RESOLUTION NO. 13-05-23

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE NONRESIDENTIAL BUILDING PERMIT ALLOCATION RANKING AND AWARDING NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2013 OF THE BUILDING PERMIT ALLOCATION SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Comprehensive Plan Policy 1-3.1.1 and applicable provisions of the Islamorada, Village of Islands Code of Ordinances (the “Village Code”), on the May 9, 2013 the Village Council (the “Council”) conducted a public hearing (the “Public Hearing”) regarding the Nonresidential Allocation Evaluation Report (the “Report”) submitted by the Director of Planning and Development Services (the “Director”); and

WHEREAS, 15,561 square feet of nonresidential floor area was allocated pursuant to Resolution 12-06-48 but was not utilized in 2012; and

WHEREAS, pursuant to Resolution 12-11-106, a total of 6,727 square feet of nonresidential floor area was established for allocation in 2013; and

WHEREAS, the unused square footage of floor area from 2012 is hereby rolled over into the nonresidential allocation of floor area for a total of 22,228 square feet of floor area in 2013.

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

Section 1. Findings of Fact.

The Council, having considered the testimony and evidence presented by all parties, including the Report, does hereby find and determine:
Approves the ranking and recommendation of the Director (Exhibit “A”) to award one (1) allocation for 15,561 square feet of nonresidential floor area to Net-Five FDA Islamorada, LLC with eighteen (18) points.

Section 2. Conclusions of Law.

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

(1) The Building Permit Allocation System (the “BPAS”) application for Quarter 2 of 2013 of the BPAS has 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 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 both 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.

[REST OF PAGE LEFT INTENTIONALLY BLANK]
Motion to adopt by Councilman Mike Forster; second by Vice Mayor Ted Blackburn.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Ken Philipson       YES
Vice Mayor Ted Blackburn  YES
Councilman Mike Forster   YES
Councilwoman Deb Gillis   YES
Councilman Dave Purdo     YES

PASSED AND ADOPTED on this 9th day of May, 2013.

Ken Philipson
KEN PHILIPSON, MAYOR

ATTEST:

ARIANA S. LAWSON, 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 of this 10th day of May, 2013.

ARIANA S. LAWSON
VILLAGE CLERK

cc: Florida Department of Economic Opportunity
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