RESOLUTION NO. 12-05-38


WHEREAS, the Village Council of Islamorada, Village of Islands, Florida (the "Village") implemented the Building Permit Allocation System ("BPAS"), as adopted in Ordinance No. 02-17, and as may be amended from time to time; and

WHEREAS, Section 30-474(e) of the Village Code of Ordinances (the "Code") requires the Village Council to adopt by resolution 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 this allocation between categories.

WHEREAS, the Village Council adopted Resolution No. 11-11-93, which established the amount of nonresidential floor area available for BPAS Year 2012 as 13,360 square feet.

WHEREAS, the Village Council subsequently adopted Ordinance No. 12-04, which recaptured 16,486 square feet of nonresidential floor area that the Village voluntarily waived between 2004 and 2009, and subtracted the remaining amount of nonresidential floor area that was borrowed from future BPAS allocations, pursuant to Resolution No. 05-02-08.

WHEREAS, the Village Council then adopted Resolution No. 12-04-21, which amended Resolution No. 11-11-93 to add the additional 16,486 square feet of nonresidential floor area to the total amount available for BPAS Year 2012.
WHEREAS, in order to clarify when the full 29,846 square feet of nonresidential floor area would be available to be awarded through BPAS, the Village Council desires to revise the effective date language of Resolution No. 12-04-21 to specify that the total amount of nonresidential floor area of 29,846 square feet would be made available as of the Quarter 1 closing date on January 31, 2012.

WHEREAS, the provisions of this Resolution are consistent with the Village Land Development Regulations, the Village Comprehensive Plan and the Principles for Guiding Development in the Florida Keys Area of Critical State Concern.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, AS FOLLOWS:

Section 1.  Recitals.

The above recitals are true and correct and are incorporated herein by this reference.

Section 2.  Nonresidential Floor Area.

The total amount of nonresidential floor area available for allocation in 2012 as of the Quarter 1 closing date on January 31, 2012 is 29,846 square feet (6,692 square feet for 2012, 6,668 square feet rolled over from 2011 and 16,486 square feet recaptured through Ordinance No. 12-04)¹.

*****

Section 7.  Effective Date.

This resolution shall not become effective until Ordinance No. 12-04 is finally approved and effective. Upon the effective date, the total amount of nonresidential floor area of 29,846 square feet shall be made available as of the Quarter 1 closing date on January 31, 2012.

¹ Additional text is shown as underlined; deleted text is shown as strikethrough.
Motion to adopt by Councilman Achenberg, seconded by Councilman Purdo.

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

Mayor Michael Reckwerdt       Yes
Vice Mayor Ken Philipson       Yes
Councilman Don Achenberg      Yes
Councilman Ted Blackburn       Yes
Councilman Dave Purdo          Yes

PASSED AND ADOPTED THIS 24th DAY OF MAY, 2012.

Ken Philipson
Ken Philipson, Vice Mayor

ATTEST:

Debra E. Eastman, MMC
Village Clerk

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

Village Attorney

This Resolution was filed in the Office of the Village Clerk on this 25 day of May, 2012.

Debra E. Eastman
Village Clerk

Cc: Florida Department of Economic Opportunity