

Prepared by and return to:
Islamorada, Village of Islands
Planning and Development Services Department
86800 Overseas Highway
Islamorada, Florida 33036

Filed and Recorded in Official Records of
MONROE COUNTY KEVIN MADOK, CPA

RESOLUTION NO. 25-09-88

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF 90184 OVERSEAS HWY, LLC. FOR AN AMENDMENT TO THE MAJOR CONDITIONAL USE APPROVAL PLCUP20210151 TO ALLOW FOR THE REMOVAL OF SIX CONDITIONS OF APPROVAL UNDER RESOLUTION 22-12-138 FOR PROPERTY LOCATED AT 90184 OVERSEAS HIGHWAY ON PLANTATION KEY, WITH REAL ESTATE NUMBER 00431870-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 90184 Rentals, Inc., (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 redevelopment of the property for a Brewpub/Restaurant/Distillery on the first floor of an existing two-story building including the continuation of seven (7) existing deed restricted residential housing units on the second floor; along with outdoor seating pursuant to Chapter 30, Article VI, Division 9 (outdoor seating); along with parking, buffer, and landscaping relaxations from the provisions of the Village's land development regulations for property located at 90184 Overseas Highway on Plantation Key within the Village, as legally described herein (the "Property"); and,

WHEREAS, the Property is located within the Village Center (VC) Zoning District; and

WHEREAS, the Director (the "Director") sent a Notice of Public Hearing to adjacent property owners and posted a sign on the subject properties on November 18, 2022; and,

WHEREAS, on December 6, 2022, the Village Council held a Public Hearing and approved Resolution No. 22-12-138 approving with conditions the Major Conditional Use.

WHEREAS, on May 29, 2025, CBT Construction on behalf of 90184 Overseas Hwy LLC, submitted an application to amend the conditions imposed by Resolution No. 22-12-138 approving the Major Conditional Use permit.

WHEREAS, the Village Council conducted a duly noticed Public Hearing regarding the request to amend the conditions imposed by Resolution No. 22-12-138 approving with conditions the Major Conditional Use on September 11, 2025; and

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 meets the requirements set forth in Code Section 30-216, 30-218, and 30-221 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:

BLOCK 17, LOTS 1, 2, 3, 26, 27, AND 28 OF PLANTATION KEY COLONY, FIRST ADDITION, AS RECORDED IN PLAT BOOK 4, AT PAGE 4 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

(3) The approval is subject to the following Conditions of Approval:

1. Use of the property shall be limited to a Brewpub/Restaurant/Distillery with outdoor seating. A maximum of seven (7) deed restricted affordable housing units shall also be permitted on the second floor of the existing structure, as approved by Minor Conditional Use PLCUP20190033.

2. A Major Conditional Use to allow for the operation of Brewpub/Restaurant/Distillery shall be deemed granted as a part of this application.

3. The gross floor area of the Brewpub/Restaurant/Distillery shall be limited to the total floor area as shown on the plans prepared by *dgo Architecture*, entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida and dated 11-04-22. The outdoor seating area shall be limited to a maximum of 4,751 Square Feet, in accordance with the site plan prepared by *dgo Architecture*, entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida and dated 11-04-22.

4. The outdoor seating area shall be limited to a maximum of thirty-two (32) seats and a maximum area of 4,751 square feet as shown on the site plan and landscaping plan prepared by *dgo Architecture*, entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida and dated 11-04-22. Seating within the proposed outdoor plaza area may be modified upon application to the Department of Planning and Development Services provided the overall occupancy of the site does not exceed one hundred sixty (160) occupants including both indoor and outdoor space.

The operation of a food truck, as shown on the site plan prepared by *dgo Architecture*, entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida and dated 11-04-22, shall be permitted in connection with the outdoor seating area.

5. Landscaping and site improvements shall be completed pursuant to the satisfaction of the Department of Planning and Development Services and in substantial conformance with the site plan entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida, prepared by *dgo Architecture* and dated 11-04-22.

6. Relaxation from the landscaping standards contained within the Village Code shall be deemed granted as a part of this application. All landscaping improvements shall be completed and maintained in conformance with the site plan and landscaping plan approved as a part of this application entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida, prepared by *dgo Architecture* and dated 11-04-2022.

7. A parking relaxation shall be deemed granted as a part of this application. A minimum of forty-one (41) parking spaces shall be provided on site in accordance with the site plan and landscaping plan submitted as a part of this application entitled Crooked Palm distillery, 90184 Overseas Highway, Islamorada, Florida, prepared by *dgo Architecture* and dated 11-04-22

In the event adequate parking cannot be provided on site, applicant/owner agrees to maintain a shared parking agreement with an adjacent or nearby property owner pursuant to the satisfaction

of the Department of Planning and Development Services. On-street parking shall be prohibited in connection with the subject parcel. Parking for the seven (7) affordable housing units shall be provided on site separate from parking associated with the Brewpub/Restaurant/Distillery.

8. The maximum permitted occupancy of the Brewpub/Restaurant/Distillery shall be limited to 160 patrons including both indoor space and the outdoor seating area. The Village Council reserves the right to reduce the maximum permitted occupancy after due public hearing in the event adequate parking cannot be provided in connection with the operation of the Major Conditional Use

9. The improvement of the premises, in accordance with the determination of the Village Council, must be completed within twelve (12) months after the date of approval, subject to FS 252.363. If not so commenced and completed within this period, then, the Village reserves the right to revoke the approval associated with the Major Conditional Use after due public hearing. Thereafter, the operation of the Major Conditional Use shall be terminated.

10. All conditions shall be enforceable through all the powers of the Village Attorney's Office and the Village Council reserve the right after due public hearing, to rescind the Major Conditional Use issued if violation of the conditions persists.

11. Applicant/owner agrees to record these conditions as a declaration of covenants and restrictions pursuant to the satisfaction of the Village Attorney. These covenants and restrictions shall be and constitute real covenants running with the land and shall be binding upon the declarant and any and all subsequent owners of the said real property or any part thereof, and upon their heirs, executors, and administrators (or their successors and assignees) subject, however, to the right of the Islamorada, Village of Islands Village Council after a public hearing to amend, alter, annul or repeal any or all of the foregoing covenants and/or restrictions at any time with the consent of the owner or owners for the time being of the premises therein described, and such right shall be effectual and may be exercised without the consent of any adjacent owners or other owners or lienors of any other property.

12. Applicant/owner shall be provided an opportunity to remedy and/or cure any alleged violations of these conditions prior to the revocation of the Major Conditional Use or other enforcement actions referenced above.

13. Applicant/owner reserves any and all legal remedies associated with the enforcement of the above conditions.

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.

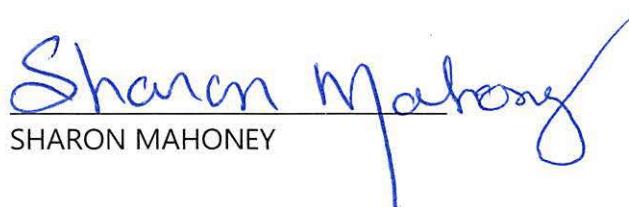
This Resolution shall not take effect until after both thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code; and following the thirty (30) days, this resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Department of Commerce (DOC), pursuant to Chapter 9J-1 of the Florida Administrative Code. During those forty-five (45) days, the DOC 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.

Motion to adopt by Councilwoman Gillis, second by Councilwoman Richards.

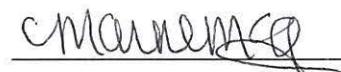
FINAL VOTE AT ADOPTION

Mayor Sharon Mahoney	YES
Vice Mayor Don Horton	YES
Councilman Steve Friedman	NO
Councilwoman Deb Gillis	YES
Councilwoman Anna Richards	YES

PASSED AND ADOPTED on the second reading this 11th day of September, 2025.


SHARON MAHONEY

ATTEST:


MARNE MCGRATH, VILLAGE CLERK

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


JOHN J. QUICK, INTERIM VILLAGE ATTORNEY

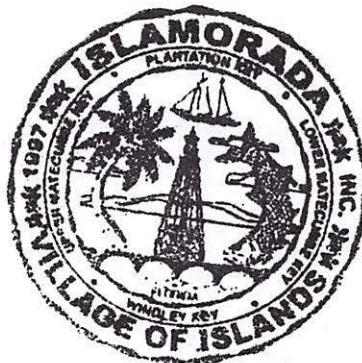


Exhibit "A"

BLOCK 17, LOTS 1, 2, 3, 26, 27, AND 28 OF PLANTATION KEY COLONY, FIRST ADDITION, AS RECORDED IN PLAT BOOK 4, AT PAGE 4 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.