

**RESOLUTION NO. 19-12-112**

**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 4 OF 2019; 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 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. 18-11-120, thereby establishing a total of 48,600 square feet of nonresidential floor area for allocation in 2019; and

**WHEREAS**, on December 12, 2019, 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 2019 is 48,600 square feet; and

**WHEREAS**, the Village Council desires to approve the nonresidential building permit allocation rankings and award the allocations for Quarter 4 of 2019.

**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 778 square feet of nonresidential floor area to Tom P. Wrenn with twenty (20) points; one (1) allocation for 1,504 square feet of nonresidential floor area to Ocean Gardens and Gifts LLC with twelve (12) points; one (1) allocation for 2,246 square feet of nonresidential floor area to Lot 42 LLC with three (3) 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 4 of 2019 of the BPAS has 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 Councilman Jim Mooney, second by Vice Mayor Ken Davis.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:**

Mayor Mike Forster	YES
Vice Mayor Ken Davis	YES
Councilwoman Deb Gillis	YES
Councilwoman Cheryl Meads	ABSENT
Councilman Jim Mooney	YES

**PASSED AND ADOPTED THIS 12<sup>th</sup> DAY OF DECEMBER, 2019.**



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MIKE FORSTER, MAYOR

ATTEST:



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KELLY TOTH, VILLAGE CLERK

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



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ROGET V. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 17 day of December, 2019.



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Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity

DRAFT Ranking of Nonresidential BPAS Applications for 2019 Quarter 4 (close October 31, 2019 @ 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	PRBLD201900784	Tom P. Wrenn	8/1/2019	12:00 PM	20	Plantation Key	Long Island Pt	2		00092240-000000	778
2	PRCOB201900544	Ocean Gardens and Gifts LLC	8/15/2019	12:15 PM	12	Upper Matecumbe	Stratton's Subdivision	2 & 3	11	00401010-000000	1,504
3	PRSF201900877	Lot 42 LLC	10/21/2019	3:21 PM	3	Plantation Key	Indian Harbor	42	9	00422180-000000	2,246
										Total	4528