



**CITY OF MARATHON
SPECIAL MAGISTRATE HEARING
AGENDA**

Marathon Council Chambers
9805 Overseas Highway, Marathon
Thursday, August 15, 2024 at 2:00 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ADDITIONS/DELETIONS/CORRECTIONS**

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 THIS HEARING, 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.

PURSUANT TO FLORIDA STATUTE SECTION 162.07, IF THE CITY PREVAILS IN PROSECUTING A CASE BEFORE THE SPECIAL MAGISTRATE, THE CITY SHALL BE ENTITLED TO RECOVER ALL COSTS INCURRED IN PROSECUTING THE CASE BEFORE THE SPECIAL MAGISTRATE AND SUCH COSTS MAY BE INCLUDED IN THE LIEN AUTHORIZED UNDER SECTION 162.09(3), FLORIDA STATUTE.

- D. SWEARING IN OF WITNESSES TO TESTIFY**
- E. CASES FOR PUBLIC HEARING:**

CODE OFFICER JOSE SOLER :

- 1. Case No: C-24-360 (PERMITS REQUIRED / VACATION RENTAL)**
- Respondent(s): Virginia M Dumansky Revocable Trust 8/29/2018
- Location: 112 Saguaro Ln, Marathon (Parcel ID: 00356810-000000)
- Violation(s): Work performed without the benefit of a building permit.
Advertising and/or renting without a valid Vacation Rental License and over occupancy, which exceeds what is allowed per Florida Fire Prevention Code and Florida Building Code.
- Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
Section 8-12 "Licenses Required" and Section 8-14 "General Provisions"

CODE OFFICER DARLENE POINTER:

2. Case No: **C-23-453 (PERMITS REQUIRED - CONTINUED FROM 7/18/24 HEARING)**
Respondent(s): Ana Perez
Location: 57538 Bailey St, Grassy Key (Parcel ID: 00360420-000000)
Violation(s): Failure to obtain an after-the-fact permit.
Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
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CODE OFFICER DARLENE POINTER:

3. Case No: **C-24-54 (PERMITS REQUIRED)**
Respondent(s): Janet Gonzalez
Location: 10980 3rd Avenue, Gulf, Marathon (Parcel ID: 00335540-000000)
Violation(s): Work performed without the benefit of a building permit.
Code Section(s): Section 6-52 "Building or Site Preparation Permits Required; Exceptions"
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CODE OFFICER DARLENE POINTER :

4. Case No: **C-24-283 (VACATION RENTAL)**
Respondent(s): Jeffery Page Vaughan
Location: 10957 5th Avenue, Ocean, Marathon (Parcel ID: 00343820-000000)
Violation(s): Advertising and/or renting without a valid Vacation Rental License.
Code Section(s): Section 8-12 "Licenses Required" and Section 8-14 "General Provisions"
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CODE OFFICER DARLENE POINTER:

5. Case No: **C-24-291 (PERMITS REQUIRED - CONTINUED FROM 7/18/24 HEARING)**
Respondent(s): Ricardo Rodriguez and Maria D Formoso
Location: 1777 Avenue H, Coco Plum Key (PARCEL ID 00364800-000000)
Violation(s): Advertising and/or renting with a valid Vacation Rental License for less than (7) nights.
Code Section(s): Section 8-12 "Licenses Required" and Section 8-14 "General Provisions"
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CODE OFFICER MATT SALATA:

AUTHORIZING LITIGATION BY THE SPECIAL MAGISTRATE TO PURSUE CODE VIOLATION(S) FINES:

6. Case No: **C-16-359 (C2016-0359) - CONTINUED FROM 7/18/24 HEARING)**
C-18-36 (C2018-0034)
Respondent(s): Angel Broche and Barbarita Morales
Location: 597 74th St Ocean Marathon FL 33050 (Parcel ID: 00342810-000000)
Subject: Collection of outstanding code violation(s) Fines

CODE OFFICER MATT SALATA:

AUTHORIZING LITIGATION BY THE SPECIAL MAGISTRATE TO PURSUE CODE VIOLATION(S) FINES:

7. Case No: **C-19-236 (C2019-0237)**
Respondent(s): Charles Buttner II and Nayda Buttner
Location: 490 James Ave Marathon FL 33050 (Parcel ID: 00323530-000000)
Subject: Collection of outstanding code violation(s) Fines.

CODE OFFICER MATT SALATA:

8. Case No: **C-24-304 (PERMITS REQUIRED)**
Respondent(s): Florida Keys Resort Holdings LLC c/o Index Management Services LLC, Registered Agent
LPS Utilities Inc. c/o Business Filings Incorporated, Registered Agent (CONTRACTOR)
Location: 4000 Sombrero Blvd Marathon FL 33050 (RE: 00355330-000000)
Violation(s): Working though a Stop Work Order/Red Tag.
Code Section(s): Section 6-61 "Stop Work Order/Red Tag"

CODE OFFICER MATT SALATA:

9. Case No: **C-24-338 (VACATION RENTAL)**
Respondent(s): Ocean View Life LLC c/o United States Corporation Agents Inc., Registered Agent
Location: 443 97th St Ocean, Marathon FL (Parcel ID: 00351560-000000)
Violation(s): Advertising and/or renting with a valid Vacation Rental License for less than (7) nights.
Code Section(s): Section 8-12 "Licenses Required"

CODE OFFICER MATT SALATA:

10. Case No: **C-24-346 (VACATION RENTAL)**
Respondent(s): Errie W. Raasch, Nikki C. Raasch and Charles F. Raasch
Location: 233 112th St Ocean, Marathon (Parcel ID: 00344480-000000)
Violation(s): Advertising and/or renting without a valid Vacation Rental License.
Code Section(s): Section 8-12 "Licenses Required" and Section 8-14 "General Provisions"

CODE OFFICER MATT SALATA:

11. Case No: **C-24-357 (VACATION RENTAL)**
Respondent(s): Marko M. and Danielle M. Torres
Location: 440/442 48th St Ocean, Marathon (Parcel I D: 00324800-000000)
Violation(s): Advertising and/or renting without a valid Vacation Rental License.
Code Section(s): Section 8-12 "Licenses Required" and Section 8-14 "General Provisions"

F. RESPONDENT’S REQUEST TO APPEAR BEFORE THE SPECIAL MAGISTRATE TO DISCUSS FINES:

12. Case No: C-18-356 (C2018-0356)
Respondent(s): Graciela Coca Rodriguez
Location: 11339 5TH Avenue, Marathon (Parcel ID: 00344810-000000)
Subject: Fines/Fees.

CODE OFFICER JOSE SOLER:

RESOLVED BY SETTLEMENT AGREEMENT

13. Case No: C-24-341 (VACATION RENTAL)
Respondent(s): Isabel A Collazo
Location: 35 Treasure Rd, Marathon (Parcel I D: 00105160-000400)
Violation(s): Advertising and/or renting with a valid Vacation Rental License for less than (7) nights.
Code Section(s): Section 8-12 “Licenses Required”

CODE OFFICER MARK TUSCHEL:

RESOLVED BY SETTLEMENT AGREEMENT

14. Case No: C-24-313 (VACATION RENTAL)
Respondent(s): Rafael Danilo Cruz Lugo and Yelaaïne Diaz-Lugo
Location: 10733 1st Ave, Marathon (Parcel I D: 00333830-000000)
Violation(s): Advertising and/or renting with a valid Vacation Rental License.
Code Section(s): Section 8-14 “General Provisions”

G. ADJOURNMENT:

In accordance with the Americans with Disabilities Act (ADA) and Section 286.26, Florida Statutes, persons with disabilities requiring special accommodations or assistance in order to participate in this proceeding, shall notify the City ADA Coordinator at (305) 289-5022 of such need at least 72 hours in advance.