



Islamorada, Village of Islands

LAND USE VILLAGE COUNCIL MEETING

January 9, 2025 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

MINUTES

I. CALL TO ORDER / ROLL CALL

Mayor Sharon Mahoney called the meeting to order at 05:39 PM

PRESENT: Mayor Sharon Mahoney, Vice Mayor Don Horton, Council Member Steve Friedman, Council Member Deb Gillis, Council Member Joseph B. Pinder III

ABSENT:

II. PLEDGE OF ALLEGIANCE

Ed Davidson led the Pledge of Allegiance.

III. AGENDA: Requests for Deletion / Emergency Additions

Tab A was deferred to the February 11 meeting.

IV. MAYOR / COUNCIL COMMUNICATIONS

Vice Mayor Don Horton promoted the upcoming Wounded Warrior Project Soldier Ride.

V. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

There were none.

VI. 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 Sharon Mahoney opened public comment.

Speakers included:

Beth Kaminstein

Van Cadenhead

Greg Friedman

Joe Wischmeier

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

VII. MOTIONS

- A. Discussion and appointment of Interim Village Manager ()

Interim Village Attorney John Quick noted that there was a non-disparagement clause in Former Village Manager Cole's agreement and that if anyone had questions for Council Members, they should blame him to ensure the Village was complying with the terms of the agreement.

Interim Village Attorney John Quick explained the next steps in the process and clarified why he could not serve as both Village Attorney and Interim Village Manager.

Mayor Sharon Mahoney indicated that she had reached out to the Florida League of Cities for a list of interim manager job seekers. She suggested appointing Chief Building Official Sheila Denoncourt as Acting Village Manager until the Council was able to hold a special meeting to fill the role on a longer-term basis.

Chief Building Official Denoncourt was appointed to serve as Acting Village Manager, with next steps to be determined.

Mayor Sharon Mahoney opened public comment.

Speakers included:

Van Cadenhead
Elizabeth Jolin
Ty Harris
Susan Raffanello
Joe Wischmeyer

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

The meeting recessed at 6:47 p.m. and reconvened at 6:57 p.m.

ACTION: Motion to Approve item VII.A. by Don Horton second by Deb Gillis;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

ACTION: Motion to Direct the Acting Manager to follow up on meeting the members in the FLC Transition List item VII.A. by Don Horton second by Deb Gillis;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

ACTION: Motion to Direct an internal search with piggybacking while working towards an RFP item VII.A. by Don Horton second by Deb Gillis;
Motion Passed with a 5:0 vote
AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

ACTION: Motion to Approve a temporary salary increase for Acting Village Manager Denoncourt item VII.A. by Don Horton second by Deb Gillis;
Motion Passed with a 5:0 vote
AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

VIII. RESOLUTIONS

- A.** Administrative Appeal relating to a Denial of a Vacation Rental License **TAB A - This item is continued to February 11, 2025 at this time and place** (Jennifer DeBoisbriand , Planning Director)
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING ADMINISTRATIVE APPEAL NO. PLADA20240251 FILED BY BARTON W SMITH, AGENT FOR 81641 ISLAMORADA LLC (APPELLANT) RELATING TO AN ADMINISTRATIVE DECISION AND INTERPRETATION BY THE DIRECTOR OF PLANNING (DENIAL OF A VACATION RENTAL LICENSE) FOR PROPERTY LOCATED AT 81641 OLD HWY, HAVING REAL ESTATE NUMBER 00401660-000000, ON UPPER MATECUMBE KEY; AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE STATE DEPARTMENT OF COMMERCE AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS RESOLUTION FROM THE STATE DEPARTMENT OF COMMERCE.

IX. ORDINANCES

- A.** Extending the Moratorium on Building Permit Allocations (BPAS) **TAB B** (John Quick, Interim Village Attorney)
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, EXTENDING THE TEMPORARY MORATORIUM

**ESTABLISHED PURSUANT TO ORDINANCE NO. 23-10
RELATING TO THE ACCEPTANCE OF NEW MARKET RATE
RESIDENTIAL BUILDING PERMIT ALLOCATION SYSTEM
(BPAS) APPLICATIONS (WITH OR WITHOUT LAND
DEDICATIONS); PROVIDING FOR SEVERABILITY; PROVIDING
FOR CONFLICTS; PROVIDING FOR THE TRANSMITTAL OF THIS
ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE;
AND PROVIDING FOR AN EFFECTIVE DATE UPON THE
APPROVAL OF THIS ORDINANCE BY THE STATE
DEPARTMENT OF COMMERCE.**

Planning Director Jennifer DeBoisbriand introduced the item noting that there remained fifty-four (54) market rate applications in the queue. There were no additional market rate BPAS applicants, with or without land dedication.

Due to the number of pending market rate applications in the queue and the immediate uncertainty of the availability of additional allocations, Council adopted a moratorium in September 2023 and extended it in early 2024. The current moratorium was set to expire in February 2025.

Mayor Sharon Mahoney opened public comment.

Speakers included:
Joe Wischmeier

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

ACTION:	Motion to Approve item IX.A. by Steve Friedman second by Deb Gillis; Motion Passed with a 5:0 vote
AYES:	Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis
NAYS:	None
ABSTAIN:	None

X. QUASI-JUDICIAL

- A.** Ordinance Amendment to the Future Land Use Map for Parcel 00404730-000000 - **First Reading TAB C** (Jennifer DeBoisbriand , Planning Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN

**EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE
BY THE STATE DEPARTMENT OF COMMERCE.**

Tabs C and D were combined for discussion but would be voted on separately.

Vice Mayor Don Horton abstained from the vote.

Council was asked to disclose any ex parte communications:

Council Member Deb Gillis noted the item came before her while she sat on the LPA.

Mayor Sharon Mahoney noted she had no recent communications.

Council Member Joseph B. Pinder III talked to Ty Harris about him coming to tonight's meeting.

Council Member Steve Freidman had none.

Planning Director Jennifer DeBoisbriand introduced the requests noting that staff reviewed the request for FLUM Amendment from Residential Medium to Mixed Use and determined that the request meets the criteria. Therefore, staff recommended approval of the map amendment.

She further noted that staff had reviewed the request for Zoning Map Amendment from Settlers Residential to Highway Commercial and determined that the request meets the criteria. Therefore, staff recommended approval of the map amendment.

Ty Harris represented the applicant.

Mayor Mahoney called for testimony first from speakers in favor of the requests and then from those opposed:

In favor:

None

Opposed:

Sue Miller

ACTION: Motion to Approve item X.A. by Deb Gillis second by Steve Friedman;

Motion Passed with a 4:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: Don Horton

- B.** Ordinance Amendment to the Official Zoning Map for Parcel 00404730-000000 - **First Reading TAB D** (Jennifer DeBoisbriand , Planning Director)

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF LYNN L BELL, TO AMEND THE OFFICIAL ZONING MAP FROM SETTLERS RESIDENTIAL (SR) TO HIGHWAY COMMERCIAL (HC) FOR THE

SUBJECT PROPERTY, LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00404730-000000, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

ACTION: Motion to Approve item X.B. by Deb Gillis second by Steve Friedman;

Motion Passed with a 4:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: Don Horton

- C. Administrative Relief - 169 Hibiscus Street **TAB E** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY NATIVE RENTAL PROPERTIES FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 169 HIBISCUS STREET, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council was asked to disclose any ex parte communications:

Mayor Sharon Mahoney - none

Council Member Deb Gillis - none

Vice Mayor Don Horton - none

Council Member Steve Freidman - none

Council Member Joseph B. Pinder III - none

Planning Director Jennifer DeBoisbriand summarized the request and noted remedies offered under Code Section 30-477(f):

At the conclusion of the public hearing, the Village Council may take any or a combination of the following actions:

(1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period or extended pro rata over several succeeding allocation periods.

(2) Offer to purchase the property at its fair market value.

(3) Suggest such other relief as may be necessary and appropriate.

The Village currently had twenty-two (22) allocations available for administrative relief.

Mayor Mahoney called for testimony first from speakers in favor of the requests and then from those opposed:

In favor:
None

Opposed:
Jim Enright

There being no one else wishing to provide testimony, Mayor Mahoney closed public testimony.

ACTION: Motion to Approve w/Change to Owner item X.C. by Don Horton second by Deb Gillis;
Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- D.** Administrative Relief - 171 Hibiscus Street **TAB F** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA REALTY INVESTMENT TRUST FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 171 HIBISCUS STREET, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council was asked to disclose any ex parte communications:

Mayor Sharon Mahoney - none

Council Member Deb Gillis - none

Vice Mayor Don Horton - none

Council Member Steve Freidman - none

Council Member Joseph B. Pinder III - none

Planning Director Jennifer DeBoisbriand summarized the request and noted remedies offered under Code Section 30-477(f):

At the conclusion of the public hearing, the Village Council may take any or a combination of the following actions:

- (1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period or extended pro rata over several succeeding allocation periods.
- (2) Offer to purchase the property at its fair market value.
- (3) Suggest such other relief as may be necessary and appropriate.

The Village currently had twenty-two (22) allocations available for administrative relief.

Mayor Mahoney called for testimony first from speakers in favor of the requests

and then from those opposed.

There being no one wishing to provide testimony, Mayor Mahoney closed public testimony.

ACTION: Motion to Approve item X.D. by Deb Gillis second by Joseph B. Pinder III;

Motion Passed with a 5:0 vote

AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve Friedman, Deb Gillis

NAYS: None

ABSTAIN: None

- E. Administrative Relief - 267 Hibiscus Street **TAB G** (Jennifer DeBoisbriand , Planning Director)

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY ISLAMORADA REALTY INVESTMENT TRUST FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 267 HIBISCUS STREET, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT “A”; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council was asked to disclose any ex parte communications:

Mayor Sharon Mahoney - none

Council Member Deb Gillis - none

Vice Mayor Don Horton - none

Council Member Steve Freidman - none

Council Member Joseph B. Pinder III - none

Planning Director Jennifer DeBoisbriand summarized the request and noted remedies offered under Code Section 30-477(f):

At the conclusion of the public hearing, the Village Council may take any or a combination of the following actions:

(1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period or extended pro rata over several succeeding allocation periods.

(2) Offer to purchase the property at its fair market value.

(3) Suggest such other relief as may be necessary and appropriate.

The Village currently had twenty-two (22) allocations available for administrative relief.

Mayor Mahoney called for testimony first from speakers in favor of the requests and then from those opposed.

There being no one wishing to provide testimony, Mayor Mahoney closed public testimony.

ACTION: Motion to Approve item X.E. by Deb Gillis second by Don Horton;
Motion Passed with a 5:0 vote
AYES: Sharon Mahoney, Joseph B. Pinder III, Don Horton, Steve
Friedman, Deb Gillis
NAYS: None
ABSTAIN: None

XI. ADJOURNMENT

Council Member Joseph B. Pinder III moved to adjourn the meeting at 7:51 p.m.



Marne McGrath
Village Clerk