



City of Marathon Planning Commission
Monday April 17, 2023
9805 Overseas Hwy
City Hall Council Chambers

MINUTES

Sexton called the meeting of the Planning Commission to order on Monday April 17, 2023, at 5:30 pm.

In attendance: Planning Director Brian Shea, Attorney Steve Williams, Planner Amber Stonik, Planner Erin Dafoe, Admin Assistant Lorie Mullins, and members of the public.

The Pledge of Allegiance was recited.

The roll was called. Mark Senmartin-present; Mary Ann Royse-present; Mike Cinque-present; Andrew George-present; Matt Sexton-present.

Sexton called for an approval of the Minutes from the last meeting. Senmartin moved to approve. Royse seconded. The motion was approved 5-0.

Item 1 was pulled by the applicant. Consideration Of A Request For A Conditional Use Permit For Scott Ebert Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled “Conditional Use Permits” To Covert A Triplex Into A Single Family Residential With 11 Bedrooms; Located At 213 S. Anglers Dr; Which Is Legally Described As Lot 38 Sombrero Anglers Club South Boot Key PB6-87, Monroe County, Florida; Having Real Estate Number 00355418-000500, Nearest Mile Marker 50.

Item 2 was read into the record along with Item 3. An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon’s Comprehensive Plan Modifying Chapter One, “Future Land Use Element,” And Intending To Modify Policy 1-3.5.16, “Program For Transfer Of Density And Building Rights (TDR’s And TBR’s)”, Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After The First Hearing By The City Council; And Providing For An Effective Date.
-And-

Item 3 An Ordinance Of The City Of Marathon, Florida Amending Chapter 107, Article 2, Entitled “Transfer Of Building Rights”, And Intending To Modify Section 107.15 Entitled “Site Criteria”; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; And Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing For An Effective Date.

Shea presented the items with the use of visual aids.

These items are changing language for clarity regarding TBRs and reduced density.

Sexton made a motion to approve Item 2. Royse seconded.

There were no public speakers.

The roll was called. The item was approved 5-0.

Royse moved to approve Item 3. Senmartin seconded. The roll was called. The item was approved 5-0.

Item 4 was read into the record along with Item 5. An Ordinance Of The City Of Marathon, Florida, Amending The City Of Marathon's Comprehensive Plan Modifying Chapter One, "Future Land Use Element," And Intending To Modify Policy 1-3.4.5, "Protect Established Live-Aboard Vessels", Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After The First Hearing By The City Council; And Providing For An Effective Date.

-And-

Item 5 An Ordinance Of The City Of Marathon, Florida Amending Chapter 107, Article 2, Entitled "Transfer Of Building Rights", And Intending To Modify Section 107.14 Entitled "Types Of Transfers"; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; And Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing For An Effective Date.

Shea presented the items.

These items are language clean-up and will be a tracking mechanism for liveboards and floating structures.

Sexton opened the meeting to public speakers:

Jan O'Malley asked if a liveboard marina could convert to a motel. Shea responded that there is one motel in Marathon. They went through a process to establish the units are floating structures and that those rights could come upland. This was done prior to the code change and is still in effect. If it is a liveboard marina there should be liveboard vessels, according to code, and if not, it would be followed up via the Code Dept.

Liveboard vessels cannot be vacation rentals.

Cinque recused himself.

Royse moved to approve Item 4. Sexton seconded. The roll was called. The item was approved 4-0.

Royse moved to approve Item 5 with a grammatical revision to the sentence:

In no instance shall the (transfer of the) liveboard right (operate) be entitled to transfer any density, intensity or building rights to any upland portion of the property.

Royse asked that Attorney Williams review and reword to make sense.

Senmartin seconded. The roll was called. The item was approved 4-0.

Motion and second to adjourn at 5:58 pm.

ATTEST:



Matt Sexton-Planning Commissioner Chair

ATTEST:



Lorie Mullins-Admin Assistant
Planning Department

Audio-Video is available upon request.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose 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.

ADA Assistance: Anyone needing special assistance at the Planning Commission Meeting due to disability should contact the City of Marathon at (305-) 743-0033 at least two days prior thereto.

(Please note that one or more Marathon City Council members may participate in the meeting.)