#### CITY OF MARATHON, FLORIDA RESOLUTION 2022-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST BY SEAVIEW COMMONS LLC 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 0 PESCAYO AVE, WHICH IS DESCRIBED AS LOT 1, BLOCK 6 OF COCO PLUM BEACH, FAT KEY DEER, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00363510-000000. NEAREST MILE MARKER 54.

WHEREAS, Seaview Commons LLC. filed an Application on September2<sup>th</sup>, 2021 for approval to Re-Plat property located on 0 Pescayo Ave, having Real Estate Number 00363510-000000, into five (5) 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 18<sup>th</sup> day of October 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 November 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 8th day of March 2022, 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 Seaview Commons 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. 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 8TH DAY OF MARCH, 2022.

#### THE CITY OF MARATHON, FLORIDA

John Bartus, 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:

Steve Williams, City Attorney

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

And Stars	LEGAL DESCRIPTION: LOT 1, BLOCK 6, COCO PLUN BEACH SUBDIVISION, ACCORDING TO 1 PLAT THEREG- RECORDED IN PLAT BOOK 4, PAGE 186, OF THE PU RECORDS OF MONROL COUNTY, FLORIDA. DEDICATION:	DUIV	efish harbor	A REECE & ASSOCIATES
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CERTIFICATE THEREON. IN WITNESS WHEREOF, THE UNDERSIGNED CORPORATION HAS CAUS			80.00° (9)	
AND ATTESTED BY ITS	THIS DAY OF, 2022.	APPROVAL OF CITY OF MARATHON PLANNING COMMISSION:	APPROVAL BY CITY OF MARATHON OFFICIALS:	REVIEW AND APPROVAL OF THE CITY SURVEYOR
BY: PRINT NAME;		IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON PLANNING COMMISSION OFFICIALLY	APPROVED: DY:CARLOS A. SOLIS, P.S., CITY ENGINEER	I HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMITY WITH THE PLATING REQUIREMENTS OF CHAPTER 177, FLORIDG STATUTES, AS A PROFESSIONAL SUBVEYOR AND MAPPER ENERVOYOR BY THE CITY OF MARTHON.
AS ITS:		APPROVED THIS PLAT OF "BONEFISH HARBOR" ON THE 10TH DAY OF NOVEMBER, 2021.	UTCCORLDS A. SOLIS, P.A., LIT EMPIREM	
ATTEST: PRINT RAME:			BY: JOHN JOHNSON, FRE/RESCUE CHEF	DY: DAVID WILLIAM MCDANIEL P.S.M. DATE
NOTARY ACKNOWLEDGMENT:		BY1 LYNN LANDRY, CHAIRMAN		DAVID WILLIAM MCDANIEL, P.S.W. DATE PROFESSIONAL SURVEYOR AND WAPPER FLORIDA LICENSE 5840
STATE OF FLORIDA COUNTY OF WONROE			BY:STEVE WILLIAMS, CITY ATTORNEY	SURVEYORS CERTIFICATE
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EXECUTED THE FOREGOING GONSENT TO DEDICATION, AND THEY EACH DULY ACKNOWLEDGED BEFORE ME THAT THEY EXECUTE THE		FLAT OF "BUNDTESH HARBOR" ON THE DAY OF MARCH, 2022,	DAY OF, 2022, AND WAS FILED FOR RECORD THIS	
SAME, AS SUCH OFFICERS, FOR AND FOR AND IN BEHALF OF SAID CORPORATION. WITHESS MY HAND AND OFFICIAL SEAL AT		BY RESOLUTION NO CITY OF WARATHON, FLORIDA	DAY OF 2022, AND RECORDED IN	BY:
OOUNTY, FLORIDA, THIS DAY OF , 2022.				TAGE DATE: STREAM STREA
		BY: JOHN BARTUS, MAYOR	PLAT BOOK ON PAGE IN THE OFFICE OF THE GLERK OF DIRCUIT COURT OF MONROE COUNTY, FLORIDA.	CERTIFICATE OF AUTHORIZATION NO. LE 7846 31193 AVINUE A, BIC PINE KEY, FLORIDA 33043 .K8#221080002 1988
NOTARY PUBLIC STATE OF FLORIDA AT LARGE		BY: DIANE CLAVER, CITY CLERK		
WY CONNISSION EXPIRES; [NOTA	IRY SEAL)	DIRAC CLAMER, CIT CLERK	BYKEVIN WADDOCK, CPA, CLERK OF COURT	PLAT BOOK PAGE