

RESOLUTION NO. 23-07-67

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING NONRESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM ("BPAS") RANKINGS AND AWARDED NONRESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 2 OF 2023; 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 previously adopted Resolution No. 22-11-131, establishing a total of 33,964 square feet of nonresidential floor area available for allocation in 2023; and

WHEREAS, on April 11, 2023, the Village Council conducted a public hearing approving the Nonresidential Allocations for Quarter 1 of 2023 pursuant to Resolution 23-04-40; and

WHEREAS, on July 20, 2023, the Village Council conducted a public hearing approving Nonresidential Allocation Evaluation Report (the "Report") submitted by the Director of Planning and Development Services (the "Director") pursuant to the applicable provisions of the Village Code and Village Comprehensive Plan; and

WHEREAS, the Village Council desires to approve the Nonresidential BPAS rankings and award for Quarter 2 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 find and determine as follows:

The Village Council approves the ranking and recommendation of the Director to award one (1) allocation for 3,190 square feet of nonresidential floor area to ISLAMORADA FISHING CLUB with eleven (11) points having Real Estate Parcel ID 00399380-000000, 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 2023 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.

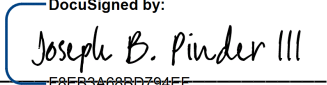
Section 3. **Effective Date.** This Resolution shall not take effect until after thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Village Code.

Motion to adopt by Jolin, seconded by Mahoney.

FINAL VOTE AT ADOPTION

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

PASSED AND ADOPTED THIS 20TH DAY OF JULY, 2023.

DocuSigned by:

 F8E83A68BD794EF...
 JOSEPH B. PINDER III, MAYOR

ATTEST:

DocuSigned by:

 008BA9A9B2704D5...
 MARNE MCGRATH, VILLAGE CLERK

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

DocuSigned by:

 362BFAA7FDD417...
 JOHN QUICK, INTERIM VILLAGE ATTORNEY

| DRAFT Ranking of Nonresidential BPAS Applications for 2023 Quarter 2 (closed June 30, 2023 @ 12:00 PM) | | | | | | | | | | | |
|---|-----------------|-------------------------|----------------------------|----------------------------|--------------|---------------------|--------------------|------------|-----------------------------------|-----------------------------|-----------------------------|
| Applications | | | | | | | | | RECOMMENDED FOR ALLOCATION | | |
| Rank | Permit # | Name | Date of Application | Time of Application | Score | Key | Subdivision | Lot | Block | RE # | Floor Area Requested |
| 1 | PRCOB202201527 | ISLAMORADA FISHING CLUB | 6/21/2023 | 11:30 AM | 11 | Upper Matecumbe Key | Strattons | 1&2 | 4 | 00399380-000000 | 3190 |
| | | | | | | | | | | | 0 |
| | | | | | | | | | | Total Allocation | 3,190 |
| | | | | | | | | | | Total Available 2023 | 32,910 |
| | | | | | | | | | | Total Remaining | 29,720 |

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