

RESOLUTION NO. 21-06-47

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING NONRESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 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 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 35,315 square feet of nonresidential floor area for allocation in 2021; and

WHEREAS, on June 9, 2021, the Village Council conducted a public hearing regarding the Nonresidential 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 total amount of nonresidential floor area available for allocation in 2021 is 35,315 square feet; and

WHEREAS, the Village Council desires to approve the nonresidential building permit allocation rankings and award the allocations for Quarter 2 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 approves the ranking and recommendation of the Director to award one (1) allocation for 4,358 square feet of nonresidential floor area to NHC FL 145 LLC with five (5) points, as set forth in the Report attached hereto as Exhibit "A".

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 2 of 2021 of the BPAS has been processed in accordance with the Village's Comprehensive Plan and Land Development Regulations;
- (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 Pete Bacheler, seconded by Councilman Mark Gregg.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

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

PASSED AND ADOPTED THIS 9TH DAY OF JUNE, 2021.



JOSEPH B. PINDER III, 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

DRAFT Ranking of Nonresidential BPAS Applications for 2021 Quarter 2 (close April 30, 2021 @ 12:00 PM)										Exhibit "A"	
Applications										RECOMMENDED FOR ALLOCATION	
Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE #	Floor Area Requested
1	PRBLD202001098	NHC FL 145 LLC	4/29/2021	12:00 PM	5	Plantation	-	-	-	00093120-000000	4,358
										Total	4,358