

RESOLUTION NO. 00-03-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARATHON, FLORIDA, APPROVING THE RANKINGS AND RESIDENTIAL DWELLING UNIT ALLOCATION AWARDS AS SUBMITTED BY THE DIRECTOR OF PLANNING OF MONROE COUNTY, FLORIDA, FOR THE DWELLING UNIT ALLOCATION QUARTERS BEGINNING JULY 14, 1999 AND ENDING OCTOBER 13, 1999 AND OCTOBER 14, 1999 TO JANUARY 13, 2000, PURSUANT TO SECTION 9.5-121.1 OF THE CODE OF THE CITY OF MARATHON; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 30, 1999, Monroe County, Florida (the "County") gave notice of public hearing that on December 1, 1999, the Monroe County Planning Commission would hold a public hearing at the Marathon Government Center to consider and finalize the ranking of applications in the Dwelling Unit Allocation System for the July 14, 1999, through October 13, 1999 ROGO quarter; and that building permits would be allocated for all unincorporated Monroe County for the April 13, 1995 through October 13, 1999, ROGO quarters; and

WHEREAS, at the time said notice of public hearing was published the territorial limits of what is now the City of Marathon was still a part of the County; and

WHEREAS, Chapter 99-246, Laws of Florida (1999) specifically provides that as of the date of incorporation of the City, all of the powers and duties of the Planning Commission, Zoning Authority, any Boards of Adjustment, and the County Commission of Monroe County, as set forth in the transitional zoning and land use regulations of the City, shall be vested in the City Council until such time as the City Council delegates all or a portion thereof to another entity; and

WHEREAS, the Planning Commission of the City of Marathon (the “Planning Commission”) is the successor to the County Planning Commission, and therefore, the notice requirements of Section 9.5-45 of the Monroe County Code, as the same is applicable to the City of Marathon, have been complied with; and

WHEREAS, the Planning Commission during a regular public meeting held on March 2, 2000, conducted a public hearing to review, discuss, and make formal motions regarding Residential Dwelling Unit Allocation awards within the City; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled “Residential Dwelling Unit Evaluation Report, Quarter 1 of Year 8,” from the Director of Planning of the County, dated November 15, 1999, and which reports findings of fact and conclusions of law the Planning Commission adopts by reference as its own; and
2. The report entitled “Cesspit Credit Replacement Report for ROGO Allocations, Quarter 1 of Year 8, No. 39, by the Director of Planning of the County, dated December 1, 1999, and which reports findings of fact and conclusions of law the Planning Commission adopts by reference as its own; and

WHEREAS, the Planning Commission having considered the evidence and testimony presented at the public hearing does hereby find and determine as below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARATHON PLANNING COMMISSION, AS FOLLOWS:

Section 1. Findings of Fact.

1. Based upon the written testimony of the Director of Planning of the County, the Planning Commission hereby approves the recommendation by the Director of Planning to approve the rankings set forth in the report referenced above; and
2. Based upon the written testimony of the Director of Planning of the County, the Planning Commission hereby approves the recommendation by the Director of Planning to grant allocation awards to the 10 top ranked market rate applicants and the 3 top ranked affordable housing applicants as set forth in the attached Exhibit “A”; and
3. The Planning Commission conditions the grant of the above allocation awards upon the availability of cesspit credits within the City and acceptance of any required land dedications or covenants by the City Council, as required by Section 9.5-122.1(b) of the County Code as the same is applicable to the City.

Section 2. Conclusions of Law.

1. That the awarding of the above allocation awards is consistent with the Comprehensive Plan and Land Development Regulations of the City.
2. That in rendering its decision as reflected in this Resolution, the Planning Commission 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.

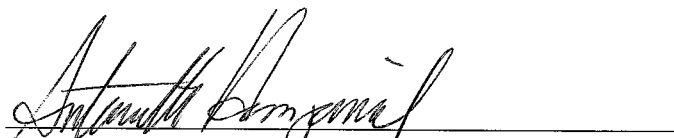
Section 3. Effective Date.

This resolution shall be effective immediately upon its adoption.

Passed and Adopted by the City of Marathon, Planning Commission this 2nd day of March 2000.


Chairman

ATTEST:


ACTING CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:


ACTING CITY ATTORNEY

FINAL VOTE AT ADOPTION:

Robert K. Miller _____

John Bartus _____

Frank Greenman _____

Jon Johnson _____

Randy Mearns _____

EXHIBIT "A"

ROGO ALLOCATION RANKINGS

MARKET DWELLING UNITS

1.	*	RICKY QUALLS	99-2-0683
2.	*	RICKY QUALLS	99-2-0683
3.	*	DAN WILLIAMS	99-2-1078
4.	*	RAYMOND WILLIS	99-2-0145
5.	*	FRANCESCA BOLOGNA	99-2-1192
6.	*	HARRY PETTSCH	99-2-1344
7.	*	THOMAS/CAROL MCCOY	99-2-1034
8.	*	DAVID MAIMON	99-2-1358
9.	*	AUSTIN YOUNG	99-2-1426
10.	*	KEVIN KENNY	99-2-1534

AFFORDABLE DWELLING UNITS

1.	*	ANDY BOTT
2.	*	ALAN SCHMITT
3.	*	NUCCIO/HOLBERT