that particular issue is brought before the Special Magistrate, the Special Magistrate must state on the record the existence of any ex-parte communication, the nature of the communication, the party who originated the ex-parte communication and whether the ex-parte communication will affect the Special Magistrate's ability to impartially consider the evidence presented.

G. CASES FOR PUBLIC HEARING:

Code Officer, Patti Childress

1. Case No: **C2019-0087 (NON-COMPLIANCE)**
- Respondent(s): Elite Sky Holdings LLC / Chen Ting Yee, Registered Agent
- Location: 1100 Overseas Hwy., Marathon, FL (RE# 00101780-000000)
- Violation(s): A fence in need of repairs and an accumulation of debris.
- Code Section(s): Section 22-20 "Premises to be Cleaned of Debris and Noxious Material".
Section 18-28 (a) (1), (4), and (5) "Fence Maintenance".
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Code Officer, Patti Childress

2. Case No: **C2017-0169 (NEW CASE)**
- Respondent(s): Williams Estelle, C/O Williams Maggie
- Location: 3920 Louisa St., Marathon, FL (RE# 00337360-000000)
- Violation(s): Unsafe Structure
- Code Section(s): Section 6-91 "Unsafe Buildings or Systems".
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Code Officer, Patti Childress

3. Case No: **C2017-0279 (NEW CASE)**
- Respondent(s): Carlos Pereira
- Location: 2405 Coco Plum Dr., Coco Plum Key, FL (RE#00366690-000000)
- Violation(s): Permits P2005-1665 and P2011-1152 expired on June 19, 2016. The partial structures remain abandoned creating a threat to public health, safety and welfare.
- Code Section(s): Section 6-58 (b) (1), (2), (3), (4), (5) "Expiration of Building Permit"
Section 6-54 (c) (1) a. b. (2) (3) "Application Procedure for Permits Under Allocation System" Sec. 6-91. Unsafe buildings or systems.
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Code Officer, Patti Childress

4. Case No: **C2019-0082 (NEW CASE)**
- Respondent(s): 2264 Overseas Hwy LLC
- Location: 2264 Overseas Hwy., Marathon (RE# 00102290-000000)
- Violation(s): Renting and advertising Units #1, #2, #3, #4 and #5, as a vacation rental without a Vacation Rental License. Additionally, the fire department turn lane that was required as a condition of Development Order #2016-03 has been removed.
- Code Section(s): Section 8-12 (a) (1) "Licenses required."
Section 8-14 (16) "General Provisions."
Section 109.00. E. "Types of Violations."
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Code Officer, Patti Childress

5. Case No: **C2019-0094 (NEW CASE)**
Respondent(s): KK Keys LLC / Kristen Y Kohl, Registered Agent
Location: 11689 4th Ave., Marathon, FL (RE#00346080-000000)
Violation(s): Permit (P2017-1505) for the replacement of a dock that was damaged in Hurricane Irma; remains damage and in need of repair.
Code Section(s): Section 104.64 B 11 "Waterfront Walkways and Docks"
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Code Officer, Cody Ward

6. Case No: **C2018-0249 (NEW CASE)**
Respondent(s): Angermann Gilbert O REV TR 05/06/2003
Location: 12240 Overseas Hwy., Marathon, FL (RE#00100560-000000)
Violation(s): A fence that was not properly maintained and an accumulation of trash/debris.
Code Section(s): Section 18-28 (a) (1), (4), and (5) "Fence Maintenance." .
Section 22-20 "Premises to be Cleaned of Debris and Noxious Material."
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Code Officer, Cody Ward

7. Case No: **C2018-0261 (NEW OWNERS)**
Respondent(s): Kerry Myers
Location: 11189 5th Avenue, Marathon FL 33050 (RE#: 00344370-000000)
Violation(s): Unsafe Structure
Code Section(s): Section 6-91 "Unsafe Buildings or Systems."
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H. OLD BUSINESS

I. NEW BUSINESS

J. DISCUSSION ITEMS

K. 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.