



**CODE COMPLIANCE
SPECIAL MAGISTRATE HEARING**

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

Action Minutes

A. CALL TO ORDER

The City held its regular Code Compliance hearing February 17, 2022 at 2:00 p.m., in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida. Special Magistrate Jeff D. Vastola, Esq., called the meeting to order at 2:03 p.m.

CITY STAFF PRESENT:

Code Director Theodore Lozier
City Attorney Steven Williams
Code Administrative Assistant Maria Thorley
Code Compliance Officer Don Law
Code Compliance Officer Matt Salata

There were no members of the public present.

B. PLEDGE OF ALLEGIANCE - The Special Magistrate led the Pledge of Allegiance.

C. ADDITIONS/DELETIONS/CORRECTIONS

The following cases were withdrawn by compliance:

- | | |
|-------------|-------------|
| 1. C-21-96 | 3. C21-16 |
| 2. C-21-104 | 4. C-21-106 |

Case continued to next hearing: March 17, 2022

6. C-21-112

D. APPROVAL OF MINUTES

- Minutes of December 16, 2021, hearing was approved by Special Magistrate Vastola.

E. SWEARING IN OF WITNESSES TO TESTIFY

- Special Magistrate Vastola called for witnesses to be sworn in and administered the Oath.

F. NOTICES

- Notices were incorporated into the record without being read, as there were no members of the public present.

G. CASES FOR PUBLIC HEARING:

CODE OFFICER, DON LAW

3. C-21-120 (New Case)

Rhonda Tisplakis
10824 1ST Ave, MARATHON (RE# 00333800-000000)

The Respondent(s) was not present at the hearing but was properly noticed of the hearing by certified mail and afforded the opportunity to appear and speak.

An initial inspection conducted of the subject's property on November 11, 2021, revealed the property overgrown with high grass/weeds and vegetation, in need of maintenance.

A follow-up reinspection on February 8, 2022, showed no change to the property and has not been mowed or trimmed.

After evidence presented by the city, the Respondent would be given until February 28, 2022, to come into compliance before any fines would be levied, other than the costs of the hearing.

Exhibits A through D were entered and accepted into evidence by Special Magistrate Vastola.

There has been no communication with the owner.

Based on the evidence presented, it is determined that there has been no effort by the owner to resolve the issue; therefore, the property remains in violation of §22-24 of the City of Marathon Code

RECOMMENDATION(S): The Special Magistrate heard the testimony, and a Findings of Fact, Conclusion of Law and Order was entered finding the property in violation of the stated code and Ordered Respondent(s) to mow/trim the property and maintain as needed within ten (10) days from the date of the Order, February 17, 2022. Respondent(s) shall pay an Administrative Fee in the amount of Three Hundred Dollars (\$300.00) within thirty (30) days from the date of the Order, February 17, 2022. In the event the violation(s) is/are not corrected by the date set for compliance, February 28, 2022, Respondent(s) shall pay a fine in the amount of Fifty Dollars (\$50.00) per day, which shall accrue for each day the violation(s) continues to exist past the compliance date set forth herein. This fine is calculated by taking into consideration: the gravity of the violation; the steps taken by the Respondent to correct the violation; and any previous violations, pursuant to Chapter 162.09 (2) (b) (1) - (3), F.S.

CODE OFFICER, DON LAW

5. C-21-47 (New Case)

A210Z Capital LLC

57423 Goodley St., Grassy Key, FL 33050 (RE#00360720-000000)

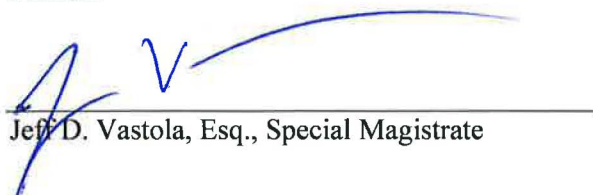
This case was continued, as the owner(s) picked up the permit and the city is therefore giving them time to complete the work. In the event they fail to comply in the near future, it will be brought back in front of the special magistrate.

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

I. ADJOURNMENT OF MEETING - With no further business to come before the Special Magistrate, the meeting was adjourned at 2:09 P.M.

The above represents a summary of the Code Compliance Hearing held February 17, 2022 . This is not a verbatim record. A recorded disc is available upon request.

These minutes were reviewed and approved by Jeff D. Vastola, Esq., Special Magistrate for the City of Marathon, Florida.



Jeff D. Vastola, Esq., Special Magistrate



Date