



CODE COMPLIANCE HEARING AGENDA

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, May 19, 2022 at 2:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ADDITIONS/DELETIONS/CORRECTIONS

C-22-32 withdrawn by compliance.

D. SWEARING IN OF WITNESSES TO TESTIFY

E. 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.

F. CASES FOR PUBLIC HEARING:

Code Officer Don Law:

1. Case No: **C-12-367 (ORDER AUTHORIZING A NEW FINAL ORDER TO TRANSFER IMPOSITION OF LIEN TO NEW OWNER(S) OF RECORD)**
- Respondent(s): R&R Progressive LLC c/o Estel Ruddy, Registered Agent
- Location: 58876 Overseas Highway, Grassy Key, FL 33050 (RE#00099990-000000)

Code Officer Don Law:

2. Case No: **C-21-111 (NEW CASE)**
- Respondent(s): Daniel Johnson
- Location: 5301 Ocean Ter 11, Marathon (RE#00325131-001100)
- Violation(s): Window replacement without the benefit of a permit. Stop Work Order posted 10/27/21
- Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"

Code Officer Don Law:

3. Case No: **C-22-54 (C-21-112) (NEW CASE) **REQUEST TO GO IN FRONT OF THE BOARD****
- Respondent(s): Kenneth J Horton
- Location: 69 Avenue C, Coco Plum Key (RE# 00366100-000000)
- Violation(s): The property continues to be rented as a vacation rental 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"

Code Officer Don Law:

4. Case No: **C-22-38 (NEW CASE)**
- Respondent(s): Yunielkis De Leon
- Location: 718 68th St., Marathon FL 33050 (RE#00339040-000000)
- Violation(s): The placement of fill on the East end of the house to a depth of 1 foot and a shed had been built on the property line ignoring setbacks without the benefit of permits.
- Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
-

Code Officer Don Law:

5. Case No: **C-22-39 (NEW CASE)**
Respondent(s): Alain J Joly and Craig Alain Joly
Location: 826 68th St, Marathon FL 33050 (RE#00339050-000000)
Violation(s): The placement of a shed without the benefit of a permit and within the setback limits.
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
-

Code Officer Matt Salata:

6. Case No: **C-21-142 (CASE)**
Respondent(s): Anavel Mystique Corp c/o Debora E Velez, Registered Agent
Location: 592 83rd Street Marathon Fl (RE#00347630-000000)
Violation(s): Unsafe Structure and property overgrown lot with high grass/weeds, in need of maintenance
Code Section(s): Section 6-91. (b) (2), (c) (1), (2), (3) (9) "Unsafe Buildings or Systems"
Section 22-24 " Lot mowing and maintenance"
-

Code Officer Matt Salata:

7. Case No: **C-22-9 (NEW CASE)**
Respondent(s): Biza Corporation c/o Gold, Stuart M, Esq. Registered Agent
Location: 1361 Overseas Hwy. Lot C-5 Marathon (RE#00320190-000000)
Violation(s): The installation of a wooden deck with a roof, a concrete pad with a shed, and an AC unit without permits. Additionally, the property is being occupied without all final building/utility inspections having been completed, which deems the structure unsafe.
Code Section(s): Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
Section 107.01 "Permits"
Section 6-91 (a) (b) (1) (2) (c) (1) (2) (4) (d) "Unsafe Buildings or Systems"
-

Code Officer Matt Salata:

8. Case No: **C-22-12 (NEW CASE)**
Respondent(s): CK Beach LLC c/o Carlos Moringlane, Registered Agent
Location: 58420 Overseas Hwy Marathon Fl (RE#00368300-000000)
Violation(s): The disposal of yard waste and debris being dumped on a vacant/adjacent lot to the north (58438 O/S Hwy). Shoreline clearing and fill, specifically sand being placed on shoreline without the benefit of a permit.
Code Section(s): Section 22-22(b) "Unlawful Disposal of Solid Waste"
Section 6-52 (a) (1) b. c. "Building or Site Preparation Permits Required; Exceptions"
-

9. Case No: **C-22-30 (NEW CASE)**
Respondent(s): Teri Dickson
Location: 201 50th Street Marathon Fl (RE#00324940-000000)
Violation(s): A derelict houseboat tied up behind the property, animal pens containing chickens and iguanas.
Code Section(s): Section 36-86 “Abandoned, Derelict and Wrecked Vessels and Illegal Floating Structures”
Section 103.17 “Animals”
-

Code Officer Matt Salata:

10. Case No: **C-22-43 (CASE)**
Respondent(s): Michelle C. Flint | Ontime Taxi | Rite Ontime Taxi Inc/Michelle C Flint, Registered Agent
Location: Marathon
Violation(s): Passenger Vehicle for Hire license required.
Code Section(s): Section 32-51 “Passenger Vehicle for Hire (PVFH)”
Section 32-52 “License Required for All Businesses Offering Passenger Vehicles for Hire (PVFH)”
-

Code Officer Matt Salata:

11. Case No: **C-22-46 (CASE)**
Respondent(s): Island Taxi LLC/Yvonne V. Fassett & Business Filings Incorporated, Registered Agent
Location: Marathon
Violation(s): Passenger Vehicle for Hire license required.
Code Section(s): Section 32-51 “Passenger Vehicle for Hire (PVFH)”
Section 32-52 “License Required for All Businesses Offering Passenger Vehicles for Hire (PVFH)”

G. OTHER BUSINESS: Next scheduled hearing June 16, 2022

H. 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.