

CITY COUNCIL AGENDA STATEMENT

Meeting Date: November 9th, 2021
To: Honorable Mayor and City Council
From: Brian Shea, Planning Director
Through: George Garrett, City Manager

Agenda Item: **Resolution 2021-104**, A Request For A Final Plat Approval Pursuant To Chapter 102 Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Subdivision Of Land/Plats And Re-Plats,” For A Plat And Site Plan Approval As Submitted By Seasons 16 LLC For Property Which Is Described As, The Westerly Part Of The West Half Of Block 8 Lot 11, Coco Plum Beach Subdivision, Fat Deer Key, Marathon, Monroe County, Florida, Having Real Estate Number 00363910-000000.

APPLICANT/ OWNER: Seasons 16 LLC

LOCATION: The project site is located at the intersection of Avenue D and Coco Plum, nearest mile marker 53. See Figure 1.

Figure 1
Project Site



City of Marathon, Florida
Official Map Product
00363910-000000



REQUEST: The Applicant is seeking approval of a preliminary plat subdividing one (1) previously subdivided parcel into two (2) lots each only having enough density for single family residences.

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.

As no new roads are being proposed, all utility and infrastructure work will be done as part of the building permit process for each individual SFR.

RECOMMENDATION:

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

Conditions:

1. All conditions of the Conditional Use must be met prior to building permit issuance.

Conditions of Approval from Conditional Use (for reference only)

1. Plans must show a 10' side setback for the single-family residences.
2. The portions of the driveway within the ROW of Coco Plum are required to be solid surface.
3. City approval is required for the stormwater management system prior to Building Permit Approval.
4. City approval of the connection to the City Wastewater Utility will be required.
5. Landscape buffer showing 10 canopy trees, 5 understory trees, 5 non-deciduous trees, and 30 shrubs per 100' is required prior to permit issuance.
6. The Conditional Use Development Order will constitute the Certificate of Concurrency for the project. The determination will be valid for one year.

**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-104**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST FOR A FINAL PLAT APPROVAL PURSUANT TO CHAPTER 102 ARTICLE 10 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (LDRS) ENTITLED “SUBDIVISION OF LAND/PLATS AND RE-PLATS,” FOR A PLAT AND SITE PLAN APPROVAL AS SUBMITTED BY SEASONS 16 LLC FOR PROPERTY WHICH IS DESCRIBED AS, THE WESTERLY PART OF THE WEST HALF OF BLOCK 8 LOT 11, COCO PLUM BEACH SUBDIVISION, FAT DEER KEY, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00363910-000000.

WHEREAS, Seasons 16 LLC filed an Application on May 27, 2021 for approval to Re-Plat property located on Avenue D and Coco Plum Blvd, having Real Estate Number 00363910-000000, into two (2) 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 19th day of July, 2021 the City of Marathon Planning Commission (the “Commission”) reviewed and recommended approval of the replat with several conditions; and

WHEREAS, on the 10th day of August 2021, the City Council (the “Council”) reviewed the Applicant’s proposal finding that the 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 9th day of November 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 Seasons 16 LLC 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. 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 9th DAY OF NOVEMBER, 2021.

THE CITY OF MARATHON, FLORIDA

, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

(City Seal)

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

Steven T. Williams, City Attorney

