

After recording return to:  
Planning and Development Services Dept.  
Islamorada, Village of Islands  
86800 Overseas Hwy  
Islamorada FL 33036

**ORDINANCE NO. 21-02**

**This ordinance was Denied.**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF PDB ENTERPRISES, INC. AND OVERSEAS CENTER LLC., TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR PROPERTY WITH REAL ESTATE NUMBER 00418050-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**WHEREAS**, the Official Future Land Use Map of Islamorada, Village of Islands (the "Village") became effective April 30, 2002; and

**WHEREAS**, the property owner Overseas Center, LLC., has requested an Official Future Land Use Map amendment from Residential Medium (RM) to Mixed Use (MU) for a parcel consisting of approximately 0.77 acres of upland according to the Monroe County Property Appraiser, as legally described below; and

**WHEREAS**, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code, the Village Local Planning Agency publicly considered the Future Land Use Map Amendment during a duly noticed public hearing held on December 9, 2019; and

**WHEREAS**, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code of Ordinances (the "Code"), notice of the public hearings has been given for the proposed adoption of this Ordinance; and

**WHEREAS**, the Village Council of Islamorada, Village of Islands (the “Village Council”) finds that the adoption of the Official Future Land Use Map Amendment is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

**WHEREAS**, the Village Council has determined that the proposed Future Land Use Map Amendment is consistent with the Village Comprehensive Plan; and

**WHEREAS**, the Village Council desires to adopt the proposed Future Land Use Map Amendment in accordance with State law.

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

**Section 1. Recitals.** The above recitals are true and correct and incorporated herein by this reference.

**Section 2. Approval/Denial of Future Land Use Map Amendment.** The Official Future Land Use Map Amendment is hereby **denied** as part of the Official Future Land Use Map of the Village. A copy of the Official Future Land Use Map Amendment is attached as Exhibit “A” and incorporated herein by this reference, for the following described property:

*Tract F of Amended and Extended Plat of VACATION VILLAGE, according to the Plat thereof, as recorded in Plat Book 5 at Page 69 of the Public Records of Monroe County, Florida.*

**Section 3. Transmittal.** The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Economic Opportunity (the “DEO”) for approval in accordance with Section 380.05(6), Florida Statutes.

**Section 4. Effective Date.** This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Economic Opportunity (DEO) pursuant to Section 163.3184,

Florida Statutes or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by Councilman Chris Sante, who moved its passage on first reading. This motion was seconded by Councilwoman Deb Gillis, and upon being put to a vote, the vote was as follows:

|                         |     |
|-------------------------|-----|
| Mayor Mike Forster      | YES |
| Vice-Mayor Ken Davis    | YES |
| Councilwoman Deb Gillis | YES |
| Councilman Jim Mooney   | YES |
| Councilman Chris Sante  | YES |

**PASSED** on first reading this 20<sup>th</sup> day of August, 2020.

The foregoing Ordinance was offered by Councilman Mark Gregg, who moved its passage and adoption on second reading. This motion was seconded by Councilman David Webb, and upon being put to a vote, the vote was as follows:

|                            |           |
|----------------------------|-----------|
| Mayor Joseph B. Pinder III | NO        |
| Vice-Mayor Pete Bacheler   | ABSTAINED |
| Councilman Mark Gregg      | YES       |
| Councilman Henry Rosenthal | NO        |
| Councilman David Webb      | YES       |

**DENIED** on second reading this 18th day of March, 2021.

  
JOSEPH B. PINDER III, MAYOR

ATTEST:

  
KELLY S. 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

**EXHIBIT A Available Upon  
Request.**

Please contact Village Clerk at  
305-664-6413 or  
[deputyclerk@islamorada.fl.us](mailto:deputyclerk@islamorada.fl.us)