

AGENDA

PLANNING COMMISSION
MONROE COUNTY
August 29, 2012
10:00 A.M.

MARATHON GOV'T CENTER
2798 OVERSEAS HIGHWAY
MARATHON, FL 33050

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

Denise Werling, Chairman
Randy Wall, Vice Chairman
Jeb Hale
Elizabeth Lustberg
William Wiatt

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Susan Grimsley, Ass't County Attorney
John Wolfe, Planning Commission Counsel
Mayte Santamaria, Assistant Director of Planning and Environmental Resources
Joe Haberman, Planning & Development Review Manager
Mitch Harvey, Comp Plan Manager
Steven Biel, Sr. Planner
Rey Ortiz, Planner
Kathy Grasser, Planner
Barbara Bauman, Planner
Timothy Finn, Planner
Gail Creech, Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

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SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

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SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

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APPROVAL OF MINUTES
MEETING

New Items:

1. A public hearing to consider and finalize the ranking of applications in the Dwelling Unit Allocation System for the April 13, 2012 through July 12, 2012 ROGO quarter (4th Quarter Year 19). Allocation Awards will be allocated for all unincorporated Monroe County.

(File 2011-088)

[2011-088 SR PC 08.29.12-Website.pdf](#)

2. A public hearing to consider and finalize the ranking of applications for Non-Residential Floor Area for all unincorporated Monroe County for the NROGO Period 2 of Year 19 January 13, 2012 - July 12, 2012. Allocation Awards will be allocated for all unincorporated Monroe County.

(File 2011-087)

[2011-087 SR PC 08.29.12-Website.pdf](#)

3. CONSIDERATION OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A REQUEST BY STEPHEN ROHATY TO AMEND THE TIER MAP OVERLAY DESIGNATION FROM TIER I TO TIER III FOR PROPERTY LEGALLY DESCRIBED AS TRACT A PORPOISE POINT, SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 111, OF THE PUBLIC RECORDS OF MONROE COUNTY FLORIDA, HAVING REAL ESTATE NUMBER 00154870.000000; PROVIDING FOR SEVERABILITY AND REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE SECRETARY OF STATE AND THE STATE LAND PLANNING AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

(File 2012-052)

[2012-052 SR PC 8.29.12.PDF](#)

[2012-052 FILE.PDF](#)

[2012-052 Draft Resolution-PC.PDF](#)

[2012-052 Draft Ordinance-PC.PDF](#)

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FROM TIER I TO TIER III FOR PROPERTY OWNED BY SEACAMP ASSOCIATION, INC. AND LEGALLY DESCRIBED AS BIG PINE KEY PART OF BAY BOTTOM ADJACENT TO BLOCKS E AND F; BLOCK E, LOTS, 16, 17, 18, 19, 20; AND BLOCK F, LOTS 8, 9, 10, 11, AND 12, PINEY POINT SUBDIVISION (PB8-88) WITHIN SECTION 34, TOWNSHIP 66, RANGE 29; HAVING REAL ESTATE NUMBERS 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

(File 2012-041)

[2012-041 SR PC 8.29.12.PDF](#)

[2012-041 Draft Resolution-PC.PDF](#)

[2012-041 Draft Ordinance-PC.PDF](#)

5. DeBrule Residence, 56 Bass Avenue, Key Largo, Mile Marker 103: A request for approval of a variance of 18.8 feet from the required 25-foot front yard setback along the right-of-way of Bass Avenue in order to construct an addition above an existing carport. The subject parcel is legally described as Block 18, Lots 1, 2 and 6, Anglers Park (PB1-159), Key Largo, Monroe County, Florida, having real estate number 00553910.000000.

(File 2012-099)

[2012-099 SR PC 8.29.12.PDF](#)

[2012-099 FILE.PDF](#)

[2012-099 COMBINED Site Plans-Survey.pdf](#)

[2012-099 Letter of Support.PDF](#)

6. White Residence, 332 Spica Lane, Geiger Key, Mile Marker 10: A request for a variance of one (1) foot from the required five (5) foot side yard setback along the southern property line in order to receive an after-the-fact approval of an accessory concrete structure. As a result, the side yard setback along the southern property line would be four (4) feet. The subject property is legally described as Block 2, Lot 10, Geiger Mobile Homes (PB5-77), Monroe County, Florida, having real estate number 00145170.000000.

(File 2012-084)

[2012-084 SR PC 8.29.12.PDF](#)

[2012-084 File.PDF](#)

[2012-084 Lee Rohe repressing Haigney Item 6.PDF](#)

[2012-084 Continuance Request.PDF](#)

[2012-084 Boundary Survey.pdf](#)

[2012-084 Exhibit for PC 8.29.12.PDF](#)

[2012-084 Exhibit 2 PC 8.29.12.PDF](#)

[2012-084 Exhibit 3 PC 8.29.12.PDF](#)

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7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING MONROE COUNTY CODE SECTION 130-102, HORSES AND OTHER LIVESTOCK, TO ESTABLISH REGULATIONS RELATED TO THE KEEPING OF HORSES AND OTHER LIVESTOCK IN MONROE COUNTY, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

(File 2012-036)

[2012-036 SR PC 8.29.12.PDF](#)

Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

BOARD DISCUSSION

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GROWTH MANAGEMENT COMMENTS

- Update from Mayte Santamaria on Keith & Schnars progress

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RESOLUTIONS FOR SIGNATURE

ADJOURNMENT



**Item #1 ROGO Q4 Y20
Staff Report**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Planning Commission

Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources *T4*

From: Tiffany Stankiewicz, Development Administrator *[Signature]*

Date: August 8, 2012

Subject: Residential Dwelling Unit Evaluation Report for Quarter 4, Year 20

Meeting Date: August 29, 2012

1 This report has been prepared pursuant to Section 138-26 of the Land Development Regulations
2 (LDRs). The proposed residential dwelling unit rankings attached to this report are for the fourth
3 quarter of year twenty which covers the period April 13, 2012, through July 12, 2012.
4

5 **D) BACKGROUND INFORMATION:**
6

7 On June 23, 1992, the Monroe County Board of County Commissioners adopted Ordinance
8 #016-92, thereby implementing the Residential Dwelling Unit Allocation System. The
9 Ordinance became effective on July 13, 1992, and has been amended from time to time. On
10 March 15, 2006, the Board of County Commissioners adopted Ordinance 009-2006 to implement
11 the Tier System, and subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and
12 Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary,
13 Department of Community Affairs signed the final order deciding the challenge on September
14 26, 2007.
15

16 The Tier System, still a Rate of Growth Ordinance (ROGO), made changes such as sub-area
17 boundary districts for allocation distribution, basis of scoring applications, and administrative
18 relief.
19

20 Sub-districts are as follows: A) Lower Keys Sub-area and Upper Keys sub-area and B) Big
21 Pine/No Name Key subareas remain the same.
22

23 Therefore, background information is divided into the following categories of applications
24 reviewed this quarter.

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2
3 **A. Applications reviewed this quarter for Lower & Upper Keys Sub-areas:**
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	<i>Market Rate</i>	<i>Affordable Housing</i>
* Lower Keys	10	0
** Lower Keys (Adm. Relief)	0	0
***Upper Keys	75	1
****Upper Keys (Adm. Relief)	<u>0</u>	<u>0</u>
Total:	85	1

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13 * 7 applications are rollovers or reapplications from previous quarters.
14 ** 0 applications are rollovers or reapplications from previous quarters.
15 *** 72 applications are rollovers or reapplications from previous quarters.
16 **** 0 applications are rollovers or reapplications from previous quarters.
17

18 **B. Big Pine/No Name Key Sub-area:**
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- 20 1) On June 23, 1992, the Monroe County Board of Commissioners adopted
21 Ordinance 016-1992, thereby implementing the Residential Dwelling Unit
22 Allocation System. The ordinance became effective on July 13, 1992 and has
23 been amended from time to time.
24
25 2) In 1998, the Florida Department of Transportation, Monroe County, the Florida
26 Department of Community Affairs, the U.S. Fish and Wildlife Service and the
27 Florida Fish and Wildlife Conservation Commission signed a Memorandum of
28 Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and
29 other protected species in the project area.
30
31 3) The Livable Communikeys Program (LCP), Master Plan for Future Development
32 of Big Pine Key and No Name Key was adopted on August 18, 2004 under
33 Ordinance 029-2004. The LCP envisioned the issuance of 200 residential
34 dwelling units over 20 year horizon at a rate of roughly 10 per year. A minimum
35 of twenty percent of the 10 units per year are to be set aside for affordable housing
36 development. Below is a table tracking LCP allocations remaining at the
37 conclusion of Quarter 3 Year 20 (January 13, 2012-April 12, 2012).
38

Livable Communikeys Master Plan (LCP) 2003-2023			
	Beginning Balance	Allocated thru Quarter 3 Year 20	Balance of Allocations remaining to LCP*
Market Rate Allocations	160	82	79
Affordable Housing Allocations	40	10	30
Totals	200	92	109

* Means the total adjusted to account for expired allocations and re-use of allocations.

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- 4) On September 22, 2005, the Monroe County Board of Commissioners adopted Ordinance 025-2005 which revised the ROGO to utilize the Tier overlay as the basis for the competitive point system. The ordinance became effective on February 5, 2006.
 - 5) On June 9, 2006, the Federal Fish and Wildlife Permit was issued to 1) Monroe County, Growth Management Division, 2) Florida Department of Transportation, and 3) Florida Department of Community Affairs for Threatened and Endangered Species Incidental Take Permit (ITP) since the permittees have defined the geographic area covered by their HCP.
 - 6) Based on the revised 2010 Comprehensive Plan and the adopted Maps as part of the Master Plan for Big Pine Key and No Name Key, they are now evaluated as their own sub-area.
 - 7) **Applications reviewed this quarter for the Big Pine/No Name Key Sub-area:**

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	<i>Market Rate</i>	<i>Affordable Housing</i>
*Big Pine/No Name Key	36	0

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* 36 applications are rollovers or reapplications from previous quarters.

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- 8) The ITP requires the Permittees [1. Monroe County, Growth Management Division, 2. Florida Department of Transportation, and 3. Florida Department of Community Affairs] to ensure that the take of the covered species is minimized and mitigated. The Permittees are responsible for meeting the terms and conditions of the ITP and implementing the HCP. Pursuant to the LCP Action Item 9.2.4 the County will create a mitigation fee for new residences, non-residential floor area, and institutional uses in order to ensure that development bears its fair share of the required mitigation under the Federal ITP #TE083411-0.
 - 9) On November 14, 2007, the Board of County Commissioners adopted Ordinance 044-2007 deferring residential and non-residential allocations on Big Pine/No Name Key until a mitigation ordinance is adopted or for two months from December 1, 2007. Ordinance 044-2007 has expired.
 - 10) On May 6, 2008, the Planning Commission made a recommendation not to approve the Big Pine/No Name Key Mitigation Ordinance and forwarded their recommendation to the Board of County Commissioners for review.
 - 11) On August 20, 2008, the Growth Management Division withdrew the proposed Big Pine / No Name Key Mitigation Ordinance from the Board of County Commissioners' agenda. The Growth Management Division is exploring the

1 concept of regulatory conservation to meet or exceed the 3:1 mitigation required
2 by the Incidental Take Permit.
3

4 12) On August 19, 2009, the Board of County Commissioners discussed the utilized
5 "H" mitigation credit/debit process for public and private development located on
6 Big Pine Key and No Name Key with direction to Growth Management to pursue
7 Regulatory Conservation as a mitigation strategy using a mitigation ordinance as a
8 secondary approach. In the meantime the County is using the H bank for the
9 mitigation of allocations.
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11 **II) ALLOCATION FACTORS:**
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- 13 A. Pursuant to Section 138-24 the number of annual allocations available is 197.
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15 B. Section 138-24(c) allows any unused portion of affordable housing allocations to be
16 retained and rolled over into the next dwelling unit allocation year.
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18 C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing
19 proportions during any ROGO quarter.
20
21 D. Section 138-27(g) limits administrative relief allocations per quarter. The number of
22 allocations that may be awarded under administrative relief in any subarea quarter shall
23 be no more than fifty percent (50%) of the total available market rate allocations.
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25 E. Section 138-24(a)(6) limits the number of allocation awards in Tier I. The annual number
26 of allocation awards in Tier I shall be limited to no more than three (3) in the Upper Keys
27 and no more than three (3) in the Lower Keys. The ITP limits Big Pine/No Name Key to
28 ten (10) allocations over a twenty year period or $H = .022$ whichever is lower.
29

30 Below is a table tracking the Tier 1 allocations by Quarter/Year.
31

Tier 1 Award limits	Key (Island)	Permit Number	Tier Allocation type	Quarter, Year	Tier 1 Allocations Update
Subarea Big Pine: Begin Dec. 27, 2004 (Ordinance 029-2004)					
Limited to a maximum 10 or H=.022 whichever is lower over the life of the ITP.	Big Pine	03102303	Adm. Relief	Q 2 Y 16	Big Pine/No Name Keys Subarea: Used 5 out of a maximum potential of 10 or less depending on H allowance whichever comes first.
	Big Pine	97101361	Market Rate	Q 1 Y 17	
	No Name	96101472 (Not used)	Market Rate	Q 2 Y 19	
	No Name	96101470	Market Rate	Q 2 Y 20	
	No Name	96101469	Market Rate	Q 2 Y 20	
	No Name	96101464	Market Rate	Q 3 Y 20	
Subarea Lower: Begin July 14, 2009 (Year 16)					
Lower Keys maximum annual allocations in Tier 1 is limited to 3.	Little Torch	96100414	Market Rate	Q 4 Y 16	Lower Keys: Used 3 out of the 3 allowed in Year 20.
	Sugarloaf	03102265 (Not used)	Adm. Relief	Q 2 Y 17	
	Ramrod	03103801	Market Rate	Q 3 Y 19	
	Ramrod	03102386	Market Rate	Q 4 Y 19	
	Sugarloaf	03102265	Adm. Relief	Q 4 Y 19	
	Ramrod	03102385	Market Rate	Q 1 Y 20	
	Big Torch	05100528	Market Rate	Q 1 Y 20	
	Summerland	05103801	Market Rate	Q 1 Y 20	
Subarea Upper: Begin July 14, 2009 (Year 16)					
Upper Keys maximum annual allocations in Tier 1 is limited to 3.	Largo	04305020	Adm. Relief	Q 4 Y 17	Upper Keys: Used 0 out of 3 in Year 20

Based on the Code and Comprehensive Plan limits: 1) Big Pine/No Name Key Subarea new residential development in Tier 1 has five allocations remaining or H=.022 whichever is lower over the life of the ITP; and 2) Lower Keys Subarea has zero allocations available for the remainder of Year 20 for Tier 1 and Upper Keys Subarea has three Tier 1 allocations available in Quarter 4, Year 20.

F. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as provided for in this division, an allocation award shall expire when its corresponding building permit is not picked up after sixty (60) days of notification by certified mail of the award or, after issuance of the building permit. Below is a table tracking the expired allocation awards as of the date of the report from ROGO Year 20.

Subarea	Year, Quarter Expired Allocation was from	Building Permit Application	Name	Key	Real Estate No.	Quarter In Year 20 Re-used
upper	Y 20 Q 1	04300844	McGraw, Dave	Largo	00503800.000200	Quarter 3
upper	Y 20 Q 1	04300845	McGraw, Dave	Largo	00503800.000100	Quarter 3
upper	Y 20 Q 1	06301075	Wu Chung & Li Hung	Largo	00495730.000000	Quarter 3
upper	Y 20 Q 1	06301540	Petters, William	Largo	00446230.000000	Quarter 3
upper	Y 20 Q 1	05306641	Dahn, Jonathan (Adm. Relief Reso 284-2011)	Largo	00494280.000000	Quarter 3
Big Pine	Y 20 Q 1	05105315	Security First Storage	Big Pine	00313790.000000	Quarter 3
upper	Y 20 Q 2	06305238	McDaniel, Granger	Largo	00555380.000000	Quarter 4
upper	Y 20 Q 2	06304738	Holland, Mark	Largo	00556010.000000	Quarter 4
upper	Y 20 Q 2	06304736	Holland, Mark	Largo	00556050.000000	Quarter 4
upper	Y 20 Q 1	02304021	Island Escapes LLC	Largo	00506200.000000	Quarter 4

1 G. Monroe County Section 138-24 allows a total of 197 allocations per year (126 Market
 2 Rate and 71 Affordable Housing).
 3

4 **Year 20 Allocation Allotment Breakdown by Quarter (July 13, 2011 –July 12, 2012)**
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Area	MCC allotment by subarea	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Market Rate:					
<u>Lower Keys (Lower/Middle) Keys</u>	57	14	14	14	15
<u>Big Pine/No Name Keys</u>	8	2	2	2	2
<u>Upper Keys</u>	61	15	15	15	16
Total:	126	31	31	31	33
Affordable Housing:					
<u>Big Pine/No Name Keys</u>	*10				
<u>Lower (Lower/Middle), Upper Keys</u>	194**				

6 * BOCC Resolution 016-2012 to reserve 10 affordable housing allocations from ROGO Year 20 and borrow from the next 3 ROGO Years (21,
 7 22, & 23) to total 16 affordable housing reservations for Caya Place LLC expired. Therefore, the Big Pine/No Name Key Subarea currently has
 8 10 allocation awards available. The breakdown of allocations in the two income categories are as follows: 1) very low, low, & median income
 9 (5 allocations) and 2) moderate income (5 allocations).

10 ** The beginning balance for Affordable Housing allocations in unincorporated Monroe County excluding the Big Pine/No Name Key Subarea
 11 Quarter 3 Year 20 was 135. However, the Department recently found 59 expired reservations (52 expired BOCC Resolution 262-2002 and 7
 12 expired BOCC Resolution 210-2009) now to be added to the available affordable housing allotment. Therefore, the new available balance for
 13 Quarter 3 Year 20 is 194 (135 beginning balance + 59 expired reservations). The breakdown of allocations in the two income categories are as
 14 follows: 1) very low income, low income and median income (134.5 allocations) and 2) moderate income (59.5 allocations).
 15

16 H. Monroe County Code Section 138-26 allows the adjustment of residential ROGO
 17 allocations at the end of each quarterly allocation period of additions or subtractions to
 18 the basic allocation available by subarea such as the number of dwelling unit allocation
 19 awards that expired prior to the issuance of a corresponding building permit.
 20

21 I. Florida Administrative Rule 28-20.140 Comprehensive Plan (2)(b) "The number of
 22 permits issued annually for residential development under the Rate of Growth Ordinance
 23 shall not exceed a total annual unit cap of 197, plus any available unused ROGO
 24 allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall
 25 be split with a minimum of 71 units allocated for affordable housing in perpetuity and
 26 market rate allocations not to exceed 126 residential units per year. Unused ROGO
 27 allocations may be retained and made available only for affordable housing and
 28 Administrative Relief from ROGO year to ROGO year. Unused allocations for market
 29 rate shall be available for Administrative Relief. Any unused affordable allocations will
 30 roll over to affordable housing. A ROGO year means the twelve-month period beginning
 31 on July 13.
 32

	Unused Market Rate Allocations for Administrative Relief		Year
Lower Keys Subarea	11		19
Big Pine/No Name Key Subarea	0		19
Upper Keys Subarea	0		19
Total Allocations	11		

Note: This table does not include expired market allocations and may be revised to include expired allocation awards.

III) EVALUATION AND RANKING:

The evaluation of the allocation applications was performed by the Planning & Environmental Resources Department. Positive and negative points were granted in compliance with the evaluation criteria contained in Section 138-28 of the LDRs for the Lower (Lower/Middle), Upper Keys, and Big Pine/ No Name Key Sub-areas.

Based on the total points scored, each allocation was ranked by sub-area. If applications received identical scores, they were first ranked by date and time. Please note that any excess allocations approved must be deducted from the next quarterly allocation period pursuant to Monroe County Code Section 138-26(e). The following table shows the available market rate allocation awards for this quarter.

Table shows Total Market Rate Allocation Awards Available for Quarter 4						
	Unused Market Rate Allocations from Qrt 1	Unused Market Rate Allocations from Qrt 2	Unused Market Rate Allocations for Qrt 3	Regular Market Rate Allocations for Qrt 4	Expired Allocations for Awards for Quarter 4	Total Market Rate Allocations available for Qrt 4
Lower Keys Subarea	8	13	11	15	0	47
Big Pine/No Name Key Subarea	0	0	0	2	0	2
Upper Keys Subarea	0	0	0	16	4	20
Total Allocations	8	13	11	33	4	69

IV) RECOMMENDATIONS:

A. Market Rate Allocations Quarter 4 Year 20:

The number of applications in the Lower Keys, Big Pine/No Name Keys, and Upper Keys sub-areas was greater than the quarterly allocation awards available. Per Section 138-26(b)(7) of the LDRs, the rankings that indicate which applications received sufficient points receive an allocation award. An additional page is attached which identifies the location of each proposed allocation by island and subdivision.

The Market Rate applications that are within the quarterly allocations recommended for Quarter 4 Year 20 approval are as follows:

Lower Keys: Applicants ranked 1 through 3.

Lower Keys Administrative Relief: No Applicants.

1 Big Pine/No Name Keys: Applicants ranked 1 through 2 are recommended for allocation awards
2 based on mitigation available from Monroe County.

3 Upper Keys: Applicants ranked 1 through 20 are recommended for allocation awards.

4 Upper Keys Administrative Relief: No Applicants.

5
6 B. Affordable Housing Allocations for the Lower & Upper Keys Quarter 4 Year 20:

7
8 There are two affordable housing allocation categories: 1) very low, low, & median income and
9 2) moderate income. A total of 194 affordable housing allocations are available in the two
10 categories 1) very low income, low income and median income (134.5 allocations) and 2)
11 moderate income (59.5 allocations). The Planning Commission may amend the ratio proportions
12 for affordable housing during any ROGO quarter pursuant to MCC §138-24(a)(4).

13
14 There was zero (0) affordable housing applications submitted this quarter in the moderate income
15 category and there were zero (0) affordable housing applications submitted this quarter in the
16 very low, low & median income category.

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18 C. Affordable Housing Allocations for the Big Pine/No Name Keys Quarter 4 Year 20:

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20 There are 10 affordable housing allocations divided into two categories: 1) very low, low, &
21 median income (5 allocations) and 2) moderate income (5 allocations). The Planning
22 Commission may amend the affordable housing proportions during any ROGO quarter pursuant
23 to Monroe County Code Section 138-24(a)(4).

24
25 There were zero (0) affordable housing applications submitted this quarter in the moderate
26 income category and there were zero (0) affordable housing applications submitted this quarter in
27 the very low, low & median income category.
28

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS -YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Tier Rank	Permit #	Name	Date and Time of Application				Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts.	Land Ded	Flood	BAT/	First	Each	Payment	Total
			Date	Time	Key	ONLY ea. 4 Pts							Pt 4 per lot	Zone V	AWT	Four Years 1	Add. Years 2	to Acq. Fund up to 2		
MARKET RATE DWELLING UNITS																				
1	*	12100974	Loftus, James	8-Jun-12	11:45 AM	Ramrod	Breezeswept Beach Est.	28	4	00202360.000000	3	30	0	0	0	0	N/A	0	30	
2	*	12100909	Jolly Rodgers Holdings LJ	27-Jun-12	10:30 AM	Cudjoe	Cutthroat Harbor Est	22	19	00180340.000000	3	30	0	0	-4	0	N/A	0	26	
3	*	12101150	Watson, James	3-Jul-12	5:00 PM	Cudjoe	Cutthroat Harbor Est. 1st Add.	11	7	00184800.000000	3	30	0	0	-4	0	N/A	0	26	
4		03102384	Boundry, Ltd	26-Feb-04	11:05 AM	Ramrod		Parcel A	N/A	00114080.000000	1	10	0	0	-4	0	4	8	0	18
5		04105722	Haney, Norman	23-Dec-05	10:00 AM	Ramrod	Ramrod Shores Marina Sec.	10	5	00210811.005600	1	10	0	0	0	0	4	4	0	18
6		05106427	Parkinson, Dean	15-Mar-06	11:40 AM	Ramrod	Ramrod Shores Marina Sec.	13	3	00210500.000000	1	10	0	0	0	0	4	4	0	18
7		06101084	Schwartz, John	12-Sep-06	2:00 PM	Big Torch	Torchwood West Unit 1	15	1	00243621.001500	1	10	0	0	0	0	4	2	0	16
8		06106183	Geis, David	4-Jan-07	10:57 AM	Big Torch	Torchwood West Unit 2	8 & S 1/2 of 9	2	00243622.002100	1	10	0	0	0	0	4	2	0	16
9		07101251	Parkinson, Dean	19-Jun-07	11:09 AM	Ramrod	Ramrod Shores Marina Sec.	4	7	00210811.009500	1	10	0	0	0	0	4	2	0	16
11		06100873	O'Brien, Christopher	10-Jul-07	3:19 PM	Sugarloaf		Pt Govt 3		00119450.000000	1	10	0	0	-4	0	4	2	0	12
10		06104954	Escorcia, Jorge	26-Aug-09	12:33 PM	Summerland	Summerland Est. Re-sub #2	11 & 12	5	00200140.000000	1	10	0	0	0	0	2	N/A	0	12

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.

Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-62 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS (ADMINISTRATIVE RELIEF) - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Tier Rank	Permit #	BOCC Resolution	Name	Date	Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts. Tier 2 or 3 ONLY ea. 4 Pts	Land Ded Pt 4 per lot	Flood Zone V -4	BAT/ AWT	First Four Years 1	Each Add. Years 2	Payment to Acq. Fund up to 2	Total		
MARKET RATE DWELLING UNITS																						
<p>* Indicates a ranking sufficient to receive an allocation award. Ⓞ Indicates a ranking subject to Growth Management Division Director approval. Applicants who have a ROGO application date of Oct. 28, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.</p>																						
<p>Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																						

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKINGS,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Tier Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts. Tier 2 or 3 ONLY ea. 4 Pts	Land Ded Pt 1/2 to 4 per lot	Flood Zone V -4	BAT/ AWT	First Four Years 1	Each Add. Years 2	Payment to Acq. Fund up to 2	Total
			Date	Time															
MARKET RATE DWELLING UNITS																			
1	08305448	Concepcion, Hermilio	22-Aug-08	10:19 AM	Largo	Winston Waterways #2	21	8	00546920.000000	3	30	0	0	0	4	3	N/A	0	37
2	07301322	Garcia, Rafael	29-Aug-08	08:45 AM	Largo	Port Largo	153		00452840.000000	3	30	0	0	0	4	3	N/A	0	37
3	08302440	Holm, David	29-Sep-08	09:23 AM	Largo	South Creek Village	5	9	00487950.000100	3	30	0	0	0	4	3	N/A	0	37
4	08302439	Holm, David	9-Oct-08	11:15 AM	Largo	South Creek Village	8	9	00487950.000200	3	30	0	0	0	4	3	N/A	0	37
5	08301183	Chen, Pei	8-Oct-08	11:25 AM	Largo	Twin Lakes 1st Add.	14		00551000.001400	3	30	0	0	0	4	3	N/A	0	37
6	07303055	Concept Invest. Group	14-Oct-09	02:15 PM	Largo	Pamela Villa	28	5	00464740.000000	3	30	0	0	0	4	3	N/A	0	37
7	07305074	Almeida, Osvaldo	30-Oct-08	02:42 PM	Largo	Largo Sound Park	2	4	00470950.000000	3	30	0	0	0	4	3	N/A	0	37
8	08303951	Ignatovich, Amelia	13-Jan-09	11:00 AM	Largo	Port Largo 3rd Add.	282		00453473.000500	3	30	0	0	0	4	3	N/A	0	37
9	08302540	High Street Investments	13-Jan-09	11:05 AM	Largo	Buccaneer Point	6	5	00496131.012400	3	30	0	0	0	4	3	N/A	0	37
10	08301753	Grovas, Charles	10-Feb-09	12:17 PM	Largo	Hibiscus Park	17	3	00507920.000000	3	30	0	0	0	4	3	N/A	0	37
11	07303058	DD Largo, LLC	11-Feb-08	12:48 PM	Largo	Paradise Point Cove	23 S of Canal		00514230.000000	3	30	0	0	0	4	3	N/A	0	37
12	05303120	Schoennagel, Ralph	18-Feb-09	02:20 PM	Largo	Sunset Waterways	7	3	00530030.000000	3	30	0	0	0	4	3	N/A	0	37
13	07303656	Zupan, Michael	19-Feb-09	02:32 PM	Largo	Port Largo	12		00451430.000000	3	30	0	0	0	4	3	N/A	0	37
14	08301499	McMann, Larry	20-Feb-09	01:05 PM	Largo	Largo Sound Park	18	3	00470910.000000	3	30	0	0	0	4	3	N/A	0	37
15	08304120	Jema Investments Inc.	3-Mar-09	10:25 AM	Largo	Key Largo Park Amd	4	15	00528800.000000	3	30	0	0	0	4	3	N/A	0	37
16	08304119	Jema Investments Inc.	3-Mar-09	10:45 AM	Largo	Key Largo Park Amd	5	15	00528810.000000	3	30	0	0	0	4	3	N/A	0	37
17	08303352	Jema Investments Inc.	3-Mar-09	10:50 AM	Largo	Key Largo Park Amd	21	15	00528770.000000	3	30	0	0	0	4	3	N/A	0	37
18	08303380	Thompson, David	16-Jun-09	11:48 AM	Largo	Largo Gardens	24	8	00456890.000100	3	30	0	0	0	4	3	N/A	0	37
19	07303068	GT Largo Ent.	2-Jul-09	02:22 PM	Largo	Paradise Point Cove	22	1	00514220.000000	3	30	0	0	0	4	3	N/A	0	37
20	05305015	Lietz, Terry	8-Mar-06	11:35 AM	Largo	Twin Lakes	4 & 5	19	00505060.000000	3-A	20	4	0	0	4	4	4	0	36
21	08301878	Los Soles Properties	4-Aug-06	1:50 PM	Largo	Amd, Sunrise Point Add.	15	8	00484290.000200	3	30	0	0	-4	4	4	2	0	38
22	08303195	Thompson, Margaret	13-Jul-09	01:03 PM	Largo	Largo Sound Park	11	2	00470510.000100	3	30	0	0	0	4	2	N/A	0	36
23	08302950	Wallace, Otis	12-Nov-09	10:53 AM	Largo	Buccaneer Point	20	5	00496131.013800	3	30	0	0	0	4	2	N/A	0	36
24	11302802	Damers, Robert	24-Oct-11	02:45 PM	Largo	Pirates Cove 1st Add.	1	20	00495840.000000	3	30	0	0	0	4	0	N/A	2	36
25	10303095	Marquet/ Lima	1-Oct-10	12:40 PM	Largo	Buccaneer Point	3	1	00496131.000300	3	30	0	0	0	4	0	N/A	0	35
26	10305253	Lozano, John	6-Dec-10	10:04 AM	Largo	Key Largo Beach Add	2	13	00503330.000000	3	30	0	0	0	4	1	N/A	0	35
27	11301101	Cole, Lols	12-Apr-11	11:02 AM	Largo	Bluewater Trailer Village	14	1	00489136.001400	3	30	0	0	0	4	1	N/A	0	35
28	10300398	Rigby, William	5-May-11	1:14 PM	Largo	Ocean Isles Est.	3	3	00538630.000000	3	30	0	0	0	4	1	N/A	0	35
29	11301847	Fried, Hal	31-May-11	12:11 PM	Largo	Ocean Park Village	4	4	00446140.000000	3	30	0	0	0	4	1	N/A	0	35
30	04303770	Gannaway, Charles	7-Sep-04	11:30 AM	Largo	Bowens Addition to Riviera Village	22	6	00512200.000000	3-A	20	0	0	0	4	4	6	0	34
31	04304081	Castellanos, Lydia	5-Nov-04	09:40 AM	Largo	Twin Lakes	11	15	00550080.000000	3-A	20	0	0	0	4	4	6	0	34
32	04304080	Castellanos, Lydia	5-Nov-04	09:45 AM	Largo	Twin Lakes	10	15	00550070.000000	3-A	20	0	0	0	4	4	6	0	34
33	04305099	Gonzales, Jose	3-Jan-05	09:30 AM	Largo	Key Largo Beach	24	3	00502030.000000	3-A	20	0	0	0	4	4	6	0	34
34	04305501	Hammond, Louis G.	21-Jan-05	12:55 PM	Largo	Ocean Park Village	3	9	00446790.000000	3-A	20	0	0	0	4	4	6	0	34
35	04305516	Rodriguez, Miriam	29-Mar-05	04:00 PM	Largo	Riviera Village	28	4	00511480.000000	3-A	20	0	0	0	4	4	6	0	34
36	04305517	Rodriguez, Miriam	29-Mar-05	04:01 PM	Largo	Riviera Village	27	4	00511450.000000	3-A	20	0	0	0	4	4	6	0	34
37	04305101	Gonzalez, Jose	8-Apr-05	10:40 AM	Largo	Key Largo Beach	3	3	00501820.000000	3-A	20	0	0	0	4	4	6	0	34
38	05300925	Rodriguez, Miriam	13-Apr-05	01:00 PM	Largo	Riviera Village	29	4	00511470.000000	3-A	20	0	0	0	4	4	6	0	34
39	04305836	Sunshine Framing Inc.	26-Apr-05	11:00 AM	Largo	Harris Ocean Park 1st Add.	1	12	00450910.000000	3-A	20	0	0	0	4	4	6	0	34
40	05300246	Diaz/Rodriguez	26-Apr-05	03:00 PM	Largo	Rock Harbor Estates	2	3	00519700.000000	3-A	20	0	0	0	4	4	6	0	34
41	05300206	Triple J. Investment	5-Jul-05	10:50 AM	Largo	Ocean Park Village	23	3	00448010.000000	3-A	20	0	0	0	4	4	6	0	34
42	07303491	Barker, Joseph	9-Apr-08	10:37 AM	Largo	Buccaneer Point	34	3	00496131.007800	3	30	0	0	-4	4	4	N/A	0	34
43	10304189	Moore, John	29-Aug-11	08:00 AM	Largo	Lake Surprise Estates	2	13	00537410.000000	3	30	0	0	0	4	4	N/A	0	34
44	11302933	Native Rental Properties	15-Nov-11	08:42 AM	Largo	Largo Sound Park	6	12	00472890.000000	3	30	0	0	0	4	0	N/A	0	34
45	11304482	Rentz, Mark	14-Dec-11	09:58 AM	Largo	Sexton Cove Estates Resub.	6	6	00532701.016200	3	30	0	0	0	4	0	N/A	0	34
46	11308271	Prince, Richard	23-Feb-12	01:20 PM	Largo	Largo Sound Park	28	9	00472130.000000	3	30	0	0	0	4	0	N/A	0	34
47	12301344	Fried, Harold	9-May-12	10:07 AM	Largo	Re-sub Seaside	18	1	00491790.000000	3	30	0	0	0	4	0	N/A	0	34
48	11305801	Lopez, Manuel	7-Jun-12	02:27 PM	Largo	Bowens Addn to Riviera Village	14	11	00512830.000000	3	30	0	0	0	4	0	N/A	0	34
49	05303730	Llerena, Olga	27-Sep-05	11:25 AM	Largo	Twin Lakes	4	10	00549360.000000	3-A	20	0	0	0	4	4	4	0	32
50	05302101	Worth, George	13-Oct-05	12:30 PM	Largo	Harris Ocean Park Estates	9	3	00447890.000000	3-A	20	0	0	0	4	4	4	0	32
51	05302098	Worth, George	13-Oct-05	12:32 PM	Largo	Harris Ocean Park Estates	10	3	00447700.000000	3-A	20	0	0	0	4	4	4	0	32
52	04305584	GCC, LLC	13-Oct-05	12:35 PM	Largo	Baywood	9	N/A	00439670.000000	3-A	20	4	0	0	4	4	4	0	32
53	05302328	Mata, Hector & Vivian	9-Jan-06	-11:10 AM	Largo	Baywood	7	N/A	00439650.000000	3-A	20	4	0	0	4	4	4	0	32
54	05302063	Rodriguez, Miriam	11-Jan-06	09:50 AM	Largo	Key Largo Beach	26	3	00502050.000000	3-A	20	0	0	0	4	4	4	0	32
55	05306558	M&M Enterprises	12-Jan-06	09:25 AM	Largo	Twin Lakes	6	19	00550580.000000	3-A	20	0	0	0	4	4	4	0	32
56	05308425	Hodes, Michael	13-Jan-06	11:12 AM	Largo	Seaside Resub		Pt. Sq. 3	00492200.000000	3-A	20	0	0	0	4	4	4	0	32
57	05304652	Lewis, Ed	21-Feb-08	10:25 AM	Largo	Harris Ocean Park Est. 1st Add.	20	8	00450070.000000	3-A	20	0	0	0	4	4	4	0	32

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKINGS,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Tier Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts. Tier 2 or 3 ONLY ea. 4 Pts	Land Ded Pt 1/2 to 4 per lot	Flood Zone V -4	BAT/ AWT	First Four Years 1	Each Add. Years 2	Payment to Acq. Fund up to 2	Total
			Date	Time															
58	06305561	Taylor, Mark	2-Jan-07	09:12 AM	Largo	Ocean Park Village	4	3	00445820.000000	3-A	20	0	0	0	4	4	2	0	30
59	06306533	Davis, Sarah	16-Jan-07	02:22 PM	Largo	Ocean Park Village	10	1	00445610.000000	3-A	20	0	0	0	4	4	2	0	30
60	06305582	Harper, Linda	16-Feb-07	08:39 AM	Largo	Harris Ocean Park Est.	3	1	00446940.000000	3-A	20	0	0	0	4	4	2	0	30
61	07305168	Crawdaddy Inc.	6-May-06	12:11 PM	Largo	Bahia Mar Estates	7	9	00544910.000000	3-A	20	0	0	0	4	4	N/A	0	28
62	07304070	Jema Investments Inc.	17-Jun-08	12:01 PM	Largo	Key Largo Park Armd.	7	14	00526320.000000	3-A	20	0	0	0	4	4	N/A	0	28
63	07301529	Bauer, Sally	14-Jul-08	1:53 PM	Largo	Holiday Homesites	1	2	00530340.000000	3-A	20	0	0	0	4	3	N/A	0	27
64	06300239	Fernandez, Armando	5-Jan-10	11:27 AM	Largo	Ocean Park Village	12	9	00446660.000000	3-A	20	0	0	0	4	2	N/A	0	26
65	08303237	Native Rental Properties LL	2-Feb-10	02:57 PM	Largo	Ocean Park Village	5	2	00445660.000000	3-A	20	0	0	0	4	2	N/A	0	26
66	07302914	Childrens Anesth Assoc 40	14-Dec-11	02:10 PM	Largo	Monroe Park...	13		00572960.000000	3	30	0	0	-4	0	0	N/A	0	26
67	04303580	Parkinson, Dean	7-Sep-04	11:20 AM	Largo	Harris Ocean Park Estates	40	4	00448460.000000	1	10	0	0	0	4	4	6	0	24
68	04303599	Parkinson, Dean	7-Oct-04	12:05 PM	Largo	Ocean Park Village	10	2	00445710.000000	1	10	0	0	0	4	4	6	0	24
69	05300846	Rodriguez, Eusebio	30-Mar-05	10:45 AM	Largo	Harris Ocean Park Estates 1st Add.	8	9	00450150.000000	1	10	0	0	0	4	4	6	0	24
70	07303533	Samples, William	5-Jan-12	02:27 PM	Largo	Paradise Point	7	1	00513260.000000	3-A	20	0	0	0	4	0	N/A	0	24
71	01303683	Jess Jenn Corp.	19-May-04	12:20 PM	Largo	Gulfstream Shores	14	6	00565770.000000	1	10	0	0	0	4	6	0	22	
72	01303684	Jess Jenn Corp.	19-May-04	12:21 PM	Largo	Gulfstream Shores	4	5	00565360.000000	1	10	0	0	0	4	6	0	22	
73	01303685	Jess Jenn Corp.	14-Oct-04	06:30 AM	Largo	Gulfstream Shores	3	5	00565350.000000	1	10	0	0	0	4	6	0	20	
74	05305610	Nannini, Steven	13-Feb-06	11:25 AM	Largo	Gulfstream Shores	7	5	00565390.000000	1	10	0	0	0	4	4	0	16	
75	10303865	Dietrich, Susanne	13-Apr-12	03:05 PM	Largo	Ocean Reef Shores	113		00568041.010000	1	10	0	0	0	0	0	N/A	0	10

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 c Indicates application received a scoring correction.
 Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 006-2007.

Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 138-10, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS (ADMINISTRATIVE RELIEF) - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application			Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts. Tier 2 or 3 ONLY ea. 4 Pts	Land Ded Pt 4 per lot	Flood Zone V -4	BAT/ AWT	First Four Years 1	Each Add. Years 2	Payment to Acq. Fund up to 2	Total
MARKET RATE DWELLING UNITS																				
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to Growth Management Division Director approval. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.</p>																				
<p>Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																				

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
AFFORDABLE HOUSING - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts.	Land Ded	Flood	BAT/	First	Each	Payment	Total	
			Tier 2 or 3 ONLY ea. 4 Pts	Pt 4 per lot								Zone V -4	AWT	Four Years 1	Add. Years 2	to Acq. Fund up to 2				
AFFORDABLE DWELLING UNITS Very Low, Low, Median Income																				
No applicants under Very Low, Low, Median Income																				
AFFORDABLE DWELLING UNITS Moderate Income																				
1	*@ 10301187	Voices for Florida Keys C	09-Jul-12	02:00 PM	Largo		Pt 37		00087390.000100	3	30	0	0	0	4	0	N/A	0	34	
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to Growth Management Division Director approval. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.</p>																				

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
BIG PINE KEY and NO NAME KEY - YEAR 20, QUARTER 4 (APRIL 13, 2012 TO JULY 12, 2012)**

Rank	Permit #	Name	Date and Time of Application						Lot	Block	RE#	Tier	Tier Pts	Located on	Marsh	Key	Lot Agg	Land	Payment	AFH/	Central	Flood	First	Each	Total
			No Name	Rabbit/	Deer	Tier 2 or 3	Ded.	to						Emp	Waste	Zona V	Four	Add.							
			Date	Time	Key	Subdivision							-10	-10	-10	3	2	up to 2	6	4	-4	1	2		
MARKET RATE DWELLING UNITS																									
1 *	96101463	Schleu, Vivienne	8-Jan-97	9:16 AM	No Name	Rev. Plat Galleon Bay	4	N/A	00319494.000400	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
2 *	96101473	Schleu, Vivienne	8-Jan-97	9:16 AM	No Name	Rev. Plat Galleon Bay	14	N/A	00319494.001400	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
3	96101462	Schleu, Vivienne	8-Jan-97	9:17 AM	No Name	Rev. Plat Galleon Bay	3	N/A	00319494.000300	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
4	96101461	Schleu, Vivienne	8-Jan-97	9:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
5	96101460	Schleu, Vivienne	8-Jan-97	9:19 AM	No Name	Rev. Plat Galleon Bay	1	N/A	00319494.000100	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
6	96101465	Schleu, Vivienne	8-Jan-97	9:20 AM	No Name	Rev. Plat Galleon Bay	6	N/A	00319494.000600	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
7	96101467	Schleu, Vivienne	8-Jan-97	9:21 AM	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
6	96101468	Schleu, Vivienne	8-Jan-97	9:22 AM	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
9	96101471	Schleu, Vivienne	8-Jan-97	9:24 AM	No Name	Galleon Bay, Rev. Plat	11	N/A	00319494.001100	1	0	-10	0	0	0	0	0	0	0	0	0	4	22	16	
10	06101216	Liu, Hung	25-Jul-06	2:39 PM	Big Pine	Doctors Arm 1st Add.	26	5	00311840.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
11	06101006	Leon, Ernesto	6-Oct-06	2:30 PM	Big Pine	Doctors Arm 2nd Add.	19		00312470.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
12	06101002	Fernandez, Juan	6-Oct-06	2:31 PM	Big Pine	Doctors Arm 3rd Add.	19		00312571.002000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
13	06104544	Cabassa, Edward	13-Oct-06	9:00 AM	Big Pine	Eden Pines Colony	12	19	00269070.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
14	06101005	Vasseur, Jorge	3-Nov-06	12:06 PM	Big Pine	Doctors Arm 3rd Add Sec B	20		00312572.002100	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
15	06106156	Hahn, David	11-Jan-07	3:30 PM	Big Pine	JR Mattheu Properties Pt 2	pt 5 & 6		00109350.000500	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
16	03105296	Hochstim, Jan	29-Mar-07	6:38 AM	Big Pine	Eden Pines Colony 1st Add.	4	7	00269910.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
17	06101001	Ojeda, Alex	31-May-07	11:38 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	2		00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
18	07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	Eden Pines Colony 1st Add.	9	1	00269190.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	2	16	
19	07102237	Akins, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony	13	6	00266360.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
20	07102238	Akins, Candace	10-Sep-07	2:45 AM	Big Pine	Eden Pines Colony 3rd Add.	3	23	00271270.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
21	07103911	Shearin, Jerry	24-Oct-07	6:50 AM	Big Pine	Doctors Arm	48	1	00310490.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
22	08101995	Perez, Orlando	24-Jul-08	9:47 AM	Big Pine	Tropical Bay	31		00312890.000000	2	10	0	0	0	0	0	0	0	0	0	0	3	N/A	13	
23	08102801	Bahn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	Doctors Arm 1st Add.	3	5	00311610.000000	2	10	0	0	0	0	0	0	0	0	0	0	3	N/A	13	
24	06100507	Sampson, James	31-Jul-06	11:15 AM	Big Pine	Doctors Arm 3rd Add.	4		00312571.000500	2	10	0	0	0	0	0	0	0	0	0	0	4	2	12	
25	07100485	Akins, John	12-Jun-07	10:00 AM	Big Pine	Doctors Arm	27&PIL126	1	00310280.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	4	2	12
26	07100483	Akins, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm	25&PIL24&26	1	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	4	2	12
27	07100479	Akins, John	12-Jun-07	10:04 AM	Big Pine	Doctors Arm	23&PIL24	1	00310240.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	4	2	12
28	07100486	Akins, John	12-Jun-07	10:06 AM	Big Pine	Doctors Arm	21 & 22	1	00310220.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	4	2	12
29	05100259	Vasquez, Jovan	10-Aug-09	8:55 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	5		00312572.000600	2	10	0	0	0	0	0	0	0	0	0	0	2	N/A	12	
30	09102047	Elina, William	9-Nov-09	1:34 PM	Big Pine	Eden Pines Colony 3rd Add.	2	23	00271260.000000	2	10	0	0	0	0	0	0	0	0	0	0	2	N/A	12	
31	10103101	Mackenzie, William	17-Sep-10	10:40 AM	Big Pine	K metes and bounds			00111880.000205	3	20	0	-10	0	0	0	0	0	0	0	0	1	N/A	11	
32	12100011	Peterson, Mark	9-Apr-12	12:37 PM	Big Pine	Doctors Arm Subd 3rd Add. Sec A	14		00312571.001500	2	10	0	0	0	0	0	0	0	0	0	0	0	N/A	10	
33	05105438	Derovanesian, Jack	13-Jan-06	10:14 AM	Big Pine	Whispering Pines	15	N/A	00285660.000000	1	0	0	0	0	0	0	0	0	0	0	0	4	4	8	
34	05104831	Menga, Robert	20-Jan-06	11:00 AM	Big Pine	Port Pine Heights 2nd Add.	7	59	00295360.000000	1	0	0	0	0	0	0	0	0	0	0	0	4	4	8	
35	05103835	Stevenson, W.P.	23-Sep-05	11:15 AM	Big Pine	Port Pine Heights 2nd Add.	3 & 4	76	00296960.000000	1	0	0	0	0	0	3	0	0	0	0	0	-4	4	4	7
36	09102784	Pereira, Carlos	22-Oct-09	10:44 AM	Big Pine	Port Pine Heights	9	8	00290190.000000	1	0	0	0	0	0	0	0	0	0	0	0	2	N/A	2	

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 Applicants who have a ROGO application date of Oct. 26, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 006-2007.

Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submital of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 20, QUARTER 4
(APRIL 13, 2012 TO JULY 12, 2012)**

Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Located on No Name	Marsh Rabbit/ Buffer	Key Deer Corridor	_of Agg Pts Tier 2 or 3	Land Ded.	Payment to Acq. Fund up to 2	AFH/ Emp	Central Waste water	Flood Zone V	First Four Years	Each Add. Years	Total										
AFFORDABLE DWELLING UNITS Very Low, Low, Median Income No applicants under Very Low, Low, Median Income AFFORDABLE DWELLING UNITS Moderate Income																																	
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates the recommendation is deferred to the February 11, 2009, Planning Commission meeting. @ Indicates a ranking subject to Growth Management Division Director approval. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.</p> <p>Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																																	



**Item #2 NROGO Y20 Period 2
Staff Report**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission

Through: Christine Hurley, Growth Management Division Director

From: Townsley Schwab, Sr Director of Planning & Environmental Resources *ES*

Date: August 23, 2012

Subject: NROGO Year 20 Period 2, Non-Residential Floor Area Evaluation Report

Meeting Date: August 29, 2012

1 I BACKGROUND:

2

3 Monroe County Code, Section 138-52 NROGO establishes the procedure for allocating the non-
4 residential floor area. The "maximum annual allocation", and the distribution between the first and
5 second allocation dates will be determined by the Board of County Commissioners upon the
6 recommendations of the Planning Director and the Planning Commission. The Board of County
7 Commissioners adopted Resolution 124-2012 which amended Resolution 411-2011 that
8 established the NROGO square footage available for Year 20.

9

10 II AMOUNT OF FLOOR AREA REQUESTED:

11

12 There are four (4) applicants requesting commercial floor area for the Year 20 Period 2 July
13 allocation. There are two (2) applicants in the Lower/Middle/Upper area and two (2) applicants in
14 the Big Pine/No Name Key area.

15

	Lower/Upper Keys Subarea (small allocation applications 2,500 SF or less)	Lower/Upper Keys Subarea (large allocation applications more than 2,500 SF)	Big Pine/No Name Keys Subarea (small allocation applications 2,500 SF or less)
BOCC Resolution 411-2011	33,525	11,175	2,500
BOCC Resolution 124-2012 (revised amount)	33,525	11,175	11,839
Planning Commission Resolution P09-12			
Allocated the following:			
1 11105560 Fletcher			-2500
1 10304077 Puyanac	-680		
2 11301903 Largo Management Co.	-720		
3 11300202 Circle K Stores, Inc.	-1825		
4 11304978 Lighthouse Christian Center	-327		
5 11305853 Ocean Pointe Commons Assoc.	-700		
6 11105993 Bryan	-200		
Balance to Rollover to Period 2 Year 20	29,073	11,175	9,339
The following is the requested square footage from Period 2 Year 20			
11105561 Fletcher			2,500
11105556 Fletcher			2,500
11305012 MM 102 LLC	2,119		
11304424 Hill Family Investments	753		
Remaining Balance to rollover	26,201	11,175	4,339

1
2
3 In the Lower/Upper Keys Subarea, the Planning & Environmental Resources Department accepted
4 NROGO Application 11305012 (MM 102 LLC) on July 12, 2012 which had all the required
5 approvals except storm water (the permit application with plans were not sent for stormwater
6 review until 7/12/2012) and the Building Official (who does not review until all plan reviews have
7 been conducted). The reason for the exception was because the Building Permit Application
8 11305012 was submitted October 11, 2011 and had significant staff delays in the overall project
9 review; including lack of communication with the applicants on required development approvals
10 prior to acceptance into NROGO.

11
12 **III EVALUATION AND RANKING:**

13
14 Applicants in the Lower/Upper Keys Excluding Big Pine/No Name Key SF request were below
15 the SF available for the period; and the Applicants in the Big Pine/No Name Keys Subarea SF
16 request were also below the available SF for the period as a result of BOCC Resolution 124-2012
17 which increased available SF. An additional page is attached which identifies the location of each
18 proposed allocations by island and subdivision.

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IV RECOMMENDATION:

Based on the proceeding, the Sr. Director Planning & Environmental Resources recommends the following NROGO allocations of Year 20 Period 2 be awarded to the applicants:

Lower/Upper Keys Subarea (small allocation applications) ranked one (11305012 MM 102 LLC for 2,119 SF) and two (11304424 Hill Family Investment for 753 SF) requesting a total of 2,872 square feet of floor area.

Big Pine/No Name Key Subarea ranked one (11105561 Fletcher for 2,500 SF) and two (1115556 Fletcher for 2,500 SF) requesting a total of 5,000 square feet of floor area.

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING FOR SMALL ALLOCATIONS
 PROPOSED BY PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
 LOWER/UPPER KEYS EXCLUDING BIG PINE/NO NAME KEY
 YEAR 20 PERIOD 2 (JANUARY 13, 2012 TO JULY 12, 2012)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Intensity Reduct.	Flood Ded	Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking	25% above native	landscaping water conservation	25% Plants T/E	BAT/ AWT	Emp.	Payment fund	Overall Total Score	Key	Subdivision	Lot	Block	RE No.	SF	
1	*@ 11305012	MM 102 LLC	12-Jul-12	4:45 PM	3	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Key Largo	Bahia Mer Estetas	1,2,37, & 38	2	00543710.000000	2,119
2	11304424	Hill Family Investments	23-May-12	2:15 PM	3	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Key Largo	Key Largo Beach Addition	1,2,3,4, & 5	9	00502870.000000	753
3																											
4																											
5																											
6																											
																							Total Sq. Footage Requested			2,872	
* Indicates a ranking sufficient to receive an allocation award. @ Indicates additional approvals required prior to building permit issuance. Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 139-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.																							Total Sq. Footage available for SMALL ALLOCATIONS in Period 2 is 29,073 sq. ft. Board of County Commissioners Resolution 12-4-2012 Amended Resolution 411-2011				

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING FOR LARGE ALLOCATIONS
 PROPOSED BY PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
 LOWER/UPPER KEYS EXCLUDING BIG PINE/NO NAME KEY
 YEAR 20 PERIOD 2 (JANUARY 13, 2012 TO JULY 12, 2012)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Intensity Reduct.	Flood Ded Zone	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking	25% above native	landscaping water conservation	25% Plants T/E	BAT/A WT	Payment Emp. fund	Overall Total Score	Key	Subdivision	Lot	Block	RE No.	SF
1		No Applicants																						
2																								
3																								
4																								
5																								
6																								
Total Sq. Footage Requested																							0	
* Indicates a ranking sufficient to receive an allocation award. @ Indicates additional approvals required prior to building permit issuance. Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.																			Total Sq. Footage available for LARGE ALLOCATIONS in Period 2 is 11,175 sq. ft Board of County Commissioners Resolution 124-2012 Amended Resolution 411-2011					

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING FOR SMALL ALLOCATIONS
 PROPOSED BY PLANNING ENVIRONMENTAL RESOURCES DIRECTOR
 BIG PINE/NO NAME KEY
 YEAR 20 PERIOD 2 (JANUARY 13, 2012 TO JULY 12, 2012)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Intensity Reduct.	Ded	Flood Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking	25% above native	landscaping water conservation	25% Plants T/E	BAT/A WT	Emp.	Payment fund	Overall Total Score	Key	Subdivision	Lot	Block	RE No.	SF	
1	*	11105561 Fletcher, Thomas	12-Jan-12	3:35 PM	3	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Big Pine Key	metes & bounds	21		00111420.000500	2,500
2	*	11105556 Fletcher, Thomas	12-Jan-12	3:30 PM	3	20	0	0	0	0	0	0	0	0	0	0	0	2	0	22	Big Pine Key	metes & bounds	22		00111420.000100	2,500	
																							Total Sq. Footage Requested		5,000		
<p>* Indicates a ranking sufficient to receive an allocation award. Note: The Board of County Commissioners on August 15, 2012 will consider an Ordinance to amend Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																					Total Sq. Footage available Period 2 is 9,339 sq. ft Board of County Commissioners Resolution 124-2012 Amended Resolution 411-2011						



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: The Monroe County Planning Commission
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources
From: Michael Roberts, Sr. Administrator, Environmental Resources
Date: August 17, 2012
Subject: *Request for an Amendment to the Tier Map from Tier I to Tier III, Stephen Rohaty, Vacant Land, Big Coppitt Key, having real estate no. 00154870.000000*

Meeting: August 29, 2012

1
2 I REQUEST
3

4 A request for approval to amend the tier designation for Parcel # 00154870-000000 from Tier
5 I to Tier III.
6



Subject Parcel (outlined in blue) (2012)

1
2 Location:

3 Address: No address per the Property Appraiser Records

4
5
6 Legal Description: Tract A Porpoise Point, Section Two, according to the Plat thereof, as
7 recorded in Plat Book 5, Page 111, of the Public Records of Monroe county Florida.

8
9 Real Estate (RE) Number: 00154870.000000

10 Applicant: Stephen Rohaty
11
12
13

14 II RELEVANT PRIOR COUNTY ACTIONS
15

16 The Monroe County Board of County Commissioners adopted Ordinances 08-2006, 09-2006,
17 10-2006, 11-2006 and 13-2006 in March of 2006. These Ordinances established in the Land
18 Development Code the criteria for determining the Tier designation, revised the ROGO and
19 NROGO point system and implemented the Tier Overlay maps for unincorporated Monroe
20 County, excluding Ocean Reef.
21

22 On June 16, 2006, the Department of Community Affairs (DCA) published notice of the
23 Final Orders determining that the above ordinances were consistent with Chapter 380 F.S.
24 and were approved. On July 7, 2006, Florida Keys Citizens Coalition, Inc. and Protect Key
25 West and the Florida Keys, Inc. d/b/a Last Stand [Petitioners] filed a petition for
26 administrative hearing regarding the Final Orders. The final administrative hearing was held
27 in February 2007 and the Administrative Law Judge (ALJ) issued a Recommended Order on
28 June 26, 2007. The majority of the challenges raised by the Petitioners were rejected by the
29 ALJ, however three (3) key assertions were upheld and the ALJ determined:
30

- 31 • The four (4) acre minimum threshold for Tier 1 designation was arbitrary and
- 32 • The one (1) acre minimum threshold for Special Protection Areas (Tier III-A SPA)
- 33 was likewise arbitrary.
- 34 • The division of parcels by a road of sixteen feet or more was not a basis to petition for
- 35 a Tier IIIA property to become Tier III.
36

37 In addition to the above, the ALJ made findings about the exclusion of wetlands in the Tier I
38 designation criteria. The Final Order states in part "*the criteria for Tier I designation are not*
39 *vague and do not include wetland native upland habitats*". The Court also found that
40 wetlands were adequately protected in other sections of the County's land development code.
41

42 A Final Order was signed on September 26, 2007, by the DCA Secretary Pelham accepting
43 the recommended order incorporating the findings of the ALJ and on January 2, 2008, DCA
44 Secretary Pelham issued the Amended Final Order correcting a scrivener's error. The orders
45 required Monroe County to revise Chapter 130-130 of the Land Development Code to reflect
46 the findings of the Amended Final Order, specifically deleting the acreage criteria that was
47 found to be arbitrary and eliminating the provision that allowed a road of sixteen feet or more
48 to be the basis to petition for a tier designation change from Tier III-A property to become
49 Tier III.

1
2 In accordance with the Final Order, the Monroe County BOCC adopted Ordinances 005-
3 2011, 006-2011, 007-2011 and 008-2011 and amended the Tier Overlay District maps as
4 contained in the Order.
5

6 **III BACKGROUND INFORMATION:**
7

- 8 A. Size of Site: 1.53 acres
9 B. Land Use District: SC
10 C. FLUM Designation: MC
11 D. Tier Designation: I
12 1. Florida Forever designated parcel (2009)
13 E. Flood Zone: AE - 10
14 F. Existing Use: Undeveloped
15 G. Existing Vegetation / Habitat: buttonwood, mangrove, freshwater wetland
16 1. Lower Keys Marsh Rabbit focus area
17 2. Eastern Indigo Snake focus area
18 H. Community Character of Immediate Vicinity:
19 The parcel is in a substantially developed portion of Big Coppitt Key and fronts on U.S.
20 Highway 1. The adjacent land uses consist of SC and URM districts.
21

22 **IV REVIEW OF APPLICATION**
23

24 A. *Consistency of the proposed amendment with the provisions and intent of the Monroe County*
25 *Year 2010 Comprehensive Plan:*
26

27 Staff has determined that the proposed map amendment is not inconsistent with the
28 provisions and intent of the Year 2010 Comprehensive Plan, including Policy 205.1.1 as
29 follows:
30

31 **Policy 205.1.1**

32 The County shall establish the following criteria at a minimum to use when designating
33 Tiers: [9J-5.013(2)(c)9]
34

- 35 1. Land located outside of Big Pine Key and No Name Key shall be designated as Tier I
36 based on following criteria:
37 • Natural areas including old and new growth upland native vegetated areas, above 4
38 acres in area.
39 • Vacant land which can be restored to connect upland native habitat patches and
40 reduce further fragmentation of upland native habitat.
41 • Lands required to provide an undeveloped buffer, up to 500 feet in depth, if indicated
42 by appropriate special species studies, between natural areas and development to
43 reduce secondary impacts; canals or roadways, depending on size may form a
44 boundary that removes the need for the buffer or reduces its depth.

- Lands designated for acquisition by public agencies for conservation and natural resource protection.
- Known locations of threatened and endangered species.
- Lands designated as Conservation and Residential Conservation on the Future Land Use Map or within a buffer/restoration area as appropriate.
- Areas with minimal existing development and infrastructure.

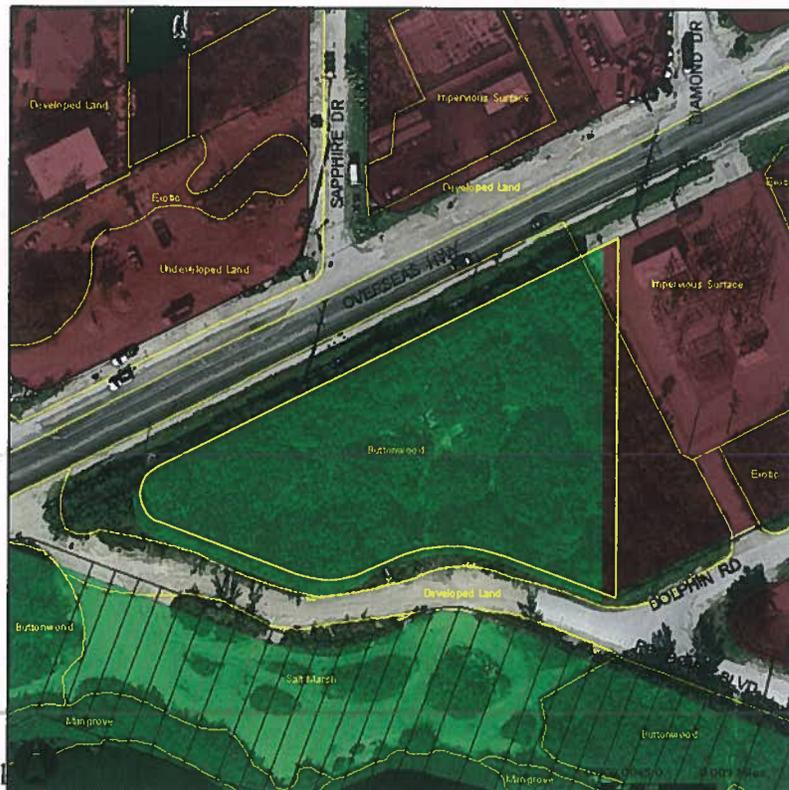
Lands on Big Pine Key and No Name Key designated as Tier I, II, or III shall be in accordance with the wildlife habitat quality criteria as defined in the Habitat Conservation Plan for those islands.

Lands located outside of Big Pine Key and No Name Key that are not designated Tier I shall be designated Tier III.

Designated Tier III lands located outside of Big Pine Key and No Name Key with tropical hardwood hammock or pinelands of one acre or greater in area shall be designated as Special Protection Areas.

Lands within the Ocean Reef planned development shall be excluded from any Tier designation.

The subject parcel consists of disturbed saltmarsh/buttonwood wetlands and does not contain any native upland habitats. The parcel fronts on U.S. 1 and is in the Suburban Commercial (SC) Land Use District. Adjacent parcels on U.S. 1 are also SC, while the parcels to the south are Urban Residential Medium (URM). The property to the west consists of other wetlands that are zoned Native Area (NA). The parcel has a Future Land Use of Mixed Use Commercial. The physical characteristics of the site do not meet the Tier I criteria of Policy 205.1.1



1
2
3
4 B. *Consistency of the proposed amendment with the provisions and intent of the Monroe County*
5 *Land Development Code:*
6

7 Staff has determined that the proposed map amendment is not inconsistent with the
8 provisions and intent of Section 130-130 of the Monroe County Land Development Code.
9

10 Sec. 130-130. – Tier Overlay District

11 **(a)Purpose.** The purpose of the tier overlay district is to designate geographical areas
12 outside of the mainland of the county, excluding the Ocean Reef planned development,
13 into tiers to assign ROGO and NROGO points, determine the amount of clearing of
14 upland native vegetation that may be permitted, and prioritize lands for public
15 acquisition. The tier boundaries are to be depicted on the tier overlay district map. Lands
16 on Big Pine Key and No Name Key shall be delineated as tier I, II, or III. Lands in the
17 remainder of the unincorporated county, excluding the Ocean Reef planned development,
18 shall be delineated as tier I, III, and III-A (special protection area).

19 **(b) Tier boundaries.** Tier boundaries shall follow property lines wherever possible,
20 except where a parcel line or distinct geographical feature, such as a canal or roadway,
21 may be more appropriate.

22 **(c)Tier boundary criteria, excluding Big Pine Key and No Name Key.** The tier
23 boundaries are designated using aerial photography, data from the Florida Keys Carrying
24 Capacity Study, the endangered species maps, property and permitting information and
25 field evaluation. The following criteria, at a minimum, are used to evaluate upland
26 habitats and designate boundaries between different tier overlays:

27 (1) Tier I boundaries shall be delineated to include one or more of the following
28 criteria and shall be designated tier I:

29 a. Vacant lands which can be restored to connect upland native habitat
30 patches and reduce further fragmentation of upland native habitat.

31 b. Lands required to provide an undeveloped buffer, up to 500 feet in
32 depth, if indicated as appropriate by special species studies, between
33 natural areas and development to reduce secondary impacts. Canals or
34 roadways, depending on width, may form a boundary that removes the
35 need for the buffer or reduces its depth.

36 c. Lands designated for acquisition by public agencies for conservation
37 and natural resource protection.

38 d. Known locations of threatened and endangered species, as defined in
39 section 101-1, identified on the threatened and endangered plant and
40 animal maps or the Florida Keys Carrying Capacity Study maps, or
41 identified in on-site surveys.

- e. Conservation, native area, sparsely settled, and offshore island land use districts.
- f. Areas with minimal existing development and infrastructure.

The parcel in question is wetland habitat and does not meet the criteria for Tier I designation as provided in MCC §130-130.

In accordance with MCC §102-158(d)(5), the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of the following factors:

1. *Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based;*
NA
2. *Changed assumptions (e.g., regarding demographic trends);*
NA
3. *Data errors, including errors in mapping, vegetative types and natural features described in Volume 1 of the Year 2010 Comprehensive Plan;*
NA
4. *New issues;*
In accordance with the findings of the Administrative Law Judge, the Tier I designation criteria do not include wetland habitats. Excluding wetlands from the criteria eliminates the potential for this site to be Tier I as it does not meet any of the remaining Tier I criteria.
5. *Recognition of a need for additional detail or comprehensiveness; or*
NA
6. *Data updates;*
NA

Impact on Community Character:

The subject parcel is located within a well developed portion of Big Coppitt and fronts U.S. Highway 1. Adjacent parcels on U.S. 1 have the same land use and parcels to the south are URM. It is not anticipated that future development of the site would impact the existing community character.

V RECOMMENDATION

1 **Staff recommends approval of the application as the parcel does not meet the criteria**
2 **for Tier I designation and is more appropriately designated Tier III in light of the**
3 **findings of the Administrative Law Judge.**

Item #3 Rohaty-Map Amendment
File

File #: **2012-052**

Owner's Name: Rohaty, Stephen

Applicant: Rohaty, Stephen

Agent: Lee R. Rohe, Esquire

Type of Application: Map Amendment – Tier Overlay

Key: Big Coppitt Key

RE: 00154870-000000

Additional Information added to File 2012-052

County of Monroe Growth Management Division

**Planning & Environmental Resources
Department**

2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners

Mayor David Rice, Dist. 4
Mayor Pro Kim Wigington Tem Dist. 1
Heather Carruthers, Dist. 3
George Neugent, Dist. 2
Sylvia J. Murphy, Dist. 5

We strive to be caring, professional and fair

Date: 4.03.12
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Map Amendment - LUD
Type of application

Rohaty, Stephen to the Monroe County Planning Department.
Project / Name

Thank you.

Paul Creech

Planning Staff

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501
 Website tested on
 Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

Property Record View

Alternate Key: 1200328 Parcel ID: 00154870-000000

Ownership Details

Mailing Address:
 ROHATY STEPHEN
 PO BOX 1447
 KEY LARGO, FL 33037-1447

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 100B
Affordable Housing: No
Section-Township-Range: 22-67-26
Property Location: VACANT LAND BIG COPPITT KEY
Subdivision: PORPOISE POINT SEC 2
Legal Description: PORPOISE POINT SECTION 2 BIG COPPITT KEY TRACT A PB5-111 OR445-349/350 OR902-736 OR946-1580/81 OR1183-70

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
1M0H - COMMERCIAL HIGHWAY	0	0	16,495.00 SF
000T - TRANSITIONAL LANDS	0	0	1.16 AC

Appraiser Notes

LOT PRIOR TO 1992 HAD ERRONEOUS SHAPE & PHYSICAL ADJUSTMENTS OF 40% EACH.
 CHANGE LANE LINE FROM 100H TO M10H. SUGGEST TO PROPERTY OWNER TO SEE COUNTY BIOLOGIST FOR POSSIBLE FURTHER REDUCTIONS FOR 2007.
 PROPERTY OWNER SUBMITTED: FEE APPRAISAL FOR \$82,500 DATED 10/06, ALSO A COUNTY BIOLOGIST LETTER DATE 6/05 THAT SHOWS THE PARCEL IS A BUILDABLE LOT... AND THAT THE FUTURE LAND USE MAP WILL INCLUDE THIS AS MIXED USE COMMERCIAL (MC) AND WILL ALLOW FOR COMMERCIAL DEVELOPMENT.

Parcel Value History

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	0	0	18,516	18,516	12,202	0	18,516
2010	0	0	11,093	11,093	11,093	0	11,093
2009	0	0	20,351	20,351	20,351	0	20,351
2008	0	0	25,300	25,300	25,300	0	25,300
2007	0	0	83,403	83,403	83,403	0	83,403
2006	0	0	83,403	83,403	83,403	0	83,403
2005	0	0	198,497	198,497	198,497	0	198,497
2004	0	0	99,898	59,938	59,938	0	59,938
2003	0	0	83,403	50,041	50,041	0	50,041
2002	0	0	50,001	30,000	30,000	0	30,000
2001	0	0	50,001	30,000	30,000	0	30,000
2000	0	0	50,001	30,000	30,000	0	30,000
1999	0	0	50,001	30,000	30,000	0	30,000
1998	0	0	50,001	30,001	30,001	0	30,001
1997	0	0	50,001	30,001	30,001	0	30,001
1996	0	0	50,001	30,001	30,001	0	30,001
1995	0	0	50,001	50,001	50,001	0	50,001
1994	0	0	50,001	50,001	50,001	0	50,001
1993	0	0	50,001	50,001	50,001	0	50,001
1992	0	0	50,001	50,001	50,001	0	50,001
1991	0	0	10,165	10,165	10,165	0	10,165
1990	0	0	10,165	10,165	10,165	0	10,165
1989	0	0	10,165	10,165	10,165	0	10,165
1988	0	0	30,026	30,026	30,026	0	30,026
1987	0	0	30,026	30,026	30,026	0	30,026
1986	0	0	66,000	66,000	66,000	0	66,000
1985	0	0	52,000	52,000	52,000	0	52,000
1984	0	0	40,360	40,360	40,360	0	40,360
1983	0	0	40,360	40,360	40,360	0	40,360
1982	0	0	40,098	40,098	40,098	0	40,098

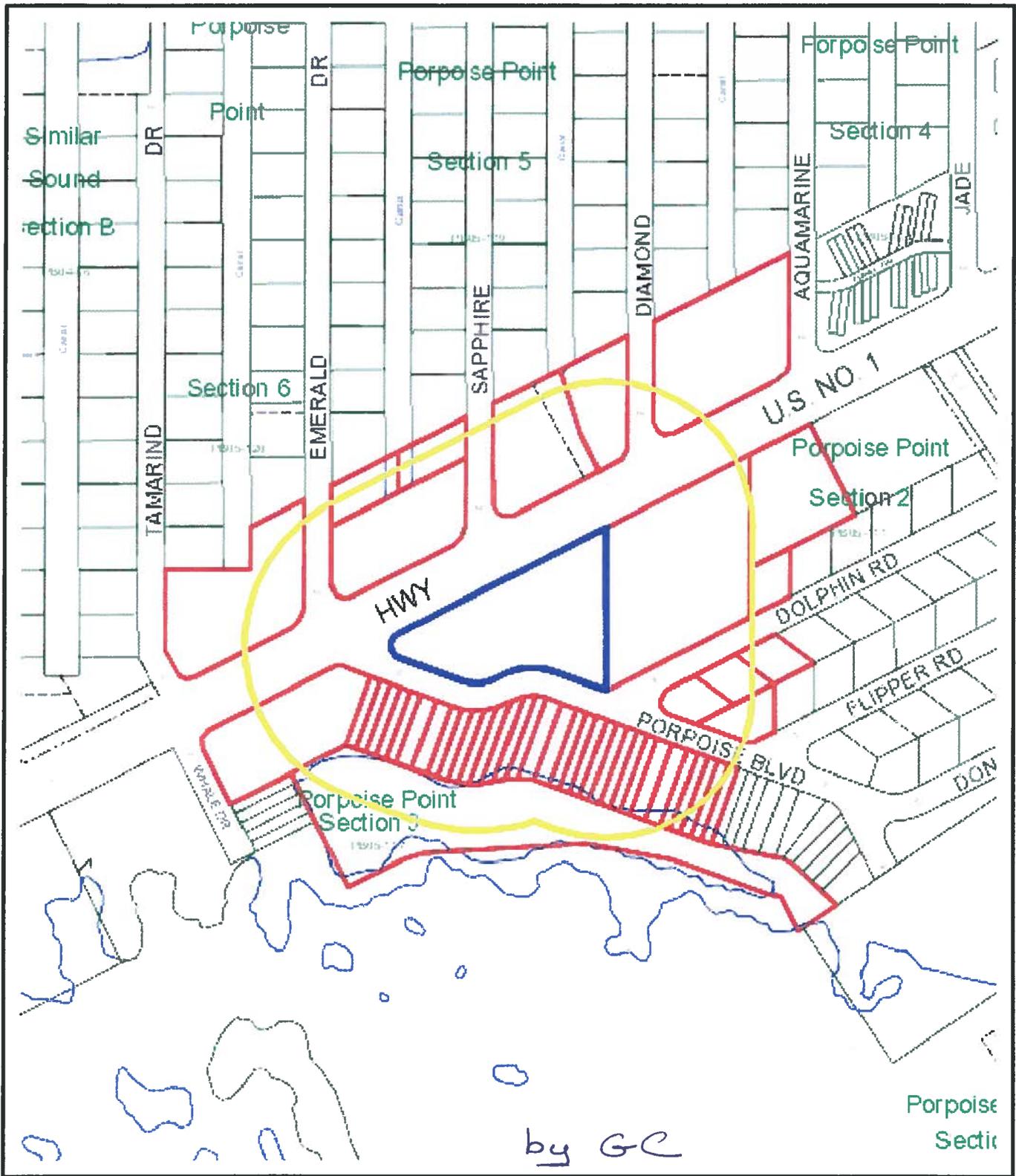
Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
9/1/1991	1183 / 70	65,000	WD	Q
1/1/1984	902 / 736	65,000	WD	Q

This page has been visited 2,504 times.

Monroe County Property Appraiser
Karl D. Borglum
P.O. Box 1176
Key West, FL 33041-1176



Monroe County, Florida

MCPA GIS Public Portal

Printed: Apr 03, 2012



DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



✓ "15 DOLPHIN ROAD LLC "
"1101 17TH ST" ""
"KEY WEST", "FL" "33040"

✓ "ARNOLD RICHARD W AND DORIS"
"23 FLIPPER RD" ""
"KEY WEST", "FL" "33040-5637"

✓ "BROGLI ALBERTA"
"2811 SEIDENBERG AVE" ""
"KEY WEST", "FL" "33040"

✓ "CARABALLO CHERIE Y"
"13 DOLPHIN RD" ""
"KEY WEST", "FL" "33040"

✓ "CIRCLE K PROPERTIES INC "
"PO BOX 52085 DC-17" ""
"PHOENIX", "AZ" "85072-2085"

✓ "CITY OF KEY WEST "
"PO BOX 1409" ""
"KEY WEST", "FL" "33041"

✓ "COCONUT COVE LAND LLC "
"10 EVERGREEN AVE" ""
"KEY WEST", "FL" "33040"

✓ "COLUMBO JAMES R"
"1213 14TH ST" "UNIT 49"
"KEY WEST", "FL" "33040"

✓ "DOSSE FRANK D"
"14 DOLPHIN RD" ""
"KEY WEST", "FL" "33040"

"MONROE COUNTY "
"STOCK ISLAND" ""
"KEY WEST", "FL" "33040"

✓ "MONROE COUNTY "
"500 WHITEHEAD ST" ""
"KEY WEST", "FL" "33041"

✓ "OFF LEASE INC "
"35 DIAMOND DR" ""
"KEY WEST", "FL" "33040-5633"

✓ "PALMHURST INC "
"PO BOX 430325" ""
"MIAMI", "FL" "33143"

"ROHATY STEPHEN"
"PO BOX 1447" ""
"KEY LARGO", "FL" "33037-1447"

✓ "SMITH KATHY"
"1 EMERALD DR" ""
"KEY WEST", "FL" "33040"

✓ "TIITF "
"3900 COMMONWEALTH BLVD" ""
"TALLAHASSEE", "FL" "32399-3000"

End of Additional File 2012-052

LEE R. ROHE

ATTORNEY AT LAW

P.O. BOX 420259
25000 OVERSEAS HWY
SUMMERLAND KEY, FL 33042

TELEPHONE (305) 745-2254
FAX: (305) 745-4075
E-MAIL lrrlaw@bellsouth.net

April 2, 2012

Michael Roberts
Monroe County Planning
and Environmental Resources
Marathon Government Center
2798 Overseas Highway
Marathon, Florida 33050



Re: LUD Application for Stephen Rohaty

Dear Mike:

As you know, I am representing Mr. Rohaty with regard to his application for a Land Use District Amendment for his property described as Tract A, Porpoise Point, Section Two, Big Coppitt Key according to Plat Book 5, Page 111 of the Official Records of Monroe County, Florida.

Enclosed is the completed application, supporting documentation and check payable to Monroe County. Please contact me at your earliest convenience if additional documentation is required. Should you wish to discuss this application at anytime, I can be reached at the above-referenced number. Thanking you in advance for your assistance.

Sincerely,


Lee R. Rohe, Esq., P.A.

cc: client

REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION



MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Tier Map Amendment to Land Use Map District (Residential) Application Fee: \$4,131.00
Amendment to Land Use District Map (Non-Residential) Application Fee: \$4,929.00

In addition to the above application fees, the following fees also apply to each application:
Advertising Costs: \$245.00
Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed
Technology Fee: \$20.00

Date: 2 / 10 / 2012
Month Day Year

Property Owner:

Stephen Rohaty
Name

P.O. Box 1447, Key Largo, FL
Mailing Address 33037

Daytime Phone

Email Address

Agent (if applicable):

Lee R. Rohe, Esquire
Name

P.O. Box 420259, Summerland Key, FL
Mailing Address 33042

305-745-2254
Daytime Phone

lrrlaw@bellsouth.net
Email Address

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

Tract A, Porpoise Point Section Two, PB5, Page 111
Block Lot Subdivision Key

00154870-000000 1200328
Real Estate (RE) Number Alternate Key Number

Overseas Hwy, Big Coppitt Key, m.m. 10.6
Street Address Approximate Mile Marker

(No street address per Monroe County Property Appraiser)
Vacant LAND.)

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

Current Land Use District Designation(s): SC

Proposed Land Use District Designation(s): _____

Current Future Land Use Map Designation(s): MC

Tier Designation(s) Tier I

Total Land Area Affected in acres: 62,647 square feet = 1.44 acres

Existing Use of the Property (If the property is developed, please describe the existing use of the property, including the number and type of any residential units and the amount and type of any commercial development):

Property is vacant. There are no structures on the property.

In accordance with Sec. 102-158, the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of six factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary):

- 1) Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based:

N/A

- 2) Changed assumptions (e.g., regarding demographic trends):

N/A

- 3) Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan:

N/A

- 4) New issues:

Based on the Administrative Law Judge's Final Order regarding Tier designation criteria, it is apparent that the property more properly belongs within the Tier III category.

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

5) Recognition of a need for additional detail or comprehensiveness:

N/A

6) Data updates:

Neighboring properties along US 1 on Big Coppitt Key are recognized as Tier III, not environmentally sensitive. The Rohaty parcel has been significantly degraded by human activity. To be consistent with neighboring parcels, Rohaty's parcel should be classified as Tier III.
In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located. Please describe how the map amendment would not result in an adverse community change (attach additional sheets if necessary):

parcel should be classified as Tier III.

The proposed amendment would not result in an adverse community change because the surrounding parcels are Tier III.

Has a previous Land Use District Map amendment application been submitted for this site within the past two years?

Yes _____ Date: _____
No X

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- Complete Land Use District Map amendment application** (unaltered and unbound); and
- Correct fee** (check or money order to Monroe County Planning & Environmental Resources); and
- Proof of ownership** (i.e. Warranty Deed); and
- Current Property Record Card(s) from the Monroe County Property Appraiser**; and
- Location map from Monroe County Property Appraiser**; and
- Copy of current Land Use District Map** (please request from the Planning & Environmental Resources Department prior to application submittal); and
- Copy of current Future Land Use Map** (please request from the Planning & Environmental Resources Department prior to application submittal); and
- 300 foot radius map from Monroe County Property Appraiser Office**
- List of surrounding property owners from 300 foot radius map**
- Photograph(s) of site from adjacent roadway(s); and**

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets** (at a minimum survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage marked with land use district; and total acreage shown with vegetative habitat); and
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property (two (2) sets).** This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included

If applicable, the following must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)
- Any other Monroe County documents including Letters of Understanding pertaining to the proposed Land Use District Map amendment** *N/A*

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: X *[Signature]* Date: *2/10/12*

Sworn before me this *10th* day of *February, 2012*



Susan L. Rohe
Notary Public
My Commission Expires

Please send or deliver the complete application package to:
Monroe County Planning & Environmental Resources Department
Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, FL 33050.

Return to (please use address stamped envelope)
Name **Robert T. Feldman, Esq.**

Address **417 Eaton Street
Key West, FL 33040**

The Instrument Prepared by **Robert T. Feldman, Esq.**

**ATTORNEY AT LAW
FELDMAN & KOENIG, P.A.
417 EATON STREET
KEY WEST, FL 33040**

Grantee Name and S.S. # _____

Grantee Name and S.S. # _____

701277

REC 1183 1990070

FILED
91 SEP 11 10 27
MONROE COUNTY FL

600
390.00

This Indenture,

Whereas said party, the said "party" shall signify the both, personal representatives, executors and administrators of the estate of the person herein the last of the parties named shall include the heirs and the said the single; the use of any words shall include all persons and, if used, the word "heirs" shall include all the heirs herein described if more than one

Made this 9th day of September, A. D. 1991
Between **JOHN GALLETTA, SR. AND MARGARET GALLETTA, Husband and Wife**
residing at **725 Caroline St., Key West, Florida 33040**
of the County of **MONROE** in the State of **FLORIDA**
party of the first part, and **STEPHEN ROHATY, a single man**
residing at **528 Hammock Dr., Rockland Key, FL 33040**

of the County of **Monroe** in the State of **Florida**
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of **TEN AND 00/100 (\$10.00) Dollars** and other good and valuable considerations—Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of **Monroe**, State of **Florida**, to wit:

Tract A Porpoise Point, Section Two, according to the Plat thereof, as recorded in Plat Book 5, Page 111, of the Public Records of Monroe County, Florida.

Subject to 1991 Taxes and subsequent years.

Subject to conditions, restrictions, limitations, reservations, assessments and other matters of record.

DB Paid 390.00 Date 9.10.91

MONROE COUNTY
DANNY L. BOURAGE, Clerk

Property Appraiser's Parcel Identification Number: 15487 Audubon Place

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

MARGARET B. HARTY

John Galletta, Sr. L.S.
JOHN GALLETTA, SR.

Lucille C. Upright
LUCILLE C. UPRIGHT

Margaret N. Galletta L.S.
MARGARET N. GALLETTA L.S.

State of Florida }
County of MONROE }

Appointed to Official Bench Seat
in Monroe County, Florida
DANNY L. BOURAGE
Clerk Circuit Court

I, **DANNY L. BOURAGE**, Clerk of the Circuit Court, do hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

JOHN GALLETTA, SR. and MARGARET N. GALLETTA

to my well known and known to me to be the individual described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at **Key West**

Monroe 9th September, A. D. 1991.
My Commission Expires MARCH 7, 1993

Bonita Jean Rodriguez
Notary Public BONITA JEAN RODRIGUEZ

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501
 Website tested on
 Internet Explorer

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

Property Record View

Alternate Key: 1154628 Parcel ID: 00120980-000000

Ownership Details

Mailing Address:
 CITY OF KEY WEST
 PO BOX 1409
 KEY WEST, FL 33041

Property Details

PC Code: 91 - UTILITIES,WATER TANKS
Millage Group: 100B
Affordable Housing: No
Section-Township-Range: 22-67-26
Property Location: OVERSEAS HWY BIG COPPITT KEY
Legal Description: 22 67 26 BIG COPPITT KEY PT LOT 1 OR371-793-794

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Exemptions

Exemption	Amount
15 - MUNICIPAL LANDS	528,925.00

Land Details

Land Use Code	Frontage	Depth	Land Area
9100 - UTILITY	0	0	0.81 AC
9100 - UTILITY	0	0	1.24 AC

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 1
Total Living Area: 570
Year Built: 1967

Building 1 Details

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	6,000 SF	0	0	1977	1978	2	30
2	AC2:WALL AIR COND	1 UT	0	0	1974	1975	3	20
3	CL2:CH LINK FENCE	4,480 SF	640	7	1977	1978	2	30
4	RW2:RETAINING WALL	340 SF	340	1	1977	1978	4	50
5	CL2:CH LINK FENCE	1,920 SF	96	20	2000	2001	1	30
6	AP2:ASPHALT PAVING	156 SF	12	13	1977	1978	2	25

Appraiser Notes

CITY ELECTRIC SYSTEM STATION, SOUTH SIDE US-1 BIG COPPITT. 2002-05-03 CHANGED THE LAND USE FROM OOOO TO 100H THE LAND IS FILLED AND BEING USES.SKI/DMJ

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	10106981	12/06/2010		0	Commercial	CHAIN LINK FENCE

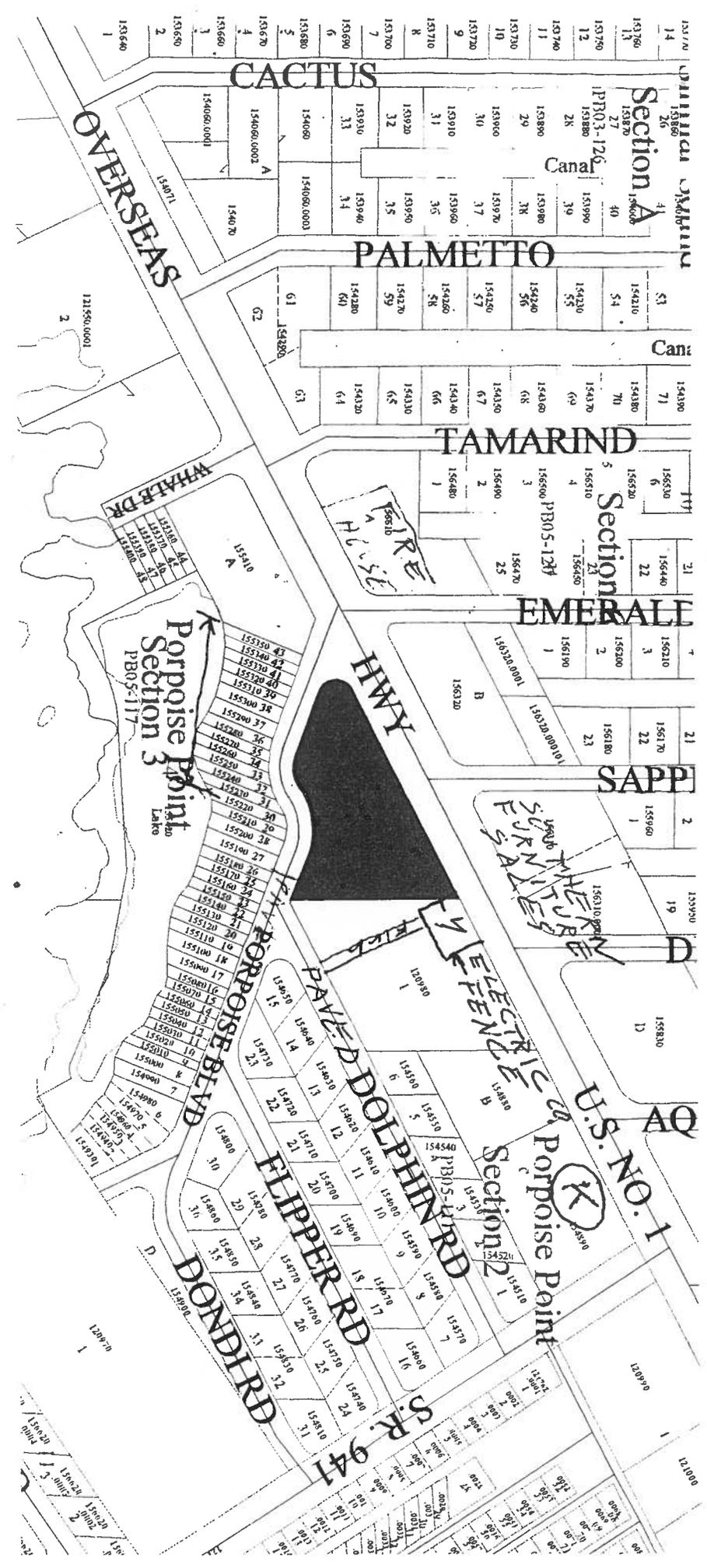
Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	68,754	12,700	451,000	532,454	532,454	532,454	0
2010	68,754	12,801	451,000	532,555	532,555	532,555	0
2009	72,149	12,902	451,000	536,051	536,051	536,051	0
2008	72,149	13,036	512,500	597,685	597,685	597,685	0
2007	48,680	12,637	92,250	153,567	153,567	153,567	0
2006	49,825	12,812	92,250	154,887	154,887	154,887	0
2005	49,825	13,017	92,250	155,092	155,092	155,092	0
2004	50,393	13,191	92,250	155,834	155,834	155,834	0
2003	50,393	13,365	92,250	156,008	156,008	156,008	0
2002	50,393	13,570	92,250	156,213	156,213	156,213	0
2001	50,393	4,872	37,442	92,707	92,707	92,707	0
2000	50,393	2,952	37,442	90,787	90,787	90,787	0
1999	50,393	2,952	37,442	90,787	90,787	90,787	0
1998	33,688	2,952	37,442	74,082	74,082	74,082	0
1997	33,688	2,952	37,442	74,082	74,082	74,082	0
1996	26,797	2,712	37,442	66,951	66,951	66,951	0
1995	26,797	2,915	37,442	67,154	67,154	67,154	0
1994	26,797	3,187	37,442	67,426	67,426	67,426	0

3150 Northside Dr K.W. J. 4-5



TOWN
MAP
451.6095

CHARTY STEPHEN
 O BOX ~~3014~~ 1447
 BY LARGO FL 33037
 PARCEL 00154870-000000 22-67-26 NBHD 225
 ALT KEY 1200328 MILL GRP 100B PC 10
 PHYSICAL ADDR:
 Business Name: UNIT: TR A

REGAL DESCRIPTION
 RPOISE POINT SECTION 2 BIG COPPITT KEY TRACT A PB5-111 OR445-349/350 OR902-736 OR946-1580/81 OR1183-70(JB)

ND DATA 1.2
 NE USE FRONT DEPTH NOTES ZONING # UNIT TYPE RATE DEPTH LOC SHP PHYS CLASS JUST VALUE
 1 100H 0 0TR A 426 SC 16495.00 SF 1.00 1.00 0.85 1.00
 2 000T 0 0640 NA 1.16 AC 1.00 1.00 1.00 1.00

SCCELLANEOUS IMPROVEMENTS
 R TYPE X NUMBER UNITS TYPE LENGTH WIDTH YEAR GRADE LIFE RCN VALUE DEPR VALUE
 PRAISER NOTES

LOT PRIOR TO 1992 HAD ERRONEOUS SHAPE & PHYSICAL ADJUSTMENTS OF 40% EACH.

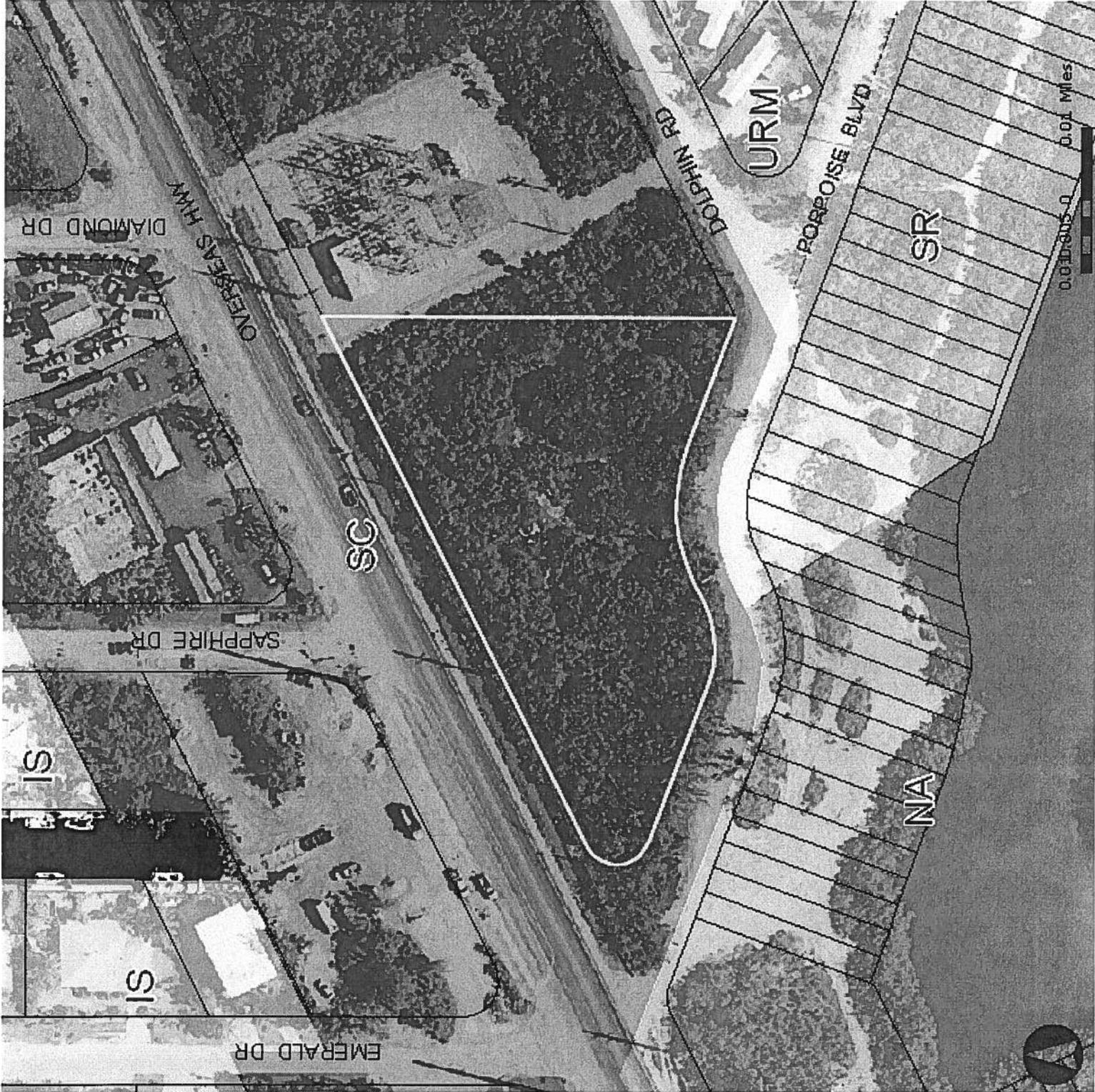
TIDDING PERMITS
 NE BLDG NUMBER ISSUE COMPLETE AMOUNT DESCRIPTION

VALUE CODE = 10 VALUE TYPE =

TAX YEAR	VM	JUST	LAND CLASS	LND	BLDG	MISC/EQIP	JUST	ASSD	EXEMPT	TAX
YEAR		VALUE			VALUE	VALUE	VALUE	VALUE	VALUE	VALUE
01/1982	1	40098		0	0	0	40098	0	0	40098
01/1983	1	40360		0	0	0	40360	0	0	40360
01/1984	1	52000		0	0	0	52000	0	0	52000
01/1985	1	66000		0	0	0	66000	0	0	66000
01/1986	1	30026		0	0	0	30026	0	0	30026
01/1987	1	10165		0	0	0	10165	0	0	10165
01/1988	1	10165		0	0	0	10165	0	0	10165
01/1989	1	10165		0	0	0	10165	0	0	10165
01/1990	1	50001		0	0	0	50001	0	0	50001
01/1991	1	50001		0	0	0	50001	0	0	50001
01/1992	1	50001		0	0	0	50001	0	0	50001
01/1993	1	50001		0	0	0	50001	0	0	50001
01/1994	1	50001		0	0	0	50001	0	0	50001
01/1995	1	50001		0	0	0	50001	0	0	50001
01/1996	9	50001		0	0	0	50001	0	0	50001
01/1997	9	50001		0	0	0	50001	0	0	50001
01/1998	9	50001		0	0	0	50001	0	0	50001
01/1999	9	50001		0	0	0	50001	0	0	50001
1/2000	9	50001		0	0	0	50001	0	0	50001
1/2001	9	50001		0	0	0	50001	0	0	50001

S HISTORY
 O.R.
 PAGE 70 9/01/1991
 736 1/01/1984
 SALE DATE 9/01/1991
 INSTRUMENT WD WARRANT
 TRAN CODE DO
 QUAL UNQUAL Q
 VAC IMPR V
 SALE PRICE 65,000
 APPR VALUE 0
 CHG DATE / /

Handwritten:
 293-0466
 293-0237
 FAX



WARRANTY DEED FROM CORPORATION

RANCO FORM A-3 (PHOTOSTAT)

BOOK PAGE 736

This Warranty Deed Made and executed the 25th day of January A. D. 19 84 by 337001 PALMHURST, INC.

a corporation existing under the laws of Florida and having its principal place of business at Dade County, Florida, hereinafter called the grantor, to JOHN GALLETTA, SR., MARGARET M. GALLETTA, RALPH T. GALLETTA, and JOHN GALLETTA, JR., as tenants in common

whose postoffice address is

hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantees" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Monroe County, Florida, viz:

Tract A, PORPOISE POINT, SECTION TWO, according to the Plat thereof, as recorded in Plat Book 5, Page 111, of the Public Records of Monroe County, Florida

SUBJECT TO conditions, restrictions, easements and limitations of record; all applicable zoning ordinances; taxes for the current year and subsequent years

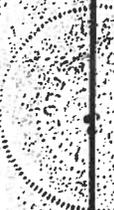
94 FEB -1 P 4:53 DANNY L. KOLHAGE CLERK CIR. CT. MONROE COUNTY FLA.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

DS Paid 292.50 Date 2-1-84 MONROE COUNTY DANNY L. KOLHAGE, CLERK CIR. CT. By [Signature] D.C.



In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: [Signature] Secretary

.....PALMHURST, INC.

Signed, sealed and delivered in the presence of:

[Signatures of witnesses]

By: [Signature] AKA Ellen Crews Vice President

STATE OF FLORIDA COUNTY OF DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ELLEN CREWS, formerly known as ELLEN CREWS FOUNDAS, and CHARLES H. NETTER, well known to me to be the Vice President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 25th day of January 24, 1984.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE MAY COMMISSION EXPIRES AUG 28 1985 ECH-DD TRAV GENERAL INS. UNDERWRITERS

This instrument prepared by: Charles H. Netter, Esq. Address 7211 S. W. 62nd Avenue, Suite 201, South Miami, Florida 33143

Recorded in Official Record Book of Monroe County, Florida by DANNY L. KOLHAGE Clerk Circuit Court



S. Rohaty

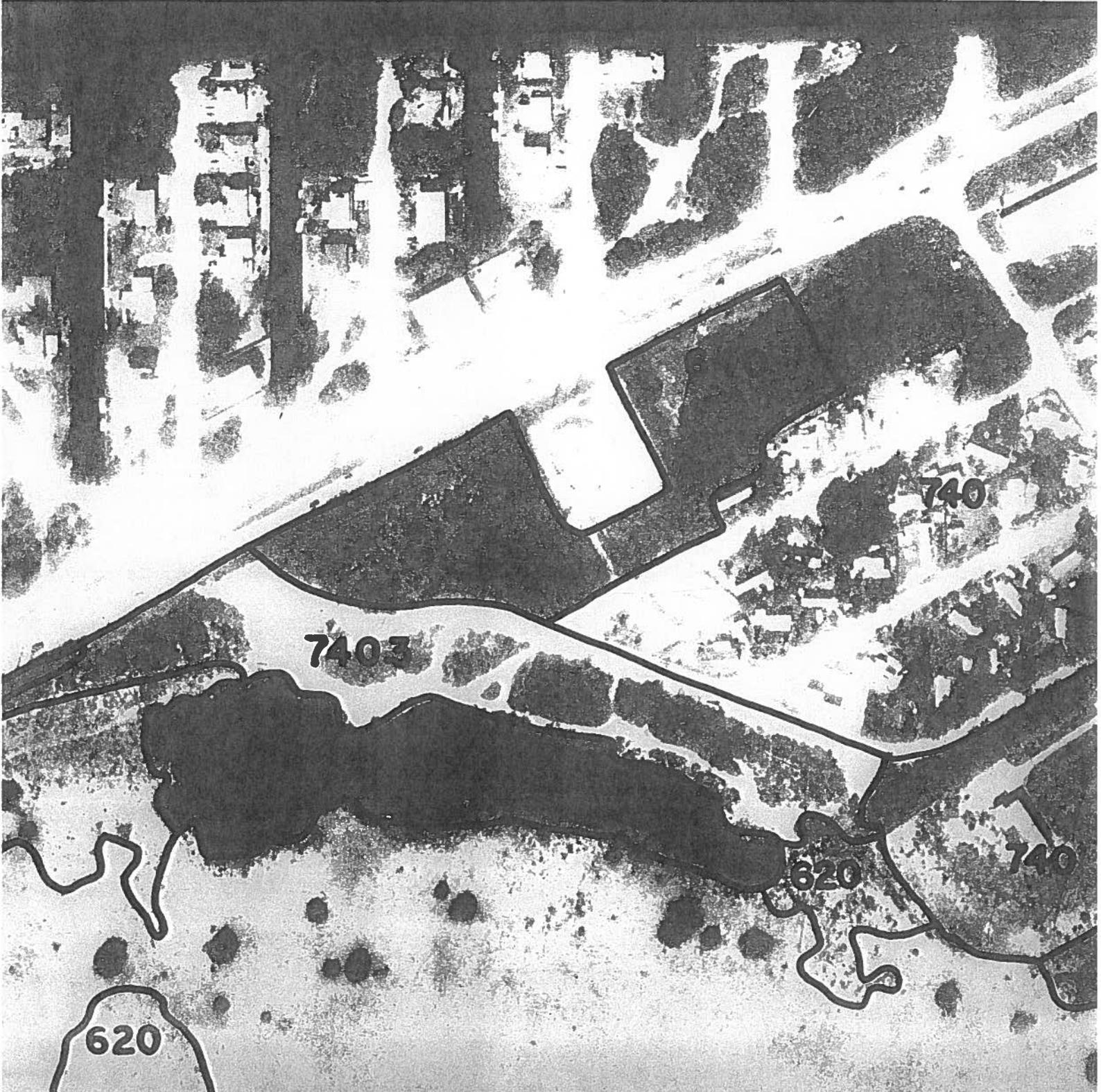
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- Highlighted Feature
 - Real Estate Number
 - Parcel Lot Text
 - Dimension Text
 - Block Text
 - Point of Interest Text
 - Hooksl/eads
 - Lot Lines
 - Right of Way Text
 - Road Names2
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - 2006 Aerials

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: January 23, 2007 9:58 AM



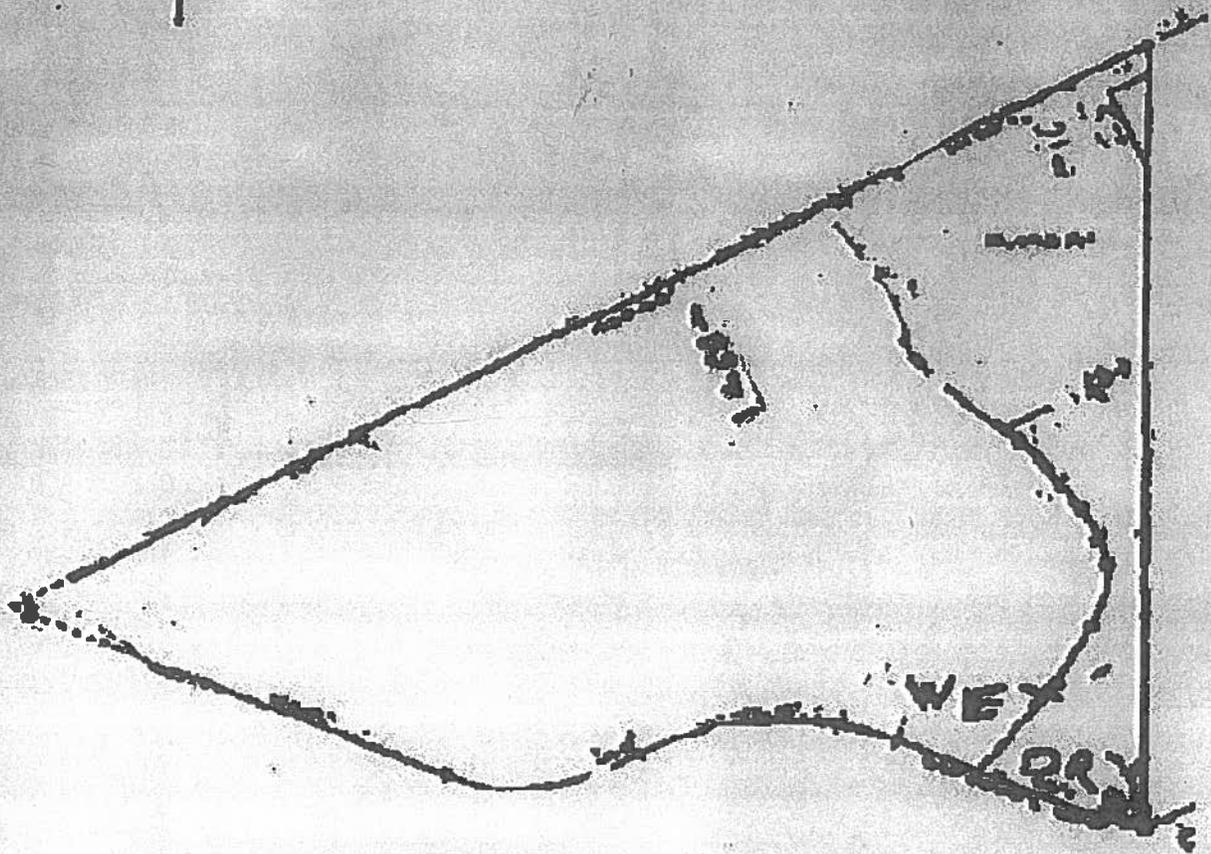
740

7403

620

740

620





Monroe County
500 Whitehead St.
Key West, Fl 33040

Circle K Properties Inc.
PO BOX 52085 DC-17
Phoenix, AZ 85072-2085

City of Key West
PO Box 1409
Key West, Fl 33041

TIITF
c/o DEP
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Palmhurst Inc.
PO Box 430325
Miami, Fl 33143

Cherie Carballo
13 Dolphin Road
Key West, Florida 33040

15 Dolphin Road LLC
1101 17th Street
Key West, Florida 33040

Frank Dosse
14 Dolphin Road
Key West, Florida 33040

Richard and Doris Arnold
23 Flipper Road
Key West, Florida 33040

James Columbo
1213 14th Street, Unit 49
Key West, Florida 33040

Kathy Smith
1 Emerald Drive
Key West, Florida 33040

Alberta Brogli
2811 Seidenberg Avenue
Key West, Florida 33040

Tuyen Nguyen
30 Emerald Drive
Key West, Florida 33040

Coconut Cove Land LLC
10 Evergreen Avenue
Key West, Florida 33040

John and Linda Welsh
2 Sapphire Drive
Key West, Fl 33040

Off Lease Inc.
35 Diamond Drive
Key West, Fl 33040-5633

Southern Furniture Land LLC
10 Evergreen Avenue
Key West, Florida 33040

Bruce Simons
9 Amaryllis Drive
Key West, Florida 33040-6204



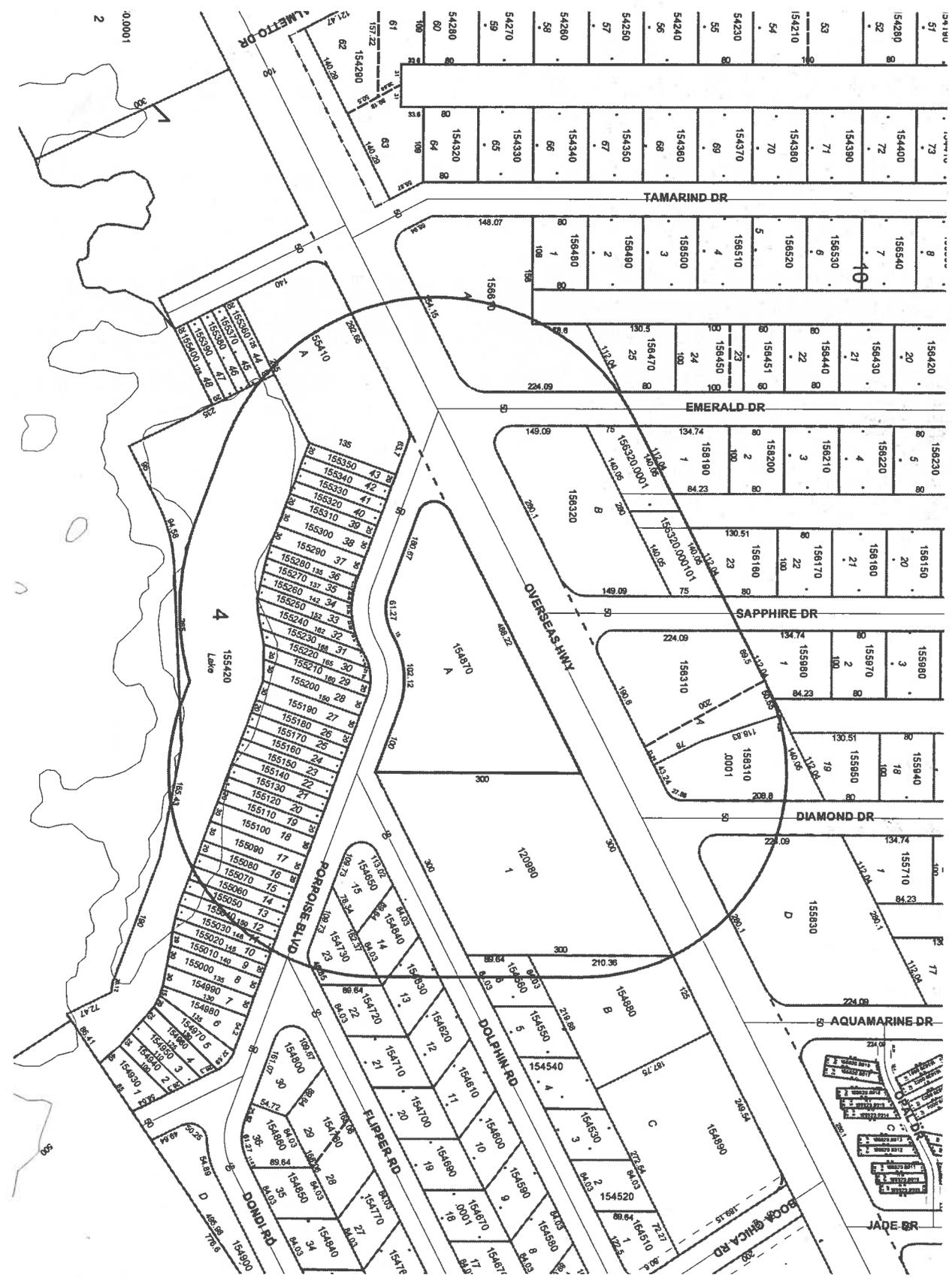
Monroe County Property Appraiser - Radius Report

AK: 1201758	Parcel ID: 00156320-000000	Physical Location: AFFORDABLE UNITS ON OVERSEAS HWY	BIG COPPITT KEY
Legal Description:	PT TRACT B PORPOISE POINT SECTION 5 BIG COPPITT K	EY PB5-119	OR426-848/49 OR760-11
Owners Name:	MONROE COUNTY		
Address::	500 WHITEHEAD ST	KEY WEST, FL 33041	
AK: 1202029	Parcel ID: 00156610-000000	Physical Location: 28 EMERALD DR	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 6 BIG COPPITT KEY PB5-120 T	RACT A OR450-133/135/138 OR759-1	
Owners Name:	MONROE COUNTY PUBLIC SERVICE BUILDING		
Address::	STOCK ISLAND	KEY WEST, FL 33040	
AK: 1200336	Parcel ID: 00154880-000000	Physical Location: VACANT LAND TR B	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 2 BIG COPPITT KEY PB5-111 T	RACT B OR545-538 OR810-174 OR96	
Owners Name:	CIRCLE K PROPERTIES INC		
Address::	PO BOX 52085 DC-17	PHOENIX, AZ 85072-2085	
AK: 1154628	Parcel ID: 00120980-000000	Physical Location: OVERSEAS HWY	BIG COPPITT KEY
Legal Description:	22 67 26 BIG COPPITT KEY PT LOT 1 OR371-793-794		
Owners Name:	CITY OF KEY WEST		
Address::	PO BOX 1409	KEY WEST, FL 33041	
AK: 1200859	Parcel ID: 00155410-000000	Physical Location: VACANT LAND TRACT A	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 3 BIG COPPITT KEY PB-5-117	TRACT A OR1186-500T/D OR2065-24	
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1200794	Parcel ID: 00155350-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 43 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325	
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200328	Parcel ID: 00154870-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 2 BIG COPPITT KEY TRACT A P	B5-111 OR445-349/350 OR902-736 O	
Owners Name:	ROHATY STEPHEN		
Address::	PO BOX 1447	KEY LARGO, FL 33037-1447	
AK: 1200760	Parcel ID: 00155320-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 40 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325	
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200093	Parcel ID: 00154630-000000	Physical Location: 13 DOLPHIN RD	BIG COPPITT KEY
Legal Description:	LT 13 PORPOISE POINT SECTION 2 BIG COPPITT KEY PB-	5-111 OR522-366 OR777-968 OR805	
Owners Name:	CARABALLO CHERIE Y		
Address::	13 DOLPHIN RD	KEY WEST, FL 33040	
AK: 1200743	Parcel ID: 00155300-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 38 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325	
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200115	Parcel ID: 00154650-000000	Physical Location: 15 DOLPHIN RD	BIG COPPITT KEY
Legal Description:	LT 15 PORPOISE POINT SECTION 2 BIG COPPITT KEY PB5	-111 OR642-173/174 OR756-1824 OR	
Owners Name:	15 DOLPHIN ROAD LLC		
Address::	1101 17TH ST	KEY WEST, FL 33040	
AK: 1200107	Parcel ID: 00154640-000000	Physical Location: 14 DOLPHIN RD	BIG COPPITT KEY
Legal Description:	BK LT 14 PORPOISE POINT SECTION 2 BIG COPPITT KEY	PB5-111 OR496-95 OR891-1831 OR9	
Owners Name:	DOSSE FRANK D		
Address::	14 DOLPHIN RD	KEY WEST, FL 33040	
AK: 1200808	Parcel ID: 00155360-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 44 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325	
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	

AK: 1200751	Parcel ID: 00155310-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 39 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200182	Parcel ID: 00154730-000000	Physical Location: 23 FLIPPER RD	BIG COPPITT KEY
Legal Description:	BK LT 23 PORPOISE POINT SECTION 2 BIG COPPITT KEY		PB5-111 OR642-173/174 OR457-562
Owners Name:	ARNOLD RICHARD W AND DORIS		
Address::	23 FLIPPER RD	KEY WEST, FL 33040-5637	
AK: 1200735	Parcel ID: 00155290-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 37 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200786	Parcel ID: 00155340-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 42 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200026	Parcel ID: 00154560-000000	Physical Location: 6 DOLPHIN RD	BIG COPPITT KEY
Legal Description:	LT 6 PORPOISE POINT SECTION 2 BIG COPPITT KEY PB5-		111 OR424-808-809 OR972-2298 OR
Owners Name:	COLUMBO JAMES R		
Address::	1213 14TH ST UNIT 49	KEY WEST, FL 33040	
AK: 1200816	Parcel ID: 00155370-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 45 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 8642784	Parcel ID: 00156320-000100	Physical Location: 1 EMERALD DR	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SEC 5 BIG COPPITT KEY PB5-119 NLY 7		FEET OF W 1/2 OF TR B (.25AC) OR
Owners Name:	SMITH KATHY		
Address::	1 EMERALD DR	KEY WEST, FL 33040	
AK: 8647662	Parcel ID: 00156320-000101	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SEC 5 BIG COPPITT KEY PB5-119 N'LY		75 FT OF E 1/2 OF TR B (.25AC) OR8
Owners Name:	BROGLI ALBERTA		
Address::	2811 SEIDENBERG AVE	KEY WEST, FL 33040	
AK: 1201618	Parcel ID: 00156190-000000	Physical Location: 30 EMERALD DR	BIG COPPITT KEY
Legal Description:	BK 9 LT 1 PORPOISE POINT SECTION 5 BIG COPPITT KEY		PB5-119 OR490-345/46 OR775-1548/
Owners Name:	NGUYEN TUYEN		
Address::	30 EMERALD DR	KEY WEST, FL 33040-5636	
AK: 1200549	Parcel ID: 00155100-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 18 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1201260	Parcel ID: 00155830-000000	Physical Location: OVERSEAS HWY	BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 4 BIG COPPITT KEY PB5-118 T		TRACT D OR476-894/895 OR840-2345
Owners Name:	COCONUT COVE LAND LLC		
Address::	10 EVERGREEN AVE	KEY WEST, FL 33040	
AK: 1201383	Parcel ID: 00155960-000000	Physical Location: 1 SAPPHIRE DR	BIG COPPITT KEY
Legal Description:	BK 8 LT 1 PORPOISE POINT SECTION 5 BIG COPPITT KEY		PB-5-119 OR475-616-617 OR765-27E
Owners Name:	WELSH JOHN J AND LINDA D		
Address::	2 SAPPHIRE DR	KEY WEST, FL 33040	
AK: 1200581	Parcel ID: 00155140-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 22 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	
AK: 1200506	Parcel ID: 00155060-000000	Physical Location: VACANT LAND	BIG COPPITT KEY
Legal Description:	BK 4 LT 14 PORPOISE POINT SECTION 3 BIG COPPITT KE		Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC		
Address::	PO BOX 430325	MIAMI, FL 33143	

AK: 1200689	Parcel ID: 00155240-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 32 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200778	Parcel ID: 00155330-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 41 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1201740	Parcel ID: 00156310-000100	Physical Location: 35 DIAMOND DR BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION FIVE PB5-119 BIG COPPITT KE	Y PT TRACT A OR581-282 OR630-70
Owners Name:	OFF LEASE INC	
Address::	35 DIAMOND DR	KEY WEST, FL 33040-5633
AK: 1201731	Parcel ID: 00156310-000000	Physical Location: 905 OVERSEAS HWY BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION FIVE PB5-119 BIG COPPITT KE	Y PT TRACT A OR445-649-659Q/C OI
Owners Name:	SOUTHERN FURNITURE LAND LLC	
Address::	10 EVERGREEN AVE	KEY WEST, FL 33040
AK: 1200611	Parcel ID: 00155170-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 25 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200603	Parcel ID: 00155160-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 24 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200867	Parcel ID: 00155420-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	PORPOISE POINT SECTION 3 BIG COPPITT KEY PB-5-117	LAKE
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200476	Parcel ID: 00155030-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 11 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200654	Parcel ID: 00155210-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 29 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200719	Parcel ID: 00155270-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 35 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200522	Parcel ID: 00155080-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 16 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200727	Parcel ID: 00155280-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 36 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200646	Parcel ID: 00155200-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 28 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200662	Parcel ID: 00155220-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 30 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143

AK: 1200484	Parcel ID: 00155040-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 12 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200697	Parcel ID: 00155250-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 33 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200573	Parcel ID: 00155130-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 21 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200514	Parcel ID: 00155070-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 15 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200565	Parcel ID: 00155120-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 20 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200492	Parcel ID: 00155050-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 13 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200671	Parcel ID: 00155230-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 31 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200557	Parcel ID: 00155110-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 19 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200701	Parcel ID: 00155260-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 34 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200620	Parcel ID: 00155180-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 26 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200590	Parcel ID: 00155150-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 23 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1200638	Parcel ID: 00155190-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 27 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143
AK: 1201600	Parcel ID: 00156180-000000	Physical Location: 23 SAPPHIRE DR BIG COPPITT KEY
Legal Description:	BK 8 LT 23 PORPOISE POINT SECTION 5 BIG COPPITT KE	Y PB-5-119 OR500-989 OR504-338 (
Owners Name:	SIMONS BRUCE	
Address::	9 AMARYLLIS DR	KEY WEST, FL 33040-6204
AK: 1200531	Parcel ID: 00155090-000000	Physical Location: VACANT LAND BIG COPPITT KEY
Legal Description:	BK 4 LT 17 PORPOISE POINT SECTION 3 BIG COPPITT KE	Y PB-5-117 OR409-325
Owners Name:	PALMHURST INC	
Address::	PO BOX 430325	MIAMI, FL 33143



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Monroe County Property Appraiser - Radius Report

AK:	1201758	Parcel ID:	00156320-0	Physical Loc	AFFORDAB	Legal Descr	PT TRACT	IEY PB5-119
AK:	1202029	Parcel ID:	00156610-0	Physical Loc	28 EMERAL	Legal Descr	PORPOISE	TRACT A OR
AK:	1200336	Parcel ID:	00154880-0	Physical Loc	VACANT L	Legal Descr	PORPOISE	TRACT B OR
AK:	1154628	Parcel ID:	00120980-0	Physical Loc	OVERSEAS	Legal Descr	22 67 26	BIG COPPITT
AK:	1200859	Parcel ID:	00155410-0	Physical Loc	VACANT L	Legal Descr	PORPOISE	TRACT A O
AK:	1200794	Parcel ID:	00155350-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 43	Y PB-5-117
AK:	1200328	Parcel ID:	00154870-0	Physical Loc	VACANT L	Legal Descr	PORPOISE	B5-111 OR
AK:	1200760	Parcel ID:	00155320-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 40	Y PB-5-117
AK:	1200093	Parcel ID:	00154630-0	Physical Loc	13 DOLPHI	Legal Descr	LT 13 POR	5-111 OR
AK:	1200743	Parcel ID:	00155300-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 38	Y PB-5-117
AK:	1200115	Parcel ID:	00154650-0	Physical Loc	15 DOLPHI	Legal Descr	LT 15 POR	-111 OR642
AK:	1200107	Parcel ID:	00154640-0	Physical Loc	14 DOLPHI	Legal Descr	BK LT 14 P	(PB5-111 OF
AK:	1200808	Parcel ID:	00155360-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 44	Y PB-5-117
AK:	1200751	Parcel ID:	00155310-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 39	Y PB-5-117
AK:	1200182	Parcel ID:	00154730-0	Physical Loc	23 FLIPPE	Legal Descr	BK LT 23 P	(PB5-111 OF
AK:	1200735	Parcel ID:	00155290-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 37	Y PB-5-117
AK:	1200786	Parcel ID:	00155340-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 42	Y PB-5-117
AK:	1200026	Parcel ID:	00154560-0	Physical Loc	6 DOLPHIN	Legal Descr	LT 6 PORP	(111 OR424-
AK:	1200816	Parcel ID:	00155370-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 45	Y PB-5-117
AK:	8642784	Parcel ID:	00156320-0	Physical Loc	1 EMERAL	Legal Descr	PORPOISE	FEET OF V
AK:	8647662	Parcel ID:	00156320-0	Physical Loc	VACANT L	Legal Descr	PORPOISE	75 FT OF E
AK:	1201618	Parcel ID:	00156190-0	Physical Loc	30 EMERAL	Legal Descr	BK 9 LT 1 P	PB5-119 O
AK:	1200549	Parcel ID:	00155100-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 18	Y PB-5-117
AK:	1201260	Parcel ID:	00155830-0	Physical Loc	OVERSEA	Legal Descr	PORPOISE	TRACT D OF
AK:	1201383	Parcel ID:	00155960-0	Physical Loc	1 SAPPHIR	Legal Descr	BK 8 LT 1 P	PB-5-119 C
AK:	1200581	Parcel ID:	00155140-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 22	Y PB-5-117
AK:	1200506	Parcel ID:	00155060-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 14	Y PB-5-117
AK:	1200689	Parcel ID:	00155240-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 32	Y PB-5-117
AK:	1200778	Parcel ID:	00155330-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 41	Y PB-5-117
AK:	1201740	Parcel ID:	00156310-0	Physical Loc	35 DIAMON	Legal Descr	PORPOISE	Y PT TRAC
AK:	1201731	Parcel ID:	00156310-0	Physical Loc	905 OVERS	Legal Descr	PORPOISE	Y PT TRAC
AK:	1200611	Parcel ID:	00155170-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 25	Y PB-5-117
AK:	1200603	Parcel ID:	00155160-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 24	Y PB-5-117
AK:	1200867	Parcel ID:	00155420-0	Physical Loc	VACANT L	Legal Descr	PORPOISE	LAKE
AK:	1200476	Parcel ID:	00155030-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 11	Y PB-5-117
AK:	1200654	Parcel ID:	00155210-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 29	Y PB-5-117
AK:	1200719	Parcel ID:	00155270-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 35	Y PB-5-117
AK:	1200522	Parcel ID:	00155080-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 16	Y PB-5-117
AK:	1200727	Parcel ID:	00155280-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 36	Y PB-5-117
AK:	1200646	Parcel ID:	00155200-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 28	Y PB-5-117
AK:	1200662	Parcel ID:	00155220-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 30	Y PB-5-117
AK:	1200484	Parcel ID:	00155040-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 12	Y PB-5-117
AK:	1200697	Parcel ID:	00155250-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 33	Y PB-5-117
AK:	1200573	Parcel ID:	00155130-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 21	Y PB-5-117
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AK:	1200671	Parcel ID:	00155230-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 31	Y PB-5-117
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AK:	1200638	Parcel ID:	00155190-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 27	Y PB-5-117
AK:	1201600	Parcel ID:	00156180-0	Physical Loc	23 SAPPHI	Legal Descr	BK 8 LT 23	Y PB-5-119
AK:	1200531	Parcel ID:	00155090-0	Physical Loc	VACANT L	Legal Descr	BK 4 LT 17	Y PB-5-117

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Tel. (305) 451-6290

Existing Conditions Report : cover page (a)

Alternate Key : 1200328 Parcel ID: 00154870-000000

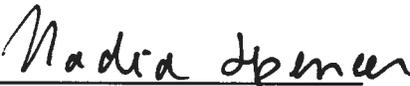
Location : Vacant land Big Coppitt Key
Subdivision : Porpoise Point sec 2
Monroe County, Florida

Legal Description: Tract A Porpoise Point Section 2 Big Coppitt Key

Prepared for: Stephen Rohaty
P. O. Box 1447
Key Largo, FL. 33037-1447

Date of Report and Site Visit:
Site Visits : March 9, 11, 20th, 2012
Date of report: March, 2012

Report prepared by :


Nadia Spencer

Nadia Spencer

Documents enclosed:

- 3 page Summary (b)
- 1 page Plant Species List (c)
- 1 Site Plan with Important Features (d)
- 1 page Animal Species Observed (e)
- 7 page of survey pictures of the subject property and its adjacent habitats.

Nadia Spencer

Botany Consultant - Restoration Technician - Certified Arborist

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-----March 24, 2012

Existing Conditions Report : Summary (b)

Porpoise Point section s Big Coppitt Key tract a pb5-111
or 445-349/350 or 902-736 or 946-1580/81 or 1183-70
pc code: 10-vacant commercial section township 22-67-26
Monroe County, Florida.

Stephen Rohaty
P. O. Box 1447
Key Largo, FL. 33037-1447

Dear Mr. Rohaty,

I made three site visits on the subject property and extensively surveyed the adjacent habitats on the ocean side of U.S. 1, up to the Atlantic Ocean beyond the military airport.

Location : Big Coppitt Key, MM 10.5, ocean side. The subject property is bordered by the Overseas Highway to the north, a power substation to the east and Porpoise boulevard to the south. Porpoise boulevard, becomes a dirt road and loops around the property on its south side to reach U.S. 1 at its west corner. The south side of the dirt road is a cleared field, accessible by car. It is used as a dumping field and borders a vast borrow pit.

According to Monroe County Tier Overlay District Maps, as of 11/29/2005 (printed date: 3/3/2006), the subject property is listed Tier I, Natural Area.

Description : The 430 foot North side of the property is bordered by U.S.1 which has been elevated to 7.50 feet. The Power substation property to the east has been elevated to over 8 feet. The dirt road to the south of the property has been elevated to almost 4 feet. The storm water of these three elevations can only pour into the subject property. The elevation of the subject property does not exceed 2 feet (photographs page 3).

The property has been improved with an extensive web of mosquito ditches. The ditches were dug into the impervious cap rock. The debris from the excavation was deposited on the side of the ditches, forming hills. The storm water from the highway is pouring directly into the ditches. The sharp edged mosquito ditches are filled with fresh water and populated with the exotic Western gambusia fishes. The storm water does not percolate. Some of the ditches end into slight depressions where the storm water overflows and saturates the ground, allowing the proliferation of mangrove tree roots (photographs page 2).

page one of three

NAS

Plant species: The subject property is almost a monoculture of young Black and White mangrove saplings and seedlings (*Avicennia germinans* and *Laguncularia racemosa*) with a dozen Red mangrove saplings (*Rhizophora mangle*). It seems to be a young forest. It is also vegetated with Buttonwood trees (*Conocarpus erectus*). Some of the Buttonwood trees seem to be much older than the mangrove forest, indicating that the area was historically dryer.

The elevated edge of the property along the Highway is vegetated with Buttonwood, Brazilian peppers (*Schinus terebinthifolius*), and a few low hammock species such as Jamaican Dog wood (*Piscidia piscipula*), Spanish stopper (*Eugenia foetida*), Bolly (*Guapira discolor*).

The edge of Porpoise Boulevard is mainly vegetated with Buttonwood, Brazilian peppers and Australian pines (*Casuarina equisetifolia*).

The Western corner of the property has more Australian pines, a few Lead trees (*Leucaena leucocephala*), Beach Naupaka (*Scaevola taccada*) and Sea-grapes (*Coccoloba uvifera*)

Site Plan (d): The Eastern first 50 foot wide portion of the subject property, adjacent to the Power station, is vegetated with 80% Brazilian peppers.

West of this disturbed area, some clearing allowed the formation of a grassy prairie (Sea Oxeye Daisy and grass).

West of the prairie, the ground is saturated with fresh water. Black and White mangrove seedlings and saplings grow on a two inch thick layer of peat.

A 9 foot wide pathway crosses the entire property from Porpoise boulevard to the Highway. It leads to a cleared field (photographs page 1) and to the main mosquito ditch. This mosquito ditch is 120 feet long and runs east-west. It has two branches that are 70 feet long each, leading to U.S. 1.

West of the main pathway is a slightly elevated ground hosting Buttonwood and Mayten Bush (*Maytenus phyllanthoides*). The Mayten patch is 50 feet X 30 feet.

The western corner of the property is a succession of mosquito ditches and hills running southeast-northwest. The changes in the grade define the vegetation and the water table: Buttonwood and Australian pines on the hills and Black and White mangroves in the depressions (photographs page 4).

The list of all plant species found on the property is attached to this summary (b) as Plant Species List (c). Since the property is vegetated mainly with Mangrove and Buttonwood, the attached Site Plan (d) shows the different habitats and features found in the property rather than individual trees.

Adjacent Habitats: Both sides of the Highway are developed.

East of the subject property, between the Power substation and the gasoline station, the cleared land hosts a prairie of Sea Oxeye Daisy and grass and a small fresh water pond vegetated with Cattails (*Typha spp.*). Brazilian pepper, Potato and Lead trees are found at the edge of the Highway. Behind the prairie grows a forest of 80% Brazilian peppers.

The east side of the Power substation is mainly composed of Buttonwood, Thatch palm, Sea-grapes and Spanish stoppers on the elevated edge. These trees were probably planted. This landscape is disturbed with Brazilian peppers, Schefflera and Washington palms. The habitat below the elevated ground is vegetated with Buttonwood and Brazilian pepper and forms a dense thicket. The west side of the substation is vegetated, on the elevated ground with Black Bead, Schefflera, Brazilian peppers, Washington palms, 5 (planted) Key Thatch; the corner with US1 and down below is a 80% Brazilian pepper thicket.

County road 941: It is a long road that reaches the Ocean at Boca Chica Key and loops around the Key West Naval Air Station. It is developed with residential properties on both sides. Further, by Geiger Creek up to Boca Chica Channel, it is fenced with a 8 foot chain link fence to block public access to the federally owned lands, the airport to the north and the missile base to the south. At the end of the county road, the ocean side has been walled with a three feet high rip rap to the left and the airport chain link fence to the right. The rip rap wall and the road disconnect the adjacent salt marshes from tidal influence and the chain link fence represents a major barrier to the non flying wildlife. The noise pollution from the jets is constant (photographs page 7).

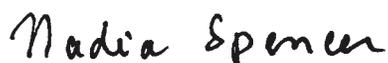
Borrow pit south side of Porpoise boulevard : Its periphery is vegetated with Buttonwood and Mangroves. The edges of the pit are sharply vertical and constitute a trap for the wildlife. It is populated with the exotic Western Gambusia fishes. These fishes are not only eating the mosquito larvae but anything else such as Dragon flies, tadpoles, snails, crustaceans or other fishes.

Porpoise boulevard offers car access to the vast non-developed land, south and west of the borrow pit. Dumping and vandalism rules the back country. A web of dirt roads has compacted the soil and has displaced the natural salt marsh vegetation on a vast extent between the subject property and the borrow pit (photographs page 5).

To the West of the subject property and the borrow pit: The habitats can be classified as an open *Salt Marsh - Low* to the South of the dirt road and as a disturbed *Non-tidal High Buttonwood* to the north of the dirt road, along the Highway (KEYWEP habitat classification) (photographs page 6).

The highway, the power substation, Porpoise boulevard, the borrow pit, the car traffic access, and the adjacent residential areas have disconnected the subject property from the adjacent tidal marshes.

Respectfully submitted,



Nadia Spencer.

**Legal Description: Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida
Monroe County Florida**

Plant Species List (c)

Prepared by Nadia Spencer (305) 451 6290 March 2012

NPS

Common Name	Scientific Name		Notes	Status
Native plant species				
Salt grass	<i>Distichlis spicata</i>	grass		
Salt-marsh Fringe grass	<i>Frimbrystylis castanea</i>	grass		
Black mangrove	<i>Avicenia germinans</i>	mangrove		
White mangrove	<i>Laguncularia racemosa</i>	mangrove		
Red mangrove	<i>Rhizophora mangle</i>	mangrove	12 saplings	
Saltwort	<i>Batis maritima</i>	non woody		
White beggar ticks	<i>Bidens alba</i>	non woody		
Samphire	<i>Bluttaparon vermiculare</i>	non woody		
Sea oxeye	<i>Borichia arborescens</i>	non woody		
Sea daisy	<i>Borichia frutescens</i>	non woody		
Yellow-top	<i>Flaveria linearis</i>	non woody		
Scorpion tail	<i>Heliotropium angiospermum</i>	non woody		
Mouse's pineapple	<i>Morinda royoc</i>	non woody		
Bushy fleabane	<i>Plucea symphitifolia</i>	non woody		
Glasswort	<i>Salicornia perennis</i>	non woody		
Potato tree	<i>Solanum erianthum</i>	non woody		
Florida thatch palm	<i>Thrinax radiata</i>	palm		E
Sweet acacia	<i>Acacia famesiana</i>	woody		
Sea-grape	<i>Coccoloba uvifera</i>	woody		
Green buttonwood	<i>Conocarpus erectus</i>	woody		
Spanish stopper	<i>Eugenia foetida</i>	woody		
Strangler fig	<i>Ficus aurea</i>	woody	1 sapling	
Blolly	<i>Guapira discolor</i>	woody		
Christmas berry	<i>Lycium carolinianum</i>	woody		RI
Wild dilly	<i>Manilkara bahamensis</i>	woody	North- East corner	T
Mayten	<i>Maytenus phyllanthoides</i>	woody		T
Poisonwood	<i>Metopium toxiferum</i>	woody	1 sapling	
Jamaican dogwood	<i>Piscidia piscipula</i>	woody		
Black-bead	<i>Pithecellobium guadalupense</i>	woody		
Cat's claw	<i>Pithecellobium unguis-cati</i>	woody		
Saffron plum	<i>Sideroxylon celastrinum</i>	woody		
Non Native plant species				
Toothed agave	<i>Agave spp.</i>	non woody	1 plant	
Pest invasive plant species				
Australian Pine	<i>Casuarina equisetifolia</i>	woody		cat I
Brazilian pepper	<i>Schinus terebinthifolius</i>	woody		cat I
Beach Naupaka	<i>Scaevola sericea</i>	non woody	west edge	cat I
Washington fan palm	<i>Washingtonia robusta</i>	palm		cat II
Lead tree	<i>Leucaena leucocephala</i>	woody	west edge	cat II

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Animal Species Observed (e)

Location : Tract A Porpoise Point Section 2 Big Coppitt Key

Site visits: March 9, 11, 20th. 2012

Birds: White Crowned Pigeon *Columba leucocephala*
Eurasian Collared Dove *Streptopelia decaocto*

Arthropods: Crab Spider *Gasteracantha cancriformis*
Great Land Crab *Cardisoma guanhumi*

Hexapods:

Odonata	Dragon fly	Gomphidae
Hymenoptera	Paper wasp	Vespida
	Honey Bee	<i>Apis mellifera</i>
Lepidoptera	Giant Swallowtail	<i>Papilio cresphontes</i>
	Great Southern white	<i>Ascia monuste</i>
	Large Orange	<i>Phoebis agarithe</i>
	Cassius Blue	<i>Leptotes cassius</i>
	Eastern Pigmy Blue	<i>Brephidium pseudofea</i>
	Gulf Fritillary	<i>Agraulis vanillae</i>
	Julia	<i>Dryas iulia</i>
Diptera	Common Buckeye	<i>Juniona coenia</i>
	Mangrove Skipper	<i>Phocides pigmalion</i>
	Blue Bottle Fly	<i>Calliphora vomitoria</i>
Reptiles:	Southern Black Racer	<i>Coluber constrictor priapus</i>
	Iguana	<i>Iguana iguana</i>
Fishes:	Western Mosquito fish	<i>Gambusia affinis</i>

March 2012

Nadia Spencer

Nadia Spencer

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Rohaty Survey Pictures p.1 March 2012 Main Pathway

Legal Description:

Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



Main Pathway South Entrance



Main Pathway US 1 Entrance



Prairie East of Main Pathway

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Rohaty Survey Pictures p.2 March 2012 Mosquito Ditches

Legal Description:

Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



**Mosquito Ditches
and Substrate**

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Rohaty Survey Pictures p.3 March 2012 Storm Water
Legal Description:

Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



Storm Water From U. S. 1 Pouring Directly Into Main Mosquito Ditch



Power Substation Declivity



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Rohaty Survey Pictures p.4 March 2012 Prop roots and Substrate
Legal Description:

Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



Forest Substrates

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**Rohaty Survey Pictures - p.5 March 2012 Adjacent Habitat
Legal Description:**

Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



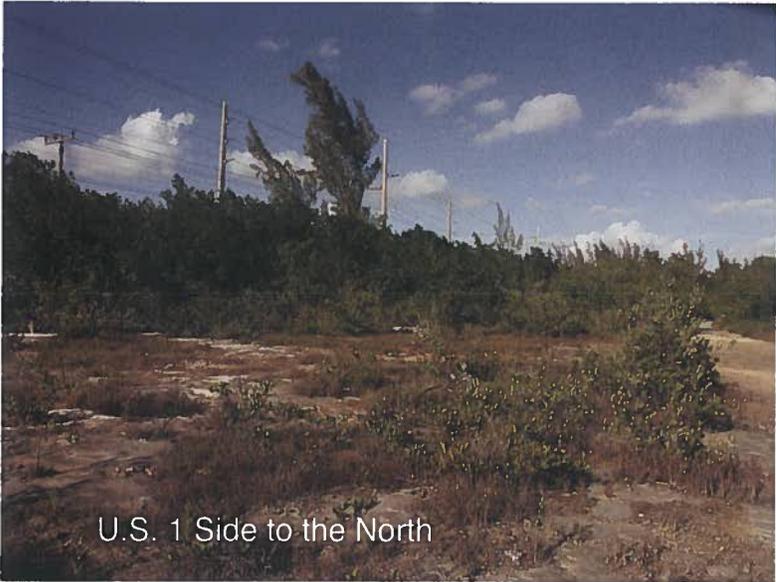
Porpoise Boulevard Side : Field Between Subject Property and Borrow Pit

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Rohaty Survey Pictures p.6 March 2012 Adjacent Habitat

Legal Description:

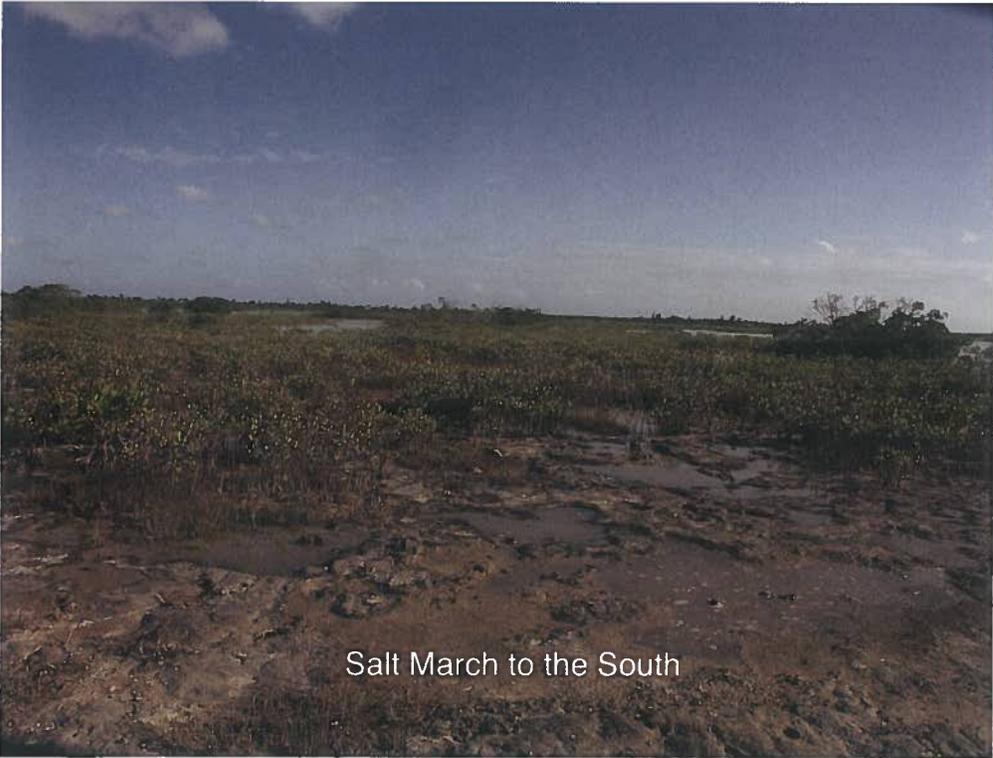
Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



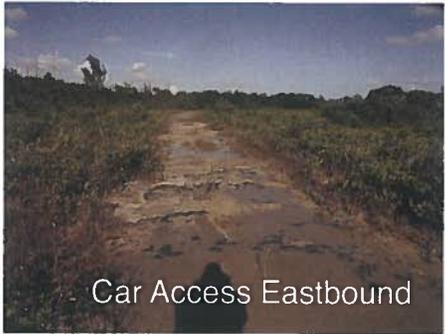
U.S. 1 Side to the North



Car Access Westbound



Salt March to the South



Car Access Eastbound



U. S. 1 side



Development End of Car access



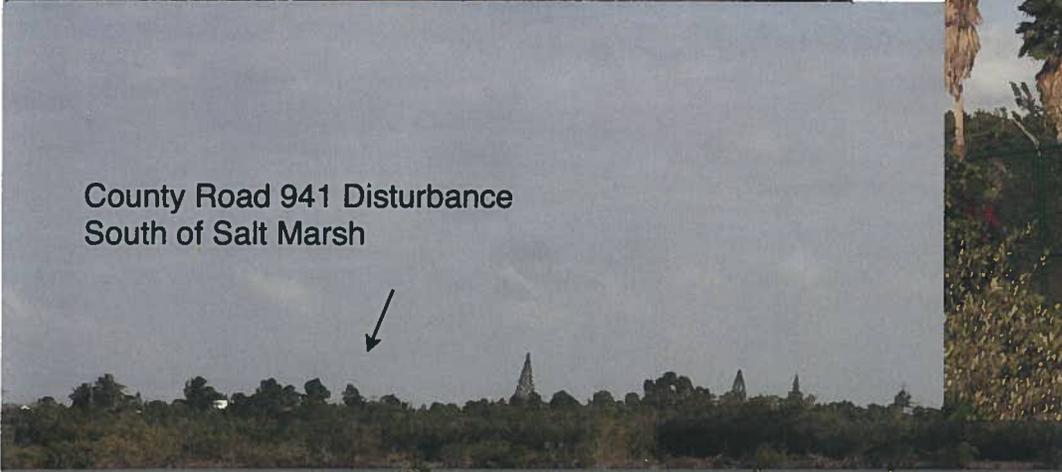
Salt Marsh to the South

Nadia Spencer Botany Consultant - Restoration Technician - Certified Arborist
P. O. Box 726 Key Largo, Florida 33037 - E-mail : seanotes@me.com
Tel. (305) 451-6290

Rohaty Survey Pictures p.7 March 2012 Habitat South of Barrow Pit

Legal Description:

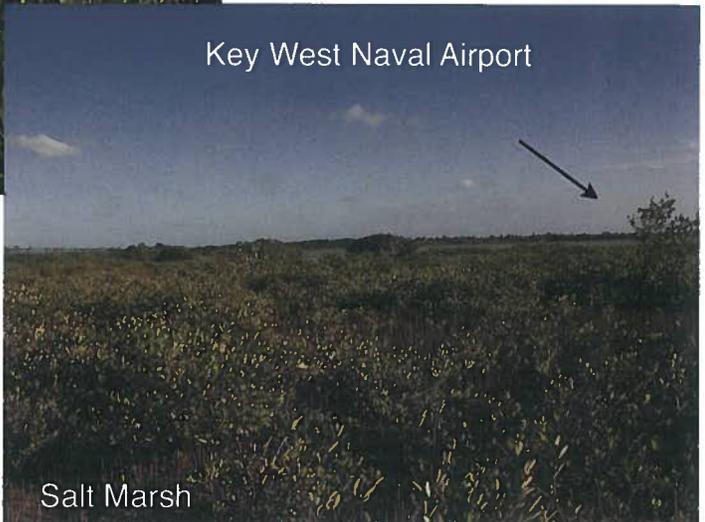
Tract A Porpoise Point Section two Big Coppitt Key Monroe County Florida



County Road 941 Disturbance
South of Salt Marsh



Wildlife Barrier and
Pest Invasive
Washington Palms



Key West Naval Airport



Access to Salt Marsh
East of Barrow Pit

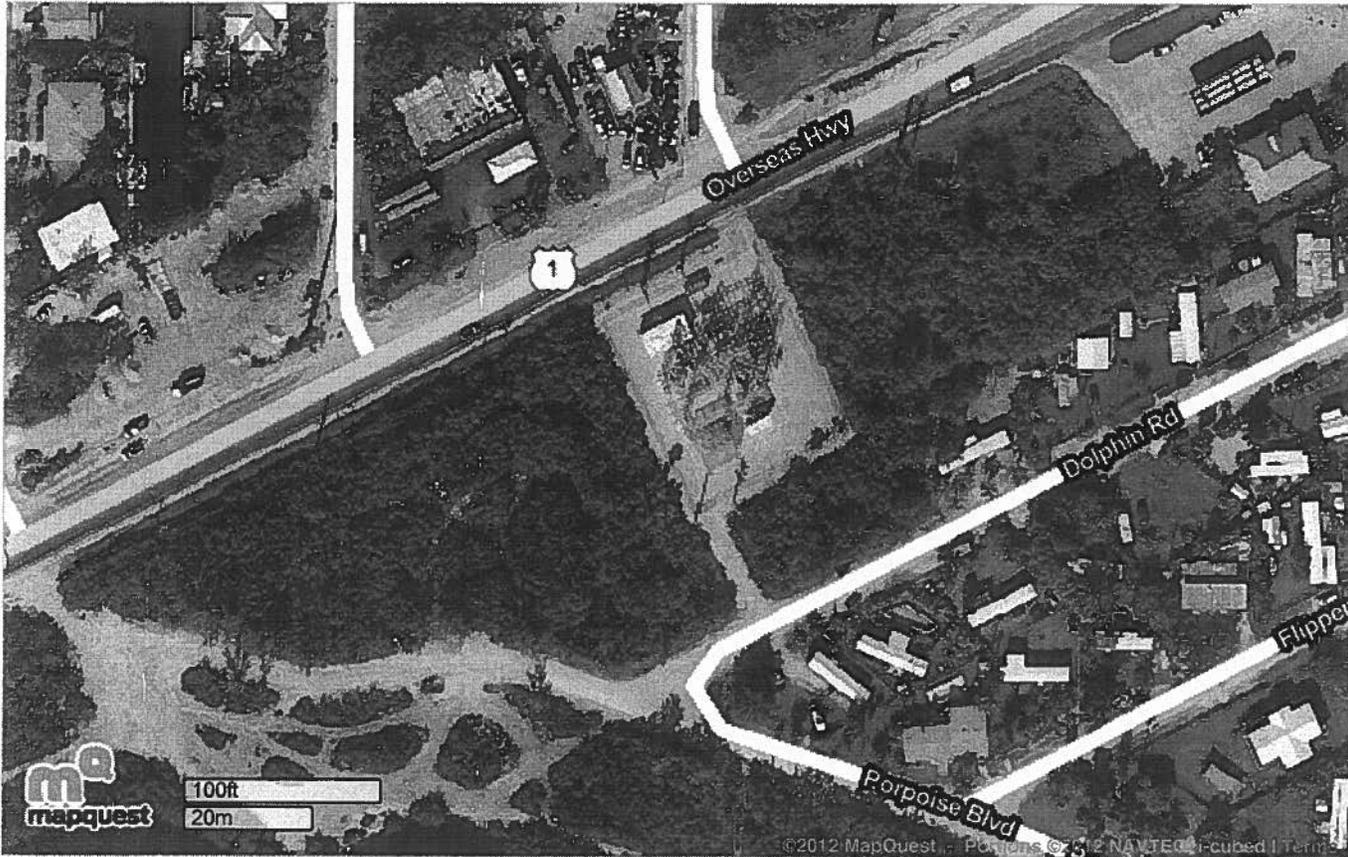
Salt Marsh



Map of:
Big Coppitt Key, FL

Notes

Rohaty and adjacent developments;
US1- Power Substation to the East



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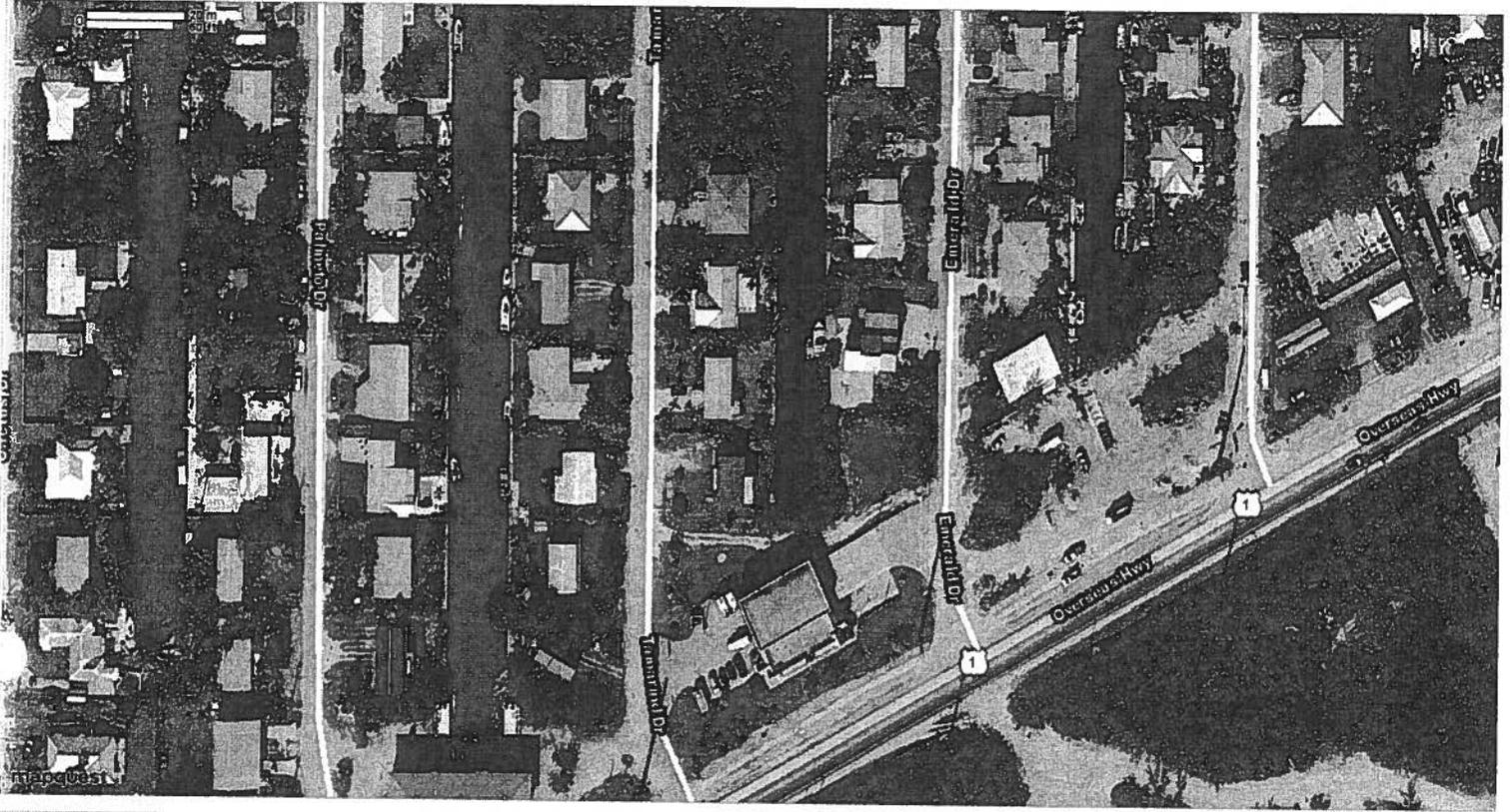
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 Big Coppitt Key,
FL

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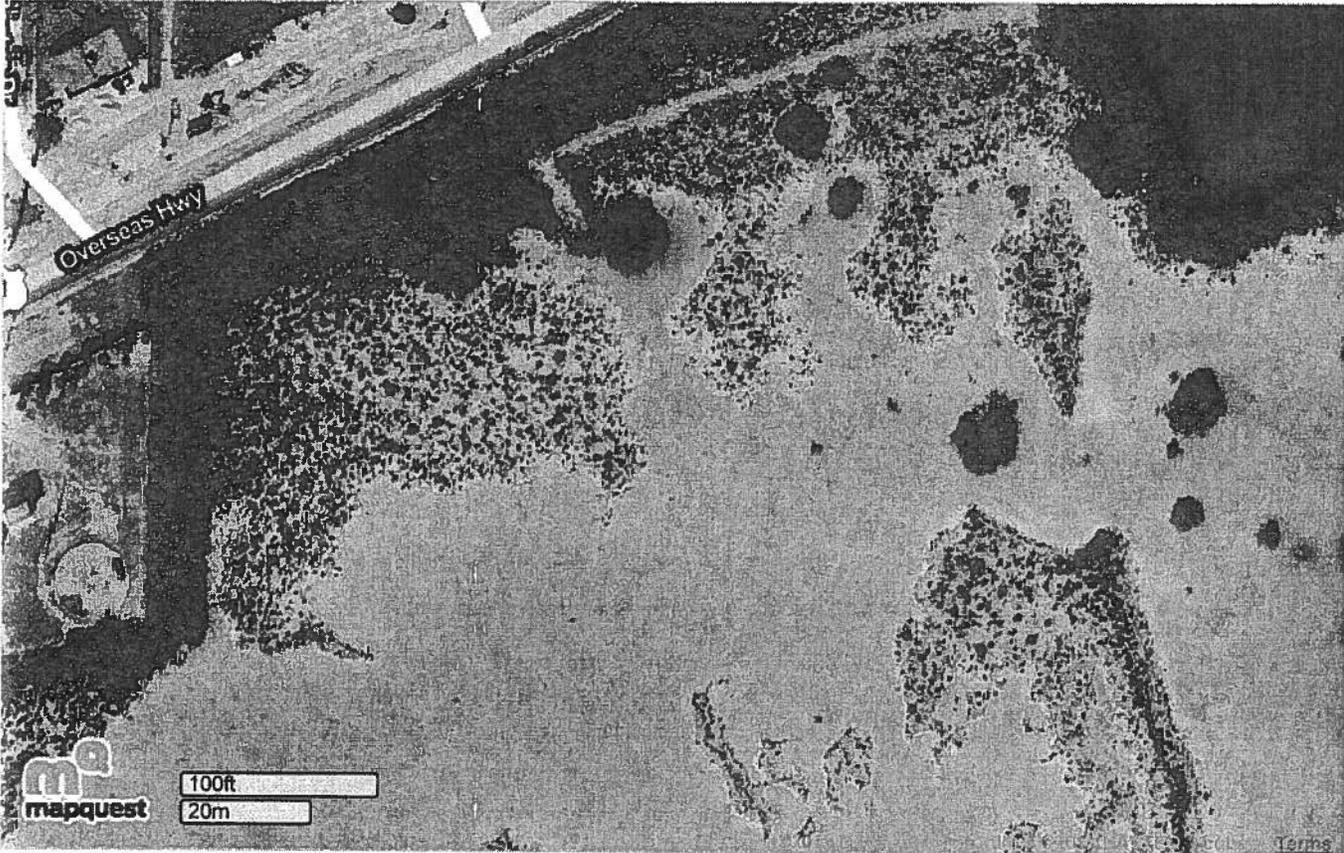
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Map of:
Big Coppitt Key, FL

Notes

Salt Marsh to the West of Rohaty Property



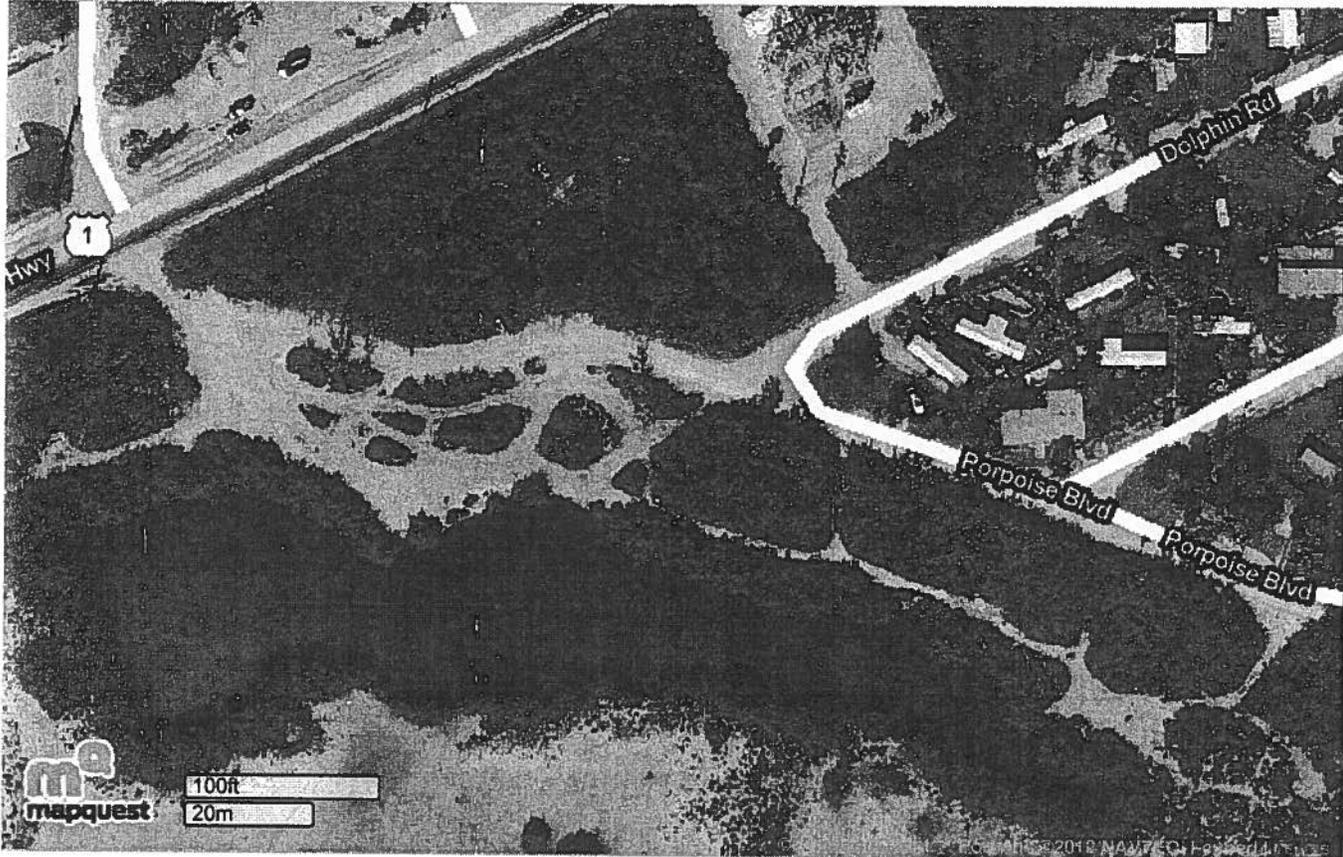
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Map of:
Big Coppitt Key, FL

Notes

Borrow Pit fand Rohaty Property



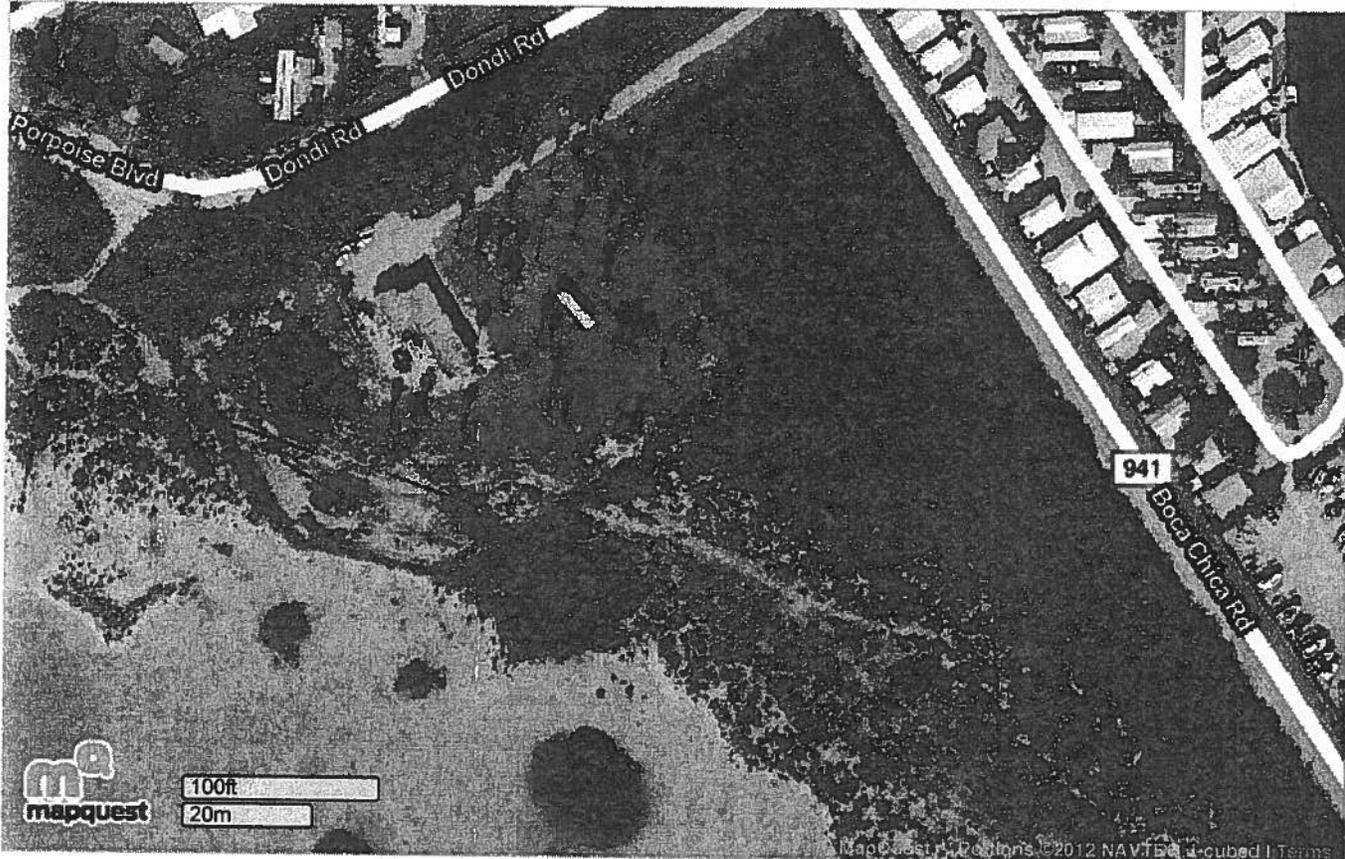
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Map of:
Big Coppitt Key, FL

Notes

Chain Link Fenced Washington Palms Property
and adjacent Salt Marsh



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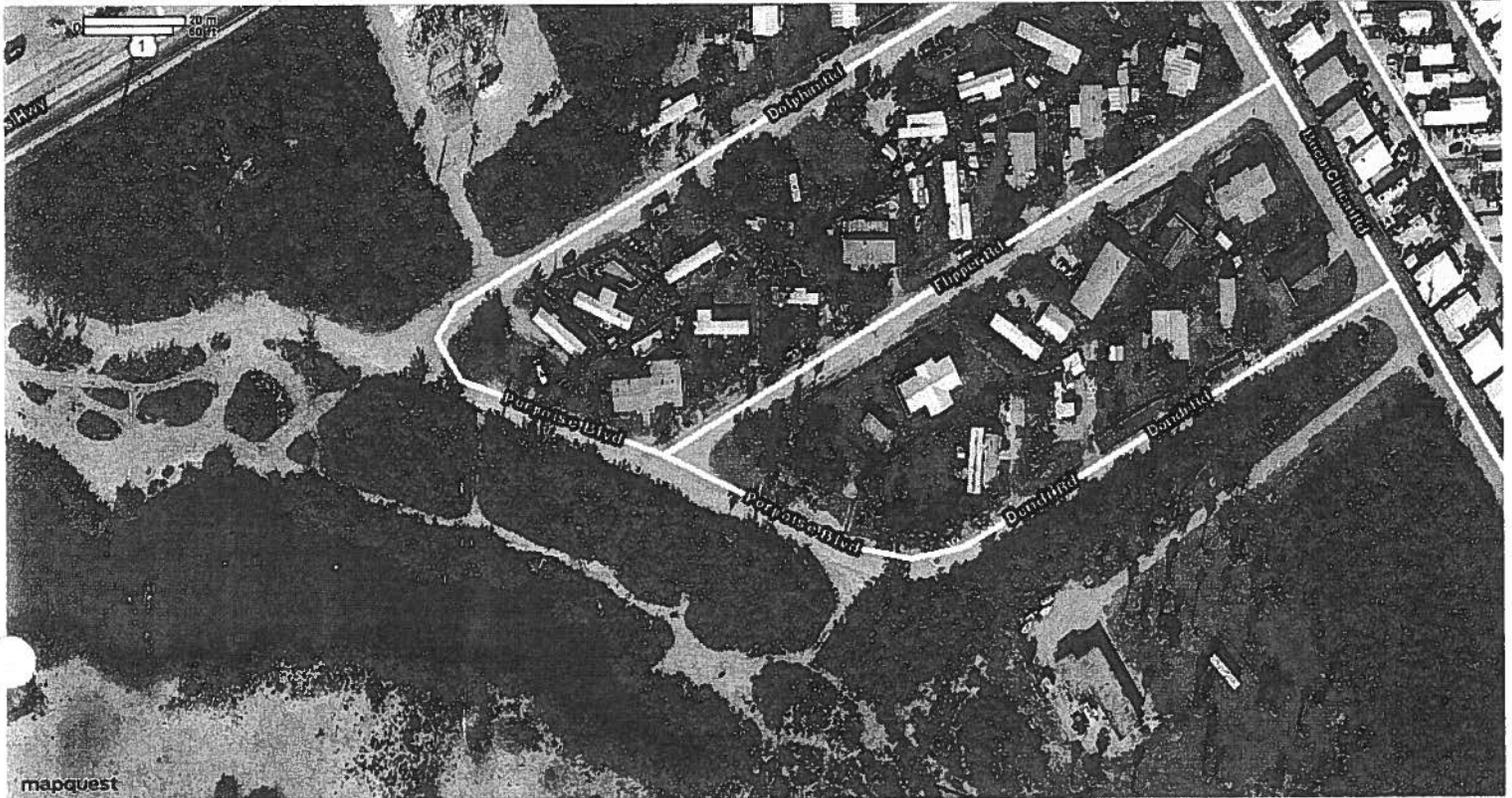
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 Big Coppitt Key,
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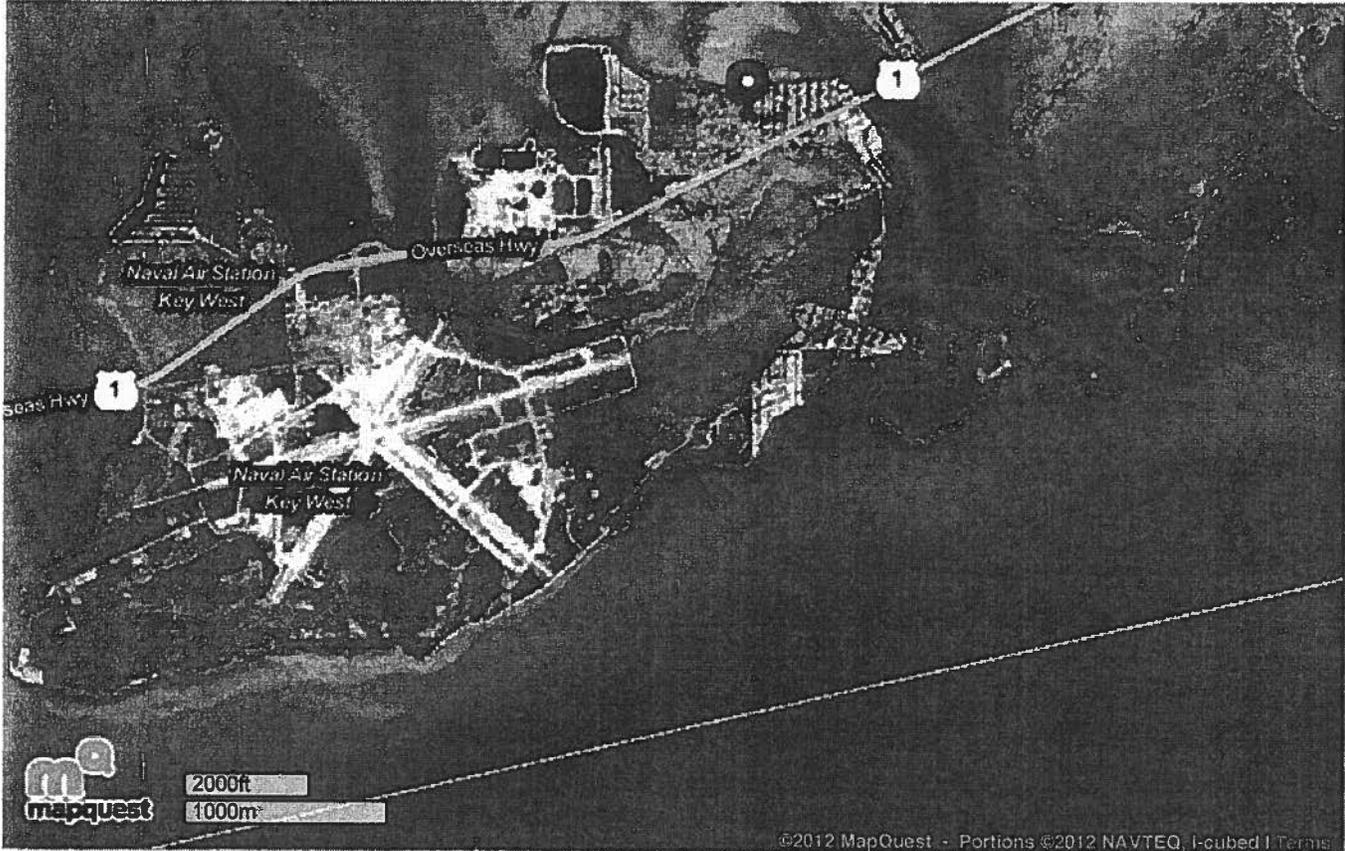
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Map of:
Big Coppitt Key, FL

Notes

Big Coppitt Key and the fenced Military airport



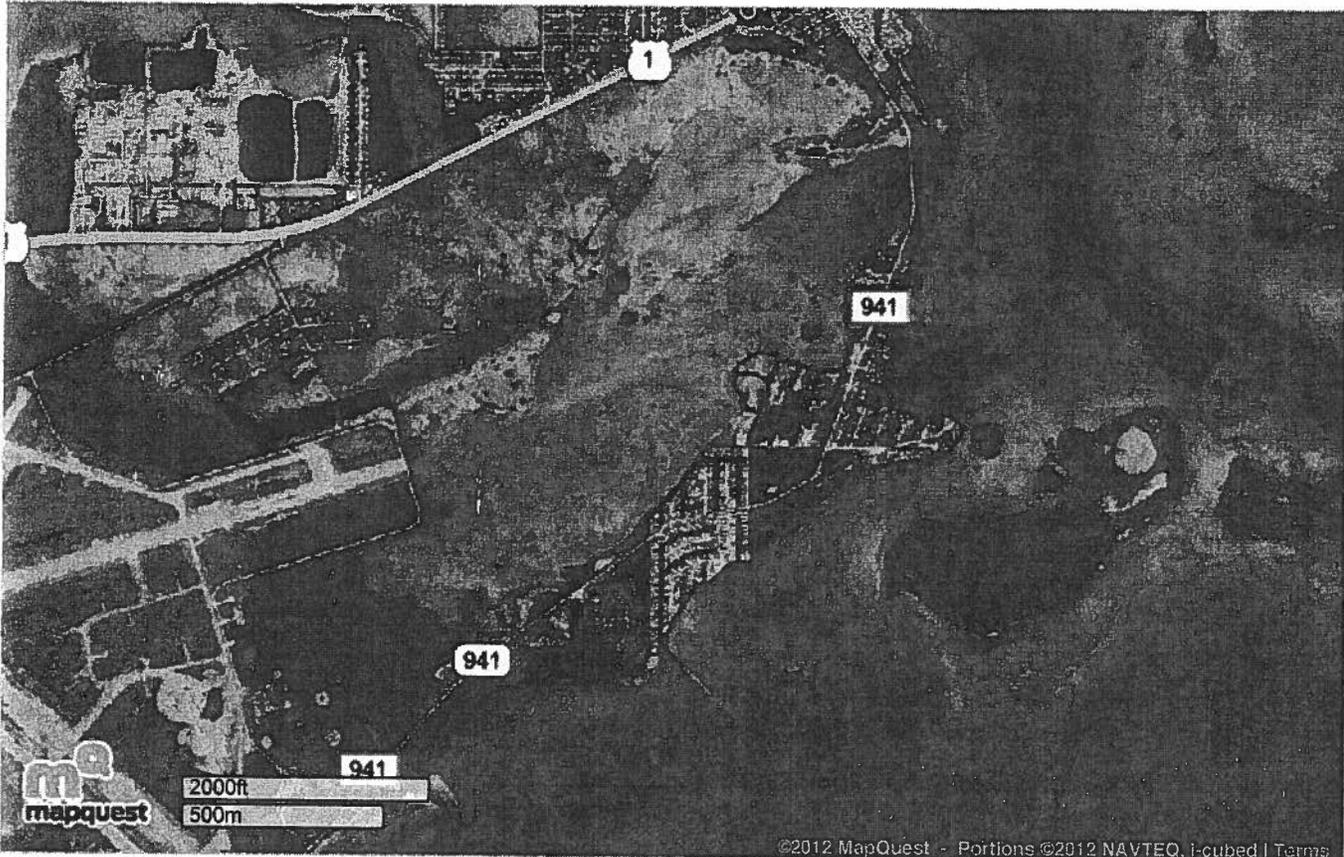
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Map of:
Big Coppitt Key, FL

Notes

Military Airport Runways and County Road 941



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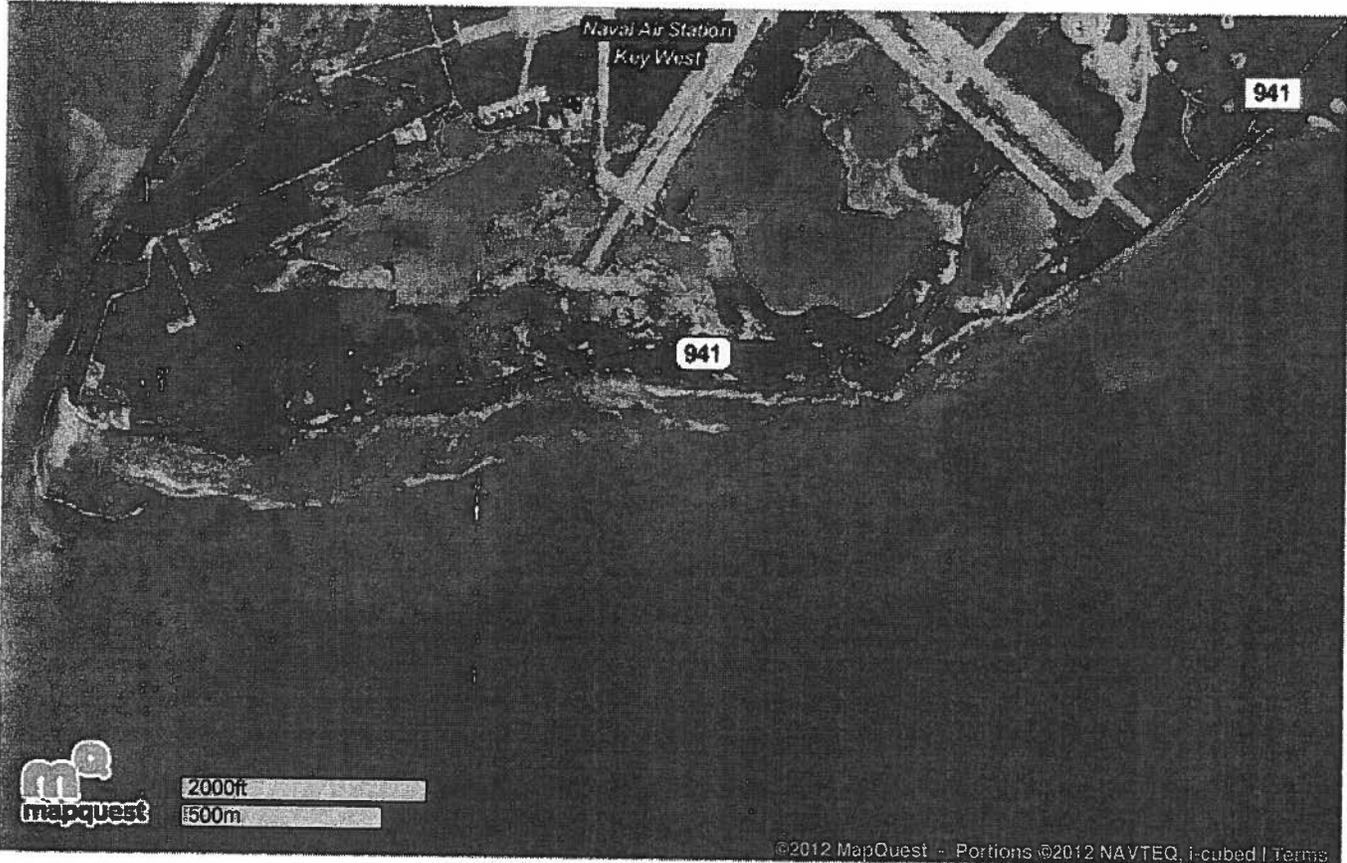
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Map of:
Big Coppitt Key, FL

Notes

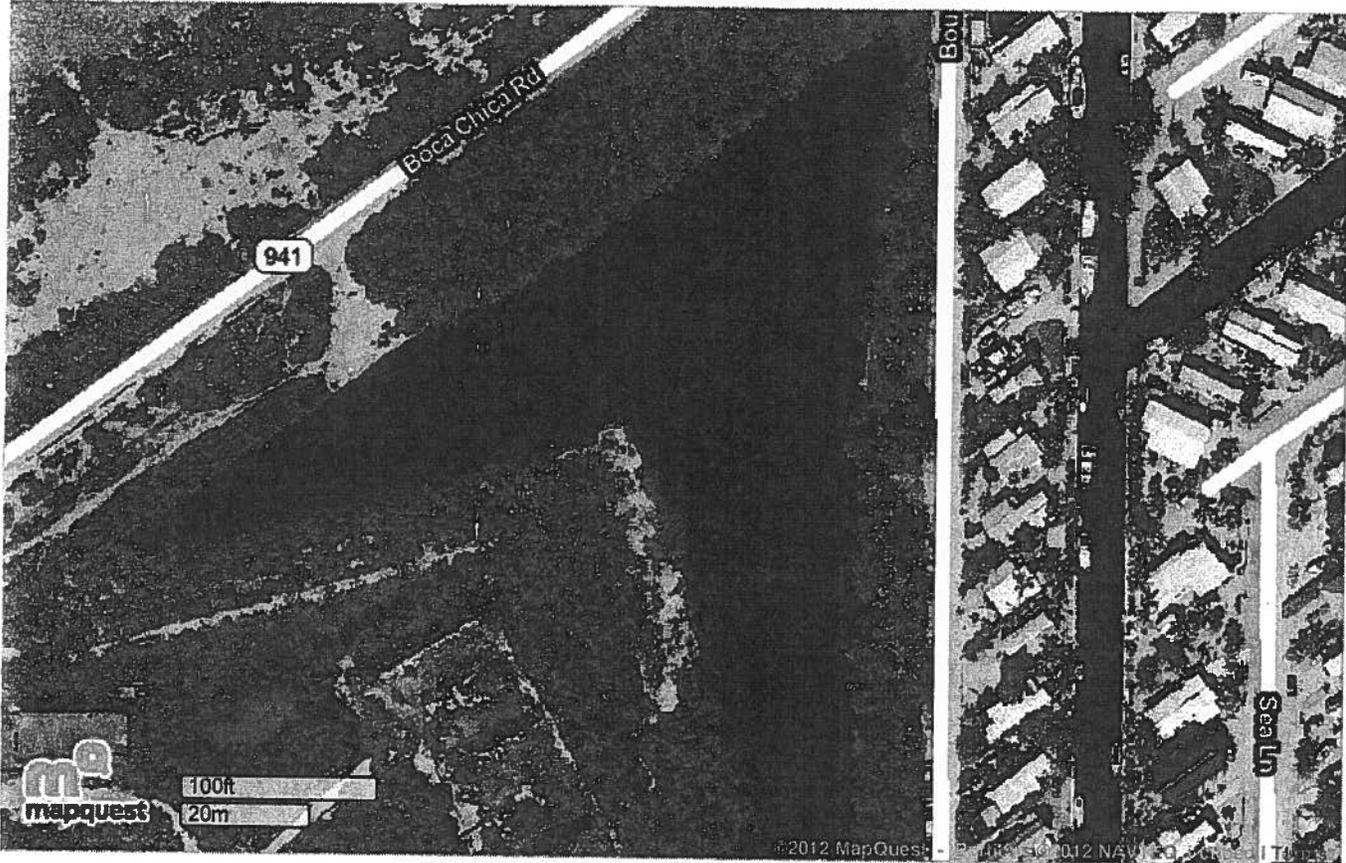
Rip Rap wall by the Ocean. The road is entirely fenced with a 8 foot high chain link fence



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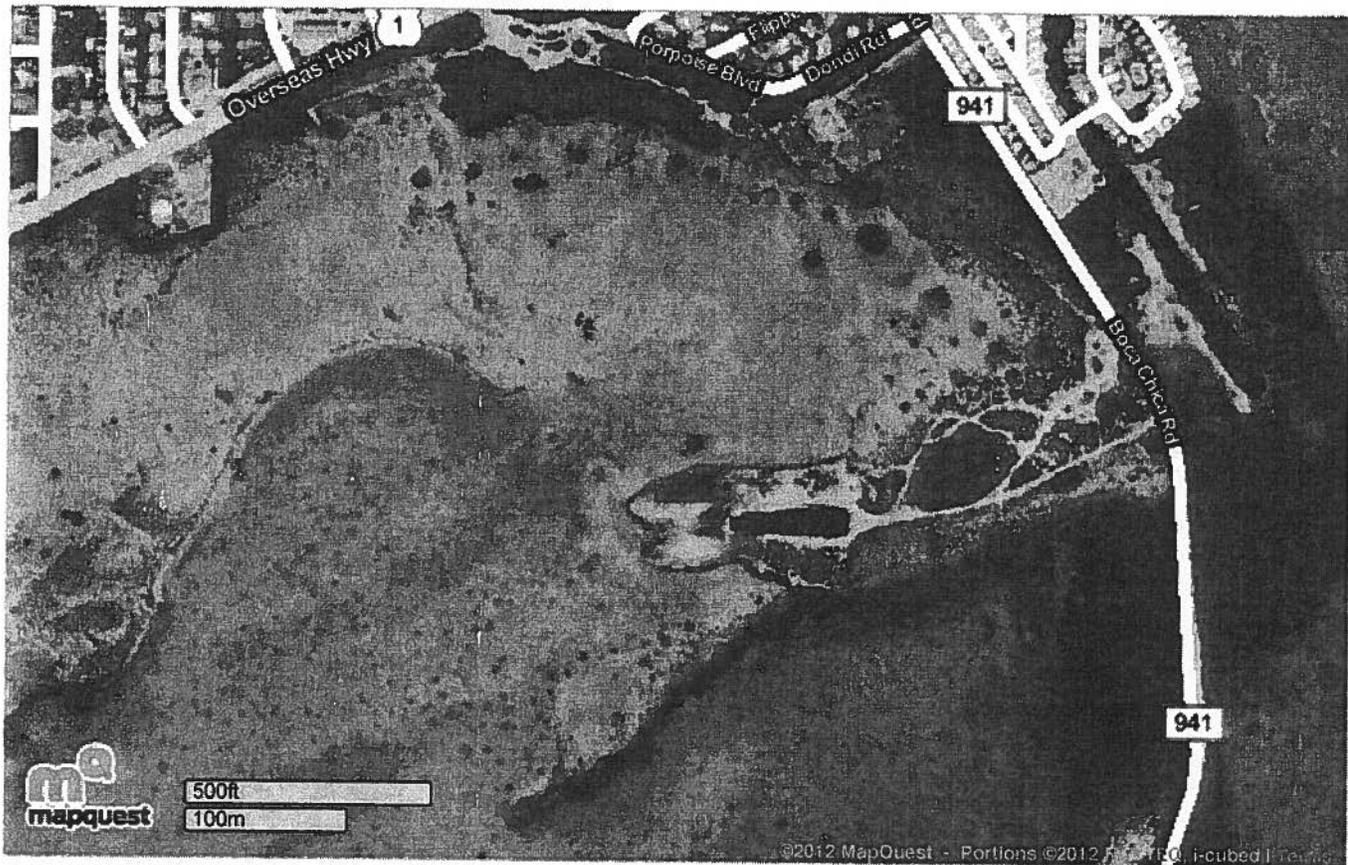
Notes

Sharp edged borrow pit on County road 941



Notes

Disturbed Salt Marsh on Boca Chica Road



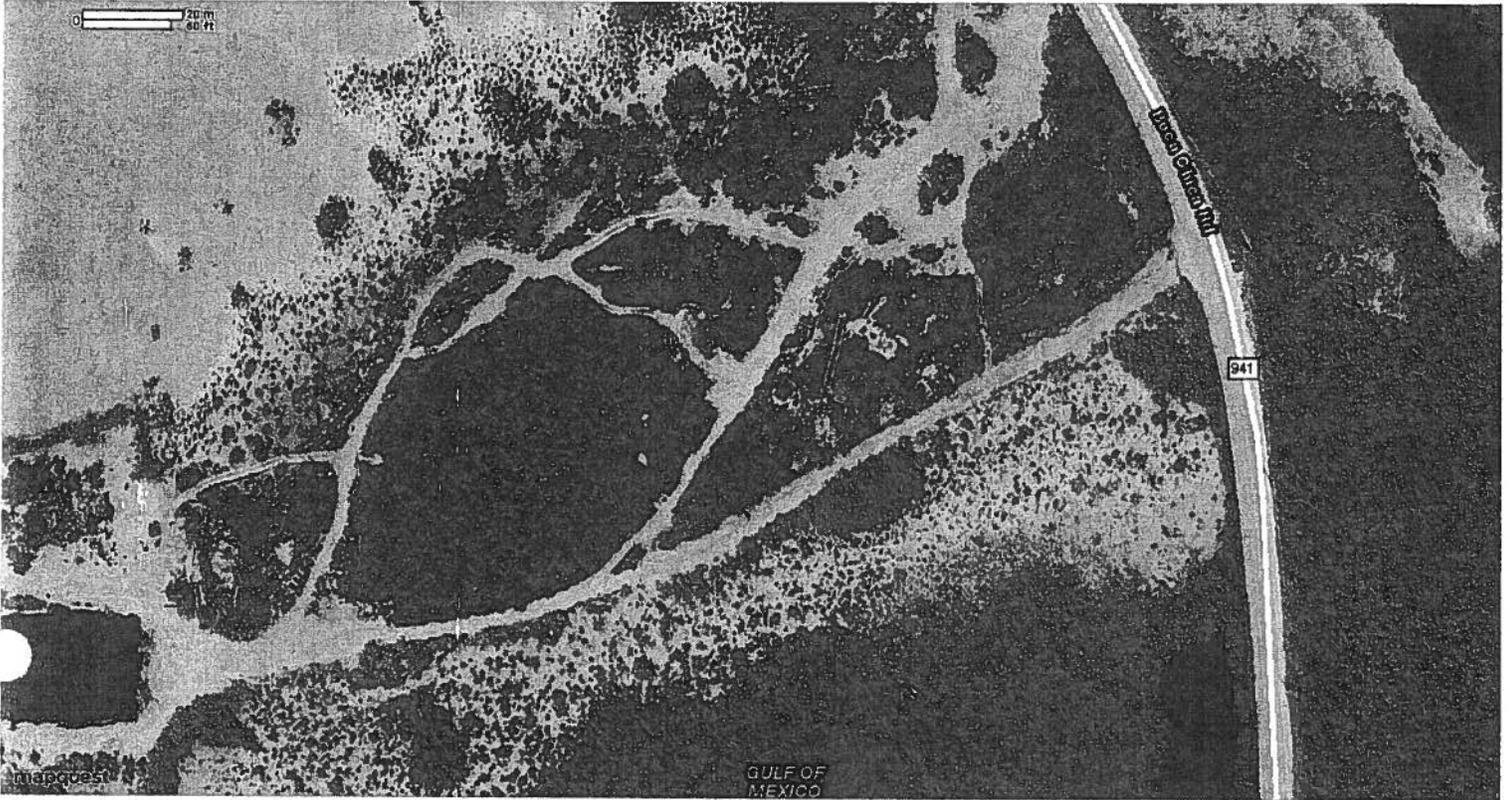
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FL

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 **infogroup**



Item #3 Rohaty - Map Amendment
Draft Resolution

MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. P 33-12

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FROM TIER I TO TIER III FOR PROPERTY OWNED BY STEPHEN ROHATY; LEGALLY DESCRIBED AS TRACT A PORPOISE POINT, SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 111, OF THE PUBLIC RECORDS OF MONROE COUNTY FLORIDA; HAVING REAL ESTATE NUMBER 00154870-000000

WHEREAS, Stephen Rohaty requested that the current Tier Map Overlay designation for property identified as Real Estate Numbers 00154870-000000 be amended from Tier I to Tier III in accordance with the Amended Final Order No. DCA 07-GM-166A, dated January 2, 2008; and

WHEREAS, the subject property is located at Mile Marker 10.5, Big Coppitt Key and is legally described as Tract A Porpoise Point, Section Two, according to the Plat thereof, as recorded in Plat Book 5, Page 111, of the Public Records of Monroe County Florida; and

WHEREAS, the Final Order determined that the criteria for Tier I does not include wetlands; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact and Conclusions of Law:

1. §102-158(a) of the Monroe County Code maintains that map amendments are not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in Monroe County Year 2010 Comprehensive Plan, but only to make necessary adjustments in light of changed conditions; and

2. Pursuant to §102-158(d)(5)b of the Monroe County Code, the Monroe County Board of County Commissioners may consider the adoption of an ordinance enacting the proposed change based on one (1) or more of the following factors: (i) Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; (ii) Changed assumptions (e.g., regarding demographic trends); (iii) Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan; (iv) New issues; (v) Recognition of a need for additional detail or comprehensiveness; or (vi) Data updates; and
3. Staff has determined that the proposed Tier map amendment is consistent with MCC Sec. 102-158(d)(5)b: (iii) Data errors; and
4. Pursuant to §130-130(e) of the Monroe County Code, The tier overlay district map may be amended to reflect existing conditions in an area if warranted because of drafting or data errors or regrowth of hammock. However, the clearing of tropical hardwood hammock or pinelands that results in the reduction of the area of an upland native habitat patch to less than the one-acre minimum shall not constitute sufficient grounds for amending the designation of a Tier III-A area to tier III. The tier overlay district map amendments shall be made pursuant to the procedures for map amendments to this chapter. Unlawful conditions shall not be recognized when determining existing conditions and regulatory requirements; and
5. The proposed map amendment is consistent with the Principles for Guiding Development and not inconsistent with any principle in the Florida Keys Area of Critical State Concern.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA:

- Section 1. The Planning Commission specifically approves the findings of fact and conclusions of law stated above.
- Section 2. The described property, which is currently undesignated and Tier I, is recommended to be designated Tier III as shown on the attached map, which is hereby incorporated by reference and attached as Exhibit 1.
- Section 3. The Planning Commission recommends that the Board of County Commissioners consider reimbursing the application fee to the applicant, with the exception of advertising costs incurred by Monroe County.
-

PASSED AND ADOPTED By the Planning Commission of Monroe County, Florida, at a regular meeting held on the 29th day of August, 2012.

Chair Werling	—
Vice-Chair Wall	—
Commissioner Hale	—
Commissioner Lustberg	—
Commissioner Wiatt	—

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY _____
Denise Werling, Chair

Signed this _____ day of _____, 2012



**Item #3 Rohaty- Map Amendment
Draft Ordinance**

ORDINANCE - 2012

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FROM TIER I TO TIER III FOR PROPERTY OWNED BY STEPHEN ROHATY; LEGALLY DESCRIBED AS TRACT A PORPOISE POINT, SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 111, OF THE PUBLIC RECORDS OF MONROE COUNTY FLORIDA; HAVING REAL ESTATE NUMBER 00154870-000000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 24th day of July, 2012; and

WHEREAS, at a regularly scheduled meeting held on the 29th day of August, 2011, the Monroe County Planning Commission held a public hearing for the purpose of making a recommendation to the Monroe County Board of County Commissioners to amend the Tier Overlay District Map; and

WHEREAS, the Monroe County Planning Commission made the following findings:

1. The subject property is located adjacent to U.S. Highway 1 on Big Coppitt Key and consists of wetland plant communities.
2. The Department of Community Affairs issued an Amended Final Order No. DCA 07-GM-166A on January 2, 2008 that included the determination by the Administrative Law Judge (ALJ) that the criteria for Tier I designation does not include wetland habitats.
3. Real Estate Number 00154870-000000 contains freshwater wetlands and is not contiguous with native upland habitat nor is part of a larger system containing native upland vegetation.
4. The proposed Tier map amendment is consistent with Section 130-130(e). The tier overlay district map may be amended to reflect existing conditions in an area if warranted because of drafting or data errors or regrowth of hammock. The subject property does not meet the Tier I criteria specified by Section 130-130(d), Monroe County Code.

48
49 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
50 **COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

51
52 **Section 1.**
53 The Tier designation on the Tier Overlay District Map for one (1) parcel having real estate
54 00154870-000000 shall be amended from Tier I to Tier III as shown on Exhibit 1, attached hereto
55 and incorporated herein.

56
57 **Section 2. Severability.**
58 If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be
59 adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect,
60 impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be
61 confined to the section, paragraph, subdivision, clause, sentence, or provision immediately
62 involved in the controversy in which such judgment or decree shall be rendered.

63
64 **Section 3. Conflicting Provisions.**
65 In the case of direct conflict between any provision of this ordinance and a portion or provision of
66 any appropriate federal, state, or County law, rule code or regulation, the more restrictive shall
67 apply.

68
69 **Section 4. Transmittal.**
70 This ordinance shall be transmitted by the Clerk to the Florida State Land Planning Agency as
71 required by Section 380.05(6) and (11), F.S. and Section 389.0552(9), F.S.

72
73 **Section 5. Filing.**
74 This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not
75 become effective until a notice is issued by the Florida State Land Planning Agency or
76 Administration Commission approving the ordinance.

77
78 **Section 6. Effective Date.**
79 This ordinance shall become effective as provided by law and stated above.

80
81
82
83 (The remainder of this page left intentionally blank.)

84
85

86
87 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida,
88 at a regular meeting held on the _____ day of _____, 2012.

89
90 Mayor David Rice _____
91 Mayor *pro tem* Kim Wigington _____
92 Commissioner Heather Carruthers _____
93 Commissioner George Neugent _____
94 Commissioner Sylvia Murphy _____
95

96
97 BOARD OF COUNTY COMMISSIONERS OF MONROE
98 COUNTY, FLORIDA
99

100 BY _____
101 Mayor David Rice
102

103
104 (SEAL)

105
106 ATTEST: DANNY L. KOLHAGE, CLERK
107

108
109 _____
110 DEPUTY CLERK
111

112



**Item #4 Seacamp-Tier Overlay Map Amend
Staff Report**

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Townsley Schwab, Senior Director of Planning & Environmental Services

From: Mitchell N Harvey, AICP, Comprehensive Planning Manager *MNH*

Date: August 17, 2012

Subject: *Request for an Amendment to the Tier Map from undesignated and Tier I to Tier III, Seacamp, Big Pine Key, having real estate numbers 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, and 00247180-000000*

Meeting: August 29, 2012

I REQUEST

A request for approval to amend the tier designation for Parcel Numbers 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, and 00247180-000000 from undesignated and Tier I to Tier III.



Subject Parcels (Outlined In Blue)

1 Location:

2 **Address:** Seacamp Association, Inc., 1300 Big Pine Avenue, Big Pine Key, FL 33043

3 **Legal Description:** Big Pine Key Part of Bay Bottom Adjacent To Blocks E and F; Block E,
4 Lots, 16, 17, 18, 19, 20; Block F, Lots 8, 9, 10, 11, 12; Piney Point Subdivision (PB8-88) within
5 Section 34, Township 66, Range 29.

6 **Real Estate Numbers:** 00112030-000000, 00246950-000000, 00246960-000000, 00246970-
7 000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000,
8 00247160-000000, 00247170-000000, and 00247180-000000

9 **Applicant:** Monroe County Planning and Environmental Resources Department

10
11 **II RELEVANT PRIOR COUNTY ACTIONS**

12
13 On December 17, 2003, the Board of County Commissioners passed **Resolution 562-2003**
14 which approved Draft 4 of the Livable CommuniKeys Master Plan for Big Pine Key and
15 No Name Key and directed staff to change the Tier designation of the property known as
16 Seacamp from Tier I to Tier III on the map on Page 28.

17
18 The Board of County Commission passed Resolution 044-2004 on January 21, 2004 to
19 transmit the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name
20 Key as a proposed amendment to the 2010 Monroe County Comprehensive Plan to the
21 Department of Community Affairs.

22
23 The Department of Community Affairs issued an Objections, Recommendations and
24 Comments (ORC) Report to Monroe County on June 29, 2004.

25
26 The Board of County Commission passed Ordinance 029-2004 on August 14, 2004 to
27 adopt the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key
28 as an amendment to the 2010 Comprehensive Plan, address issues raised in the Objections,
29 Recommendations and Comments (ORD) Report and to submit the amendment to the
30 Department of Community Affairs.

31
32 The Planning Commission passed Resolution P39-11 on December 1, 2011 (Exhibit 2), to
33 recommend approval to the Board of County Commissioners to transmit to the State Land
34 Planning Agency for review and comment, an amendment to the 2010 Comprehensive
35 Plan, to amend the Livable CommuniKeys Program Master Plan for Future Development
36 of Big Pine Key and No Name Key , to amend the Tier designation on Figure 2.1 (Tier
37 Map for Big Pine Key and No Name Key), and Table 2.7, Institutional Uses for the
38 Seacamp property from Tier I to Tier III, as directed by the Board of County
39 Commissioners in Resolution 562-2003.

40
41 The Board of County Commissioners passed Resolution 023-2012 on February 13, 2012
42 (Exhibit 3), transmitting to the State Land Planning Agency for review and comment, an
43 amendment to the 2010 Comprehensive Plan, to amend the Livable CommuniKeys
44 Program Master Plan for Future Development of Big Pine Key and No Name Key , to
45 amend the Tier designation on Figure 2.1 (Tier Map for Big Pine Key and No Name Key),
46 and Table 2.7, Institutional Uses, for the Seacamp property from Tier I to Tier III, as
47 directed by the Board of County Commissioners in Resolution 562-2003.

1 The proposed Comprehensive Plan amendment to revise Figure 2.1 and Table 2.7 was
2 reviewed by the State Land Planning Agency which issued an Objections,
3 Recommendations, and Comments (ORC) Report on May 4, 2012 with no comments or
4 issues relative to this amendment. The Comprehensive Plan amendment is scheduled for
5 review and adoption by the Board of County Commissioners on September 19, 2012.
6

7 III BACKGROUND INFORMATION

- 8
- 9 A. Size of Site: 14.98 acres
 - 10 B. Land Use District: MU
 - 11 C. FLUM Designation: INS
 - 12 D. Tier Designation: undesignated, I
 - 13 E. Flood Zone: AE (EL 9); VE (EL 10)
 - 14 F. Existing Use: Institutional
 - 15 G. Existing Vegetation/Habitat: Developed land, Undeveloped Land, Buttonwood, Mangrove,
16 Salt Marsh
 - 17 H. Community Character of Immediate Vicinity: Adjacent land use consists of IS-M district
18 uses and vacant land
- 19

20 Additional Information

21 Seacamp, a not-for-profit organization that provides marine education to children, contacted
22 Monroe County to notify County staff of a Tier designation error for the Seacamp property and
23 requested a correction to the error. Seacamp's property is located on approximately 14.98
24 acres of submerged land and uplands located at the extreme southwest tip of the island, at the
25 end of Big Pine Avenue.

26

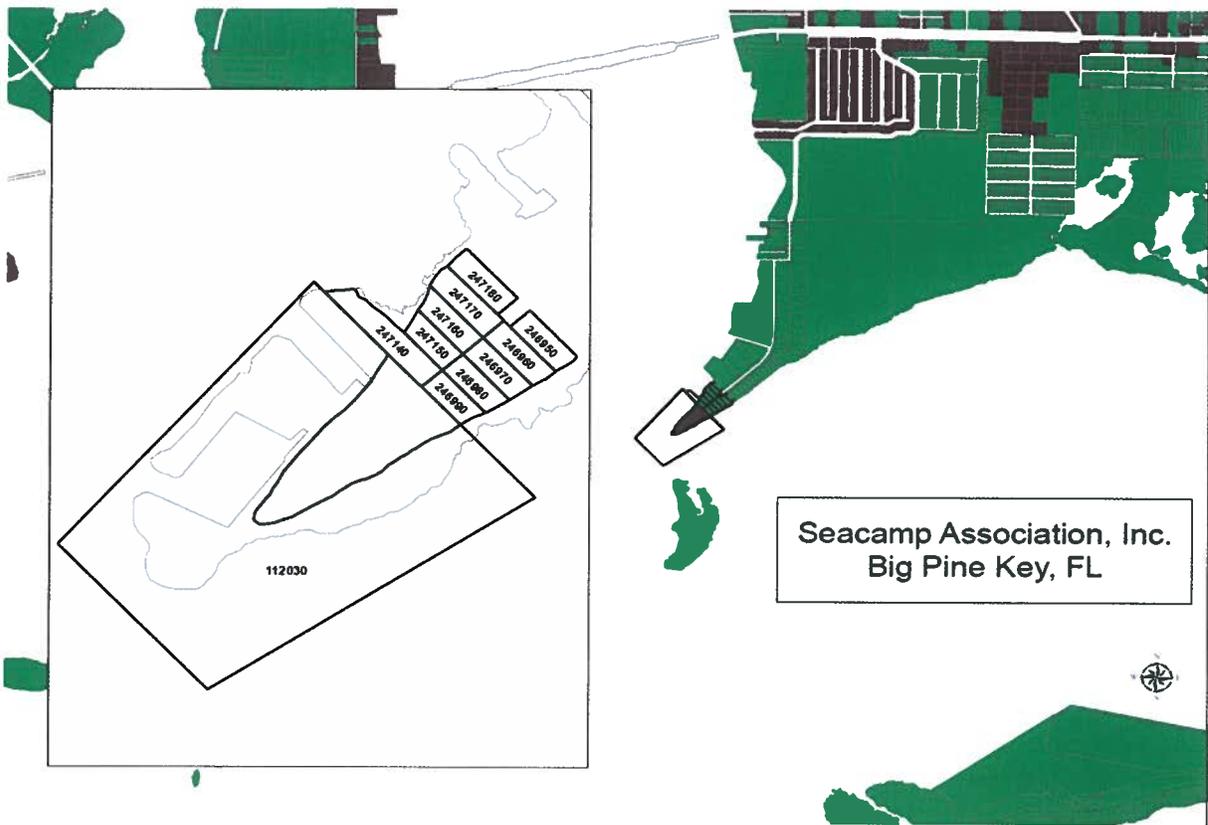
27 The Seacamp property consists of 13 real estate numbers: 00112030-000000, 00112040-
28 000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000,
29 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-
30 000000, 00247180-000000, and 00247000-000000.

31

32 Real estate number 00247000-000000 is currently designated Tier III. Real estate number
33 00112040-000000 is submerged land. These two parcels are not included with this amendment.

34

35 The eleven (11) affected parcels to be amended from undesignated and Tier I to Tier III are
36 illustrated below and on Exhibit 4:
37
38



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The Seacamp property, except for the parcel with real estate number 00247000-000000, is presently undesignated or designated Tier I within the Livable CommuniKeys Program (LCP) Master Plan for Future Development of Big Pine Key and No Name Key. A proposed Comprehensive Plan amendment to revise Figure 2.1 and Table 2.7 of the LCP was reviewed by the State Land Planning Agency which issued an Objections, Recommendations, and Comments (ORC) Report on May 4, 2012 with no comments or issues relative to this amendment. The Comprehensive Plan amendment is scheduled for review and adoption by the Board of County Commissioners on September 19, 2012. The proposed Tier Map amendment is consistent with the concurrent LCP amendment.

IV REVIEW OF APPLICATION

On Big Pine Key, growth management and development are guided by multiple layers of regulations including the Year 2010 Comprehensive Plan, the Livable CommuniKeys Program Master Plan for Future Development of Big Pine Key and No Name Key, Habitat Conservation Plan, Incidental Take Permit and the Monroe County Land Development Code which includes the Tier Overlay District (MCC §130-130(d)).

A. Consistency of the proposed amendment with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan

Staff has determined that the proposed map amendment is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan, including Policies 102.7.3, 103.2.1, 105.2.1 and 205.1.1, as follows:

1
2 **Policy 102.7.3**

3 Monroe County shall discourage developments proposed on offshore islands by
4 methods including, but not limited to, designated offshore islands as Tier I
5

6 **Policy 103.2.1**

7 Monroe County shall implement methods including, but not limited to, designating
8 known habitats of the Schaus Swallowtail Butterfly as Tier I.
9

10 **Policy 105.2.1**

11 Monroe County shall designate all lands outside of mainland Monroe County,
12 except for the Ocean Reef planned development, into three general categories for
13 purposes of its Land Acquisition Program and smart growth initiatives in
14 accordance with the criteria in Policy 205.1.1. These three categories are: Natural
15 Area (Tier I); Transition and Sprawl Reduction Area (Tier II) on Big Pine Key and
16 No Name Key only; and Infill Area (Tier III). The purposes, general characteristics,
17 and growth management approaches associated with each tier are as follows:
18

- 19 1. Natural Area (Tier I): Any defined geographic area where all or a significant
20 portion of the land area is characterized as environmentally sensitive by the
21 policies of this Plan and applicable habitat conservation plan, is to be
22 designated as a Natural Area. New development on vacant land is to be
23 severely restricted and privately owned vacant lands are to be acquired or
24 development rights retired for resource conservation and passive recreation
25 purposes. However, this does not preclude provisions of infrastructure for
26 existing development. Within the Natural Area designation are typically
27 found lands within the acquisition boundaries of federal and state resource
28 conservation and park areas, including isolated platted subdivisions; and
29 privately-owned vacant lands with sensitive environmental features outside
30 these acquisition areas.
31
- 32 2. Transition and Sprawl Reduction Area (Tier II): Any defined geographic
33 area on Big Pine Key and No Name Key, where scattered groups and
34 fragments of environmentally sensitive lands, as defined by this Plan, may
35 be found and where existing platted subdivisions are not predominately
36 developed, not served by complete infrastructure facilities, or not within
37 close proximity to established commercial areas, is to be designated as a
38 Transition and Sprawl Reduction Area. New development is to be
39 discouraged and privately owned vacant lands acquired or development
40 rights retired to reduce sprawl, ensure that the Keys carrying capacity is not
41 exceeded, and prevent further encroachment on sensitive natural resources.
42 Within a Transition and Sprawl Reduction Area are typically found:
43 scattered small non-residential development and platted subdivisions with
44 less than 50 percent of the lots developed; incomplete infrastructure in terms
45 of paved roads, potable water, or electricity; and scattered clusters of
46 environmentally sensitive lands, some of which are within or in close
47 proximity to existing platted subdivisions.
48

- 1 3. Infill Area (Tier III): Any defined geographic area, where a significant
2 portion of land area is not characterized as environmentally sensitive as
3 defined by this Plan, except for dispersed and isolated fragments of
4 environmentally sensitive lands of less than four acres in area, where
5 existing platted subdivisions are substantially developed, served by
6 complete infrastructure facilities, and within close proximity to established
7 commercial areas, or where a concentration of non-residential uses exists, is
8 to be designated as an Infill Area. New development and redevelopment are
9 to be highly encouraged, except within tropical hardwood hammock or
10 pineland patches of an acre or more in area, where development is to be
11 discouraged. Within an Infill Area are typically found: platted subdivisions
12 with 50 percent or more developed lots situated in areas with few sensitive
13 environmental features; full range of available public infrastructure in terms
14 of paved roads, potable water, and electricity; and concentrations of
15 commercial and other non-residential uses within close proximity. In some
16 Infill Areas, a mix of non-residential and high-density residential uses
17 (generally 8 units or more per acre) may also be found that form a
18 Community Center.

19
20 **Policy 205.1.1**

21 The County shall establish the following criteria at a minimum to use when
22 designating Tiers:

- 23
24 1. Land located outside of Big Pine Key and No Name Key shall be designated as
25 Tier I based on following criteria:
- 26 ▪ Natural areas including old and new growth upland native vegetated areas,
27 above 4 acres in area.
 - 28 ▪ Vacant land which can be restored to connect upland native habitat patches
29 and reduce further fragmentation of upland native habitat.
 - 30 ▪ Lands required to provide an undeveloped buffer, up to 500 feet in depth, if
31 indicated by appropriate special species studies, between natural areas and
32 development to reduce secondary impacts; canals or roadways, depending
33 on size may form a boundary that removes the need for the buffer or reduces
34 its depth.
 - 35 ▪ Lands designated for acquisition by public agencies for conservation and
36 natural resource protection.
 - 37 ▪ Known locations of threatened and endangered species.
 - 38 ▪ Lands designated as Conservation and Residential Conservation on the
39 Future Land Use Map or within a buffer/restoration area as appropriate.
 - 40 ▪ Areas with minimal existing development and infrastructure.
- 41
42 2. Lands on Big Pine Key and No Name Key designated as Tier I, II, or III shall be
43 in accordance with the wildlife habitat quality criteria as defined in the Habitat
44 Conservation Plan for those islands.
- 45
46 3. Lands located outside of Big Pine Key and No Name Key that are not
47 designated Tier I shall be designated Tier III.
-

- 1 4. Designated Tier III lands located outside of Big Pine Key and No Name Key
2 with tropical hardwood hammock or pinelands of one acre or greater in area
3 shall be designated as Special Protection Areas.
4
5 5. Lands within the Ocean Reef planned development shall be excluded from any
6 Tier designation.
7

8 B. *Consistency of the proposed amendment with the provisions and intent of relevant adopted*
9 *plans*

10
11 The Livable CommuniKeys Program Master Plan for Future Development of Big Pine Key
12 And No Name Key
13

14 On December 17, 2003, the Monroe County Board of County Commissioners passed
15 Resolution NO. 562-2003, approving the Livable CommuniKeys Master Plan (LCP) for
16 Big Pine Key and No Name Key as the policy document to direct growth and development
17 of Big Pine Key and No Name Key. Resolution 562-2003 (Exhibit 1) included direction to
18 County staff to “change the Tier designation of the property known as Seacamp from Tier I
19 to Tier III on the map on Page 28.”
20

21 The Tier System plays a major role in the implementation of the Big Pine Key & No Name
22 Key Livable CommuniKeys (LCP) Master Plan and the Habitat Conservation Plan (HCP).
23 The LCP Master Plan classifies all land on Big Pine and No Name Keys into three ‘tiers’
24 based on conservation and infill priorities. Most of the islands are classified as Tier 1
25 because of their environmental sensitivity and importance for the continued viability of the
26 endangered species. Tier 2 lands are canal lots located a distance a distance from U.S. 1
27 with a potential for secondary impacts on the endangered species from traffic. Tier 3 lands
28 are canal lots in close proximity to U.S. 1, which provide little habitat value to the
29 endangered species and because of location, a decreased potential for deer kills from
30 vehicles. Some undeveloped lots in Tier 3 are also located between existing developed
31 commercial lots in the U.S. 1 Corridor.
32

33 The Tier Map for Big Pine Key and No Name Key has been developed based on relative
34 wildlife habitat quality as defined in the HCP. For the Big Pine Key and No Name Key
35 planning area the Tier Maps are based upon habitat sensitivity identified in the HCP,
36 primarily as represented on the weighted Harvest Grid Map.
37

38 As noted in Strategy 1.1 of the LCP, the Tier System on Big Pine Key and No Name Key is
39 based upon relative H of parcels or environmental sensitivity of parcels as noted in the
40 LCP.
41

42 Strategy 1.1

43 Create a Tier Map for the planning area depicting the locations of Tier I, Tier II and
44 Tier III lands as described in Comprehensive Plan Policy 105.2.1. Base the Tier
45 Map on the habitat needs of federally endangered resident species in the planning
46 area as set forth in the anticipated ITP and HCP in terms of relative H of parcels
47 within the planning area.
48

1 The Big Pine Key and No Name Key LCP Tier Map is concurrently being amended to
2 show the parcels in question as Tier III. The proposed Tier Map amendment is consistent
3 with the concurrent amendment to the Big Pine Key and No Name Key LCP.
4

5 The Habitat Conservation Plan (HCP)

6 The Habitat Conservation Plan (HCP) for the Florida Key Deer was prepared by Monroe
7 County for the U.S. Fish and Wildlife Service on April 2003 and was revised on April
8 2006.
9

10 “The Habitat Conservation Plan (HCP) focuses on the Key deer as an “umbrella species”
11 and operates under the assumption that avoiding and minimizing impacts to Key deer
12 habitat, will also provide direct protection to both populations and habitats of other
13 terrestrial species. In the development of the HCP, the ecology and population dynamics of
14 the Key deer was studied for three years and a Population Viability Analysis (PVA) model,
15 including a spatial component, was produced to evaluate the impacts of development
16 scenarios on the Key deer population. Based on the Key deer studies done for the HCP and
17 the resulting spatial model, lands in the study area were classified into three “Tiers.” Tier 1
18 lands are higher quality Key deer habitat. Tier 3 lands are the lowest quality Key deer
19 habitat. Most of the parcels in Tiers 2 and 3 are interspersed among developed parcels and
20 among canals. These areas provide little habitat value to the covered species.” (Pg. 2
21 Habitat Conservation Plan)
22

23 Figure 2.1 (Exhibit 5) of the HCP provides Key deer locations from telemetry data. As
24 noted in the HCP, “the Key deer are wide ranging and utilize virtually all available habitat
25 in the project area, including developed areas (Figure 2.1, Lopez 2001).” **Figure 2.1 does**
26 **not indicate the utilization or distribution of Key deer, during the 3 year study period,**
27 **within or adjacent to the Seacamp property. (Pg. 20 Habitat Conservation Plan)**
28

29 Figure 2.2 (Exhibit 6) of the HCP provides the Lower Keys marsh rabbit habitat, as
30 identified by the U.S. Fish and Wildlife Service. This figure displays the Lower Keys
31 marsh rabbit habitat on Big Pine Key and No Name Key (Faulhaber 2003) based on the
32 most recent data on its distribution within the covered area (Figure 2.2). **Figure 2.2 does**
33 **not indicate Lower Keys marsh rabbit habitat within or adjacent to the Seacamp**
34 **property. (Pg. 23 Habitat Conservation Plan)**
35

36 Lastly, Figure 2.4 (Exhibit 7) depicts the 6 grid layers used to generate the weighting factor
37 for the final carrying capacity grid. **The deer corridor and deer density parameters**
38 **both reflect low utilization of the Seacamp area by Key deer.**
39

40 Monroe County Environmental Resources staff conducted a site visit of the Seacamp
41 Property on August 5, 2011, to evaluate the accuracy of the County’s GIS habitat layer and
42 assess the vegetative communities on the Seacamp parcels. County staff concluded that the
43 2009 habitat layer accurately depicts the majority of the site. The beach berm located south
44 of the impounded water on the west end of the point could be labeled as developed land.
45 The spit along the west side of the south boat basin is vacant land that provides access to
46 boat docks. The mangrove area that extends into the developed area of the camp is actually
47 a canal with a mangrove canopy and should be labeled as water. Staff is amending the

1 habitat layer to reflect this change from mangrove to water. The habitat layer is depicted
2 within Exhibit 4.

3
4 C. *Consistency of the proposed amendment with the provisions and intent of the Monroe*
5 *County Code, Land Development Code:*

6
7 Staff has determined that the proposed map amendment is consistent with the provision and
8 intent of Section 130-130 of the Monroe County Land Development Code.

9
10 The Monroe County Board of County Commissioners (BOCC) adopted Ordinances Nos.
11 008-2006, 009-2006, 010-0006, 011-2006 and 013-2006 (Tier Ordinances) which set forth
12 criteria in the Land Development Regulations implementing a “Tier System” and adopting
13 Tier Overlay District Maps in order to protect the natural habitat and guide development
14 toward less environmentally sensitive areas.

15
16 The criteria for the tier overlay district map designations Tier I, Tier III-A and Tier III are
17 detailed in §130-130 of the Monroe County Code, as amended by Final Order.

18
19 **LDR Sec. 130-130. - Tier overlay district.**

20 **(a) Purpose.**

21 The purpose of the tier overlay district is to designate geographical areas outside of the
22 mainland of the county, excluding the Ocean Reef planned development, into tiers to
23 assign ROGO and NROGO points, determine the amount of clearing of upland native
24 vegetation that may be permitted, and prioritize lands for public acquisition. The tier
25 boundaries are to be depicted on the tier overlay district map. Lands on Big Pine Key and
26 No Name Key shall be delineated as tier I, II, or III. Lands in the remainder of the
27 unincorporated county, excluding the Ocean Reef planned development, shall be delineated
28 as tier I, III, and III-A (special protection area).

29
30 **(b) Tier boundaries.**

31 Tier boundaries shall follow property lines wherever possible, except where a parcel line or
32 distinct geographical feature, such as a canal or roadway, may be more appropriate.

33
34 **(c) Tier boundary criteria, excluding Big Pine Key and No Name Key.** The tier
35 boundaries are designated using aerial photography, data from the Florida Keys
36 Carrying Capacity Study, the endangered species maps, property and permitting
37 information and field evaluation. The following criteria, at a minimum, are used to
38 evaluate upland habitats and designate boundaries between different tier overlays:

39
40 (1) Tier I boundaries shall be delineated to include one or more of the following criteria
41 and shall be designated tier I:

- 42 a. Vacant lands which can be restored to connect upland native habitat patches and
43 reduce further fragmentation of upland native habitat.
44 b. Lands required to provide an undeveloped buffer, up to 500 feet in depth, if
45 indicated as appropriate by special species studies, between natural areas and
46 development to reduce secondary impacts. Canals or roadways, depending on
47 width, may form a boundary that removes the need for the buffer or reduces its
48 depth.

- c. Lands designated for acquisition by public agencies for conservation and natural resource protection.
- d. Known locations of threatened and endangered species, as defined in section 101-1, identified on the threatened and endangered plant and animal maps or the Florida Keys Carrying Capacity Study maps, or identified in on-site surveys.
- e. Conservation, native area, sparsely settled, and offshore island land use districts.
- f. Areas with minimal existing development and infrastructure.

(2) Lands located outside of Big Pine Key and No Name Key that are not designated tier I shall be designated tier III.

- a. The following conditions shall constitute a break in pinelands or tropical hardwood hammock for calculating the one-acre minimum patch size for designation of tier III-A boundaries:
 - 1. U.S. Highway 1, canals and open water;
 - 2. Any disturbed pinelands or tropical hardwood hammock with invasive coverage of 40 percent or more;
 - 3. Property lines of developed lots or vacant lots with a ROGO allocation award or an issued building permit, as of September 28, 2005, located within a Land Use District that allows only one unit per lot; or
 - 4. Property lines of developed parcels of less than 10,000 square feet in area with a ROGOINROGO allocation award or issued building permit, as of September 28, 2005, located within a Land Use District that allows residential development of more than one dwelling unit per parcel/lot or non-residential development.
- b. Lots designated tier III-A (Special Protection Areas) on the November 29, 2005 maps may petition the county for a rezoning to tier III if the lot meets one of the following criteria:
 - 1. The lot will be served by a central sewer and the wastewater collection system has an approved permit that was effective March 21, 2006 to construct the system on file from the Department of Environmental Protection; or

Such lots may be granted a score of 30 points through an administrative determination made by the county biologist, the director of growth management and rendered to the department of community affairs until such time as the county sponsors a zoning map change to update the Tier Three Overlay Zoning Map and it is approved by the department of community affairs.

- c. Any hammock identified in the county's data base and aerial surveys as 1.00 to 1.09 acres in area shall be verified by survey prior to its designation as tier III-A. A hammock that is deemed by survey and a field review by county biologists to fail the minimum size criteria shall have the Special Protection Area designation removed from the subject parcel.

(d) **Big Pine Key and No Name Key tier boundary criteria.** The tier boundaries shall be designated using the Big Pine Key and No Name Key Habitat Conservation Plan (2005) and the adopted community master plan for Big Pine Key and No Name Key.

(e) **Tier overlay district map amendments.** The tier overlay district map may be amended to reflect existing conditions in an area if warranted because of drafting or

1 data errors or regrowth of hammock. However, the clearing of tropical hardwood
2 hammock or pinelands that results in the reduction of the area of an upland native
3 habitat patch to less than the one-acre minimum shall not constitute sufficient grounds
4 for amending the designation of a tier III-A area to tier III. The tier overlay district map
5 amendments shall be made pursuant to the procedures for map amendments to this
6 chapter. Unlawful conditions shall not be recognized when determining existing
7 conditions and regulatory requirements.
8

- 9 (f) **Request for tier I designation.** Notwithstanding the provisions of section 102-
10 158(d)(2), any individual may submit an application to the planning department
11 containing substantial and competent documentation that an area meets the tier I
12 criteria. Applications must be received by July 1 of each year on a form approved by
13 the director of planning for consideration by the special magistrate at a public hearing
14 advertised at least 15 days prior to the hearing date. Said hearing by the special
15 magistrate shall be held prior to November 1 of each year. The director of planning will
16 review the documentation and any other appropriate scientific information and prepare
17 an analysis report for the special magistrate. The special magistrate will render a
18 written opinion to the planning commission and board of county commissioners either
19 that the application meets the criteria for designating the lands as tier I or that the
20 documentation is insufficient to warrant a map amendment. The posting, advertising
21 and review will follow the procedures in section 102-158(d)(3), (d)(4) and (d)(5).
22

23 The Big Pine Key LCP is concurrently being amended to show the parcels in question as Tier
24 III. These parcels do not meet the criteria for Tier I designation based upon the criteria in the
25 HCP and LCP.
26

27 In accordance with MCC§ 102-158(d)(5), the BOCC may consider the adoption of an ordinance
28 enacting the proposed change based on one or more of the following factors:
29

- 30 1. *Changed projections (e.g., regarding public service needs) from those on which the text of*
31 *boundary was based;*
32 NA
33
34 2. *Changed assumptions (e.g., regarding demographic trends);*
35 NA
36
37 3. *Data errors, including errors in mapping, vegetative types and natural features described in*
38 *Volume I of the plan;*
39

40 **Due to a mapping error, Seacamp property was not designated Tier III on the Big Pine**
41 **Key and No Name Key LCP Tier Map pursuant to Monroe County Resolution 562-2003.**
42 **The Seacamp property does not meet the Tier I criteria within the LCP and HCP.**
43

- 44 4. *New issues;*
45 NA
46
47 5. *Recognition of a need for additional detail or comprehensiveness; or*
48 NA

1
2 6. *Data updates.*

3 NA

4
5 *Impact on Community Character:*

6
7 The subject property is presently part Seacamp located at the terminus of Big Pine Avenue
8 in Big Pine Key, an existing institutional use. It is not anticipated that the future
9 development of the site will impact the existing character of the adjacent area.

10
11
12 V RECOMMENDATION

13
14 The Seacamp property does not meet the Tier I criteria specified by Section 130-130(d),
15 Monroe County Code, therefore, staff recommends that the Board of County
16 Commissioners amend the Tier District Overlay Designation Map from Tier I to Tier III for
17 the Seacamp property.

18
19
20 VI EXHIBITS

- 21
22 1. Board of County Commission Resolution 562-2003
23 2. Planning Commission Resolution P39-11
24 3. Board of County Commission Resolution 23-2012, Transmittal
25 4. Tier Overlay Map Amendment
26 5. Figure 2.1 Key Deer Location from Telemetry, Habitat Conservation Plan for Florida
27 Key Deer and Other Protected Species on Big Pine Key and No Name Key, Monroe
28 County, Florida (HCP)
29 6. Figure 2.2 Lower Keys Marsh Rabbit Habitat (HCP)
30 7. Figure 2.4 Six Grid Layers used to Generate Weighting Factor Grid (HCP)

RESOLUTION NUMBER 562 -2003

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS
APPROVING THE LIVABLE COMMUNIKEYS MASTER PLAN FOR
BIG PINE KEY AND NO NAME KEY AS THE POLICY DOCUMENT TO
DIRECT GROWTH AND DEVELOPMENT OF BIG PINE KEY AND NO
NAME KEY.**

WHEREAS, Policy 101.20.1 of the Year 2010 Comprehensive Plan directs Monroe County to develop a series of Community Master Plans which shall include specific criteria, including close coordination with other community plans ongoing in the same area; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 101.20 outlines the Livable CommuniKeys as a planning program which is to address community needs while balancing the needs of all of Monroe County; and

WHEREAS, Big Pine Key has had a moratorium on all traffic generating development since March 13, 1995 due to an inadequate level of service (LOS) on the Big Pine segment of U.S. 1 which did not meet the concurrency requirements set forth in Policy 301.1.2 of the Year 2010 Comprehensive Plan; and

WHEREAS, Road improvements must be made in order to improve the LOS on Big Pine Key, however the US Fish and Wildlife Service (USFWS) requires a Habitat Conservation Plan (HCP) to be completed to show that any development must minimize impacts to the endangered species before any further development may be permitted; and

WHEREAS, on October 26, 1998, the U.S. Fish and Wildlife Service (USFWS), Florida Game and Fish Commission, the Florida Department of Community Affairs (FDAC), Florida Department of Transportation and Monroe County entered into a Memorandum of Agreement for the development of a Habitat Conservation Plan (HCP) for Big Pine and No Name Keys; and

WHEREAS, the HCP is a mechanism whereby the concerns and responsibilities of the various public agencies with regard to the conservation of the Key Deer and other covered species, and public and private development of Big Pine and No Name Keys can be coordinated; and

WHEREAS, both the HCP and the LCP have been developed in conjunction with one another to balance the amount and type of development the community desired, and the subsequent level of 'take' of endangered species which may be necessary to accomplish the development; and

WHEREAS, in order to obtain an assessment of community needs, three public workshops for the Livable CommuniKeys Program (LCP) were held on April 6, 2000; May 25,

2000; and September 21st, 2000 on Big Pine and an additional three public workshops were held for the HCP; and

WHEREAS, as a result of public input from the LCP workshops, the Development Alternatives Report (DAR) was produced on March 6, 2001 which outlined preferred development options to be considered in the master plan which reflect input received from the community workshops and were analyzed in the HCP computer model to determine impacts on the endangered species; and

WHEREAS, the HCP was approved for submittal to the USFWS by the Board of County Commissioners at the regularly scheduled meeting on March 19, 2003; and

WHEREAS, the LCP implements the HCP as well as provides for the development needs of the community; and

WHEREAS, the Livable CommuniKeys Master Plan, Draft One was reviewed during a regularly scheduled meeting of the Development Review Committee held on May 20, 2003, where public comment was received; and

WHEREAS, during a regularly scheduled meeting on June 11, 2003, the Monroe County Planning Commission reviewed the Livable CommuniKeys Master Plan, Draft Two, which consisted of edits by staff to clarify language in the plan, heard public input, suggested changes based on public input and staff recommendations and continued the plan to the next meeting in Marathon; and

WHEREAS, during a regularly scheduled meeting on July 9, 2003, the Monroe County Planning Commission reviewed the Livable CommuniKeys Master Plan, Draft Two, discussed proposed changes based on further community input and staff recommendations and continued the plan to the next meeting in Marathon for further consideration; and

WHEREAS, during a regularly scheduled meeting on September 10, 2003, the Monroe County Planning Commission reviewed the Livable CommuniKeys Master Plan, Draft Three, accepted the proposed changes from the previous meeting and suggestions from public input and recommended further changes by staff; and

WHEREAS, during the September meeting the Planning Commission recommended approval, with amendments, to the Board of County Commissioners; and

WHEREAS, the Livable CommuniKeys Master Plan contains recommendations to amend the Future Land Use and Land Use District maps for Big Pine Key and No Name Key which will be presented to the Commission at a subsequent hearing; **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the preceding findings support their decision to recommend **APPROVAL** to adopt the Livable CommuniKeys Master Plan for Big Pine and No

Name Key, Draft Four, as the working regulatory document to direct growth and development on the islands with the following amendments and direct staff to make the changes to the Monroe County Year 2010 Comprehensive Plan and Land Development Regulations as recommended in the Master Plan:

1. Change the Tier designation of the property known as Seacamp from Tier I to Tier III on the map on page 28.
2. Amend Action Item 8.1.1 c. on page 58 to read as follows: "Permit new fences on developed canal lots and vacant canal lots that are contiguous to and serve a principal use within Tier II and Tier III and within Port Pine Heights and Kyle Dyer Subdivisions. All fences shall be designed to meet adopted fence design guidelines for the planning area already contained in the land development regulations."
3. Add Action Item 12.2.4 which shall read "Prohibit new formula retail businesses and restaurants in the planning area through the development of Land Development Regulations."

PASSED AND ADOPTED By the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 17th day of December, 2003.

Mayor Murray Nelson	<u>yes</u>
Mayor Pro Tem David P. Rice	<u>yes</u>
Commissioner George Neugent	<u>yes</u>
Commissioner Dixie Spehar	<u>yes</u>
Commissioner Charles "Sonny" McCoy	<u>yes</u>

FILED FOR RECORD
 2004 JAN 12 AM 10:09
 DANNY L. KOLHAGE
 CLERK
 MONROE COUNTY, FLA.

(SEAL)

Attest: Danny L. Kolhage, Clerk

By *Janele Hancock*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *Dixie M. Spehar*
Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

Robert N. Wolfe
ROBERT N. WOLFE
CHIEF ASSISTANT COUNTY ATTORNEY
Date 1-5-04



MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. P 39-11

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TRANSMITTAL TO THE STATE LAND PLANNING AGENCY OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LIVABLE COMMUNIKEYS PROGRAM MASTER PLAN FOR FUTURE DEVELOPMENT OF BIG PINE KEY AND NO NAME KEY, BY AMENDING THE TIER DESIGNATION AS DIRECTED BY THE BOARD OF COUNTY COMMISSIONERS IN RESOLUTION 562-2003, FOR PROPERTY OWNED BY SEACAMP, HAVING REAL ESTATE NUMBERS 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000) FROM TIER I TO TIER III ON FIGURE 2.1 (TIER MAP FOR BIG PINE KEY AND NO NAME KEY), AND AMENDING THE TIER DESIGNATION FOR THE SEACAMP PROPERTY, AS LISTED IN TABLE 2.7, INSTITUTIONAL USES.

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 27th day of September, 2011; and

WHEREAS, at a regularly scheduled meeting held on the 1st day of December, 2011, the Monroe County Planning Commission held a public hearing for the purpose of considering the transmittal to the State Land Planning Agency, for review and comment, a proposed amendment to the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, the Monroe County Planning Commission makes the following findings:

1. Seacamp, a not-for-profit organization that provides marine education to children, contacted Monroe County to notify County staff of a tier designation error for a portion of the Seacamp property on Big Pine Key and requested a correction of the error. Seacamp's property is located on approximately 12 acres of land located at the extreme southwest tip of the island, at the end of Big Pine Avenue.
2. The Seacamp property consists of 13 real estate numbers: 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, 00247180-000000, 00112030-000000, 00112040-000000, and 00247000-000000. Real estate numbers 00112030-000000 and 00112040-000000 are submerged lands. Real estate number 00247000-000000 is

currently designated as Tier III. The remaining ten (10) real estate numbers have Tier I designations.

3. Draft 1 of the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key was reviewed at the May 20, 2003, Development Review Committee meeting.
4. Draft 2 of the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key was reviewed at the June 11, 2003, Planning Commission meeting and at the July 9, 2003, Planning Commission meeting.
5. Draft 3 of the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key was reviewed at the September 10, 2003, Planning Commission meeting.
6. Draft 4 of the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key was reviewed at the December 17, 2003, Board of County Commissioners meeting.
7. Resolution 562-2003, attached hereto as Exhibit 1, approved Draft 4 of the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key and directed staff to change the tier designation for all of the property known as Seacamp from Tier I to Tier III on the map on Page 28.
8. The Board of County Commissioners passed Resolution 044-2004 on January 21, 2004, to transmit the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key as a proposed amendment to the 2010 Monroe County Comprehensive Plan to the Department of Community Affairs which included the map as drawn incorrectly for Seacamp, without the corrected designation for ten (10) parcels. The Department of Community Affairs issued an Objections, Recommendations and Comments (ORC) Report to Monroe County on June 29, 2004.
9. The Board of County Commissioners passed Ordinance 029-2004 on August 14, 2004, to adopt the Livable CommuniKeys Master Plan (LCP) for Big Pine Key and No Name Key as an amendment to the 2010 Comprehensive Plan, address issues raised in the ORC Report, and to submit the amendment to the Department of Community Affairs. The adopted amendment included the incorrect map without the Tier III designation for the ten (10) parcels.
10. The amendment furthers the Principles for Guiding Development for the Florida Keys Area of Critical State Concern.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA:

[Amendments are presented in ~~strike through~~ to indicate deletions and underline to indicate additions to text. All other words, characters, and language of this subsection remain un-amended.]

The following amendment to the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key as adopted by reference into the Monroe County 2010 Comprehensive Plan is

recommended for transmittal to the State Land Planning Agency and adoption by the Board of County Commissioners as follows:

(1) Amending the Tier designations on Figure 2.1 for ten (10) parcels having real estate numbers 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, and 00247180-000000 from Tier I to Tier III as shown on Exhibit 2 attached hereto and incorporated herein.

(2) Amending Table 2.7, Institutional Uses, of the Livable CommuniKeys Master Plan for Big Pine Key and No Name Key, attached hereto as Exhibit 3, and incorporated herein. Text deletions are stricken through and additions are underlined on Exhibit 3. All other words, characters, and language of the comprehensive plan remain unchanged.

PASSED AND RECOMMENDED FOR TRANSMITTAL by the Monroe County Planning Commission at a regular meeting held on the 1st day of December, 2011.

Chair Werling	<u>Y</u>
Vice-Chair Wall	<u>Y</u>
Commissioner Hale	<u>Y</u>
Commissioner Lustberg	<u>Y</u>
Commissioner Wiatt	<u>Y</u>

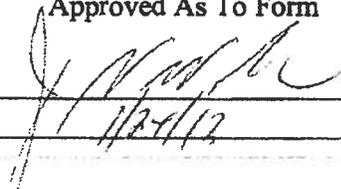
PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY 
Denise Werling, Chair

Signed this 24th day of January, 2012

Monroe County Planning Commission Attorney

Approved As To Form


Date: 1/24/12



**MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 023 -2012**

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS TRANSMITTING TO THE STATE LAND PLANNING AGENCY AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LIVABLE COMMUNIKEYS PROGRAM MASTER PLAN FOR FUTURE DEVELOPMENT OF BIG PINE KEY AND NO NAME KEY, AMENDING THE TIER DESIGNATION AS DIRECTED BY THE BOARD OF COUNTY COMMISSIONERS IN RESOLUTION 562-2003, FOR PROPERTY OWNED BY SEACAMP, HAVING REAL ESTATE NUMBERS 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000) FROM TIER I TO TIER III ON FIGURE 2.1 (TIER MAP FOR BIG PINE KEY AND NO NAME KEY), AND AMENDING THE TIER DESIGNATION FOR THE SEACAMP PROPERTY AS LISTED IN TABLE 2.7, INSTITUTIONAL USES.

WHEREAS, the Monroe County Board of County Commissioners conducted a public hearing for the purpose of considering the transmittal to the State Land Planning Agency for review and comment a proposed amendment to the Monroe County Year 2010 Comprehensive Plan as described above; and

WHEREAS, the Monroe County Planning Commission and the Monroe County Board of County Commissioners support the requested text amendment;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1: The Board of County Commissioners does hereby adopt the recommendation of the Planning Commission to transmit the draft ordinance for adoption of the proposed text amendment.

Section 2: The Board of County Commissioners does hereby transmit the proposed amendment to the State Land Planning Agency for review and comment in accordance with the provisions of Chapter 163.3184, Florida Statutes.

Section 3. The Monroe County staff is given authority to prepare and submit the required transmittal letter and supporting documents for the proposed amendment.

Section 4. The Clerk of the Board is hereby directed to forward a certified copy of this resolution to the Director of Planning.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a special meeting held on the 13th day of February, 2012.

Mayor David Rice	<u>Yes</u>
Mayor <i>pro tem</i> Kim Wigington	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>

BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA

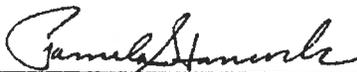
BY



Mayor David Rice

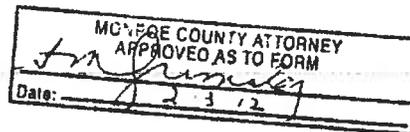


ATTEST: DANNY L. KOLHAGE, CLERK



DEPUTY CLERK

FILED FOR RECORD
2012 FEB 22 PM 1:46



Map Legends for Seacamp Properties – Tier Overlay District Map Amendment

Monroe County Tier Overlay District	
Tier	
	Tier I - Natural Area
	Tier III - Infill Area
Land Use	
Zone	
	IS-M - Improved Subdivision (Masonry)
	MU - Mixed Use
Future Land Use	
FLUM	
	C - Conservation
	INS - Institutional
	RC - Residential Conservation
	RH - Residential High
2009 Land Cover - Habitat	
Description	
	Developed Land
	Undeveloped Land
	Impervious Surface
	Hammock
	Scrub Mangrove
	Freshwater Wetland
	Beach Berm
	Buttonwood
	Mangrove
	Salt Marsh
	Water

EXHIBIT 5
Figure 2.1
Key Deer Location from Telemetry
(HCP)

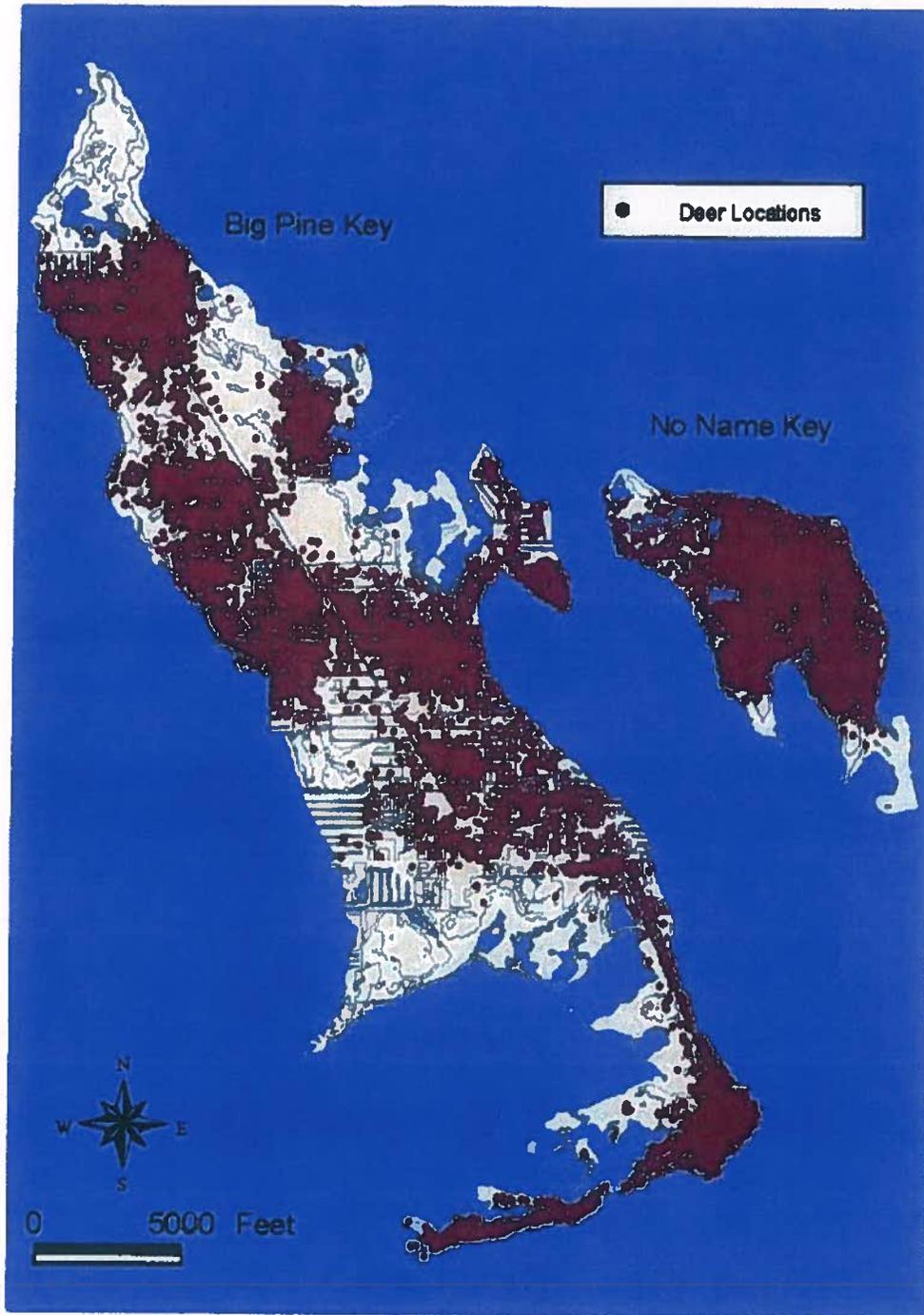


Figure 2.1. Key deer locations from telemetry data (Lopez 2001)

EXHIBIT 6
Figure 2.2
Lower Keys Marsh Rabbit Habitat (HCP)

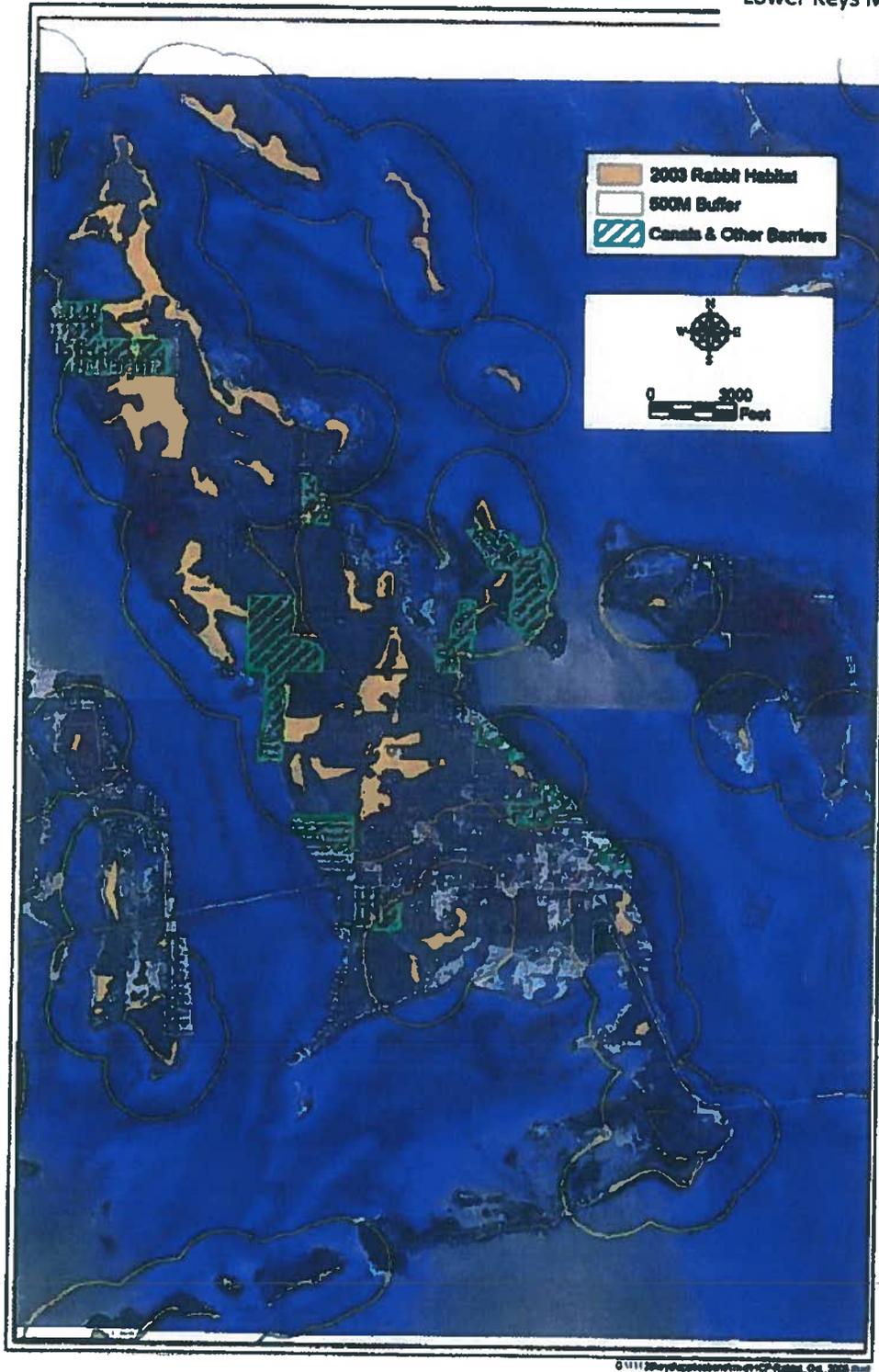


Figure 2.2. Lower Keys marsh rabbit habitat (Source: United States Fish and Wildlife Service).

EXHIBIT 7

Figure 2.4

Six Grid Layers used to Generate Weighting Factor Grid (HCP)

- **Deer density:** Development in areas of low Key deer density would be less harmful to the Key deer than development in areas of high density.
- **Distance from US-1.** Development near US-1 would be less harmful to the Key deer than development farther from US-1.
- **Water barriers.** Development in areas with canals would be less harmful to the Key deer than development in areas without canals.

Because more than one factor may affect the value of a given cell, the final cell value in the weighting factor grid was the average of the six parameters, where 0 represented the lowest value to the Key deer and 2 represented the highest value to the Key deer.

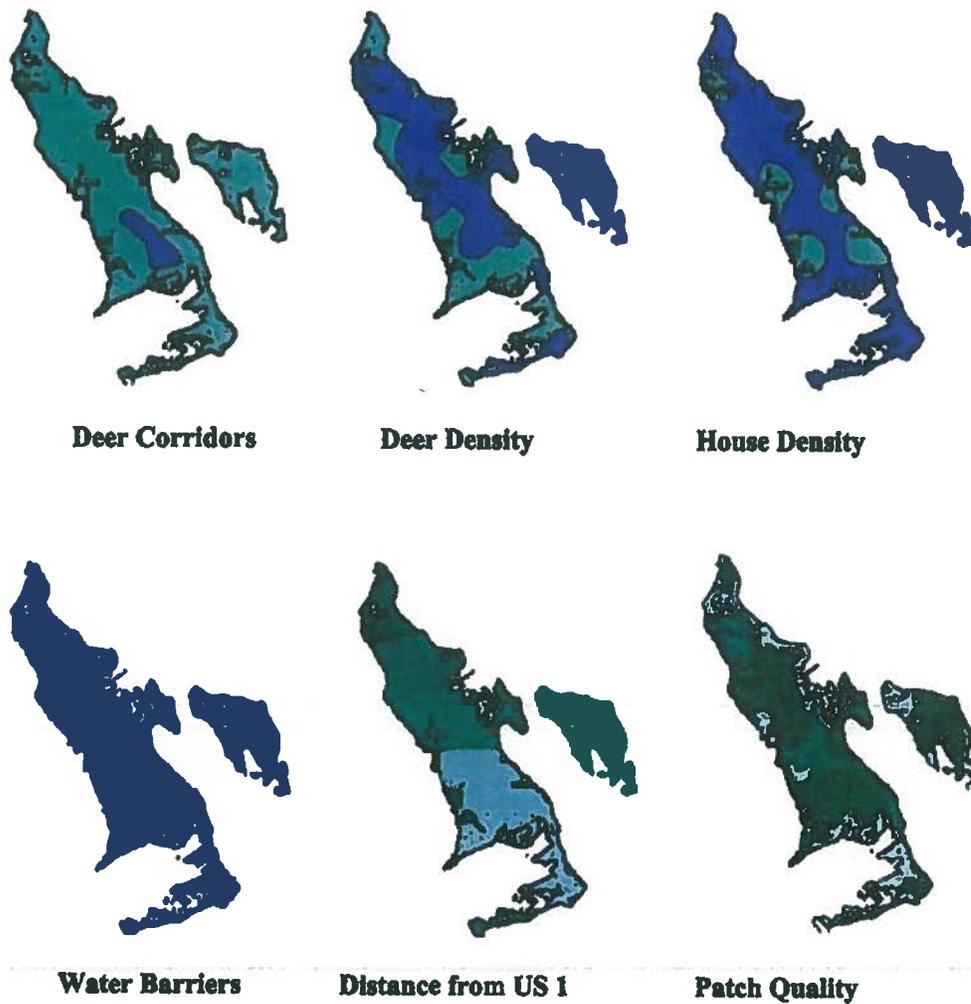


Figure 2.4. Six grid layers used to generate weighting factor grid (darker shades = higher value for the deer)



MONROE COUNTY PLANNING COMMISSION

RESOLUTION NO. P32-12

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FROM UNDESIGNATED AND TIER I TO TIER III FOR PROPERTY OWNED BY SEACAMP ASSOCIATION, INC.; LEGALLY DESCRIBED AS BIG PINE KEY PART OF BAY BOTTOM ADJACENT TO BLOCKS E AND F; BLOCK E, LOTS, 16, 17, 18, 19, 20; BLOCK F, LOTS 8, 9, 10, 11, 12; PINEY POINT SUBDIVISION (PB8-88) WITHIN SECTION 34, TOWNSHIP 66, RANGE 29; HAVING REAL ESTATE NUMBERS 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000

WHEREAS, Seacamp Association, Inc. requested that the current Tier Map Overlay designation for their property identified as Real Estate Numbers 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, and 00247180-000000 be amended from undesignated and Tier I to Tier III in accordance with Monroe County Resolution 562-2003; and

WHEREAS, the subject property is located at 1300 Big Pine Avenue, Big Pine Key and is legally described as Big Pine Key Part of Bay Bottom Adjacent To Blocks E and F; Block E, Lots, 16, 17, 18, 19, 20; Block F, Lots 8, 9, 10, 11, 12; Piney Point Subdivision (PB8-88) within Section 34, Township 66, Range 29; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact and Conclusions of Law:

1. §102-158(a) of the Monroe County Code maintains that map amendments are not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as

analyzed in Monroe County Year 2010 Comprehensive Plan, but only to make necessary adjustments in light of changed conditions; and

2. Pursuant to §102-158(d)(5)b of the Monroe County Code, the Monroe County Board of County Commissioners may consider the adoption of an ordinance enacting the proposed change based on one (1) or more of the following factors: (i) Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; (ii) Changed assumptions (e.g., regarding demographic trends); (iii) Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan; (iv) New issues; (v) Recognition of a need for additional detail or comprehensiveness; or (vi) Data updates; and
3. Staff has determined that the proposed Tier map amendment is consistent with MCC Sec. 102-158(d)(5)b: (iii) Data errors; and
4. The proposed map amendment is consistent with the Principles for Guiding Development and not inconsistent with any principle in the Florida Keys Area of Critical State Concern.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA:

- Section 1. The Planning Commission specifically approves the findings of fact and conclusions of law stated above.
- Section 2. The described property, which is currently undesignated and Tier I, is recommended to be designated Tier III as shown on the attached map, which is hereby incorporated by reference and attached as Exhibit 1.
- Section 3. The Planning Commission recommends that the Board of County Commissioners consider reimbursing the application fee to the applicant, with the exception of advertising costs incurred by Monroe County.
-

PASSED AND ADOPTED By the Planning Commission of Monroe County,
Florida, at a regular meeting held on the 29th day of August, 2012.

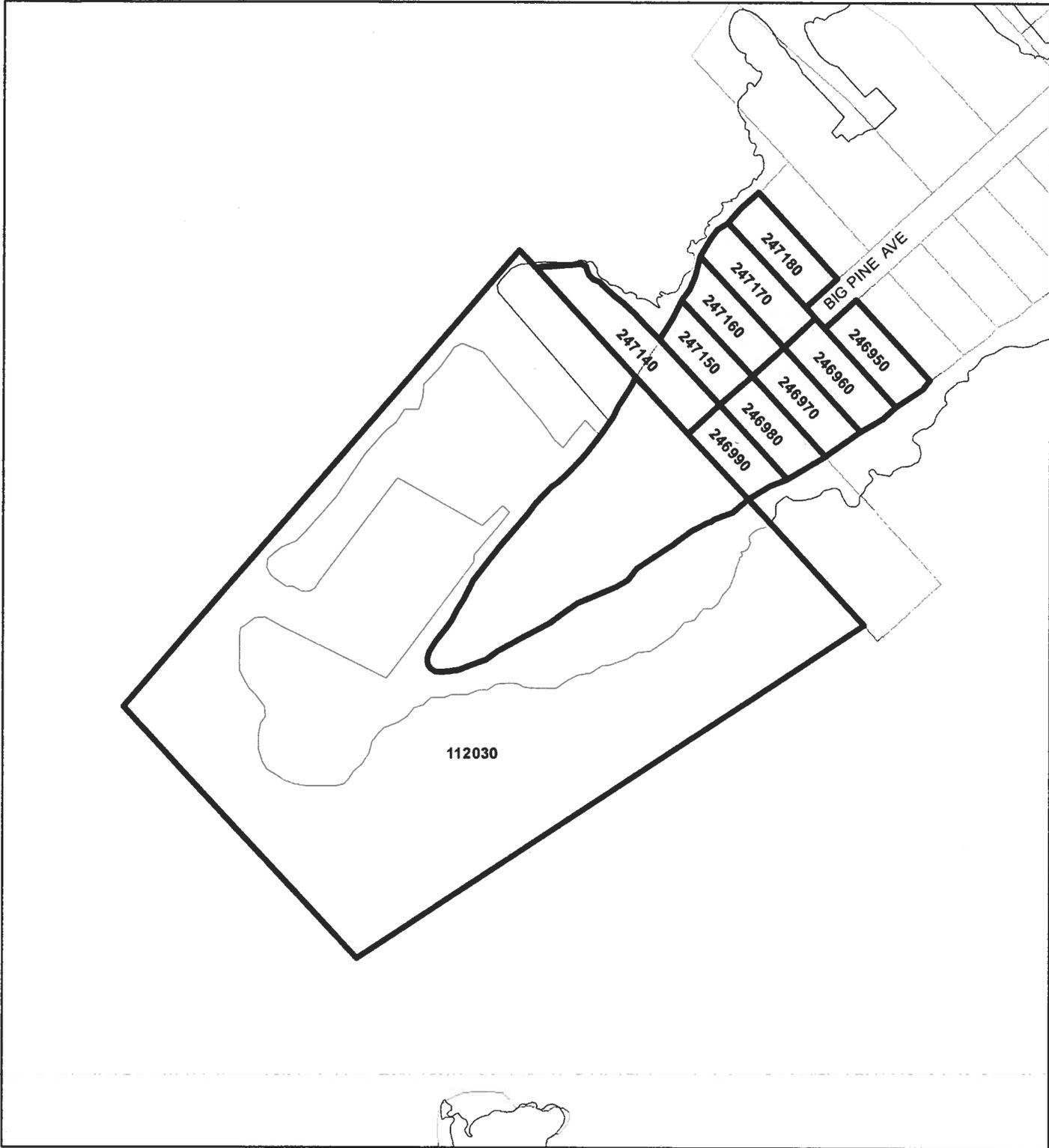
Chair Werling	—
Vice-Chair Wall	—
Commissioner Hale	—
Commissioner Lustberg	—
Commissioner Wiatt	—

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY _____
Denise Werling, Chair

Signed this ____ day of _____, 2012

Exhibit 1 to Resolution # P32-12



The Monroe County Tier Overlay Map is recommended to be amended as indicated.

Proposal: Tier change from undesignated and Tier I to Tier III

RE Numbers:

00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, and 00247180-000000



ORDINANCE - 2012

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FROM UNDESIGNATED AND TIER I TO TIER III FOR PROPERTY OWNED BY SEACAMP ASSOCIATION, INC. AND LEGALLY DESCRIBED AS BIG PINE KEY PART OF BAY BOTTOM ADJACENT TO BLOCKS E AND F; BLOCK E, LOTS, 16, 17, 18, 19, 20; AND BLOCK F, LOTS 8, 9, 10, 11, AND 12, PINEY POINT SUBDIVISION (PB8-88) WITHIN SECTION 34, TOWNSHIP 66, RANGE 29; HAVING REAL ESTATE NUMBERS 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Monroe County Development Review Committee considered the proposed amendment at a regularly scheduled meeting held on the 24th day of July, 2012; and

WHEREAS, at a regularly scheduled meeting held on the 25th day of September, 2011, the Monroe County Planning Commission held a public hearing for the purpose of making a recommendation to the Monroe County Board of County Commissioners to amend Tier Overlay District Map; and

WHEREAS, the Monroe County Planning Commission made the following findings:

1. Seacamp, a not-for-profit organization that provides marine education to children, contacted Monroe County to notify County staff of a tier designation error for a portion of the Seacamp property on Big Pine Key and requested a correction of the error. Seacamp's property is located on approximately 14.98 acres of land located at the extreme southwest tip of the island, at the end of Big Pine Avenue.
2. The Seacamp property consists of 13 Real Estate Numbers: 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, 00247180-000000, 00112030-000000, 00112040-000000, and 00247000-000000. Real Estate Number 00247000-000000 is currently designated Tier III and Real Estate Number 00112040-000000 is submerged land and are not part of this amendment.

- 48 3. Real Estate Number 00112030-000000 contains submerged land and upland with no Tier
49 designation. A portion of Real Estate Number 00247140-0000000 has no Tier designation,
50 with a portion having a Tier I designation. The remaining nine (9) real estate numbers have
51 Tier I designations.
52
- 53 4. The proposed Tier map amendment is necessary due to Section 102-158(d)(5) "3. Data
54 errors, including errors in mapping, vegetative types and natural features described in
55 Volume I of the plan." The Seacamp property does not meet the Tier I criteria specified by
56 Section 130-130(d), Monroe County Code.
57

58 **WHEREAS**, Monroe County Environmental Resources staff confirmed the accuracy and
59 updated the County's GIS habitat layer for the vegetative communities located on the Seacamp
60 parcels; and
61

62 **WHEREAS**, at a special meeting held on 13th day of February, 2012, the Monroe County
63 Board of County Commissioners held a public hearing and passed a resolution to transmit the
64 associated amendment to the Big Pine and Non Name Key Master Livable CommuniKeys Plan
65 to the State Land Planning agency; and
66

67 **WHEREAS**, the proposed Livable CommuniKey Plan amendment to revise Figure 2.1 and
68 Table 2.7 was reviewed by the State Land Planning Agency which issued an Objections,
69 Recommendations, and Comments (ORC) Report on May 4, 2012 with no comments or issues
70 relative to this amendment.
71

72 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
73 **COMMISSIONERS OF MONROE COUNTY, FLORIDA:**
74

75 **Section 1.** The Tier designation on the Tier Overlay District Map for eleven (11) parcels
76 having real estate numbers 00112030-0000, 00246950-000000, 00246960-000000, 00246970-
77 000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-
78 000000, 00247170-000000, and 00247180-000000 shall be amended from undesignated and Tier I
79 to Tier III as shown on Exhibit 1, attached hereto and incorporated herein.
80

81 **Section 2. Severability.**
82 If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be
83 adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect,
84 impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be
85 confined to the section, paragraph, subdivision, clause, sentence, or provision immediately
86 involved in the controversy in which such judgment or decree shall be rendered.
87

88 **Section 3. Conflicting Provisions.**
89 In the case of direct conflict between any provision of this ordinance and a portion or provision of
90 any appropriate federal, state, or County law, rule code or regulation, the more restrictive shall
91 apply.
92
93
94

95 **Section 4. Transmittal.**

96 This ordinance shall be transmitted by the Clerk to the Florida State Land Planning Agency as
97 required by Section 380.05(6) and (11), F.S. and Section 389.0552(9), F.S.

98
99 **Section 5. Codification.**

100 The provision of this ordinance shall be included and incorporated in the Code of Ordinances of
101 Monroe County, Florida, as an addition or amendment thereto, and shall be appropriately
102 renumbered to conform to the uniform numbering system of the Code.

103
104 **Section 6. Filing.**

105 This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not
106 become effective until a notice is issued by the Florida State Land Planning Agency or
107 Administration Commission approving the ordinance.

108
109 **Section 7. Effective Date.**

110 This ordinance shall become effective as provided by law and stated above.

111
112 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida,
113 at a regular meeting held on the ____ day of _____, 2012.

114
115 Mayor David Rice _____
116 Mayor *pro tem* Kim Wigington _____
117 Commissioner Heather Carruthers _____
118 Commissioner George Neugent _____
119 Commissioner Sylvia Murphy _____

120
121
122 BOARD OF COUNTY COMMISSIONERS OF MONROE
123 COUNTY, FLORIDA

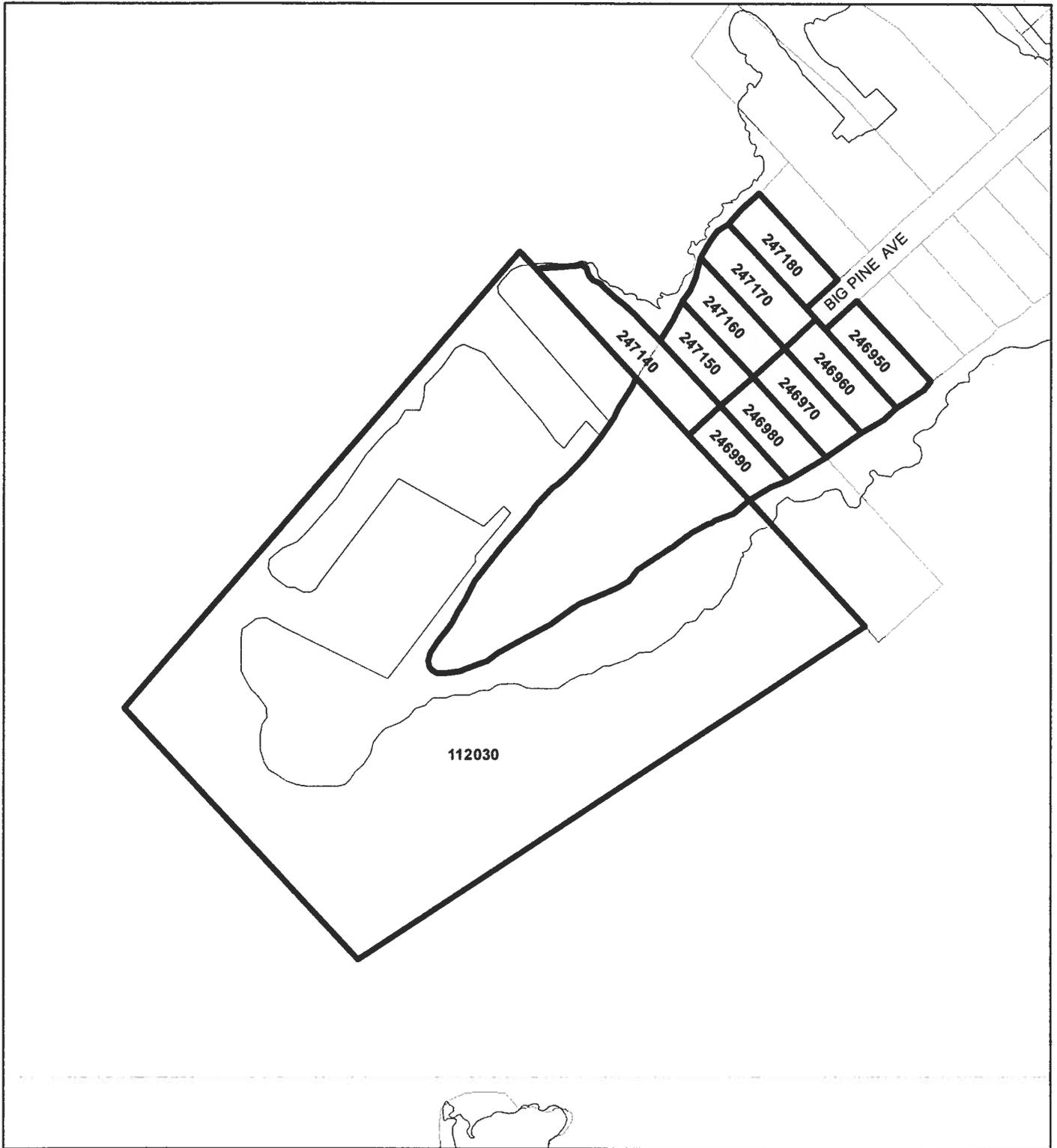
124
125 BY _____
126 Mayor David Rice

127
128
129 (SEAL)

130
131 ATTEST: DANNY L. KOLHAGE, CLERK

132
133
134 _____
135 DEPUTY CLERK

Exhibit 1 to Ordinance # -2012



The Monroe County Tier Overlay Map is recommended to be amended as indicated.

Proposal: Tier change from undesignated and Tier I to Tier III

RE Numbers:

00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000,
00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000,
and 00247180-000000



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources

From: Barbara Bauman, Planner

Date: August 14, 2012

Subject: *Variance request for property located at 56 Bass Avenue on Key Largo, having Real Estate #00553910.000000 (File #2012-099)*

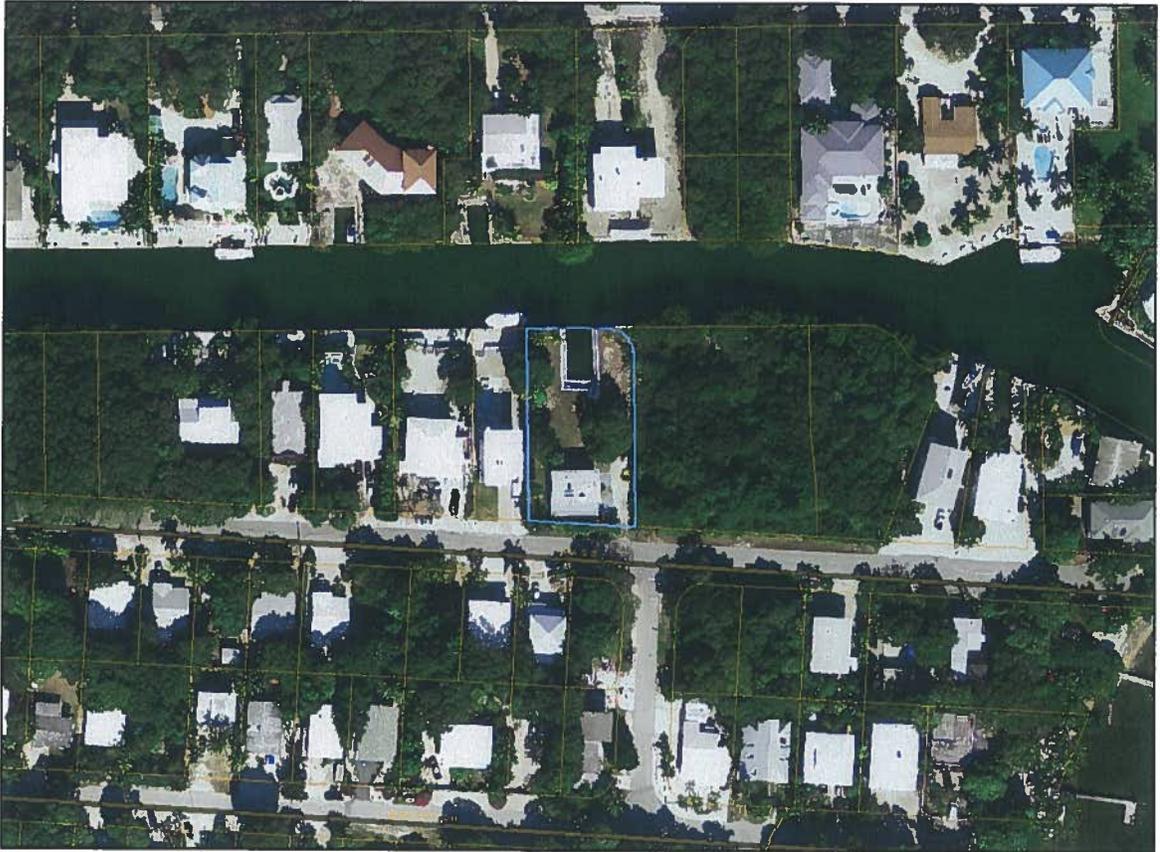
Meeting: August 29, 2012

I REQUEST:

The applicant is requesting a variance of 18.8' (approximately 18'10") from the required 25' front yard setback along the right-of-way of Bass Avenue. As a result, the front yard setback along the right-of-way of Bass Avenue would be 6.2' (approximately 6'2").

The granting of this variance would allow the property owner to construct a building addition to an existing single-family residence. The building addition would be constructed above an existing carport that is attached to the residence. The additional floor area would serve as an additional bedroom.

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Subject Property (2012)

Location:

Address: 56 Bass Avenue, Key Largo, approximate mile marker 103 (Atlantic Ocean side of US 1)

Legal Description: Block 18, Lots 1, 2 and 6, Anglers Park (PB1-159)

Real Estate (RE) Number: 00553910.000000

Applicant:

Owners: David and Dawn DeBrule

Agent: Gay Marie Smith

II RELEVANT PRIOR COUNTY ACTIONS:

In 1979, the Monroe County Building Department issued Building Permit #C-6717 for the construction of the existing single-family residence on Lot 6. The approved plans included a "Patio & Carport Roof" to be attached to the residence. When the scope of work was completed, a Certificate of Occupancy was issued on October 1, 1980.

1 In 2005, according to the Monroe County Property Appraiser Office's records, the parcel
2 identified as RE #00553900.000000 (Block 18, Lots 1 and 2) was combined with the parcel
3 identified as RE #00553910.000000 (Block 18, Lot 6) per the property owner's request.
4

5 **III BACKGROUND INFORMATION:**
6

- 7 A. Size of Site: 18,103 SF (0.41 acres)
- 8 B. Land Use District: Improved Subdivision (IS)
- 9 C. Future Land Use Map (FLUM) Designation: Residential Medium (RM)
- 10 D. Tier Designation: Tier 3
- 11 E. Existing Use: Single-family residential
- 12 F. Existing Vegetation / Habitat: Scarified, developed land
- 13 G. Community Character of Immediate Vicinity: Single-family residential
- 14 H. Flood Zone: AE-EL 8

15
16 **IV REVIEW OF APPLICATION:**
17

18 As set forth in MCC §130-186, the required non-shoreline setbacks for the IS District are as
19 follows: Front yard – 25'; Rear yard – 20'; and Side yard – 10' / 15' (where 10' is the
20 required side yard for one side and 15' is the minimum combined total of both side yards).
21

22 The subject property, located on the northern side of Bass Avenue, consists of three
23 contiguous lots. In total, the property measures approximately 100' by 180'. It has a
24 required front yard non-shoreline setback of 25' along the Bass Avenue right-of-way, a
25 required non-shoreline side yard setback of 10' along the western property line and a
26 required non-shoreline side yard setback of 5' along the eastern property line. As a note, on
27 the Massey-Richards Surveying & Mapping, LLC boundary survey included with the
28 application, there is an unimproved segment of Turbot Street shown along the eastern
29 property line; however this roadway was never constructed and this portion of the right of
30 way is now under private ownership.
31

32 There is not a required non-shoreline rear yard setback as the rear of the property is located
33 along the Marvin D. Adams Waterway (Adams Cut). Along the shoreline (including the boat
34 slip), there is a required 20' shoreline setback for principal structures.
35

36 As shown on a boundary survey by Massey-Richards Surveying & Mapping, LLC, the
37 footprint of the existing single-family residence does not meet the current non-shoreline front
38 yard setback requirement. The boundary survey shows the building (at its closest point) as
39 6.2' from the Bass Avenue right-of-way. However, it was approved in its current
40 configuration by Building Permit #C-6717 in 1979 prior to the adoption of the current
41 setback regulations in 1986. Therefore, the residence is considered a lawful, nonconforming
42 structure.
43

44 Nonconforming structures may only be improved in accordance with MCC §102-57. Normal
45 maintenance and repair of registered nonconforming structures may be performed. In

1 addition, nonconforming structures that are used in a manner conforming to the provisions of
2 the Land Development Code may be enlarged or extended, provided that the nonconformity
3 is not further violated. The single-family use is an as-of-right, conforming land use in the IS
4 district; therefore the structure is used in a manner conforming to the provisions of the Land
5 Development Code. However, as the new building addition would be located within the
6 required front yard setback, the nonconformity would be further violated. As a note, even if
7 the development footprint would not be enlarged, the mass and scale of development within
8 the required setback would be enlarged as the new building addition would be located in the
9 area of an unenclosed, uncovered area located above the carport. A variance is thereby
10 required to permit the proposed building addition.

11
12 In addition to the proposed building addition, the boundary survey by Massey-Richards
13 Surveying & Mapping, LLC shows a “shelter over conc.” at approximately 2’ from the
14 western property line and approximately 18’ from the shoreline. It is thereby partially
15 located in the required side yard and required shoreline setback. Staff did not locate any
16 building permit on file for the structure. Although the applicant requested a variance for the
17 proposed building addition only, the applicant should consider expanding the request to
18 include the structure if an after the fact permit is eventually required for its construction by
19 the Building Department/Code Compliance Department. Otherwise, Planning &
20 Environmental Resources Department staff will not be able to approve the building permit
21 application unless an additional variance application is submitted or the structure is relocated.

22
23 *Pursuant to MCC §102-187, the Planning Commission may grant a variance if the applicant*
24 *demonstrates that all of the following standards are met:*

25
26 *A. The applicant demonstrates a showing of good and sufficient cause:*

27
28 The applicant is interested in constructing the building addition over the existing carport,
29 presumably for cost-related purposes and/or to maintain more open space between the
30 building and the shoreline. The existing development footprint would not be
31 significantly altered. Therefore, the applicant has demonstrated a showing of good and
32 sufficient cause.

33
34 *B. Failure to grant the variance would result in exceptional hardship to the applicant:*

35
36 Staff has determined that the application does not meet this required standard. As
37 defined in MCC §101-1, *exceptional hardship* means a burden on a property owner that
38 substantially differs in kind or magnitude from the burden imposed on other similarly
39 situated property owners in the same land use district as a result of adoption of these
40 regulations.

41
42 The applicant is interested in constructing the building addition over the existing carport,
43 presumably for cost-related purposes and/or to maintain more open space between the
44 building and the shoreline. These purposes, in addition to the rationale presented for the
45 development in the application, do not meet the definition of exceptional hardship. The

1 footprint of the proposed building addition is not consistent with other existing buildings
2 along Bass Avenue. Further, there is a significant amount of vacant area on the subject
3 property that is not within a required setback. As a result, there are several feasible,
4 alternative locations to construct an addition without encroaching into the required
5 setbacks.

6
7 *C. Granting the variance will not result in increased public expenses, create a threat to*
8 *public health and safety, create a public nuisance, or cause fraud or victimization of the*
9 *public:*

10
11 The granting the variance will not result in increased public expenses, create a threat to
12 public health and safety, create a public nuisance, or cause fraud or victimization of the
13 public. Note: staff will continue to review all comments from surrounding property
14 owners following notification of the application and valid objections from surrounding
15 property owners may lead the Planning and Environmental Resources Department to
16 reevaluate its recommendation at the public hearing.

17
18 *D. The property has unique or peculiar circumstances, which apply to this property, but*
19 *which do not apply to other properties in the same zoning district:*

20
21 Staff has determined that the application does not meet this required standard. There is
22 not anything unique or peculiar about the property or the proposed development - in
23 terms of limiting its development. The subject property consists of three aggregated lots;
24 however having several contiguous lots is not unique or peculiar. In a development
25 sense, having additional lots benefits development by providing more area.

26
27 In addition, following research of the development of surrounding properties, staff did
28 not locate any front yard variance approvals on file for development in the immediate
29 vicinity. As evident in aerial photography, the majority of the buildings along Bass
30 Avenue meet the required 25' setback. There are only a few buildings that do not meet
31 the setback requirement, including the building on the subject property. However, the
32 building on the subject property appears to be the only building along Bass Avenue
33 located less than 10' from the right of way.

34
35 *E. Granting the variance will not give the applicant any special privilege denied other*
36 *properties in the immediate neighborhood in terms of the provisions of this chapter or*
37 *established development patterns:*

38
39 ~~As staff could not find any record of any person in the immediate neighborhood~~
40 ~~requesting a similar or comparable request in the form of a front yard variance~~
41 ~~application, granting of the variance would not give the applicant special privileges~~
42 ~~denied to other properties in the immediate vicinity.~~

43
44 *F. Granting the variance is not based on disabilities, handicaps or health of the applicant or*
45 *members of his family:*

1
2 Granting the variance would not be based on disabilities, handicaps or health of the
3 applicant or members of his family.
4

5 *G. Granting the variance is not based on the domestic difficulties of the applicant or his*
6 *family:*
7

8 Granting the variance would not be based on the domestic difficulties of the applicant or
9 his family.
10

11 *H. The variance is the minimum necessary to provide relief to the applicant:*
12

13 Staff has determined that the application does not meet this required standard. Following
14 a review of the site for viable options, staff finds that a variance of 18.8' is excessive and
15 is not the minimum necessary to provide relief to the applicant. There is a significant
16 amount of vacant area on the subject property that is not within a required setback. As a
17 result, there are several feasible, alternative locations to construct an addition without
18 encroaching into the required setbacks.
19

20 **V RECOMMENDATION:**
21

22 Staff recommends DENIAL to the Planning Commission for a variance of an 18.8' from the
23 required 25' front setback along the right-of-way of Bass Avenue, as the applicant has not
24 demonstrated that all eight required standards have been met.
25

26 In the event that the Planning Commission approves the variance, staff recommends the
27 following conditions be applied:
28

29 1) This variance is based on the design and location of the structure as shown on the
30 proposed Site Plan and Proposed Addition Elevations submitted with the application by
31 Robert Barnes & Associates and dated July 2, 2012. Work not specified or alterations to
32 the site plan may not be carried out without additional Planning & Environmental
33 Resources Department approval.
34

35 2) This variance is to allow the structure, proposed Site Plan and Proposed Addition
36 Elevations submitted with the application by Robert Barnes & Associates and dated July
37 2, 2012. It does not waive any other required setbacks and it does not waive the required
38 side yard setback for any future structures or additions.
39

40 3) The maximum height of the building addition shall not exceed the current height of the
41 existing building.
42

43 4) The property owner shall install and maintain the plantings required for a class "B"
44 bufferyard that is 100' in length and 5' in width along the Bass Avenue right-of-way.
45 Eligible existing vegetation may be used for planting requirements.

1
2 **VI PLANS REVIEWED:**
3

- 4 1. Survey by Massey-Richards Surveying & Mapping, LLC and dated May 19, 2012
5 2. Site Plan (A-1) by Robert Barnes & Associates and dated July 2, 2012
6 3. Proposed Addition Elevations (A-2) by Robert Barnes & Associates and dated July 2,
7 2012
8 4. Plot Plan (approved site plan, filed in Building Permit File #C-6717) by Frank B. Uherea
9 and not dated

10
11 **VII PHOTOGRAPH OF SITE:**
12



33 **Subject Property (2012)**
34

File #: **2012-099**

Owner's Name: DeBrule, David & Dawn

Applicant: DeBrule, David & Dawn

Agent: Gay Marie Smith

Type of Application: Variance - PC

Key: Key Largo

RE: 00553910-000000

Additional Information added to File 2012-099

Creech-Gail

From: Ortiz-Reynaldo
Sent: Monday, July 16, 2012 10:16 AM
To: Creech-Gail
Subject: FW: Re: DeBrule PC Variance
Attachments: Scan_Doc0017.pdf

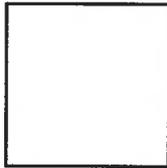
Follow Up Flag: Follow up
Flag Status: Flagged

fyi,

ro

From: Gay Marie Smith [mailto:gaymarie21@yahoo.com]
Sent: Saturday, July 14, 2012 11:58 AM
To: Ortiz-Reynaldo
Subject: Fw: Re: DeBrule PC Variance

Rey, I sent the warranty deed but have to say that I wish all the packets that were submitted are required to be this complete as the other couple we have spoken about recently were not and approved. Thanks!



Gay Marie Smith
PO Box 1638
Tavernier, FL 33070
305-451-2675
305-394-8004

--- On Sat, 7/14/12, **Gay Marie Smith** <gaymarie21@yahoo.com> wrote:

From: Gay Marie Smith <gaymarie21@yahoo.com>
Subject: Re: DeBrule PC Variance
To: "Bauman-Barbara" <Bauman-Barbara@MonroeCounty-FL.Gov>
Date: Saturday, July 14, 2012, 11:57 AM

Here you go - sorry the last four or five I have submitted only required the Property record card - have a good day



Gay Marie Smith
PO Box 1638

Tavernier, FL 33070
305-451-2675
305-394-8004

--- On Thu, 7/12/12, Bauman-Barbara <Bauman-Barbara@MonroeCounty-FL.Gov> wrote:

From: Bauman-Barbara <Bauman-Barbara@MonroeCounty-FL.Gov>
Subject: DeBrule PC Variance
To: "Gay Marie Smith" <gaymarie21@yahoo.com>
Date: Thursday, July 12, 2012, 4:03 PM

Hello Gay Marie,

Would you please bring a copy of the DeBrule Warranty Deed for our files.

Thank you,

Barb

Barbara Bauman

Planner

Monroe County | Planning & Environmental Resources Department

102050 Overseas Highway | Key Largo, Florida 33037

(305)453-8800

Doc# 1884758 05/29/2012 2:56PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Carla L. Bahn
Coral Reef Title Company
83266 Overseas Hwy
Islamorada, Florida 33036
Property Appraisers Parcel Identification
Numbers: 00553910-000000

05/29/2012 2:56PM
DEED DOC STAMP CL: RE

\$4,548.80

RECEIVED

JUL 16 2012

MONROE CO. PLANNING DEPT

Space Above This Line For Recording Data

Closing file # 20-4618

THIS WARRANTY DEED, made the 25th day of May, 2012 by Lillian Douglas, an unmarried woman, individually and as Successor Trustee of the Kuntz Family Trust u/d/t dated 2/8/95, herein called the Grantor, to David L. DeBrule and Dawn DeBrule, husband and wife whose post office address is 56 Bass Ave, Key Largo, FL 33037, hereinafter called the Grantees:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Monroe County, State of Florida, viz.:

Lots 1, 2 and 6, Block 18, ANGLER'S PARK, according to the Plat thereof, as recorded in Plat Book 1 at Page 159 of the Public Records of Monroe County, Florida.

The above described property does not constitute the Homestead of the Grantor, nor the homestead of her spouse, as they reside in Clermont, Florida.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with said Grantees that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2011.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature
Christine Bernier
Witness #1 Printed Name
Mandy Kame
Witness #2 Signature
Mandy Kame
Witness #2 Printed Name

Kuntz Family Trust u/d/t dtd 2/8/95
By: *[Signature]*
Lillian Douglas, Successor Trustee
11008 Windchime Cir, Clermont, FL 34711

[Signature]
Lillian Douglas, individually
11008 Windchime Cir, Clermont, FL 34711

Doc# 1884758
Bk# 2572 Pg# 43

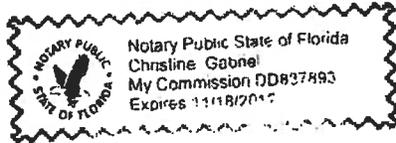
Space Above This Line For Recording Data

Closing file # 20-4618

STATE OF FLORIDA
COUNTY OF Collier

The foregoing instrument was acknowledged before me this 21st day of May, 2012 by Lillian Douglas, individually and as Successor Trustee of the Kuntz Family Trust w/d/t dated 2/8/95 who is personally known to me or has produced Driver's license as identification.

SEAL



Christine Gabnel
Notary Public

Christine Gabnel
Printed Notary Name

MONROE COUNTY
OFFICIAL RECORDS

County of Monroe
Growth Management Division

Planning & Environmental Resources
Department

2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners

Mayor David Rice, Dist. 4
Mayor Pro Kim Wigington Tem Dist. 1
Heather Carruthers, Dist. 3
George Neugent, Dist. 2
Sylvia J. Murphy, Dist. 5

We strive to be caring, professional and fair

Date: 7.03.12
Time: 11:15 AM

Dear Applicant:

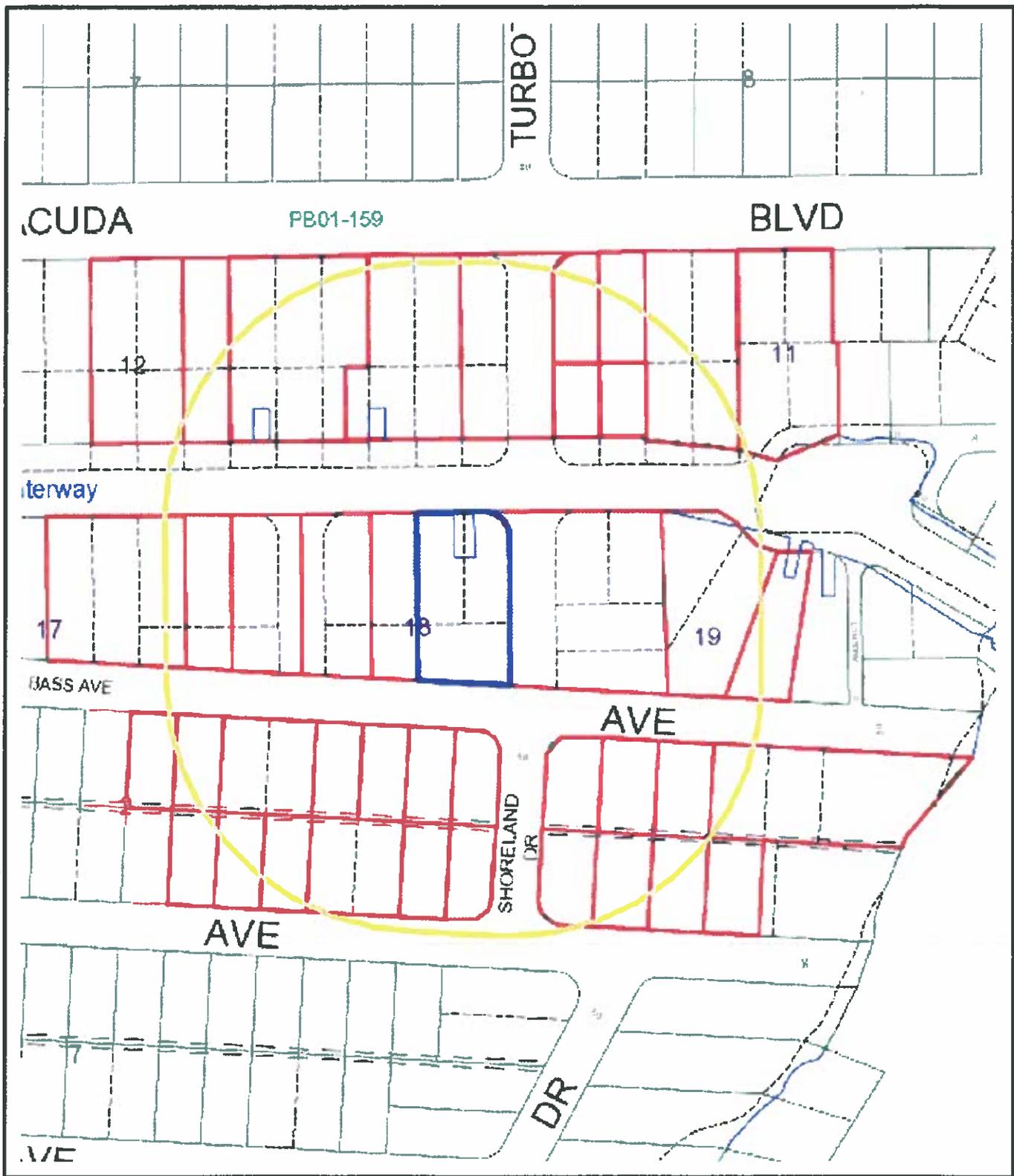
This is to acknowledge submittal of your application for Variance App to PE
Type of application

De Brule, David L + Dawn to the Monroe County Planning Department.
Project / Name

Thank you.

Stail Creech

Planning Staff



Monroe County, Florida *Verified by GC*

Printed: Jul 03, 2012

MCPA GIS Public Portal

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



"ADWM HOLDINGS LC "
"68 BASS AVE" ""
"KEY LARGO", "FL" "33037-4708"

✓ "ANVONNE INVESTMENTS INC "
"1900 NW 97TH AVE" "STE 011-340"
"MIAMI", "FL" "33172"

~~"ANVONNE INVESTMENTS INC "
"1900 NW 97 AVE" "STE 11-340"
"MIAMI", "FL" "33172"~~

"CAIRO RENE AND JANE"
"12220 SW 43RD ST" ""
"MIAMI", "FL" "33175-4210"

✓ "COOPER OLIN A AND JOLENE F"
"38 BASS AVE" ""
"KEY LARGO", "FL" "33037"

✓ "CORONEL ARMANDO A & ELSIE E "
"2802 SW 1ST AVENUE" ""
"MIAMI", "FL" "33129"

"DEBRULE DAVID L AND DAWN"
"56 BASS AVE" ""
"KEY LARGO", "FL" "33037-4708"

✓ "DEGAYNER CLAYTON E & BARBARA E "
"255 N ALLOY DR" ""
"FENTON", "MI" "48430"

✓ "DEGAYNER RALPH LAWERNCE JR & "
"47 BASS AVENUE" ""
"KEY LARGO", "FL" "33037-4763"

"FLOYD HOLDINGS LP "
"9109 MCDUGAL CRT" ""
"TALLAHASSEE", "FL" "32312"

✓ "FOGEL ARTHUR R AND DONNA R"
"84 SHORELAND DR" ""
"KEY LARGO", "FL" "33037-4754"

✓ "FOGEL ARTHUR ROBERT AND DONNA
ROSE"
"4118 CLEVALND ST" ""
"HOLLYWOOD", "FL" "33021"

"GIBBS STEPHEN W"
"68 BONEFISH AVE" ""
"KEY LARGO", "FL" "33037-4766"

✓ "GUTIERREZ ARMANDO J AND LUCY F"
"14120 SW 98TH CT" ""
"MIAMI", "FL" "33176-6703"

✓ "HOAGLAND PETER AND DEENA"
"67 BASS AVE" ""
"KEY LARGO", "FL" "33037"

"HOVERSTEN GLEN H AND ANN F"
"1055 BACKLUND PL" ""
"EUGENE", "OR" "97401"

✓ "JORDAN CRYSTAL M & JORDAN
ANDREA L & "
"8384 NE 2ND COURT" ""
"MIAMI", "FL" "33138"

✓ "KEY480 INC "
"12227 SW 131ST AVE" ""
"MIAMI", "FL" "33186-6401"

"LINDROTH KENNETH J AND MARY
ANN"
"70 BONEFISH AVE" ""
"KEY LARGO", "FL" "33037"

✓ "LIVOTI SALVATORE M"
"P O BOX 1469" ""
"KEY LARGO", "FL" "33037"

✓ "MENNE FAMILY TRUST 5/11/1992 "
"PO BOX 2333" ""
"GRANTS PASS", "OR" "97528-0206"

"MIRTO ANTHONY R"
"54 BONEFISH AVE" ""
"KEY LARGO", "FL" "33037"

✓ "MONNEY BRIAN T"
"330 PEARL ST" "APT 5A"
"NEW YORK", "NY" "10038-1615"

✓ "PALRUD GENE A AND SAROYINI"
"474 BARRACUDA BLVD" ""
"KEY LARGO", "FL" "33037"

"POWELL MICHAEL H "
"46 BASS AVE" ""
"KEY LARGO", "FL" "33037-4708"

✓ "PRYOR SARAH CRESAP "
"11055 SNAPPER CREEK ROAD" ""
"MIAMI", "FL" "33156"

✓ "RISTAINO JOHN L"
"470 BARRACUDA BLVD" ""
"KEY LARGO", "FL" "33037-4702"

"SALVATION ARMY THE "
"1424 NORTHEAST EXPY NE" ""
"ATLANTA", "GA" "30329-2088"

✓ "SIMPSON ERNEST T III AND ANITA W"
"48 BASS AVE" ""
"KEY LARGO", "FL" "33037"

✓ "TABOADA DESIREE"
"50 BONEFISH AVE" ""
"KEY LARGO", "FL" "33037"

1-1-2020

"THOMPSON DAVID"

✓ "PO BOX 628" ""

"TAVERNIER", "FL" "33070-0628"

"VAN LENT THOMAS AND LOIS"

✓ "66 BONEFISH AVE" ""

"KEY LARGO", "FL" "33037-4766"

✓ "WEINER CHARLES D AND JUDITH A"

"303 N QUINCY AVE" ""

"MARGATE CITY", "NJ" "08402-1333"

"WOJCIEHOWSKI ANDRZEJ AND MARIA"

✓ "1133 BANYAN WAY" ""

"PACIFICA", "CA" "94044-4343"

✓ "WOOD TILLMAN AND PATRICIA"

"486 BARRACUDA BLVD" ""

"KEY LARGO", "FL" "33037"

End of Additional File 2012-099

**APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT**



RECEIVED
JUL - 3 2012
MONROE CO. PLANNING DEPT

Variance Application to the Monroe County Planning Commission

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Planning Commission Variance Application Fee: \$1,608.00

In addition to the application fee, the following fees also apply:

Advertising Costs: \$245.00

Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed

Date of Submittal: 07 / 03 / 12
Month Day Year

Property Owner:

David L & Dawn De Brule
Name

33037
56 Bass Avenue, Key Largo, FL
Mailing Address (Street, City, State, Zip Code)

305-853-2644
Daytime Phone

Email Address

Agent (if applicable):

Gay Marie Smith
Name

PO Box 1638, Tavernier, FL 33070
Mailing Address (Street, City, State, Zip Code)

305-394-8004
Daytime Phone

gaymarie21@yahoo.com
Email Address

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

<u>18</u>	<u>1, 2 & 6</u>	<u>Anglers Park</u>	<u>Key Largo</u>
Block	Lot	Subdivision	Key

<u>00553910.000000</u>	<u>1679402</u>
Real Estate (RE) Number	Alternate Key Number

<u>56 Bass Avenue Key Largo FL 33037</u>	<u>103</u>
Street Address (Street, City, State, Zip Code)	Approximate Mile Marker

APPLICATION

Land Use District Designation(s): Improved Subdivision

Present Land Use of the Property: Single Family Residence

Total Land Area: 17,250 SF

Please provide the standard required by the land development regulations: 6.2' and 9.8' on Bass Avenue and 34.6 on Turbo (i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: Same as above (i.e. front yard setback of 10 feet, 70 off-street parking spaces, etc.)

All of the following standards must be met in order to receive variance approval. Please describe how each standard shall be met.

- 1) The applicant shall demonstrate a showing of good and sufficient cause: The applicant wishes to construct an addition on top of the existing carport. The addition will not extend further into the front setback. Therefore, the structure will remain in same footprint
2) Failure to grant the variance would result in exceptional hardship to the applicant: The residence is small in size and the property owner wishes to enlarge. Failure to grant will not allow the owner to have a three bedroom residence, which is standard
3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public: Yes
4) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district: This residence was permitted with the setbacks from the original permit. The addition will also not be encroaching any further into the front setback
5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns: The property owner will be keeping in the same existing Footprint

APPLICATION

6) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:

Correct

7) Granting the variance is not based on the domestic difficulties of the applicant or his family:

Correct

8) The variance is the minimum necessary to provide relief to the applicant:

The addition on top of the carport will not encroach any further into the setback. Also this property has been neglected and the new owners wish to improve the property which would improve the neighborhood

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- Complete variance application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site from adjacent roadway(s);
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – 16 sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- Signed and Sealed Site Plans, prepared by a Florida registered architect, engineer or landscape architect– 16 sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
 - Date, north point and graphic scale;
 - Boundary lines of site, including all property lines and mean high-water lines;
 - Land use district of site and any adjacent land use districts;
 - Locations and dimensions of all existing and proposed structures and drives;
 - Type of ground cover (i.e. concrete, asphalt, grass, rock);
 - Adjacent roadways;
 - Setbacks as required by the land development regulations;
 - Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included;

on plans

APPLICATION

If applicable, the following must be submitted in order to have a complete application submittal:

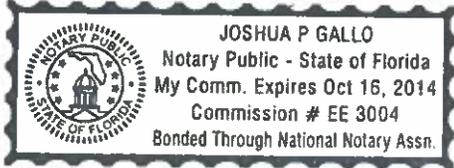
- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: _____ Date: 6/28/12

Sworn before me this 28 day of June 2012



Joshua P Gallo
Notary Public
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.

Karl D. Borglum
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
 Marathon (305) 289-2550
 Plantation Key (305) 852-7130

Property Record Card

Alternate Key: 1679402 Parcel ID: 00553910-000000

Website tested on
 Internet Explorer.
 Requires Adobe Flash
 10.3 or higher

Ownership Details

Mailing Address:
 DEBRULE DAVID L AND DAWN
 56 BASS AVE
 KEY LARGO, FL 33037-4708

Property Details

PC Code: 01 - SINGLE FAMILY
 Millage Group: 500K
 Affordable Housing: No
 Section-Township-Range: 14-61-39
 Property Location: 56 BASS AVE KEY LARGO
 Subdivision: ANGLERS PARK
 Legal Description: BK 18 LT 1 AND 2 AND LT 6 ANGLERS PARK PB1-159 KEY LARGO OR542-1030 OR570-141 OR787-1356 OR805-461E OR1351-1696 OR2572-42/43 OR2572-44 OR2572-45

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
9500 - SUBMERGED			1.00 LT
010C - RESIDENTIAL CANAL	0	0	17,250.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 0
 Total Living Area: 936
 Year Built: 1980

Building 1 Details

Building Type R1	Condition G	Quality Grade 550
Effective Age 31	Perimeter 126	Depreciation % 35
Year Built 1980	Special Arch 0	Grnd Floor Area 936
Functional Obs 0	Economic Obs 0	

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.
 Roof Type REINFORC CONC Roof Cover MIN/PAINT CONC Foundation NONE

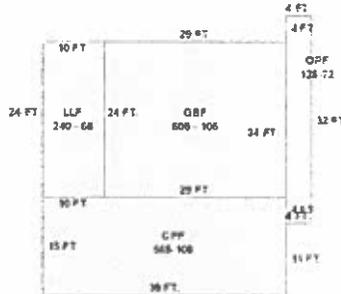
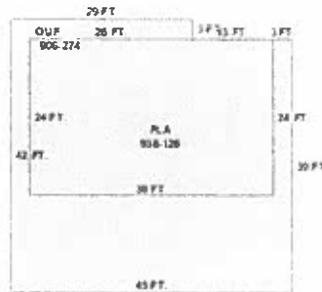
Heat 1 NONE
Heat Src 1 NONE
Extra Features:

2 Fix Bath 1
3 Fix Bath 1
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 0

Heat 2 NONE
Heat Src 2 NONE

Bedrooms 2

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	OPF		1	1980					128
0	LLF	5:C.B.S.	1	1995					240
0	GBF	5:C.B.S.	1	1980					696
3	CPF	5:C.B.S.	1	1979	N	Y	0.00	0.00	585
4	OUF	5:C.B.S.	1	1979	N	Y	0.00	0.00	906
5	FLA	5:C.B.S.	1	1979	N	Y	0.00	0.00	936

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	DK3:CONCRETE DOCK	300 SF	100	3	2010	2011	1	60
0	CL2:CH LINK FENCE	1,200 SF	240	5	2010	2011	3	30
1	PT3:PATIO	1,273 SF	0	0	1979	1980	4	50

Appraiser Notes

RE 553900 COMBINED PER OWNER REQ.

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2011	119,513	16,198	388,416	524,127	524,127	0	524,127
2010	133,848	10,693	660,600	805,141	805,141	0	805,141
2009	123,552	11,228	710,145	844,925	146,542	25,500	121,042
2008	150,509	11,763	990,900	1,153,172	146,396	25,500	120,896
2007	152,755	12,297	990,900	1,155,952	142,132	25,000	117,132
2006	134,252	12,832	230,750	377,834	138,665	25,000	113,665
2005	115,945	13,367	148,200	277,512	134,626	25,000	109,626
2004	118,233	13,901	46,038	178,172	99,249	25,000	74,249
2003	106,410	14,436	38,100	158,946	97,399	25,000	72,399
2002	107,785	14,970	33,338	156,093	95,117	25,000	70,117
2001	69,539	15,505	25,400	110,444	93,620	25,000	68,620
2000	73,016	8,020	12,700	93,736	90,894	25,000	65,894
1999	73,016	6,982	12,700	92,698	88,505	25,000	63,505
1998	73,016	1,397	12,700	87,112	87,112	25,000	62,112
1997	73,016	1,397	12,700	87,112	87,112	25,000	62,112
1996	73,016	1,397	12,700	87,112	86,299	25,000	61,299
1995	73,016	1,397	12,700	87,112	84,195	25,000	59,195
1994	69,539	1,330	11,113	81,982	81,982	25,000	56,982
1993	69,539	1,330	11,113	81,982	81,982	25,000	56,982
1992	69,539	1,330	11,113	81,982	81,982	25,000	56,982
1991	69,539	1,330	11,113	81,982	81,982	25,000	56,982
1990	69,539	1,330	9,525	80,394	80,394	25,000	55,394
1989	69,539	1,330	7,176	78,045	78,045	25,000	53,045
1988	61,408	1,330	7,176	69,914	69,914	25,000	44,914
1987	60,930	1,330	9,525	71,785	71,785	25,000	46,785
1986	61,146	1,330	9,525	72,001	72,001	25,000	47,001
1985	58,074	1,330	9,525	68,929	68,929	25,000	43,929
1984	56,044	1,330	9,525	66,899	66,899	25,000	41,899
1983	56,044	1,330	7,175	64,549	64,549	25,000	39,549
1982	56,559	1,330	7,175	65,064	65,064	25,000	40,064

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
5/25/2012	2572 / 44	100	WD	11
5/25/2012	2572 / 42	649,800	WD	01
5/22/2012	2572 / 45	100	WD	11

This page has been visited 151,590 times.

Monroe County Property Appraiser
Karl D. Borglum
P.O. Box 1176
Key West, FL 33041-1176

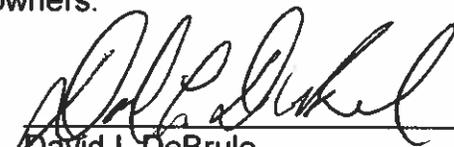
Date: 6/29/12

I hereby authorize Gay Marie Smith be listed as authorized agent for David L & Dawn Debrule for the Variance Application to the Monroe County Planning Commission for property described as Lots 1, 2 & 6, Block 18 of Anglers Park on 56 Bass Avenue in Key Largo, FL under RE #00553910.000000.

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purpose stated.

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility (thus holding Monroe County harmless) for any and all of the actions of the agent named, related to the acquisition of permits for the aforementioned applicant.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.



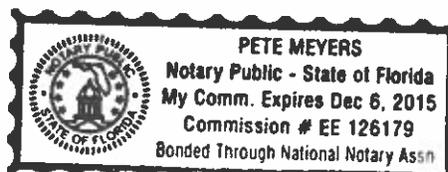
David L DeBrule

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

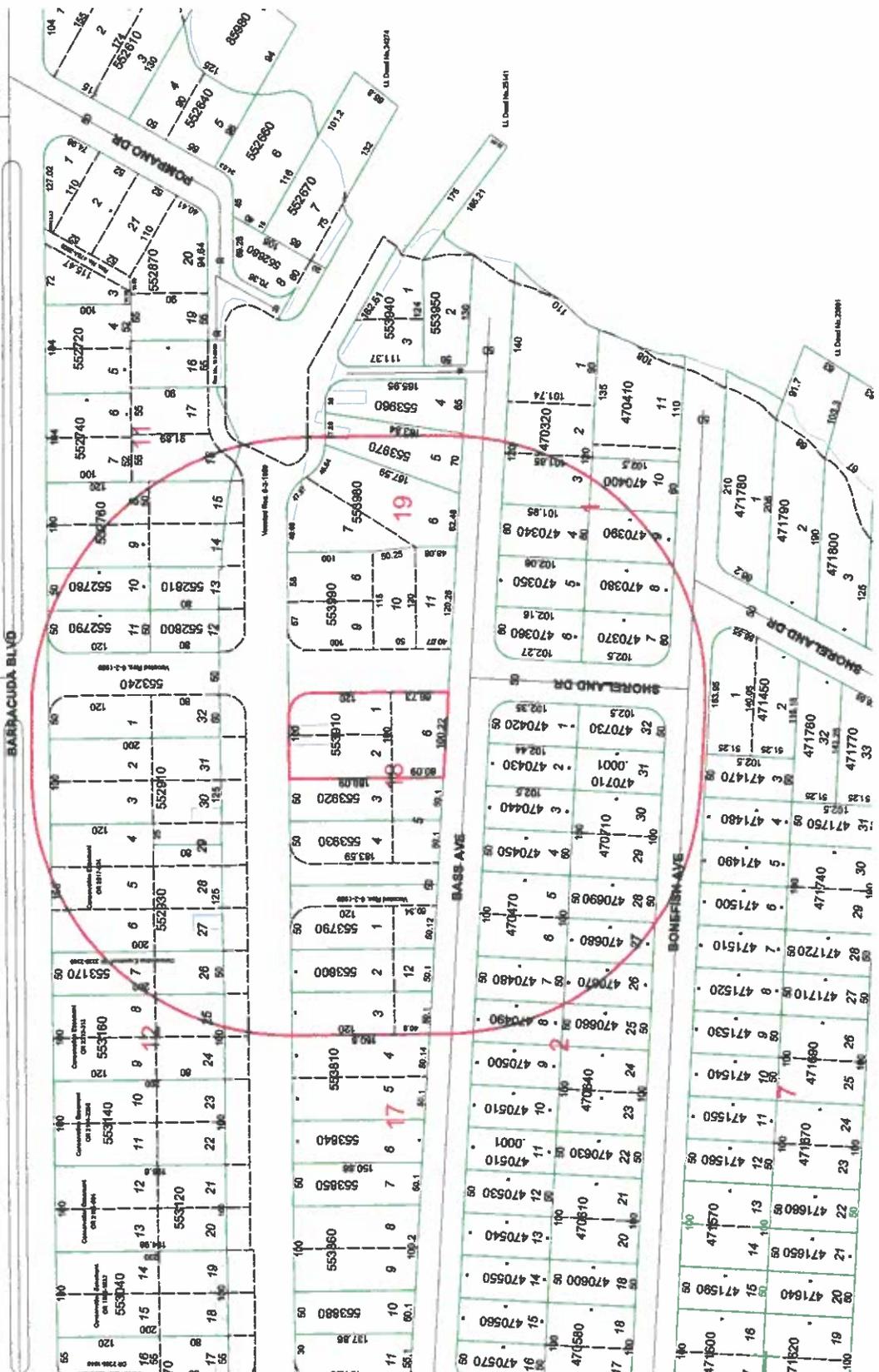
The foregoing instrument was acknowledged before me this 29 day of June 2012 by David L DeBrule who is personally known _____ produced identification (_____ Type of Identification) and did/did not take an oath.



Notary Public Signature



16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	55
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	55
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759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	55
775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	55
791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	55
807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	55
823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	55
839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	55
855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	55
871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	55
887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	55
903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	55
919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	55
935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	55
951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	55
967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	55
983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	55
999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	55



Monroe County Property Appraiser - Radius Report

AK: 1577871	Parcel ID: 00470710-000000	Physical Location: 60 BONEFISH AVE	KEY LARGO
Legal Description:	BK 2 LOTS 29 AND 30 LARGO SOUND PARK PB3-111 KEY L	ARGO	OR396-984 OR480-456 OR760
Owners Name:	MENNE FAMILY TRUST 5/11/1992 C/O MENNE DAVID JOSEPH TRUSTEE		
Address::	PO BOX 2333	GRANTS PASS, OR	97528-0206
AK: 9093540	Parcel ID: 00470710-000100	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 2 LOT 31 LARGO SOUND PARK PB3-111 KEY LARGO OR3	96-984	OR480-456 OR760-1030Q/CR
Owners Name:	MENNE FAMILY TRUST 5/11/1992 C/O MENNE DAVID JOSEPH TRUSTEE		
Address::	PO BOX 2333	GRANTS PASS, OR	97528-0206
AK: 1678279	Parcel ID: 00552740-000000	Physical Location: 490 BARRACUDA BLVD	KEY LARGO
Legal Description:	BK 11 LTS 6, 7, 16 AND 17 ANGLERS PARK PB1-159 KEY	LARGO	OR518-580/581 OR693-691
Owners Name:	FLOYD HOLDINGS LP C/O FLOYD EDWARD		
Address::	9109 MCDOUGAL CRT	TALLAHASSEE, FL	32312
AK: 1577481	Parcel ID: 00470320-000000	Physical Location: 67 BASS AVE	KEY LARGO
Legal Description:	BK 1 LTS 1, 2 AND 3 LARGO SOUND PARK PB3-111 KEY L	ARGO	OR226-76 OR346-550 OR540-4
Owners Name:	HOAGLAND PETER AND DEENA		
Address::	67 BASS AVE	KEY LARGO, FL	33037
AK: 1577537	Parcel ID: 00470370-000000	Physical Location: 64 BONEFISH AVE	KEY LARGO
Legal Description:	BK 1 LT 7 LARGO SOUND PARK KEY LARGO PB3-111 OR508	-1073	OR782-1 OR1521-23D/C OP15
Owners Name:	WEINER CHARLES D AND JUDITH A		
Address::	303 N QUINCY AVE	MARGATE CITY, NJ	08402-1333
AK: 1577529	Parcel ID: 00470360-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 1 LT 6 LARGO SOUND PARK PB3-111 KEY LARGO OR578	-574	OR787-862
Owners Name:	PRYOR T HUNTER & JANICE C		
Address::	11055 SNAPPER CREEK ROAD	MIAMI, FL	33156
AK: 1577588	Parcel ID: 00470420-000000	Physical Location: 86 SHORELAND DR	KEY LARGO
Legal Description:	BK 2 LT 1 LARGO SOUND PARK PB3-111 KEY LARGO OR3	23-133	OR899-956Q/C OR899-957Q/C
Owners Name:	FOGEL ARTHUR ROBERT AND DONNA ROSE		
Address::	4118 CLEVALND ST	HOLLYWOOD, FL	33021
AK: 1577596	Parcel ID: 00470430-000000	Physical Location: 55 BASS AVE	KEY LARGO
Legal Description:	BK 2 LT 2 LARGO SOUND PARK PB3-111 KEY LARGO OR323	-133	OR731-326 OR791-356 OR835-4
Owners Name:	SALVATION ARMY THE C/O LEGAL DEPARTMENT		
Address::	1424 NORTHEAST EXPY NE	ATLANTA, GA	30329-2088
AK: 1577502	Parcel ID: 00470340-000000	Physical Location: 63 BASS AVE	KEY LARGO
Legal Description:	BK 1 LT 4 LARGO SOUND PARK PB3-111 KEY LARGO OR4	52-693/94	OR1017-905 OR1017-906A
Owners Name:	WOJCIEHOWSKI ANDRZEJ AND MARIA		
Address::	1133 BANYAN WAY	PACIFICA, CA	94044-4343
AK: 1678295	Parcel ID: 00552760-000000	Physical Location: 486 BARRACUDA BLVD	KEY LARGO
Legal Description:	BK 11 LT 8-9-14-15 ANGLERS PARK PB1-159 KEY LARGO	OR36-444	OR150-154/155 OR1278-1
Owners Name:	WOOD TILLMAN AND PATRICIA		
Address::	486 BARRACUDA BLVD	KEY LARGO, FL	33037
AK: 1678341	Parcel ID: 00552810-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 11 LT 13 ANGLERS PARK PB1-159 KEY LARGO OR569-4	79	OR792-1057
Owners Name:	CORONEL ARMANDO A & ELSIE E		
Address::	2802 SW 1ST AVENUE	MIAMI, FL	33129
AK: 1577898	Parcel ID: 00470730-000000	Physical Location: 84 SHORELAND DR	KEY LARGO
Legal Description:	BK 2 LT 32 LARGO SOUND PARK PB3-111 KEY LARGO OR48	9-648	OR790-393 (UR D/C ON FILE-W
Owners Name:	FOGEL ARTHUR R AND DONNA R		
Address::	84 SHORELAND DR	KEY LARGO, FL	33037-4754
AK: 1577561	Parcel ID: 00470400-000000	Physical Location: 70 BONEFISH AVE	KEY LARGO
Legal Description:	LARGO SOUND PARK PB3-111 KEY LARGO W60 FT LOT 10 B	LK 1	OR473-491 OR748-488 OR755-1
Owners Name:	LINDROTH KENNETH J AND MARY ANN		
Address::	70 BONEFISH AVE	KEY LARGO, FL	33037

AK: 1577545	Parcel ID: 00470380-000000	Physical Location: 66 BONEFISH AVE	KEY LARGO
Legal Description:	BK 1 LT 8 LARGO SOUND PARK PB3-111 KEY LARGO OR531	-697 OR900-1974 OR1087-1112 OR11	
Owners Name:	VAN LENT THOMAS AND LOIS		
Address::	66 BONEFISH AVE	KEY LARGO, FL 33037-4766	
AK: 1577511	Parcel ID: 00470350-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 1 LT 5 LARGO SOUND PARK PB3-111 KEY LARGO OR531	-1040 OR786-210	
Owners Name:	PRYOR SARAH CRESAP		
Address::	11055 SNAPPER CREEK ROAD	MIAMI, FL 33156	
AK: 1577600	Parcel ID: 00470440-000000	Physical Location: 53 BASS AVE	KEY LARGO
Legal Description:	BK 2 LT 3 LARGO SOUND PARK PB3-111 KEY LARGO OR323	-133 OR731-326 OR791-356 OR836-4	
Owners Name:	HOVERSTEN GLEN H AND ANN F		
Address::	1055 BACKLUND PL	EUGENE, OR 97401	
AK: 1577634	Parcel ID: 00470470-000000	Physical Location: 47 BASS AVE	KEY LARGO
Legal Description:	BK 2 LTS 5- 6 LARGO SOUND PARK PB3-111 KEY LARGO O	R444-1044 OR494-7 OR1012-2087P/F	
Owners Name:	DEGAYNER RALPH LAWERNCE JR & JACQUELYN ANN		
Address::	47 BASS AVENUE	KEY LARGO, FL 33037-4763	
AK: 1577855	Parcel ID: 00470690-000000	Physical Location: 54 BONEFISH AVE	KEY LARGO
Legal Description:	BK 2 LT 28 LARGO SOUND PARK PB3-111 KEY LARGO OR	506-79 OR511-1100(PRO 74-178) OR	
Owners Name:	MIRTO ANTHONY R		
Address::	54 BONEFISH AVE	KEY LARGO, FL 33037	
AK: 1577839	Parcel ID: 00470670-000000	Physical Location: 50 BONEFISH AVE	KEY LARGO
Legal Description:	BK 2 LT 26 LARGO SOUND PARK PB3-111 KEY LARGO OR48	9-883 OR823-642 OR856-2388 OR915	
Owners Name:	TABOADA DESIREE		
Address::	50 BONEFISH AVE	KEY LARGO, FL 33037	
AK: 1577553	Parcel ID: 00470390-000000	Physical Location: 68 BONEFISH AVE	KEY LARGO
Legal Description:	BK 1 LT 9 LARGO SOUND PARK PB3-111 KEY LARGO OR617	-565 OR788-1564 OR982-2351 OR135	
Owners Name:	GIBBS STEPHEN W		
Address::	68 BONEFISH AVE	KEY LARGO, FL 33037-4766	
AK: 1577618	Parcel ID: 00470450-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 2 LT 4 LARGO SOUND PARK PB3-111 KEY LARGO OR494	-7 OR1012-2087P/R	
Owners Name:	JORDAN CRYSTAL M & JORDAN ANDREA L & JORDAN HOLLY H & JORDAN ALEXANDER		
Address::	8384 NE 2ND COURT	MIAMI, FL 33138	
AK: 1577821	Parcel ID: 00470660-000000	Physical Location: 48 BONEFISH AVE	KEY LARGO
Legal Description:	BK 2 LT 25 LARGO SOUND PARK PB3-111 KEY LARGO OR48	9-883 OR726-210 OR744-464 OR2490	
Owners Name:	JOHNSON SALLY A		
Address::	98 S DESOTO AVE	AVON PARK, FL 33825-3606	
AK: 1577847	Parcel ID: 00470680-000000	Physical Location: 52 BONEFISH AVE	KEY LARGO
Legal Description:	BK 2 LT 27 LARGO SOUND PARK PB3-111 KEY LARGO OR24	3-536/537 OR667-376 OR823-646 OR	
Owners Name:	GUTIERREZ ARMANDO J AND LUCY F		
Address::	14120 SW 98TH CT	MIAMI, FL 33176-6703	
AK: 1577651	Parcel ID: 00470490-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 2 LT 8 LARGO SOUND PARK PB3-111 KEY LARGO OR497	-818 OR1216-910/11AFF OR1306-212	
Owners Name:	MONNEY BRIAN T		
Address::	330 PEARL ST APT 5A	NEW YORK, NY 10038-1615	
AK: 1678333	Parcel ID: 00552800-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	BK 11 LT 12 ANGLERS PARK PB1-159 KEY LARGO OR569-4	79 OR792-1057	
Owners Name:	CORONEL ARMANDO A & ELSIE E		
Address::	2802 SW 1ST AVENUE	MIAMI, FL 33129	
AK: 1577642	Parcel ID: 00470480-000000	Physical Location: 45 BASS AVE	KEY LARGO
Legal Description:	BK 2 LOT 7 LARGO SOUND PARK KEY LARGO OR444-1044	OR497-818 OR911-1458/AFF OR911-	
Owners Name:	MONNEY BRIAN T		
Address::	330 PEARL ST APT 5A	NEW YORK, NY 10038-1615	
AK: 1679470	Parcel ID: 00553980-000000	Physical Location: VACANT LAND	KEY LARGO
Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOTS 6 & 7 SQR 19 O	R569-479 OR792-1529 OR969-2478Q/	
Owners Name:	ANVONNE INVESTMENTS INC C/O LUTCHMANSINGH ANSEL		
Address::	1900 NW 97TH AVE STE 011-340	MIAMI, FL 33172	

✓	AK: 1679305	Parcel ID: 00553810-000000	Physical Location: 34 BASS AVE KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LT 3 & W 50' OF LT	12, AND LTS 4 & 5 SQR 17 OR482-7
	Owners Name:	DEGAYNER CLAYTON E & BARBARA E	
	Address::	255 N ALLOY DR	FENTON, MI 48430
✓	AK: 1679291	Parcel ID: 00553800-000000	Physical Location: 38 BASS AVE KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOT 2 & W50 FT OF E	100 FT LOT 12 SQR 17 OR569-481 O
	Owners Name:	COOPER OLIN A AND JOLENE F	
	Address::	38 BASS AVE	KEY LARGO, FL 33037
✓	AK: 1679461	Parcel ID: 00553970-000000	Physical Location: 68 BASS AVE KEY LARGO
	Legal Description:	BK 19 LT 5 ANGLERS PARK KEY LARGO OR369-935/36 OR1	341-1708 OR1795-6 OR2539-1793
	Owners Name:	ADWM HOLDINGS LC	
	Address::	68 BASS AVE	KEY LARGO, FL 33037-4708
✓	AK: 1679429	Parcel ID: 00553930-000000	Physical Location: 46 BASS AVE KEY LARGO
	Legal Description:	SQR 18 LOT 4 AND W 50FT LOT 5 AND E 1/2 MORAY ST S	OUTH OF CONAL ANGLERS PARK P
	Owners Name:	POWELL MICHAEL H	
	Address::	46 BASS AVE	KEY LARGO, FL 33037-4708
✓	AK: 1679488	Parcel ID: 00553990-000000	Physical Location: VACANT LAND KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOTS 8-9-10-11 BLK	19 & TURBOT ST SOUTH OF CANAL
	Owners Name:	ANVONNE INVESTMENTS INC C/O LUTCHMANSINGH ANSEL	
	Address::	1900 NW 97 AVE STE 11-340	MIAMI, FL 33172
✓	AK: 1679402	Parcel ID: 00553910-000000	Physical Location: 56 BASS AVE KEY LARGO
	Legal Description:	BK 18 LT 1 AND 2 AND LT 6 ANGLERS PARK PB1-159 KEY	LARGO OR542-1030 OR570-141 OR:
	Owners Name:	DEBRULE DAVID L AND DAWN	
	Address::	56 BASS AVE	KEY LARGO, FL 33037-4708
✓	AK: 1678465	Parcel ID: 00552930-000000	Physical Location: 470 BARRACUDA BLVD KEY LARGO
	Legal Description:	BK 12 ALL LOTS 4-6 AND 27-28 AND WEST 1/2 LOT 29 A	NGLERS PARK PB1-159 KEY LARGO
	Owners Name:	RISTAINO JOHN L	
	Address::	470 BARRACUDA BLVD	KEY LARGO, FL 33037-4702
✓	AK: 1678449	Parcel ID: 00552910-000000	Physical Location: 474 BARRACUDA BLVD KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOTS 2-3 & E1/2 29	& 30-31 OR338-549/550 OR336-592/E
	Owners Name:	PALRUD GENE A AND SAROYINI	
	Address::	474 BARRACUDA BLVD	KEY LARGO, FL 33037
✓	AK: 1679283	Parcel ID: 00553790-000000	Physical Location: 40 BASS AVE KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOT 1 E50 FT LOT	12 SQR 17 & W1/2 MORAY ST SOUTI
	Owners Name:	THOMPSON DAVID	
	Address::	PO BOX 628	TAVERNIER, FL 33070-0628
✓	AK: 1678678	Parcel ID: 00553160-000000	Physical Location: 464 BARRACUDA BLVD KEY LARGO
	Legal Description:	BK 12 LOTS 8, 9, 24 AND 25 ANGLERS PARK PB1-159 KE	Y LARGO OR400-404 OR821-165 OI
	Owners Name:	LIVOTI SALVATORE M	
	Address::	P O BOX 1469	KEY LARGO, FL 33037
✓	AK: 1678317	Parcel ID: 00552780-000000	Physical Location: VACANT LAND KEY LARGO
	Legal Description:	BK 11 LT 10 ANGLERS PARK PB1-159 KEY LARGO OR569-4	79 OR792-1057
	Owners Name:	CORONEL ARMANDO A & ELSIE E	
	Address::	2802 SW 1ST AVENUE	MIAMI, FL 33129
✓	AK: 1678724	Parcel ID: 00553240-000000	Physical Location: 480 BARRACUDA BLVD KEY LARGO
	Legal Description:	BK 12 LTS 1 AND 32 AND VACATED PT OF STREET LYING	EAST OF LTS 1 AND 32 ANGLERS P
	Owners Name:	KEY480 INC	
	Address::	12227 SW 131ST AVE	MIAMI, FL 33186-6401
✓	AK: 1678325	Parcel ID: 00552790-000000	Physical Location: VACANT LAND KEY LARGO
	Legal Description:	BK 11 LT 11 ANGLERS PARK PB1-159 KEY LARGO OR569-4	79 OR792-1057
	Owners Name:	CORONEL ARMANDO A & ELSIE E	
	Address::	2802 SW 1ST AVENUE	MIAMI, FL 33129
✓	AK: 1679411	Parcel ID: 00553920-000000	Physical Location: 48 BASS AVE KEY LARGO
	Legal Description:	ANGLERS PARK PB1-159 KEY LARGO LOT 3 E50 FT LOT	5 SQR 18 OR569-481 OR825-1291 OF
	Owners Name:	SIMPSON ERNEST T III AND ANITA W	
	Address::	48 BASS AVE	KEY LARGO, FL 33037

✓
AK: 1678686 Parcel ID: 00553170-000000 Physical Location: 466 BARRACUDA BLVD KEY LARGO
Legal Description: BK 12 LTS 7 & 26 ANGLERS PARK PB1-159 KEY LARGO O R400-404 OR821-165 OR901-15 OR9
Owners Name: CAIRO RENE AND JANE
Address:: 12220 SW 43RD ST MIAMI, FL 33175-4210







DEBRULE RESIDENCE

56 BASS AVENUE

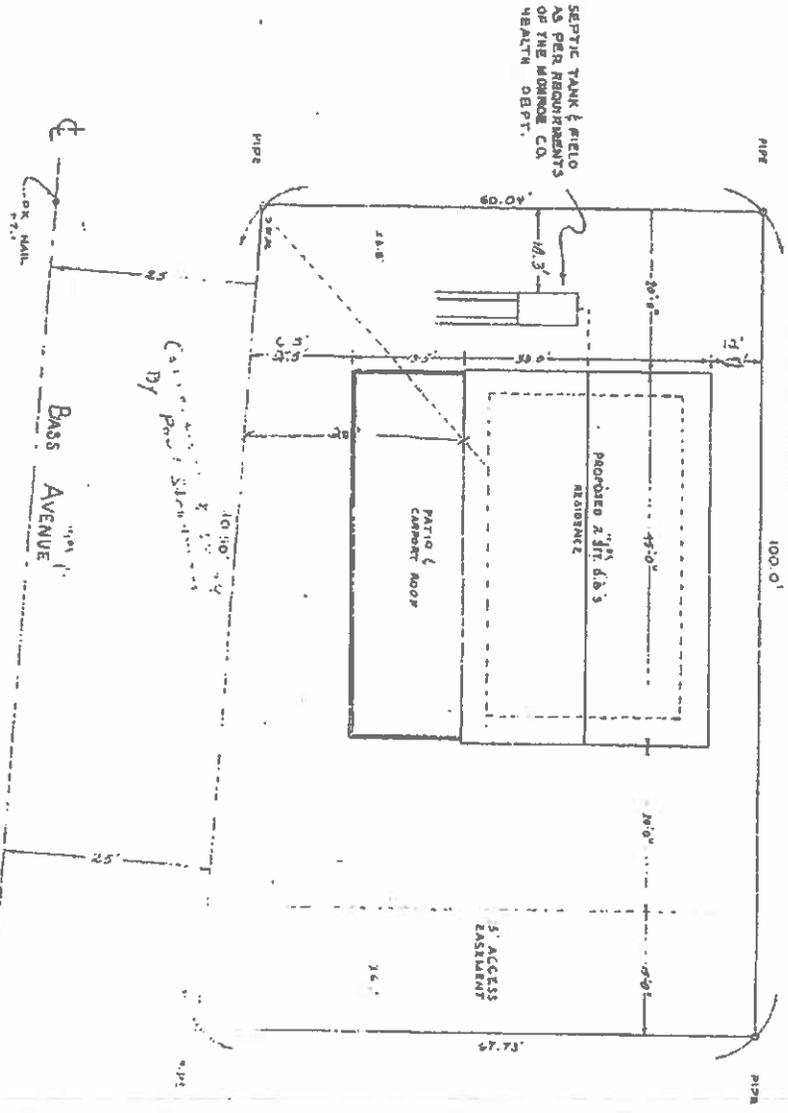
KEY LARGO, FL

**ORIGINAL APPROVED MONROE
COUNTY BUILDING DEPARTMENT
PLANS**

PLAT 120

NO. 120
RESIDENCE SITE PLAN

PLAT 120



Plot Plan 1"=10'-0"



DESCRIPTION

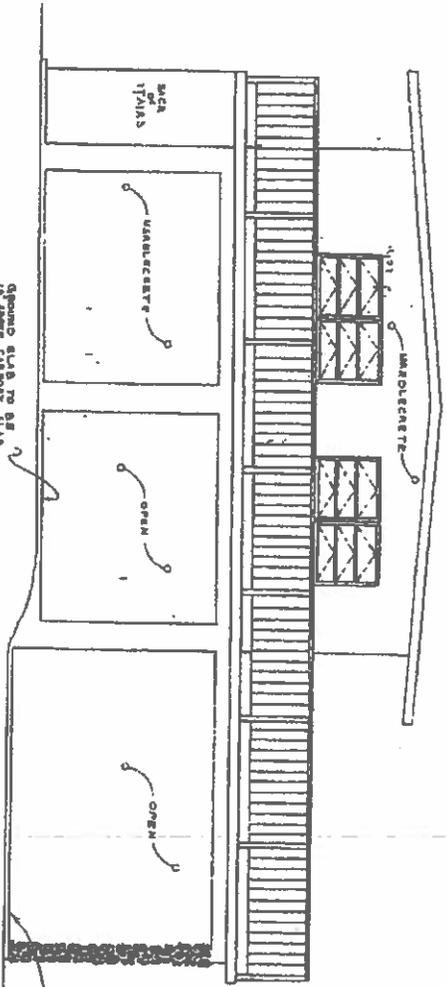
LOT 6 OF BLOCK 18 ACCORDING TO THE PLAT OF ANNEX'S PARK ORNEY LARGO AS RECORDED IN PLAT BOOK 1 AT PAGE 159 OF THE PUBLIC RECORDS OF MADRID COUNTY, FLORIDA.

ELEVATIONS SHOWN TRUE 6" NORTH OF U.S.C. & G.S. MEAN LEVEL DATUM 1929 AND

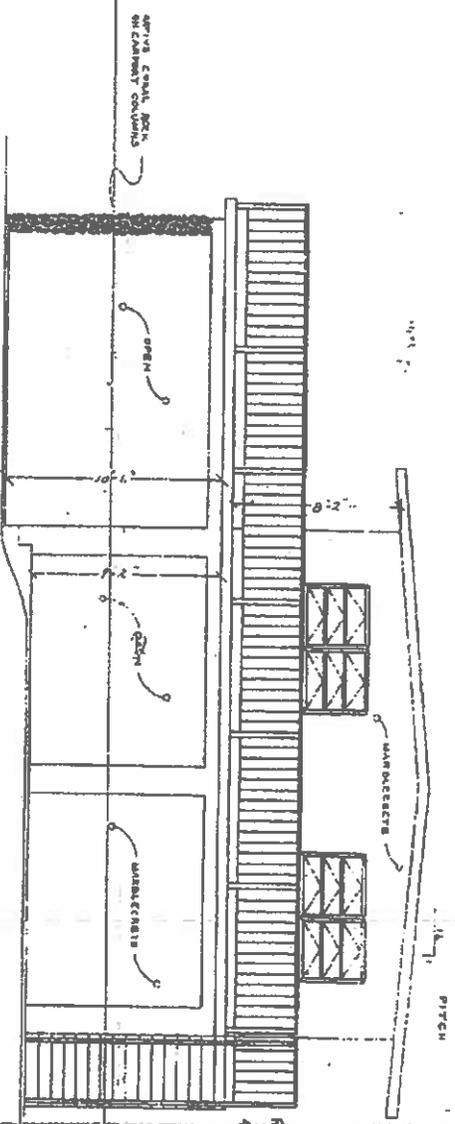


RESIDENCE OF		MR & MRS HOWARD & GLADYS KUNTZ	
ANGLERS PARK		KEY LARGO FLORIDA	
DRAWN BY		J. K.	
CHECKED BY			
APPROVED BY			
PLOT PLAN		1 of 8	

C-6719



WEST ELEVATION 1/2" = 1'-0"



EAST ELEVATION 1/2" = 1'-0"

RAILING MUST COMPLY WITH SEC. 1108 SBC 42" HIGH - 6" SPACING

GROUND SLAB TO BE 12" THICK WITH 4" REINFORCING BARS AT 18" ON CENTER. SEE PLAN FOR DETAILS.

APPROVED - MONROE COUNTY BUILDING DEPARTMENT

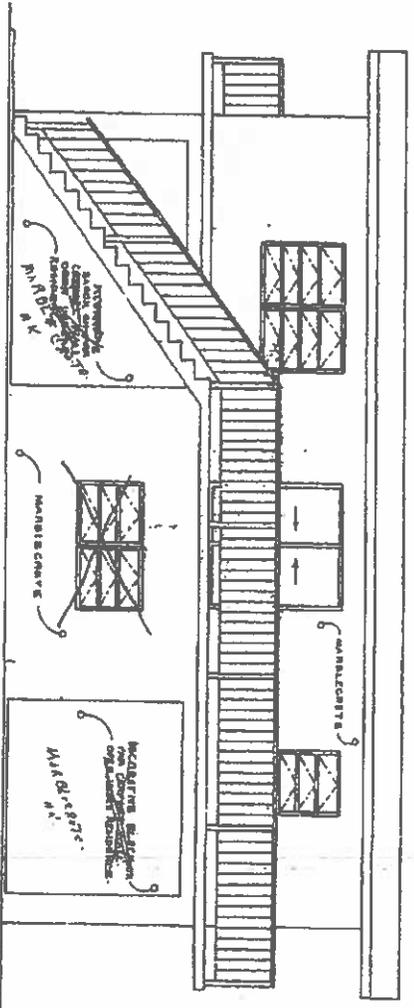
APPROVED - MONROE COUNTY BUILDING DEPARTMENT

APPROVED - MONROE COUNTY BUILDING DEPARTMENT

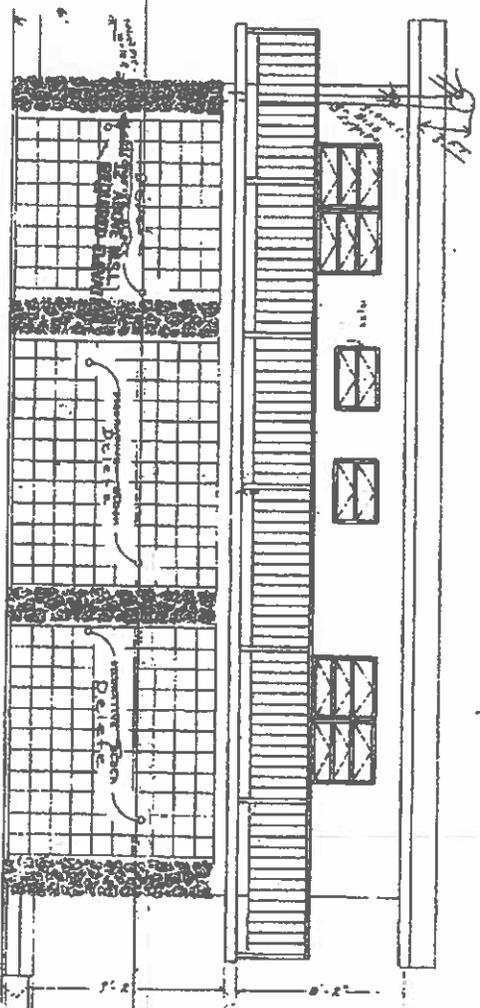
RAILING MUST COMPLY WITH SEC. 1108 SBC 42" HIGH - 6" SPACING

RESIDENCE OF	
MR & MRS HOWARD & GLADYS KUNTZ	
ADDRESS	OWNER
ANGLERS PARK	J.K.
KEY LARGO FLORIDA	
EAST & WEST ELEVATION	
DATE	PROJECT NUMBER
	2 of 8

C-6717



NORTH ELEVATION 4'-1'-0"

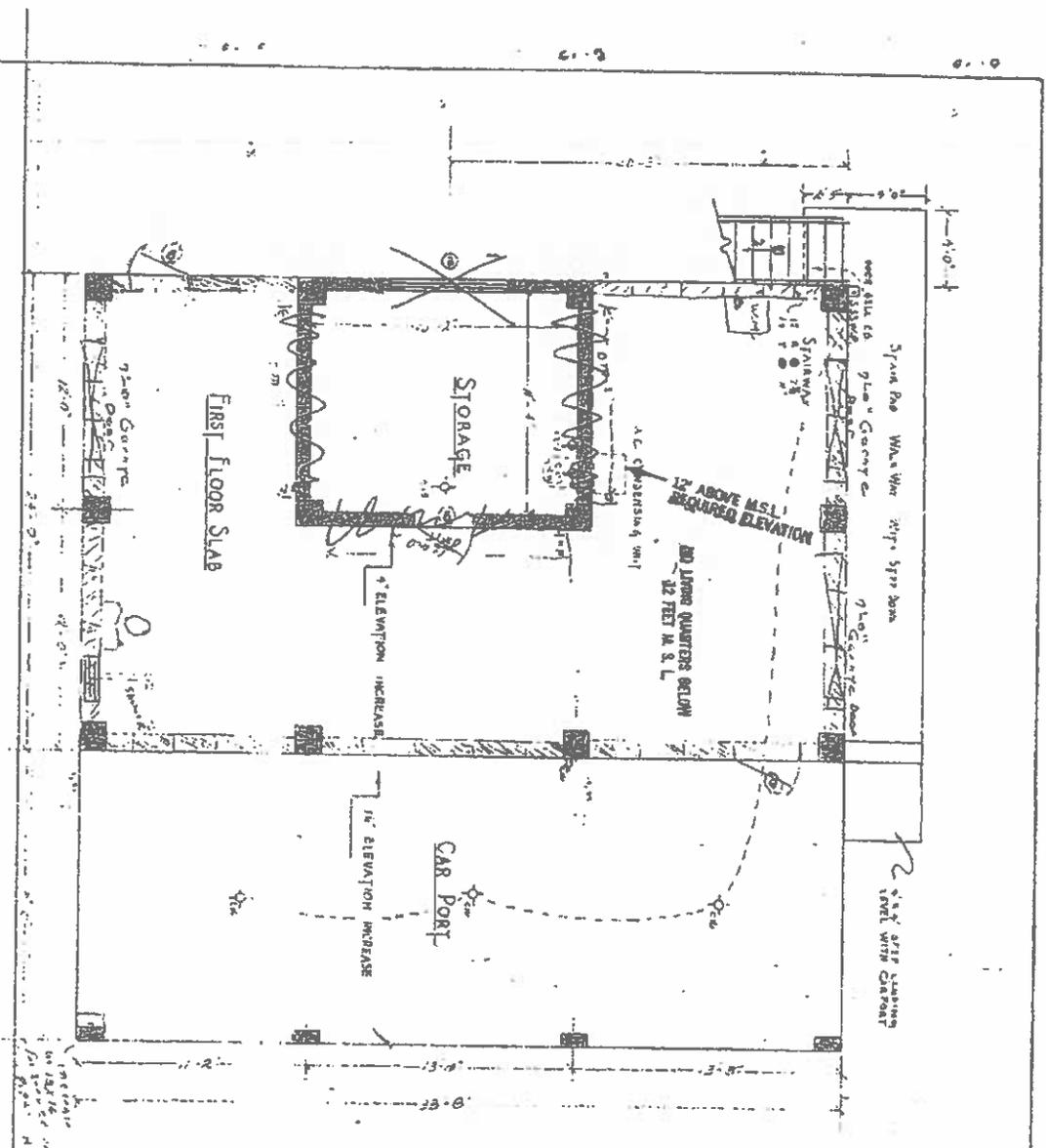


SOUTH ELEVATION 4'-1'-0"

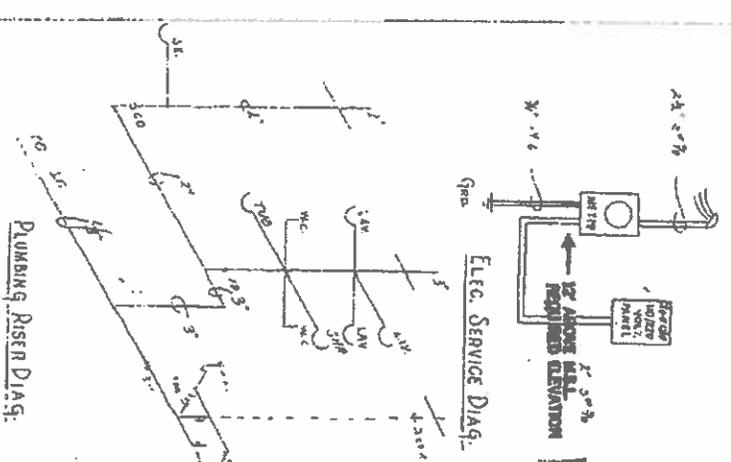
RESIDENCE OF	
MR & MRS HOWARD & GLADYS KUNTZ	
ANGLERS PARK	
KEY LARGO FLORIDA	
DRAWN BY J.K.	
CHECKED BY	
DATE	
NORTH & SOUTH ELEVATIONS	
3 of 8	

KEY LARGO FLORIDA

FIRST FLOOR PLAN 1/4" = 1'-0"



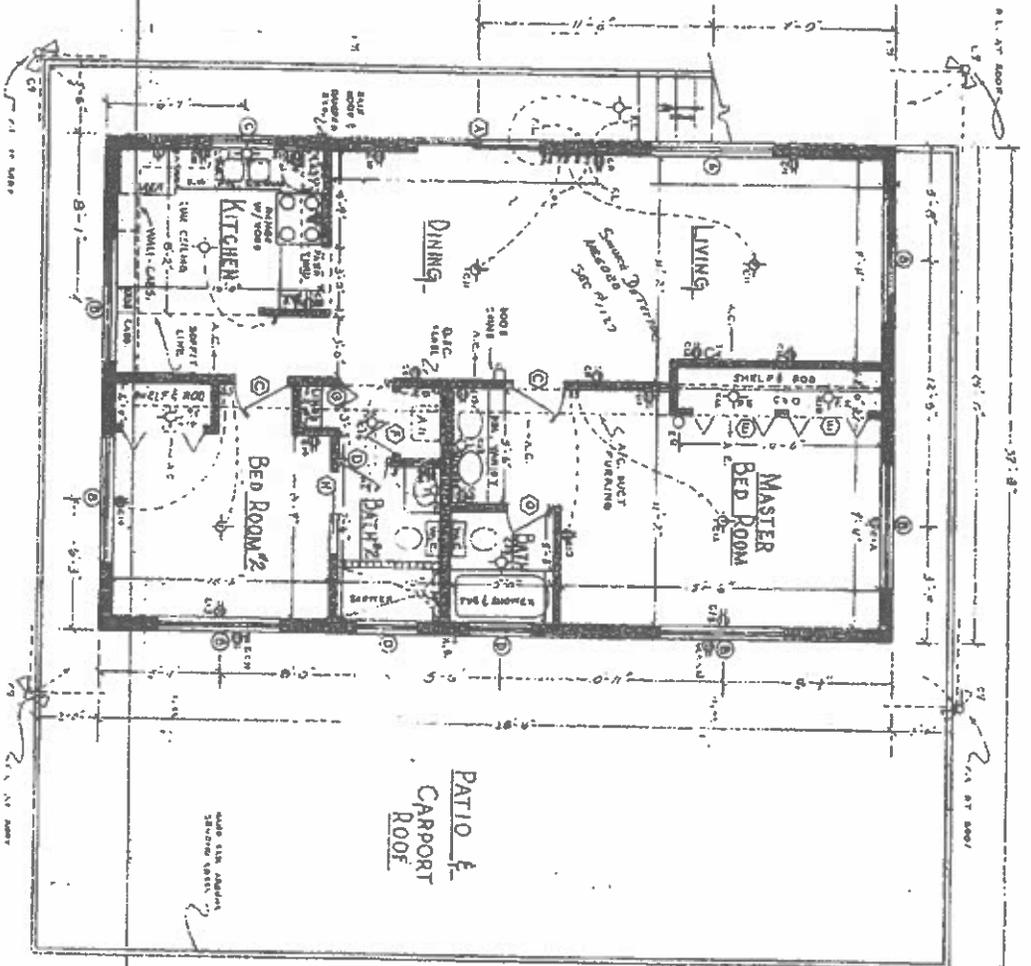
- NOTES:
1. WALKWAY ELEVATION SAME AS FIRST FLOOR.
 2. STORAGE FLOOR + ABOVE FIRST FLOOR SLAB.
 3. CARPORT ELEVATION IS BELOW FIRST FLOOR.
 4. ALL FLOOR FINISH IS ABOVE FINISH LEVEL.
 5. ALL MOST FLOOR FINISH TO SEE BREAKAWAYS



PUMPING RISER DIAG.

RESIDENCE OF		Mr & Mrs HOWARD & GLADYS KUNTZ	
ANGLES PARK		PORT ST. J. K.	
KEY LARGO FLORIDA		PORT ST. J. K.	
FIRST FLOOR PLAN			
DATE		4 OF 8	

C-6717



SECOND FLOOR PLAN 1/4" = 1'-0"

NO.	DESCRIPTION	QTY	UNIT	REMARKS
1-2	A.C. UNIT	2	220	35" 3" x 14" - 1"
3-6	W.N. CABINETS	30	20	3" x 10" - 1/2"
7	RFP.	20	20	3" x 6" - 1"
8	9" x 12" DISK	20	1	110
9	1 1/2" x 12" REC'D	20	1	110
10	1 1/2" x 12" REC'D	20	1	110
11	1 1/2" x 12" REC'D	20	1	110
12	1 1/2" x 12" REC'D	20	1	110
13	1 1/2" x 12" REC'D	20	1	110
14	1 1/2" x 12" REC'D	20	1	110
15	1 1/2" x 12" REC'D	20	1	110
16	1 1/2" x 12" REC'D	20	1	110
17	1 1/2" x 12" REC'D	20	1	110
18	1 1/2" x 12" REC'D	20	1	110
19	1 1/2" x 12" REC'D	20	1	110
20	1 1/2" x 12" REC'D	20	1	110

NO.	DESCRIPTION	QTY	UNIT	REMARKS
1	6" x 6" x 6" BLDG GLASS	2	220	35" 3" x 14" - 1"
2	3" x 6" x 6" BLDG GLASS	2	220	35" 3" x 14" - 1"
3	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
4	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
5	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
6	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
7	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
8	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
9	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
10	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
11	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
12	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
13	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
14	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
15	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
16	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
17	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
18	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
19	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"
20	1" x 6" x 6" FLUSH	2	220	35" 3" x 14" - 1"

NOTE
 SOLAR HEATING PANEL TO BE
 INSTALLED ON ROOF. APPROX. STORAGE TANK

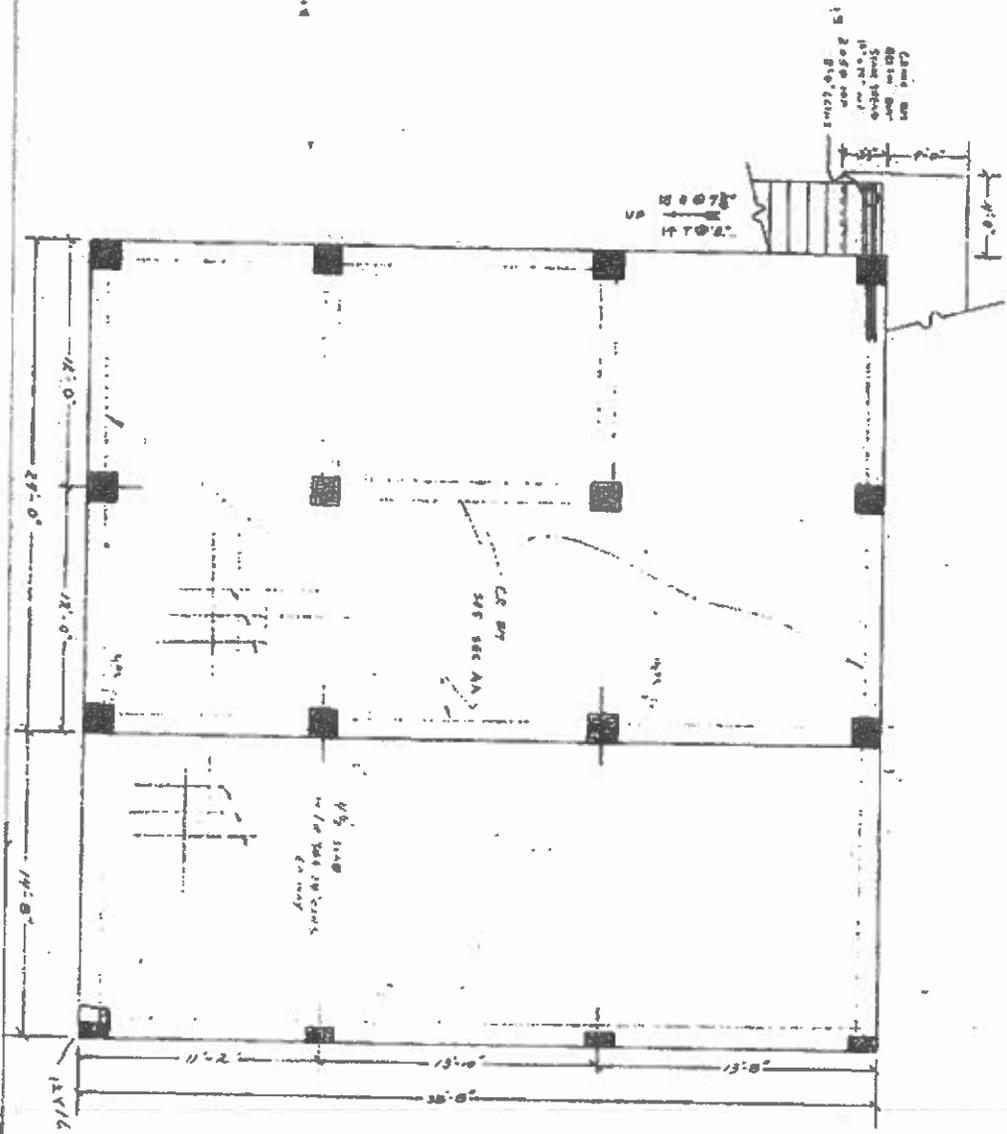
Mr & Mrs. HOWARD & GAY'S KUNTZ
 ANGLERS PARK
 NEW LARGO FLORIDA

SECOND FLOOR PLAN

5 of 8

C-162117

First Floor Framing Plan 1/2" = 1'-0"



Class 200
 200# Bar
 12" dia
 12" dia
 12" dia

12" dia
 12" dia
 12" dia

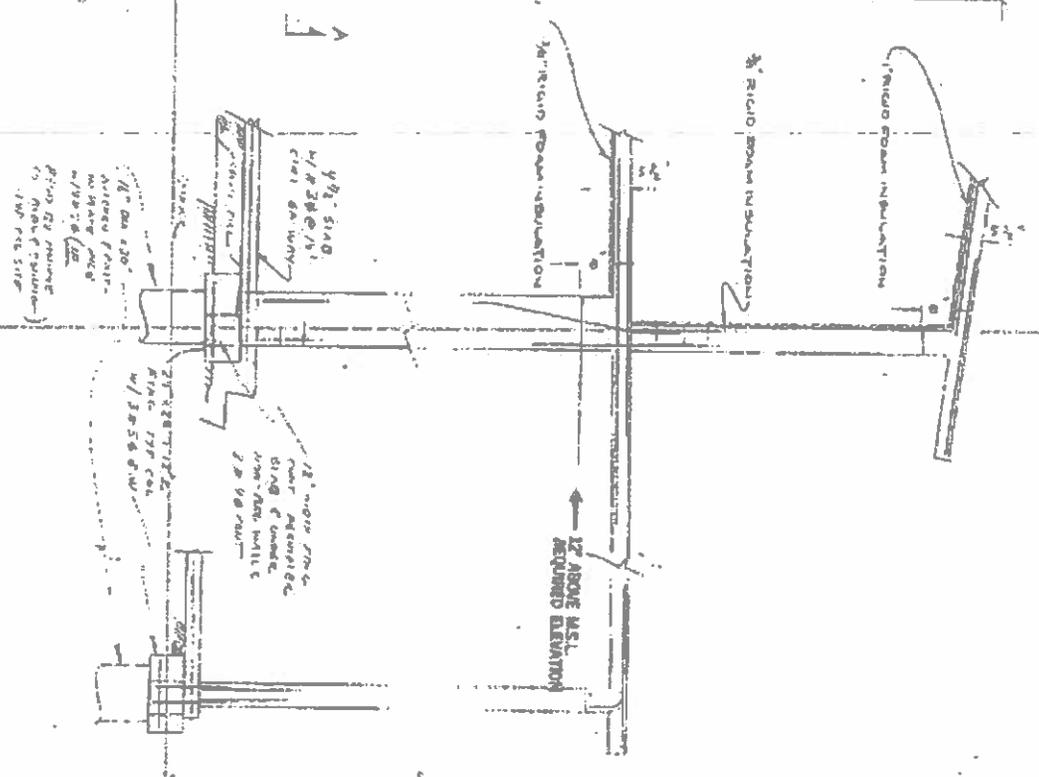
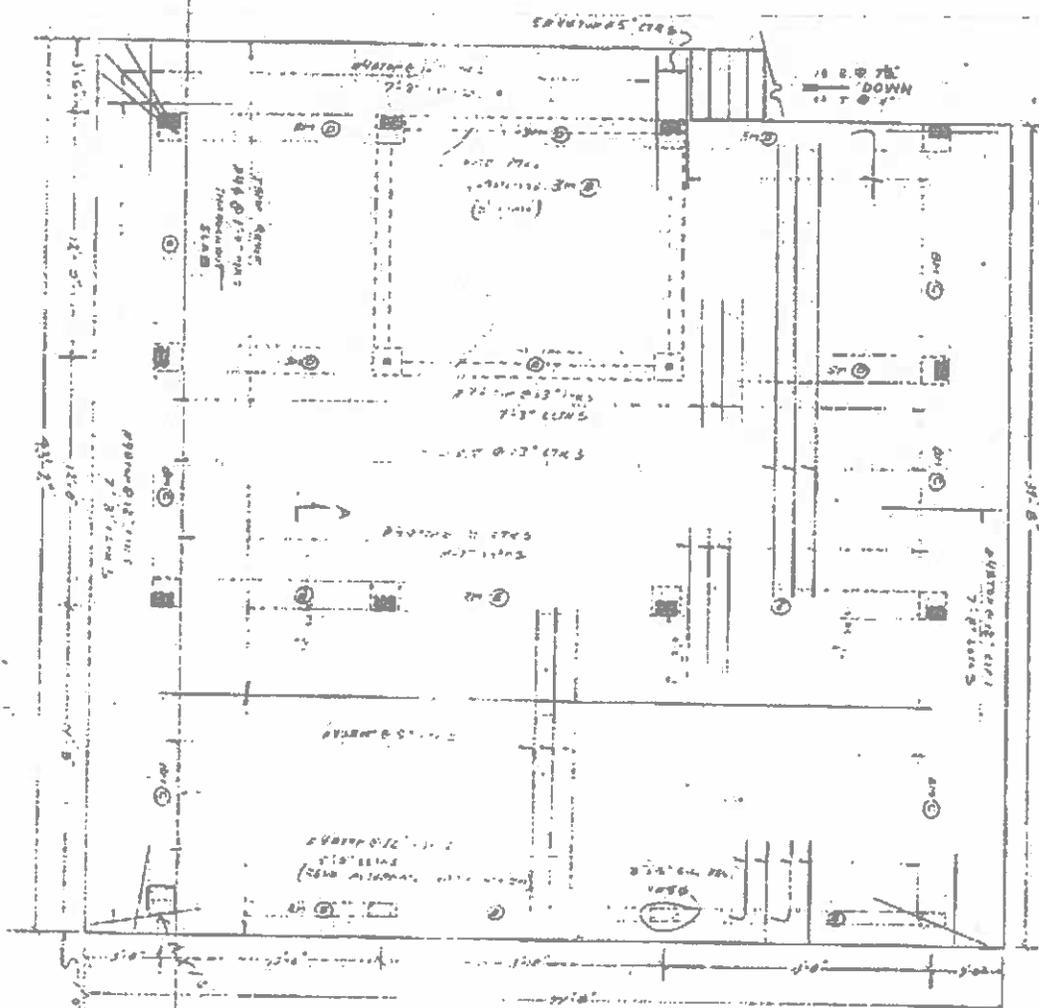
Structural Notes
 CONCRETE 3000 psi @ 28 DAYS
 REINFORCING 60,000 psi
 COVER 3/4" ON S
 SPACERS 20 BAR DIA.
 #5 SPLICERS 20 BAR DIA.
 #5 SPLICERS 20 BAR DIA.
 #5 SPLICERS 20 BAR DIA.



RESIDENCE OF	
Mr. & Mrs. HOWARD & GLADYS KUNTS	
ANGLERS PARK	
KEY LARGO FLORIDA	
FIRST FLOOR FRAMING PLAN	
6 of 8	

C-6711

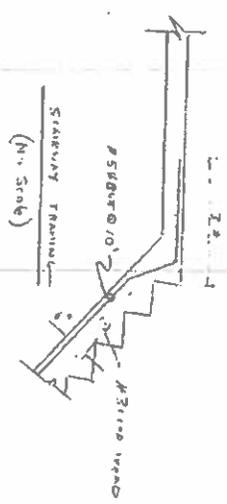
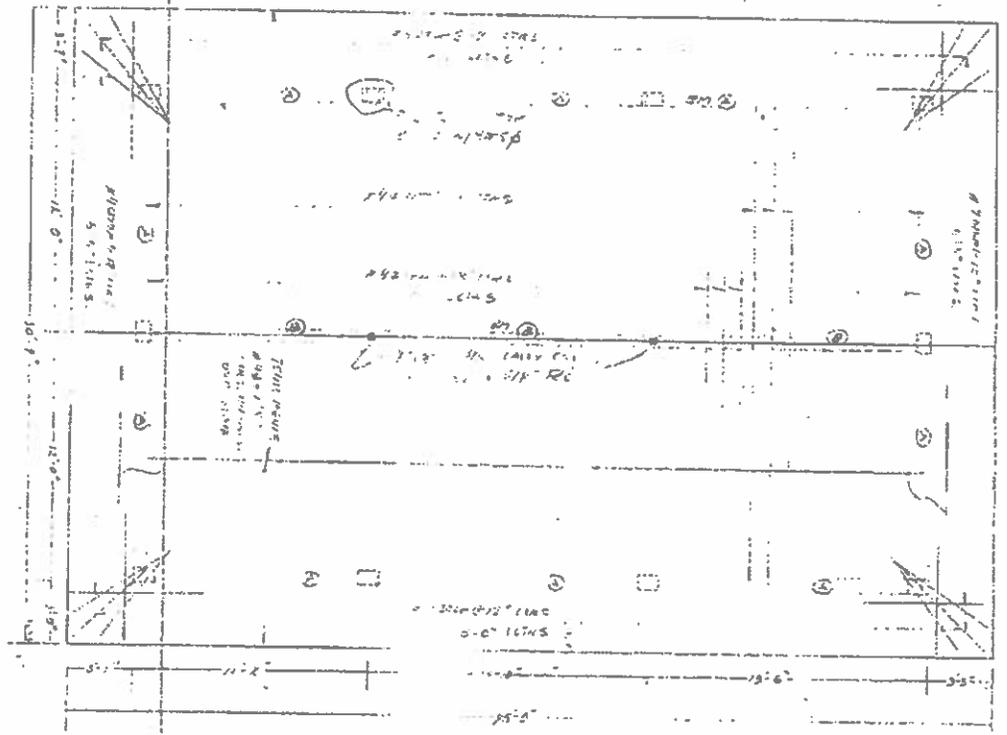
SECOND FLOOR FRAMING PLAN 1/4" = 1'-0"



REGISTERED OF
 MR & MRS. HOWARD & GLADYS KUNTZ
 ANGLERS PARK
 KEY LARGO FLORIDA
 SECOND FLOOR FRAMING PLAN
 7 of 8

C-6717

ROOF FRAMING PLAN 1/4" = 1'-0"



Notes

101 A	8" x 12" w / 2x12 @ 16" O.C. 2x12 TOP
101 B	2" x 12" w / 2x12 @ 16" O.C. 2x12 TOP
101 C	16" x 12" w / 2x12 @ 16" O.C. 2x12 TOP
101 D	16" x 12" w / 2x12 @ 16" O.C. 2x12 TOP
101 E	16" x 12" w / 2x12 @ 16" O.C. 2x12 TOP

NOTES

1. INSULATION TO BE RIGID BOARD EXPANDED FOAM, 1" UNDER ROOF - 3/4" ON EXTERIOR WALLS - 3/4" UNDER EXPOSED AREAS OF SECOND FLOOR SLAB, EXCEPT CARPORT.
2. APPLIANCE, LIGHT FIXTURES AND FLOOR COVERINGS M.I.C.



RESIDENCE OF
 Mr & Mrs. HOWARD & GLADYS KUNTZ
 ANGLERS, PARK
 KEY LARGO, FLORIDA

Roof Framing Plan

8 of 8



Monroe County, Florida

MCPA GIS Public Portal

Printed: May 16, 2012

DISCLAIMER: The Monroe County Property Appraiser's office institutes data on property within the County solely for the purpose of assisting its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name DEBRULE		For Insurance Company Use:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 56 BASS AVE.		Policy Number	
City KEY LARGO State FL ZIP Code 33037		Company NAIC Number	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOTS 1, 2 & 6, BLOCK 18, ANGLERS PARK			
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL			
A5. Latitude/longitude: Lat. N.26.13710 Long. W.80.39761		Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.			
A7. Building Diagram Number 1A			
A8. For a building with a crawspace or enclosure(s):		A9. For a building with an attached garage:	
a) Square footage of crawspace or enclosure(s)	NA sq ft	a) Square footage of attached garage	NA sq ft
b) No. of permanent flood openings in the crawspace or enclosure(s) within 1.0 foot above adjacent grade	NA	b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade	NA
c) Total net area of flood openings in A8.b	NA sq in	c) Total net area of flood openings in A9.b	NA sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number UNINCORPORATED AREAS 125129		B2. County Name MONROE		B3. State FL	
B4. Map/Panel Number 12087C0789	B5. Suffix K	B6. FIRM Index Date 2/18/05	B7. FIRM Panel Effective/Revised Date 2/18/05	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 8'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete items C2.a-h below according to the building diagram specified in item A7. Use the same datum as the BFE.
Benchmark Utilized **AZ12** Vertical Datum **NGVD 1929**
Conversion/Comments **NONE**

Check the measurement used.

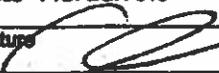
a) Top of bottom floor (including basement, crawspace, or enclosure floor)	8.3	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	10.5	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	NA	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	NA	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	NA	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG)	8.4	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG)	8.3	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	8.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)

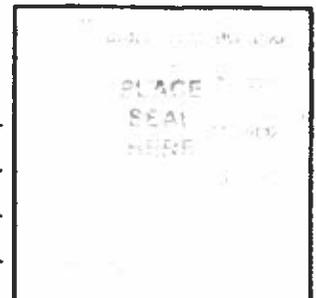
SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Certifier's Name DAVID S. MASSEY	License Number PSM#5125
Title MGR.	Company Name MASSEY-RICHARDS SURVEYING & MAPPING LB#7882
Address P.O. BOX 619	City TAVERNIER State FL ZIP Code 33070
Signature 	Date 5/19/12 Telephone 305-853-0088



Building Photographs

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 56 BASS AVE.	For Insurance Company Use: Policy Number
City KEY LARGO State FL ZIP Code 33037	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least two building photographs below according to the instructions for Item A6. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." If submitting more photographs than will fit on this page, use the Continuation Page, following.



FRONT VIEW 5/19/12



REAR VIEW 5/19/12

DESCRIPTION:

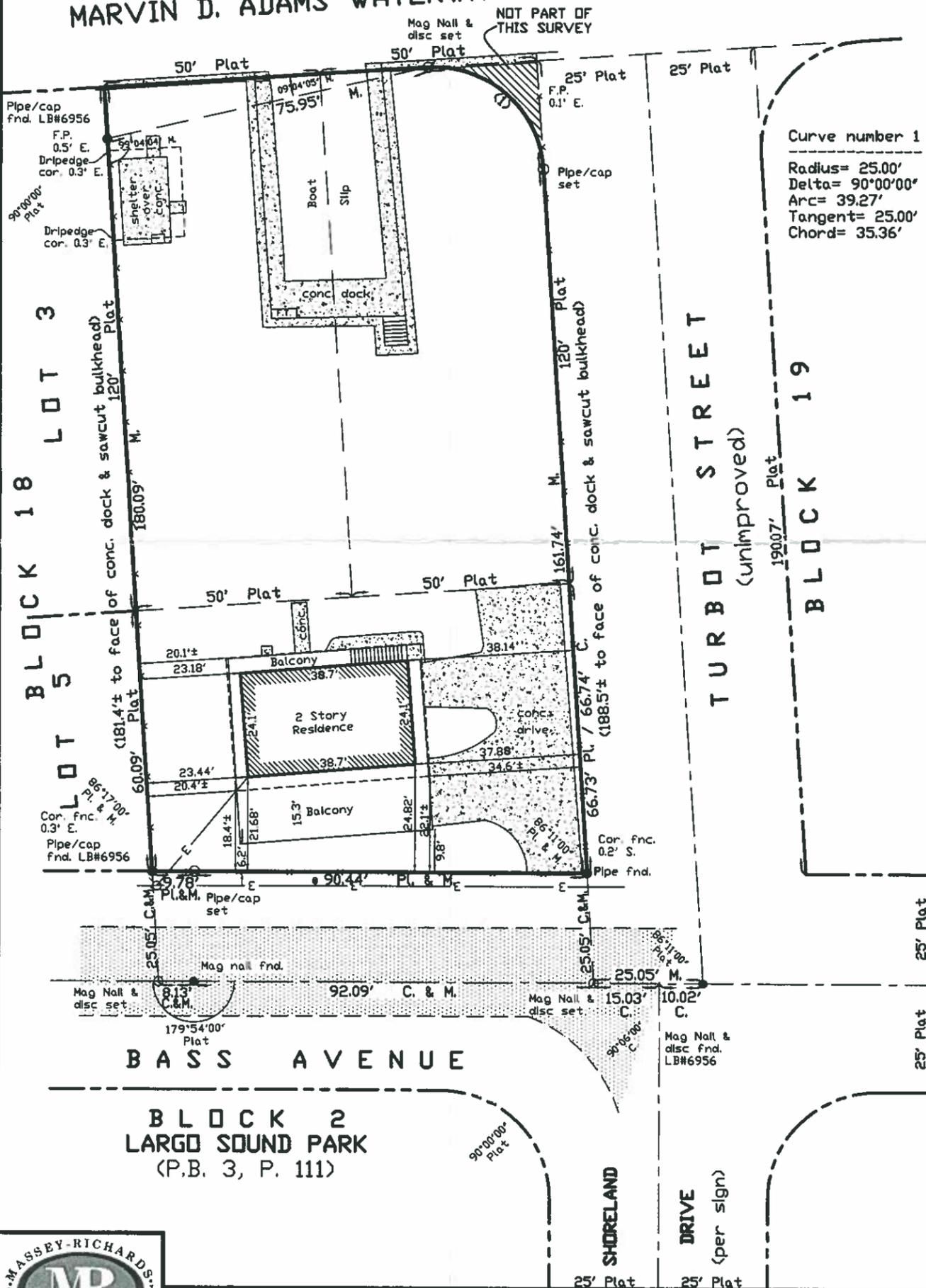
Lots 1, 2 and 6, Block 18, ANGLERS PARK, according to the Plat thereof, as recorded in Plat Book 1, at Page 159 of the Public Records of Monroe County, Florida.

SURVEY NOTES

- This sketch of survey represents a perimeter boundary survey with existing above ground improvements located. Underground utilities or structures were not located.
- This residence has a physical address of: 56 Boss Ave., Key Largo, Fl. 33037
- This parcel is in N.F.I.P., flood zone AE, El. 8' as shown on F.E.M.A. map panel #12087C0769, revised 2/18/05, and/or is depicted hereon if parcel is in more than one zone.
- No encroachments or notorious evidence of occupation and/or use of the described parcel for right-of-ways, ingress and egress were noted by this survey unless shown hereon.
- The description was furnished by the client. Only easements and rights-of-way depicted or described on the recorded plat or stated in the description hereon are shown.
- The bearings and/or North arrow were derived from the recorded plat or description hereon. The bearing base for this survey is denoted thus: (*).
- By his signature and embossed seal, the Florida P.S.M. or P.L.S. signing this survey hereby certifies to the following named parties that this survey was performed under his direct supervision and that it is true and correct to the best of his knowledge and belief: FIRST STATE BANK OF THE FLORIDA KEYS CORAL REEF TITLE COMPANY CHICAGO TITLE INSURANCE CO. DAVID DEBRULE & DAWN DEBRULE

TARPON AVENUE
(vacated by B.D.C.C. June 2, 1959)

MARVIN D. ADAMS WATERWAY



RECEIVED
JUL - 3 2012
2012-099
MONROE CO. PLANNING DEPT



ABBREVIATIONS/LEGEND

P.S.M. - Professional Surveyor & Mapper	R. - Record
P.L.S. - Professional Land Surveyor	Fnd. - Found
LS - Land Surveyor	Fr. - Wood frame
LB - Licensed Business	PL - Plat
C. - Calculated	M. - Measured
D. - Deed	conc. - Concrete
Fin.Fr. - finished floor	cor. - corner
El. - Elevation	FP - fence post
CB - concrete block	A/C - air conditioner
C.F.T. - conc. fish table	Cond. - Conduit
W.F.T. - wood fish table	F.S. - frame shed
P.F.T. - plastic fish table	M.S. - metal shed
PK - PARKER KALON FASTENERS	P.S. - plastic shed
MAG. - Magnetic Nail	Add. - addition
U.G.E. - Underground Electric	Plt. - planter
U.G.T. - Underground telephone	R.O.W. - right of way
WL - Buried waterline	T.R. - telephone riser
N.I.S. - not in service	L.P. - light/lamp pole
C.B.S. - concrete block shed	Balc. - Balcony
LPGT - liquid petroleum gas tank	Fnc. - fence
P.O.B. - Point of Beginning	Bldg. - building
Rad./N.R. - Radial/Non-Radial	Res. - residence
P.O.C. - Point of Commencement	G.A. - guy anchor
N.S.E.W. - North, South, East, West	
P.C.P. - permanent control point	
P.R.C. - Point of reverse Curvature	
P.C.C. - Point of Compound Curve	
P.C./P.T. - Point of Curvature/Tangency	
P.R.M. - permanent reference monument	
N.G.V.D. - National Geodetic Vertical Datum	
N.A.V.D. - North American Vertical Datum	
A.M.H.W.L. - Apparent Mean High Water Line	

• Nail / PK Nail Found
 ⊙ Nail/PK nail & disc stamped LB#7882 set
 ○ Pipe Found
 ⊕ Pipe/Cap stamped LB #7882 set
 + Rebar Found
 ⊕ Wood Utility Pole
 E Overhead electric lines
 T Overhead telephone lines
 C Overhead cable television
 X Chainlink fence P Plastic fence
 + Wood fence M Metal fence
 ○ Water Meter
 ○ Rock
 ⊕ Concrete Davit Base

Note: All pipes set are 7/8" (outside diameter) with cap stamped LB #7882 registration number. All PK nail/MAG nail or 60d spikes set are with discs stamped with LB #7882. Unless otherwise indicated, all pipes found are 7/8" (outside diameter). Unless indicated, points have No identification.



MASSEY-RICHARDS SURVEYING & MAPPING, LLC

Phone: (305)853-0066 / Fax: (305)853-0233

88888 Overseas Highway / P.O. Box 619, Tavernier, Fl. 33070

Client: DeBrule
Section 14, Township 61 South, Range 39 East
Key Largo Monroe County, Florida
Surveyed: 5/19/12 Fieldbook No. L-144
Drawing No. 11262 Drawn By: AMR Scale: 1" = 30'

Florida Certificate of Authorization No. LB 7882

I hereby certify that the survey hereon was performed under my direct supervision and is true and correct to the best of my knowledge and belief. This survey meets the requirements of Ch. 5J-17 of the Florida Administrative Code, Minimum Technical Standards for Florida Surveyors and Mappers, pursuant to Ch. 472.027, F.S.

David S. Massey, P.S.M. # 5125

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Creech-Gail

**Item #5 DeBrule-Variance to PC
Letter of Support**

From: steve <gibbsgibbsail43@aol.com>
Sent: Wednesday, August 01, 2012 3:04 PM
To: Creech-Gail
Subject: DeBrule variance request

Follow Up Flag: Follow up
Flag Status: Flagged

**Ms. Gail Creech
Monroe County Planning Commission re: DeBrule residence at 56 Bass Avenue,
application for variance**

Dear Ms. Creech:

My residence for the past 18 years is one block from the DeBrule residence and I have been aware of the condition of the home at 56 Bass for longer than that. In short, the building was in poor and deteriorating condition as it sat idle for the past few years.

When Mr. DeBrule purchased the property he immediately cleaned up vegetation that had overgrown the lot and began cleaning the building. His neighbors, including my wife and I, have verbally supported Mr. DeBrule's efforts.

We can think of no reason why the Monroe County Planning Commission should deny Mr. DeBrule a variance to construct an addition above the existing carport. That end of Bass Avenue, a dead-end street that ends at the water, sees sparse traffic. Furthermore, we endorse his efforts to improve his property and ask the Planning Commission to grant his requested variance.

Regards,

**Steve Gibbs
68 Bonefish Avenue
Key Largo, FL 33037
(305)451-4164**



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources
From: Timothy Finn, Planner **T.F.**
Date: August 13, 2012
Subject: *Variance request for property located at 332 Spica Lane on Geiger Key, Real Estate# 00145170.000000 (File #2012-084)*

Meeting: August 29, 2012

1
2 **I REQUEST:**
3

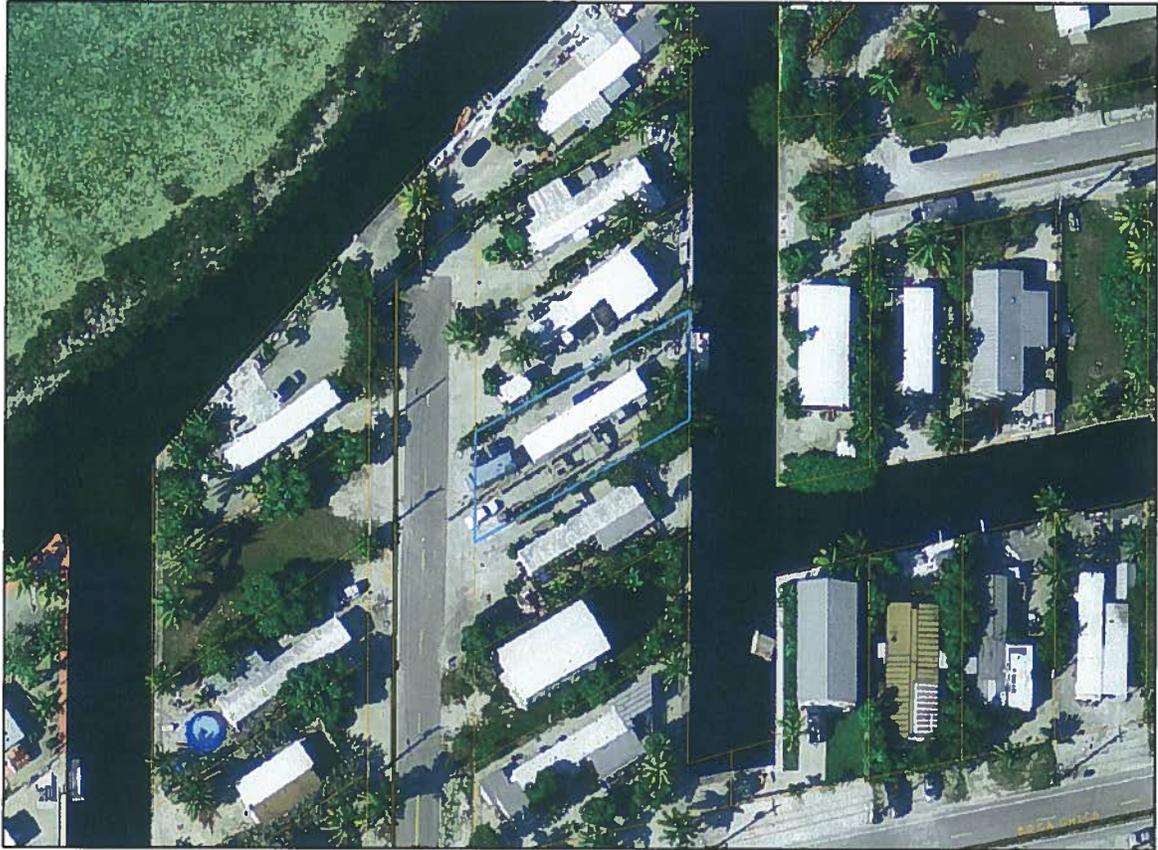
4 The applicant is requesting a variance of 1' from the required 5' side yard setback along the
5 southern property line in order to receive after-the-fact approval of an accessory structure.
6 As a result, the side yard setback along the southern property line would be 4'.
7

8 Although approved by a building permit, the structure (which is currently under construction)
9 was not built to plan and, as such, it was sited incorrectly and consequently extends
10 approximately 6" into the required 5' setback. The structure has a footprint of approximately
11 600 SF and is intended to serve as an accessory garage/storage area to an existing mobile
12 home.
13

14 The request was submitted in the form of administrative variance application and a public
15 hearing was not initially required. However, in accordance with MCC §102-86(k), during
16 the 30 calendar days of required posting of the application, a surrounding property owner
17 requested that a public hearing be scheduled on the application.
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A large, stylized handwritten signature in blue ink, appearing to be "T.F.", is located in the bottom right corner of the page.

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Subject Property (2012)

Location:

Address: 332 Spica Lane, Geiger Key, approximate mile marker 10 (Atlantic Ocean side of US 1)

Legal Description: Block 2, Lot 10, Geiger Mobile Homes (PB5-77)

Real Estate (RE) Number: 00145170.000000

Applicant:

Property Owner: Joseph White III and Joseph White Jr.

II RELEVANT PRIOR COUNTY ACTIONS:

In 1975, Building Permit #A-392 was issued for the replacement of a mobile home. Records indicate that this is the existing mobile home on the subject property.

In 2011, Building Permit#111-4712 was issued for the construction of the concrete structure that is subject of this variance. Although the building permit has been issued, a certificate of completeness/occupancy has not been issued as of the date of this report as the scope of work approved by the building permit has not passed all required inspections.

1
2 On June 4, 2012, an administrative variance application was submitted requesting the
3 variance of 1' from the required 5' side yard setback.
4

5 On July 6, 2012, staff recommended approval of the variance application and notifications of
6 the pending approval were sent to surrounding property owners. In addition, notice of the
7 variance application was posted on the property.
8

9 During the 30 day posting period, a property owner in the immediate vicinity requested in
10 writing that a public hearing to be held in order to express their concerns with the proposed
11 development.
12

13 III BACKGROUND INFORMATION:

- 14 A. Size of Site: 5,196 SF
- 15 B. Land Use District: Urban Residential Mobile Home (URM)
- 16 C. Future Land Use Map (FLUM) Designation: Residential High (RH)
- 17 D. Tier Designation: Tier III
- 18 E. Existing Use: Mobile Home
- 19 F. Existing Vegetation / Habitat: Scarified with landscaping
- 20 G. Community Character of Immediate Vicinity: Single-Family Residential and Mobile
21 Home Residential
- 22 H. Flood Zone: AE-EL 9
23
24

25 IV REVIEW OF APPLICATION:

26
27 As set forth in MCC §130-186, the required non-shoreline setbacks for a mobile home on a
28 lot 50' wide or less in the URM District are as follows: Front yard – 10'; Rear yard – 10';
29 and Side yard – 5'.
30

31 The subject property is located on the eastern side of Spica Lane. The property has a required
32 front yard non-shoreline setback of 10' along the Spica Lane right-of-way and required non-
33 shoreline side yard setbacks of 5' along the southern and northern property lines. In addition,
34 there is a required 20' shoreline setback (for principal structures) for the portion of the
35 property that fronts on the canal along the eastern property line.
36

37 The structure was found to have been built contrary to approved plans and as a result was
38 sited partially within the required 5' side yard setback along the southern property line. As
39 such, the building permit file cannot be closed until a) a setback variance and corresponding
40 building permit revision approving the unauthorized modifications are granted or b) the
41 structure is altered to comply with the plans and corresponding approval on file.
42

43 Currently, the structure is in mid construction and not yet completed which extends 6" into
44 the 5' setback along the southern property line. (See following photograph).
45

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Photo Taken by Planning & Environmental Resources Dept. Staff: 6-12-12

Pursuant to MCC §102-186(f), the Planning Director may grant an administrative variance if the applicant demonstrates that all of the following standards are met:

A. The applicant demonstrates a showing of good and sufficient cause:

The location of development carried out without the benefit of building permit approval and the expense of its removal should not be considerations. However, the property owner discovered that his contractor did not build the subject structure according to the approved plans and reported the incident by disclosing the unauthorized modifications to the County. The structure is close to completion and the property owner opted to pursue after the fact approvals rather than incur the cost of demolishing the structure and

1 rebuilding it pursuant to the approved plans on file. Further, the modifications resulted in
2 the structure being only less than a foot into the setback. Therefore, the applicant has
3 demonstrated good and sufficient cause for the subject variance application.
4

5 *B. Failure to grant the variance would result in exceptional hardship to the applicant:*
6

7 It is unclear as to why the structure was not built to the approved plans. The structure is
8 consistent with the plans in terms of design and dimensions; however it was shifted 6”
9 due south from the approved footprint. As a result, the structure, which was originally
10 proposed to be sited exactly at the 5’ side yard setback line, is now situated 6” inside the
11 setback line. It appears to be impossible to redesign the existing structure to be in
12 compliance with the existing setback without substantial demolition. The mass of the
13 structure was approved and its location is the issue. Staff has determined that it would be
14 visually indistinguishable to most viewers at 5’ from the property line as opposed to 4’6”.
15 Therefore, failure to grant the variance would result in exceptional hardship to the
16 applicant.
17

18 Note: To address the concerns of the surrounding property owner who requested the
19 public hearing, staff requests that a condition be attached to any approval requiring the
20 property owner to install and maintain a bufferyard along the southern property line to
21 limit the visual impact of the structure to further ensure that it shall not negatively impact
22 community character.
23

24 *C. Granting the variance will not result in increased public expenses, create a threat to*
25 *public health and safety, create a public nuisance, or cause fraud or victimization of the*
26 *public:*
27

28 The granting the variance will not result in increased public expenses, create a threat to
29 public health and safety, create a public nuisance, or cause fraud or victimization of the
30 public. Note: staff will continue to review all comments from surrounding property
31 owners following notification of the application and valid objections from surrounding
32 property owners may lead the Planning and Environmental Resources Department to
33 reevaluate its recommendation at the public hearing.
34

35 *D. The property has unique or peculiar circumstances, which apply to this property, but*
36 *which do not apply to other properties in the same zoning district:*
37

38 During a site visit conducted June 11, 2012, staff noted the community character as being
39 a mixture of mobile homes and single-family residences, some of which are situated
40 within the required side yard setbacks. Further, the lot was not platted as a traditional
41 rectangular lot; it takes the form of a parallelogram. As this shape affects buildability, it
42 is unique for a lot in general, not only for a lot within the URM district. Therefore, the
43 property has unique or peculiar circumstances, which apply to this property, but which do
44 not apply to other properties in the same zoning district.
45

1 E. *Granting the variance will not give the applicant any special privilege denied other*
2 *properties in the immediate neighborhood in terms of the provisions of this chapter or*
3 *established development patterns:*
4

5 Staff could not find any record of any person in the immediate neighborhood requesting a
6 similar or comparable request. Therefore, granting the variance will not give the
7 applicant any special privilege denied other properties in the immediate neighborhood in
8 terms of the provisions of the land development regulations or established development
9 patterns.

10
11 F. *Granting the variance is not based on disabilities, handicaps or health of the applicant or*
12 *members of his family:*
13

14 Granting the variance would not be based on disabilities, handicaps or health of the
15 applicant or members of his family.
16

17 G. *Granting the variance is not based on the domestic difficulties of the applicant or his*
18 *family:*
19

20 Granting the variance would not be based on the domestic difficulties of the applicant or
21 his family.
22

23 H. *The variance is the minimum necessary to provide relief to the applicant:*
24

25 As the footprint is already established, the proposed variance is the minimum necessary
26 to provide relief to the applicant.
27

28 A. RECOMMENDATION:
29

30 Staff recommends APPROVAL to the Planning Commission a variance of one (1) foot from
31 the required five (5) foot side yard setback along the southern property line in order to
32 receive an after-the-fact approval of an accessory structure if the following conditions are
33 met:
34

- 35 1. This variance is based on the design and placement of the structure, labeled as “Concrete
36 Block Structure (Under Construction),” as shown on the boundary survey by J. Lynn
37 O’Flynn, Inc., dated August 19, 2011 and updated May 30, 2012, included with the
38 application. Work not specified or alterations may not be carried out without additional
39 Planning & Environmental Resources Department approval.
40
- 41 2. This variance allows the placement of the structure, labeled as “Concrete Block Structure
42 (Under Construction),” as shown on the boundary survey by J. Lynn O’Flynn, Inc., dated
43 August 19, 2011 and updated May 30, 2012, included with the variance application,
44 partially within the side yard setback along the southern property line. It does not waive
45 any other required setbacks and it does not waive the required side yard setback for any
46 future structures or additions.

1
2
3
4
5
6
7
8

3. The property owner shall install and maintain the plantings required for a class “B” bufferyard that is 115’ in length and 5’ in width along the southern property line.

B. PLANS REVIEWED:

Boundary Survey Map by J. Lynn O’Flynn, dated August 19, 2011 and updated May 30, 2012

File #: 2012-084

Owner's Name: White, Joseph

Applicant: White, Joseph

Agent: n/a

Type of Application: Variance-Admin

Key: Geiger Key

RE: 00145170-000000

Additional Information added to File 2012-084

County of Monroe
Growth Management Division

Planning & Environmental Resources
Department

2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners

Mayor David Rice, Dist. 4
Mayor Pro Kim Wigington Tem Dist. 1
Heather Carruthers, Dist. 3
George Neugent, Dist. 2
Sylvia J. Murphy, Dist. 5

We strive to be caring, professional and fair

Date: 5.4.12
Time: _____

Dear Applicant:

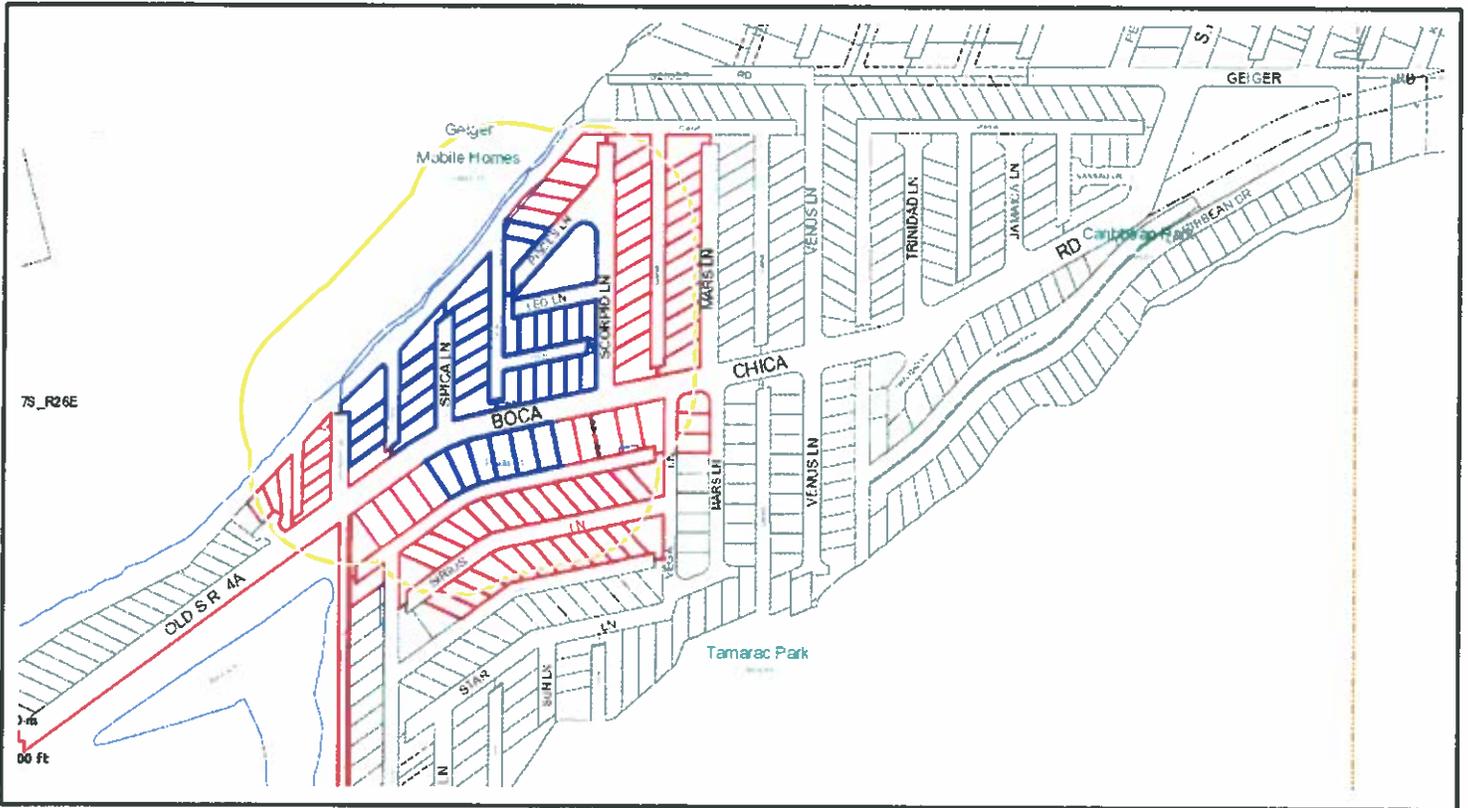
This is to acknowledge submittal of your application for Variance-Admin
Type of application

White, Joseph to the Monroe County Planning Department.
Project / Name

Thank you.

A handwritten signature in blue ink, appearing to read 'Sam Hurdy', is written over a horizontal line.

Planning Staff



Printed: Jun 05, 2012

Handwritten signature/initials

Monroe County, Florida MCPA GIS Public Portal

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



	Address2	Unit	City
✓BRENNER NADINE	11 BOCA CHICA RD		KEY WEST
✓BUTTRY JEANNE	712 S RIO VISTA BLVD		FORT LAUC
✓COUZENS CHRISTOPHER T	P O BOX 207		BLOOMSBU
✓DAGG TERENCE J	21 BOCA CHICA RD		KEY WEST
✓DE ROSE LISA	34 N DELAVAN AVE		MARGATE
✓DEROSE DIANA	326 BOCA CHICA RD		KEY WEST
✓DEROSE LISA M	21 BOCA CHICA RD		KEY WEST
✓DIAZ EDUARDO AND EMILLIA	324 BOCA CHICA RD		KEY WEST
✓DOUGLASS PATRICK C AND SARAH J	328 SPICA LN		KEY WEST
✓DRISCOLL EVERETT F JR	314 BOCA CHICA RD		KEY WEST
✓EQUITY TRUST CO CUSTODIAN FBO GARY A MCGEE HAS	380 PECAN DR		SYLVA
✓HACKETT MARION C REVOCABLE TRUST DTD 12/2/2008	13130 PONDVIEW DR		SOUTH LYC
✓HAIGNEY FRANK	334 SPICA LN		KEY WEST
✓HAIGNEY FRANK G AND NORA H	332 SPICA LN		KEY WEST
✓HATCH DENZIL V AND JILL T	104 WINKLER RD		SAYREVILLE
✓HOYT ANNE E	318 BOCA CHICA RD		KEY WEST
✓HUNTER BERNICE K	312 PISCES LN		KEY WEST
✓LAFFERTY CHARLES DANIEL	712 S RIO VISTA BLVD		FORT LAUC
✓LATALA CEZARY AND MARILU	4375 SW 10TH ST		MIAMI
✓MCANDREW MAUREEN	289 LEO LN		KEY WEST
✓MCDERMOTT JOHN A AND JOAN T	327 SPICA LN		KEY WEST
✓MITCHELL STANLEY	283 LEO LN		KEY WEST
✓MITCHELL STANLEY A AND JUDITH A	7033 GULF BREEZE CIR		HUDSON
✓MULARZ EDWARD S ESTATE	327 SPICA LANE		KEY WEST
✓ORR & HAYNES PROPERTIES	2646 GRANT ST		HOLLYWOC
Owner Name	4375 SW 10TH ST		MIAMI
✓PROVIN BRUCE L	322 BOCA CHICA RD		KEY WEST
✓RECORD BETH A	291 PROVIN RD		BROOKVILL
✓ROSS PHILIP HAROLD III AND TERESA DENTON	7906 ATLANTIC AVE		MARGATE
✓STACK RICHARD L	270 E 218TH ST		EUCLID
✓SWOGGER EDWARD A	263 MARS LN		KEY WEST
✓TAMARAC PARK HOMEOWNERS ASSOCIATION	320 BOCA CHICA RD		KEY WEST
✓VARGAS MYRNA L L/E	PO BOX 2741		KEY WEST
✓VUST LAVERLE JAMES	15 BOCA CHICA RD		KEY WEST
✓VUST LAVERLE JAMES AND CLARA	338 SPICA LN		KEY WEST
WHITE JOSEPH JR	225 BURNS RD		ELYRIA

End of Additional File 2012-084

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Administrative Variance Application to the Director of Planning & Environmental Resources

Administrative Variance Application Fee: \$1,248.00

Date of Submittal: 6 / 4 / 12
Month Day Year

Property Owner:

JOSEPH WHITE
Name

Agent (if applicable):

Name

332 SPICA LN, Key West Fl. 33140
Mailing Address (Street, City, State, Zip Code)

Mailing Address (Street, City, State, Zip Code)

305 797 5090
Daytime Phone

Daytime Phone

J.WHYTE@FKAA.COM
Email Address

Email Address

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

2 Block 10 Lot GEIGER MOBILE HOMES Subdivision GEIGER Key

00145170-000000 Real Estate (RE) Number 02428-570 Alternate Key Number

332 SPICA LN KEY WEST FL. 33140 Street Address (Street, City, State, Zip Code) 10 1/2 Approximate Mile Marker

Land Use District Designation(s): URBAN RESIDENTIAL MOBILE HOME

Present Land Use of the Property: _____

Total Land Area: _____

Pursuant to Monroe County Code, the Director of Planning & Environmental Resources is only authorized to grant the following variances:

- (a) Reduction in the front yard and rear yard non-shoreline setback requirements by no more than ten (10) feet and side yard non-shoreline setback requirements by no more than twenty (20) percent.
- (b) Reduction in the off-street parking requirements by no more than twenty (20) percent.

APPLICATION

- (c) Reduction in the buffer-yard width requirements for Class C, D, E, and F district boundaries, major streets, and scenic corridors by no more than ten (10) percent.
- (d) Reduction by no more than ten (10) percent in the total area of landscaping required for off-street parking and loading.

Please provide the standard required by the land development regulations: 5' SIDE YARD SETBACK
 (i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: 4' SIDE YARD SETBACK
 (i.e. front yard setback of 20 feet, 90 off-street parking spaces, etc.)

All of the following standards must be met in order to receive variance approval. Please describe how each standard shall be met.

1) The applicant shall demonstrate a showing of good and sufficient cause:
THE CONTRACTOR HAS BUILT THE CONCRETE
STRUCTURE TOO CLOSE TO THE PROPERTY LINE

2) Failure to grant the variance would result in exceptional hardship to the applicant:
I WOULD COST MORE MONEY TO DEMOLISH &
RELOCATE THE STRUCTURE THAN THE PROPERTY IS
APPRAISED AT. I DON'T HAVE THE MONEY TO DO IT.

3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:
IT WILL NOT COST THE PUBLIC ANYTHING OR CREATE
A PUBLIC HEALTH OR SAFETY PROBLEM OR CAUSE FRAUD
OR VICTIMIZATION OF THE PUBLIC

4) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district:
NO

5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns:
THIS IS CORRECT

APPLICATION

6) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:

THIS IS CORRECT

7) Granting the variance is not based on the domestic difficulties of the applicant or his family:

THIS IS CORRECT

8) The variance is the minimum necessary to provide relief to the applicant:

THIS IS CORRECT

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- Complete administrative variance application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site from adjacent roadway(s);
- Boundary Survey, prepared by a Florida registered surveyor – three (3) sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- Site Plan, prepared by a Florida registered architect, engineer or landscape architect– three (3) sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
 - Date, north point and graphic scale;
 - Boundary lines of site, including all property lines and mean high-water lines;
 - Land use district of site and any adjacent land use districts;
 - Locations and dimensions of all existing and proposed structures and drives;
 - Type of ground cover (i.e. concrete, asphalt, grass, rock);
 - Adjacent roadways;
 - Setbacks as required by the land development regulations;
 - Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included;

APPLICATION

If applicable, the following must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

If for any reason the administrative variance application requires review and consideration by the Monroe County Planning Commission, additional fees, mailing labels and copies of all plans shall be required prior to item being scheduled for commission review.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: _____ **Date:** _____

Sworn before me this _____ day of _____

Notary Public
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.

CONTRACTOR'S STATEMENT

APPLICATION

- (c) Reduction in the buffer-yard width requirements for Class C, D, E, and F district boundaries, major streets, and scenic corridors by no more than ten (10) percent.
- (d) Reduction by no more than ten (10) percent in the total area of landscaping required for off-street parking and loading.

Please provide the standard required by the land development regulations: (i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: (i.e. front yard setback of 20 feet, 90 off-street parking spaces, etc.)

All of the following standards must be met in order to receive variance approval. Please describe how each standard shall be met.

- 1) The applicant shall demonstrate a showing of good and sufficient cause:

The building was constructed a few inches into the
easement in 2008. The construction was done in good
faith and it was simply an error. The contractor has admitted
the mistake and can provide a statement if needed.

- 2) Failure to grant the variance would result in exceptional hardship to the applicant:

The building has already been constructed and it would
be a financial burden to the owner to remove the
building and rebuild it.

- 3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:

The building is into the 5' setback easement and it
would not cause any burden to anyone to allow this
to stand as is. It does not effect the front or back
setbacks.

- 4) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district:

The property is the same as others
on the street.

- 5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns:

The variance is only for a few inches into
the easement and would have no significant
impact on the neighborhood

CONTRACTOR STATEMENT

APPLICATION

- 6) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:

- 7) Granting the variance is not based on the domestic difficulties of the applicant or his family:

- 8) The variance is the minimum necessary to provide relief to the applicant:

IF the VARIANCE is not granted, the building which is solid poured concrete, would have to be removed at GREAT expense to the homeowner. The FINAL clo would not infringe and further on the setback.

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- Complete administrative variance application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site from adjacent roadway(s);
- Boundary Survey, prepared by a Florida registered surveyor – three (3) sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- Site Plan, prepared by a Florida registered architect, engineer or landscape architect – three (3) sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
 - Date, north point and graphic scale;
 - Boundary lines of site, including all property lines and mean high-water lines;
 - Land use district of site and any adjacent land use districts;
 - Locations and dimensions of all existing and proposed structures and drives;
 - Type of ground cover (i.e. concrete, asphalt, grass, rock);
 - Adjacent roadways;
 - Setbacks as required by the land development regulations;
 - Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included;

Prepared by
Mendy Walden, an employee of
First American Title Insurance Company
3132 Northside Drive, Suite 101, Building C
Key West, Florida 33040
(877)928-4853

Return to: Grantee
File No.: 1064-2211601

WARRANTY DEED

This Indenture made on **October 29, 2009 A.D.**, by

Timothy James Tracy and Laurie Ann Tracy, husband and wife

whose address is: **9 Pine Court, Ocala, FL 34472**
hereinafter called the "grantor", to

Joseph White, III, a single person and Joseph White, Jr., a single person as joint tenants with right of survivorship

whose address is: **332 Spica Lane, Key West, FL 33040**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Monroe County, Florida**, to-wit:

Lot 10, Block 2 of GEIGER MOBILE HOMES, according to the Plat thereof as recorded in Plat Book 5, Page(s) 77, of the Public Records of Monroe County, Florida together with that certain 1975 GENE Mobile Home, ID# 14GES20101 situate thereon.

Parcel Identification Number: **1186520**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with a 1975 60' GENE Mobile Home, I.D. # 14GES20101, as part of the real property herein conveyed.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2008.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Timothy James Tracy Timothy James Tracy Laurie Ann Tracy Laurie Ann Tracy

Signed, sealed and delivered in our presence:

Linda R. Wolff
Witness Signature

Pamela S. Evans
Witness Signature

Print Name: LINDA R. WOLFF

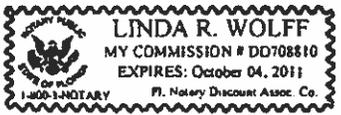
Print Name: PAMELA S. EVANS

State of Florida

County of Manatee

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me on October 29th, 2009, by Timothy James Tracy and Laurie Ann Tracy, husband and wife who is/are personally known to me or has/have produced a valid driver's license as identification.

Linda R. Wolff
NOTARY PUBLIC



Notary Print Name _____
My Commission Expires: _____

Monroe County Property Record Card (149)

Alternate Key: 1186520 Roll Year 2012
 Effective Date: 5/24/2012 11:27:47 AM Run: 05/24/2012 11:28 AM

WHITE, JOSEPH JR
 332 SPICA LN
 KEY WEST FL 33040

Parcel 00145170-000000-27-67-26 Nbhd 210
 Alt Key 1186520 Mill Group 100B
 Affordable Housing No PC 0200
 FEMA Injunction
 Inspect Date Next Review
 Business Name
 Physical Addr 332 SPICA LN, GEIGER KEY

Associated Names

Name	DBA	Role
WHITE, JOSEPH III R/S		Owner
WHITE, JOSEPH JR		Owner

Legal Description

BK 2 LT 10 GEIGER MOBILE HOMES GEIGER KEY PB-5-77 OR428-570-571 OR694-10 OR789-1485 OR799-988 OR897-1605 OR963-2201Q/C OR1079-1040 OR2439-816/17R/S

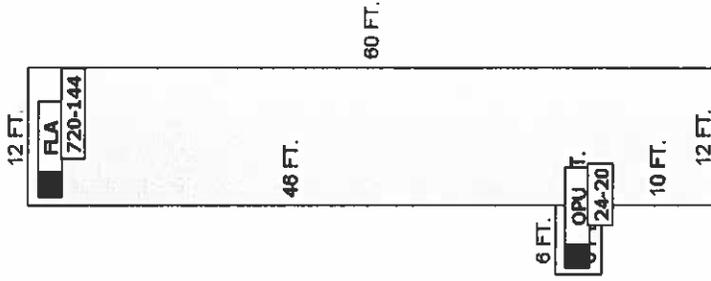
Land Data 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
21068	020C	0	0	Yes	5,196.00	SF	100.00		1.00	1.00	1.00	1.00		N		
Total Just Value																

Monroe County Property Record Card (149)

Altemate Key: 1186520 Roll Year 2012
 Effective Date: 5/24/2012 11:27:47 AM Run: 05/24/2012 11:28 AM

Building Sketch 9067



Building Characteristics

Building Nbr 1 Building Type R1 Perimeter 144 Functional Obs 0.00
 Effective Age 37 Condition A Depreciation % 0.38 Economic Obs 0.00
 Grnd Floor Area 720 Quality Grade 350 Year Built 1978 Special Arch 0

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type 1 Roof Cover 2 Heat 1 1 Heat 2 0 Heat Src 1 4 Heat Src 2 0 Foundation 3 Bedrooms 2
 Extra Features: 2 Fix Bath 0 4 Fix Bath 0 6 Fix Bath 0 Vacuum 0 Security 0 Garbage Disposal 0
 3 Fix Bath 1 5 Fix Bath 0 7 Fix Bath 0 Dishwasher 0 Intercom 0 Fireplaces 0 Compactor 0

Sections

Type	Number	Exterior Wall Type	# Stories	Year Built	Attic	A/C	Basement %	Finished Bsmt %	Area	Sketch ID	SOH %
FLA	1	8.METAL/ALUM	1	1985	N	Y	0.00	0.00	720	000	100.00
OPU	2	0:	1	2000	N	Y	0.00	0.00	24	001	100.00

Monroe County Property Record Card (149)

Alternate Key: 1186520

Roll Year 2012

Effective Date: 5/24/2012 11:27:47 AM

Run: 05/24/2012 11:28 AM

Miscellaneous Improvements												
Nbr	Impr. Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
8	CL2:CH LINK FENCE	200	SF	100.00	4	50	1979	1980	1	30		
7	MH4:TRAILER SKIRT	288	SF	100.00	144	2	1984	1985	1	50		
6	UB3:LC UTIL BLDG	90	SF	100.00	10	9	1979	1980	2	30		
5	PT3:PATIO	45	SF	100.00	0	0	1979	1980	2	50		
4	PT3:PATIO	182	SF	100.00	14	13	1979	1980	2	50		
3	PT3:PATIO	49	SF	100.00	7	7	1979	1980	2	50		
2	DK3:CONCRETE DOCK	156	SF	100.00	52	3	1975	1976	4	60		
1	SW2:SEAWALL	156	SF	100.00	52	3	1975	1976	2	60		
											Total Depreciated Value	

Appraiser Notes

WHITE JOSEPH JR (Q) FOR 2010 WIDOWERS

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	07103821	Oct 25 2007 12:00AM		2,265	Residential	WINDOW & SIDING REPLACEMENT
	10100027	Jan 6 2010 12:00AM	Feb 10 2010 12:00AM	2,000	Residential	SEWER TIE-IN
	10103738	Dec 30 2010 12:00AM		0	Residential	RECOVERING SIDING

Monroe County Property Record Card (149)

Alternate Key: 1186520

Roll Year 2012

Effective Date: 5/24/2012 11:27:47 AM

Run: 05/24/2012 11:28 AM

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2011F	C	55,857	0	31,315	4,822	91,994	91,994	25,500	N	66,494
2010F	C	64,950	0	39,182	4,912	109,044	109,044	25,500	N	83,544
2009F	C	64,950	0	49,308	5,128	119,386	119,386	0	N	119,386
2008F	C	140,292	0	45,457	5,341	191,090	191,090	0	N	191,090
2007F	C	181,860	0	48,648	4,532	235,040	235,040	0	N	235,040
2006F	C	155,880	0	82,469	4,006	242,355	242,355	0	N	242,355
2005F	C	129,900	0	49,981	4,153	184,034	184,034	0	N	184,034
2004F	C	77,940	0	47,351	4,254	129,545	129,545	0	N	129,545
2003F	C	41,568	0	51,297	4,403	97,268	97,268	0		97,268
2002F	C	41,568	0	38,912	4,552	85,032	85,032	0		85,032
2001F	C	41,568	0	29,303	4,945	75,816	75,816	0		75,816
2000F	C	41,568	0	29,303	2,470	73,341	73,341	0		73,341
1999F	C	41,568	0	29,303	2,543	73,413	73,413	0		73,413
1998F	C	41,568	0	22,270	1,971	65,809	65,809	0		65,809
1997F	C	41,568	0	22,270	2,040	65,878	65,878	0		65,878
1996F	C	41,568	0	17,991	2,027	61,586	61,586	0		61,586
1995F	C	41,568	0	17,991	2,075	61,634	61,634	0		61,634
1994F	C	41,568	0	18,938	2,250	62,756	62,756	0		62,756
1993F	C	41,568	0	18,938	2,319	62,825	62,825	0		62,825
1992F	C	41,568	0	18,938	2,367	62,873	62,873	0		62,873
1991F	C	41,568	0	18,938	2,435	62,941	62,941	0		62,941
1990F	C	21,278	0	18,938	2,502	42,718	42,718	0		42,718
1989F	C	21,278	0	21,532	2,088	44,898	44,898	0		44,898
1988F	C	21,278	0	17,461	1,814	40,553	40,553	0		40,553
1987F	C	17,056	0	17,221	1,864	36,141	36,141	0		36,141
1986F	C	15,198	0	17,307	1,817	34,322	34,322	0		34,322
1985F	C	15,571	0	12,475	1,468	29,514	29,514	0		29,514
1984F	C	15,571	0	11,733	1,504	28,808	28,808	0		28,808
1983F	C	15,571	0	11,733	1,512	28,816	28,816	0		28,816
1982F	C	9,060	0	11,936	1,512	22,508	22,508	0		22,508

Monroe County Property Record Card (149)

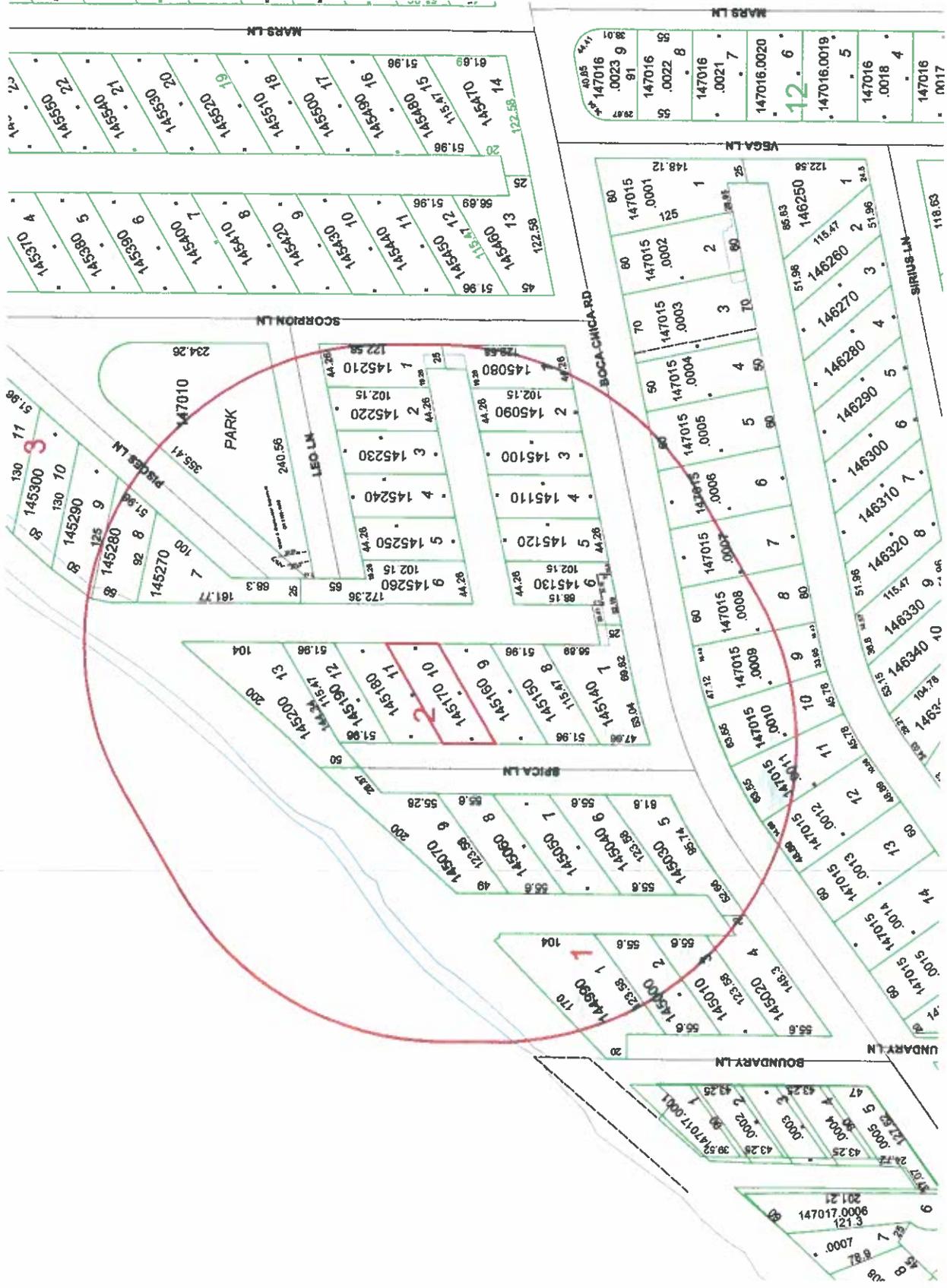
Alternate Key: 1186520 Roll Year 2012
 Effective Date: 5/24/2012 11:27:47 AM Run: 05/24/2012 11:28 AM

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
799	988	10/1/1979	Conversion Code	0	Q	I	30,000
1079	1040	1/1/1989	Warranty Deed	0	Q	I	45,000
2439	816	10/29/2009	Warranty Deed	0	01	I	89,000

Exemptions

Code	Description	Value	Year	Renewal	%	Amount Applied
38	HOMESTEAD R/S	25,000	2010	1	100.00	
44	ADDL HOMESTEAD	25,000	2010	1	100.00	
40	WIDOWERS	500	2010	1	50.00	



147016	.0023	9
147016	.0022	8
147016	.0021	7
147016.0020		6
147016.0019		5
147016	.0018	4
147016		0017

145370	4
145380	5
145390	6
145400	7
145410	8
145420	9
145430	10
145440	11
145450	12
145460	13
145470	14
145480	15
145490	16
145500	17
145510	18
145520	19
145530	20
145540	21
145550	22

146250	1
146260	2
146270	3
146280	4
146290	5
146300	6
146310	7
146320	8
146330	9
146340	10

145260	9
145270	10
145280	11
145290	12
145300	13
145310	14
145320	15
145330	16
145340	17
145350	18
145360	19
145370	20
145380	21
145390	22

147015	1
147015	2
147015	3
147015	4
147015	5
147015	6
147015	7
147015	8
147015	9
147015	10

145170	10
145180	11
145190	12
145200	13
145210	14
145220	15
145230	16
145240	17
145250	18
145260	19
145270	20
145280	21
145290	22

147015	1
147015	2
147015	3
147015	4
147015	5
147015	6
147015	7
147015	8
147015	9
147015	10

145070	20
145080	21
145090	22
145100	23
145110	24
145120	25
145130	26
145140	27
145150	28
145160	29
145170	30
145180	31
145190	32

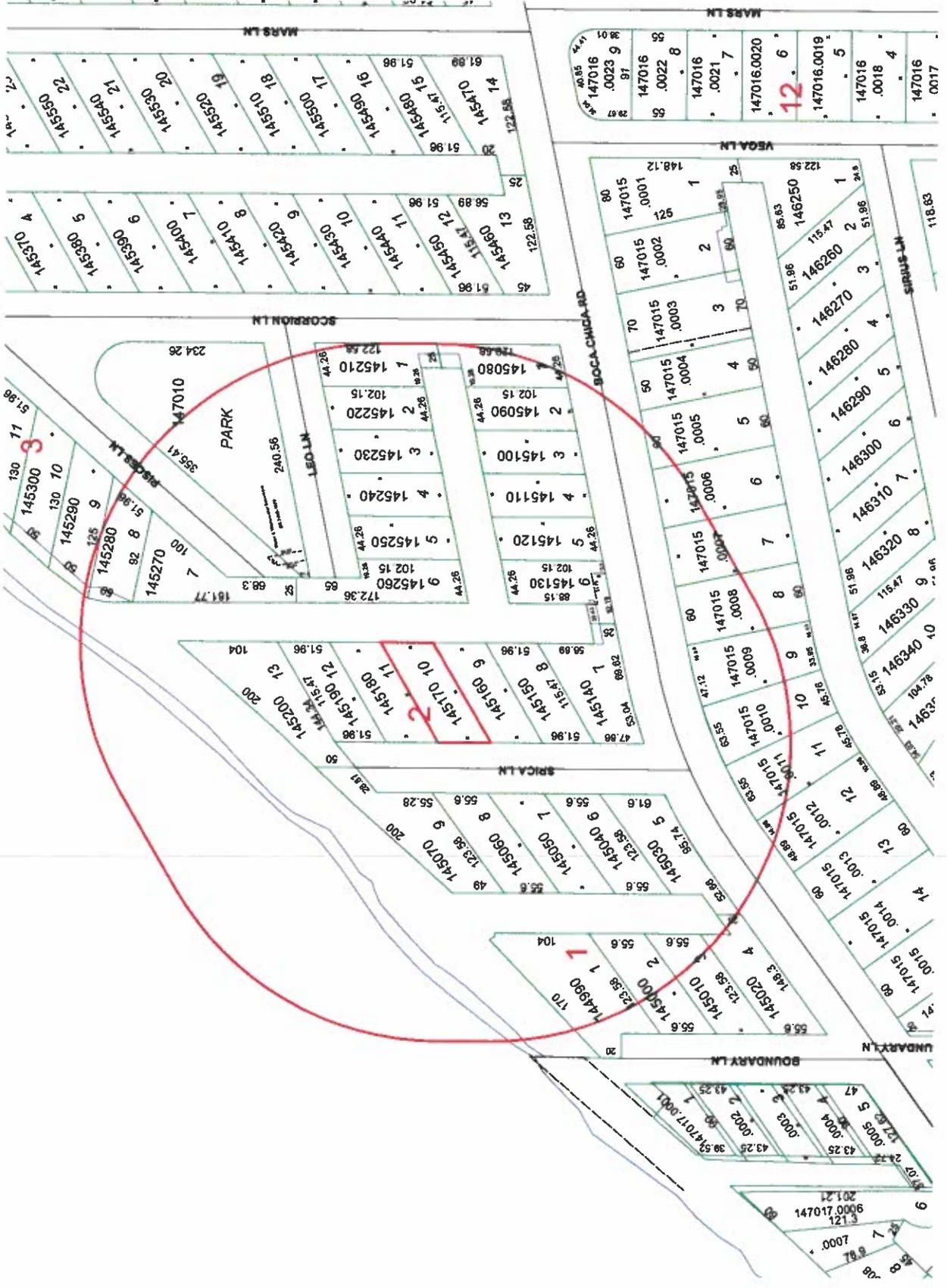
147015	1
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147015	3
147015	4
147015	5
147015	6
147015	7
147015	8
147015	9
147015	10

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145310	2
145320	3
145330	4
145340	5
145350	6
145360	7
145370	8
145380	9
145390	10
145400	11
145410	12

147015	1
147015	2
147015	3
147015	4
147015	5
147015	6
147015	7
147015	8
147015	9
147015	10







147016	.0025	9
147016	.0023	8
147016	.0022	7
147016	.0021	6
147016.0020		5
147016.0019		4
147016	.0018	3
147016	.0017	2
147016	.0016	1

12

145370	4	51.98
145380	5	51.98
145390	6	51.98
145400	7	51.98
145410	8	51.98
145420	9	51.98
145430	10	51.98
145440	11	51.98
145450	12	51.98
145460	13	51.98
145470	14	51.98
145480	15	51.98
145490	16	51.98
145500	17	51.98
145510	18	51.98
145520	19	51.98
145530	20	51.98
145540	21	51.98
145550	22	51.98

145270	7	181.77
145280	8	82.8
145290	9	125.9
145300	10	130.10
145310	11	130.11
145260	9	172.36
145250	5	102.15
145240	4	102.15
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145220	2	102.15
145210	1	122.58

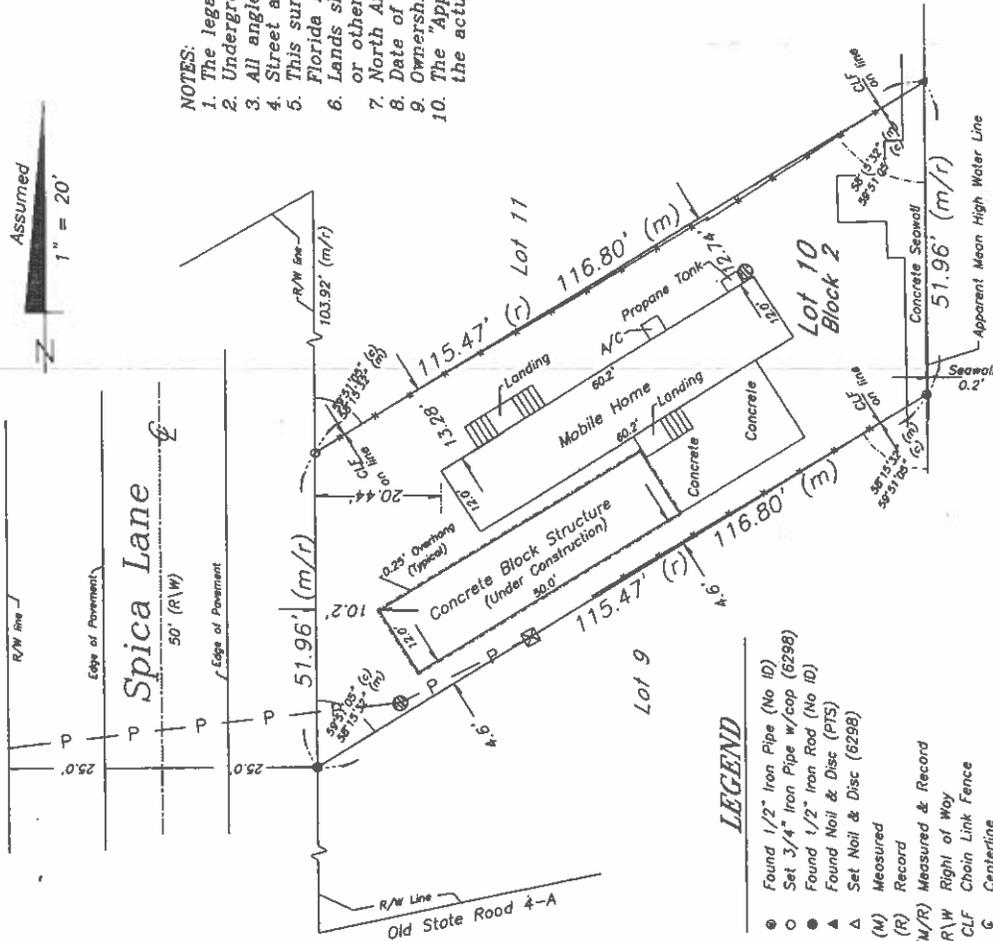
145170	10	51.98
145180	11	51.98
145190	12	51.98
145200	13	51.98
145160	9	51.98
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145130	6	51.98
145120	5	51.98
145110	4	51.98
145100	3	51.98
145090	2	51.98
145080	1	51.98

145070	280	55.6
145060	9	55.6
145050	7	55.6
145040	6	55.6
145030	5	55.6
145020	4	55.6
145010	2	55.6
145000	1	55.6

144990	170	55.6
144980	1	55.6
144970	2	55.6
144960	3	55.6
144950	4	55.6
144940	5	55.6
144930	6	55.6
144920	7	55.6
144910	8	55.6
144900	9	55.6



Boundary Survey Map of Lot 10, Block 2, GEIGER MOBILE HOMES (PB5-77)



NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 332 Spica Lane, Geiger Key, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the Plat.
8. Date of field work: August 18, 2011 and May 30, 2012.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. The "Apparent Mean High Water Line" shown hereon does not purport to establish the actual Mean High Water Line for tidal boundary purposes.

BOUNDARY SURVEY OF: Lot 10, Block 2, GEIGER MOBILE HOMES, according to the plat thereof, as recorded in Plat Book 5, at Page 77, of the Public Records of Monroe County, Florida.

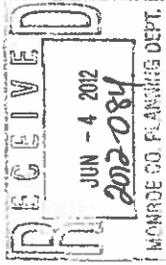
BOUNDARY SURVEY FOR: Joseph White;

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6296

August 19, 2011

Updated 5/30/12 to locate new structure



LEGEND

- Found 1/2" Iron Pipe (No ID)
- Set 3/4" Iron Pipe w/cop (6296)
- Found 1/2" Iron Rod (No ID)
- ▲ Found Nail & Disc (PTS)
- ▲ Set Nail & Disc (6296)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- R/W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊕ Wood Utility Pole
- ⊕ Concrete Utility Pole
- P-- Overhead Utility Lines

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6296

3430 Duck Ave., Key West, FL 33040
(305) 246-7422 FAX (305) 246-2244

PROVIN BRUCE L
291 PROVIN RD
BROOKVILLE, PA 15825-7563

HOYT ANNE E
338 SPICA LN
KEY WEST, FL 33040

VUST LAVERLE JAMES
4375 SW 10TH ST
MIAMI, FL 33134

VELOSO CATALINA E DEC OF TRUST 11/12/97
17042 STARFISH LANE W
SUMMERLAND KEY, FL 33042

MULARZ EDWARD S ESTATE C/O MULARZ SETH B
2646 GRANT ST
HOLLYWOOD, FL 33020-3322

HUNTER BERNICE K
318 BOCA CHICA RD
KEY WEST, FL 33040

DIAZ EDUARDO AND EMILLIA
320 BOCA CHICA RD
KEY WEST, FL 33040

ROSS PHILIP HAROLD III AND TERESA DENTON
263 MARS LN
KEY WEST, FL 33040-6311

DAGG TERENCE J
270 E 218TH ST
EUCLID, OH 44123-1728

DEROSE LISA M
327 SPICA LANE
KEY WEST, FL 33040

SALISBURY RONALD W
PO BOX 1002
KEY WEST, FL 33041-1002

HACKETT MARION C REVOCABLE TRUST DTD 12/2/2008
P O BOX 207
BLOOMSBURY, NJ 08804-0207

WHITE JOSEPH JR
332 SPICA LN
KEY WEST, FL 33040

BORRUSO MICHAEL AND LISA
104 WINKLER RD
SAYREVILLE, NJ 08872

14

4070512

✓ DRISCOLL EVERETT F JR
283 LEO LN
KEY WEST, FL 33040

✓ DOUGLASS PATRICK C AND SARAH J
11 BOCA CHICA RD
KEY WEST, FL 33040

✓ DE ROSE LISA
327 SPICA LN
KEY WEST, FL 33040

✓ STACK RICHARD L
312 PISCES LN
KEY WEST, FL 33040-6341

✓ HAIGNEY FRANK G AND NORA H
712 S RIO VISTA BLVD
FORT LAUDERDALE, FL 33316

✓ LAFFERTY CHARLES DANIEL
13130 PONDVIEW DR
SOUTH LYON, MI 48178-8703

ORR & HAYNES PROPERTIES
380 PECAN DR
SYLVA, NC 28779

✓ TAMARAC PARK HOMEOWNERS ASSOCIATION
PO BOX 2741
KEY WEST, FL 33045

✓ DEROSE DIANA
322 BOCA CHICA RD
KEY WEST, FL 33040

✓ COUZENS CHRISTOPHER T
334 SPICA LN
KEY WEST, FL 33040

BRENNER NADINE
34 N DELAVAN AVE
MARGATE CITY, NJ 08402-1941

✓ VARGAS MYRNA L L/E
289 LEO LN
KEY WEST, FL 33040

✓ VUST LAVERLE JAMES AND CLARA
4375 SW 10TH ST
MIAMI, FL 33134

✓ BUTTRY JEANNE
7033 GULF BREEZE CIR
HUDSON, FL 34667

SWOGGER EDWARD A
324 BOCA CHICA RD
KEY WEST, FL 33040-6313

✓ HATCH DENZIL V AND JILL T
15 BOCA CHICA RD
KEY WEST, FL 33040

HAGNEY FRANK
712 S RIO VISTA BLVD
FORT LAUDERDALE, FL 33316

KIMES TAD R
308 PISCES LN
KEY WEST, FL 33040

RECORD BETH A
326 BOCA CHICA RD
KEY WEST, FL 33040

✓ MITCHELL STANLEY
21 BOCA CHICA RD
KEY WEST, FL 33040-6338

HANSEN LARRY
160 W 300 N
HEBER CITY, UT 84032-1412

✓ LATALA CEZARY AND MARILU
328 SPICA LN
KEY WEST, FL 33040-6322

MCANDREW MAUREEN
314 BOCA CHICA RD
KEY WEST, FL 33040-6313

✓ MCDERMOTT JOHN A AND JOAN T
7906 ATLANTIC AVE
MARGATE CITY, NJ 08402-2751

✓ MITCHELL STANLEY A AND JUDITH A
21 BOCA CHICA RD
KEY WEST, FL 33040

✓ EQUITY TRUST CO CUSTODIAN FBO GARY A MCGEE HAS
225 BURNS RD
ELYRIA, OH 44035-1512

LEE R. ROHE
ATTORNEY AT LAW

**Item #6 White-Admin Variance to PC
Haigney Variance Request
Represented by Lee R. Rohe**

P.O. BOX 420259
25000 OVERSEAS HWY
SUMMERLAND KEY, FL 33042

TELEPHONE (305) 745-2254
FAX: (305) 745-4075
E-MAIL lrrlaw@bellsouth.net

SENT VIA FACSIMILE AND U.S. MAIL

July 23, 2012

Susan Grimsley, Esq.
Assistant Monroe County Attorney
1111 12th Street, Suite 408
Key West, Florida 33040

Gail Creech, Monroe County Planning Coordinator
Monroe County Planning Department
Marathon Government Center
2798 Overseas Highway
Marathon, Florida 33040

Re: Legal Representation for Frank Haigney re: Variance Request for property located at 332 Spica Lane, Geiger Key, Florida (RE Number: 00145170.000000/ File Number 2012-084) and Public Records Request, pursuant to Chapter 119, Florida Statutes

Dear Ms. Grimsley and Ms. Creech:

Please be advised that I have been retained to represent Mr. Frank Haigney in his opposition to the above-requested setback variance. Mr. Haigney is the neighboring property owner of 330 Spica Lane. On July 13, 2012, he submitted a letter in opposition to the granting of the setback variance.

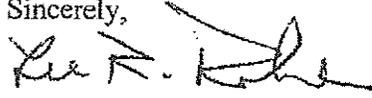
Pursuant to Chapter 119, Florida Statutes, please provide a copy of all documentation in your file(s) pertaining to this variance, including but not limited to: building permits, building plans, surveys, site plans, photographs, written correspondence between the property owner and Monroe County, written correspondence with other government entities, biological surveys, email correspondence and inter-department memorandum of law. We would appreciate receiving this information, along with an invoice for costs, at your earliest convenience.

In addition, please advise our office in writing when the variance is scheduled to be heard before the Monroe County Planning Commission. On behalf of Mr. Haigney, I am requesting time at the hearing to present legal argument in opposition to the variance.

Page Two – Letter to Susan Grimsley/Gail Creech – July 23, 2012

Should you have any questions, please feel free to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee R. Rohe". The signature is written in a cursive style with a large, sweeping initial "L".

Lee R. Rohe, Esq., P.A.

**Item #6 White-Admin Variance to PC
Continuance Request**

Creech-Gail

From: Lee Rohe <lrllaw@bellsouth.net>
Sent: Tuesday, August 21, 2012 3:34 PM
To: Grimsley-Susan; Creech-Gail
Cc: frank haigney
Subject: White variance request
Attachments: haigneymotionforcontinuance -- revised.docx

Follow Up Flag: Follow up
Flag Status: Completed

Susan,

Per our phone call, attached is the Motion which I will also fax. Please forward to John Wolfe.

Thank you.

**MONROE COUNTY PLANNING COMMISSION
MONROE COUNTY, FLORIDA**

FRANK HAIGNEY,

Petitioner,

v.

JOSEPH WHITE,

Respondent.

_____/

**MOTION FOR CONTINUANCE OF ITEM NO. 6 BY ADJACENT
OWNER, FRANK HAIGNEY**

COMES NOW, Petitioner, **FRANK HAIGNEY**, by and through his undersigned counsel, hereby moves for a continuance of the Monroe County Planning Commission item #6 scheduled to be heard on August 29, 2012 based upon the following grounds:

1. On July 23, 2012, the undersigned notified Planning Commission staff that Mr. Frank Haigney had retained the undersigned.
2. Mr. Haigney owns the property next door to the applicant's property which is the subject of the variance request. Haigney's property with mobile home is located at street address 330 Spica Lane, Geiger Key or Lot 9, Block 2, Geiger Mobile Homes. The variance applicant's property

with mobile home and unfinished structure is located at 332 Spica Lane or Lot 10, Block 2, Geiger Mobile Homes.

3. On July 23rd, the undersigned made a public records request for various documents pertaining to the variance request. See attached letter, **Exhibit A**. The undersigned received some of the documents requested. However, building plans or site plans were not included in the documents made available by the County.
4. From a review of certain documents in the materials produced by the County, it is apparent that there are building plans or site plans or blueprints in County files. As of this date, said plans have not been produced.
5. Within those materials produced by the County, a review of a survey done for the variance applicant reveals significant errors in measurements. Mr. Haigney has hired his own surveyor to do a survey of the site in question; however, due to the surveyor's backlog of pending jobs, the survey won't be available until August 28th or 29th at the earliest.
6. There would be no harm to the applicant if the White variance request was reset for the September meeting. Mr. Haigney is the only property owner who objected.

7. It is also in the Planning Commission's interest and in the public's interest to ensure the integrity of the process and the integrity of the information submitted to the County by allowing for a full and complete review of all assertions made in the variance application.

WHEREFORE, for the above reasons, the adjacent owner, Frank Haigney, by and through undersigned counsel, hereby requests a continuance of the variance request agenda item from August 29th until the next available Planning Commission meeting.

Respectfully submitted,

LEE ROBERT ROHE, ESQ.

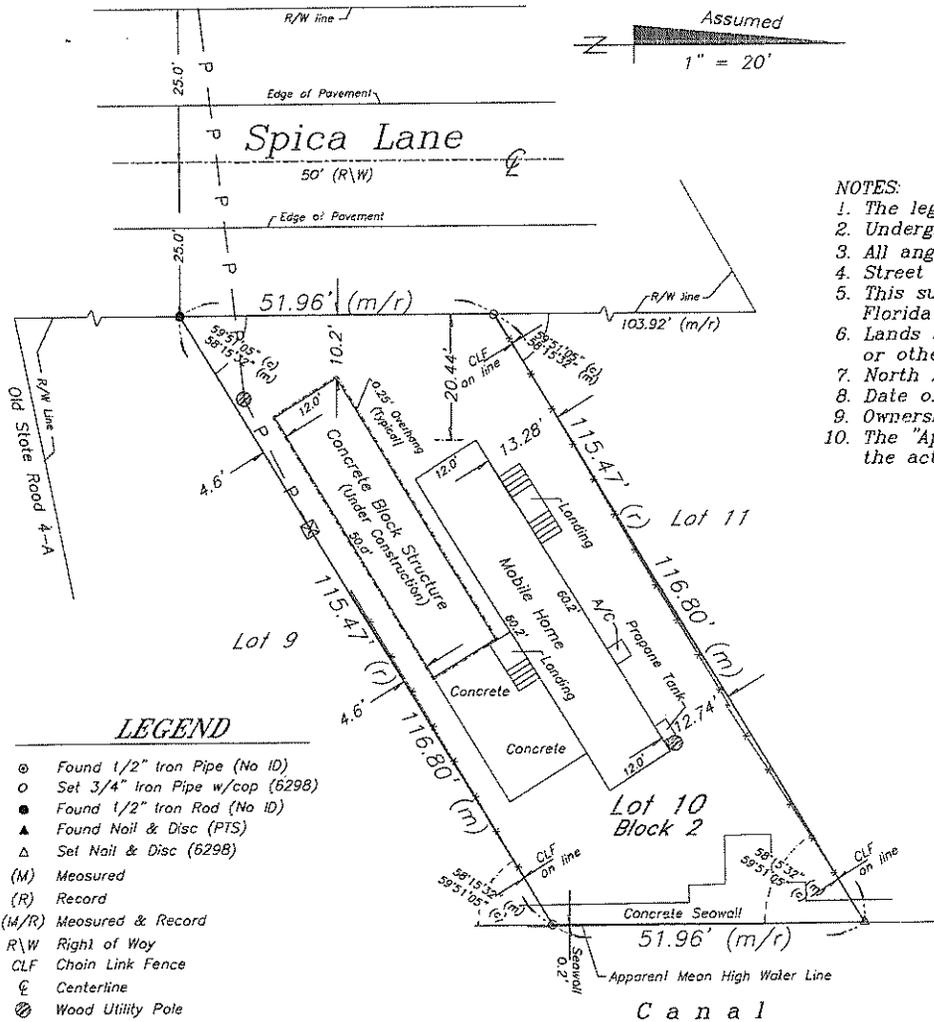
P.O. Box 420259

Summerland Key, Fl 33042

(305) 745-2254/745-4075

Florida Bar Number: 271365

Boundary Survey Map of Lot 10, Block 2, GEIGER MOBILE HOMES (PB5-77)



- NOTES:**
1. The legal description shown hereon was furnished by the client or their agent.
 2. Underground foundations and utilities were not located.
 3. All angles are 90° (Measured & Record) unless otherwise noted.
 4. Street address: 332 Spica Lane, Geiger Key, FL.
 5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
 6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
 7. North Arrow is assumed and based on the Plat.
 8. Date of field work: August 18, 2011 and May 30, 2012.
 9. Ownership of fences is undeterminable, unless otherwise noted.
 10. The "Apparent Mean High Water Line" shown hereon does not purport to establish the actual Mean High Water Line for tidal boundary purposes.

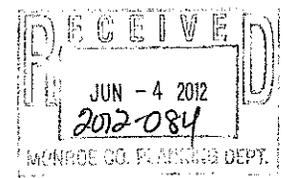
BOUNDARY SURVEY OF: Lot 10, Block 2, GEIGER MOBILE HOMES, according to the plat thereof, as recorded in Plat Book 5, at Page 77, of the Public Records of Monroe County, Florida.

BOUNDARY SURVEY FOR: Joseph White;

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn
J. Lynn O'Flynn, PSM
Florida Reg. #6298

August 19, 2011
Updated 5/30/12 to locate new structure



LEGEND

- ⊙ Found 1/2" Iron Pipe (No ID)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (No ID)
- ▲ Found Nail & Disc (PIS)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- R/W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines

J. LYNN O'FLYNN, Inc.
Professional Surveyor & Mapper
PSM #6298
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

DISPLAY THIS CARD ON JOB SITE VISIBLE FROM THE STREET

**MONROE COUNTY
BUILDING PERMIT**

**Item #6 White-Admin Variance to PC
Exhibit PC 8.29.12**

(COMPLETE PERMIT ON FILE AT LOCAL BUILDING OFFICE)

PERMIT NUMBER	ZONING	FLOOD ZONE
11104712	URM(GIS)	AE9'1533K
OWNER		DATE 12/27/2011
WHITE JOSEPH JR , WHITE JOSEPH III R		DCA DATE
CONTRACTOR	WHITE JOSEPH JR , WHITE JOSEPH III R	
PURPOSE	GARAGE, STORAGE AND CONCRETE SLAB	
LEGAL DESCRIPTION	BK 2 LT 10 GEIGER MOBILE HOMES	
ADDRESS	332 SPICA LN ~	

ATTENTION

1. "Owner Builder" must be available for all inspections.
2. No inspections will be made unless permit card is displayed and approved plans are readily available.
3. This permit shall become null and void unless the work authorized is commenced (and receives an approved inspection on this card) within one-hundred and eighty (180) days after the effective date of the permit.
4. Once commenced, (with an approved inspection) this permit will remain active as long as there is an approved inspection within one-hundred and eighty (180) days of the last approved inspection.
5. No "partial" inspections of any sort will count toward satisfying the 180 day requirement.
6. Certificate of Occupancy must be secured before this building can be used or inhabited for any purpose.
7. Do not remove this card until issuance of a Certificate of Occupancy.
8. For inspections call or e-mail your local Building Department Office:

UPPER KEYS: (305) 453-8725

E-MAIL: upperkeysinspections@monroecounty-fl.gov

MIDDLE & LOWER KEYS: (305) 289-2542 OR (305)743-5405

E-MAIL: lowerkeysinspections@monroecounty-fl.gov

INSPECTION RECORD

BUILDING			PLUMBING			ELECTRICAL		
	INSPECTOR	DATE		Inspector	DATE		Inspector	DATE
AUGER	TP	11/4/12	GROUND ROUGH			TEMPORARY		
AUGER CAPS			TOTAL ROUGH			SLAB ROUGH		
PILING/ PILE CAPS			SEWER CONNECTION			SLAB ROUGH		
GRADE BEAM/ SLAB <i>rear half</i>	TP	1/10/12	WATER SERVICE			SLAB ROUGH		
COLUMNS/ TIE BEAM			MISC			TOTAL ROUGH		
SLAB/ WOOD FLOOR	TP	3/14/12				SERVICE		
STAIRS						MISC		
COLUMNS/ TIE BEAM	TP		FINAL PLBG					
SLAB/ WOOD FLOOR			MECHANICAL					
ROOF TRUSSES / SHEATHING				Inspector	Date			
ROOFING (IN PROCESS)			A/C DUCTWORK					
FINAL ROOFING			MISC					
FRAMING						FINAL ELECT		
INSULATION/ DRYWALL			FINAL MECH			SEAWALL/DOCK		
<i>tie beam rear slab/tie</i>	TP	2/17/12	GAS					
	TP	4/18/12						
							Inspector	Date
FINAL BLDG			FINAL GAS			AUGER TIEBACK		
ENVIRON- MENTAL	Inspector	Date	CISTERN			FOOTINGS		
LAND CLEAR				Inspector	Date	WALL OR CANTILEVER		
FILL			SLAB			DECK		
STORM WATER			WALL			DAVIT BASES		
MISC			MISC			MISC		
FINAL BIO			FINAL (LID)			FINAL SEAWALL/DOCK		



















Creech-Gail

**Item #6 White-Admin Variance to PC
Exhibit #2 PC 8.29.12**

From: Lee Rohe <lrllaw@bellsouth.net>
Sent: Monday, August 20, 2012 12:36 PM
To: Creech-Gail; Grimsley-Susan
Cc: frank haigney
Subject: White Variance
Attachments: Picture 009.jpg; Picture 008.jpg; Picture 007.jpg; Picture 006.jpg; Picture 005.jpg; Picture 004.jpg

Please see attached 6 photos for presentation at Planning Commission meeting. Thank you.

Lee R. Rohe
745-2254













Item #6 White-Admin Variance to PC
Exhibit #3

MONROE COUNTY PLANNING COMMISSION
MONROE COUNTY, FLORIDA

FRANK HAIGNEY, OBJECTOR

v.

Agenda Item No. 6
August 29, 2012 PC Meeting

JOSEPH WHITE, APPLICANT
_____ /

OBJECTOR HAIGNEY'S SUPPLEMENTAL EXHIBITS FILED WITH PC CLERK
AUGUST 23, 2012

The attached Supplemental Exhibits are in addition to those Exhibits already filed by the objector, Frank Haigney. Written or verbal references to the Supplemental Exhibits will be by the page number indicated at the bottom of each page

LEE ROBERT ROHE, ESQ., P.A.
Attorney for Frank Haigney
P.O. Box 420259
Summerland Key, Fl 33042
(305) 745-2254/745-4075
Florida Bar Number 271365

**MONROE COUNTY PLANNING COMMISSION
MONROE COUNTY, FLORIDA**

FRANK HAIGNEY, OBJECTOR

v.

**Agenda Item No. 6
August 29, 2012 PC Meeting**

JOSEPH WHITE, APPLICANT
_____ /

**MEMORANDUM IN SUPPORT OF HAIGNEY OBJECTION TO WHITE
VARIANCE REQUEST**

COMES NOW, **Frank Haigney**, adjacent owner and objector, by and through undersigned counsel, who hereby files his Memorandum In Support Of Haigney Objection To White Variance Request based upon the following grounds:

Mistakes Contained Within The Staff Report

1. The July 6th staff report from Schwab and Finn contains a fundamental error which invalidates the entire report. At page 2, lines 40-42, a five foot setback is assumed on the assumption that the applicant's lot is less than 50 feet in width. In actuality, the lot is wider. The survey by J. Lynn O'Flynn (updated on 5/30/12) reveals Lot 10 to be almost (51.96 feet) 52 feet in width. See Survey Exhibit.
2. Due to the width of Lot 10, the correct setback should not be 5 feet but rather 10/15 feet per the bulk regulations of section 130-186, URM zoning.
3. The public notice posted on the applicant's property on July 10th and the published PC Agenda incorrectly give notice of a requested variance "of 1' from the required 5' side yard." Also, the same error is in the

Surrounding Property Owner Notification Letter sent out on July 6th to surrounding property owners.

4. Due to the grossly incorrect information in all of the public notices, a due process violation has occurred. The public notices should be considered null and void. See photo of Notice of Public Posting.
5. The variance standards referenced on pages 3-5 of the staff report are all addressed by the authors of the staff report on the erroneous assumption that the variance involves a setback for a lot less than 50 feet in width.
6. In addition to the above mistake, it is peculiar that the applicant is allowed to erect an “accessory” structure for storage and parking which is greater in height than the primary structure/residence and contains as much square footage as the primary residence. The applicant is being granted a “special privilege” denied other properties in the immediate neighborhood and in Monroe County in general.
7. Even the space between the primary residence and accessory structure appears to be too small (less than 3 feet?) as measured on the Flynn’s survey with a scale of 1 inch = 20 feet.

Despite a recommendation of approval by Monroe County Planning Staff, the Planning Commission (PC) should refuse to consider the application containing, as it does, significantly incorrect information.



LEE ROBERT ROHE, ESQ., P.A.
Attorney for Frank Haigney
P.O. Box 420259
Summerland Key, Fl 33042
(305) 745-2254/745-4075
Florida Bar Number 271365

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-Mail and Facsimile on this ~~21st~~ ^{20th} day of August, 2012 to: ~~Lisa Granger,~~ ^{Susan} ~~Esq.,~~ ^{Grimsley} Monroe County Attorneys Office, 1111 12th Street, Suite 408, Key West, Florida 33040 and Gail Creech, Marathon Government Center, Marathon, FL 33050.



LEE ROBERT ROHE, ESQ., P.A.



BUILDING PERMIT APPLICATION MONROE COUNTY GROWTH MANAGEMENT DIVISION

INTERNAL USE ONLY	DATE: <u>9/23/11</u>	Rec'd by: <u>MUP</u>	PERMIT # <u>111-4712</u>		
	Complete if applicable: <input type="checkbox"/> Emergency <input type="checkbox"/> Walk-Thru <input type="checkbox"/> DEMO <input type="checkbox"/> Asbestos <input type="checkbox"/> Revision				
	PARCEL INFORMATION Deemed Development (Planning/BIO): <input type="checkbox"/> YES <input type="checkbox"/> NO				
LU District: <u>UM</u>		FLUM District:	Flood Zone & Elevation: <u>AE 9' 1533A</u>	Flood Panel:	Tier:

JOB SITE INFORMATION

RE #: (Tax Folio #)	RE #: <u>00145170-000000</u>	Job Address:	Job Address: <u>332 SPICA LN</u>
Legal Description	Lot <u>10</u> Block/Unit <u>2</u>	Location Information	Key: <u>GEIGER KEY MM 10</u> Subdiv

OWNER INFORMATION Note: ALL OWNER BUILDERS MUST APPLY IN PERSON - F.S.489.103(7)

Name	<u>JOSEPH J WHITE</u>	Phone: <u>(305)</u>
Address (mailing) City, State, Zip	<u>332 SPICA LN KEY WEST, FL 33040</u>	<u>797-5090</u>
Fee Simple Titleholder's (If applicable - other than owner), Address, City, State, Zip		Phone: ()
Mortgage Lender's Name and Address		-

Email Address Preference: Yes No If YES, please provide email address that communication, including correction requests, should be sent: _____

CONTRACTOR INFORMATION (if applicable)	SUB & Other CONTRACTOR (if applicable)
Construction Business Name	Other
Contact	Electrical
License #	Elevator
Mailing Address	Mechanical
Email	Plumbing
Phone	Pool
Bonding Company Name, Address City, State	Roofing
Private Provider	Architect/ Engineer Name Address City, State
	Type of Private Provider
	<input type="checkbox"/> Plan Review & Inspections <input type="checkbox"/> Plan Review Only <input type="checkbox"/> Inspection Only (application)

SCOPE OF WORK - Describe Job/Project

BUILD GARAGE & STORAGE AREA 600 SQ FT

CONCRETE SLAB 336 SQ FT

298' - min. E. elev.

DEMO EXISTING SLABS

JOB DETAILS	GROSS SQUARE FT: _____	ESTIMATED TOTAL COST: <u>\$25-30,000</u>
Change in Occupancy/Use: <input type="checkbox"/> YES <input type="checkbox"/> NO	Change in Footprint: <input type="checkbox"/> YES <input type="checkbox"/> NO	Check Roofing Permit: <input type="checkbox"/> NEW <input type="checkbox"/> RE-ROOF <input type="checkbox"/> RE-COVER
Construction debris will be removed by <input type="checkbox"/> Applicant <input type="checkbox"/> Specialty Contractor (Name): _____		

SURAT. EXH. 1

WARNING TO OWNER:

- A Notice of Commencement must be recorded & posted on the job site before the first inspection, and copy to the Building Dept.
- Failure to post the Notice of Commencement at the job site will result in the inability of our inspectors to offer an approved inspection.
- Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property
- If you intend to obtain financing, consult with your lender or an attorney before commencing work or recording your Notice of Commencement.

ASBESTOS AGREEMENT: (Initial if Applicable: _____)

As owner/contractor/agent of record for the construction applied for in this application, I agree that I will comply with the provisions of the Florida Statute 469.003 and to notify the DEP of my intent to demolish/remove a structure at the above address and remove asbestos, when applicable, in accordance with state and federal law.

SOLID WASTE ASSESSMENT:

Upon completion of the project for which I have made application for a Building Permit, I must pay the pro-rated residential solid waste assessment, or show proof of commercial service with a franchised commercial collector prior to a Certificate of Occupancy being issued.

OWNER'S AFFIDAVIT:

- Application is hereby made to obtain a permit to do the work and installations as indicated.
- I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction.

"Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies or federal agencies."

I hereby certify that I have read and examined this application and know that same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any local, state or federal laws regulating construction or the performance of construction.

Owner (print) JOSEPH J WHITE

Qualifier (print) _____

Signature: [Signature]

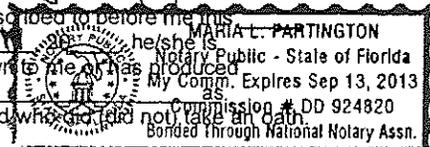
Signature: _____

Date: 9-23-2011

Date: _____

NOTARY as to Owner

Sworn to & subscribed to before me this 23rd day of September, 2011, he/she is personally known to me as JOSEPH J WHITE as Owner and who did (did not) take an oath.



NOTARY as to Qualifier

Sworn to & subscribed to before me this _____ day of _____, 20____, he/she is personally known to me or has produced _____ as

identification and who did (did not) take an oath.

My Commission Expires on _____

My Commission Expires on _____

INTERNAL USE ONLY BELOW

FLOODPLAIN ROUTING CHECKS	Staff: _____	Date: _____
----------------------------------	--------------	-------------

Check codes that exist on the GROUND floor of the site proposed for permit:

Section 6-107:
If ANY starred code to the left is checked > Route to Floodplain FIRST

Section 122-6:
If ANY of the codes to the left are checked then

CODES →	FL?	EPB	LLF	GBF	GBU	SBF	SBU	>Check if SOLD after 6/01/04 > <u>Route to Floodplain</u>	>Check if current owner had the sale inspection > <u>No Insp Req'd</u>
---------	-----	-----	-----	-----	-----	-----	-----	---	--

Other Departments	Fee	Building	Fee	Plan Review	ED	Other	Fee	
PLAN & ENVIR	Education Fee \$ 0	Building Fee \$ 205	\$ 205	\$ 50	\$ 2	Floodplain	\$ 110	
	Bio Planner \$ 60			Electrical \$ 50	\$ 50	\$ 2	Code (ATF)	\$
	Planner \$			Plumbing \$	\$	\$	Tech	\$3 or \$20
ENG	Plan Review \$			Mechanical \$	\$	\$	Contractor Invest.	\$ 11-
	Administration \$			Roof \$ 30	\$ 50	\$ 2	DBPR	\$ 5.87
	Site Inspection \$			Fuel/Gas \$	\$	\$	DBPR ED	\$.65
	Wastewater \$	SubTotal: 100% Fees Only	\$			DCA	\$ 5.87	
	Research \$	Subtotal: All Building (Fee+PR+ED+DBPR/DCA)	\$	678.04		DCA ED	\$.65	
FIRE	Plan Review \$	FEE Credit: Application	\$ 15	100.00		Total DBPR/DCA	\$	
	Administration \$	GRAND TOTAL Permit Fee Due (Other Dept + All Building + Other) - Fee Credit	\$					
		Impact				Receipt #	578.04	

BUILDING OFFICIAL/ASSISTANT BUILDING OFFICIAL APPROVED FOR ISSUANCE [Signature] 11-14-11 on DATE _____
V1 Effective 9/1/2011 Page 2

MONROE COUNTY
BUILDING PERMIT

APPLY OPERATOR: partingm

ISSUE OPERATOR: ramireze

APPLICATION / PERMIT NUMBER: 11104712	PERMIT DATE: 12/27/2011
APPLICATION DATE: 09/23/2011	DCA DATE:
PARCEL ID: 00145170000000	

LEGAL DESCRIP: BK 2 LT 10 GEIGER MOBILE HOMES
GEIGE
R KEY PB-5-77
OR428-570-571 OR694-10 OR789-1485
OR799-
988 OR897-1605
OR963-2201Q/C OR1079-1040(VC)

APPLIED VALUE: \$30000

PERMIT TYPE: 46

PERMIT TYPE NAME: GARAGE/ENCLOSED CARPORT

OWNER'S NAME/ADDRESS/PHONE	GENERAL CONTRACTOR
WHITE JOSEPH JR , WHITE JOSEPH III R 332 SPICA LANE	WHITE JOSEPH JR , WHITE JOSEPH III R
KEY WEST, FL 33040 3057975090	KEY WEST, FL 33040

SUBCONTRACTORS:

TYPE	ID	NAME	CG
GC	02319	D S H CONTRACTING COMPANY	CG
	C052763		

CONST ADDRESS/ CONDITIONS OF PERMIT:

332 SPICA LANE, GEIGER KEY
GARAGE, STORAGE AND CONCRETE SLAB
NOTICE OF COMMENCEMENT REQUIRED
PERMIT APPROVAL TO CONSTRUCT A 600 SF GARAGE, 299
SQ FT ENCLOSURE, 600 SF ROOF AND 302 SF SLAB WITH
MINIMUM ELECTRIC PER APPROVED SEALED PLANS IN
FILE.
ALSO THIS PERMIT DEMO TWO EXISTING SLABS PRIOR TO
NEW
CONSTRUCTION.

10/5/11

PERMIT NUMBER: 11104712

C. J. T. V. S.

MONROE COUNTY
BUILDING PERMIT

planning

Planning approval for a 600SF structure with an unenclosed garage of 310SF and 299 SF storage area. 3 foot distance to primary structure may be an issue. Site Plan on T-1 has incorrect sideyard setbacks listed.

Subject to following conditions:

- 1) Height of structure shall not exceed 18'
- 2) Setbacks must be adhered to at all times including drip lines.
- 3) No additional square footage this permit.
- 4) Space not for habitation. Garage is an accessory use to the existing residence on site.
- 5) Any deviations shall require prior planning approval.
- 6) No other work on this permit.

Ro*****

BIO APPROVED 10/13/11 BY JV FOR; GARAGE W/STORAGE

- 1)NO FILL THIS PERMIT.
- 2)NO LAND CLEAR THIS PERMIT.
- 3)STORMWATER TO BE RETAINED ON SITE PER SWALE DRAWINGS ON PLAN.
- 4)ALL SETBACKS & OPEN-SPACE REQUIREMENTS APPLY.

PLANS HAVE BEEN APPROVED FOR FBC 2007 ASCE 7-05 FOR 150 MPH WIND LOAD EXP. 'C'

ZONE- AE9' PANEL- 1533K

NO OTHER WORK ALLOWED ON THIS PERMIT.
INSPECTIONS REQUIRED PER PERMIT CARD.
ALL TRASH AND DEBRIS MUST BE REMOVED TO A LEGAL DUMP SITE.
DEEMED NON-DEVELOPMENT.
DCA EXEMPT.

***FLOODPLAIN REVIEW CONDITIONS:
299 SQUARE FOOT A ZONE ENCLOSURE FOR LIMITED STORAGE, PARKING OR ENTRY ONLY.
NO HABITATION, FINISHES, PLUMBING, MECHANICAL, UTILITIES ALLOWED. MINIMUM ELECTRIC ONLY. WALLS MUST BE VENTED IN ACCORDANCE WITH MONROE COUNTY FLOODPLAIN ORDINANCE WITH A NET OPENING OF 1 SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED SPACE. -MW

ELECTRICAL APPROVAL SUBJECT TO THE FOLLOWING:

Unless there is a licensed electrical contractor

PERMIT NUMBER: 11104712

MONROE COUNTY
BUILDING PERMIT

signed on to this permit, the owner builder shall be present for all inspections.

There must be a minimum of one (1) ceiling light controlled via a wall switch adjacent to the entry door; A GFI protected outlet and a smoke detector compliant with the NFPA and Florida Bldg. Code requirements. There can be no exposed NM (Romex) Cable, as the lower enclosure is considered a damp location. For safety reasons, the fixture must have a guard around the lamp. As per the 2008 Edition of the NEC NM Cable is not listed for damp or wet locations even if inside a raceway. Furthermore, if entry/exit door to the lower enclosure does not face an illuminated area, as per NEC 210.70 a light shall be provided on the exterior of the door as well. All outlets inside the lower enclosure shall be tamper-resistant rated. Additional outlets shall be above BFE. The light switch shall not be elevated.

As per FL Statute 553.885, Every bldg, other than a hospital, an inpatient hospice facility or a nursing home licensed by the AHCA, for which a bldg. permit is issued for construction after 7/1/08 & having a fossil-fuel burning heater, fireplace, appliance or an attached garage shall have an approved operational Carbon Monoxide (CO) Detector within 10' of each room used for sleeping purposes.

All electrical work on this permit shall comply with all the requirements of the 2008 Edition of the NEC.

PLANS REVIEW NOTES:

FINAL * NO NOTES *
S.I.-BLDG. 09/23/2011 partingm L * NO NOTES *
MAR-BLDG 09/26/2011 maldonam L * NO NOTES *
PLAN 10/05/2011 ortizr A 10/5/11

Planning approval for a 600SF structure with an unenclosed garage of 310SF and 290 SF storage area. 3 foot distance to primary structure may be an issue. Site Plan on T-1 has incorrect sideyard setbacks listed.

Subject to following conditions:

- 1) Height of structure shall not exceed 18'
- 2) Setbacks must be adhered to at all times including drip lines.

MONROE COUNTY
BUILDING PERMIT

3) No additional square footage this permit. 4) Space not for habitation. Garage is an accessory use to the existing residence on site.

5) Any deviations shall require prior planning approval.

6) No other work on this permit.

Ro

MAR-BLDG 10/11/2011 maldonam L FILE SEND TO S.I. NEW SET OF PLANS.

MAR-BLDG 10/13/2011 maldonam L * NO NOTES *

BIO 10/13/2011 vaserisj A BIO APPROVED 10/13/11 BY JV FOR; GARAGE W/STORAGE

1)NO FILL THIS PERMIT.

2)NO LAND CLEAR THIS PERMIT.

3)STORMWATER TO BE RETAINED ON SITE PER SWALE DRAWINGS ON PLAN.

4)ALL SETBACKS & OPEN-SPACE REQUIREMENTS APPLY.

EXAM 10/17/2011 kostich F Called engineer with request for call back to address ASCE 7-10 not adopted

FLOOD 10/21/2011 wingatem P 296 SQUARE FOOT A ZONE ENCLOSURE FOR LIMITED STORAGE, PARKING OR ENTRY ONLY. NO HABITATION, FINISHES, PLUMBING, MECHANICAL, UTILITIES ALLOWED. MINIMUM ELECTRIC ONLY. WALLS MUST BE VENTED IN ACCORDANCE WITH MONROE COUNTY FLOODPLAIN ORDINANCE WITH A NET OPENING OF 1 SQUARE INCH FOR EVERY SQUARE FOOT OF ENCLOSED SPACE.

ELECT 10/24/2011 albarran P Unless there is a licensed electrical contractor signed on to this permit, the owner builder shall be present for all inspections.

There must be a minimum of one (1) ceiling light controlled via a wall switch adjacent to the entry door; A GFI protected outlet and a smoke detector compliant with the NFPA and Florida Bldg. Code requirements. There can be no exposed NM (Romex) Cable, as the lower enclosure is considered a damp location.

For safety reasons, the fixture must have a guard around the lamp. As per the 2008 Edition of the NEC NM Cable is not listed for damp or wet locations even if inside a raceway. Furthermore, if entry/exit door to the lower enclosure does not face an illuminated area, as per NEC 210.70 a light shall be provided on the exterior of the door as well. All outlets inside the lower enclosure shall be tamper-resistant rated.

Additional outlets shall be above BFE. The light switch

MONROE COUNTY
BUILDING PERMIT

shall not be elevated.

As per FL Statute 553.885, Every bldg, other than a hospital, an inpatient hospice facility or a nursing home licensed by the AHCA, for which a bldg. permit is issued for construction after 7/1/08 & having a fossil-fuel burning heater, fireplace, appliance or an attached garage shall have an approved operational Carbon Monoxide (CO) Detector within 10' of each room used for sleeping purposes.

All electrical work on this permit shall comply with all the requirements of the 2008 Edition of the NEC.

S.I.-BLDG. 11/10/2011 partingm L Sending Harry K. requested additional changes to plans from engineer.

EXAM 11/14/2011 kostich P * NO NOTES *

OFFICIAL 11/18/2011 benderd P PASSED PER JP 11/14/2011 TO MARIA

MAR-BLDG 11/21/2011 maldonam L * NO NOTES *

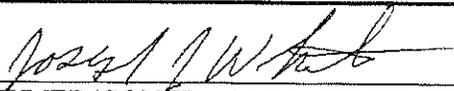
S.I.-BLDG. 11/22/2011 L * NO NOTES *

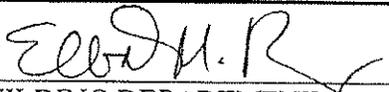
In consideration of the granting of this permit, it is agreed that in all respects the work will be performed and completed in accordance with the permitted plans and the applicable Building, Zoning and Environmental codes Monroe County, State of Florida and Federal agencies.

This permit may be revoked at any time upon the violation of any of the provisions of said laws, ordinances or rules and regulations or upon any change in the plans and specifications unauthorized by this department.

In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as Water Management Districts, State Agencies, and/or Federal Agencies.

Permits shall expire and become null and void if work, as defined in this permit, is not commenced within 180 days from the date of issuance date or 180 days from the DCA date and does not meet 180 day inspections thereafter unless extended by the Building Official.


OWNER/CONTRACTOR/CONTRACTOR AGENT


BUILDING DEPARTMENT

DISPLAY THIS CARD ON JOB SITE VISIBLE FROM THE STREET

MONROE COUNTY
BUILDING PERMIT

Item #6 White-Admin Variance to PC
Exhibit PC 8.29.12

(COMPLETE PERMIT ON FILE AT LOCAL BUILDING OFFICE)

PERMIT NUMBER	ZONING	FLOOD ZONE
11104712	URM(GIS)	AE9'1533K
OWNER		DATE 12/27/2011
WHITE JOSEPH JR , WHITE JOSEPH III R		DCA DATE
CONTRACTOR	WHITE JOSEPH JR , WHITE JOSEPH III R	
PURPOSE	GARAGE, STORAGE AND CONCRETE SLAB	
LEGAL DESCRIPTION	BK 2 LT 10 GEIGER MOBILE HOMES	
ADDRESS	332 SPICA LN ~	

ATTENTION

1. "Owner Builder" must be available for all inspections.
2. No inspections will be made unless permit card is displayed and approved plans are readily available.
3. This permit shall become null and void unless the work authorized is commenced (and receives an approved inspection on this card) within one-hundred and eighty (180) days after the effective date of the permit.
4. Once commenced, (with an approved inspection) this permit will remain active as long as there is an approved inspection within one-hundred and eighty (180) days of the last approved inspection.
5. No "partial" inspections of any sort will count toward satisfying the 180 day requirement.
6. Certificate of Occupancy must be secured before this building can be used or inhabited for any purpose.
7. Do not remove this card until issuance of a Certificate of Occupancy.
8. For inspections call or e-mail your local Building Department Office:
UPPER KEYS: (305) 453-8725
E-MAIL: upperkeysinspections@monroecounty-fl.gov
MIDDLE & LOWER KEYS: (305) 289-2542 OR (305)743-5405
E-MAIL: lowerkeysinspections@monroecounty-fl.gov

SUPP. Exh. 3

SLAB

12x28 336

12x25 300

636

PAVERS

BFE

~~12x25 300~~

12x24.66 300

296

FF LIVING

FF DECK
UNDER ROOF

FF DECK NOT
UNDER ROOF

12x25 300

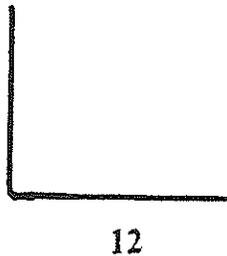
SF LIVING

SF DECKS
UNDER ROOF

SF DECK NOT
UNDER ROOF

ROOF

12x50 600



Demo

12x12 144

12x15 180

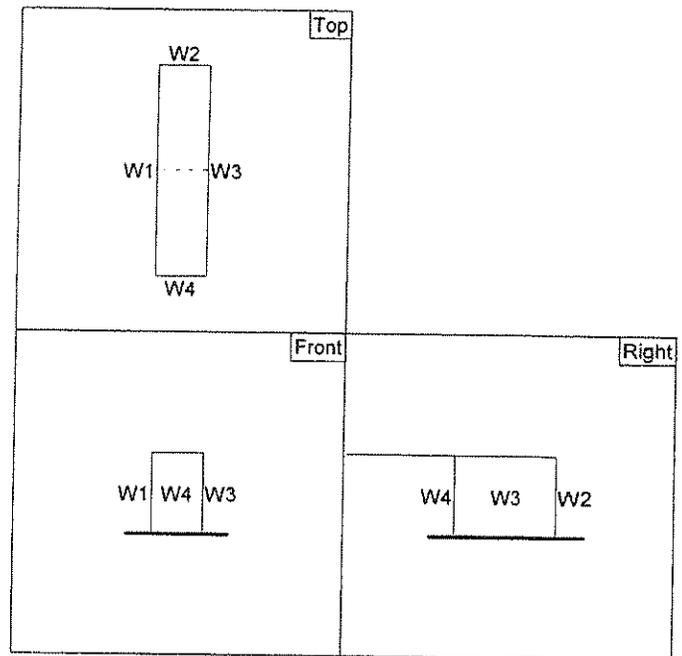
324

Section - Main Section

Enclosure Classification: Enclosed
 Building Category: II

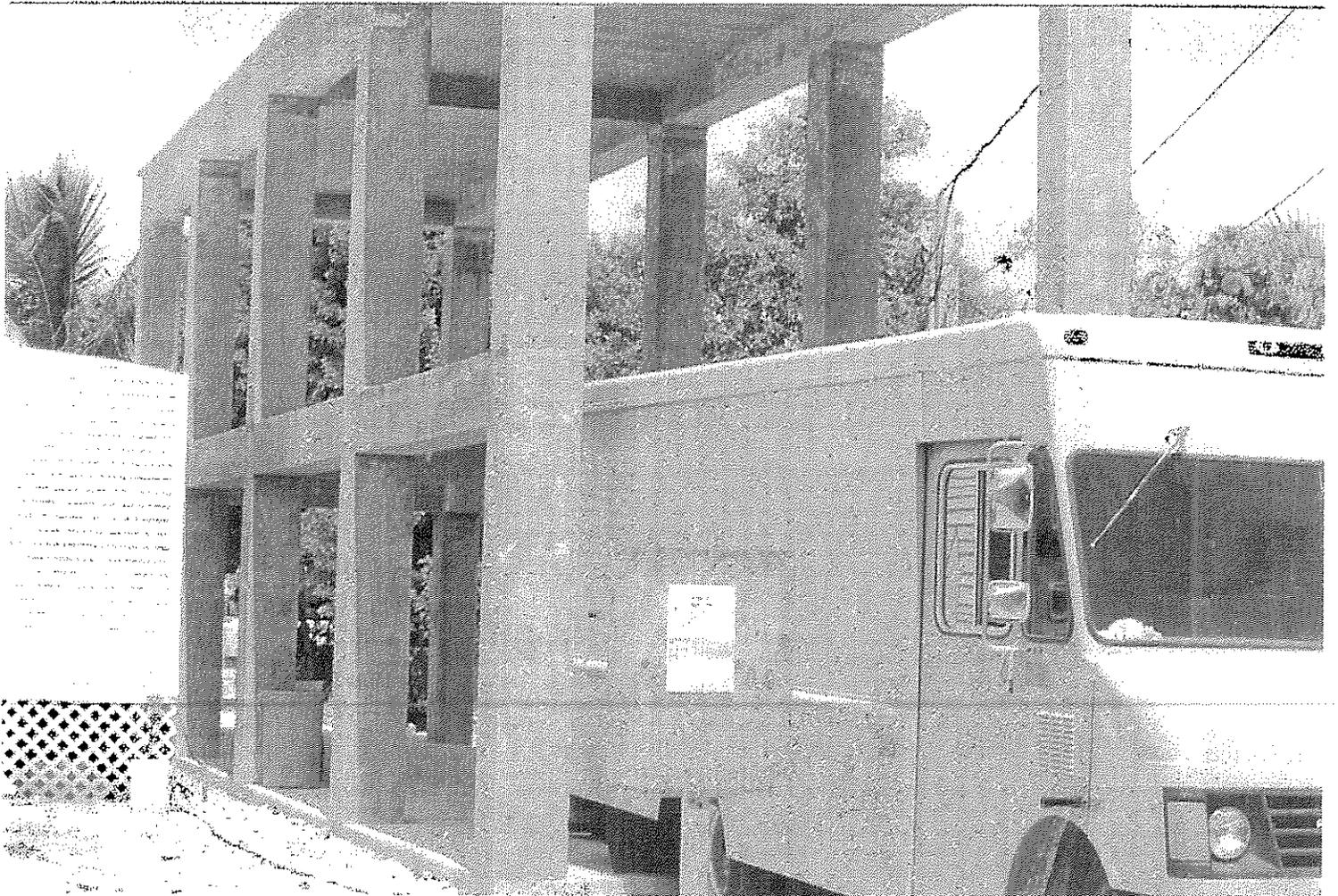
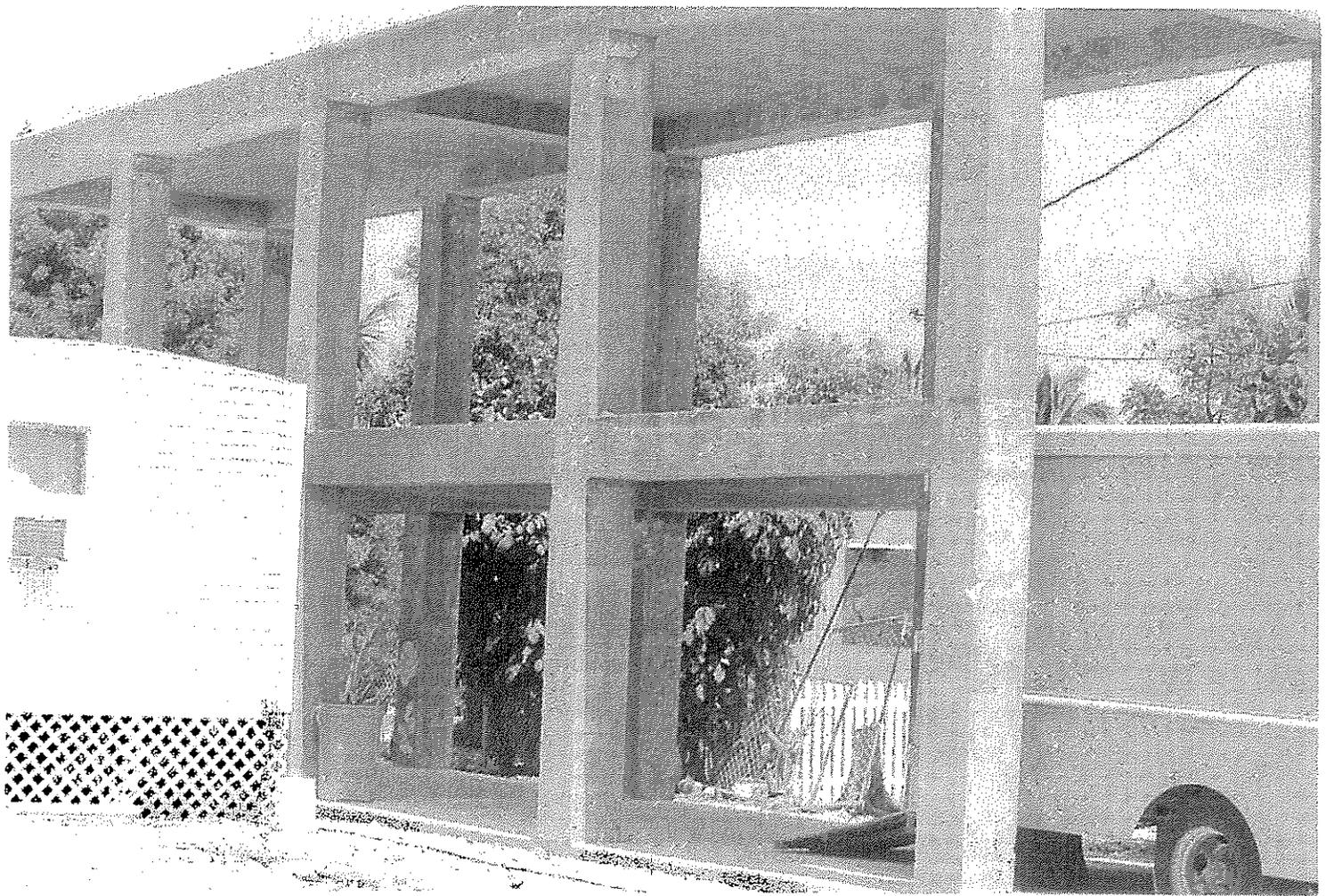
Wall	Length(ft)	Overhang(ft)
1	24.83	0.0
2	12.0	0.0
3	24.83	0.0
4	12.0	25.17

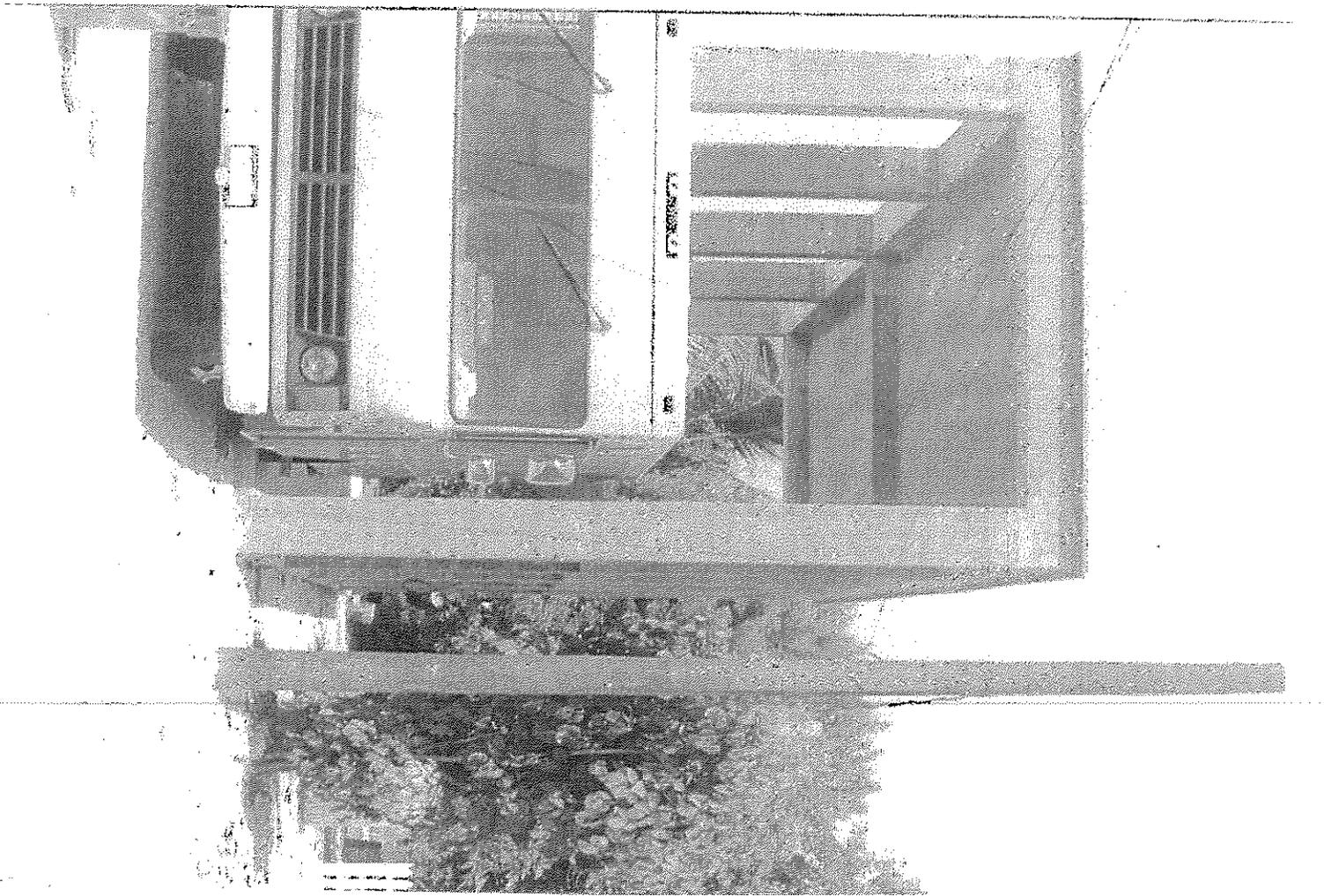
Eave Height: 19.3ft
 Parapet Height: 0 ft
 Parapet Enclosure: Solid
 Roof Shape: Flat





Suppl. Exh. 5







MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Steven Biel, Senior Planner

Date: August 13, 2012

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING MONROE COUNTY CODE SECTION 130-102, HORSES AND OTHER LIVESTOCK, TO ESTABLISH REGULATIONS RELATED TO THE KEEPING OF HORSES AND OTHER LIVESTOCK IN MONROE COUNTY, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.*

Meeting: August 29, 2012

1
2 I REQUEST

3
4 The Planning & Environmental Resources Department is proposing an amendment to the
5 Monroe County Code by establishing §130-102 of the Monroe County Code, which would
6 establish regulations related to the keeping of horses on property in unincorporated Monroe
7 County.

8
9 II RELEVANT PRIOR COUNTY ACTIONS:

10
11 This item was heard at the June 26, 2012 Development Review Committee with minor
12 revisions being requested. The Development Review Committee recommended approval to
13 the Planning Commission.

14
15 III REVIEW

16
17 The Planning & Environmental Resources Department regularly receives zoning inquiries
18 related to horses. The most common inquiries are from property owners who want to keep
19 their personal horses on their properties. Other inquiries are from property owners who want
20 to establish commercial stables on their properties.
21

A handwritten signature in blue ink, appearing to be "h.", enclosed in a blue oval.

1 Currently, the Monroe County Code and Monroe County Comprehensive Plan do not contain
2 any provisions directly related horses and livestock. Horses have been allowed or prohibited
3 by administrative interpretations of planning directors.
4

5 Horses are a type of animal defined within the definitions of animal and livestock in MCC
6 §4-1:
7

8 *Animal* means any living dumb creature, including any mammal, bird, fish, reptile, ferret,
9 turtle, horse, mollusk, crustacean, or any other vertebrate other than a human being.
10

11 *Livestock* means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls,
12 bullocks, steers, heifers, cows, calves, mules, jacks, jennies, burros, goats, kids, swine,
13 and any other fur-bearing animals being raised in captivity, including those other animals
14 recognized by the department of agriculture as being within the jurisdiction of its
15 department.
16

17 However, MCC §4-76, which pertains to the keeping of wild animals and livestock does not
18 address horses. MCC §4-76(a) states:
19

20 *Zoning.* No livestock, such as cows, goats, sheep or pigs, barnyard animals such as
21 chickens, ducks, rabbits or geese, shall be kept either penned or loose in any zone where
22 not otherwise permitted in the county. Animals considered wild shall not be kept in any
23 residential zone in the county
24

25 Although this subsection implies that zoning should allow livestock, it states that they should
26 only be allowed in an appropriate zone. No such zones have been established in the Land
27 Development Code.
28

29 Many jurisdictions consider livestock and agriculture synonymous. However, as defined in
30 MCC §101-1, *agriculture* means mariculture, beekeeping, animal husbandry, groves and
31 nurseries, but does not mean row crops. The definition does not directly include the keeping
32 or livestock not related to animal husbandry.
33

34 The purpose of this amendment is to clarify where horses and other livestock may be
35 permitted in Monroe County.
36

37 Therefore, staff recommends the following changes (deletions are ~~stricken through~~ and
38 additions are underlined):
39

40 Sec. 130-102. Horses and Other Livestock.

41

42 (a) Definition of livestock. Livestock means horses, stallions, colts, geldings, mares, sheep,
43 rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennies, burros,
44 goats, kids, swine, and any other fur-bearing animals being raised in captivity, including
45 those other animals recognized by the department of agriculture as being within the
46 jurisdiction of its department.

1 (b) Keeping of livestock. Excluding horses for personal use as allowed in subsection (c), the
2 keeping of livestock may be permitted on parcels of land that have a land use (zoning)
3 district designation that allows agriculture as a permitted use and/or are designated within
4 an agricultural/aquacultural use overlay as set forth in section 130-120.

5
6 (c) Keeping of a horse for personal use. Horses may be kept on residentially developed
7 parcels of land as an accessory use if the following standards are met:

8 (1) For parcels of land containing a minimum of one-half (1/2) acre of upland, one (1) or
9 two (2) horses may be maintained thereon, provided that:

10 (i) There shall be a lawful residential dwelling unit on the same parcel of land upon
11 which the horse(s) is kept; and

12 (ii) The owner of the horse(s) shall occupy the residential dwelling unit on the same
13 parcel of land; and

14 (iii) The horse(s) shall be for personal use only. Under no circumstance shall the
15 property be used for commercial purposes, such as a commercial stable or
16 commercial riding ground; and

17 (iv) The portion of the parcel of land upon which the horse(s) is kept must be entirely
18 fenced or enclosed by an appropriate structure to contain the horse(s); and

19 (v) Any fenced areas or enclosures used for the containment of the horse(s) must be
20 at least fifty (50) feet from any residential dwelling unit, excluding only the
21 residential dwelling unit in which the owner of the horse(s) resides.

22 (2) For parcels of land containing over one acre of upland, an additional horse may be
23 maintained for each additional one-half (1/2) acre of upland land.

24 25 IV RECOMMENDATION

26
27 Staff has found that the proposed text amendment would be consistent with the provisions of
28 §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those
29 on which the text or boundary was based; 2. Changed assumptions (e.g., regarding
30 demographic trends); 3. Data errors, including errors in mapping, vegetative types and
31 natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for
32 additional detail or comprehensiveness; or 6. Data updates. Specifically, staff has found that
33 the proposed text amendments are necessary due to a recognition of a need for additional
34 detail or comprehensiveness.

35
36 Staff recommends that the Board of County Commissioners amend the Monroe County Code
37 as stated in the text of this staff report.