



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: _____	

### Approval of the Transfer of Building Rights (TBR's) 2017

**Fee: \$600** The fee is payable upon application submittal.

All bonds, assessments, back city taxes, fees and liens (other than mortgages) affecting the parcel shall be paid in full prior to recordation of the warranty deed for the transfer of the building right.

#### Sender Site Information

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

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

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

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

Physical Address: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Key: \_\_\_\_\_ Mile Marker: \_\_\_\_\_

RE Number: \_\_\_\_\_

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

Letter of Determination Number \_\_\_\_\_

#### Receiver Site Information

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

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

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

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

Physical Address: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Key: \_\_\_\_\_ Mile Marker: \_\_\_\_\_

RE Number: \_\_\_\_\_

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

**Type of Unit(s) Being Transferred**

- Residential                       Transient                       Commercial

Number of Unit(s) or amount of square feet \_\_\_\_\_

**The following information should be provided for the receiver site**

- Proof of ownership of the property;
- Property Survey
- Vegetation Survey is required on lots that are not disturbed/scarified.
- A description of the proposed development or redevelopment of the receiver site.

**Sender Site Requirements**

- For each non-transient dwelling unit building right transferred as market rate, the applicant may choose to reconstruct or rehabilitate not less than thirty percent (30%) of an affordable deed restricted dwelling unit on the sender site, the receiver site or some other acceptable site in the City (the “Affordable Housing Site”). In the event of reconstruction, this shall include, but is not limited to, bringing the sender site or the Affordable Housing Site, as the case may be, into compliance with all setbacks, storm water, flood elevation, landscaping, buffer-yards, open space, building code, and fire code requirements. In the event of rehabilitation, this shall include, but is not limited to, bringing the sender site and any of its remaining structures into compliance with all storm water, landscaping, building code (but only as to roof, electric, plumbing and storm shutters), and fire code requirements; or
- In lieu of subparagraph (i) above, the applicant may choose, for each dwelling unit building right transferred as market rate, to make a cash payment to the City’s affordable housing program fund in an amount not less than ten percent (10%) of the affordable housing cash-in-lieu payment per building right then in effect, as amended from time to time by Resolution of the City Council (e.g. in 2006, one building unit equal \$200,000 payment to affordable housing fund); or
- In lieu of the foregoing, the applicant may choose to donate a buildable parcel located in the City suitable for the development of affordable housing with a value that meets the minimum requirements of Subsections i and ii above, such parcel to be acceptable to the City in its reasonable discretion; or
- The applicant may choose, with the City’s consent, some combination of the above subparagraphs.
- For Parcels, which contain tropical hardwood hammocks, palm hammocks or high quality wetlands please refer to Ordinance 2006-30 for additional regulations.

**Receiver Site Requirements**

- Be classified by the City Biologist as less environmentally sensitive than the sender site; however, a receiver site shall not receive any negative environmental points as scored using the existing BPAS scoring criteria;
- Must be zoned to allow the requested use; and
- Meet all provisions of the LDRs and the comprehensive Plan relating to the type and magnitude of the proposed development.

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**CITY OF MARATHON PLANNING DEPARTMENT**

Please list (use and additional page if needed) any specific information you want us to know about this property.

Upon approval, the City will issue the receiver site a TBR permit. This permit may include conditional of approval.

Prior to issuance of a building permit authorizing the development of the TBR on the receiver site; a deed of transfer shall be recorded in the chain of title of the sender site containing a covenant prohibiting the further use of the building right(s) utilized; and a warranty deed shall be recorded in the chain of title of the receiver site evidencing the transfer of the building right.

**Sender Site**

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Receiver Site**

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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**APPEALS:** An appeal of the decision of the Planning Commission may be made within 30 working days from the date of such decision. The appeal will be heard by the City Council within 45 working days of receipt of a complete appeal application.

**In accordance with FL Statute 286.0105** if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The requirements of this section do not apply to the notice provided in s. [200.065\(3\)](#).

**CITY OF MARATHON PLANNING DEPARTMENT**