

RESOLUTION NO. 00-11-77

A RESOLUTION OF THE CITY OF MARATHON, FLORIDA; IMPLEMENTING A COST RECOVERY ADMINISTRATIVE PROGRAM, PROVIDING FOR AN APPEAL PROCESS, AND REPLACING ANY OTHER PREVIOUS INCONSISTENT FEE PROGRAM OR SCHEDULE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marathon, Florida (the "City") has conducted an analysis of estimated actual costs incurred by the City for the review of development approvals and permit applications; and

WHEREAS, the City Council finds that it is in the best interests of the residents of the City to charge the true costs for services relating to the review of applications for permits and development approvals within the City directly upon those persons deriving the benefit of the review.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Cost Recovery Deposit. Any person or entity (the "Applicant") seeking administrative review by the City for alcoholic beverage permits, appeal applications, beneficial use applications, boundary determinations, comprehensive plan map amendments, development agreements, dwelling unit allocation system applications, preliminary plats, final plats, habitat evaluation indices, home occupational applications, land development regulation amendments, major conditional uses, minor conditional historic sites, minor conditional uses, modifications to a

conditional use, pre-application conferences, sign variances, transfers of development rights, vacation rental determinations, variances, and vested rights determinations (the "Application") shall pay a deposit to the City in an amount specified in the attached schedule (the "Cost Recovery Deposit"). The deposit amount may be subsequently modified by the City Manager based upon his/her analysis and calculation of the City's estimated actual costs to review and process the particular Application. A debit based upon the actual time expended reviewing the Application and the applicable hourly rate shall be charged against the Cost Recovery Deposit.

Section 3. Supplemental Deposits.

- (a) The City shall monitor the Cost Recovery Deposit on a periodic basis.
- (b) Whenever the balance is zero or negative, a supplemental deposit (the "Supplemental Deposit") will be required before any further review or processing continues.
- (c) The City shall notify the Applicant when a Supplemental Deposit is required.
- (d) The amount of the Supplemental Deposit shall be determined by the City Manager and shall be equal to the costs estimated to complete review of the Application.
- (e) Any notification for a Supplemental Deposit provided by the City to an Applicant shall be deemed sufficient if made by a telephone call to the Applicant or his/her agent with a confirming letter to follow.

Section 4. Return of Cost Recovery Deposit. Within 60 days from the date that the Applicant receives a Certificate of Occupancy or other applicable final approval from the City, the Building and Zoning Department determines that no further action is necessary for the review and processing of the Application or the Applicant voluntarily withdraws the Application, the City shall refund any remaining Cost Recovery funds to the Applicant.

Section 5. Records of Administrative Work Performed. The City shall maintain records of the time expended and tasks conducted regarding each Application.

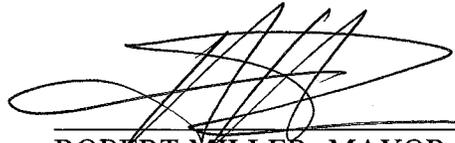
Section 6. Review and Appeal Process. In the event an Applicant believes the City overcharged the Applicant for the work performed in reviewing and processing an Application, the Applicant may request a review by the City Manager or his designee of the work performed by the City. Upon a determination by the City Manager or his designee that the Applicant has demonstrated a miscalculation concerning the work performed by the City on the Application; the City Manager or his designee may waive or refund a portion or all of the Cost Recovery Deposit. The decision of the Manager or his designee may be reviewed by the Planning Commission upon the submission of an application for an administrative appeal in accordance with the provisions of Section 9.5-521 of the City Code.

Section 7. Applicability of Provisions. The Cost Recovery Program shall not apply to Applications that are originally initiated by or on behalf of the City.

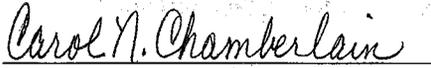
Section 8. Replacement of Conflicting Program. The Cost Recovery Program shall replace any other conflicting or inconsistent fee program or schedule within the City.

Section 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

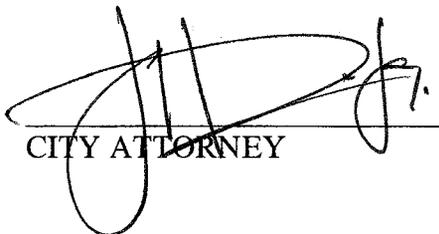
PASSED AND ADOPTED this 8th day of NOVEMBER, 2000.


ROBERT MILLER, MAYOR

ATTEST  Carol N. Chamberlain
MY COMMISSION # CC682322 EXPIRES
September 22, 2001
BONDED THRU TROY FAIN INSURANCE, INC.


CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:


CITY ATTORNEY

City of Marathon

Schedule of Cost Recovery Deposits

Exhibit "A"

Description of Activity	Estimated Total
Alcoholic Beverage Permit	Total: \$825.00
Appeal Applications	Total: \$2,100.00
Beneficial Use Applications	Total: \$3,000.00
Boundary Determinations	Total: \$1,500.00
Development Agreements	Total: \$5,100.00
Dock Review, Residential (1-4 Units)	Total: \$525.00
Dock Review	Total: \$750.00

City of Marathon

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Description of Activity	Estimated Total
* Dwelling Unit Allocation System Applications (ROGO)	
	Total: \$2,660.00
Home Occupational Applications (Administrative)	
	Total: \$300.00
Home Occupational Applications	
	Total: \$750.00
Land Use Plan Amendment	
	Total: \$6,000.00
Major Conditional Use	
	Total: \$3,300.00
Minor Conditional Use	
	Total: \$2,100.00
Modification to Conditions of Plat Approval	
	Total: \$675.00
* Revised cost recovery reduced by half, subsidized by ad valorem.	

City of Marathon

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Description of Activity	Estimated Total
Platting	Total: \$3,300.00
Pre-Application Conferences	Total: \$600.00
Rezoning	Total: \$6,300.00
Sign Variances	Total: \$1,875.00
Site Plan	Total: \$3,600.00
Transfers of Development Rights	Total: \$3,300.00
Vacations/Abandonments	Total: \$1,050.00

City of Marathon

Schedule of Cost Recovery Deposits

Exhibit "A"

<u>Description of Activity</u>	<u>Estimated Total</u>
Vacation Rental Determination	
Total:	\$975.00
Variances (Administrative)	
Total	\$1,500.00
Variances	
Total:	\$2,400.00
Vested Rights Determinations	
Total:	\$6,150.00