



## CITY OF MARATHON, FLORIDA

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9805 Overseas Highway, Marathon, Florida 33050  
Phone: (305) 743-0033 Fax: (305) 743-3667

July 15, 2020

VIA FEDEX

Mr. Ray Eubanks  
Administrator Plans Review & Processing  
Florida Department of Economic Opportunity  
107 E. Madison Street  
Caldwell Building, MSC 160  
Tallahassee, Florida 32399

RE: **Transmittal of Ordinance 2020-XX (Proposed Comp Plan Amendment 2020-01)**

Dear Mr. Eubanks,

Ordinance 2020-xx is a proposed amendment to the City of Marathon Comprehensive Plan and is therefore subject to State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes.

The Ordinance included herein was approved for transmittal by the City of Marathon City Council on July 14, 2020. An Ordinance of the City Of Marathon, Florida proposing to amend the Future Land Use Map from Residential Low (RL) to Residential Medium (RM) for Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach subdivision. This transmittal package contains one (1) hard copy and two (2) CD's of relevant documents including proposed Ordinance reviewed by the City Council, staff agenda reports, and other pertinent materials.

Having been transmitted by the City of Marathon, please accept this proposed adoption package on behalf of the Department of Economic Opportunity.

Copies of this transmittal have been sent to all appropriate review agencies.

Thank you in advance for your review. Should you have any questions, please contact me.

Sincerely,

George Garrett,  
Director of Planning  
City of Marathon  
[garrettg@ci.marathon.fl.us](mailto:garrettg@ci.marathon.fl.us)

cc: Isabella Cosio Carballo, South Florida Regional Planning Council  
Deena Woodward, Department of State, Bureau of Historic Preservation  
Scott Sanders, Florida Fish and Wildlife Commission  
Comp Plan Review, Department of Agriculture and Consumer Services  
Plan Review, Department of Environmental Protection  
Terry Manning, South Florida Water Management District  
Shereen Yee Fong, Florida Department of Transportation  
Kylene Casey, Department of Education  
Christine Hurley, Monroe County Growth Management Director



CITY OF  
**MARATHON**, FLORIDA  
Planning Department

9805 Overseas Hwy, Marathon, FL 33050  
Phone (305) 743-0033 www.ci.marathon.fl.us

<p><b>Received</b> (Stamp)          Use Only          Recv'd: <u>DEC 23 2019</u> By: _____          App #: _____          # <u>Planning</u>          Meeting Date: _____</p>
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**Comprehensive Plan Text or Map (FLUM) Amendment Application 2017**

**FEE: \$3,000.00.** The fee is payable upon application submittal.

\*Any additional meeting with mailed & published notice will be charged additional \$1,500.00

Please check:  Comprehensive Plan Text Amendment  Map Amendment (FLUM)

**Applicant Name:** Julie Walker  
**Mailing Address:** 13357 Overseas Hwy  
**Phone Number:** 305-504-3825 Phone (Alt): \_\_\_\_\_  
**Email:** JustJules831@gmail.com

*Feb. PC 18th*  
*CC March 10th*  
*send DEO -*  
*↓ ok*  
*2nd CC*

**Agent Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_ Phone (Alt): \_\_\_\_\_  
**Email:** \_\_\_\_\_

\*Property owner must submit a notarized letter authorizing the agent to act on his/her behalf.

**Property Owner Name:** Julie & Chad Walker  
**Mailing Address:** 98 Avenue O Marathon FL  
**Phone Number:** 305-504-3825 Phone (Alt): \_\_\_\_\_  
**Email:** JustJules831@gmail.com

**Legal Description of Property:**

Bk 19 Lt 7 and ADJ Bay BTM Coco Plum Beach  
**Key:** \_\_\_\_\_ **Marker:** PB4 - 1166 Fat Deer Key  
**RE Number:** 00365980  
*If in metes and bounds, attach a legal description on separate sheet.*



**Marathon Information System**  
**City Of Marathon**  
**CITY BOOKS**  
12/24/2019 9:09:45 AM

**PAYMENT RECEIPT**  
**DEVELOPMENT APPLICATION**

Development Receipt

Date: 24 December 2019

RE: 99 AVENUE O

Paid By: Julie Walker

Real Estate #: 00365980-000000

Receipt #: DP2019-0172

Project #: DP2019-0208

Received By: Lorie Mullins

Paid With: Master Card

Master Card #: 05542P

Amount: \$3,000.00

**\$ 3,064.50**

\$: Three Thousand Dollars

Receipt From: \$64.50

**CC Fee**

CITY OF MARATHON  
9805 OVERSEAS HWY  
MARATHON, FL 33050  
305-743-0033

Merchant ID: 90000  
Term #: 0231

Store #: 0118  
Ref #: 0001

**Sale**

XXXXXXXXXXXX3653

MASTERCARD

Entry Method: Chip

**Total: \$ 3,064.50**

12/23/19 12:15:17

Inv #: 003001 Appr Code: 05542P

Transaction ID: 1223MEET246H

Apprvd: Online Batch#: 000216

CAPITAL ONE

AID: A0000000041010  
TSI: 6806  
TYR: 000000000000

I agree to pay above total amount  
according to card issuer agreement  
(Merchant agreement if credit voucher)

*Julie Walker*  
MERCHANT, III IE

Merchant Copy



**Property Description:**

Street Address of Property (if applicable), or General Location Description:

99 Avenue O Cocolum Key

Parcel Number(s): \_\_\_\_\_

Land Use District: RL

Zoning District: RL

Present Use of Property: vacant

Proposed Use of Property: Residential vacant

Property Site Size: 22,899 SF.

Gross Floor Area in Sq Ft (Non-Residential Use): \_\_\_\_\_

Number of Residential Units to be Built: 1

Number of Affordable or Employee Housing Units to be Built: 0

Number of Hotel-Motel, Recreational Vehicle, Institutional

Residential or Campground Units to be built per Type: 0

Has an Application Been Submitted for this Site Within the Past Two Years?  Yes  No

If Yes, Name of the Applicant and Date of the Application: \_\_\_\_\_

Name

Date

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Applicant or Agent Name (Please Print)

Julie Walker Julie Walker

Signature of Applicant or Agent

10/28/2019  
Date

**NOTARY STATE OF FLORIDA,  
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me on this 23 day of Dec, 2019, by

Julie Walker

who is personally known or who produced

\_\_\_\_\_ for identification.

L Mullins

Signature of Notary Public - State of Florida



**Lorie Mullins**  
Comm. # GG927629  
Expires: Nov 23, 2023  
Bonded Thru Aaron Notary

**CITY OF MARATHON PLANNING DEPARTMENT**

Phone (305) 743-0033 | [planning@ci.marathon.fl.us](mailto:planning@ci.marathon.fl.us) | [www.ci.marathon.fl.us/government/planning/](http://www.ci.marathon.fl.us/government/planning/)

## Application Requirements Comprehensive Plan Text And Map (FLUM) Amendments

These requirements are not to be considered ALL inclusive of the requirements for the proposed work. The Planning Department may require additional drawings, specifications or information in order to complete the review of the application.

### THE FOLLOWING MUST BE PROVIDED IN ORDER TO BE A COMPLETE APPLICATION:

- ⇒ **Application completed in full.**
- ⇒ **Proof of ownership** (copy of deed or tax statement)
- ⇒ **Agent authorization** (as applicable)
- ⇒ **Location Map and Photographs** of site from the main adjacent road and/ or aerial photograph.
- ⇒ **5 copies and 1 digital set of the following plans, drawn to scale, signed and sealed by a Florida registered Surveyor, Architect or Engineer:**
  - **Property Survey** no older than two years from date of application.
  - **Site Plans.** As applicable.
- ⇒ **A Traffic Study** prepared by a licensed traffic engineer.
  
- ⇒ A FILE in excel or pdf. format of the names and mailing addresses of all Property Owners within 300 feet from the borders of the project obtained from the Monroe County Property Appraiser. Indicate lot, block, subdivision name and the Real Estate numbers for each address. 3 sets of mailing labels of the names and addresses of the property owners, to be provided to the City for Certified mailings.
- ⇒ Letters of Coordination may be required. The applicant must check with the Planning Department to identify other agencies expected to review the project. These may include:
  - City of Marathon, City Fire Chief – (305) 743-5266
  - City of Marathon, Utilities Manager- (305) 289-5009
  - Florida Department of Environmental Protection (FDEP) – (305) 289-2310
  - Florida Department of State, Division of Historic Resources
  - Florida Department of Transportation (FDOT) – (305) 289-2350
  - Florida Keys Aqueduct Authority (FKAA) – (305) 743-5409
  - Florida Keys Electric Cooperative (FKEC) – (305) 743-5344
  - Monroe County Department of Health – (305) 289-2721
  - South Florida Water Management District (SFWMD)
  - U.S. Army Corps of Engineers (ACOE) – (305) 743-5349
  - U.S. Fish and Wildlife Service (USFWS) – (772) 562-3909, ext. 306
  - Other, as applicable to the project

### CITY OF MARATHON PLANNING DEPARTMENT

Chapter 102, Article 6 – COMPREHENSIVE PLAN AMENDMENT

**Explain how this application complies with the approval criteria listed below.**

Use additional sheets as necessary

1. Describe any potential impacts to the following Natural Resources arising from the proposed change

a. Wetlands

b. Estuaries

c. Living marine resources

d. Beaches / Dunes

e. Unique wildlife habitat

f. Water Quality

2. Describe any potential impacts to Historic Resources arising from the proposed change

3. Describe any potential impacts to City Infrastructure arising from the proposed change

a. Wastewater

b. Stormwater

c. Potable Water

d. Solid Waste

e. Transportation

*see 66*

4. Describe any potential impacts to Affordable Housing arising from the proposed change

5. Describe any potential impacts to the Coastal High Hazard Area arising from the proposed change.

6. Describe any potential impacts to Hurricane Evacuation arising from the proposed change.

7. Describe any potential impacts to Marina Siting or Ports arising from the proposed change.

8. Describe any potential impacts to the following public use items arising from the proposed change

a. Shoreline use and Access

b. Water dependant and independent activity

9. Describe any Land Acquisition associated with the proposed change

*See 66*



CITY OF  
**MARATHON**, FLORIDA  
Planning Department

9805 Overseas Hwy, Marathon, FL 33050  
Phone (305) 743-0033 www.ci.marathon.fl.us

Office Use Only	
Recv'd: _____	By: _____
App #: _____	
#: _____	
Meeting Date: _____	

**Land Development Regulation Text or Map Amendment Application 2017**

*No Fee  
Per 66*

~~FEE: \$2,000.00.~~ The fee is payable upon application submittal.  
\*Any additional meeting with mailed & published notice will be charged additional \$1,500.00

Please check:  LDR-Text Amendment  Map Amendment (Rezoning)

Applicant Name: Julie Walker

Mailing Address: 13351 Overseas Hwy

Phone Number: 305-504-3825 Phone (Alt): \_\_\_\_\_

Email: Just Jules 831 @ gmail .com

Agent Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Phone (Alt): \_\_\_\_\_

Email: \_\_\_\_\_

\*Property owner must submit a notarized letter authorizing the agent to act on his/her behalf.

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Mailing Address: 98 Avenue O Marathon FL 33050

Phone Number: 305-504-3825 Phone (Alt): \_\_\_\_\_

Email: Just Jules 831 @ gmail .com

**Legal Description of Property:**

BK 19 L+1 and ADJ Bay BTM Coco Plum Beach

Key: \_\_\_\_\_ Mile Marker: PB4-1166 Fat Deer

RE Number: 00365980

*If in metes and bounds, attach a legal description on separate sheet.*



**Property Description:**

Street Address of Property (if applicable), or General Location Description:

99 Avenue O Coco Plum Key

Parcel Number(s):

Land Use District:

RL

Zoning District:

RL

Present Use of Property:

Proposed Use of Property:

Residential

Property Size:

22,899 sf.

Gross Floor Area in Sq Ft (Non-Residential Use):

Number of Residential Units to be Built:

1

Number of Affordable or Employee Housing Units to be Built:

0

Number of Hotel-Motel, Recreational Vehicle, Institutional Residential or Campground Units to be built per Type:

0

Has an Application Been Submitted for this Site Within the Past Two Years?  Yes  No

If Yes, Name of the Applicant and Date of the Application:

Name

Date

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Julie Walker

Applicant or Agent Name (Please Print)

Julie Walker

Signature of Applicant or Agent

10/28/2019

Date

**NOTARY STATE OF FLORIDA,  
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me on this 23 day of Dec, 2019, by

Julie Walker

who is personally known or who produced

for identification.

[Signature]

Signature of Notary Public - State of Florida



**Lorie Mullins**  
Comm. #GG927629  
Expires: Nov. 23, 2023  
Bonded Thru Aaron Notary  
My Commission Expires:

**CITY OF MARATHON PLANNING DEPARTMENT**

## Application Requirements Land Development Regulation Text and Map Amendments

These requirements are not to be considered ALL inclusive of the requirements for the proposed work. The Planning Department may require additional drawings, specifications or information in order to complete the review of the application.

### THE FOLLOWING MUST BE PROVIDED IN ORDER TO BE A COMPLETE APPLICATION:

- ⇒ **Application completed in full.**
- ⇒ **Proof of ownership** (copy of deed or tax statement)
- ⇒ **Agent authorization** (as applicable)
- ⇒ **Location Map and Photographs** of site from the main adjacent road and/ or aerial photograph.
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  - **Property Survey** no older than two years from date of application.
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- ⇒ **A Traffic Study** prepared by a licensed traffic engineer.
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  - City of Marathon, Utilities Manager- (305) 289-5009
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  - South Florida Water Management District (SFWMD)
  - U.S. Army Corps of Engineers (ACOE) – (305) 743-5349
  - U.S. Fish and Wildlife Service (USFWS) – (772) 562-3909, ext. 306
  - Other, as applicable to the project

### CITY OF MARATHON PLANNING DEPARTMENT



Chapter 102, Article 11 – REZONING

**Explain how this application complies with the criteria listed below.**

Use additional sheets as necessary

**1. CHANGES TO THE OFFICIAL ZONING MAP**

- 1) Consistency: Explain how the proposed rezoning is consistent with the Comprehensive Plan and the LDRs

see 6.6.

- 2) Compatibility: Explain how the proposed rezoning is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

see 6.6.

- 3) *Development Patterns*: Explain how the proposed rezoning shall result in logical and orderly development patterns:

see 6.6.

- 4) *Suitability*: Explain how the affected property is suitable for the uses that are permitted by the proposed zoning districts.

6.6.

- 5) *Adequate Public Services*: Explain how the proposed rezoning is consistent with the adequate public facilities requirements of the Plan

6.6.

- 6) *Access*: Explain how available ingress and egress is adequate for potential uses in the proposed zoning district.

6.6.

Chapter 102, Article 7 – LAND DEVELOPMENT REGULATION TEXT AMENDMENTS

**Explain how this application complies with the criteria listed below.**

Use additional sheets as necessary

**2. TEXT AMENDMENTS**

1) Explain the need and justification for the proposed change:

G.G.

2) Explain how the proposed amendment is consistent with the Comprehensive Plan

G.G.

3) Explain how the proposed amendment furthers the purposes of the land Development Regulations, other City Codes, regulations and actions designed to implement the Comprehensive Plan.

G.G.

# APPRAISAL REPORT

OF



99 Avenue O  
Marathon, FL 33050

## PREPARED FOR

Julie Walker  
98 Avenue O  
Marathon, FL 33050

AS OF

12/13/2018

## PREPARED BY

Brandvold Appraisal of the FL Keys  
P.O. Box 501524  
Marathon, FL 33050

LAND APPRAISAL REPORT

Case No.

IDENTIFICATION
Borrower n/a Census Tract 9710.01 Map Reference 00365980-000000
Property Address 99 Avenue O
City Marathon County Monroe State FL Zip Code 33050
Legal Description BK 19 LT 1 AND ADJ BAY BTM COCO PLUM BEACH PB4-166 FAT DEER KEY
Sale Price \$ n/a Date of Sale Loan Term n/a yrs. Property Rights Appraised [X] Fee [ ] Leasehold [ ] De Minimis PUD
Actual Real Estate Taxes \$ 238 (yr) Loan Charges to be paid by seller \$ n/a Other Sales Concessions n/a
Lender/Client Julie Walker Address 98 Avenue O, Marathon, FL 33050
Occupant Vacant Land Appraiser Maria Brandvold Instructions to Appraiser To determine market value

NEIGHBORHOOD
Location [ ] Urban [X] Suburban [ ] Rural
Built Up [ ] Over 75% [X] 25% to 75% [ ] Under 25%
Growth Rate [ ] Fully Dev. Rapid [X] Steady [ ] Slow
Property Values [ ] Increasing [X] Stable [ ] Declining
Demand/Supply [ ] Shortage [ ] In Balance [X] Oversupply
Marketing Time [ ] Under 3 Mos. [X] 3-6 Mos. [ ] Over 6 Mos.
Present Land Use 75 %1 Family %2-4 Family % Apts 25 % Condo % Commercial
Change In Present Land Use [ ] Not Likely [X] Likely (\*) [ ] Taking Place (\*)
Predominate Occupancy [X] Owner [ ] Tenant 0 % Vacant
Single Family Price Range \$ 400 to \$ 4,000 Predominant Value \$ 800
Single Family Age new yrs to 30 yrs. Predominant Age 5 yrs

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): The subject property is located in the Marathon area of the Florida Keys at MM 54. The Marathon area is bordered on the north by FL Bay and on the south by the Atlantic Ocean. The area experiences adequate marketability for both first and second home buyers and investors. All expected neighborhood amenities including schools, marinas, shopping and beaches are within the immediate area. The subject is located on an ocean access canal.

SITE
Dimensions see site map - no survey provided = 22899 [ ] Corner Lot
Zoning Classification RL - Residential Low Present Improvements [X] do [ ] do not conform to zoning regulations
Highest and best use [X] Present use [ ] Other (specify) or subject to improvements such as SF
Elec. [X] Public [ ] Other (Describe) OFF SITE IMPROVEMENTS
Gas [X] Street Access [X] Public [ ] Private Size Average for area
Water [X] Surface Gravel Shape Irregular
San. Sewer [X] Maintenance [X] Public [ ] Private View Canal/Preserve
Underground Elect. & Tel. [ ] Storm Sewer [ ] Curb/Gutter Drainage Appears Adequate
Sidewalk [ ] Street Lights Is the property located in a HUD identified Special Flood Hazard Area? [ ] No [X] Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions): 12097C 1382K 02/18/2005 This area is located on the far eastern side of Marathon, off US 1 via Coco Plum Dr. on Avenue O. This is an area of canal front home that sit on larger than typical lots most of which are on ocean access canal. Coco Plum Drive, the connecting artery to US 1 is composed of several upper end homes directly on the Atlantic Ocean. Additionally there are several condominium/townhouse developments in the area that have ocean amenities. This parcel would be suitable for single family housing.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

MARKET DATA ANALYSIS
Table with 4 columns: SUBJECT PROPERTY, COMPARABLE NO.1, COMPARABLE NO.2, COMPARABLE NO.3. Rows include Address, Proximity to Subject, Sales Price, Price /, Data Source, Date of Sale and Description, Time Adjustment, Location, Site/View, View, Dockage, Permits, Cleared, Sales or Financing Concessions, Net Adj. (Total), Indicated Value of Subject.

Comments on Market Data Market data is applicable. Three similar sales were found to have taken place in 2018. The subject is described as a large, canal front lot, with excellent boat access, no permits in the works and no dockage. Permits could take 1-2 years to achieve within the City of Marathon.

Comments and Conditions of Appraisal: These three sales were the most current and similar in Marathon in the past year. Adjustments were made for dockage in place or being in the permitting process. The calculation was broken down to a Price/Square Foot in order to not have to make adjustments for size. Adjusted prices per SF #1 - \$24.51, #2 - \$27.13, #3 - \$22.03 with the Weighted Average at \$24.35.

RECONCILIATION
Final Reconciliation: Many land sales were researched and the most recent and similar sales were placed on the grid. All sales were given equal weight.
The subject has approximately 22,899 sf, no survey was provided. If a survey produces a lot size much different, this value may not apply.
Calculation: 22,899 sf x \$24.35/sf = \$557,591 rounded to \$558,000.
ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF 12/13/2018 to be \$ 558,000
Appraiser(s) Maria Brandvold Review Appraiser (if applicable) [X] Did [ ] Did Not Physically
Date Report Signed 12/20/2018 Inspect Property
State Certification # RZ2054 State FL Date Report Signed
Or State License # State
Expiration Date of License or Certification 11/30/2020 Expiration Date of License or Certification 11/30/2008



Brandvold Appraisal of the FL Keys  
COMMENT ADDENDUM

File No. K9728  
Case No.

Borrower n/a

Property Address 99 Avenue O

City Marathon

County

Monroe

State

FL

Zip Code

33050

Lender/Client Julie Walker

Address 98 Avenue O, Marathon, FL 33050

The Florida Keys are currently under a partial residential building moratorium. This means that every building permit issued is based on a "point" system. Each quarter the building department issues permits, a total of less than 100 county wide per year, and only about 5-6 of those permits are available in the Middle Keys, to those applying for a permit with a certain number of points.

This was established in about 1992 in order to curtail development of these islands, that have precious commodities of water, soil and waste treatment. Hurricane evacuation was also a deterrent in the excess building process.

The permits are awarded on the basis of what type of home is planned to be built, with extra points being allocated to conservation methods of construction, etc. Other issues that deduct or add to the point system is if there are certain types of trees, signs of animals on the extinction lists and a number of other issues. A TDR (transferable development right) allows a landowner to give up development on one lot and exchange it for the buildable lot.

The process is very complicated, but the main thrust of these measures is to limit development. The typical home takes two to four years just to simply get a building permit.

If the permitting process is changed in any way which may further hinder the permissibility of this lot, the estimated value of this report may not apply.

The ROGO process is soon to change names to BPAS or Building Permit Allocation System. Basically this system will work the same way as ROGO through a point system.

The FLUM (Future Land Use Maps) have been revised and this area has been determined to be in a RL - Residential Low Zoning.

**Distance comment**

The FL Keys area chain of islands that cover a distance of 126 miles from mainland FL heading south and west to Key West. These islands are connected by bridges and sometimes the islands are less than one mile wide. Many times comparables are located further than the recommended guidelines.

**Intended User/Use**

The Intended User of this appraisal report is the Client, Julie Walker. The Intended Use is to evaluate the property that is the subject of this appraisal is for a personal decision making transaction, subject to the stated Scope of Work, purpose of the appraisal, reporting requirements of this appraisal report form, and Definition of Market Value. No additional intended Users are identified by the appraiser.

**Final Reconciliation**

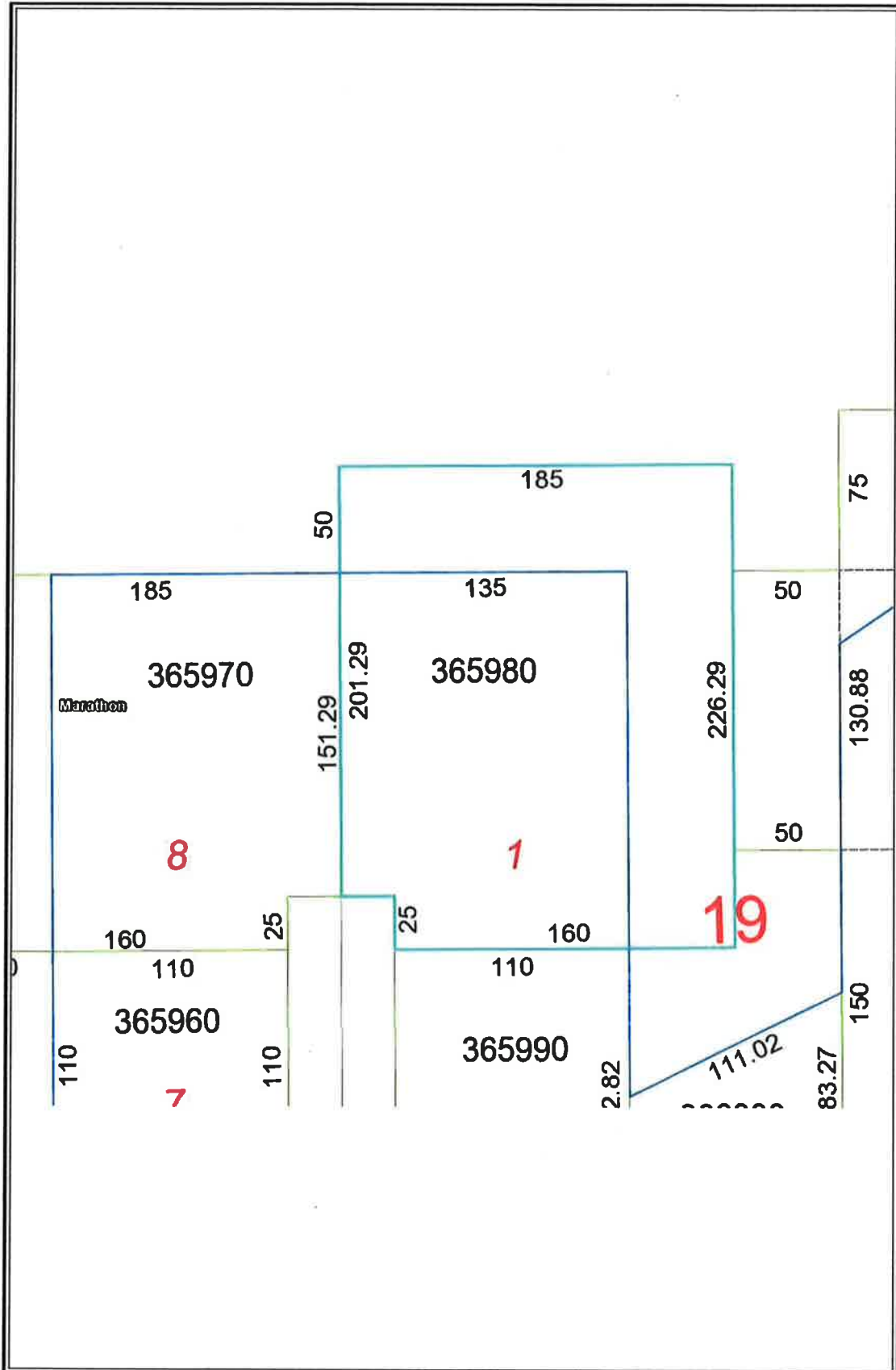
This opinion of value may change if conditions, or problems, not disclosed or discovered by the appraiser using due diligence, in the normal course of the inspection are discovered or if information furnished the appraiser is found to be inaccurate.

I certify that the digital signature that appears below is my signature and it has not been altered in any way.

**EXPOSURE TIME:** estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. **Comment:** Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market. Estimated exposure time is 3 - 6 months.

This opinion of value may change if conditions, or problems, not disclosed or discovered by the appraiser using due diligence, in the normal course of the inspection, or research of information furnished the appraiser.

Borrower n/a  
Property Address 99 Avenue O  
City Marathon County Monroe State FL Zip Code 33050  
Lender/Cient Julie Walker Address 98 Avenue O, Marathon, FL 33050

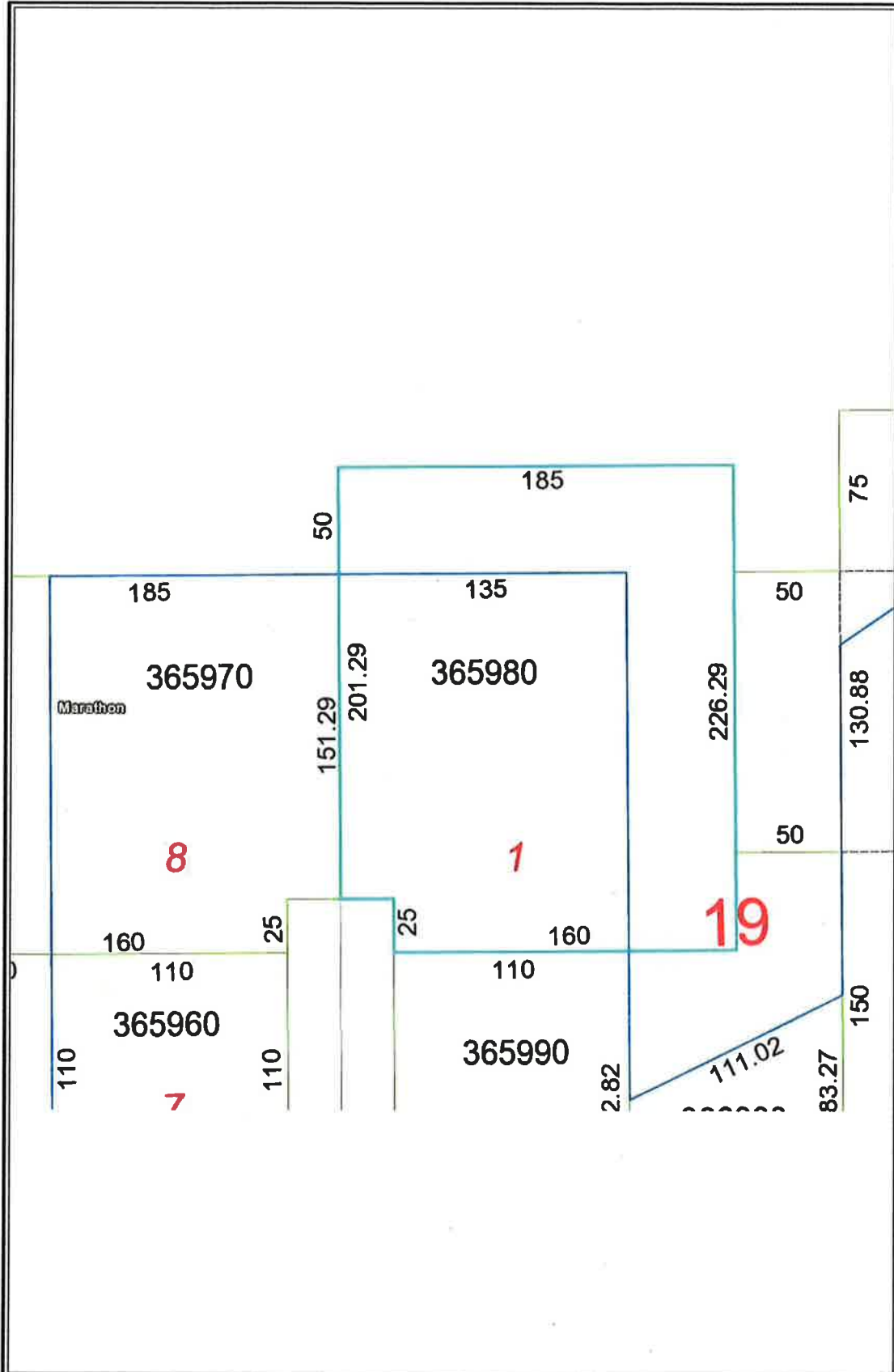




Brandvoid Appraisal of the FL Keys  
**PLAT MAP**

File No. K9728  
Case No.

Borrower	n/a						
Property Address	99 Avenue O						
City	Marathon	County	Monroe	State	FL	Zip Code	33050
Lender/Cient	Julie Walker		Address 98 Avenue O, Marathon, FL 33050				









Borrower	n/a						
Property Address	99 Avenue O						
City	Marathon	County	Monroe	State	FL	Zip Code	33050
Lender/Cient	Julie Walker						
	Address 98 Avenue O, Marathon, FL 33050						



**COMPARABLE # 1**  
97 Avenue E  
Marathon, FL 33050



**COMPARABLE # 2**  
134 Coco Plum Drive  
Marathon, FL 33050

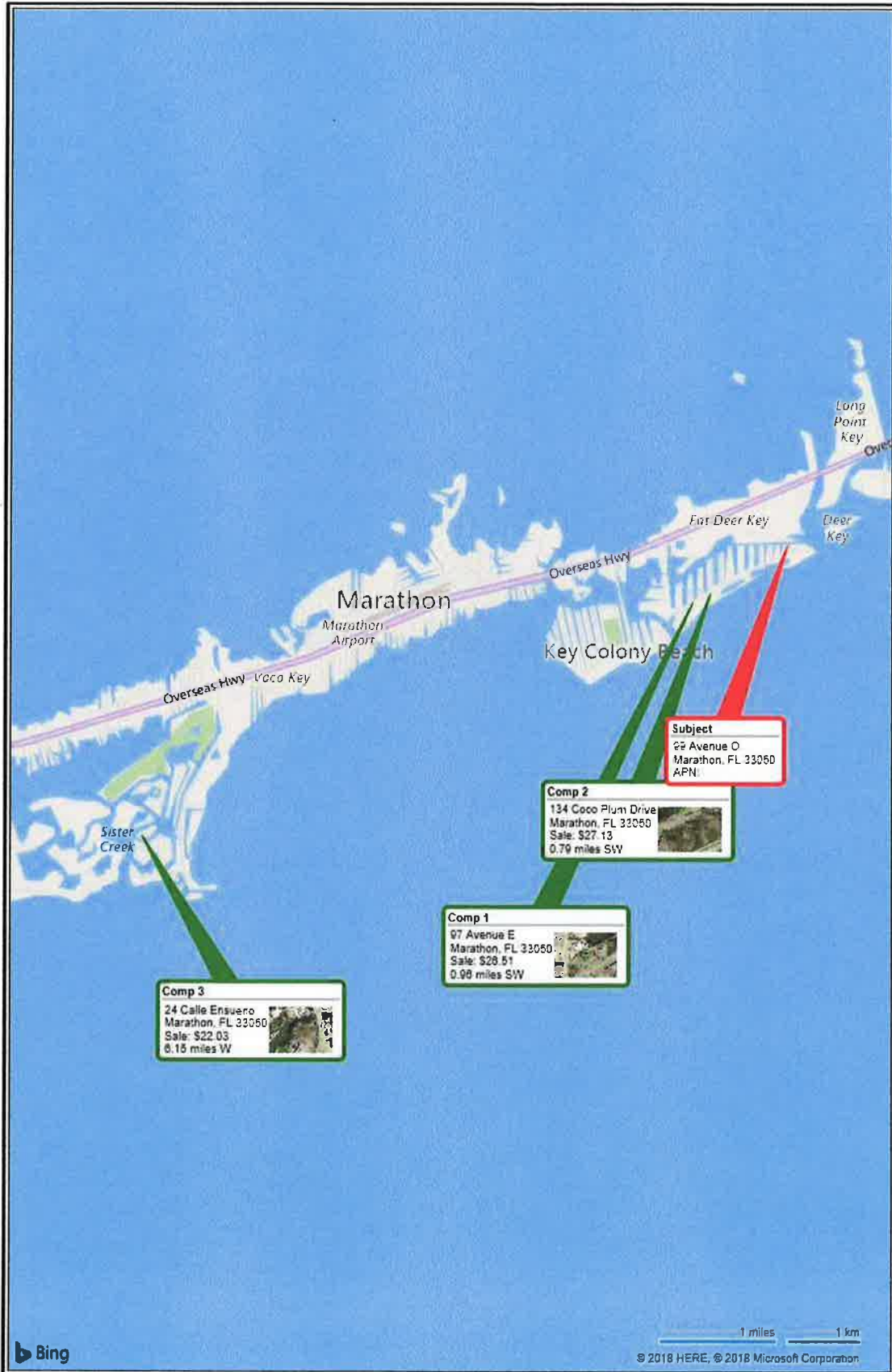


**COMPARABLE # 3**  
24 Calle Ensueno  
Marathon, FL 33050

Brandvold Appraisal of the FL Keys  
**LOCATION MAP ADDENDUM**

File No. K9728  
 Case No.

Borrower	n/a						
Property Address	99 Avenue O						
City	Marathon	County	Monroe	State	FL	Zip Code	33050
Lender/Cient	Julie Walker		Address 98 Avenue O, Marathon, FL 33050				



RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE  
PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

**BRANDVOLD, MARIA A**  
11 MAN-O-WAR RD  
MARATHON FL 33050

LICENSE NUMBER: RZ2054  
EXPIRATION DATE: NOVEMBER 30, 2020  
*Always verify licenses online at MyFloridaLicense.com*



Do not alter this document in any form.  
This is your license. It is unlawful for anyone other than the licensee to use this document.



This appraisal report is subject to the scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment.

**SCOPE OF WORK:** The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

**STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS:** The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
4. The appraiser has noted in this appraisal report any adverse conditions (such as the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent deficiencies or adverse conditions of the property (such as, but not limited to, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.



**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the subject property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
9. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale of the subject property.
10. I have knowledge and experience in appraising this type of property in this market area.
11. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
12. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
13. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
14. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
15. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
16. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
17. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event.
18. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
19. I identified the client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
20. I am aware that any disclosure or distribution of this appraisal report by me or the client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

21. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

**SUPERVISORY APPRAISER'S CERTIFICATION:** The Supervisory Appraiser certifies and agrees that:

- 1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- 2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- 3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
- 4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
- 5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

**APPRAISER**

Signature Maria Brandvold  
 Name Maria Brandvold  
 Company Name Brandvold Appraisal of the FL Keys  
 Company Address P.O. Box 501524  
Marathon, FL 33050  
 Telephone Number 305-289-7220  
 Email Address keysappr@gmail.com  
 Date of Signature and Report 12/20/2018  
 Effective Date of Appraisal 12/13/2018  
 State Certification # RZ2054  
 or State License # \_\_\_\_\_  
 or Other (describe) \_\_\_\_\_ State # \_\_\_\_\_  
 State FL  
 Expiration Date of Certification or License 11/30/2020

**ADDRESS OF PROPERTY APPRAISED**

99 Avenue O  
Marathon, FL 33050

APPRAISED VALUE OF SUBJECT PROPERTY \$ 558,000

CLIENT  
 Name \_\_\_\_\_  
 Company Name Julie Walker  
 Company Address 98 Avenue O  
Marathon, FL 33050  
 Email Address \_\_\_\_\_

**SUPERVISORY APPRAISER (ONLY IF REQUIRED)**

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Company Name \_\_\_\_\_  
 Company Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 Email Address \_\_\_\_\_  
 Date of Signature \_\_\_\_\_  
 State Certification # \_\_\_\_\_  
 or State License # \_\_\_\_\_  
 State \_\_\_\_\_  
 Expiration Date of Certification or License \_\_\_\_\_

**SUBJECT PROPERTY**

- Did not inspect subject property
- Did inspect exterior of subject property from street  
Date of Inspection \_\_\_\_\_
- Did inspect interior and exterior of subject property  
Date of Inspection \_\_\_\_\_

**COMPARABLE SALES**

- Did not inspect exterior of comparable sales from street
- Did inspect exterior of comparable sales from street  
Date of Inspection \_\_\_\_\_



# CITY OF MARATHON, FLORIDA NOTICE OF PUBLIC HEARINGS

## YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Marathon Planning Commission and City Council will be holding Public Hearings:

A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend The Future Land Use Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

-AND-

A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend Land Development Regulations Zoning Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

**Applicant:** Julie Walker

**Project Location:** 99 Avenue O., Coco Plum Beach

**Date of Hearings:** Monday, June 15, 2020, Planning Commission  
Tuesday, July 14, 2020, City Council

**Time of Hearings:** 5:30 PM

**Location of Hearings:** 9805 Overseas Highway  
City Hall Council Chambers

## LOCATION MAP



Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding applications are available from the City of Marathon Planning Department located at 9805 Overseas Highway, Marathon, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Council 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 or the City Council hearing due to disability should contact the City of Marathon at (305) 743-0033 at least two days prior thereto.



## COUNCIL AGENDA STATEMENT



**Meeting Date:** July 14, 2020

**To:** Honorable Mayor and Council Members

**Through:** Chuck Lindsey, City Manager

**From:** George Garrett, Planning Director

**Agenda Item:** An Ordinance Of The City Of Marathon, Florida Based On A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend The Future Land Use Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

An Ordinance Of The City Of Marathon, Florida Based On A By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend Land Development Regulations Zoning Map From Residential Low (RL) to Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; and Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

**APPLICANT/OWNER/AGENT:** Julie Walker

**LOCATION:** The subject properties are located at the end of Coco Plum Drive, Avenues O and P, Fat Deer Key, Having Real Estate Numbers 00365970-000000, 00365980-000000, and part of 00366031-000100 (formerly 00366010-000000 and 00366020-000000).

**ADDRESS:** 10155 Overseas Highway, near Mile Marker 52.5

### Location Map



**REQUEST:** Amend the Future Land Use Map (FLUM) and the Zoning Map for the subject properties from Residential Low (RL) to Residential Medium (RM with a Zoning of Residential Medium (RM-1). See existing FLUM and Zoning maps for the property (Exhibit 1a and 1b).

**LOT AREA:** The aggregated size of the parcels is approximately 153,570 sq./ft.; 3.53 acres  
Upland area is approximately 98,769 sq. ft. or 2.26 acres  
(Proposed area of re-FLUM / re-Zone).  
Submerged land area is approximately 54,801 sq. ft. or 1.26 acres

**BACKGROUND:**

The applicant in this matter is Julie Walker. She represents two properties in the matter – RE Nos. 00365970-000000 and 00365980-000000.

In addition, the City is suggesting that a re-FLUM & Re-zoning occur for RE No. 00366031-000100. The owner of said property is supportive. This RE Number has been combined from RE Numbers 00366010-000000 and 00366020-000000. This is an adjacent property already developed which is currently FLUMed and Zoned RM-1 and RL. The RL portion gave that property enough density to build three (3) residential units which have been built and have received a Certificate of Occupancy. The change in FLUM and Zoning will make the FLUM / Zoning consistent with what has been built but will not allow any more construction. It should also be noted that the City abandoned Avenue P to this parcel as the street only served this parcel.

On June 15, 2020 the Planning Commission met, listened to presentations made by staff and the applicant, took public input, deliberated concerning reports and public testimony, and based on statutory, Comprehensive Plan and Land Development Regulations criteria, determined that the proposed FLUM and Zoning change was in compliance with the City’s Comprehensive Plan and LDRs. The Planning Commission unanimously voted (3/0 – Mike Leonard and Mike Cinque absent with excused absences) to recommend approval of the proposed FLUM and Zoning change.

**Current and Proposed Future Land Uses and Zoning**

*Future Land Use Map Designation*

Current: Residential Low (RL) and Residential Medium (RM)  
Proposed: Residential Medium (RM)

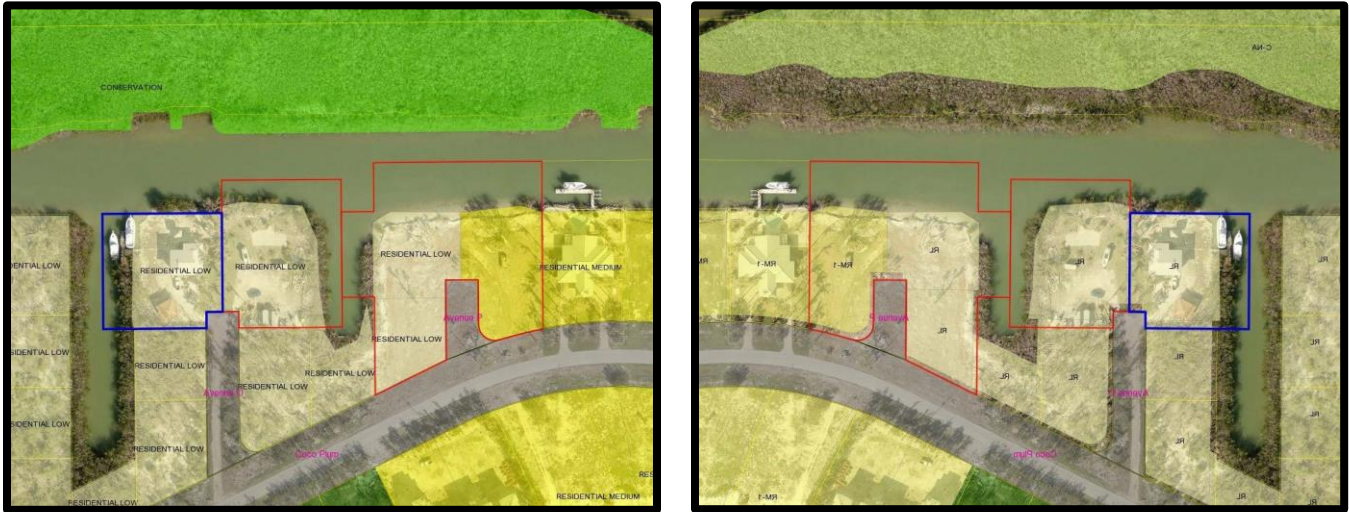
*Land Use (Zoning) District Designation*

Existing: Residential Low (RL) and Residential Medium (RM-1)  
Proposed: Residential Medium (RM-1)

*Use of Properties*

Existing: Residential (four (4) units) and one vacant parcel  
Proposed: Residential (four (4) units) with the potential for one extra residential unit on the vacant Walker property

Figures 1a and 1b  
Existing FLUM and Zoning



Highlighted Parcels (Blue and Red) would become Residential Medium FLUM & Zoning (RM-1)

**Surrounding FLUM, Zoning and Uses**

The properties subject to the FLUM and Zoning amendments are located at the east end of Coco Plum Drive associated with Avenue O and P.

The following table correlates existing uses with the existing FLUM and Zoning map:

**Table 1. Existing Conditions**

	<b><u>Existing FLUM</u></b>	<b><u>Existing Zoning</u></b>	<b><u>Existing Uses</u></b>
<b>North</b>	Conservation (C)	Conservation Native Area (C-NA)	State Park Land
<b>East</b>	Residential Medium (RM)	Residential Medium-1 (RM-1)	Residential units
<b>South</b>	Residential Medium (RM)	Residential Medium-1 (RM-1)	Residential development and Vacant land
<b>West</b>	Residential Low (RL)	Residential Low (RL)	Conservation land and Residential Development

**Existing Habitat**

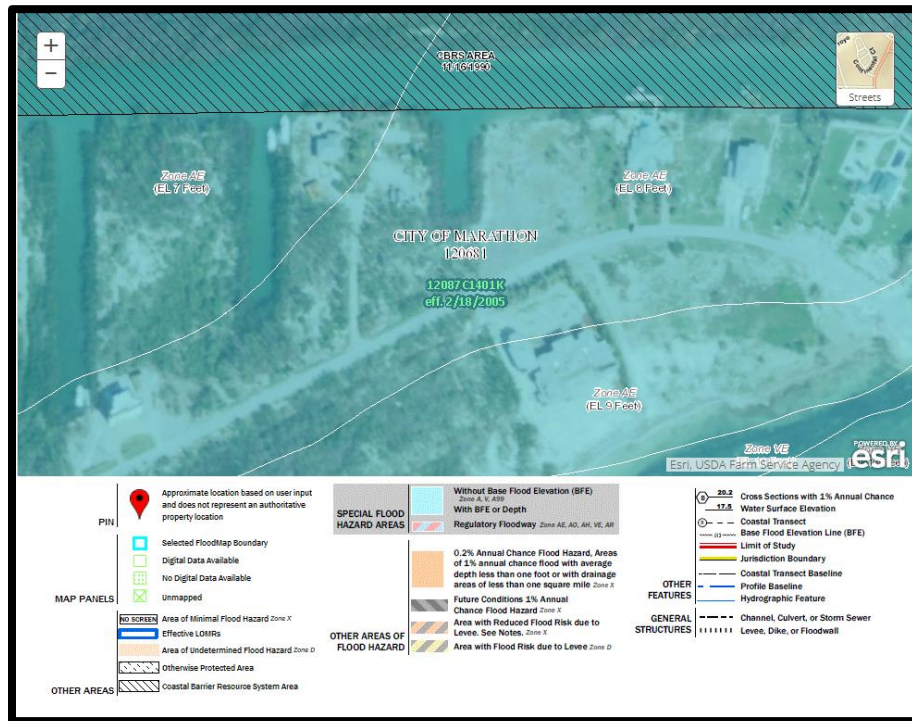
The existing conditions maps shows that the parcels in question are either developed or vacant and scarified.

**FEMA**

The property is within multiple flood zones: extending from the shoreline, the property includes AE 7,



and AE 8 Flood zones. Just outside the boundary of the parcels in question is one of four Coastal Barrier Resource System (CBRS) areas within or adjacent to the City of Marathon. It does not affect this RE-FLUM or Re-zoning request.



**Zoning and Land Use History**

The City has not made any amendments to the FLUM or zoning map associated with these properties since the adoption of the Current FLUM and Zoning Maps in 2005 & 2007 respectively. The property has historically had land use and zoning designations of low and medium density residential uses

**ANALYSIS OF FLUM CHANGE REQUEST:**

**Consistency with FL State Statutes**

**Compliance Discussion**

Relevant criteria promulgated in Chapter 163 and 380, can be itemized in bullets as follows based on the critical concerns more specifically identified in the City’s Comprehensive plan:

- Natural Resource Protection
  - Wetlands
  - Estuaries
  - Living marine resources
  - Beaches / Dunes
  - Unique wildlife habitat
  - Water Quality
- Historical Resources
- Infrastructure / Concurrency Management

- Wastewater
- Stormwater
- Potable Water
- Solid Waste
- Transportation
- Affordable Housing
- Hazard Mitigation
  - CHHA
  - Hurricane Evacuation
- Ports
  - Marina Siting
- Public Use
  - Shoreline use and Access
  - Water dependent and independent activity
- Land Acquisition
  - Conservation
  - CHHA
  - Public Services

The above bullet items will be utilized as the focus points for review of the proposed zoning amendment and for future comprehensive plan amendments.

### **In General**

Predominately, the FLUM designation along Coco Plum Drive in this area is either Residential Low to the west to Avenue L with interspersed single family residences; Conservation on the oceanside of Coco Plum Drive where the City owns Coco Plum Beach; or Residential Medium (RM) to the east leading to the end of Coco Plum Drive.

The proposed Re-FLUM and re-Zoning converts all of the residential development at the end of Coco Plum Drive to Residential Medium (FLUM) and RM-1 (Zoning), thus making the entire end of Coco Plum Drive FLUMed and Zoned consistently.

Remaining FLUM and Zoning to the west should remain Residential Low (RL). That property and area has been slated for acquisition in the past and is much of the area is already either owned by the State, the County, or the City as conservation lands. Any single-family homes in the RL area, though non-conforming for FLUM and Zoning, could rebuild under the City's Comprehensive Plan or Land Development Regulations if severely damaged or destroyed.

The proposed FLUM and Zoning amendments *are compatible* with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area. Therefore, it is staff's finding that the request is *in compliance* with this criterion.

### **Natural Resources**

Direct impacts to natural resources would differ minimally as a result of the proposed FLUM and Zoning changes. The area proposed for a FLUM change is either already developed or vacant and scarified.

The proposed FLUM and Zoning amendments *are consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

### **Historical and Cultural Resources**

Protection of historical and cultural resources is crucial under the City's Comprehensive Plan, Chapters 163 and 380 F.S.

There are no known historical or cultural resources associated with the subject properties or within the area of the requested FLUM and Zoning changes. Therefore, the FLUM and Zoning changes would have no impacts on historical or cultural resources.

The proposed FLUM and Zoning amendments *are therefore consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

### **Infrastructure**

#### **• Wastewater infrastructure**

Wastewater as an issue of infrastructure capacity and provides a means of water quality protection for the waters surrounding our islands. Water quality protection represents the backbone to the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The subject property inclusive of the area of the proposed FLUM change is served by the Area 6 sewer infrastructure. The Utility Manager for the City of Marathon reviewed the proposed FLUM and Zoning changes and determined that there would be no adverse impact on sewer capacity if the proposal were approved.

The proposed FLUM and Zoning changes would not place any additional constraints on wastewater infrastructure capacity and would provide limited or no adverse impact resulting from additional nutrient loading.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

#### **• Stormwater infrastructure**

Stormwater infrastructure capacity and means of water quality protection represents another of the backbone elements of the City's Comprehensive Plan, the tenants of Chapters 163 and 380 F.S. The City of Marathon requires that all property owners retain their stormwater on site. All proposals for new developments, and redevelopments, must submit detailed civil engineering plans for review by the City Engineer. Proposals for redevelopment would have to obtain all required permits through other applicable agencies, such as the Department of Environmental Protection or the South Florida Water Management District.

Staff believes that the proposed FLUM and zoning changes would have a diminimus impact on stormwater infrastructure capacity and *is, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 163 and 380 F.S.

#### **• Potable Water**

Monroe County's potable water facilities do not critically constrain the amount of future growth that can be accommodated in the County (see End Note 1). The current FKAA Consumptive Use Permit, when compared to current potable water consumption rates, will provide sufficient potable water to accommodate existing and committed development plus an additional 18,258 equivalent residential units (ERU's) in unincorporated and incorporated Monroe County. The FKAA's Consumptive Use Permit has been renewed. Costs of improvements to upgrade facilities for potable water supply, treatment and distribution, in order to accommodate future growth impacts, would not be borne by the City.

An increase in potable water demand is not expected as part of the proposed FLUM change, any increase would have a diminimus impact on potable water infrastructure capacity. The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

- **Solid Waste**

Solid waste capacity is managed in the Florida Keys under haul-out contracts to mainland solid waste facilities. There are currently no limits on solid waste capacity that would be impacted by this FLUM proposal.

The proposed FLUM and Zoning changes would not impact concurrency levels of solid waste infrastructure capacity.

The proposed FLUM and Zoning amendment *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

- **Transportation**

The requested FLUM change is not expected to have an adverse impact on roadway capacity.

The proposed FLUM and Zoning changes would not affect concurrency levels of transportation on U.S. Highway 1.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

### **Affordable Housing**

Affordable housing is an important issue in the Florida Keys and throughout the state of Florida. The proposed FLUM and Zoning changes would not affect the potential to develop affordable housing.

The proposed FLUM and Zoning changes will have no effect on the potential for affordable housing projects. The proposed FLUM and Zoning amendments *are therefore consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

### **Hazard Mitigation**

- **Coastal High Hazard Areas**

The entirety of the parcel lies outside the Coastal Barrier Resources System (CBRS) The proposed FLUM and Zoning changes results in a diminimus impact to public safety.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

• **Hurricane Evacuation**

The critical carrying capacity constraint at the present time is related to the requirement that hurricane evacuation clearance times for Monroe County be maintained at or below 30 hours through the Year 2002, and further reduced to 24 hours by 2010.

The Florida Department of Economic Opportunity in conjunction with sister state agencies and the participation of all local governments completed an analysis of current hurricane evacuation constraints. It was determined that under defined conditions, the County was able to maintain a 24 hour evacuation time while continuing the current ROGO and BPAS allocation formulas. Thus, for the ensuing ten (10) thorough 2023, the City will continue to be able to issue 30 residential allocations per year.

The proposed FLUM and zoning changes would have a neutral impact on hurricane evacuation times with the BPAS system in place.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

**Ports – Marina Siting**

Staff believes that the proposed FLUM and Zoning change will have no adverse impact on ports management or the City’s Marina Siting Plan.

The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

**Public Use – Access to Water**

The proposed FLUM amendment is located on waters leading to the Atlantic Ocean. However, there are no public points of access to the water from this location. Staff believes that the proposed FLUM and Zoning change will have no adverse impact on public access to water.

The proposed FLUM and Zoning amendments *are, therefore, consistent with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.*

**Land Acquisition**

Land acquisition in the Florida Keys is carried out by the City, County, State, and to a limited extent the federal government for the purposes of resource conservation and management, removal of properties in the CHHA from public ownership, and to provide for public services and facilities. The subject parcel is not on the Florida Forever boundary map.



The proposed FLUM and Zoning change would have no impact on land acquisition efforts. The proposed FLUM and Zoning amendments *are, therefore, consistent* with these provisions of the Comprehensive Plan and Chapters 16 and 380 F.S.

**SUMMARY:**

The applicant has requested a change in the FLUM and Zoning Map designations for the properties located on and adjacent to Avenues O and P on Coco Plum Drive. Currently the property is designated as Residential Low (RL) with a small area overlapping onto Residential Medium (RM). The applicant is requesting a change to Residential Medium (RM) entirely for the FUM map and Residential Medium-1 (RM-1) map, which will make the FLUM and Zoning consistent with the uses east of the subject properties.

**RECOMMENDATION:**

The Planning Commission provides a unanimous (3/0 — Mike Leonard and Mike Cinque absent with excused absences) recommendation of approval of the proposed FLUM and Zoning changes to Residential Medium (FLUM) and Residential Medium (RM-1) (Zoning).





**Legend**

- ◆ Marathon\_Hydrants\_160902
- Marathon Current Zoning Categories**
- Residential Conservation (R-C)
- Residential Low (RL)
- Residential Medium (RM-1)
- Residential Medium (RM-2)
- Residential Medium (RM)
- Residential - Mobile Home R-MH
- Residential High (RH)
- Industrial General (I-G)
- Industrial Maritime (I-M)
- Conservation Native Area (C-NA)
- Conservation Off-shore Island (C-OI)
- Parks And Recreation (PR)
- Public (P)
- Airports (A)
- Mixed Use (MU)
- Mixed Use Maritime (MU-M)
- MiddleKeys\_Parcels\_200207
- 2018 Color Aerials RGB**
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



City of Marathon, Florida  
 Official Map Product  
 Walker ReFLUM / Re-Zoning - 00365970-000000, et al







**Legend**

- ◆ Marathon\_Hydrants\_160902
- Marathon Current Zoning**
- Zoning Categories**
- Residential Conservation (R-C)
- Residential Low (RL)
- Residential Medium (RM-1)
- Residential Medium (RM-2)
- Residential Medium (RM)
- Residential - Mobile Home R-MH
- Residential High (RH)
- Industrial General (I-G)
- Industrial Maritime (I-M)
- Conservation Native Area (C-NA)
- Conservation Off-shore Island (C-OI)
- Parks And Recreation (PR)
- Public (P)
- Airports (A)
- Mixed Use (MU)
- Mixed Use Maritime (MU-M)
- MiddleKeys\_Parcel\_200207
- 2018 Color Aerials**
- RGB**
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



City of Marathon, Florida  
 Official Map Product  
 Walker ReFLUM / Re-Zoning - 00365970-000000, et al





CONSERVATION

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL MEDIUM

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

RESIDENTIAL LOW

Avenue O

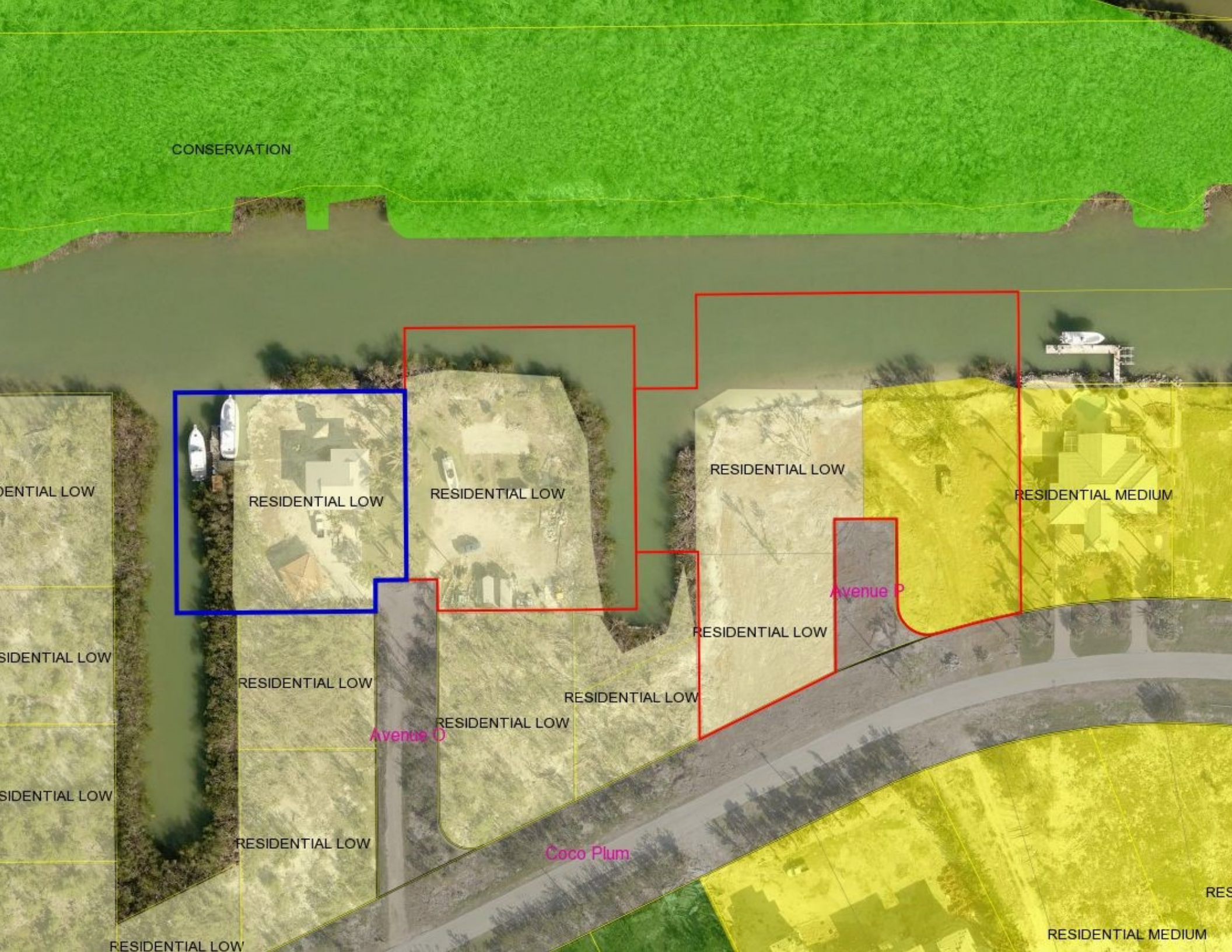
Avenue P

Coco Plum

RESIDENTIAL LOW

RESIDENTIAL MEDIUM

RES







**Legend**

- Marathon\_Hydrants\_160902

**Marathon Current FLUM**

**FLUM Categories**

- RESIDENTIAL LOW
- RESIDENTIAL MEDIUM
- RESIDENTIAL HIGH
- INDUSTRIAL
- CONSERVATION
- RECREATION
- PUBLIC
- AIRPORT
- MIXED USE COMMERCIAL

□ MiddleKeys\_Parcels\_200207

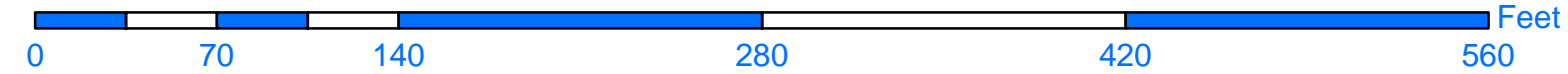
**2018 Color Aerials**

**RGB**

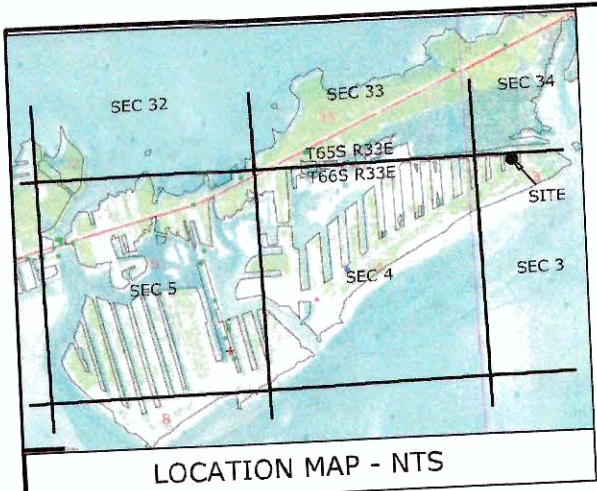
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



City of Marathon, Florida  
 Official Map Product  
 FLUM Change - Residential Low to Residential Medium







NORTH  
ASSUMED FROM PLAT  
SCALE: 1" = 20'

# MAP OF BOUNDARY, TOPOGRAPHIC, & TIDAL WATER SURVEY LOT 1, BLOCK 19 COCO PLUM BEACH SUBDIVISION PLAT BOOK 4, PAGE 166 MONROE COUNTY FLORIDA

BEARING BASE:  
THE CENTERLINE OF COCO PLUM DRIVE AT  
N64°15'00"E AS DERIVED FROM THE PLAT

ALL ANGLES DEPICTED  
ARE 90 DEGREES UNLESS  
OTHERWISE INDICATED

ADDRESS:  
99 AVENUE O  
MARATHON, FL 33050

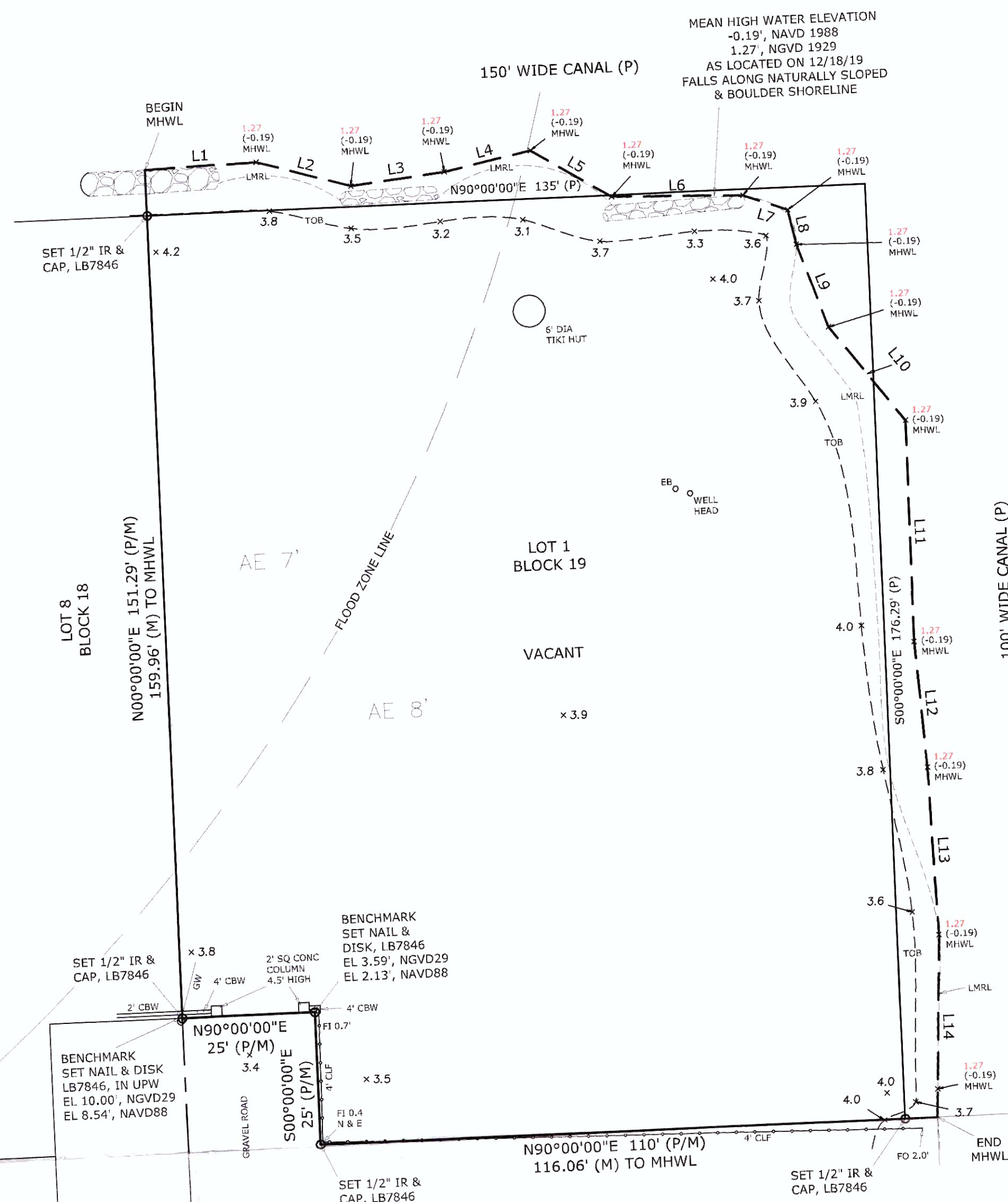
ELEVATIONS SHOWN AS  
X.X REFER TO NGVD29  
VERTICAL DATUM

ELEVATIONS SHOWN AS  
(X.X) REFER TO NAVD88  
VERTICAL DATUM

FLOOD ZONES REFER TO NGVD 29  
AS PER FIRM MAPS

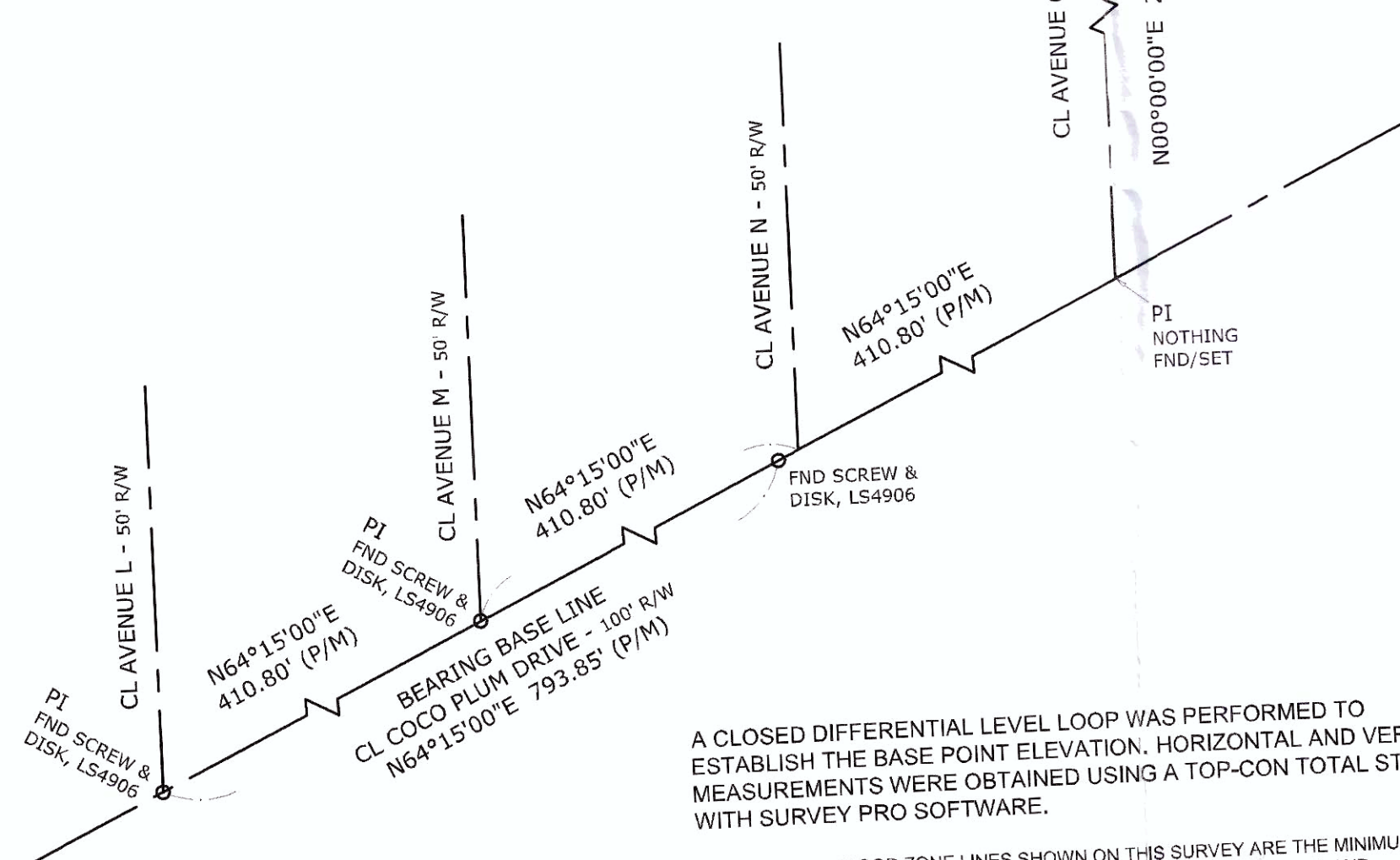
I HAVE CONSULTED THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY  
FLOOD INSURANCE RATE MAP -  
COMMUNITY NO.: 120681  
MAP NO.: 12087C-1401K  
MAP DATE: 02-18-05  
FLOOD ZONE: AE 7' & AE 8', NGVD 29 DATUM.

BENCHMARK USED: PID AA1714  
STAMPING: F 397 1987  
MARK LOGO: NGS  
EL. 5.57', NAVD88  
EL. 7.03', NGVD29



THIS TIDAL WATER LINE  
COMPLIES WITH CHAPTER  
177, PART II, FLORIDA STATUTES

THE MEAN HIGH WATER ELEVATION  
AS SHOWN HEREON WAS ESTABLISHED  
BY EXTENDING THE ELEVATION SHOWN  
AT MEAN HIGH WATER INTERPOLATION  
POINT NO. 7076



A CLOSED DIFFERENTIAL LEVEL LOOP WAS PERFORMED TO  
ESTABLISH THE BASE POINT ELEVATION. HORIZONTAL AND VERTICAL  
MEASUREMENTS WERE OBTAINED USING A TOP-CON TOTAL STATION  
WITH SURVEY PRO SOFTWARE.

APPROXIMATE FLOOD ZONE LINES SHOWN ON THIS SURVEY ARE THE MINIMUM  
HORIZONTAL POSITIONAL ACCURACY FOR BASEMAP HYDROGRAPHIC AND  
TRANSPORTATION FEATURES USED IN THE NATIONAL FLOOD HAZARD LAYER AND IS THE  
NATIONAL STANDARD FOR SPATIAL DATA ACCURACY WITH A RADIAL ACCURACY OF 19  
FEET RESULTING IN A 95% CONFIDENCE LEVEL.

LINE	LENGTH	BEARING
L1	20.98	N88°38'30"E
L2	18.30	S73°20'01"E
L3	17.76	N84°00'21"E
L4	16.64	N78°31'21"E
L5	17.58	S57°46'31"E
L6	24.71	S87°56'51"E
L7	8.84	S69°36'18"E
L8	6.74	S11°21'31"E
L9	16.73	S18°40'10"E
L10	22.81	S36°46'34"E
L11	41.68	S00°13'12"W
L12	23.73	S03°36'58"E
L13	31.56	S01°28'52"E
L14	34.43	S02°54'56"W

CERTIFIED TO -  
JULIE WALKER

### LEGAL DESCRIPTION -

Lot 1, Block 19, COCO PLUM BEACH SUBDIVISION, a Subdivision  
according to the Plat thereof, as recorded in Plat Book 4, Page 166, of  
the Public Records of Monroe County, Florida.

SCALE: 1"=20'  
FIELD WORK DATE: 12/18/19  
REVISION DATE: -/-/  
SHEET 1 OF 1  
DRAWN BY: JM  
CHECKED BY: RER  
INVOICE #: 19112502

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND  
MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF  
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 53-17, FLORIDA ADMINISTRATIVE  
CODE, PURSUANT TO SECTION 402.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE  
B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9,  
SUBPARAGRAPH 1(B) (NOT BACKS), 1(B)(2)(ENFORCEABLE RIGHTS), & 1(B)(4)(EASEMENTS),  
SCHEDULE "B" HAS NOT BEEN PROVIDED.

NOTES:  
THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN  
AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. LIKEWISE, ANY  
AND SHALL NOT BE RELIED UPON FOR ANY PURPOSE OTHER THAN WHICH WAS ORIGINALLY INTENDED, WITHOUT  
THE WRITTEN PERMISSION OF THE UNDERSIGNED SURVEYOR & MAPPER, WILL BE DONE SO AT THE RISK  
OF THE REUSING PARTY AND WITHOUT ANY LIABILITY TO THE UNDERSIGNED SURVEYOR & MAPPER.

LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC  
RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE  
DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR  
HIATUS.

THIS SURVEY DOES NOT PURPORT TO SHOW OWNERSHIP OF WALLS OR FENCES ALONG PROPERTY LINES.  
ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS  
PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

**REECE & ASSOCIATES**  
PROFESSIONAL SURVEYOR AND MAPPER, LB 7846  
127 INDUSTRIAL ROAD, BIG PINE KEY, FL 33045  
OFFICE (305) 872 - 1348  
EMAIL INFO@REECESURVEYING.COM

NOT VALID WITHOUT THE  
SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA  
SURVEYOR AND MAPPER

NOTE: MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.  
FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN.

THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

- AMHWL = APPARENT MEAN HIGH WATER LINE
- BFP = BACK-FLOW PREVENTER
- BD = BLOW DIRT
- C = CALCULATED
- CBW = CONCRETE BLOCK WALL
- CBRW = CONCRETE BLOCK RETAINING WALL
- CHD = CHORD DISTANCE
- CHDB = CHORD BEARING
- CL = CENTRAL LINE
- CLF = CHAINLINK FENCE
- CM = CONCRETE MONUMENT
- CONC = CONCRETE
- COV = COVERED
- D = DIED
- DELTA = DELTA ANGLE
- DEMB = DRAINAGE BASEMENT
- EB = ELECTRIC BOX
- EL = ELEVATION
- ELV = ELEVATED
- EM = ELECTRIC METER
- ENCL = ENCLOSURE
- FTE = FINISHED FLOOR ELEVATION
- FI = FIRE HYDRANT
- FI = FENCE INSIDE
- FO = FENCE OUTSIDE
- FO = FENCE ON LINE
- GI = GRATE INLET
- GL = GROUND LEVEL
- GP = GRINDER PUMP
- GW = GUY WIRE
- IP = IRON PIPE
- IR = IRON ROD
- L = ARC LENGTH
- LMRL = LANDWARD MANGROVE ROOT LINE
- LS = LANDSCAPING
- N = MEASURED
- NHWL = MEAN HIGH WATER LINE
- NE = NEARBY
- LEV = ELEVATED
- NAV = NORTH AMERICAN VERTICAL DATUM (1988)
- NGVD = NATIONAL GEODESIC VERTICAL DATUM (1929)
- NTS = NOT TO SCALE
- OWH = OVERHEAD WIRES
- P = PLAT
- P&M = PLAT & MEASURED
- PCC = POINT OF CURVE
- PCC = POINT OF COMPOUND CURVE
- PCP = PERMANENT CONTROL POINT
- PI = POINT OF INTERSECTION
- PK = PARTIAL KAGON WALL
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRC = POINT OF REVERSE CURVE
- PRM = PERMANENT REFERENCE MONUMENT
- PT = POINT OF TANGENT
- PVC = PVC FENCE
- R = RADIUS
- RDL = ROOF OVERHANG LINE
- R/W = RIGHT OF WAY
- SCS = SANITARY CLEAN-OUT
- SHH = SANITARY MANHOLE
- SU = SUMP VALVE
- TBM = TIDAL BENCHMARK
- TOP = TOP OF BANK
- TOP = TOP OF SLOPE
- TYP = TYPICAL
- UEASE = UTILITY EASEMENT
- URC = CONCRETE UTILITY POLE
- UPW = METAL UTILITY POLE
- UPW = WOOD UTILITY POLE
- WB = WOOD DECK
- WOF = WOOD FENCE
- WL = WOOD LANDING
- WM = WATER METER
- WRACK LINE = LINE OF DEBRIS ON SHORE
- WV = WATER VALVE



**Sponsored By:** Lindsey  
**Planning Commission Public Hearing Date:** June 15, 2020  
**City Council Public Hearing Dates:** July 14, 2020  
TBD  
**Enactment Date:** TBD

**CITY OF MARATHON, FLORIDA  
ORDINANCE 2020-04**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM) FOR LOT 8, BLOCK 18; LOT 1, BLOCK 19; LOT 4, BLOCK 19; AND LOT 5, BLOCK 19, COCO PLUM BEACH SUBDIVISION; HAVING REAL ESTATE NUMBERS 00365970-000000, 00365980-000000, AND PART OF 00366031-000100 (FORMERLY 00366010-000000 AND 00366020-000000), MARATHON, FLORIDA, MONROE COUNTY, FLORIDA; NEAREST MILE MARKER 54.**

**WHEREAS**, pursuant to the provisions of Chapters, 163, 166 and 380 Florida Statutes, the City of Marathon, Florida (the "City") proposes to amend the City's Future Land Use Map (the "Map") to change the land use district designation of property owned by Julie and Chad Walker and Marathon Vacation Properties, LLC., from Residential Low (RL) to Residential Medium (RM); and

**WHEREAS**, amending the Map designation of the Property furthers the goals, objectives and policies of the City Comprehensive Plan (the "Plan"); and

**WHEREAS**, pursuant to Chapter 163, *Florida Statutes*, and Sections 101.02 and 102.22 of the Code, the Planning Commission sitting as the Local Planning Agency publicly considered the proposed FLUM Map amendment on June 15, 2020 at a duly noticed public hearing, and has recommended approval of the proposed Map amendment to the City Council; and

**WHEREAS**, pursuant to the same legislative provision, the City Council considered the recommendation of the Planning Commission, accepted public input, and deliberated on the proposed Map amendment on July 14, 2020 at a duly noticed public hearing, and recommended that the amendment be transmitted to the Florida Department of Economic Opportunity (DEO) for review; and

**WHEREAS**, in accordance with Section 166.041, *Florida Statutes*, notice of the public hearings concerning the proposed Map amendment has been provided to the general public; and

**WHEREAS**, the City Council finds that approval of the proposed Map amendment is in the best interest of the City and complies with applicable laws and is consistent with the South Florida Regional Plan, the State Plan, Chapter 163, *Florida Statutes*, the principles for guiding development in the Florida Keys Area of Critical State Concern, the goals, objectives, and policies

of the Plan, Chapter 102, Article 6 of the Code, and promotes and protects the health, safety and welfare of the residents of the City; and

**WHEREAS**, the City Council desires to approve the proposed Map amendment, in accordance with State law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:**

**SECTION 1.** The above recitals are true, correct, and incorporated herein by this reference.

**SECTION 2.** The proposed FLUM Map designation change of the Property is approved in its first reading from its current designation of Residential Low (RL) Residential Medium (RM) (See Attachment "A").

**SECTION 3.** The City Council directs staff to transmit the revised Map reflecting the Map amendment, and all data and analysis supporting the Map amendment, to the Department of Economic Opportunity, in its capacity as the State Land Planning Agency, as required by Chapters 163 and 380, *Florida Statutes*.

**SECTION 4.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

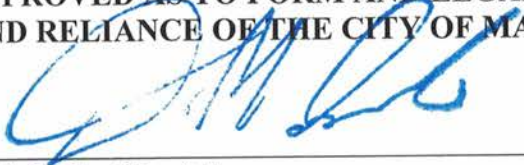
**SECTION 5.** The effective date of this FLUM Amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of an Ordinance affirming its effective status, a copy of which Ordinance shall be sent to the State Land Planning Agency.

**FIRST READING MOTION:**

Councilmember Bartus moved to approve, seconded by Councilmember Senmartin and upon being put to a vote, the vote was as follows:

AYES: Bartus, Senmartin, Gonzalez, Cook  
NOES: Zieg  
ABSENT: None  
ABSTAIN: None

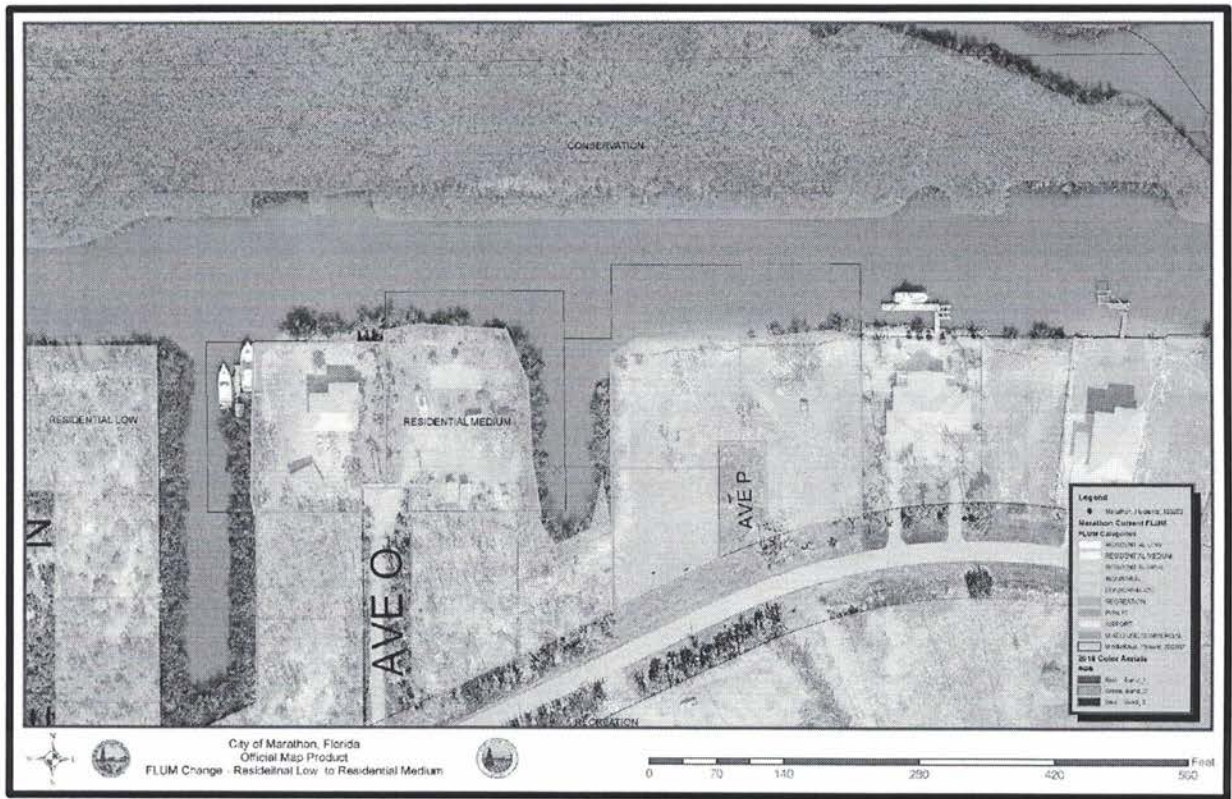
**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

A handwritten signature in blue ink, appearing to be 'D. Smits', written over a horizontal line.

Dirk Smits, City Attorney



# ATTACHMENT A





**Sponsored By:** Lindsey  
**Planning Commission Public Hearing Date:** June 15, 2020  
**City Council Public Hearing Dates:** July 14, 2020  
TBD  
**Enactment Date:** TBD

**CITY OF MARATHON, FLORIDA  
ORDINANCE 2020-05**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS ZONING MAP FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM) FOR LOT 8, BLOCK 18; LOT 1, BLOCK 19; LOT 4, BLOCK 19; AND LOT 5, BLOCK 19, COCO PLUM BEACH SUBDIVISION; HAVING REAL ESTATE NUMBERS 00365970-000000, 00365980-000000, AND PART OF 00366031-000100 (FORMERLY 00366010-000000 AND 00366020-000000), MARATHON, FLORIDA, MONROE COUNTY, FLORIDA; NEAREST MILE**

**WHEREAS**, pursuant to the provisions of Chapters, 163, 166 and 380 Florida Statutes, the City of Marathon, Florida (the "City") proposes to amend the City's Future Land Use Map (the "Map") to change the land use district designation of property owned by Julie and Chad Walker and Marathon Vacation Properties LLC; and

**WHEREAS**, amending the Zoning Map designation of the Property furthers the goals, objectives and policies of the City Comprehensive Plan (the "Plan"); and

**WHEREAS**, pursuant to Chapter 163, *Florida Statutes*, and Sections 101.02 and 102.22 of the Code, the Planning Commission sitting as the Local Planning Agency publicly considered the proposed Zoning Map amendment on June 15, 2020 at a duly noticed public hearing, and has recommended approval of the proposed Map amendment to the City Council; and

**WHEREAS**, pursuant to the same legislative provision, the City Council considered the recommendation of the Planning Commission, accepted public input, and deliberated on the proposed Map amendment on July 14, 2020 and again on TBD at a duly noticed public hearing, and recommended that the amendment be transmitted to the Florida Department of Economic Opportunity (DEO) for review and final approval; and

**WHEREAS**, in accordance with Section 166.041, *Florida Statutes*, notice of the public hearings concerning the proposed Map amendment has been provided to the general public; and

**WHEREAS**, the City Council finds that approval of the proposed Zoning Map amendment is in the best interest of the City and complies with applicable laws and is consistent with the South Florida Regional Plan, the State Plan, Chapter 163, *Florida Statutes*, the principles for guiding development in the Florida Keys Area of Critical State Concern, the goals, objectives, and policies of the Plan, Chapter 102, Article 6 of the Code, and promotes and protects the health, safety and welfare of the residents of the City; and

**WHEREAS**, the City Council desires to approve the proposed Map amendment, in accordance with State law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:**

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

**Section 2.** In accordance with State law, the City of Marathon Comprehensive Plan, the Zoning Map designation of the Properties are amended from their current designation of Residential Low (RL) to Residential Medium (RM-1) See Attachment "A."

**Section 3.** The City shall timely transmit the revised Zoning Map reflecting the Map amendment, and all data and analysis supporting the Map amendment, to the State of Florida Department of Economic Opportunity, in its capacity as the State Land Planning Agency (the "Department"), as required by Chapters 163 and 380, *Florida Statutes*.

**Section 4.** That upon its effective date, the revised Map shall replace the City's Zoning Map, previously applicable to the City pursuant to Sections 163.3167(4), 380.05(10) and 380.0552(9), *Florida Statutes*, and Section 9(6) of the City Charter to the fullest extent allowed by law.

**Section 5.** The provisions of this Ordinance constitute a "land development regulation" as State law defines that term. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the Department for approval pursuant to Sections 380.05(6) and (11), *Florida Statutes*.

**Section 6.** That this Ordinance shall be effective immediately upon approval by the Department pursuant to Chapter 380, *Florida Statutes*.

**FIRST READING MOTION:**

Councilmember Bartus moved to approve, seconded by Councilmember Gonzalez and upon being put to a vote, the vote was as follows:

AYES: Bartus, Gonzalez, Senmartin, Cook  
NOES: Zieg  
ABSENT: None  
ABSTAIN: None

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

  
\_\_\_\_\_  
Dirk Smits, City Attorney



# ATTACHMENT A

