



Islamorada, Village of Islands

REGULAR VILLAGE COUNCIL MEETING

January 11, 2024 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL

Mayor Joseph B. Pinder III called the meeting to order at 5:35 pm

PRESENT: Council Member Mark Gregg, Council Member Elizabeth Jolin,
Council Member Henry Rosenthal, Vice Mayor Sharon Mahoney,
Mayor Joseph B. Pinder III

ABSENT:

II. PLEDGE OF ALLEGIANCE

Lt. Carlos Moreton led the Pledge of Allegiance and Mayor Pinder began the meeting with a prayer.

III. AGENDA: Requests for Deletion / Emergency Additions

Council Member Henry Rosenthal reported on the State Housing Initiatives Partnership, an affordable housing program for local governments.

Interim Village Attorney John Quick noted that he needed to read the executive session statement.

IV. PUBLIC COMMENT

(This is general public comment. It provides an opportunity for the public to speak about matters not scheduled elsewhere on the agenda. The mayor opens public comment on agenda items throughout the meeting.)

Mayor Joseph B. Pinder III opened public comment.

Speakers included:

Van Cadenhead

Joe Wischmeier

Rebekah Susa

There being no one else wishing to speak, Mayor Pinder closed public comment.

Fire Chief Terry Abel announced the retirement of Lt. Carlos Moreton after a 15-year career with the department. Lt. Moreton thanked the department and the Village for the opportunity to serve.

V. ORDINANCES

- A. Ordinance Amending Section 22-64 First Time Home Buyer Down Payment - **First Reading TAB A** (Jennifer DeBoisbriand , Planning Director, John Quick, Interim Village Attorney, Maria Bassett, Finance Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 22 "HOUSING", ARTICLE III "FIRST TIME HOME BUYER DOWN PAYMENT", AMENDING SECTION 22-64; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF COMMERCE

Planning Director Jennifer DeBoisbriand introduced the item, noting that the Village has a \$10,000 down payment assistance loan program and the ordinance proposes to remove the requirement to pay back \$1,000 as it creates a lien on the property that can cause issues for borrowers. It was noted that the Workforce/Affordable Housing Citizens Advisory Committee would meet the following week and would be discussing the issue.

Council Member Henry Rosenthal requested the SHIP program he spoke about earlier to be added to the Workforce/Affordable Housing Committee agenda. Council concurred that the program was worth exploring, but homeowners were being affected now and this ordinance should move forward to help those already in the program.

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Deb Gillis
Rebekah Susa

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION:	Motion to approve item V.A. by Elizabeth Jolin second by Mark Gregg; Motion passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

- B. Ordinance Amending Administrative Procedures Platting - **Second Reading TAB B** (John Quick, Interim Village Attorney)
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE IV "ADMINISTRATIVE PROCEDURES", DIVISION 10 "PLATTING", SECTION 30-431 OF

**THE VILLAGE CODE; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING
FOR AN EFFECTIVE DATE.**

It was noted the ordinance was passed on first reading on December 14, 2023.

Mayor Joseph B. Pinder III opened public comment.

There being no one wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to approve item V.B. by Mark Gregg second by Henry Rosenthal;

Motion passed with a 5:0 vote

AYES: Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III

NAYS: None

ABSTAIN: None

C. Ordinance Amending Administrative Procedures Zoning in Progress -

Second Reading TAB C (John Quick, Interim Village Attorney)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 "LAND DEVELOPMENT REGULATIONS", ARTICLE IV "ADMINISTRATIVE PROCEDURES", DIVISION 2 "DEVELOPMENT REVIEW PROCESS", SECTION 30-212 OF THE VILLAGE CODE TO CREATE A ZONING IN PROGRESS PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

It was noted that the ordinance passed on the first reading on December 14, 2023.

Mayor Joseph B. Pinder III opened public comment.

There being no one wishing to speak, Mayor Pinder closed public comment.

ACTION: Motion to approve item V.C. by Mark Gregg second by Henry Rosenthal;

Motion passed with a 5:0 vote

AYES: Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III

NAYS: None

ABSTAIN: None

D. Ordinance Amending Policy 1-3.1.1, Establish a Building Permit Allocation System - Second Reading TAB D (Jennifer DeBoisbriand , Planning Director, Rebecca Jetton, Village Consultant)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING POLICY 1-3.1.1, ESTABLISH A BUILDING PERMIT ALLOCATION SYSTEM, OF THE VILLAGE COMPREHENSIVE PLAN RELATING TO ESTABLISHING ADDITIONAL NON-RESIDENTIAL BUILDING PERMIT

ALLOCATIONS; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY.

It was noted this ordinance establishes a process for the 300 workforce affordable units reinstated by the Florida Legislature.

Mayor Joseph B. Pinder III opened public comment.

Speakers included:
Van Cadenhead

There being no one else wishing to speak, Mayor Pinder closed public comment.

ACTION:	Motion to approve item V.D. by Mark Gregg second by Sharon Mahoney; Motion passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

VI. QUASI-JUDICIAL

- A.** Administrative Relief - 122 Iroquois St **TAB E** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY CHRIS TRENTINE FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 122 IROQUOIS, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT “A”; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE

Interim Village Attorney John Quick asked Council to disclose any ex-parte communications.

All five Council Members indicated that they had not spoken to anyone outside of Village staff.

Planning Director Jennifer DeBoisbriand noted the applicant was previously before them on November 9, 2023 for this property. After the hearing the Council directed staff to work with the applicant to see if a mutually beneficial compromise could be reached. Interim Village Attorney John Quick noted the November 9 presentation was part of the record for this meeting as well.

Applicant Chris Trentine noted that since the previous discussion, options have

been brought up to purchase the property from him for \$450,000; \$400,000 if it includes a TDR for a dry lot; or \$350,000 if the Village donates the lot to Habitat. Interim Village Attorney John Quick noted another option was to grant the administrative relief originally requested.

Discussion ensued, one being a conversation about offering Mr. Trentine the fair market value of the property or having an appraisal to determine the value for the Village to offer. There were differences of opinion on whether the sale price would come with a building permit or not. Several suggestions were made, but no consensus was reached.

Interim Village Manager Kimberly Matthews noted that there were too many questions on the table that couldn't be answered during this meeting. She recommended deferring the matter.

ACTION:	Motion to motion to defer item VI.A. by Mark Gregg second by Henry Rosenthal; Motion passed with a 5:0 vote
AYES:	Mark Gregg, Elizabeth Jolin, Henry Rosenthal, Sharon Mahoney, Joseph B. Pinder III
NAYS:	None
ABSTAIN:	None

VII. MAYOR / COUNCIL COMMUNICATIONS

A. Discussion Regarding Village Council Reconsideration of an Ordinance to Allow for Accessory Dwelling Units (ADUs) (Council Member Gregg) **TAB F**

Council Member Mark Gregg noted he had repeatedly attempted to persuade Council to approve an ordinance to allow accessory dwelling units. He viewed ADUs as an opportunity to create affordable housing that doesn't require clearing land, but there would have to be serious restrictions on who was eligible. Planning Director Jennifer DeBoisbriand noted she was very familiar with these as they are common in Massachusetts. Council Member Mark Gregg asked for support to allow Planning Director DeBoisbriand to do the research.

Planning Director DeBoisbriand noted she was happy to work on a presentation but wanted a consensus of Council to direct her to do so. Interim Village Attorney John Quick noted he would work with Planning Director DeBoisbriand on the item.

B. Discussion Regarding a Previously Considered Ordinance Related to Variance to Permit a Minor Relaxation of Minimum Lot Area Requirements (Council Member Gregg) **TAB G**

Council Member Mark Gregg noted he put this back on the agenda to relax the minimum lot area that was near the current threshold. He noted the ordinance was approved on first reading approximately six months ago and indicated he wanted to put the second reading of the ordinance on the March agenda.

A majority of the Council expressed their interest in moving forward.

VIII. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

Interim Village Attorney John Quick advised that an executive session was scheduled in the Gulizio case for February 15, 2024 at 4:00 p.m. at the Administrative Center.

IX. ADJOURNMENT

Council Member Henry Rosenthal moved the adjourn the meeting at 7:33 p.m.