

RESOLUTION NO. 10-07-43

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING SECTION 1 OF RESOLUTION NO. 10-06-35 TO RESCIND THE BUILDING PERMIT ALLOCATION SYSTEM ALLOCATION AWARD PREVIOUSLY GRANTED TO DAVID AND GINETTE LESTER AND REALLOCATE THE SAME AWARD TO JOSEPHINE WOOD PERDUE AND SAMANTHA JOSEPHINE WOOD-GREER; CONSISTENT WITH THE RANKING FOR QUARTER 2 OF 2010 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 June 10, 2010, the Village Council (the "Council") conducted a public hearing (the "Public Hearing") regarding the Residential Dwelling Unit Allocation Evaluation Report (the "Report") submitted by the Director of Planning and Development Services (the "Director"); and

WHEREAS, pursuant to Resolution No. 10-06-35, David and Ginette Lester were ranked with 18 points and awarded one of six allocations without land dedication; and

WHEREAS, the approved rankings attached as "Exhibit A" to Resolution No. 10-06-35 previously approved on June 10, 2010 by the Council has not been modified and remains effective; and

WHEREAS, upon further review the Director has determined that David and Ginette Lester did timely file an application for a Building Permit Allocation System (BPAS) Allocation Award Deferral pursuant to Village Code Section 30-475(m); and

WHEREAS, the Council wishes to rescind the previously granted BPAS Allocation to David and Ginette Lester and reallocate the same award to Josephine Wood Perdue and Samantha Josephine Wood-Greer consistent with the ranking of Quarter 2 of 2010 BPAS.

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 recommendation of the Director (Exhibit "A") to rescind one (1) allocation for a market rate dwelling unit without land dedication from David and Ginette Lester with 18 points and reallocate the one (1) allocation award for a market rate dwelling unit without land dedication to Josephine Wood Perdue and Samantha Josephine Wood-Greer with 17 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 2 of 2010 of the BPAS 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 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 adopted by Councilman Johnson; seconded by Vice Mayor Achenberg.

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

Mayor Michael Reckwerdt	YES
Vice Mayor Don Achenberg	YES
Councilman Bob Johnson	YES
Councilman Ken Philipson	YES
Councilman Dave Purdo	YES

PASSED AND ADOPTED THIS 8th DAY OF JULY, 2010.



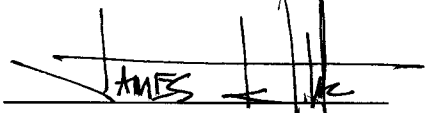
DON ACHENBERG, VICE MAYOR

ATTEST:



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 ____ day of _____, 2010.

Beverly Raddatz, Village Clerk

cc: Department of Community Affairs

DRAFT Ranking of BPAS Applications for 2010, Quarter 2 (closed April 30, 2010)

Exhibit "A"

Market Rate Allocations Without Land Dedication

Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE #
1	20041186	Roebling, Tom/Carey *Deferral Application Submitted	7/19/2004	3:22 PM	19	Plantation	Plantation Key Colony	22	13	00428720-000000
2	2005201	Kessler, William and Eileen Sotak *Deferral Application Submitted	4/21/2005	10:30 AM	19	Plantation	Venetian Shores	5	18	00408330-000000
3	20062712	Purdo, Dave *Deferral Application Submitted	1/17/2007	11:15 AM	19	Plantation	Edenair Estates	20	3	00433980-000000
4	20062717	Edgar, Barbara *Deferral Application Submitted	1/17/2007	11:16 AM	19	Plantation	Edenair Estates	21	3	00433990-000000
5	2005679	Sharon H. Trice Trustee *Deferral Application Submitted	5/9/2005	2:10 PM	18	Plantation	Venetian Shores	5	9	00406850-000000
6	2005448	Abud, Charbel *Deferral Application Submitted	6/30/2005	3:05 PM	18	Lower Matecumbe	Port Antigua	305	-	00394489-010800
7	20051530	Gabries, John & Lisa *Deferral Application Submitted	1/5/2006	10:45 AM	18	Lower Matecumbe	Port Antigua	213	8	00394489-001600
8	20051069	Mell, Claudette & Angelika Pridden *Deferral Application Submitted	1/29/2006	12:31 PM	18	Lower Matecumbe	Davis Shores	10	-	00397480-000000
9	20052260	Fazio/Ancheta/Deigert *Deferral Application Submitted	1/24/2006	1:30 PM	18	Lower Matecumbe	Mate Lido Beach	12	-	00396020-000000
10	20052353	Lanzon, Douglas & Carole *Deferral Application Submitted	1/31/2006	1:00 AM	18	Lower Matecumbe	Port Antigua	258	-	00394489-006100
11	20052051	Twohey, Christopher J. *Deferral Application Submitted	2/7/2006	11:45 AM	18	Lower Matecumbe	Port Antigua	322	-	00394489-012500
12	20052319	Bright, Donald *Deferral Application Submitted	2/14/2006	3:15 PM	18	Plantation	Boatmans	5	4	00437970-000000
13	2006680	Fadoul, Charles/Alison	4/27/2006	1:37 PM	18	Lower Matecumbe	White Marlin Beach	3	J	00393620-000000
14	20071912	Martinez, Lazaro & Maralina	4/27/2006	2:12 PM	18	Plantation	Treasure Harbor	8	-	00410770-000000
15	20071912	Martinez, Lazaro & Maralina	3/10/2008	1:40 PM	18	Lower Matecumbe	White Marlin Beach	21	H	00393680-000000
16	20071771	Lester, David & Ginette *Deferral Application Submitted	3/20/2008	9:40 AM	18	Plantation	Edenair	27	4	00434310-000000
17	03-01457	Hope, Christopher *Deferral Application Submitted	1/28/2004	1:54 PM	17	Upper Matecumbe	Bay Hammock Comm	7	-	00403041-000700
18	03-01456	Hope, Christopher *Deferral Application Submitted	1/28/2004	2:02 PM	17	Upper Matecumbe	Bay Hammock Comm	6	-	00403041-000600
19	20042446	Stanczyk, Nicholas	2/18/2005	1:37 PM	17	Grove Park	Upper Matecumbe	8	6	00398630-000000
20	2006445	Nichols, Gary and Beth *Deferral Application Submitted	5/10/2006	1:40 PM	17	Lower Matecumbe	White Marlin Beach	13	H	00393770-000000
21	20061103	Sharp, Michael *Deferral Application Submitted	6/9/2006	10:29 AM	17	Plantation	Indian Harbor	32	5	00420810-000000
22	2006884	Sacris, Joseph & Susan *Deferral Application Submitted	6/9/2006	10:46 AM	17	Lower Matecumbe	Matecumbe Ocean View	3	2	00396390-000000
23	2006212	Camparella, Peter C.	6/12/2006	8:57 AM	17	Plantation	Plantation Key Colony	8	6	00430730-000000
24	20061350	GLF Islamorada, Inc. *Deferral Application Submitted	6/12/2006	9:23 AM	17	Upper Matecumbe	Acreage	Pt. of 3/4	-	00404690-000000
25	2006840	Perdue, Josephine Wood and Samantha Josephine Wood-Greer	6/12/2006	9:24 AM	17	Plantation	Treasure Harbor	1	2	00410660-000000
26	20061421	Bell, William & Margaret	7/21/2006	12:40 PM	17	Lower Matecumbe	Matecumbe Ocean View	3	1	00396200-000000
27	20061357	Lo-Key Estates LLC	7/31/2006	9:16 AM	17	Lower Matecumbe	Matecumbe Sandy Beach	8	2	00394040-000000
28	20061377	Lo-Key Estates LLC	7/31/2006	10:09 AM	17	Lower Matecumbe	Matecumbe Sandy Beach	Pt. of 7	2	00394020-000200
29	20061374	Slice of Paradise	9/20/2006	2:37 PM	17	Plantation	Plantation Key Colony	4	16	00431370-000000
30	20061928	Anderson, Ramon *Deferral Application Submitted	9/28/2006	10:20 AM	17	Plantation	Plantation Key Colony	51	2	00430600-000000
31	20062352	DeWitt, Jeffery	12/11/2006	2:11 PM	17	Lower Matecumbe	White Marlin Beach	21	E	00393030-000000
32	2006484	Bauer, Sally and Joe	1/17/2007	11:18 AM	17	Upper Matecumbe	Grove Park	S 1/2 Lt 8, S 1/2 Lt 9	8	00398510-000000
33	2006463	Bauer, Sally and Joe	1/17/2007	11:19 AM	17	Upper Matecumbe	Grove Park	N 1/2 Lt 8, N 1/2 Lt 9	8	00398520-000000
34	20062966	Hulet, William G	1/31/2007	9:25 AM	17	Plantation	Coral Shores	20	-	00414460-000100
35	2006883	Hitchey, Mary L	1/31/2007	11:35 AM	17	Plantation	Kahiki Harbor	12	6	00425560-000000
36	20051866	Gerstner, Mary F	3/28/2007	8:31 AM	17	Lower Matecumbe	White Marlin Beach	7	H	00393660-000000
37	20062457	Martin, Ronald	3/28/2007	2:30 PM	17	Lower Matecumbe	Safety Harbor	2	2	00391100-000000
38	20052097	Cruzalvarez, Ruben & Silvia	9/7/2007	1:58 PM	17	Plantation	Indian Waterways	24	3	00423220-000000
39	SFC200800878	Carbonell, Terry	10/15/2008	9:55 AM	17	Plantation	Tavernaero	1	2	00437493-004100
40	20052546	McClellenthin, Bruce & Debra	8/31/2006	1:38 PM	16	Plantation	Tavernaero	11	2	00437493-004100
41	20061965	Barnes, Richard	10/10/2006	1:59 PM	16	Plantation	Gimpy Gulch	Gov. 1	-	00091880-000200
42	20062388	Porter, Charlotte	1/30/2007	2:08 PM	16	Plantation	Plantation Beach	21	6	00413690-000000
43	20062530	Reckwerdt, Robert	1/30/2007	3:00 PM	16	Upper Matecumbe	Stratons	7	12	00401270-000000
44	200727	Mueller, John	3/20/2007	10:27 AM	16	Plantation	Tavernaero	25	2	00437493-005500
45	2007679	Coleman, Phillip	5/12/2007	2:00 PM	16	Plantation Key	Venetian Shores	3	9	00406930-000000
46	20062458	Martin, Ronald	6/21/2007	11:30 AM	16	Lower Matecumbe	Safety Harbor	5	2	00391080-000000
47	20071145	Cheek, John & Laraine	7/5/2007	11:07 AM	16	Plantation	Indian Waterways	35	3	00423330-000000
48	20071970	Yasgar, Howard & Katherine	12/21/2007	8:30 AM	16	Plantation	Venetian Shores	15	11	00407370-000000
49	20071646	Sestak, Marie	1/4/2008	10:55 AM	16	Plantation	Indian Waterways	35	3	00423330-000000
50	20071646	Martinez, Lazaro & Maralina	2/19/2008	1:00 PM	16	Lower Matecumbe	White Marlin Beach	19	H	00393630-000000
51	20072160	Jerome, Sandra & William	2/28/2008	11:23 AM	16	Plantation	Plantation Key Colony	12	2	00430210-000000
52	20072336	Mize, Steve & Lori	3/13/2008	1:55 PM	16	Plantation	Boatmans Colony	4	5	00438040-000000
53	20072048	Bubnow, Victor	3/19/2008	11:05 AM	16	Plantation	Venetian Shores	4	15	00410502-010040
54	SFC200800239	Ockerlund, William	4/30/2008	11:50 AM	16	Plantation	Safety Harbor	11	4	00391490-000000
55	2005227	Mattingly, Wm & Cara	6/20/2005	12:00 PM	15	Plantation	Key Heights	6	11	00417160-000000
56	20042540	Johnson, Mark & Kara Lee	7/1/2005	9:27 AM	15	Plantation	Plantation Beach	17	9	00414460-000000
57	20051061	LoCicero, Ron & Mary	10/31/2005	3:00 PM	15	Plantation	Plantation Beach	12	7	00413860-000000
58	20051571	Ewald, Nicolas	12/18/2005	11:15 AM	15	Upper Matecumbe	The Hammock	1	00094490-000000	
59	20052591	Bright, Donald	2/16/2006	2:00 PM	15	Plantation	Randall Adams	7	-	00418810-000000
60	2006664	Lam, Sara	4/27/2006	10:59 AM	15	Plantation	Plantation Lake Estates	36	-	00093420-003500
61	2007657	Giordano, Joseph	6/19/2007	1:17 PM	15	Plantation	Vacation Village	10	3	00417840-000000

Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE #
62	2007212	Kulisky, Frank & Linda	8/24/2007	1:59 PM	15	Upper Matecumbe	Strattons	1	3	00399260-000000
63	20071998	Chamberlain, Fred	2/12/2008	2:40 PM	15	Plantation	Tavernaero	32	2	00437493-006200
64	20071248	Collings, Raymond	3/27/2008	10:20 AM	15	Lower Matecumbe	Mar Celeste Amended	20	-	00395850-000000
65	SFC200800458	Martinez, Lazaro	7/19/2008	12:30 PM	15	Lower Matecumbe	Safety Harbor	11	7	00392000-000000
66	SFC200800185	Kral, Pavel & Marta	11/13/2008	11:45 AM	15	Plantation	Indian Waterways	7	7	00424540-000100
67	20072957	Gonzales, Eduardo	11/21/2008	12:53 AM	15	Plantation	Tropical Atlantic Shores	25	6	00436950-000000
68	SFC200800747	Schreiber, Kenneth K	1/23/2009	1:37 PM	15	Plantation	Indian Waterways	27	4	00423760-000000
69	SFC200800877	Purvis, Michael	1/28/2009	11:45 AM	15	Plantation	Plantation Key Colony	9	14	00430920-000100
70	SFC200801176	Gordon, Robert	2/12/2009	2:55 PM	15	Plantation	Kahiki Harbor	21	6	00425650-000000
71	SFC200801854	Fadoul, Charles/Alison	4/6/2009	11:00 AM	15	Plantation	Venetian Shores	2	17	00408110-000000
72	2006663	Maestrelli, John & Mary	6/13/2006	1:14 PM	14	Plantation	High Point	12	3	00419751-001200
73	20061679	Bishop, William	7/31/2006	8:51 AM	14	Upper Matecumbe	-----	Pt. of 8	00094540-000000	
74	2006971	Tejera, Paul	11/15/2006	3:51 PM	14	Plantation	Plantation Lake Estates	54	-	00093420-004900
75	20042608	Gallagher, Thomas	12/12/2006	4:53 PM	14	Plantation	Key Heights	9	7	00416540-000000
76	2005983	Rodriguez Family Investment Co.	7/14/2009	9:50 AM	14	Lower Matecumbe	White Marlin Beach	28	6	00393100-000000
77	SFC200900157	Janas, Joseph	7/14/2009	3:53 PM	14	Plantation Key	Plantation Key Colony	5	6	00430700-000000
78	SFC200900084	Bryant, Brett	9/1/2009	9:03 AM	14	Plantation	Indian Waterways	31	1	00422530-000000
79	SFC200900321	Pritchard, Charles	10/10/2009	12:36 PM	14	Plantation	Treasure Harbor	7	-	00410760-000000
80	SFC200900573	Ginocchio, Mark H.	10/26/2009	1:30 PM	14	Lower Matecumbe	White Marlin Beach	14	H	00393780-000000
81	20072230	Delgado, Juan M. (Trustee)	10/30/2009	2:30 PM	14	Lower Matecumbe	Port Antigua	200	-	00394488-010900
82	SFC200900538	Martinez, Walter and Norma	11/6/2009	2:00 PM	14	Lower Matecumbe	Port Antigua	177	-	00394488-008600
83	SFC200900313	Fonte, Jiriley and Karl	11/18/2009	3:45 PM	14	Lower Matecumbe	Safety Harbor	18	3	00391330-000000
84	20051643	162 Bayview Dr. LLC	4/27/2006	10:58 AM	13	Lower Matecumbe	Safety Harbor	6	7	00391950-000000
85	20061500	Lodge Family Trust	7/7/2006	12:49 PM	13	Plantation	Plantation Shores	16	3	00418621-004400
86	20062929	Ordaz, Rolando & Myriam	8/21/2007	2:33 PM	13	Plantation	Edenair	7	1	00433460-000000
87	2007486	Gregis, Ronald	9/25/2009	9:15 AM	13	Plantation	Indian Harbor	5	6	00420660-000000
88	2007486	Gregis, Ronald	9/25/2009	9:20 AM	13	Plantation	Indian Harbor	11	5	00420660-000000
89	20052718	Lodge Living Trust	7/31/2006	10:43 AM	12	Plantation	Plantation Shores	27	3	00418621-005500
90	20061378	Cohen, Arlene and Jorge Moral	7/1/2008	10:30 AM	12	Plantation	Edenair	2	4	00434060-000000
91	SFC200800087	Chico, Pedro	12/11/2008	12:30 PM	12	Plantation	Indian Harbor	33	8	00421730-000000
92	SFC200800086	Chico, Pedro	12/11/2008	12:35 PM	12	Plantation	Indian Harbor	32	8	00421730-000000
93	2006437	Bay Hammock Estates	6/12/2006	9:24 AM	11	Upper Matecumbe	Bay Hammock Comm	33	-	00403041-003300
94	20061508	Bay Hammock Estates	7/31/2006	10:23 AM	11	Upper Matecumbe	Bay Hammock Comm	19	-	00403041-001900
95	20061510	Bay Hammock Estates	7/31/2006	10:24 AM	11	Upper Matecumbe	Bay Hammock Comm	16	-	00403041-001600
96	20061502	Bay Hammock Estates	7/31/2006	10:26 AM	11	Upper Matecumbe	Bay Hammock Comm	27	-	00403041-002700
97	20061506	Bay Hammock Estates	7/31/2006	10:27 AM	11	Upper Matecumbe	Bay Hammock Comm	26	-	00403041-002600
98	20051489	Bay Hammock Estates	7/31/2006	10:28 AM	11	Upper Matecumbe	Bay Hammock Comm	29	-	00403041-002900
99	20061501	Bay Hammock Estates	7/31/2006	10:29 AM	11	Upper Matecumbe	Bay Hammock Comm	30	-	00403041-003000
100	20061509	Bay Hammock Estates	7/31/2006	10:33 AM	11	Upper Matecumbe	Bay Hammock Comm	17	-	00403041-001700
101	20061507	Bay Hammock Estates	7/31/2006	10:34 AM	11	Upper Matecumbe	Bay Hammock Comm	20	-	00403041-002000
102	20074	Jackson, William	4/30/2007	10:52 AM	11	Plantation	Plantation Lake Estates	53	-	00093420-005402
103	2007417	Zimmer, Donald	10/9/2007	2:11 PM	11	Upper Matecumbe	Strattons	1	12	00401170-000000
104	20061504	Bay Hammock Estates	7/7/2006	12:49 PM	9	Upper Matecumbe	Bay Hammock Comm	3	-	00403041-000300
105	20061505	Ryan, Dennis	7/31/2006	10:30 AM	9	Upper Matecumbe	Bay Hammock Comm	9	-	00403041-000900
106	20061503	Ryan, Dennis	7/31/2006	10:31 AM	9	Upper Matecumbe	Bay Hammock Comm	2	-	00403041-000200
107	20061511	Bay Hammock Estates	7/31/2006	10:32 AM	9	Upper Matecumbe	Bay Hammock Comm	8	-	00403041-000800
108	20071065	Ryan, Dennis for Bay Hammock Estates	8/13/2007	2:15 PM	8	Upper Matecumbe	Bay Hammock Comm	31	-	00403041-003100
109	2006489	Frisbie, David	7/10/2006	10:04 AM	6	Lower Matecumbe	Matecumbe Ocean Bay	Tr A	-	00394760-000000
110	20062806	Vrotsos, George	7/10/2007	9:19 AM	6	Lower Matecumbe	Lower Matecumbe Harbor	81	-	00394680-000000
111	SFC200900206	Casado, Lilo	10/21/2009	9:00 AM	4	Plantation	Fontaine Lake Estates	12	6	00433320-000000
112	20061680	Evanshoff's 5 & 10 Store	8/31/2006	1:42 PM	1	Plantation	-----	Pt. 4 & 5	-	00092350-000000
113	SFC200900661	Haber, Brian & Lane, Ann	11/2/2009	9:55 AM	-1	Lower Matecumbe	Lower Matecumbe Beach	3	4	00389660-000000