RESOLUTION NO. 13-11-87

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 4 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 November 14, 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 22,288 square feet of floor area in 2013; and

WHEREAS, pursuant to Resolution 13-02-04 a total of 4,075 square feet of nonresidential floor area was allocated in Quarter 1 of 2013; and

WHEREAS, pursuant to Resolution 13-05-23 a total of 15,561 square feet of nonresidential floor area was allocated in Quarter 2 of 2013; and
WHEREAS, pursuant to Resolution 13-08-50 a total of 2,652 square feet of nonresidential floor area was allocated in Quarter 3 of 2013; and

WHEREAS, pursuant to Resolution No. 13-05-23, 15,561 square feet was allocated to Building Permit COB201300131; and

WHEREAS, Building Permit COB201300131 was voluntarily withdrawn by the applicant and voided by the Village; and

WHEREAS, the previously allocated 15,561 square feet associated with voided building permit COB201300131 was transferred and incorporated back into the Village BPAS for future allocation of square footage for 2013; and

WHEREAS, a total of 15,770 square feet of nonresidential floor area is available for allocation in Quarter 4 of 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 Preferred Income Partners, 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 4 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 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 Vice Mayor Deb Gillis, second by Councilman Mike Forster.

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

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

PASSED AND ADOPTED THIS 14TH DAY OF NOVEMBER, 2013.

ATTEST:                        
TED BLACKBURN, MAYOR

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 15th day of November, 2013.

Ariana S. Lawson, Village Clerk

cc: Florida Department of Economic Opportunity