

RESOLUTION NO. 20-01-07

**A RESOLUTION OF THE VILLAGE COUNCIL OF
ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA,
APPROVING RESIDENTIAL BUILDING PERMIT
ALLOCATION SYSTEM RANKINGS AND AWARDING
AFFORDABLE RESIDENTIAL BUILDING PERMIT
ALLOCATIONS FOR QUARTER 4 OF 2019; 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. 18-11-120 and 19-11-105, thereby establishing a total of twenty (20) affordable residential units for allocation in 2019; and

WHEREAS, the Village Council adopted Resolution No. 19-06-40, thereby awarding a total of seven (7) affordable residential unit allocations for Quarter 2 of 2019; and

WHEREAS, the Village Council adopted Resolution No. 19-08-64, thereby awarding a total of one (1) affordable residential unit allocation for Quarter 3 of 2019; and

WHEREAS, there are twelve (12) affordable residential units remaining for allocation in Quarter 4 2019; and

WHEREAS, on January 9, 2019, 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 affordable allocation rankings and award the affordable allocations for Quarter 4 of 2019.

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 approves the rankings and recommendation of the Director (Exhibit "A") to award three (3) allocations for affordable dwelling units to Real Estate Number 00422180-000000, property owner Lot 42 LLC, with 14 points as set forth in Exhibit "A" hereto.

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") affordable applications for Quarter 4 of 2019 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 Councilwoman Deb Gillis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

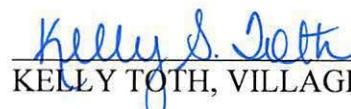
Mayor Mike Forster	YES
Vice Mayor Ken Davis	ABSENT
Councilwoman Deb Gillis	YES
Councilman Jim Mooney	YES
Council Seat 2- vacant	

PASSED AND ADOPTED this 9th day of January, 2020.



MIKE FORSTER, MAYOR

ATTEST:



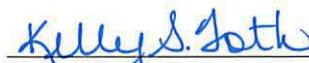
Kelly S. Toth
KELLY TOTH, VILLAGE CLERK

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 this 16 day of January, 2020.



Kelly S. Toth
Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity

DRAFT Ranking of BPAS Applications for 2019 Quarter 4 Affordable (closed Thursday, October 31, 2019 @ 12:00pm)

RECOMMENDED FOR ALLOCATION