

RESOLUTION NO. 23-11-133

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING NONRESIDENTIAL
BUILDING PERMIT ALLOCATION SYSTEM ("BPAS") RANKINGS
AND AWARDING NONRESIDENTIAL BUILDING PERMIT
ALLOCATIONS FOR QUARTER 3 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 awarded 1,054 square feet of Nonresidential square footage for Quarter 1 of 2023; and

WHEREAS, on July 20, 2023, the Village Council awarded 3,190 square feet of Nonresidential square footage for Quarter 1 of 2023; and

WHEREAS, the Village Council desires to approve the Nonresidential BPAS rankings and awards for Quarter 3 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 700 square feet of nonresidential floor area to Ciao Bella Girls with ten (10) points having Real Estate Parcel ID 00403610-000000; and one (1) allocation for 15,929 square feet of nonresidential floor area to Morada Cove Partners with eight (8) points having Real Estate Parcel ID 00093830-000000, 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 3 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.

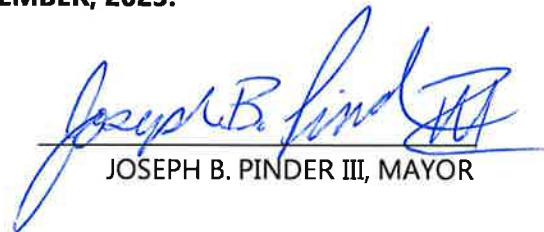
Section 3. **Effective Date.** This Resolution shall not take effect until after thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Village Code.

Motion to adopt by Mark Gregg, seconded by 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 9TH DAY OF NOVEMBER, 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:



ALISON SMITH, WEISS SEROTA - ACTING VILLAGE
ATTORNEY



This Resolution was filed in the Office of the Village Clerk of this 14th day of November, 2023.

DRAFT Ranking of Nonresidential BPAS Applications for 2023 Quarter 3 (closed September 29, 2023 @ 12:00 PM)									
Applications									
Rank	Permit #	Name	Date of Application	Time of Application	Score	Key	Subdivision	RE #	Floor Area Requested
1	PRBLD202001032	CIAO BELLA GIRLS	9/29/2023	9:44 AM	10	Upper Matecumbe	Ocean View	00403610-000000	700
2	PRCOB202201375	MORADA COVE PARTNERS	9/28/2023	1:15 PM	8	Windley		00093830-000000	15929
									0
								Total Allocation	16,629
								Total Available 2023	29,720
								Total Remaining	13,091