

**CITY OF MARATHON, FLORIDA
RESOLUTION 2007-116**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING THE RANKINGS OF THE NON-RESIDENTIAL PERMIT ALLOCATION SYSTEM (NROGO) FOR PERIOD 2, YEAR 3 PURSUANT TO ORDINANCE 2004-012 AND 2006-29 OF THE CITY OF MARATHON, FLORIDA

WHEREAS, on 20th day of August, 2007, the City of Marathon (the “City”) Planning Commission (the “Commission”) and on the 28th day of August, 2007, the City Council (the “Council”) conducted properly advertised public hearings (the “Public Hearings”) regarding the non-residential permit allocations for Period 2, Year 3 pursuant to Ordinance 2004-012 and 2006-29 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 City 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 attached as “Exhibit A”, the Commission recommended that the City Council award Non-Residential Floor Area allocations to the applicant ranked one (1), as set forth in Attachment “A” to the Staff Report; and

(3) Based upon the Staff Report and the Commission’s recommendations, the Council approves the Non-Residential Floor Area allocations to the applicant ranked one (1) of the NROGO applications for Period 2, Year 3, as set forth in Attachment “A” to the Staff Report.

Section 3. Based upon the above Findings of Fact, the Council does hereby make the following Conclusions of Law:

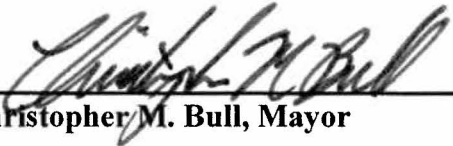
(1) The NROGO applications for Period 2, Year 3 of NROGO have been processed in accordance with Ordinance 2004-12 and 2006-29 of the Code.

- (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.

Section 4. That this Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 28th day of August, 2007.


THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

AYES: Cinque, Tempest, Vasil, Worthington, Bull
NOES: None
ABSENT: None
ABSTAIN: None

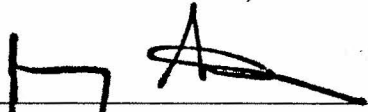
ATTEST:



Diane Clavier
City Clerk

(City Seal)

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



City Attorney

**Attachment B:
NROGO Applications By Points
Period 2, Year 3**

Name		1st Florida Keys Properties Inc.		
NROGO Number		N-07/05/11-01		
CityView Number		DP2007-0058		
Square Feet Requested		9,300		
Date Entered		5/11/2007		
Time Entered		10:45AM		
RE NUMBER		00104360-000000		
CRITERIA				
<i>Infill Site</i>	+10	+10		
<i>Reduces FAR</i>	+4			
<i>Perservance Points</i>	+1 per yr			
<i>Flood Zone</i>	-1 or -6	-1		
<i>Historic Resources Impacted</i>	-10			
<i>Historic Resources Preserved</i>	+10			
<i>No Additional US 1 Connection</i>	+5	+5		
<i>Affordable Unit</i>	+5			
<i>Land Dedication</i>	+2 per lot			
<i>Environmental Habitat Group</i>	+5, -2, -5, or -10	+5		
<i>Known T/E</i>	-10 per specie			
<i>Potential T/E</i>	-5 per specie			
<i>Wide Ranging T/E</i>	-2			
<i>100 feet of Turtle Nesting</i>	-10			
<i>500 feet of Piping Plover</i>	-10			
<i>Florida Forever</i>	-10			
<i>Secondary Zone</i>	-10			
<i>COBRA</i>	-10			
<i>Cons. Land Protection Area</i>	-2			
<i>2 x landscaping</i>	+3			
<i>25% more than 2x landscaping</i>	+1			
<i>Water Conservation Landscaping</i>	+2			
TOTAL		+19		