

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA

THIRD DISTRICT

JANUARY TERM, A.D. 2004

GEORGE BAILEY, and DONNA **
BAILEY,

Appellants, **

vs. **

CASE NO. 3D03-3298

ISLAMORADA, VILLAGE OF **
ISLANDS, a political sub- **
division of the State of **
Florida, and DONALD W. HORTON, **
in his capacity as Building **
Official, **

LOWER
TRIBUNAL NO. 03-191

Appellees. **

Opinion filed June 9, 2004.

An Appeal from the Circuit Court for Monroe County, Luis M.
Garcia, Judge.

Nicholas W. Mulick, for appellants.

Weiss Serota Helfman Pastoriza Guedes Cole & Boniske and Edward
Guedes, for appellees.

Before GREEN, SHEVIN and WELLS, JJ.

PER CURIAM.

Affirmed. See City of Sanibel v. Buntrock, 409 So. 2d 1073
(Fla. 2d DCA 1981) (procedures governing zoning and rezoning
applicable to ordinance affecting land use); Smith v. City of
Clearwater, 383 So. 2d 681 (Fla. 2d DCA 1980) (permit applications
can be denied if zoning changes pending at time of application).