

CITY OF MARATHON, FLORIDA  
RESOLUTION 2013-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, APPROVING THE FINAL RANKING AND ALLOCATION OF THE MARKET RATE AND AFFORDABLE RESIDENTIAL DWELLING UNIT APPLICATIONS FOR PERIOD 2, YEAR 21 UNDER THE TEMPORARY RBPAS PROCEDURES PROMULGATED IN SECTION 107.07 G. 1. OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon City Council (the “City”) reviewed the market rate and affordable residential dwelling unit application rankings for Period 2, Year 21 in compliance with the Temporary RBPAS Procedures promulgated in Section 107.07 G. 1. of the Land Development Regulations (the “LDRs”);

**WHEREAS**, City Staff initiated the call-down procedure contemplated under the Temporary BPAS Procedures promulgated in the LDRs; and

**WHEREAS**, the City conducted a properly advertised public hearing (the “Public Hearing”) regarding the proposed residential BPAS rankings, Period 2, Year 21 pursuant to Chapter 107 Article 1 of the LDRs.

**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 evidence and testimony presented by City Staff and members of the public, the City Council hereby finds:

**Residential Building Permit Allocation (RBPAS)**

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

(2) Based upon the RBPAS Rankings shown in the staff recommendation, attached as “Attachment A” for the Market Rate RBPAS pools, the City Council awards five (5) Market Rate allocations based upon a willingness to build immediately; and

(3) The remaining RBPAS Applicants will retain their relative positions in the RBPAS ranking list and will be deferred in accordance with Section 107.07 of the LDRs.

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

- (1) The RBPAS applications for Period 2, Year 21 of RBPAS have been processed in accordance with Chapter 107 Article 1 of the LDRs.
- (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 attached RBPAS allocations 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 26<sup>th</sup> DAY OF MARCH, 2013.**

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
**Mike Cinque, Mayor**

AYES: Ramsay, Snead, Keating, Cinque  
NOES: None  
ABSENT: Bull  
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 BPAS Applications for Period 2 Year 21  
January 14, 2013 to July 13, 2013**

Market Rate General Pool											
RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
1	RM-04/09/08-01	Lovell, Thad	60	9/8/2004	12:35 PM			00365360-000000	Coco Plum Beach	14	13
2	BM-07/11/08-01	Knight, Thomas & Sylvia	52	11/8/2007	2:00 PM			00332250-000000	Venice	3	19
3	BM-13/01/10-02	Fuscov, William	45	1/14/2013	2:05 PM			00355417-000700	Tropical Isle Section A		7
4	BM-13/01/14-01	Bolobanic, Emil & Janet	37	1/14/2013	2:00 PM			00102440-000000			2
5	RM-05/07/13-02	Crews, George & Kathy	64	7/13/2005	2:05 PM			00354950-000000	Sombrero Beach Village	2	1
6	RM-04/08/05-09	Felling, Michael	65	8/5/2004	3:02 PM			00376160-000000	Dorsett		2
7	RM-04/08/09-06	Hazuka, John	63	8/9/2004	11:18 AM			00349680-000000	Gulfstream Shores	3	2
8	RM-04/08/09-07	Hazuka, John	63	8/9/2004	11:19 AM			00349690-000000	Gulfstream Shores	3	3
9	RM-04/08/09-10	Joulani, Aref	63	8/9/2004	2:00 PM			00354380-000000	Waloriss	M	16
10	RM-04/08/09-12	Grosteffon, Robert	63	8/9/2004	2:46 PM			00326190-000000	Crane Hammock	G	7
11	RM-04/08/17-01	Kogut, Greg	63	8/17/2004	9:00 AM			00355418-000400	Sombrero Anglers Club South	-	37
12	RM-04/08/18-01	Iannucci, David	63	8/18/2004	2:05 PM			00356900-000000	Flamingo Island Estates	3	15
13	RM-04/09/02-01	Gill, Ronnie	63	9/2/2004	9:05 AM			00353680-000000	Waloriss	H	8
14	RM-04/09/07-01	Rodriguez, Jose	63	9/7/2004	10:30 AM			00331061-002000	Sea Air Estates	1	20
15	RM-04/10/12-01	Cacciutti, John	63	10/12/2004	2:35 PM			00357041-002900	Sombrero Isle	-	29
16	RM-04/11/18-01	Borowski, Gregory & Janice	63	11/18/2004	8:00AM			00373010-000000	Crain's	48	16
17	RM-04/11/23-01	Downes, David and Joanne	63	11/23/2004	8:32 AM			00364400-000000	Coco Plum Beach	10	14
18	RM-04/12/21-02	Saladino, Joseph & Kathleen	63	12/21/2004	2:38 PM			00330640-000000	North Marathon Shores	M	20
19	RM-05/08/22-01	Repetto, John and Colleen	63	8/22/2005	8:40 AM			00354240-000000	Waloriss	M	2
20	RM-05/08/22-02	Repetto, John and Colleen	63	8/22/2005	8:41 AM			00353880-000000	Waloriss	J	7
21	RM-05/08/22-03	Repetto, John and Colleen	63	8/22/2005	8:43 AM			00353890-000000	Waloriss	J	8
22	RM-05/08/22-04	Repetto, John and Colleen	63	8/22/2005	8:44 AM			00353850-000000	Waloriss	J	4
23	RM-05/09/12-01	Kamph, Martin	63	9/12/2005	3:50 PM			00354350-000000	Waloriss	M	13
24	RM-05/09/22-01	Culmer, Gene	63	9/22/2005	4:25 PM			00340370-000000	Days	2	6
25	RM-05/11/07-01	Bennett, Mark & Debra	63	11/7/2005	10:33 AM			00105520-000000	Tingler's Island	-	1
26	RM-04/08/31-01	Lentz, Barry & Karin	63	8/31/2004	4:31 PM	12/4/2006	8:00 AM	00333641-009100	Stirrup Key	-	91
27	RM-06/01/26-01	Leird, Christine & William	63	1/26/2006	10:13AM			00332320-000000	Venice	4	7
28	RM-06/02/08-01	Jarnolowitz, Aaron	63	2/8/2006	12:00 PM			00353970-000000	Waloriss	K	5
29	RM-06/03/06-01	Ham, Mouna	63	3/6/2006	1:45PM			00364810-000000	Coco Plum Beach	12	8
30	RM-06/06/30-01	Kogut, Greg	63	6/30/2006	4:00 PM			00354460-000000	Waloriss	M	24
31	RM-06/05/05-01	Koutros, Gregg & Kristen	63	5/5/2006	2:54PM			00354070-000000	Waloriss	K	15
32	RM 07/03/13-01	J & S Realestate Investment	63	3/13/2007	2:50 PM			00356060-000000	Flamingo Island	1	62
33	RM-05/11/28-01	Perona, Bernard P.	62	11/28/2005	11:17AM			00320990-000100	Sombrero Sub #2	-	6
34	RM-06/10/16-01	Calabrese, Mark & Laurie	62	10/16/2006	10:30 AM			00353060-000000	Waloriss	C	5
35	RM-06/11/13-05	Mier, Fernando	62	11/13/2006	12:07 PM			00353780-000000	Waloriss	H	18
36	RM-06/02/14-01	Held, Michael & Robin	62	2/14/2006	12:00 PM			00105240-001900	Treasure Island		3
37	RM-04/08/06-07	Commercial Fish Inc.	61	8/6/2004	4:00 PM			00363280-000000	Coco Plum Beach	3	2
38	RM-05/11/04-01	Grav, Ronald & Jeanne	61	11/4/2005	3:10 PM			00346480-000000	Little Venice	-	115
39	RM-06/11/09-01	Florida Keys Planning & Devel.	61	11/9/2006	9:59AM			00342961-001000	Seascape Villas		10
40	BM 07/10/16-01	Mullins, Judith	61	10/16/2007	1:05 PM			00353730-000000	Waloriss	H	13
41	RM-06/01/19-01	Servais & Sweeney	61	1/19/2006	3:29PM			00329300-000000	Marathon Shores N. Part B		18
42	RM-04/08/09-03	Servais, Richard	60	8/9/2004	10:46 AM			00104920-000000	Boot Key	-	2
43	RM-06/11/13-02	BT Land LLC	60	11/13/2006	10:56 AM	2/16/2007	11:35AM	00354000-000000	Waloriss	K	8

**Attachment A:**  
**Ranking of BPAS Applications for Period 2 Year 21**  
**January 14, 2013 to July 13, 2013**

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
44	RM-05/05/19-02	Dulimba, Dale	59	5/19/2005	12:29 PM			00325090-000000	Marameade	H	5
45	RM-04/08/09-13	Vettraino, David	58	8/9/2004	3:25 PM			00355418-002100	Sombrero Anglers Club South	-	54
46	RM-05/10/28-01	Sand Dollars of the Keys, Inc.	58	10/28/2005	2:30 PM			00347020-000000	Atlantic Shores	-	2
47	RM-06/10/18-01	Hattendorf, Doug	57	10/18/2006	1:30 PM			00373190-000000	Crain's	5	50
48	RM-06/06/23-01	Connor, Edward & Sherry	57	6/23/2006	4:30 PM			00354870-000000	Sombrero Beach Village	1	17
49	BM-08/05/13-01	Gemini Key	57	5/13/2008	9:50 AM			00366710-000000	Coco Plum	21	62 & 63
50	RM-04/08/09-11	Calvo, Jesus & Idgmar	56	8/9/2004	2:28 PM			00363940-000000	Coco Plum Beach	8	13
51	RM-04/08/16-01	Schlichtman, Harry and Marv	56	8/16/2004	8:00 AM	11/15/2004	5:00 PM	00355418-001800	Sombrero Anglers Club South	-	51
52	RM-05/11/08-01	Keys Ltd.	56	11/8/2005	11:45 AM			00354420-000000	Waloriss	M	20
53	RM-06/03/03-01	Butler, Cecil & Dean, William	56	3/3/2006	4:05PM			00354850-000000	Sombrero Beach Village	1	15
54	RM 07/03/09-01	Keys Ltd. Profit	56	3/9/2007	10:45 AM			00352080-000000	Coral Colony		14
55	RM-04/08/05-08	Benton, Frank & Karen	55	8/5/2004	12:01 PM			00365390-000000	Coco Plum Beach	14	16
56	BM-11/12/15-01	Herfort, Tom & Carol	55	12/15/2011	10:11 AM			00333641-008200	Stirrup Key		82
57	RM-05/11/14-02	Richards, John & Marcia	55	11/14/2005	8:59 AM			00354280-000000	Waloriss	M	6
58	RM-07/02/05-01	Ayers, Michael & Natalie	55	2/5/2007	2:10 PM			00353690-000000	Waloriss	H	9
59	RM-04/08/24-01	Leigh, JoAnn	54	8/24/2004	11:00 AM	1/5/2005	12:00 PM	00343140-000000	Paraiso Estates	2	7
60	RM-04/12/21-01	Prieto, Rogel	53	12/21/2004	2:21 PM			00328900-000000	North Marathon Shores	C	9
61	RM-06/11/02-01	Worthington Springs Devel.	53	11/2/2006	4:20PM			00366031-000300	Coco Plum Beach	20	2A
62	RM-06/11/02-02	Worthington Springs Devel.	53	11/2/2006	4:21PM			00366031-000400	Coco Plum Beach	20	2B
63	RM-04/08/09-04	Servais, Richard	52	8/9/2004	10:47 AM			00365400-000000	Coco Plum Beach	14	17
64	RM-04/08/09-05	Hallman, John & Carol	52	8/9/2004	10:48 AM			00365410-000000	Coco Plum Beach	14	18
65	RM-06/11/08-01	Leasure, Gary	52	11/18/2006	1:18 PM			00347030-000000	Atlantic Shores		3
66	RM-05/04/13-01	Wood, Roger and Barbara	52	4/13/2005	8:30 AM			00338780-000100	Edmunds Acreage Tracts	-	pt 10
67	RM-05/07/01-01	Steinmetz, Petra	52	7/1/2005	1:58 PM			00341620-000000	Puerta Del Sol	D	16
68	RM-04/08/06-05	Lee, Allan & Gidget	51	8/6/2004	2:40 PM			00365420-000000	Coco Plum Beach	14	19
69	RM-05/10/05-01	Forthman, Todd & Leslie	51	10/5/2005	12:30 PM			00339910-000000	Sheryl	A	12
70	RM-07/02/28-01	Riffe, Bryan & Paula	51	2/28/2007	9:15 AM			00105140-000000	Boot Key Subdivision		33
71	RM-07/03/07-01	Daughtry, Christopher	51	3/7/2007	11:20 AM			00356850-000000	Flamingo Island Estates	3	10
72	RM 07/03/09-02	Chaplin, James	51	3/9/2007	4:40 PM			00319870-000000	Knights Key Village	2	13
73	RM 07/03/09-02	Chaplin, James	51	3/9/2007	4:40 PM			00319870-000000	Knights Key Village	2	13
74	RM 07/03/09-03	Chaplin, James	51	3/9/2007	4:41 PM			00319880-000000	Knights Key Village	2	14
75	RM 07/03/09-03	Chaplin, James	51	3/9/2007	4:41 PM			00319880-000000	Knights Key Village	2	14
76	RM 07/03/09-04	Chaplin, James	51	3/9/2007	4:42 PM			00319760-000000	Knights Key Village	2	3
77	RM 07/03/09-04	Chaplin, James	51	3/9/2007	4:42 PM			00319760-000000	Knights Key Village	2	3
78	RM-04/08/09-08	Mann, James	50	8/9/2004	11:25 AM	8/12/2005	1:15 PM	00355980-000000	Flamingo Island Estates	1	54
79	RM-06/07/13-01	Smith, Mark	50	7/13/2006	10:06 AM			00364630-000000	Coco Plum	11	14
80	BM 08/06/03-01	Torres, Luis & Maria Elena	49	6/5/2008	1:55 PM			00100750-001200	Fat Deer Key		12
81	BM 07/10/10-01	Gray, Ronald	49	10/10/2007	2:20 PM			00346470-000000	Little Venice #2		114
82	BM 07/10/15-02	D'Ascanio, Amedeo & Lynn	49	10/15/2007	3:06 PM			00366230-000000	Coco Plum Beach	21	14
83	BM-12/05/18-01	Cristello, Jimmy	48	5/18/2012	8:15 AM			00351790-000000	Overseas Estates		17
84	RM-05/07/11-01	Servais & Sweeney	47	7/11/2005	11:34 AM			00341540-000000	Puerta Del Sol	D	7
85	RM-05/07/13-04	33 Southpoint, LLC	46	7/13/2005	3:20 PM			00358230-000104	Marina Homes at Seawatch	-	4
86	RM-05/07/13-05	33 Southpoint, LLC	46	7/13/2005	3:22 PM			00358230-000106	Marina Homes at Seawatch	-	6
87	RM-06/01/23-01	Sparkman, Joseph	46	1/23/2006	2:00PM			00364790-000000	Coco Plum Bch	12	6

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RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	DATE RE-ENTERED	TIME RE-ENTERED	RE NUMBER	SUBDIVISION	BLOCK	LOT
88	BM-08/03/07-02	Jutstrom, Brvan	45	3/7/2008	3:50 PM			00345780-000000	Little Venice		46
89	BM-11/07/07-02	Pescayo, Inc.	44	7/7/2011	2:31 PM			00363520-000200	Pescayo Village	1	2
90	BM-11/07/07-03	Pescayo, Inc.	44	7/7/2011	2:32 PM			00363520-000300	Pescayo Village	1	3
91	BM-11/07/07-05	Pescayo, Inc.	44	7/7/2011	2:34 PM			00363520-000800	Pescayo Village	1	8
92	BM-11/07/07-01	Pescayo, Inc.	43	7/7/2011	2:30 PM			00363520-000100	Pescayo Village	1	1
93	BM-09/11/03-01	Wallace, Keenan & Rita	42	11/3/2009	9:32 AM			00355560-000000	Flamingo Island	1	12
94	RM-06/03/16-01	Paytas, James	42	3/16/2006	1:45 PM			00358230-000105	Marina Homes at Seawatch	-	5
95	BM-11/04/25-01	Trujillo, Osvaldo & Alicia	IC	4/25/2011	9:00 AM			00322060-000000	Sombrero #6		
<b>Market Rate Owner Occupied Pool</b>											
1	RM-05/05/20-02	Gibson-Weldon, Donna	51	5/20/2005	2:04 PM			00373280-000000	Crains	50	11
2	RM-05/10/19-01	Ferreiro, John	69	10/19/2005	9:20 AM			00335060-000000	Key Colony	2	6
3	RM-05/05/19-01	Daniels, Michael	68	5/19/2005	12:28 PM	7/21/2005	9:50 AM	00329760-000000	North Marathon Shores	G	6
				<i>Awards</i>	<i>Available</i>	<i>Recommended</i>	<i>Remaining</i>				
				General	9	4	5				
				Owner	3	1	2				