

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2009-99**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA PURSUANT TO CHAPTER 107 ARTICLE 1 OF THE CITY OF MARATHON CODE APPROVING THE RANKINGS AND ONE ALLOCATION AMOUNTING TO 1,520 SQUARE FEET UNDER THE COMMERCIAL BUILDING PERMIT ALLOCATION SYSTEM (CBPAS) FOR PERIOD 2, YEAR 5 AND APPROVING THE MARKET RATE AND AFFORDABLE RANKINGS UNDER THE RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM (RBPAS) FOR PERIOD 1, YEAR 18 FOR THE PURPOSES OF ENACTING THE TEMPORARY PROCEDURES PROMULGATED IN SECTION 107.07 G OF THE CITY OF MARATHON CITY CODE

WHEREAS, on August 11, 2009, the City Council (the "Council") conducted a properly advertised public hearing (the "Public Hearing") regarding the Commercial Building Permit Allocation System CBPAS pursuant to Chapter 107 Article 1 of the City Code (the "Code"); and

WHEREAS, on August 11, 2009, the City County (the "Council") also reviewed and approved the ranking of the Residential Building Permit Allocation System (RBPAS) for the purposes of initiating the Temporary RBPAS process promulgated in Chapter 107.07 G of the Land Development Regulations,

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:

Commercial Building Permit Allocation System

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

(2) Based upon the CBPAS Staff Report Staff recommends that the City Council award a Commercial Floor Area allocation amounting to 1,520 square feet to the applicant as set forth in Attachment "A" below; and

(3) Based upon the CBPAS Staff Report and the Staff's recommendations, the Council approves the Commercial Floor Area allocation to the single applicant for CBPAS Floor Area for Period 2, Year 5, as set forth in Attachment "A."

Residential Building Permit Allocation System (RBPAS)

(1) Based upon the RBPAS Staff Report Staff recommends that the City Council approve RBPAS rankings as identified below in Attachment B and C; and

(2) Attachment B and C below identify thirty-one (31) Market Rate Allocations (General Pool and Owner Occupied) and thirty-three (33) Affordable Allocations (General Affordable and Community Workforce) to be distributed during this BPAS period, Period 1, Year 18; and

(3) Based upon procedures promulgated in Ordinance 2009-09 (Section 107.07 G, Land Development Regulations – In effect, but not codified), Staff is requested to initiate the "call-down" procedures established in Section 107.07 G; and

(4) Upon completion of the Temporary RBPAS "call-down" procedures established in Ordinance 2009-09, staff is directed to advertise a public hearing pursuant to Chapter 107, Article 1 in order to award sixty-four (64) RBPAS allocations based upon Staff's recommendation at that time and to document those on the RBPAS application lists who have chosen to defer RBPAS allocations.

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

(1) The CPBAS applications for Period 2, Year 5 have been processed in accordance with Chapter 107 Article 1 of the Code.

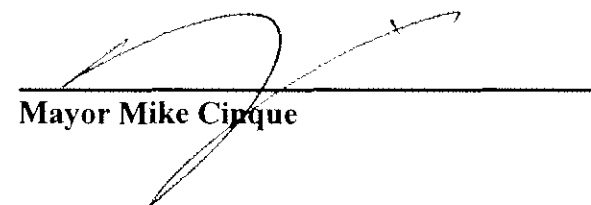
- (2) In rendering its decision, as reflected in this Resolution, the Council has:
- (a) Accorded procedural due process;
 - (b) Observed the essential requirements of the law; and
 - (c) Supported its decision by substantial competent evidence of record.

(3) The above CBPAS allocation is awarded.

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 11th day of August, 2009.

THE CITY OF MARATHON, FLORIDA



Mayor Mike Ciriue

AYES: Snead, Ramsay, Vasil, Worthington, Cinque
NOES: None
ABSENT: None
ABSTAIN: None

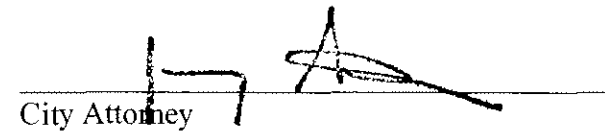
ATTEST:



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 A:
 Ranking of CBPAS Applications for Period 2, Year 4
 January 14, 2008 to July 13, 2008**

	Score	NROGO Number	CityView Number	Name	Square Feet Requested	Date Entered	Time Entered	Expansion?	Perseverance Points	Date Last Perseverance Point Received	RE NUMBER	SUBDIVISION	BLOCK	LOT
1		C-09/07/08-01	DP 2009-018	Grand Keys LLC	1520	7/8/2009	11:00AM	Yes			00101780-000100	Hog Key		1
2														

Courtesy of July 13, 2009

Attachment A:
 Ranking of BPAS Applications for Period 1, Year 18
 July 14, 2009 to January 13, 2010

Market Rate General Pool

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	# OF DEFERRALS	PERIOD OF LAST DEFERRAL	RE NUMBER	SUBDIVISION	BLOCK	LOT
1	BM-07/08/15-01	Hotz, Charles	64	8/15/2007	3:00 PM					00358230-000101	Marina Homes at Seawatch	-	1
2	RM-04/08/05-09	Felling, Michael	61	8/5/2004	3:02 PM			3	Y17 P2	00376160-000000	Dorsett	-	2
3	RM-04/08/06-07	Commercial Fish Inc.	61	8/6/2004	4:00 PM			1	Y17 P2	00363280-000000	Coco Plum Beach	3	2
4	RM-04/08/09-06	Hazuka, John	61	8/9/2004	11:18 AM			2	Y17 P2	00349680-000000	Gulfstream Shores	3	2
5	RM-04/08/09-07	Hazuka, John	61	8/9/2004	11:19 AM			2	Y17 P2	00349690-000000	Gulfstream Shores	3	3
6	RM-04/08/09-10	Joulani, Aref	61	8/9/2004	2:00 PM			2	Y17 P2	00354380-000000	Waloriss	M	16
7	RM-04/08/09-12	Grostefer, Robert	61	8/9/2004	2:46 PM			2	Y17 P2	00326190-000000	Crane Hammock	G	7
8	RM-04/08/17-01	Kogut, Greg	61	8/17/2004	9:00 AM			1	Y17 P2	00355418-000400	Sombrero Anglers Club South	-	37
9	RM-04/08/18-01	Iannucci, David	61	8/18/2004	2:05 PM			1	Y17 P2	00356900-000000	Flamingo Island Estates	3	15
10	RM-04/09/02-01	Gill, Ronnie	61	9/2/2004	9:05 AM			1	Y17 P2	00353680-000000	Waloriss	H	8
11	RM-04/09/07-01	Rodriguez, Jose	61	9/7/2004	10:30 AM			1	Y17 P2	00331061-002000	Sea Aire Estates	I	20
12	RM-04/10/12-01	Cacciutti, John	61	10/12/2004	2:35 PM			1	Y17 P2	00357041-002900	Sombrero Isle	-	29
13	RM-04/11/18-01	Borowski, Gregory & Janice	61	11/18/2004	8:00 AM					00373010-000000	Crain's	48	16
14	RM-04/11/23-01	Downes, David and Joanne	61	11/23/2004	8:32 AM					00364400-000000	Coco Plum Beach	10	14
15	RM-04/12/21-02	Saladino, Joseph & Kathleen	61	12/21/2004	2:38 PM					00330640-000000	North Marathon Shores	M	20
16	RM-05/03/03-01	Schaefer, Alexander & Dorette	61	3/3/2005	4:00 PM					00354680-000000	Waloriss	R	21
17	RM-05/07/13-02	Crews, George & Kathy	61	7/13/2005	2:05 PM					00354950-000000	Sombrero Beach Village	2	1
18	RM-05/07/13-03	Crews, W.J.	61	7/13/2005	2:06 PM					00354980-000000	Sombrero Beach Village	2	4
19	RM-05/08/22-01	Repetto, John and Colleen	61	8/22/2005	8:40 AM					00354240-000000	Waloriss	M	2
20	RM-05/08/22-02	Repetto, John and Colleen	61	8/22/2005	8:41 AM					00353880-000000	Waloriss	J	7
21	RM-05/08/22-03	Repetto, John and Colleen	61	8/22/2005	8:43 AM					00353890-000000	Waloriss	J	8
22	RM-05/08/22-04	Repetto, John and Colleen	61	8/22/2005	8:44 AM					00353850-000000	Waloriss	J	4
23	RM-05/09/12-01	Kamph, Martin	61	9/12/2005	3:50 PM					00354350-000000	Waloriss	M	13
24	RM-05/09/22-01	Culmer, Gene	61	9/22/2005	4:25 PM					00340370-000000	Days	2	6
25	RM-05/09/22-02	Culmer, Gene	61	9/22/2005	4:30 PM					00340380-000000	Days	2	7
26	RM-05/11/07-01	Bennett, Mark & Debra	61	11/7/2005	10:33 AM					00105520-000000	Tingler's Island	-	1
27	RM-04/08/31-01	Lentz, Barry & Karin	61	8/31/2004	4:31 PM	12/4/2006	8:00 AM			00333641-009100	Stirrup Key	-	91
28	RM-05/11/14-01	Naia, Joseph & Kathi	60	11/14/2005	8:58 AM					00355290-000101	Sombrero Anglers Village	-	18
29	RM-05/11/28-01	Perona, Bernard P.	60	11/28/2005	11:17 AM					00320990-000100	Sombrero Sub #2	-	6
30	RM-06/01/26-01	Leird, Christine & William	60	1/26/2006	10:13 AM					00332320-000000	Venice	4	7
31	RM-06/02/08-01	Andrus-Akins, Candace	60	2/8/2006	12:00 PM					00353970-000000	Waloriss	K	5
32	RM-06/02/14-01	Held, Michael & Robin	60	2/14/2006	12:00 PM					00105240-001900	Treasure Island		3
33	RM-06/03/06-01	Ham, Mona	60	3/6/2006	1:45 PM					00364810-000000	Coco Plum Beach	12	8
34	RM-06/05/05-01	Kaiser, Robert	60	5/5/2006	2:54 PM					00354070-000000	Waloriss	K	15
35	RM-06/06/30-01	Kogut, Greg	60	6/30/2006	4:00 PM					00354460-000000	Waloriss	M	24
36	RM-06/10/16-01	Fiorillo, Allen & Shelia	60	10/16/2006	10:30 AM					00353060-000000	Waloriss	C	5
37	RM-06/11/13-03	Rothdeutsch, Thomas	60	11/13/2006	11:02 AM					00356140-000000	Flamingo Island Estates	70	1
38	RM-06/11/13-05	Mier, Fernando	60	11/13/2006	12:07 PM					00353780-000000	Waloriss	H	18

Attachment A:
Ranking of BPAS Applications for Period 1, Year 18
July 14, 2009 to January 13, 2010

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	# OF DEFERRALS	PERIOD OF LAST DEFERRAL	RE NUMBER	SUBDIVISION	BLOCK	LOT
80	RM-06/11/13-04	Riggs, Arnold	48	11/13/2006	12:06 PM					00340130-000000	Cheryl	D	9
81	RM-07/02/22-01	Naranjo, Jorge	48	2/22/2007	2:45PM					00353270-000000	Watoris	E	12
82	RM-07/02/28-01	Riffe, Bryan & Paula	48	2/28/2007	9:15 AM					00105140-000000			33
83	RM-07/03/07-01	Daughtry, Christopher	48	3/7/2007	11:20 AM					00356850-000000	Flamingo Island Estates	3	10
84	RM 07/03/09-02	Chaplin, James	48	3/9/2007	4:40 PM					00319870-000000		2	13
85	RM 07/03/09-02	Chaplin, James	48	3/9/2007	4:40 PM					00319870-000000		2	13
86	RM 07/03/09-03	Chaplin, James	48	3/9/2007	4:41 PM					00319880-000000		2	14
87	RM 07/03/09-03	Chaplin, James	48	3/9/2007	4:41 PM					00319880-000000		2	14
88	RM 07/03/09-04	Chaplin, James	48	3/9/2007	4:42 PM					00319760-000000		2	3
89	RM 07/03/09-04	Chaplin, James	48	3/9/2007	4:42 PM					00319760-000000		2	3
90	RM 07/03/13-02	Blee, Michael & Susan	48	3/13/2007	4:55 PM					00355417-000500	Tropic Isle		5
91	BM 07/10/10-01	Gray, Ronald	47	10/10/2007	2:20 PM					00346470-000000	Little Venice #2		114
92	BM 07/10/15-02	D'Ascanio, Amedeo & Lynn	47	10/15/2007	3:06 PM					00366230-000000	Coco Plum Beach	21	14
93	BM 08/06/03-01	Torres, Luis & Maria Elena	47	6/3/2008	1:53 PM					00100750-001200	Fat Deer Key		12
94	BM 08/11/12-01	Dean, James & Manning, Judy	46	11/12/2008	8:51 AM					00332160-000000	Venice	3	19
95	RM-05/07/11-01	Servais & Sweeney	44	7/11/2005	11:34 AM					00341540-000000	Puerta Del Sol	D	7
96	RM-05/07/13-04	33 Southpoint, LLC	43	7/13/2005	3:20 PM					00358230-000104	Marina Homes at Seawatch	-	4
97	RM-05/07/13-05	33 Southpoint, LLC	43	7/13/2005	3:22 PM					00358230-000106	Marina Homes at Seawatch	-	6
98	RM-06/01/23-01	Sparkman, Joseph	43	1/23/2006	2:00PM					00364790-000000	Coco Plum Bch	12	6
99	BM 07/10/15-01	Guerin, Mary	43	10/15/2007	3:05 PM					00333641-002800	Strrup Key		28
100	BM 07/10/12-01	McGuire, Danny & Janet	42	10/12/2007	9:50 AM					00349490-000000	Gulfstream Shores	6	5
101	BM 07/11/13-02	R & R Custom Bldg, Ronald Reinbach	42	11/13/2007	4:55 PM					00355290-000105	Sombrero Properties		20
102	BM 08/03/07-02	Jutstrom, Bryan	42	3/7/2008	3:50 PM					00345780-000000	Little Venice		46
103	BM-08/03/07-01	Ippolito, Giovanni	40	3/7/2008	3:45 PM					00345780-000000	Coco Plum	17	7,8
104	BM 08/06/18-01	Serghini, Monim Salah-Eddine	40	6/18/2008	12:53 PM					00341590-000000	Puerta Del Sol	D	13
105	RM-04/08/05-04	Rabito, Kimberly	39	8/5/2004	10:51 AM			1	Y17 P2	00326130-000000	Crane Hammock	G	1
106	RM-06/03/16-01	Paytas, James	39	3/16/2006	1:45PM					00358230-000105	Marina Homes at Seawatch	-	5
107	BM 08/03/05-01	Black Investments, Johnny	38	3/5/2008	11:15 AM					00355151-000800	Sunrise Isle		8

Market Rate Owner Occupied Pool

1	RM-05/10/19-01	Ferreiro, John	44	10/19/2005	9:20 AM			3	Y 17 P 2	00335060-000000	Key Colony	2	6
2	RM-05/05/19-01	Betancourt, Julio and Grimi	43	5/19/2005	12:28 PM	7/21/2005	9:50 AM	2	Y 17 P 2	00329760-000000	North Marathon Shores	G	6

Awards	Available	Recommended	Remaining
General	26	29	0
Owner	5	2	0

**Attachment B:
 Ranking of Affordable RBPAS Applications for Period 1, Year 18
 July 14, 2009 to January 13, 2010**

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
1	BA-07/07/16-02 A thru J	Olden, Richard	37	7/16/2007	8:02 AM			00325360-000000	Woodburn's	3 & 4	B
2	BA-07/07/16-02 A thru J	Olden, Richard	37	7/16/2007	8:02 AM			00325360-000000	Woodburn's	3 & 4	B
3	BA-07/07/16-06	Daniels, Debra	35	7/16/2007	8:09 AM			00327940-000000	Thompson & Adams	1	4
4	BA-07/12/06-01	Driftwood LLC	35	12/6/2007	8:45 AM			00326380-000000	Key Colony Beach		0
5	BA-07/12/06-02	Driftwood LLC	35	12/6/2007	8:46 AM			00326380-000000	Key Colony Beach		0
6	BA-07/12/06-03	Driftwood LLC	35	12/6/2007	8:47 AM			00326380-000000	Key Colony Beach		0
7	BA-07/12/06-04	Driftwood LLC	35	12/6/2007	8:48 AM			00326380-000000	Key Colony Beach		0
8	BA-07/07/16-01	Stensloff, Jon	33	7/16/2007	8:00 AM			00350070-000000	Gulfstream Village	4	22
9	BA-07/10/31-03 251 51St	Frahlich, Steven	33	10/31/2007	11:22 AM			00325030-000000	Marameade		6
10	BA-07/08/09-01	Sweeting, Nolen	32	8/9/2007	9:10 AM			00342790-000000	Tropicana	B	6
11	BA-07/08/09-02	Sweeting, Nolen	32	8/9/2007	9:10 AM			00342790-000000	Tropicana	B	6
12	BA-07/08/09-03	Sweeting, Nolen	32	8/9/2007	9:10 AM			00342790-000000	Tropicana	B	6
13	BA-07/08/09-04	Sweeting, Nolen	32	8/9/2007	9:10 AM			00342790-000000	Tropicana	B	6
14	BA-07/08/29-01 Unit A	Elbon, Lorraine	32	8/29/2007	3:00 PM			00327410-000000	Tiptons		8
15	BA-07/08/29-02 Unit B	Elbon, Lorraine	32	8/29/2007	3:00 PM			00327410-000000	Tiptons		8
16	BA-07/10/31-01	Oceanside 54 LLC	32	10/31/2007	11:20 AM			00341580-000000	Puerta Del Sol	D	12
17	BA-07/10/31-02	Oceanside 54 LLC	32	10/31/2007	11:21 AM			00341580-000000	Puerta Del Sol	D	12
18	BA-07/10/31-04	Frahlich, Steven	32	10/31/2007	11:23 AM			00325030-000000	Marameade		6
19	BA-07/10/31-05	Oceanside 66 LLC	32	10/31/2007	11:24 AM			00341370-000000	Puerta Del Sol		
20	BA-07/10/31-05	Oceanside 66 LLC	32	10/31/2007	11:25 AM			00341370-000000	Puerta Del Sol		
21	BA-07/11/14-03	Oceanside 73 LLC	32	11/14/2007	10:02 AM			00342380-000000	Figios		16
22	BA-08/03/07-01	Doug Young & Linda Lawson	32	3/7/2008	9:00 AM			00327110-000400	Thompson & Adams		1&2
23	BA-08/03/12-01 A	Oceanside 27	32	3/12/2008	8:56 AM			00321410-000000	Somnereo	1	8
24	BA-08/03/12-01 B	Oceanside 27	32	3/12/2008	8:56 AM			00321410-000000	Somnereo	1	8
25	BA-08/03/12-01 C	Oceanside 27	32	3/12/2008	8:56 AM			00321410-000000	Somnereo	1	8
26	BA-07/07/16-03	Tennyson, Amy	28	7/16/2007	8:05 AM			00348080-000000	Lida	2	13
27	BA-07/07/16-04	Daniels, William & Jane	28	7/16/2007	8:07 AM			00323520-000000	Harbor Isles	8	1
28	BA-07/07/16-05	WPBD Inc	28	7/16/2007	8:08 AM			00323530-000000	Harbor Isles	8	2
29	BA-07/07/16-07	WPBD Inc	28	7/16/2007	8:10 AM			00323550-000000	Harbor Isles	8	4
30	BA-07/07/16-08 A & B	Cisneros, Raul	28	7/16/2007	8:11 AM			00337200-000000	Marathon Beach	2	6
31	BA-07/07/16-08 A & B	Cisneros, Raul	28	7/16/2007	8:11 AM			00337200-000000	Marathon Beach	2	6
32	BA-07/07/16-09 A & B	Cisneros, Raul	28	7/16/2007	8:12 AM			00337210-000000	Marathon Beach	2	7
33	BA-07/07/16-09 A & B	Cisneros, Raul	28	7/16/2007	8:12 AM			00337210-000000	Marathon Beach	2	7
34	BA-07/07/19-01	Rodriguez, Marlene	28	7/19/2007	1:55 PM			00342560-000000	Tropicana	7	A
35	BA-07/07/30-01	Ferry, McGinn	28	7/30/2007	11:00 AM				Keys RV		78 B