RESOLUTION NO. 15-09-94

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 3 OF 2015; 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 twenty-two (22) market rate residential units for allocation in 2015, including five (5) market rate “without land dedication” allocations available for Quarter 3 of 2015; and

WHEREAS, on September 10, 2015, 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 allocation rankings and award the allocations for Quarter 3 of 2015.

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

Page 1 of 3
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 hereby approves the ranking and recommendation of the Director (Exhibit “A”) to award five (5) allocations for market rate dwelling units without land dedication as follows: one (1) allocation to Real Estate Number 00422530-000000, the property owner Betty Gazzola, with 22 points; one (1) allocation to Real Estate Number 00394770-000100, the property owner James E. Lindstrom, with 17 points; one (1) allocation to Real Estate Number 00424370-000100, the property owner Native Rental Properties, LLC; one (1) allocation to Real Estate Number 00419751-000400, the property owner Jonathan and Ashley Lindmar, with 17 points; and one (1) allocation to Real Estate Number 00394489-012500, the property owner Christopher Twohey, with 15 points.

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”) applications for Quarter 3 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 Vice Mayor Deb Gillis; second by Councilman Dennis Ward.

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     YES

PASSED AND ADOPTED THIS 10TH DAY OF SEPTEMBER, 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 V. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this ____ day of _________, 2015.

______________________________
Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity