RESOLUTION NO. 17-10-82

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT AFFORDABLEALLOCATIONS FOR QUARTER 3 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 forty-three (43) affordable residential units for allocation in 2017; and

WHEREAS, the Village Council adopted Resolution No. 17-06-39, thereby reserving a total of eight (8) affordable residential unit allocations for eighteen (18) months; and

WHEREAS, the Village Council adopted Resolution No. 17-06-43, to award sixteen (16) allocations for affordable dwelling units; and

WHEREAS, there are nineteen (19) affordable residential units remaining for allocation in 2017; and

WHEREAS, on October 5, 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 affordable allocation rankings and award the affordable allocations for Quarter 3 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 one (1) allocation for an affordable dwelling unit to Real Estate Numbers 00404360-000000 & 00404340-000000, property owner David Frisbee Trust, with 14 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") affordable applications for Quarter 3 of 2017 have been processed in accordance with the Village Comprehensive Plan and Land Development Regulations; and

(2) 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 Vice Mayor Chris Sante.

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

PASSED AND ADOPTED THIS 5TH DAY OF OCTOBER, 2017.

ATTEST:

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 6th day of October, 2017.

cc: Florida Department of Economic Opportunity
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