

CITY OF MARATHON, FLORIDA
RESOLUTION 2012-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING THE RANKINGS AND ALLOCATIONS OF THE COMMERCIAL BUILDING PERMIT APPLICATION SYSTEM (CBPAS); PROVIDING FOR THE ALLOCATION OF 2,941 SQUARE FEET OF CBPAS; FOR PERIOD 1, YEAR 8; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on September 11, 2012, 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 8; 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 2,941 square feet of Commercial Floor Area to the applicants as set forth in Attachment "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, Year 8 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.

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 25th DAY OF SEPTEMBER, 2012.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

AYES: Cinque, Keating, Ramsay, Snead, Worthington
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

This Resolution was filed in the Office of the City Clerk on this 25th day of September, 2012.



Diane Clavier, City Clerk

ATTACHMENT A

Attachment A:
 Ranking of CBPAS Applications for Period 1 Year 8
 July 14, 2012 to January 13, 2013

Score	CBPAS Number	CityView Number	Name	Square Feet Requested	Date Entered	Time Entered	Expansion?	RE NUMBER	SUBDIVISION	BLOCK	LOT(s)
1	C-12/03/12-01	DP2012-0002	Concrete Analysis & Testing Laboratories Inc	1881	3/12/2012	3:00 PM	Yes	00233340-000000	Fields	B	1,2,3
2	C-12/05/01-01	DP2012-0020	Key Vaca LLC	747	6/9/2012	9:00 AM	Yes	00101140-000000	Fort Deer Key		3
3	C-12/02/06-01	DP2012-0031	Martha Lopez & Jose Ferro	200	8/6/2012	2:00 PM	No	00263250-000000	Coco Plum Beach	22	2

Total	Total	Total
Available	Requested	Reoffer
170021	2011	167,080