

AGENDA

PLANNING COMMISSION
MONROE COUNTY
February 26, 2014
10:00 A.M.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

William Wiatt, Chairman
Jeb Hale
Elizabeth Lustberg
Ron Miller
Denise Werling

STAFF:

Townsley Schwab, Sr. Director of Planning and Environmental Resources
Susan Grimsley, Assistant County Attorney
Steve Williams, Assistant 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
Mike Roberts, Sr. Administrator, Environmental Resources
Rey Ortiz, Planning & Biological Plans Examiner Supervisor
Tiffany Stankiewicz, Development Administrator
Emily Schemper, Sr. Planner
Matt Coyle, Sr. Planner
Karl Bursa, Planner
Gail Creech, Sr. Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

- SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

- SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

- 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 October 16, 2013, through January 13, 2014, ROGO (2nd Quarter Year 22). Allocation awards will be allocated for all

unincorporated Monroe County.

(File 2013-147)

[2013-147 SR PC 03.26.14 - Website.PDF](#)

2. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS FOR NON-RESIDENTIAL FLOOR AREA for October 16, 2013, through January 13, 2014, NROGO (2nd Quarter Year 22). Allocation awards will be allocated for all unincorporated Monroe County.

(File 2013-148)

[2013-148 SR PC 03.26.14 - Website.PDF](#)

MONROE COUNTY ANNOUNCEMENT OF NROGO BALANCES

Pursuant to Monroe County Code Section 138-53(e)(14), the Planning and Environmental Resources Department is providing a notification to the general public of the NROGO account balances.

The balances are as follows:

NROGO YEAR 22 Balances for Quarter 2

NROGO Year 22	ANNUAL NROGO	NROGO BANK		
	Available Year 22 Annual Allocation Amount (Ord. 019-2013)	Year 22 (opening balance)	Year 21 Rollover	Available Year 22 Bank Total (SF available)
Pine Key and No Pine Key subarea	1,379 SF (PC Reso. P30-13)	0 (Reso. 330-2012)	0	0
Upper Keys subarea Ord. 019-2013 and Ord. 020-2013)	22,944 SF	200,221 SF	39,700 SF	220,438 SF *
Lower Keys subarea Ord. 019-2013 and Ord. 020-2013)	19,149 SF (PC Reso. P30-13)	189,770 SF		207,208 SF *
Totals	43,472 SF	389,991 SF (Ord. 020-2013)	39,700 SF	427,646 SF

*The YR 22 Bank Totals includes 20,000 SF in reserves each for the Upper and Lower Keys (for a total of 40,000 SF in reserves). (Ord. 020-2013)

Please note, square footage for de-minimis applications, which can be awarded through issuance of a building permit (no public hearing required) will be deducted from the annual NROGO allocation or the NROGO bank.

3. Bernstein Park, 5th Street and 5th Avenue, Stock Island, mile marker 5: A request for a variance of 40 feet to the required 50-foot non-shoreline setbacks, thus resulting in 10-foot non-shoreline setbacks, in order to redevelop the park. The subject property is legally described as Square (Block) 57, Lots 2, 3 and 4, part Lot 1, part Lot 5, Maloney Sub (Plat Book 1, Page 55), Stock Island, Monroe County, Florida, having real estate number 00127300.000000.

(File 2014-030)

[2014-030 SR PC 03.26.14.PDF](#)

[2014-030 FILE.PDF](#)

[2014-030 COMBINED Survey 1-3 Recvd 03.05.14.pdf](#)

[2014-030 Recvd 03.05.14 Site Plan A-1.pdf](#)

4. Alfredo's Kitchen LLC, 99000 US Highway 1 (Overseas Highway), Key Largo mile marker 99: A request for a 2-COP (Beer & Wine, on premise and package) Alcoholic Beverage Special Use Permit. The subject property is legally described as Tracts B and C, Cape Subdivision (Plat Book 6, Page 92), Key Largo, Monroe County, Florida, having real estate number 00522411.000200.

(File 2014-018)

[2014-018 SR PC 03.26.14.PDF](#)

[2014-018 FILE.PDF](#)

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAND USE DISTRICT MAP OF THE MONROE COUNTY LAND DEVELOPMENT CODE FROM URBAN RESIDENTIAL MOBILE HOME (URM) TO MIXED USE (MU), FOR PROPERTY LEGALLY DESCRIBED AS BLOCK 31, LOT 17, MALONEY SUB (PLAT BOOK 1, PAGE 55), STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00124510.000000; 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 AMENDMENT TO THE LAND USE DISTRICT MAP; PROVIDING FOR AN EFFECTIVE DATE.

(File 2013-143)

[2013-143 SR PC 03.26.14.PDF](#)

[2013-143 FILE.PDF](#)

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 114-3, SURFACE WATER MANAGEMENT CRITERIA, TO REVISE THE EXEMPTION THRESHOLD FOR MAINTENANCE AND REPAIR FOR EXISTING IMPERVIOUS COVERAGE FOR COMMERCIAL SITES, 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 2014-009)

[2014-009 SR PC 03.26.14.PDF](#)

~~7. Key West Harbour Yacht Club, 6000 Peninsular Avenue, Stock Island, Mile Marker 5: A request for approval of an amendment to the major conditional use permit memorialized by Planning Commission Resolution #P11-07, in order to allow the conversion of an existing boat barn to a hotel consisting of 74 transient residential units, 2,500 square feet of office space, and a 2,000 square foot conference room. The subject property is located on lots 5, 6 and 7, Square 61, Maloney Subdivision, and parcels of land within Section 35, Township 67, Range 25, Stock Island, Monroe County, Florida, having parent real estate numbers 00127471, 00127472, 00127473, 00127474, 00127475, 00127476, 00127477 and 00127480.~~

(File 2012-132) TO BE RESCHEDULED AT A LATER DATE

8. Paradise Point Senior Housing (Proposed), 2 North Blackwater Lane, Key Largo, Mile Marker 105.5: A request for a minor conditional use permit allowing the development of an institutional residential use, involving 46 deed-restricted affordable housing units (in the form of rooms), 1 commercial apartment and accessory uses/structures. The subject property is described as a parcel of land in Section 1, Township 61, Range 39, Monroe County, Florida, having real estate number 00084260.000100 (part).

(File 2013-118) SCHEDULING DISCUSSION ONLY-TO SET APRIL DATE FOR CONTINUATION OF MATTER

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

GROWTH MANAGEMENT COMMENTS

RESOLUTIONS FOR SIGNATURE

ADJOURNMENT



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 *TS*

From: Tiffany Stankiewicz, Development Administrator *TS*

Date: March 18, 2014

Subject: Residential Dwelling Unit Evaluation Report for Quarter 2, Year 22

Meeting Date: March 26, 2014

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
3 second quarter of year twenty-two which covers the period October 16, 2013, through January
4 13, 2014.

5

6 **I) BACKGROUND INFORMATION:**

7

8 On June 23, 1992, the Monroe County Board of County Commissioners (BOCC) adopted
9 Ordinance #016-92, implementing the Residential Dwelling Unit Allocation System. The
10 Ordinance became effective on July 13, 1992, and has been amended from time to time.

11

12 On March 15, 2006, the BOCC adopted Ordinance 009-2006 to implement the Tier System, and
13 subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and Protect Key West
14 and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary, Department of
15 Community Affairs signed the final order deciding the challenge on September 26, 2007
16 (amended Final Order issued January 2, 2008). The Tier System, still a Rate of Growth
17 Ordinance (ROGO), made changes such as sub-area boundary districts for allocation distribution,
18 basis of scoring applications, and administrative relief.

19

20 On September 21, 2012, the BOCC adopted Ordinance #021-2012, revising the ROGO
21 allocation scoring system regarding land dedications and Tier III properties containing wetlands
22 adjacent to Tier 1 properties. The ordinance became effective on December 31, 2012.

23

1 The following background information regarding applications reviewed this quarter is divided
 2 into sub districts: A) Lower Keys Sub-area and Upper Keys sub-area and B) Big Pine/No Name
 3 Key subareas.
 4

5 **A. Applications reviewed this quarter for Lower & Upper Keys Sub-areas:**
 6

	Market Rate	Affordable Housing
*Lower Keys	11	0
** Lower Keys (Adm. Relief)	0	0
***Upper Keys	23	3
****Upper Keys (Adm. Relief)	0	0
TOTAL	34	3

- 7
 8 * 03 applications are rollovers or reapplications from previous quarters.
 9 ** 0 applications are rollovers or reapplications from previous quarters.
 10 *** 06 applications are rollovers or reapplications from previous quarters.
 11 **** 0 applications are rollovers or reapplications from previous quarters.
 12

13 **B. Big Pine/No Name Key Sub-area:**
 14

- 15 1) On June 23, 1992, the Monroe County Board of Commissioners adopted
 16 Ordinance 016-1992, implementing the Residential Dwelling Unit Allocation
 17 System. The ordinance became effective on July 13, 1992 and has been amended
 18 from time to time.
 19
 20 2) In 1998, the Florida Department of Transportation, Monroe County, the Florida
 21 Department of Community Affairs, the U.S. Fish and Wildlife Service and the
 22 Florida Fish and Wildlife Conservation Commission signed a Memorandum of
 23 Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and
 24 other protected species in the project area.
 25
 26 3) The Livable Communikeys Program (LCP), Master Plan for Future Development
 27 of Big Pine Key and No Name Key was adopted on August 18, 2004 under
 28 Ordinance 029-2004. The LCP envisioned the issuance of 200 residential
 29 dwelling units over 20 year horizon at a rate of roughly 10 per year. A minimum
 30 of twenty percent of the 10 units per year are to be set aside for affordable housing
 31 development. Below is a table tracking LCP allocations remaining at the
 32 conclusion of Quarter 1 Year 22 (October 13, 2013- October 15, 2013).
 33

Liveable Communikeys Master Plan (LCP) 2003-2023					
	Beginning Balance	Allocated thru Quarter 1 Year 22	Balance of Allocations remaining to LCP*	Deferred Allocation	Balance including Deferred Allocation(s)
Market Rate Allocations	160	93	68	1	67
Affordable Housing Allocations	40	10	30	0	30
Totals	200	103	98	1	97

34 * 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) as defined within the geographic area covered by the HCP.
 - 6) Livable CommuniKeys Master Plan *Action Item 3.2.6*: Limit allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty year planning period (i.e. a maximum of 10 units) or a total of $H = 0.022$ (two percent of the total H), whichever results in the lower H. Development in Tier 1 is tracked from December 27, 2004, the effective date of the Livable CommuniKeys Plan, which established the Tier System for Big Pine, and No Name Key. (Ordinance 020-2009)
 - 7) The ITP (Federal ITP #TE083411-0) 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.
 - 8) The ITP specifies in G5, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas will be limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H of 0.022), whichever results in a lower H."
 - 9) The Incidental Take Permit (ITP) provides specific development limitations on Big Pine/No Name Keys, including, but not limited to:
 - The total impact of commercial, institutional (including public projects such as wastewater and roads), and residential development over the 20 year life of the HCP shall not exceed $H=1.1$.
 - For each H value unit of development, 3 H units of conservation lands shall be acquired, restored, and protected in perpetuity. Over the term of this permit, lands with a cumulative H value of 3.3 shall be acquired.
 - New residential development will be limited to a maximum of 200 dwelling units over the 20 year life of the HCP.
 - New residential development in Tier 1 areas will be limited to no more than 5% of all residential units permitted over the 20 year life of the HCP (no more than 10 units) or $H=0.022$ whichever results in a lower H.
 - No new development other than single-family residential and accessory uses will be permitted in Tier I areas.

As of December 2013 (10 years into the 20 year permit), the County has issued 96 of the 200 building permits allowed to be issued totaling 33% (0.3671 H) of the total 1.1 'H' allowed, while having acquired 83% (2.7569 'H') of the total 3.3 'H' mitigation required by the HCP and ITP.

As noted above, the ITP allows development of 10 dwelling units or 0.022 H impact, whichever results in a lower H in Tier I areas on Big Pine/No Name Keys. ROGO allocations for 9 dwelling units totaling 0.0201 H have been issued to date, with 4 of these allocations resulting in building permits totaling 0.0074 'H'.

For purposes of the annual monitoring reports the County submits to the USFWS, 'H' impacts are not debited until the building permit is issued. So while the issued building permits for Tier I are well under the permit limits, the total allocations for Tier I development are within one allocation of the permit limits. There are 32 applications for parcels located on Big Pine Key and/or No Name Key (with a total 'H' of 0.0448) currently competing in ROGO. Of these, 10 are Tier I applicants with a cumulative 'H' value of 0.0227. The 'H' values of the 2 highest ranked Tier I parcels currently competing in ROGO are 0.0022 and 0.0043 respectively, the allocation of either would put the County over the 0.022 'H' limit.

10) Tier 1 applications previously deferred on Big Pine/No Name Key Sub-area:

Key (Island)	Permit Number	Deferred Allocation type	Quarter, Year Deferred	Real Estate Number	H-value
No Name	96101462	Market Rate	Q4Y21 (2013)	00319494.000300	0.0026

11) Applications reviewed this quarter for the Big Pine/No Name Key Sub-area:

	Market Rate	Affordable Housing
*Big Pine Key/No Name Key	32	0

* 30 applications are rollovers or reapplications from previous quarters.

II) ALLOCATION FACTORS:

- A. Pursuant to Section 138-24 the number of annual allocations available is 197.
- B. Section 138-24(c) allows any unused portion of affordable housing allocations to be retained and rolled over into the next dwelling unit allocation year.
- C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing proportions during any ROGO quarter.
- D. Section 138-27(g) limits administrative relief allocations per quarter. The number of allocations that may be awarded under administrative relief in any subarea quarter shall be no more than fifty percent (50%) of the total available market rate allocations.

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E. Section 138-24(a)(6) limits the number of allocation awards in Tier I. The annual number of allocation awards in Tier I shall be limited to no more than three (3) in the Upper Keys and no more than three (3) in the Lower Keys. The ITP limits Big Pine/No Name Key to ten (10) allocations over a twenty year period or $H = 0.022$ whichever is lower. Below is a table tracking the Tier 1 allocations by Quarter/Year.

Tier 1 Award limits	Key (Island)	Permit Number	Allocation type	Quarter, Year	Real Estate Number	H-value	Tier 1 Allocations Update
Limited to a maximum 10 or $H = .022$ whichever is lower over the life of the ITP.	Big Pine	95101613	Market Rate	Q3Y4 (1996)	00285550.000000	0.0028	Big Pine/No Name Keys Subarea: Used 9 (since 1996) out of a maximum potential of 10 or less depending on H allowance whichever comes first. Based on permits issued to properties in Tier 1 and pending permits with allocation awards the H total is .0201 (since Dec. 27, 2004).
	Big Pine	96101622	Market Rate	Q2Y6 (1998)	00289510.000000	0.0022	
	Big Pine	03102303	Adm. Relief	Q2Y16 (2008)	00289710.000000	0.0013	
	Big Pine	97101361	Market Rate	Q1Y17 (2008)	00296820.000000	0.0011	
	No Name	96101472 (Not used)	Market Rate	Q2Y19 (2011)	00319494.001300		
	No Name	96101470	Market Rate	Q2Y20 (2012)	00319494.001000	0.0029	
	No Name	96101469	Market Rate	Q2Y20 (2012)	00319494.000900	0.0032	
	No Name	96101464	Market Rate	Q3Y20 (2012)	00319494.000500	0.0024	
	No Name	96101463	Market Rate	Q4Y20 (2012)	00319494.000400	0.0019	
	No Name	96101473	Market Rate	Q4Y20 (2012)	00319494.001400	0.0023	
						0.0201	
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	Q4Y16 (2008)	00213240.000000	N/A	Lower Keys: Used 3 out of the 3 allowed in Year 22.
	Sugarloaf	03102265	Adm. Relief	Q2Y17 (2009)	00172070.000700	N/A	
	Ramrod	03103801	Market Rate	Q3Y19 (2011)	00114150.000400	N/A	
	Ramrod	03102386	Market Rate	Q4Y19 (2011)	00114100.000200	N/A	
	Sugarloaf	03102265	Adm. Relief	Q4Y19 (2011)	00172070.000700	N/A	
	Ramrod	03102385	Market Rate	Q1Y20 (2011)	00114100.000300	N/A	
	Big Torch	05100528	Market Rate	Q1Y20 (2011)	00243621.001400	N/A	
	Summerland	05103801	Market Rate	Q1Y20 (2011)	00199810.000000	N/A	
	Ramrod	03102384	Market Rate	Q1Y21 (2012)	00114080.000000	N/A	
	Ramrod	04105722	Market Rate	Q1Y21 (2012)	00210811.005600	N/A	
	Ramrod	05106427	Market Rate	Q1Y21 (2012)	00210500.000000	N/A	
	Big Torch	06101084	Market Rate	Q1Y22 (2013)	00243621.001500	N/A	
	Big Torch	06106183	Market Rate	Q1Y22 (2013)	00243622.002100	N/A	
Ramrod	07101251	Market Rate	Q1Y22 (2013)	00210811.009500	N/A		

Table continued on next page.

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Table continued from previous page.

Tier 1 Award limits	Key (Island)	Permit Number	Allocation type	Quarter, Year	Real Estate Number	H-value	Tier 1 Allocations Update
Subarea Upper: Begin July 14, 2009 (Year 16)							
Upper Keys maximum annual allocations in Tier 1 is limited to 3.	Largo	04305020	Adm. Relief	Q4Y17 (2009)	00449410.000000	N/A	Upper Keys: Used 3 out of 3 in Year 22
	Largo	04303580	Market Rate	Q4Y21 (2013)	00448460.000000	N/A	
	Largo	04303599	Market Rate	Q4Y21 (2013)	00445710.000000	N/A	
	Largo	05300846	Market Rate	Q4Y21 (2013)	00450150.000000	N/A	
	Largo	01303683	Market Rate	Q1Y22 (2013)	00565770.000000	N/A	
	Largo	01303684	Market Rate	Q1Y22 (2013)	00565360.000000	N/A	
	Largo	01303685	Market Rate	Q1Y22 (2013)	00565350.000000	N/A	

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Based on the Code, Comprehensive Plan, Livable CommuniKeys, Habitat Conservation Plan, and Incidental Take Permit: 1) Within the Big Pine/No Name Key Subarea, new residential development in Tier 1 is limited to no more than five percent of all residential units permitted over the twenty year planning period (i.e. a maximum of 10 units) or H=0.022, whichever results in a lower H over the life of the ITP (2003-2023). A review of the H-impacts used (0.0201) to date, shows 0.0019 remains available for Tier 1 (H limit is 0.022 - 0.0201 used = 0.0019); therefore, the current applicants ranked number 1 and 2 if either were granted an allocation would exceed the H limit of 0.022; and; and 2) Lower Keys Subarea has zero allocations available for Tier 1 for the remainder of Year 22 and 3) Upper Keys Subarea has zero Tier 1 allocations available in Year 22.

- F. G5 in the ITP specifies, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas is limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H- 0.022), whichever results in a lower H."
- G. LCP, Action Item 3.2.6: Limits allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty year planning period (i.e., a maximum of 10 units) or a total H-0.022 (two percent of the total H), whichever results in a lower H.
- H. Monroe County Code Section 138-24(a)(5) Big Pine Key and No Name Key.
All allocation awards on Big Pine Key and No Name Key are subject to the provisions of the Incidental Take Permit and the Habitat Conservation Plan for the Florida Key Deer and other covered species, which may affect ROGO allocations under this article.
- I. 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.

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

Year 22 Allocation Allotment Breakdown by Quarter (July 13, 2013 –July 12, 2014)

Area	MCC allotment by subarea	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Market Rate:					
Lower Keys (Lower/Middle) Keys	57	14	14	14	15
Big Pine/No Name Keys	8	2	2	2	2
Upper Keys	61	15	15	15	16
Total:	126	31	31	31	33
Affordable Housing:					
Big Pine/No Name Keys	14*				
Lower/Upper Keys	166**				

Beginning balances:

a) *Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low, low, & median income (6 allocations rollover from Year 21 +1 new allocation for Year 22 = 7 allocations) and 2) moderate income (6 allocations rollover from Year 21 +1 new allocation for Year 22 = 7 allocations); and

b) **unincorporated Monroe County excluding the Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low income, low income and median income (152.5 allocations less 73 reservations {BOCC Resolution 261-2013 reserved 50 very low, low, median for Gorman & Co. and BOCC Resolution 403-2013 reserved 23 low & median for Oceanside Investors, LLC.} equals 79.5 allocations) and 2) moderate income (109.5 allocations less 23 reservations {BOCC Resolution 403-2013 for Oceanside Investors, LLC} equals 86.5 allocations).

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

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

Table shows Total Market Rate Allocations Unused ROGO Years 19-21 available for Administrative Relief per Florida Administrative Rule 28-20.140.

	Unused Market Rate Allocations from Year 19	Unused Market Rate Allocations from Year 20	Unused Market Rate Allocations from Year 21	Total Unused Market Rate Allocations
Lower Keys Subarea	11	44	14	69
Big Pine/No Name Key Subarea	0	0	0	0
Upper Keys Subarea	0	0	0	0
Total Allocations	11	44	14	69

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 pursuant to Monroe County Code and Comprehensive Plan. Positive and negative points were granted in compliance with the evaluation criteria contained in Section 138-28 of the LDRs for the Lower, Upper Keys, and Big Pine/ No Name Key Sub-areas. An evaluation report has been provided in accordance with Monroe County Code Section 138.26.

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).

Table shows Total Market Rate Allocation Awards Unused ROGO Year 22 (July 13, 2013-Oct. 15, 2013)

	Unused Market Rate Allocations from Qrt 1	Total Market Rate Allocations Unused Year 21
Lower Keys Subarea	7	7
Big Pine/No Name Key Subarea	0	0
Upper Keys Subarea	0	0
Total Unused Allocations	7	7

IV) RECOMMENDATIONS:

A. Market Rate Allocations Quarter 2 Year 22:

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 code, the rankings indicate which applications are within the quarterly allocation, and those applications whose rankings puts them outside the quarterly allocation. An additional page is attached which identifies the location of each proposed allocation by island and subdivision.

1 **The Market Rate applications that are within the quarterly allocations recommended for**
2 **Quarter 2 Year 22 approval are as follows:**

3
4 Lower Keys: Applicant ranked 1 through 8.

5
6 Lower Keys Administrative Relief: No Applicants.

7
8 Big Pine/No Name Keys: Recommendation for applicants ranked 1 through 2 is deferred due to
9 pending ongoing litigation with the County (see Galleon Bay v. Monroe County and State of
10 Florida, Circuit Court Case NO. CA-K-02-595) and until ownership issues are resolved.

11
12 Upper Keys: Applicants ranked 1 through 15.

13
14 Upper Keys Administrative Relief: No Applicants.

15
16
17 **B. Affordable Housing Allocations for the Lower & Upper Keys Quarter 2 Year 22:**

18
19 There are two affordable housing allocation categories: 1) very low, low, & median income and
20 2) moderate income. A total of 166 affordable housing allocations are available in the two
21 categories 1) very low income, low income and median income (79.5 allocations) and 2)
22 moderate income (86.5 allocations). The Planning Commission may amend the ratio proportions
23 for affordable housing during any ROGO quarter pursuant to MCC §138-24(a)(4).

24
25 There were three (3) 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
29 Moderate Income Category: Applicants ranked 1 through 3 based on Development Order (DO)
30 01-08. The DO itself states that the application is compliant with the Comprehensive Plan, the
31 Land Development Regulations, and the Principles for Guiding Development. The proposed site
32 plan showed the employee housing units on top of the proposed commercial area was part of the
33 review.

34
35 **C. Affordable Housing Allocations for the Big Pine/No Name Keys Quarter 2 Year 22:**

36
37 There are two affordable housing allocation categories: 1) very low, low, & median income (7
38 allocations) and 2) moderate income (7 allocations). The Planning Commission may amend the
39 affordable housing proportions during any ROGO quarter pursuant to Monroe County Code
40 Section 138-24(a)(4).

41
42 There were zero (0) affordable housing applications submitted this quarter in the moderate
43 income category and there were zero (0) affordable housing applications submitted this quarter in
44 the very low, low & median income category.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS -YEAR 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY13, 2014)**

Tier Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT /AW T	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
			-3	-5								4	6				-4	4				
1	* 13104333	CBRIS LLC	13-Dec-13	11:00 AM	Geiger Key	Geiger Mobile Homes	48	4	00145810.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
2	* 13104307	Island Investments of	8-Jan-14	10:15 AM	Big Coppitt	Johnsonville	Pt 9	14	00152800.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
3	* 13104839	CONFIDENTIAL DAT	13-Jan-14	10:08 AM	Big Coppitt	Johnsonville	8	8	00152010.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
4	* 13104427	Davis, Bradley	6-Dec-13	12:00 PM	Cudjoe	Cutthroat Harbor Estates	7	22	00181320.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34
5	* 13102833	Fernandez, Fernand	16-Dec-13	1:27 PM	Sugarloaf	Rev. Plat Sugarloaf Shores Sec. D Ext	29		00188973.002800	3	30	0	0	0	0	0	0	0	0	N/A	0	30
6	* 13104811	Russell, Deborah	7-Jan-14	12:00 PM	Cudjoe Key	Cutthroat Harbor Est.	17	23	00181780.000000	3	30	0	0	0	0	0	0	0	0	N/A	0	30
7	* 13104816	McMahon, Kevin	7-Jan-14	12:05 PM	Ramrod	Breezeswept Beach Est.	14	8	00203500.000000	3	30	0	0	0	0	0	0	0	0	N/A	0	30
8	* 13104428	Sweeney, Peter	7-Jan-14	11:57 AM	Cudjoe Key	Cutthroat Harbor Est. 1st Add.	5	18	00188880.000000	3	30	0	0	0	0	0	0	0	0	N/A	0	30
9	06100873	O'Brien, Christopher	10-Jul-07	3:19 PM	Sugarloaf		Pt Govt 3		00119450.000000	1	10	N/A	N/A	0	0	0	-4	0	4	4	0	14
10	06104954	Escorcia, Jorge	26-Aug-09	12:33 PM	Summerland	Summerland Est. Re-sub #2	11 & 12	5	00200140.000000	1	10	N/A	N/A	0	0	0	0	0	4	N/A	0	14
11	11102428	Stebbins, Consuelo	18-Sep-12	11:09 AM	Big Torch		PtGovtLI 2		00112920.000100	1	10	N/A	N/A	0	0	0	0	0	1	N/A	0	11

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to additional reviews and approvals.
 Point evaluation criteria pursuant to Monroe County Code Section 138.28.
 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.
 Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 138-19, 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.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS (ADMINISTRATIVE RELIEF) - YEAR 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY 13, 2014)**

Tier Rank	Permit #	BOCC Resolution	Name	Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/A WT	First Four Years	Each Add. Years Sec. 138-	Payment to Acq. Fund	Total
MARKET RATE DWELLING UNITS												-3	-5	4		6	-4	4	1	2	up to 2		
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to additional reviews and approvals. Point evaluation criteria pursuant to Monroe County Code Section 138.28. 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. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p> <p>The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY 13, 2013)**

Tier Rank	Permit #	Name	Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/ AWT	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
MARKET RATE DWELLING UNITS																						
1	*	13303531	ABIT Holdings	25-Oct-13	01:53 PM	Largo	Largo Sound Village	22	7	00475370.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
2	*	13302765	De Leon, Fernando	1-Nov-13	12:30 PM	Largo	Sunset Waterways	1	1	00529700.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
3	*	13303763	BSM Securities LLC	26-Nov-13	01:26 PM	Largo	South Creek Village	4	2	00466650.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
4	*	13301405	Schwartz, Larry	26-Nov-13	03:50 PM	Largo	Ocean Isle Estate	31	8	00540350.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
5	*	13303532	Gneiser, Cynthia	4-Dec-13	10:11 AM	Largo	Largo Sound Park	15	7	00471590.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
6	*	13303459	Thompson, David	4-Dec-13	10:12 AM	Largo	South Creek Village	8	3	00466990.000100	3	30	0	0	0	0	0	4	0	N/A	0	34
7	*	13303764	BSM Securities LLC	5-Dec-13	09:20 AM	Largo	South Creek Village	3	2	00466640.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
8	*	13302883	Simon/Valledor	11-Dec-13	11:30 AM	Largo	Bluewater Trailer Village Sec. 4	Pt. Tract A		00489136.018729	3	30	0	0	0	0	0	4	0	N/A	0	34
9	*	13304144	Zambrana, Jose	30-Dec-13	10:20 AM	Largo	Largo Sound Park	3	11	00472390.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
10	*	13304461	Perez, George	2-Jan-14	02:08 PM	Largo	Winston Waterways Amd	7	3	00546520.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
11	*	13303944	Native Rental Properties, L	6-Jan-14	11:44 AM	Largo	South Creek Village	9	11	00468440.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
12	*	13303995	Native Rental Properties, L	8-Jan-14	11:30 AM	Largo	South Creek Village	10	11	00468450.000000	3	30	0	0	0	0	0	4	0	N/A	0	34
13	*	13301833	Marlin Investments LLC	10-Jan-14	02:00 PM	Largo	Buccaneer Pt	18	5	00496131.013600	3	30	0	0	0	0	0	4	0	N/A	0	34
14	*	13303938	Red Dot Builders Inc	10-Jan-14	03:15 PM	Largo	Port Largo 3rd Add.	261		00453473.000400	3	30	0	0	0	0	0	4	0	N/A	0	34
15	*	10307629	Escobar, David	22-Mar-13	02:48 PM	Largo	Bowens Add. to Riviera Village	1 & 2	6	00511990.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	24
16		13302093	BSM Securities	3-Oct-13	9:40 AM	Largo	Bowens Add. Riviera Village	4	11	00512720.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	24
17		13303534	ABIT Holdings	21-Nov-13	08:30 AM	Largo	Largo Sound Village	16	7	00475310.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	24
18		12304594	Hartman, Wesley	4-Dec-13	02:00 PM	Largo	Parcel A (Pt Lt 10)		00090270.000300	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24
19		13304239	BSM Securities LLC	30-Dec-13	08:40 AM	Largo	Bowens Add. Riviera Village	3	11	00512720.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	24
20		05305610	Nannini, Steven	13-Feb-06	11:25 AM	Largo	Gulfstream Shores	7	5	00565390.000000	1	10	N/A	N/A	0	0	0	4	1	6	0	20
21		11306042	Capobianco, Blaine	12-Oct-12	11:05 AM	Largo	Largo Gardens	2	17	00458730.000000	1	10	N/A	N/A	0	0	0	4	1	N/A	0	15
22		13300305	Ginjauma, Jesus	28-Mar-13	10:30 AM	Largo	Harris Ocean Park Est. 1st Add.	11	9	00450180.000000	1	10	0	0	0	0	0	4	0	N/A	0	14
23		10303865	Dietrich, Susanne	13-Apr-12	03:05 PM	Largo	Ocean Reef Shores	113		00569041.010000	1	10	N/A	N/A	0	0	0	0	1	N/A	0	11

* Indicates a ranking sufficient to receive an allocation award.

@ Indicates a ranking subject to additional reviews and approvals.

Point evaluation criteria pursuant to Monroe County Code Section 138.28.

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.

Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

M Indicates additional issues to be monitored and addressed prior to permit issuance.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS (ADMINISTRATIVE RELIEF) - YEAR 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY 13, 2014)**

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/A WT	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
MARKET RATE DWELLING UNITS											-3	-5	4	6	-4	4	1	2	up to 2	Total			
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to additional reviews and approvals. Point evaluation criteria pursuant to Monroe County Code Section 138.28. 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. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p> <p>The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY 13, 2014)**

Date and Time of Application											Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/AWT	First Four Years	Each Add. Years Sec.	Payment to Acq. Fund	Total	
Rank	Permit #	Name	Date	Time	Key	Subdivision	Lot	Block	RE#															
AFFORDABLE DWELLING UNITS																								
Very Low, Low, Median Income																								
No applicants under Very Low, Low, Median Income																								
AFFORDABLE DWELLING UNITS																								
Moderate Income																								
1	*DO 09300181	Marlin Investments LLC	10-Jan-14	01:34 PM	Largo	Twin Lakes 3	11		00549430.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	N/A	24		
2	*DO 09300182	Marlin Investments LLC	10-Jan-14	01:36 PM	Largo	Twin Lakes 3	11		00549430.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	N/A	24		
3	*DO 09300183	Marlin Investments LLC	10-Jan-14	01:35 PM	Largo	Twin Lakes 3	11		00549430.000000	3-A	20	0	0	0	0	0	4	0	N/A	0	N/A	24		

* Indicates a ranking sufficient to receive an allocation award.
 *DO indicates project was accepted into ROGO based on DO 01-08. DO itself states that the application is compliant with the Comprehensive Plan, the Land Development Regulations, and the Principles for Guiding Development. The proposed site plan showed employee housing units on top of proposed commercial area was part of the review.
 @ Indicates a ranking subject to additional reviews and approvals.
 Point evaluation criteria pursuant to Monroe County Code Section 138.28.
 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.
 Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
BIG PINE KEY and NO NAME KEY - YEAR 22, QUARTER 2 (OCTOBER 16, 2013 TO JANUARY 13, 2014)**

Rank	Permit #	Name	Date	Time	Key	RE#	Date and Time of Application	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Located on No Name	Marsch Rabbit/ Buffer	Key Deer Corridor	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-	Payment to Acq. Fund	Mkt in Emp/ AFH projec	BAT/ AWT	Flood Zone 'v'	First Four Years	Each Add. Years Sec.	Total
MARKET RATE DWELLING UNITS																							
1	*D 96101461	Schleu, Vivienne	8-Jan-97	9:18 AM	No Name	00319494.000200		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
2	*D 96101460	Schleu, Vivienne	8-Jan-97	9:19 AM	No Name	00319494.000100		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
3	96101465	Schleu, Vivienne	8-Jan-97	9:20 AM	No Name	00319494.000600		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
4	96101467	Schleu, Vivienne	8-Jan-97	9:21 AM	No Name	00319494.000700		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
5	96101468	Schleu, Vivienne	8-Jan-97	9:22 AM	No Name	00319494.000800		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
6	96101471	Schleu, Vivienne	8-Jan-97	9:24 AM	No Name	00319494.001100		1	0	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	26	20
7	06104544	Cabassa, Edward	13-Oct-06	9:00 AM	Big Pine	00269070.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	20
8	06101005	Vasseur, Jorge	3-Nov-06	12:06 PM	Big Pine	00312572.002100		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	20
9	13103734	RKS Construction of the	24-Oct-13	3:03 PM	Big Pine	00247990.000000		3	20	0	0	0	0	0	0	0	0	0	0	0	0	N/A	20
10	13103839	Garcia, Pedro	30-Oct-13	3:25 PM	Big Pine	00248140.000000		3	20	0	0	0	0	0	0	0	0	0	0	0	0	N/A	20
11	06106156	Hahn, David	11-Jan-07	3:30 PM	Big Pine	00109350.000500		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
12	03105296	Hochstim, Jan	29-Mar-07	8:38 AM	Big Pine	00269910.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
13	06101001	Ojeda, Alex	31-May-07	11:38 AM	Big Pine	00312572.000300		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
14	c 07100485	Akins, John	12-Jun-07	10:00 AM	Big Pine	00310280.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
15	c 07100483	Akins, John	12-Jun-07	10:02 AM	Big Pine	00310260.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
16	c 07100479	Akins, John	12-Jun-07	10:04 AM	Big Pine	00310240.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
17	c 07100486	Akins, John	12-Jun-07	10:06 AM	Big Pine	00310220.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
18	07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	00269190.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
19	07102237	Akins, Candace	10-Sep-07	2:40 AM	Big Pine	00266360.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
20	07102238	Akins, Candace	10-Sep-07	2:45 AM	Big Pine	00271270.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
21	07103911	Shearin, Jerry	24-Oct-07	8:50 AM	Big Pine	00310490.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
22	06100507	Sampson, James	31-Jul-06	11:15 AM	Big Pine	00312571.000500		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	16
23	08101995	Perez, Orlando	24-Jul-08	9:47 AM	Big Pine	00312890.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
24	08102801	Bahn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	00311610.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
25	05100259	Vasquez, Jovan	10-Aug-09	8:55 AM	Big Pine	00312572.000600		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
26	09102047	Eline, William	9-Nov-09	1:34 PM	Big Pine	00271260.000000		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
27	10103101	Mackenzie, William	17-Sep-10	10:40 AM	Big Pine	00111880.000205		3	20	N/A	N/A	0	-10	0	0	0	0	0	0	0	3	N/A	13
28	05105438	Derovanesian, Jack	13-Jan-06	10:14 AM	Big Pine	00285660.000000		1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	8	12
29	05103835	Stevenson, W.P.	23-Sep-05	11:15 AM	Big Pine	00296960.000000		1	0	N/A	N/A	0	0	0	3	0	0	0	0	0	4	8	11
30	12100011	Peterson, Mark	9-Apr-12	12:37 PM	Big Pine	00312571.001500		2	10	N/A	N/A	0	0	0	0	0	0	0	0	0	1	N/A	11
31	05104831	Menge, Robert	20-Jan-06	11:00 AM	Big Pine	00295360.000000		1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	10
32	09102784	Pereira, Carlos	22-Oct-09	10:44 AM	Big Pine	00290190.000000		1	0	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	4

* Indicates a ranking sufficient to receive an allocation award which is subject to mitigation availability at the time of permitting.

*D Indicates a ranking deferred due to pending ongoing litigation with the County (see Galleon Bay v. Monroe County and State of Florida, Circuit Court Case NO. CA-K-02-595) and until ownership issues are resolved.

@ Indicates a ranking subject to Growth Management Division Director approval.

Point evaluation criteria pursuant to Monroe County Code Section 138.28.

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.

Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

c Indicates application received a scoring change pursuant to Board of County Commissioners Adm. Relief determination.

New development is subject to the Habitat Conservation Plan and Incidental Take Permit (ITP) TE083411-0.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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.



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: Cassi Scanlon, Planning Technician
Date: March 11, 2014
Subject: NROGO Year 22 Quarter 2 (October 16, 2013-January 13, 2014), Non-Residential Floor Area Evaluation Report

Meeting Date: March 26, 2014

1 I BACKGROUND:
2

3 Monroe County Code, Chapter 138, Article III (Sections 138-47 through 138-55) establishes the
4 Nonresidential Rate of Growth Ordinance (NROGO) and the procedure for allocating the non-
5 residential floor area.
6

7 On June 9, 2006, the Federal Fish and Wildlife Service Incidental Take Permit (ITP) #TE083411-0
8 was issued to 1) Monroe County, Growth Management Division, 2) Florida Department of
9 Transportation, and 3) Florida Department of Community Affairs for the Threatened and Endangered
10 Species Incidental Take Permit (ITP) since the permittees have defined the geographic area covered
11 by their Habitat Conservation Plan (HCP) on Big Pine/No Name Key. The ITP requires the
12 Permittees to ensure that the take of the covered species is minimized and mitigated. The Permittees
13 are responsible for meeting the terms and conditions of the ITP and implementing the HCP.
14

15 On March 15, 2006, the Board of County Commissioners adopted Ordinance 011-2006 to implement
16 the Tier System, and subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and
17 Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary,
18 Department of Community Affairs signed the final order (Final Order DCA07-GM166 for DOAH
19 Case No. 06-2449GM) deciding the challenge on September 26, 2007.
20

21 The Tier System made changes such as separate districts for allocation distribution, basis of scoring
22 applications, and administrative relief. The districts were: A) Lower/Upper Keys and B) Big
23 Pine/No Name Key for NROGO.
24

On September 21, 2012, the BOCC adopted Ordinance #021-2012, revising the NROGO allocation scoring system regarding land dedications and Tier III properties containing wetlands adjacent to Tier 1 properties. The ordinance became effective on December 31, 2012.

On April 17, 2013, the BOCC adopted Ordinance #019-2013, and Ordinance #020-2013, revising the NROGO allocation system. The ordinance became effective on July 13, 2013. The amendments adopted in April 2013, simplified the NROGO permit allocation system process by:

- allowing applicants to acquire NROGO awards in less time (up to 4 x a year vs. up to 2 x a year);
- increasing the maximum amount of de minimis expansion from 100 sq. ft. to 1,000 sq. ft. for new and existing nonresidential developments with an allocation awarded by building permit (no competition);
- commencing NROGO Year 22 (July 13, 2013), distributing the annual NROGO allocation proportionately to each of the three ROGO subareas: Upper (239 sq. ft. X 96 DU = 22,944 sq. ft.); Lower (239 sq. ft. X 91 DU = 21,749 sq. ft.); and Big Pine/No Name (239 sq. ft. X 10 DU = 2,390 sq. ft.);
- increasing the maximum amount of a NROGO allocation from 2,500 sq. ft. to 10,000 sq. ft. per allocation period; and
- creating NROGO bank accounts to establish a codified mechanism to allocate nonresidential floor area that went unused or unallocated in previous years or has been reclaimed.

II. AMOUNT OF FLOOR AREA AVAILABLE

Pursuant to Monroe County Code Section 138-53(e)(14), the Planning and Environmental Resources Department is providing a notification of the NROGO account balances. The balances are as follows:

NROGO YEAR 22 Balances for Quarter 2

NROGO Year 22	ANNUAL NROGO	NROGO BANK		
	Available Year 22 Annual Allocation Amount (Ord. 019-2013)	Year 22 (opening balance)	Year 21 Rollover	Available Year 22 Bank Total (SF available)
Big Pine Key and No Name Key subarea	1,379 SF (PC Reso. P30-13)	0 (Reso. 330-2012)	0	0
Upper Keys subarea (Ord. 019-2013 and Ord. 020-2013)	22,944 SF	200,221 SF	39,700 SF	220,438 SF *
Lower Keys subarea (Ord. 019-2013 and Ord. 020-2013)	19,149 SF (PC Reso. P30-13)	189,770 SF		207,208 SF *
Totals	43,472 SF	389,991 SF (Ord. 020-2013)	39,700 SF	427,646 SF

*The YR 22 Bank Totals includes 20,000 SF in reserves each for the Upper and Lower Keys (for a total of 40,000 SF in reserves). (Ord. 020-2013)

Please note, for the table above, square footage for de-minimis applications, which can be awarded through issuance of a building permit (no public hearing required) will be deducted from the annual NROGO allocation or the NROGO bank.

III. AMOUNT OF FLOOR AREA REQUESTED:

There are two applicants requesting commercial floor area for the Year 22 Quarter 2 allocation. There are two (2) applicants in the Upper Keys subarea, and there are no applicants in the Big Pine/No Name Key subarea or the Lower Keys subarea.

NROGO YEAR 22 ANNUAL SQUARE FOOTAGE			
	Lower Keys Subarea	Upper Keys Subarea	Big Pine/No Name Keys Subarea
Quarter 1: Square Feet Allocation Available	21,749 SF	22,944 SF	2,390 SF
Quarter 1: Square Feet Awarded	2,600 SF	0 SF	1,011SF
Quarter 2: Square Feet Allocation Available	19,149 SF	22,944 SF	1,379 SF
Quarter 2: Square Feet requested	0	3,300 SF	0
Square Feet to rollover to Quarter 3	19,149 SF	19,644 SF	1,379 SF
Applications to Rollover to Quarter 3 due to insufficient SF available	0	0	0

NROGO YEAR 22 BANK SQUARE FOOTAGE				
Lower Keys Subarea	Upper Keys Subarea	Big Pine/No Name Keys Subarea	Joint Account (end of Year 22)	Reserves*
209,088 SF*	220,603 SF*	0 SF	TBD	40,000 SF * (included in bank)*

*The YR 22 Bank Totals includes 20,000 SF in reserves each for the Upper and Lower Keys (for a total of 40,000 SF in reserves). (Ord. 020-2013)

IV. EVALUATION AND RANKING:

For the annual NROGO allocation, there were applicants in the Upper Keys subarea with requests within the SF available for the period (Quarter 2). There were no applicants in the Lower Keys subarea and no applicants in the Big Pine/No Name Key subarea for the quarter (Quarter 2). For the NROGO bank, there were no applicants for the quarter (Quarter 2).

1
2 Per Section 138-53 and 138-55 of the Monroe County Code, the rankings indicate which applications
3 receive an allocation award in relation to SF available (see Exhibit 1 through 3). The applicant's
4 score is broken down by scoring criteria (see Exhibit 1 through 3).
5

6 **V. RECOMMENDATION:**
7

8 Based on the preceding information, the Sr. Director Planning & Environmental Resources
9 recommends the following NROGO allocations of Year 22 Quarter 2 be awarded:
10

11 **NROGO YEAR 22 ANNUAL SQUARE FOOTAGE**

12 Lower Keys Subarea

- 13 • None

14 Upper Keys Subarea

- 15 • Permit number 13301577 for Mark Boalch, ranked number one (1), requesting a total of
16 2,500 square feet of floor area.
- 17 • Permit number 09300112 for Marlin Investments, LLC, ranked number two (2), requesting
18 a total of 800 square feet of floor area.

19 Big Pine Key and No Name Key Subarea

- 20 • None
21

22 **NROGO YEAR 22 BANK SQUARE FOOTAGE**

23 Lower Keys Subarea

- 24 • None

25 Upper Keys Subarea

- 26 • None

27 Big Pine Key and No Name Key Subarea

- 28 • None
29
30
31

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 UPPER KEYS SUBAREA YEAR 22 QUARTER 2 (OCTOBER 16, 2013-JANUARY 13, 2014))

EXHIBIT 1

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 50%	Wetlands: Tier III adj to Tier 1 with < 50%	Intensity Reduct.	Land 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 /AW T	Emp.	Payment fund	Overall Total Score	Key	Subdivision	Lot jck	RE No.	SF
1	No Applicants																										
2																											
3																											
4																											
5																											
6																											
																						Total Square Footage Requested			0		
																						Total Square Footage available for NROGO YEAR 22, Quarter 2, pursuant to Board of County Commissioners Ordinance 019-2013 and Planning Commission Resolution P30-13			19,149 SF		
																						Total Square Footage Remaining (rollover to Quarter 3)			19,149 SF		
* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to Growth Management Division Director approval. Point evaluation criteria pursuant to Monroe County Code Section 138.55. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013. The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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.																											

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 UPPER KEYS SUBAREA YEAR 22 QUARTER 2 (OCTOBER 16, 2013-JANUARY 13, 2014)

EXHIBIT 2

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 60%	Wetlands: Tier III adj to Tier 1 with < 60%	Intensity Reduct.	Land Ded.	Flood Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in buffer & parking	25% above native	landscapi ng water conservati on	25% Plants T/E	BAT/AWT	Emp.	Payment fund	Overall Total Score	Key	Subdivision	Lot	Block	RE No.	SF
1	13301577	Mark Boalch	6-Jan-14	12:30pm	III-A	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	Key Largo	Key Largo Park AMD	9	7	00524420-000000	2,500 SF
2	09300112	Marfin Investments, LLC	10-Jan-14	1:55pm	III-A SPA	10	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	12	Key Largo	Twin Lakes	11	3	00549430-000000	800 SF
3																												
4																												
5																												
6																												
																									Total Square Footage Requested		3,300 SF	
* Indicates a ranking sufficient to receive an allocation award. Ⓢ Indicates a ranking subject to Growth Management Division Director approval. Point evaluation criteria pursuant to Monroe County Code Section 138.55. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013. The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-10, 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.																									Total Square Footage available for NROGO YEAR 22, Quarter 2, pursuant to Board of County Commissioners Ordinance 019-2013 and Planning Commission Resolution P30-13		22,944 SF	
																									Total Square Footage Remaining (rollover to Quarter 3)		19,644 SF	

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 UPPER KEYS SUBAREA YEAR 22 QUARTER 2 (OCTOBER 16, 2013-JANUARY 13, 2014)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 50%	Wetlands: Tier III adj to Tier 1 with < 50%	Intensity Reduct.	Land 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/AWT	Emp.	Payment fund	Overall Total Score	Key	Subdivisor	Lot	Block	RE No.	SF
1	No Applicants																											
2																												
3																												
4																												
5																												
6																												
Total Square Footage Requested 0																												
Total Square Footage available for NROGO YEAR 22, Quarter 2, pursuant to Board of County Commissioners Ordinance 019-2013 and Planning Commission Resolution P30-13 1,379 SF																												
Total Square Footage Remaining (rollover to Quarter 3) 1,379 SF																												

* Indicates a ranking sufficient to receive an allocation award.
 Ⓢ Indicates a ranking subject to Growth Management Division Director approval.
 Point evaluation criteria pursuant to Monroe County Code Section 138.55.

Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending 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.



**Item #3 Bernstein Park-PC Variance
Staff Report**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources
From: Karl W. Bursa, Planner *KB*
Date: March 17, 2014
Subject: *Request for a Setback Variance for Bernstein Park located at 6751 5th Street, Stock Island, Real Estate No. 00127300.000000 (File #2014-030)*

I REQUEST:

The applicant is requesting approval of a variance of 40' from the required 50' non-shoreline setbacks. As a result, the non-shoreline setbacks would be 10'. The granting of this variance will provide the applicant with more land area to better facilitate the redevelopment of the park.



Subject Property with Land Use District Overlaid (Aerial dated 2012)

Location:

1 Address: 6751 5th Street, Stock Island, approximate mile marker 5 (Atlantic Ocean side
2 of US 1)

3
4 Legal Description: A parcel of land on Stock Island, Monroe County, Florida in Section
5 35, Township 67, Range 25 (a complete legal description in metes and bounds is
6 provided in the application/file)

7
8 Real Estate Number: 00127300.000000
9

10 Applicant:

11 Property Owner: Monroe County Board of County Commissioners

12 Agent: Barbara Mitchell
13
14
15

16 **II RELEVANT PRIOR COUNTY ACTIONS:**

17
18 None applicable.
19

20 **III BACKGROUND INFORMATION:**

21
22 A. Size of Site: 503,347 SF (11.55 acres) of total area and approximately 296,064 SF (6.79
23 acres) of upland area – based on Monroe County’s GIS database

24 B. Land Use District: Parks and Refuge (PR)

25 C. Future Land Use Map (FLUM) Designation: Recreation (R)

26 D. Tier Designation: Tier I

27 E. Existing Use: Park (Bernstein Park)

28 F. Existing Vegetation / Habitat: Portions of scarified upland abutting existing mangrove
29 fringes and salt ponds.

30 G. Community Character of Immediate Vicinity: Residential, Maritime Industry,
31 Commercial Retail, Light Industrial, Commercial Fishing

32 H. Flood Zone: AE-9 and AE-8
33

34 **IV REVIEW OF APPLICATION:**

35
36 As set forth in MCC §130-186, the required non-shoreline setbacks for development in the
37 PR district are as follows: Front yard – 50’; Rear yard – 50’; and Side yard – 50’.
38

39 The subject property is an existing park located on Stock Island abutting the 5th Street,
40 Shrimp Road, and 5th Avenue rights-of-way. The park is situated in an urban area
41 surrounded by residential neighborhoods to the north and west, a commercial/industrial area
42 to the east, and a large salt pond to the south. Due to the park’s unique urban setting, the
43 applicant is requesting a variance to setbacks on all four sides in order to facilitate
44 redevelopment of the park and benefit the community.
45

46 *Pursuant to MCC §102-186, a variance may only be granted if the applicant demonstrates*
47 *that all of the following standards are met:*
48

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

1
2 The property was zoned Mixed Use (MU) and Maritime Industry (MI) when it was first
3 developed as a park. The property was rezoned to Parks and Refuge (PR) in 2000. The
4 setbacks for Parks and Refuge are significantly more restrictive than the MU and MI land
5 use districts. The setbacks for the PR zoning were not designed with smaller urban parks
6 in mind. Given the size, location and dense development pattern surrounding the park, a
7 less restrictive setback would be more appropriate. Furthermore, if existing setbacks
8 were enforced as written, roughly 2.3 acres of the existing upland area would be rendered
9 unusable.

10
11 A variance is necessary for the property owner to redevelop the park and carry out
12 planned infrastructure improvements, which will benefit the community. The proposed
13 site plan and scale of the buildings is consistent with character of the community.
14 Therefore, the applicant demonstrates a showing of good and sufficient cause.

15
16 B. *Failure to grant the variance would result in exceptional hardship to the applicant:*

17
18 Prior to the rezoning to Parks and Refuge, the park had less restrictive setbacks. The
19 existing baseball field, walking path and most of the buildings on the western side of the
20 property do not meet the required setbacks. The Parks and Refuge setback requirements
21 prevent development of roughly 1/3 of the parks upland area (2.3 acres). These
22 requirements reduce the amount of public recreational space available in an urban area
23 where the space is already limited. Therefore, failure to grant the variance would result
24 in exceptional hardship to the applicant.

25
26 C. *Granting the variance will not result in increased public expenses, create a threat to*
27 *public health and safety, create a public nuisance, or cause fraud or victimization of the*
28 *public:*

29
30 Granting the variance will not result in increased public expenses, create a threat to
31 public health and safety, create a public nuisance, or cause fraud or victimization of the
32 public. Note: staff will review all comments from surrounding property owners
33 following notification of the application and valid objections from surrounding property
34 owners may lead the Planning and Environmental Resources Department to reevaluate its
35 recommendation.

36
37 D. *The property has unique or peculiar circumstances, which apply to this property, but*
38 *which do not apply to other properties in the same zoning district:*

39
40 The combination of the 50' front yard setback along the Shrimp Road right-of-way, the
41 50' rear yard setback along the 5th Street right-of-way, the 50' side yard setback
42 requirements create a uniqueness that exists on the applicant's property, but it is not
43 common with other lots in the PR district.

44
45 There are currently 23 parcels in Monroe County that have a zoning designation of Parks
46 and Refuge (PR) according to Monroe County GIS. The average size of these 23

1 properties is 26.8 acres. Bernstein Park has only 6.79 acres of upland putting it well
2 below the average size for a parcel in the PR zoning district.

3
4 Additionally, the dense, urban character of the neighborhood makes the parcel unique
5 among other parcels in the PR district. Parks such as Bay Point, Prado Circle Park and
6 Key Haven Park, while sharing the characteristic of being surrounded by development,
7 do not share the dense settlement pattern. These parks also do they serve as large of a
8 population as Bernstein Park does.

9
10 Therefore, staff has found that the property has a unique or peculiar circumstance for a
11 parcel in the PR district.

12
13 E. *Granting the variance will not give the applicant any special privilege denied other*
14 *properties in the immediate neighborhood in terms of the provisions of this chapter or*
15 *established development patterns:*

16
17 Staff could not find any record of any person in the immediate neighborhood requesting a
18 similar or comparable request. Therefore, granting the variance will not give the
19 applicant any special privilege denied other properties in the immediate neighborhood in
20 terms of the provisions of the land development regulations or established development
21 patterns.

22
23 F. *Granting the variance is not based on disabilities, handicaps or health of the applicant or*
24 *members of his family:*

25
26 Concerning the development requiring a variance, granting the variance would not be
27 based on disabilities, handicaps or health of the applicant or members of his family.

28
29 G. *Granting the variance is not based on the domestic difficulties of the applicant or his*
30 *family:*

31
32 Concerning the development requiring a variance, granting the variance would not be
33 based on the domestic difficulties of the applicant or its family.

34
35 H. *The variance is the minimum necessary to provide relief to the applicant:*

36
37 A variance of 40' from the required 50' non-shoreline setbacks would allow the proposed
38 redevelopment of the park. Therefore the variance is the minimum necessary to provide
39 relief to the Applicant.

40
41
42
43 **V RECOMMENDATION:**

44
45 Staff recommends approval of a variance of 40' from the required 50' non-shoreline
46 setbacks.

1
2
3
4
5

VI PLANS REVIEWED:

- A. Site Plan by William P. Horn, P.A., signed and sealed March 4, 2014
- B. Boundary Survey by Island Surveying, Inc., signed and sealed March 3, 2014

Item #3 Bernstein Park-PC Variance
File

File #: **2014-030**

Owner's Name: BOCC of Monroe County

Applicant: Bernstein Park

Agent: Barbara Mitchell

Type of Application: Variance - PC

Key: Stock Island

RE: 00127300-000000

Additional Information added to File 2014-030

County of Monroe
Growth Management Division

Office of the Director
2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
Fax: (305) 289-2854



Board of County Commissioners

Mayor Sylvia Murphy, Dist. 5
Mayor Pro Tem Danny L. Kolhage, Dist. 1
Heather Carruthers, Dist. 3
David Rice, Dist. 4
George Neugent, Dist. 2

We strive to be caring, professional, and fair.

Date: 3.05.14
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Variance - PC
Type of application

Bernstein Park to the Monroe County Planning Department.
Project / Name

Thank you.

Planning Staff

MCPA GIS Public Portal
 Scott P. Russell, CFA

- **Pan**
- [Legend](#)
- **Zoom In**

MCPA GIS Public Portal
 Major Roads

Zoom Out

Monroe Outline
 Address

Subdivisions
 Find

Section Lines
 SECTION TEXT

Identify

Parcels
 Buffer

Shoreline
Measure

Lot Lines
Print

Hooks Leads
[Help](#)
 Click on our [Getting Started](#) tutorial!

- 2013 Condo
- Expand All
- 2012 Condo
 - MCPA GIS Public Portal
 - Monroe Overlay
- 2011 Condo
 - Subdivisions
 - Section Lines
- 2010 Condo
 - Parcels
 - Shoreline
 - Lot Lines
- 2009 Condo
 - Hooks Leads
 - Easements
- 2008 Condo
 - Text Displays
 - Condo Sales
 - Sales
- 2013 Sales
 - Transportation

2012 Sales

2011 Sales

2010 Sales

2009 Sales

2008 Sales

Road Centerline

Road Block Name

Right of Way

Zoom-in Zoom-in to a defined extent...
 Zoom-out Zoom-out to a defined extent...
 Full Extent Zoom to the full extent tool was clicked!
 Address: 34.5375396, longitude: -81.844916 Clear

Basemap Select a basemap by 300 feet Buffer Remove buffer graphic Clear

OBJECTID	ID	RECHAR	GEO_FEAT	NAL	PARCEL NO	NAME
53091	131180.000138	00131180-000138	123501	3567 25	00131180000138	STOKES ANNE
22202	122000	00122000-000000	12300	2667 06	00122000000000	PERMITS/REGISTRATION

Verified GC

✓ AGIN LINDA
1520 CATHERINE ST
KEY WEST, FL 33040-3530

✓ ALFARO CARIDAD
46D 11TH AVE
KEY WEST, FL 33040-5869

✓ ALLEN EMERSON E
23 6TH AVE
KEY WEST, FL 33040-5860

✓ ALVARAO-VAZQUEZ EDGARDO
PO BOX 549
KEY WEST, FL 33041-0549

✓ ARENCIBIA FRANCISCO AND MERCEDES
24E 11TH AVE
KEY WEST, FL 33040-5870

✓ ARNOLD JEFFREY W
5430 ROBYN LN
KEY WEST, FL 33040-6043

✓ ASHE REBEKAH G
918 KENNEDY DR
KEY WEST, FL 33040-4017

✓ B23 EIGHTH AVENUE LLC
1101 17TH ST
KEY WEST, FL 33040

✓ BAUCOM PROPERTY HOLDINGS 2 LLC
261 GOLF CLUB DR
KEY WEST, FL 33040

✓ BERNSTEIN ROGER T/C
P O BOX 2455
KEY WEST, FL 33045-2455

✓ BERNSTEIN JORDAN M
PO BOX 2455
KEY WEST, FL 33045-2455

✓ BERULDSEN DIANE
25A 7TH AVE
KEY WEST, FL 33040-5862

BLANCO AMADA AVILA
5406 3RD AVE
KEY WEST, FL 33040

✓ BLANCO GERARDO
B-49 9TH AVE
KEY WEST, FL 33040

✓ BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY
500 WHITEHEAD ST
KEY WEST, FL 33040-6581

✓ BOZA MARY J
46C 10TH AVE
KEY WEST, FL 33040-5867

✓ BRANDT DOLORES ARLINE ESTATE C/O DUCHARME
DEBORAH ANNE P/R
32 HI MOUNT DR
NORTH YORK, ONTARIO M2K 1X5
CANADA

✓ BROGLI ALBERTA
2811 SEIDENBERG AVE
KEY WEST, FL 33040-4051

✓ BROGLI ALBERTA A
2812 SEIDENBERG AVE
KEY WEST, FL 33040

✓ BROGLI KENNETH E JR
5442 FIFTH AVE
KEY WEST, FL 33040

✓ BROWN JAMES F
272 W KEY PALM RD
BOCA RATON, FL 33432

✓ BRUEIN DONTA AND Omayra
PO BOX 651
KEY WEST, FL 33041

✓ BRUGMAN EDWARD H AND MILDRED G
721 SOUTH ST
KEY WEST, FL 33040-4754

✓ CABRERA BERTA
50D 11TH AVE
KEY WEST, FL 33040-5869

✓ CABRERA LEONARDO
49D 11TH AVE
KEY WEST, FL 33040-5869

✓ CERVANTES DEBRA A
46 7TH AVE
KEY WEST, FL 33040-5816

✓ CHURCH ALAN R AND CINDY V
44 7TH AVE
KEY WEST, FL 33040-5816

✓ CONSTELLATION YACHTS INC
6811 SHRIMP RD
KEY WEST, FL 33040

✓ COUNTY OF MONROE C/O PARK VILLAGE
HOMEOWNERS ASSOC INC
201 FRONT ST STE 110
KEY WEST, FL 33040-8346

✓ COWLES CHRIS AND MELODY
136 WASHINGTON AVE
NEW ROCHELLE, NY 10801-6250

✓ DAEFFLER DENNIS K AND JANICE D 46-B NINTH AVENUE KEY WEST, FL 33040	✓ DIEZEL MICHAEL 5427 ROBYN LN KEY WEST, FL 33040-6043	DOG TRACK PARCELS CONDOMINIUM
✓ DOT STATE OF FLORIDA 605 SUWANNEE ST TALLAHASSEE, FL 32399-0450	✓ DURAN GHEOFRE AND MILAGROS 5402 3RD AVE KEY WEST, FL 33040	✓ DURAN WILLIAM 1209 19TH TER KEY WEST, FL 33040-4544
✓ FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O SHAPIRO FISHMAN AND GACHE LLP 2424 N FEDERAL HWY STE 360 BOCA RATON, FL 33431-7701	✓ FIEDLER BRUCE A-22 7TH AVE KEY WEST, FL 33040	✓ FLUKER JEFFREY W 5414 3RD AVE KEY WEST, FL 33040-6030
✓ G AND M REAL ESTATE L L C PO BOX 491616 LEESBURG, FL 34749-1616	✓ GALVAN JORGE E AND RAQUEL 2603 HARRIS AVE KEY WEST, FL 33040-3944	✓ GARCIA JUAN CARLOS AND MIRIAM 5441 5TH AVE KEY WEST, FL 33040
✓ GARCIA TAMMY L 47A 8TH AVE KEY WEST, FL 33040-5863	✓ GEREZ BERCHAM III 41 7TH AVE KEY WEST, FL 33040-5816	✓ GILLIS LILIAS M D 45 11TH AVE KEY WEST, FL 33040
✓ GOMEZ DANIEL L 47 7TH AVE KEY WEST, FL 33040-5816	✓ GONZALEZ DORA 5426 ROBYN LN KEY WEST, FL 33040-6043	✓ GOURGUE JEAN L D-47TH ELEVENTH AVE KEY WEST, FL 33040
✓ HARBOR BAY INVESTMENTS LLC 5510 3RD AVE KEY WEST, FL 33040	✓ HERNANDEZ CARMEN PO BOX 5168 KEY WEST, FL 33045-5168	✓ HERNANDEZ ROBERT C-50 10TH AVE KEY WEST, FL 33040
✓ HERNANDEZ ROMEO 48D 11TH AVE KEY WEST, FL 33040-5869	✓ HERRERA JOSE M A49 8TH AVE KEY WEST, FL 33040	✓ HINDSLEY LINDA 5431 ROBYN LN KEY WEST, FL 33040
✓ JACKSON DESHAWN C 50 7TH AVE KEY WEST, FL 33040-5816	✓ JOHNSON BRENDA L AND LEONARD A 29 6TH AVE KEY WEST, FL 33040	✓ JOSEPH ALEUS AND PHILOSANE J 5440 5TH AVE KEY WEST, FL 33040
✓ JULIAN KENNETH F 5410 3RD AVE KEY WEST, FL 33040-6030	✓ K W RESORT UTILITIES CORP PO BOX 2125 KEY WEST, FL 33045	✓ KAHLEY DANIEL V AND BRENDA 42 7TH AVE KEY WEST, FL 33040-5816

✓ KEY COW LLC
PO BOX 169
KEY WEST, FL 33041-0169

✓ KIDWELL DAVID L
P O BOX 2548
KEY WEST, FL 33040

✓ LAND TRUST NO 62108 06/02/08 C/O
BURNS NOEL W TRUSTEE
9400 S DADELAND BLVD PH 5
MIAMI, FL 33156-2841

✓ LEESON DAVID M
PO BOX 2371
KEY WEST, FL 33040

✓ LEGGETT FRANK R
E-20 11TH AVE
KEY WEST, FL 33040

✓ LEGGETT JOAN A TRUSTEE L/E C/O
ALLEN KIRKWOOD B
25 6TH AVE
KEY WEST, FL 33040-5860

✓ LEWIS JOHN C
48A 8TH AVE
KEY WEST, FL 33040

✓ LONGSTOCK II LLC
7009 SHRIMP RD STE 2
KEY WEST, FL 33040-6067

✓ MALBY ROBERT W
2724 NW 58TH BLVD
GAINESVILLE, FL 32606

✓ MARTINEZ MODESTO AND MARIA E
5439 5TH AVE
KEY WEST, FL 33040

✓ MARTINEZ REYNALDO A
1107 KEY PLAZA BOX 82
KEY WEST, FL 33040

✓ MATHEWS DEVELOPMENT COMPANY INC
3320 W HIGHWAY 30-A
SANTA ROSA BEACH, FL 32459

✓ MCQUAIG HELEN
1330 W 4TH ST
FREEPORT, TX 77541-5306

✓ MERIDIAN WEST LTD
2937 SW 27TH AVESTE 303
MIAMI, FL 33133

✓ MORALES JOSE O
PO BOX 2825
KEY WEST, FL 33045-2825

✓ MORALES ANTHONY J
5419 ROBYN LN
KEY WEST, FL 33040-6043

✓ MORALES CARIDAD
C-46 10TH AVE
KEY WEST, FL 33040

✓ MORALES FRANCISCO AND MIRTA
1715 ALAMEDA DR
SPRING HILL, FL 34609-4806

✓ MORALES MADELINE M
5437 5TH AVE
KEY WEST, FL 33040-6039

✓ NAJD AKRAM
PO BOX 1864
KEY WEST, FL 33041-1864

✓ NILES LEONORA
5411 3RD AVE
KEY WEST, FL 33040-6030

✓ OLDHAM REJANE
46E 12TH AVE
KEY WEST, FL 33040

✓ OVIEDO MARY MELINDA
5412 3RD AVE
KEY WEST, FL 33040-6030

✓ OWENS VAN L
49 7TH AVE
KEY WEST, FL 33040-5816

✓ PAZARA TERESA EBELING
48E 12TH AVE
KEY WEST, FL 33040-5871

✓ PEREZ MARIO AND MARGARET
404 BALIDO ST
KEY WEST, FL 33040-5702

✓ PIERRE INNOCENT
5422 ROBYN LN
KEY WEST, FL 33040

✓ PIERRE JEAN JONAS AND BERNARD
E-22 ELEVENTH AVENUE
KEY WEST, FL 33040

✓ PRESTON ERNEST T
5420 ROBYN LN
KEY WEST, FL 33040-6043

✓ RADEMAKER LIVING TRUST 8/14/2001 C/O
RADEMAKER THOMAS JOSEPH TRUSTEE
27 6TH AVE
KEY WEST, FL 33040

Verified GC pg 3 of 5

✓ RAMIREZ JOSE
5404 3RD AVE
KEY WEST, FL 33040

✓ RIEGELMAN WANDA
5405 3RD AVE
KEY WEST, FL 33040-6030

✓ RITLOP JOHN STEVE
20C 9TH AVE
KEY WEST, FL 33040-5866

✓ RIVERA ROLANDO AND LOURDES
5407 3RD AVE
KEY WEST, FL 33040-6030

✓ RIVIERA DRIVE IN THEATRE INC
PO BOX 2455
KEY WEST, FL 33040

✓ RIVIERA ENTERPRISES INC C/O BOZA
MARY J
46C 10TH AVE
KEY WEST, FL 33040-5867

✓ ROBERTS CHARLES F
5585 2ND AVE
KEY WEST, FL 33040-5932

✓ ROBERTSON DOLORES L
23E 11TH AVE
KEY WEST, FL 33040

✓ RODRIGUEZ ADRIAN C/O ANDINO
LISSETTE
45 BAY DR
KEY WEST, FL 33040

✓ RODRIGUEZ ROBERTO
46A 8TH AVE
KEY WEST, FL 33040-5863

✓ RUSTY ANCHOR PROPERTIES OF KEY
WEST LLC
5510 THIRD AVE
KEY WEST, FL 33040

✓ SAFE HARBOR ENTERPRISES INC
P O BOX 2455
KEY WEST, FL 33040

✓ SANCHEZ STEVEN C T/C
5413 3RD AVE
KEY WEST, FL 33040-6030

✓ SEAVIEW RENTALS LLC
PO BOX 2554
KEY WEST, FL 33045-2554

✓ SHINE DEREK LANG SR AND TAMMY
24C 9TH AVE
KEY WEST, FL 33040-5866

✓ SILVERKING RENTAL PROPERTIES LLC
5510 3RD AVE
KEY WEST, FL 33040-6032

✓ SNEED ROBERT BUSH JR
12 DRIFTWOOD DR
KEY WEST, FL 33040

✓ SOUTHERN STAR OF KEY WEST INC ALL
ANMAL CLINIC
5450 MACDONALD AVE STE 13
KEY WEST, FL 33040-5906

✓ STOKES ANNE
48 7TH AVE
KEY WEST, FL 33040-5816

✓ SUAREZ ALICIA
5429 4TH AVE
KEY WEST, FL 33040

✓ TORRES MIRTA
E25 11TH AVE
KEY WEST, FL 33040

✓ TUCKER WENDY R
2308 SEIDENBERG AVE
KEY WEST, FL 33040-3853

✓ VAUGHN RICHARD GLENN AND CARRIE
LYNNE
45B NINTH AVENUE STOCK ISLAND
KEY WEST, FL 33040

✓ VELAZQUEZ NANCY
5408 3RD AVE
KEY WEST, FL 33040

✓ VELOSO DOMINGO J DEC TR 11/12/1997
17042 STARFISH LN W
SUMMERLAND KEY, FL 33042-3621

✓ VICTORIA MARCIANA LAQUINDANUM
7985 LITTLE MILL RD
CUMMING, GA 30041-4168

✓ WEECH PATRICIA JOYCE
5423 4TH AVE
KEY WEST, FL 33040-6043

✓ WHITE TIMOTHY K AND ALLISON B
43 7TH AVE
KEY WEST, FL 33040-5816

✓ WILBUR WRIGHT 725 LLC
1331 DUNCAN ST
KEY WEST, FL 33040-3446

✓ WOODS ALLISON J
5425 ROBYN LN
KEY WEST, FL 33040-6043

✓ YARBROUGH MEGAN L
49C 10TH AVE
KEY WEST, FL 33040-5867

✓ YARBROUGH THOMAS J
1624 JOSEPHINE ST
KEY WEST, FL 33040

End of Additional File 2014-030

SENT VIA: Overnight Mail & Electronic Mail

Mitchell Planning and Design, Inc.

15450 SE 103rd Place Road

Ocklawaha, Florida 32179

352.288.0401

mitchellplanningdesign@gmail.com

March 4, 2014

Mr. Joe Haberman, AICP
Planning And Development Review Manager
Monroe County Planning and Environmental Resources Department
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Re: Bernstein Park Application for Setback Variance

Dear Joe,

On behalf of Bernstein Park and the Monroe County Engineering Department, I am happy to submit the enclosed application for a variance to Section 130-186, Minimum Yards, of the Monroe County Land Development Regulations. A Master Plan for the Park is in development to address several issues such as the regular flooding that occurs at the park due to the low elevation. Furthermore, the park seeks to better organize and enhance the athletic activities that occur at the park.

In order to maximize this County asset, we are seeking a setback variance from the Code standard of 50' to provide for a setback of 10'. The enclosed application discusses our rationale and reasoning for this request. As required by the Application, you will find the following information:

- Completed Application Form
- Narrative Response
- Existing Conditions Photographs
- Warranty Deed
- Agent Authorization Form
- Monroe County Property Record Card
- Property Appraiser 300' Radius Map
- Property Appraiser Radius Report
- One Set of Mailing Labels (and copy of mailing labels)

It is my understanding a Cross Audit Charge Slip has been submitted for payment of the application fees. The Site Plans and Survey will be sent from the Engineering Department via the County courier. Please review and if you have any questions or need further information, please do not hesitate to contact me. If possible, we look forward to having the project reviewed by the Planning Commission at their March hearing.

Sincerely,


Barbara Mitchell

Cc: Kevin Wilson, PE & Johnnie Yongue – Monroe County Engineering Department
Bill Horn AIA – Project Architect

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



RECEIVED
MAR - 5 2014
 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: 3 / 4 / 2014
Month Day Year

Property Owner:

Bocc Monroe County
Name

500 Whitehead St Key West, FL 33040
Mailing Address (Street, City, State, Zip Code)

305-292-4560
Daytime Phone

wilson-kevin@monroecounty-fl.gov
Email Address

Agent (if applicable):

Barbara Mitchell
Name

dba Mitchell Planning & Design
 15450 SE 103rd Pl. Rd. 52179
 Oklawaha, FL
Mailing Address (Street, City, State, Zip Code)

305-509-0966
Daytime Phone

mitchellplanningdesign@gmail.com
Email Address

Legal Description of Property:

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

<u>See Attached</u>	<u>Maloney</u>	<u>Stock Island</u>	
<small>Block</small>	<small>Lot</small>	<small>Subdivision</small>	<small>Key</small>

<u>00127300-000000</u>	<u>1161519</u>
<small>Real Estate (RE) Number</small>	<small>Alternate Key Number</small>

<u>6751 5th St. South Stock Island</u>	<u>5 (MM)</u>
<small>Street Address (Street, City, State, Zip Code)</small>	<small>Approximate Mile Marker</small>

APPLICATION

Land Use District Designation(s):

Parks & Recreation

Present Land Use of the Property:

Park

Total Land Area: _____

Please provide the standard required

50' setback (all upland)

by the land development regulations:

(i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested:

10' setback (all upland)

(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.

PLEASE SEE ATTACHED.

1) The applicant shall demonstrate a showing of good and sufficient cause:

2) Failure to grant the variance would result in exceptional hardship to the applicant:

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:

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:

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:

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:

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); **-TRANSFER**
- 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;

APPLICATION

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

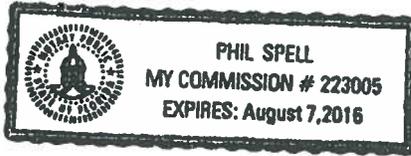
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)

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: Barbara Mitchell Date: 3.4.14

Sworn before me this 4th day of March 2014



Phil Spell
Notary Public
My Commission Expires
8-7-2016

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.

APPLICATION FOR SETBACK VARIANCE

BERNSTEIN PARK -- STOCK ISLAND

APPLICANTS RESPONSE

Legal Description of Property:

STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT LOT 1 & ALL 2-3 & 4 & PT 5 SQR 57 & BAY BTM S OF BLK 57 G54-384 OR2-55 OR380-381/382 OR384-1080/81 II DEED 24078 OR777-933E OR866- 2451/55E OR1230-1627/28 OR1230-1629/31 OR1230-1632/34/AFF RE 12385 & 12732-12735 COMBINED FOR ASSESSING PURPOSES 6-1-95

Street Address: 6751 5th St. South Stock Island, FL 33040

Land Use District Designations(s): PR (Parks and Recreation)

Present Land Use of the Property: Community Park, including active and passive recreation. Active recreation consists of a basketball court, baseball playing field and other sporting fields. Passive recreation includes observation areas for ponds and grassy areas commonly used by residents for picnics, social gatherings and relaxing.

Total Land Area: 11.53 Total Acres Consisting on 6.43 Acres Filled Upland and 5.10 Acres Submerged

Please provide the standard required by the land development regulations: The setbacks required by code for the PR zoning designation are 50' Front, 50' Side and 50' Rear.

Please provide that requested: The setbacks requested in this Zoning Variance Application are 10' front (along Shrimp Road), 10' Side (along Fifth Ave.), 20' Side (along the mangrove fringe and ponds pursuant to County Biologist conclusion) and 10' Rear (along Fifth St.).

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 catalyst for this variance application is the ongoing flooding issue that plagues this property. Bernstein Park continually experiences regular flooding during the rainy season, thus rendering the park un-usable by citizens for days after a flooding event. Once the Park is redeveloped with the base elevations raised by two feet it is anticipated that the flooding issues will be resolved. This should allow citizens to enjoy the park after a rain event throughout the year. Additionally, modernizing and reorganizing the playing fields and park in general will enhance the enjoyment of the facilities by citizens. The proposed redevelopment will not harm adjacent properties by redirecting storm water runoff towards those properties. Storm water will be contained within the site. Additionally, this redevelopment calls for supplementary parking spaces to be located on-site. Depending

upon the proposed plan implemented, up to 40 new spaces will be added. Please see attached proposed plans.

When originally developed in the early 1990's, the Park was zoned Mixed Use (MU) with less restrictive setbacks. Now the property is zoned as Parks and Recreation (PR), which call for more restrictive setbacks. In larger parks throughout the County of Monroe, this setback standard may be appropriate, however, for a smaller park location such as Stock Island (which is primarily built-out), this standard is inappropriate and counterproductive to the original intent of setback standards.

2) Failure to grant the variance would result in exceptional hardship to the applicant:

If the variance request is not granted, the park will need to be redeveloped with 50' setbacks in the front, sides and rear, thus reducing the amount of park space desperately needed in this area of the Keys and eliminating one or more playing field(s). Therefore, it seems unreasonable to develop the park under the existing bulk land use regulations of the PR zoning category for the proposed uses. This is one of the most important parks in the lower Keys. With Key West and Stock Island being built-out, and much of the remaining lower Keys designated as environmentally sensitive, Bernstein Park serves a strategic purpose for residents of the lower Keys and Key West.

3) Granting the variance will not result in increased public expense, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:

The granting of this variance does not place the burden upon the public, and actually increases the health and safety of the public by providing much-needed active and passive recreation for citizens. As both used and proposed, Bernstein Park provides opportunities for people of all ages to exercise. The proposed redevelopment will increase those options by providing for improved soccer/rugby fields, basketball court and softball/baseball fields. Additionally, the improved playground and new community building will feature restrooms and rest areas. Finally, the park will also include a nature trail through the mangrove and pond areas, thus providing opportunities for residents to appreciate the natural beauty of the lower Keys.

The granting of this variance will in no way create a public nuisance, nor will it cause fraud or victimization. Because of an updated drainage system for the property, the redevelopment will improve drainage for the Park as well as adjacent properties by directing runoff to the appropriate areas.

4) Property has unique or peculiar circumstances, which apply to the property, but which do not apply to other properties in the same zoning district:

The acute shortage of active and passive recreation facilities in the lower Keys lends credence to the fact that this property qualifies for a 'unique circumstance'. With most

variance applications, this question pertains more to the actual configuration or odd shape of a property, however, because of the uniqueness of a full urban park located in the heart of the lower Keys, this property qualifies for a unique circumstance.

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 actual uniqueness of Bernstein Park, providing for active and passive recreation in an urban setting solidifies the need for this variance because the park is so essential to the fabric of life for residents in the lower Keys. The uses adjacent to the Park are residential or commercial in nature and the required setbacks in those districts are consistent with the setbacks requested by this variance given the existing development patterns.

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

Granting of the variance is certainly not based upon disabilities, handicaps or health of the applicant. In fact, granting of this variance will help ensure that residents for generations to come will enjoy the health benefits of playing a game of baseball, soccer, or basketball, and will increase the health and wellness of the entire community. Access for individuals with disabilities will be improved as part of the redevelopment plan. Further, the passive recreational opportunities provided at Bernstein Park will help rejuvenate the spirit and soul, as the active recreation opportunities rejuvenate the body.

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

The owners of Bernstein Park are the citizens of Monroe County. Specific stakeholders in the Park include, but are not limited to, the Boys and Girls Club, the Board of Education, Key West Rugby, the Police Athletic League and neighborhood residents. There are no domestic difficulties of the stakeholders, and this application is not based on such argument.

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

Because of the unique, urban setting of the park and existing conditions, this variance application is for the minimum necessary to provide relief to the applicant. As stated earlier in this application, the major catalyst for this application is to relieve persistent and nuisance flooding at the Park. This will be accomplished by securing the property with a retaining wall thereby raising the base elevation by two feet within the entire park. This park is located in an urban area where undeveloped open space is non-existent. Therefore utilizing a County resource, such as Bernstein Park, to its maximum capacity is a significant benefit for the Stock Island community. This is best accomplished with the reduction in setbacks for the property as requested in this application. Please refer to the proposed plans, attached.

EXISTING CONDITIONS:



Existing Parking w/ access on to Fifth Street



View to the North with Shrimp Road on the right



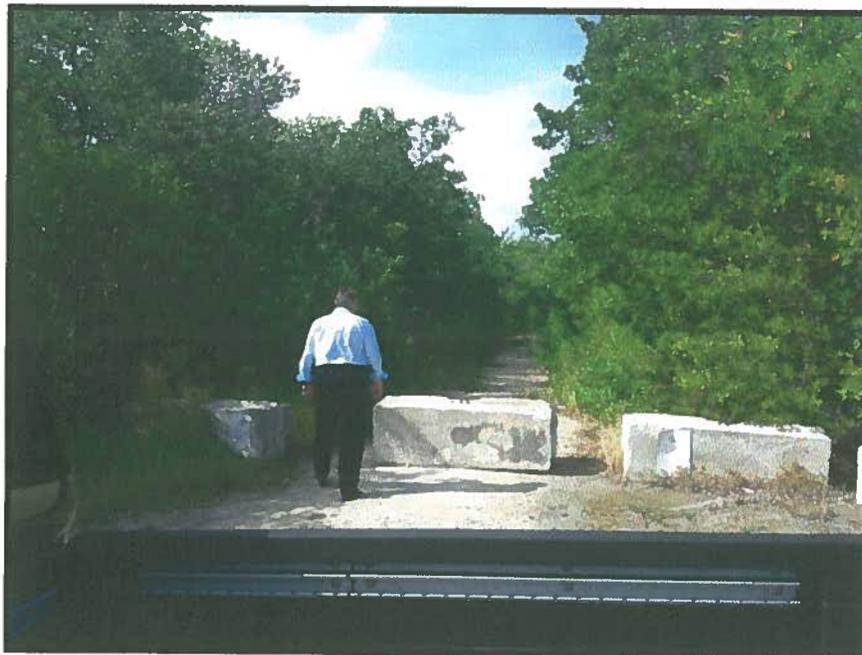
View to the South with Shrimp Road on the left



Adjacent Meridian West Apartments on Shrimp Road



Existing Parking Corner of Fifth Street and Fifth Avenue



Existing Path between Ponds

Return to:

WARRANTY DEED

755622

OFF REC 1230 PAGE 1627

Name:

Address:

This Instrument Prepared By:

Name: Roger M. Bernstein, Esq.

Address: 69 Merrick Way, Suite 201
Coral Gables, FL 33134

Property Appraisers Parcel
Identification (Folio) Number:

Grantee(s) S.S. #(s):

FILED FOR RECORD
92 OCT 19 P 4:06
DANNY L. KOLHAGE
CLK. CIR. CL.
MONROE COUNTY FLA.

THIS WARRANTY DEED, Made and executed this 30th day of SEPTEMBER, A.D., 1992 by RIVIERA ENTERPRISES, INC., f/k/a RIVIERA DRIVE-IN THEATRE, INC., a corporation existing under the laws of the State of Florida, and having its principal place of business at 3706-G No. Roosevelt Blvd., Perry's Plaza, Key West, Florida 33040, hereinafter called the grantor, to BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, whose post office address is: c/o Danny L. Kolhage, Clerk, Circuit Court, 500 Whitehead Street, Key West, Florida 33040

NE
62000

hereinafter called the grantees:

(Wherever used herein, the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

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, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Monroe County, State of Florida, viz:

Lots 1, 2, 3, 4 and 5, Block 57, "George L. McDonalds Plat of Part of Stock Island", less the Westerly eight feet (8') of Lot 1 and less the Easterly thirty feet (30) of Lot 5, according to the plat thereof as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

ALSO

A parcel of submerged land lying South of said Block 57, more particularly described as follows: Commencing at the Northwest corner of Lot 1, Block 57, Maloney's Plat of Stock Island, according to the plat thereof, as recorded in Public Records of Monroe County, Florida, in Plat Book 1, Page 55, run South along the Easterly right of way line of Fifth Street according to the aforementioned plat a distance of 200 feet, more or less to the shoreline; thence meander the shoreline in an Easterly direction 8 feet, more or less, to the Point of Beginning, said Point of Beginning being 8.00 feet Easterly of as measured at right angles to the Easterly Right of Way line of Fifth Street, according to the aforementioned record plat, if extended Southerly; thence run South along a line 8.00 feet distance from and parallel to the Easterly Right of Way line of Fifth Street, if extended, for a distance of 1160 feet more or less to a point; thence deflection 90 degrees to the left run 310.27 feet; thence deflection 83 degrees 56' to the left run Northeasterly along the Southwesterly extension of the Easterly line of Lot 5, Block 57 of the aforementioned plat of a distance of 1060 feet, more or less to the shoreline; thence meander the shoreline in a Westerly direction for a distance of 480 feet, more or less, back to the Point of Beginning less that portion sold to Stock Island Utility Company by Warranty Deed recorded in Official Records Book 866, Pages 2446-2450, of the Public Records of Monroe County, Florida.

DS Paid 43.00 Date 10-19-92
MONROE COUNTY
DANNY L. KOLHAGE, CLK. CIR. CL.
Kandis Madero

755622

OFF REC 1230 PAGE 1628

SUBJECT TO easements, restrictions, conditions, limitations and encumbrances of record, and subject to the rights of the public to use as a public beach or recreational area; subject to the rights of the United States Government and/or State of Florida in lands and/or waters which were formerly navigable waters; subject to House Bill No. 634, Chapter 70-231, relating to a set back line for coastal construction and excavation and providing for the granting of variances, for penalties and for an effective date.

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 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.

IN WITNESS WHEREOF, the said corporation 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.



Signed, sealed and delivered in the presence of:

RIVIERA ENTERPRISES, INC.

Dinos M. Pitts
Witness Signature

By: Miriam Bernstein
MIRIAM BERNSTEIN, President

Dinos M. Pitts
Print Name

Attest: Barbara S. O'Connell
BARBARA S. O'CONNELL, Secretary

Rose M. Bennett
Witness Signature

Rose M. Bennett
Print Name

STATE OF FLORIDA)
COUNTY OF MONROE) SS:

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared MIRIAM BERNSTEIN and BARBARA S. O'CONNELL, known to me to be the President and Secretary respectively of RIVIERA ENTERPRISES, INC., the corporation in whose name the foregoing instrument was executed, and that they severally acknowledged executing the same for such corporation, 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, that I relied upon the following forms of identification of the above-named persons: Florida driver's licenses and personally known to me, and that an oath was taken.

Witness my hand and official seal in the County and State last aforesaid this 30th day of September, 1992.

NOTARY PUBLIC, State of Florida

Dinos M. Pitts
SIGNATURE
Dinos M. Pitts
PRINT NAME



My Commission Expires:
My Commission Number:
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 23, 1994
BONDED THRU NICHOLSBERRY & ASSOCIATES

Recorded in Official Records Book
In Monroe County, Florida
Record No. 401
Dinos M. Pitts
(Notary Public)



SCOTT F. RUSSELL, CPA
Property Appraiser
Monroe County, Florida

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

Property Record Card -
Maps are now launching the new map application version.

Alternate Key: 1161519 Parcel ID: 00127300-000000

Ownership Details

Mailing Address:
 BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY
 500 WHITEHEAD ST
 KEY WEST, FL 33040-6581

Property Details

PC Code: 86 - COUNTIES OTHER THAN (PC/LIST)
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 6751 5TH ST SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT LOT 1 & ALL 2-3 & 4 & PT 5 SQR 57 & BAY BTM S OF BLK 57 G54-384 OR2-55 OR380-381/382 OR384-1080/81 II DEED 24078 OR777-933E OR866- 2451/55E OR1230-1627/28 OR1230-1629/31 OR1230-1632/34/AFF RE 12385 & 12732-12735 COMBINED FOR ASSESSING PURPOSES 6-1-95

Click Map Image to open interactive viewer



Exemptions

Exemption	Amount
14 - COUNTYLANDS	1,101,612.00

Land Details

Land Use Code	Frontage	Depth	Land Area
8600 - COUNTY	0	0	16,700.00 SF
8600 - COUNTY	0	0	20,000.00 SF
8600 - COUNTY	0	0	20,000.00 SF
8600 - COUNTY	0	0	20,500.00 SF

000X - ENVIRONMENTALLY SENS

0

0

5.48 AC

Building Summary

Number of Buildings: 2
 Number of Commercial Buildings: 1
 Total Living Area: 1432
 Year Built: 1995

Building 1 Details

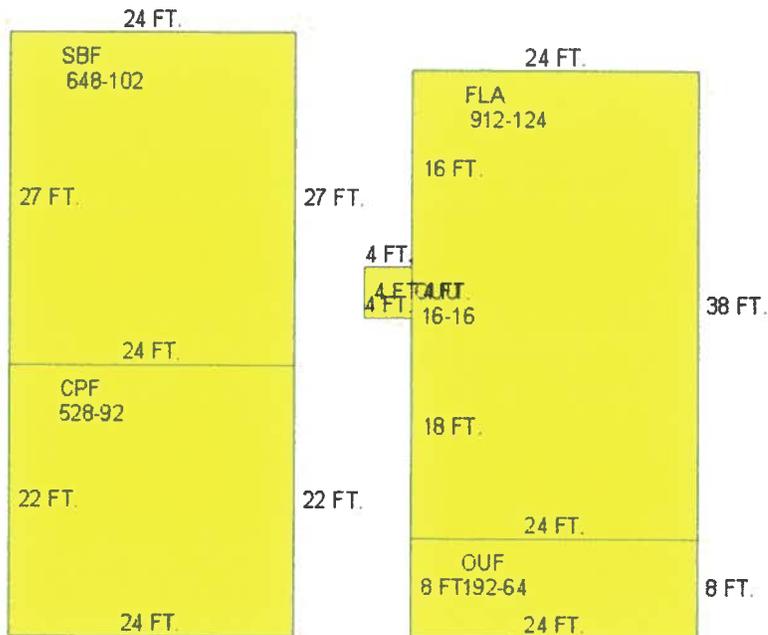
Building Type <u>R1</u>	Condition <u>G</u>	Quality Grade 400
Effective Age 10	Perimeter 124	Depreciation % 8
Year Built 1995	Special Arch 0	Grnd Floor Area 912
Functional Obs 0	Economic Obs 0	

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP	Roof Cover ASPHALT SHINGL	Foundation CONC PILINGS
Heat 1 NONE	Heat 2 NONE	Bedrooms 2
Heat Src 1 NONE	Heat Src 2 NONE	

Extra Features:

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	Garbage Disposal 0
4 Fix Bath 0	Compactor 0
5 Fix Bath 0	Security 0
6 Fix Bath 0	Intercom 0
7 Fix Bath 0	Fireplaces 0
Extra Fix 0	Dishwasher 0



Sections:

1	CPF	11:VINYL SIDING	1	1995	N	Y	0.00	0.00	528
2	SBF	11:VINYL SIDING	1	1995	N	Y	0.00	0.00	648
3	OUF	11:VINYL SIDING	1	1995	N	Y	0.00	0.00	192
4	FLA	11:VINYL SIDING	1	1995	N	Y	0.00	0.00	912
5	OUU	11:VINYL SIDING	1	1995	N	Y	0.00	0.00	16

Building 2 Details

Building Type
Effective Age 12
Year Built 1995
Functional Obs 0

Condition E
Perimeter 92
Special Arch 0
Economic Obs 0

Quality Grade 150
Depreciation % 15
Grnd Floor Area 520

Inclusions:

Roof Type
Heat 1
Heat Src 1

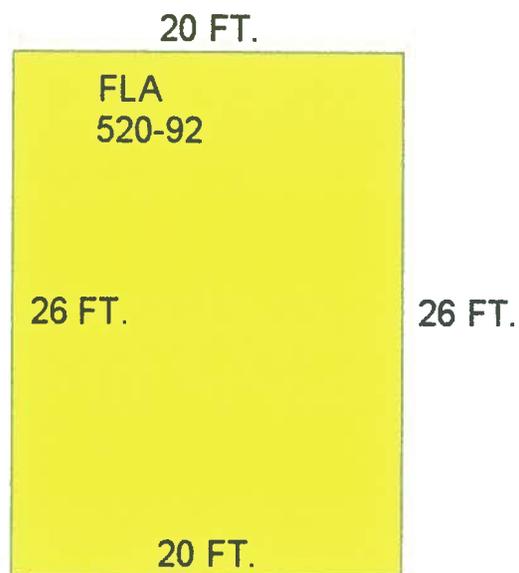
Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

2 Fix Bath 0
3 Fix Bath 0
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 12

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
-----	------	----------	-----------	------------	-----------	------------	---------------------	------

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10034	FORESTS/PARKS ETC-A-	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
3281	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	45 SF	0	0	1994	1995	2	50
2	CL2:CH LINK FENCE	850 SF	17	50	1993	1994	1	30
3	AP2:ASPHALT PAVING	35,380 SF	0	0	1994	1995	2	25
4	CL2:CH LINK FENCE	3,996 SF	999	4	1993	1994	1	30
5	CL2:CH LINK FENCE	404 SF	101	4	1993	1994	1	30

Appraiser Notes

BLDG TWO IS A PUBLIC RESTROOM. C.O. #95-0381, DATE ISSUE 01-96.

BERNSTEIN PARK

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	12103412	09/26/2012	11/08/2012	6,500	Commercial	NEW ADA PARKING SPOT WITH ACCESS LANES AND APPROPRIATE SIGNS
1	NA	08/01/1996	09/01/1996	100	Residential	NO/PERMIT
	96-399	08/01/1996	09/01/1996	1,000		ENCLOSURE
	95-0381	09/01/1995	12/01/1995	61,600		SFR
	94-0823	11/01/1994	09/01/1996	6,000,000		CONST.PUBLIC PARK

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
2013	141,542	32,209	3,975,065	4,148,816	1,001,466	4,148,816	0
2012	142,638	32,217	3,975,065	4,149,920	910,424	4,149,920	0
2011	143,093	32,500	3,975,065	4,150,658	827,659	4,150,658	0
2010	145,100	32,874	2,301,410	2,479,384	752,418	2,479,384	0

2008	148,202	39,100	500,923	688,225	688,225	688,225	0
2007	142,278	41,737	5,343,923	5,527,938	5,527,938	5,527,938	0
2006	139,895	44,821	4,883,548	5,068,264	5,068,264	5,068,264	0
2005	140,533	47,903	4,883,548	5,071,984	5,071,984	5,071,984	0
2004	131,611	51,068	1,641,298	1,823,977	1,823,977	1,823,977	0
2003	131,611	54,152	1,281,298	1,467,061	1,467,061	1,467,061	0
2002	87,406	57,236	1,281,298	1,425,940	1,425,940	1,425,940	0
2001	87,406	60,401	940,621	1,088,428	1,088,428	1,088,428	0
2000	87,406	35,226	940,621	1,063,253	1,063,253	1,063,253	0
1999	87,406	36,936	848,546	972,888	972,888	972,888	0
1998	77,056	38,694	848,546	964,296	964,296	964,296	0
1997	77,056	3,414	848,546	929,016	929,016	929,016	0
1996	66,626	3,527	848,546	918,699	918,699	918,699	0
1995	0	0	848,546	848,546	848,546	848,546	0
1994	0	0	88,510	88,510	88,510	88,510	0
1993	0	0	88,510	88,510	88,510	88,510	0
1992	0	0	34,870	34,870	34,870	0	34,870
1991	0	0	34,870	34,870	34,870	0	34,870
1990	0	0	34,870	34,870	34,870	0	34,870
1989	0	0	40,280	40,280	40,280	0	40,280
1988	0	0	40,280	40,280	40,280	0	40,280
1987	0	0	40,280	40,280	40,280	0	40,280
1986	0	0	25,175	25,175	25,175	0	25,175
1985	0	0	25,050	25,050	25,050	0	25,050
1984	0	0	25,050	25,050	25,050	0	25,050
1983	0	0	25,050	25,050	25,050	0	25,050
1982	0	0	13,120	13,120	13,120	0	13,120

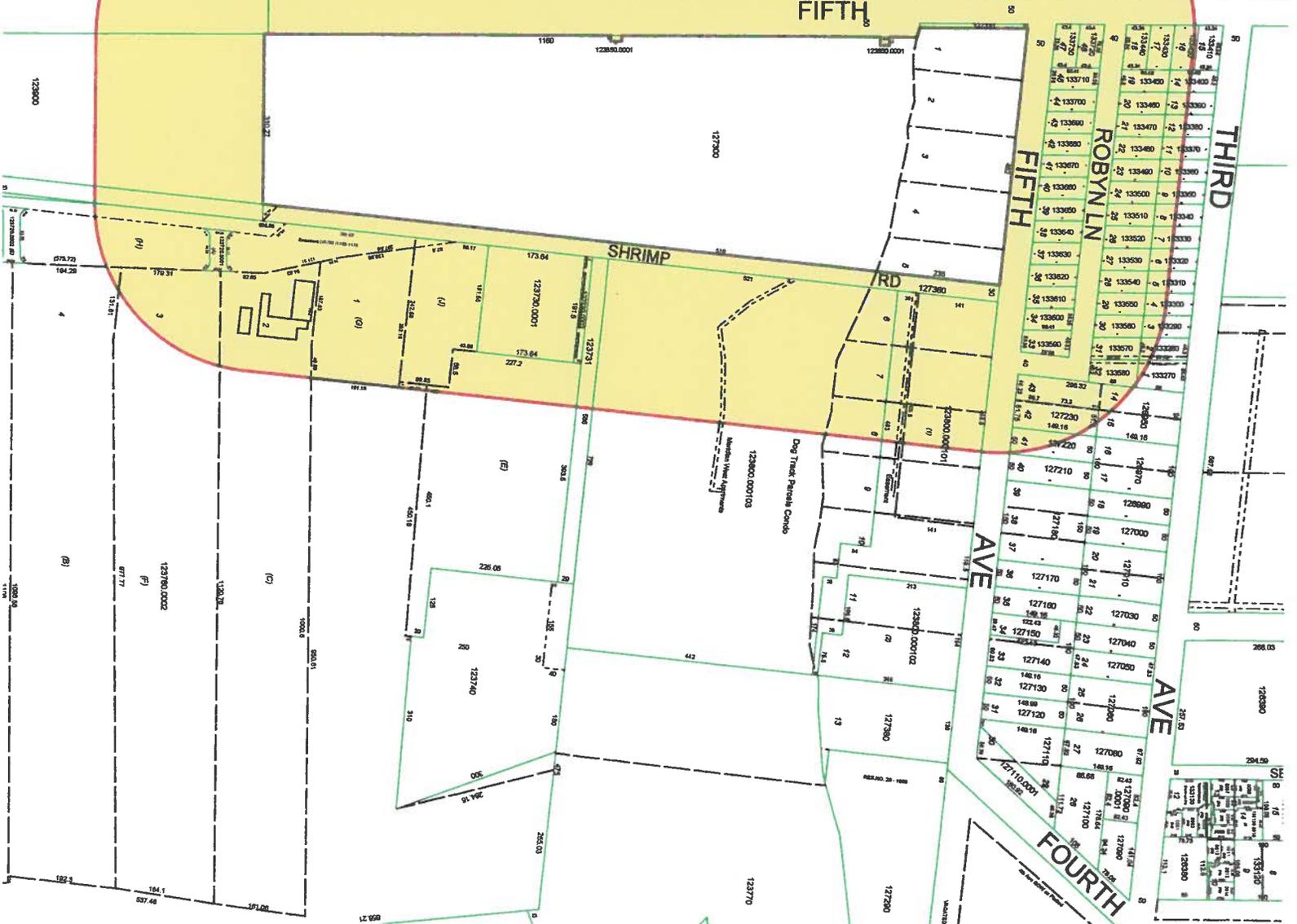
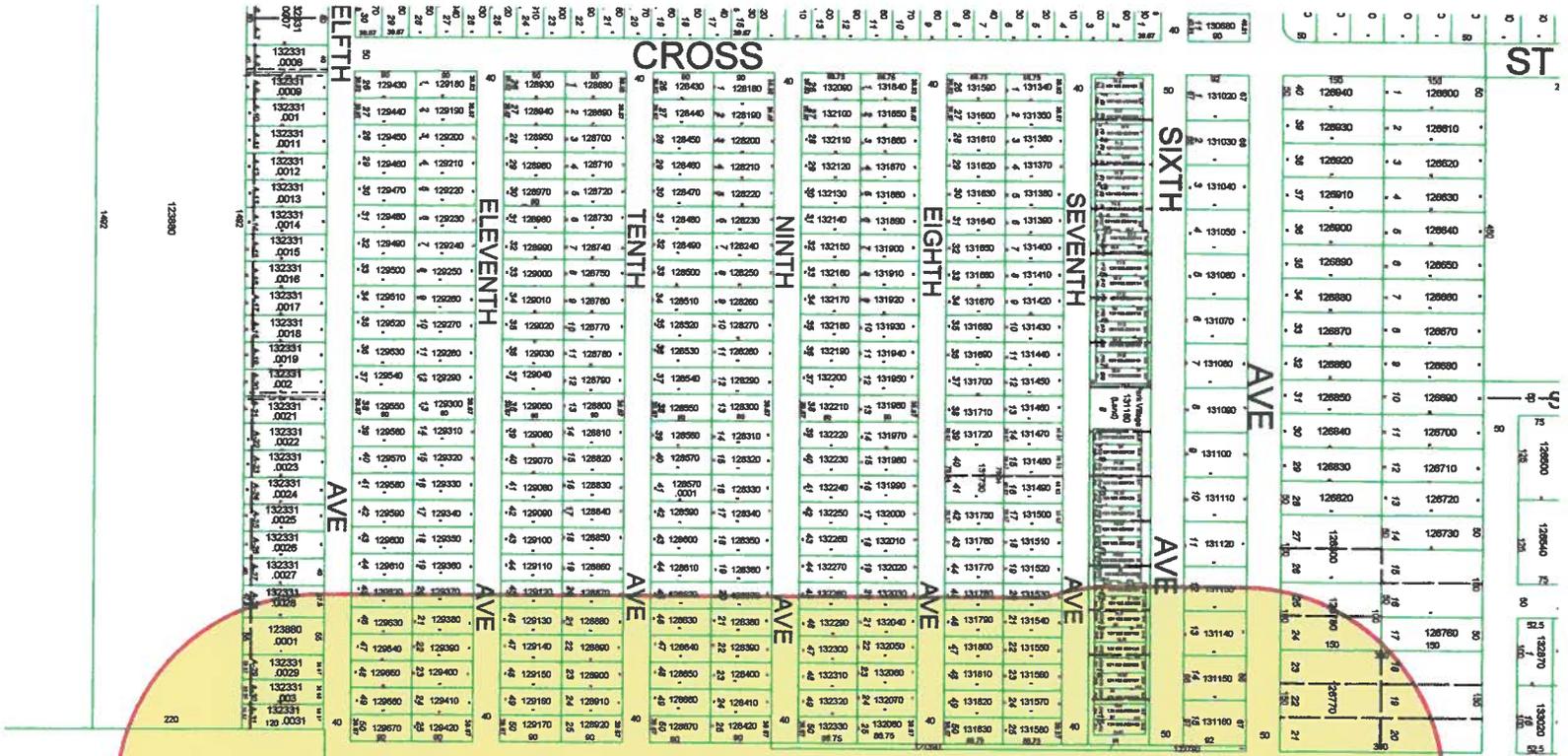
Parcel Sales History

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
9/1/1992	1230 / 1627	1	<u>WD</u>	<u>M</u>

This page has been visited 325,883 times.

Monroe County Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176



Monroe County Property Appraiser - Radius Report

AK: 9039152	Parcel ID: 00123800-000100	Physical Location 5550 5TH AVE	SOUTH STOCK ISLAND
Legal Description: DOG TRACK PARCELS CONDOMINIUM (F/K/A RE 123800 & 1 27370) OR1895-2018/19C OR1895-2039/2099DEC OF			
Owners Name: DOG TRACK PARCELS CONDOMINIUM			
Address:			
AK: 9039185	Parcel ID: 00123800-000103	Physical Location 6701 SHRIMP RD	SOUTH STOCK ISLAND
Legal Description: DOG TRACK PARCELS CONDOMINIUM PARCEL 3 /17 OR2028-1170/95(AGREE) OR2164-567/80(2ND A			
Owners Name: MERIDIAN WEST LTD			
Address: 2937 SW 27TH AVE STE 303 MIAMI FL 33133			
AK: 9039163	Parcel ID: 00123800-000101	Physical Location 5550 5TH AVE	SOUTH STOCK ISLAND
Legal Description: DOG TRACK PARCELS CONDOMINIUM PARCEL 1 580(2ND AMEND TO DECL) OR2308-417/18			
Owners Name: HARBOR BAY INVESTMENTS LLC			
Address: 5510 3RD AVE KEY WEST FL 33040			
AK: 1157899	Parcel ID: 00123760-000200	Physical Location 7009 SHRIMP ST	SOUTH STOCK ISLAND
Legal Description: 35 67 25 PT TRACT 1 - ALL TRACTS 2-3-4 AND PARCEL OF LAND AND BAY BTM LYING SOUTH OF AND			
Owners Name: LONGSTOCK II LLC			
Address: 7009 SHRIMP RD STE 2 KEY WEST FL 33040-6067			
AK: 1166782	Parcel ID: 00132331-002900	Physical Location A29 12TH AVE	SOUTH STOCK ISLAND
Legal Description: LT A-29 STUART SUBDIVISION STOCK ISLAND FL PB6-72 OR538-900D/C OR659-758-II OR749-109-110 OR202			
Owners Name: BERNSTEIN JORDAN M			
Address: PO BOX 2455 KEY WEST FL 33045-2455			
AK: 1166774	Parcel ID: 00132331-002800	Physical Location A28 12TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LTA-28 STUART SUBDIVISION STOCK ISLAND FL PB6-7 2 OR538-900D/C OR659-758/II OR749-109/110 OR13			
Owners Name: MATHEWS DEVELOPMENT COMPANY INC			
Address: 3320 W HIGHWAY 30-A SANTA ROSA BEACH FL 32459			
AK: 1165344	Parcel ID: 00131180-000000	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: PT LTS 1 THRU 15 BLK 2 AMENDED PLAT LINCOLN MANOR ESTATES PB5-62 (COMMON ELEMENTS IN PARK			
Owners Name: COUNTY OF MONROE C/O PARK VILLAGE HOMEOWNERS ASSOC			
Address: 201 FRONT ST STE 110 KEY WEST FL 33040-8346			
AK: 1163058	Parcel ID: 00128890-000000	Physical Location D22 10TH AVE	SOUTH STOCK ISLAND
Legal Description: BKD LT 22 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R659-757-II			
Owners Name: RIVIERA DRIVE IN THEATRE INC			
Address: PO BOX 2455 KEY WEST FL 33040			
AK: 1163082	Parcel ID: 00128920-000000	Physical Location D25 10TH AVE	SOUTH STOCK ISLAND
Legal Description: BK D LT 25 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND OR566-437 OR962-850 OR962-851 OR1766-1180 OR:			
Owners Name: SEAVIEW RENTALS LLC			
Address: PO BOX 2554 KEY WEST FL 33045-2554			
AK: 1166804	Parcel ID: 00132331-003100	Physical Location A31 12TH AVE	SOUTH STOCK ISLAND
Legal Description: LT A-31 STUART SUBDIVISION STOCK ISLAND FL PB6-72 OR538-900D/C OR659-758-II OR749-109-110 OR202			
Owners Name: BERNSTEIN JORDAN M			
Address: PO BOX 2455 KEY WEST FL 33045-2455			
AK: 1166791	Parcel ID: 00132331-003000	Physical Location A30 12TH AVE	SOUTH STOCK ISLAND
Legal Description: LT A-30 STUART SUBDIVISION STOCK ISLAND FL PB6-72 OR538-900D/C OR659-758-II OR749-109-110 OR202			
Owners Name: BERNSTEIN JORDAN M			
Address: PO BOX 2455 KEY WEST FL 33045-2455			

AK: 8575009 **Parcel ID:** 00123880-000100 **Physical Location** VACANT LAND SOUTH STOCK ISLAND
Legal Description: PARCEL OF LAND ADJ TO A-28 & A-29 OF STUART SUB PB 6-72 OR462-206/207 OR834-1192 OR1054-1149(VE) C
Owners Name: COWLES CHRIS AND MELODY
Address: 136 WASHINGTON AVE NEW ROCHELLE NY 10801-6250

AK: 1163333 **Parcel ID:** 00129170-000000 **Physical Location** D50 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 50 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R599-357 OR785-1942 OR790-400 OR1325-2175AFF
Owners Name: CABRERA BERTA
Address: 50D 11TH AVE KEY WEST FL 33040-5869

AK: 1163040 **Parcel ID:** 00128880-000000 **Physical Location** D21 10TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 21 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R590-576 OR754-1920 OR809-349 OR858-2353 OR10
Owners Name: FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O SHAPIRO FISHMAN AND GACHE LLP
Address: 2424 N FEDERAL HWY STE 360 BOCA RATON FL 33431-7701

AK: 1163066 **Parcel ID:** 00128900-000000 **Physical Location** D23 10TH AVE SOUTH STOCK ISLAND
Legal Description: BKD LT 23 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R659-757-II
Owners Name: RIVIERA DRIVE IN THEATRE INC
Address: PO BOX 2455 KEY WEST FL 33040

AK: 1163031 **Parcel ID:** 00128870-000000 **Physical Location** D20 10TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 20 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAN D OR598-378 OR976-982 OR1106-1730 OR1171-1762
Owners Name: AGIN LINDA
Address: 1520 CATHERINE ST KEY WEST FL 33040-3530

AK: 1158003 **Parcel ID:** 00123880-000000 **Physical Location** SUBMERGED LAND SOUTH STOCK ISLAND
Legal Description: 36-67-25 .31 AC FILLED UPLANE & 7.88 AC BAY BTM ADJ COW KEY OR362-242/243 OR386-145/149 OR538-9C
Owners Name: BERNSTEIN ROGER T/C
Address: P O BOX 2455 KEY WEST FL 33045-2455

AK: 1163830 **Parcel ID:** 00129670-000000 **Physical Location** E50 12TH AVE SOUTH STOCK ISLAND
Legal Description: BKE LT 50 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62-63-E OR590-70 OR797-1509
Owners Name: VICTORIA MARCIANA LAQUINDANUM
Address: 7985 LITTLE MILL RD CUMMING GA 30041-4168

AK: 1163821 **Parcel ID:** 00129660-000000 **Physical Location** E49 120TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 49 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R375-62-63-E OR633-469 OR1485-1889/90
Owners Name: VELOSO DOMINGO J DEC TR 11/12/1997
Address: 17042 STARFISH LN W SUMMERLAND KEY FL 33042-3621

AK: 1163791 **Parcel ID:** 00129630-000000 **Physical Location** E-46 12TH AVE SOUTH STOCK ISLAND
Legal Description: BKE LT 46 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62-63-E OR595-611 OR1031-647(JB) OR1184-1
Owners Name: OLDHAM REJANE
Address: 46E 12TH AVE KEY WEST FL 33040

AK: 9090283 **Parcel ID:** 00131180-000133 **Physical Location** 43 7TH AVE SOUTH STOCK ISLAND
Legal Description: UNIT 33 PARK VILLAGE HOMEOWNERS ASSOC NTEREST) OR2287-1748DEC OR2322-1324/28 OR2:
Owners Name: WHITE TIMOTHY K AND ALLISON B
Address: 43 7TH AVE KEY WEST FL 33040-5816

AK: 1167746 **Parcel ID:** 00133300-000000 **Physical Location** 5404 3RD AVE SOUTH STOCK ISLAND
Legal Description: BK LT 4 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR3 53-538/539 OR647-732/749 OR751-1008 PROBATE #
Owners Name: RAMIREZ JOSE
Address: 5404 3RD AVE KEY WEST FL 33040

AK: 1168157 **Parcel ID:** 00133710-000000 **Physical Location** 5445 5TH AVE SOUTH STOCK ISLAND
Legal Description: BK LT 45 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR754-1924 OR1078-1908(VC)
Owners Name: BROGLI KENNETH E AND ALBERTA
Address: 2811 SEIDENBERG AVE KEY WEST FL 33040-4051

AK: 1168114	Parcel ID: 00133670-000000	Physical Location 5441 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 41 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR4 11-192-193 OR598-503 (UNRECORDED D/C ON FIL			
Owners Name: GARCIA JUAN CARLOS AND MIRIAM			
Address: 5441 5TH AVE		KEY WEST	FL 33040
AK: 1167932	Parcel ID: 00133490-000000	Physical Location 5423 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 23 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192/193 OR605-425 OR1069-257 CASE#88-336-C			
Owners Name: WEECH PATRICIA JOYCE			
Address: 5423 4TH AVE		KEY WEST	FL 33040-6043
AK: 1168076	Parcel ID: 00133630-000000	Physical Location 5437 5TH AVE	SOUTH STOCK ISLAND
Legal Description: LT 37 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR411- 192/93 OR776-1437 OR776-1913 OR815-2070 OR247:			
Owners Name: MORALES MADELINE M			
Address: 5437 5TH AVE		KEY WEST	FL 33040-6039
AK: 1167843	Parcel ID: 00133400-000000	Physical Location 5414 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 14 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411 -192/93 OR466-873/74 OR630-510/11 OR672-284/85 C			
Owners Name: FLUKER JEFFREY W			
Address: 5414 3RD AVE		KEY WEST	FL 33040-6030
AK: 1168106	Parcel ID: 00133660-000000	Physical Location 5440 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 40 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 490-46 OR878-1176C OR878-1177 PROB #84-257-CP			
Owners Name: JOSEPH ALEUS AND PHILOSANE J			
Address: 5440 5TH AVE		KEY WEST	FL 33040
AK: 1167754	Parcel ID: 00133310-000000	Physical Location 5405 THIRD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 5 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR3 72-334/335 OR647-732/749 OR751-1008 PROBATE #			
Owners Name: RIEGELMAN WANDA			
Address: 5405 3RD AVE		KEY WEST	FL 33040-6030
AK: 1168149	Parcel ID: 00133700-000000	Physical Location 5444 5TH AVE	SOUTH STOCK ISLAND
Legal Description: LT 44 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411 -192-193 OR460-316-317 OR516-146/147 OR656-693			
Owners Name: BROGLI ALBERTA A			
Address: 2812 SEIDENBERG AVE		KEY WEST	FL 33040
AK: 1167801	Parcel ID: 00133360-000000	Physical Location 5410 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 10 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR788-1127 OR1748-761L/E(JMH) OR1			
Owners Name: JULIAN KENNETH F			
Address: 5410 3RD AVE		KEY WEST	FL 33040-6030
AK: 1167762	Parcel ID: 00133320-000000	Physical Location 5406 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 6 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR4 11-192/193 OR466-407/408 OR661-537 OR689-587/58			
Owners Name: BLANCO AMADA AVILA			
Address: 5406 3RD AVE		KEY WEST	FL 33040
AK: 1168131	Parcel ID: 00133690-000000	Physical Location 5443 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 43 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR465-857-858 OR745-250 OR1002-275			
Owners Name: BROGLI ALBERTA			
Address: 2811 SEIDENBERG AVE		KEY WEST	FL 33040-4051
AK: 1162809	Parcel ID: 00128640-000000	Physical Location C47 10TH AVE	SOUTH STOCK ISLAND
Legal Description: BK C LT 47 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAN D OR571-826 OR375-62-63-E OR744-318			
Owners Name: RIVIERA ENTERPRISES INC C/O BOZA MARY J			
Address: 46C 10TH AVE		KEY WEST	FL 33040-5867
AK: 1166430	Parcel ID: 00132280-000000	Physical Location B45 NINTH AVE	SOUTH STOCK ISLAND
Legal Description: BK0B LT 45 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR617-486 OR932-2299 OR935-111/112			
Owners Name: VAUGHN RICHARD GLENN AND CARRIE LYNNE			
Address: 45B NINTH AVENUE STOCK ISLAND		KEY WEST	FL 33040

AK: 1165301	Parcel ID: 00131140-000000	Physical Location 27 6TH AVE	SOUTH STOCK ISLAND
Legal Description: BK 1 LT 13 LINCOLN MANOR ESTATES AMENDED PLAT K ISLAND PB5-62 OR561-1037 OR567-488 OR659'			
Owners Name: RADEMAKER LIVING TRUST 8/14/2001		C/O RADEMAKER THOMAS JOSEPH	
Address: 27 6TH AVE		KEY WEST	FL 33040
AK: 1162566	Parcel ID: 00128400-000000	Physical Location C23 9TH AVE	SOUTH STOCK ISLAND
Legal Description: BKC LT 23 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R466-785/786 OR814-1328 OR819-1863 OR823-1890			
Owners Name: KIDWELL DAVID L			
Address: P O BOX 2548		KEY WEST	FL 33040
AK: 1167860	Parcel ID: 00133420-000000	Physical Location 6516 5TH ST	SOUTH STOCK ISLAND
Legal Description: LOT 16 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR411 -192/93 OR492-398/99 OR764-973 OR1475-302/03 OR			
Owners Name: WILBUR WRIGHT 725 LLC			
Address: 1831 DUNCAN ST		KEY WEST	FL 33040-3446
AK: 1167894	Parcel ID: 00133450-000000	Physical Location 5419 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: LT 19 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR413 -846/47 C-J-10-189 OR488-208/09 OR711-131/32 OR7			
Owners Name: MORALES ANTHONY J			
Address: 5419 ROBYN LN		KEY WEST	FL 33040-6043
AK: 1167886	Parcel ID: 00133440-000000	Physical Location 6518 5TH ST	SOUTH STOCK ISLAND
Legal Description: BK LT 18 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 520-540 OR529-205-D/C OR857-2386/2388-WILL PR			
Owners Name: LEESON DAVID M			
Address: PO BOX 2371		KEY WEST	FL 33040
AK: 1168173	Parcel ID: 00133730-000000	Physical Location 5446 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 47 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR466-920-921 OR754-1924 OR1078-19			
Owners Name: BROGLI KENNETH E AND ALBERTA			
Address: 2811 SEIDENBERG AVE		KEY WEST	FL 33040-4051
AK: 1168033	Parcel ID: 00133590-000000	Physical Location 5433 5TH AVE	SOUTH STOCK ISLAND
Legal Description: LT 33 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR347 -23 OR411-192/93 OR466-191/92 OR745-251 OR1695			
Owners Name: SILVERKING RENTAL PROPERTIES LLC			
Address: 5510 3RD AVE		KEY WEST	FL 33040-6032
AK: 1162825	Parcel ID: 00128660-000000	Physical Location C49 10TH AVE	SOUTH STOCK ISLAND
Legal Description: BK C LT 49 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D OR375-62/63E OR765-210/13A/G OR864-337 OR86			
Owners Name: YARBROUGH MEGAN L			
Address: 49C 10TH AVE		KEY WEST	FL 33040-5867
AK: 1166464	Parcel ID: 00132310-000000	Physical Location B48 9TH AVE	SOUTH STOCK ISLAND
Legal Description: BK B LT 48 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR848-648Q/C (UNRECORDED A/G DEED ON FI			
Owners Name: MORALES CARIDAD			
Address: C-46 10TH AVE		KEY WEST	FL 33040
AK: 1166197	Parcel ID: 00132040-000000	Physical Location B21 8TH AVE	SOUTH STOCK ISLAND
Legal Description: BK B LT 21 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR814-1961 OR945-344D/C OR1300-2369/70 OR14			
Owners Name: ROBERTS CHARLES F			
Address: 5585 2ND AVE		KEY WEST	FL 33040-5932
AK: 1160971	Parcel ID: 00126770-000000	Physical Location 5350 3RD AVE	SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB PB1-55 LOTS 18 TO 23 INCL USIVE SQR 53 G57-264/265 G58-484/485 OR717-44			
Owners Name: GOODRICH ADRIAN I AND TERRI A			
Address: PO BOX 491616		LEESBURG	FL 34749-1616
AK: 1167827	Parcel ID: 00133380-000000	Physical Location 5412 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 12 ROBYN SUBDIVISION STOCK ISLAND PB5-80 OR405- 1026-1027 OR336-310-311 OR403-805-806 OR411-19			
Owners Name: OVIEDO MARY MELINDA			
Address: 5412 3RD AVE		KEY WEST	FL 33040-6030

AK: 1167959 **Parcel ID:** 00133510-000000 **Physical Location** 5425 ROBYN LN SOUTH STOCK ISLAND
Legal Description: LT 25 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR41 1-192-193 OR798-2249 OR854-271 OR854-272Q/C/C
Owners Name: WOODS ALLISON J
Address: 5425 ROBYN LN KEY WEST FL 33040-6043

AK: 1168009 **Parcel ID:** 00133560-000000 **Physical Location** 5430 ROBYN LN SOUTH STOCK ISLAND
Legal Description: BK LT 30 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192/193 OR688-144/147 OR748-230/231 OR748-2
Owners Name: ARNOLD JEFFREY W
Address: 5430 ROBYN LN KEY WEST FL 33040-6043

AK: 1162558 **Parcel ID:** 00128390-000000 **Physical Location** C22 9TH AVE SOUTH STOCK ISLAND
Legal Description: BK C LT 22 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D (U/R WD ON FILE-CAW) OR1121-2106 OR2544-3
Owners Name: MCQUAIG HELEN
Address: 1330 W 4TH ST FREEPORT TX 77541-5306

AK: 1162531 **Parcel ID:** 00128370-000000 **Physical Location** 20C 9TH AVE SOUTH STOCK ISLAND
Legal Description: BK C LT 20 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R585-659 OR656-225 OR666-266/69 OR977-369 OR1
Owners Name: RITLOP JOHN STEVE
Address: 20C 9TH AVE KEY WEST FL 33040-5866

AK: 1163589 **Parcel ID:** 00129420-000000 **Physical Location** E25 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 25 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D OR611-139 OR668-358Q/C OR744-343 OR755-17
Owners Name: TORRES MIRTA
Address: E25 11TH AVE KEY WEST FL 33040

AK: 1162795 **Parcel ID:** 00128630-000000 **Physical Location** C46 10TH AVE SOUTH STOCK ISLAND
Legal Description: BK C LT 46 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D OR375-62/63E OR621-886 (UNRECORDED ASGN
Owners Name: BOZA MARY J
Address: 46C 10TH AVE KEY WEST FL 33040-5867

AK: 1165735 **Parcel ID:** 00131580-000000 **Physical Location** A25 7TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 25 LINCOLN GARDENS NO-1 PB5-8 STOCK ISLAND OR483-640-641 OR607-305 OR806-1968 OR807-105
Owners Name: BERULDSSEN DIANE
Address: 25A 7TH AVE KEY WEST FL 33040-5862

AK: 1163546 **Parcel ID:** 00129380-000000 **Physical Location** E21 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 21 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D OR626-420 OR695-366 OR878-780 OR1176-346 O
Owners Name: BROWN JAMES F
Address: 272 W KEY PALM RD BOCA RATON FL 33432

AK: 1166456 **Parcel ID:** 00132300-000000 **Physical Location** B-47 9TH AVE SOUTH STOCK ISLAND
Legal Description: BK B LT 47 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR907-465 OR1634-1532 OR2614-1042/43
Owners Name: MORALES CARIDAD
Address: 46C 10TH AVE KEY WEST FL 33040-5867

AK: 1165701 **Parcel ID:** 00131550-000000 **Physical Location** A22 7TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 22 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR583-820 OR687-78D/C OR841-1714AG OR889-
Owners Name: FIEDLER BRUCE
Address: A-22 7TH AVE KEY WEST FL 33040

AK: 1166201 **Parcel ID:** 00132050-000000 **Physical Location** B22 EIGHTH AVE SOUTH STOCK ISLAND
Legal Description: BK0B LT 22 LINCOLN GARDENS NO-1 PB5-89 STOCK ISLAND D OR498-398 OR760-411 (UNR D/C ON FILE-CATE;
Owners Name: SNEED ROBERT BUSH JR
Address: 12 DRIFTWOOD DR KEY WEST FL 33040

AK: 1157937 **Parcel ID:** 00123790-000000 **Physical Location** VACANT LAND SOUTH STOCK ISLAND
Legal Description: 35 67 25 DD67535-25 BAY BOTTOM SOUTH&ADJACENT TO B LK 58 STOCK ISLAND OR139-531-532
Owners Name: DOT STATE OF FLORIDA
Address: 605 SUWANNEE ST TALLAHASSEE FL 32399-0450

AK: 1165328 **Parcel ID:** 00131160-000000 **Physical Location** 25 6TH AVE SOUTH STOCK ISLAND
Legal Description: BK 1 LT 15 LINCOLN MANOR ESTATES AMENDED PLAT K ISLAND PB5-62 OR377-676 OR659-757-II OR805
Owners Name: LEGGETT JOAN A TRUSTEE L/E C/O ALLEN KIRKWOOD B
Address: 25 6TH AVE KEY WEST FL 33040-5860

AK: 1165689 **Parcel ID:** 00131530-000000 **Physical Location** A20 7TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 20 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR717-769-770 OR768-1077 OR825-874 OR825-875
Owners Name: ROBERTS CHARLES F
Address: 5585 2ND AVE KEY WEST FL 33040-5932

AK: 1165956 **Parcel ID:** 00131800-000000 **Physical Location** A47 8TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 47 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR459-64-65 OR967-839 OR972-1907/08D/C OR973
Owners Name: GARCIA TAMMY L
Address: 47A 8TH AVE KEY WEST FL 33040-5863

AK: 1166235 **Parcel ID:** 00132080-000000 **Physical Location** B25 8TH AVE SOUTH STOCK ISLAND
Legal Description: BKB LT 25 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-89 OR482-546/547 OR773-97 OR1259-999/1010PET(JB)
Owners Name: RODRIGUEZ ADRIAN C/O ANDINO LISSETTE
Address: 45 BAY DR KEY WEST FL 33040

AK: 1162540 **Parcel ID:** 00128380-000000 **Physical Location** C21 9TH AVE SOUTH STOCK ISLAND
Legal Description: BKC LT 21 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R513-64 OR687-887-D/C OR827-1403 OR827-1404A/C
Owners Name: SEAVIEW RENTALS LLC
Address: PO BOX 2554 KEY WEST FL 33045-2554

AK: 1163571 **Parcel ID:** 00129410-000000 **Physical Location** E24 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 24 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAND D OR585-335 OR589-109 OR589-671 OR774-1269 OF
Owners Name: ARENCIBIA FRANCISCO AND MERCEDES
Address: 24E 11TH AVE KEY WEST FL 33040-5870

AK: 1162817 **Parcel ID:** 00128650-000000 **Physical Location** 48C 10TH AVE SOUTH STOCK ISLAND
Legal Description: BK C LT 48 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND OR375-62/63E OR590-489Q/C OR992-735 OR992-736
Owners Name: MORALES JOSE O
Address: PO BOX 2825 KEY WEST FL 33045-2825

AK: 1162787 **Parcel ID:** 00128620-000000 **Physical Location** C45 10TH AVE SOUTH STOCK ISLAND
Legal Description: BKC LT 45 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62-63E (UNRECORDED ASGN-CONT-FOR DE
Owners Name: BOZA MARY J
Address: 46C 10TH AVE KEY WEST FL 33040-5867

AK: 1165298 **Parcel ID:** 00131130-000000 **Physical Location** 23 6TH AVE SOUTH STOCK ISLAND
Legal Description: BK 1 LT 12 LINCOLN MANOR ESTATES AMENDED PLAT K ISLAND PB5-62 OR561-907 OR659-757-II
Owners Name: ALLEN EMERSON E
Address: 23 6TH AVE KEY WEST FL 33040-5860

AK: 1165972 **Parcel ID:** 00131820-000000 **Physical Location** A49 8TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 49 LINCOLN GARDENS NO-1 PB5-89 STOCK ISLAND D OR1125-1534 OR1381-2014/15 OR2463-183/84
Owners Name: HERRERA JOSE M
Address: A49 8TH AVE KEY WEST FL 33040

AK: 1165719 **Parcel ID:** 00131560-000000 **Physical Location** A23 7TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 23 LINCOLN GARDENS NO-1 PB5-89 STOCK ISLAND D OR784-1938 OR1031-157 OR1766-1177/78/AFF OR
Owners Name: SEAVIEW RENTALS LLC
Address: PO BOX 2554 KEY WEST FL 33045-2554

AK: 1162574 **Parcel ID:** 00128410-000000 **Physical Location** C24 9TH AVE SOUTH STOCK ISLAND
Legal Description: BK C LT 24 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R545-459 OR1108-2364 OR1640-36/37R/S OR2268-1C
Owners Name: SHINE DEREK LANG SR AND TAMMY
Address: 24C 9TH AVE KEY WEST FL 33040-5866

AK: 1163295	Parcel ID: 00129130-000000	Physical Location D46 11TH AVE	SOUTH STOCK ISLAND
Legal Description: BK D LT 46 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R570-917 OR375-62-63-E OR714-628 OR753-1828/29			
Owners Name: ALFARO CARIDAD			
Address: 46D 11TH AVE	KEY WEST	FL	33040-5869
AK: 1163287	Parcel ID: 00129120-000000	Physical Location D45 11TH AVE	SOUTH STOCK ISLAND
Legal Description: BKD LT 45 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62/63E OR659-757II OR717-658/59 OR773-23 (
Owners Name: GILLIS LILLIAS M			
Address: D 45 11TH AVE	KEY WEST	FL	33040
AK: 1165930	Parcel ID: 00131780-000000	Physical Location A45 EIGHTH AVE	SOUTH STOCK ISLAND
Legal Description: BK 0A LT 45 LINCOLN GARDENS NO-1 STOCK ISLAND PB5- 89 OR570-926 OR930-833 OR1119-2192(VC)			
Owners Name: PEREZ MARIO AND MARGARET			
Address: 404 BALIDO ST	KEY WEST	FL	33040-5702
AK: 1162582	Parcel ID: 00128420-000000	Physical Location C25 9TH AVE	SOUTH STOCK ISLAND
Legal Description: BK C LT 25 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND OR805-1521 OR918-1141 OR971-2446 OR1035-1660(
Owners Name: MARTINEZ REYNALDO A			
Address: 1107 KEY PLAZA BOX 82	KEY WEST	FL	33040
AK: 1163309	Parcel ID: 00129140-000000	Physical Location D47 11TH AVE	SOUTH STOCK ISLAND
Legal Description: BKD LT 47 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62-63E OR592-608 OR598-416-Q II OR777-160			
Owners Name: GOURGUE JEAN L			
Address: D-47TH ELEVENTH AVE	KEY WEST	FL	33040
AK: 1166472	Parcel ID: 00132320-000000	Physical Location B49 9TH AVE	SOUTH STOCK ISLAND
Legal Description: BK B LT 49 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR600-217 OR579-32 OR805-693 OR806-1443C OR			
Owners Name: BLANCO GERARDO			
Address: B-49 9TH AVE	KEY WEST	FL	33040
AK: 1165310	Parcel ID: 00131150-000000	Physical Location 29 6TH AVE	SOUTH STOCK ISLAND
Legal Description: BK 1 LT 14 LINCOLN MANOR ESTATES AMENDED PLAT K ISLAND PB5-62 OR566-742 OR659-757-II OR783-			
Owners Name: JOHNSON BRENDA L AND LEONARD A			
Address: 29 6TH AVE	KEY WEST	FL	33040
AK: 1165981	Parcel ID: 00131830-000000	Physical Location A50 8TH AVE	SOUTH STOCK ISLAND
Legal Description: BK A LT 50 LINCOLN GARDENS NO-1 KPB5-89 STOCK ISLA ND OR1125-1533(VC) OR1381-2014/15(JB)			
Owners Name: BRUGMAN EDWARD H AND MILDRED G			
Address: 721 SOUTH ST	KEY WEST	FL	33040-4754
AK: 1165964	Parcel ID: 00131810-000000	Physical Location 48A 8TH AVE	SOUTH STOCK ISLAND
Legal Description: BK0A LT 48 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9OR493-774-775 OR504-105 OR1155-94 OR1381-201			
Owners Name: LEWIS JOHN C			
Address: 48A 8TH AVE	KEY WEST	FL	33040
AK: 1160989	Parcel ID: 00126780-000000	Physical Location 5345 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK 53 LTS 24-25 STOCK ISLAND MALONEY SUB PB1-55 ST OCK ISLAND OR495-692 OR1099-724 OR2500-1165			
Owners Name: GOODRICH ADRIAN I AND TERRI A			
Address: PO BOX 491616	LEESBURG	FL	34749-1616
AK: 1160962	Parcel ID: 00126760-000000	Physical Location 5324 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK 53 LT 17 STOCK ISLAND MALONEY SUB SUBDIVISION P B1-55 OR220-141/142 OR785-1941 OR825-496 OR92:			
Owners Name: G AND M REAL ESTATE L L C			
Address: PO BOX 491616	LEESBURG	FL	34749-1616
AK: 9081090	Parcel ID: 00123731-000000	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: 35 67 25 PARCEL SOUTH OF BLK 57 PB1-55 (ROAD EASEM ENT) .39 AC G65-82 OR1-17			
Owners Name: SAFE HARBOR ENTERPRISES INC			
Address: P O BOX 2455	KEY WEST	FL	33040

AK: 1161519 **Parcel ID:** 00127300-000000 **Physical Location** 6751 5TH ST SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT 1 & ALL 2-3 & 4 & PT 5 SQR 57 & BAY BTM S OF I
Owners Name: BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY
Address: 500 WHITEHEAD ST KEY WEST FL 33040-6581

AK: 1161527 **Parcel ID:** 00127310-000000 **Physical Location** VACANT LAND SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB PB 1-55 W8 FT LOT 1 SQR 5 7 OR139-533-534
Owners Name: STATE OF FL DEPT OF TRANSPORTATION
Address: 605 SUWANNEE ST TALLAHASSEE FL 32399-0450

AK: 1163074 **Parcel ID:** 00128910-000000 **Physical Location** D24 10TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 24 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R553-846 OR566-72 OR599-631 OR897-3 OR897-4 OI
Owners Name: HERNANDEZ CARMEN
Address: PO BOX 5168 KEY WEST FL 33045-5168

AK: 1161578 **Parcel ID:** 00127360-000000 **Physical Location** VACANT LAND SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT 5 SQR 57 OR193-260-261 OR1354-2480/81 OR1363-2
Owners Name: BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY FL
Address: 500 WHITEHEAD ST KEY WEST FL 33040-6581

AK: 1163805 **Parcel ID:** 00129640-000000 **Physical Location** E47 12TH AVE SOUTH STOCK ISLAND
Legal Description: BKE LT 47 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND L OT 47BLOCK E OR375-62/63-E OR640-299 OR906-1
Owners Name: GALVAN JORGE E AND RAQUEL
Address: 2603 HARRIS AVE KEY WEST FL 33040-3944

AK: 9090287 **Parcel ID:** 00131180-000140 **Physical Location** 50 7TH AVE SOUTH STOCK ISLAND
Legal Description: UNIT 40 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2330-1393/97
Owners Name: JACKSON DESHAWN C
Address: 50 7TH AVE KEY WEST FL 33040-5816

AK: 9090803 **Parcel ID:** 00131180-000132 **Physical Location** 42 7TH AVE SOUTH STOCK ISLAND
Legal Description: UNIT 32 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2343-558/62
Owners Name: KAHLLEY DANIEL V AND BRENDA
Address: 42 7TH AVE KEY WEST FL 33040-5816

AK: 9090286 **Parcel ID:** 00131180-000134 **Physical Location** 44 7TH AVE SOUTH STOCK ISLAND
Legal Description: UNIT 34 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2329-446/50
Owners Name: CHURCH ALAN R AND CINDY V
Address: 44 7TH AVE KEY WEST FL 33040-5816

AK: 1157929 **Parcel ID:** 00123780-000000 **Physical Location** VACANT LAND SOUTH STOCK ISLAND
Legal Description: 35 67 25 DD67535-24 BAY BTM BETWEEN STOCK ISLAND&C OW KEY I.I. NO 21817
Owners Name: MONROE COUNTY
Address: 500 WHITEHEAD ST KEY WEST FL 33040-6581

AK: 9090284 **Parcel ID:** 00131180-000137 **Physical Location** 47 7TH AVE SOUTH STOCK ISLAND
Legal Description: UNIT 37 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2327-1771/75
Owners Name: GOMEZ DANIEL L
Address: 47 7TH AVE KEY WEST FL 33040-5816

AK: 1168025 **Parcel ID:** 00133580-000000 **Physical Location** 5432 ROBYN LN SOUTH STOCK ISLAND
Legal Description: LT 32 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411 -192/93 OR492-621 OR685-751/54 OR796-680 OR931
Owners Name: SILVERKING RENTAL PROPERTIES LLC
Address: 5510 3RD AVE KEY WEST FL 33040-6032

AK: 1167941 **Parcel ID:** 00133500-000000 **Physical Location** 5424 ROBYN LN SOUTH STOCK ISLAND
Legal Description: LT 24 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR411- 192/93 OR466-287/88 OR830-646 OR1261-2104L/E O
Owners Name: ASHE REBEKAH G
Address: 918 KENNEDY DR KEY WEST FL 33040-4017

AK: 1167967	Parcel ID: 00133520-000000	Physical Location 5426 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: LT 26 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR579 -31 OR661-538 OR689-446 OR709-97 OR922-2453 O1			
Owners Name: GONZALEZ DORA			
Address: 5426 ROBYN LN	KEY WEST	FL	33040-6043
AK: 1167991	Parcel ID: 00133550-000000	Physical Location 5429 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 29 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 630-684/687 OR831-468 OR1229-1684/85AFF(JB) OR			
Owners Name: SUAREZ ALICIA			
Address: 5429 4TH AVE	KEY WEST	FL	33040
AK: 1168084	Parcel ID: 00133640-000000	Physical Location 5438 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 38 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 645-471 OR739-183 OR1785-156/57APET OR2027-63			
Owners Name: BRANDT DOLORES ARLINE ESTATE			
Address: 32 HI MOUNT DR	NORTH YORK	ON: M2K 1X5	CANADA
AK: 1167908	Parcel ID: 00133460-000000	Physical Location 5420 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: LT 20 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411 -192/93 OR764-985 OR764-984 OR1036-868/69WILL			
Owners Name: PRESTON ERNEST T			
Address: 5420 ROBYN LN	KEY WEST	FL	33040-6043
AK: 1167738	Parcel ID: 00133290-000000	Physical Location 5403 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 3 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR3 53-538/539 OR647-732/749 OR751-1008 PROBATE#7			
Owners Name: DURAN WILLIAM			
Address: 1209 19TH TER	KEY WEST	FL	33040-4544
AK: 1168165	Parcel ID: 00133720-000000	Physical Location 6547 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 46 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR466-920-921 OR754-1924 OR1078-19			
Owners Name: BROGLI KENNETH E AND ALBERTA			
Address: 2811 SEIDENBERG AVE	KEY WEST	FL	33040-4051
AK: 1168041	Parcel ID: 00133600-000000	Physical Location 5434 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 34 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 347-23 OR411-192-193 OR926-219 OR926-1103 OR11			
Owners Name: BRUEIN DONTA AND OMayRA			
Address: PO BOX 651	KEY WEST	FL	33041
AK: 9090805	Parcel ID: 00131180-000139	Physical Location 49 7TH AVE	SOUTH STOCK ISLAND
Legal Description: UNIT 39 PARK VILLAGE HOMEOWNERS ASSOC NTEREST) OR2287-1748DEC OR2349-339/44			
Owners Name: OWENS VAN L			
Address: 49 7TH AVE	KEY WEST	FL	33040-5816
AK: 1167711	Parcel ID: 00133270-000000	Physical Location 5401 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 1 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR522- 383 OR647-732/49 OR751-1008 OR760-1559P OR905			
Owners Name: SILVERKING RENTAL PROPERTIES LLC			
Address: 5510 3RD AVE	KEY WEST	FL	33040-6032
AK: 1167819	Parcel ID: 00133370-000000	Physical Location 5411 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LOT 11 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR41 1-192/193 OR690-525/28 OR1464-1852 OR1662-205D			
Owners Name: NILES LEONORA			
Address: 5411 3RD AVE	KEY WEST	FL	33040-6030
AK: 1167797	Parcel ID: 00133350-000000	Physical Location 5409 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 9 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR 411-192/193 OR444-968/969 OR715-21 OR717-771/77			
Owners Name: LAND TRUST NO 62108 06/02/08 C/O BURNS NOEL W TRUSTEE			
Address: 9400 S DADELAND BLVD PH 5	MIAMI	FL	33156-2841
AK: 1167771	Parcel ID: 00133330-000000	Physical Location 5407 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 7 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR411-1 92/93 OR542-99 OR744-319 OR957-1306 OR957-1307			
Owners Name: RIVERA ROLANDO AND LOURDES			
Address: 5407 3RD AVE	KEY WEST	FL	33040-6030

AK: 1168122	Parcel ID: 00133680-000000	Physical Location 5442 FIFTH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 42 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411-192-193 OR465-857-858 OR745-250 OR1002-1			
Owners Name: BROGLI KENNETH E JR			
Address: 5442 FIFTH AVE	KEY WEST	FL	33040
AK: 9090272	Parcel ID: 00131180-000131	Physical Location 41 7TH AVE	SOUTH STOCK ISLAND
Legal Description: UNIT 31 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2327-1380/82 OR23			
Owners Name: GEREZ BERCHAM III			
Address: 41 7TH AVE	KEY WEST	FL	33040-5816
AK: 1167835	Parcel ID: 00133390-000000	Physical Location 5413 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 13 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR403 -1015/16 OR411-192/93 OR1322-223 OR1322-224/25L			
Owners Name: SANCHEZ STEVEN C T/C			
Address: 5413 3RD AVE	KEY WEST	FL	33040-6030
AK: 1167878	Parcel ID: 00133430-000000	Physical Location 6517 5TH ST	SOUTH STOCK ISLAND
Legal Description: BK LT 17 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR4 11-683/684 OR559-466D/C OR559-468L/E OR1280-2			
Owners Name: YARBROUGH THOMAS J			
Address: 1624 JOSEPHINE ST	KEY WEST	FL	33040
AK: 1168092	Parcel ID: 00133650-000000	Physical Location 5439 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 39 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192/193 OR894-1778 OR1022-2469(VE) OR1135-			
Owners Name: MARTINEZ MODESTO AND MARIA E			
Address: 5439 5TH AVE	KEY WEST	FL	33040
AK: 1163813	Parcel ID: 00129650-000000	Physical Location E48 12TH AVE	SOUTH STOCK ISLAND
Legal Description: BK E LT 48 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R375-62/63E OR561-697 OR755-1776 OR1275-2106/C			
Owners Name: PAZARA TERESA EBELING			
Address: 48E 12TH AVE	KEY WEST	FL	33040-5871
AK: 9090276	Parcel ID: 00131180-000135	Physical Location 45 7TH AVE	SOUTH STOCK ISLAND
Legal Description: UNIT 35 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2322-1562/65R/S			
Owners Name: ALVARAO-VÁZQUEZ EDGARDO			
Address: PO BOX 549	KEY WEST	FL	33041-0549
AK: 9090280	Parcel ID: 00131180-000136	Physical Location 46 7TH AVE	SOUTH STOCK ISLAND
Legal Description: UNIT 36 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2323-6535R/S OR2			
Owners Name: CERVANTES DEBRA A			
Address: 46 7TH AVE	KEY WEST	FL	33040-5816
AK: 9090288	Parcel ID: 00131180-000138	Physical Location 48 7TH AVE	SOUTH STOCK ISLAND
Legal Description: UNIT 38 PARK VILLAGE HOMEOWNERS ASSOC INTEREST) OR2287-1748DEC OR2333-1949/53			
Owners Name: STOKES ANNE			
Address: 48 7TH AVE	KEY WEST	FL	33040-5816
AK: 1158038	Parcel ID: 00123900-000000	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: DD67535-Z/2 BAY BOTTM ADJ TO COW KEY OR429-44/45 OR470-742D/C OR566-922/24 OR785-676/77/DECRE			
Owners Name: KEY COW LLC			
Address: PO BOX 169	KEY WEST	FL	33041-0169
AK: 1167720	Parcel ID: 00133280-000000	Physical Location 5402 3RD AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 2 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR5 22-383 OR647-732/749 OR751-1008 PROBATE #76-5			
Owners Name: DURAN GHEOFRE AND MILAGROS			
Address: 5402 3RD AVE	KEY WEST	FL	33040
AK: 1167916	Parcel ID: 00133470-000000	Physical Location 5421 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 21 ROBYN SUBDIVISION PB5-80 STOCK ISLAND OR4 11-192/193 OR466-787/788 OR760-1519 ORR760-152			
Owners Name: BAUCOM PROPERTY HOLDINGS 2 LLC			
Address: 261 GOLF CLUB DR	KEY WEST	FL	33040

AK: 1167924	Parcel ID: 00133480-000000	Physical Location 5422 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 22 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192/93 OR493-828 OR675-446/47 OR679-222Q/C			
Owners Name: PIERRE INNOCENT			
Address: 5422 ROBYN LN		KEY WEST	FL 33040
AK: 1168068	Parcel ID: 00133620-000000	Physical Location 5436 5TH AVE	SOUTH STOCK ISLAND
Legal Description: BK LT 36 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 353-156/157 OR1950-1560/63(WILL)LG			
Owners Name: TUCKER WENDY R			
Address: 2308 SEIDENBERG AVE		KEY WEST	FL 33040-3853
AK: 1168050	Parcel ID: 00133610-000000	Physical Location 5435 5TH AVE	SOUTH STOCK ISLAND
Legal Description: LT 35 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR411 -192/193 OR853-1466 OR853-1634 OR900-707 OR102			
Owners Name: NAJD AKRAM			
Address: PO BOX 1864		KEY WEST	FL 33041-1864
AK: 1167975	Parcel ID: 00133530-000000	Physical Location 5427 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 27 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 584-694 (U/R D/C DIEZEL RUTH)(SG) OR1637-376G			
Owners Name: DIEZEL MICHAEL			
Address: 5427 ROBYN LN		KEY WEST	FL 33040-6043
AK: 1167983	Parcel ID: 00133540-000000	Physical Location 5428 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: BK LT 28 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR 411-192-193 OR525-930-931 OR886-2195 OR1453-14			
Owners Name: BAUCOM PROPERTY HOLDINGS 2 LLC			
Address: 261 GOLF CLUB DR		KEY WEST	FL 33040
AK: 9080464	Parcel ID: 00123720-000100	Physical Location 700 SHRIMP RD	SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND BAY BOTTOM SOUTH OF AND ADJ TO SQR AND 56 PB1-55 (EASEMENT A) OR1909-694/722 O			
Owners Name: LONGSTOCK II LLC			
Address: 7009 SHRIMP RD STE 2		KEY WEST	FL 33040-6067
AK: 8648821	Parcel ID: 00123850-000100	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: 35 67 25 DD67535-38.1 PT BAY BOTTOM S OF BK 57 STO CK ISLAND I.I. 24078 OR866-2446/2450 OR930-119/			
Owners Name: K W RESORT UTILITIES CORP			
Address: PO BOX 2125		KEY WEST	FL 33045
AK: 1162833	Parcel ID: 00128670-000000	Physical Location C50 10TH AVE	SOUTH STOCK ISLAND
Legal Description: BKC LT 50 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND O R375-62/63E OR590-490Q/C OR616-870 OR1080-131			
Owners Name: HERNANDEZ ROBERT			
Address: C-50 10TH AVE		KEY WEST	FL 33040
AK: 1165697	Parcel ID: 00131540-000000	Physical Location A21 7TH AVE	SOUTH STOCK ISLAND
Legal Description: BK A LT 21 LINCOLN GARDENS NO-1 PB5-89 STOCK ISLAN D OR525-951-952 OR642-314-315 OR687-78D/C OR1			
Owners Name: SNEED ROBERT BUSH JR			
Address: 12 DRIFTWOOD DR		KEY WEST	FL 33040
AK: 1166448	Parcel ID: 00132290-000000	Physical Location B46 NINTH AVE	SOUTH STOCK ISLAND
Legal Description: BKB LT 46 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-89 OR422-99/100 OR601-226D/C OR1045-275			
Owners Name: DAEFFLER DENNIS K AND JANICE D			
Address: 46-B NINTH AVENUE		KEY WEST	FL 33040
AK: 1166189	Parcel ID: 00132030-000000	Physical Location B20 8TH AVE	SOUTH STOCK ISLAND
Legal Description: BK B LT 20 LINCOLN GARDENS NO 1 STOCK ISLAND PB5-8 9 OR542-269 OR953-1038/39 OR1272-2318/19 OR131			
Owners Name: ROBERTS CHARLES F			
Address: 5585 2ND AVE		KEY WEST	FL 33040-5932
AK: 1161608	Parcel ID: 00127390-000000	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB 1-55 E 8 F T LOT 10 SQR 58 OR139-531-532			
Owners Name: STATE OF FL DEPT OF TRANSPORTATION			
Address: 605 SUWANNEE ST		TALLAHASSEE	FL 32399-0450

AK: 1165948 **Parcel ID:** 00131790-000000 **Physical Location** A46 8TH AVE SOUTH STOCK ISLAND
Legal Description: BK A LT 46 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR573-128 OR1282-2361 OR1455-758RS OR1828-1
Owners Name: RODRIGUEZ ROBERTO
Address: 46A 8TH AVE KEY WEST FL 33040-5863

AK: 1166219 **Parcel ID:** 00132060-000000 **Physical Location** B23 EIGHTH AVE SOUTH STOCK ISLAND
Legal Description: BK B LT 23 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9OR766-1713 OR805-922 OR1124-1096 OR2158-1956
Owners Name: B23 EIGHTH AVENUE LLC
Address: 1101 17TH ST KEY WEST FL 33040

AK: 1163554 **Parcel ID:** 00129390-000000 **Physical Location** E22 11TH ST SOUTH STOCK ISLAND
Legal Description: BK E LT 22 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND OR571-382 OR628-873/Q OR929-1628 OR1234-595 O
Owners Name: PIERRE JEAN JONAS AND BERNARD
Address: E-22 ELEVENTH AVENUE KEY WEST FL 33040

AK: 1163538 **Parcel ID:** 00129370-000000 **Physical Location** E20 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 20 LINCOLN GARDENS #2 PB5-90 STOCK ISLAND OR595-824 OR792-605
Owners Name: LEGGETT FRANK R
Address: E-20 11TH AVE KEY WEST FL 33040

AK: 1163325 **Parcel ID:** 00129160-000000 **Physical Location** D49 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 49 LINCOLN GARDENS 2 PB5-90 STOCK ISLAND O R571-387 OR1005-1930 OR1271-2455/56 1387-1860/7
Owners Name: CABRERA LEONARDO
Address: 49D 11TH AVE KEY WEST FL 33040-5869

AK: 1163317 **Parcel ID:** 00129150-000000 **Physical Location** D48 11TH AVE SOUTH STOCK ISLAND
Legal Description: BK D LT 48 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAN D OR375-62-63-E II 24078 (1656-44)-D OR619-457 O
Owners Name: HERNANDEZ ROMEO
Address: 48D 11TH AVE KEY WEST FL 33040-5869

AK: 1166227 **Parcel ID:** 00132070-000000 **Physical Location** B24 8TH AVE SOUTH STOCK ISLAND
Legal Description: BK B LT 24 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 OR549-668 OR645-347/348 OR1166-643 OR1774-166
Owners Name: LEWIS JOHN C
Address: 48A 8TH AVE KEY WEST FL 33040

AK: 1163783 **Parcel ID:** 00129620-000000 **Physical Location** E45 12TH AVE SOUTH STOCK ISLAND
Legal Description: BK E LT 45 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAN D OR375-62-63-E OR532-740
Owners Name: MORALES FRANCISCO AND MIRTA
Address: 1715 ALAMEDA DR SPRING HILL FL 34609-4806

AK: 9089578 **Parcel ID:** 00123730-000100 **Physical Location** 6811 SHRIMP RD SOUTH STOCK ISLAND
Legal Description: 35 67 25 DD67535-22 BAY BTM SOUTH OF ADJ TO PT BLK 57 STOCK ISLAND OR286-270/73 OR315-531/32 OF
Owners Name: CONSTELLATION YACHTS INC
Address: 6811 SHRIMP RD KEY WEST FL 33040

AK: 1161438 **Parcel ID:** 00127220-000000 **Physical Location** 5510 5TH AVE SOUTH STOCK ISLAND
Legal Description: BK 54 LT 41 STOCK ISLAND MALONEY SUB PB 1-55 Y-19 7 A1-395 G54-392 G67-427 OR248-102 OR284-120 OI
Owners Name: SILVERKING RENTAL PROPERTIES LLC
Address: 5510 3RD AVE KEY WEST FL 33040-6032

AK: 1161152 **Parcel ID:** 00126950-000000 **Physical Location** 5501 5TH AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB 1-55 LOT 14 15 & PT LT 43 BLK 54 Y-197 OR22-389 OR23-258 OR56-191 OR61
Owners Name: RUSTY ANCHOR PROPERTIES OF KEY WEST LLC
Address: 5510 THIRD AVE KEY WEST FL 33040

AK: 1161446 **Parcel ID:** 00127230-000000 **Physical Location** 5505 5TH AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 LOT & PT LOT 43 BLK 54 Y-197 A1-395 G54-394 G67-42
Owners Name: SOUTHERN STAR OF KEY WEST INC ALL ANMAL CLINIC
Address: 5450 MACDONALD AVE STE 13 KEY WEST FL 33040-5906

AK: 1167789	Parcel ID: 00133340-000000	Physical Location 5408 3RD AVE	SOUTH STOCK ISLAND
Legal Description: LT 8 ROBYN SUBDIVISION PB-5-80 STOCK ISLAND OR41 1-192-193 OR488-957/AG OR966-1754 OR2235-1628I			
Owners Name: VELAZQUEZ NANCY			
Address: 5408 3RD AVE		KEY WEST	FL 33040
<hr/>			
AK: 1168017	Parcel ID: 00133570-000000	Physical Location 5431 ROBYN LN	SOUTH STOCK ISLAND
Legal Description: ROBYN SUBDIVISION PB-5-80 STOCK ISLAND LOT 31 OR491-842/43 OR831-467 OR844-291/92 OR1020-901			
Owners Name: HINDSLEY LINDA			
Address: 5431 ROBYN LN		KEY WEST	FL 33040
<hr/>			
AK: 1166481	Parcel ID: 00132330-000000	Physical Location B50 NINTH AVE	SOUTH STOCK ISLAND
Legal Description: BK B LT 50 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR472-528-/29 OR1082-1134 OR2544-388D/C			
Owners Name: MCQUAIG HELEN			
Address: 1330 W 4TH ST		FREEPORT	TX 77541-5306
<hr/>			
AK: 1165727	Parcel ID: 00131570-000000	Physical Location A24 7TH AVE	SOUTH STOCK ISLAND
Legal Description: BK A LT 24 LINCOLN GARDENS NO-1 STOCK ISLAND PB5-8 9 OR481-467/68 OR806-1917 OR809-2077 OR834-457			
Owners Name: MALBY ROBERT W			
Address: 2724 NW 58TH BLVD		GAINESVILLE	FL 32606
<hr/>			
AK: 1163562	Parcel ID: 00129400-000000	Physical Location 23E 11TH AVE	SOUTH STOCK ISLAND
Legal Description: BK E LT 23 LINCOLN GARDENS NO 2 PB5-90 STOCK ISLAN D OR611-658 OR656-644 OR1164-629 OR1267-1610/			
Owners Name: ROBERTSON DOLORES L			
Address: 23E 11TH AVE		KEY WEST	FL 33040
<hr/>			
AK: 9091548	Parcel ID: 00123730-000200	Physical Location VACANT LAND	SOUTH STOCK ISLAND
Legal Description: 35 67 25 PARCEL OF LAND AND SUBMERGED LAND (10X191 STRIP) NORTH OF AND ADJ TO BLK 57 STOCK I			
Owners Name: SAFE HARBOR ENTERPRISES INC			
Address: 7009 SHRIMP RD STE 2		KEY WEST	FL 33040-6067

LABELS 1 OF 5

DOG TRACK PARCELS
CONDOMINIUM

✓ MERIDIAN WEST LTD
2937 SW 27TH AVE STE 303
MIAMI, FL 33133

✓ HARBOR BAY INVESTMENTS LLC
5510 3RD AVE
KEY WEST, FL 33040

✓ LONGSTOCK II LLC
7009 SHRIMP RD STE 2
KEY WEST, FL 33040-6067

✓ BERNSTEIN JORDAN M
PO BOX 2455
KEY WEST, FL 33045-2455

✓ MATHEWS DEVELOPMENT
COMPANY INC
3320 W HIGHWAY 30-A
SANTA ROSA BEACH, FL 32459

✓ COUNTY OF MONROE
C/O PARK VILLAGE HOMEOWNERS
ASSOC INC
201 FRONT ST STE 110
KEY WEST, FL 33040-8346

✓ RIVIERA DRIVE IN THEATRE INC
PO BOX 2455
KEY WEST, FL 33040

✓ SEAVIEW RENTALS LLC
PO BOX 2554
KEY WEST, FL 33045-2554

✓ BERNSTEIN JORDAN M
PO BOX 2455
KEY WEST, FL 33045-2455

✓ BERNSTEIN JORDAN M
PO BOX 2455
KEY WEST, FL 33045-2455

✓ COWLES CHRIS AND MELODY
136 WASHINGTON AVE
NEW ROCHELLE, NY 10801-6250

✓ CABRERA BERTA
50D 11TH AVE
KEY WEST, FL 33040-5869

✓ FEDERAL NATIONAL MORTGAGE ASS
C/O SHAPIRO FISHMAN AND GACHE LLP
2424 N FEDERAL HWY STE 360
BOCA RATON, FL 33431-7701

✓ RIVIERA DRIVE IN THEATRE INC
PO BOX 2455
KEY WEST, FL 33040

✓ AGIN LINDA
1520 CATHERINE ST
KEY WEST, FL 33040-3530

✓ BERNSTEIN ROGER T/C
P O BOX 2455
KEY WEST, FL 33045-2455

✓ VICTORIA MARCIANA
LAQUINDANUM
7985 LITTLE MILL RD
CUMMING, GA 30041-4168

✓ VELOSO DOMINGO J DEC TR
11/12/1997
17042 STARFISH LN W
SUMMERLAND KEY, FL 33042-3621

✓ OLDHAM REJANE
46E 12TH AVE
KEY WEST, FL 33040

✓ WHITE TIMOTHY K AND ALLISON B
43 7TH AVE
KEY WEST, FL 33040-5816

✓ RAMIREZ JOSE
5404 3RD AVE
KEY WEST, FL 33040

✓ BROGLI KENNETH E AND ALBERTA
2811 SEIDENBERG AVE
KEY WEST, FL 33040-4051

✓ GARCIA JUAN CARLOS AND MIRIAM
5441 5TH AVE
KEY WEST, FL 33040

✓ WEECH PATRICIA JOYCE
5423 4TH AVE
KEY WEST, FL 33040-6043

✓ MORALES MADELINE M
5437 5TH AVE
KEY WEST, FL 33040-6039

✓ FLUKER JEFFREY W
5414 3RD AVE
KEY WEST, FL 33040-6030

✓ JOSEPH ALEUS AND PHILOSANE J
5440 5TH AVE
KEY WEST, FL 33040

✓ RIEGELMAN WANDA
5405 3RD AVE
KEY WEST, FL 33040-6030

✓ BROGLI ALBERTA A
2812 SEIDENBERG AVE
KEY WEST, FL 33040

✓ JULIAN KENNETH F
5410 3RD AVE
KEY WEST, FL 33040-6030

✓ BLANCO AMADA AVILA
5406 3RD AVE
KEY WEST, FL 33040

✓ BROGLI ALBERTA
~~2811 SEIDENBERG AVE~~
KEY WEST, FL 33040-4051

✓ RIVIERA ENTERPRISES INC
C/O BOZA MARY J
46C 10TH AVE
KEY WEST, FL 33040-5867

✓ VAUGHN RICHARD GLENN AND
CARRIE LYNNE
45B NINTH AVENUE STOCK ISLAND
KEY WEST, FL 33040

✓ RADEMAKER LIVING TRUST 8/14/2001
C/O RADEMAKER THOMAS JOSEPH
TRUSTEE
27 6TH AVE
KEY WEST, FL 33040

✓ KIDWELL DAVID L
P O BOX 2548
KEY WEST, FL 33040

✓ WILBUR WRIGHT 725 LLC
1331 DUNCAN ST
KEY WEST, FL 33040-3446

✓ MORALES ANTHONY J
5419 ROBYN LN
KEY WEST, FL 33040-6043

✓ LEESON DAVID M
PO BOX 2371
KEY WEST, FL 33040

✓ BROGLI KENNETH B AND ALBERTA
~~2811 SEIDENBERG AVE~~
KEY WEST, FL 33040-4051

✓ SILVERKING RENTAL PROPERTIES
LLC
5510 3RD AVE
KEY WEST, FL 33040-6032

✓ YARBROUGH MEGAN L
49C 10TH AVE
KEY WEST, FL 33040-5867

✓ MORALES CARIDAD
C-46 10TH AVE
KEY WEST, FL 33040

✓ ROBERTS CHARLES F
5585 2ND AVE
KEY WEST, FL 33040-5932

✓ GOODRICH ADRIAN I AND TERRI A
PO BOX 491616
LEESBURG, FL 34749-1616

✓ OVIEDO MARY MELINDA
5412 3RD AVE
KEY WEST, FL 33040-6030

✓ WOODS ALLISON J
5425 ROBYN LN
KEY WEST, FL 33040-6043

✓ ARNOLD JEFFREY W
5430 ROBYN LN
KEY WEST, FL 33040-6043

✓ MCQUAIG HELEN
1330 W 4TH ST
FREEPORT, TX 77541-5306

✓ RITLOP JOHN STEVE
20C 9TH AVE
KEY WEST, FL 33040-5866

✓ TORRES MIRTA
E25 11TH AVE
KEY WEST, FL 33040

✓ BOZA MARY J
46C 10TH AVE
KEY WEST, FL 33040-5867

✓ BERULDSEN DIANE
25A 7TH AVE
KEY WEST, FL 33040-5862

✓ BROWN JAMES F
272 W KEY PALM RD
BOCA RATON, FL 33432

✓ MORALES CARIDAD
~~46C 10TH AVE~~
KEY WEST, FL 33040-5867

✓ FIEDLER BRUCE
A-22 7TH AVE
KEY WEST, FL 33040

✓ SNEED ROBERT BUSH JR
12 DRIFTWOOD DR
KEY WEST, FL 33040

✓ DOT STATE OF FLORIDA
605 SUWANNEE ST
TALLAHASSEE, FL 32399-0450

✓ LEGGETT JOAN A TRUSTEE L/E
C/O ALLEN KIRKWOOD B
25 6TH AVE
KEY WEST FL 33040-5860

✓ ROBERTS CHARLES F
5585 2ND AVE
KEY WEST, FL 33040-5932

✓ GARCIA TAMMY L
47A 8TH AVE
KEY WEST, FL 33040-5863

✓ RODRIGUEZ ADRIAN
C/O ANDINO LISSETTE
45 BAY DR
KEY WEST, FL 33040

✓ SEAVIEW RENTALS LLC
PO BOX 2554
KEY WEST, FL 33045-2554

✓ ARENCIBIA FRANCISCO AND
MERCEDES
24E 11TH AVE
KEY WEST, FL 33040-5870

✓ MORALES JOSE O
PO BOX 2825
KEY WEST, FL 33045-2825

✓ BOZA MARY J
46C 10TH AVE
KEY WEST, FL 33040-5867

✓ ALLEN EMERSON E
23 6TH AVE
KEY WEST, FL 33040-5860

✓ HERRERA JOSE M
A49 8TH AVE
KEY WEST, FL 33040

✓ SEAVIEW RENTALS LLC
PO BOX 2554
KEY WEST, FL 33045-2554

✓ SHINE DEREK LANG SR AND TAMMY
24C 9TH AVE
KEY WEST, FL 33040-5866

✓ ALFARO CARIDAD
46D 11TH AVE
KEY WEST, FL 33040-5869

✓ GILLIS LILIAS M
D 45 11TH AVE
KEY WEST, FL 33040

✓ PEREZ MARIO AND MARGARET
404 BALIDO ST
KEY WEST, FL 33040-5702

✓ MARTINEZ REYNALDO A
1107 KEY PLAZA BOX 82
KEY WEST, FL 33040

✓ GOURGUE JEAN L
D-47TH ELEVENTH AVE
KEY WEST, FL 33040

✓ BLANCO GERARDO
B-49 9TH AVE
KEY WEST, FL 33040

✓ JOHNSON BRENDA L AND LEONARD
A
29 6TH AVE
KEY WEST, FL 33040

✓ BRUGMAN EDWARD H AND
MILDRED G
721 SOUTH ST
KEY WEST, FL 33040-4754

✓ LEWIS JOHN C
48A 8TH AVE
KEY WEST, FL 33040

✓ GOODRICH ADRIAN I AND TERRI A
PO BOX 491616
LEESBURG, FL 34749-1616

✓ G AND M REAL ESTATE L L C
PO BOX 491616
LEESBURG, FL 34749-1616

✓ SAFE HARBOR ENTERPRISES INC
P O BOX 2455
KEY WEST, FL 33040

✓ BOARD OF COUNTY
COMMISSIONERS OF MONROE
COUNTY
500 WHITEHEAD ST
KEY WEST, FL 33040-6581

STATE OF FL DEPT OF
TRANSPORTATION
605 SUWANNEE ST
TALLAHASSEE, FL 32399-0450

✓ HERNANDEZ CARMEN
PO BOX 5168
KEY WEST, FL 33045-5168

✓ BOARD OF COUNTY
COMMISSIONERS OF MONROE
COUNTY FL
500 WHITEHEAD ST
KEY WEST, FL 33040-6581

✓ GALVAN JORGE E AND RAQUEL
2603 HARRIS AVE
KEY WEST, FL 33040-3944

✓ JACKSON DESHAWN C
50 7TH AVE
KEY WEST, FL 33040-5816

✓ KAHLEY DANIEL V AND BRENDA
42 7TH AVE
KEY WEST, FL 33040-5816

✓ CHURCH ALAN R AND CINDY V
44 7TH AVE
KEY WEST, FL 33040-5816

✓ ~~MONROE COUNTY
500 WHITEHEAD ST
KEY WEST, FL 33040-6581~~

✓ GOMEZ DANIEL L
47 7TH AVE
KEY WEST, FL 33040-5816

✓ ~~SILVERKING RENTAL PROPERTIES
LLC
5510 3RD AVE
KEY WEST, FL 33040-6032~~

✓ ASHE REBEKAH G
918 KENNEDY DR
KEY WEST, FL 33040-4017

✓ GONZALEZ DORA
5426 ROBYN LN
KEY WEST, FL 33040-6043

✓ SUAREZ ALICIA
5429 4TH AVE
KEY WEST, FL 33040

✓ BRANDT DOLORES ARLINE ESTATE
32 HI MOUNT DR
NORTH YORK, ONTARIO M2K 1X5
CANADA

✓ PRESTON ERNEST T
5420 ROBYN LN
KEY WEST, FL 33040-6043

✓ DURAN WILLIAM
1209 19TH TER
KEY WEST, FL 33040-4544

✓ ~~BROGLI KENNETH E AND ALBERTA
2811 SEIDENBERG AVE
KEY WEST, FL 33040-4051~~

✓ BRUEIN DONTA AND OMAIRA
PO BOX 651
KEY WEST, FL 33041

✓ OWENS VAN L
49 7TH AVE
KEY WEST, FL 33040-5816

✓ ~~SILVERKING RENTAL PROPERTIES
LLC
5510 3RD AVE
KEY WEST, FL 33040-6032~~

✓ NILES LEONORA
5411 3RD AVE
KEY WEST, FL 33040-6030

✓ LAND TRUST NO 62108 06/02/08
C/O BURNS NOEL W TRUSTEE
9400 S DADELAND BLVD PH 5
MIAMI, FL 33156-2841

✓ RIVERA ROLANDO AND LOURDES
5407 3RD AVE
KEY WEST, FL 33040-6030

✓ BROGLI KENNETH E JR
5442 FIFTH AVE
KEY WEST, FL 33040

✓ GEREZ BERCHAM III
41 7TH AVE
KEY WEST, FL 33040-5816

✓ SANCHEZ STEVEN C T/C
5413 3RD AVE
KEY WEST, FL 33040-6030

✓ YARBROUGH THOMAS J
1624 JOSEPHINE ST
KEY WEST, FL 33040

✓ MARTINEZ MODESTO AND MARIA E
5439 5TH AVE
KEY WEST, FL 33040

✓ PAZARA TERESA EBELING
48E 12TH AVE
KEY WEST, FL 33040-5871

✓ ALVARAO-VAZQUEZ EDGARDO
PO BOX 549
KEY WEST, FL 33041-0549

✓ CERVANTES DEBRA A
46 7TH AVE
KEY WEST, FL 33040-5816

✓ STOKES ANNE
48 7TH AVE
KEY WEST, FL 33040-5816

✓ KEY COW LLC
PO BOX 169
KEY WEST, FL 33041-0169

✓ DURAN GHEOFRE AND MILAGROS
5402 3RD AVE
KEY WEST, FL 33040

✓ BAUCOM PROPERTY HOLDINGS 2
LLC
261 GOLF CLUB DR
KEY WEST, FL 33040

✓ PIERRE INNOCENT
5422 ROBYN LN
KEY WEST, FL 33040

✓ TUCKER WENDY R
2308 SEIDENBERG AVE
KEY WEST, FL 33040-3853

✓ NAJD AKRAM
PO BOX 1864
KEY WEST, FL 33041-1864

✓ DIEZEL MICHAEL
5427 ROBYN LN
KEY WEST, FL 33040-6043

BAUCOM PROPERTY HOLDINGS 2
LLC
261 GOLF CLUB DR
KEY WEST, FL 33040

LONGSTOCK II LLC
7009 SHRIMP RD STE 2
KEY WEST, FL 33040-6067

✓ K W RESORT UTILITIES CORP
PO BOX 2125
KEY WEST, FL 33045

✓ HERNANDEZ ROBERT
C-50 10TH AVE
KEY WEST, FL 33040

SNEED ROBERT BUSH JR
12 DRIFTWOOD DR
KEY WEST, FL 33040

✓ DAEFFLER DENNIS K AND JANICE D
46-B NINTH AVENUE
KEY WEST, FL 33040

ROBERTS CHARLES F
5585 2ND AVE
KEY WEST, FL 33040-5932

STATE OF FL DEPT OF
TRANSPORTATION
605 SUWANNEE ST
TALLAHASSEE, FL 32399-0450

✓ RODRIGUEZ ROBERTO
46A 8TH AVE
KEY WEST, FL 33040-5863

✓ B23 EIGHTH AVENUE LLC
1101 17TH ST
KEY WEST, FL 33040

✓ PIERRE JEAN JONAS AND BERNARD
E-22 ELEVENTH AVENUE
KEY WEST, FL 33040

✓ LEGGETT FRANK R
E-20 11TH AVE
KEY WEST, FL 33040

✓ CABRERA LEONARDO
49D 11TH AVE
KEY WEST, FL 33040-5869

✓ HERNANDEZ ROMEO
48D 11TH AVE
KEY WEST, FL 33040-5869

LEWIS JOHN C
48A 8TH AVE
KEY WEST, FL 33040

✓ MORALES FRANCISCO AND MIRTA
1715 ALAMEDA DR
SPRING HILL, FL 34609-4806

✓ CONSTELLATION YACHTS INC
6811 SHRIMP RD
KEY WEST, FL 33040

SILVERKING RENTAL PROPERTIES
LLC
5510 3RD AVE
KEY WEST, FL 33040-6032

✓ RUSTY ANCHOR PROPERTIES OF KEY
WEST LLC
5510 THIRD AVE
KEY WEST, FL 33040

✓ SOUTHERN STAR OF KEY WEST INC
ALL ANMAL CLINIC
5450 MACDONALD AVE STE 13
KEY WEST, FL 33040-5906

✓ VELAZQUEZ NANCY
5408 3RD AVE
KEY WEST, FL 33040

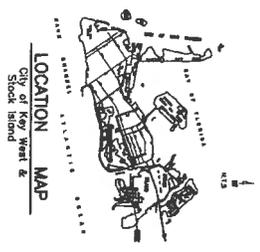
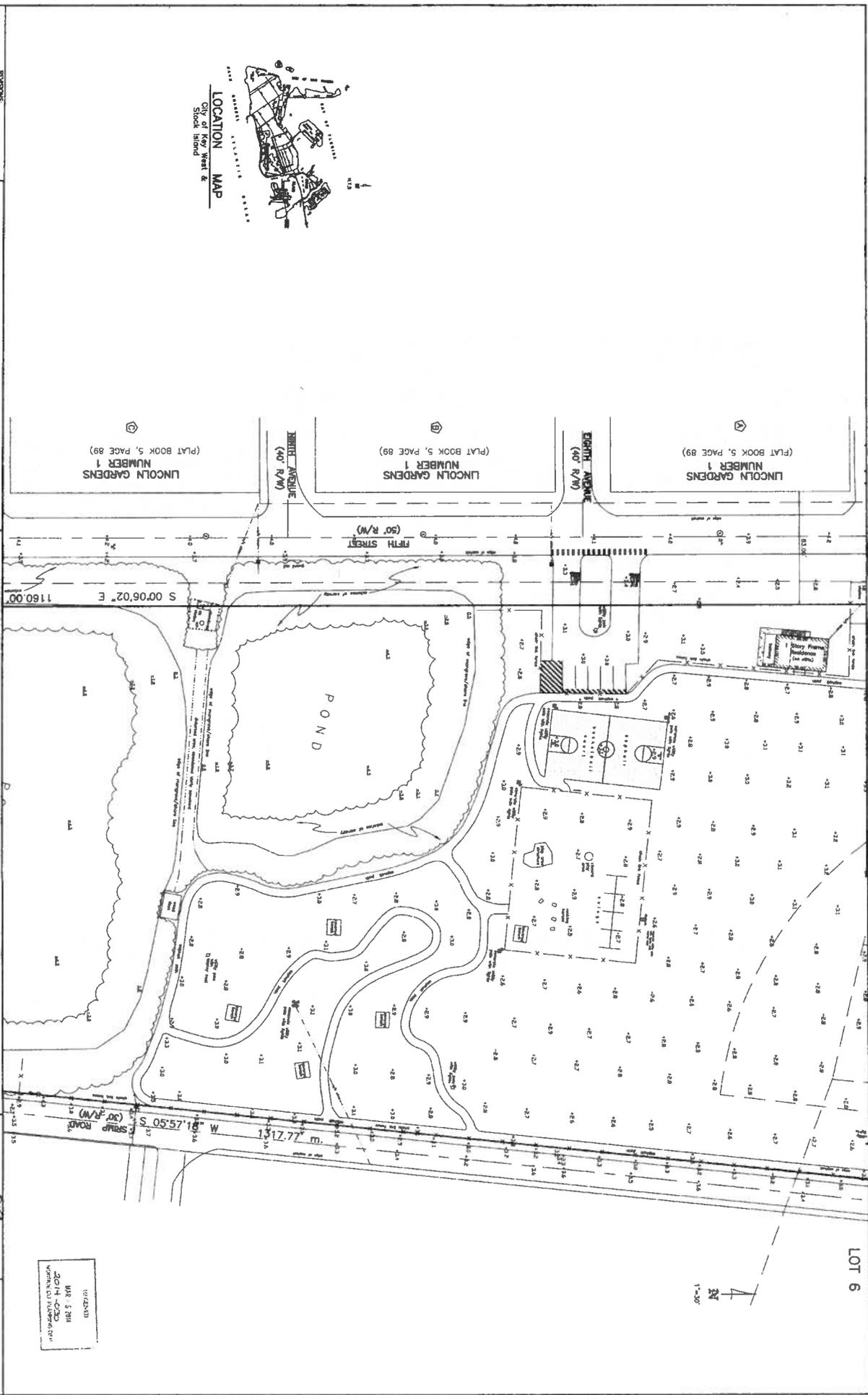
✓ HINDSLEY LINDA
5431 ROBYN LN
KEY WEST, FL 33040

MCQUAIG HELEN
1330 W 4TH ST
FREEPORT, TX 77541-5306

✓ MALBY ROBERT W
2724 NW 58TH BLVD
GAINESVILLE, FL 32606

✓ ROBERTSON DOLORES L
23E 11TH AVE
KEY WEST, FL 33040

SAFE HARBOR ENTERPRISES INC
7009 SHRIMP RD STE 2
KEY WEST, FL 33040-6067



Sheet Description:
Boundary Survey

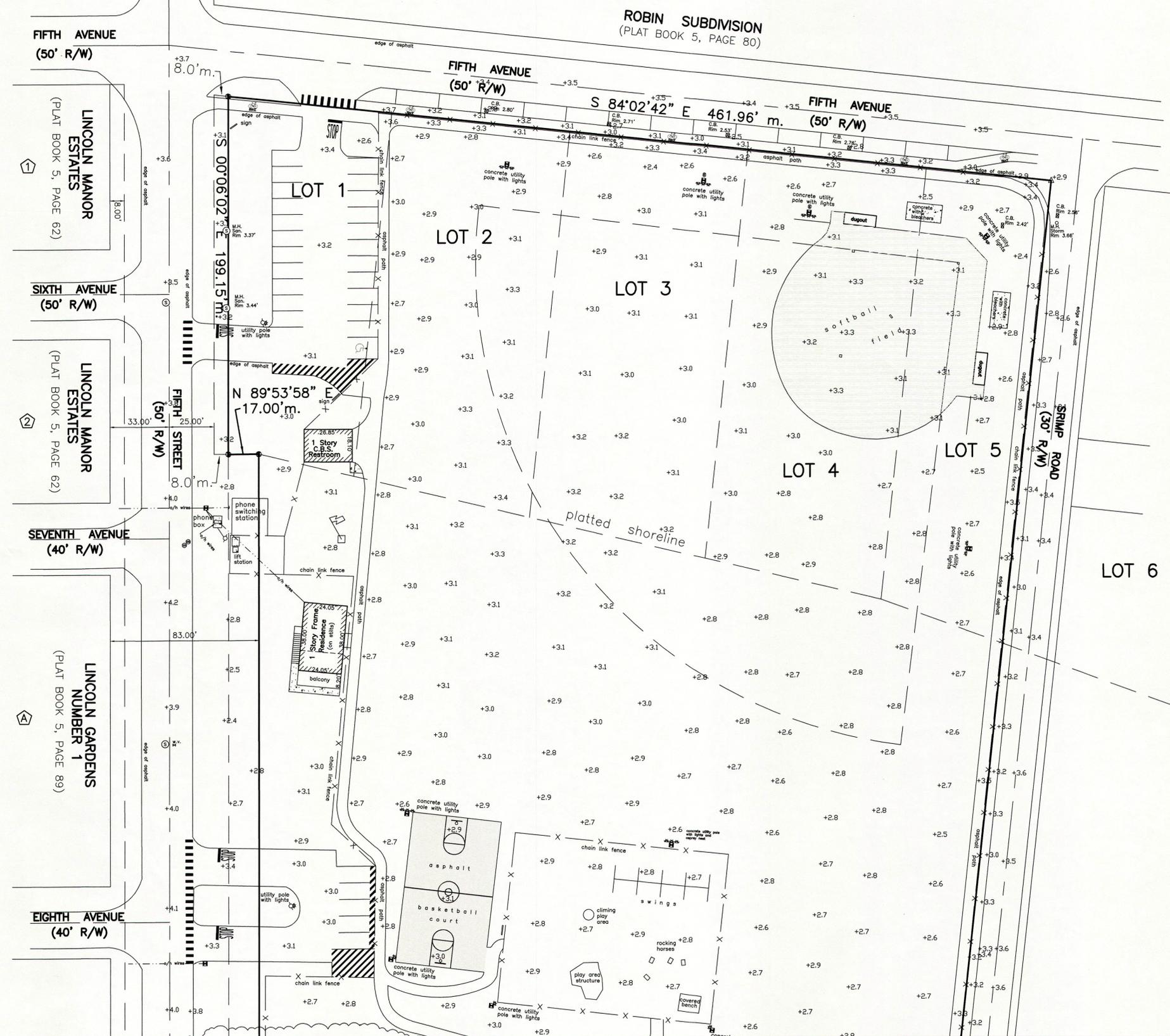
Project:
**Bernstein Park
Stock Island, Key West, Fl.**

NO.	DATE	REVISIONS

DATE: 3/27/14
DRAWN: F.M.H.
CHECKED: J.B.
JOB NO. 13-433
SHEET NO. 2 OF 3

ISLAND SURVEYING, INC.
SURVEYORS
PLANNERS
ENGINEERS

LOT 6



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 2014-030
 MONROE CO. PLANNING DEPT

REVISIONS:		
No.	Date	Remarks

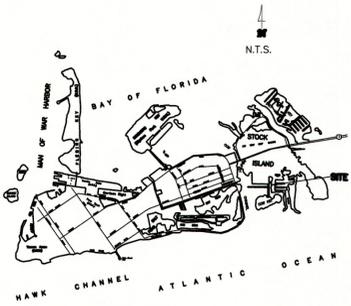
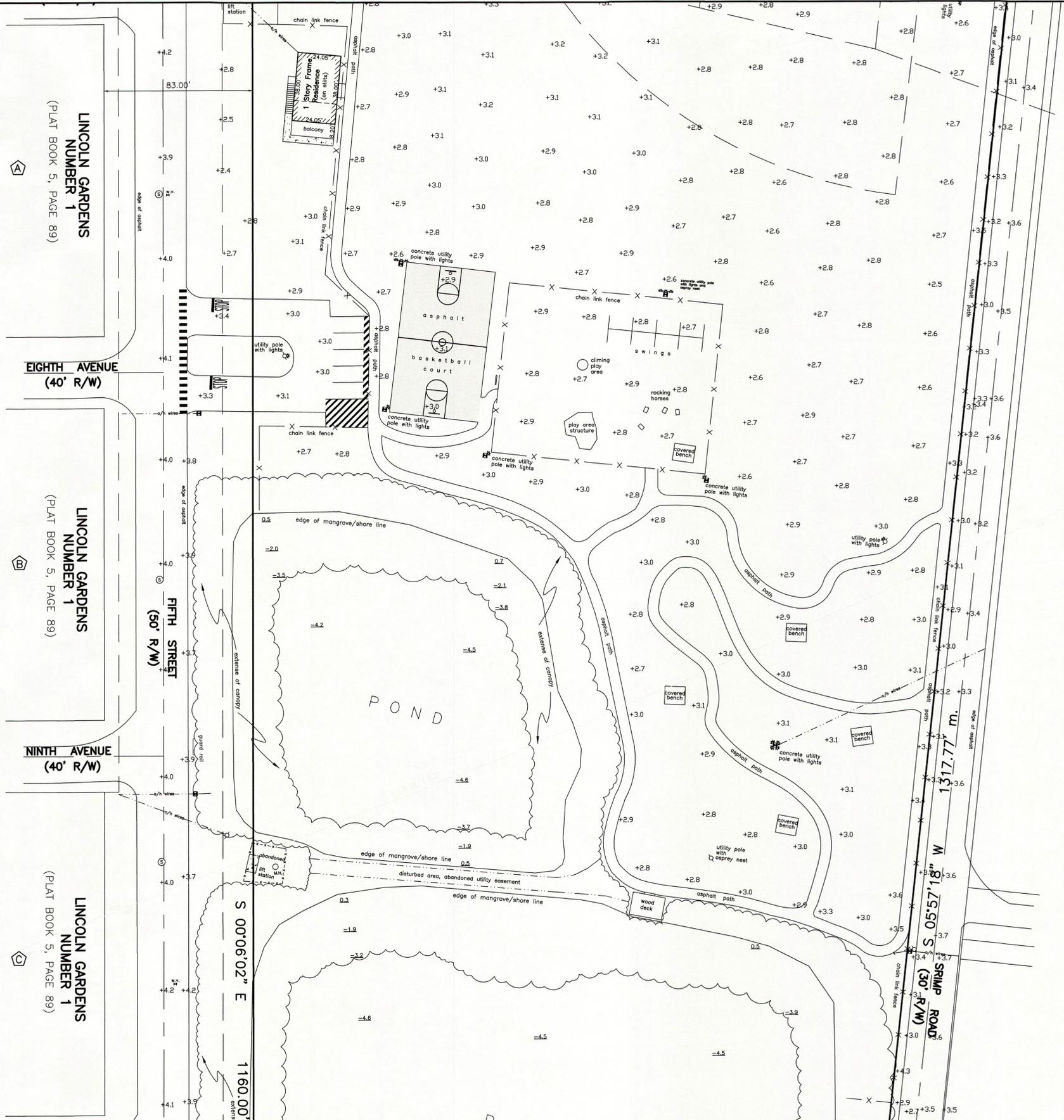
Sheet Description:
Boundary Survey

Project:
**Bernstein Park
 Stock Island, Key West, Fl.**

ISLAND SURVEYING INC.
 ENGINEERS PLANNERS SURVEYORS
 3152 Northside Drive
 Suite 201
 Key West, Fl. 33040
 (305) 293-0466
 Fax: (305) 293-0237
 thilde@islandsurveying.net
 I.B. No. 7700

Date: 3/3/14
 Designed: _____
 Drawn: F.H.H.
 Checked: _____
 Job. No. 13-433
 Sheet No. 1 of 3

LOT 6



LOCATION MAP
City of Key West &
Stock Island

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2014-030
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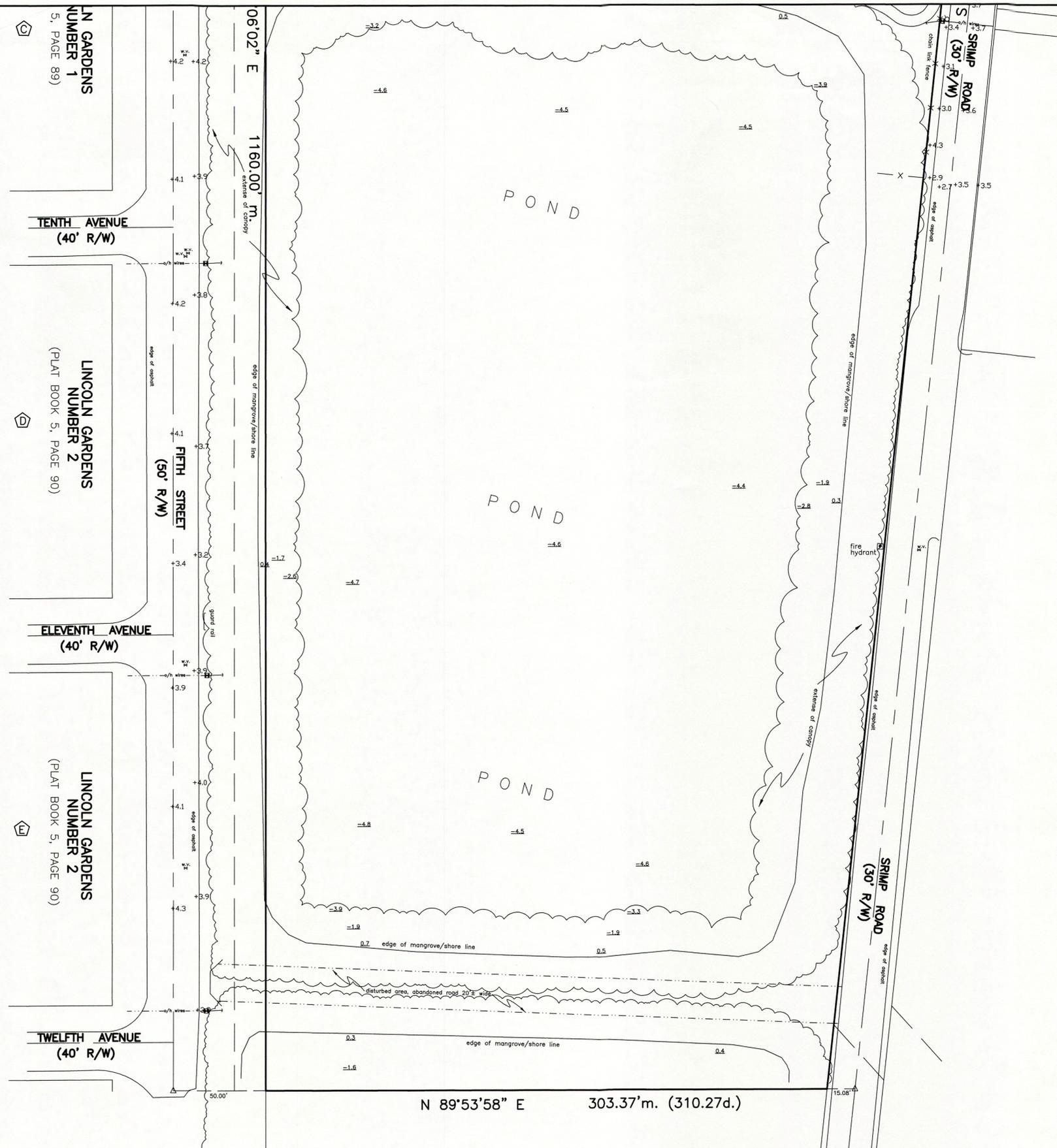
REVISIONS:		
No.	Date	Remarks

Sheet Description:
Boundary Survey

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Stock Island, Key West, Fl.**

ISLAND SURVEYING INC.
ENGINEERS PLANNERS SURVEYORS
3152 Northside Drive
Suite 201
Key West, FL 33040
(305) 293-0466
Fax: (305) 293-0237
flinfo@bellsouth.net
L.B. No. 7700

Date: 3/3/14
Designed:
Drawn: F.H.H.
Checked:
Job No. 13-433
Sheet No. 2 of 3



LEGAL DESCRIPTION:
 Lots 1, 2, 3, 4 and 5, Block 57, "George L. McDonalds Plot of Part of Stock Island", less the Westerly eight feet (8') of Lot 1 and less the Easterly thirty feet (30') of Lot 5, according to the plat thereof as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

ALSO
 A Parcel of submerged land lying South of said Block 57, more particularly described as follows: Commencing at the Northwest corner of Lot 1, Block 57, Maloney's Plot of Stock Island, according to the plat thereof, as recorded in Public Records of Monroe County, Florida, in Plat Book 1, Page 55, run South along the Easterly right of way line of Fifth Street according to the aforementioned plat a distance of 200 feet, more or less to the shoreline, thence meander the shoreline in an Easterly direction 8 feet, more or less, to the Point of Beginning, said Point of Beginning being 8.00 feet Easterly of as measured at right angles to the Easterly Right of Way Line of Fifth Street, according to the aforementioned recorded plat, if extended Southerly; thence run South along a line 8.00 feet distance from and parallel to the Easterly Right of Way Line of Fifth Street, if extended, for a distance of 1160 feet more or less to a point, thence deflection 90 degrees to the left run 310.27 feet; thence deflection 83 degrees 56' to the left run Northeastly along the Southwesterly extension of the Easterly line of Lot 5, Block 57 of the aforementioned plat of Lot 5, Block 57 of the aforementioned plat of a distance of 1060 feet, more or less to the shoreline; thence meander the shoreline in a Westerly direction for a distance of 480 feet, more or less, back to the Point of Beginning, less that portion sold to Stock Island Utility Company by Warranty Deed recorded in Official Records Book 866, Pages 2446-2459, of the Public Records of Monroe County, Florida.

- SURVEYOR'S NOTES:**
 North arrow based on plot & deeds
 Reference Bearing: R/W Fifth Street & Fifth Avenue
 3.4 denotes existing elevation
 Elevations based on NAD 83, 1929 Datum
 Bench Mark No.: R-397 Elevation: 8.234
- Monumentation:**
 ⊙ = Found 1/2" Iron Pipe, P.L.S. No. 2749
 ⊙ = Found 1/2" Iron Pipe, P.L.S. No. 2749
 ⊙ = Found 1/2" Iron Bar
 ⊙ = Found P.K. Nail, P.L.S. No. 2749
 ⊙ = Found P.K. Nail
- Abbreviations:**
 o/h = Overhead
 u/g = Underground
 S/S = Storm Sewer
 F.F.L. = Finish Floor Elevation
 L.B. = Low Beam
 Rod = Rod
 m. = Measured
 M.H.W. = Mean High Water
 O.R. = Official Records
 Sec. = Section
 Twp. = Township
 Rng. = Range
 N.T.S. = Not to Scale
 C. = Centerline
 Elev. = Elevation
 B.M. = Bench Mark
 P.C. = Point of Curvature
 P.T. = Point of Tangency
 P.O.C. = Point of Commence
 P.O.B. = Point of Beginning
 P.B. = Plat Book
 pg. = page
 Elec. = Electric
 Tel. = Telephone
 Ench. = Encroachment
 O.L. = On Line
 C.L.F. = Chain Link Fence
 A/C = Air Conditioner
- o/h = Overhead
 u/g = Underground
 F.F.L. = Finish Floor Elevation
 L.B. = Low Beam
 Rod = Rod
 m. = Measured
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 Tel. = Telephone
 Ench. = Encroachment
 O.L. = On Line
 C.L.F. = Chain Link Fence
 A/C = Air Conditioner
- Field Work performed on: 1/15/14

CERTIFICATION:
 I HEREBY CERTIFY that the attached Boundary Survey is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter SJ-17, Florida Statute Section 472.007, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRAND
 Professional Land Surveyor No. 2749
 Professional Engineer No. 36810
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

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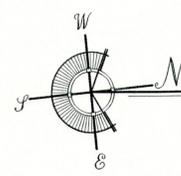
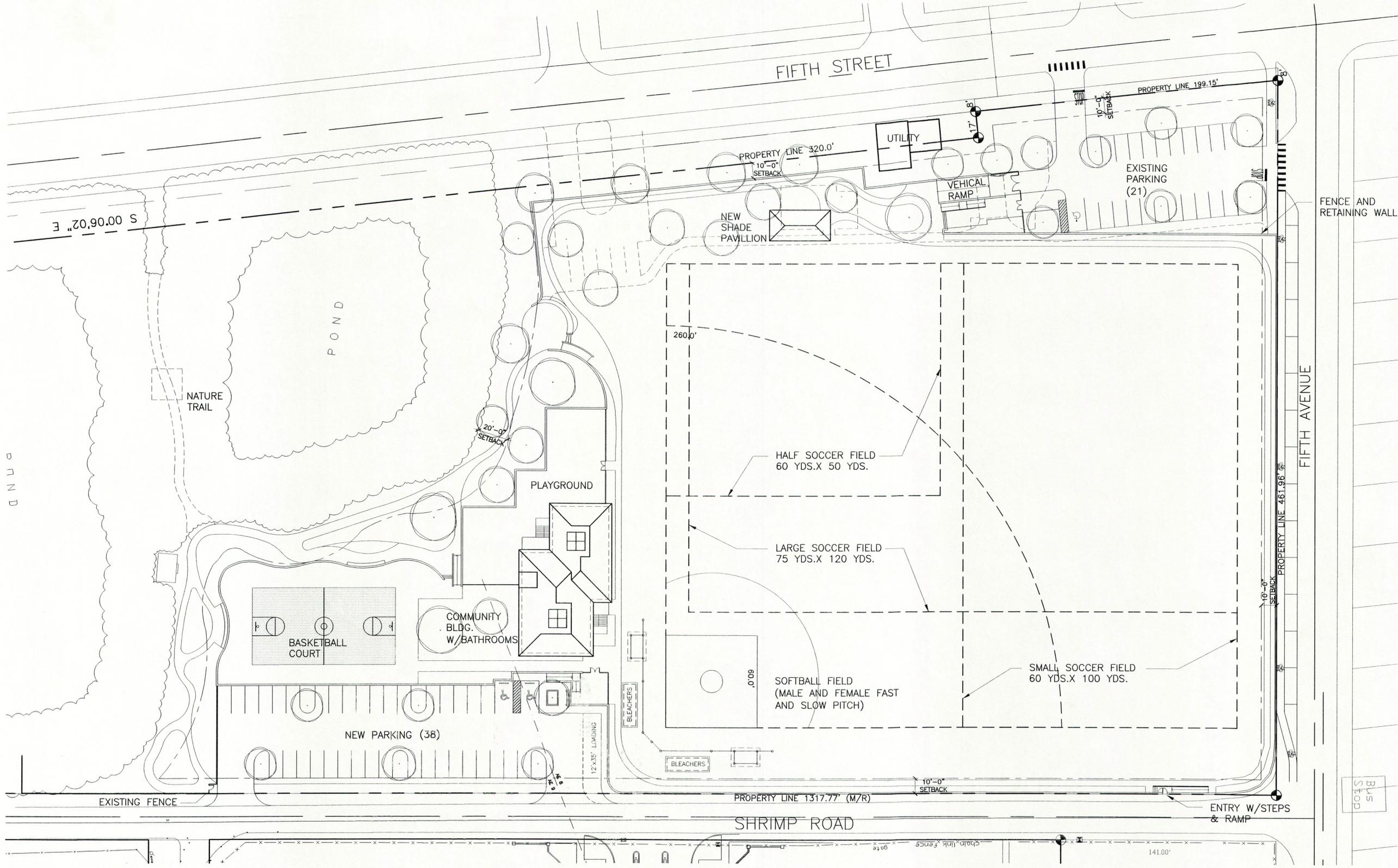
REVISIONS:	
No.	Date

Sheet Description:
Boundary Survey

Project:
**Bernstein Park
 Stock Island, Key West, Fl.**

ISLAND SURVEYING INC.
 ENGINEERS PLANNERS SURVEYORS
 3152 Northside Drive
 Suite 201
 Key West, Fl. 33040
 (305) 293-0466
 Fax: (305) 293-0237
 fhil@islandsurveying.net
 L.B. No. 7700

Date: 3/3/14
 Designed:
 Drawn: F.H.H.
 Checked:
 Job. No. 13-433
 Sheet No. 3 of 3



PROPOSED SCHEME #1

SITE PLAN BASED ON INFORMATION OBTAINED FROM SURVEY PREPARED BY FREDERICK H. HILDEBRANDT DATED ON _____

SCALE: 1"=30'-0"

RECEIVED
 MAR - 5 2014
 2014-030
 MONROE CO. PLANNING DEPT

WILLIAM P. HORN
 ARCHITECT, P.A.

915 EATON ST
 KEY WEST,
 FLORIDA
 33040

TEL (305) 286-8302
 FAX (305) 286-1033

LICENSE NO
 AA 0003040

BERNSTEIN PARK
 STOCK ISLAND
 MONROE COUNTY, FL.



MITCHELL PLANNING & DESIGN

INNOVATIVE ENGINEERING
 GROUP INC.



SEAL

Handwritten signature and date: 3/4/14

THESE DRAWINGS MAY NOT BE REPRODUCED WITHOUT WRITTEN AUTHORIZATION BY WILLIAM P. HORN

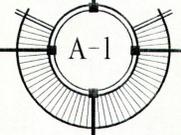
DATE

11-06-13
 01-13-14

REVISIONS

DRAWN BY
 EMA

PROJECT NUMBER
 1320



BERNSTEIN PARK
 STOCK ISLAND
 MONROE COUNTY, FL.



**Item #4 Alfredo's Kitchen-Alcoholic Bev
Staff Report**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources
From: Barbara Bauman, Planner
Date: March 12, 2014
Subject: *Request for a 2COP (Beer and Wine, on premise and package) Alcoholic Beverage Special Use Permit, Alfredo's Kitchen LLC, 99000 Overseas Highway, Largo Key, Real Estate #00522411.000200 (File #2014-018)*

Meeting: March 26, 2014

I REQUEST:

The Applicant is requesting approval of a 2COP (beer & wine, on premises and package) alcoholic beverage special use permit.



Subject Property with Land Use Districts (Aerial dated 2012)

1
2
3 Location:

4 Address: 99000 Overseas Highway, Key Largo, mile marker 99 (Median of US 1)

5
6 Legal Description: Tracts B and C, Cape Subdivision (Plat Book 6, Page 92), Key Largo,
7 Monroe County, Florida

8
9 Real Estate (RE) Number: 00522411.000200

10
11 Applicant:

12
13 Property Owner: Medina Land Holdings Number 7 LLC

14
15 Property Lessee: Alfredo's Kitchen LLC, doing business as Keysbite

16
17 Agent: Adela Munoz

18
19 II RELEVANT PRIOR COUNTY ACTIONS:

20
21 In 1990, a minor conditional use permit was issued allowing a new 1,720 SF restaurant (Taco
22 Bell) on the subject property. The approval was memorialized by Development Order #1-90,
23 signed by the planning director on June 15, 1990 and filed in the official records of Monroe
24 County on August 16, 1990 (Planning Department File #89012).

25
26 On November 15, 1990, Building Permit #903-1953 was issued to construct the restaurant
27 approved by Development Order #1-90. On March 15, 1991, the building received a
28 Certificate of Occupancy.

29
30 On November 25, 2013, Building Permit #133-4063 was issued for renovations of the
31 building. The restaurant within the building is now open and is in operation.

32
33 III BACKGROUND:

34
35 A. Size of Site: Approximately 24,771 SF (0.57 acres)

36 B. Land Use District: Suburban Commercial (SC)

37 C. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)

38 D. Tier Designation: Tier III

39 E. Flood Zone: X

40 F. Existing Use: Restaurant

41 G. Existing Vegetation / Habitat: Scarified with landscaping

42 H. Community Character of Immediate Vicinity: Mixed Use- Commercial Retail, Office,
43 Institutional and Residential

44
45 IV REVIEW OF APPLICATION:

46
47 Pursuant to MCC §3-6(e), the Planning Commission shall give due consideration to the
48 following factors as they may apply to the particular application prior to rendering its
49 decision to grant or deny the requested permit:

1 (1) *The effect of such use upon surrounding properties and the immediate neighborhood as*
2 *represented by property owners within 500 feet of the premises:*

3
4 The subject property is within a SC district. Commercial retail uses, which include
5 restaurants, are permitted. The existing nonresidential commercial building was
6 previously used as a restaurant (Taco Bell) and reopened as a new restaurant.

7
8 The location of this restaurant is the median of US 1 between Mrs. Mac's Kitchen
9 (previously Pizza Hut) and a proposed bakery (previously Kentucky Fried Chicken).

10
11 The surrounding properties are developed with a variety of uses, comprised of
12 commercial retail (including other restaurants), office, institutional (including a church)
13 and residential.

14

Surrounding Properties	Business Type	Type of Alcoholic Beverage
Mrs. Mac's Kitchen II	Restaurant	6COP Beer, wine and liquor, on premises and package

15
16 Staff does not anticipate that an approved 2COP alcoholic beverage license will impact
17 neighboring properties.

18
19 Please note that no members of the community, either in support or opposition to the
20 application, contacted the Planning & Environmental Resources Department as of the
21 date of this report.

22
23 (2) *The suitability of the premises in regard to its location, site characteristics and intended*
24 *purpose. Lighting on the permitted premises shall be shuttered and shielded from*
25 *surrounding properties, and construction of such permitted properties will be*
26 *soundproofed. In the event music and entertainment is permitted, the premises shall be*
27 *air conditioned:*

28
29 The commercial retail building in which the alcohol sales would occur is already
30 approved to exist in its current configuration. The building was approved for commercial
31 retail use, at its current size.

32
33 The site's location, characteristics and intended purpose are within the established
34 parameters of the existing zoning category. A restaurant with a 2COP alcoholic beverage
35 special use permit is consistent with the approved use for the site.

36
37 No changes to the existing structure or lighting are proposed or required. If additional
38 lighting is proposed in the future, it will require a building permit and to be shuttered and
39 shielded from surrounding properties.

1 There is no outdoor seating area located on site at this time. Any music and
2 entertainment will be located inside the air conditioned building. In the future, if outdoor
3 seating or use is proposed, it shall be required to receive approval from Monroe County.
4

5 *(3) Access, traffic generation, road capacities, and parking requirements:*
6

7 The site has sufficient and appropriate access points from southbound US 1 and from
8 northbound US 1 by a shared access easement (Book 1156 Page 523) with the adjoining
9 property to the south (Mrs. Mac's Kitchen II).
10

11 Prior building permit records pertaining to the site have indicated a total approved
12 enclosed floor area of 1,720 SF and the existing off-street parking.
13

14 The applicant did not submit a traffic impact study. However, in 1990 Taco Bell
15 provided a traffic study by a traffic consultant stating the traffic for Taco Bell was not
16 expected to have adverse effects.
17

18 Based on studies generated for similar applications, staff does not anticipate that an
19 approved 2COP alcoholic beverage special use permit will significantly or notably
20 increase traffic or parking to the site. The site is already approved for commercial retail
21 use. The reserve capacities along this segment of US 1 are adequate.
22

23 *(4) Demands upon utilities, community facilities and public services:*
24

25 The site has been developed with commercial retail use since 1991. The issuance of a
26 2COP alcohol beverage use permit will not increase demands on utilities, community
27 facilities or public services.
28

29 *(5) Compliance with the county's restrictions or requirements and any valid regulations:*
30

31 As of the date of this report, based on the information in the Growth Management
32 Division's files and the application, the development is in compliance with, or lawfully
33 nonconforming to, the County's restrictions, requirements, and regulations.
34

35 **V RECOMMENDATION:**
36

37 Staff recommends APPROVAL to the Planning Commission for a 2COP Alcohol Beverage
38 Special Use Permit with the following conditions (however, valid objections from
39 surrounding property owners at the public hearing may lead the Planning and Environmental
40 Resources Department to reevaluate the recommendation and or suggested conditions):
41

- 42 A. Alcoholic Beverage Special Use Permits issued by virtue of the Monroe County Code
43 shall be deemed to be a privilege running with the land. The sale of the real property
44 which has been granted an Alcoholic Beverage Special Use Permit shall
45 automatically vest the purchaser thereof with all rights and obligations originally

1 granted or imposed to or on the applicant. Such privilege may not be separated from
2 the fee simple interest in the realty.
3

4 B. In the event that the holder's license by the Department of Business and Professional
5 Regulation of the State of Florida expires and lapses, this Alcoholic Beverage Special
6 Use Permit approval shall be null and void as of the date of that expiration.
7 Additional approval by the Planning Commission shall be required to renew the
8 Alcoholic Beverage Special Use Permit.
9

10 C. Alcohol consumption shall occur only within seating areas approved by the Monroe
11 County Planning & Environmental Resources Department.
12

1 **Attachment: Monroe County Code Section 3-6. Alcoholic Beverages**

2
3 (a) *Purpose and Intent:* This section is designed and intended to provide for reasonable regulation and control over
4 the sale of alcoholic beverages within the unincorporated areas of Monroe County by establishing an alcoholic
5 beverage use permit procedure and providing criteria to be utilized to assure that all future proliferation of alcoholic
6 beverage use enterprises within the unincorporated areas of the county be compatible with adjoining and
7 surrounding land uses and the county's comprehensive plan, and that alcoholic beverage use permits not be granted
8 where such uses will have an adverse impact upon the health, safety and welfare of the citizens and residents of the
9 county. All persons, firms, partnerships or corporations who have received approval from the zoning board or board
10 of county commissioners under the former provisions of section 19-218 of the Monroe County Code, as same
11 heretofore existed, shall retain all rights and privileges heretofore granted under said section.
12

13 (b) *Permits:* After the effective date of this ordinance, all persons, firms, partnerships or corporations desiring to
14 sell alcoholic beverages upon any premises located within the unincorporated areas of Monroe County and who
15 desire to do so upon a premises not heretofore approved by the zoning board or board of county commissioners
16 under the former section 19-218, shall obtain an alcoholic beverage use permit utilizing the procedure outlined in
17 subsection (d) below.
18

19 (c) *Classifications:* Corresponding to those alcoholic beverage license classifications as heretofore and hereafter
20 adopted by the State of Florida, alcoholic beverage use permits hereafter issued pursuant to this ordinance shall be
21 classified as follows:

- 22 (1) 1APS: Beer, package only;
- 23 (2) 1COP: Beer, on-premises and package;
- 24 (3) 2APS: Beer and wine, package only;
- 25 (4) 2COP: Beer and wine, on-premises and package;
- 26 (5) 6COP: Beer, wine and liquor, on-premises and package;
- 27 (6) 6COP SRX: Restaurant, no package sales;
- 28 (7) 6COP SR: Restaurant, package sale;
- 29 (8) 6COP S: Motel, package sales;
- 30 (9) 6COP SBX: Bowling, no package sales;
- 31 (10) 6COP SPX: Boat, no package sales;
- 32 (11) 3BPS: Beer, wine and liquor, package sales only;
- 33 (12) 3M: Additional license for 6COP, over three (3) bars;
- 34 (13) 12RT: Racetrack, liquor, no package sales.
35

36 (d) *Procedure:* The following procedure shall be followed on any application for an alcoholic beverage use permit
37 hereafter made:

38 (1) Applications for alcoholic beverage use permits shall be submitted to the director of planning in
39 writing on forms provided by the director. Such applications must be signed by the owner of the real
40 property for which the permit is requested. Lessees of the premises may apply for such permits provided
41 that proper authorization from the owner of the premises is given and the application for permit is cosigned
42 by such owner.

43 (2) Upon receipt of a properly completed and executed application for alcoholic beverage use permit
44 stating the exact classification requested along with the necessary fee, the director of planning shall
45 schedule a public hearing before the planning commission and shall advise the applicant of the date and
46 place of said public hearing.

47 (3) Notice of the application and of the public hearing thereon shall be mailed by the director of planning
48 to all owners of real property within a radius of five hundred (500) feet of the affected premises. In the case
49 of a shopping center, the five hundred (500) feet shall be measured from the perimeter of the entire
50 shopping center itself rather than from the individual unit for which approval is sought. Notice shall also be
51 provided in a newspaper of general circulation in the manner prescribed in section 110-5.

52 a. For the purposes of this ordinance, a shopping center shall mean a contiguous group of
53 individual units, in any combination, devoted to commercial retail low-intensity uses, commercial
54 retail medium-intensity uses, commercial retail high-intensity uses, and office uses, as those
55 phrases are defined in section 101-1, with immediate off-street parking facilities, and originally

1 planned and developed as a single project. The shopping center's single project status shall not be
2 affected by the nature of the ownership of any of the individual office or commercial retail units,
3 within the shopping center.

4 (4) At the hearing before the planning commission, all persons wishing to speak for or against the
5 application shall be heard. Recommendations or other input from the director of planning may also be
6 heard prior to any decision by the planning commission.
7

8 (e) *Criteria:* The planning commission shall give due consideration to the following factors as they may apply to
9 the particular application prior to rendering its decision to grant or deny the requested permit:

10 (1) The effect of such use upon surrounding properties and the immediate neighborhood as represented by
11 property owners within five hundred (500) feet of the premises. For the purposes of this section, "premises"
12 shall mean the entire project site of a shopping center.

13 (2) The suitability of the premises in regard to its location, site characteristics and intended purpose.
14 Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and
15 construction of such permitted properties will be soundproofed. In the event music and entertainment is
16 permitted, the premises shall be air conditioned.

17 (3) Access, traffic generation, road capacities, and parking requirements.

18 (4) Demands upon utilities, community facilities and public services.

19 (5) Compliance with the county's restrictions or requirements and any valid regulations.
20

21 (f) *Approval by Planning Commission:* The planning commission may grant approval based on reasonable
22 conditions considering the criteria outlined herein.
23

24 (g) *Where Permitted:* Alcoholic beverage use permits may be granted in the following land use districts: urban
25 commercial; suburban commercial; suburban residential where the site abuts U.S. 1; destination resort; mixed use;
26 industrial and maritime industries. Notwithstanding the foregoing, alcoholic beverage sales may be permitted at
27 restaurants, hotels, marinas and campgrounds regardless of the land use district in which they are located. Nothing
28 contained herein shall exempt an applicant from obtaining a major or minor conditional use approval when such is
29 otherwise required by the county development regulations in part II of this Code.
30

31 (h) *Transferability:* Alcoholic beverage use permits issued by virtue of this section shall be deemed to be a
32 privilege running with the land. The sale of the real property which has been granted an alcoholic beverage use
33 permit shall automatically vest the purchaser thereof with all rights and obligations originally granted or imposed to
34 or on the applicant. Such privilege may not be separated from the fee simple interest in the realty.
35

36 (i) *Appeals:* All persons aggrieved by the actions of the planning commission in granting or denying requested
37 alcoholic beverage permits may request an appeal hearing before a hearing officer under chapter 102, article VI,
38 division 2 by filing the notice required by that article within 30 days after the date of the written decision of the
39 planning commission.
40

41 (j) *Successive Applications:* Whenever any application for alcoholic beverage approval is denied for failure to
42 meet the substantive requirements of this ordinance, an application for alcoholic beverage approval for all or a
43 portion of the same property shall not be considered for a period of two (2) years unless a super-majority of the
44 planning commission decides that the original decision was based on a material mistake of fact or that there exists
45 changed conditions and new facts, not existing at the time of the original decision, which would justify entertaining
46 a new application before the expiration of the two-year period. However, in the case of a shopping center, as defined
47 in subsection (d)(3)a. of this section, this subsection shall only apply to the commercial retail unit within the
48 shopping center for which approval was sought and not the entire shopping center site itself.

Item #4 Alfredo's Kitchen-Alcoholic Bev
File

File #: **2014-018**

Owner's Name: Medina Land Holdings Number 7 LLC

Applicant: Alfredo's Kitchen LLC

Agent: Adela Munoz

Type of Application: Alcoholic Beverage

Key: Key Largo

RE: 00522411-000200

Additional Information added to File 2014-018

County of Monroe
Growth Management Division

Office of the Director
2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
Fax: (305) 289-2854



Board of County Commissioners

Mayor Sylvia Murphy, Dist. 5
Mayor Pro Tem Danny L. Kolhage, Dist. 1
Heather Carruthers, Dist. 3
David Rice, Dist. 4
George Neugent, Dist. 2

We strive to be caring, professional, and fair.

Date: 2.10.14
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Alcoholic Beverage
Type of application

Alfredo's Kitchen LLC to the Monroe County Planning Department.
Project / Name

Thank you.

Jail Creech

Planning Staff

MCPA GIS Public Portal
Scott P. Russell, CFA

• Pan

• Legend

• Zoom In

MCPA GIS Public Portal
Major Road

• Zoom Out

• Address

• Find

• Identify

• Select

• Buffer

• Measure

• Print

• Hooks Leads

• Help

- 2013 Condo
- Expand All
- 2012 Condo
- MCPA GIS Public Portal
- Monroe Overlay
- 2011 Condo
- Subdivisions
- Section Lines
- 2010 Condo
- Parcels
- Shoreline
- 2009 Condo
- Lot Lines
- Hooks Leads
- 2008 Condo
- Easements
- Text Displays
- Condo Sales
- 2013 Sales
- Sales
- Transportation
- 2012 Sales
- 2011 Sales
- 2010 Sales

Zoom-in Zoom-in to a defined extent...
 Zoom-out Zoom-out to a defined extent...
 Full extent Zoom to the full extent tool was clicked!
 Enter address: 458947 Clear

Basemap Select a basemap by 500 feet Buffer Remove buffer graphic Clear

Zoom

OBJECTID ID RECHAR GEO_FEAT NAL_PARCEL_NO NAME ADD1

Verified GC

✓ 99100 KEY LARGO LLC
11925 SW 88TH CT
MIAMI, FL 33176-4356

✓ ACOSTA PEDRO ARNALDO
175 1ST ST S APT 411
SAINT PETERSBURG, FL 33701-4525

★ ALAMAR LLC
261 MOHAWK ST
TAVERNIER, FL 33070

✓ BAKER JILL
98980 OVERSEAS HWY UNIT 4
KEY LARGO, FL 33037-2366

★ BAYLES CATHERINE ZAIR REV TR
4/14/2010
4568 WOODLANDS VILLAGE DR
ORLANDO, FL 32835-2717

★ BEATTIE ELIZABETH A
17 DRURY DR
KEY LARGO, FL 33037-4114

✓ BELL JOHN AND MARTHA
605 SAILFISH TRAIL
KEY LARGO, FL 33037

✓ BILLINGS WILLIAM H AND MARIANNE S
1 DRURY DR
KEY LARGO, FL 33037

✓ BLANCO GLADYS G
13408 COUNTY ROAD 561
CLERMONT, FL 34711-8807

★ BRADT RONALD J
1001 NE 26TH AVE
POMPANO BEACH, FL 33062-4130

✓ BROCH RICARDO B AND CARIDAD
6 DRURY DR
KEY LARGO, FL 33037

★ BROWN SUSAN PRICE
20 DRURY DR
KEY LARGO, FL 33037-4131

★ BURDICK MICHELLE Y
PO BOX 370945
KEY LARGO, FL 33037-0945

✓ CARTER SHELLEY TRUST EST U/T/TR OF JOHN
CARTER SR
C/O KESHEN NELSON CO-TRUSTEE
9155 S DADELAND BLVD STE 1718
MIAMI, FL 33156-2742

★ CASANOVA JESUS AND NELIDA
99308 OVERSEAS HWY
KEY LARGO, FL 33037

★ CASANOVA JESUS AND NELIDA
3373 W 14TH CT
HIALEAH, FL 33012-4711

★ CELMER LUCILLE B IRREVOCABLE TRUST
12/1/2011
2337 FOXHAVEN DR E
JACKSONVILLE, FL 32224-2001

★ CLARK GEORGE D JR AND REBECCA A
P O BOX 168
KEY LARGO, FL 33037

★ CONTINENTAL EQUITIES INC
1300 NW 167TH ST
MIAMI GARDENS, FL 33169

~~COUNTY OF MONROE
C/O BOCC
1100 SIMONTON ST
KEY WEST, FL 33040~~

★ COX DAVID P
1830 SW CRANE CREEK AVE
PALM CITY, FL 34990

★ CRAMER DANA ANTHONY AND NADEZDA
MIKHAYLOVNA
9 DRURY DR
KEY LARGO, FL 33037

★ CULLEN ANNE T LIVING TRUST 12/23/1998
904 ESTALL ST
KEY LARGO, FL 33037-4119

★ CULLEN TANYA L T/C
241 ATLANTIC BLVD
KEY LARGO, FL 33037-4304

★ CUSHMAN VICTOR L
PO BOX 1551
KEY WEST, FL 33041-1551

✓ DALTON PETER O
1401 KINGSLEY AVE
ORANGE PARK, FL 32073-4574

★ DAPPER PROPERTIES I LLC
C/O LEASE AND PROPERTY
5673 AIRPORT RD
ROANOKE, VA 24012-1119

★ DAYLEY EMIKO
PO BOX 370954
KEY LARGO, FL 33037-0954

★ DE LLANOS RAMON AND NORA
110 SAN JUAN DR
ISLAMORADA, FL 33036-3306

★ DJ 98990 INVESTMENTS LLC
C/O THE KERN COMPANY
1550 MADRUGA AVE STE 130
CORAL GABLES, FL 33146-3016

★ = added by GC

Verified GC pg 1 of 4

★ DREAM BAY MARINA LLC
PO BOX 370456
KEY LARGO, FL 33037-0456

★ DREAM BAY RESORT LLC
P O BOX 456
KEY LARGO, FL 33037

✓ DRUDI FRANK D
504 BLUEFISH TRL
KEY LARGO, FL 33037-4293

✓ DS INVESTMENTS I LLC
2512 SW 30TH AVE
HALLANDALE, FL 33009-3095

✓ E BAXTER INVESTMENTS LLC
PO BOX 1430
ISLAMORADA, FL 33036-1430

✓ ECKHOFF ELIZABETH
PO BOX 370124
KEY LARGO, FL 33037-0124

★ ELWELL ROSS D AND JANICE
1757 OVERSEAS HWY
MARATHON, FL 33050-2122

✓ FETTERS CATHERINE A L/E
130 POND CT
DEBARY, FL 32713-2782

✓ FIDDES DIANA LYNN
4 DRURY DR
KEY LARGO, FL 33037

✓ FIRST BAPTIST CHURCH OF KEY LARGO
INC
99001 OVERSEAS HWY
KEY LARGO, FL 33037

✓ FLA KEYS AQUEDUCT COMM
1100 KENNEDY DR
KEY WEST, FL 33040-4021

✓ FRESNEDA TRUST 08/23/2009
969 BUSH ST APT 405
SAN FRANCISCO, CA 94109-6307

★ GARCIA HERMES JR AND SYLVIA K
12 FISHERMANS TR
KEY LARGO, FL 33037

★ GERSON DONALD M
6526 SOMERSET CIR
BOCA RATON, FL 33496-4021

★ GREGG VIOLET ELIZABETH
710 E SAN YSIDRO BLVD STE 1602
SAN YSIDRO, CA 92173-3123

★ HABITAT FOR HUMANITY OF THE UPPER
KEYS INC
PO BOX 372151
KEY LARGO, FL 33037-2151

★ HALE MICHAEL
66 FLORIDA DR
KEY LARGO, FL 33037-2595

✓ HANSON WAYNE C AND MARJORIE H
PO BOX 372893
KEY LARGO, FL 33037-7893

★ HARDISON CATHY
PO BOX 372823
KEY LARGO, FL 33037-7823

✓ HENDRICKS ROBERT A TRUSTEE
C/O FRANCESCON LOUIS J
1114 GRAND ST
KEY LARGO, FL 33037-4122

HOLLER BARBARA
PO BOX 238
TONAWANDA, NY 14151-0238

✓ HOLZMAN HOMES CONDOMINIUM
98980 Overseas Hwy
Key Largo, FL 33037

✓ IMMANUEL INVESTMENTS INC
998 SHAW DR
KEY LARGO, FL 33037-2721

★ ISLAND DOLPHIN CARE INC
31 CORRINE PL
KEY LARGO, FL 33037-4203

★ KATZENELL HERMAN C AND MARION
161 BAHAMA AVE
KEY LARGO, FL 33037-4351

✓ KAZI FOODS OF KEY WEST INC
PO BOX 11239
ST THOMAS, VI 00801-4239

★ KEEVER PAUL
101425 OVERSEAS HWY STE 922
KEY LARGO, FL 33037-4505

~~KEEVER PAUL
101425 OVERSEAS HWY
KEY LARGO, FL 33037~~

✓ KEY LARGO VOLUNTEER FIRE DEPT
PO BOX 782
KEY LARGO, FL 33037

✓ KLUTTZ WILLIAM EDWARD
104500 B-104 OVERSEAS HWY
KEY LARGO, FL 33037

✓ LEDESMA JOSE G AND MICHELLE
2 DRURY DR
KEY LARGO, FL 33037

★ LEDON GUILLERMO D AND BERTHA
1050 W 33RD ST
HIALEAH, FL 33012-4924

★ MARCUM JOSEPH C
13 DRURY DR
KEY LARGO, FL 33037-4114

★ MEADOR ANGELA
18 FISHERMANS TRL
KEY LARGO, FL 33037

✓ MEDINA LAND HOLDINGS NUMBER 7 LLC
7870 SW 74TH ST
MIAMI, FL 33143-4000

★ MILANESE GARY
97652 OVERSEAS HWY OFC
KEY LARGO, FL 33037-2216

★ MIRANDA JOAQUIN AND MARIA
175 HARBOR DR
KEY LARGO, FL 33037-4104

★ MOELLER LISA A
PO BOX 372744
KEY LARGO, FL 33037-2744

✓ MONROE COUNTY
502 WHITEHEAD ST
KEY WEST, FL 33040

✓ NELSON DARLING JULINA
PO BOX 371154
KEY LARGO, FL 33037-1154

★ NESTEL DIMITRI
101425 OVERSEAS HWY UNIT 292
KEY LARGO, FL 33037-4505

✓ NORTHSTAR RESORT ENTERPRISES
CORP
4775 COLLINS AVE APT 4003
MIAMI BEACH, FL 33140-5208

★ OATES RICHARD G AND DOROTHY
14 DRURY DR
KEY LARGO, FL 33037-4131

✓ OLIVER RICHARD AND TRACY
98980 OVERSEAS HWY UNIT 2
KEY LARGO, FL 33037-2366

★ ORTIZ FRANK P
190 HARBOR DR
KEY LARGO, FL 33037

★ OSIPOV KONSTANTIN
6 FISHERMANS TR
KEY LARGO, FL 33037

★ PALAZZOLO MATTHEW AND JUDITH ANN
6887 FREDMOOR DR
TROY, MI 48098-1726

★ PALMER GERALD AND HILLARY
58160 HOWE ST
MARATHON, FL 33050-5702

★ PHILLIPS GRACE
PO BOX 24
BLAIRSTOWN, NJ 07825-0024

★ POLSTON JANE REV LIV TR 8/14/07
C/O POLSTON JANE TRUSTEE
12 DRURY DR
KEY LARGO, FL 33037

★ POWERS IRENE
C/O REISER BARBARA A GUARDIAN
2199 PONCE DE LEON BLVD STE 500
CORAL GABLES, FL 33134-5234

★ PROUTY KAREN
11 DRURY DR
KEY LARGO, FL 33037-4114

★ RESORTS OF KEY LARGO INC
99202 OVERSEAS HWY
KEY LARGO, FL 33037

★ RUNNELS MARIAN ROSE
98980 OVERSEAS HWY UNIT 5
KEY LARGO, FL 33037-2366

★ SANTE CHRISTOPHER & PAMELA
P O BOX 3006
KEY LARGO, FL 33037

★ SCHMAELING RICHARD
12955 BISCAYNE BLVD STE 304
NORTH MIAMI, FL 33181-2022

✓ SCOTT BRIAN D
115 HARBOR DR
KEY LARGO, FL 33037

★ SEASIDE RENTALS 2 LLC
PO BOX 373006
KEY LARGO, FL 33037-3006

✓ SNYDER CHRISTOPHER LEE
98980 OVERSEAS HWY UNIT 3
KEY LARGO, FL 33037-2317

★ SWENSON MARK A
P O BOX 1590
ISLAMORADA, FL 33036

★ SWENSON MARK A
PO BOX 1590
ISLAMORADA, FL 33036

★ SWENSON MARK A
306 GROUPEL TRL
KEY LARGO, FL 33037-4231

✓ TIFF
C/O DEP
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

★ UNITED STATES OF AMERICA
%DIRECTOR NATIONAL PARK SERVICE
WASHINGTON, DC

★ VALLES ELIZABETH DAWN
20 FISHERMANS TRL
KEY LARGO, FL 33037-4237

★ VALLEY WILLIAM MERRILL
7 DRURY DR
KEY LARGO, FL 33037

★ VRIELYNCK YVES H AND INES D
185 HARBOR DR
KEY LARGO, FL 33037

★ WITTIG DON AND RHONDA
156 N SAN ROMAN RD
LOS FRESNOS, TX 78566-4685

End of Additional File 2014-018

51641
132
245

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



RECEIVED
FEB 10 2014
MONROE CO. PLANNING DEPT

Alcoholic Beverage Use Permit

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

Alcoholic Beverage Use Permit Application Fee: \$1,264.00 ✓

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: 2/17/14
Month Day Year

Property Owner:

Medina Landholdings
Name #7 LLC

7870 SW 74 St. Miami FL
Mailing Address (Street, City, State, Zip Code) 33143

(305) 525-4601
Daytime Phone

medinajrr@comcast.net
Email Address

Agent (if applicable):

Adela Munoz
Name

P.O. Box 371300
Mailing Address (Street, City, State, Zip Code)

305.394.1395
Daytime Phone

amunoz112000@yahoo.com
Email Address

Name of Lessee of Property:

(If property is leased, applicant must submit a notarized statement from the owner approving the submittal of this application)

Alfredo's Kitchen LLC
Name

P.O. BOX 371300
Mailing Address (Street, City, State, Zip Code)

305-394-1395 cell
Daytime Phone

amunoz112000@yahoo.com
Email Address

APPLICATION

Legal Description of Property:

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

Tract B+C Cape Subdivision Key Largo

Block Lot Subdivision Key

00522411-000200 11641651

Real Estate (RE) Number Alternate Key Number

99000 0/5 Hwy Key Largo FL 33037 mm99

Street Address (Street, City, State, Zip Code) Approximate Mile Marker

Land Use District Designation(s): _____

Present Land Use of the Property: 100H - Commercial Highway

Total Land Area: 24,771.00 SF

Requested Type of Alcoholic Beverage: (Please check one)

- 1APS BEER, package only
- 1COP BEER, on premise and package
- 2APS BEER and WINE, package only
- 2COP BEER and WINE, on premise and package
- 3APS PACKAGE ONLY, included beer, wine and liquor
- 5COP BEER, WINE and LIQUOR, on premise and package
- 5SRX RESTAURANT, no package sales
- 5SR RESTAURANT, package sales
- 5S HOTEL, package sales
- 5SPX EXCURSION BOAT, no package sales
- 11C PRIVATE CLUB; CABANA CLUB
- 12RT RACETRACK, LIQUOR, no package sales

All of the following must be submitted in order to have a complete application submittal:

- Complete alcoholic beverage 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 – sixteen ⁸~~(16)~~ sets or
Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect – sixteen (16) sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the

PER DEN 11.10.14
 OK TO BRING ORIGINAL TO MAKE COPIES

h2

APPLICATION

Director of Planning authorizes a different scale). At a minimum, the boundary survey or 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;
- Locations and dimensions of all existing structures and drives;
- Adjacent roadways;
- 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 500 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 500 foot radius, each unit owner must be included;
- A certificate of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation or the Department of Agriculture and Consumer Services or the Department of Health or the Monroe County Health Department, stating that the place of business wherein the business is to be conducted meets all of the sanitary requirements of the state**

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)
- Traffic Study, prepared by a licensed traffic engineer**

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: *Arcia Munoz* Date: 2/7/14
known

Sworn before me this 7 day of February, 2014



Laura Laskis-Carroll
Notary Public
My Commission Expires August 26, 2014

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.

Medina Land Holdings #7, LLC
7870 SW 74 Street
Miami, Florida, 33143

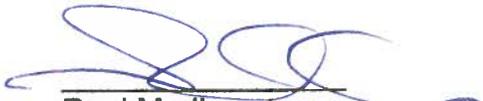
September 23, 2013

To Whom It May Concern

As owners of the commercial property located at 99000 Overseas Hwy. , Key Largo, Fl. We authorize our tenant, Alfredo's Kitchen, LLC to apply for any and all necessary permits that will allow them to sell Beer and Wine in the property we lease them.

If any additional information is necessary you may call:

Raul Medina, Jr.
305-525-4601
medinajrr@comcast.net



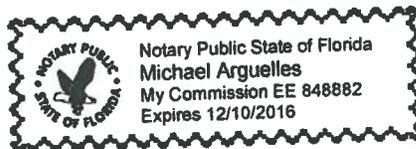
Raul Medina, Jr.

State of Florida
County of Miami-Dade

This Document was signed before me on September 23rd, 2013 by Raul Medina, Jr. who is personally known to me.



Michael Arguelles
NOTARY PUBLIC
STATE of FLORIDA



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

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

Property Record Card -
Maps are now launching the new map application version.

Website tested on IE8,
IE9, & Firefox.
Requires Adobe Flash
10.3 or higher

Alternate Key: 1641651 Parcel ID: 00522411-000200

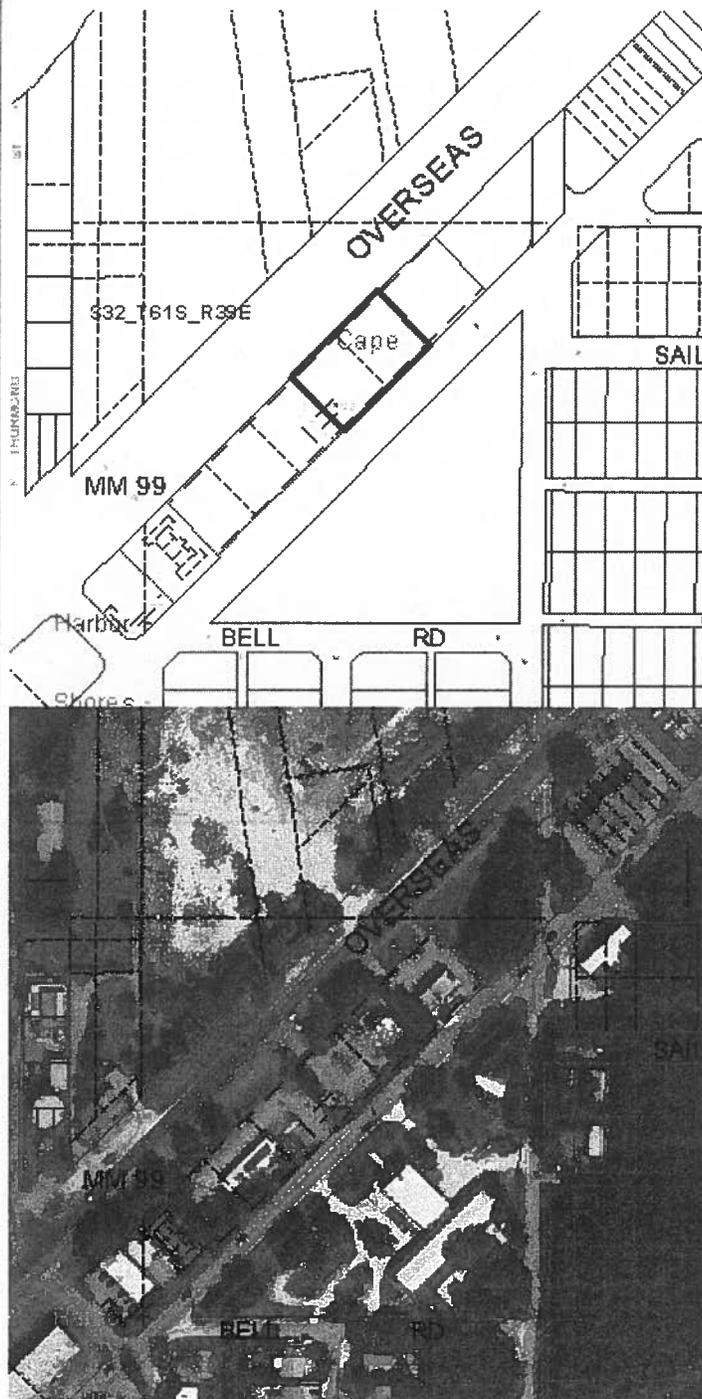
Ownership Details

Mailing Address:
MEDINA LAND HOLDINGS NUMBER 7 LLC
7870 SW 74TH ST
MIAMI, FL 33143-4000

Property Details

PC Code: 22 - DRIVE IN RESTAURANTS
Millage Group: 500K
Affordable Housing: No
Section-Range: 32-61-39
Township-Range:
Property Location: 99000 OVERSEAS HWY KEY LARGO
Subdivision: CAPE SUBD
Legal Description: TRACT B AND TRACT C CAPE SUBDIVISION KEY LARGO PB6-92 OR514-790 OR522-220 OR872-512
Description: OR1155-1898/1900D/C OR1155-1901 OR1155-1902 OR1232-135 OR1252-2204 OR1759-997/98 OR2597-856/58C OR2597-863/74 OR2638-2171/72

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	200	123	24,771.00 SF

Building Summary

Number of Buildings: 1

Number of Commercial Buildings: 1
 Total Living Area: 1692
 Year Built: 1991

Building 1 Details

Building Type
 Effective Age 18
 Year Built 1991
 Functional Obs 0

Condition A
 Perimeter 166
 Special Arch 0
 Economic Obs 0

Quality Grade 300
 Depreciation % 23
 Grnd Floor Area 1,692

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

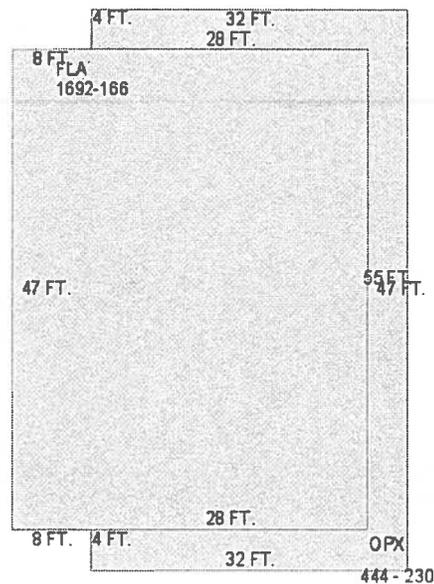
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 10

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	OPX		1	1991					444
1	FLA		1	1991					1,692

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
-------------	---------------------	------	--------	-----------	-----

14238 DRV-INREST/FAST FOOD 100 Y Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
4924	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	620 SF	124	5	1990	1991	1	50
2	PT3:PATIO	2,580 SF	215	12	1990	1991	1	50
3	AP2:ASPHALT PAVING	11,700 SF	130	90	1990	1991	2	25
4	PT3:PATIO	220 SF	20	11	1990	1991	1	50
5	FN2:FENCES	240 SF	48	5	1990	1991	2	30

Appraiser Notes

05 SALE - MULTIPLE PARCELS. COMBO SET TO JODIE IN MARATHON 12/10/12. FORMER TACO BELL - OOB. 12/18/12
 TRACT C (RE 00522411-000300 AK 1641669) HAS NOW BEEN COMBINED WITH THIS PARCEL FOR ASSESSMENT PURPOSES, DONE FOR THE 2013 TAX ROLL (06/26/2013 JDC)

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
3303475	08/01/2003	01/01/2004	1		REM/REP 5 TON P/U
04301195	03/16/2004		1		R/R 5 TON P/U

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
2013	180,252	21,187	198,168	399,607	399,607	0	399,607
2012	180,252	21,598	98,400	300,250	300,250	0	300,250
2011	189,616	22,008	159,900	371,524	371,524	0	371,524
2010	189,616	22,418	246,000	458,034	458,034	0	458,034
2009	215,059	22,829	270,600	508,488	508,488	0	508,488
2008	239,340	23,264	344,400	607,004	607,004	0	607,004
2007	164,452	23,709	215,250	403,411	403,411	0	403,411
2006	157,955	24,144	123,000	305,099	305,099	0	305,099
2005	157,955	25,515	123,000	306,470	306,470	0	306,470
2004	159,769	26,896	123,000	309,665	309,665	0	309,665

2003	159,769	28,267	123,000	311,036	311,036	0	311,036
2002	159,326	29,639	123,000	311,965	311,965	0	311,965
2001	160,815	31,019	92,250	284,084	284,084	0	284,084
2000	160,815	22,037	83,025	265,877	265,877	0	265,877
1999	160,815	22,534	83,025	266,374	266,374	0	266,374
1998	157,985	21,489	83,025	262,499	262,499	0	262,499
1997	157,985	22,439	83,025	263,449	263,449	0	263,449
1996	143,622	23,389	83,025	250,036	250,036	0	250,036
1995	143,622	24,345	83,025	250,992	250,992	0	250,992
1994	143,622	25,295	83,025	251,942	251,942	0	251,942
1993	143,622	26,244	83,025	252,891	252,891	0	252,891
1992	116,693	27,200	83,025	226,918	226,918	0	226,918
1991	0	0	83,025	83,025	83,025	0	83,025
1990	0	0	64,575	64,575	64,575	0	64,575
1989	0	0	64,575	64,575	64,575	0	64,575
1988	0	0	43,050	43,050	43,050	0	43,050
1987	0	0	43,050	43,050	43,050	0	43,050
1986	0	0	36,900	36,900	36,900	0	36,900
1985	0	0	36,900	36,900	36,900	0	36,900
1984	0	0	36,900	36,900	36,900	0	36,900
1983	0	0	34,691	34,691	34,691	0	34,691
1982	0	0	34,691	34,691	34,691	0	34,691

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
6/26/2013	2638 / 2171	575,000	WD	05
10/26/2012	2597 / 856	100	WD	11
10/24/2012	2597 / 863	508,200	WD	05
2/5/2002	1759 / 997	380,000	WD	M
4/1/1993	1252 / 2204	719,200	WD	M
10/1/1992	1232 / 135	900,000	WD	M
12/1/1990	1155 / 1902	100,000	WD	Q

This page has been visited 130,639 times.

Monroe County Property Appraiser
 Scott P. Russell, CFA
 P.O. Box 1176 Key West, FL 33041-1176

THIS INSTRUMENT PREPARED BY AND RETURN TO:
THOMAS W. GARRARD, ESQUIRE
LAW OFFICE OF THOMAS W. GARRARD, P.A.
306 EAST OLYMPIA AVENUE
PUNTA GORDA, FLORIDA 33950
Our File No.: 13-228A

07/10/2013 2:48PM
DEED DOC STAMP CL: Krys \$4,025.00

Property Appraisers Parcel Identification (Folio) Number: 0052241100200326139 and 00522411000300326139
The actual purchase price or other valuable consideration paid for the real property or interest conveyed by this instrument is \$575,000.00. Florida Documentary Stamps in the amount of \$4,025.00 have been paid hereon.

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED made the 26 day of June 2013 by ORLOS AND COMPANY, INC., a Florida Corporation, whose post office address is 116 HUNTLEY COURT, LAKE PLACID, FL 33852, hereinafter called the Grantor, to MEDINA LAND HOLDINGS #7 LLC, a Florida Limited Liability Company, whose post office address is 7870 SW 74 Street, Miami, FL 33143, hereinafter called the Grantee: (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)

WITNESSETH: 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.:

Parcel I - Fee

Tracts B and C, Cape Subdivision, according to the Map or Plat thereof as recorded in Plat Book 6, Page 92, of the Public Records of Monroe County, Florida.

Parcel II - Easement

Easement rights for cross-access as set forth in that certain Easement Agreement recorded January 8, 1991, in Official Records Book 1156, Page 523, of the Public Records of Monroe County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2013 and thereafter.

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.

Doc# 1941132
Bk# 2638 Pg# 2171

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, 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, 2012.

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:

Witness #1 Signature

Berta Tejon

Witness #1 Printed Name

Witness #2 Signature

Jessie R. Alvarez

Witness #2 Printed Name

ORLOS AND COMPANY, INC., a Florida corporation

By

[Signature]
DENNIS E. ORLOS, President

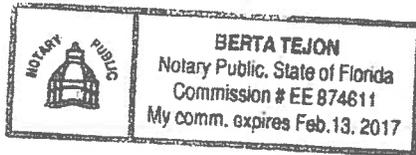
Doc# 1941132
Bk# 2638 Pg# 2172

STATE OF FLORIDA COUNTY OF Highlands

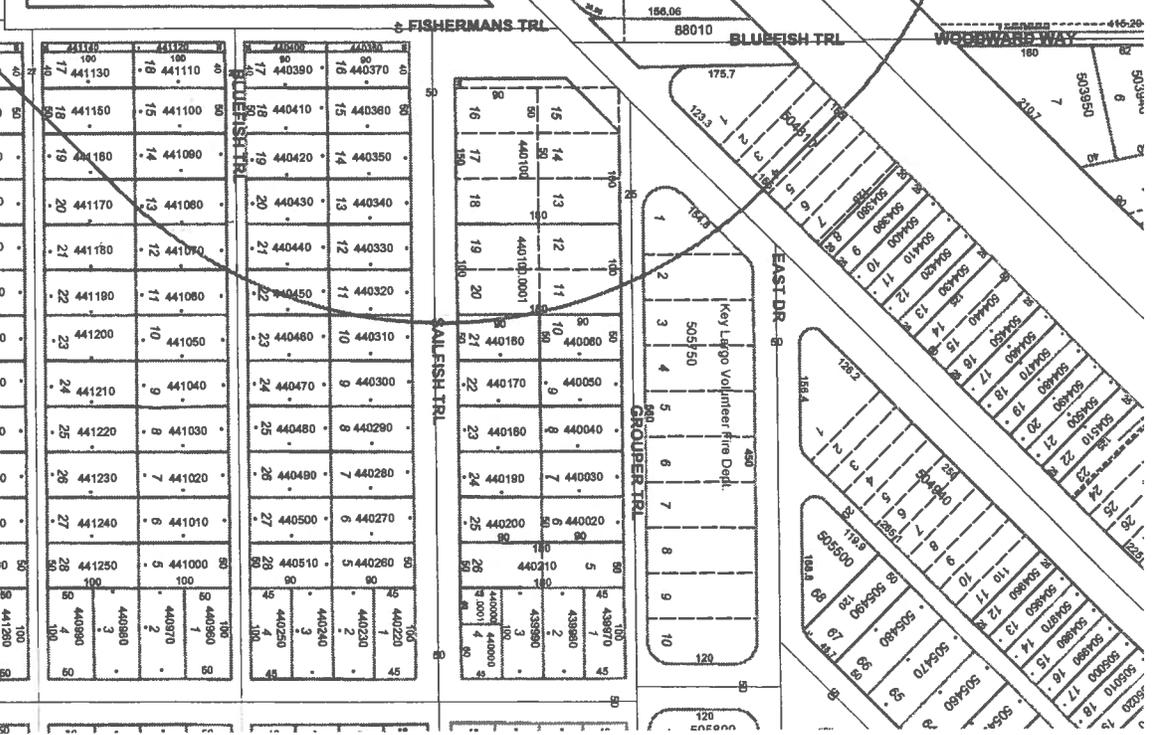
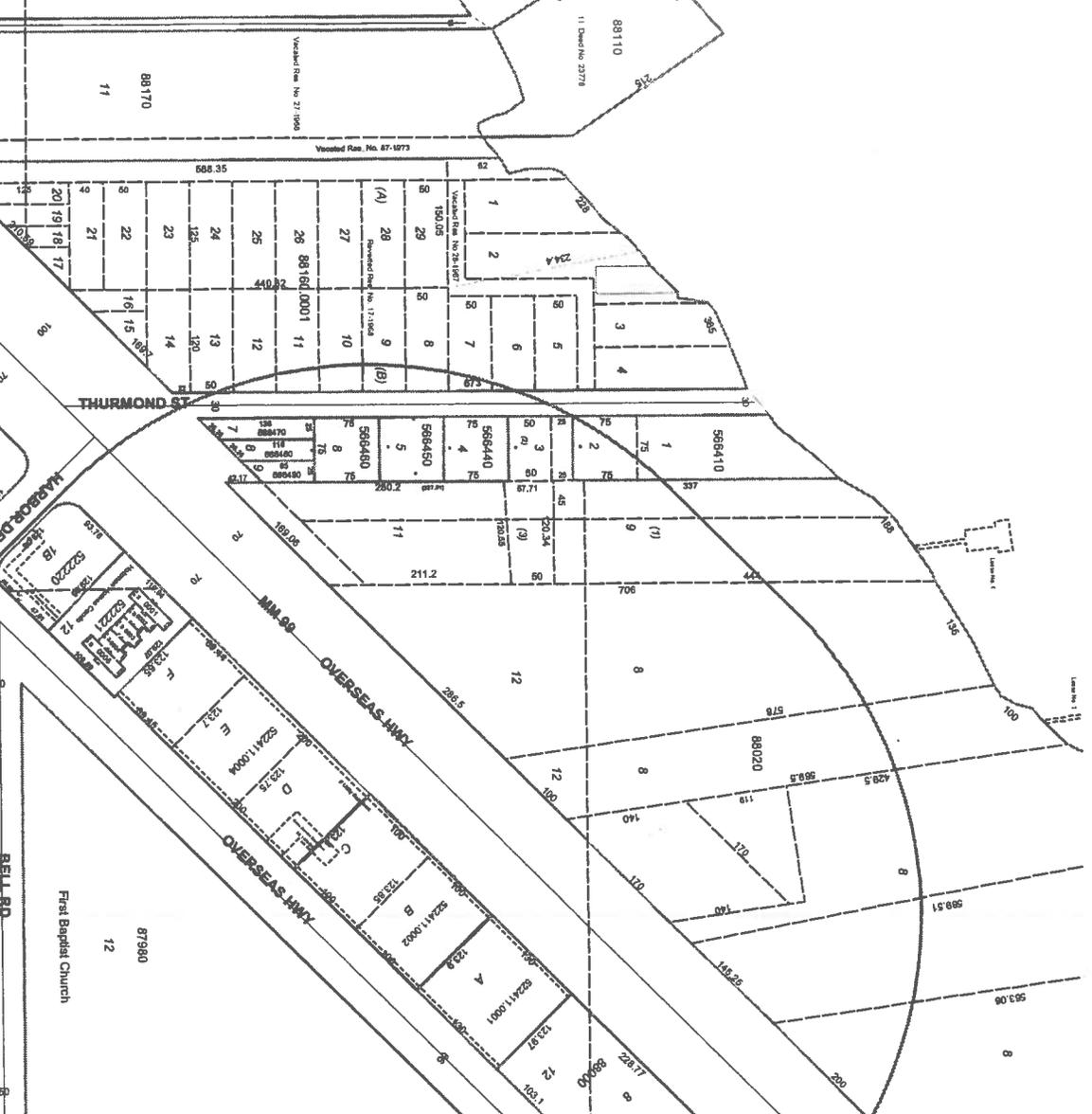
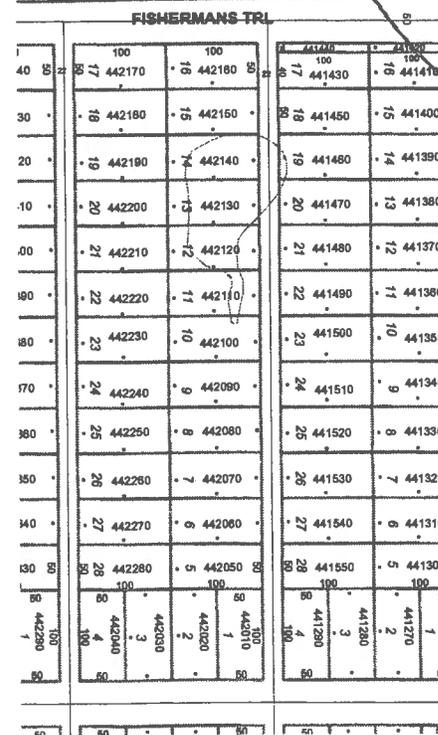
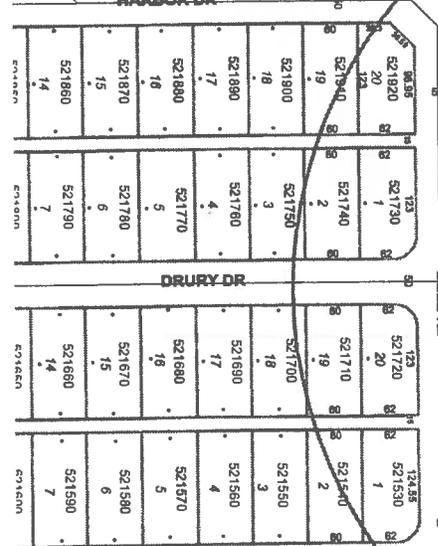
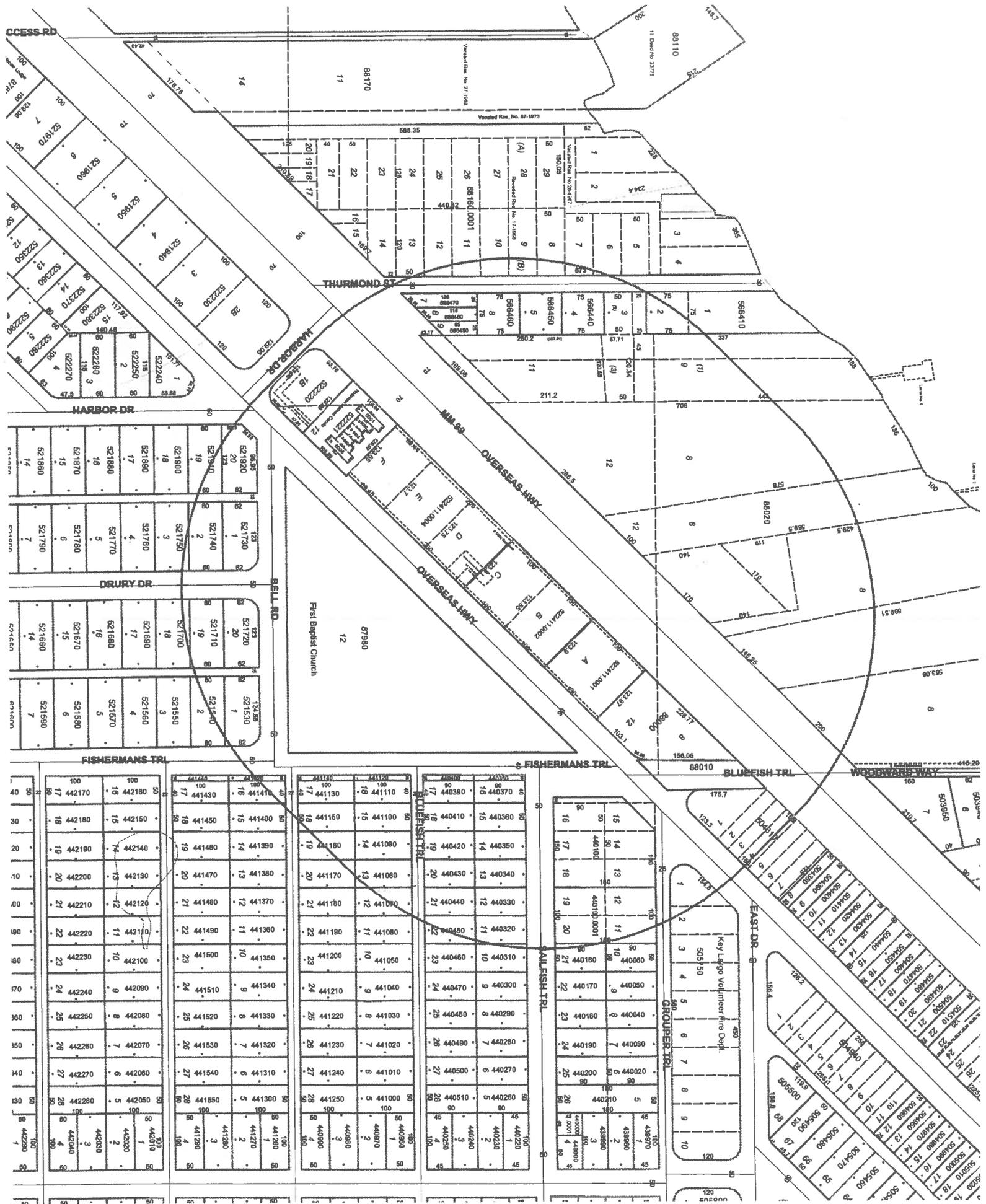
THE FOREGOING instrument was acknowledged before me this 26 day of June 2013, by DENNIS E. ORLOS, President of ORLOS AND COMPANY, INC., a Florida corporation, who executed the same on behalf of said corporation, who is personally known to me or has produced personally known as identification and who did not take an oath.

My Commission Expires:
(Seal)

[Signature]
Notary Public- Print Berta Tejon



MONROE COUNTY
OFFICIAL RECORDS



MONROE COUNTY PROPERTY APPRAISER

COUNTY COURTHOUSE
P.O. Box 1176
KEY WEST, FLORIDA 33041-1176
PHONE (305) 292-3420 FAX: (305) 292-3431

RECEIVED
SEP 23 2013
BY: *J. Hinton*



MCPA-601
Rev 02/12

CUSTOM DATA REPORT ORDER FORM

REPORT FEES WILL VARY DUE TO NATURE OF THE REQUEST

Request Date: 9-23-13

To: Computer Department

Please prepare a report per the specifications requested below. Fill in fields as applicable to the data requirements.

AK: 1641651 RE: 00522411-000200

Subdivision CAPE SUBDIVISION KEY LARGO

Lot TRACT B & C Block _____

Owner Name MEDINA LAND HOLDINGS

Radius Length 500 ft

Other parameters for data to be selected:

Requestor's Name: Adela Muñoz

(Please Print)

Address: P.O. Box 371300

Key Largo FL 33037
City ST Zip

Telephone: 305-394-1395

Email: amunoz112000@yahoo.co

Adela Muñoz
Signature

Date: 9-23-13

Fresnada Trust 8/23/09
969 Bush ST unit 405
San Francisco CA 94109

Fetters Catherine A 4/E
130 Pond Ct
Debarry FL
32713-2782

Acosta Pedro Arnaldo
175 1st St S apt 411
Saint Petersburg FL
33701-4525

99100 Key Largo LLC
11925 SW 88th CT
Miami FL
33176-4356

Monroe County Comprehensive
plan Land Authority
1200 Truman Ave STE
207
Key West FL
33040-7270

TITTF
3900 Commonwealth Blvd
MLSTN 115
Tallahassee FL 32399-3002

TITTF
3900 Commonwealth Blvd
Tallahassee FL
32399-3000

Monroe County
500 Whitehead ST
Key West FL
33040

Monroe county Roadway
500 Whitehead ST
Key West FL
33040

Dalton Peter O
1401 Kingsley Ave
Orange Park FL
Key 32073-4574

Snyder Christopher Lee
98980 Overseas Hwy unit 3
Key Largo FL
33037-2317

Carter Shelley Trust EST
U/T/TR of John Carter Sr
9155 S Dadeland Blvd
Ste 1718
Miami FL 33156-2742

Fla. Keys Aqueduct Comm
1100 Kennedy Dr
Key West FL
33040-4021

Billing William H and
Marianne S
1 Drury Dr
Key Largo FL 33037

Hanson Wayne C and
Marjorie H
PO BOX 372893
Key Largo FL
33037-7893

Fiddes Diana Lynn
4 Drury dr
Key Largo FL 33037

Broch Ricardo and Caridad
6 Drury Dr
Key Largo FL
33037

First Baptist Church of
Key Largo Inc
99001 Overseas Hwy
Key Largo FL 33037

Scott Brian D
115 Harbor Dr
Key Largo FL
33037

Nelson Darling Julia
PO BOX 371154
Key Largo FL
33037-1154

Northstar Resort Enterprises Corp

4775 Collins Ave

apt. 4003

Miami Beach FL

33140-5208

DS INVESTMENTS I LLC

2515 SW 30TH AVE

HALLANDALE FL

33009-3095

GUASTAVINO MARIAN R

98980 OVERSEAS HWY UNIT 5

KEY LARGO FL

33037-2366

MONROE COUNTY

562 WHITEHEAD ST

KEY WEST FL

33040

MEDINA LAND HOLDINGS 7 LLC

7870 SW 74th ST

MIAMI FL

33143-4000

Baker Jill

98980 Overseas Hwy unit 4

Key Largo FL

33037-2366

Eckhoff Elizabeth

PO Box 370120

Key Largo FL

33037-0124

Holzman Homes Condominium

98980 Overseas Hwy

Key Largo FL

33037

Immanuel Investments Inc

998 Shaw Dr

Key Largo FL

33037-2721

Oliver Richard and Tracy

98980 Overseas Hwy unit 2

Key Largo

33037-2366

Blanco, Gladys G.
13408 County Rd. 561
Clermont FL
34711-8807

Monroe County Comprehensive
Plan Land Authority
1200 Truman Ave. STF 207
Key West, FL 33040-7270

John and Martha Bell
605 Sailfish Trail
Key Largo, FL 33037

TIITF
3900 Commonwealth Blvd
Tallahassee, FL
32399-3000

Frank D. Drubi
504 Bluefish Trl
Key Largo FL 33037-
4293

monroe county
500 whitehead St.
Key West FL 33040

Kazi Foods of Key West
INC.
P.O. Box 11239
St. Thomas VI 00801-
4239

monroe county Roadway
500 whitehead St.
Key West FL 33040

Robert A. Hendricks
Trustee
1114 Grand St.
Key Largo FL 33037

Timothy J. and Debra G.
Lyman.
190 Venetian Way
Islamorada FL
33036-3320

E. Baxter Investments LLC
P.O. Box 1430
Islamorada, FL 33036-
1430

Key Largo Volunteer
Fire Dept.
P.O. Box 782
Key Largo FL 33037

Jose G. and Michelle Ledesma
2 Drury Dr.
Key Largo, FL 33037

William Edward Klutz
104500 B-104 O/S Hwy
Key Largo FL 33037

~~sunset Cove PBI 165~~



**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DIVISION OF HOTELS AND RESTAURANTS
1940 NORTH MONROE STREET
NORTHWOOD CENTRE
TALLAHASSEE FL 32399-1015**

850-487-1395

**ALFREDO'S KITCHEN LLC
KEYSBITE
PO BOX 371300
KEY LARGO FL 33037**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to www.VivaFlorida.org.

DETACH HERE

RICK SCOTT, GOVERNOR

STATE OF FLORIDA

KEN LAWSON, SECRETARY

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS**

LICENSE NUMBER	
SEA5428221	NBR. OF SEATS: 64

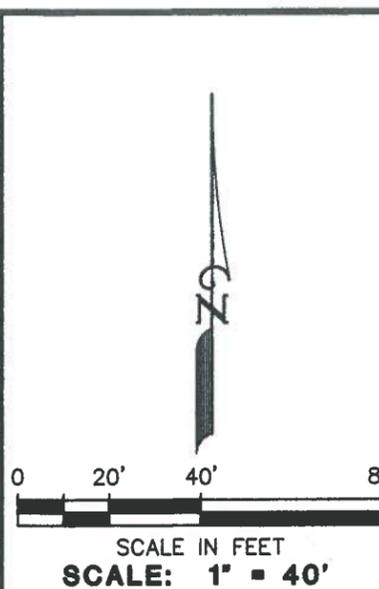
The SEATING FOOD SERVICE (2010)
Named below IS LICENSED
Under the provisions of Chapter 509 FS.
Expiration date: OCT 1, 2014



NON-TRANSFERABLE

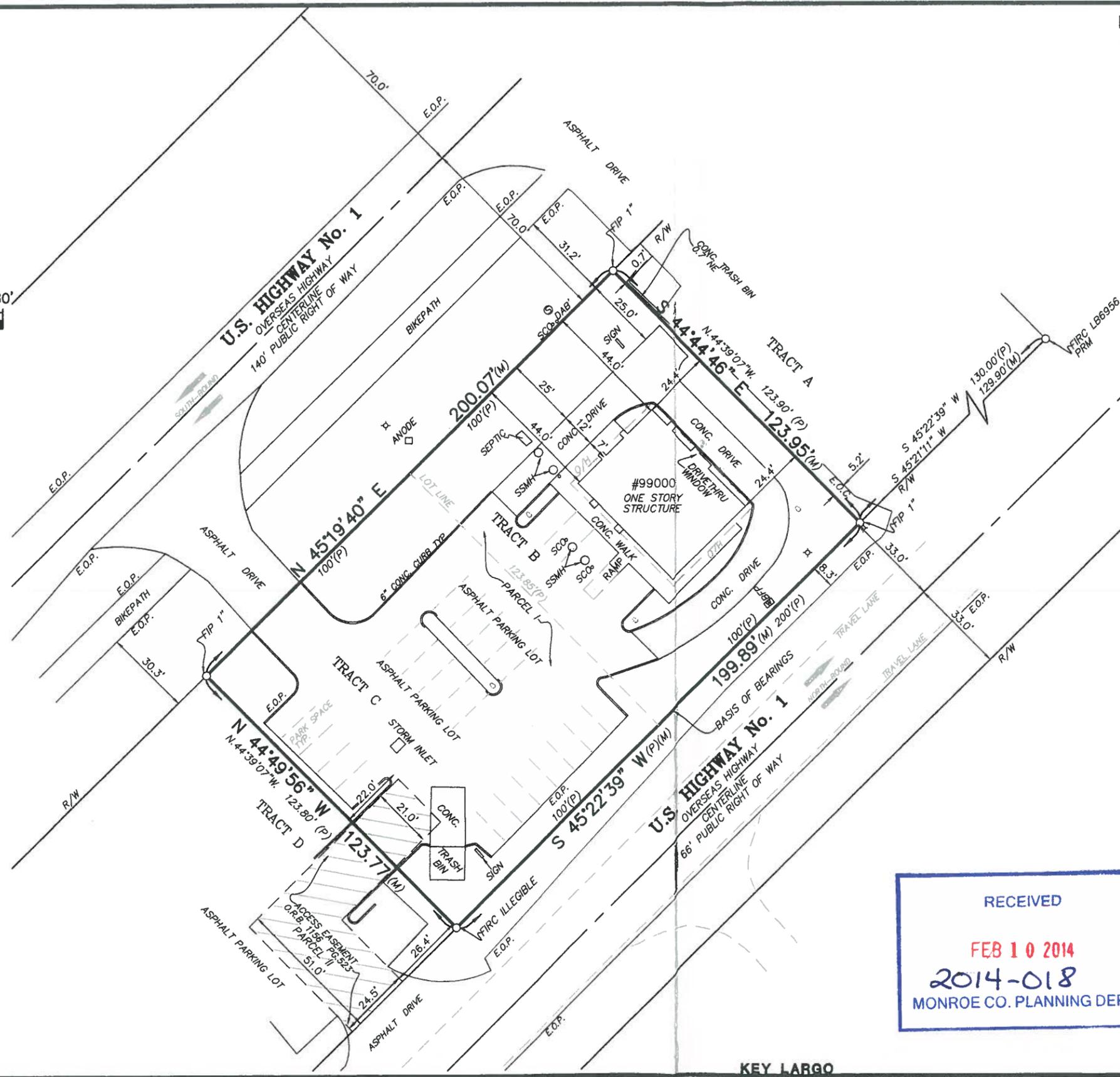
**ALFREDO'S KITCHEN LLC
KEYSBITE
99000 OVERSEAS HWY
KEY LARGO FL 33037**





LEGEND:

P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
Ⓢ	B/L TITLE EXCEPTION
APPROX.	APPROXIMATE (A)
M.H.W.L.	MEAN HIGH WATER LINE
O.R.B.	OFFICIAL RECORD BOOK
C/L	CENTERLINE
R/W	RIGHT-OF-WAY
PG.	PAGE
CONC.	CONCRETE
T.O.B.	TOP OF BANK
O/H	OVERHANG
E.O.P.	EDGE OF PAVEMENT
TYP.	TYPICAL
(M)	MEASURED
(C)	CALCULATED
(P)	PLAT
(D)	DEED
SC0	SEWER CLEANOUT
Ⓢ	VACUUM SEWER PIT
Ⓢ	STORM DRAIN
FFE	FINISH FLOOR ELEVATION
NGVD	NATIONAL GEODETIC VERTICAL DATUM
PRM	PERMANENT REFERENCE MARKER
A/C	AIR CONDITIONER
FIR	FOUND IRON ROD
FN	FOUND NAIL
FND	FOUND NAIL AND DISK
Ⓢ	FIRC - FOUND IRON ROD AND CAP
Ⓢ	SIRC - SET IRON ROD AND CAP
Ⓢ	SND - SET NAIL AND DISK
Ⓢ	FIP - FOUND IRON PIPE
Ⓢ	UTILITY POLE
Ⓢ	WATER METER
Ⓢ	LAMP POST
Ⓢ	SPOT ELEVATION (EL)
BFP	BACK FLOW PREVENTER
A/C	AIR CONDITIONER
Ⓢ	WATER METER
DAB	DEDICATED AIR BREATHER
BLDG	BUILDING
CBW	CONCRETE BLOCK WALL
MF	METAL FENCE
WF	WOOD FENCE
SSMH	SEWARY SEWER MANHOLE
DAB	DEDICATED AIR BREATHER
FDP	FIRE DEPARTMENT STAND PIPE



DESCRIPTION:
(FURNISHED BY CLIENT)

PARCEL I - FEE
 TRACTS B AND C, CAPE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 92, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.
 PARCEL II - EASEMENT
 EASEMENT RIGHTS FOR CROSS - ACCESS AS SET FORTH IN THAT CERTAIN EASEMENT AGREEMENT RECORDED JANUARY 8, 1991 IN OFFICIAL RECORDS BOOK 1156, PAGE 523 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS. UNDERGROUND UTILITIES SHOWN HEREON ARE SHOWN PER ABOVE GROUND EVIDENCE AND/OR RECORD DRAWINGS OR MUNICIPAL ATLAS INFORMATION AND THE LOCATION OF ALL UNDERGROUND UTILITY LINES ARE APPROXIMATE ONLY. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- ANY USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
- BEARINGS SHOWN HEREON ARE BASED UPON NORTHWESTERLY RIGHT OF WAY LINE OF NORTHBOUND U.S. HIGHWAY No. 1 BEING S.45°22'39" W. PER PLAT.
- O.R.B. 1156 PG 523, ACCESS EASEMENT PARCEL, DOES NOT INCLUDE DIMENSIONS. EASEMENT LINES DEPICTED HEREON ARE SCALED FROM SKETCH IN O.R.B. 1156 PG. 523 AND THE MONROE COUNTY PROPERTY APPRAISER PARCEL DATA.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, THEREFORE PROSPECT SURVEYING, LLC ACCEPTS NO RESPONSIBILITY FOR RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS OF RECORD OR OTHER MATTERS AFFECTING TITLE TO LANDS SURVEYED OTHER THAN THOSE RECITED IN CURRENT DEED AND/OR OTHER INSTRUMENTS OF RECORD FURNISHED BY CLIENT.
- LAST DATE OF FIELD SURVEY: JUNE 19, 2013

CERTIFIED TO:

MEDINA LAND HOLDINGS #7, LLC
 PONCE DE LEON TITLE SERVICES, INC.
 FIDELITY NATIONAL TITLE INSURANCE COMPANY



Prospect Surveying, LLC
 Certificate of Authorization No. LS 792

BRENT JOSEPH THURKETTLE
 FLORIDA LICENSE - LS 6794

DRAWN	BT
CHECKED	BT
Q.C.	BJ
COGO FILE	99000 POINTS



Prospect Surveying, LLC
 Surveying • Planning • GIS
 1452 51st Street Gulf, Marathon, FL 33050
 www.prospectsurveying.com
 305.587.4235

BOUNDARY SURVEY
 99000 U.S. HIGHWAY No. 1
 TRACTS B & C - CAPE SUBDIVISION
 PLAT BOOK 6 PAGE 92
 MONROE COUNTY, FLORIDA

NO.	DATE	REVISIONS	APP'D BY	JOB No.
1	7-10-13	add dimension ties to W'ly R/W		13-096
				FIELD BOOK & PAGE
				9/56
				DATE:
				6/22/13
				SCALE:
				1"=40'

SHT. 1
 OF 1

C:\CAD-PROJECTS\alfredo-sombrero\TACOBELL\99000 OSHW BNDRY.dwg



**Item #5 One Key West Investment LLC
Staff Report**

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: The Monroe County Planning Commission
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources
From: Joseph Haberman, AICP, Planning & Development Review Manager
Date: March 11, 2014
Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAND USE DISTRICT MAP OF THE MONROE COUNTY LAND DEVELOPMENT CODE FROM URBAN RESIDENTIAL MOBILE HOME (URM) TO MIXED USE (MU), FOR PROPERTY LEGALLY DESCRIBED AS BLOCK 31, LOT 17, MALONEY SUB (PLAT BOOK 1, PAGE 55), STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00124510.000000; 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 AMENDMENT TO THE LAND USE DISTRICT MAP; PROVIDING FOR AN EFFECTIVE DATE. (File #2013-143)*

Meeting: March 26, 2014

1 I REQUEST:

2
3 A request for approval to amend the land use (zoning) district designation from Urban
4 Residential Mobile Home (URM) to Mixed Use (MU).

5
6 Note: The applicant originally requested an amendment to Maritime Industries (MI). After
7 discussions with Planning & Environmental Resources Department staff, the applicant
8 subsequently revised the application requesting an amendment to Mixed Use (MU).

9
10 Location:

11
12 Address: 5635 MacDonald Avenue, Stock Island, approximate mile marker 5 (Atlantic
13 Ocean side of US 1)

14
15 Legal Description: Block 31, Lot 17, Maloney Sub (Plat Book 1, Page 55)

16
17 Real Estate (RE) Number: 00124510.000000

18
19 Applicant:

20
21 Agent: Trepanier & Associates, Inc.

22
23 Owner: One Key West Investment, LLC

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Subject Property with Land Use District Overlaid (Aerial dated 2012)

II BACKGROUND INFORMATION:

1. Size of Site: 6,250 SF (0.14 acres) - 50' x 125'
2. Land Use District Designation: Urban Residential Mobile Home (URM)
3. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)
4. Tier Designation: Tier III
5. Existing Uses: Commercial Retail, Office and Residential
6. Existing Vegetation / Habitat: Predominately scarified, developed land
7. Community Character of Immediate Vicinity: Mixed Use - Commercial Retail, Office and Residential
8. Flood Zone: AE-EL 9
9. Other: Within Military Installation Area of Impact (MIAI) boundary

III RELEVANT PRIOR COUNTY ACTIONS:

In 1911, the subject property was platted as part of the Maloney Sub subdivision, as recorded in Plat Book 1, Page 55.

Prior to the 1986 adoption of the County's current land development regulations and their associated land use district maps, the subject property was within a BU-2 district (Medium Business) (see Attachment 1).

1
2 In 1986, a series of zoning maps, entitled the Land Use District Map (LUDM), were adopted
3 for all areas of the unincorporated county. After a boundary determination process, a revised
4 series became effective in 1992. On sheet 576 of the LUDM, the subject property is within an
5 URM land use district (see Attachment 2).
6

7 In 1993, a series of future land use maps associated with the comprehensive plan, entitled the
8 Future Land Use Map (FLUM), were adopted for all areas of the unincorporated county.
9 This map series became effective in 1997. On map 8 of the FLUM, the subject property is
10 within a Mixed Use / Commercial (MC) category (see Attachment 3).
11

12 On August 30, 2013, the Senior Director of Planning & Environmental Resources issued a
13 letter of understanding concerning the subject property. In the letter, the director determined
14 that the existing uses were lawfully established and were subsequently deemed lawfully
15 nonconforming by the final adoption of the LUDM.
16

17 There is not a building permit on file in the Building Department's records for the
18 construction of the existing building. The Monroe County Property Appraiser's records
19 indicate that the building was constructed in 1943. If this date is accurate, the building was
20 built prior to the establishment of county planning and building regulations in 1960. The
21 following building permits are on file under RE #00124510.000000:
22

<i>Permit No.</i>	<i>Date Issued</i>	<i>Description</i>
4100	08-06-1962	Construct a screened wall structure
A-3104	01-04-1978	Repair and paint building
881-0056	01-15-1988	Repair electric
911-2245	10-18-1991	Repair roof
931-6831	09-17-1993	Install hurricane shutters
051-1431	03-22-2005	Sewer tie in

23
24 During a meeting held on January 28, 2014, the Monroe County Development Review
25 Committee reviewed the application and recommended approval to the BOCC.
26

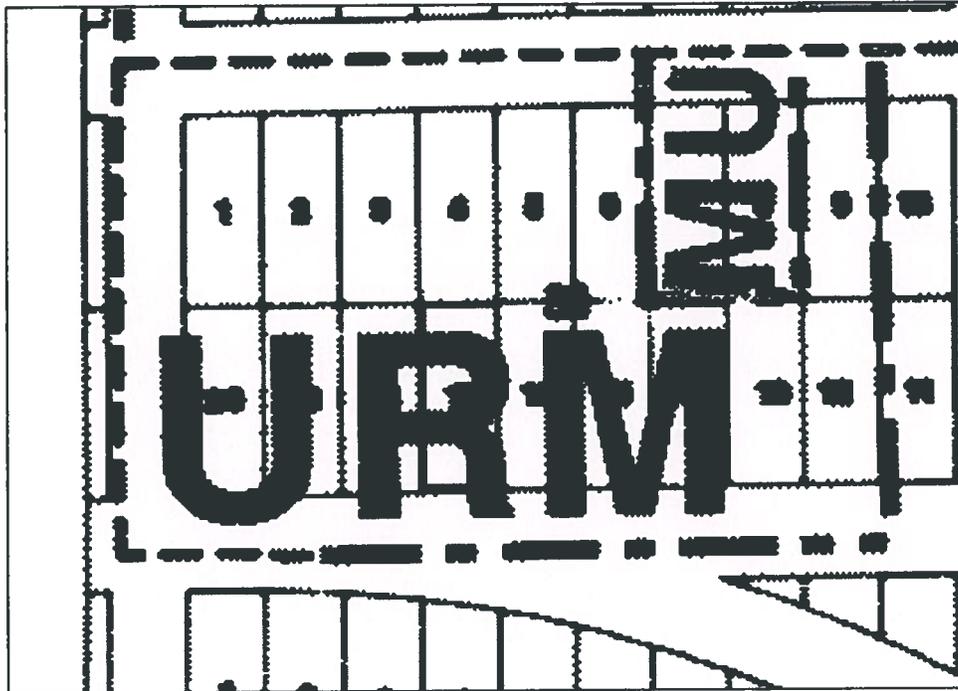
27 IV REVIEW OF APPLICATION:

28 *Criteria:*

29
30 In order to be approved, an amendment to the LUDM must meet at least one of the
31 provisions set forth in MCC §102-158(d)(5)(b): 1) Changed projections from those on which
32 the [boundary] was based; 2) Changed assumptions; 3) Data errors, including errors in
33 mapping, vegetative types and natural features described in volume I of the [comprehensive
34 plan]; 4) New issues; 5) Recognition of a need for additional detail or comprehensiveness; or
35 6) Data updates. In addition, the County must ensure that the proposed amendment is
36 consistent with the goals, objectives, policies, and level of service standards in the
37 comprehensive plan. Further, as a designated Area of Critical State Concern, pursuant to
38 Sections 380.05 and 380.0552, F.S., the County's land development regulations, and their
39 associated maps, also must be consistent with Principles for Guiding Development.
40

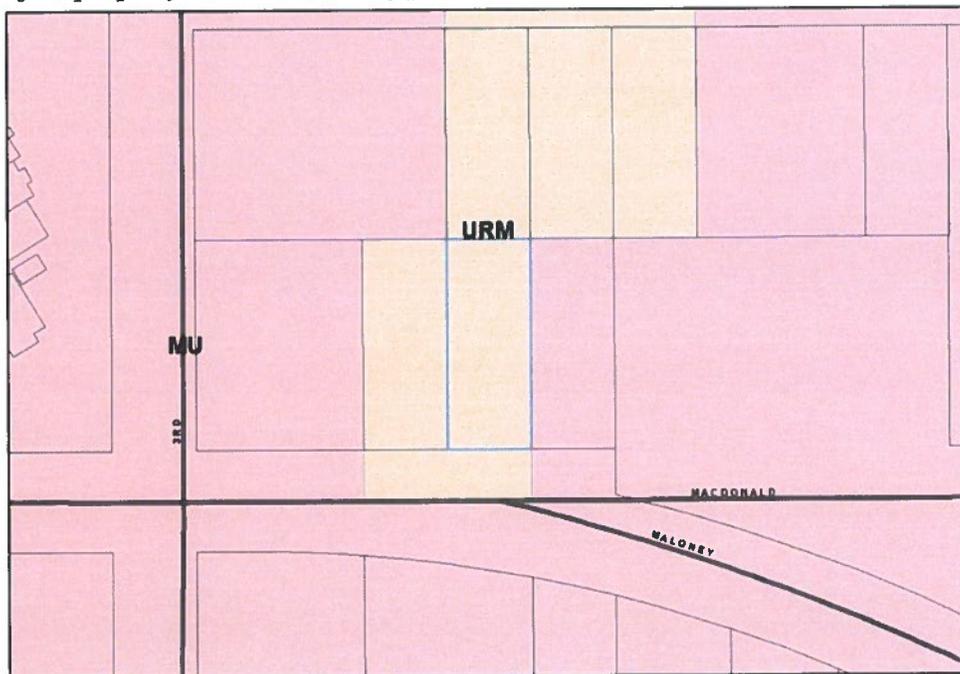
1 *Analysis:*

2
3 The following image depicts the subject property and surrounding properties on the
4 originally adopted LUDM:



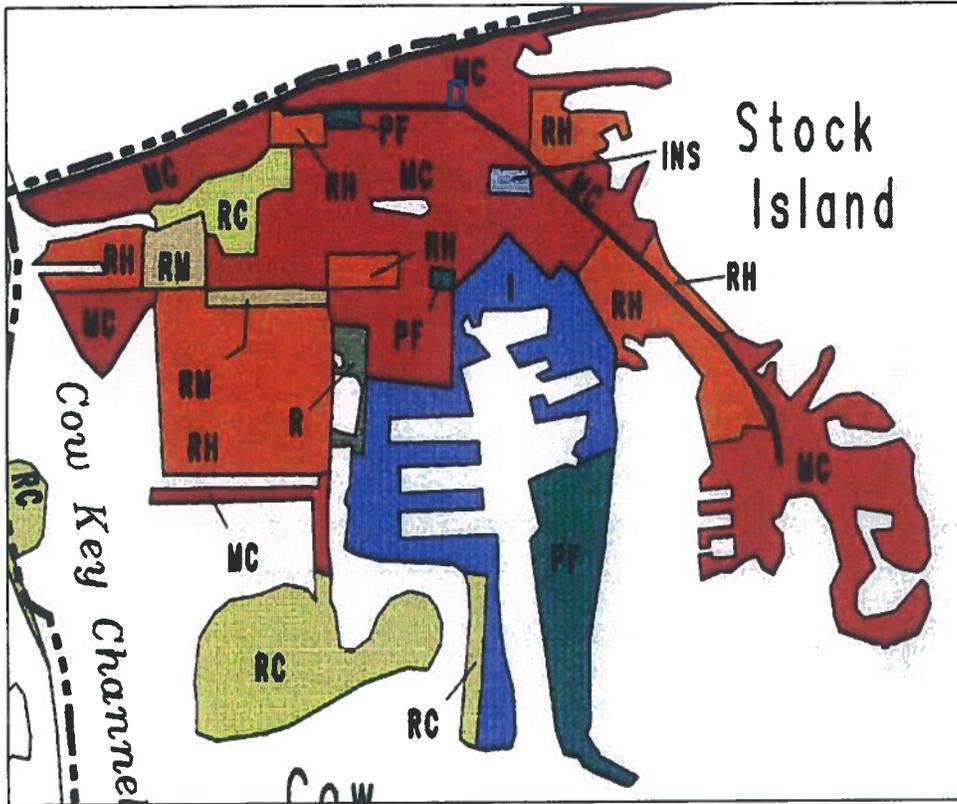
24
25 1992 LUDM

26 Following the adoption of nearby map amendments since 1992, the following image depicts
27 the subject property and surrounding properties on the current LUDM:

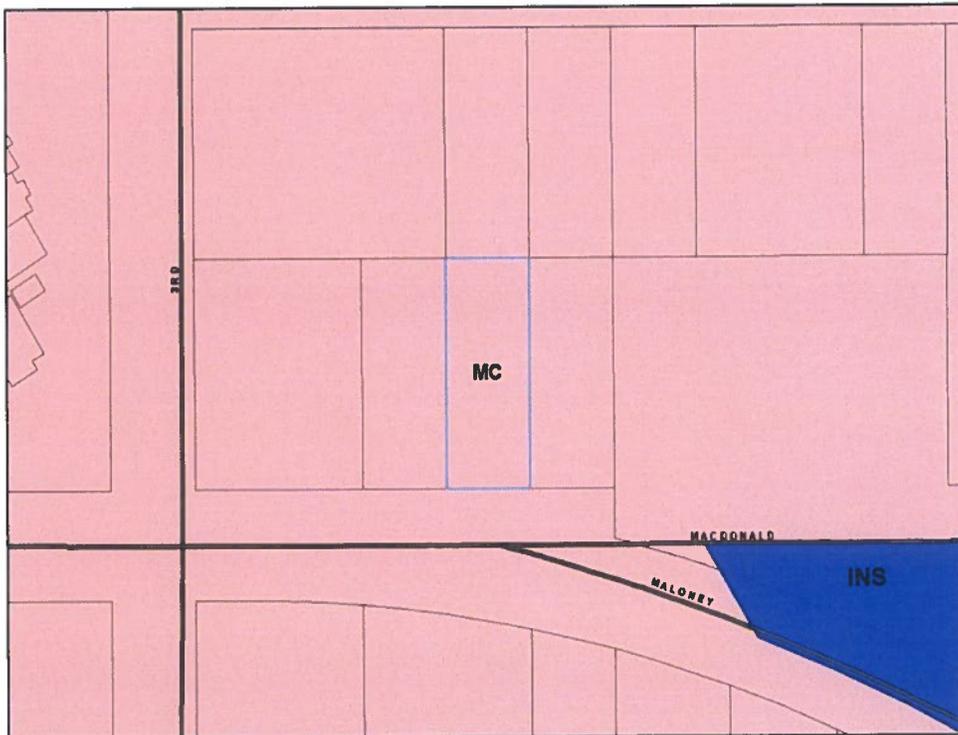


2014 LUDM -including amendments since 1992 (MC GIS)

1 The following images depict the subject property and surrounding properties on the
2 originally adopted FLUM and current FLUM:
3



25 1997 Future Land Use Map (FLUM)



2014 FLUM –including amendments since 1997 (MC GIS)

1 Concerning the existing residential dwelling unit on the subject property, following the pre-
2 application conference on June 27, 2013, staff researched the Growth Management
3 Division's records and did not find a building permit that established the residential
4 dwelling unit. On the application for Building Permit #4100, which was subsequently
5 approved, the "Present Use of Property" is identified as "Business & Residential." Further,
6 on the application for Building Permit #A-3104, which was subsequently approved, the
7 type of structure is indicated as a "Single-Family Residence" and the applicant included a
8 handwritten notation of "Repair to Residence." These official Growth Management records
9 support the lawful existence of one residential dwelling unit on the subject property.
10 Therefore, as there are official approvals on file for the residential dwelling unit, pursuant
11 to MCC §138-22(1), the existing residential dwelling unit is ROGO exempt and may be
12 replaced.
13

14 Concerning the nonresidential floor area on the subject property associated with the existing
15 commercial retail and office use, following the pre-application conference on June 27,
16 2013, staff researched the Growth Management Division's records and did not find a
17 building permit that established the nonresidential floor area. On the application for
18 Building Permit #4100, which was subsequently approved, the "Present Use of Property" is
19 identified as "Business & Residential." However, the amount of floor area is not stated.
20 These official Growth Management records support the lawful existence of a nonresidential
21 use, but do not clearly indicate the amount of nonresidential floor area on the subject
22 property. In order to receive a determination as to the precise amount of nonresidential floor
23 area that was lawfully established and thereby may be replaced exempt of the NROGO
24 permit allocation system, the property owner must apply for a Letter of Development
25 Rights Determination.
26

27 The existing office/commercial retail use (with an amount of square footage to be
28 determined) is a lawful nonconforming use that has been continuously in existence on the
29 subject property since the 1960s. It was deemed lawfully nonconforming in 1986 when the
30 County included the property within the URM land use district. The existing
31 office/commercial use is a conforming use within the MC FLUM category.
32

33 After a review of the County's records, staff has concluded that there have never been any
34 approved mobile homes located on the property. The property may have been inadvertently
35 included in the URM land use district following an assumption that it was part of, or
36 associated with, the neighboring mobile home parks in existence in the 1980s.
37

38 The applicant has requested a MU land use district designation. The MU designation would
39 eliminate the nonconformity to the permitted use provisions of the Land Development
40 Code.
41

42 The proposed amendment would not create a new MU land use district. The proposed
43 amendment would shift the boundary lines of an existing MU land use district from along
44 the subject property's eastern and southern property lines to the subject property's western
45 and northern property lines.
46

1 *Consistency of the proposed amendment with the provisions and intent of the Monroe*
 2 *County Comprehensive Plan:*

3
 4 Staff has determined that the proposed map amendment is not inconsistent with the
 5 provisions and intent of the Year 2010 Comprehensive Plan.
 6

7 The applicant is not proposing a map amendment to the FLUM designation of MC. The MC
 8 FLUM designation allows the existing uses (residential and commercial retail/office) (see
 9 Policy 101.4.5). Further, the existing URM LUDM designation is inconsistent with the MC
 10 FLUM designation (see Policy 101.4.21).
 11

12 Land use-related policies from the Monroe County Year 2010 Comprehensive Plan that
 13 directly pertain to the application include:
 14

15 Policy 101.4.5: The principal purpose of the Mixed Use/ Commercial land use category is
 16 to provide for the establishment of commercial land use (zoning) districts where various
 17 types of commercial retail and office may be permitted at intensities which are consistent
 18 with the community character and the natural environment. Employee housing and
 19 commercial apartments are also permitted. In addition, Mixed Use/Commercial land use
 20 districts are to establish and conserve areas of mixed uses, which may include maritime
 21 industry, light industrial uses, commercial fishing, transient and permanent residential,
 22 institutional, public, and commercial retail uses.
 23

24 This land use category is also intended to allow for the establishment of mixed use
 25 development patterns, where appropriate. Various types of residential and non-residential
 26 uses may be permitted; however, heavy industrial uses and similarly incompatible uses
 27 shall be prohibited. The County shall continue to take a proactive role in encouraging the
 28 maintenance and enhancement of community character and recreational and commercial
 29 working waterfronts.
 30

31 Policy 101.4.21: Monroe County hereby adopts the following density and intensity
 32 standards for the future land use categories, which are shown on the Future Land Use
 33 Map and described in Policies 101.4.1 - 101.4.17:
 34

Future Land Use Densities and Intensities			
Future Land Use Category And Corresponding Zoning	Allocated Density (per acre)	Maximum Net Density (per buildable acre)	Maximum Intensity (floor area ratio)
...			
Mixed Use/Commercial (MC) ^{(g) (i)} (SC, UC, DR, RV, MU and MI zoning)	1-6 du 5-15 rooms/spaces 1 du (MI zoning)	2 -18 du 10-25 rooms/spaces 2 du (MI zoning)	0.10-0.45 (SC, UC, DR, RV, and MU zoning) 0.30-0.60 (MI zoning)

...

(g) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing land use categories, the floor area ratio shall be 0.10 and the maximum net residential density bonuses not apply.

...

(i) The Maximum Net Density is the maximum density allowable with the use of TDRs.

(j) A mixture of uses shall be maintained for parcels designated as MI zoning district that are within the MC future land use category. Working waterfront and water dependent uses, such as marina, fish house/market, boat repair, boat building, boat storage, or other similar uses, shall comprise a minimum of 35% of the upland area of the property, pursuant to Policy 101.4.5.

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Policy 101.20.2: The Community Master Plans shall be incorporated into the 2010 Comprehensive Plan as a part of the plan and be implemented as part of the Comprehensive Plan. The following Community Master Plans have been completed in accordance with the principles outlined in this section and adopted by the BOCC:

3. The Stock Island/Key Haven Livable CommuniKeys Plan Volume I is incorporated by reference into the 2010 Comprehensive Plan. The term Strategies in this Master Plan is equivalent to the term Objectives in the Comprehensive Plan and the term Action Item is equivalent to the term Policy; the meanings and requirements for implementation are synonymous.

4. Volume Two (2) of the Stock Island and Key Haven Livable CommuniKeys Master Plan titled Harbor Preservation/Redevelopment and Corridor Enhancement Plan dated November 2005 and incorporated by reference into the 2010 Comprehensive Plan. The term Strategies in this Master Plan is equivalent to the term Objectives in the Comprehensive Plan and the term Action Item is equivalent to the term Policy; the meanings and requirements for implementation are synonymous.

Policy 108.1.1: Monroe County shall transmit to the commanding officer of Naval Air Station Key West information relating to proposed changes to comprehensive plans, plan amendments, Future Land Use Map amendments and proposed changes to land development regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the Naval Air Station Key West (within the Military Installation Area of Impact (MIAI)). Pursuant to statutory requirements, Monroe County shall also transmit to the commanding officer copies of applications for development orders requesting a variance or waiver from height requirements within areas defined in Monroe County's comprehensive plan as being in the MIAI. Monroe County shall provide the military installation an opportunity to review and comment on the proposed changes.

Policy 502.1.2: Monroe County shall permit land uses supportive, complementary or otherwise port related nearby and adjacent to the Safe Harbor/Peninsular port area of Stock Island. Within 12 months of the effective date of the Comprehensive Plan, Monroe County shall adopt Land Development Regulations and amend the Land Use District

1 Maps to only permit those uses, including but not limited to warehousing, industry,
2 affordable housing, marine businesses, and restaurants.

3
4 Concurrency-related policies from the Monroe County Year 2010 Comprehensive Plan that
5 directly pertain to the application include:

6
7 Traffic Circulation (Policy 301.1.1)

8
9 The subject property is located along segment 1 of US 1 (Cow Key Bridge, mile maker 4
10 to Key Haven Boulevard, mile marker 5). The level of service (LOS) standard for US 1 is
11 a LOS of "C." According to the 2013 US 1 Arterial Travel Time and Delay Study, US 1
12 overall is operating at a LOS of "C" and the segment 1 is operating at a LOS of "B."

13
14 The proposed amendment could result in a new development with a net increase in
15 vehicular trips; however based on the size of the site, it is unlikely that any new
16 development would adversely affect the existing LOS of "B" for segment 1.

17
18 Potable Water (Policy 701.1.1)

19
20 Florida Keys Aqueduct Authority's water treatment facility in Florida City has a
21 maximum water treatment design capacity of 29.8 million gallons per day (MGD) and is
22 capable of treating up to 23.8 MGD. There are also two saltwater Reserve Osmosis (RO)
23 plants, located on Stock Island and Marathon, which are able to produce potable water
24 under emergency conditions. The RO desalination plants have design capacities of 2.0
25 and 1.0 MGD of water respectively. The annual average daily demand in the County is
26 16.21 MGD and projections indicate a slight increase to an annual average daily demand
27 to 16.54 MGD.

28
29 The proposed amendment could result in a net increase in demand from this site of up to
30 333.76 gallons per day if developed to its maximum nonresidential intensity; however
31 based on the size of the site, it is unlikely that any new development would significantly
32 affect the annual average daily demand.

33

LUD	Potable Water Residential LOS Standard	Max Potential Residential Development	Persons/Household	Estimated Total Persons	Total LOS Demand	Net Change
Existing: URM	66.50 G/C/D ¹ (149 G/D ²)	1 unit	2.24	2.24	333.76 G/D	+333.76 G/D
Proposed: MU	66.50 G/C/D ¹ (149 G/D ²)	2 units	2.24	4.48	667.52 G/D	

FLUM	Potable Water Residential LOS Standard	Max Potential Residential Development	Persons/Household	Estimated Total Persons	Total LOS Demand	Net Change
Existing: MC	66.50 G/C/D ¹ (149 G/D ²)	2 units	2.24	4.48	667.52 G/D	0 G/D
Proposed: MC	66.50 G/C/D ¹ (149 G/D ²)	2 units	2.24	4.48	667.52 G/D	

1: Gallons per Capita per Day (G/C/D)

2: Gallons per Day (G/D) per Equivalent Residential Unit

Solid Waste (Policy 801.1.1)

Monroe County has a contract with Waste Management, authorizing the use of in-state facilities through September 30, 2016; thereby, providing the County with approximately three years of guaranteed capacity. Currently, there is adequate capacity for solid waste generation. The County is currently working on 10 year contracts for solid waste disposal.

LUD	Solid Waste Residential LOS Standard	Max Potential Residential Development	Persons/household	Estimated Total Persons	Total LOS Demand	Net Change
Existing: URM	5.44 P/C/D (12.2 P/D per EDU)	1 unit	2.24	2.24	12.19 P/D	+12.19 P/D
Proposed: MU	5.44 P/C/D (12.2 P/D per EDU)	2 units	2.24	4.48	24.37 P/D	

1: Pounds per Capita per Day (P/C/D) and Pounds per Day (P/D) per Equivalent Residential Unit (EVU)

FLUM	Solid Waste Residential LOS Standard	Max Potential Residential Development	Persons/household	Estimated Total Persons	Total LOS Demand	Net Change
Existing: MC	5.44 P/C/D (12.2 P/D per EDU)	2 units	2.24	4.48	24.37 P/D	0 P/D
Proposed: MC	5.44 P/C/D (12.2 P/D per EDU)	2 units	2.24	4.48	24.37 P/D	

1: Pounds per Capita per Day (P/C/D) and Pounds per Day (P/D) per Equivalent Residential Unit (EDU)

1
2 Sanitary Sewer (Policy 901.1.1)
3

4 Monroe County shall ensure that at a time a development permit is issued, adequate
5 sanitary wastewater treatment and disposal facilities are available to support the
6 development at the adopted LOS standards, concurrent with the impacts of such
7 development. The County has adopted water quality treatment standards for wastewater
8 facilities. Within the Sanitary Wastewater Treatment Master Plan, it is stated the LOS
9 standard for residential and nonresidential flow is 145 gallons per day per equivalent
10 dwelling unit (EDU).
11

12 The KW Resort Utilities Corp. maintains a central sewer system is available to this
13 parcel, and any new or existing development is required to connect to the sewer system.
14 The KW Resort Utilities Corp. is designed and constructed in accordance with the
15 adopted levels of service treatment standards
16

17 Any development on Stock Island shall be consistent with all goals, strategies and action
18 items of the Master Plan for the Future Development of Stock Island and Key Haven (aka
19 the Livable CommuniKeys Plan). Action items that directly pertain to the application
20 include:
21

22 Action Item 2.2.1: Promote community character, establish conformance and resolve land
23 use issues by identifying and changing the land use designation on parcels of land
24 containing non-conforming uses and rezone as appropriate.
25

26 Action Item 2.3.1: Continue to recognize land use districts and FLUM categories as the
27 regulatory tool used for evaluating individual proposals for compliance with land
28 development standards such as type of use and intensity of use.
29

30 *Consistency of the proposed amendment with the provisions and intent of the Monroe*
31 *County Code:*
32

33 In accordance with MCC §102-158(d)(5)b., the BOCC may consider the adoption of an
34 ordinance enacting the proposed change based on one or more of the following factors:
35

- 36 1. *Changed projections (e.g., regarding public service needs) from those on which the*
37 *text or boundary was based:*
38

39 Staff has not identified any changed projections from those on which the boundary
40 was based that would necessitate the amendment of the subject property's land use
41 district from URM to MU.
42

- 43 2. *Changed assumptions (e.g., regarding demographic trends):*
44

45 Staff has not identified any changed assumptions that would necessitate the
46 amendment of the subject property's land use district from URM to MC.

1
2 3. *Data errors, including errors in mapping, vegetative types and natural features*
3 *described in Volume 1 of the Year 2010 Comprehensive Plan:*
4

5 There has never been a mobile home on the subject property. It may have been
6 inadvertently included in the URM land use district following an assumption that it
7 was part of, or associated with, the neighboring mobile home parks.
8

9 As there is no evidence that a mobile home has lawfully existed on the site or that a
10 mobile home was proposed to exist on the site, the application of the URM
11 designation on the subject property may constitute a mapping error.
12

13 4. *New issues:*
14

15 The Master Plan for the Future Development of Stock Island and Key Haven was
16 adopted in 2007, after the application of URM to the subject property in 1986-1992
17 and the application of MC to the subject property in 1997. Of importance to this
18 application, Action Item 2.2.1 states that to “promote community character, [the
19 County should] establish conformance and resolve land use issues by identifying and
20 changing the land use designation on parcels of land containing non-conforming uses
21 and rezone as appropriate.”
22

23 This is a new direction for how to approach and review map amendment applications
24 that eliminate nonconformities in the Stock Island area.
25

26 5. *Recognition of a need for additional detail or comprehensiveness:*
27

28 Staff has not identified any recognition of a need for additional detail or
29 comprehensiveness that would necessitate the amendment of the subject property’s
30 land use district from URM to MU.
31

32 6. *Data updates:*
33

34 Staff has not identified any data updates that would necessitate the amendment of the
35 subject property’s land use district from URM to MU.
36

37 7. *For FLUM changes, the principles for guiding development as defined in the Florida*
38 *Statutes relating to changes to the comprehensive plan:*
39

40 Not applicable. The FLUM designation shall remain MC.
41

42 *Impact on Community Character:*
43

44 MCC §102-158 maintains that map amendments are not intended to relieve particular
45 hardships, nor to confer special privileges or rights on any person, nor to permit a change

1 in community character, as analyzed in the Year 2010 Comprehensive Plan, but only to
2 make necessary adjustments in light of changed conditions.

3
4 As the proposed MU land use district is consistent with the subject property's existing
5 MC FLUM category, the proposed MU land use district designation would not adversely
6 impact community character as envisioned by the comprehensive plan.

7
8 The surrounding area consists of a mixture of land uses, including residential and
9 nonresidential uses. The community character of the area is derived from the various
10 uses. To the northeast, north, northwest and west on Block 31, the URM land use district
11 continues. To the east on Block 31 and to southeast, south and southwest on Block 35
12 (across MacDonald Avenue) is a MU land use district. In the general area, there are
13 several other land use districts, including Urban Commercial (UC), Urban Residential
14 (UR), Recreational Vehicle (RV), and Native Area (NA).

15
16 The proposed amendment would not create a new MU land use district. Most of the
17 immediate vicinity is currently zoned MU. There are 20 lots within the subject property's
18 block. In 1992, 16 lots of the 20 lots were designated URM. But since that time, map
19 amendments have been adopted transitioning the block to primarily MU. Only five lots
20 are currently designated URM, while the remaining 15 lots are designated MU, including
21 Lot 16, which is the contiguous lot to the east. The entire block is designated as MC on
22 the FLUM.

23
24 The proposed amendment would shift the existing URM/MU boundary line from along
25 the subject property's eastern and southern property lines to the subject property's
26 western and northern property lines.

27
28 This application would allow some new uses on the site, mainly nonresidential. As
29 residential and nonresidential uses have been in existence since the 1960s, it is not
30 anticipated that any newly allowed future development will impact the existing character
31 of the adjacent area.

32
33 *Land Use District Purposes:*

34
35 No existing use would be deemed a nonconforming use by virtue of an amendment from
36 URM to MU.

37
38 MCC §130-38: The purpose of the MU district is to establish or conserve areas of
39 mixed uses, including commercial fishing, resorts, residential, institutional and
40 commercial uses, and preserve these as areas representative of the character, economy
41 and cultural history of the Florida Keys.

42
43 MCC §130-49: The purpose of the URM district is to recognize the existence of
44 established mobile home parks and subdivisions, but not to create new such areas,
45 and to provide for such areas to serve as a reservoir of affordable and moderate-cost
46 housing in the County.

1
2 After a review, staff has determined that the existing development on the site (residential
3 and commercial retail/office), the size of the site (0.14 acres) and the location of the site
4 (adjacent to several nonresidential and residential uses) are more compatible and
5 consistent with the purpose of the proposed MU land use district than the existing URM.
6

7 *Land Use District Permitted Uses:*

8
9 Notable differences between the MU and URM land use districts are in *italics*:

10
11 MCC §130-88:

12
13 (a) The following uses are permitted as of right in the MU district:

- 14 (1) Detached residential dwellings;
- 15 (2) Commercial retail (low and medium intensity) and office uses, or any
16 combination thereof of less than 2,500 SF of floor area;
- 17 (3) *Institutional residential uses involving less than 10 dwelling units or rooms;*
- 18 (4) *Commercial apartments involving less than 6 dwelling units;*
- 19 (5) *Commercial recreational uses limited to a) bowling alleys; b) tennis and*
20 *racquet ball courts; c) miniature golf and driving ranges; d) theaters; e)*
21 *health clubs; and f) swimming pools;*
- 22 (6) *Commercial fishing;*
- 23 (7) *Manufacture, assembly, repair, maintenance and storage of traps, nets and*
24 *other fishing equipment;*
- 25 (8) *Institutional uses and accessory residential uses involving less than 10*
26 *dwelling units or rooms;*
- 27 (9) *Public buildings and uses;*
- 28 (10) Home occupations;
- 29 (11) Community parks;
- 30 (12) Accessory uses;
- 31 (13) *Vacation rental use of detached dwelling units;*
- 32 (14) Replacement of an existing antenna-supporting structure;
- 33 (15) Collocations on existing antenna-supporting structures;
- 34 (16) *Attached wireless communications facilities, as accessory uses;*
- 35 (17) *Stealth wireless communications facilities, as accessory uses;*
- 36 (18) *Satellite earth stations less than 2 meters in diameter, as accessory uses;*
- 37 (19) *Attached and unattached residential dwellings involving less than 6 units,*
38 *designated as employee housing; and*
- 39 (20) Wastewater nutrient reduction cluster systems that serve less than 10
40 residences.

41
42 (b) The following uses are permitted as minor conditional uses in the MU district:

- 43 (1) *Attached residential dwelling units, provided that a) the total number of units does*
44 *not exceed 4; and b) the structures are designed and located so that they are*
45 *visually compatible with established residential development within 250' of the*
46 *parcel proposed for development;*

- 1 (2) *Commercial recreational uses, provided that a) the parcel of land proposed for*
2 *development does not exceed 5 acres; b) the parcel proposed for development is*
3 *separated from any established residential use by a class C bufferyard; and c) all*
4 *outside lighting is designed and located so that light does not shine directly on*
5 *any established residential use;*
6 (3) *Commercial retail (low and medium intensity) and office uses or any combination*
7 *thereof of greater than 2,500 but less than 10,000 SF of floor area, provided that*
8 *access to US 1 by way of a) an existing curb cut; b) a signalized intersection; or*
9 *c) a curb cut that is separated from any other curb cut on the same side of US 1*
10 *by at least 400’;*
11 (4) *Commercial retail (high intensity) and office uses or any combination thereof of*
12 *less than 2,500 SF of floor area, provided that access to US 1 is by way of a) an*
13 *existing curb cut; b) a signalized intersection; or c) a curb cut that is separated*
14 *from any other curb cut on the same side of US 1 by at least 400’;*
15 (5) *Commercial apartments involving 6 to 18 dwelling units, provided that a) the*
16 *hours of operation of the commercial uses are compatible with residential uses;*
17 *b) access to US 1 is by way of 1) an existing curb cut; 2) a signalized intersection;*
18 *or 3) a curb cut that is separated from any other curb cut on the same side of US*
19 *1 by at least 400’; and c) tourist housing uses, including vacation rental uses, of*
20 *commercial apartments are prohibited;*
21 (6) *Institutional residential uses involving 10 or more dwelling units or rooms,*
22 *provided that a) the use is compatible with land use established in the immediate*
23 *vicinity of the parcel proposed for development; b) access to US 1 is by way of 1)*
24 *an existing curb cut; 2) a signalized intersection; or 3) a curb cut that is*
25 *separated from any other curb cut on the same side of US 1 by at least 400’; and*
26 *c) tourist housing uses, including vacation rental use, of institutional residential*
27 *dwelling units is prohibited;*
28 (7) *Hotels of fewer than 50 rooms, provided that a) the use is compatible with*
29 *established land uses in the immediate vicinity; and b) one or more of the*
30 *following amenities is available to guests: 1) swimming pool; 2) marina; and 3)*
31 *tennis courts;*
32 (8) *Campgrounds, provided that a) the parcel proposed for development has an area*
33 *of at least 5 acres; b) the operator of the campground is the holder of a valid*
34 *county business license; c) if the use involves the sale of goods and services, other*
35 *than the rental of camping sites or recreational vehicle parking spaces, such use*
36 *does not exceed 1,000 SF and is designed to serve the needs of the campground;*
37 *and d) the parcel proposed for development is separated from all adjacent parcels*
38 *of land by at least a class C bufferyard;*
39 (9) *Light industrial uses, provided that a) the parcel proposed for development is less*
40 *than 2 acres; b) the parcel proposed for development is separated from any*
41 *established residential use by at least a class C bufferyard; and c) all outside*
42 *storage areas are screened from adjacent uses by a solid fence, wall or hedge at*
43 *least 6’ in height;*
44 (10) *Parks and community parks;*
45 (11) *Satellite earth stations greater than or equal to 2 meters in diameter, as accessory*
46 *uses; and*

1 (12) *Attached and unattached residential dwellings involving 6 to 18 units,*
2 *designated as employee housing.*

3
4 (c) The following uses are permitted as major conditional uses in the MU district:

5 (1) *Commercial retail (low and medium intensity) and office uses or any combination*
6 *thereof of greater than 10,000 SF in floor area, provided that access to US 1 is by*
7 *way of a) an existing curb cut; b) a signalized intersection; or c) a curb cut that is*
8 *separated from any other curb cut on the same side of US 1 by at least 400’;*

9 (2) *Commercial retail (high-intensity) and office uses or any combination thereof of*
10 *greater than 2,500 SF in floor area, provided that access to US 1 is by way of a)*
11 *an existing curb cut; b) a signalized intersection; or c) a curb cut that is*
12 *separated from any other curb cut on the same side of US 1 by at least 400’;*

13 (3) *Attached residential dwelling units, provided that a) the structures are designed*
14 *and located so that they are visually compatible with established residential*
15 *development within 250’ of the parcel proposed for development; and b) the*
16 *parcel proposed for development is separated from any established residential*
17 *use by a class C bufferyard;*

18 (4) *Marinas, provided that a) the parcel proposed for development has access to water*
19 *at least 4’ below mean sea level at mean low tide; b) the sale of goods and*
20 *services is limited to fuel, food, boating, diving and sport fishing products; c) all*
21 *outside storage areas are screened from adjacent uses by a solid fence, wall or*
22 *hedge at least 6’ in height; and d) each non-waterside perimeter setback of the*
23 *parcel proposed for development must have a class C bufferyard within a side*
24 *yard setback of 10’;*

25 (5) *Hotels providing 50 or more rooms, provided that a) the hotel has restaurant*
26 *facilities on or adjacent to the premises; b) access to US 1 is by way of 1) an*
27 *existing curb cut; 2) a signalized intersection; or 3) a curb cut that is separated*
28 *from any other curb cut on the same side of US 1 by at least 400’; and c) the*
29 *parcel proposed for development is separated from any established residential*
30 *use by a class C bufferyard;*

31 (6) *Heliports or seaplane ports, provided that a) the helicopter is associated with a*
32 *governmental service facility, a law enforcement element or a medical services*
33 *facility; b) the heliport or seaplane port is a Federal Aviation Administration*
34 *certified landing facility; c) the landing and departure approaches do not pass*
35 *over established residential uses or known bird rookeries; d) if there are*
36 *established residential uses within 500’ of the parcel proposed for development,*
37 *the hours of operation shall be limited to daylight; and e) the use is fenced or*
38 *otherwise secured from entry by unauthorized persons;*

39 (7) *Light industrial uses, provided that a) the parcel proposed for development is*
40 *greater than 2 acres; b) the parcel proposed for development is separated from*
41 *any established residential use by a class C bufferyard; and c) the use is*
42 *compatible with land uses established in the immediate vicinity of the parcel*
43 *proposed for development;*

44 (8) *Boat building or repair in conjunction with a marina or commercial fishing use,*
45 *provided that a) the parcel proposed for development has access to water at least*
46 *4’ below mean sea level at mean low tide; b) the sale of goods and services is*

1 *limited to fuel, food, boating, diving and sport fishing products; c) all outside*
2 *storage areas are screened from adjacent uses by a solid fence, wall or hedge at*
3 *least 6' in height; and d) the parcel proposed for development is separated from*
4 *any established residential use by a class C bufferyard;*

5 (9) *Mariculture;*

6 (10) *New antenna-supporting structures;*

7 (11) *Land use overlays A, E, PF;*

8 (12) *Attached and unattached residential dwellings involving more than 18 units,*
9 *designated as employee housing; and*

10 (13) *Wastewater treatment facilities and wastewater treatment collection systems*
11 *servicing uses located in any land use district, provided that a) the wastewater*
12 *treatment facility and wastewater treatment collection systems are in compliance*
13 *with all federal, state, and local requirements; b) the wastewater treatment*
14 *facility, wastewater treatment collection systems and accessory uses shall be*
15 *screened by structures designed to be architecturally consistent with the*
16 *character of the surrounding community and shall minimize the impact of any*
17 *outdoor storage, temporary or permanent; and c) in addition to any district*
18 *boundary buffers set forth in chapter 114, article IV, a planting bed, 8' in width,*
19 *to be measured perpendicular to the exterior of the screening structure shall be*
20 *established with the following: 1) one native canopy tree for every 25 LF of*
21 *screening structure; 2) one understory tree for every 10 LF of screening structure*
22 *and the required trees shall be evenly distributed throughout the planting bed; 3)*
23 *the planting bed shall be installed as set forth in chapter 114, article IV, and*
24 *maintained in perpetuity; and 4) a solid fence may be required upon*
25 *determination by the planning director.*

26
27 MCC §130-99:

28
29 (a) The following uses are permitted as of right in the URM district:

30 (1) *Mobile homes;*

31 (2) *Detached residential dwellings;*

32 (3) *Recreational vehicles as provided in chapter 513, F.S.;*

33 (4) *Home occupations;*

34 (5) *Accessory uses;*

35 (6) *Tourist housing uses, including vacation rental uses, are prohibited except in*
36 *gated communities that have a) controlled access; and b) a homeowner's or*
37 *property owner's association that expressly regulates or manages vacation rental*
38 *uses;*

39 (7) *Collocations on existing antenna-supporting structures;*

40 (8) *Satellite earth stations less than 2 meters in diameter, as accessory uses; and*

41 (9) *Wastewater nutrient reduction cluster systems that serve less than 10 residences.*

42
43 (b) The following uses are permitted as minor conditional uses in the URM district:

44 (1) *Replacement of an existing antenna-supporting structure;*

45 (2) *Stealth wireless communications facilities, as accessory uses; and*

1 (3) Satellite earth stations greater than or equal to 2 meters in diameter, as accessory
2 uses.

3
4 (c) The following uses are permitted as major conditional uses in the URM district:

5 (1) Marinas, provided that a) the parcel proposed for development has access to water
6 at least 4' below mean sea level at mean low tide; b) the sale of goods and
7 services is limited to fuel, food, boating, diving and sport fishing products; c)
8 *vessels docked or stored shall not be used for live-aboard purposes*; and d) all
9 outside storage areas are screened from adjacent uses by a solid fence, wall or
10 hedge at least 6' in height; e) each non-waterside perimeter setback of the parcel
11 proposed for development must have a class-C bufferyard within a side yard
12 setback of 10';

13 (2) Commercial retail (low and medium intensity) and office uses or any combination
14 thereof of less than 2,500 SF of floor area, *provided that: a) the parcel of land on*
15 *which the commercial retail use is to be located abuts the right-of-way of US 1; b)*
16 *the structure must be located within 200' of the centerline of US 1; c) the*
17 *commercial retail use does not involve the sale of petroleum products; d) the*
18 *commercial retail use does not involve the outside storage or display of goods or*
19 *merchandise; e) there is no direct access to US 1 from the parcel of land on which*
20 *the commercial retail use is to be located; f) the structure in which the*
21 *commercial retail use is to be located is separated from the US 1 right-of-way by*
22 *a class C bufferyard; g) the structure in which the commercial retail use is to be*
23 *located is separated from any existing residential structure by a class C*
24 *bufferyard; and h) no signage other than one identification sign of no more than 4*
25 *SF shall be placed in any yard or on the wall of the structure in which the*
26 *commercial retail use is to be located except for the yard or wall that abuts the*
27 *right-of-way for US 1;*

28 (3) Parks and community parks; and

29 (4) Land use overlays A, E, PF.

30
31 *Land Use Intensities:*

32
33 Note: As the applicant is not requesting a FLUM amendment, the maximum residential
34 densities and nonresidential intensities as permitted by the comprehensive plan
35 (specifically Policy 101.4.21) shall not be affected.
36

MCC §130-157. Maximum residential density			
Land Use District	Allocated Density	Maximum Net Density	Open Space Ratio
URM	1/lot (platted)	N/A	0.2
	5/acre (mobile home park)	7/buildable acre	
MU	1/acre	12/buildable acre	0.2
	1/acre (affordable/employee housing)	18/buildable acre (affordable/employee)	

37

1

Using the highest maximum net density available for each district:			
		Size of Site	Max Allowed
URM	7	0.14 acres (0.112 buildable acres)	0.77 units
URM	1/lot	1 platted lot	1.00 unit
MU	18	0.14 acres (0.112 buildable acres)	2.02 units

2

3

4

5

6

7

Not considering regulations beyond MCC §130-157, the residential density allowances of MCC §130-157 would allow one more potential permanent residential unit on the property than that currently allowed (however the additional unit would require an affordable housing deed-restriction).

MCC §130-162. Maximum hotel-motel, recreational vehicle and institutional residential densities			
Land Use District	Allocated Density (units/acre)	Maximum Net Density (units/buildable acre)	Open Space Ratio
URM	5 (RV)	7 (RV)	0.2
MU	10 (hotel)	15 (hotel)	0.2
	5 (institutional)	20 (institutional)	
	10 (RV)	10 (RV)	

8

Using the highest maximum net density available for each district			
		Size of Site	Max Allowed
URM	7	0.14 acres (0.112 buildable acres)	0.77 units
MU	20	0.14 acres (0.112 buildable acres)	2.20 units

9

10

11

Not considering regulations beyond MCC §130-162, the proposed amendment would potentially allow two more transient residential units on the site than currently allowed.

MCC §130-164. Maximum nonresidential land use intensities		
Land Use District	Floor Area Ratio	Open Space Ratio
URM	The maximum per lot stated in article III of the Land Development Code shall prevail.	0.20
MU	0.35 (Retail Low)	0.20
	0.25 (Retail Medium)	
	0.35 (Retail High)	
	0.40 (Office)	
	0.10 (Recreational)	
	0.30 (Institutional)	
	0.30 (Public)	
	0.40 (Commercial Fishing)	
0.30 (Light Industrial)		

12

13

Using the highest maximum net floor area ratio available for each district			
		Size of Site	Max Allowed
URM	n/a*	6,250 SF	2,500 SF*
MU	0.40	6,250 SF	2,500 SF

* The maximum per lot stated in article III of the Land Development Code shall prevail.

Not considering regulations beyond MCC §130-164, the proposed amendment would not allow any more nonresidential floor area on the site than currently allowed.

Consistency of the proposed amendment with the Principles for Guiding Development

Pursuant to Section 380.0552(7), Florida Statutes, for the purposes of reviewing consistency, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 - 1. The Florida Keys Aqueduct and water supply facilities;
 - 2. Sewage collection, treatment, and disposal facilities;
 - 3. Solid waste treatment, collection, and disposal facilities;
 - 4. Key West Naval Air Station and other military facilities;
 - 5. Transportation facilities;
 - 6. Federal parks, wildlife refuges, and marine sanctuaries;
 - 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 - 8. City electric service and the Florida Keys Electric Co-op; and
 - 9. Other utilities, as appropriate.
- (i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage

1 collection; treatment and disposal facilities; and the installation and proper operation and
2 maintenance of onsite sewage treatment and disposal systems.

- 3 (j) Ensuring the improvement of nearshore water quality by requiring the construction and
4 operation of wastewater management facilities that meet the requirements of ss.
5 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by
6 central wastewater treatment facilities through permit allocation systems.
- 7 (k) Limiting the adverse impacts of public investments on the environmental resources of the
8 Florida Keys.
- 9 (l) Making available adequate affordable housing for all sectors of the population of the
10 Florida Keys.
- 11 (m) Providing adequate alternatives for the protection of public safety and welfare in the
12 event of a natural or manmade disaster and for a post disaster reconstruction plan.
- 13 (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and
14 maintaining the Florida Keys as a unique Florida resource.

15
16 The proposed amendment is consistent with the Principles as a whole and is not inconsistent
17 with any Principle.

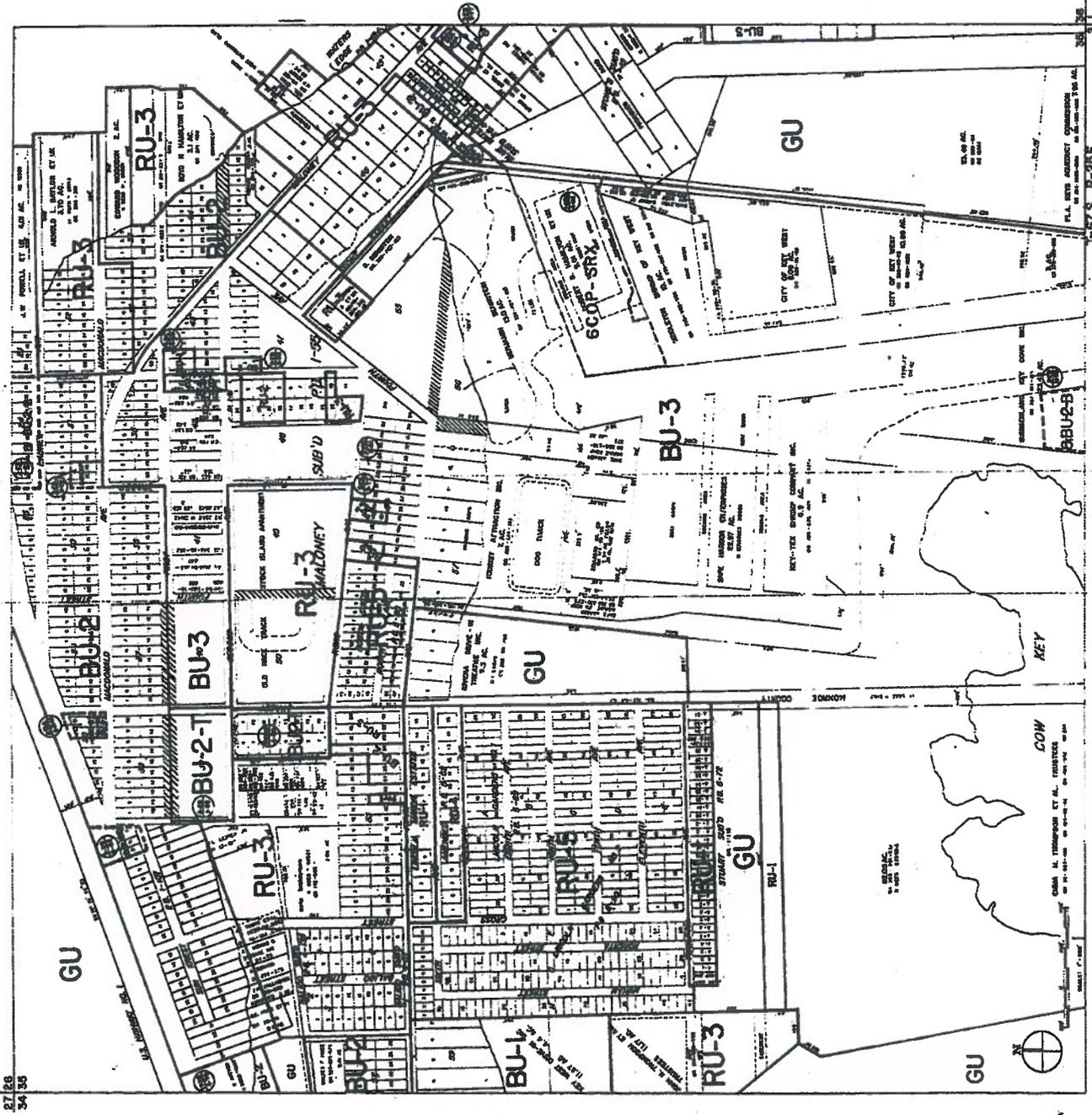
18
19 In addition, the proposed amendment furthers the following other Florida Statutes:

20
21 Section 163.3161(4), Florida Statutes: It is the intent of this act that local governments have
22 the ability to preserve and enhance present advantages; encourage the most appropriate use
23 of land, water, and resources, consistent with the public interest; overcome present
24 handicaps; and deal effectively with future problems that may result from the use and
25 development of land within their jurisdictions. Through the process of comprehensive
26 planning, it is intended that units of local government can preserve, promote, protect, and
27 improve the public health, safety, comfort, good order, appearance, convenience, law
28 enforcement and fire prevention, and general welfare; facilitate the adequate and efficient
29 provision of transportation, water, sewerage, schools, parks, recreational facilities, housing,
30 and other requirements and services; and conserve, develop, utilize, and protect natural
31 resources within their jurisdictions.

32
33 Section 163.3177(6)(a)4., Florida Statutes: The amount of land designated for future planned
34 uses shall provide a balance of uses that foster vibrant, viable communities and economic
35 development opportunities and address outdated development patterns, such as antiquated
36 subdivisions. The amount of land designated for future land uses should allow the operation
37 of real estate markets to provide adequate choices for permanent and seasonal residents and
38 business and may not be limited solely by the projected population. The element shall
39 accommodate at least the minimum amount of land required to accommodate the medium
40 projections as published by the Office of Economic and Demographic Research for at least a
41 10-year planning period unless otherwise limited under s. 380.05, including related rules of
42 the Administration Commission.

43
44 **V RECOMMENDED ACTION:**

45
46 Staff recommends APPROVAL to the Board of County Commissioners.



Item #5 One Key West Investment LLC
File

File #: **2013-143**

Owner's Name: One Key West Investment, LLC

Applicant: One Key West Investment, LLC

Agent: Trepanier & Associates, Inc.

Type of Application: LUD/Map Amendment

Key: Stock Island

RE: 00124510-000000

Additional Information added to File 2013-143

RECEIVED

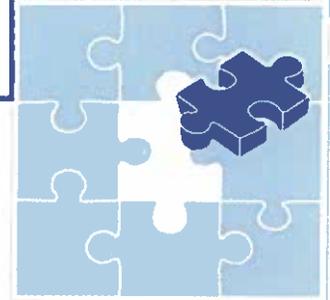
DEC 26 2013

MONROE CO. PLANNING DEPT

12/17/13

Mr. Townsley Schwab, Senior Director
Monroe County Planning and Environmental Resources
2798 Overseas Hwy., Suite 400
Marathon, FL 33050

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
DEVELOPMENT CONSULTANTS

**Re: Land Use District Map Amendment
5635 MacDonald Avenue (RE No. 00124510-000000)**

Dear Mr. Schwab:

We submitted a LUD Map Amendment on 10/31/13. After an initial review of the application, planning staff advised us that the application had a potential inconsistency. The application requested a change from URM to MI. Your staff pointed out that a change to MU would be more consistent with the characteristics of the property. After discussing this with planning and further reviewing the property characteristics, we concur. We certainly appreciate your staff's kind assistance and thoughtful review.

Attached is a revised application requesting the URM be changed to MU.

Thank you for your consideration of this application. Please don't hesitate to call if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lori Thompson', written in a cursive style.

Lori Thompson,
Research and Development Specialist

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



RECEIVED
DEC 26 2013
MONROE CO. PLANNING DEPT

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

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: 12 / 17 / 2013
Month Day Year

Property Owner:

One Key West Investment, LLC
Name
336 Duval Street, Key West
Mailing Address
Daytime Phone
Email Address

Agent (if applicable):

Trepanier and Associates, Inc
Name
402 Appelrouth Lane, Key
Mailing Address
305-293-8983
Daytime Phone
lori@owentrepanier.com
Email Address

Legal Description of Property:

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

31	17	Stock Island Maloney	Stock Island
Block	Lot	Subdivision	Key
00124510-000000			
Real Estate (RE) Number		Alternate Key Number	
5635 MacDonald Avenue		5	
Street Address		Approximate Mile Marker	

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

Current Land Use District Designation(s): URM

Proposed Land Use District Designation(s): MU

Current Future Land Use Map Designation(s): MC

Tier Designation(s) III

Total Land Area Affected in acres: 0.14

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):
Existing building is 1,144 square feet with one residential unit on the second floor and the first floor used as office/commercial/ light industrial space most recently for a construction company.

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:**
The FLUM designation of the property reflects the existing commercial mixed-use character of the area. However the URM zoning is inconsistent with the FLUM, character of the area, and the use of the property (historic, current, and proposed)
- 2) **Changed assumptions (e.g., regarding demographic trends):**
No change in assumptions, only a recognition of a zoning map error.
- 3) **Data errors, including errors in mapping, vegetative types and natural features described in volume A**
mapping error occurred when the URM designation was adopted in 1992 as evidenced by the LOU application dated 06/14/13 (Attachment A) and the corresponding LOU dated 08/30/13 (Attachment B) In short, the URM is a mobile home park protection district. This property does not contain a mobile home park.
- 4) **New issues:**
The inconsistency of the FLUM and the LUD maps creates a hardship for the property owner as it prevents the lawful redevelopment of the site without violating either the FLUM or the zoning.

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

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

NA

6) Data updates:

NA

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):

Stock Island is a maritime-oriented sub-community. The proposed zoning correction will coincide with the intent of the Mixed-Use Commercial future land category, the Stock Island Master Plan, and the past, current, and anticipated development of this commercial corridor.

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

Yes Date: 10/24/13
No

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
- N 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**

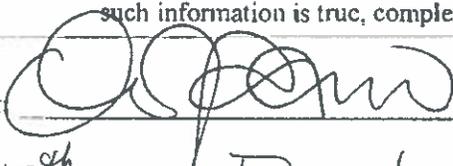
If applicable, the following must be submitted in order to have a complete application submittal:

- 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**

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:

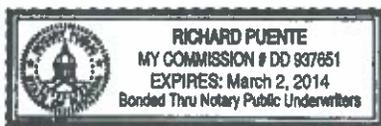
12/17/13

Sworn before me this

17th

day of

December, 2013




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

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: 10.30.13
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for LUD / MAP AMENDMENT
Type of application

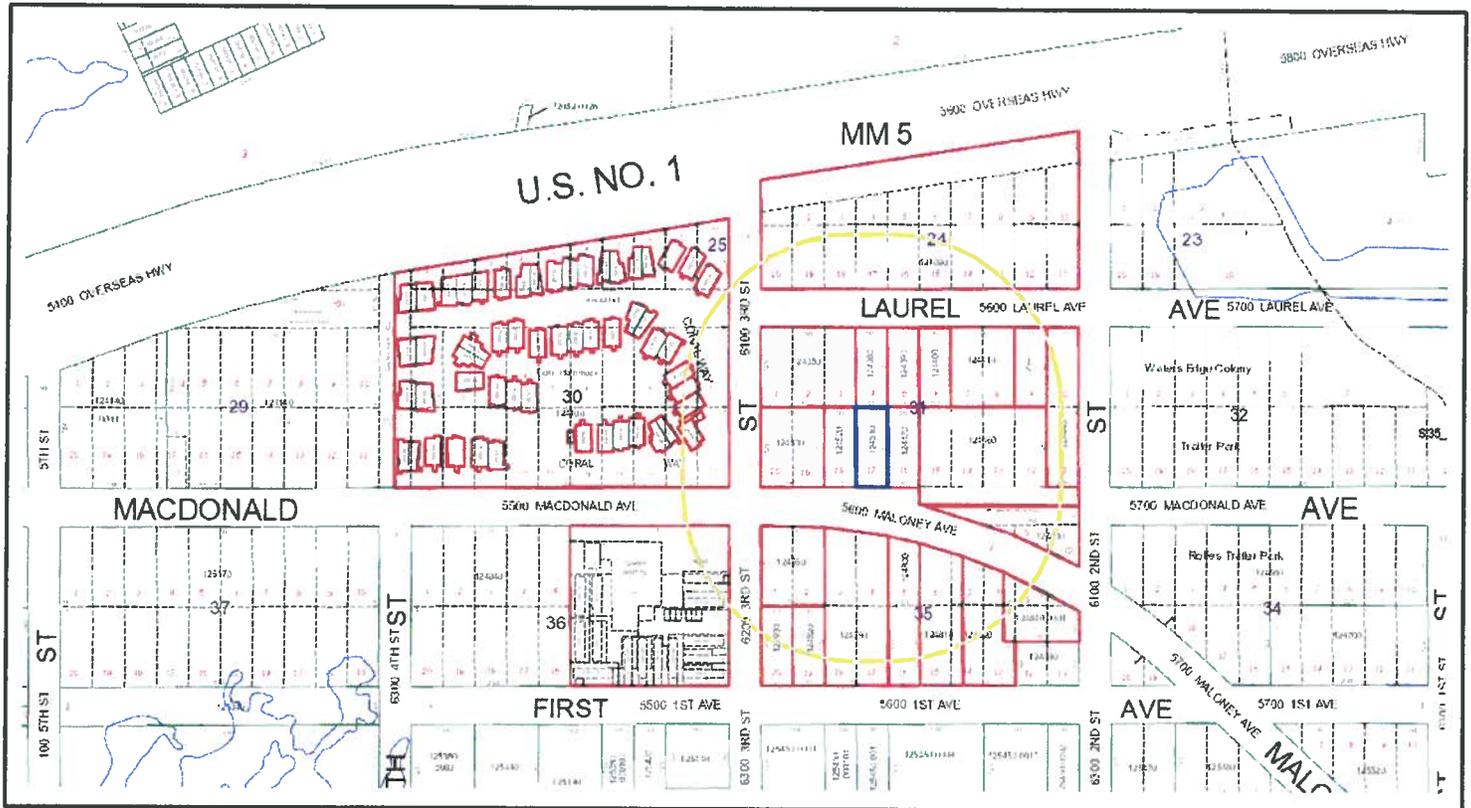
One Key West
Investment LLC
Project / Name

to the Monroe County Planning Department.

Thank you.

Shail Creech

Planning Staff



Monroe County, Florida MCPA GIS Public Portal

Printed: Oct 31, 2013

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.



Verified GC

✓ BARTEL JAMES J AND CORRINE M
3504 CAR DR
COMMERCE TOWNSHIP, MI 48382-1603

✓ CMT PROPERTY MANAGEMENT LLC
2911 STAPLES AVE
KEY WEST, FL 33040

✓ DEY JOSEPH S III
363 CEDAR GROVE
ORANGE, CT 6477

✓ GLASER WILLIAM D
118 CARIBBEAN DR
SUMMERLAND KEY, FL 33042

✓ KEYS YAMAHA SERVICES INC
5950 PENINSULAR AVE
KEY WEST, FL 33040-6097

✓ MONROE COUNTY
1100 SIMONTON ST
KEY WEST, FL 33040-3110

✓ QUINTANA MARGARITA
3707 DONALD AVE
KEY WEST, FL 33040-4409

✓ ROMAN LUBOSLAV
3404 EAGLE AVE
KEY WEST, FL 33040-4652

✓ SCROGGINS HAROLD S AND DONNA
18784 SE JUPITER DR
JUPITER, FL 33458

✓ STAR OF THE SEA FOUNDATION INC
5640 MACDONALD AVE
KEY WEST, FL 33040

✓ BONNETT MATTHEW R
5650 LAUREL AVE
KEY WEST, FL 33040-5915

✓ CONSOLIDATED ELECTRICAL
DISTRIBUTORS INC `
1920 WESTRIDGE DR
IRVING, TX 75038-2901

✓ ENG GARY
4905 34TH ST S 5800
SAINT PETERSBURG, FL 33711

✓ KEY WEST TRAILERS LLC
1000 MARKET ST UNIT 300
PORTSMOUTH, NH 03801-3399

✓ KWT LLC
1000 MARKET ST
PORTSMOUTH, NH 3801

✓ MONROE COUNTY FIRE DEPT
PO BOX 2111
KEY WEST, FL 33045-2111

✓ R AND S OF KEY WEST INC
PO BOX 6032
KEY WEST, FL 33041-6032

✓ ROSSI MARK
24 HILTON HAVEN RD
KEY WEST, FL 33040

✓ SLOANS LANDING LLC
201 FRONT ST STE 224
KEY WEST, FL 33040

✓ SWIFT EDWIN O
201 FRONT ST STE 224
KEY WEST, FL 33040-8348

✓ BURRIN FRED R DVM
6150 SECOND ST
KEY WEST, FL 33040-5997

✓ CORAL HAMMOCK HOMEOWNERS ASSC INC
C/O CHRISTIAN STERLING
201 FRONT ST STE 103
KEY WEST, FL 33040-8346

✓ FELLERS JUSTIN C AND NICOLE L
PO BOX 512758
PUNTA GORDA, FL 33951-2758

✓ KEYS FEDERAL CREDIT UNION
PO BOX 1898
KEY WEST, FL 33041-1898

~~KWT LLC
1000 MARKET ST
PORTSMOUTH, NH 3801~~

~~ONE KEY WEST INVESTMENT LLC
336 DUVAL ST
KEY WEST, FL 33040-6500~~

✓ RIESI PIZZA LLC
1025 SANDYS WAY
KEY WEST, FL 33040

✓ SCARDINA VINCENT A
1107 KEY PLZ PMB 317
KEY WEST, FL 33040-4086

✓ SMITH KIT CARSON LEE
PO BOX 11
KEY WEST, FL 33041-0011

✓ TAYLOR JOHN CLIFTON AND VALERIE H
44 CORAL WAY
KEY WEST, FL 33040

TOM THUMB FOOD STORES INC
97 W OKEECHOBEE RD
HIALEAH, FL 33010-4721

VINTNER RESERVE LLC
274 SPRUCE ST
MORGANTOWN, WV 26505

Verified GC

End of Additional File 2013-143

10/24/13



Mr. Townsley Schwab, Senior Director
Monroe County Planning and Environmental Resources
2798 Overseas Hwy., Suite 400
Marathon, FL 33050

RE: Land Use District Map Amendment
5635 MacDonald Avenue (RE No. 00124510-000000)

Dear Mr. Schwab:

Attached is an application for a Land Use District Map Amendment for the above mentioned property. The property is FLUM'd "MC" but zoned "URM". The two classifications are in conflict with one another pursuant to the Comprehensive Plan's Future Land Use Density and Intensity Table. We seek to correct the conflict.

We applied for¹ and received an LOU² that determined the conflict is likely the result of a mapping error and the property qualifies for an application fee waiver.

Thank you for your consideration of this application. Please don't hesitate to call if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Thompson".

Lori Thompson
Development Specialist

¹ Please see Attachment "A" in the attached application.

² Please see Attachment "B" in the attached application.

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

RECEIVED



OCT 30 2013

MONROE CO. PLANNING DEPT

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

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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: 10 / 29 / 2013
Month Day Year

Property Owner:

One Key West Investment, LLC

Name

336 Duval Street, Key West

Mailing Address

Daytime Phone

Email Address

Agent (if applicable):

Trepanier and Associates, Inc

Name

402 Appelrouth Lane, Key

Mailing Address

305-293-8983

Daytime Phone

lori@owentrepanier.com

Email Address

Legal Description of Property:

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

31 17 Stock Island Maloney Stock Island

Block Lot Subdivision Key

00124510-000000

Real Estate (RE) Number Alternate Key Number

5635 MacDonald Avenue 5

Street Address Approximate Mile Marker

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

Current Land Use District Designation(s): URM

Proposed Land Use District Designation(s): MI

Current Future Land Use Map Designation(s): MC

Tier Designation(s) III

Total Land Area Affected in acres: 0.14

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):
Existing building is 1,144 square feet with one residential unit on the second floor and the first floor used as office/commercial/ light industrial space most recently for a construction company.

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:**
The FLUM designation of the property reflects the existing maritime-oriented mixed-use character of the area. However the URM zoning is inconsistent with the FLUM, character of the area, and the use of the property (historic, current, and proposed)
- 2) **Changed assumptions (e.g., regarding demographic trends):**
No change in assumptions, only a recognition of a zoning map error.
- 3) **Data errors, including errors in mapping, vegetative types and natural features described in volume A**
A mapping error occurred when the URM designation was adopted in 1992 as evidenced by the LOU application dated 06/14/13 (Attachment A) and the corresponding LOU dated 08/30/13 (Attachment B) In short, the URM is a mobile home park protection district. This property does not contain a mobile home park.
- 4) **New issues:**
The inconsistency of the FLUM and the LUD maps creates a hardship for the property owner as it prevents the lawful redevelopment of the site without violating either the FLUM or the zoning.

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

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

NA

6) Data updates:

NA

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):

Stock Island is primarily a maritime-oriented community. The proposed zoning correction will further the intent of the Mixed-Use Commercial future land category, the Stock Island Master Plan, and the past, current, and anticipated maritime-oriented community and economic evolution.

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
- N/A 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:

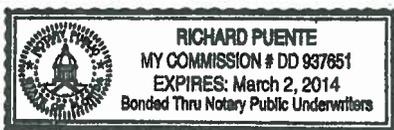
- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)
- Any other Monroe County documents including Letters of Understanding pertaining to the proposed Land Use District Map amendment**

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: 10/25/13

Sworn before me this 25 day of October, 2013




Notary Public
My Commission Expires
3-2-14

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.

Doc# 1939328 06/28/2013 11:49AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

06/28/2013 11:49AM
DEED DOC STAMP CL: DS \$1,617.00

Doc# 1939328
Bk# 2636 Pg# 1433

Property Appraiser's Parcel Identification No.
00124510-000000
(Reserved for Clerk of Court)

This Instrument Prepared By,
And Upon Recordation Return To:
Jones Walker LLP
201 South Biscayne Boulevard, Suite 2600
Miami, Florida 33131
Attn: Joshua Young, Esq.
Telephone: (305) 679-5700

Consideration \$231,000.00

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 19th day of June, 2013 by **Special Acquisitions, Inc.**, a Florida corporation, whose mailing address is 6435 Naples Blvd., Naples, Florida 34109 ("Grantor"), to **One Key West Investment LLC**, a Florida limited liability company, whose mailing address is 336 Duval Street, Key West, Florida 33040 ("Grantee"). Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their heirs, legal representatives and assigns.

WITNESSETH that said Grantor, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida (the "Property"), to-wit:

SEE EXHIBIT A ATTACHED HERETO.

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

GRANTOR fully warrants the title to said land, and will defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but not otherwise; except that this deed is subject to the matters of record shown on the attached Exhibit B.

{Signature on following page}

EXHIBIT A

LEGAL DESCRIPTION

Lot 17, Block 31 of STOCK ISLAND, according to the Plat thereof as recorded in Plat Book 1, Page(s) 55, of the Public Records of Monroe County, Florida.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable.
2. Matters appearing on the plat of Stock Island recorded in Plat Book 1, Page(s) 55.
3. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

**MONROE COUNTY
OFFICIAL RECORDS**

Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

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

Property Record Card -

Maps are now launching the new map application version.

Website tested on IE8,
IE9, & Firefox.
Requires Adobe Flash
10.3 or higher

Alternate Key: 1158631 Parcel ID: 00124510-000000

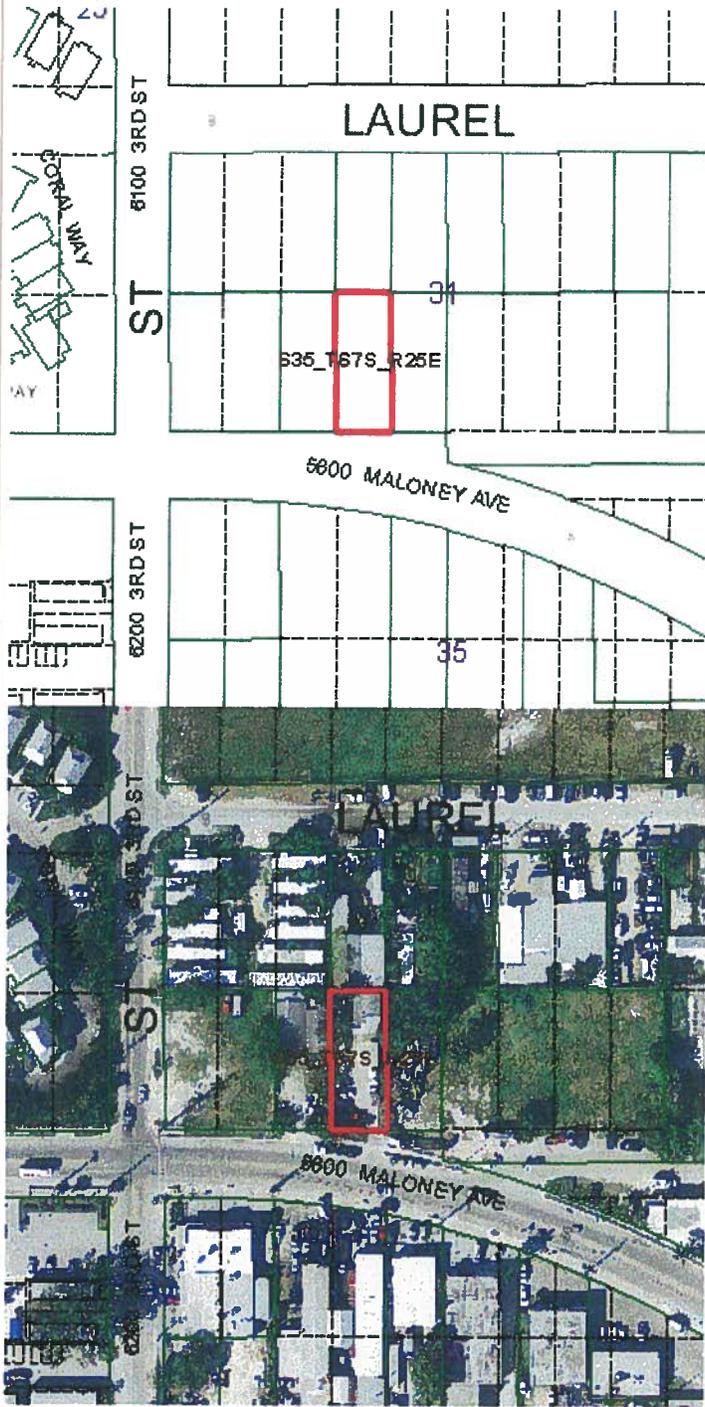
Ownership Details

Mailing Address:
ONE KEY WEST INVESTMENT LLC
336 DUVAL ST
KEY WEST, FL 33040-6500

Property Details

PC Code: 12 - STORE/OFF/RES OR COMBINATION
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 5635 MACDONALD AVE SOUTH STOCK ISLAND
Subdivision: MALONEY SUBD
Legal: BK 31 LT 17 STOCK ISLAND MALONEY SUB PB1-55 G63-338/39 G75-543/44 OR771-528 OR885-2287
Description: OR1032-2433 OR1439-10/11 OR1572-446D/C OR1572-447/48 OR2268-1061/82F/J OR2593-1033/35 OR2593-1046/48 OR2593-1049/51 OR2593-1104/08 OR2636-1433/36

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	50	125	6,250.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1

Total Living Area: 1144
Year Built: 1943

Building 1 Details

Building Type
Effective Age 48
Year Built 1943
Functional Obs 0

Condition P
Perimeter 192
Special Arch 0
Economic Obs 0

Quality Grade 350
Depreciation % 60
Grnd Floor Area 1,144

Inclusions:

Roof Type
Heat 1
Heat Src 1

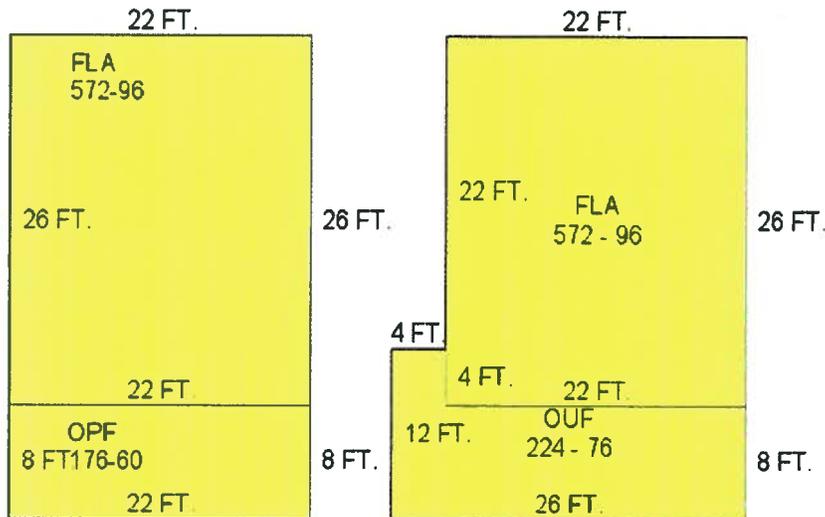
Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

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

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	FLA		1	1943					572
0	OUF		1	1943					224
1	OPF		1	1992					176
2	FLA		1	1994					572

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		OFF BLDG-1 STY-D	100	N	N
	9702	OPF	100	N	N
	9703	APARTMENTS	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
3145	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	WD2:WOOD DECK	30 SF	5	6	1979	1980	4	40
2	UB2:UTILITY BLDG	80 SF	8	10	1979	1980	2	50
3	CL2:CH LINK FENCE	625 SF	5	125	1979	1980	1	30
5	PT2:BRICK PATIO	2,460 SF	41	60	1976	1977	1	50
6	WD2:WOOD DECK	297 SF	11	27	1984	1985	1	40
7	WD2:WOOD DECK	110 SF	11	10	1987	1988	2	40
8	FN2:FENCES	156 SF	26	6	1979	1980	2	30
9	PT3:PATIO	72 SF	8	9	1979	1980	2	50
10	PT3:PATIO	486 SF	18	27	1987	1988	1	50
11	CL2:CH LINK FENCE	500 SF	125	4	1979	1980	1	30

Appraiser Notes

LAJEN HAIR FASHIONS ST.IS. 296-5677 INDEPTH AUDIT 1997 2001-03-14 THIS IS NO LONGER THE HAIR SHOP. 2001 TAX ROLL. DUG

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
2013	63,072	11,152	201,250	275,474	275,474	0	275,474
2012	75,746	11,475	201,250	288,471	288,471	0	288,471
2011	85,214	11,577	201,250	298,041	298,041	0	298,041
2010	85,214	11,664	188,370	285,248	285,248	0	285,248
2009	85,214	11,801	300,000	397,015	313,168	0	397,015
2008	85,214	11,985	187,500	284,699	284,699	0	284,699
2007	64,928	12,076	250,000	327,004	327,004	0	327,004
2006	64,928	12,579	229,688	307,195	307,195	0	307,195
2005	64,928	13,077	125,000	203,005	203,005	0	203,005
2004	64,925	13,581	62,500	141,006	141,006	0	141,006

2003	60,071	14,092	62,500	136,663	136,663	0	136,663
2002	60,071	14,606	62,500	137,177	137,177	0	137,177
2001	59,512	15,116	43,750	118,378	118,378	0	118,378
2000	87,968	5,451	43,750	137,169	137,169	0	137,169
1999	87,968	5,629	40,625	134,222	134,222	0	134,222
1998	58,645	5,807	33,125	97,577	93,786	25,000	68,786
1997	58,645	6,010	33,125	97,780	93,136	25,000	68,136
1996	53,314	1,784	33,125	88,223	87,069	25,500	61,569
1995	53,314	1,828	33,125	88,267	86,044	25,500	60,544
1994	46,507	1,987	33,125	81,619	81,619	25,500	56,119
1993	51,018	1,422	33,125	85,565	85,565	25,500	60,065
1992	47,661	65	33,125	80,851	80,851	25,500	55,351
1991	47,661	65	33,125	80,851	80,851	25,500	55,351
1990	47,661	65	33,750	81,476	81,476	25,000	56,476
1989	47,661	65	33,750	81,476	81,476	25,000	56,476
1988	45,658	65	33,750	79,473	79,473	25,000	54,473
1987	38,504	65	25,875	64,444	64,444	0	64,444
1986	38,615	65	23,359	62,039	62,039	0	62,039
1985	36,144	65	20,313	56,522	56,522	0	56,522
1984	35,222	65	20,313	55,600	55,600	0	55,600
1983	35,222	65	20,313	55,600	55,600	0	55,600
1982	13,421	65	14,063	27,549	27,549	0	27,549

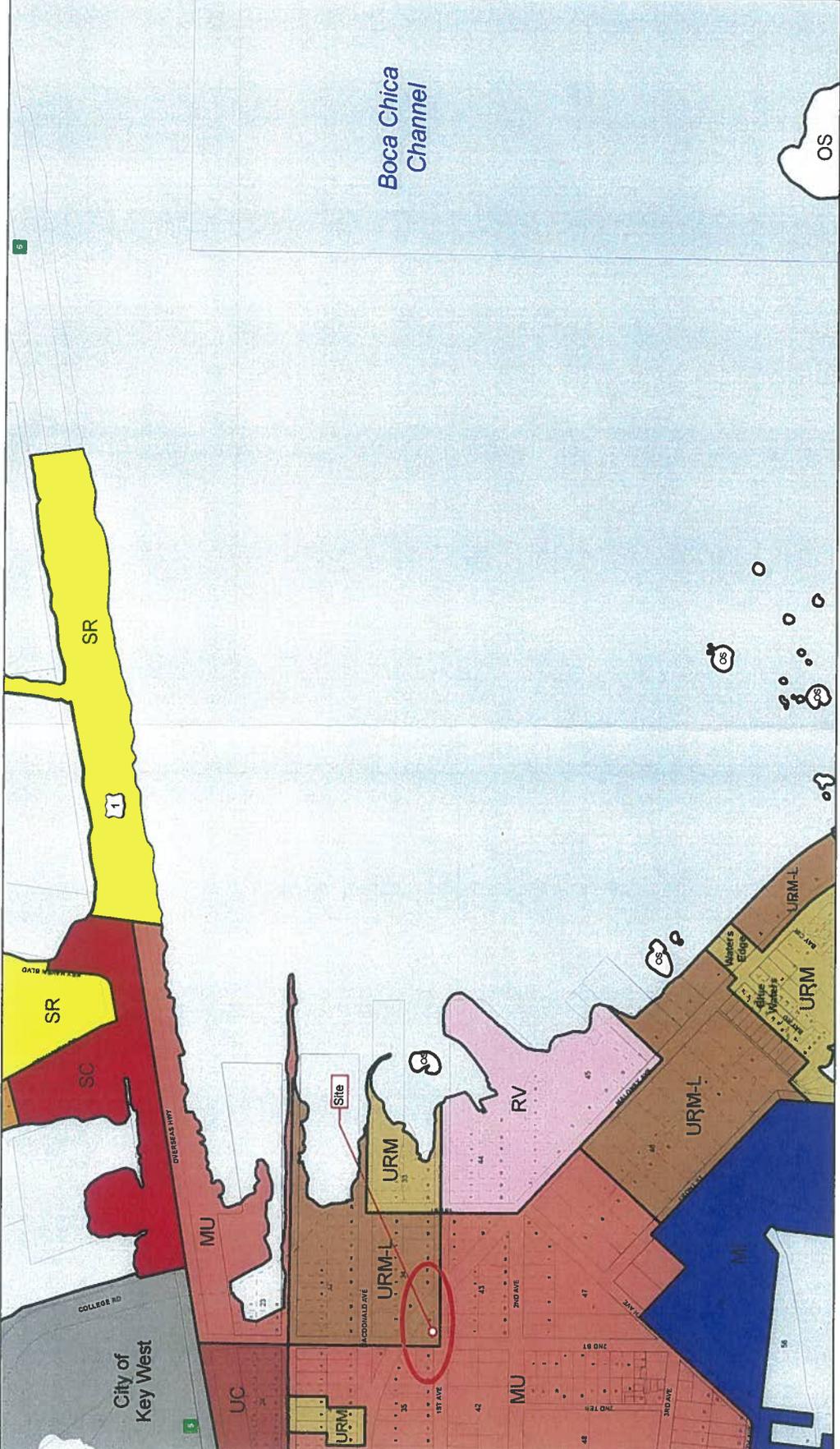
Parcel Sales History

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
6/19/2013	2636 / 1433	231,000	WD	12
6/14/2012	2593 / 1046	100	QC	11
6/14/2012	2593 / 1033	100	QC	11
6/12/2012	2593 / 1049	334,300	QC	11
6/12/2012	2593 / 1104	100	WD	12
12/29/1998	1572 / 447	250,000	WD	Q
11/1/1987	1032 / 2433	119,000	WD	U
7/1/1983	885 / 2287	1	WD	M

This page has been visited 139,499 times.

Monroe County Monroe County Property Appraiser
 Scott P. Russell, CFA
 P.O. Box 1176 Key West, FL 33041-1176



Monroe County, Florida Land Use District Map

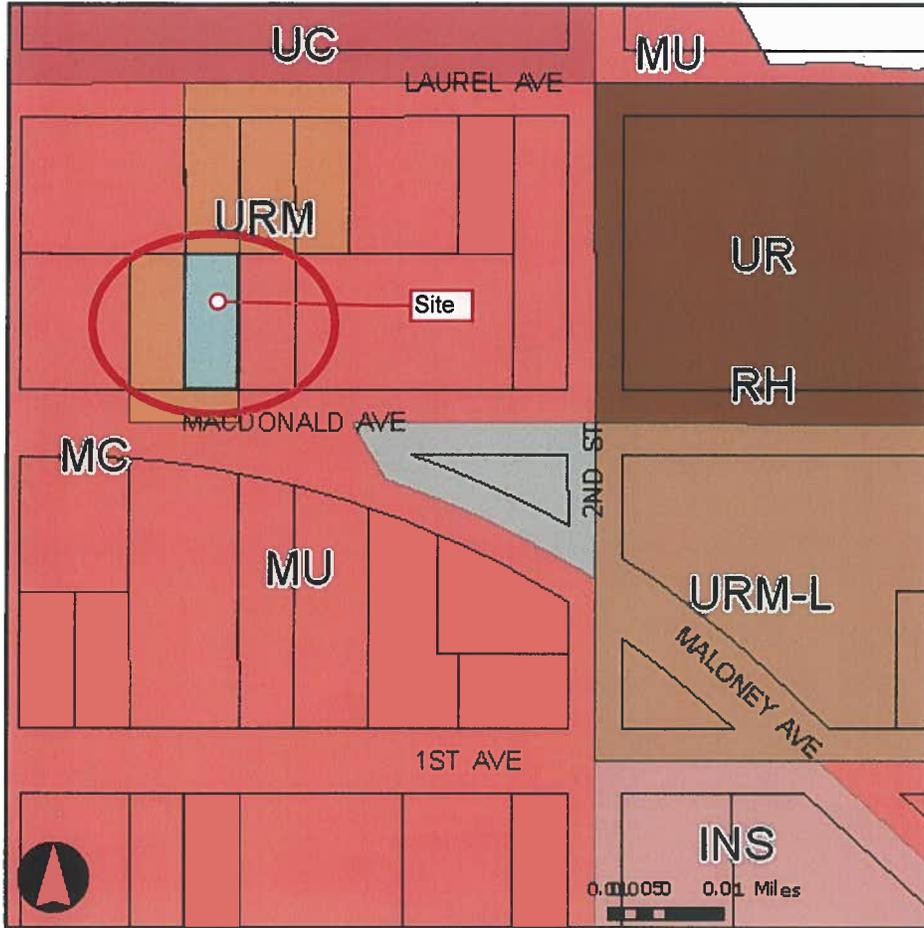
Supplement: 000 Date: January 17, 2007
 Certified by the County Commission Resolution No. _____

_____ Aref Joulani, Director of Planning & Environmental Resources
 _____ Ty Symroski, Director of Growth Management

NA Native Area	SS Sparsely Settled
OS Offshore Island Area	UC Urban Commercial
PA Planning Area	URM Urban Residential
RV Recreational Vehicle	URM-L Urban Residential Mobile Home
SC Suburban Commercial	
SR Suburban Residential	
SR-L Suburban Residential Limited	
IS Improved Subdivision	
IS-OM Improved Subdivision (Duplex)	
IS-OM Improved Subdivision (Other, Masonry)	
IS-OM Improved Subdivision (Other, Masonry)	
IS-OM Improved Subdivision (Masonry)	
MF Military Facilities	
MI Maritime Industries	
MI-NA Maritime Industries	
MU Mixed Use	
ACCG Area of County Critical Concern	
AD Airport	
CD Conservation District	
CFA Commercial Fishing Area	
CFSD Commercial Fishing Special Dist.	
CFV Commercial Fishing Village	
DR Destination Resort	
I Industrial	

The base maps are not survey accurate, and the location of land use district boundaries in areas where they are shown should be verified by the Monroe County biologist. These maps are intended to represent the general location of features with respect to other features on the same map. The engineer of record and County will not be responsible for any source data errors or omissions in the information compiled by others which have been incorporated into these maps.

Map



Parcels



Roads



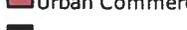
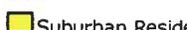
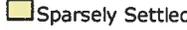
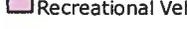
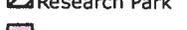
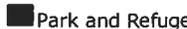
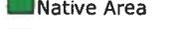
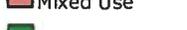
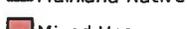
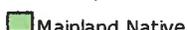
Parcels



Zoning



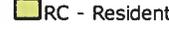
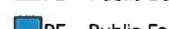
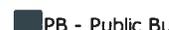
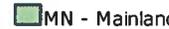
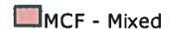
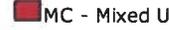
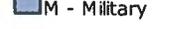
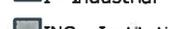
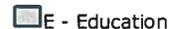
Zoning (continued)

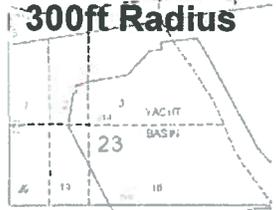
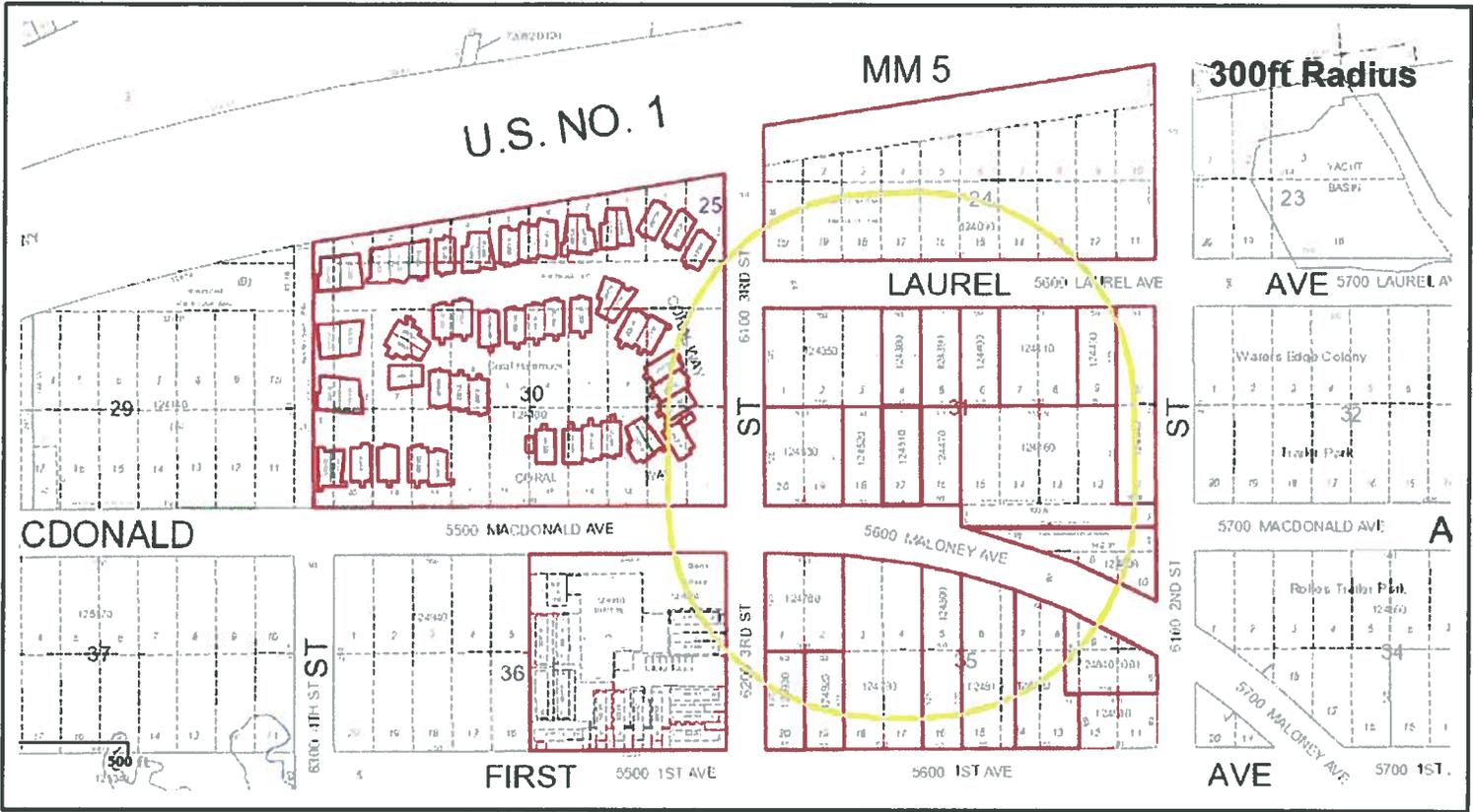


Future Land Use Map (FLUM)



Future Land Use Map (FLUM) (continued)





Monroe County, Florida

MCPA GIS Public Portal



Printed: Oct 24, 2013

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.

Property Owners within 300ft

Real Estate Number	Owner Name	Address2	Unit	City	State	Zip
00124100-000131	BARTEL JAMES J AND CORRINE M	3504 CAR DR		COMMERCE TOWNSHIP	MI	48382-1603
00124390-000000	BONNETT MATTHEW R	5650 LAUREL AVE		KEY WEST	FL	33040-5915
00124440-000000	BURRIN FRED R DVM	6150 SECOND ST		KEY WEST	FL	33040-5997
00124410-000000	CMT PROPERTY MANAGEMENT LLC	2911 STAPLES AVE		KEY WEST	FL	33040
00124810-000000	CONSOLIDATED ELECTRICAL DISTRIBUTORS INC `	1920 WESTRIDGE DR		IRVING	TX	75038-2901
00124100-000000	CORAL HAMMOCK HOMEOWNERS ASSC INC	201 FRONT ST	UNIT 103	KEY WEST	FL	33040
00124990-000114	KEY WEST TRAILERS LLC	1000 MARKET ST UNIT 300		PORTSMOUTH	NH	03801-3399
00124990-000106	KEY WEST TRAILERS LLC	1000 MARKET ST UNIT 300		PORTSMOUTH	NH	03801-3399
00124990-000105	KEY WEST TRAILERS LLC	1000 MARKET ST UNIT 300		PORTSMOUTH	NH	03801-3399
00124990-000102	KEY WEST TRAILERS LLC	1000 MARKET ST UNIT 300		PORTSMOUTH	NH	03801-3399
00124990-000104	KEY WEST TRAILERS LLC	1000 MARKET ST UNIT 300		PORTSMOUTH	NH	03801-3399
00124090-000000	KEYS FEDERAL CREDIT UNION	PO BOX 1898		KEY WEST	FL	33041-1898
00124380-000000	KEYS YAMAHA SERVICES INC	5950 PENINSULAR AVE		KEY WEST	FL	33040-6097
00124990-000107	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000103	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000109	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000108	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000101	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000112	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000113	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000110	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124990-000111	KWT LLC	1000 MARKET ST		PORTSMOUTH	NH	3801
00124460-000000	MONROE COUNTY	1100 SIMONTON ST		KEY WEST	FL	33040-3110
00124830-000000	MONROE COUNTY FIRE DEPT	PO BOX 2111		KEY WEST	FL	33045-2111
00124510-000000	ONE KEY WEST INVESTMENT LLC	336 DUVAL ST		KEY WEST	FL	33040-6500
00124790-000000	QUINTANA MARGARITA	3707 DONALD AVE		KEY WEST	FL	33040-4409
00124470-000000	R AND S OF KEY WEST INC	PO BOX 6032		KEY WEST	FL	33041-6032
00124530-000000	R AND S OF KEY WEST INC	PO BOX 6032		KEY WEST	FL	33041
00124430-000000	R AND S OF KEY WEST INC	PO BOX 6032		KEY WEST	FL	33041-6032
00124760-000000	RIESI PIZZA LLC	1025 SANDYS WAY		KEY WEST	FL	33040
00124930-000000	RIESI PIZZA LLC	1025 SANDYS WAY		KEY WEST	FL	33040
00124920-000000	RIESI PIZZA LLC	1025 SANDYS WAY		KEY WEST	FL	33040
00124400-000000	ROMAN LUBOSLAV	3404 EAGLE AVE		KEY WEST	FL	33040-4652
00124520-000000	ROSSI MARK	24 HILTON HAVEN RD		KEY WEST	FL	33040
00124820-000000	SCARDINA VINCENT A	1107 KEY PLAZA	STE 317	KEY WEST	FL	33040
00124100-000133	SCROGGINS HAROLD S AND DONNA	18784 SE JUPITER DR		JUPITER	FL	33458
00124990-000115	SLOANS LANDING LLC	201 FRONT ST	STE 224	KEY WEST	FL	33040
00124350-000000	SMITH KIT CARSON LEE	PO BOX 11		KEY WEST	FL	33041-0011
00124800-000000	STAR OF THE SEA FOUNDATION INC	5640 MACDONALD AVE		KEY WEST	FL	33040
00124990-000116	SWIFT EDWIN O	201 FRONT ST STE 224		KEY WEST	FL	33040-8348
00124100-000134	TAYLOR JOHN CLIFTON AND VALERIE H	44 CORAL WAY		KEY WEST	FL	33040
00124840-000100	TOM THUMB FOOD STORES INC	97 W OKEECHOBEE RD		HIALEAH	FL	33010-4721
00124100-000132	VINTNER RESERVE LLC	274 SPRUCE ST		MORGANTOWN	WV	26505

00124990-000116
SWIFT EDWIN O
201 FRONT ST STE 224
KEY WEST, FL 33040-8348

00124990-000115
SLOANS LANDING LLC
201 FRONT ST
STE 224
KEY WEST, FL 33040

00124990-000111
KWT LLC
1000 MARKET ST
PORTSMOUTH, NH 3801

00124990-000104
KEY WEST TRAILERS LLC
1000 MARKET ST UNIT 300
PORTSMOUTH, NH 03801-3399

00124920-000000
RIESI PIZZA LLC
1025 SANDYS WAY
KEY WEST, FL 33040

00124840-000100
TOM THUMB FOOD STORES INC
97 W OKEECHOBEE RD
HIALEAH, FL 33010-4721

00124830-000000
MONROE COUNTY FIRE DEPT
PO BOX 2111
KEY WEST, FL 33045-2111

00124820-000000
SCARDINA VINCENT A
1107 KEY PLAZA
STE 317
KEY WEST, FL 33040

00124810-000000
CONSOLIDATED ELECTRICAL
DISTRIBUTORS INC
1920 WESTRIDGE DR
IRVING, TX 75038-2901

00124800-000000
STAR OF THE SEA FOUNDATION INC
5640 MACDONALD AVE
KEY WEST, FL 33040

00124790-000000
QUINTANA MARGARITA
3707 DONALD AVE
KEY WEST, FL 33040-4409

00124520-000000
ROSSI MARK
24 HILTON HAVEN RD
KEY WEST, FL 33040

00124510-000000
ONE KEY WEST INVESTMENT LLC
336 DUVAL ST
KEY WEST, FL 33040-6500

00124460-000000
MONROE COUNTY
1100 SIMONTON ST
KEY WEST, FL 33040-3110

00124440-000000
BURRIN FRED R DVM
6150 SECOND ST
KEY WEST, FL 33040-5997

00124430-000000
R AND S OF KEY WEST INC
PO BOX 6032
KEY WEST, FL 33041-6032

00124410-000000
CMT PROPERTY MANAGEMENT LLC
2911 STAPLES AVE
KEY WEST, FL 33040

00124400-000000
ROMAN LUBOSLAV
3404 EAGLE AVE
KEY WEST, FL 33040-4652

00124390-000000
BONNETT MATTHEW R
5650 LAUREL AVE
KEY WEST, FL 33040-5915

00124380-000000
KEYS YAMAHA SERVICES INC
5950 PENINSULAR AVE
KEY WEST, FL 33040-6097

00124350-000000
SMITH KIT CARSON LEE
PO BOX 11
KEY WEST, FL 33041-0011

00124100-000134
TAYLOR JOHN CLIFTON AND VALERIE
H
44 CORAL WAY
KEY WEST, FL 33040

00124100-000133
SCROGGINS HAROLD S AND DONNA
18784 SE JUPITER DR
JUPITER, FL 33458

00124100-000132
VINTNER RESERVE LLC
274 SPRUCE ST
MORGANTOWN, WV 26505

00124100-000131
BARTEL JAMES J AND CORRINE M
3504 CAR DR
COMMERCE TOWNSHIP, MI 48382-1603

00124100-000000
CORAL HAMMOCK HOMEOWNERS
ASSC INC
201 FRONT ST
UNIT 103
KEY WEST, FL 33040

00124090-000000
KEYS FEDERAL CREDIT UNION
PO BOX 1898
KEY WEST, FL 33041-1898

FELLERS JUSTIN C AND NICOLE L
PO BOX 512758
PUNTA GORDA, FL 33951-2758

ENG GARY
1905 34TH ST S 5800
SAINT PETERSBURG, FL 33711

DEY JOSEPH S III
363 CEDAR GROVE
ORANGE, CT 6477

5635 MacDonald Avenue



Intersection Maloney Avenue/MacDonald



3rd Street/MacDonald Avenue



Letter of Authorization

I, One Key West Investments LLC, authorize
Please Print Name(s) of Owner(s)

Trepanier & Associates, Inc. to be the representative for this application and act
on my/our behalf.

Lisa R. Birrell
Signature of Owner

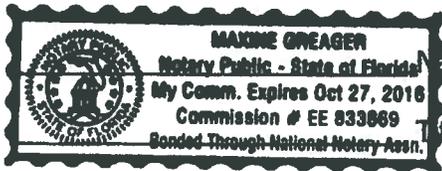
Andrew D. Birrell
Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on 10/25/13 (date) by

ANDREW G. BIRRELL and LISA R. BIRRELL
Please print name

He/She is personally known to me or has presented _____
as identification.

Maxine Greager My commission expires 10/27/16
Notary Signature & Seal date



Name of Acknowledger printed or stamped

Title or Rank

Commission Number, if any

Detail by Entity Name

Florida Limited Liability Company

ONE KEY WEST INVESTMENT LLC

Filing Information

Document Number	L13000049552
FEI/EIN Number	NONE
Date Filed	04/04/2013
State	FL
Status	ACTIVE

Principal Address

336 DUVAL STREET
KEY WEST, FL 33040

Mailing Address

336 DUVAL STREET
KEY WEST, FL 33040

Registered Agent Name & Address

BIRRELL, ANDREW G
336 DUVAL STREET
KEY WEST, FL 33040

Manager/Member Detail

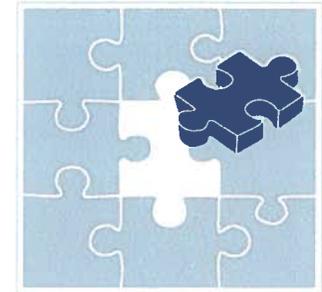
Name & Address

Title MGR

BIRRELL, LISA R
336 DUVAL STREET
KEY WEST, FL 33040

Title MGR

BIRRELL, ANDREW G
336 DUVAL STREET
KEY WEST, FL 33040



08/08/13

Mr. Joe Haberman, Planning and Development Review Manager
Monroe County Planning and Environmental Resources
2798 Overseas Highway
Marathon FL, 33050

RE: 5635 Macdonald Avenue
RE No. 00124510-000000

Dear Mr. Haberman:

Thank you for taking the time to meet with me regarding the property located at 5635 Macdonald Avenue.

As we discussed the owner is seeking clarification on two issues: 1. Correcting the URM zoning to be consistent with the existing FLUM ("MC"), the characteristics of the property, and the characteristics of the surrounding community, and 2. The ability to redevelop the property as described below.

Site Data			
Issue	Existing	Required/ Permitted	Proposed
Site Size	6,250 sq. ft.	--	No Change
Zoning	URM	SC, UC, DR, RV, or MU	MU
FLUM	MC	MC	No Change
Flood Elevation	AE-9	--	No Change
Density	1 market rate unit	URM: Allocated: 1.0 Max Net: 0.0 MU: Allocated 0.1 Max Net 2.6	1 affordable unit
FAR (Low Intensity)	0.10	URM: 0.00 MU (low intensity): 0.35	0.31
Development Potential	100% + Nonconforming Commercial Use	URM: Commercial: 0 sf Residential: 1 unit MU: Commercial: 2,187 sf Residential: 2.6 units	Commercial: 89.1% (1,925 sf) Residential: 38.5% (1 affordable unit)

1. Correct Zoning Error

This lot is currently zoned URM and entirely surrounded by the MU zoning district¹. As shown by the historic property record card² this parcel has been mixed use with both residential and commercial uses on site prior to 1986.

¹ See attached zoning map

² See attached Historic Property Record Card

This zoning designation is most likely a scrivener's error based on the fact that the future land use designation for this parcel is Mixed Use/Commercial, as is the entire area surrounding the parcel³. As per Section 130-49 of the code the purpose of the URM district is to "recognize the existence of established mobile home parks and subdivisions. But not to create new such areas..." This site clearly was not a mobile home park and therefore we request the opportunity to correct the zoning from URM to the more appropriate MU designation and we ask that the County waive the application associated fee.

2. Redevelopment of the property.

The property currently has commercial floor area on the ground level and a residential unit on the second floor in the proportions demonstrated in the site data table above. The owner seeks to redevelop the property in a similar manner as existing but as depicted to the right.

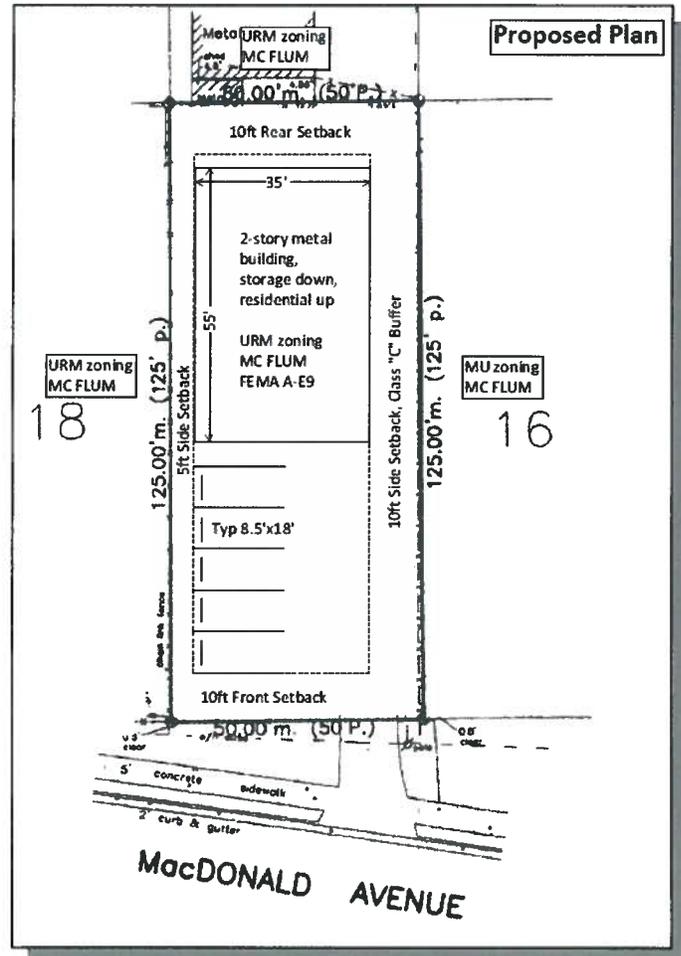
We ask that you confirm the ability to redevelop the property consistent with the MC future land use classification as depicted to the right.

Thank you for your assistance in this matter. Please don't hesitate to call if you have any questions or need additional information.

Sincerely,



Owen Trepanier



³ See attached FLUM

Attachment A

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Request for a Pre-Application Conference

Application Fee:
\$689.00 with Letter of Understanding (LOU)
\$296.00 with no Letter of Understanding (LOU)

Date of submittal: 06 / 14 / 2013

Please complete the following:

Trepanier & Associates, Inc.

Name

402 Appelrouth Lane, Key West, Florida, 33040

Mailing Address (Street, City, State, Zip Code)

(305) 293-8983

Daytime Phone

owen@owentrepanier.com

Email Address

Please provide a clear description of proposed development (attach extra sheets if necessary):

Demo existing mixed use structure and build replace with a 2-story structure, commercial down, residential up, as depicted on the attached.

Legal Description of Property:

31 17 Maloney Stock Island

Block Lot Subdivision Key

00124510-000000 1158631

Real Estate (RE) Number Alternate Key Number

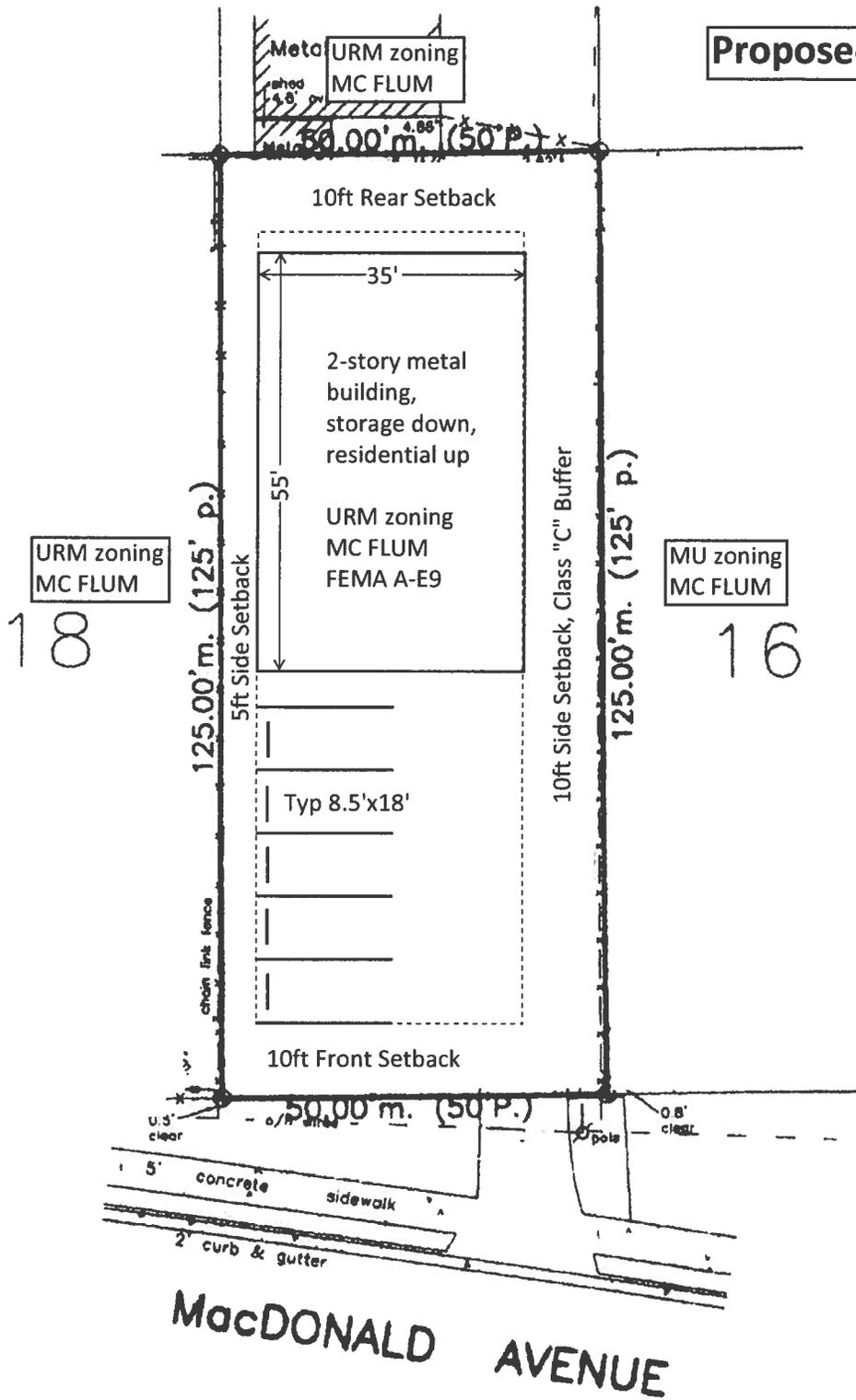
5635 Macdonald Ave, Stock Island, 33040 MM5

Street Address (Street, City, State, Zip Code) Approximate Mile Marker

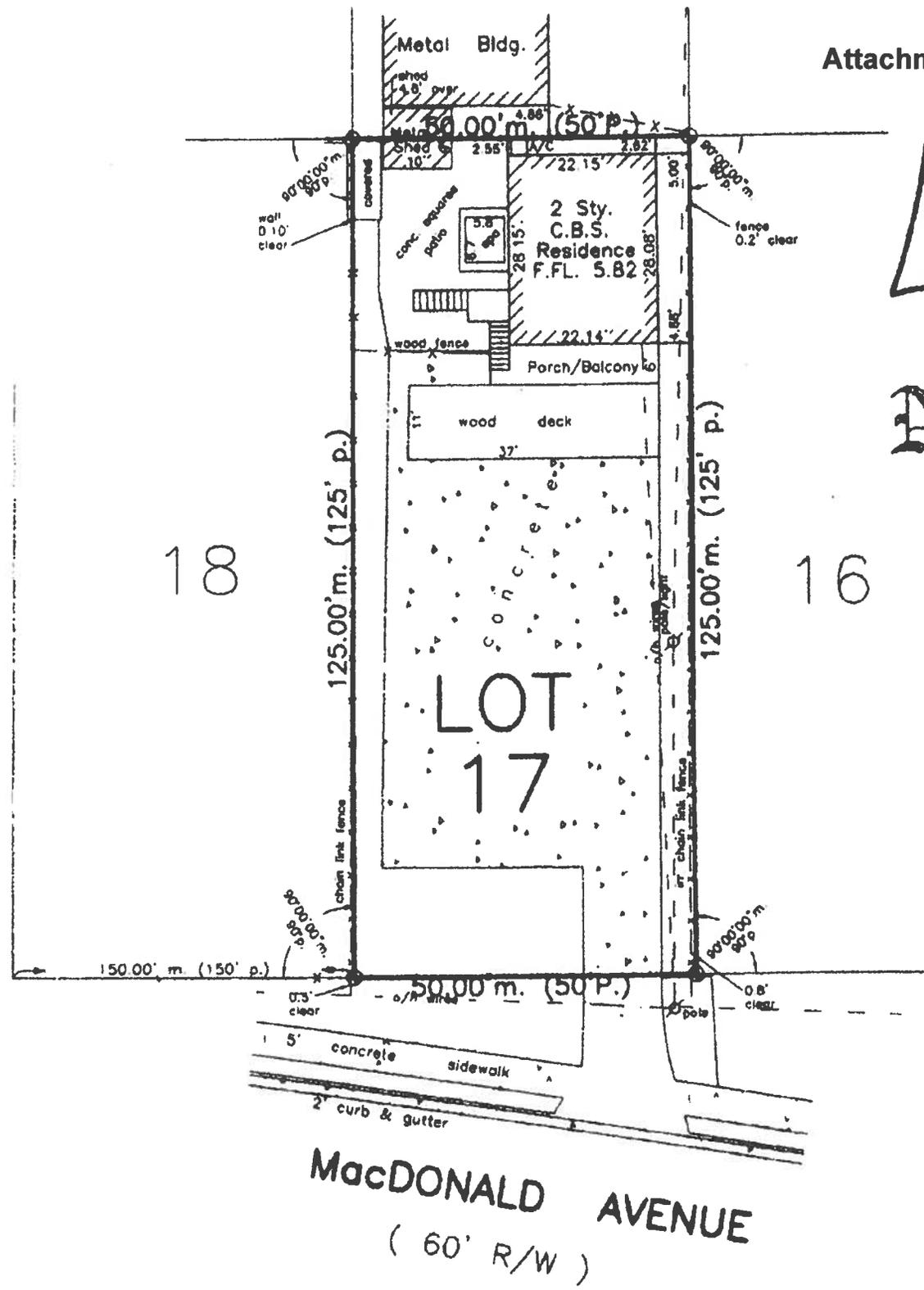
Signature of Applicant:  **Date:** 06/18/13

Please send this application, fee and supplementary materials to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050. Staff will contact you to set up a date and time for the meeting.

Proposed Plan



THIRD STREET



MacDONALD AVENUE
(60' R/W)

Edgar Braswell & Carolyn Braswell 5635 MacDONALD Avenue, Stock Island, Key West, Fl.			
BOUNDARY SURVEY		Dwn No.: 99-131	
Scale 1"=20'	Ref 142	Flood panel No 1728 H	Own By F.H.H.
Date 2/4/99		Flood Zone: AE	Flood Elev. 9'

FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

3150 Northside Drive
Suite 101
Key West Fl 33040

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

August 30, 2013

Trepanier & Associates, Inc.
Attn: Owen Trepanier
PO Box 2155
Key West, FL 33045

SUBJECT: LETTER OF UNDERSTANDING CONCERNING A PROPOSED DEVELOPMENT OF A NEW MIXED USE BUILDING, TO BE LOCATED AT 5635 MACDONALD AVENUE, STOCK ISLAND, HAVING REAL ESTATE NUMBER 00124510.000000

Mr. Trepanier,

Pursuant to §110-3 of the Monroe County Code (MCC), this document shall constitute a Letter of Understanding (LOU). On June 27, 2013, a Pre-Application Conference regarding the above-referenced property was held at the office of the Monroe County Planning & Environmental Resources Department in Marathon. Attendees of the meeting included Mary Felger, Owen Trepanier, and Jorge Ramos (hereafter referred to as "the Applicant") and Matt Coyle, Planner, Joseph Haberman, Planning & Development Review Manager, and Michael Roberts, Senior Administrator of Environmental Resources (hereafter referred to as "Staff").

Materials presented for review included:

- (a) Pre-Application Conference Request Form;
- (b) Monroe County Property Record Card;
- (c) Monroe County Land Use District Map and Future Land Use Map;
- (d) Proposed Site Plan by unknown and not dated (not sealed); and
- (e) Boundary Survey by Frederick H. Hildebrandt and dated February 4, 1999 (not sealed).

I. APPLICANT PROPOSAL

The Applicant is proposing to redevelop the site by demolishing the existing mixed use building (commercial retail/office/residential) and constructing a new mixed use building (light industrial/residential). The new building would have a 35' x 55' footprint and consist of two-stories, with storage on the first level and residential floor area on the second level.



Subject Property with Land Use Districts Overlaid (Aerial dated 2012)

II. SUBJECT PROPERTY DESCRIPTION

1. The subject property is located at 5635 MacDonald Avenue in Stock Island, north of the merger of Macdonald and Maloney Avenues, at approximate mile marker 5 on the Atlantic Ocean side of the Overseas Highway.
2. The subject property is comprised of one parcel, currently assessed under real estate (RE) #00124510.000000. The parcel is legally described as Block 31, Lot 17, Maloney Sub, Stock Island (Plat Book 1, Page 55).
3. According to the boundary survey submitted with the application, the subject property (Lot 17) is 50' by 125' and consists of 6,250 SF of land area. All calculations included in this letter are based on this figure. A sealed survey shall be required at the time of application submittal for any development approval for new development adversely affecting open space or land use intensity. If the amount of upland provided on the sealed boundary survey differs, then calculations provided in this letter are subject to change.

III. RELEVANT PRIOR COUNTY ACTIONS

1. The following building permits are on file under RE #00124510.000000 (Lot 17):

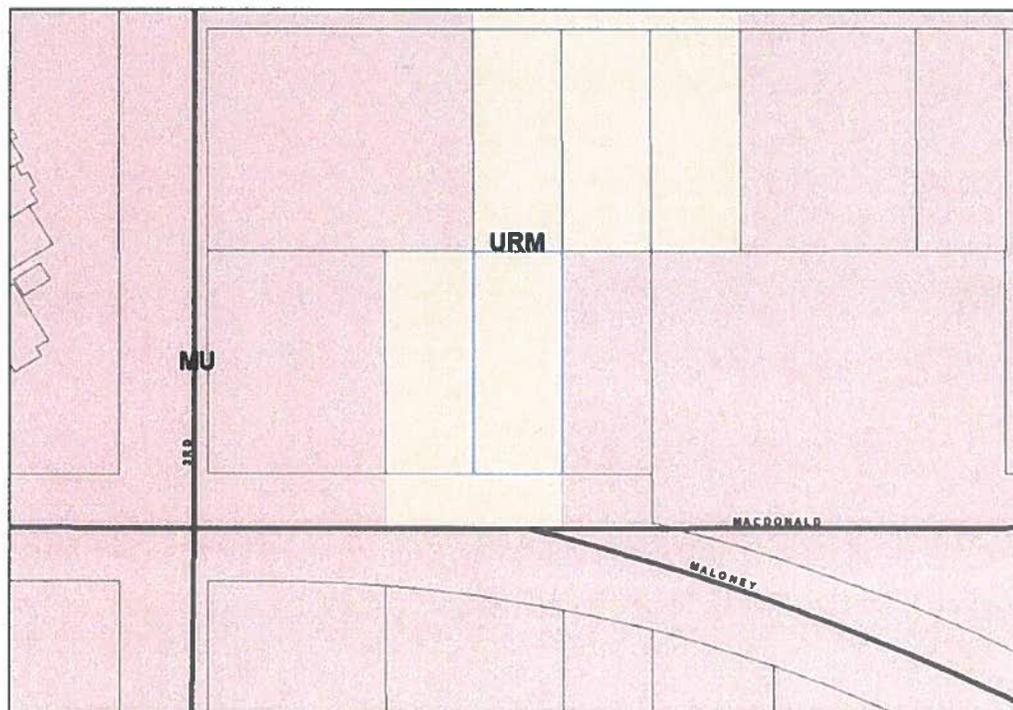
<i>Permit No.</i>	<i>Date Issued</i>	<i>Description</i>
4100	08-06-1962	Construct a screened wall structure
A-3104	01-04-1978	Repair and paint building
881-0056	01-15-1988	Repair electric
911-2245	10-18-1991	Repair roof
931-6831	09-17-1993	Install hurricane shutters
051-1431	03-22-2005	Sewer tie in

There is not a building permit on file in the Building Department’s records for the construction of the existing building. The Monroe County Property Appraiser’s records indicate that the building was constructed in 1943. If this date is accurate, the building was built prior to the establishment of county planning and building regulations in 1960.

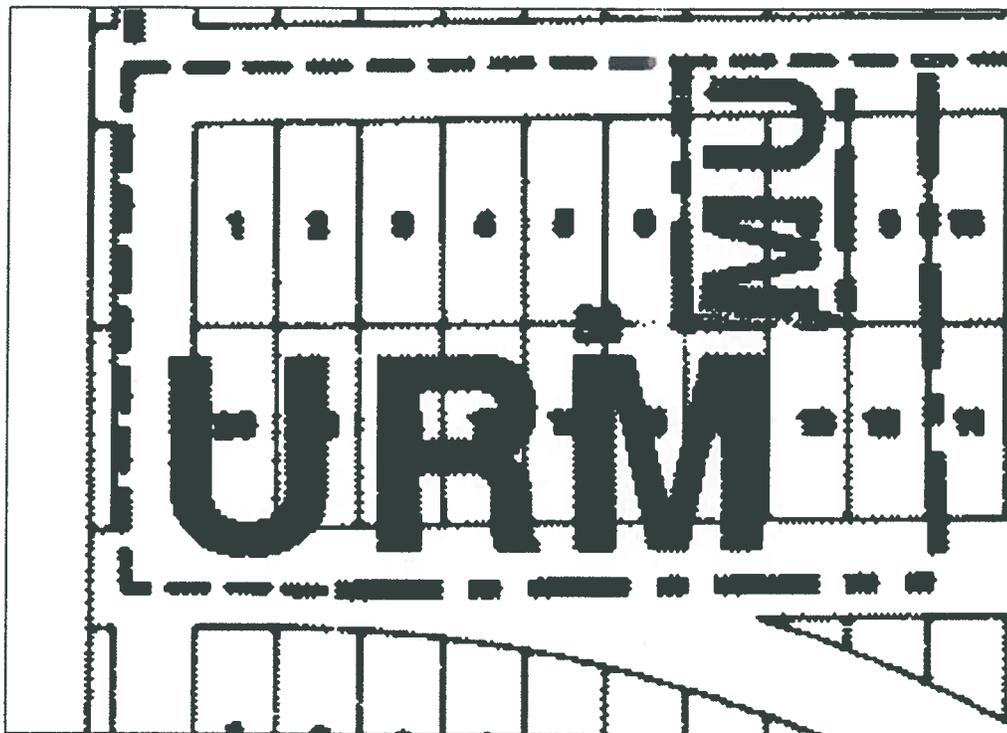
IV. REVIEW

The following regulations directly affect the proposal; however, please note that there may be other regulations not referred to nor described in this letter, which may govern development.

1. In 1986, a series of zoning maps, entitled the Official Land Use District Map, were adopted for all areas of the unincorporated county. After a boundary determination process, a revised series became effective in 1992. On the Land Use District Map (LUDM), the subject property is within an Urban Residential Mobile Home (URM) land use (zoning) district:

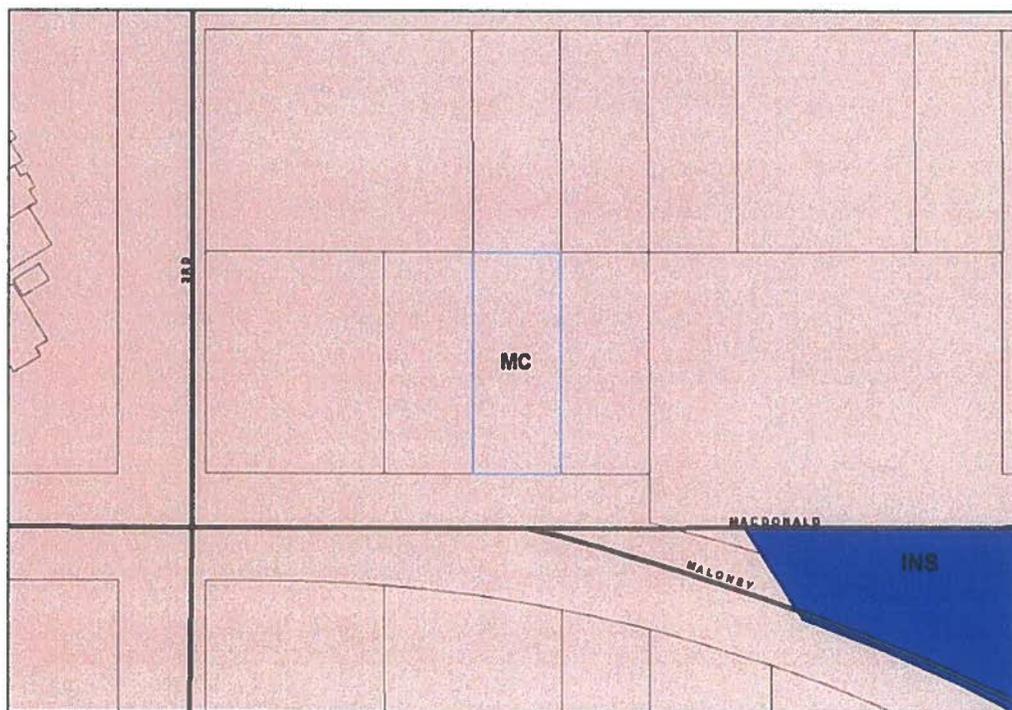


2013 Land Use District Map -including approved amendments since 1992 (MC GIS)

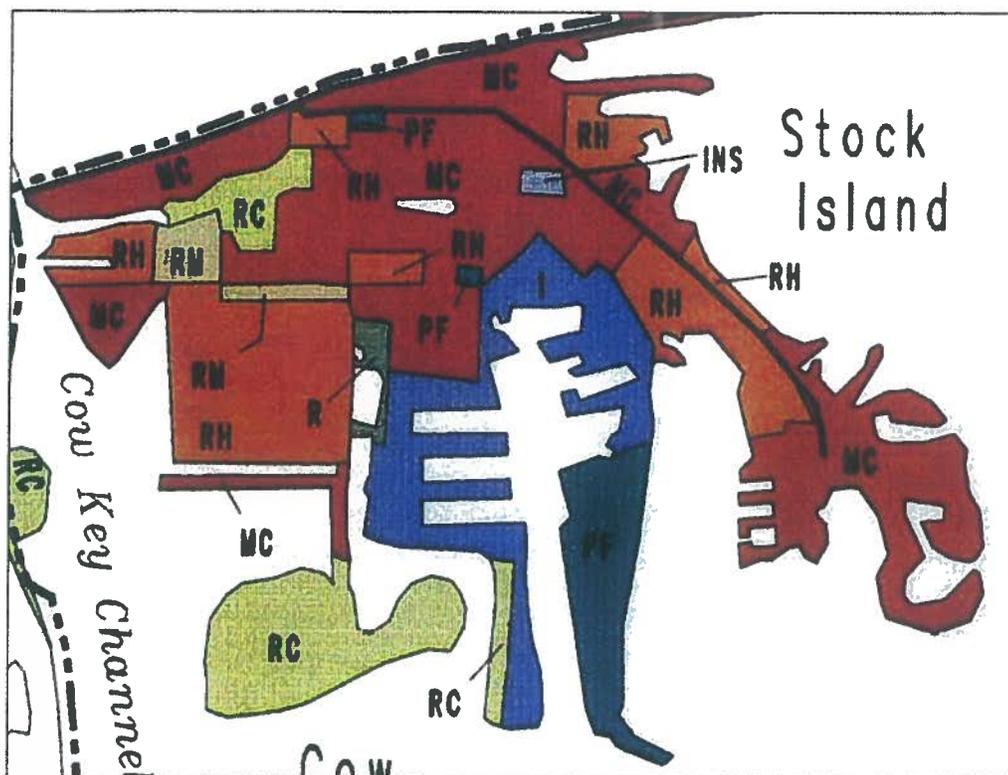


1992 Land Use District Map

In 1993, a series of future land use maps associated with the comprehensive plan, entitled the Future Land Use Map (FLUM), were adopted for all areas of the unincorporated county. This map series became effective in 1997. On the FLUM, the subject property is within a Mixed Use / Commercial (MC) category:



2013 FLUM –including approved amendments since 1997 (MC GIS)



1997 Future Land Use Map (FLUM)

At the pre-application conference, the Applicant did not dispute the LUDM or FLUM boundaries; however the Applicant requested that the County amend the LUDM in order for the subject property to have a LUD designation of Mixed Use (MU), which is consistent with the subject property's existing FLUM designation of MC.

Map Amendment Process and Fee:

With these land use district and FLUM boundary interpretations, there is an inconsistency between the LUDM and the official FLUM. The Applicant may submit a map amendment application to modify either map to immediately resolve the inconsistency or await a county-initiated process that would address remedying the inconsistency. However the Applicant should be aware that the County does not have any immediate plans to do so.

If the property owner opts to submit a LUDM application, the Board of County Commissioners passed and adopted a Planning & Environmental Resources Department's fee schedule (currently Resolution #183-2013). Of relevance to the subject property and the development thereon, the fee schedule currently includes the following provision:

There shall be no application or other fees, except advertising and noticing fees, for property owners who apply for a map amendment to the [LUDM] and/or the [FLUM], if the property owner can provide satisfactory evidence that a currently

existing use on the site that also existed lawfully in 1992 was deemed nonconforming by final adoption of the LUDM and/or a currently existing use on the site that also existed lawfully on the site in 1997 was deemed nonconforming by final adoption of the FLUM. To qualify for the fee exemption, the applicant must apply for a LUD and/or FLUM designation(s) that would eliminate the non-conforming use created with adoption of the existing designation(s) and not create an adverse impact to the community. Prior to submittal of a map amendment application, the applicant must provide the evidence supporting the change and application for a fee exemption with the proposed LUDM/FLUM designations to the Monroe County Planning & Environmental Resources Department as part of an application for a Letter of Understanding. Following a review, the Director of Planning & Environmental Resources shall determine if the information and evidence is sufficient, and whether the proposed LUDM and/or FLUM designations are acceptable for the fee waiver, and approve or deny the fee exemption request. This fee waiver Letter of Understanding shall not obligate the staff to recommend approval or denial of the proposed LUD or FLUM category.

The FLUM designation allows the existing uses (residential and commercial retail/office). At issue is the URM LUD designation, which is inconsistent with the FLUM designation of MC and does not allow the existing, lawfully established commercial retail/office use. Resolution #183-2013 requires the property owner to provide satisfactory evidence that the existing use on the site existed lawfully in 1992 and was deemed nonconforming by final adoption of the LUDM. Following a review, as the mixed use building was permitted prior to the adoption of the Land Development Code, Staff has determined that the existing residential/commercial retail/office uses existed lawfully in 1992 and was deemed nonconforming by the final adoption of the LUDM.

Staff has found that there is satisfactory evidence indicating that the existing URM LUD designation may have been assigned in error as there are no approvals of mobile homes, or unapproved applications related to mobile homes, on the subject property. If you choose new designations that permit the existing light industrial use, Staff has determined that such an application qualifies for fee exemptions to the "Land Use District Map, Amendment-Nonresidential" fee of \$4,929.00. You may submit a LUDM amendment application without the submittal of the aforementioned application fee. However, you are responsible for all other fee requirements, including the fee for advertising (\$245.00) and noticing (\$3.00 per each surrounding property). Please note that you are eligible for this fee waiver so long as such a waiver is permitted by the fee schedule. If the fee schedule is amended to remove such a provision in the future, you may not be eligible to submit the application without the application fee.

In the letter of understanding application, the County is instructed to modify the LUD to Mixed Use (MU). Resolution #183-2013 requires the property owner to apply for a LUD that would eliminate the non-conforming use. Further, it is the responsibility of the property owner to decide upon a new LUD designation and submit the corresponding application and noticing/advertising fees.

In addition, Staff is not obligated to recommend approval of any LUD designation proposed by the property owner. Resolution #183-2013 requires a LUD designation that would not create an adverse impact to the community. Staff is required to review the application on its merit and determine upon a full review that it would not create an adverse impact to the community and it is consistent with the provisions of the Monroe County Comprehensive Plan (CP) and MCC. Approval would be granted by the Board of County Commissioners, following a review and recommendation by Staff and the Planning Commission. If you choose to pursue MU LUD designation, please be aware that while that action would eliminate the nonconformity, such an amendment would also result in additional residential density being associated with the subject property on the LUDM (but not the FLUM). The County must consider CP Policies 108.1.1 and 108.2.5, which concern amendments which, if approved, affect the intensity, density, or use of the land adjacent to or in close proximity to the Naval Air Station Key West, known and defined as the Military Installation Area of Impact (MIAI).

For your information, per CP Policy 101.4.21, the following underlying LUD designations are consistent with the MC FLUM and allow commercial retail (existing), office (existing) and light industrial (proposed) uses:

- Mixed Use (MU) LUD: MCC §130-77(b)(9) and §130-77(c)(7)
- Maritime Industries (MI) LUD: MCC §130-85(a)(4)
- Suburban Commercial (SC): MCC §130-93(c)(7)

2. The subject property has a tier designation of Tier III.
3. The proposal involves redeveloping the site by demolishing the existing mixed use building (commercial retail/office/residential) and constructing a new mixed use building, with storage on the first level and residential floor area on the second level. Although only described as storage in the application and on the proposed site plan, at the pre-application conference, the Applicant indicated that the storage area would be commercially available and not accessory to the proposed residential dwelling unit.

As defined in MCC §101-1, a *light industrial use* is an industrial use that is not a heavy industrial use. *Industrial use* means a use devoted to the manufacture, warehousing, assembly, packaging, processing, fabrication, **storage or distribution of goods and materials whether new or used** or the substantial refinishing, repair and/or rebuilding of vehicles or boats. *Heavy industrial use* means an industrial use with greater than average potential impacts on the environment and that is characterized by significant impacts on adjacent uses in terms of noise, hazards and odors, such as junkyards, marine railways and dry docks, bulk petroleum storage, and resource extraction where more than 20 percent of the use takes place outside of an enclosed building or where exterior storage equals or exceeds building floor area.

Note: In the application, the Applicant refers to the proposed storage use as “commercial.” As defined above, storage is not commercial retail- it is light industrial.

The proposed residential use is consistent with the purpose of the URM LUD designation; however the proposed light industrial use is not consistent with the purpose. As set forth in MCC §130-49, the purpose of the URM district is to recognize the existence of established mobile home parks and subdivisions, but not to create new such areas, and to provide for such areas to serve as a reservoir of affordable and moderate-cost housing in the County.

The existing commercial retail/office use is not consistent with the purpose of the URM LUD designation. As such it is considered a nonconforming use to the MCC and as it was lawfully established, the existing commercial retail/office may continue to exist per the nonconforming use regulations provided under MCC §102-56. However, it may not be converted to a new nonconforming use, such as light industrial. Pursuant to MCC §102-56(e), Change in use, which states a nonconforming use shall not be changed to any other use unless the new use conforms to the provisions of the land use district in which it is located.

Prior to any approval allowing light industrial use, the LUD designation of the property must be amended to a designation that allows such light industrial use. It should be noted that if the Applicant alters the proposal from light industrial to commercial retail/office use, the relocation of the nonconforming use cannot be approved to a new building. Pursuant to MCC §102-56(d), Relocation, which states a structure in which a nonconforming use is located shall not be moved unless the use thereafter shall conform to the limitations of the land use district into which it is moved.

Note: Commercial retail, office and light industrial uses are permitted on a property with a MU LUD designation (however in some cases only with a conditional use permit approval).

The proposed residential and light industrial uses are consistent with the purpose of the MC FLUM designation. As set forth in CP Policy 101.4.5, the purpose of the MC FLUM category is to provide for the establishment of commercial land use (zoning) districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. In addition, Mixed Use/Commercial land use districts are to establish and conserve areas of mixed uses, which may include maritime industry, light industrial uses, commercial fishing, transient and permanent residential, institutional, public, and commercial retail uses.

The existing commercial retail/office use is also consistent with the purpose of the MC FLUM designation.

4. Pursuant to MCC §102-55, all known, lawful nonconforming uses may be registered with the Planning & Environmental Resources Department. Once discovered and determined to be lawful, the planning director, or his or her designee, shall add recognized lawful nonconforming uses to an official registry. Staff has added the existing nonconforming use and structure to the registry.

5. The new building would have a 35' x 55' footprint and consist of two-stories, with storage on the first level and residential floor area on the second level. Details were not provided in the original application. Based on further information provided by the Applicant, the residential story would consist of a single deed-restricted affordable housing unit and the nonresidential story would consist of 1,925 SF of floor area for light industrial use. The proposed affordable housing unit is considered "attached" and not "detached," since it would be located in a second story that is attached to a first story containing a separate use.

Pursuant to MCC §130-99, in the URM district, light industrial uses and attached dwelling units are not permitted. Withstanding compliance with other regulations, detached dwelling units are permitted as of right with a building permit.

Prior to any approval allowing light industrial use, the LUD designation of the property must be amended to a designation that allows such light industrial use. Further, any applicable special approval process, such as the conditional use permit process, must be appropriately carried out.

Note: Withstanding compliance with applicable regulations, the property owner could apply for and receive approval of a building permit for a new single, detached dwelling unit (designated as affordable housing or not) under the current LUDM and FLUM designations as the use is permissible under both, despite their general inconsistency. If the LUDM is amended from URM to MU, the property owner could apply for the nonresidential use at that later date.

It should be noted that if the Applicant alters the proposal from light industrial to commercial retail/office use, the relocation of the nonconforming use cannot be approved to a new building. Pursuant to MCC §102-56(d), Relocation, which states a structure in which a nonconforming use is located shall not be moved unless the use thereafter shall conform to the limitations of the land use district into which it is moved. Although the redevelopment of lawfully nonconforming commercial retail/office uses may be permitted is addressed in MCC §130-99(d)(2), the subject property does not meet the entire criterion.

6. In the URM LUD district, related to the proposal, the following land use intensities apply:

<i>Land Use</i>	<i>Floor Area Ratio (FAR) / Allocated Density</i>	<i>Size of Site</i>	<i>Maximum Allowed</i>	<i>Proposed Amount of Building Floor Area / Dwelling units</i>	<i>Potential Used</i>
Light industry	N/A	6,250 SF	0 SF	1,925 SF	N/A
Commercial Retail / Office	N/A*	6,250 SF	0 SF	N/A	N/A
Residential	1 dwelling / platted lot	1 platted lot	1 dwelling unit	1 dwelling unit	100%

*Where commercial uses are allowed as permitted uses, and no FAR is given, the maximum per lot stated in article III of MCC Chapter 130 shall prevail; however the subject property does not meet the entire criterion for such a commercial retail / office use.

In the MC FLUM category, related to the proposal, the following land use intensities apply:

<i>Land Use</i>	<i>Floor Area Ratio (FAR) / Allocated Density</i>	<i>Size of Site</i>	<i>Maximum Allowed</i>	<i>Proposed Amount of Building Floor Area / Dwelling units</i>	<i>Potential Used</i>
Light industry	0.10-0.45*	6,250 SF	625 SF to 2,812 SF	1,925 SF	TBD
Commercial Retail / Office	0.10-0.45**	6,250 SF	625 SF to 2,812 SF	0 SF	N/A
Residential***	1-6 dwelling units / acre	0.14 acres	0.14 to 0.86 units	1 dwelling unit	N/A

*In the MU and SC districts, the FAR for light industrial is 0.30.

**In the MU and SC districts, the FAR for medium-intensity commercial retail is 0.25, for low-intensity commercial retail is 0.35 and for office is 0.40

***In the MU district, there are certain density bonuses available for affordable housing, including a maximum net density of 18 dwelling units per buildable acre

Note: The Applicant should be aware that the proposal would need to be modified regardless of whether the property owner successfully receives a map amendment to MU (or SC for that matter). A 6,250 SF property would only allow 1,875 SF of light industrial floor area, not 1,925 SF of floor area as proposed; therefore, the proposed amount of floor area would need to be scaled back or the proposed use would need to be modified to a use with a higher FAR (i.e. low-intensity commercial retail or office). In addition, the Applicant should understand that in the MU district, the allocated density for a residential dwelling unit is one dwelling unit per acre. As the subject property is significantly less than an acre, in order to have any residential and nonresidential combination of uses, the residential dwelling unit would need to be deed-restricted as affordable housing so that the property owner can take advantage of density-related incentives set forth in MCC §130-161(a)(2), concerning the allowance of maximum net density without transferable development rights, and MCC §130-161(a)(5), concerning the allowance of affordable housing unit density to be calculated separately from (rather than cumulatively with) nonresidential use density.

- In the URM district, there is a required open space ratio of at least 0.20 or 20 percent.

The proposed site plan submitted in the application does not provide enough information to fully determine if the proposed development is in compliance with the open space requirements.

Note: The MU district has the same 0.20 open space ratio.

- The required non-shoreline setbacks in the URM district are as follows for lots 50' wide or greater: Front yard – 10'; Rear yard – 10'; and Side yard – 10'/15' (where 10' is required for one side and 15' is the minimum combined total of both sides).

Staff could not confirm if the proposed new development would be in compliance as the proposed site plan was not provided in scale. Labels on the site plan indicate that development would be in compliance.

Note: Although the proposed site plan appears to be in compliance with the setback regulations of the URM district, it would not be in compliance with the setback regulations of the MU district. The required non-shoreline setbacks in the MU district are as follows: Front yard – 25’ for “detached residential” and 15’ for “other”; Rear yard – 20’ for “detached residential” and 10’ for “other”; and Side yard – 10’/15’ (where 10’ is required for one side and 15’ is the minimum combined total of both sides).

- Regardless of the property’s land use district designation, the development would be subject to the following off-street parking requirements:

<i>Specific Use</i>	<i>Multiplier</i>	<i>Proposed</i>	<i>Required Spaces</i>
Industrial	2 spaces / 1,000 SF	1,925 SF*	3.85 space
Retail / Office	3 spaces / 1,000 SF	0 SF	0.00 spaces
Residential (Single-Family)	2 spaces / unit	1 unit	2.00 spaces
Total			5.85 or 6 spaces

* This proposed amount will likely have to be reduced per the land use intensity regulations.

Using the shared-parking calculator, the development would be subject to the following reduced off-street parking requirements:

<i>Specific use</i>	<i>Night</i>	<i>Weekday</i>		<i>Weekend</i>	
	12AM- 6AM	9AM-4PM	6PM-12AM	9AM-4PM	6PM-12AM
Residential (2.00 spaces)	2.0	1.2	1.8	1.6	1.8
Office/Industrial (3.85 spaces)	0.2	3.9	0.4	0.4	0.2
Commercial Retail (0 spaces)	0.0	0.0	0.0	0.0	0.0
Total	2.2	5.1	2.2	2.0	2.0

According to the proposed site plan, 5 off-street parking spaces would be provided. Further a notation indicates that the spaces would be 8.5’ by 18’, which is the appropriate dimension for a regular 90 degree parking space. However, the proposed site plan is not in compliance as there is not a designated handicap accessible space of the appropriate dimensions. Further, the spaces would not have the 24’ aisle width (for vehicles that are backing up) that is required for 90 degree parking spaces.

If the site is commercial and open to the public, a handicap-accessible space shall be required. If there are 1 to 25 total parking spaces in a lot, at least one accessible parking space is required. Such spaces shall be designed and marked for exclusive use of those individuals who have a severe physical disability and have permanent or temporary mobility problems who have been issued either a disabled parking permit or a license plate.

In addition, parking access aisles must be part of an accessible route to the building entrance. The access aisle shall be striped diagonally to designate it as a no-parking zone. Curb ramps must be located outside of the disabled parking spaces and access aisles.

All regular parking spaces, with the exception of parallel, must be at least 8'6" in width by 18' in length. Parallel parking spaces must be 8'6" in width by 25' in length. Handicap-accessible parking spaces must be at least 12' in width with an access aisle of 5' in width. Further, each required parking space shall have direct and unrestricted access to an aisle of the following minimum width:

<i>Parking Pattern</i>	<i>One Way Aisle Width</i>	<i>Two Way Aisle Width</i>
0 degrees	12'	24'
30/45 degrees	15'	24'
60 degrees	18'	24'
75 degrees	22'	24'
90 degrees	24'	24'

10. Regardless of the property's land use district designation, all non-residential uses with 0 SF to 2,499 SF of floor area are required to have a loading/unloading space, measuring at least 11' by 35'.

The proposed site plan is not in compliance as the required loading/unloading space is not shown.

11. A land use district bufferyard is required along the eastern property line as there is a MU district. Along the URM/MU boundary line, a class "C" district boundary bufferyard is required. A class "C" bufferyard has a minimum width of 10' and its planting requirements are described/illustrated in MCC §114-128.

A landscape plan was not provided to determine compliance. Based on aerial photography, the site is currently not in compliance with this requirement. Further, although the proposed site plan labels the required 10' class "C" bufferyard; in order to address the previously mentioned issue regarding the required 24' aisle width for 90 degree parking, it is unlikely that the required bufferyard width could be maintained without significant revisions to the proposed site plan.

Note: It should be noted that if the property owner successfully amends the subject property's LUD designation to MU, there would no longer be a bufferyard requirement along the eastern boundary (there is no requirement for MU/MU). However, new class "C" bufferyard requirements would arise along the northern property line (MU/URM) and along the western property line (MU/URM). Therefore, although the proposed site plan indicates compliance with the current URM LUD designation, it would not be in compliance with the proposed MU LUD designation.

12. There are clearing limits for new development. On Tier III parcels: 40 percent of upland native vegetation or 3,000 SF, whichever is greater, may be cleared; however, the maximum amount of clearing shall be no more than 7,500 SF of upland native vegetative

area. Based on aerial photography it does not appear that any native habitat remains on the subject property. However, removal or major pruning of any existing native vegetation will be required (MCC §114-103). Mitigation will be required for qualifying native vegetation removed for development. The number, species and sizes of plants to be mitigated shall be identified in an existing conditions report prepared and submitted by the Applicant and approved by the County Biologist.

The Applicant did not submit a landscape plan or other documentation indicating if any clearing or vegetation removal would occur.

13. The plan involves a complete redevelopment of the site. Regardless of the property's land use district designation, a stormwater management plan shall be required as a part of any permit application that involves modifications to the site. This plan shall detail pre and post development water flow and storage on site with supporting calculations. Pursuant to MCC §114-3(e), water management areas shall be legally reserved to and maintained by the operational entity and be dedicated on the plat, deed restriction, or easements. Any change in the use of the property must comply with this regulation and any other requirements of the Comprehensive Plan and the Land Development Code. Stormwater management areas shall be connected to a public road or other location from which operation and maintenance means of access are legally and physically available to the operational entity, in accordance with county land development regulations governing subdivision of land. As provided in MCC §114-3 (g), it is the responsibility of the applicant to provide a stormwater management plan for the development that contains sufficient information for the planning director to evaluate the environmental and stormwater discharge characteristics of the affected areas, the potential and predicted impacts of the proposed activity on community waters, and the effectiveness and acceptability of those measures proposed by the applicant for reducing adverse impacts. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, explanations, and citations to supporting references, and any additional information deemed necessary by the planning director. The stormwater management plan must be sealed by an engineer registered in the state with experience in stormwater management and drainage design.

A stormwater management plan was not submitted with the letter of understanding application.

14. Regardless of the property's land use district designation, no structure or building shall be developed that exceeds a maximum height of 35'. Height is defined as "the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in chapter 146. Grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher.

Building elevations/details were not submitted with the letter of understanding application.

15. Regardless of the property's land use district designation, the projected trip generation and level of service of US 1 directly affect whether or not the redevelopment may be permitted or prohibited. According to the 2012 US 1 Arterial Travel Time and Delay Study, Segment 1 of US 1 had a "B" level of service.

A traffic report or traffic study was not submitted with the letter of understanding application. Based on a description of the development provided by the Applicant at the pre-application conference, Staff is not anticipating that the proposed development would not generate greater than 250 daily trips (which would trigger the requirement for a traffic report or traffic study) or adversely impact the level of service on US 1.

16. No building permit shall be issued by the county for impact-producing development unless the applicant has paid the applicable impact fees. Therefore, for development that increases the amount of non-residential floor area above that existing on the site prior to redevelopment, an impact fee(s) will be assessed.

More details about the proposed nonresidential use are required in order for Staff to determine the projected amount of impact fees that may be assessed.

V. OTHER ISSUES CONCERNING THE PROPOSAL

1. In a document included in the application, the Applicant requests that the County approve the development in accordance with the MC FLUM requirements. This request is not possible. Although the CP is a superseding document to the MCC, there are several regulations related to a LUD designation that are not addressed in the CP (i.e. setbacks, landscaping, etc.). The CP sets the general guidelines to principles and the MCC implements those policies. As specified in Florida Statutes (163.3201 and 163.3202), land development regulations are to contain the specific provisions necessary or desirable to implement the adopted CP.

At this time and under the current URM LUD and MC FLUM designations, the Applicant can only apply for a new single family residential dwelling unit, as it is consistent with both designations. If the Applicant chooses to build a single family residential dwelling unit now and later pursue the LUD map amendment process to MU, as part of the design process, the Applicant should be cognizant of the regulations of both the URM and MU LUD designations. New light industrial, commercial retail and/or office cannot be permitted until the LUD is amended to a designation allowing such and the appropriate approval processes are undertaken.

The existing building and its uses may continue to exist as a nonconforming use and structure in accordance with the nonconformity provisions of the MCC.

2. Any development on Stock Island shall be consistent with all goals, strategies and action items of the *Master Plan for the Future Development of Stock Island & Key Haven* and the *Stock Island, FL Harbor Preservation/Redevelopment and Intra-Island Corridor*

Enhancement Plan, commonly known as the Stock Island/Key Haven Livable CommuniKeys Plan. A copy of this plan will be provided upon request.

3. The Applicant asserts that there is currently a residential dwelling unit and an unspecified amount of nonresidential floor area on the subject property. Pursuant to MCC §138-22(1), redevelopment, rehabilitation or replacement of any lawfully established residential dwelling unit that does not increase the number of residential dwelling units above that which existed on the site prior to the redevelopment, rehabilitation or replacement shall be exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system. Pursuant to MCC §138-50(1), the redevelopment, rehabilitation or replacement of any lawfully established nonresidential floor area which does not increase the amount of nonresidential floor area greater than that which existed on the site prior to the redevelopment, rehabilitation or replacement shall be exempt from the Nonresidential Rate of Growth Ordinance (NROGO) permit allocation system.

Concerning the existing residential dwelling unit, Staff reviewed the Growth Management Division's records and did not find a building permit that established the residential dwelling unit. Nevertheless, on the application for Building Permit #4100, which was subsequently approved, the "Present Use of Property" is identified as "Business & Residential." Further, on the application for Building Permit #A-3104, which was subsequently approved, the type of structure is indicated as a "Single-Family Residence" and the applicant included a handwritten notation of "Repair to Residence." These official Growth Management records support the lawful existence of one residential dwelling unit on the subject property. Therefore, as there are official approvals on file for the residential dwelling unit, pursuant to MCC §138-22(1), the existing residential dwelling unit is ROGO exempt and may be replaced.

Concerning the existing nonresidential floor area, Staff reviewed the Growth Management Division's records and did not find a building permit that established the nonresidential floor area. On the application for Building Permit #4100, which was subsequently approved, the "Present Use of Property" is identified as "Business & Residential." However, the amount of floor area is not stated. Further, on the application for Building Permit #A-3104, which was subsequently approved, the type of structure is indicated as a "Single-Family Residence" and the applicant included a handwritten notation of "Repair to Residence." Nonresidential floor area is not indicated as being in existence at this time. These official Growth Management records do not clearly indicate the amount of nonresidential floor area on the subject property. As a letter of understanding is not intended to determine ROGO/NROGO development rights and/or provide such rights that have not already been established, in order to receive a determination as to amount of nonresidential floor area that was lawfully established and thereby may be replaced exempt of the NROGO permit allocation system, the Applicant must apply for a Letter of Development Rights Determination.

As part of the Letter of Development Rights Determination application, the Applicant may provide the following information: a) any issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about September 19, 2001;

b) documentation from the Monroe County Property Appraiser's Office indicating residential use on or about September 19, 2001; c) aerial photographs and original dated photographs showing the structure(s) existed on or about September 19, 2001; d) nonresidential County Directory entries on or about September 19, 2001; e) rental, occupancy or lease records, on or about September 19, 2001, indicating the number, type and term of the rental or occupancy; f) state and/or county licenses, on or about September 19, 2001, indicating the nonresidential use; g) documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about September 19, 2001; and h) similar supporting documentation not listed above as determined suitable by the planning director.

4. Prior to the issuance of any building permit, if such review is required, all proposed development shall be found in compliance by the Monroe County Building Department and the Monroe County Office of the Fire Marshal. Staff recommends that the Applicant coordinate with these offices prior to application submittal. The Planning & Environmental Resources Department does not review for compliance with the Florida Building Code.
5. The site is designated within a flood zone on the Federal Emergency Management Agency (FEMA)'s flood insurance rate maps. All new structures must be built to floodplain management standards that meet those for flood protection.
6. All future development shall be required to meet all standards and requirements of the Americans with Disabilities Act (ADA).

* * * * *

Pursuant to MCC §110-3, you are entitled to rely upon the representations set forth in this letter as accurate under the regulations currently in effect. This letter does not provide any vesting to the existing regulations. If the Monroe County Code or Comprehensive Plan is amended, the project will be required to be consistent with all regulations and policies at the time of development approval. The Department acknowledges that all items required as a part of the application for development approval may not have been addressed at the meeting, and consequently reserves the right for additional comment.

You may appeal decisions made in this letter. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Highway, Suite 410, Marathon, FL 33050.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter, or if we may further assist you with your project, please feel free to contact our Marathon office at (305)289-2500.

Sincerely yours,



Townsley Schwab, Senior Director of Planning & Environmental Resources

CC: Joseph Haberman, Planning & Development Review Manager
Mayte Santamaria, Assistant Director of Planning & Environmental Resources
Michael Roberts, Senior Administrator of Environmental Resources



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: Reynaldo Ortiz, Assoc. AIA, AICP, Planning & Biological Plans Examiner
Supervisor

Date: January 30, 2014

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 114-3, SURFACE WATER MANAGEMENT CRITERIA, TO REVISE THE EXEMPTION THRESHOLD FOR MAINTENANCE AND REPAIR FOR EXISTING IMPERVIOUS COVERAGE FOR COMMERCIAL SITES, 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: March 26, 2014

1
2 I REQUEST
3

4 The Planning & Environmental Resources Department is proposing an amendment to the text
5 of §114-3 of the Monroe County Code. The purpose of the proposed amendment is to
6 provide clarification of which sites may be exempt from the storm water management
7 criteria.
8

9 II RELEVANT PRIOR COUNTY ACTIONS:
10

11 Policy 101.9.1 of the Monroe County 2010 Comprehensive Plan currently reads:
12

13 Upon adoption of the Comprehensive Plan, Monroe County shall adopt and implement
14 the level of service standards for stormwater management established in Drainage Policy
15 1001.1.1. These level of service standards ensure that at the time a development permit is
16 issued, adequate stormwater management facilities are available to support the
17 development concurrent with the impacts of such development.
18

19 Policy 101.9.2 of the Monroe County 2010 Comprehensive Plan currently reads:
20

1 By January 4, 1997, Monroe County shall adopt a Stormwater Management Ordinance.
2 This ordinance shall require that all improvements for replacement, expansion or increase
3 in capacity of drainage facilities conform with the adopted level of service standards for
4 new development.

5
6 Policy 102.5.1 of the Monroe County 2010 Comprehensive Plan currently reads:

7
8 Monroe County shall develop and implement permitting, inspection, and enforcement
9 procedures designed to reduce pollutant discharges into ground and surface waters from:

- 10 1. on-site disposal systems (by January 4, 1998) (See Sanitary Sewer Goal
11 901 and related objectives and policies);
- 12 2. secondary sewage treatment plants and injection wells (by January 4, 1
13 998) (See Sanitary Sewer Goal 901 and related objectives and policies);
- 14 3. moored/anchored vessels (liveaboards) in near-shore waters (by January 4,
15 1998) (See Conservation and Coastal Management Objective 202.4 and
16 related policies);
- 17 4. marinas and fueling facilities (by January 4, 1998) (See Conservation and
18 Coastal Management Element Objective 202.5 and related policies); and
- 19 5. **stormwater runoff** (by January 4, 1997) (See Drainage Goal 1001 and
20 related objectives and policies).

21
22 Policy 105.1.4 of the Monroe County 2010 Comprehensive Plan currently reads:

23
24 Monroe County shall prepare redevelopment standards and amend the Land Development
25 Regulations to address the large number of non-conforming commercial structures that
26 are non-compliant as to on-site parking, construction and shoreline setbacks, stormwater
27 management, landscaping and buffers. By identifying the existing character and
28 constraints of the different island communities, regulations can be adopted that provide
29 incentives for redevelopment and permit the continuance of businesses while moving
30 towards an integrated streetscape.

31
32 Policy 102.10.3 of the Monroe County 2010 Comprehensive Plan currently reads:

33
34 By January 4, 1997, Monroe County shall adopt a Stormwater Management Ordinance
35 which adopts the level of service standards for the quality and quantity of stormwater
36 discharges in this Comprehensive Plan (See Drainage Policy 1101.1.1). Best management
37 practices (BMPs) developed pursuant to Policy 202.10.2 above for temporary and
38 permanent erosion and sedimentation control shall be incorporated by reference into this
39 ordinance and shall be recommended for use to meet water quality criteria of the
40 ordinance. At a minimum, BMPs shall include minimizing alteration of the natural
41 landscape due to paving and elevational changes and the use of retention basins,
42 detention basins, vegetated swales, and/or exfiltration trenches on site, as appropriate.

43
44 Policy 1001.1.2 of the Monroe County 2010 Comprehensive Plan currently reads:
45

1 By January 4, 1997, Monroe County shall adopt Land Development Regulations which
2 provide a Concurrency Management System (See Capital Improvements Policy
3 1401.4.5). The Concurrency Management System shall ensure that no permits will be
4 issued for new development unless adequate stormwater management facilities needed to
5 support the development at the adopted level of service standards are available concurrent
6 with the impacts of development.

7
8 Policy 1001.1.3 of the Monroe County 2010 Comprehensive Plan currently reads:

9
10 By January 4, 1997, Monroe County shall adopt a Stormwater Management Ordinance
11 which establishes level of service standards for the quality and quantity of stormwater
12 discharges for single family residential development and redevelopment which utilizes
13 Best Management Practices and Design Guidelines in their implementation.

14
15 Policy 1001.1.4 of the Monroe County 2010 Comprehensive Plan currently reads:

16
17 By January 4, 1997, in conjunction with the adoption of the Stormwater Management
18 Ordinance, all improvements for replacement, expansion or increase in capacity of
19 drainage facilities shall conform to the adopted level of service criteria for new
20 development.

21
22 Policy 1001.1.5 of the Monroe County 2010 Comprehensive Plan currently reads:

23
24 By January 4, 1997, Monroe County shall adopt Land Development Regulations which
25 ensure county review of all development permits for compliance with adopted
26 stormwater management design criteria prior to approval by the issuing agency.

27
28 MCC §114-3 was last revised with Ordinance No. 033-2005.

29
30 During a regularly scheduled meeting held on January 28, 2014, the Development Review
31 Committee reviewed the subject request and recommended approval to the BOCC.

32
33
34 **III REVIEW**

35
36 Currently, applicants are required to submit stormwater management plans for any placement
37 of structure that changes the design peak discharge rate, volume or pollution load of
38 stormwater runoff, or impervious coverage of site area of the site on which the structure is
39 located. Resurfacing of existing impervious areas are not exempt under current code.

40
41 The current regulations within the Land Development Code addressing stormwater provide
42 limited exemptions for sites maintaining existing impervious area:

43 114-3(c)(2) Except in the case of single-family and duplex homes, maintenance, alteration or
44 improvement of an existing structure on site that will not increase the designed peak
45 discharge rate, volume pollution load of stormwater runoff, or impervious coverage of site
46 area of the site on which that structure is located. Placement of a new structure that does not

1 change the designed peak discharge rate, volume or pollution load, or increase impervious
2 coverage of site area of stormwater runoff from the site, is also exempt. Resurfacing of
3 existing impervious areas is not exempt under this provision;

4
5 -The resurfacing of existing impervious areas does not change the designed peak discharge
6 rate, volume or pollution load, or increase impervious coverage of site area of stormwater
7 runoff from the site and therefore is consistent with the exemption criteria for other existing
8 structures. In addition, the requirement of a stormwater management plan for resurfacing of
9 existing impervious area can increase cost at a disproportionate rate in relation to the dollar
10 value of the improvement. As a result, improvements may be postponed and may result in
11 unsafe site conditions.

12
13 Staff is proposing clear exemptions to the requirement of stormwater management plans,
14 including maintenance of existing impervious areas.

15
16
17 Therefore, staff recommends the following changes (deletions are ~~stricken through~~ and
18 additions are underlined):

19
20 **Sec. 114-3. Surface water management criteria.**

21
22 (a) *Intent.* It is the intent of this section to establish guidelines and criteria for the safe
23 management and disposal of stormwater runoff from developed areas that will minimize or
24 eliminate any resultant adverse impacts on the surface water, groundwater, and other
25 natural resources of the county. These procedures are intended to assist in protection of the
26 vital water resources of the Florida Keys, including the reservoir of freshwater on Big Pine
27 Key and the near shore waters of the ~~both~~ Gulf of Mexico, Florida Bay and the Atlantic
28 Ocean.

29
30 (b) *Jurisdiction.* The subject area shall be the unincorporated sections of the county.

31 (c) *Applicability.* Single-family and duplex ~~homes~~ residences are required to observe best
32 management practices (BMP's) as identified in the sections of the county's manual of
33 stormwater management practices clearly labeled as applicable to single-family and
34 duplex ~~homes-residences~~. In addition, regulation of stormwater management practices for
35 single-family and duplex ~~homes~~ residences will be limited to the criteria, administrative
36 procedures, and maintenance/retrofitting requirements identified in subsection (d) of this
37 section and other applicable provisions of the land development regulations and
38 comprehensive plan. All applications for a county building permit will be required to contain a
39 stormwater management plan ~~with the following exceptions:~~ except those identified in
40 subsection (d)

41
42 ~~—(1) Maintenance work on existing mosquito drainage structures for public health and~~
43 ~~welfare purposes, provided that the activities do not increase peak discharge rate or~~
44 ~~pollution load;~~

45 ~~—(2) Except in the case of single-family and duplex homes, maintenance, alteration or~~
46 ~~improvement of an existing structure on site that will not increase the designed peak~~

~~— discharge rate, volume pollution load of stormwater runoff, or impervious coverage of site area of the site on which that structure is located. Placement of a new structure that does not change the designed peak discharge rate, volume or pollution load, or increase impervious coverage of site area of stormwater runoff from the site, is also exempt. Resurfacing of existing impervious areas is not exempt under this provision;~~
~~— (3) Emergencies requiring immediate action to prevent material harm or danger to persons when obtaining a permit is impractical and would cause undue hardship in protection of property from fire, violent storms, hurricanes, or other hazards. A report of the emergency action shall be made to the county administrator as soon as practicable. All emergency action shall also be temporary in nature and be reversed or appropriately remedied after the emergency has passed; and~~
~~— (4) Single family and duplex homes built on individual lots that are part of an existing subdivision, provided a stormwater management system approved by the Monroe County Growth Management Division or South Florida Water Management District is in place, and is provided as part of the application materials.~~

(d) *Exemptions.*

Notwithstanding any other provisions of this Land Development Code, the following activities are exempt, unless otherwise required by State or Federal Law:

- (1) Maintenance work on existing mosquito drainage structures for public health and welfare purposes, provided that the activities do not increase peak discharge rate or pollution load;
- (2) Routine maintenance of existing impervious area other than single family and duplex residences shall meet one of the following conditions:
 - (i) The maintenance does not increase the existing impervious conditions of the site;
 - (iii) The proposed maintenance is certified by a licensed engineer's demonstrating that the maintenance will not increase the design peak discharge rate, volume pollution load of stormwater runoff, or impervious coverage of the site; or
 - (iv) The placement of a new structure does not change the designed peak discharge rate, volume or pollution load, or increase impervious coverage of site area of stormwater runoff from the site.
- (3) Emergencies requiring immediate action to prevent material harm or danger to persons when obtaining a permit is impractical and would cause undue hardship in protection of property from fire, violent storms, hurricanes, or other hazards. A report of the emergency action shall be made to the county administrator as soon as practicable. All emergency action shall also be temporary in nature and be reversed or appropriately remedied after the emergency has passed;
- (4) Single-family and duplex residences built on individual lots that are part of an existing subdivision, provided a stormwater management system approved by the Monroe

1 County Growth Management Division or South Florida Water Management District is
2 in place, and is provided as part of the application materials;

3
4 (5) Maintenance, repair, or installation of underground or overhead utility facilities, such
5 as, but not limited to, pipes, conduits and vaults, and that includes replacing the ground
6 surface with in-kind material or materials with similar runoff characteristics. are not
7 required to comply with this Section;

8
9 (6) Installation of a new or replacement of an existing public drainage system, public
10 combined sewer, public sanitary sewer, or public water supply system in the public
11 right-of-way;

12
13 (7) Installation of underground or overhead utility facilities that are integral with and
14 contiguous to a road-related project; and

15
16 (8) Road maintenance limited to the following activities:

17
18 (i) Pothole and square cut patching;

19 (ii) Overlaying existing asphalt or concrete or impervious brick pavement with
20 asphalt or concrete without expanding the area of coverage;

21 (iii) Shoulder grading;

22 (iv) Reshaping or regrading drainage ditches;

23 (v) Crack sealing; and

24 (vi) Vegetation maintenance.

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27 ~~(e)~~ (e) Single-family and duplex ~~homes~~ residences.

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31 ~~(e)~~ (f) General criteria.

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35 ~~(f)~~ (g) Technical criteria.

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39 ~~(g)~~ (h) Stormwater management plans.

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43 ~~(h)~~ (i) Manual and brochure of stormwater management practices.

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1 ⊕ (j) *Administration.*

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6 ⊕ (k) *Maintenance and inspection.*

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10 ⊕ (l) *Enforcement and penalties.*

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14 ⊕ (m) *Appeals.*

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19 IV RECOMMENDATION

21 Staff has found that the proposed text amendment would be consistent with the provisions of
22 MCC §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from
23 those on which the text or boundary was based; 2. Changed assumptions (e.g., regarding
24 demographic trends); 3. Data errors, including errors in mapping, vegetative types and
25 natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for
26 additional detail or comprehensiveness; or 6. Data updates. Specifically, staff has found that
27 the proposed text amendments are necessary due to recognition of a need for additional detail
28 or comprehensiveness.

30 Staff recommends that the Board of County Commissioners amend the Monroe County Code
31 as stated in the text of this staff report.