

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-62**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, DENYING A REQUEST BY VAN FISCHER FOR AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM) FOR PROPERTY DESCRIBED AS BLOCK 18 LOT 7 COCO PLUM BEACH PB4-166 FAT DEER KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00365960-000000; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Van Fischer (The “Applicant”) filed an Application on October 18th, 2021 for a for a Comprehensive Plan Amendment pursuant to Chapter 102, Article 6 of the LDRs; and

**WHEREAS**; the Application was deemed complete on March 11, 2022; and

**WHEREAS**; the Applicant proposed to amend the FLUM from Residential Low to Residential Medium; and

**WHEREAS**, City staff reviewed the Applicant’s request for an amendment to the FLUM determining that the Applicant’s proposal was not in compliance with the City’s Comprehensive Plan and Land Development Regulations (LDRs); and

**WHEREAS**, on the 16<sup>th</sup> day of May, 2022, the City of Marathon Planning Commission (the “Commission”) conducted a properly advertised public hearing (the “Public Hearings”) regarding the request submitted by the Applicant, for a Comprehensive Plan Amendment pursuant to Chapter 102, Article 6 of the LDRs; and

**WHEREAS**, and on the 14<sup>th</sup> day of June, 2022 the City Council (the “Council”) conducted properly advertised public hearings (the “Public Hearings”) regarding the request submitted by the Applicant, for a Comprehensive Plan Amendment pursuant to Chapter 102, Article 6 of the LDRs; and

**WHEREAS**, and on the 12<sup>th</sup> day of July, 2022 the City Council (the “Council”) conducted properly advertised public hearings (the “Public Hearings”) regarding the request submitted by the Applicant, for a Comprehensive Plan Amendment pursuant to Chapter 102, Article 6 of the LDRs; and

**WHEREAS**; the City Council made a determination that the Applicant’s request for an amendment to the FLUM was not in Compliance with the City’s Comprehensive Plan and LDRs and further determined that, approval was not in the public interest and would not further the health, safety and welfare of the residents of Marathon.

**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 request for the amendment to the FLUM from residential low to residential medium is hereby denied.

**Section 3.** The City Clerk shall forward a certified copy of this Resolution to the Applicant.

**Section 4.** This resolution shall take effect immediately upon its adoption by the City of Marathon.


**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12<sup>TH</sup> DAY OF JULY, 2022.**

**THE CITY OF MARATHON, FLORIDA**

  
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**John Bartus, Mayor**

AYES: Zieg, Cook, Still, Gonzalez, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: None

**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:**

  
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Steven Williams, City Attorney