

RESOLUTION NO. 21-12-126

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 4 OF 2021; AND PROVIDING 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 of Islamorada, Village of Islands (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. 20-12-108, thereby establishing a total of twenty-two (22) market rate residential units for allocation in 2021, including any rollover affordable from Quarter 3, five (5) market rate allocations "without land dedication" and one (1) market rate allocation "with land dedication" available for Quarter 4 of 2021; and

WHEREAS, on December 16, 2021, the Village Council conducted a public hearing regarding the Residential Dwelling Unit Allocation Evaluation Report (the "Report") submitted by the Planning Director (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 4 of 2021.

**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 as follows:

The Village Council hereby approves the ranking and recommendation of the Director to award six (6) allocations for market rate dwelling units as follows: One (1) allocation to Real Estate Number 00437493-004500, property owner Islamorada Realty Investment Trust with 18 points; One (1) allocation to Real Estate Number 00426140-000100, property owner Craig Lindback with 18 points; One (1) allocation to Real Estate Number 00432810-000200, property owner Wrenn Ekblom Development with 17 points; One (1) allocation to Real Estate Number 00418311-002800, property owner Octavio Correa with 17 points; One (1) allocation to Real Estate Number 00417840-000000, property owner Key Largo 432 LLC with 17 points; One (1) allocation to Real Estate Number 00424090-000200, property owners Jocelyn and Brian Tiedemann with 17 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") applications for Quarter 4 of 2021 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 Henry Rosenthal, seconded by Joseph B. Pinder III.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Pete Bacheler	YES
Vice Mayor Henry Rosenthal	YES
Councilman Mark Gregg	ABSTAINED
Councilman Joseph B. Pinder III	YES
Councilman David Webb	YES

PASSED AND ADOPTED THIS 16TH DAY OF DECEMBER, 2021.



PETE BACHELER, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

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



ROGET V. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 16th day of December, 2021.