

**RESOLUTION NO. 19-09-84**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDED RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 3 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 twenty-two (22) market rate residential units for allocation in 2019, including five (5) market rate allocations “without land dedication” available for Quarter 3 of 2019; and

**WHEREAS**, on September 19, 2019, the Village Council conducted a public hearing regarding the Residential Dwelling Unit 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 Village Council desires to approve the residential building permit allocation rankings and award the allocations for Quarter 3 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 that:

The Village Council hereby approves the ranking and recommendation of the Director to award five (5) allocations for market rate dwelling units as follows: one (1) allocation to Real Estate Number 00393190-000000, property owner Garcia, Frank & Maria with 17 points; one (1) allocation to Real Estate Number 00408160-000000, property owner FL Keys Investors, LLC with 16 points; one (1) allocation to Real Estate Number 00427210-000100, property owner Panse, Joseph & Christine with 16 points; one (1) allocation to Real Estate Number 00393140-000100, property owner Silva, Eric & Soraima with 16 points; one (1) allocation to Real Estate Number 00393200-000000, property owner Johnson, Richard with 16 points, as set forth in Exhibit "A" hereto.

**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 2019 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 Councilwoman Cheryl Meads, second by Vice Mayor Mike Forster.

**FINAL VOTE AT ADOPTION**

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

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

**PASSED AND ADOPTED THIS 19<sup>TH</sup> DAY OF SEPTEMBER, 2019.**



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DEB GILLIS, MAYOR

ATTEST:

  
KELLY TOOTH, 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 23<sup>RD</sup> day of Sept., 2019.

  
Kelly Toth, Village Clerk

cc: Florida Department of Economic Opportunity