

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2007-151**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, DECLARING THE COMMITMENT OF THE CITY COUNCIL TO WAIVE ANY APPLICATION FEES IN CONNECTION WITH ZONING APPLICATIONS AND FUTURE LAND USE MAP (FLUM) APPLICATIONS THAT ARE NECESSITATED BY ERRORS IN THE ZONING OR FLUM MAPS APPROVED BY CITY COUNCIL**

**WHEREAS**, pursuant to the provisions of Chapters 163, 166 and 380, Florida Statutes, the City of Marathon, Florida (the “City”) recently amended the entire City Land Use District Map (the “Map”) to reflect the new zoning district designations established by the City’s Land Development Regulations and, where applicable, to provide consistency with the Future Land Use Map (“FLUM”) of the City; and

**WHEREAS**, the Map is currently under review by the State of Florida Department of Community Affairs (the “Department”); and

**WHEREAS**, the City Council amended the entire FLUM Map of the City in 2005, which amended FLUM was approved by the Department in that same year; and

**WHEREAS**, the City Council recognizes that some property owners may not have been aware of or fully understood the amendment process in 2005 or this year, and may have failed to appear before the City Council or City staff to point out errors in the FLUM or the Map with respect to their particular property; and

**WHEREAS**, the City Council wishes to make it clear that it is prepared to correct any legitimate errors in the FLUM or the Map, upon proper application by the property owner, without need for charging any application fees;

**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 City Council hereby declares its general commitment to correct any legitimate errors in the Future Land Use Map and the Zoning Map of the City that resulted from votes taken by the City Council, reserving at all times the right to make such decisions on a case-by-case basis.

**Section 3.** The City Council hereby directs City planning staff to accept applications seeking to correct legitimate errors in the Future Land Use Map or the Zoning Map that resulted from votes taken by the City Council without charging any application fees. The determination of whether a legitimate error occurred shall be made by the Planning Director.

**Section 4.** This resolution shall take effect immediately upon its adoption.


**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 23<sup>rd</sup> day of October, 2007.

**THE CITY OF MARATHON, FLORIDA**

  
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Christopher M. Bull, Mayor

AYES: Cinque, Tempest, Vasil, Worthington, Bull  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
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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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CITY ATTORNEY