

RESOLUTION NO. 23-04-39

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 1 OF 2023; 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 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. 22-11-131, thereby establishing a total of eight (8) affordable residential units for allocation in 2023; and

WHEREAS, the Village Council adopted Resolution No. 23-01-04, thereby approving BPAS rankings and awarding one (1) affordable residential building permit allocation for Quarter 4 of 2022, reducing the available affordable allocations in 2023 to seven (7); and

WHEREAS, on April 11, 2023, the Village Council conducted a public hearing regarding the Affordable Residential Building Allocation System Ranking & Awards (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 affordable residential building permit

allocation rankings and award the allocations for Quarter 1 of 2023.

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 approve the ranking and recommendation of the Director (Exhibit "A") to award three (3) allocations for affordable dwelling units to 89210 LLC with 14 points for property identified by Real Estate Number 00422200-000000; and one (1) allocation for an affordable dwelling unit to William Ockerlund with 13 points for property identified by Real Estate Number 00394910-000000, as set forth in Exhibit "A" hereto to.

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 application for Quarter 1 of 2023 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.

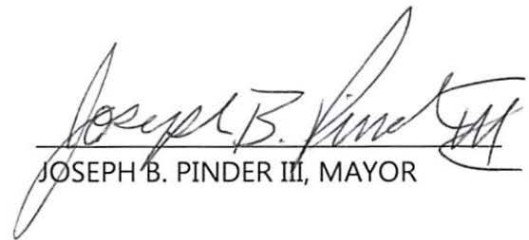
Section 3. **Effective Date.** This Resolution shall not take effect until after thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Village Code.

Motion to adopt by Council Member Mark Gregg, seconded by Vice Mayor Sharon Mahoney.

FINAL VOTE AT ADOPTION


Mayor Joseph B. Pinder III	Yes
Vice Mayor Sharon Mahoney	Yes
Councilmember Mark Gregg	Yes
Councilmember Elizabeth Jolin	Yes
Councilmember Henry Rosenthal	Yes

PASSED AND ADOPTED THIS 11TH DAY OF APRIL, 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 J. QUICK, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 13th day of April, 2023.

DRAFT Ranking of BPAS Applications for 2023 Quarter 1 Affordable (closed March 31, 2023 @ 12:00pm)								RECOMMENDED FOR ALLOCATION		
Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	Lot	Block	RE No.
1	PRCOB202200177	89210 Overseas Hwy	3/21/2023	12:30 PM	14	Plantation Key	Indian Harbor	44	9	00422200-000000
1	PRCOB202200177	89210 Overseas Hwy	3/21/2023	12:30 PM	14	Plantation Key	Indian Harbor	44	9	00422200-000000
1	PRCOB202200177	89210 Overseas Hwy	3/21/2023	12:30 PM	14	Plantation Key	Indian Harbor	44	9	00422200-000000
2	PRSF202200108	William Ockerlund	2/3/2023	11:30 AM	13	Lower Matecumbe	Matecumbe Ocean Bay	1	2	00394910-000000