

RESOLUTION NO. 23-01-03

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM ("BPAS") RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 4 OF 2022; 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. 21-12-127, thereby establishing a total of twenty-two (22) market rate residential units for allocation in 2022, including five (5) market rate allocations "without land dedication" and one (1) market rate allocation "with land dedication" available for Quarter 4 of 2022; and

WHEREAS, the Village Council adopted Resolution No. 22-05-38, thereby approving Residential BPAS rankings and awarding residential building permit allocations for Quarter 1 of 2022, which included three (3) market rate allocations "without land dedication" and two (2) market rate allocations "with land dedication; and

WHEREAS, the Village Council adopted Resolution No. 22-08-91, thereby approving Residential BPAS rankings and awarding residential building permit allocations for Quarter 2 of

2022, which included six (6) market rate allocations “without land dedication”; and

WHEREAS, the Village Council adopted Resolution No. 22-11-130, thereby approving Residential BPAS rankings and awarding residential building permit allocations for Quarter 3 of 2022, which included five (5) market rate allocations “without land dedication”; and

WHEREAS, on January 19, 2023, the Village Council conducted a public hearing regarding the Residential Dwelling Unit Allocation Evaluation Report (the “Report”) submitted by the Planning and Development Services Director (the “Director”) pursuant to the applicable provisions of the Village Code and Village Comprehensive Plan; and

WHEREAS, the Village Council desires to approve the Residential BPAS rankings and awarding residential building permit allocations for Quarter 4 of 2022.

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 00391830-000000, property owner William Gerald Greenwald with 18 points; One (1) allocation to Real Estate Number 00430120-000100, property owner Augustus F. and Kristy L. Moss with 18 points; One (1) allocation to Real Estate Number 00434150-000100, property owners Adam McMahon and Cathlene Vaughn with 18 points; One (1) allocation to Real Estate Number 00427920-000000, property owner Natalie Bevis and Nicholas Biondoletti with 17 points; One (1) allocation

to Real Estate Number 00429110-000100, property owner Islamorada Realty Investment Trust with 17 points; and one (1) allocation to Real Estate Number 00413420-000200, property owners Michael Strutton and Theresa Joos with 17 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") Residential Market Rate applications for Quarter 3 of 2022 have been processed in accordance with the Village's 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.

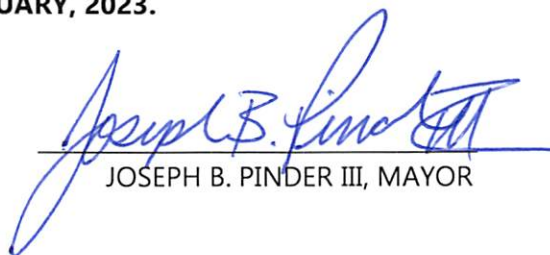
Section 3. **Effective Date.** This Resolution shall not take effect until after thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Village Code.

Motion to adopt by Elizabeth Jolin, seconded by Sharon Mahoney.

FINAL VOTE AT ADOPTION

Mayor Joseph B. Pinder III	<u>Yes</u>
Vice Mayor Sharon Mahoney	<u>Yes</u>
Councilmember Mark Gregg	<u>Abstain</u>
Councilmember Elizabeth Jolin	<u>Yes</u>
Councilmember Henry Rosenthal	<u>Yes</u>

PASSED AND ADOPTED THIS 19th DAY OF JANUARY, 2023.



JOSEPH B. PINDER III, MAYOR

ATTEST:



MARNE MCGRATH, VILLAGE CLERK

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



JOHN QUICK, INTERIM VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 19 day of January, 2023.



EXHIBIT A

BPAS

Residential Dwelling Unit Allocation Evaluation Report (the "Report")

DRAFT Ranking of BPAS Applications for 2022 Quarter 4 (closed Friday, December 30, 2022 at 12:00 PM)						12/22/2022				
Market Rate Allocations (with & without Land Dedication Points)						RECOMMENDED FOR ALLOCATION				
Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE No.
1	PRSFC202101705	L12 B7 Sunshine Estates LLC (Land Dedication)	5/2/2022	2:10:00 PM	26	Plantation Key	Sunshine Estates	12	7	00435720-000000
2	PRSFC202101308	L12 B7 Sunshine Estates LLC (Land Dedication)	6/24/2022	11:12:00 AM	26	Plantation Key	Kahiki Harbor	11	1	00429460-000000
3	PRSFC201901157	Samurai Conchstruction LLC (Land Dedication)	4/14/2022	2:20:00 PM	25	Upper Matecumbe	Bay Hammock Community	17	-	00403041-001700
4	PRSFC202100516	Martinez, Lazaro & Marialina (Land Dedication)	6/27/2022	3:08:00 PM	24	Lower Matecumbe	Marlin Beach	22	H	00393860-000000
5	PRSFC201800385	Perez, George (Land Dedication)	4/4/2022	10:23:00 AM	23	Plantation Key	Coral Shores	18	-	00411410-000000
6	PRSFC202101687	Harborgate Limited Partnership (Land Dedication)	5/10/2022	2:30:00 PM	22	Upper Matecumbe	Bay Hammock Community	7		00403041-000700
7	PRSFC202100870	Harborgate Limited Partnership (Land Dedication)	4/12/2022	1:00:00 PM	21	Upper Matecumbe	Bay Hammock Community	6		00403041-000600
8	PRSFC202000634	What A Good Catch LLC (Land Dedication)	6/20/2022	2:23:00 PM	21	Upper Matecumbe	Stratton's Subd	6	12	00401260-000000
9	PRSFC202001164	William Gerard Greenwald	12/10/2020	1:46:00 PM	18	Lower Matecumbe	Safety Harbor	11	6	00391830-000000
10	PRSFC202001087	Augustus F. and Kristy L. Moss	12/17/2020	9:40:00 AM	18	Plantation Key	Plantation Key Colony	4	2	00430120-000100
11	PRSFC202200870	McMahon & Vaughn	11/29/2022	2:26:00 PM	18	Plantation Key	Edenair	12	4	00434150-000100
12	PRSFC202000040	Natalie Bevis & Nicholas Biondoletti	7/14/2020	11:00:00 AM	17	Plantation Key	Plantation Key Colony	16	8	00427920-000000
13	PRSFC202000724	Native Construction Contracting Inc	9/4/2020	10:27:00 AM	17	Plantation Key	Plantation Key Colony	3	12	00429110-000100
14	PRSFC202000975	Strutton Michael and Joos Theresa	11/4/2020	12:40:00 PM	17	Plantation Key	Plantation Beach	7	5	00413420-000200
15	PRSFC202001126	Charles LeMoyn Hall	2/4/2021	3:00:00 PM	17	Windley	Galen Beach	38		00405340-000000
16	PRSFC202001460	Jorgensen, Deana & Paul	3/29/2021	12:53:00 PM	17	Plantation Key	Lake Harbor 1st Addition	8	-	00418311-000800
17	PRSFC202001595	Savage Marc Revocable Trust 2/24/2017	4/13/2021	11:19:00 AM	17	Lower Matecumbe	Matecumbe Ocean View	3	2	00396390-000000
18	PRSFC202100421	Luis Gonzalez	4/26/2021	1:30:00 PM	17	Plantation Key	Venetian Shores No 3	14	25	00409390-000000
19	PRSFC202001215	Brian Mass	4/27/2021	12:00:00 PM	17	Plantation Key	Kahiki Harbor	1	2	00425090-000000
20	PRSFC202001378	KAMELY URI PINKHAS	5/4/2021	12:00:00 PM	17	Lower Matecumbe	Port Antigua Plat NO 5&6	279	-	00394489-008200
21	PRSFC202100105	BLACK, RICHARD & BROOKE	5/6/2021	9:30:00 AM	17	Plantation Key	Vacation Village	7	1	00417530-000000
22	PRSFC202001467	CODISPOTI HUMBERTO & CARMEN	5/27/2021	1:00:00 PM	17	Lower Matecumbe	WHITE MARLIN BEACH SEC 1	11	C	00392430-000000
23	PRSFC202000472	LEON WILLIAM & JACKELINE	5/27/2021	1:10:00 PM	17	Lower Matecumbe	WHITE MARLIN BEACH SEC 1	18	E	00392990-001000
24	PRSFC202100428	RUIZ JORGE ALBERTO	6/16/2021	12:53:00 PM	17	Lower Matecumbe	Port Antigua Plat No. 1	11		00394486-001100
25	PRSFC202001015	NICHOLS GARY & BETH	6/25/2021	10:36:00 AM	17	Lower Matecumbe	Lower Matecumbe Beach	9	2	00388960-000100
26	PRSFC202001254	Burstyn, Samuel	8/2/2021	12:00:00 PM	17	Lower Matecumbe	Port Antigua Plat 5&6 PB6-25	317		00394489-012000
27	PRSFC202100688	Jaquelyn Wrenn Ekblom	8/5/2021	2:07:00 PM	17	Plantation Key	Fontaine Lake Estates	11	5	00433080-000000
28	PRSFC201901572	Morejon, Orlando and Annmarie	8/23/2021	2:20:00 PM	17	Upper Matecumbe	Russell Estates			00404060-000100
29	PRSFC202100572	Morejon, Orlando and Annmarie	9/24/2021	11:00:00 AM	17	Upper Matecumbe	Russell Estates			00404060-000300
30	PRSFC202100850	Lindback, Craig	10/12/2021	1:06:00 PM	17	Plantation Key	Plantation Key Colony	43	3	00426140-000200
31	PRSFC202100751	Torres, David and Sothsoler	10/25/2021	12:11:00 PM	17	Lower Matecumbe	Port Antigua Plat No 2	58		00394487-001500
32	PRSFC202100433	Makulu LLC	10/29/2021	11:44:00 AM	17	Plantation Key	Tavernero	19	1	00437493-002001
33	PRSFC202101234	Morales Rev Living Trust	11/22/2021	2:17:00 PM	17	Plantation Key	Sunshine Estates	7	1	00434630-000000
34	PRSFC202101237	Tiedemann, Jocelyn	12/1/2021	11:59:00 AM	17	Plantation Key	Key Heights Sect 2	21	4	00416180-000000
35	PRSFC202101553	Egret Investments Limited Partnership	8/30/2022	10:40:00 AM	17	Lower Matecumbe	Lower Matecumbe Beach	27-28	3	00389440-000000
36	PRSFC201802189	CBT Construction and Development, Inc.	4/11/2019	1:22:00 PM	16	Plantation Key	Indian Harbor	16	9	00421920-000000
37	PRSFC201900719	Holly Lynn Ernestes-Jones Revocable Trust	10/24/2019	3:48:00 PM	16	Upper Matecumbe	Bay Hammock Community	33	-	00403041-003300
38	PRSFC202000659	Islamorada Realty Investment Trust	7/31/2020	9:15:00 AM	16	Plantation Key	Plantation Key Colony	28	11	00429010-000000
39	PRSFC202000667	Islamorada Realty Investment Trust	7/31/2020	9:16:00 AM	16	Plantation Key	Plantation Key Colony	27	11	00429000-000000
40	PRSFC202000719	Islamorada Realty Investment Trust	8/17/2020	10:00:00 AM	16	Plantation Key	Plantation Key Colony	25	4	00426430-000000
41	PRSFC202001085	126 Port Antigua LLC	3/16/2021	3:26:00 PM	16	Lower Matecumbe	Port Antigua Plat 3 & 4	126	-	00394488-002900
42	PRSFC202100240	Gode, A.J and P.J.	9/27/2021	3:18:00 PM	16	Lower Matecumbe	Lower Matecumbe Beach	3	3	00389160-000000
43	PRSFC202100571	Morejon, Orlando and Annmarie	10/29/2021	11:50:00 AM	16	Upper Matecumbe	Russell Estates			00404060-000200
44	PRSFC202100954	Vaughn, Ray	11/1/2021	11:45:00 PM	16	Plantation Key	Edenair	8	1	00433470-000000
45	PRSFC202101049	Ferguson, James	1/14/2022	9:54:00 AM	16	Plantation Key	Indian Waterways	33	2	00422920-000000
46	PRSFC202101339	RCM of Florida LP	1/31/2022	10:33:00 AM	16	Lower Matecumbe	Mat Ocean Bay	9	3	00395240-000000
47	PRSFC202000300	Villavicencio, Jose A	6/10/2022	11:00:00 AM	16	Lower Matecumbe	WHITE MARLIN BEACH SEC 1	16	1	00393270-000000
48	PRSFC202200149	Villamil Carlos and Vicente Sonia	9/1/2022	2:00:00 PM	16	Plantation Key	Plantation Key Colony	20	15	00431260-000100
49	PRSFC202101283	Martin, Akalia	9/16/2022	10:40:00 AM	16	Plantation Key	Tropical Atlantic Shores 1 Add	25	6	00436950-000000
50	PRSFC202100967	Schrader, Kathleen	9/16/2022	10:41:00 AM	16	Plantation Key	Tavernero	11	1	0037493-001100
51	PRSFC202200170	Sanders Charles Revocable Living Trust	9/23/2022	2:00:00 PM	16	Lower Matecumbe	WHITE MARLIN BEACH SEC 1	23	G	00393580-000000
52	PRSFC202100988	162 Sunset Dr LLC	10/20/2022	12:50:00 PM	16	Lower Matecumbe	Lower Matecumbe Beach	16	3	00389310-000000
53	PRSFC201800860	LAZZERI JEFF & JULIE	4/2/2020	2:15:00 PM	15	Plantation Key	Plantation Lakes Estates	39	-	00093420-003801
54	PRSFC202001406	FERNANDEZ VIVIAN M & DOCAMPO JOSE A	5/13/2021	8:19:00 AM	15	Lower Matecumbe	Lower Matecumbe Beach	4	1	00388710-000000
55	PRSFC202100804	Island Investment Partners Inc.	10/12/2021	11:08:00 AM	15	Plantation Key	Venetian Shores Plat No 2	1	13	00407550-000000
56	PRSFC202101286	Whitehill, Doria, Gregory, Alligood, Simpson	2/22/2022	10:20:00 AM	15	Plantation Key	Venetian Shores No 2	4	18	00408320-000000
57	PRSFC202200068	Islamorada Realty Investment Trust	3/30/2022	12:32:00 PM	15	Lower Matecumbe	Matecumbe Ocean Bay Sec 2			00397120-000000

Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE No.
58	PRRFC202101379	Lonnborg, Ronald	5/11/2022	3:00:00 PM	15	Plantation Key	Plantation Beach	4	8	00414060-000000
59	PRRFC202101424	Venezia Land Trust Number Two	8/19/2022	8:40:00 AM	15	Plantation Key	Plantation Key Colony	2	7	00427330-000100
60	PRRFC202000351	Keys Basin LLC	10/7/2020	10:30:00 AM	14	Plantation Key	Vacation Village	1	1	00417470-000000
61	PRRFC202000352	Keys Basin LLC	10/7/2020	10:31:00 AM	14	Plantation Key	Vacation Village	1	1	00417470-000000
62	PRRFC201801827	Paulo & Kellen Paiva	2/4/2021	12:15:00 PM	14	Upper Matecumbe	Bay Hammock Community	20	-	00403041-000100
63	PRRFC201801826	Paulo & Kellen Paiva	2/5/2021	8:00:00 AM	14	Upper Matecumbe	Bay Hammock Community	1	-	00403041-002000
64	PRRFC202100795	MAZAL 233 LLC	9/27/2021	11:05:00 AM	14	Plantation Key	Key Heights Sect 2	5	7	00416500-000000
65	PRRFC202100796	MAZAL 233 LLC	9/27/2021	11:22:00 AM	14	Plantation Key	Key Heights Sect 2	6	7	00416510-000000
66	PRRFC202200078	Rodriquez, Robert	4/26/2022	12:00:00 PM	14	Plantation Key	Plantation Key Colony	11	7	00427430-000000
67	PRRFC201901501	Weeks, Donald	3/16/2020	8:00:00 AM	13	Plantation Key	Plantation Lake Estates	8	-	00093420-000901
68	PRRFC202000794	Hopman, Andreas	9/16/2020	10:30:00 AM	12	Lower Matecumbe	Lower Matecumbe Beach	19	4	00389820-000100
69	PRRFC202200455	Lesko, Brian and Jodi Lynn	9/8/2022	3:00:00 PM	12	Plantation Key	Bay Hammock Community	25		00403041-002500
70	PRRFC202000555	Ewald, Nicholas	4/30/2021	11:30:00 AM	10	Plantation Key	Plantation Beach	7	2	00413760-000000
71	PRRFC202200496	Cockerham, Mark	8/4/2022	9:48:00 AM	9	Upper Matecumbe		6(9)		00096220-000300
72	PRRFC202001140	Gregg, Mark	1/31/2022	10:15:00 AM	6	Plantation Key	Toners Nautical Shores			00412230-000000
73	PRRFC202000130	Rosa Maria Z Walchli REV Trust 11/5/2008	10/20/2020	9:27:00 AM	2	Plantation Key	Fontaine Lake Estates	2	5	00432990-000000