

CITY OF MARATHON, FLORIDA
RESOLUTION 2014-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST BY SOMBRERO HOMES LLC FOR A FINAL PLAT AND SUBDIVISION PURSUANT TO CHAPTER 102, ARTICLES 10 AND 12 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (CODE) ENTITLED "PLATTING," AND "SUBDIVISION REGULATIONS" RESPECTIVELY, AUTHORIZING FINAL SIGNATURE AND RECORDATION OF ALL FINAL PLAT DOCUMENTS FOR ALL PROPERTIES A PART OF THE PLAT LOCATED AT 2000 SOMBRERO BEACH ROAD, CLOSEST U. S. HIGHWAY 1 MILE MARKER 50 AND MORE PARTICULARLY A PORTION OF AN UNRECORDED PLAT, A PART OF GOVT LOT 2, BOOT KEY, TOWNSHIP 15, SECTION 66, RANGE 32, MONROE COUNTY, FLORIDA; HAVING REAL ESTATES NUMBER 00105120-000000; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the purpose of the final plat is to assure that Sombrero Homes LLC (the "Applicant") has complied with all subdivision and plat filing requirements of Chapter 102, Articles 10 and 12 and Florida Statute Chapter 177.

WHEREAS, the total area of the real property located at 2000 Sombrero Beach Road, RE Number 00105120-000000 ("the Subject Parcel") is approximately 1.01 acres of upland and approximately 0.19 acres of submerged land, allowing a residential density in the Residential Medium (RM) Land Use District of five (5) units per upland acre; and

WHEREAS, on the 15th day of July, 2013 the City of Marathon (the "City") Planning Commission (the "Commission") conducted a properly advertised public hearing (the "Public Hearing") pursuant to Chapter 102, Articles 10 and 12 of the Land Development Regulations (LDRs) regarding the request for a Preliminary Plat of the Subject Parcel by the Applicant, and

WHEREAS, the Commission reviewed and recommended approval of the proposed Preliminary Plat and subdivision of the Subject Parcel into four (4) parcels of approximate equal size, each of which meets or exceeds all applicable requirement of the City's LDRs; and

WHEREAS, on the 19th day of August, 2013, the Commission conducted a Public Hearing regarding the Applicant's request for a Final Plat approval pursuant to Chapter 102, Articles 10 and 12 of the LDRs; and

WHEREAS, the Commission reviewed and recommended approval of the proposed Final Plat and subdivision of the Subject Parcel conditioned upon a recommendation that the Final Plat would better fit surrounding lot dimensions and area if the plat were a subdivision into only three (3) parcels, each meeting or exceeding all requirements of the City's LDRs; and

WHEREAS, the Applicant accepted the recommendation of the Planning Commission and submitted a proposed final plat to the City of Marathon City Council ("the Council") which included a plat and subdivision of the Subject Parcel into only three (3) parcels, averaging 14,667 sq. ft., each of which would exceed the minimum lot area requirement in the RM Land Use District (i.e., 8,712 sq. ft.); and

WHEREAS, on the 26th day of November, 2013, the Council conducted a Public Hearing regarding the Applicant's request for a Final Plat approval pursuant to Chapter 102, Articles 10 and 12 of the LDRs; and

WHEREAS, the Council determined that the proposed front lot line dimensions (approximately 50 feet) on Sombrero Beach Road were not typical of properties surrounding the Subject Parcel (averaging approximately 79 feet); and

WHEREAS, based on this determination, the Council gave conceptual approval of the Final Plat with the conditions that the applicant reconfigure the Final Plat to have a minimum front lot length on Sombrero Beach Road of 75 feet and also providing that all three (3) parcels of the Final Plat be "waterfront parcels," and

WHEREAS, the Council requested that City staff meet with the Applicant and neighbors surrounding the Subject Parcel to obtain their conceptual approval of the reconfigured Final Plat; and

WHEREAS, the Applicant reconfigured the Final Plat to conform to the conditions of approval established by the Council and further met with City staff, one Council member, and three (3) neighbor families on January 30, 2014; and

WHEREAS, the Applicant submitted the final reconfiguration for Final Plat approval under Chapter 103, Articles 10 and 12, for Council review and approval at its April 22, 2014 regular meeting; and

WHEREAS, on the 22nd day of April, 2014, the Council conducted a Public Hearing regarding the Applicant's request for a Final Plat approval pursuant to Chapter 102, Articles 10 and 12 of the LDRs; and

WHEREAS, the Council approved the Final Plat, upon finding that the Final Plat met or exceeded all applicable requirements of the City's Comprehensive Plan and LDRs and the statutory requirements for plats under Chapter 177, F.S.;

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 Final Plat, an unsigned copy of which is the attached hereto as Attachment A," is hereby approved for signature and recordation. The Applicant shall be responsible for (a) providing all Final Plat documents in compliance with the LDRs and Chapter 177, F.S. to the City; (b) properly recording the Final Plat in the Public Records of Monroe County, Florida; and (c) providing the City with a certified copy of the recorded Final Plat.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13TH DAY OF MAY, 2014.

THE CITY OF MARATHON, FLORIDA



Dick Ramsay, Mayor

AYES: Bartus, Bull, Senmartin, Keating, Ramsay
NOES: None
ABSENT: None
ABSTAIN: None

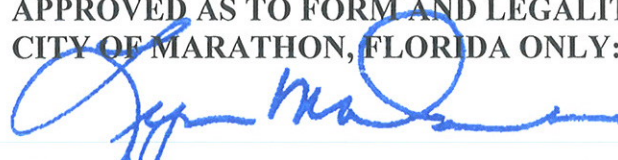
ATTEST:



Diane Clavier
City Clerk

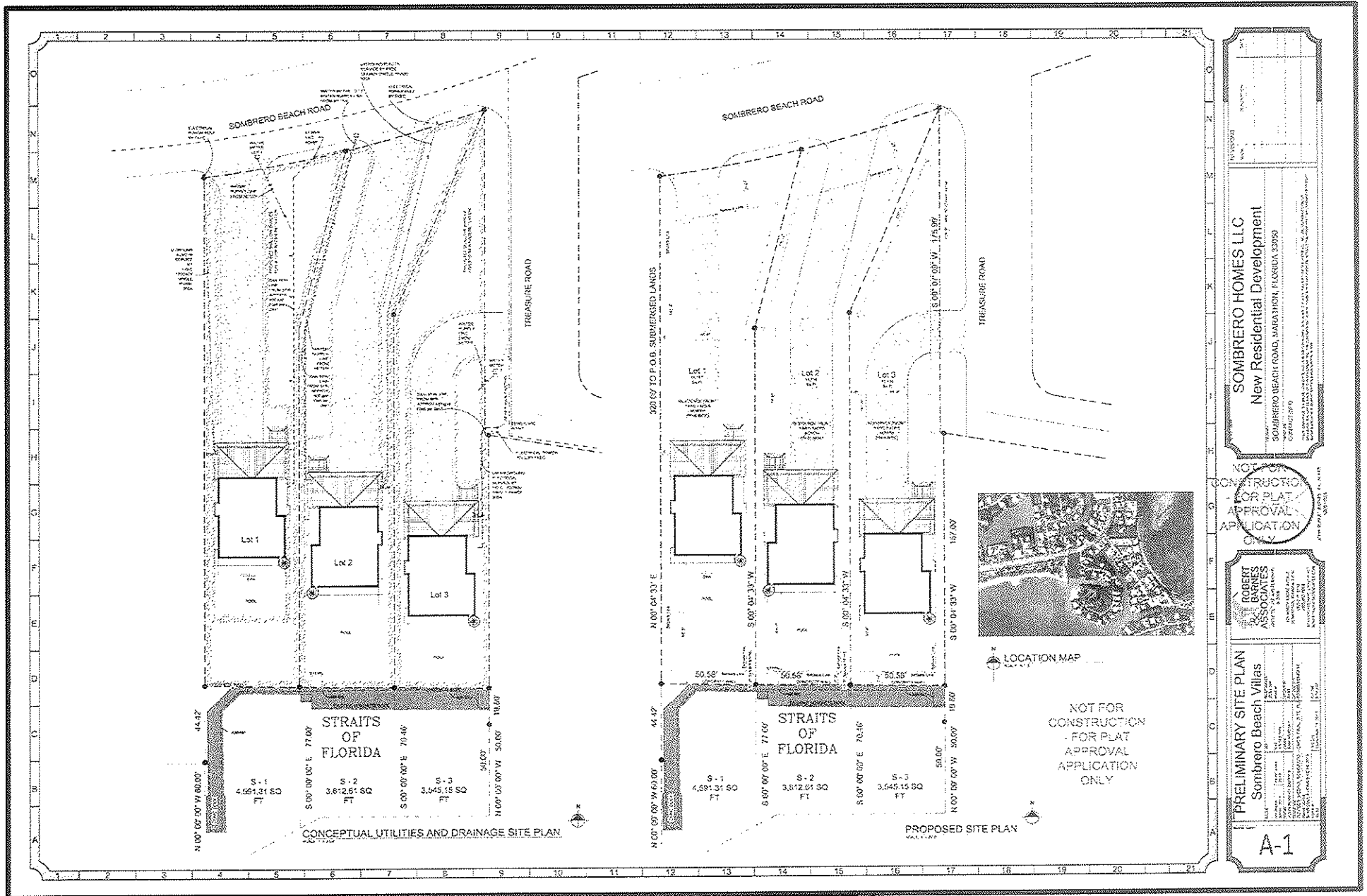
(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney

Attachment A
 Copy Final Site Plan – Original Final Plat to be Provided by Applicant to City and
 Clerk of Court for Recordation



SOMBRERO HOMES LLC
 New Residential Development
 SOMBRERO BEACH ROAD, MARATHON, FLORIDA 33050

NOT FOR CONSTRUCTION
 - FOR PLAT APPROVAL APPLICATION ONLY

ROBERT BARNES ASSOCIATES
 ARCHITECTS

PRELIMINARY SITE PLAN
 Sombrero Beach Villas

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