

**CITY OF MARATHON, FLORIDA
RESOLUTION 2011-22**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA PURSUANT TO CHAPTER 107, ARTICLE 1 OF THE CITY CODE APPROVING THE RANKINGS FOR THE COMMERCIAL BUILDING PERMIT ALLOCATION SYSTEM (CBPAS) FOR PERIOD 2, YEAR 6 ; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on March 29th, 2011, the City Council (the "Council") of the City of Marathon (the "City") conducted a properly advertised public hearing (the "Public Hearing") regarding the commercial floor area allocations for Period 2, Year 6 pursuant to Chapter 107 Article 1 of the City Code (the "Code"); and

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 (CBPAS)

(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 recommended that the City Council award Commercial Floor Area allocations in the amount of 2,764 square feet to the applicants who have sought CBPAS awards, as set forth in Attachment "A" to the CBPAS Staff Report; and

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


(1) The CBPAS applications for Period 2, Year 6 of CBPAS have been processed in accordance with Chapter 107 Article 1 of the Code.

- (2) In rendering its decision, as reflected in this Resolution, the City 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 CBPAS allocations as shown in "Attachment A" are 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 29th day of March, 2011.

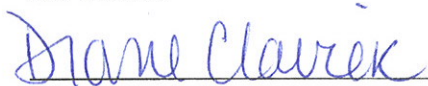
THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

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

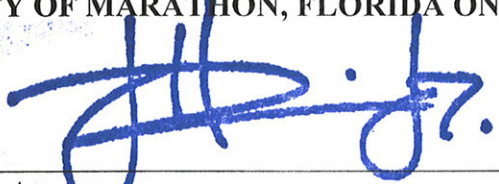
ATTEST:



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

Attachment A:
 Ranking of CBPAS Applications for Period 2, Year 6
 January 14, 2011 to July 13, 2011

	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(s)
1	55	C-11/01/13/02	DP2011-0003	Canco, Inc	1964	1/13/2011	10:00AM	Yes			00349900-000000	Gulfstream Village	1	1,2,&3
2	40	C-11/01/13-01	DP2011-0002	Jigs Investments, Ltd	800	1/13/2011	9:00AM	Yes			0033709-000000	Marathon Beach	7	4,5,6 & 7

Total		Total		Total
Available		Requested		Rollover
130936		2764		128,174