RESOLUTION NO. 15-02-17

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATION RANKINGS AND AWARDING AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 1 OF 2015 OF THE BUILDING PERMIT ALLOCATION SYSTEM; 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. 14-11-92, thereby establishing a total of thirty-three (33) affordable residential units for allocation in 2015; and

WHEREAS, on February 12, 2015, the Village Council conducted a public hearing regarding the Residential Dwelling Unit Allocation Evaluation Report (the “Report”) submitted by the Director of Planning and Development Services (the “Director”) pursuant to the applicable provisions of the Village Code and Comprehensive Plan; and

WHEREAS, the Village Council desires to approve the affordable residential building permit allocation rankings and award the allocations for Quarter 1 of 2015.

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:

The Village Council approves the ranking and recommendation of the Director (Exhibit “A”) to award two (2) allocations for affordable dwelling units as follows: one (1) allocation to Elizabeth Jacocks of Jacocks Parking, LLC with 11 points; and one (1) allocation to Nikolai and Anna Simonov with 10 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”) applications for Quarter 1 of 2015 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 Councilman Chris Sante, second by Vice Mayor Deb Gillis.

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

Mayor Mike Forster    YES
Vice Mayor Deb Gillis  YES
Councilman Chris Sante YES
Councilman Dennis Ward  YES
Councilman Jim Mooney  ABSENT

PASSED AND ADOPTED THIS 12TH DAY OF FEBRUARY, 2015.

MIKE FORSTER, MAYOR

ATTEST:

KELLY TOTH, VILLAGE CLERK

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

ROGET W. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 13 day of February, 2015.

Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity
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<th>Rank</th>
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