

RESOLUTION NO. 19-11-102

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF MONTE W. GREEN FOR MAJOR CONDITIONAL USE APPROVAL TO ALLOW FOR THE ADDITION OF 8,000 SQUARE FEET OF OUTSIDE STORAGE AREA TO AN EXISTING 19,125 SQUARE FOOT MINI-STORAGE FACILITY FOR PROPERTY LOCATED AT 86430 OVERSEAS HIGHWAY ON PLANTATION KEY IN THE I (INDUSTRIAL) ZONING DISTRICT, WITH REAL ESTATE NUMBER 00091980-000000, AS LEGALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (File No.: PLCUP20190017)

WHEREAS, Monte Green, LLC, (the "Applicant") has submitted an application for a Major Conditional Use pursuant to Section 30-217 of the Code of Ordinances (the "Code") of Islamorada, Village of Islands, Florida (the "Village") to allow for the addition of 8,000 square feet of outside storage area to an existing 19,125 square foot mini-storage facility on property located at 86430 Overseas Highway within the Village, as legally described herein (the "Property"); and,

WHEREAS, the Property is located within the Industrial (I) Zoning District; and
WHEREAS, the Director (the "Director") issued a Notice of Public Hearing on November 6, 2019; and,

WHEREAS, on November 21, 2019, the Village Council conducted a duly noticed public hearing regarding the Request.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF
ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Findings of Fact.

The Village Council, having considered the testimony and evidence presented by all parties, including Village Staff, does hereby find and determine:

- (1) The Application for a Major Conditional Use **does** meet the requirements set forth in Code Section 30-217 and **has** demonstrated through competent substantial evidence that the criteria for granting the Request have been met; and
- (2) The Village Council **approves** the Request submitted by the Applicant, which is attached as Exhibit "A" and incorporated herein by this reference, for the following described property:

THE WEST 255 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 63 SOUTH, RANGE 37 EAST, LESS THE WEST 245 FEET OF THE SOUTH 790 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 63 SOUTH, RANGE 37 EAST, PLANTATION KEY, MONROE COUNTY, FLORIDA, LYING NORTHERLY OF THE OVERSEAS HIGHWAY. (U.S. HIGHWAY NO. ONE).

Section 3. Conclusions of Law.

Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

(1) The Request has been processed in accordance with the Village Comprehensive Plan and the Code; 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 contained within the record.

Section 4. Effective Date.

This Resolution shall not take effect until after both 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 Code; and following the thirty (30) days, this resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Department of Economic Opportunity (DEO), pursuant to Chapter 9J-1 of the Florida Administrative Code. During those forty-five (45) days, the DEO may appeal this resolution to the Florida Land and Water Adjudicatory Commission, and that such an appeal stays the effectiveness of this Resolution until the appeal is resolved by agreement or order.

The foregoing resolution was offered by Vice Mayor Mike Forster, who moved its passage on first reading. This motion was seconded by Councilwoman Cheryl Meads, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Deb Gillis YES

Vice-Mayor Mike Forster YES

Councilwoman Cheryl Meads YES

Councilman Jim Mooney YES

Councilman Ken Davis YES

PASSED AND ADOPTED THIS 21st DAY OF NOVEMBER, 2019.



DEB GILLIS, MAYOR

ATTEST:


KELLY TOTH, VILLAGE CLERK

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



ROGET V. BRYAN, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 22 day of November 2019.

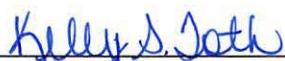

KELLY TOTH, VILLAGE CLERK

EXHIBIT "A"

