



## **CODE COMPLIANCE HEARING AGENDA**

Marathon Council Chambers  
9805 Overseas Highway, Marathon  
Thursday, March 17, 2022 at 2:00 P.M.

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. ADDITIONS/DELETIONS/CORRECTIONS**

**D. APPROVAL OF MINUTES - February 17, 2022**

**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 Code Board or 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. All testimony shall be given under oath or affirmation and shall be recorded. If authorized by the Code Board or 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 Code Board or Special Magistrate to ask the parties and witnesses. 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 Code Board or 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 Code Board or Special Magistrate about a quasi-judicial matter outside of a public meeting, at such time that particular issue is brought before the Code Board or Special Magistrate, the Code Board or 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 Code Board or Special Magistrate's ability to impartially consider the evidence presented.

**G. CASES FOR PUBLIC HEARING:**

**CODE OFFICER, DON LAW:**

**CONTINUED FROM LAST HEARING 2/17/22**

**1. Case No: C-21-112 (NEW CASE)**

Respondent(s): Kenneth J Horton

Location: 69 Avenue C, Coco Plum Key (RE# 00366100-000000)

Violation(s): The property is being rented for less than seven (7) nights and the advertising exceeds the capacity as the property is listed as 3-bedrooms and 2-baths home, but the advertisement on VRBO shows that the house is being rented as 5-bedrooms and 4-baths. In addition, 2-bedrooms had been built without the benefit of a permit on the ground level of the structure.

Code Section(s): Section 8-12 (a) (1) "Licenses required"  
Section 8-14 (10) a. "General provisions"  
Section 8-19 (a) "Violations"  
Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"

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**2. Case No: C-21-110 (NEW CASE)**

Respondent(s): George Gleadall and Elena Gleadall

Location: 1696 74TH St, MARATHON FL 33050 (RE# 00342710-000100)

Violation(s): Tiki-Hut without a permit.

Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"

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**3. Case No: C-21-135 (NEW CASE)**

Respondent(s): Hector Patino Solo 401k c/o Hernandez Roxanna

Location: 1155 James Ct, Marathon (RE# 00323700-000000 )

Violation(s): A wooden fence built without the benefit of a permit.

Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"  
Section 102.81 "General provisions"

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**4. Case No: C-22-4 (NEW CASE)**

Respondent(s): Warren Young Russell Jr

Location: 1999 Grouper Dr, Marathon (RE# 00331550-000000)

Violation(s): High grass/weeds; Junk/trash/debris including a fence in disrepair and in need of maintenance.

Code Section(s): Section 22-24 "Lot Mowing and Maintenance"  
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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5. Case No: **C-21-147 (NEW CASE)**

Respondent(s): Thomas Dirk

Location: 1260 52ND St, MARATHON (RE#00325840-000000)

Violation(s): Abandoned vehicle.

Code Section(s): Section103.18 "Abandoned Vehicles"

**WITHDRAWN BY  
COMPLIANCE**

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**CODE OFFICER, MATT SALATA**

6. Case No: **C-21-130 (NEW CASE- VACATION RENTAL W/O LICENSE)**

Respondent(s): David Thomas Wenk

Location: 58477 Morton St Grassy Key Fl (RE#00375490-000000)

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

Code Section(s): Section 8-12 (a) (1) "Licenses Required"

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7. Case No: **C-22-2 (NEW CASE)**

Respondent(s): Andrea Parker Ayres | Biza Corp. c/o Gold, Stuart M, Esq., Registered Agent

Location: 1361 Overseas Hwy Lot G23 Marathon Fl (RE#00320190-000000)

Violation(s): An illegal/unpermitted apartment located on the property inside of two (2) shed style buildings/structures built without permit

Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"  
Section 107.101 of the City Code entitled, "Permits"

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8. Case No: **C-22-5 (NEW CASE)**

Respondent(s): Irene Moreira

Location: 760 62<sup>ND</sup> St, Marathon (RE#00338730-000100)

Violation(s): Property overgrown with high grass/weeds in need of maintenance.  
Based on a 2019 Code Case (C-19-121) conditions also exist with the structure.

Code Section(s): Section 22-24 "Lot Mowing and Maintenance"  
Section 6- 91 (b) (l) (2); (c) (9) "Unsafe Buildings or Systems"

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9. Case No: **C-22-21 (NEW CASE)**

Respondent(s): Islamorada Pool Service & Maintenance LLC

Location: 1200 30th Street Marathon FL 33050 (RE#: 00324060-000000)

Violation(s): Water was being pumped/drained directly from the pool excavation site onto the street without any type of filtration. A Stop Work Order was posted on 2/9/22.

Code Section(s): Section 34.135 "Illicit Discharges"  
Section 10-6(c) "Fines and Related Terms Construed"

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**H. OTHER BUSINESS:** Next Special Magistrate meeting: April 21, 2022

**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.