



CODE COMPLIANCE HEARING AGENDA

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

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ADDITIONS/DELETIONS/CORRECTIONS

D. APPROVAL OF MINUTES - December 16, 2021

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:

1. Case No: **C-21-96 (NEW CASE)** WITHDRAWN BY
COMPLIANCE
Respondent(s): Vincent and Sarah J Carfora
Location: 600 62nd St., Marathon (RE# 00338780-000400)
Violation(s): The property is being advertised and rented over the capacity of the Vacation Rental License. It also revealed alterations including, but not limited to; addition to existing enclosure of downstairs, additional bedrooms and bathroom added to downstairs enclosure, AC mini-split units installed, doors, windows and new floors installed
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
Section 8-14 (10) a. "General provisions"

2. Case No: **C-21-104 (NEW CASE)** WITHDRAWN BY
COMPLIANCE
Respondent(s): James Meyer
Location: 11490 2nd Ave, Marathon (RE# 00345360-000000)
Violation(s): Candy Cane (Air Intake Pipe) broken and in need of repair.
Code Section(s): Section 34-28 "Customer's Duty to Maintain Installation"

3. Case No: **C-21-16 (NEW CASE)** WITHDRAWN BY
COMPLIANCE
Respondent(s): H & H Family Limited Partnership
Location: 10939 Overseas Hwy, Marathon FL 33050 (RE# 00343630-000000)
Violation(s): Outdoor displays and alterations including, but not limited to; an addition to back of building installed.
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
Section 104-41 A. B. C. "Outdoor Display"

4. Case No: **C-21-106 (NEW CASE)** WITHDRAWN BY
COMPLIANCE
Respondent(s): H & H Family Limited Partnership
Location: 10939 Overseas Hwy, Marathon FL 33050 (RE# 00343630-000000)
Violation(s): Candy Cane (Air Intake Pipe) broken and in need of repair
Code Section(s): Section 34-28 "Customer's Duty to Maintain Installation"

5. Case No: **C-21-47 (NEW CASE)**
Respondent(s): A210Z Capital LLC
Location: 57423 Goodley St., Grassy Key, FL 33050 (RE#00360720-000000)
Violation(s): A BPAS Cistern had been removed from the structure without the benefit of a permit (due to the BPAS Points awarded at the time of construction the Cistern must be re-installed).
Code Section(s): Section 107.07 K. 1. (c) 2. "Building Permit Allocation System (BPAS)"

6. Case No: **C-21-112 (NEW CASE)**
Respondent(s): Horton Kenneth J
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"

7. Case No: **C-21-120 (NEW CASE)**
Respondent(s): Rhonda Tisplakis
Location: 10824 1ST Ave, MARATHON (RE# 00333800-000000)
Violation(s): High grass/weeds in need of maintenance.
Code Section(s): Section 22-24 "Lot Mowing and Maintenance"

H. OTHER BUSINESS: Next Special Magistrate meeting: March 17, 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.