

City Council Staff Report



**Meeting Date:** July 13, 2021  
**To:** City Council  
**From:** Brian Shea, Planning Director  
**Through:** George Garrett, City Manager

**Agenda Item:** **Resolution 2021-46**, A Request By Season's Inc For A Re-Plat Pursuant To Chapter 102, Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Subdivision Of Land/Plats And Re-Plats," Particularly, For A Portion Of 50th Street Gulf, Which Is Described As Thompson And Adams Subdivision PB2-24, Gov Lot 1 Section 10, Twp 66S, Range 32E; And Pt Lots 5-6, Pt Of Lot 1 Overseas Hwy And Bay Bottom Adj To Lots 5-6, Chancery And Bk 1, Pt Of Lots 1 And 9, All Of Lots 10-11-12 And 13 Vaca Village Pb2-106, Marathon, Monroe County, Florida, Having Real Estate Numbers 00327150-000100. Nearest Mile Marker 47.5.

**RECOMMENDATION:**

Council previously approved the Conditional use and preliminary Plat. The documents were rendered to the State, who had no Objections, Recommendations, or Comments. This report addresses the adoption of the Final Plat.

The proposed conditions follow:

Conditions of Approval

1. Final plat shall include language regarding owner-signed consent and acknowledgement for wastewater and stormwater assessment for future development of the properties.
2. All utility and right-of-way permits shall be obtained as part of building permit process.
3. Applicant shall provide form of guarantee for necessary utility construction.
4. Reductions shall be noted in the plat and a complete accounting of acreage respective of allowed densities shall be made in the plat document.
5. Plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations.
6. All conditions of the Conditional Use must be met prior to building permit issuance.

**APPLICANT/ OWNER:** Season's Inc.

**AGENT:** Season's Inc. / Mike Aranda Sr. & Jr.

**LOCATION:** The project site is located at 881 50<sup>th</sup> Street, Marathon – Nearest Mile Marker 47.5. **See Figure 1.**

**Figure 1**  
**Project Site**



**LOT SIZE:**

Total acreage	4.15 Acres (Ac.)	180,774 Square Feet (Sq. Ft.)
Upland	2.71 Ac.	117,893 Sq. Ft.
Submerged	1.44 Ac.	62,726 Sq. Ft.

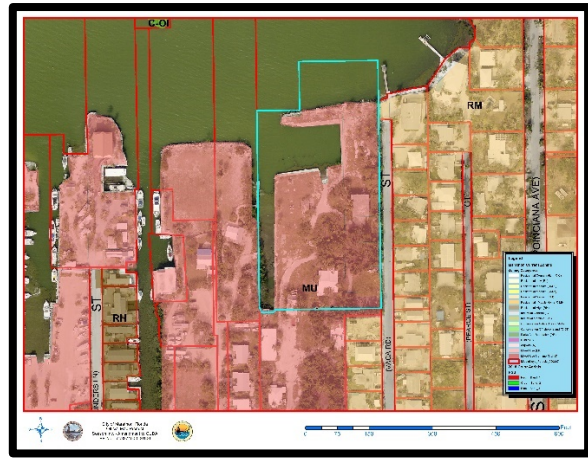
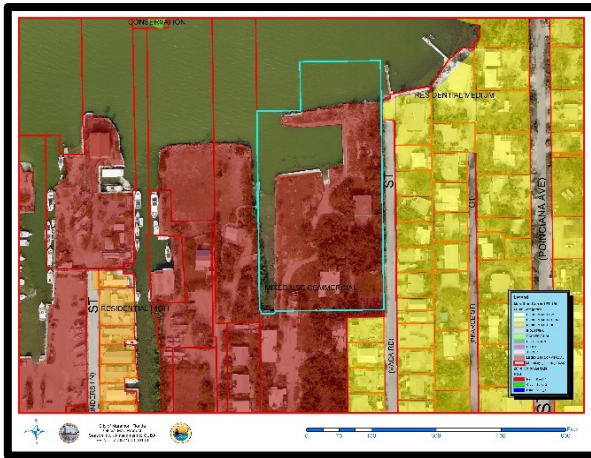
**REQUEST:** A Conditional Use Permit to authorize the preliminary plat of the parcel into seven lots for single family residences.

**FUTURE LAND USE AND ZONING MAP DESIGNATIONS:**

Mixed Use Commercial (MUC) and Mixed Use (MU). See Figure 2 A. and B.

**2.A FLUM Map**

**2.B Zoning Map**



**SURROUNDING ZONING AND USES:**

	<u><i>Zoning</i></u>	<u><i>Use</i></u>
<b>North</b>	Gulf of Mexico	NA
<b>East</b>	Mixed Use, Residential Medium	Sea Dell Motel, Hall’s Scuba, Residential homes of 50 <sup>th</sup> street
<b>South</b>	Mixed Use, Residential Medium	Maramede Amended Subdivision, Marathon Vet, Cracked Conch, Island Tire, Sandal Factory
<b>West</b>	Mixed Use, Residential High	Vacant land, Residential homes, Residential homes of 47 <sup>th</sup> street

**EXISTING CONDITIONS:**

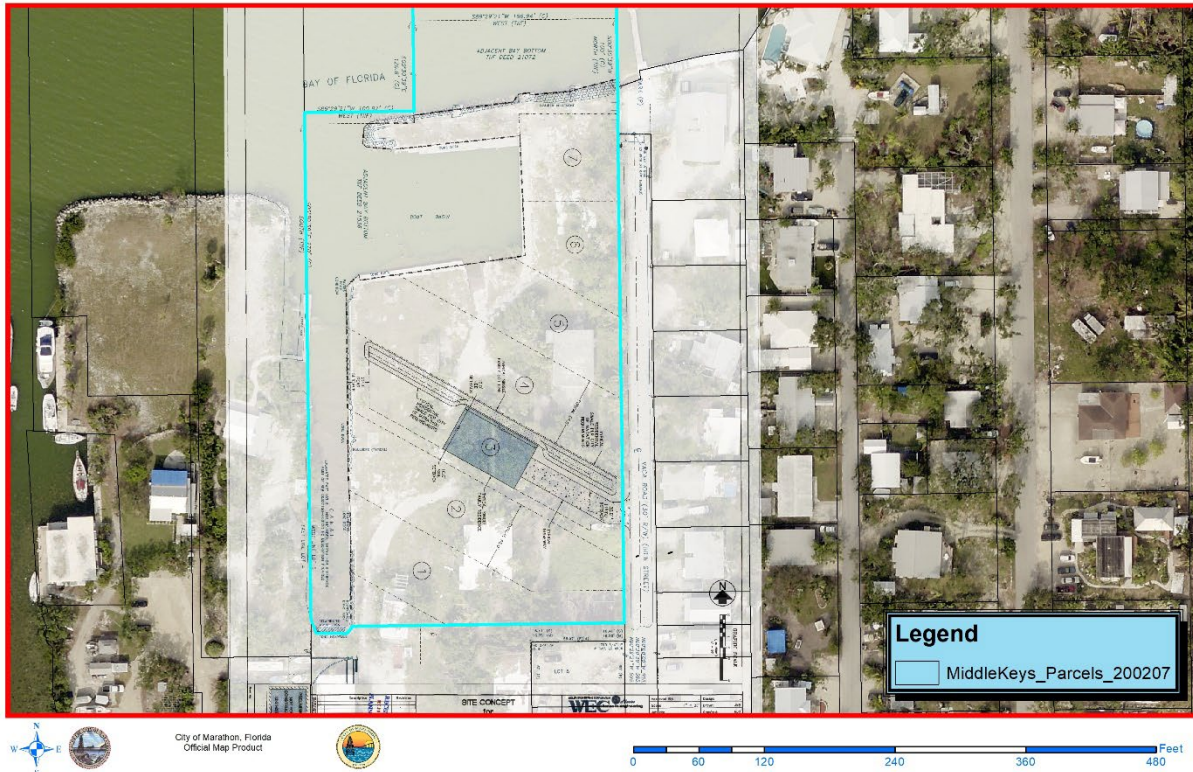
The project site consists of the remains of 1950-60s era resort, including several residences, a marina, and amenities. Most of these features have been demolished at this juncture.

**PROPOSED REDEVELOPMENT:**

The proposed development is seven single family homes on individually platted lots. **See Figure 3 for Site Plan layout.**



**Figure 3**  
**Proposed Redevelopment Site Plan**



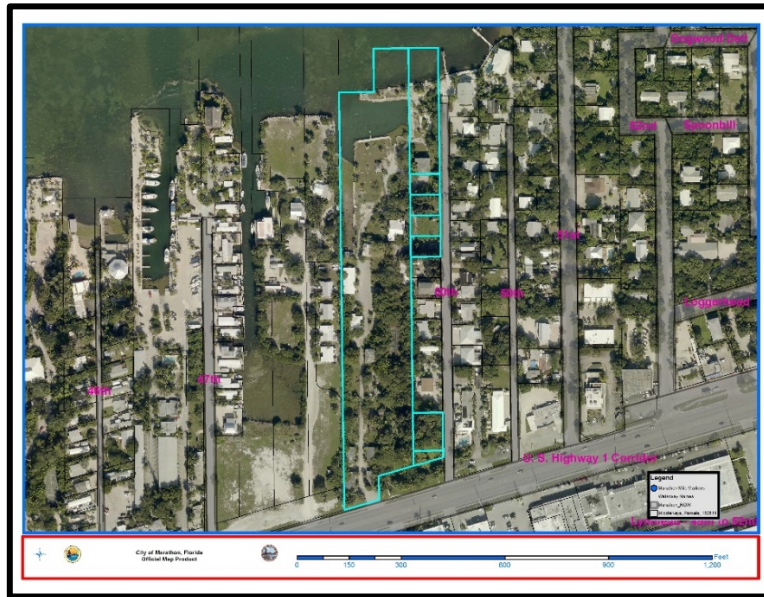
**BACKGROUND:**

Seasons Inc. proposes to redevelop the waterfront portion of the property formerly known as the Crystal Cove Resort and Marina. The resort was located on a 5.98 acre site that stretched from US 1 north to Florida Bay. The first motel was established on this site in the 1950's. The business has been closed in excess of ten years.

In 2016, City Council has approved a redevelopment plan for the property that proposed a workforce housing community (46 units) and 28 Recreational Vehicles (RV) sites in an RV Park located adjacent to the open water (Resolutions 2016-71 & 2016-72). In 2020, City Council has approved a redevelopment plan for the property that proposed twenty-six (26) transient residences (two & three bedroom) and eighteen (18) one-bedroom hotel style transient units with amenities (Resolutions 2020-82 & 2020-83). Construction has commenced on 3.68 acres slated originally for workforce affordable multi-family housing.

This application requests approval to subdivide the parcel into seven parcels. The hotel project will be abandoned towards ultimate approval of this project proposal. See **Figures 4 and 5**.

**Figure 4**  
**Original Project Boundaries**



**Figure 5**  
**Original Project Site Plan**



Upon approval and final adoption of the plat, the development agreement for the transient development may be rescinded.

**ANALYSIS OF PLAT APPROVAL REQUEST:**

The standards for re-plat approval are established in Chapter 102, Article 10 of the Land Development Regulations. The application for the preliminary plat approval is being simultaneously reviewed per Section 102.45.D.2. through the Conditional Use process. Pursuant to the Code, the Planning Commission and City Council shall give due consideration to the evaluation criteria addressed within this report as well as the Conditional Use when rendering a decision to grant or deny the requested permit.

Per code streets, internal park and open space areas, recreation space, protected habitat areas requiring conservation easements may all be the basis for density reductions in the platted lot area if they are included in the overall density calculations for the subdivision and subsequent plat. Such reductions shall be noted in the plat and a complete accounting of acreage respective of allowed densities shall be made in the plat document. Equally, if lot area reductions are allowed as part of the subdivision and platting process, the plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations. The applicant is proposing no such reductions.

### **RECOMMENDATION:**

With the following conditions, the Planning staff recommends approval of the proposed final plat.

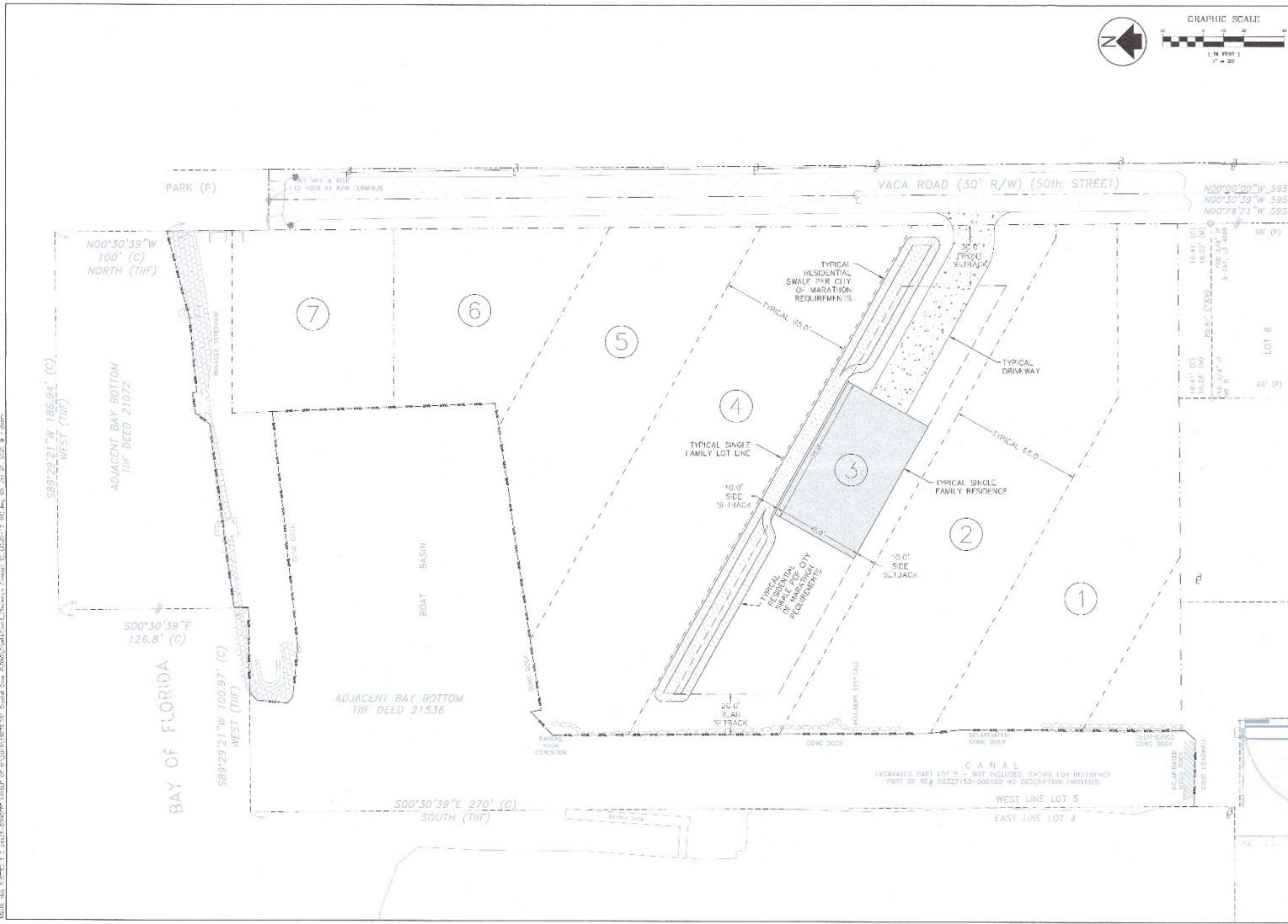
#### Conditions:

7. Final plat shall include language regarding owner-signed consent and acknowledgement for wastewater and stormwater assessment for future development of the properties.
8. All utility and right-of-way permits shall be obtained as part of building permit process.
9. Applicant shall provide form of guarantee for necessary utility construction.
10. Reductions shall be noted in the plat and a complete accounting of acreage respective of allowed densities shall be made in the plat document.
11. Plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations.
12. All conditions of the Conditional Use must be met prior to building permit issuance.





PRELIMINARY - NOT FOR CONSTRUCTION - PRELIMINARY - NOT FOR CONSTRUCTION - PRELIMINARY - NOT FOR CONSTRUCTION



<p>W.H. CHANCE IN ENGINEERING          201 W. WARDON AVE., SUITE 1300          PINTA CORRAL, FLORIDA 33950          941.995.1700 PR 48956</p>		<p>Drawn By: _____          Scale: 1" = 20'          Job No: _____          Date: _____          Date Plotted: _____</p>
<p><b>SITE CONCEPT</b>          for  <b>LATITUDE 24, MARATHON, FLORIDA</b></p>		<p>RECEIVED          Oct 18 2021          PLANNING</p>
<p>PRELIMINARY          NOT FOR CONSTRUCTION          12-21-2020</p>		<p>Sheet No. EX-100</p>

PRELIMINARY - NOT FOR CONSTRUCTION - PRELIMINARY - NOT FOR CONSTRUCTION - PRELIMINARY - NOT FOR CONSTRUCTION





**CITY OF MARATHON, FLORIDA  
RESOLUTION 2021-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST BY SEASON'S INC FOR A RE-PLAT PURSUANT TO CHAPTER 102, ARTICLE 10 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (LDRS) ENTITLED "SUBDIVISION OF LAND/PLATS AND RE-PLATS," PARTICULARLY, FOR A PORTION OF 50TH STREET GULF, WHICH IS DESCRIBED AS THOMPSON AND ADAMS SUBDIVISION PB2-24, GOV LOT 1 SECTION 10, TWP 66S, RANGE 32E; AND PT LOTS 5-6, PT OF LOT 1 OVERSEAS HWY AND BAY BOTTOM ADJ TO LOTS 5-6, CHANCERY AND BK 1, PT OF LOTS 1 AND 9, ALL OF LOTS 10-11-12 AND 13 VACA VILLAGE PB2-106, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00327150-000100. NEAREST MILE MARKER 47.5.**

**WHEREAS**, Season's Inc. filed an Application on January 8<sup>th</sup>, 2021 for approval to Re-Plat property located on 50th Street, having Real Estate Number 00327150-000100, into seven (7) single family residential lots pursuant to Chapter 177, Florida Statutes and Chapter 102, Article 10, of the City of Marathon Land Development Regulations (LDRs); and

**WHEREAS**, on the 16<sup>th</sup> day of February 2021 the City of Marathon Planning Commission (the "Commission") reviewed and recommended approval of the final re-plat with several conditions; and

**WHEREAS**, on the 9<sup>th</sup> day of March 2021, the City Council (the "Council") reviewed the Applicant's proposal finding that the preliminary Re-plat documents were compliant with the terms of Chapter 177, Florida Statutes and the Chapter 102, Article 10 of the City LDR's; and

**WHEREAS**, on the 13<sup>th</sup> day of July 2021, the City Council (the "Council") reviewed the Applicant's proposal finding that the final Re-plat documents were compliant with the terms of Chapter 177, Florida Statutes and the Chapter 102, Article 10 of the City LDR's; and

**WHEREAS**, due process was afforded to the parties, the essential requirements of law were adhered to and competent and substantial evidence was presented, the Council voted to approve the Final Re-Plat; and

**WHEREAS**, the purpose of the Final Plat assures that Season's Inc. has complied with all subdivision and plat filing requirements of Chapter 102, Articles 10 and Florida Statutes Chapter 177.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The final plat, an unsigned copy of which is attached hereto as Exhibit “A”, is hereby approved for signature and recordation and otherwise has complied with or must meet all conditions of the re-Plat as follows:

1. Final plat shall include language regarding owner-signed consent and acknowledgement for wastewater and stormwater assessment for future development of the properties.
2. All utility and right-of-way permits shall be obtained and issued prior to final plat approval.
3. Applicant shall provide form of guarantee for necessary utility construction.
4. Reductions shall be noted in the plat and a complete accounting of acreage respective of allowed densities shall be made in the plat document.
5. Plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations
6. All conditions of the Conditional Use must be met prior to building permit issuance.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13<sup>th</sup> DAY OF JULY, 2021.**

**THE CITY OF MARATHON, FLORIDA**

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**Luis Gonzalez, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steve Williams, City Attorney

**EXHIBIT A**  
**Final Plat of Property**  
**(Original Re-plat to be attached at final adoption & signature)**