

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2005-109**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING THE MARKET RATE RESIDENTIAL DWELLING UNIT ALLOCATION FOR PERIOD 1, YEAR 14 AND AFFORDABLE HOUSING RESIDENTIAL DWELLING UNIT ALLOCATION FOR PERIOD 1, YEAR 14 PURSUANT TO SECTION 9.5-124 OF THE CITY OF MARATHON CITY CODE**

**WHEREAS**, on 15<sup>th</sup> day of August, 2005, the City of Marathon Planning Commission (the "Commission") and on the 23<sup>rd</sup> day of August, 2005, the City Council (the "Council") conducted properly advertised public hearings (the "Public Hearings") regarding the market rate residential dwelling unit allocations for Period 1, Year 14 pursuant to Section 9.5-124 of the City Code (the "Code").

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

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Based upon the information and documented evidence presented by City Staff and members of the public, the Council hereby finds:

(1) The Public Hearings were properly advertised and held, as required by law, and the Applicant(s) and all interested parties concerned in the matter were given an opportunity to be heard; and

(2) Based upon the Staff Report, the Commission recommended that the City Council award ROGO allocations to applicants ranked one (1) through six (6) for Market Rate Dwelling Units and ranked one (1) through five (5) for the Affordable Housing Dwelling Units, as indicated by "Exhibit A"; and

(3) Based upon the Staff Report and the Commission's recommendations, the Council approves the ROGO allocations to applicants ranked one (1) through six (6) for Market Rate Dwelling Units and ranked one (1) through five (5) for the Affordable Housing Dwelling Units, as indicated by "Exhibit A"; and

(4) The Council approved Staff's recommendation to borrow one (1) affordable allocation from Period 2, Year 14 allocations, pursuant to Section 9.5-126 (a) (3) of the Code.

**Section 3.** The City Council conditions the granting of the above awards on the availability of Nutrient Reduction Credits within the City and the acceptance of any required land dedication or restrictive covenants by the City Council as required by Section 9.5-122.1(b) of the Code.


**Section 4.** Based upon the above Findings of Fact, the Council does hereby make the following Conclusions of Law:

- (1) The ROGO applications for Period 1, Year 14 of ROGO have been processed in accordance with Section 9.5-122 of the Code.
- (2) In rendering its decision, as reflected in this Resolution, the Council has:
  - (a) Accorded procedural due process;
  - (b) Observed the essential requirements of the law; and
  - (c) Supported its decision by substantial competent evidence of record.
- (3) The above allocations are Awarded with conditions.

**Section 5.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 23<sup>rd</sup> day of August, 2005.

**THE CITY OF MARATHON, FLORIDA**

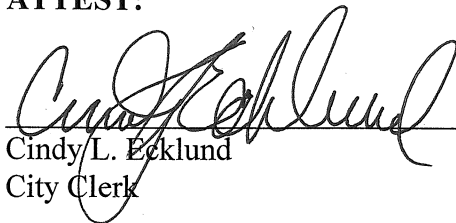


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**John Bartus, Mayor**

AYES: Mearns, Miller, Bull, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: Pinkus

**ATTEST:**



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Cindy L. Eeklund  
City Clerk

(City Seal)

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

A handwritten signature in black ink, appearing to be "J. H. J.", written over a horizontal line.

City Attorney

Attachment A:  
 Ranking of ROGO Applications for Period 1, Year 14  
 July 14, 2005 to November 13, 2005

RANK	ROGO NUMBER	NAME	SCORE	DATE	TIME	DATE RE-	TIME RE-	RE NUMBER	SUBDIVISION	BLOCK	LOT
				ENTERED	ENTERED	ENTERED	ENTERED				
Market Rate Allocations											
1	RM-05/06/20-01	Florida Keys Enterprises	24.5	6/30/2005	1:12 PM			00372830-000000	Crains	47	14&15
2	RM-05/05/20-01	Reiss, Gregory and Susan	24	5/20/2005	11:33 AM			00365980-000000	Coco Plum Beach	8	17
3	RM-04/21/4/01	Kushnir, Israel	24	12/14/2004	8:25 AM	6/27/2005	2:05 PM	00366990-000000	Crain's	1	14
4	RM-05/07/13-01	Hampson, Tim & Danzig, Henry	23	7/13/2005	10:00 AM			003336641-009600	Stirrup Key	-	96&97
5	RM-04/08/25-01	Weiland, Theodore	22	8/25/2004	1:45 PM	4/13/2005	3:54 PM	00328930-000000	Dodge	1	1
6	RM-04/08/05-06	Childress, Carlton & Julie	22	8/5/2004	11:10 AM	6/10/2005	10:00 AM	00360630-000000	Sunset Bay	3	5
7	RM-05/06/27-01	DiDonato, Thomas	22	6/27/2005	12:00 PM			00355417-000700	Tropic Isle Section A	-	7
8	RM-05/06/30-02	Florida Keys Enterprises	21	6/30/2005	1:15 PM			00342961-000600	Seascape Villas	-	6
9	RM-03/01/13-02	Sanborn, Patti (1/2 Duplex)	20	1/13/2003	10:07 AM			00355416-001200	Sombrero Anglers Club North	-	12
10	RM-03/01/13-02	Sanborn, Patti (1/2 Duplex)	20	1/13/2003	10:07 AM			00355416-001200	Sombrero Anglers Club North	-	12
11	RM-03/01/18-01	Watts, James & Susan	20	1/18/2003	1:09 PM			003336641-008800	Stirrup Key	-	88
12	RM-03/02/24-01	Lancaste Auto Sales	20	2/24/2003	12:08 PM			00355311-000100	Ibis Isle	-	1A
13	RM-03/03/26-01	Edelstein, Don	20	3/26/2003	11:05 PM			00355417-000800	Tropic Isles	-	8
14	RM-03/04/08-01	Servais/Sweeney	20	4/8/2003	9:38 AM			00355550-000000	Framingo Island	1	11
15	RM-03/04/1-02	Servais/Sweeney	20	4/1/2003	12:15 PM			00355310-000116	Tropic Isles	-	19A
16	RM-03/04/1-01	Servais/Sweeney	20	4/1/2003	11:37 PM			00355311-000200	Ibis Isle	-	2A
17	RM-03/04/14-02	Servais, Richard	20	4/14/2003	11:50 AM			00341640-000000	Puerta Del Sol	D	19
18	RM-03/06/05-01	Lera, Yehi	20	6/5/2003	8:49 AM			00355417-000600	Tropic Isle	-	6
19	RM-04/08/06-08	Poole, Raymond	20	8/6/2004	4:40 PM			00342400-000000	Fields	-	18
20	RM-04/08/10-03	Schaumlofel, Mary Dean	20	8/10/2004	5:00 PM			00364030-000000	Coco Plum Beach	8	22
21	RM-04/08/10-04	Sally, Dog Financial, LLC	20	8/10/2004	5:01 PM			00364020-000000	Coco Plum Beach	8	21
22	RM-04/08/1-01	Culmer, Samuel	20	8/1/2004	3:07 PM			003336641-004200	Stirrup Key	-	42
23	RM-04/08/18-02	Buttonwood Enterprises, LLC	20	8/18/2004	4:32 PM			00347440-000000	Imber	-	13
24	RM-04/08/18-03	Buttonwood Enterprises, LLC	20	8/18/2004	4:35 PM			00347360-000000	Imber	-	5
25	RM-04/08/18-04	Buttonwood Enterprises, LLC	20	8/18/2004	4:36 PM			00327080-000000	R & R	-	5
26	RM-04/08/18-05	Buttonwood Enterprises, LLC	20	8/18/2004	4:40 PM			00101200-000610	Imber	-	10
27	RM-04/08/31-01	Lentz, Barry & Karin	20	8/31/2004	4:31 PM			003336641-009100	Stirrup Key	-	91
28	RM-04/09/29-01	Zieg, Dan & Nancy	20	9/29/2004	2:30 PM			00366710-000000	Coco Plum Beach	21	62 & 63
29	RM-04/10/08-01	Joseph, Andrea	20	10/8/2004	4:15 PM			00373290-000000	Crain's	50	12
30	RM-05/05/19-03	Hoerner, Thomas	20	5/19/2005	12:30 PM			00345570-000000	Little Venice #2	-	25/26
31	RM-02/07/02-04	LeKowitz, Eric	19	7/2/2002	11:30 AM			003336641-005000	Stirrup Key	-	50
32	RM-05/02/24-01	Glass, Howard	19	2/24/2005	4:50 PM	3/16/2005	4:23 PM	00104660-000000	Tingler's Island	-	18
33	RM-03/01/24-01	Van Arstel, Richard & Maite	19	1/24/2003	10:30 AM	3/24/2005	1:20 PM	00105060-000000	Tingler's Island	-	23
34	RM-03/01/13-04	Abati, Paul	18	1/13/2003	10:48 AM			00355418-000190	Sombrero Anglers Club	-	52
35	RM-04/08/03-01	Servais & Sweeney	18	8/3/2004	11:15 AM			00104900-000900	Sombrero Anglers Club	-	52
36	RM-04/08/04-01	Servais & Sweeney	18	8/4/2004	1:20 PM			00355415-002000	Sombrero Country Club	-	20
37	RM-04/08/05-02	Austin, Jim & Tudor	18	8/4/2004	3:50 PM			00355310-000108	Ibis Isle	-	10A
38	RM-04/08/05-02	Servais & Sweeney	18	8/5/2004	10:33 AM			00353620-000000	Waloriss	H	2
39	RM-04/08/05-03	Lopez, Sonia	18	8/5/2004	10:39 AM			00353670-000000	Waloriss	H	7
40	RM-04/08/05-05	McDade, Lawrence	18	8/5/2004	11:03 AM			00355311-000400	Ibis Isle	-	5A
41	RM-04/08/05-07	Servais, Richard	18	8/5/2004	12:00 PM			00345740-000000	Little Venice	-	42
42	RM-04/08/05-09	Felling, Michael	18	8/5/2004	3:02 PM			00376160-000000	Dorset	-	2
43	RM-04/08/06-01	Bologna, Ciro & Petronilla	18	8/6/2004	10:55 AM			00351970-000000	Coral Colony	-	3
44	RM-04/08/06-02	Trivett, Sam & Jackson	18	8/6/2004	2:25 PM			00343320-000000	Paraiso Estates	4	1
45	RM-04/08/06-03	Servais & Sweeney	18	8/6/2004	2:38 PM			00328790-000000	North Marathon Shores	B	13
46	RM-04/08/06-04	Servais & Sweeney	18	8/6/2004	2:39 PM			00333610-000000	Waloriss	H	1

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Ranking of ROGO Applications for Period 1, Year 14  
July 14, 2005 to November 13, 2005**

RANK	ROGO NUMBER	NAME	SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
47	RM-04/08/06-06	Smith, Mark	18	8/6/2004	3:10 PM			00364830-000000	Coco Plum Beach	12	10
48	RM-04/08/06-07	Burrano, Jack	18	8/6/2004	4:00 PM			00363280-000000	Coco Plum Beach	3	2
49	RM-04/08/09-01	Cimella, Yvonne	18	8/9/2004	8:33 AM			00322980-000000	Harbor Isles	4	7
50	RM-04/08/09-02	Servais, Richard	18	8/9/2004	10:45 AM			00343090-000000	Paraiso Estates	2	2
51	RM-04/08/09-03	Servais, Richard	18	8/9/2004	10:46 AM			00104920-000000	Boat Key	-	2
52	RM-04/08/09-06	Hazuka, John	18	8/9/2004	11:18 AM			00349680-000000	Gulfstream Shores	3	2
53	RM-04/08/09-07	Hazuka, John	18	8/9/2004	11:19 AM			00349690-000000	Gulfstream Shores	3	3
54	RM-04/08/09-10	Joulani, Aref	18	8/9/2004	2:00 PM			00354380-000000	Valoriss	M	16
55	RM-04/08/09-11	Calvo, Jesus & Idmar	18	8/9/2004	2:28 PM			00363940-000000	Coco Plum Beach	8	13
56	RM-04/08/09-12	Groseton, Robert	18	8/9/2004	2:46 PM			00326190-000000	Crane Hammock	G	7
57	RM-04/08/09-13	Veitaino, David	18	8/9/2004	3:25 PM			00355418-002100	Sombrero Anglers Club South	-	54
58	RM-04/08/10-02	Steizer, James	18	8/10/2004	2:55 PM			00355417-000300	Tropic Isle	-	3
59	RM-04/08/17-01	Kogut, Greg	18	8/17/2004	9:00 AM			00353680-000000	Sombrero Anglers Club South	-	37
60	RM-04/08/18-01	Iannucci, David	18	8/18/2004	2:05 PM			00355418-000400	Flamingo Island Estates	3	15
61	RM-04/08/23-02	Bertran, Ricardo	18	8/23/2004	11:45 AM			00330770-000000	North Marathon Shores	P	4
62	RM-04/08/04-02	Toledo, Jorge & Michelle	18	8/4/2004	2:45 PM	8/27/2004	9:00 AM	00346460-000000	Little Venice	-	113
63	RM-04/09/02-01	Gill, Ronnie	18	9/2/2004	9:05 AM			00353680-000000	Valoriss	H	8
64	RM-04/09/07-01	Rodriguez, Jose	18	9/7/2004	10:30 AM			00331061-002900	Sea Aire Estates	1	20
65	RM-04/10/12-01	Marais, Barbara	18	10/12/2004	2:35 PM			00357041-002800	Sombrero Isle	-	29
66	RM-04/11/09-01	GEM Homes	18	11/9/2004	12:35 PM			00349050-000000	Sunny Isle	-	1
67	RM-04/11/09-02	GEM Homes	18	11/9/2004	12:40 PM			00349060-000000	Sunny Isle	-	2
68	RM-04/08/16-01	Schlichtman, Harry and Mary	18	8/16/2004	8:00 AM	11/15/2004	5:00 PM	00355418-001800	Sombrero Anglers Club South	-	51
69	RM-04/11/16-01	Sennartin, Mark	18	11/16/2004	12:48 PM			00328720-000000	North Marathon Shores	B	6
70	RM-04/11/18-01	Borowski, Gregory & Janice	18	11/18/2004	8:00AM			00373010-000000	Crain's	48	16
71	RM-04/11/23-01	Morrell, William	18	11/23/2004	8:32 AM			00364400-000000	Coco Plum Beach	10	14
72	RM-04/12/21-02	Saladino, Joseph & Kathleen	18	12/21/2004	2:38 PM			00330640-000000	North Marathon Shores	M	20
73	RM-05/03/03-01	Schaefer, Alexander & Dorette	18	3/3/2005	4:00 PM			00354680-000000	Valoriss	R	21
74	RM-05/04/13-01	Wood, Roger and Barbara	18	4/13/2005	8:30 AM			00338780-000100	Edmunds Acreage Tracts	-	pt 10
75	RM-05/04/22-01	GEM Homes	18	4/22/2005	9:54 AM			00332290-000000	Venice	4	4
76	RM-05/05/19-02	Dulimba, Dale	18	5/19/2005	12:29 PM			00325090-000000	Marameade	H	5
77	RM-05/07/13-02	Crews, George & Kathy	18	7/13/2005	2:05 PM			00354950-000000	Sombrero Beach Village	2	1
78	RM-05/07/13-03	Crews, W.J.	18	7/13/2005	2:06 PM			00354980-000000	Sombrero Beach Village	2	4
79	RM-03/07/21-01	Cadenas, Ricardo	17	7/21/2003	11:15 AM			00333641-010500	Shirrup Key	-	105
80	RM-04/08/05-04	Bohnen, Lawrence	17	8/5/2004	10:51 AM			00326130-000000	Crane Hammock	G	1
81	RM-04/08/09-08	Spisak, Paul	17	8/9/2004	11:25 AM			00355980-000000	Flamingo Island Estates	1	54
82	RM-04/08/23-01	Miller, Mark	17	8/23/2004	8:51 AM			00355418-001600	Sombrero Anglers Club South	-	49
83	RM-04/08/24-01	Leigh, JoAnn	17	8/24/2004	11:00 AM	1/5/2005	12:00 PM	00343140-000000	Paraiso Estates	2	7
84	RM-05/05/19-01	Belancourt, Julio and Grini	17	5/19/2005	12:28 PM			00329760-000000	North Marathon Shores	G	6
85	RM-05/05/20-02	Wright, Cindy	17	5/20/2005	2:04 PM			00373280-000000	Crains	50	11
86	RM-05/07/01-01	Steinmetz, Petra	17	7/1/2005	1:58 PM			00341620-000000	Puerta Del Sol	D	16
87	RM-05/07/06-01	Walsh, Matthew	17	7/6/2005	10:35 AM			00349730-000000	Gulfstream Shores	3	7
88	RM-04/12/21-01	Prieto, Rogel	16	12/21/2004	2:21 PM			00328900-000000	North Marathon Shores	C	9
89	RM-05/04/22-02	GEM Homes	16	4/22/2005	9:55 AM			00331061-017400	Sea Aire Estates	8	18
90	RM-05/07/11-01	Servais & Sweeney	16	7/11/2005	11:34 AM			00341540-000000	Puerta Del Sol	D	7
91	RM-05/07/13-04	33 Southpoint, LLC	9	7/13/2005	3:20 PM			00358230-000104	Marina Homes at Seawatch	-	4
92	RM-05/07/13-05	33 Southpoint, LLC	9	7/13/2005	3:22 PM			00358230-000106	Marina Homes at Seawatch	-	6
93	RM-04/08/05-01	Perdigon, Orlando & Zaida	8	8/5/2004	10:32 AM			00365380-000000	Coco Plum Beach	14	15

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 July 14, 2005 to November 13, 2005**

RANK	ROGO NUMBER	NAME	SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
94	RM-04/08/05-08	Servais, Richard	8	8/5/2004	12:01 PM			00365390-000000	Coco Plum Beach	14	16
95	RM-04/08/06-05	Servais, Richard	8	8/6/2004	2:40 PM			00365420-000000	Coco Plum Beach	14	19
96	RM-04/08/09-04	Servais, Richard	8	8/9/2004	10:47 AM			00365400-000000	Coco Plum Beach	14	17
97	RM-04/08/09-05	Servais, Richard	8	8/9/2004	10:48 AM			00365410-000000	Coco Plum Beach	14	18
98	RM-04/09/08-01	Lovell, Thad & Lockadoo, Dona	8	9/8/2004	12:35 PM			00365360-000000	Coco Plum Beach	14	13
99	RM-04/11/03-02	Welborn, Hugh and Barbara	8	11/3/2004	12:20 PM			00365370-000000	Coco Plum Beach	14	14
100	RM-05/06/03-01	Massaro, James	8	6/3/2005	12:00 PM			00370330-000000	Crains	32	2
<b>Affordable Allocations</b>											
1	RA-05/07/14-01	Marine Bank	19	7/14/2005	3:50 PM			00334660-000000	Key Colony	1	586
2	RA-05/07/14-02	Marine Bank	19	7/14/2005	3:50 PM			00334660-000000	Key Colony	1	586
3	RA-05/07/14-03	Marine Bank	19	7/14/2005	3:50 PM			00334660-000000	Key Colony	1	586
4	RA-05/07/14-04	Marine Bank	19	7/14/2005	3:50 PM			00334660-000000	Key Colony	1	586
5	RA-05/07/14-05	Marine Bank	19	7/14/2005	3:50 PM			00334660-000000	Key Colony	1	586

Awards	Available	Recommended	Remaining
Market	19	6	13
Affordable	8	5	3