

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2011-81**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MARATHON, FLORIDA APPROVING THE RANKINGS AND  
ALLOCATION OF THE COMMERCIAL SQUARE FOOTAGE BUILDING  
PERMIT APPLICATIONS FOR PERIOD 1, YEAR 7; AND PROVIDING FOR  
AN EFFECTIVE DATE**

**WHEREAS**, on September 13, 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 ranking and allocation applications for Period 1, Year 7 pursuant to Chapter 107 Article 1 of the Marathon 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 makes the following Findings of Fact:

**Commercial Building Permit Allocation (CBPAS)**

- (1) The Public Hearing was 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) City staff recommended the City Council award 930 square feet of Commercial Floor Area to the applicants as set forth in Exhibit "A" attached hereto

**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 1, Year7 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 set forth in Exhibit "A" attached hereto are awarded.

**Section 4.** This Resolution shall not take effect until after thirty (30) days following the date it is filed with the City Clerk, during which time the approvals herein shall be subject to appeal as provided in the Code.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13<sup>th</sup> DAY OF SEPTEMBER, 2011.**

**THE CITY OF MARATHON, FLORIDA**



**Ginger Snead, Mayor**

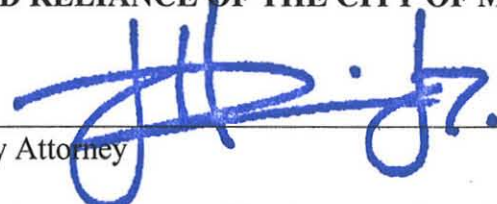
AYES: Ramsay, Keating, Worthington, Snead  
NOES: None  
ABSENT: None  
ABSTAIN: Cinque

**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

This Resolution was filed in the Office of the City Clerk on this 15 day of September 2011.

  
Diane Clavier, City Clerk

# EXHIBIT A

Attachment A:  
 Ranking of CBPAS Applications for Period 1, Year 7  
 July 14, 2011 to January 13, 2012

	Score	NROGO Number	CityView Number	Name	Square Feet Requested	Date Entered	Time Entered	Expansion?	RE NUMBER	SUBDIVISION	BLOCK	LOT(s)
1	42	C-11A07/11-01	DP2011-0017	The Stuffed Pig, Inc.	930	7/1/2011	10:00AM	Yes	00336900-000000	Marathon Beach	4	7

Total		Total		Total
Available		Requested		Rollover
153174		930		152,244