



Islamorada, Village of Islands Planning & Development Services

86800 Overseas Highway, Islamorada, FL 33036
T: 305-664-6400, F: 305-664-6467

APPLICATION FOR ADMINISTRATIVE RELIEF

Pursuant to Code Section 30-477
Application Fee: \$1,500.00

An application for administrative relief shall be filed with the Planning and Development Services Department **no earlier than the conclusion of the fourth annual allocation period and no later than 120 days following the close of the fourth annual allocation period.**

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. **See list of required submittals and documents below.**

APPLICANT / AGENT (if applicable): Property owner must submit a **notarized** letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: _____
Mailing Address: _____
Primary Phone: _____ Fax: _____
Email: _____

PROPERTY OWNER:

Name: _____
Mailing Address: _____
Primary Phone: _____ Fax: _____
Email: _____

LEGAL DESCRIPTION OF PROPERTY: If in metes and bounds, attach legal description on separate sheet.

Physical Address: _____ Mile Marker: _____
Lot: _____ Block: _____ Subdivision: _____
 Plantation Key Windley Key Upper Matecumbe Key Lower Matecumbe Key
Real Estate (RE) Number: _____ Alternate Key: _____

CRITERIA FOR ADMINISTRATIVE RELIEF: Has the applicant complied with all requirements of the building permit allocation system (BPAS)? Yes No

Comments: _____

Has the subject application been withdrawn at any time? Yes No

Comments: _____

Has the subject application been considered in at least four (4) consecutive annual allocation periods and failed to receive an allocation award? Please provide appropriate information below.

Date of most recent BPAS application: _____ Permit Number: _____

Application for Administrative Relief

What type of administrative relief are you seeking? Please check a box.

- Allocation award Purchase of property at fair market value
 Other (please specify): _____

Please provide responses to the following:

Pursuant to Code Sections 30-552 and 30-553, in making the proposed beneficial use determination, the Village Council will consider, in addition to those guidelines in the comprehensive plan, the following:

1. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest. _____

2. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property. _____

3. Relevant parcel. **(IF APPLICABLE)**

a. Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on "the parcel as a whole" and not on particular segments or portions of the parcel. The Village Council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

1. The "physical contiguity" of the lots: _____

2. The "unity of ownership" of the lots (i.e., does the applicant own all of the lots in question): _____

3. The "unity of use" between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

i. Was it the intent of the landowner to use the lots for a single use? _____

ii. What is the suitability of the lots for a single or separate use versus a combined use? _____

- iii. Are the lots dependent on each other for the ability to have a single use? _____

- iv. Is there a reasonable economic use of the lots if unified? _____

- v. What is the current zoning of each lot? _____

- vi. What is the physical size and appearance of the lots and how are adjacent properties used or developed? _____

- vii. What is the actual current use of the lots? _____

- viii. What is the possibility of the lots being used together in the next ten years? _____

b. The Village Council shall not consider anything less than a platted lot to be the parcel of real property.

4. Once the relevant parcel is determined, the Village Council must analyze the following factors for that parcel:

- a. The economic impact of the regulation on the parcel; and
- b. The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:
 - 1. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?): _____

 - 2. The history of the development of the parcel (i.e., What was built on the parcel and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?): _____

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3. The history of zoning and regulation (i.e., How and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?): _____

 4. How development changed when title was passed: _____

 5. What is the present nature and extent of the use of the parcel: _____

 6. What were the reasonable expectations of the landowner under Florida common law: _____

 7. What were the reasonable expectations of the neighboring landowners under Florida common law:

 8. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation: _____

 9. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation: _____

Please submit the following with all applications:

- Correct fee (check or money order to “Islamorada, Village of Islands”)
- Current property record card from the Monroe County Property Appraiser
- Proof of ownership (i.e. warranty deed)

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a “verifiable digital signature”, print this document and have it notarized.

Signature of Applicant _____
Date

Print Name: _____

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me by means of _____ physical appearance or _____ online notarization, this _____ day of _____ 20____, by _____ (name of person signing the application) as _____ (type of authority e.g. officer, manager / member, trustee, attorney in fact) for _____ (name of entity or party on behalf of whom application was executed).

Signature of Notary Public **SEAL:**

Personally Known Produced Identification **Type of ID**_____