Sponsored by: Council

CITY OF MARATHON, FLORIDA RESOLUTION 2006-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE MARKET RATE RESIDENTIAL DWELLING UNIT ALLOCATION FOR PERIOD 3, YEAR 14 PURSUANT TO SECTION 9.5-124 OF THE CITY OF MARATHON CODE

WHEREAS, on April 17, 2006, the City of Marathon Planning Commission (the "Commission") and on April 25, 2006, the City Council (the "Council") conducted properly advertised public hearings (the "Public Hearings") regarding the market rate residential dwelling unit allocations for Period 3, Year 14 pursuant to Section 9.5-124 of the City Code (the "Code"); and

WHEREAS, based upon the Staff Report, the Commission recommended that the Council award ROGO allocations to applicants ranked one (1) through seven (7) for Market Rate Dwelling Units, as indicated by "Exhibit A" hereto

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 and the Commission's recommendations, the Council approves the ROGO allocations to applicants ranked one (1) through seven (7) for Market Rate Dwelling Units, as indicated by "Exhibit A" hereto.
- **Section 3.** The City Council conditions the granting of the above awards on the acceptance of any required land dedication or restrictive covenants by the City Council as required by Section 9.5-127(a)(4 & 5) 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 3, Year 14 of ROGO have been processed in accordance with Section 9.5-126 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 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 25th day of April, 2006.

THE CITY OF MARATHON, FLORIDA

Christopker M. Bull, Mayor

AYES: Worthington, Mearns, Pinkus, Tempest, Bull

NOES: None ABSENT: None ABSTAIN: None

ATTEST:

Cindy L. Ecl City Clerk

(City Seal)

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

City Attorney

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