

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2007-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, REJECTING THE RECOMMENDATIONS OF THE SPECIAL MASTER IN THE BENEFICIAL USE APPLICATION OF RODNEY SHANDS, ROBERT SHANDS, KATHRYN SHANDS EDWARDS, AND THOMAS SHANDS**

**WHEREAS**, on January 4, 1996, the Monroe County Year 2010 Comprehensive Plan became effective; and

**WHEREAS**, on November 30, 1999 the City of Marathon incorporated and adopted the 2010 Comprehensive Plan; and

**WHEREAS**, the application of Rodney Shands, Robert Shands, Kathryn Shands Edwards, and Thomas Shands for a beneficial use determination for property legally described as Little Fat Deer Key, Section 1, Township 66, South, Range 33 East having Real Estate Number 00105610-000000 in the City of Marathon was heard on April 6 and August 17, 2006 by Thomas D. Wright, Special Master; and

**WHEREAS**, the Special Master recommended to the City of Marathon that the Application be APPROVED, and that the City Of Marathon either grant a ROGO exempt building permit for a single-family home or, in the alternative, that the City purchase the property for the appraised value of \$3,000,000.00; and

**WHEREAS**, the City Council heard the beneficial use application on February 7, 2007;

**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 Findings of Fact and Conclusions of Law of the Recommended Beneficial Use Determination of the Special Master are hereby REJECTED and the beneficial use application of Rodney Shands, Robert Shands, Kathryn Shands Edwards, and Thomas Shands is accordingly DENIED.

**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 27th day of February, 2007.

**THE CITY OF MARATHON, FLORIDA**

  
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Christopher M. Bull, Mayor

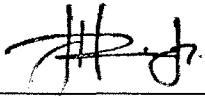
AYES:           Worthington, Pinkus, Bull  
NOES:           Mearns, Tempest  
ABSENT:       None  
ABSTAIN:      None

**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