

RESOLUTION NO. 24-04-32

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM RANKINGS AND AWARDING AFFORDABLE RESIDENTIAL BUILDING PERMIT ALLOCATIONS FOR QUARTER 4 OF 2023; 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 of Islamorada, Village of Islands (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. 22-11-131, thereby establishing a total of eight (8) affordable residential units for allocation in 2023; and

WHEREAS, the Village Council adopted Resolution No. 23-01-04, thereby approving BPAS rankings and awarding one (1) affordable residential building permit allocation for Quarter 4 of 2022, reducing the available affordable allocations in 2023 to seven (7); and

WHEREAS, on April 11, 2023, the Village Council awarded four (4) allocations for affordable dwelling units; and

WHEREAS, on November 9, 2023, the Village Council awarded one (1) allocation for an affordable dwelling unit;

WHEREAS, on April 11, 2024, the Village Council conducted a public hearing regarding the

Affordable Residential Building Allocation System Ranking & Awards (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 affordable residential building permit allocation rankings and award the allocations for Quarter 4 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 approve the ranking and recommendation of the Director (Exhibit "A") to award two (2) allocations for affordable dwelling units to Mark Gregg with fourteen (14) points for property identified by Real Estate Number 00411890-000000, as set forth in Exhibit "A" hereto to.

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") affordable application for Quarter 4 of 2023 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 **deny** by Henry Rosenthal, seconded by Sharon Mahoney.

FINAL VOTE AT ADOPTION

| | |
|-------------------------------|---------|
| Mayor Joseph B. Pinder III | Yes |
| Vice Mayor Sharon Mahoney | Yes |
| Councilmember Mark Gregg | Abstain |
| Councilmember Elizabeth Jolin | Yes |
| Councilmember Henry Rosenthal | Yes |

PASSED AND ADOPTED THIS 11TH DAY OF APRIL, 2024.

DocuSigned by:

Joseph B. Pinder III

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JOSEPH B. PINDER III, MAYOR

ATTEST:

DocuSigned by:

Marne K. McGrath

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MARNE MCGRATH, VILLAGE CLERK

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

DocuSigned by:

John Quick

362BFAA7FDD417...

JOHN QUICK, INTERIM VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this 1st day of May, 2024



EXHIBIT A

Residential Building Allocation System Ranking & Awards (the "Report")

DRAFT Ranking of BPAS Applications for 2023 Quarter 4 Affordable (closed December 29 , 2023 @ 12:00pm)

| RECOMMENDED FOR ALLOCATION | | | | | | | | |
|----------------------------|----------------|-----------------------|---------------------|---------------------|-------|-----------------|------------------|-----------------------------------|
| Rank | Permit # | Name | Date of Application | Time of Application | Score | Key | Subdivision | RE No. |
| 1 thru 8 | PRCOB202101386 | ARROW DEVELOPMENT INC | 8/16/2023 | 1:24 PM | 17 | Upper Matecumbe | Strattons | 00399050-000000 & 00399080-000000 |
| 9 & 10 | PRSFA202101194 | MARK GREGG | 12/29/2023 | 8:39 AM | 14 | Plantation | Plantation Ridge | 00411890-000000 |