



**City of Marathon Planning Commission
Monday June 26, 2023
9805 Overseas Hwy
City Hall Council Chambers**

MINUTES

Sexton called the meeting of the Planning Commission to order on Monday June 26, 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-absent; Andrew George-present; Matt Sexton-present.

Sexton called for an approval of the minutes from the last meeting. Senmartin moved to approve. Sexton seconded. The motion was approved 4-0.

The quasi-judicial statement was read into the record.

Shea suggested moving Item 2 to be heard last as it is a lengthy ordinance. Commissioners approved.

Item 1 was read into the record: Consideration Of A Request For A Conditional Use Permit For Ruth Ebert Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled "Conditional Use Permits" To Convert 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.

Amber Stonik presented the item with the help of visual aids.

Attorney Patrick Stevens presented the item on behalf of the applicant.

After a brief discussion between the commissioners and Attorney Stevens, Chairman Sexton opened the meeting to public speakers:

1. Rosemary Thomas
2. Daniel Samess
3. Mike Leonard
4. Jim Kelley

All public speakers were sworn in. All public speakers spoke against the project.

Additional conditions:

1. Rent the home as a single unit, no lockouts.

2. Landscaping/buffering at the rear and sides
3. Lighting contained on property.
4. No parking in the right of way.
5. Designate the area for garbage cans.
6. Reminder of the noise ordinance.
7. No commercial use such as a wedding venue.

George stated that he had ex-parte communications with Attorney Stevens.
Sexton stated that he had ex-parte communications with several citizens.

After a lengthy discussion, Senmartin made a motion to approve Item 1 with the additional conditions.
Sexton seconded.

The roll was called. The item was approved 3-1, Royse dissenting.

Item 3 was read into the record: An Ordinance Of The City Of Marathon, Florida, Amending Chapter 107, Article 2 Entitled “Transfer Of Building Rights”, Specifically Section 107.17. Entitled “General Provisions”, Of The City Of Marathon Land Development Regulations; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Economic Opportunity In Accordance With State Law.

Brian Shea presented the item.

The ordinance is to add criteria regarding additional transfers of Transferable Building Rights. The additional transfer can occur at the director’s discretion and by documenting the original sender site is compatible with the second receiver site.

There were no public speakers.

After a brief discussion, Sexton made a motion to approve Item 3. Senmartin seconded.

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

Item 4 was read into the record: An Ordinance By The City Of Marathon, Florida, Amending Chapter 108, Article 2 (“Nonconforming Structures”) By Deleting A Portion Of Section 108.15 Titled “Additional Standards For Nonconforming Sexually Oriented Businesses.”; Specifically, Subsection B Part 2 To Comport With Modern Constitutional Constraints; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After Final Adoption By The City Council; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

Brian Shea presented the item.

This is a code clean-up item.

There were no public speakers.

Senmartin made a motion to approve Item 4. Royse seconded.

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

Item 2 was read into the record: An Ordinance Of The City Of Marathon, Florida, Amending Chapter 107, Article 8 Entitled "Landscaping" Of The City Of Marathon Land Development Regulations; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The Department Of Economic Opportunity In Accordance With State Law.

Brian Shea presented the item.

There were no public speakers.

After a lengthy discussion Senmartin moved to approve Item 2 with the condition that Table 107.69.1 be changed to Optional for all Residential, and that Section 107.72, Residential Requirements, be stricken completely. There was not a second.

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

The roll was called. The vote was 2-2. Senmartin and George dissenting.

Royse moved to approve the item with changes and the addition of a cost study to be brought forward to City Council. Sexton seconded. The roll was called. The item was approved 4-0.

Motion and second to adjourn at 7:24 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.)