RESOLUTION NO.17-03-17

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2017; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the "Village") has implemented the Building Permit Allocation System ("BPAS") as codified in Chapter 30, Article IV, Division 11 of the Village's Code of Ordinances (the "Village Code"); and

WHEREAS, Section 30-474 of the Village Code requires that the Village Council establish the total amount of nonresidential floor area and residential dwelling units that may be made available for the next annual allocation, the quarterly allocations for that year and the distribution of allocations between categories; and

WHEREAS, the Village Council adopted Resolution No. 16-12-82, thereby establishing a total of twenty-two (22) market rate residential units for allocation in 2017, including five (5) market rate allocations "without land dedication" available for Quarter 1 of 2017; and

WHEREAS, on March 9, 2017, the Village Council conducted a public hearing regarding the Residential Dwelling Unit Allocation Evaluation Report (the "Report") submitted by the Director of Planning (the "Director") pursuant to the applicable provisions of the Village Code and Comprehensive Plan; and

WHEREAS, the Village Council desires to approve the residential building permit allocation rankings and award the allocations for Quarter 1 of 2017.
NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. **Findings of Fact.**

The Village Council, having considered the testimony and evidence presented by all parties, including the Report, does hereby find and determine that:

The Village Council hereby approves the ranking and recommendation of the Director (Exhibit "A") to award five (5) allocations for market rate dwelling units without land dedication as follows: one (1) allocation to Real Estate Number 00421730-000000, property owner Pedro Chico, with 25 points; one (1) allocation to Real Estate Number 00392400-000000, property owner Mark Joseph Wolff, with 24 points; one (1) allocation to Real Estate Number 00420920-000000, property owner Phyliss Seubert, with 16 points; one (1) allocation to Real Estate Number 00391080-000000, property owner Ronald G. Martin, with 16 points; and one (1) allocation to Real Estate Number 00388770-000000, property owner Trust No. 10 Iroquois, with 16 points, as set forth in Exhibit "A" hereto.

Section 2. **Conclusions of Law.**

Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

1. The Building Permit Allocation System (the "BPAS") applications for Quarter 1 of 2017 have been processed in accordance with the Village Comprehensive Plan and Land Development Regulations; and
In rendering its decision, as reflected in this Resolution, the Village Council has:

(a) Accorded procedural due process; and
(b) Observed the essential requirements of the law; and
(c) Supported its decision by competent substantial evidence of record.

Section 3. Effective Date.

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

Motion to adopt by Councilwoman Deb Gillis, second by Councilman Mike Forster.

FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Jim Mooney  YES
Vice Mayor Chris Sante  YES
Councilman Mike Forster  YES
Councilwoman Deb Gillis  YES
Councilwoman Cheryl Meads  YES


JIM MOONEY, MAYOR
ATTEST:

Kelly Toth
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY

Roget V. Bryan, Village Attorney

This Resolution was filed in the Office of the Village Clerk of this 13th day of March, 2017.

Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity