

## AGENDA

PLANNING COMMISSION  
MONROE COUNTY  
September 24, 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, Principal Planner  
Ed Koconis, Principal Planner  
Matt Coyle, Sr. Planner  
Barbara Bauman, Planner  
Karl Bursa, Sr. 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. Grobarek Residence, 2 Cypress Terrace, Raccoon Key (aka Key Haven), mile marker 5: A public hearing concerning a request for a Variance of 20 feet to the required 25-foot front yard non-shoreline setback which is adjacent to the Cypress Terrace right-of-way.

Approval would result in a setback of 5 feet. The requested variance is required for the development of a proposed accessory tiki hut. The subject property is legally described as Block 3, Lot 21, Key Haven 8<sup>th</sup> Addition subdivision (Plat Book 5, Page 61), Raccoon Key, Monroe County, Florida, having real estate number 00138970.000000.

(File 2014-078)

[2014-078 Request to Continue.pdf](#)

[2014-078 SR PC 09.24.14.PDF](#)

[2014-078 FILE.pdf](#)

[2014-078 Recvd 06.10.14 Site Plan.PDF](#)

[2014-078 Recvd 06.10.14 Survey.PDF](#)

2. Matovski Property, northeast corner of Coral Avenue and Mariposa Road intersection, Ramrod Key, mile marker 27: A public hearing concerning a request for a Variance of 10 feet to the required 25-foot front yard non-shoreline setback, which is adjacent to the Mariposa Road right-of-way. Approval would result in a setback of 15 feet. The requested variance is required for the development of a proposed single-family residence. The subject property is legally described as the Northerly 33.92' of Lot 21, Ramrod Shores Second Addition (Plat Book 4, Page 108), Ramrod Key, Monroe County, Florida, having real estate number 00209760.000000.

(File 2013-146)

[2013-146 SR PC 09.24.14.PDF](#)

[2013-146 FILE.pdf](#)

[2013-146 Recvd 02.10.14 Drawings-2.PDF](#)

[2013-146 Objection Letters PC 09.24.14 +.pdf](#)

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 101-1, DEFINITIONS, AMENDING MONROE COUNTY CODE SECTION 130-4, TEMPORARY EMERGENCY HOUSING, ESTABLISHING MONROE COUNTY CODE SECTION 130-5, TEMPORARY USES INCLUDING PUBLIC ASSEMBLIES, ESTABLISHING REGULATIONS CONCERNING TEMPORARY HOUSING ASSOCIATED WITH CAPITAL IMPROVEMENT PROJECTS, ESTABLISHING REGULATIONS CONCERNING TEMPORARY USES IN THE LAND DEVELOPMENT CODE, 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 2013-087)

[2013-087 SR PC 09.25.13.PDF](#)

4. Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5; 24930 Overseas Highway, Summerland Key, Mile Marker 25; 21585 Old State Road 4A, Cudjoe Key, Mile Marker 22; and 5176-5180 Suncrest Road, Stock Island, Mile Marker 5: A request for approval of an Amendment to a Development Agreement between Monroe County, Florida; Summerland Palms Investors, LLC, Coco Palms Developers, LLC, Suncrest Investors, LLC, Singh Investors, LLC, and Oceanside Investors, LLC allowing the transfer of market-rate Residential Rate of Growth (ROGO) exemptions from sender sites at 24930 Overseas Highway, 21585 Old State Road 4A and 5671 MacDonald Avenue to a receiver site at 5950 Peninsula Avenue, in accordance with Monroe County Code Section 130-161.1. On the sender sites, the residential dwelling units in which the transferred market-rate ROGO exemptions are derived shall be converted to, or replaced with, affordable housing units. The Development Agreement also involves the redevelopment of 5948, 5950 and 5970 Peninsular Avenue, the receiver site, for the addition of up to 78 new, market-rate residential dwelling units, which may be used as vacation rentals, up to 17 new hotel rooms, a new restaurant with up to 150 seats, and other improvements related to the existing, partially-condominiumized marina and accessory development. 22 existing, market-rate permanent units (under condominium ownership), a boat barn (under condominium ownership), marina slips (under condominium ownership) and ancillary/accessory buildings would be maintained. An existing boat barn/light industrial building would be demolished. The residential density, under maximum net density, would not exceed 100 total permanent residential units and 17 transient units. Not including accessory structures related to the residential uses, the nonresidential floor area would not exceed 40,000 square feet. Dockage owned by the developer would include 8 new slips, for a total of approximately 16 slips, of which at least 20% (3 slips) shall be reserved for commercial fishing vessels. New residential or nonresidential buildings shall not exceed 35 feet in height. Public access will be provided from 7:00 am until dusk. The Development Agreement concerns properties located at 5948, 5950 and 5970 Peninsular Avenue, Stock Island (legally described as Block 46, Lots 30, 31 and ½ Lot 32, Block 60, portions of Lots 1, 2 and 3, Block 61, portions of Lots 1, 2 and 3, the abandoned portion of Peninsular Avenue lying between Block 46 and Block 60, the abandoned portion of Maloney Avenue lying between Blocks 60 and 61, McDonald's Plat, also described as parcel of land in Sections 26, 34, 35 and 36, Township 37 South and Range 25 East, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100.), 24930 Overseas Highway, Summerland Key (legally described as Lot 55 and a portion of

Lot 54, Summerland Yacht Harbor, having real estate #'s 00194741.000100, 00194741.000200, 00194741.000300, 00194741.000400, 00194741.000500, 00194741.000600, 00194741.000700, 00194741.000800, 00194741.000900, 00194741.001000, 00194741.001100, 00194741.001200, 00194741.001300, 00194741.001400, 00194741.001500, 00194741.001600, 00194741.001700, 00194741.001800, 00194741.001900, 00194741.002000, 00194741.002100 and 00194741.002200), 21585 Old State Road 4A, Cudjoe Key (legally described as Lot 30, Sacarma, having real estate #00174960.000000), and 5176 Suncrest Road, Stock Island (legally described as Lots 27 and 28, Sun Krest, having real estate # 00132680.000000)

(File 2014-112)

[2014-112 Request to Continue.pdf](#)

[2014-112 SR DRC 08.26.14.PDF](#)

[2014-112 FILE.pdf](#)

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

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

- BOARD DISCUSSION

- GROWTH MANAGEMENT COMMENTS

- RESOLUTIONS FOR SIGNATURE

ADJOURNMENT

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## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

*We strive to be caring, professional and fair*

**To:** Planning Commissioners, John Wolfe  
**From:** Karl Bursa, Sr. Planner  
**Date:** September 23, 2014  
**Subject:** File 2014-078 Grobarek Variance to PC

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The applicant, Joe Grobarek, has requested to continue this item from the September 24, 2014, planning commission meeting to November 19, 2014. This is Item #1 on the agenda for September 24.



**Item #1 Grobarek – Variance to PC 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, Senior Planner   
Date: September 15, 2014  
Subject: *Request for a Setback Variance for property located at 2 Cypress Terrace, Key Haven, Real Estate #00138970.000000 (File #2014-078)*

**I REQUEST:**

The applicant is requesting approval of a variance of 17'-0" from the required 25' front yard setback along the northern property line, which is adjacent to Cypress Terrace, and a 4'-6" variance from the required 10' side yard setback to the northwest property line. As a result, the front yard setback along the northern property line would be 8' and the side yard setback along the northwestern property line would be 5'-6". The granting of this variance will provide the applicant with additional buildable area to construct a new 10' x 20' tiki hut.



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

1 Location:

2 Address: 2 Cypress Terrace, Raccoon Key (aka Key Haven), approximate mile marker  
3 5.5 (Gulf of Mexico side of US 1)

4  
5  
6 Legal Description: Block 3, Lot 21, Key Haven 8<sup>th</sup> Addition (Plat Book 5, Page 61)

7 Real Estate Number: 00138970.000000  
8  
9

10 Applicant:

11 Property Owner: Joseph and Lorraine Grobarek

12 Agent: N/A  
13  
14  
15  
16

17 II RELEVANT PRIOR COUNTY ACTIONS:

18  
19 On April 26, 2005, the Building Department issued Building Permit #021-1114 for the  
20 construction of the existing single-family residence on the subject property. The ROGO  
21 allocation award for this permit was approved by the Planning Commission on March 9,  
22 2005, under Resolution #05-05.  
23

24 On December 20, 2006, Building Permit #061-6494 was issued for the construction of the  
25 existing seawall.  
26

27 On August 6, 2009, Building Permit #091-2765 was issued for the construction of 2,204  
28 square feet of pavers, including the existing driveway, walkways, and patios.  
29

30 On August 22, 2011, Building Permit #111-2698 was issued for the construction of a 5' or 6'  
31 high masonry or wood fence along the front yard property lines adjacent to Cypress Terrace  
32 and Cypress Avenue.  
33

34 At a public hearing on February 27, 2013, the Planning Commission approved a variance of  
35 20' from the required 25' front yard setback along the Cypress Terrace right-of-way  
36 (Planning Department File #2012-152). The variance allowed the property owner to construct  
37 an in-ground swimming pool in the front yard setback. The approval was memorialized in  
38 Planning Commission Resolution #P06-13, signed by the Planning Commission Chair on  
39 February 27, 2013. [Note: Resolution #P06-13 specifically states that the variance does not  
40 apply to any future development beyond the swimming pool.]  
41

42 On April 8, 2013, Building Permit #121-3653 was issued for the construction of the new in-  
43 ground swimming pool that was subject of the variance granted by Resolution #P06-13.  
44

45 On November 14, 2013, the property owner submitted a building permit application for the  
46 subject tiki hut (Building Permit Application #131-4573). On November 15, 2013, a county  
47 biologist failed the application as the tiki hut was proposed to be located in a  
48 designated/recorded preservation area and the 40% shoreline setback open space requirement  
49 would not be met. The county biologist has yet to approve the application. On January 30,  
50 2014, a county planner failed the application as the tiki hut was proposed to be located in the

1 required 25' front yard setback along the Cypress Terrace and in the required 10' side yard  
2 setback. As a variance is required to approve the tiki hut in a required non-shoreline setback,  
3 the county planner has yet to approve the application.  
4

5 **III BACKGROUND INFORMATION:**  
6

- 7 A. Size of Site: 9,852 SF (0.22 acres)
  - 8 B. Land Use District: Improved Subdivision (IS)
  - 9 C. Future Land Use Map (FLUM) Designation: Residential Medium (RM)
  - 10 D. Tier Designation: Tier III
  - 11 E. Flood Zone: VE – EL 11 and VE – EL 13 (including proposed tiki area)
  - 12 F. Existing Use: Single-Family Residential
  - 13 G. Existing Vegetation / Habitat: Scarified, developed land
  - 14 H. Community Character of Immediate Vicinity: Single-Family Residential
- 15

16 **IV REVIEW OF APPLICATION:**  
17

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

22 The property is an irregularly shaped, six-sided lot. The lot has frontage along Cypress  
23 Terrace and Cypress Avenue, and therefore has two required front yard setbacks. There is a  
24 required 25' front yard setback along the property line adjacent to Cypress Terrace; a  
25 required 25' front yard setback along the property line adjacent to Cypress Avenue; a  
26 required 5' side yard setback along the southwestern property line; a required 10' side yard  
27 setback along the northwestern property line; and a required 20' shoreline setback (for  
28 principal structures) along the property lines adjacent to the canal.  
29

30 As shown on the boundary survey by J. Lynn O'Flynn, Inc., dated September 17, 2012, the  
31 site is not developed in compliance with the 25' front yard setback requirement along  
32 Cypress Terrace, as the existing building's attached porch is set back approximately 12.5';  
33 and pavers along the seawall are set back approximately 16.5' from Cypress Terrace. The  
34 site is not developed in compliance with the 5' side yard setback requirement along the  
35 southwestern property line as a paved walkway is set back 0'. However, as this development  
36 was approved in its current configuration by building permits on file, it is considered to be  
37 lawfully nonconforming.  
38

39 As shown on the proposed site plan by Peter Pike, P.A., dated and sealed June 6, 2014, the  
40 proposed tiki hut would be placed 8' from the property line along Cypress Terrace and 5'-6"  
41 from the northwest property line. In addition, the tiki hut would be set back 7' from the edge  
42 of the canal- in compliance with the shoreline setback required by MCC §118-12(c)(1)(b).  
43 The area of the 20' x 10' tiki hut would be approximately 200 square feet.  
44

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

3  
4 A. *The applicant demonstrates a showing of good and sufficient cause:*

5  
6 The applicant is requesting a front yard and side yard setback variance for the purpose of  
7 constructing a new tiki hut. The subject property, while uniquely configured, retains  
8 enough space for the placement of a tiki hut of comparable size outside of the required  
9 non-shoreline setback areas (over the existing pavers adjacent to the residence).  
10 Therefore, the applicant has failed to demonstrate good and sufficient cause.

11  
12 B. *Failure to grant the variance would result in exceptional hardship to the applicant:*

13  
14 As defined in MCC §101-1, *Exceptional Hardship* means a burden on a property owner  
15 that substantially differs in kind or magnitude from the burden imposed on other similarly  
16 situated property owners in the same land use district as a result of adoption of these  
17 regulations.

18  
19 As previously stated regarding the aforementioned standard, the subject property, while  
20 uniquely configured, retains enough space for the placement of a tiki hut of comparable  
21 size outside of the required non-shoreline setback areas. In addition, a majority of the  
22 county's single family residences do have an accessory tiki hut. As the majority of  
23 residents do not have such an accessory use, the lack of a tiki hut is not a hardship.  
24 Furthermore, it is also not a hardship given the fact that the applicant could relocate the  
25 proposed tiki hut to an alternate location or reduce its size from the proposed 200 square  
26 feet.

27  
28 Therefore, the applicant has failed to demonstrate the criteria required to establish the  
29 determination of exceptional hardship.

30  
31 C. *Granting the variance will not result in increased public expenses, create a threat to  
32 public health and safety, create a public nuisance, or cause fraud or victimization of the  
33 public:*

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

41  
42 D. *The property has unique or peculiar circumstances, which apply to this property, but  
43 which do not apply to other properties in the same zoning district:*

1 The property is uniquely shaped, having two 25' front yard non-shoreline setbacks and a  
2 rear yard shoreline setback.

3  
4 Therefore, the property has unique or peculiar circumstances, which apply to this  
5 property, but which do not apply to other properties in the same zoning district.  
6

- 7 E. *Granting the variance will not give the applicant any special privilege denied other*  
8 *properties in the immediate neighborhood in terms of the provisions of this chapter or*  
9 *established development patterns:*

10  
11 There is not a variance application on file that was approved or denied for a similar  
12 accessory structure in the immediate vicinity.

13  
14 Therefore, granting the variance will not give the applicant any special privilege denied  
15 other properties in the immediate neighborhood in terms of the provisions of the land  
16 development regulations or established development patterns.

17  
18 Note: A variance application was recently submitted concerning 1 West Cypress Terrace,  
19 the neighboring property to the northwest. The application was to allow a similar tiki hut  
20 that was constructed in a required setback area without the benefit of a building permit.  
21 The variance application is currently under review and the tiki hut has been removed.  
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 his family.  
34

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

36  
37 There are other suitable alternative locations for the tiki hut on the property, including  
38 adjacent the residence over the existing paver patio in as-of-right buildable area. In  
39 addition, the applicant did not provide any documentation or sufficient rationale  
40 supporting the necessity for a tiki hut of 200 square feet, as opposed to a smaller, less  
41 intrusive tiki hut.

42  
43 Therefore the variance exceeds the minimum necessary to provide relief to the Applicant.  
44

45 Other Issues:

1 As shown on the proposed site plan, the tiki hut would also not be in compliance with the  
2 shoreline setback open space requirements (40% of the shoreline setback area shall be open  
3 space). As defined in MCC §101-1, *open space* means that portion of any parcel or area of  
4 land or water that is required to be maintained such that the area within its boundaries is open  
5 and unobstructed from the ground to the sky. It should be noted that there is no variance to  
6 this requirement and compliance must be demonstrated.

7  
8 Per MCC §118-12(c)(1)(a), the total of all accessory structures within the shoreline setback  
9 may not exceed 60% of the total area of the shoreline setback. Per information submitted  
10 with the application for Planning Commission Resolution #P06-13, the area within the 20'  
11 shoreline setback on this property is 2,565 square feet. After the construction of the pool that  
12 was the subject of Building Permit #121-3653, the total area of accessory structures (pavers  
13 and pool) within the shoreline setback is 1,545 square feet, which is 60% of the shoreline  
14 setback area and therefore compliant with MCC §118-12(c)(1)(a). The proposed tiki hut  
15 would add an additional 200 square feet to the shoreline setback, raising the total area of  
16 accessory structures to 1,745 square feet or approximately 68% of the total area of the  
17 shoreline setback.

18  
19 If the variance is granted, prior to the issuance of any building permit, the applicant will be  
20 required to remove pavers or other development in the required shoreline setback to  
21 demonstrate compliance.

22  
23 **V RECOMMENDATION:**

24  
25 Staff recommends **DENIAL** of the requested variances of 17' along the Cypress Terrace  
26 right-of-way and 4'6" along the northwestern property line, as the applicant has not  
27 demonstrated that all eight required standards have been met.

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

- 31  
32 1) This variance is based on the design and placement of the tiki hut shown on the site plan  
33 by Peter Pike, P.A., signed and sealed June 6, 2014 included with the application. Work  
34 not specified or alterations to the site plan may not be carried out without additional  
35 Planning & Environmental Resources Department approval.  
36  
37 2) This variance is to allow the placement of a tiki hut as shown on the site plan submitted  
38 with the variance application within the required front yard setback along West Cypress  
39 Terrace. It does not waive any other required setbacks and it does not waive the required  
40 setbacks for any future structures or additions to the tiki hut.  
41

42 **VI PLANS REVIEWED:**

- 43  
44 A. Site Plan by Peter Pike, signed and sealed June 6, 2014\*  
45 B. Boundary Survey by J. Lynn O'Flynn, Inc., signed and sealed September 17, 2012\*  
46

1 \*As a note, the plans received for review did not show the newly constructed swimming pool. As  
2 such, they do not show all existing development. Staff used plans from Building Permit #121-  
3 3563 to confirm location and dimensions of this structure during the course of its review.

**File #:** **2014-078**

**Owner's Name:** Grobarek, Joseph & Lorraine

**Applicant:** Grobarek, Joseph & Lorraine

**Agent:** N/A

**Type of Application:** Variance - PC

**Key:** Key Haven

**RE:** 00138970-000000

## **Additional Information added to File 2014-078**

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

Date: 6.10.14  
Time: \_\_\_\_\_

Dear Applicant:

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

Grobaret, Joseph Lorraine to the Monroe County Planning Department.  
Project / Name

Thank you.

Gail 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

Help  
Check out our [Getting Started](#) tutorial!

- 2014 Condo
- Expand All
- 2013 Condo
  - MCPA GIS Public Portal
  - Monroe Overlay
- 2012 Condo
  - Subdivisions
  - Section Lines
- 2011 Condo
  - Parcels
  - Shoreline
  - Lot Lines
- 2010 Condo
  - Hooks Leads
  - Easements
- 2009 Condo
  - Text Displays
  - Qualified Condo Sales
  - Qualified Sales
- 2008 Condo
  - Transportation
- 2014 Sales
- 2013 Sales
- 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: 34.687997 City, Longitude: 81.744111 Clear

Basemap Select a basemap Filter parcels within 5 feet of location Clear

Zoom

"|" Delimited Go

OBJECTID	SDE.DBO.W_PARCELS.ID	SDE.DBO.W_PARCELS.RECHAR	SDE.DBO.W_PARCELS.GEO_FEAT
20138	138930	00138930-000000	8761
27724	138930	00138930-000000	8760

Verified GC

✓ ALVAREZ RAY AND ROSE G  
7 W CYPRESS TER  
KEY WEST, FL 33040-6234

✓ BARRETT JAMES H  
26 ASTER TER  
KEY WEST, FL 33040-6205

✓ BLANCO EDUARDO GONZALEZ  
5 W CYPRESS TER  
KEY WEST, FL 33040-6234

✓ BLESSING BETTY L L/E  
4947 LAKESIDE DR  
ZEPHYRHILLS, FL 33542-5599

✓ BOTWAY CLIFFORD REV TRUST  
PO BOX 1578  
KEY WEST, FL 33041-1578

✓ BRASOVAN LOUIS III  
35934 HWY 27  
HAINES CITY, FL 33844-3737

✓ BRICKLEY-MEISTRELL FAMILY REV TR  
3/3/1999 C/O BRICKLEY JOHN KEVIN  
PO BOX 729  
KEY WEST, FL 33041-0729

✓ DOAN VINH DANG  
3 W CYPRESS TER  
KEY WEST, FL 33040-6234

✓ DROSSEL DIANA BERRY L/E  
11 W CYPRESS TER  
KEY WEST, FL 33040-6234

~~GROBAREK JOSEPH AND LORRAINE  
2 CYPRESS TER  
KEY WEST, FL 33040-6215~~

✓ H AND C CYPRESS TERRACE LLC  
4119 MASSARD RD  
FORT SMITH, AR 72903-6223

✓ KEY HAVEN ASSOCIATED ENTERPRISES INC  
C/O SOUTHERNMOST INSURANCE  
1010 KENNEDY DR STE 300  
KEY WEST, FL 33040-4133

✓ KRUMMEL MARILYN POPY AND RALPH R JR  
5 CYPRESS TER  
KEY WEST, FL 33040-6215

✓ LUJAN BETTY QUAL PER RES TRUST I  
46 CYPRESS AVE  
KEY WEST, FL 33040

✓ MATTHEWS FRED SAWYER AND KARIN E  
9 W CYPRESS TER  
KEY WEST, FL 33040-6234

✓ OROPEZA STEVEN P AND PAMELA  
3540 EAGLE AVE  
KEY WEST, FL 33040-4654

✓ RICE MICHAEL DAVID  
6 W CYPRESS TER  
KEY WEST, FL 33040-6235

✓ RUFF TIMOTHY AND GINA  
3324 RIVIERA DR  
KEY WEST, FL 33040-4632

✓ RUIZ MARIA CHRISTINA  
1 W CYPRESS TER  
KEY WEST, FL 33040-6234

✓ SWEETING GERALDINE DEC TR 8/29/01  
1 COCONUT DR  
KEY WEST, FL 33040-6214

✓ WALSH JOSEPH H  
909 16TH TER  
KEY WEST, FL 33040-4244

Verified GC 1 of 1

**End of Additional File 2014-078**

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



RECEIVED  
 JUN 10 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:** 06/06/2014  
Month Day Year

**Property Owner:**

Joseph V & Lorraine D Grobarek  
Name  
2 CYPRESS TERRACE  
KEY WEST, FL 33040  
Mailing Address (Street, City, State, Zip Code)  
847-710-7311  
Daytime Phone  
JGROBAREK @ AOL-COM  
Email Address

**Agent (if applicable):**

\_\_\_\_\_  
Name  
 \_\_\_\_\_  
Mailing Address (Street, City, State, Zip Code)  
 \_\_\_\_\_  
Daytime Phone  
 \_\_\_\_\_  
Email Address

**Legal Description of Property:**

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

<u>3</u>	<u>21</u>	<u>KEY HAVEN - EIGHTH ADDITION</u>	<u>RACCOON KEY</u>
<small>Block</small>	<small>Lot</small>	<small>Subdivision</small>	<small>Key</small>
<u>OR291272/80</u>	<u>OR321-1/8</u>	<u>OR549-799</u>	<u>OR 1698-905 1173142</u>
<small>Real Estate (RE) Number</small>	<small>Alternate Key Number</small>		
<u>2 CYPRESS TERRACE, KEY WEST, FL 33040</u>			
<small>Street Address (Street, City, State, Zip Code)</small>		<small>Approximate Mile Marker</small>	

APPLICATION

Land Use District Designation(s): RESIDENTIAL

Present Land Use of the Property: RESIDENTIAL

Total Land Area: 9965 SQUARE FT.

Please provide the standard required by the land development regulations: TIKI HUT 5' FROM PROPERTY LINE  
(i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: TIKI HUT 5' FROM PROPERTY LINE IS OK  
(i.e. front yard setback of 10 feet, 70 off-street parking spaces, etc.)

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

- 1) The applicant shall demonstrate a showing of good and sufficient cause:  
THIS IS AN "L" SHAPED CORNER LOT WITH A LONG NARROW STRIP OF LAND. THE CONSTRAINTS OF THE SHAPE GIVE US THIS ONLY LOCATION FOR THE TIKI HUT.
- 2) Failure to grant the variance would result in exceptional hardship to the applicant:  
FAILURE TO GRANT A VARIANCE WOULD LEAVE A CORNER OF OUR LOT UNUSEABLE AND HURT THE RESALE VALUE
- 3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:  
THE PURPOSED TIKI HUT IS WITHIN ALL SETBACKS AND INSIDE THE EXISTING FENCE. ON OUR LOT. THE PUBLIC WILL NOT BE VISIBLE TO 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:  
THIS IS A CORNER LOT WITH A LONG NARROW STRIP OF LAND 60'X20' AT THE END OF A CANAL. VERY UNIQUE TO THE AREA.
- 5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns:  
THIS VARIANCE IS JUST FOR A SIMPLE TIKI HUT LIKE MANY IN KEY WEST AND KEY HAVEN.

## APPLICATION

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

NO, THE VARIANCE HAS NOTHING TO DO WITH THE HEALTH OF MYSELF OR MY FAMILY

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

NO, THE VARIANCE IS NOT BASED ON THE DOMESTIC DIFFICULTIES OF MYSELF OR MY FAMILY

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

YES, THE VARIANCE IS THE MINIMUM NECESSARY TO PROVIDE RELIEF.

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

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

APPLICATION

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

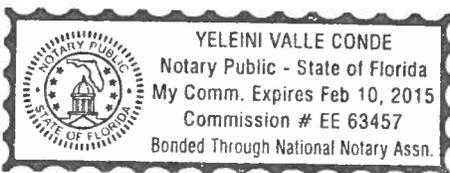
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)

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: [Handwritten Signature] Date: 6-9-14

Sworn before me this 9 day of June, 2014



[Handwritten Signature]
Notary Public
My Commission Expires

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

# Monroe County Property Record Card (021)

Alternate Key: 1173142  
 Effective Date: 6/5/2014 1:29:11 PM  
 Roll Year 2014  
 Run: 06/05/2014 01:29 PM

GROBAREK, JOSEPH AND LORRAINE

2 CYPRESS TER  
 KEY WEST FL 33040-6215

Parcel 00138970-000000-26-67-25 Nbhhd 127  
 Alt Key 1173142 Mill Group 100A  
 Affordable Housing No PC 0100  
 FEMA Injunction  
 Inspect Date May 23, 2011 Next Review  
 Business Name  
 Physical Addr 2 CYPRESS TER, KEY HAVEN

## Associated Names

Name	DBA	Role
GROBAREK, JOSEPH AND LORRAINE		Owner

## Legal Description

BK 3 LT 21 KEY HAVEN-EIGHTH ADDITION PB5-61 RACCOON KEY OR291-272/80 OR321-1/8 OR549-799 OR1698-905

## Land Data 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
19531	010C	0	0	Yes	9,965.00	SF	0.00		1.00	1.00	1.00	0.94		N		
Total Just Value																

# Monroe County Property Record Card (021)

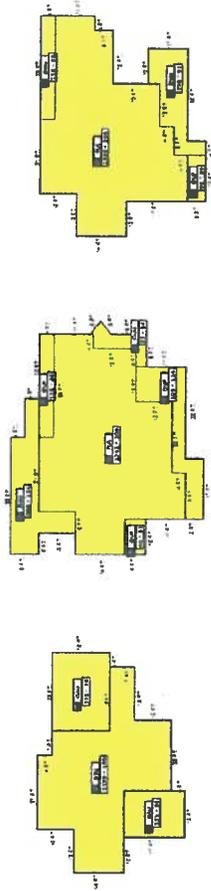
Alternate Key: 1173142

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Building Sketch 4908



## Building Characteristics

**Building Nbr** 1    **Building Type** R1    **Perimeter** 412    **Functional Obs** 0.00  
**Effective Age** 4    **Condition** G    **Depreciation %** 0.02    **Economic Obs** 0.00  
**Grnd Floor Area** 3,331    **Quality Grade** 600    **Year Built** 2009    **Special Arch** 0

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

**Roof Type** 2    **Roof Cover** 2    **Heat 1** 6    **Heat 2** 0    **Heat Src 1** 0    **Heat Src 2** 0    **Foundation** 6    **Bedrooms** 3

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

## Sections

Type	Number	Exterior Wall Type	# Stories	Year Built	Attic	A/C	Basement %	Finished Bsmt %	Area	Sketch ID	SOH %
SBU	1	3:WD FR STUCCO	1	2009					1,189	000	0.00
FLA	10	1:WD FRAME/COMPOSITE	1	2009					1,589	009	0.00
OOU	11	:	1	2009					116	010	0.00
OOU	12	:	1	2009					258	011	0.00

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OUF	13	:	1	2009	65	012	0.00
GAU	2	3:WD FR STUCCO	1	2009	221	001	0.00
GAU	3	3:WD FR STUCCO	1	2009	352	002	0.00
FLA	4	1:WD FRAME/COMPOSITE	1	2009	1,742	003	0.00
OUU	5	:	1	2009	368	004	0.00
OUF	6	:	1	2009	116	005	0.00
OUF	7	:	1	2009	305	006	0.00
OUU	8	:	1	2009	87	007	0.00
OUF	9	:	1	2009	60	008	0.00

## Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
4	PT2:BRICK PATIO	1,500	SF	0.00	50	30	2009	2011	2	50		
3	PT2:BRICK PATIO	240	SF	0.00	16	15	2009	2011	2	50		
2	PT2:BRICK PATIO	234	SF	0.00	13	18	2009	2011	2	50		
1	SW2:SEAWALL	136	SF	0.00	85	2	2007	2011	2	60		
<b>Total Depreciated Value</b>												

## Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
09102765	Aug 6 2009 12:00AM	Dec 20 2009 12:00AM	13,000	Residential	PAVING
11102698	Jun 2 2011 12:00AM		8,000	Residential	FENCE
12103653	Apr 8 2013 12:00AM		32,500	Residential	POOL & SPA
02101114	Apr 26 2005 12:00AM	Oct 7 2009 12:00AM	400,000	Residential	SFR CONVENTIONAL 6118 SF & 45 CY
06106494	Dec 20 2006 12:00AM	Feb 10 2007 12:00AM	37,000	Residential	ADD SEAWALL (85) LF.

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## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	C	366,910	0	465,213	17,420	849,543	265,502	0	N	849,543
2012F	C	409,029	0	465,213	17,754	891,996	241,366	0	N	891,996
2011F	C	354,626	0	469,913	18,127	842,666	219,424	0	N	842,666
2010F	C	199,477	0	0	0	199,477	199,477	0	N	199,477
2009F	C	295,522	0	0	0	295,522	295,522	0	N	295,522
2008F	C	762,323	0	0	0	762,323	762,323	0	N	762,323
2007F	C	762,323	0	0	0	762,323	762,323	0	N	762,323
2006F	C	647,725	0	0	0	647,725	647,725	0	N	647,725
2005F	C	398,600	0	0	0	398,600	398,600	0	N	398,600
2004F	C	199,300	0	0	0	199,300	199,300	0	N	199,300
2003F	C	139,510	0	0	0	139,510	139,510	0		139,510
2002F	C	139,510	0	0	0	139,510	139,510	0		139,510
2001F	C	75,734	0	0	0	75,734	75,734	0		75,734
2000F	C	75,734	0	0	0	75,734	75,734	0		75,734
1999F	C	75,734	0	0	0	75,734	75,734	0		75,734
1998F	C	75,734	0	0	0	75,734	75,734	0		75,734
1997F	C	75,734	0	0	0	75,734	75,734	0		75,734
1996F	C	75,734	0	0	0	75,734	75,734	0		75,734
1995F	C	75,734	0	0	0	75,734	75,734	0		75,734
1994F	C	75,734	0	0	0	75,734	75,734	0		75,734
1993F	C	75,734	0	0	0	75,734	75,734	0		75,734
1992F	C	65,769	0	0	0	65,769	65,769	0		65,769
1991F	C	65,769	0	0	0	65,769	65,769	0		65,769
1990F	C	63,776	0	0	0	63,776	63,776	0		63,776
1989F	C	63,377	0	0	0	63,377	63,377	0		63,377
1988F	C	47,832	0	0	0	47,832	47,832	0		47,832
1987F	C	55,759	0	0	0	55,759	55,759	0		55,759
1986F	C	53,392	0	0	0	53,392	53,392	0		53,392
1985F	C	52,117	0	0	0	52,117	52,117	0		52,117
1984F	C	52,117	0	0	0	52,117	52,117	0		52,117
1983F	C	52,117	0	0	0	52,117	52,117	0		52,117

# Monroe County Property Record Card (021)

Alternate Key: 1173142  
 Effective Date: 6/5/2014 1:29:11 PM

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 Run: 06/05/2014 01:29 PM

1982F C 28,284 0 0 28,284 28,284 0 28,284

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
549	799	2/1/1973	Conversion Code	0	Q	V	14,800
1698	905	5/14/2001	Warranty Deed	0	Q	V	189,000



Notes

Map of:  
**2 Cypress Ter**  
Key West, FL 33040-6215



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# Monroe County Property Appraiser - Radius Report

<b>AK:</b> 8648871	<b>Parcel ID:</b> 00139261-000000	<b>Physical Location</b> VACANT LAND	KEY HAVEN
<b>Legal Description:</b> KEY HAVEN EIGHTH ADDITION RACCOON KEY PB5-61 SS LAKE II DEED 24044 AND II DEED 23844 (14.4)			
<b>Owners Name:</b> KEY HAVEN ESTATES LTD C/O SOUTHERNMOST INSURANCE			
<b>Address:</b> 1010 KENNEDY DR STE 300		KEY WEST	FL 33040-4133
<b>AK:</b> 1173096	<b>Parcel ID:</b> 00138920-000000	<b>Physical Location</b> 41 CYPRESS DR	KEY HAVEN
<b>Legal Description:</b> BK 3 LT 16 KEY HAVEN-EIGHTH ADDITION RACCOON KEY B5-61 OR291-272/80 OR321-1/8 OR642-806/807 OR6-			
<b>Owners Name:</b> BARRETT JAMES H			
<b>Address:</b> 26 ASTER TER		KEY WEST	FL 33040-6205
<b>AK:</b> 1173291	<b>Parcel ID:</b> 00139120-000000	<b>Physical Location</b> 6 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 15 KEY HAVEN-EIGHTH ADDITION RACCOON KEY B5-61 OR291-272/80 OR321-1/8 OR582-472 OR1231-			
<b>Owners Name:</b> RICE MICHAEL DAVID			
<b>Address:</b> 6 W CYPRESS TER		KEY WEST	FL 33040-6235
<b>AK:</b> 1173282	<b>Parcel ID:</b> 00139110-000000	<b>Physical Location</b> 8 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 14 KEY HAVEN-EIGHTH ADDITION RACCOON KEY B5-61 OR291-272/80 OR321-1/8 OR546-616 OR883-8-			
<b>Owners Name:</b> ORÓPEZA STEVEN P AND PAMELA			
<b>Address:</b> 3540 EAGLE AVE		KEY WEST	FL 33040-4654
<b>AK:</b> 1173312	<b>Parcel ID:</b> 00139140-000000	<b>Physical Location</b> 11 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 17 KEY HAVEN-EIGHTH ADDITION RACCOON KEY B-5-61 OR291-272/80 OR321-1/8 OR558-636 OR687-3			
<b>Owners Name:</b> H AND C CYPRESS TERRACE LLC			
<b>Address:</b> 4119 MASSARD RD		FORT SMITH	AR 72903-6223
<b>AK:</b> 1173169	<b>Parcel ID:</b> 00138990-000000	<b>Physical Location</b> 3 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 2 KEY HAVEN-EIGHTH ADDITION RACCOON KEY 5-61 OR291-272/80 OR321-1/8 OR535-852 OR698-810			
<b>Owners Name:</b> DOAN VINH DANG			
<b>Address:</b> 3 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173177	<b>Parcel ID:</b> 00139000-000000	<b>Physical Location</b> 5 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 3 KEY HAVEN-EIGHTH ADDITION RACCOON KEY -5-61 OR291-272/80 OR321-1/8 OR645-197 OR2108-2			
<b>Owners Name:</b> BLANCO EDUARDO GONZALEZ			
<b>Address:</b> 5 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173100	<b>Parcel ID:</b> 00138930-000000	<b>Physical Location</b> 45 CYPRESS AVE	KEY HAVEN
<b>Legal Description:</b> BK 3 LTS 17 - 18 KEY HAVEN-EIGHTH ADDITION PB5-61 RACCOON KEY OR291-272/80 OR321-1/8 OR549-79			
<b>Owners Name:</b> BRASOVAN LOUIS III			
<b>Address:</b> 35934 HWY 27		HAINES CITY	FL 33844-3737
<b>AK:</b> 1173347	<b>Parcel ID:</b> 00139180-000000	<b>Physical Location</b> 5 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> KEY HAVEN-EIGHTH ADDITION PB5-61 RACCOON KEY 20' LOT 3 ALL LOT 4 & SE'LY 8' LOT 5 BLK 5 OR2-			
<b>Owners Name:</b> KRÜMMEL MARILYN POPY AND RALPH R JR			
<b>Address:</b> 5 CYPRESS TER		KEY WEST	FL 33040-6215
<b>AK:</b> 1173355	<b>Parcel ID:</b> 00139190-000000	<b>Physical Location</b> 7 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> KEY HAVEN-EIGHTH ADDITION PB5-61 RACCOON KEY 70' LOT 5 & S 36' LOT 6 BLK 5 OR291-272/80 OR32			
<b>Owners Name:</b> WALSH JOSEPH H			
<b>Address:</b> 909 16TH TER		KEY WEST	FL 33040-4244
<b>AK:</b> 1173142	<b>Parcel ID:</b> 00138970-000000	<b>Physical Location</b> 2 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 3 LT 21 KEY HAVEN-EIGHTH ADDITION PB5-61 RACCOON KEY OR291-272/80 OR321-1/8 OR549-799 OR1698			
<b>Owners Name:</b> GROBAREK JOSEPH AND LORRAINE			
<b>Address:</b> 2 CYPRESS TER		KEY WEST	FL 33040-6215

<b>AK:</b> 8749830	<b>Parcel ID:</b> 00123110-000101	<b>Physical Location</b> 46 CYPRESS AVE	KEY HAVEN
<b>Legal Description:</b> 26 67 25 LITTLE RACCOON KEY PT GOVT LOT 1 (1.63 AC ) OR1077-283/284 OR1187-1088/1118PET/ORD/WILL			
<b>Owners Name:</b> LUJAN BETTY QUAL PER RES TRUST I			
<b>Address:</b> 46 CYPRESS AVE		KEY WEST	FL 33040
<b>AK:</b> 1173134	<b>Parcel ID:</b> 00138960-000000	<b>Physical Location</b> 49 CYPRESS AVE	KEY HAVEN
<b>Legal Description:</b> BK 3 LT 20 KEY HAVEN EIGHTH ADDITION RACCOON KEY B5-61 OR291-272/80 OR321-1/8 OR612-788 OR739-61			
<b>Owners Name:</b> BLÉSSING BETTY L L/E			
<b>Address:</b> 4947 LAKESIDE DR		ZEPHYRHILLS	FL 33542-5599
<b>AK:</b> 1173428	<b>Parcel ID:</b> 00139260-000000	<b>Physical Location</b> VACANT LAND	KEY HAVEN
<b>Legal Description:</b> KEY HAVEN-EIGHTH ADDITION RACCOON KEY PB5-61 TE PARK NO 2 OR291-272/280 OR321-1/8 OR854-13:			
<b>Owners Name:</b> KEY HAVEN ASSOCIATED ENTERPRISES INC C/O SOUTHERNMOST INSURANCE			
<b>Address:</b> 1010 KENNEDY DR STE 300		KEY WEST	FL 33040-4133
<b>AK:</b> 1173321	<b>Parcel ID:</b> 00139150-000000	<b>Physical Location</b> 1 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> KEY HAVEN-EIGHTH ADDITION RACCOON KEY PB5-61 1, 2 AND SELY 58 LT 3 BLK 5 OR291-272/80 OR321-1/8			
<b>Owners Name:</b> BOTWAY CLIFFORD REV TRUST			
<b>Address:</b> PO BOX 1578		KEY WEST	FL 33041-1578
<b>AK:</b> 1173126	<b>Parcel ID:</b> 00138950-000000	<b>Physical Location</b> 47 CYPRESS AVE	KEY HAVEN
<b>Legal Description:</b> BK 3 LT 19 KEY HAVEN-EIGHTH ADDN PB5-61 RACCOON Y OR291-272/80 OR321-1/8 OR608-488 OR612-789 O			
<b>Owners Name:</b> BRICKLEY-MEISTRELL FAMILY REV TR 3/3/1999 C/O BRICKLEY JOHN KEVIN			
<b>Address:</b> PO BOX 729		KEY WEST	FL 33041-0729
<b>AK:</b> 1173193	<b>Parcel ID:</b> 00139020-000000	<b>Physical Location</b> 9 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 5 KEY HAVEN EIGHTH ADDITION RACCOON KEY 5-61 OR291-272/80 OR321-1/8 OR728-163/64 OR728-			
<b>Owners Name:</b> MATTHEWS FRED SAWYER AND KARIN E			
<b>Address:</b> 9 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173380	<b>Parcel ID:</b> 00139220-000000	<b>Physical Location</b> 8 CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BLK 5 PT LT 6 AND ALL LOTS 7 AND 8 KEY HAVEN-EI GHT ADDITION PB5-61 RACCOON KEY OR291-272/80			
<b>Owners Name:</b> RUFF TIMOTHY AND GINA			
<b>Address:</b> 3324 RIVIERA DR		KEY WEST	FL 33040-4632
<b>AK:</b> 1173185	<b>Parcel ID:</b> 00139010-000000	<b>Physical Location</b> 7 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 4 KEY HAVEN EIGHTH ADDITION RACCOON KEY 5-61 OR291-272/80 OR321-1/8 OR527-869			
<b>Owners Name:</b> ALVÁREZ RAY AND ROSE G			
<b>Address:</b> 7 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173207	<b>Parcel ID:</b> 00139030-000000	<b>Physical Location</b> 11 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 6 KEY HAVEN EIGHTH ADDITION RACCOON KEY 5-61 OR291-272/80 OR321-1/8 OR502-414 OR502-503			
<b>Owners Name:</b> DRÖSSEL DIANA BERRY L/E			
<b>Address:</b> 11 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173151	<b>Parcel ID:</b> 00138980-000000	<b>Physical Location</b> 1 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 1 KEY HAVEN-EIGHTH ADDN RACCOON KEY OR291-272/80 OR321-1/8 OR321-1/8 OR291-272/280			
<b>Owners Name:</b> RUIZ MÀRIA CHRISTINA			
<b>Address:</b> 1 W CYPRESS TER		KEY WEST	FL 33040-6234
<b>AK:</b> 1173304	<b>Parcel ID:</b> 00139130-000000	<b>Physical Location</b> 4 W CYPRESS TER	KEY HAVEN
<b>Legal Description:</b> BK 4 LT 16 KEY HAVEN-EIGHTH ADDITION RACCOON KEY B-5-61 OR291-272/80 OR321-1/8 OR629-365 OR775-1			
<b>Owners Name:</b> SWÉETING GERALDINE DEC TR 8/29/01			
<b>Address:</b> 1 COCONUT DR		KEY WEST	FL 33040-6214

KEY HAVEN ESTATES LTD  
C/O SOUTHERNMOST INSURANCE  
1010 KENNEDY DR STE 300  
KEY WEST, FL 33040-4133

BARRETT JAMES H  
26 ASTER TER  
KEY WEST, FL 33040-6205

RICE MICHAEL DAVID  
6 W CYPRESS TER  
KEY WEST, FL 33040-6235

OROPEZA STEVEN P AND PAMELA  
3540 EAGLE AVE  
KEY WEST, FL 33040-4654

H AND C CYPRESS TERRACE LLC  
4119 MASSARD RD  
FORT SMITH, AR 72903-6223

DOAN VINH DANG  
3 W CYPRESS TER  
KEY WEST, FL 33040-6234

BLANCO EDUARDO GONZALEZ  
5 W CYPRESS TER  
KEY WEST, FL 33040-6234

BRASOVAN LOUIS III  
35934 HWY 27  
HAINES CITY, FL 33844-3737

KRUMMEL MARILYN POPY AND RALPH R JR  
5 CYPRESS TER  
KEY WEST, FL 33040-6215

WALSH JOSEPH H  
909 16TH TER  
KEY WEST, FL 33040-4244

GROBAREK JOSEPH AND LORRAINE  
2 CYPRESS TER  
KEY WEST, FL 33040-6215

LUJAN BETTY QUAL PER RES TRUST I  
46 CYPRESS AVE  
KEY WEST, FL 33040

BLESSING BETTY L L/E  
4947 LAKESIDE DR  
ZEPHYRHILLS, FL 33542-5599

KEY HAVEN ASSOCIATED ENTERPRISES INC  
C/O SOUTHERNMOST INSURANCE  
1010 KENNEDY DR STE 300  
KEY WEST, FL 33040-4133

BOTWAY CLIFFORD REV TRUST  
PO BOX 1578  
KEY WEST, FL 33041-1578

BRICKLEY-MEISTRELL FAMILY REV TR  
3/3/1999  
C/O BRICKLEY JOHN KEVIN  
PO BOX 729  
KEY WEST, FL 33041-0729

MATTHEWS FRED SAWYER AND KARIN E  
9 W CYPRESS TER  
KEY WEST, FL 33040-6234

RUFF TIMOTHY AND GINA  
3324 RIVIERA DR  
KEY WEST, FL 33040-4632

ALVAREZ RAY AND ROSE G  
7 W CYPRESS TER  
KEY WEST, FL 33040-6234

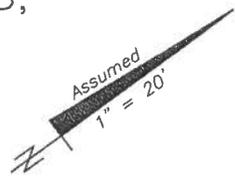
DROSSEL DIANA BERRY L/E  
11 W CYPRESS TER  
KEY WEST, FL 33040-6234

RUIZ MARIA CHRISTINA  
1 W CYPRESS TER  
KEY WEST, FL 33040-6234

SWEETING GERALDINE DEC TR 8/29/01  
1 COCONUT DR  
KEY WEST, FL 33040-6214

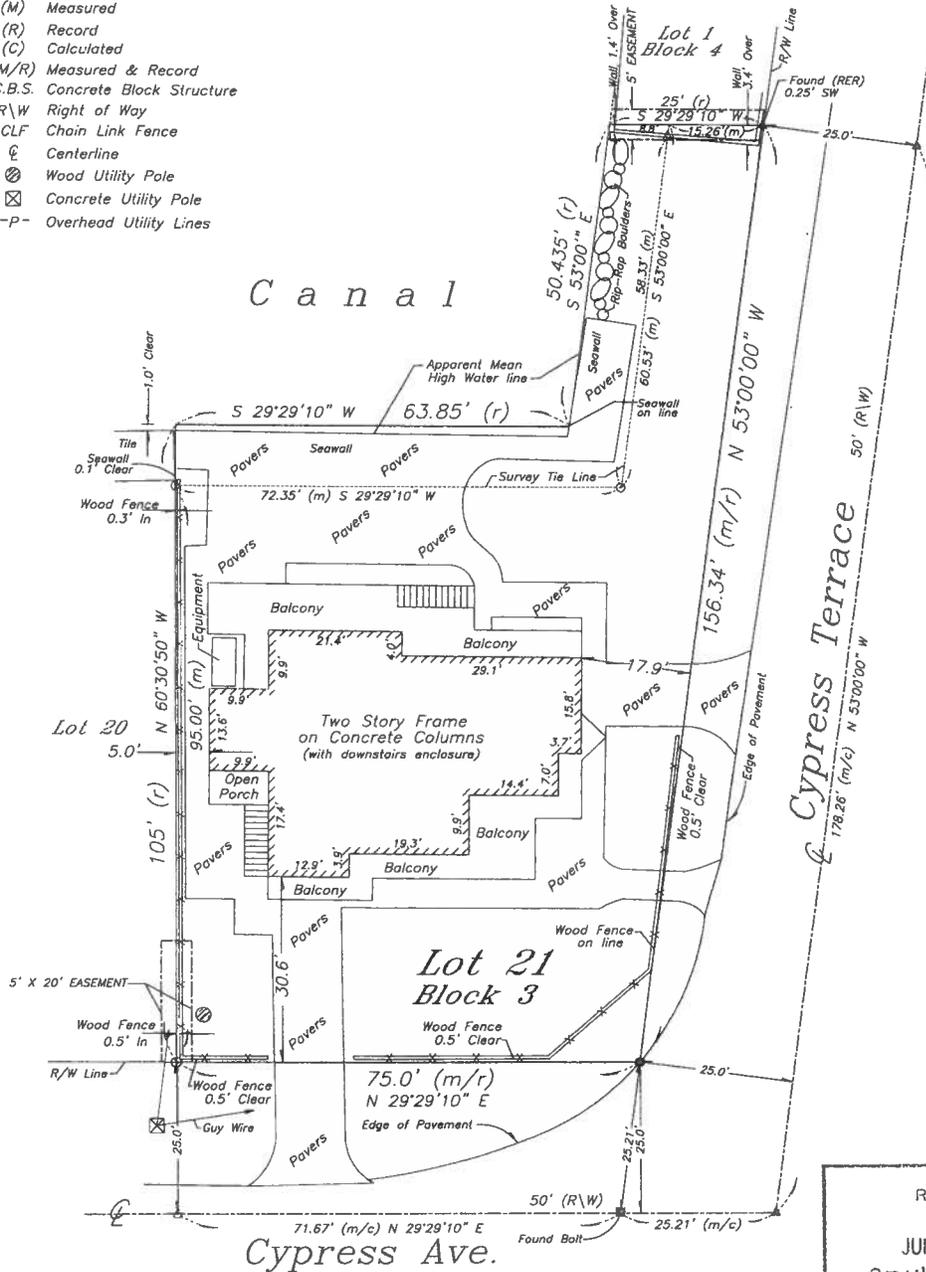


# Boundary Survey Map of Lot 21, Block 3, KEY HAVEN EIGHTH ADDITION



## LEGEND

- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (No ID)
- ▲ Found Nail & Disc (RER)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (C) Calculated
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines



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2014-078

MONROE CO. PLANNING DEPT

Sheet One of Two Sheets

**J. LYNN O'FLYNN, Inc.**

Professional Surveyor & Mapper  
PSM #6298

3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244

**NOTE:**  
This Survey Map is not full and complete without the attached Survey Report.

Boundary Survey Report of Lot 21, Block 3,  
KEY HAVEN EIGHTH ADDITION

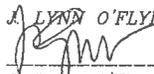
NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 2 Cypress Terrace, Key Haven, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. Bearings are assumed and based on the NW'ly R/W line of Cypress Ave. as N 29°29'10" E.
8. Date of field work: September 4, 2012.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. The Survey Report is not full and complete without the attached Survey Map.
11. The "Apparent Mean High Water Line" shown hereon does not purport to establish the actual Mean High Water Line for tidal boundary purposes.

BOUNDARY SURVEY OF: Lot 21, Block 3, KEY HAVEN EIGHTH ADDITION according to the plat thereof as recorded in Plat Book 5, Page 61 of the Public Records of Monroe County, Florida.

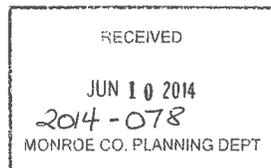
BOUNDARY SURVEY FOR: Joseph & Lorraine Grobarek;

J. LYNN O'FLYNN, INC.

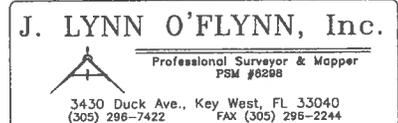
  
-----  
J. Lynn O'Flynn, PSM  
Florida Reg. #6298

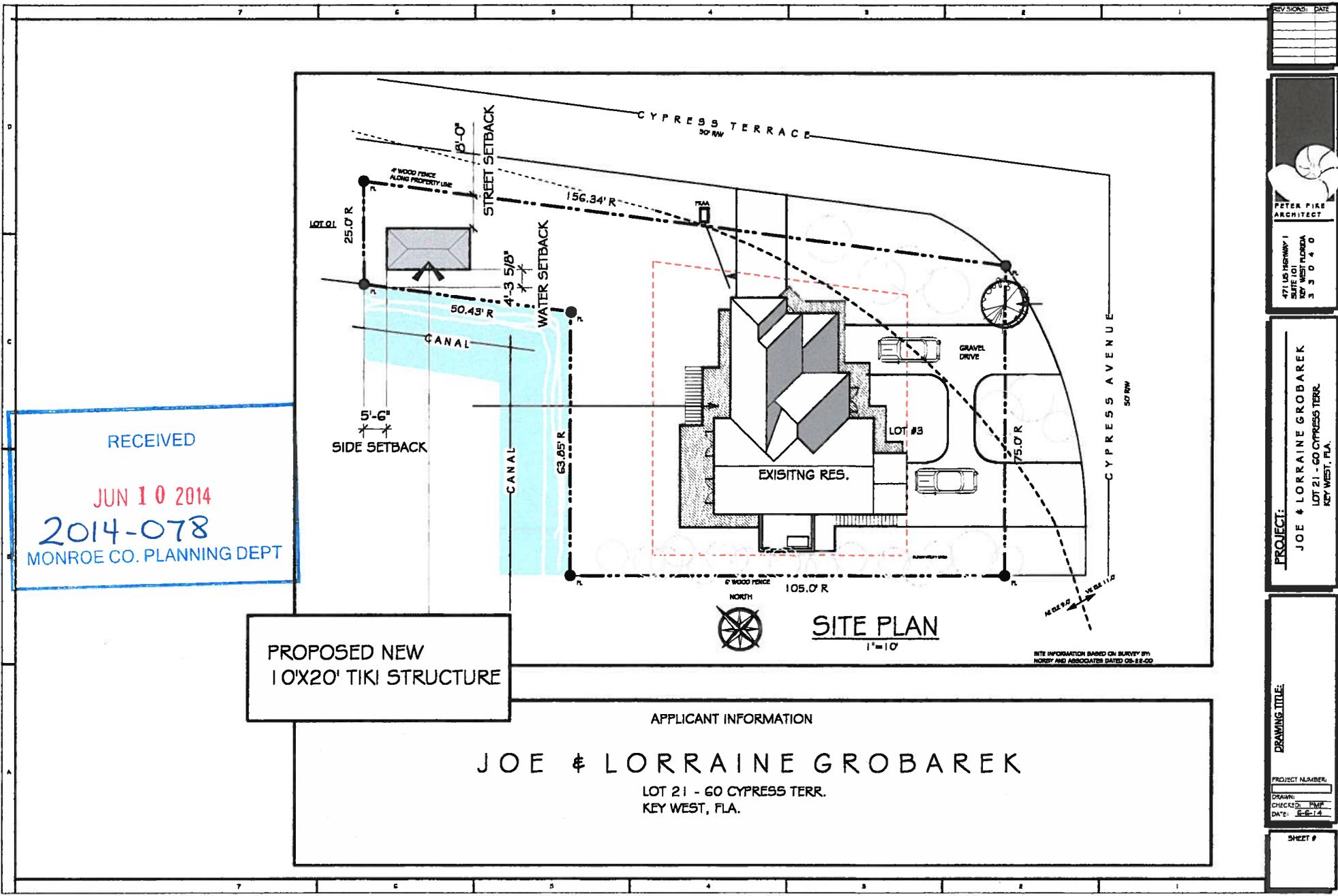
THIS SURVEY  
IS NOT  
ASSIGNABLE

September 17, 2012



Sheet Two of Two Sheets





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 2014-078  
 MONROE CO. PLANNING DEPT

PROPOSED NEW  
 10'X20' TIKI STRUCTURE

APPLICANT INFORMATION  
**JOE & LORRAINE GROBAREK**  
 LOT 21 - 60 CYPRESS TERR.  
 KEY WEST, FLA.

REV	NO.	DATE



PETER PIKE  
 ARCHITECT  
 471 US HIGHWAY 1  
 SUITE 101  
 KEY WEST FLORIDA  
 33040

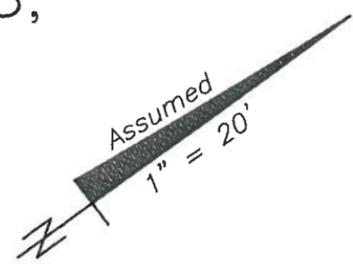
PROJECT:  
 JOE & LORRAINE GROBAREK  
 LOT 21 - 60 CYPRESS TERR.  
 KEY WEST, FLA.

DRAWING TITLE:  
 PROJECT NUMBER:  
 DRAWN:  
 CHECKED: PMP  
 DATE: 6-6-14

SHEET #

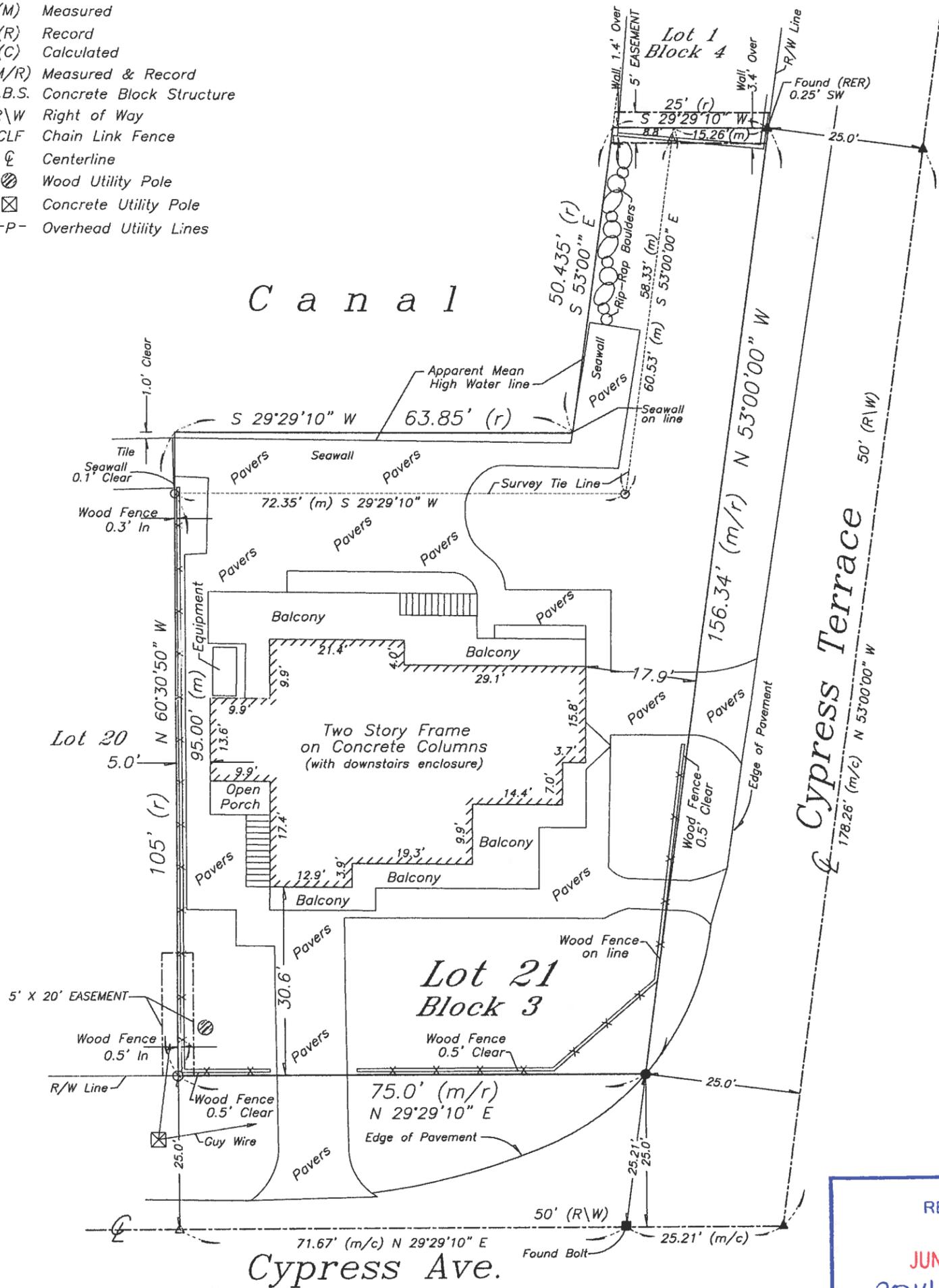
PETER M. PIKE  
 FLA. REGISTRATION # ARO015198

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- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines



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JUN 10 2014

2014-078

MONROE CO. PLANNING DEPT

Sheet One of Two Sheets

**J. LYNN O'FLYNN, Inc.**

Professional Surveyor & Mapper  
PSM #6298

3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244

NOTE:  
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Boundary Survey Report of Lot 21, Block 3,  
KEY HAVEN EIGHTH ADDITION

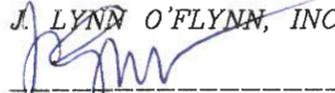
NOTES:

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BOUNDARY SURVEY FOR: Joseph & Lorraine Grobarek;

J. LYNN O'FLYNN, INC.

  
-----  
J. Lynn O'Flynn, PSM  
Florida Reg. #6298

THIS SURVEY  
IS NOT  
ASSIGNABLE

September 17, 2012



Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper  
PSM #6298

3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244



**Item #2 Matovski – Variance to PC Staff Report**

**MEMORANDUM**

**MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT**

To: Monroe County Planning Commission  
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources  
From: Matt Coyle, Senior Planner  
Date: September 15, 2014  
Subject: *Variance request for property located at northeast corner of the intersection of Coral Avenue and Mariposa Road, Ramrod Key, Real Estate #00209760.000000 (File #2013-146)*

I REQUEST:

The applicant is requesting approval of a variance of 10' from the required 25' front yard setback along the Mariposa Road right-of-way, which is adjacent to the southern property line, in order to construct a single family residence. As a result, the front yard setback along the Mariposa Road right-of-way would be 15'. The granting of this variance will provide the applicant with land area to facilitate the proposed 700 SF single family residence.



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

1 Location:

2 Address: Coral Avenue, Ramrod Key, approximate mile marker 27 (Gulf of Mexico side  
3 of US 1)

4  
5 Legal Description: Northerly 33.92' of Lot 21, Ramrod Shores 2<sup>nd</sup> Addition (PB4-108)

6 Real Estate Number: 00209760.000000  
7  
8  
9

10 Applicant:

11 Property Owner: Zlate & Gorica Matovski  
12  
13  
14

15 II RELEVANT PRIOR COUNTY ACTIONS:

16  
17 None applicable.  
18

19 III BACKGROUND INFORMATION:

20  
21 A. Size of Site: Approximately 4,070 SF

22 B. Land Use District: Improved Subdivision (IS)

23 C. Future Land Use Map (FLUM) Designation: Residential Medium (RM)

24 D. Tier Designation: Tier III

25 E. Existing Use: Vacant

26 F. Existing Vegetation / Habitat: Scarified

27 G. Community Character of Immediate Vicinity: Single-Family Residential

28 H. Flood Zone: AE-EL 7  
29

30 IV REVIEW OF APPLICATION:

31  
32 As set forth in MCC §130-186, the required non-shoreline setbacks for a detached dwelling  
33 in the IS district are as follows: Front yard – 25'; Rear yard – 20'; and Side yard 10' / 15'  
34 (where 10' is the required side yard for one side and 15' is the minimum combined total of  
35 both side yards).  
36

37 The subject property is a corner lot located on the northeast corner of the intersection of  
38 Coral Avenue and Mariposa Road. Therefore, the property has two required front yard non-  
39 shoreline setbacks of 25' along the Coral Avenue right-of-way on the western property line  
40 and along the Mariposa Road right-of-way on the southern property line. In addition, there is  
41 a required non-shoreline side yard setback of 5' along the northern property line, and a  
42 required 20' shoreline setback (for principal structures) from the mean high water line along  
43 the canal adjacent to the eastern property line.  
44

45 The Applicant is requesting a variance of 10' from the required 25' front yard setback along  
46 the southern property line. As a result, the front yard setback would be 15'. The reduced  
47 setback requirement would allow the property owner to construct a new single family  
48 residence as designed and shown on the site plan submitted with the variance application  
49 (attached).

1 The subject property is a portion of Lot 21. Staff examined the Ramrod Shores Second  
2 Addition plat and found that Lot 21 was initially platted to be 50' in width by 120' in depth  
3 in 1959. However, in 1960, a portion of Ramrod Shores Second Addition was replatted as  
4 Ramrod Shores Marina Section. Resulting from the second plat, a portion of Lot 21 was  
5 removed for the 25' Mariposa Road right-of-way, thus resulting in a lot of approximately 34'  
6 in width.  
7

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

10  
11 A. *The applicant demonstrates a showing of good and sufficient cause:*

12  
13 The subject property consists of a part of a single platted lot - Lot 21. Most of the platted  
14 lots in the Ramrod Shores 2<sup>nd</sup> Addition are 50' in width by 120' in depth and only front  
15 one street. The subject property is only 33.92' in width by 120' in depth and fronts two  
16 streets.  
17

18 There are two developed properties on Mariposa Road that are in similar situations as the  
19 subject site (frontage on Mariposa Road and another road). One of these properties has  
20 development within the front yard setback along the Mariposa Road right-of-way.  
21

22 Therefore, the applicant demonstrates a showing of good and sufficient cause.  
23

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

25  
26 The subject property is only 33.92' wide. The required non-shoreline setback along the  
27 northern property line is 5' and the required non-shoreline setback along the southern  
28 property line is 25'. These setbacks result in only 3.92' of width available for a building.  
29 A variance is necessary for the property owner to construct a single family residence.  
30 Further, the proposed footprint and scale of the building is smaller than other single-  
31 family residences in the community. Therefore, failure to grant the variance would result  
32 in exceptional hardship to the applicant.  
33

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

37  
38 The variance will not result in increased public expenses, create a threat to public health  
39 and safety, create a public nuisance, or cause fraud or victimization of the public.  
40

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

43  
44 The subject property is only 33.92' by 120'. The narrow width of this property makes it  
45 unique and peculiar, as compared to other properties in the IS district. Further, the mean

1 high water line is situated within the property, thus further reducing the buildable area by  
2 reducing the functional depth. Most of the other platted lots in this subdivision are 50' by  
3 120'.  
4

5 In addition, the subject property has another unique/peculiar circumstance in that  
6 Mariposa Road was paved partially over the southern portion of the subject property.  
7 According to the survey submitted with the application, Mariposa Road encroaches along  
8 the southern property line between 4.39' and 12.6' into the site.  
9

10 Therefore, the property has unique and peculiar circumstances, which apply to this  
11 property, but which do not apply to other properties in this IS 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 would 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 his family.  
34

- 35 H. *The variance is the minimum necessary to provide relief to the applicant:*  
36

37 A variance of 10' from the required 25' front yard setback along the property line  
38 adjacent to the Mariposa Road right-of-way would allow a single family residence to be  
39 constructed on the property. The proposed single family residence would be less than 14'  
40 in width and smaller than other residences in the community. Therefore the variance is  
41 the minimum necessary to provide relief to the applicant.  
42  
43  
44  
45

1 V OTHER ISSUES

2  
3 Staff has been contacted by members of the community who have raised several concerns  
4 about granting this variance and subsequent development of the subject property. Notable  
5 concerns included the following:

- 6  
7
  - 8 • Use of existing boat ramp
  - 9 • Mariposa Road safety
  - 10 • Type of single family residence

11 Existing Boat Ramp

12  
13 Some community members are concerned about the loss of access to, and use of, a boat ramp  
14 that is situated on the subject property. The current property owner has installed a fence,  
15 prohibiting community use. The boat ramp is located on private property. Staff could not find  
16 any records to indicate that the boat ramp was ever owned or maintained by the County, or  
17 any other governmental agency, for public use. Therefore, its use by the public may be  
18 prohibited by the property owner.

19  
20 Road Safety

21  
22 Some community members are concerned that developing the property will affect the safety  
23 of Mariposa Road. Although Mariposa Road encroaches onto the subject property the  
24 applicant has not proposed any development that would impact safety on the road. The  
25 proposed dwelling unit would be approximately 10' from the edge of the pavement of  
26 Mariposa Road. This variance would not waive any other required setbacks and it does not  
27 waive the required front yard setback for any future structures or additions. Further, any  
28 development would be required to comply with sight triangle requirements.

29  
30 Type of dwelling unit

31  
32 Some community members are concerned that the property owner will install a mobile home  
33 on the subject property. The subject property is in the Improved Subdivision (IS) land use  
34 district. Mobile homes are not permitted in the IS land use district. The only residential  
35 dwelling units allowed are of conventional or modular type construction.

36  
37 VI RECOMMENDATION:

38  
39 Staff recommends approval of a variance of 10' to the setback along the Mariposa Road  
40 right-of-way with the following conditions (if necessary, following the consideration of  
41 public input, staff reserves the right to request additional conditions):

- 42  
43 1) The variance is based on the design and placement of the single-family residential  
44 building as shown on the site plan included with the application. Work not specified or

1 alterations to the site plan shall not be carried out without additional Planning &  
2 Environmental Resources Department approval.

- 3  
4 2) This variance is to allow the placement of the single-family residential building as shown  
5 on the site plan submitted with the variance application within the required front yard  
6 setback along Mariposa Road. It does not waive any other required setbacks and it does  
7 not waive the required front yard setback for any future structures or additions.  
8  
9 3) A building permit is required for the single-family residential building. During review of  
10 the building permit application, Growth Management Division staff shall carry out a full  
11 review of the site and building plans to determine compliance with this setback variance  
12 approval and other applicable regulations.  
13  
14 4) As mobile homes are not permitted in the Improved Subdivision (IS) land use district,  
15 only a detached residential unit of conventional or modular type construction is  
16 permitted.  
17

18 **VII PLANS REVIEWED:**

- 19  
20 A. Site Plan submitted by applicant, dated October 21, 2013  
21 B. Boundary Survey by Island Surveying Inc., dated May 26, 2011

**File #:** **2013-146**

**Owner's Name:** Matovski, Zlate & Gorica

**Applicant:** Matovski, Zlate

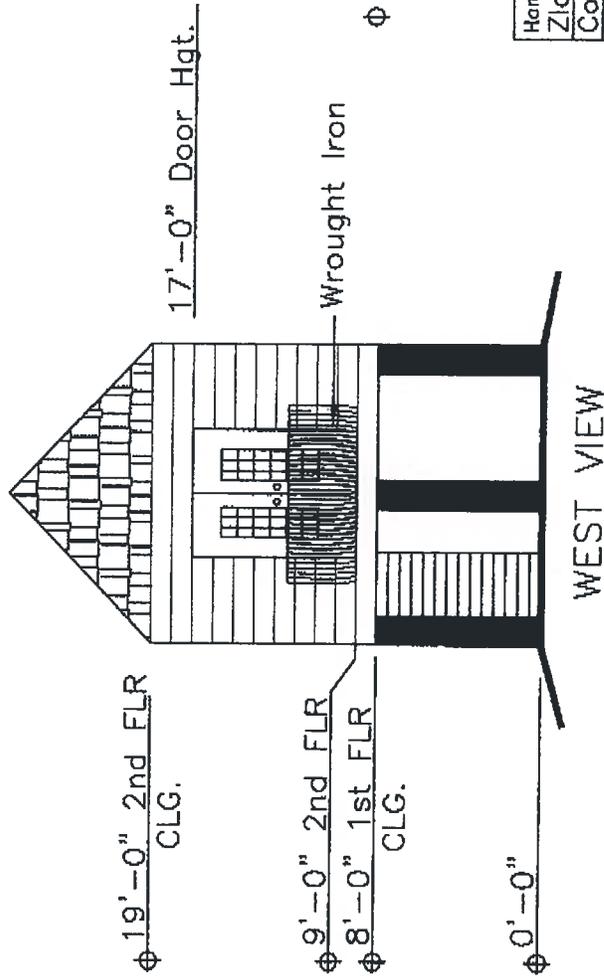
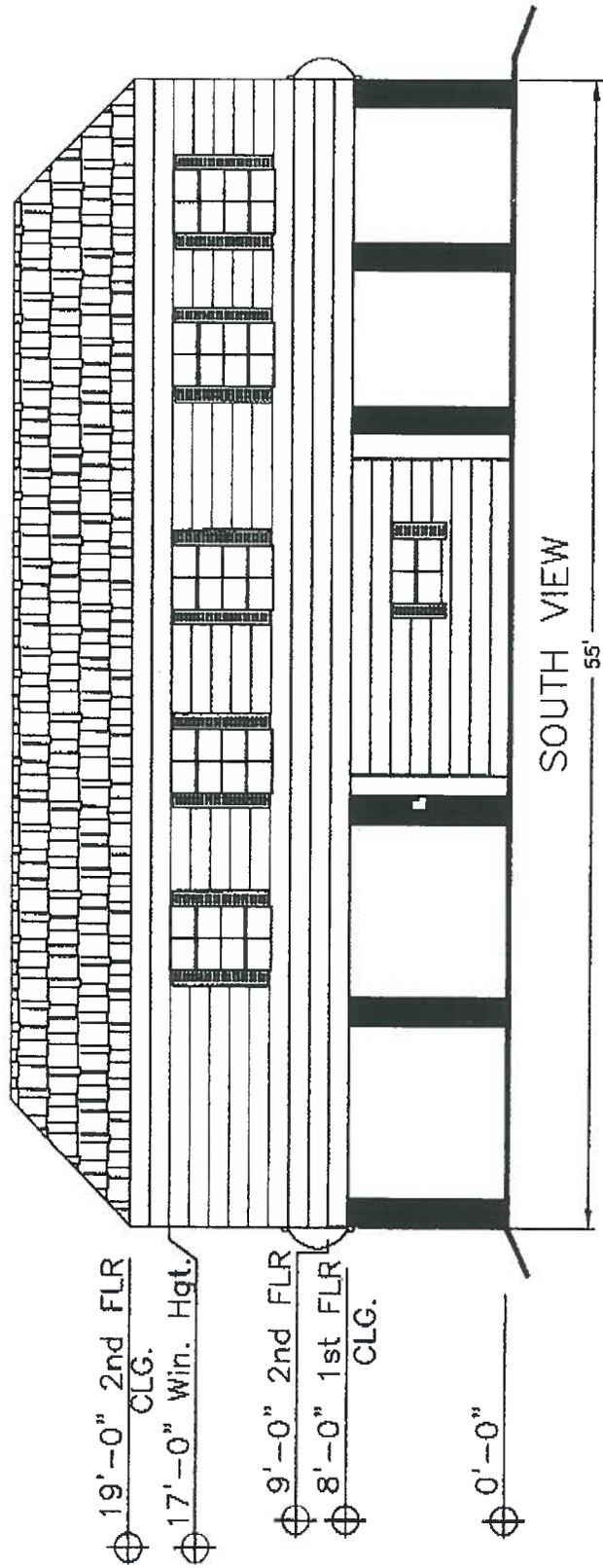
**Agent:** N/A

**Type of Application:** Variance - Admin

**Key:** Ramrod Key

**RE:** 00209760-000000

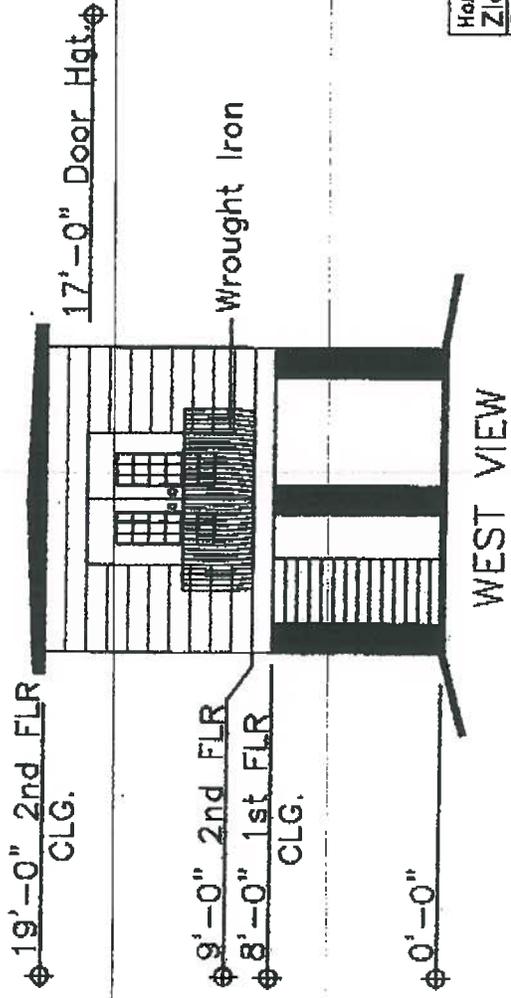
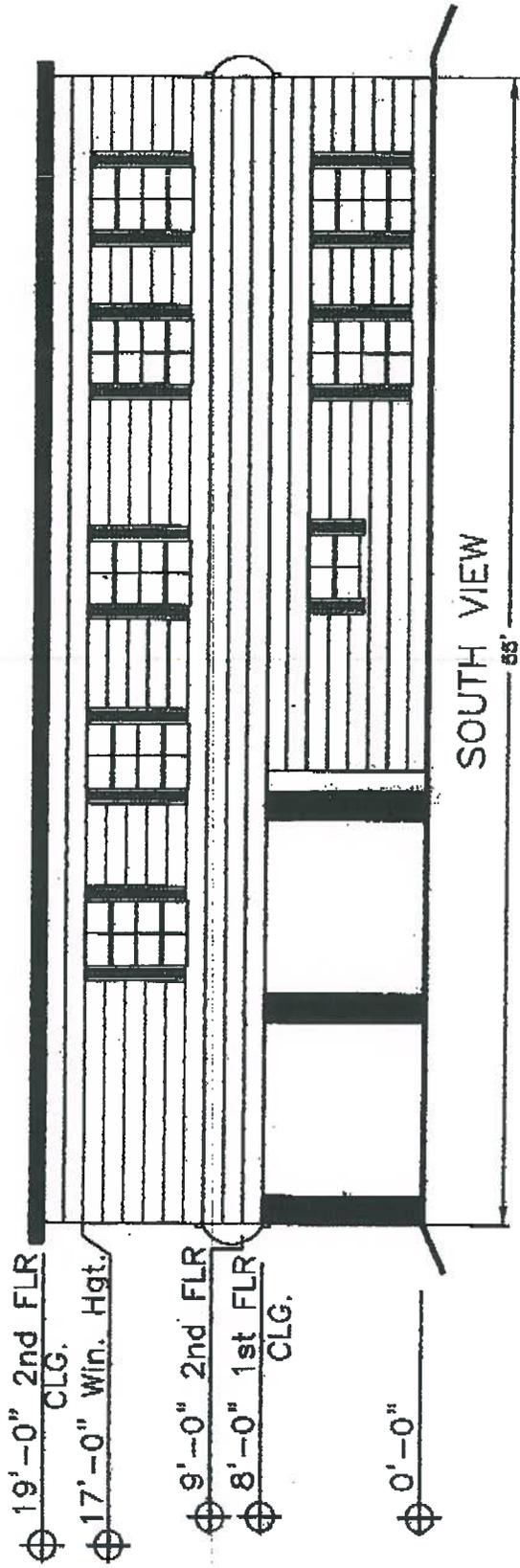
## **Additional Information added to File 2013-146**



RECEIVED  
 JAN 27 2014  
 2013-146  
 MONROE CO. PLANNING DEPT

Home for:  
 Zlate & Gorica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida  
 DATE: 1/27/14 SIZE: A Pg. 5 of 5

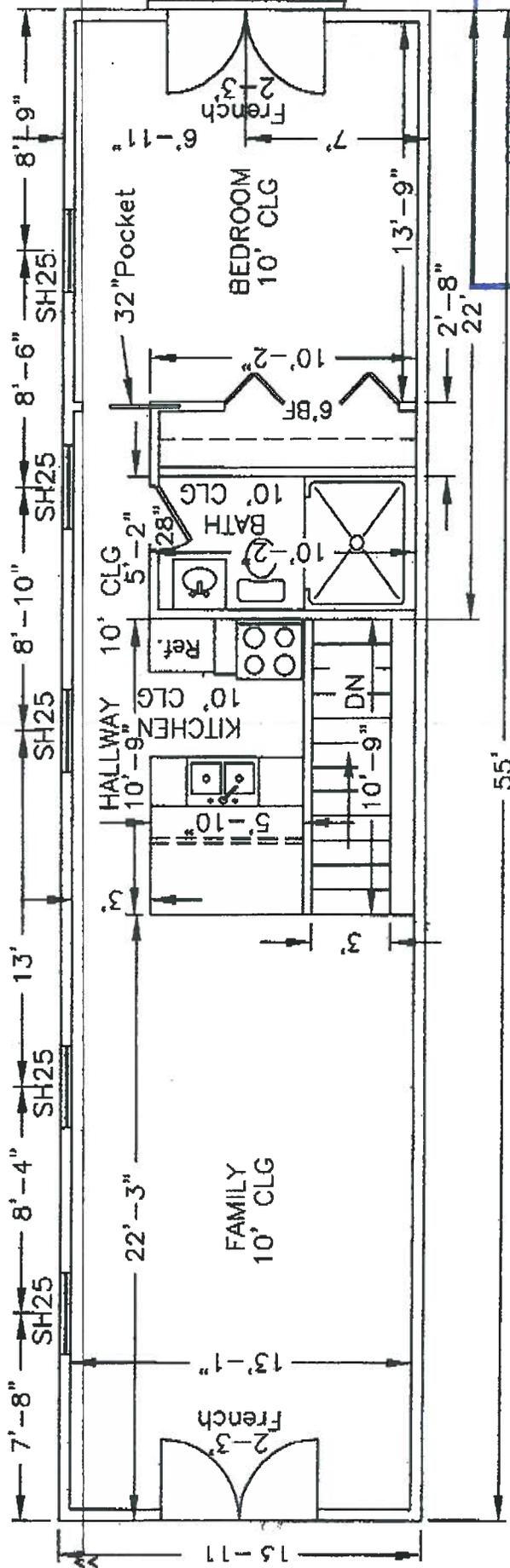
SCALE: NTS



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 JAN 22 2014  
 MONROE CO. PLANNING DEPT.

Home for:  
 Zlate & Gorica Matovska  
 Coral Ave. @ Mahiposa Rd  
 Ramrod Key, Florida

SCALE: NTS DATE: 1/8/14 SIZE: A Pg. 5 of 5



55'

## 2nd Floor

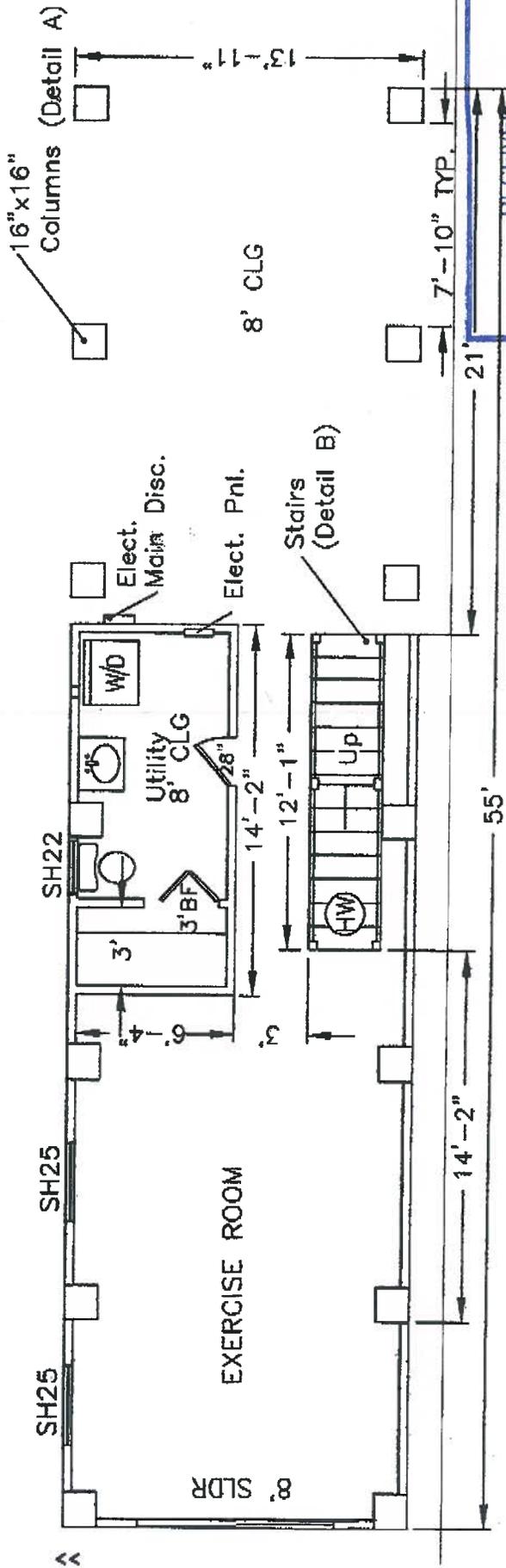
SQUARE FOOTAGE 2nd Fl.

Family	257 sq.ft.
Kitchen	66 sq.ft.
Hallway	64 sq.ft.
Stairs	47 sq.ft.
Bathroom	58 sq.ft.
Bedroom	223 sq.ft.
<b>Total</b>	<b>715 sq.ft.</b>

RECEIVED  
**JAN 22 2014**  
 MONROE CO. PLANNING DEPT

Home for:  
 Zlate & Gorica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida

SCALE: NTS DATE: 1/6/14 SIZE: A Pg. 3of5



RECEIVED

JAN 22 2014

MONROE CO. PLANNING

# 1st Floor

SQUARE FOOTAGE 1st Fl.	
Open Area	604 sq.ft.
Utility	73 sq.ft.
Hallway	38 sq.ft.
<b>Total</b>	<b>715 sq.ft.</b>

Home for:  
 Zlate & Garica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida

SCALE: NTS DATE: 1/6/14 | SIZE: A | Pg. 2 of 5

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 WigingtonTem Dist. 1

Heather Carruthers, Dist. 3

George Neugent, Dist. 2

Sylvia J. Murphy, Dist. 5

*We strive to be caring, professional and fair*

Date: 10.31.13

Time: \_\_\_\_\_

Dear Applicant:

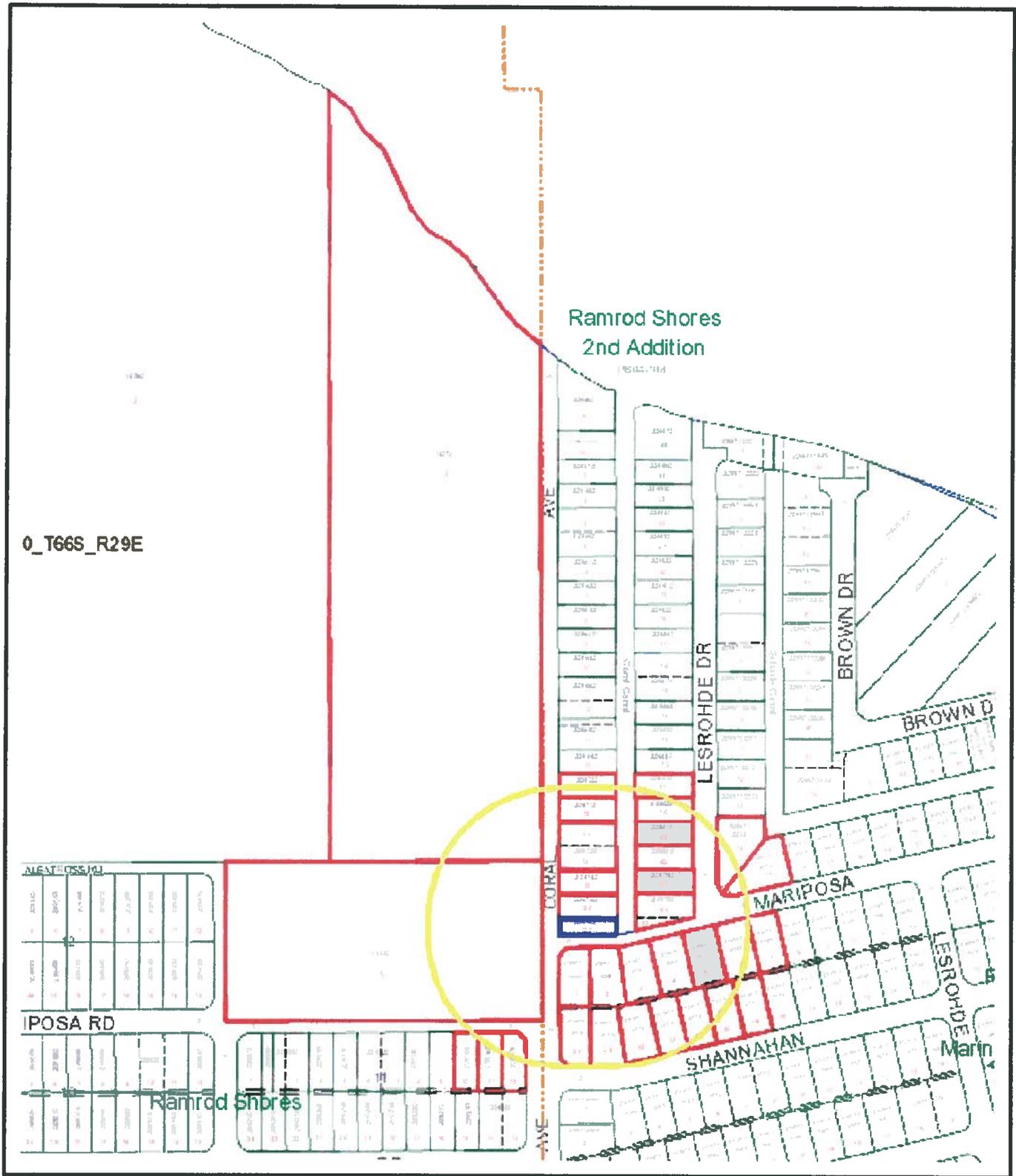
This is to acknowledge submittal of your application for Variance - Admin  
Type of application

Matovski  
Project / Name to the Monroe County Planning Department.

Thank you.

A handwritten signature in blue ink that reads "Shil Creech".

Planning Staff



# Monroe County, Florida

## MCPA GIS Public Portal

Printed: Nov 01, 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

BOARD OF TRUSTEES OF THE INTNL IMP TRUST FUND  
3900 COMMONWEALTH BLVD  
MAIL STATION 115  
TALLAHASSEE, FL 32399-3000

CITY OF MARATHON  
9805 OVERSEAS HWY  
MARATHON, FL 33050-3339

COLONNA MICHAEL A SR AND TERESA G  
321 CORAL AVE  
SUMMERLAND KEY, FL 33042-5323

COUNTY OF MONROE  
500 WHITEHEAD ST  
KEY WEST, FL 33040

~~COUNTY OF MONROE THE  
500 WHITEHEAD STREET  
KEY WEST, FL 33040~~

CROMIE DAVID M AND KERRY D  
26965 SHANNAHAN RD  
SUMMERLAND KEY, FL 33042-5326

CUNNINGHAM MICHAEL  
27205 U S HWY 1  
RAMROD KEY, FL 33042-5344

DEAN NANCY LYNN  
19133 NW 80TH CT  
HIALEAH, FL 33015-5212

DIMARIA MARK A  
PO BOX 273093  
TAMPA, FL 33688-3093

DONATHAN BERNIE L TRUST 5/5/2011  
341 CORAL AVE  
SUMMERLAND KEY, FL 33042-5323

ELLIOTT CHARLES C AND WINIFRED M  
343 LES ROHDE DR  
SUMMERLAND KEY, FL 33042-5320

FERNANDEZ CARLOS AND GUDULA  
7401 SW 56TH TER  
MIAMI, FL 33143-1726

FERRADAS FIDEL R  
10595 SW 58TH ST  
MIAMI, FL 33173-2857

GEIDE DAVID AND CHRISTINA M  
27013 SHANNAHAN ROAD  
RAMROD KEY, FL 33042

HANSEN CHRISTINE E  
22836 PORT ROYAL LN  
SUMMERLAND KEY, FL 33042-4305

JOHANSON JEFFREY L  
1755 SW 28TH WAY  
FT LAUDERDALE, FL 33312-4442

JOHNSON JAMES T AND JEANNE M  
JOINT REV TR 2/2/2012  
PO BOX 421221  
SUMMERLAND KEY, FL 33042-1221

LEAL LEONIDES LEONEL AND FLOR  
320 LESRHODES DR  
RAMROD KEY, FL 33042

~~MATOVSKI ZLATE AND GORICA  
121 ORLANDO BLVD  
INDIALANTIC, FL 32903-3418~~

MONROE COUNTY COMPREHENSIVE  
PLAN LAND AUTHORITY  
1200 TRUMAN AVE STE 207  
KEY WEST, FL 33040-7270

NITZSCHE JOHN A AND MONIKA  
1111 GATO RD  
SUMMERLAND KEY, FL 33042-5731

OLSEN JAMES PAUL AND PATRICIA  
ANNA  
340 LES ROHDE DR  
SUMMERLAND KEY, FL 33042-5354

PHELPS BRIAN R AND PAMELA SUE  
5633 S JERICHO WAY  
CENTENNIAL, CO 80015-3651

PHINNEY TUCKER  
27123 MARIPOSA RD  
SUMMERLAND KEY, FL 33042-5346

SAKOWSKI DAVID  
250 CORAL AVE  
SUMMERLAND KEY, FL 33042-5325

TOMPKINS RODNEY R TRUST DTD  
11/11/93  
420 DOUGLAS ST  
WAYNE, NE 68787

VALLEJO ARTURO A & SUSANNE LEAL  
(H/W)  
14953 SW 18TH TERR  
MIAMI, FL 33185

VERA RAUL A AND HEIDY  
7740 SW 89TH AVE  
MIAMI, FL 33173-3415

WILHELM GARRY J  
27073 SHANNAHAN RD  
RAMROD KEY, FL 33042-5315

WITTKER ANGELA R  
998 SHAW DR  
KEY LARGO, FL 33037

Verified GC



**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: 1273058 Parcel ID: 00209760-000000**

### Ownership Details

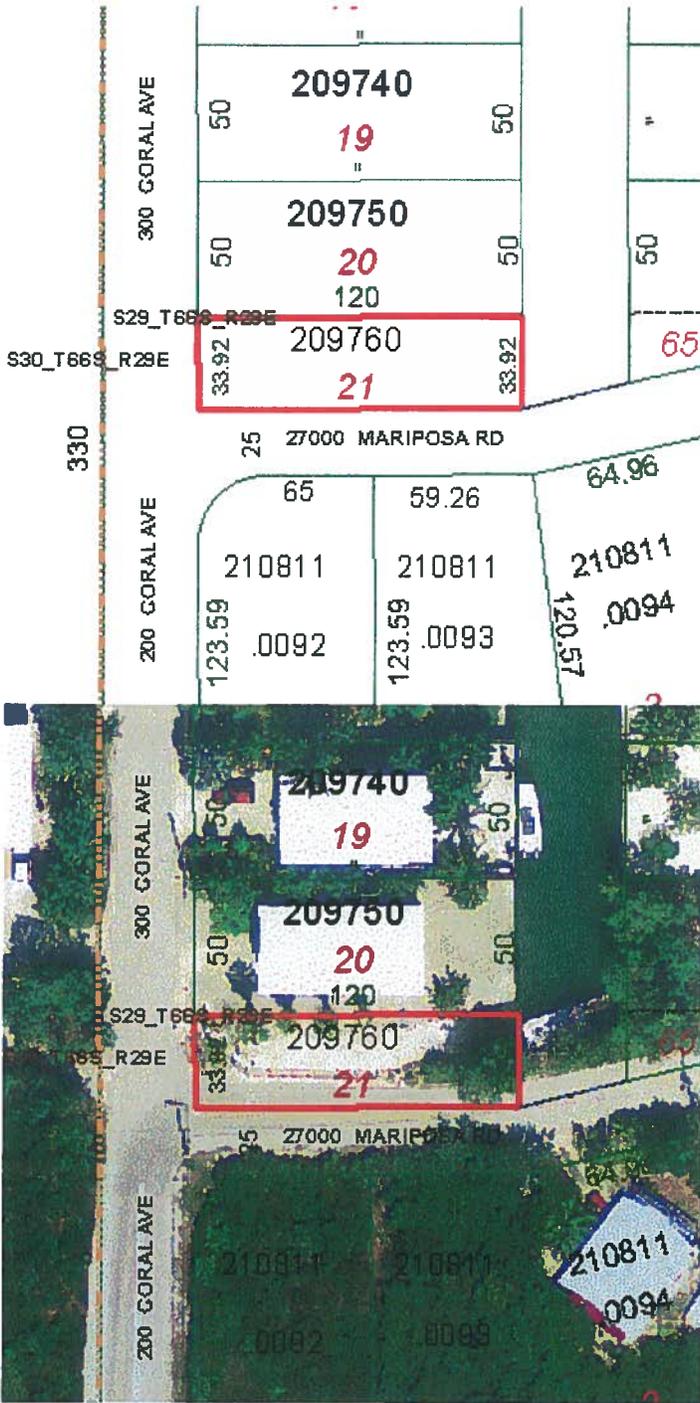
**Mailing Address:**

MATOVSKI ZLATE AND GORICA  
121 ORLANDO BLVD  
INDIALANTIC, FL 32903-3418

### Property Details

**PC Code:** 00 - VACANT RESIDENTIAL  
**Millage Group:** 100H  
**Affordable Housing:** No  
**Section-Township-Range:** 29-66-29  
**Property Location:** 401 CORAL AVE RAMROD KEY  
**Subdivision:** RAMROD SHORES 2ND ADD  
**Legal Description:** RAMROD SHORES SECOND ADDN PB4-108 RAMROD KEY N'LY 33.92FT LT 21 OR429-784/87 OR447-937/40C OR1617-1057TD OR2148-484/87 OR2213-1534/35 OR2521-1423

Click Map Image to open interactive viewer



**Land Details**

Land Use Code	Frontage	Depth	Land Area
Z10C - CONTIG SFR CANAL	0	0	4,070.00 SF

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	BR2:BOAT RAMP	527 SF	31	17	1980	2007	1	60

### Appraiser Notes

SALE DOES NOT MEET MARKET TREND FOR AREA

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
11103112	06/27/2011		800	Residential	WOOD FENCE W/GATE

### 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	0	3,715	12,210	15,925	7,763	0	15,925
2012	0	3,794	3,264	7,058	7,058	0	7,058
2011	0	3,953	2,720	6,673	6,673	0	6,673
2010	0	4,111	2,720	6,831	6,831	0	6,831
2009	0	4,190	4,080	8,270	8,270	0	8,270
2008	0	4,348	4,080	8,428	8,428	0	8,428
2007	0	3,304	6,800	10,104	10,104	0	10,104
2006	0	0	5,000	5,000	5,000	0	5,000
2005	0	0	5,000	5,000	5,000	0	5,000
2004	0	0	5,000	5,000	5,000	0	5,000
2003	0	0	5,000	5,000	5,000	0	5,000
2002	0	0	5,000	5,000	5,000	0	5,000
2001	0	0	5,000	5,000	5,000	0	5,000
2000	0	0	5,000	5,000	5,000	0	5,000
1999	0	0	5,000	5,000	5,000	0	5,000
1998	0	0	5,000	5,000	5,000	0	5,000
1997	0	0	5,000	5,000	5,000	0	5,000
1996	0	0	5,000	5,000	5,000	0	5,000
1995	0	0	5,000	5,000	5,000	0	5,000
1994	0	0	5,000	5,000	5,000	0	5,000
1993	0	0	5,000	5,000	5,000	0	5,000
1992	0	0	4,329	4,329	4,329	0	4,329
1991	0	0	5,000	5,000	5,000	0	5,000
1990	0	0	5,000	5,000	5,000	0	5,000
1989	0	0	5,000	5,000	5,000	0	5,000
1988	0	0	14,007	14,007	14,007	0	14,007
1987	0	0	10,505	10,505	10,505	0	10,505

1986	0	0	10,505	10,505	10,505	0	10,505
1985	0	0	7,847	7,847	7,847	0	7,847
1984	0	0	7,847	7,847	7,847	0	7,847
1983	0	0	7,847	7,847	7,847	0	7,847
1982	0	0	2,242	2,242	2,242	0	2,242

### 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
6/3/2011	2521 / 1423	25,000	WD	01
4/4/2006	2213 / 1534	11,800	WD	Q
8/18/2005	2148 / 484	2,500	WD	O
11/17/1999	1617 / 1057	2,100	TD	J

This page has been visited 515 times.

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

**End of Additional File 2013-146**

RECEIVED

OCT 31 2013

MONROE CO. PLANNING DEPT

APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Administrative Variance Application to the Director of Planning & Environmental Resources

Administrative Variance Application Fee: \$1,248.00

Date of Submittal: 10 / 31 / 2013  
Month Day Year

Property Owner:

Zlate Matovski

Name 121 Orlando Blvd.  
Indialantic, FL 32903  
Mailing Address (Street, City, State, Zip Code)

(321) 409-1221  
Daytime Phone

ZMatovski3@gmail.com  
Email Address

Agent (if applicable):

\_\_\_\_\_ Name

\_\_\_\_\_ Mailing Address (Street, City, State, Zip Code)

\_\_\_\_\_ Daytime Phone

\_\_\_\_\_ Email Address

Legal Description of Property:

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

Lot 21 Ramrod Shores Second Addition, Ramrod  
Block Lot Subdivision Key  
00209760 - 000000

Real Estate (RE) Number Alternate Key Number

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

Land Use District Designation(s): 15

Present Land Use of the Property: Vacant

Total Land Area: 4070

Pursuant to Monroe County Code, the Director of Planning & Environmental Resources is only authorized to grant the following variances:

- (a) Reduction in the front yard and rear yard non-shoreline setback requirements by no more than ten (10) feet and side yard non-shoreline setback requirements by no more than twenty (20) percent.
- (b) Reduction in the off-street parking requirements by no more than twenty (20) percent.

APPLICATION

Land Use District Designation(s): IS

Present Land Use of the Property: Vacant

Total Land Area: ~~3,822 sq. ft.~~ 4070 3 1/4

Please provide the standard required by the land development regulations: 25 feet.  
(i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Please provide that requested: 15 feet.  
(i.e. front yard setback of 10 feet, 70 off-street parking spaces, etc.)

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

1) The applicant shall demonstrate a showing of good and sufficient cause:  
I request this variance in order to build a retirement home for my wife and I.

2) Failure to grant the variance would result in exceptional hardship to the applicant:  
If our variance request is denied, it will end our dream of living / retiring in the Keys.

3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:  
The small size of our house along with its proposed placement on our lot will not result in public expense or a threat to public health; It will increase the value of the surrounding properties.

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:  
Our property's small lot size is its own 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:  
Granting this variance will not negatively effect our neighbors or the community; as our lot is smaller than the neighboring lots, we believe our neighbors will understand.

APPLICATION

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

Our family does not have disabilities, handicaps, or health issues.

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

Our family does not have any domestic difficulties.

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

This proposed variance is the minimum necessity to provide relief to my family, so that we can go forward in building our new home

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

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

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.

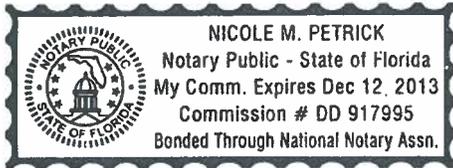
Signature of Applicant: Zlata Kotovskiy Date: 10-31-2013

Sworn before me this 31<sup>st</sup> day of October, 2013

Nicole M. Petrick

Notary Public  
My Commission Expires

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



Prepared by and return to:  
Karen S. Solomon, and employee of  
PRECISE TITLE, INC  
201Sixth Avenue  
Indialantic, Florida 32903  
(321) 984-0986  
Incidental to the issuance of a  
title insurance commitment/policy.  
File Number: 21718

Doc# 1839531 06/13/2011 2:48PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

06/13/2011 2:48PM  
DEED DOC STAMP CL: DIONNE \$175.00

Doc# 1839531  
Bk# 2521 Pg# 1423

Amount of consideration: \$25,000.00

General Warranty Deed

Made this June 6, 2011 A.D. By Pete Ortega and Josefina Ortega, husband and wife, hereinafter called the grantor, to Zlate Matovski and Gorica Matovska, husband and wife, whose post office address is:  
121 Orlando Blvd, Indialantic FL 32903  
hereinafter called the grantee:

(Whenever used herein the term "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 Dollars, (\$10.00) 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, Florida, viz:

The Northerly 33.92 feet of Lot 21, Ramrod Shores Second Addition, Ramrod Key, as recorded in Plat Book 4, Page 108, of the Public Records of Monroe County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and Constitution of the State of Florida in that neither Grantor(s) nor any member of the household of Grantor(s) reside thereon.

Parcel ID Number: 0020976000000296629

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 grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2010.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Karen S. Fari's  
Witness Printed Name Karen S. Fari's

Pete Ortega (Seal)  
Pete Ortega

Aliha Washington  
Witness Printed Name Aliha Washington

Josefina Ortega (Seal)  
Josefina Ortega

State of Georgia  
County of Henry

The foregoing instrument was acknowledged before me June 3, 2011, by Pete Ortega and Josefina Ortega, husband and wife, who is/are personally known to me or who has produced drivers license as identification.

Ginger S Johnson  
Notary Public  
Print Name: Ginger S Johnson  
My Commission Expires: 9/24/11  
(SEAL)

MONROE COUNTY  
OFFICIAL RECORDS



Prepared by and return to:  
Karen S. Solomon, and employee of  
PRECISE TITLE, INC  
201 Sixth Avenue  
Indialantic, Florida 32903  
(321) 984-0986  
Incidental to the issuance of a  
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Doc# 1839531 06/13/2011 2:48PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

06/13/2011 2:48PM  
DEED DOC STAMP CL: DIONNE \$175.00

Doc# 1839531  
Bk# 2521 Pg# 1423

Amount of consideration: \$25,000.00

General Warranty Deed

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In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Karen S. Fariss  
Witness Printed Name Karen S. Fariss

Pete Ortega (Seal)  
Pete Ortega

Aliha Washington  
Witness Printed Name Aliha Washington

Josefina Ortega (Seal)  
Josefina Ortega

State of Georgia  
County of Henry

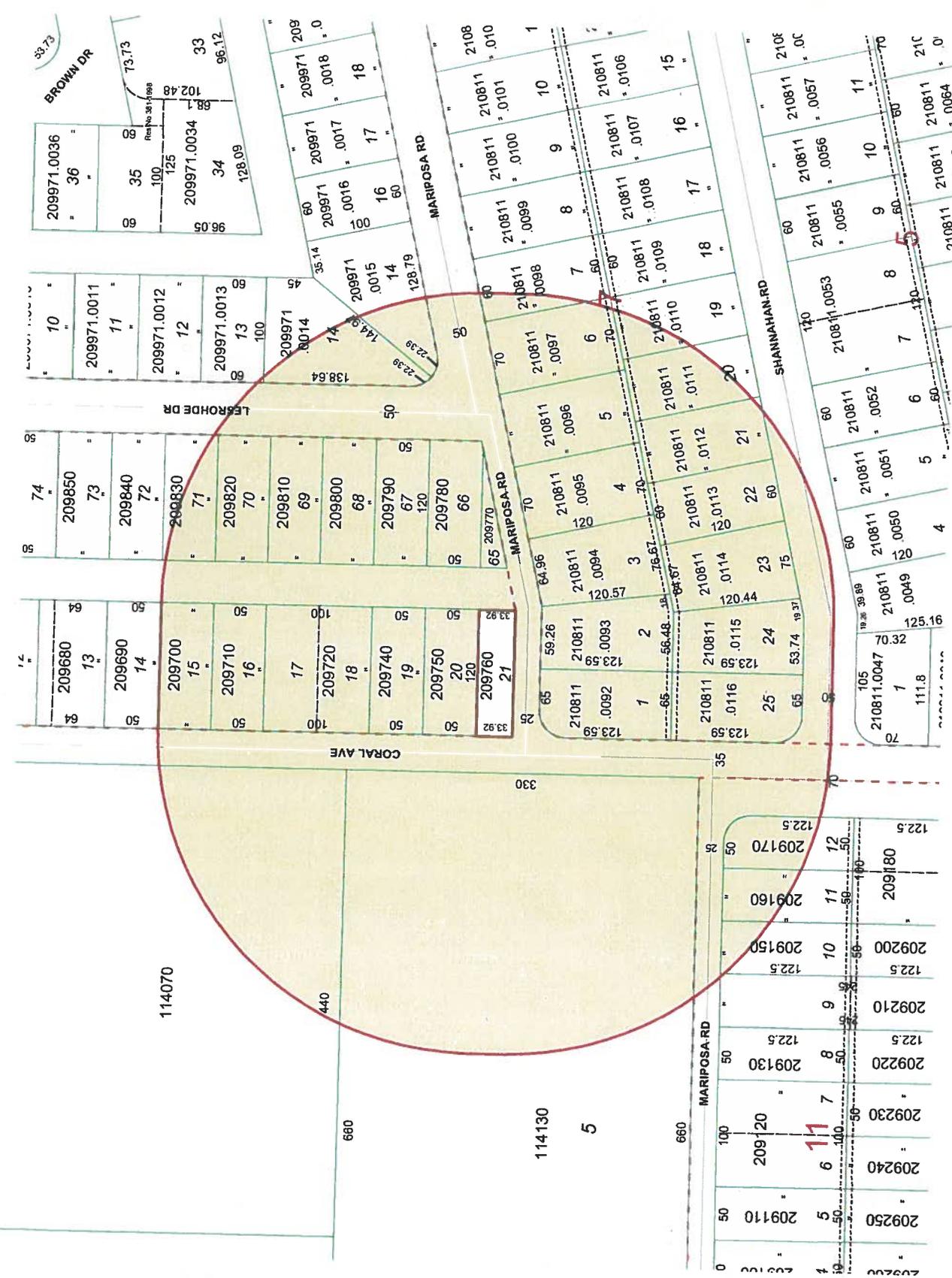
The foregoing instrument was acknowledged before me June 3, 2011, by Pete Ortega and Josefina Ortega, husband and wife, who is/are personally known to me or who has produced drivers license as identification.

Ginger S Johnson  
Notary Public Print Name: Ginger S Johnson  
My Commission Expires: 9/24/11  
(SEAL)

MONROE COUNTY  
OFFICIAL RECORDS







209680	74	10	209971.0036
13	209850	11	36
209690	209840	12	35
14	209830	13	100
15	209820	14	125
16	209810	15	209971.0034
17	209800	16	34
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19	209780	18	96.12
20	209770	19	
21		20	

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209750	66	209971	14	209971	.0014
209760	65	209971	14	209971	.0013

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4	56.67	210811	70	210811	.0095	210811	.0101
5	56.67	210811	70	210811	.0094	210811	.0101
6	56.67	210811	70	210811	.0093	210811	.0101
7	56.67	210811	70	210811	.0092	210811	.0101
8	56.67	210811	70	210811	.0091	210811	.0101
9	56.67	210811	70	210811	.0090	210811	.0101
10	56.67	210811	70	210811	.0089	210811	.0101
11	56.67	210811	70	210811	.0088	210811	.0101
12	56.67	210811	70	210811	.0087	210811	.0101
13	56.67	210811	70	210811	.0086	210811	.0101
14	56.67	210811	70	210811	.0085	210811	.0101
15	56.67	210811	70	210811	.0084	210811	.0101
16	56.67	210811	70	210811	.0083	210811	.0101
17	56.67	210811	70	210811	.0082	210811	.0101
18	56.67	210811	70	210811	.0081	210811	.0101
19	56.67	210811	70	210811	.0080	210811	.0101
20	56.67	210811	70	210811	.0079	210811	.0101
21	56.67	210811	70	210811	.0078	210811	.0101

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209180	209200	209210	209220	209230	209240	209250	209260	209270	209280	209290	209300	209310	209320
210811	210811	210811	210811	210811	210811	210811	210811	210811	210811	210811	210811	210811	210811
.0057	.0056	.0055	.0054	.0053	.0052	.0051	.0050	.0049	.0048	.0047	.0046	.0045	.0044

114070

114130  
5

**NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS**

ALTERNATE KEY NUMBER	ESCROW CD	MILLAGE CODE
1273058		100H

R



6 - 20428

MATOVSKI ZLATE AND GORICA  
121 ORLANDO BLVD  
INDIALANTIC FL 32903-3418



0020976000000296629  
VACANT LAND RAMROD KEY  
RAMROD SHORES SECOND ADDN PB4-10  
8 RAMROD KEY N'LY 33.92FT LT 21  
OR429-784/87 OR447-937/40C OR161  
7-1057TD OR2148-484/87 OR2213-15  
34/35 OR2521-1423

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
SCHOOL STATE LAW	1.9120	7,058		7,058	13.49
SCHOOL LOCAL BOARD	1.7480	7,058		7,058	12.34
GENERAL REVENUE FUND	.9172	7,058		7,058	6.47
F&F LAW ENFORCE JAIL JUDICIAL	2.1553	7,058		7,058	15.21
HEALTH CLINIC	.0504	7,058		7,058	.36
GENERAL PURPOSE MSTU	.2267	7,058		7,058	1.60
FLORIDA KEYS MOSQUITO CONTROL	.5171	7,058		7,058	3.65
M C LOCAL ROAD PATROL LAW ENF	.4549	7,058		7,058	3.21
SO FL WATER MANAGEMENT DIST	.1757	7,058		7,058	1.24
OKEECHOBEE BASIN	.1919	7,058		7,058	1.35
LOWER & MIDDLE KEYS FIRE & AMB	2.5879	7,058		7,058	18.27
EVERGLADES CONSTRUCTION PRJT	.0613	7,058		7,058	.43
<b>TOTAL MILLAGE</b>	<b>10.9984</b>		<b>AD VALOREM TAXES</b>		<b>\$77.62</b>

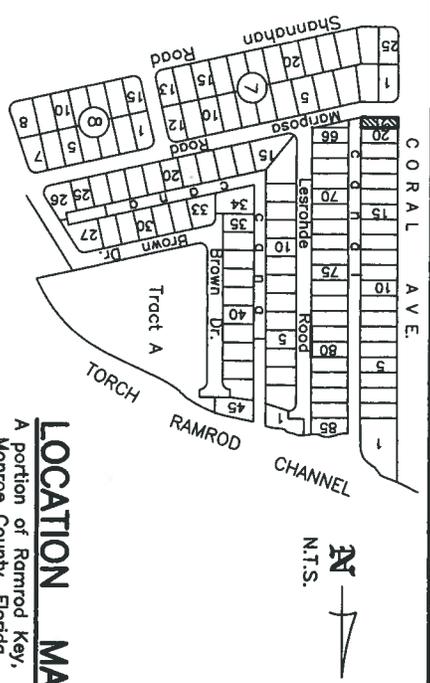
NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
<b>PAY ONLY ONE AMOUNT IN YELLOW SHADED AREA</b>		
<b>NON-AD VALOREM ASSESSMENTS</b>		<b>\$ .00</b>

<b>COMBINED TAXES AND ASSESSMENTS</b>	<b>\$77.62</b>	See reverse side for important information.
---------------------------------------	----------------	---

NOVEMBER 74.52	DECEMBER 75.29	JANUARY 76.07	FEBRUARY 76.84	MARCH 77.62	TAX + PEN
-------------------	-------------------	------------------	-------------------	----------------	-----------

WALK-IN CUSTOMERS  
PLEASE BRING FOR RECEIPT.

IF P/BY



**LOCATION MAP**  
A portion of Ramrod Key,  
Monroe County, Florida

**LEGAL DESCRIPTION:**  
The Northernly 33.92 feet of Lot 21, Ramrod Shores Second Addition, Ramrod Key, as recorded in Plat Book 4, Page 108, of the Public Records of Monroe County, Florida.

Being the same property conveyed to Jack V. St. John and Constance W. St. John by Deed from State of Florida, County of Monroe, Recorded 02/10/2000 in Deed Book 1617, Page 1057, in the Public Records of Monroe County, Florida.

**Abbreviations:**

- Sty. = Story
- R/W = Right-of-Way
- fd. = Found
- P. = Plat
- M. = Measured
- d. = Dead
- M.H.W. = Mean High Water
- N.T.S. = Not to Scale
- ⊕ = Centerline
- Elev. = Elevation
- B.M. = Bench Mark
- P.B. = Plat Book
- o/h = Overhead
- pg. = page
- F.F.L. = Finish Floor Elevation
- conc. = concrete
- I.P. = Iron Pipe
- I.B. = Iron Bar
- C.B.S. = Concrete Block Stucco
- ⊘ = Wood utility Pole

**CERTIFICATION:**

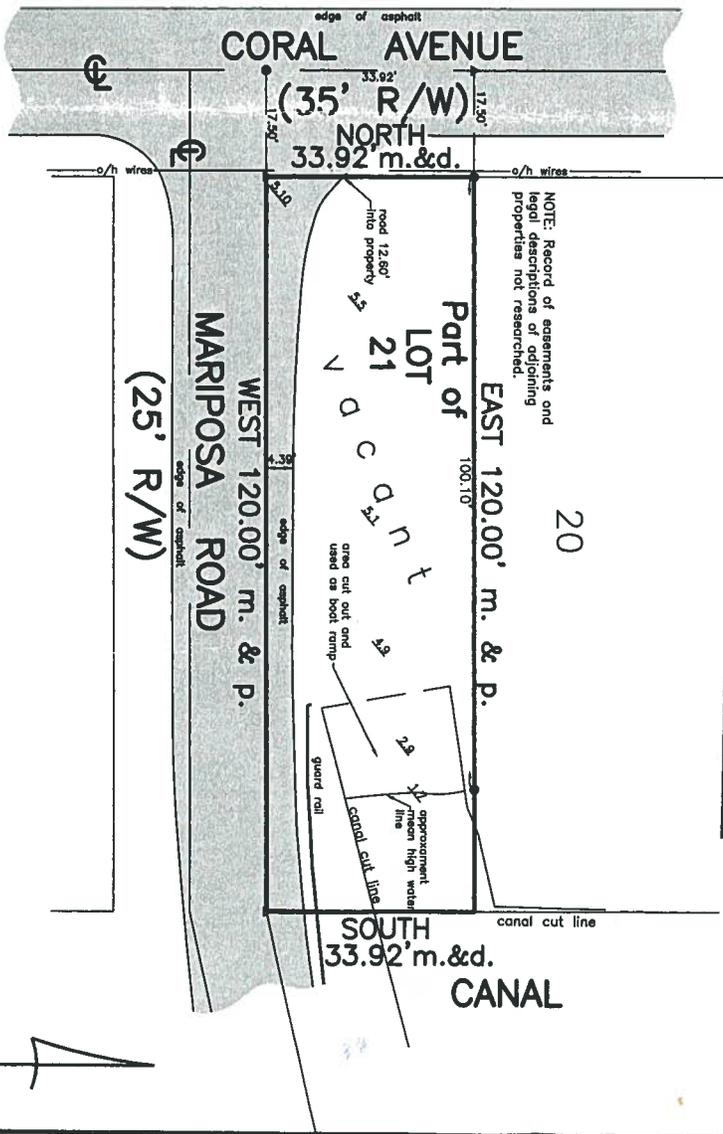
I HEREBY CERTIFY that the attached **BOUNDARY SURVEY** is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

CERTIFICATION made to:  
Commonwealth Land Title Insurance Co.  
Precise Title Inc.;  
Pete Ortega and Josefina Ortega;

Field Work performed on: 5/25/11

**FREDERICK H. WILDEBRANDT**  
Professional Land Surveyor & Mapper No. 2749  
Professional Engineer No. 36810  
State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE.



**SURVEYOR'S NOTES:**  
North arrow based on plat  
Reference Bearing: R/W Lesrodhe Rd.  
3.5' denotes existing elevation  
Bench Mark No.: B-342 Elevation: 3.68  
Elevations based on N.G.V.D. 1929 Datum

**Monumentation:**  
⊕ = set 1/2" Iron Pipe, P.L.S. No. 2749  
● = Found 5/8" Iron Bar  
▲ = Set P.K. Nail, P.L.S. No. 2749  
△ = Found P.K. Nail

NOTE: Record of assessments and legal descriptions of adjoining properties not researched.

RECEIVED  
OCT 31 2013  
2013-1440  
MONROE CO. PLANNING DEPT

Zlate & Gorica Matovska Coral Ave. & Mariposa Road, Ramrod Key, Florida			
<b>BOUNDARY SURVEY</b>			
Scale: 1"=20'	Ref: 203-55	Flood panel No. 1316 K	Dwn. No.: 11-225
Date: 5/26/11	Flood Zone: AE	Dwn. By: F.H.H.	Flood Elev. 7'
REVISIONS AND/OR ADDITIONS			

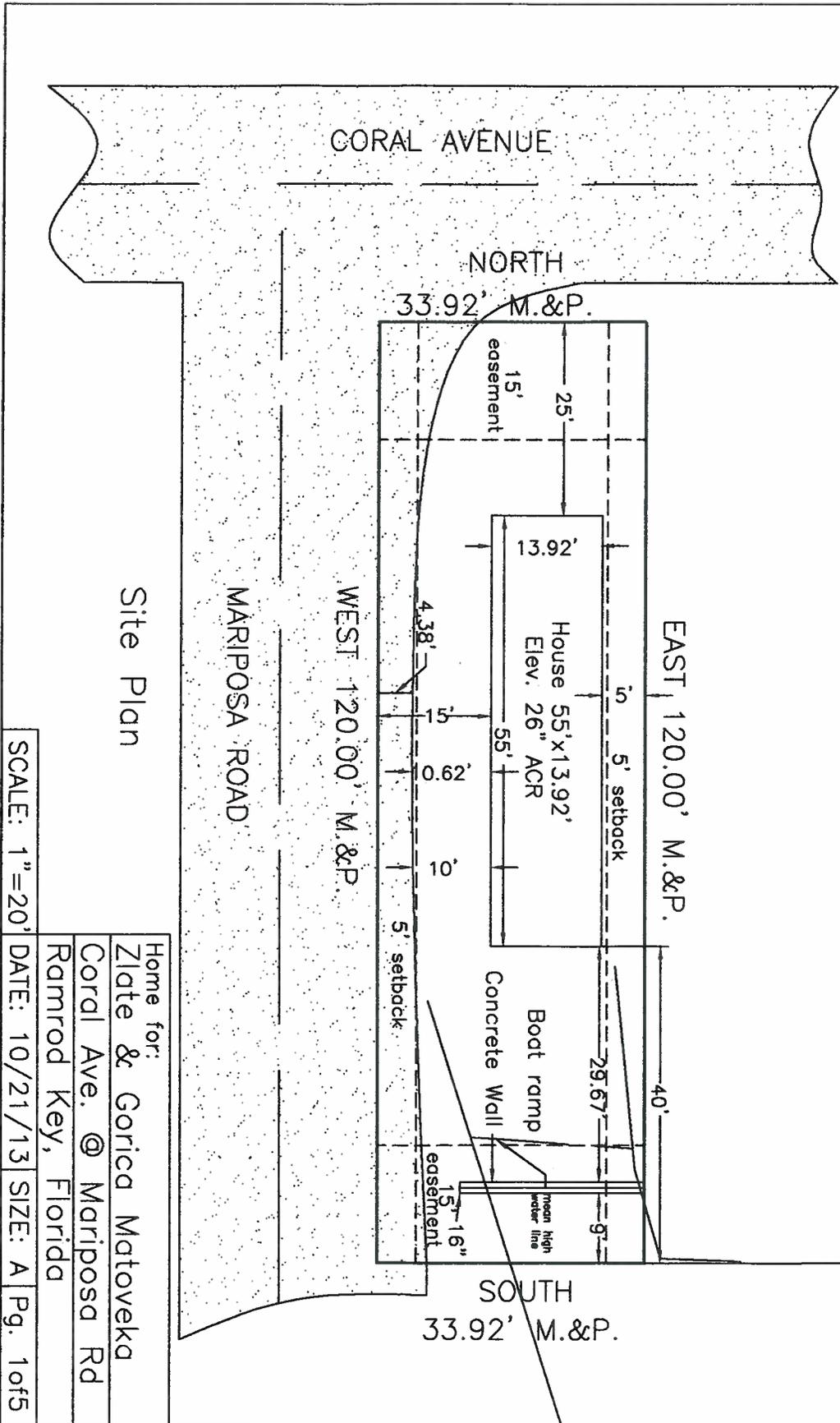
**ISLAND SURVEYING INC.**

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



RECEIVED  
 OCT 31 2013  
 2013-146  
 MONROE CO. PLANNING DEPT

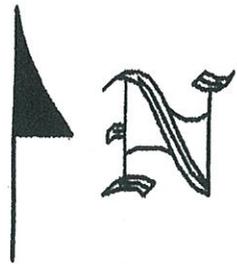
LEGAL DESCRIPTION:  
 Northerly 33.92' of Lot 21,  
 Ramrod Shores 2nd Addition  
 Sec. 29 Town. 66 Range 29  
 Parcel ID 00209760-000000  
 AK 1273058, Monroe County



Site Plan

Home for:  
 Zlate & Gorica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida

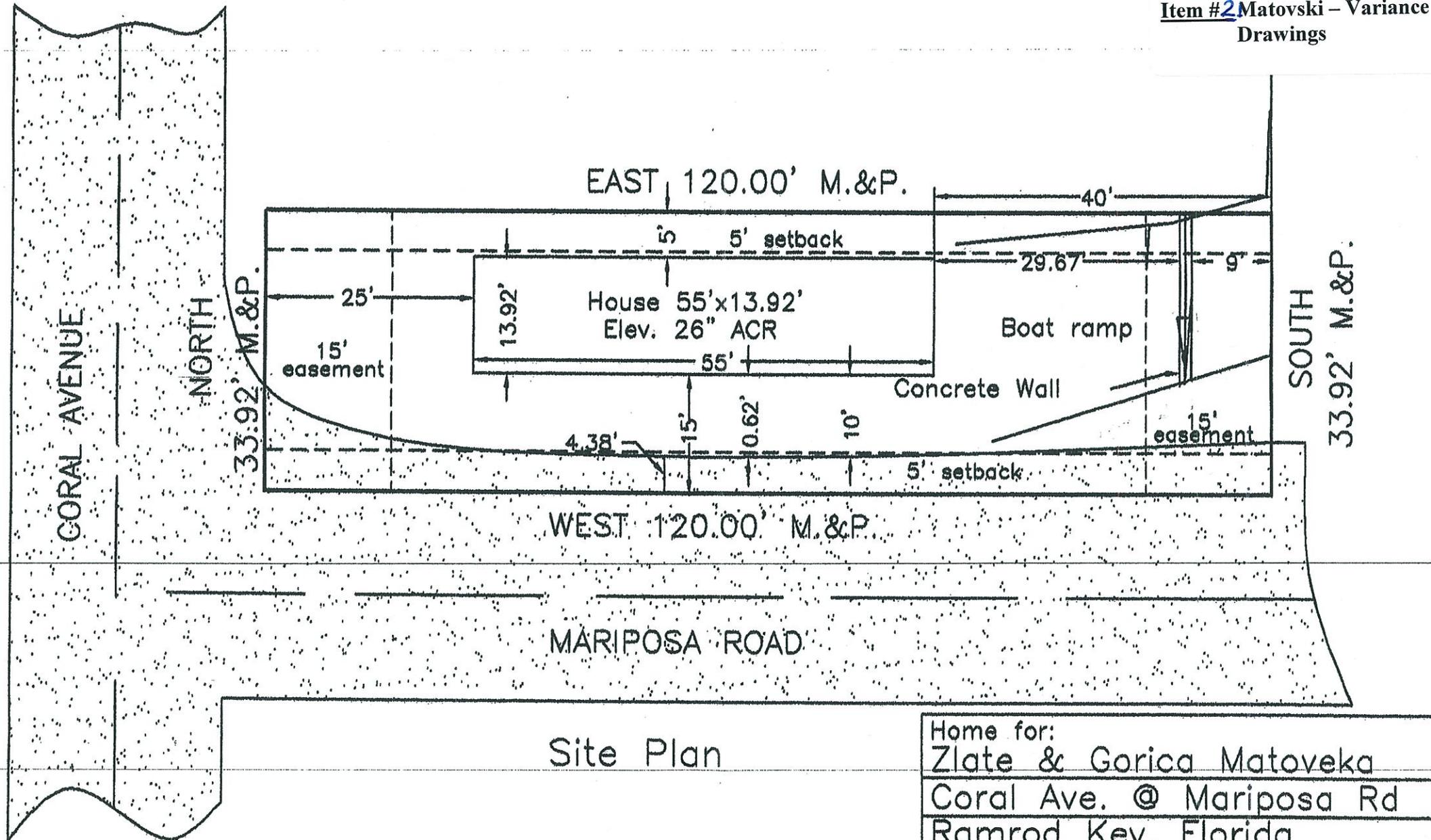
SCALE: 1"=20' DATE: 10/21/13 SIZE: A Pg. 1 of 5



RECEIVED  
 FEB 10 2014  
 2013-146  
 MONROE CO. PLANNING DEPT

LEGAL DESCRIPTION:  
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 Sec. 29 Town. 66 Range 29  
 Parcel ID 00209760-000000  
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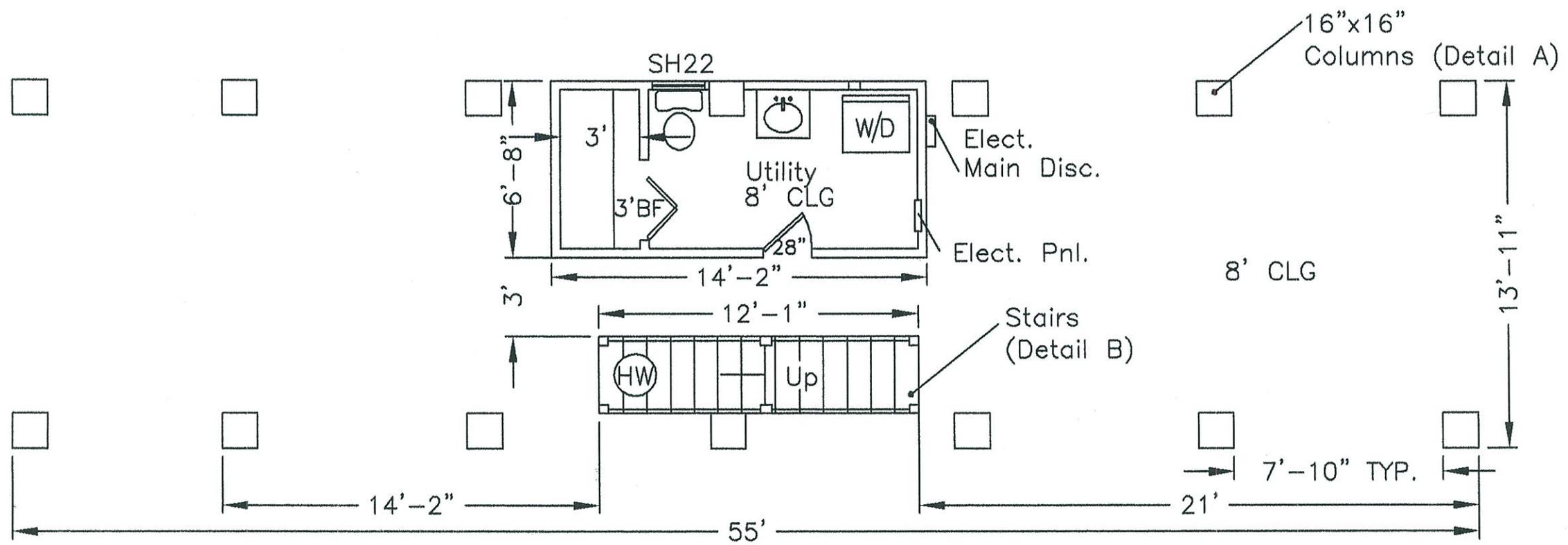
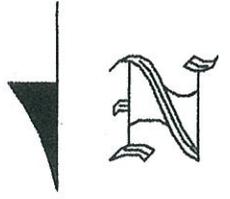
Item #2 Matovski - Variance to PC  
 Drawings



Site Plan

Home for:  
 Zlate & Gorica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida

SCALE: 1"=20' | DATE: 1/6/14 | SIZE: A | Pg. 1 of 5



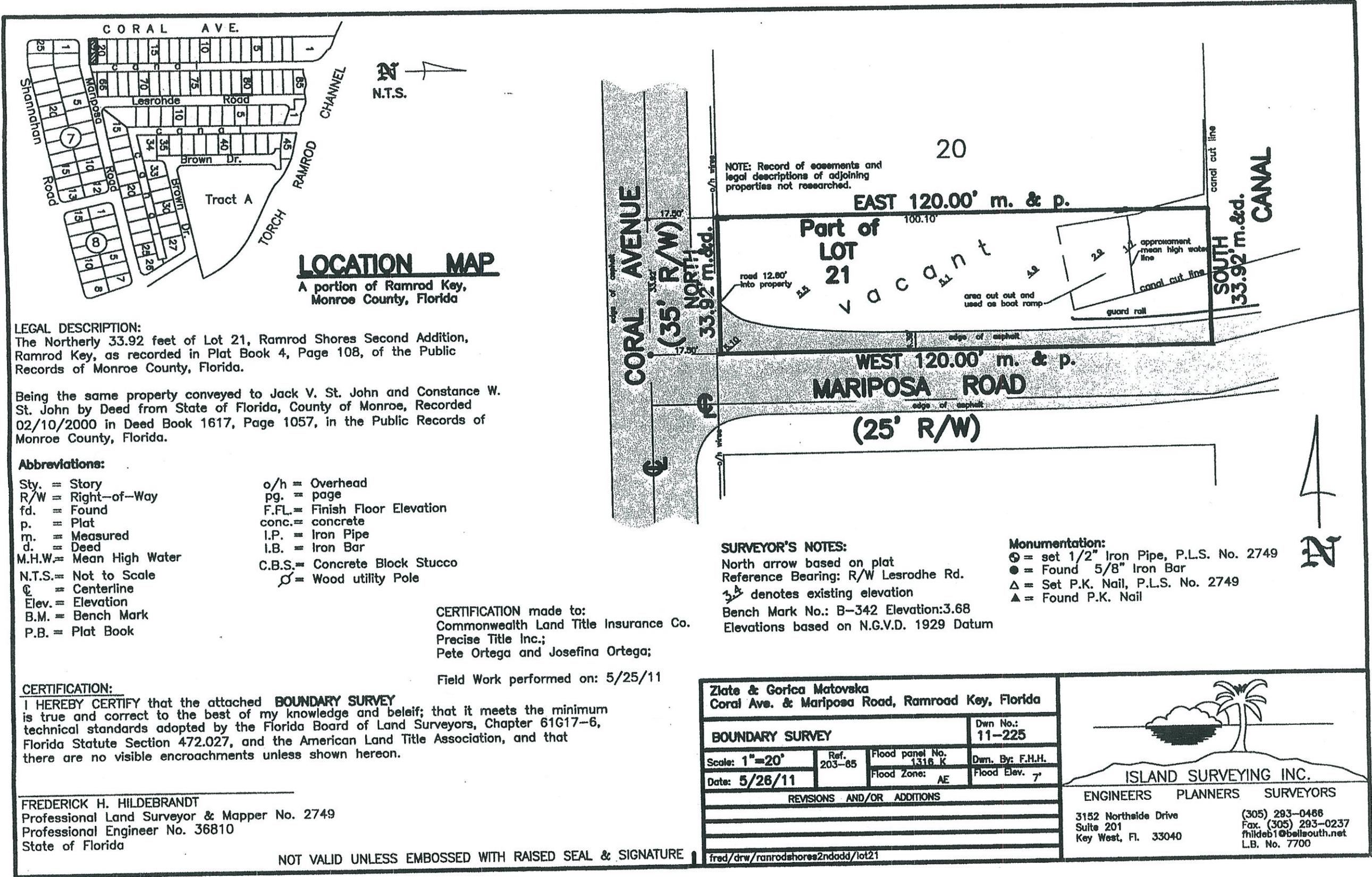
# 1st Floor

## SQUARE FOOTAGE 1st Fl.

Open Area	604 sq.ft.
Utility	73 sq.ft.
Hallway	38 sq.ft.
<b>Total</b>	<b>715 sq.ft.</b>

Home for:  
 Zlate & Gorica Matoveka  
 Coral Ave. @ Mariposa Rd  
 Ramrod Key, Florida





**LOCATION MAP**

A portion of Ramrod Key, Monroe County, Florida

**LEGAL DESCRIPTION:**  
 The Northerly 33.92 feet of Lot 21, Ramrod Shores Second Addition, Ramrod Key, as recorded in Plat Book 4, Page 108, of the Public Records of Monroe County, Florida.

Being the same property conveyed to Jack V. St. John and Constance W. St. John by Deed from State of Florida, County of Monroe, Recorded 02/10/2000 in Deed Book 1617, Page 1057, in the Public Records of Monroe County, Florida.

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  - conc. = concrete
  - I.P. = Iron Pipe
  - I.B. = Iron Bar
  - C.B.S. = Concrete Block Stucco
  - ⊗ = Wood utility Pole

CERTIFICATION made to:  
 Commonwealth Land Title Insurance Co.  
 Precise Title Inc.;  
 Pete Ortega and Josefina Ortega;

Field Work performed on: 5/25/11

**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 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT  
 Professional Land Surveyor & Mapper No. 2749  
 Professional Engineer No. 36810  
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

NOTE: Record of easements and legal descriptions of adjoining properties not researched.

**SURVEYOR'S NOTES:**  
 North arrow based on plat  
 Reference Bearing: R/W Lesrodhe Rd.  
 3/4 denotes existing elevation  
 Bench Mark No.: B-342 Elevation: 3.68  
 Elevations based on N.G.V.D. 1929 Datum

**Monumentation:**  
 ⊕ = set 1/2" Iron Pipe, P.L.S. No. 2749  
 ● = Found 5/8" Iron Bar  
 Δ = Set P.K. Nail, P.L.S. No. 2749  
 ▲ = Found P.K. Nail

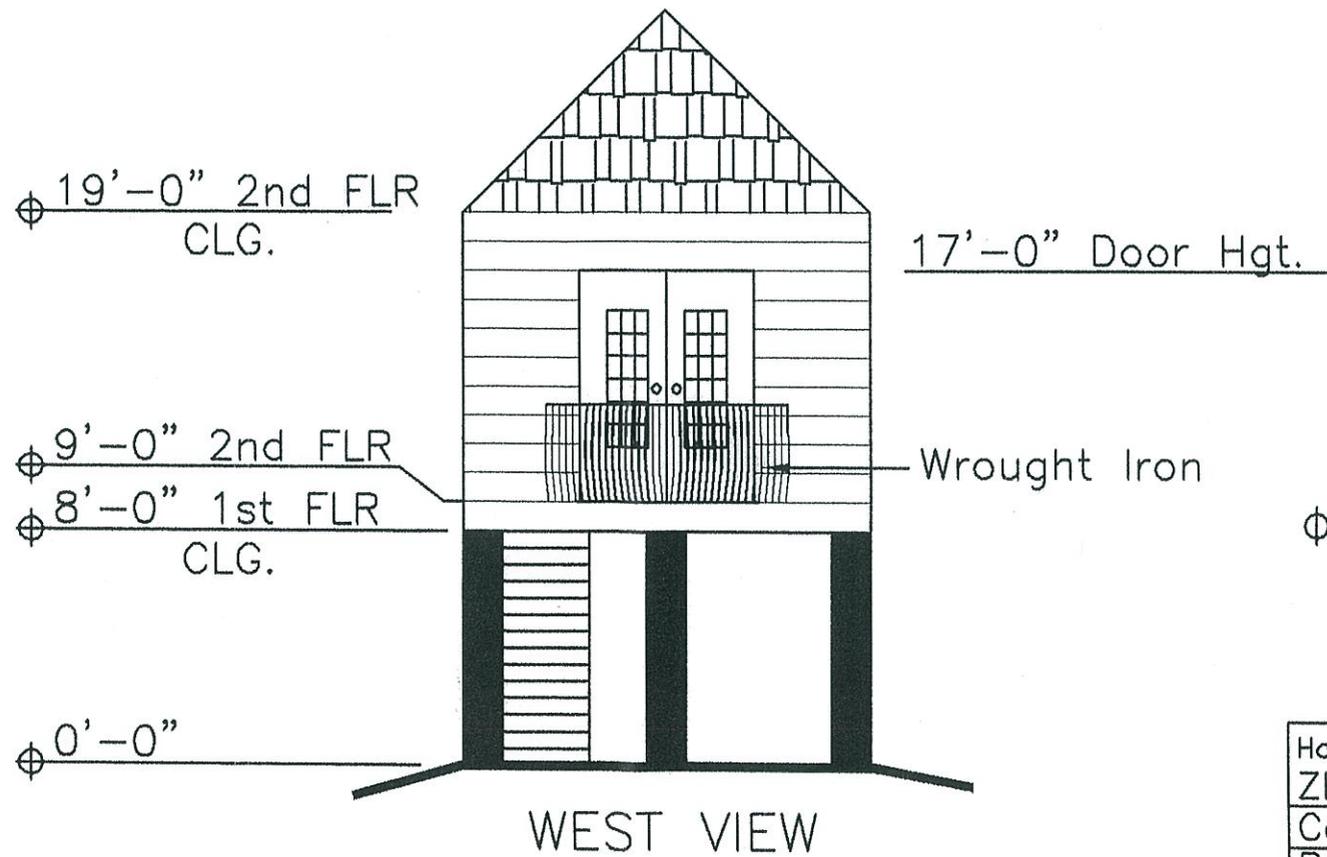
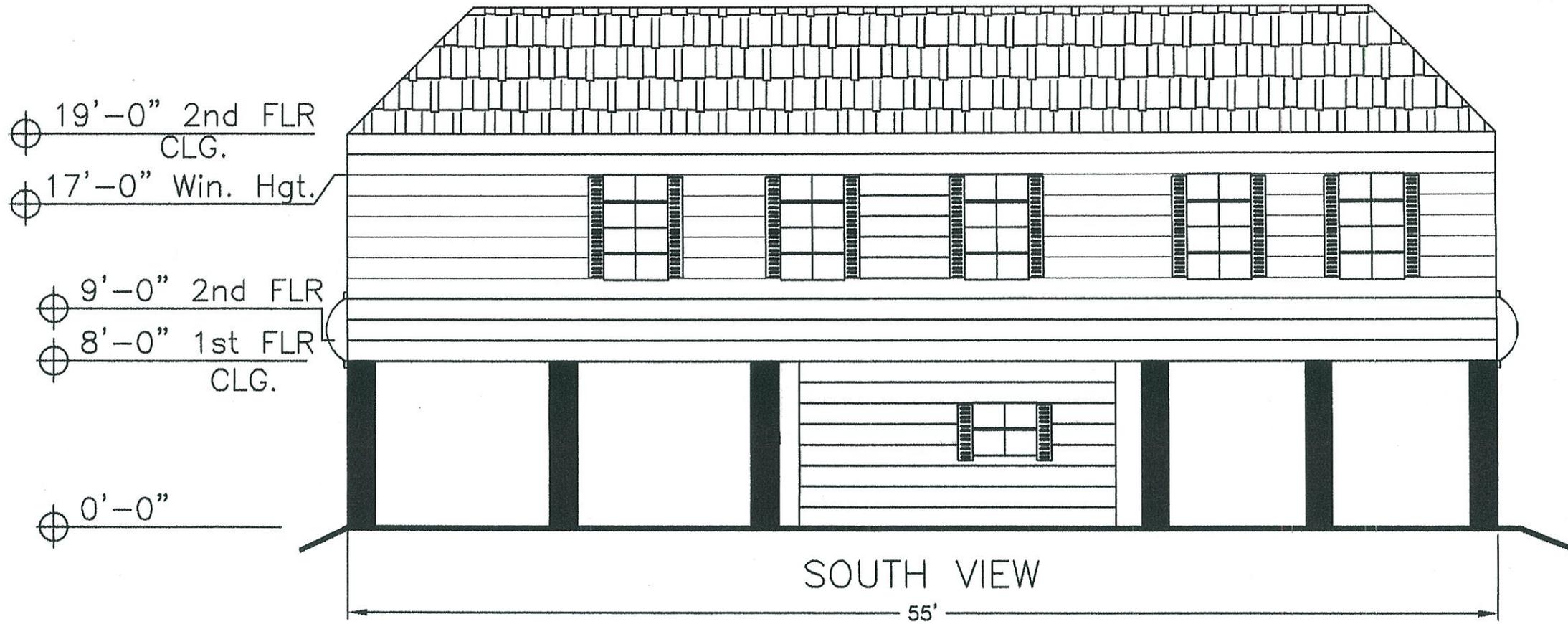
Zlate & Gorica Matovska Coral Ave. & Mariposa Road, Ramrod Key, Florida			
<b>BOUNDARY SURVEY</b>		Dwn No.: 11-225	
Scale: 1"=20'	Ref. 203-85	Flood panel No. 1316 K	Dwn. By: F.H.H.
Date: 5/26/11		Flood Zone: AE	Flood Elev. 7'
REVISIONS AND/OR ADDITIONS			
fred/drw/ramrodshores2ndadd/lot21			

**ISLAND SURVEYING INC.**

ENGINEERS PLANNERS SURVEYORS

3152 Northalide Drive  
 Suite 201  
 Key West, Fl. 33040

(305) 293-0488  
 Fax: (305) 293-0237  
 fhildeb1@bellsouth.net  
 L.B. No. 7700



Home for:
Zlate & Gorica Matoveka
Coral Ave. @ Mariposa Rd
Ramrod Key, Florida

**Item #2 Matovski – Variance to PC  
Objection Letters**

**Creech-Gail**

---

**From:** Alicia.Becena@mch.com  
**Sent:** Monday, September 08, 2014 5:36 PM  
**To:** Creech-Gail  
**Cc:** abecena@gmail.com  
**Subject:** FW: 2013-146-Matovski

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Creech:

I am writing in regarding to a Public Hearing schedule for 9/24/14 were the property owner is requesting a 10ft variance from the required 25 feet front yard setback abutting the right of way. This lot is on the corner of Mariposa and Coral and any setbacks closer to the road may cause potential obstruction of vehicular traffic in a residential zone where children often play and residents bike ride. At this time, we have a clear view of traffic and therefore, would like to maintain it the same.

“Granting the variance” may create a threat to public health and safety” as it would obstruct visibility, additionally this property has for many years has been vacant land thought by many to be owned by the county since its configuration is not even suitable for any size home. The property is less than 35’ wide which if standing actually looks much smaller. We strongly feel that any building/columns or other structure on this land would not only look like a “rectangular trailer” but be quite an eye soar. Additionally, having anything closer to the right of way on a corner is hazard much more than if the house was located elsewhere because it is the very corner of two connecting streets (Coral and Mariposa).

“Granting the variance” will only give the applicant a special privilege already denied to other property owners in the immediate neighborhood. Of course, most, if not all homeowners would like Monroe County to change the setback rules, but is Monroe County now willing to say yes to everyone who applies. I don’t believe this request follows the development patterns set for this neighborhood. Most homes built here have the 25’ setback. But to actually consider a deviation in a corner lot would make it a problem and a hazard for us the community.

Please consider my opposition to the request for variance.

Alicia Becena  
380 Les Rohde Drive., Ramrod Key, FL 33042

## Creech-Gail

---

**From:** Maria Fernandez <zulli28@comcast.net>  
**Sent:** Thursday, September 11, 2014 2:58 PM  
**To:** Creech-Gail  
**Subject:** FW: 2013-146-MATOVSKI

Dear Ms. Creech:

I am writing in regarding to a Public Hearing schedule for 9/24/14 were the property owner is requesting a 10ft variance from the required 25 feet front yard setback abutting the right of way. This lot is on the corner of Mariposa and Coral and any setbacks closer to the road may cause potential obstruction of vehicular traffic in a residential zone where children often play and residents bike ride. At this time, we have a clear view of traffic and therefore, would like to maintain it the same.

“Granting the variance” may create a threat to public health and safety” as it would obstruct visibility, additionally this property has for many years has been vacant land thought by many to be owned by the county since its configuration is not even suitable for any size home. The property is less than 35’ wide which if standing actually looks much smaller. We strongly feel that any building/columns or other structure on this land would not only look like a “rectangular trailer” but be quite an eye soar. Additionally, having anything closer to the right of way on a corner is hazard much more than if the house was located elsewhere because it is the very corner of two connecting streets (Coral and Mariposa).

“Granting the variance” will only give the applicant a special privilege already denied to other property owners in the immediate neighborhood. Of course, most, if not all homeowners would like Monroe County to change the setback rules, but is Monroe County now willing to say yes to everyone who applies. I don’t believe this request follows the development patterns set for this neighborhood. Most homes built here have the 25’ setback. But to actually consider a deviation in a corner lot would make it a problem and a hazard for us the community.

Please consider my opposition to the request for variance.

Maria A. Fernandez

390 Les Rohde Drive., Ramrod Key, FL 33042

## Creech-Gail

---

**From:** Katty Crews <kattycrews@gmail.com>  
**Sent:** Sunday, September 14, 2014 5:14 PM  
**To:** Creech-Gail  
**Cc:** Coyle-Matt; Katty Crews  
**Subject:** Re: Matovski Variance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

RE: Matovski Property - Variance Hearing, September 24, 2014

Hello Gail, please include this email in the packet you are preparing for the Monroe County Planning Commission Monday as we are unable to attend the hearing on September 24. Thank you.

-----  
Date: September 14, 2014

To: Monroe County Planning Commission

From: Katty and George Crews

RE: Matovski Property, Lot 21, Ramrod Shores 2nd Addition - variance request

My husband and I live at 471 Coral Avenue, Lot 4, Ramrod Shores 2nd Addition. We have concerns about the variance request for the Matovski Property for the following reasons:

1. 102-186 Section 2 - failure to grant the variance would result in exceptional hardship to the applicant.

Reading the transcript from the February 26, 2014 hearing there is no evidence presented by the applicants to support an exceptional hardship. In fact, it was proposed to the owner after the hearing that the neighborhood would be open to buying the lot to re-open the boat ramp. Also in previous discussions with Commissioner George Neugent's office, the Commissioner said that the county would be open to buying the lot to provide the public a boat ramp. Either of these two scenarios would provide compensation to the applicants.

2. 102-186 Sections 3 & 5 - Granting the variance will not result in increased public expense. Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of provisions of this chapter or established development patterns.

In February 1959 the Ramrod Shores 2nd Addition, Lot 21 was platted as 50' wide by 120' long. All other lots in Ramrod Shores 2nd Addition are of equal or larger size.

a. In December 1959, Lot 21 was re-platted after the County used 21.08' to pave Mariposa Road, which left the lot size as 33.92' wide by 120' long, of which 5' to 8' (8' at the street intersection) is part of the road. Ultimately this leaves the actual buildable site as 28.92' wide by 120' long until you reach the intersection which is 25.92' wide.

b. There are no other lots in the neighborhood that are 33.92' wide, of which from 5' to 8' are part of a road. This is in direct contrast to the established development patterns of the neighborhood of which all other lots are 50' wide or larger.

c. In order to make the applicant's lot similar to all the other lots in the neighborhood, the county could make restitution of 21.08' back to the applicants, the lot size would become 50' wide again, the same as all the other lots which is the established development pattern. This would require the county to move the road and would come at considerable cost to the public via tax dollars.

In closing, we do not believe for the reasons stated above that the applicants have met all 8 standards of Section 102-186, therefore a variance should not be granted.

Thank you for your consideration.

*Katty & George Crews*

## Creech-Gail

---

**From:** Eduardo Recio <recioe@gmail.com>  
**Sent:** Sunday, September 14, 2014 10:49 PM  
**To:** Creech-Gail; Coyle-Matt; Carmencita  
**Subject:** Matovski Variance Request  
**Attachments:** GCreech- Monroe County Planning Commission 14SEpt2014.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Forwarded on behalf of Carmen Arechavaleta 481 Coral Ave, Ramrod Shores 2nd Addition, lot 2.

Dear Ms. Creech,

Attached please find my letter outlining my opposition to the aforementioned variance request. I respectfully request and appreciate your including a copy in the packet you are preparing for the hearing on September 24, 2014, as I am unable to attend.

Thank you.

Best regards, Carmen Arechavaleta

Carmen Arechavaleta  
481 Coral Avenue  
Ramrod Key, Florida 33042

September 14, 2014

Ms. Gail Creech, Liason  
Monroe County Planning Commission  
Marathon Government Center  
2798 Overseas Highway – Suite 410  
Marathon, Florida 33050

Re: Matovski variance hearing for Lot 21 Ramrod Shores second addition

Dear Ms. Creech:

This letter serves to formally express my concerns regarding the aforementioned variance request. I am the owner and resident of 481 Coral Avenue, Lot 2, Ramrod Shores 2<sup>nd</sup> addition, as well as Lots 79 & 80 on Lesrohde Drive. It is my position the proposed variance does not meet all 8 standards of section 102-186 and would result in substantial loss in property values to the surrounding homeowners.

1. 102-186 Section 2 - failure to grant the variance would result in exceptional hardship to the applicant.

Based on the transcript from the February 26, 2014 hearing there is no evidence presented by the applicants to support an exceptional hardship. The neighborhood has approached the owner and indicated it would be open to buying the lot to re-open the boat ramp that has served the neighbors for over many years and whose closure has substantially disrupted the tranquility of the neighborhood. Further, per previous discussions with Commissioner George Neugent's office, the Commissioner said that the county would be open to buying the lot to provide the public a boat ramp. Either of these two scenarios would certainly provide compensation to the applicants.

2. 102-186 Sections 3 & 5 - Granting the variance will not result in increased public expense. Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of provisions of this chapter or established development patterns.

Ramrod Shores 2nd Addition, Lot 21 was platted in February 1959 as 50' wide by 120' long. All other lots in Ramrod Shores 2nd Addition are of equal or larger size.

a. In December 1959, Lot 21 was re-platted after the County used 21.08' to pave Mariposa Road, which left the lot size as 33.92' wide by 120' long, of which 5' to 8' (8' at the street intersection) is part of the road. Ultimately this leaves the actual buildable site as 28.92' wide by 120' long until you reach the intersection which is 25.92' wide.

b. There are no other lots in the neighborhood that are 33.92' wide, of which from 5' to 8' are part of a road. This is in direct contrast to the established development patterns of the neighborhood of which all other lots are 50' wide or larger.

c. In order to make the applicant's lot similar to all the other lots in the neighborhood, the county could make restitution of 21.08' back to the applicants, the lot size would become 50' wide again, the same as all the other lots which is the established development pattern. This would require the county to move the road and would come at considerable cost to the public via tax dollars.

Ms. Gail Creech, Liason  
Monroe County Planning Commission  
Page 2 of 2

In closing, for the reasons stated above, the applicants have not met all 8 standards of Section 102-186, therefore a variance should **not** be granted.

Thank you for your consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Carmen Arechavaleta". The signature is written in a cursive style with a large initial "C".

Carmen Arechavaleta

## Creech-Gail

---

**From:** Natalie Madruga <nataliemadruga@yahoo.com>  
**Sent:** Wednesday, September 17, 2014 6:01 PM  
**To:** Creech-Gail  
**Subject:** Matovski - Variance.docx  
**Attachments:** Matovski - Variance.docx; ATT00001.txt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This is a letter from me and mother, Ani Madruga.

Thank you for your time,  
Natalie Madruga

Dear Ms. Creech:

I am writing in regarding to a Public Hearing schedule for 9/24/14 were the property owner in Ramrod Key is requesting a 10ft variance from the required 25 feet front yard setback abutting the right of way. This lot is on the corner of Mariposa and Coral and currently has several blind spots and issue when you turn right off Coral Avenue especially with larger vehicle. If any setbacks are granted closer to the road it will cause even further obstruction of vehicular traffic in a residential zone where children often play and residents' bike ride.

“Granting the variance” may create a threat to public health and safety” as it would obstruct visibility, additionally this property has for many years has been vacant land thought by many to be owned by the county since its configuration is not even suitable for any size home. The property is less than 35’ wide which if standing actually looks much smaller.

“Granting the variance” will only give the applicant a special privilege already denied to other property owners in the immediate neighborhood. Of course, most, if not all homeowners would like Monroe County to change the setback rules, but is Monroe County now willing to say yes to everyone who applies. I don’t believe this request follows the development patterns set for this neighborhood. Most homes built here have the 25’ setback. But to actually consider a deviation in a corner lot would make it a problem and a hazard for us the community.

Please consider my opposition to the request for variance.

Ani L. Madruga

360 Les Rohde Drive

Ramrod Key



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Planning Commission

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

From: Joseph Haberman, AICP, Planning & Development Review Manager

Date: September 11, 2013

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 101-1, DEFINITIONS, AMENDING MONROE COUNTY CODE SECTION 130-4, TEMPORARY EMERGENCY HOUSING, ESTABLISHING MONROE COUNTY CODE SECTION 130-5, TEMPORARY USES INCLUDING PUBLIC ASSEMBLIES, ESTABLISHING REGULATIONS CONCERNING TEMPORARY HOUSING ASSOCIATED WITH CAPITAL IMPROVEMENT PROJECTS, ESTABLISHING REGULATIONS CONCERNING TEMPORARY USES IN THE LAND DEVELOPMENT CODE, 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: September 25, 2013**

---

1  
2  
3 I REQUEST  
4

5 The Planning & Environmental Resources Department is proposing amendments to the text  
6 of §101-1, §130-04 and §130-05 of the Monroe County Code (MCC). The purposes of the  
7 proposed amendment are a) to establish regulations concerning temporary housing associated  
8 with federal, state and local public works projects; b) to clarify what types of temporary uses  
9 can be approved, as well as the criteria thereto; and c) to reference the approval process for  
10 public assemblies in the Land Development Code.  
11

12 II RELEVANT PRIOR COUNTY ACTIONS:  
13

14 During a regularly scheduled meeting held on July 30, 2013, the Monroe County  
15 Development Review Committee reviewed the ordinance and recommended approval to the  
16 BOCC with revisions.

1 III REVIEW

2  
3 Temporary uses are defined within MCC §101-1; however despite being defined, there is no  
4 approval process provided in the MCC (part I or part II):

5  
6 **Sec. 101-1. Definitions.**

7  
8 \* \* \* \* \*

9  
10 *Temporary uses* include those uses that are required for a period certain in the  
11 construction phase of development, are uniquely seasonal in nature, including other  
12 activities of a similar nature such as Christmas tree sales, temporary emergency shelters,  
13 concerts, carnivals and tent meetings.

14  
15 Temporary structures may be permitted in accordance with MCC §6-112, which is located in  
16 part I of the MCC (Chapter 6 pertains to Buildings and Construction). The approval of  
17 temporary uses is referenced in MCC §6-112, but it does not provide a specific process or  
18 review criterion. It has been interpreted that a temporary use may be permitted with a  
19 temporary structure; however this interpretation does not capture all scenarios in that some  
20 temporary uses do not require temporary structures.

21  
22 **Sec. 6-112. Temporary structures.**

23  
24 The building official may issue a special building permit for a limited time of not more  
25 than six months for the erection of temporary structures such as construction sheds,  
26 trailers, seats, canopies, tents, and fences used in construction work or for temporary uses  
27 and events. Any such permit for temporary nonconstruction uses shall require prior  
28 approval of the planning director to ensure compliance with part II of this Code. Any  
29 structures shall be completely removed upon expiration of the time stated in the permit.

30  
31 Staff is proposing to create such a clearly defined approval process for temporary uses, as  
32 well as criteria for such temporary uses.

33  
34 Staff is also proposing consistent amendments to MCC §6-112; however as this section is not  
35 located in the Land Development Code (part II of the MCC), its approval process is different  
36 and the ordinance is only formally reviewed by the Board of County Commissioners. As of  
37 the date of this report, the following amendments are proposed:

38  
39 The building official may issue a special building permit for a limited time of not more  
40 than ~~six months~~ one year for the erection of temporary structures, including but not  
41 limited to such as construction sheds, trailers, seats, canopies, tents, and fences used in  
42 construction work or for temporary uses and events. Any such permit for temporary  
43 ~~nonconstruction~~ uses shall ~~require prior approval of the planning director to ensure~~  
44 ~~compliance with part II of this Code~~ be in compliance with this section and the provisions  
45 of the Land Development Code, specifically section 130-5. Any structures shall be

1 completely removed upon expiration of the time stated in the permit, which shall be the  
2 minimum amount of time necessary to accommodate the temporary use.

3  
4 Staff is also proposing to create an approval process for temporary housing associated with  
5 temporary uses related to capital improvement projects. As defined in MCC §101-1, capital  
6 improvements means the planning of, engineering for, acquisition of land or equipment, and  
7 the construction of improvements, including, but not limited to, road, park, solid waste,  
8 library, public buildings and emergency services, and police facilities, but does not include  
9 routine maintenance. Such temporary housing could be approved by the Board of County  
10 Commissioners, similar to that already allowed for airport projects.

11  
12 In addition, staff is proposing a reference to the existing provisions related to public  
13 assembly permits. The planning director has the responsibility of issuing public assembly  
14 permits. However, the provisions are currently located in Chapter 17, a chapter for  
15 “miscellaneous” provisions that is located outside of the Land Development Code.

16  
17 Note: The following amendments concerning temporary uses are based in part by the Village  
18 of Islamorada’s land development regulations (Sections 30-881 through 30-885).

19  
20 Therefore, staff recommends the following changes (Deletions are ~~stricken through~~ and  
21 additions are underlined. Text to remain the same is in black):

22  
23 **Sec. 101-1. Definitions.**

24  
25 The following words, terms and phrases, when used in this ~~chapter~~ Land Development Code,  
26 shall have the meanings ascribed to them in this section, except where the context clearly  
27 indicates a different meaning:

28  
29 \* \* \* \* \*

30  
31 *Temporary uses* ~~include those~~ means uses, including but not limited to equipment  
32 storage, material storage, fencing and office trailers, that are required for a defined  
33 period of time during ~~certain in~~ the construction phase of permitted development, capital  
34 improvements projects, and uses that are uniquely seasonal in nature, including but not  
35 limited to, ~~other activities of a similar nature such as Christmas trees~~ holiday-related  
36 outdoor events such as Christmas tree and pumpkin sales, temporary emergency shelters,  
37 concerts, carnivals, art shows, seminars and other educational events, and tent meetings.

38  
39 \* \* \* \* \*

40  
41 Public assembly means a type of temporary use that is attended by members of the  
42 general public, with or without an admission charge, when the duration of the event is  
43 less than seven consecutive days and/or the anticipated daily attendance is expected to  
44 exceed 250 persons.

45  
46 \* \* \* \* \*

1  
2 **Sec. 130-4. Temporary emergency housing.**  
3

- 4 (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have  
5 the meanings ascribed to them in this subsection, except where the context clearly  
6 indicates a different meaning:  
7

8 *Recreation vehicles (RVs)* means the same as that term is defined in F.S. § 320.01.  
9

10 *Temporary emergency housing* means recreational vehicles (or similar approved  
11 sheltering units) used for temporary occupancy: a) in response to natural or manmade  
12 disasters, including, but not limited to, hurricanes and tropical storms, where such  
13 recreational vehicles or similar sheltering units are provided to residents as part of  
14 emergency relief efforts; b) in order to avoid delay in completing airport safety and  
15 capacity improvements; and c) in order to avoid delay in completing long-term capital  
16 improvement projects by any federal, state or local government agency.  
17

- 18 (b) *Purpose.* It is the purpose of this section to provide regulations that allow for the  
19 relaxation of the use prohibitions in ~~article III of this~~ chapter 130, Land Use Districts, and  
20 chapter 138, Rate of Growth Restrictions (ROGO/NROGO), to:

21 (1) Allow temporary emergency housing during the recovery period from a natural or  
22 manmade disaster, including, but not limited to, hurricanes and tropical storms;

23 (2) Avoid delay in completing ongoing or future airport safety and capacity  
24 improvements; ~~and~~

25 (3) Avoid delay in completing long-term capital improvement projects by federal, state  
26 and local government agencies;

27 ~~(4)~~ (4) Provide regulatory authority for the placement of emergency temporary housing  
28 for workers responding to recovery and reconstruction efforts following natural or  
29 manmade disasters which are lawfully declared emergencies by any federal, state or  
30 local governmental emergency declaration authority; ~~and~~

31 (5) Provide regulatory authority for placement of emergency temporary housing for  
32 workers involved in long-term airport and capital improvement projects.  
33

- 34 (c) *Placement of single RVs (or similar sheltering units) for temporary emergency housing*  
35 *on single family lots.* Notwithstanding the provisions of ~~this~~-chapter 130, Land Use  
36 Districts, and chapter 138, Rate of Growth Restrictions (ROGO/NROGO), ~~recreational~~  
37 ~~vehicles~~ RVs (or similar approved sheltering units) may be placed on a single-family lot  
38 for temporary occupancy by tenants displaced by natural or manmade disaster damage to  
39 the lawfully-established dwelling unit on the lot subject to the following conditions:

40 (1) The dwelling unit has incurred sufficient damage from the disaster to make the  
41 dwelling unit uninhabitable as determined by verifiable photographic evidence  
42 provided by the applicant to the building department and/or an inspection by an  
43 official from a federal or state governmental relief agency, the county building  
44 department or the county code ~~enforcement~~ compliance department;

- 1 (2) A building permit is issued for repair of damages caused by the casualty event to  
2 make the residential dwelling unit structure habitable no fewer than 90 days from  
3 placement of the RV (or similar sheltering unit) on the property;
- 4 (3) Placement of the RV (or similar sheltering unit) shall require a no-fee building  
5 permit, linked to the building permit issued for casualty damage repair, that shall  
6 require, prior to its issuance, approval by the building official of its siting location on  
7 the lot and a department of health permit authorizing the connection of the RV (or  
8 similar sheltering unit) to an on-site wastewater treatment and disposal system or to  
9 an existing community wastewater treatment system;
- 10 (4) The size of the RV (or similar sheltering unit) to be placed on the lot shall be limited  
11 to eight feet in width and 32 feet in length, if lacking self-propulsion, and eight feet in  
12 width and 42 feet in length, if self-propelled; and
- 13 (5) The RV (or similar sheltering unit) shall remain on the property for a period not to  
14 exceed 180 days from the date of building permit issuance or until the final inspection  
15 or certificate of occupancy is issued on the repairs made to the residential dwelling  
16 unit structure, whichever comes later, but in no case more than 180 days from the  
17 date of building permit issuance without a written extension from the county building  
18 official or his representative not to exceed an additional 180 days based upon the  
19 building official or his representative's determination that good cause has been shown  
20 for the need for an extension and that the RV (or similar sheltering unit) is adequately  
21 tied down and secured so as not to present an undue hazard to persons or property in a  
22 high-wind or flood event. However, nothing in this section shall prevent the county or  
23 any state or federal authority to terminate without notice the authority to keep any  
24 RVs (or similar sheltering units) otherwise authorized under this section should it be  
25 deemed required for the public safety.

26  
27 (d) *Placement of RVs (or similar sheltering units) for temporary emergency housing on*  
28 *nonresidential properties.* Notwithstanding the provisions of ~~this~~ chapter 130, Land Use  
29 Districts, and chapter 138, Rate of Growth Restrictions (ROGO/NROGO), one or more  
30 RVs (or similar sheltering units) may be temporarily placed by permit on properties in  
31 nonresidential / mixed use land use districts and on publicly-owned lands, excluding  
32 lands designated for conservation and resource protection, to house county residents  
33 displaced by natural or manmade disaster or casualty event and/or disaster recovery  
34 workers. The size of the RVs (or similar sheltering units) to be temporarily placed shall  
35 be in accordance with subsection (c)(4) of this section. Permitting approval of the  
36 temporary placement of RVs (or similar sheltering units) shall require submittal of a no-  
37 fee building permit application to the building department to be approved by the building  
38 official, including a site plan pursuant to requirements established by the building official  
39 and planning director. Upon final inspection by the building official of the temporary  
40 construction granted by the building permit, authorization for the occupancy of the  
41 property for temporary emergency housing shall not exceed 180 days from the date of the  
42 final inspection without a written extension from the county building official or his  
43 representative not to exceed an additional 180 days based upon the building official or his  
44 representative's determination that good cause has been shown for the need for the  
45 extension and that the RV (or similar sheltering unit) is adequately tied down and secured  
46 so as not to present an undue hazard to persons or property in a high-wind or flood event.

1 However, nothing in this section shall prevent the county or any state or federal authority  
2 to terminate without notice the authority to keep any RVs (or similar sheltering units)  
3 otherwise authorized under this section should it be deemed required for the public  
4 safety.  
5

6 (e) *Placement of single RVs, trailers and other temporary dwelling structures (together*  
7 *"temporary airport construction housing facilities") for temporary emergency contractor*  
8 *housing on county airport properties.* Notwithstanding the provisions of ~~this~~-chapter 130,  
9 Land Use Districts, and chapter 138, Rate of Growth Restrictions (ROGO/NROGO),  
10 ~~recreational-vehicles~~ RVs, trailers and other temporary dwelling structures may be placed  
11 on county airport properties for temporary occupancy by contractors completing airport  
12 safety and capacity improvements subject to the following conditions:

- 13 (1) Placement of temporary airport construction housing facilities must not impede or  
14 interfere with aviation operations or safety and must conform to any applicable FAA  
15 regulations;
- 16 (2) No clearing or filling of environmentally sensitive lands may occur as a result of  
17 providing temporary airport construction housing facilities;
- 18 (3) All temporary airport construction housing facilities shall be adequately tied down,  
19 provide for proper solid waste disposal, and require a no-fee building permit linked to  
20 existing airport construction permits, that shall require, prior to their issuance,  
21 approval by the county building official and planning director of their siting locations  
22 and department of health permits or authorization for the connection of the temporary  
23 airport construction housing facilities to an on-site wastewater treatment and disposal  
24 system or to an existing community wastewater treatment system;
- 25 (4) Temporary airport construction housing facilities shall ensure that temporary  
26 electrical and sewage lines do not constitute an attractive nuisance to children or  
27 homeless persons in the area (i.e., sufficient temporary fencing may be required by  
28 the building official);
- 29 (5) Temporary airport construction housing facilities shall remain on the property for a  
30 period not to exceed 30 days from the date of completion of the related airport  
31 construction work, unless extended by resolution of the board of county  
32 commissioners; and
- 33 (6) The only persons permitted to reside for any period in temporary airport construction  
34 housing facilities are individuals who while in the county are actually gainfully  
35 employed on a fulltime basis in completing airport safety and capacity improvements  
36 at a county airport. All residents or occupants of temporary airport construction  
37 housing facilities must be required to timely evacuate in accordance with local  
38 evacuation orders.  
39

40 (f) *Placement of single RVs, trailers and other temporary dwelling structures (together*  
41 *"temporary recovery or reconstruction housing facilities") for temporary emergency*  
42 *worker housing.* Notwithstanding the provisions of ~~this~~-chapter 130, Land Use Districts,  
43 and chapter 138, Rate of Growth Restrictions (ROGO/NROGO), ~~recreational-vehicles~~  
44 RVs, trailers and other temporary dwelling structures may be placed on public or private  
45 property within the county for temporary occupancy by workers occupied in response to

1 cleanup and reconstruction efforts following a natural or manmade disaster subject to the  
2 following conditions:

- 3 (1) An emergency directive or resolution of the board of county commissioners is issued  
4 authorizing the placement of the temporary recovery or reconstruction housing  
5 facilities;
- 6 (2) Placement of temporary recovery or reconstruction housing facilities must not impede  
7 or interfere with other emergency and recovery operations or public safety;
- 8 (3) Temporary recovery or reconstruction housing facilities shall be adequately tied down  
9 and provide for proper solid waste disposal, and where used to house workers  
10 involved in reconstruction activities, shall require a no-fee building permit linked to  
11 the required demolition or building permits for the related reconstruction activities.  
12 Where the temporary recovery or reconstruction housing facilities are used to house  
13 workers involved in reconstruction activities, any required demolition or building  
14 permits for the related reconstruction activities must be issued within 90 days from  
15 the placement of the temporary recovery or reconstruction housing facilities on an  
16 approved site. Prior to the issuance of no-fee building permits for any temporary  
17 recovery or reconstruction housing facilities, the county building official and  
18 planning director shall approve of the siting of the facilities and the department of  
19 health shall permit or otherwise authorize the connection of the temporary recovery or  
20 reconstruction housing facilities to an on-site wastewater treatment and disposal  
21 system or to an existing community wastewater treatment system;
- 22 (4) No clearing or filling of environmentally sensitive lands may occur as a result of  
23 providing temporary recovery or reconstruction housing facilities;
- 24 (5) Temporary recovery or reconstruction housing facilities shall ensure that temporary  
25 electrical and sewage lines do not constitute an attractive nuisance to children or  
26 homeless persons in the area (i.e., sufficient temporary fencing may be required by  
27 the building official);
- 28 (6) Temporary recovery or reconstruction housing facilities shall remain in place only for  
29 the period expressly set forth in the relevant authorizing emergency directive or board  
30 resolution. However, with respect to any particular site, the building official may  
31 extend the allowed placement one or more times for a cumulative period not to  
32 exceed 180 days, and with respect to one or more, or all permitted sites, the board of  
33 county commissioners may by resolution extend the period of permitted placement as  
34 deemed necessary or expedient to the public good. However, nothing in this section  
35 shall prevent the county or any state or federal authority to terminate without notice  
36 the authority to keep any temporary housing structures otherwise authorized under  
37 this section should it be deemed required for the public safety; and
- 38 (7) The only persons permitted to reside for any period in temporary recovery or  
39 reconstruction housing facilities are individuals who while in the county are actually  
40 gainfully employed on a fulltime basis in completing cleanup and reconstruction  
41 efforts following a natural or manmade disaster. All residents of temporary recovery  
42 or reconstruction housing facilities who were not permanent residents of the county  
43 prior to first occupying such housing facilities must be required to evacuate in  
44 accordance with local evacuation orders. Residents of any temporary recovery or  
45 reconstruction housing facilities who were permanent residents of the county prior to  
46 first occupying such housing facilities may not remain in temporary recovery or

1 reconstruction housing facilities during any period when a local evacuation order is in  
2 effect.

3  
4 (f) Placement of RVs for temporary worker housing associated with ongoing, long-term  
5 capital improvement projects. Notwithstanding the provisions of chapter 130, Land Use  
6 Districts, and chapter 138, Rate of Growth Restrictions (ROGO/NROGO), RVs may be  
7 placed on public or private property within the county for temporary occupancy by  
8 workers occupied in an ongoing, long-term capital improvement project:

9 (1) A resolution of the board of county commissioners shall be issued authorizing the  
10 number and location of the temporary RV or RVs;

11 (2) Placement of temporary RVs shall not interfere with public safety;

12 (3) Temporary RVs shall be adequately tied down and provide for proper solid waste  
13 disposal, and where used to house workers involved in construction activities, shall  
14 require a no-fee building permit, linked to the building permits for the related  
15 construction activities (if applicable). Prior to the issuance of no-fee building permits  
16 for any temporary RV, the county building official and planning director shall  
17 approve of the siting of the RV and the department of health shall permit or otherwise  
18 authorize the connection of the temporary RVs to on-site wastewater treatment and  
19 disposal systems or to existing community wastewater treatment systems;

20 (4) No clearing or filling of environmentally sensitive lands shall occur as a result of  
21 providing temporary RVs;

22 (5) Temporary RVs shall ensure that temporary electrical and sewage lines do not  
23 constitute an attractive nuisance to children or homeless persons in the area (i.e.,  
24 sufficient temporary fencing may be required by the building official);

25 (6) Temporary RVs shall remain in place only for the period expressly set forth in the  
26 relevant authorizing board resolution. However, with respect to any particular site, the  
27 building official may extend the allowed placement one or more times for a  
28 cumulative period not to exceed 180 days, and with respect to one or more, or all  
29 permitted sites, the board of county commissioners may by resolution extend the  
30 period of permitted placement as deemed necessary or expedient to the public good.  
31 However, nothing in this section shall prevent the county or any state or federal  
32 authority to terminate without notice the authority to keep any temporary RVs  
33 otherwise authorized under this section should it be deemed required for the public  
34 safety; and

35 (7) The only persons permitted to reside for any period in temporary RVs are individuals  
36 who while in the county are actually gainfully employed on a fulltime basis in  
37 completing construction efforts related to capital improvement projects.

38  
39 \* \* \* \* \*

40  
41 **Sec. 130-5. Temporary uses including public assemblies.**

42  
43 (a) Applicability. If not already provided for as a permitted use by the Land Development  
44 Code, a temporary use shall be a permitted use in any land use (zoning) district, provided  
45 it meets the criteria set forth in this section. This section shall not override or substitute

1 for any other section of this Land Development Code that requires another type of permit,  
2 certification or approval.

3  
4 (b) Temporary uses other than public assemblies. Approval of a temporary use other than a  
5 public assembly shall be granted only if the following criteria are met:

6 (1) Prior to establishment of the temporary use, a special building permit approving the  
7 temporary use, and any associated temporary structures, shall be issued in accordance  
8 with this section and section 6-112;

9 (2) No clearing or filling of environmentally sensitive lands shall occur to accommodate  
10 the temporary use;

11 (3) The temporary use shall not occur in any required setback or required parking area;  
12 and

13 (4) The temporary use shall be compatible with existing uses on surrounding properties.  
14 If necessary, prior to issuance of a special building permit allowing the temporary  
15 use, the planning director may require a meeting with the applicant, the planning  
16 director (or his/her designee), building official (or his/her designee), the sheriff (or  
17 his/her designee), the fire chief (or his/her designee), and/or a representative of the  
18 county health department to negotiate mutually satisfactory conditions under which  
19 the temporary use may be approved to avoid substantial harm to the public health or  
20 safety and to minimize or to avoid substantial harm to, or impairment of the normal  
21 use of, a public place or to avoid substantial harm to the environment. Depending on  
22 the nature and anticipated duration of the temporary use, as a condition of approval to  
23 the special building permit, the planning director and building official reserve the  
24 right to:

25 a. Require fencing, landscaping and/or other screening to limit potential visual and  
26 noise impacts of the temporary use on adjacent property owners; and

27 b. Require full compliance with the surface water management provisions provided  
28 in chapter 114, article I and the bufferyard provisions provided in chapter 114,  
29 article V.

30  
31 (c) Public assemblies. A public assembly is a type of temporary use that is attended by  
32 members of the general public, with or without an admission charge, when the duration  
33 of the event is less than seven consecutive days and/or the anticipated daily attendance is  
34 expected to exceed 250 persons. Approval of a public assembly shall be granted in  
35 accordance with the provisions set forth in chapter 17, article II.

36  
37 \* \* \* \* \*

38  
39 IV RECOMMENDATION

40  
41 Staff has found that the proposed text amendment would be consistent with the Principles for  
42 Guiding Development in the Florida Keys Area of Critical State Concern, the Monroe  
43 County Comprehensive Plan and the Monroe County Code.

44  
45 Staff has found that the proposed text amendment would be consistent with the provisions of  
46 §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those

1 on which the text or boundary was based; 2. Changed assumptions (e.g., regarding  
2 demographic trends); 3. Data errors, including errors in mapping, vegetative types and  
3 natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for  
4 additional detail or comprehensiveness; or 6. Data updates. Specifically, staff has found that  
5 the proposed text amendments are necessary due to a recognition of a need for additional  
6 detail or comprehensiveness.

7  
8 Staff recommends that the Board of County Commissioners amend the Monroe County Code  
9 as stated in the text of this staff report.



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

*We strive to be caring, professional and fair*

**To:** Planning Commissioners, John Wolfe  
**From:** Joe Haberman, Principal Current Planner  
**Date:** September 23, 2014  
**Subject:** File 2014-112 Oceanside Investors, LLC Development Agreement

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The agent for the applicant, Barton W. Smith, Esq, has requested to continue this item from the September 24, 2014, planning commission meeting to October 29, 2014. This is Item #4 on the agenda for September 24.



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: The Monroe Development Review Committee &  
Townsend Schwab, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, AICP, Planning & Development Review Manager

Date: August 25, 2014

Subject: *Request for an Amendment to a Development Agreement between Monroe County, Florida; Summerland Palms Investors, LLC, Coco Palms Developers, LLC, Suncrest Landing, LLC, Singh Investors, LLC, and Oceanside Investors, LLC concerning properties located at 5948, 5950 and 5970 Peninsular Avenue, Stock Island (legally described as Block 46, Lots 30, 31 and ½ Lot 32, Block 60, portions of Lots 1, 2 and 3, Block 61, portions of Lots 1, 2 and 3, the abandoned portion of Peninsular Avenue lying between Block 46 and Block 60, the abandoned portion of Maloney Avenue lying between Blocks 60 and 61, McDonald's Plat, also described as parcel of land in Sections 26, 34, 35 and 36, Township 37 South and Range 25 East, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100,), 24930 Overseas Highway, Summerland Key (legally described as Lot 55 and a portion of Lot 54, Summerland Yacht Harbor, having real estate #'s 00194741.000100, 00194741.000200, 00194741.000300, 00194741.000400, 00194741.000500, 00194741.000600, 00194741.000700, 00194741.000800, 00194741.000900, 00194741.001000, 00194741.001100, 00194741.001200, 00194741.001300, 00194741.001400, 00194741.001500, 00194741.001600, 00194741.001700, 00194741.001800, 00194741.001900, 00194741.002000, 00194741.002100 and 00194741.002200), 21585 Old State Road 4A, Cudjoe Key (legally described as Lot 30, Sacarma, having real estate #00174960.000000), and 5176 Suncrest Road, Stock Island (legally described as Lots 27 and 28, Sun Krest, having real estate # 00132680.000000) (File #2014-112)*

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**Meeting: August 26, 2014**

---

1 I REQUEST:

2  
3 The applicant is proposing an amendment to an existing development agreement between  
4 Monroe County, Florida; Summerland Palms Investors, LLC, Coco Palms Developers, LLC,  
5 Suncrest Landing, LLC, Singh Investors, LLC, and Oceanside Investors. The agreement was  
6 recorded in the official records of Monroe County on December 19, 2013 (Planning  
7 Department File #2013-069).

8  
9 The existing agreement allows the transfer of Residential Rate of Growth Ordinance (ROGO)  
10 exemptions – known as Transferable ROGO Exemptions (TRES) - from sender sites at 24930  
11 Overseas Highway (22 market-rate permanent TRES), 21585 Old State Road 4A (17 market-

1 rate permanent TREs) and 5176 Suncrest Road (7 market-rate permanent TREs) to a receiver  
2 site at 5950 and 5970 Peninsular Avenue, in accordance with MCC §130-161.1. On the  
3 sender sites, the residential dwelling units in which the transferred market-rate permanent  
4 TREs are derived shall be converted to, or replaced with, an equivalent amount of deed-  
5 restricted affordable housing.  
6

7 The existing agreement also involves the redevelopment of 5950 and 5970 Peninsular  
8 Avenue, the Receiver Site, for the addition of up to 78 new, market-rate residential dwelling  
9 units, which may be used as vacation rentals, up to 5 new hotel rooms, a new restaurant with  
10 up to 150 seats, and other improvements related to the existing, partially-condominiumized  
11 marina and accessory development. 22 existing, market-rate permanent units (under  
12 condominium ownership), a boat barn (under condominium ownership), marina slips (under  
13 condominium ownership) and ancillary/accessory buildings would be maintained. An  
14 existing boat barn/light industrial building would be demolished. The residential density,  
15 under maximum net density, would not exceed 100 total permanent residential units and 5  
16 transient units. Not including accessory structures related to the residential uses, the  
17 nonresidential floor area would not exceed 40,000 square feet. Dockage owned by the  
18 developer would include 8 new slips, for a total of approximately 16 slips, of which at least  
19 20% (3 slips) shall be reserved for commercial fishing vessels. New residential or  
20 nonresidential buildings shall not exceed 35 feet in height. Public access will be provided  
21 from 7:00 am until dusk.  
22

23 The following amendments are proposed to the existing agreement:  
24

- 25 • Include a recently purchased adjacent property to the premises associated with the  
26 Oceanside Marina property (Block 46, Lots 30, 31 and ½ Lot 32, Block 60,  
27 McDonald's Plat, having real estate #'s 00126210.000000, 00126220.000000 and  
28 00126230.000000). The adjacent property is commonly known as the Hickory House  
29 property and Oceanside Investors, LLC has entered into a purchase and sale  
30 agreement with Monroe County.
- 31 • Include an abandoned portion of Peninsular Avenue right-of-way to the premises  
32 associated with the Oceanside Marina property (a portion lying between Block 46 and  
33 Block 60). The abandonment was approved by the BOCC on June 30, 2014, as  
34 memorialized in Resolution #116-2014.
- 35 • Replace Suncrest Landing, LLC, as a party to the agreement with its predecessor in  
36 interest, Suncrest Investors, LLC.
- 37 • Amend the acreage of the Oceanside Marina property to reflect the aforementioned  
38 adjacent property and abandoned road.
- 39 • Amend the total number of hotel rooms allowed at the Oceanside Marina property  
40 from up to 4 hotel rooms to up to 17 hotel rooms.
- 41 • Amend the conceptual site plan approved by the existing agreement to a) include the  
42 aforementioned adjacent property, abandoned road and development thereon the  
43 added land area and b) to modify the hotel buildings to accommodate 17 hotel rooms.  
44

45 Applicant:

46 Agent: Barton W. Smith, Esq., Smith Oropeza, P.L.  
47

1  
2 II RELEVANT PRIOR COUNTY ACTIONS:  
3

4 Location #1: Oceanside Marina, 5950 and 5970 Peninsular Ave, Stock Island (“Oceanside  
5 Property”):  
6

7 In 1996, the Oceanside Investors’ predecessor in interest applied for a minor conditional use  
8 permit for part of the Oceanside Property, 5970 Peninsular Avenue (real estate  
9 #00127420.000100 only). The approval is memorialized by Development Order #12-96,  
10 approved by the Director of Planning on July 23, 1996 and recorded in the official records of  
11 Monroe County on September 6, 1996. The permit allowed for the construction of a 9,600 SF  
12 storage building and other associated accessory improvements. A copy of Development  
13 Order #12-96 is attached as Exhibit 4 to the agreement (Planning Department File #96045).  
14

15 In 1997, the Oceanside Investors’ predecessor in interest applied for an amendment to the  
16 major conditional use permit for part of the current Oceanside Property, 5950 Peninsular  
17 Avenue (real estate #00127420.000000 only). The approval is memorialized by Planning  
18 Commission Resolution #P52-97, approved by the Planning Commission at a public hearing  
19 on July 10, 1997, signed by the Planning Commission Chair on August 18, 1999 and  
20 recorded in the official records of Monroe County on August 24, 1999. The amendment  
21 allowed for the construction of 22 attached, market rate residential dwelling units one boat  
22 storage building; an addition to an existing restaurant; and other associated accessory  
23 improvements. A copy of Planning Commission Resolution #P52-97 is attached as Exhibit 5  
24 to the agreement (Planning Department File #97021).  
25

26 Following the issuance of Planning Commission Resolution #P52-97, Oceanside Investors’  
27 predecessor in interest acquired the adjacent property, 5970 Peninsular Avenue. Further, the  
28 22 attached, market rate residential dwelling units approved by Planning Commission  
29 Resolution #P52-97 were constructed and sold under condominium ownership. As such they  
30 are not part of the Oceanside Property.  
31

32 In 1999, the County, the State of Florida Department of Community Affairs, Paradise Island  
33 Park, Inc. and Key West Oceanside Marina entered into a development agreement allowing  
34 the transfer of 22 market-rate TREs from Paradise Island Park to Oceanside Marina. The  
35 development agreement was recorded in the official records of Monroe County on April 7,  
36 2000 (Book #1627, Pages #444 through #468) (Planning Department File #99039).  
37

38 In 2007, the Oceanside Investors’ predecessor in interest applied for an amendment to a  
39 major conditional use permit for the Oceanside Property, 5950 and 5970 Peninsular Avenue  
40 (real estate #00127420.000000 and real estate #00127420.000100, as well as other property  
41 associated with a condominium development). The approval is memorialized by Planning  
42 Commission Resolution #P21-07, approved by the Planning Commission at a public hearing  
43 on April 11, 2007, signed by the Planning Commission Chair on May 9, 2007 and recorded  
44 in the official records of Monroe County on July 13, 2007. The amendment allowed for the  
45 demolition of several buildings and construction of 32 attached, market-rate residential  
46 dwelling units; 2 boat barns; 8 wet slips; and other associated accessory improvements. A

1 copy of Planning Commission Resolution #P21-97 is attached as Exhibit 6 to the agreement.  
2 Please note that this project was not fully completed, and among other approved development  
3 not carried out, the 32 dwelling units were never constructed (Planning Department File  
4 #26028).

5  
6 In 2013, Oceanside Investors applied for the existing development agreement. The agreement  
7 was approved by the Board of County Commissioners at a public hearing on December 11,  
8 2013, and recorded in the official records of Monroe County on December 19, 2013. The  
9 agreement allows the transfer of the 46 market-rate TREs from three sender sites to the  
10 property. The agreement also conceptually approved the scope of work of a concurrent major  
11 conditional use permit application and associated site plan (Planning Department File #2013-  
12 069). [Please note that as of the date of this report, this project has not been completed. The  
13 applicant has 10 years from the effective date of the agreement to complete the project.]  
14

15 In 2013, Oceanside Investors applied for an amendment to a major conditional use permit for  
16 the Oceanside Property, 5950 and 5970 Peninsular Avenue (real estate #00127420.000000  
17 and real estate #00127420.000100). The approval is memorialized by Planning Commission  
18 Resolution #P04-14, approved by the Planning Commission at a public hearing on February  
19 26, 2014, signed by the Planning Commission Chair on March 26, 2014 and recorded in the  
20 official records of Monroe County on June 13, 2014. The amendment allowed for the  
21 property owner to improve the marina's facilities, construct 78 new market rate residential  
22 dwelling units (which may be used as vacation rentals), construct four new hotel rooms,  
23 construct a new restaurant, and carry out associated site improvements (Planning Department  
24 File #2013-068). [Please note that as of the date of this report, this project has not been  
25 completed. The applicant has 10 years from the effective date of the agreement to complete  
26 the project.]  
27

28 In 2013, Oceanside Investors applied for a minor conditional use permit to transfer the 46  
29 market-rate TREs to the property. The application is currently under review (Planning  
30 Department File #2013-070).  
31

32 In 2014, Oceanside Investors applied for a minor conditional use permit to transfer a portion  
33 of the Transferable Development Rights (TDRs) required to facilitate the project approved by  
34 Resolution #P04-14 to the property. The application is currently under review (Planning  
35 Department File #2014-041).  
36

37 In 2014, Oceanside Investors applied for an abandonment of a segment of Peninsular Avenue  
38 located north of the property (lying between Block 46 and Block 60). The abandonment was  
39 approved by the BOCC on June 30, 2014, as memorialized in Resolution #116-2014  
40 (Planning Department File #2014-054).  
41

42 In 2014, Oceanside Investors entered into a purchase and sales agreement with Monroe  
43 County to purchase the Hickory House property located north of the property.  
44

45 Location #2: Summerland Palms Trailer Park, 24930 Overseas Hwy, Summerland Key  
46 ("Summerland Palms Property"):

1  
2 The Planning & Environmental Resources Department issued a Letter of Development  
3 Rights determination for the Summerland Palms Property on November 7, 2013. The letter  
4 states that there are 22 ROGO exemptions, associated with lawful the existence of 22 mobile  
5 homes/RVs (as market-rate, permanent residential units) (File #2013-134). A copy of the  
6 letter is attached as Exhibit 11 to the agreement.  
7

8 Location #3: Rainbow’s End Trailer Park, 21585 Old State Rd 4A, Cudjoe Key (“Cudjoe  
9 Coco Palms Property”):

10  
11 On May 13, 2008, a Letter of Development Rights Determination was issued for the Cudjoe  
12 Coco Palms. The letter provided a determination that there are 16 ROGO exemptions,  
13 associated with lawful the existence of 16 mobile homes (File #28019).  
14

15 The May 13, 2008 letter was issued to an agent of the previous property owner. The current  
16 property owner(s) submitted additional information to support the existence of an additional  
17 ROGO exemption (as a permanent residential unit) and 5 RVs spaces (as transient residential  
18 units). The Planning & Environmental Resources Department issued a revised Letter of  
19 Development Rights determination for the Cudjoe Coco Palms Property on November 26,  
20 2013. The letter states that there are 17 ROGO exemptions, associated with lawful the  
21 existence of 17 mobile homes/RVs (as market-rate, permanent residential units) (File #2013-  
22 132). Staff has requested additional information supporting the lawful existence of the 5 RV  
23 spaces. A copy of the letter is attached as Exhibit 15 to the agreement.  
24

25 Location #4: 5176 Suncrest Rd, Stock Island (“Stock Island Suncrest Property”):  
26

27 The Planning & Environmental Resources Department issued a Letter of Development  
28 Rights determination for the Stock Island Suncrest Property on November 14, 2013. The  
29 letter states that there are 7 ROGO exemptions, associated with lawful the existence of 7  
30 mobile homes (as market-rate, permanent residential units) (File #2013-133). A copy of the  
31 letter is attached as Exhibit 19 to the agreement.  
32

33 Development Review Committee (DRC) and Planning Commission:  
34

35 On July 30, 2013, at a public meeting, the original agreement was reviewed by the DRC.  
36 Staff and the DRC recommended approval with amendments to the agreement.  
37

38 On October 30, 2013, at a public meeting, the original agreement was reviewed and  
39 discussed by the Planning Commission in advance of the November 15, 2013 public hearing.  
40 On November 15, 2013, at a public hearing, the original agreement was reviewed by the  
41 Planning Commission. The Planning Commission recommended approval with amendments  
42 to the agreement. The recommendation is memorialized with Planning Commission  
43 Resolution #P29-13.  
44  
45

1 III BACKGROUND INFORMATION:  
2

3 **Location #1 (Oceanside Property) - Oceanside Marina, 5948, 5950 and 5970 Peninsular**  
4 **Ave, Stock Island, mile marker 5 (*Changes from Existing Agreement in italics*):**  
5

6 Real Estate (RE) Numbers: 00126210.000000, 00126220.000000, 00126230.000000,  
7 00127420.000000 and 00127420.000100

8 Current Property Owner: Oceanside Investors, LLC

9 Total Size of Parcels: *Approximately 19.98 acres (approximately 11.32 acres of upland)*

10 Land Use District: Mixed Use (MU)

11 Future Land Use Map (FLUM) Designation: Mixed Use / Commercial (MC)

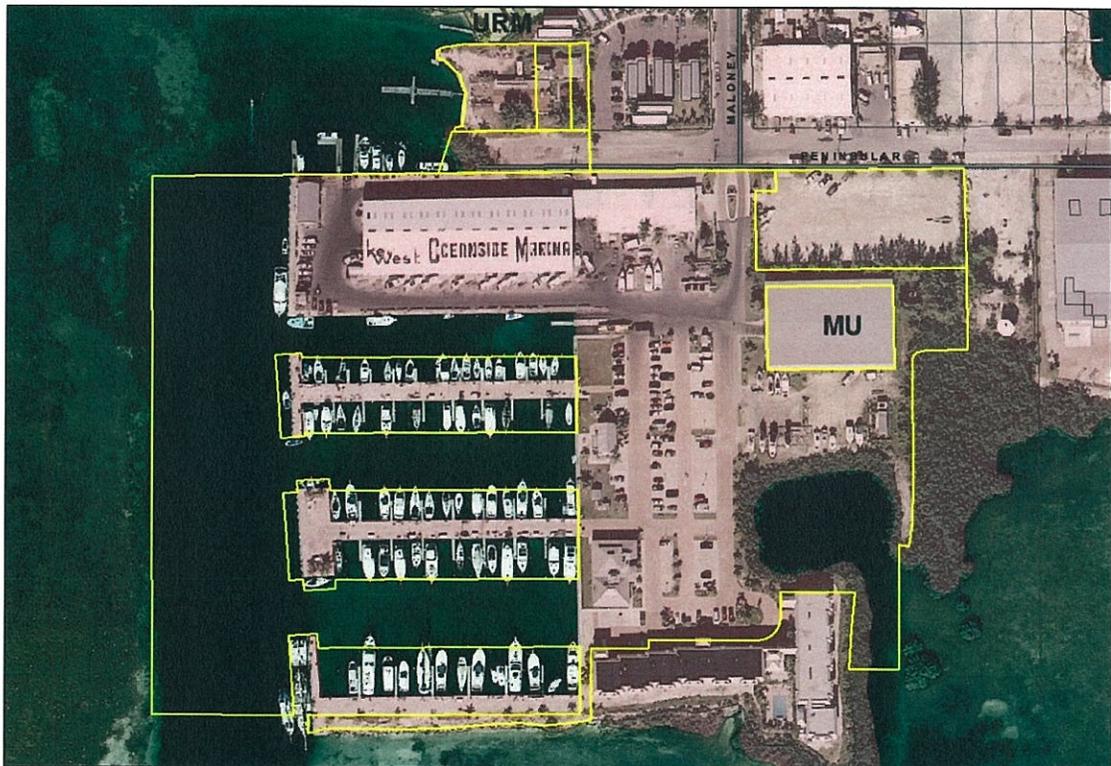
12 Tier Designation: Tier III

13 Flood Zones: AE-EL 9, AE-EL 10 and VE-EL 13

14 Existing Uses: Marina, Commercial Retail, Office, Residential

15 Existing Vegetation / Habitat: Predominately scarified, with mangroves along some  
16 segments of the shoreline and areas landscaping throughout the site

17 Community Character: Mixed Use  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



49 Oceanside Property with Land Use Districts Overlaid (Aerial dated 2012)  
50  
51

1 **Location #2 (Summerland Palms Property) - Summerland Palms Trailer Park, 24930**  
2 **Overseas Hwy, Summerland Key, mile marker 25:**  
3

4 Real Estate (RE) Numbers: 00194741.000100, 00194741.000200, 00194741.000300,  
5 00194741.000400, 00194741.000500, 00194741.000600, 00194741.000700,  
6 00194741.000800, 00194741.000900, 00194741.001000, 00194741.001100,  
7 00194741.001200, 00194741.001300, 00194741.001400, 00194741.001500,  
8 00194741.001600, 00194741.001700, 00194741.001800, 00194741.001900,  
9 00194741.002000, 00194741.002100 and 00194741.002200

10 Current Property Owner: Summerland Palms Investors, LLC

11 Total Size of Parcels: Approximately 0.93 acres (approximately 0.93 acres of upland)

12 Land Use District: Urban Residential Mobile Home (URM)

13 Future Land Use Map (FLUM) Designation: Residential High (RH)

14 Tier Designation: Tier III

15 Flood Zone: AE-EL 8

16 Existing Use: Mobile Home

17 Existing Vegetation / Habitat: Predominately scarified, with areas landscaping  
18 throughout the site

19 Community Character: Mixed Use



Summerland Palms Property with Land Use Districts Overlaid (Aerial dated 2012)

1 **Location #3 (Cudjoe Coco Palms Property) – Rainbow’s End Trailer Park, 21585 Old**  
2 **State Rd 4A, Cudjoe Key, mile marker 22:**  
3

4 Real Estate (RE) Number: 00174960.000000

6 Current Property Owner: Coco Palms Developers, LLC

8 Total Size of Parcel: Approximately 3.42 acres (Unknown amount of upland)

10 Land Use Districts: Native Area (NA), Urban Residential Mobile Home (URM) and  
11 Suburban Commercial (SC)

13 Future Land Use Map (FLUM) Designations: Residential Conservation (RC), Residential  
14 High (RH) and Mixed Use / Commercial (MC)

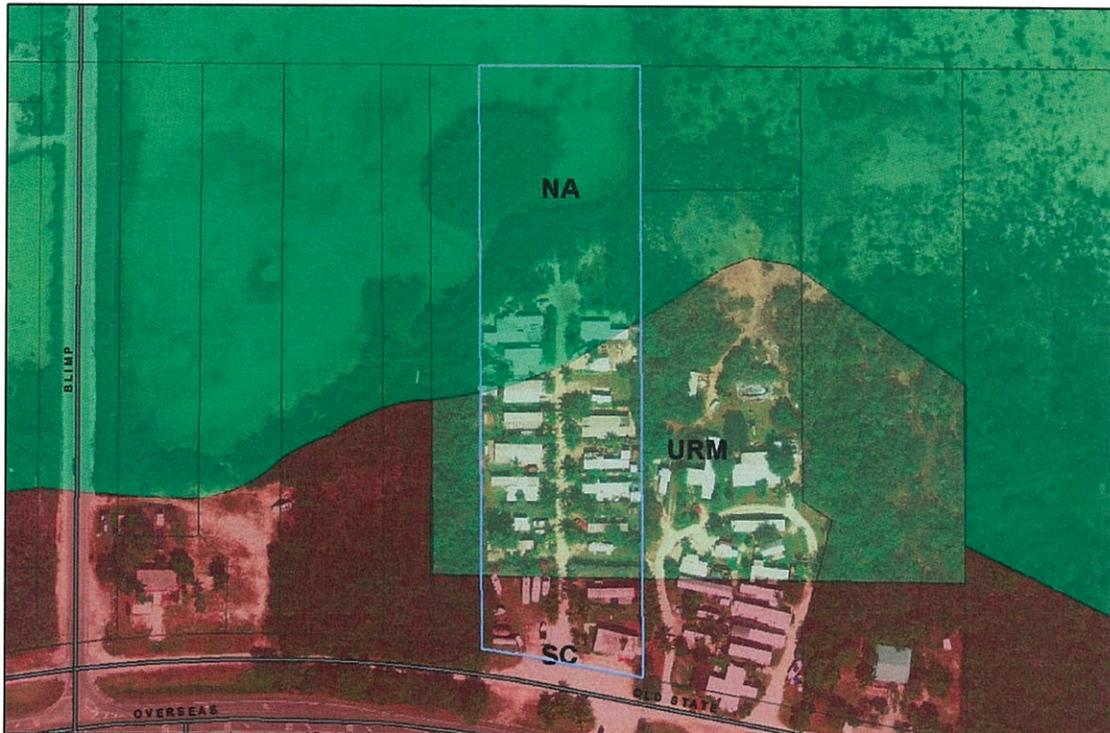
16 Tier Designation: Tier III

18 Flood Zone: AE-EL 10

20 Existing Uses: Mobile Home, Commercial Retail, RV

22 Existing Vegetation / Habitat: Predominately scarified, with mangroves and buttonwood  
23 along some segments of the shoreline and areas landscaping throughout the site

25 Community Character: Mixed Use



47 Cudjoe Coco Palms Property with Land Use Districts Overlaid (Aerial dated 2012)

1 **Location #4 (Stock Island Suncrest Property) - 5176 Suncrest Rd, Stock Island, mile**  
2 **marker 5:**

3  
4 Real Estate (RE) Number: 00132680.000000

5  
6 Current Property Owner: Suncrest Landing, LLC

7  
8 Total Size of Parcels: Approximately 2.07 acres (Unknown amount of upland)

9  
10 Land Use Districts: Mixed Use (MU) and Native Area (NA)

11  
12 Future Land Use Map (FLUM) Designations: Mixed Use / Commercial (MC) and  
13 Residential Conservation (RC)

14  
15 Tier Designations: Tier I and Tier III

16  
17 Flood Zones: AE-EL 8 and AE-EL 9

18  
19 Existing Uses: Mobile Home

20  
21 Existing Vegetation / Habitat: Partially scarified, with significant areas of mangroves

22  
23 Community Character: Mixed Use



46 Stock Island Suncrest Property with Land Use Districts Overlaid (Aerial dated 2012)

1 IV REVIEW OF APPLICATION:  
2

3 The BOCC shall have authority to enter into a development agreement by resolution with any  
4 person having a legal or equitable interest in real property located within the unincorporated  
5 area of Monroe County if the development agreement meets all of the requirements of the  
6 Florida Local Government Development Agreement Act, Section 163.3220-163.3243,  
7 Florida Statutes; provided, however, that the duration of the development agreement shall not  
8 exceed 10 years, and any duration specified in a development agreement shall supersede any  
9 conflicting duration otherwise specified in the land development regulations.

10  
11 Pursuant to Section 163.3227, Florida Statutes, a development agreement shall include the  
12 following:

13  
14 **[Note: As currently presented, the applicant has drafted a separate addendum to the**  
15 **existing agreement, referred to as the “First Amendment”. Therefore, none of the**  
16 **following referenced page/exhibit numbers found on the existing agreement would be**  
17 **modified by further revisions to the “First Amendment’ that may occur during this**  
18 **amendment process.]**  
19

- 20 a) A legal description of the land subject to the agreement, and the names of its legal and  
21 equitable owners:

22  
23 Existing Oceanside Property: In the existing agreement, a property description is stated in  
24 section I and a full legal description is provided in Exhibit 2. Ownership is stated in  
25 section I and a special warranty deed is provided in Exhibit 1.

26  
27 **New Oceanside Property: In the proposed First Amendment, a property description**  
28 **of the additional land associated with the Hickory House property and the**  
29 **Peninsular Avenue road abandonment is stated section I. Ownership is stated in**  
30 **section I and a warranty deed is provided in a new Exhibit 22 (Note: There is**  
31 **already an Exhibit 22, so this exhibit must be renumbered as Exhibit 24).**  
32

33 Summerland Palms Property: In the agreement, a property description is stated in section  
34 I and a full legal description is provided in Exhibit 9. Ownership is stated in section I and  
35 a special warranty deed is provided in Exhibit 8.

36  
37 Cudjoe Coco Palms Property: In the agreement, a property description is stated in section  
38 I and a full legal description is provided in Exhibit 13. Ownership is stated in section I  
39 and a warranty deed is provided in Exhibit 12.

40  
41 Stock Island Suncrest Property: In the agreement, a property description is stated in  
42 section I and a full legal description is provided in Exhibit 17. Ownership is stated in  
43 section I and a warranty deed is provided in Exhibit 16.

- 44  
45 b) The duration of the agreement:  
46

1 The agreement shall remain in effect for 10 years from the effective date, as stated in  
2 section III (C) on page 8.  
3

- 4 c) The development uses permitted on the land, including population densities, and building  
5 intensities and height:  
6

7 Permitted uses on the land(s), population densities, and building intensities and height(s)  
8 are provided in section III (D) on pages 8 through 12.  
9

- 10 d) A description of public facilities that will service the development, including who shall  
11 provide such facilities; the date any new facilities, if needed, will be constructed; and a  
12 schedule to assure public facilities are available concurrent with the impacts of the  
13 development:  
14

15 A description of public facilities is stated in section III (E) on pages 12 through 13.  
16

- 17 e) A description of any reservation or dedication of land for public purposes:  
18

19 There will be no reservation or dedication of land for public purpose. This is stated in in  
20 section III (F) on page 13.  
21

- 22 f) A description of all local development permits approved or needed to be approved for the  
23 development of the land:  
24

25 Required local development permits are not provided in a single section. The requirement  
26 for a major conditional use permit to redevelop the Oceanside Property is provided in  
27 section III (M) on page 23. The requirement for a minor conditional use permit to finalize  
28 transfer the TREs is provided in section I (I) on page 2 and III (L) on pages 18-19. Permit  
29 requirements in general are provided in section III (U) on page 25, which states "This  
30 Agreement is not and shall not be construed as a Development Permit, Development  
31 Approval or authorization to commence development, nor shall it relieve the Parties other  
32 than Monroe County of the obligations to obtain necessary Development Approvals that  
33 are required under applicable law and under and pursuant to the terms of this Agreement  
34 and Monroe County Code."  
35

- 36 g) A finding that the development permitted or proposed is consistent with the local  
37 government's comprehensive plan and land development regulations:  
38

39 A finding of consistency is stated in section III (O) on page 24.  
40

- 41 h) A description of any conditions, terms, restrictions, or other requirements determined to  
42 be necessary by the local government for the public health, safety, or welfare of its  
43 citizens:  
44

1 A description of any conditions, terms, restrictions or other requirements is not provided  
2 in a single section. Such conditions, terms, restrictions and other requirements are  
3 provided throughout the agreement.  
4

- 5 i) A statement indicating that the failure of the agreement to address a particular permit,  
6 condition, term, or restriction shall not relieve the developer of the necessity of  
7 complying with the law governing said permitting requirements, conditions, term, or  
8 restriction:  
9

10 Breach, amendment, enforcement and termination of the development provisions are  
11 provided in section III (P) on pages 24 through 25.  
12

13 Pursuant to MCC § 130-161.1(2), a development agreement allowing the transfer of market-  
14 rate, permanent residential TREs associated with a mobile home park(s) of more than 10  
15 mobile homes shall meet the following criteria:  
16

- 17 a) Procedure - This transfer shall require an approved development agreement:  
18

19 This agreement serves as a development agreement. Section 163.3220, Florida Statutes,  
20 authorizes Monroe County to enter into development agreements with landowners and/or  
21 governmental agencies to encourage a stronger commitment to comprehensive and  
22 capital facilities planning, ensure the provision of adequate public facilities for  
23 development, encourage the efficient use of resources, and reduce the economic cost of  
24 development.  
25

- 26 b) Procedure - Minor conditional use approval is required to complete the transfer:  
27

28 If this agreement is approved, the applicant will additionally be required to apply for and  
29 receive a minor conditional use permit(s) to finalize the transfer of TREs from the sender  
30 sites to the Oceanside Property receiver site.  
31

- 32 c) Requirement - ROGO exemptions transferred under this program may be transferred on a  
33 1 for 1 basis where the ROGO exemptions are to be transferred to single-family  
34 residential lots or parcels within the same ROGO planning subarea. However, where  
35 transfers are to be made to commercial or recreational working waterfronts (as defined by  
36 Florida Statutes), or to multi-family projects in non-IS districts, the transfers shall result  
37 in no fewer than two deed-restricted affordable or workforce housing units remaining on  
38 an eligible sender site(s) for each market rate ROGO exemption transferred:  
39

40 The agreement involves a transfer on a 1 for 1 basis. Although the receiver site is within  
41 the same ROGO planning subarea as all of the sender sites, it does not currently consist  
42 of single-family residential lots or parcels. As a plat not required or feasible, after any  
43 approval and construction of the residential dwelling units, the developer will establish  
44 individual parcels for each of the residential dwelling units via the Monroe County  
45 Property Appraiser (with a unique real estate number for each single-family unit).  
46

1 Note: Although the proposed 78 residential dwelling units would be attached dwellings,  
2 the project is not defined as multi-family by the MCC. As defined in MCC §101-1,  
3 *dwelling, attached*, means a residential dwelling unit consisting of one or more of  
4 residential units that are developed without open yards on all sides of the dwelling unit.  
5 This definition does not state that attached dwellings are multi-family. *Dwelling,*  
6 *apartment*, means a multifamily building in which units share common entries or  
7 accesses to individual units. This definition does not state that attached dwelling units  
8 constitute apartments, and further, the proposal attached dwellings shall not share  
9 common entries.

- 10  
11 d) Requirement - The eligible sender site property(ies) shall be donated or sold to Monroe  
12 County, or otherwise appropriately deed-restricted for long-term affordability. Prior to  
13 acceptance of a donated or purchased parcel, all units to be maintained on site shall pass a  
14 life safety inspection conducted in a manner prescribed by the Monroe County Building  
15 Department. Monroe County may then lease the sender site property to a party who will  
16 serve as lessee and sub-lessor of the eligible sender site(s):

17  
18 The applicant has hired a professional to carry out inspection of the mobile home parks.  
19 A report(s) shall be provided to the County.

- 20  
21 e) Requirement - The number of transferred ROGO exemptions shall not exceed the number  
22 of restricted affordable dwelling units maintained at the eligible sender sites:

23  
24 The agreement involves the transfer of 46 TREs to the receiver site and the deed-  
25 restrictions of 46 affordable housing units at the sender sites.

- 26  
27 f) Requirement - The resulting development or redevelopment of affordable housing  
28 pursuant to the governing development agreement will be targeted to serve as closely as  
29 possible the following household income categories: 25% very low income households,  
30 25% low income households, 25% median income households, and 25% moderate  
31 income households (or as otherwise approved by the BOCC):

32  
33 The agreement includes an approximate combination of 50% moderate-income, 25%  
34 median-income and 25% low-income. The applicant has requested that allocations  
35 associated with the very low-income be reserved for other projects that require very low-  
36 income allocations. Specifically:

- 37  
38 • Suncrest shall be allocated 3 low income and 4 moderate income  
39 • Summerland Palms shall be allocated 7 low income, 10 median income and 5  
40 moderate income  
41 • Coco Palms Developers shall be allocated 1 low income, 2 median income and 14  
42 moderate income

- 43 g) Requirement - Lot rents and/or sales prices for resulting deed-restricted dwelling units  
44 shall be established in accordance with restrictions outlined in Florida Statutes and/or the  
45 Monroe County Code:  
46

1 Compliance shall be monitored and an annual report shall be provided by the other  
2 Parties.  
3

- 4 h) Requirement - All units designated by the applicable development agreement to remain  
5 as deed restricted affordable housing at the donated, purchased or appropriately deed-  
6 restricted site(s) shall comply with hurricane standards established by the Florida  
7 Building Code and habitability standards established under the Florida Landlord and  
8 Tenant Act. Compliance shall be accomplished in a manner and within a timeframe set  
9 forth in the development agreement or, if applicable, in the relevant minor conditional  
10 use:  
11

12 The agreement includes language addressing that any units that do not meet the standards  
13 will be improved or replaced prior to receiving an affordable housing deed-restriction  
14 (and thus allowing the transfer of the associated market-rate TRE).  
15

- 16 i) Requirement - A development agreement proposed under this program shall not utilize  
17 more than 50% of the existing affordable housing allocations then available to Monroe  
18 County, unless otherwise approved by the BOCC:  
19

20 The agreement requires 46 affordable housing allocations: Summerland Palms Property  
21 (22), Cudjoe Coco Palms Property (17) and Stock Island Suncrest Property (7). Further,  
22 of the 46 affordable housing allocations, 23 would be moderate income, 12 would be  
23 median income and 11 would be low income.  
24

25 The reservation required a separate resolution of the BOCC, pursuant to MCC §138-  
26 24(b). On December 11, 2013, the BOCC issued Resolution #403-2013 reserving 46  
27 affordable ROGO allocations for 5 years, beginning on the effective date of the existing  
28 development agreement.  
29

- 30 j) Requirement - All of the redeveloped or preserved affordable housing units, whether  
31 redeveloped or retained at the original sender site(s), or at alternate or additional  
32 locations, shall remain in the same planning sub-district as the original sender site(s):  
33

34 All of the sender sites and the receiver site subject to the agreement are located in the  
35 Lower Keys ROGO subarea. As defined in MCC §138-20(c), the Lower Keys ROGO  
36 subarea is the unincorporated area of the County from the corporate limits of the Village  
37 of Islamorada (approximately mile marker 72) south to the corporate limits of the City of  
38 Key West at Cow Key Bridge on US 1 (approximately mile marker 4), excluding Big  
39 Pine Key and No Name Key.  
40

41 Pursuant to MCC § 130-161.1(2), a receiver site of the transfer of market-rate, permanent  
42 TREs associated with mobile home parks shall meet the following criteria:  
43

- 44 a) Approval of a minor conditional use permit:  
45

1 If this agreement is approved, the applicant will additionally be required to apply for and  
2 receive a minor conditional use permit(s) to finalize the transfer of TREs from the sender  
3 sites to the Oceanside Property receiver site.  
4

- 5 b) The receiver site shall be located in a Tier III designated area:  
6

7 The Oceanside Property receiver site is designated Tier III.  
8

- 9 c) The receiver site shall not be located in a velocity (V) zone:  
10

11 A small portion along the southern shoreline of the Oceanside Property receiver site is  
12 located in a velocity (V) zone (VE-EL 13). The property is not located exclusively in a  
13 velocity (V) zone. It is predominately located in AE-EL 9 and AE-EL 10 flood zones. As  
14 shown on the conceptual site plan attached to the agreement, the site within the property  
15 for the proposed 78 new units would not be located in the in the velocity (V) zone.  
16

- 17 d) A property owner cannot receive a certificate of occupancy for any unit constructed as a  
18 result of a transferred ROGO exemption until all corresponding eligible sender site units  
19 are completed and deed-restricted as affordable dwelling units:  
20

21 This requirement is stated several times in the agreement.  
22

- 23 e) All or any portion of the redeveloped or preserved affordable housing units may be  
24 redeveloped or retained at one or more alternate or additional locations donated or sold to  
25 Monroe County, identified in the Development Agreement and otherwise compliant with  
26 the remainder of this section, including but not limited to the requirements set forth in  
27 Monroe County Code Section 130-161.1 (2)(c)(i)(2):  
28

29 Not applicable.  
30

- 31 f) Transferred ROGO-exemptions shall remain in the same ROGO planning subarea:  
32

33 All of the sender sites and the receiver site subject to the agreement are located in the  
34 Lower Keys ROGO subarea. As defined in MCC §138-20(c), the Lower Keys ROGO  
35 subarea is the unincorporated area of the County from the corporate limits of the Village  
36 of Islamorada (approximately mile marker 72) south to the corporate limits of the City of  
37 Key West at Cow Key Bridge on US 1 (approximately mile marker 4), excluding Big  
38 Pine Key and No Name Key.  
39

40 Other Issues related to this Amendment:  
41

- 42 • *Conceptual Approval of Site Plan:*  
43

44 This agreement includes a conceptual site plan for the redevelopment of the Oceanside  
45 Property. Staff suggested, and the applicant accepted, language so that the applicant may

submit the conceptual site plan as part of this development agreement for review and consideration, but not for final approval.

A new conceptual site plan was not provided showing the future redevelopment of the newly acquired Hickory House property and abandoned portion of Peninsular Avenue. Staff is requesting that the applicant prepare and provide such a revised conceptual site plan.

- *Residential Density and Maximum Floor Area Ratio (§130-157, §130-162 & §130-164) of expanded Oceanside Property:*

The existing agreement refers to 11.18 acres of upland as associated with the property. The proposed First Amendment refers to 11.32 acres of upland as associated with the property.

The existing agreement allows for up to 4 hotel rooms. The proposed First Amendment allows for up to 17 hotel rooms. The intensity of other uses would not be amended.

Using the total land area provided in the proposed First Amendment, 17 hotel rooms could not be permitted pursuant to the land use intensity requirements of the MCC.

Proposed Land Use Intensity (Not Using TDRs for Hotel Rooms):

Land Use	FAR / Density	Size of Site	Max Allowed	Proposed	Potential Used
<b>Subject Property:</b>					
Permanent Residential	12 units / buildable ac <sup>1</sup>	11.32 upland ac (9.06 buildable ac)	108.72 units	78 units	71.74%
Transient Residential	10 rooms/ ac <sup>2</sup> (allocated)	11.32 upland ac (9.06 buildable ac)	113.20 rooms	17 rooms	15.02%
Commercial Retail (low-intensity)	0.35 FAR	11.32 upland ac (493,099 SF)	172,584 SF	3,023 SF <sup>3</sup>	1.75%
Offices	0.40 FAR	11.32 upland ac (493,099 SF)	197,239 SF	225 SF	0.11%
<b>Oceanside East Dry Storage Condominium</b>					
Boat Storage (Light Industrial)	N/A <sup>4</sup>	11.32 upland ac (493,099 SF)	243,500 SF	21,924 SF	0.0 %*
<b>Oceanside Residential Condominium</b>					
Permanent Residential	12 units / buildable ac <sup>1</sup>	11.32 upland ac (9.06 buildable ac)	108.72 units	22 units	20.24%
<b>Cumulative Total</b>					<b>108.86%</b>

- 1: This is maximum net density (12 dwelling units per buildable acre), not allocated density (1 dwelling unit per acre), as the applicant intends to utilize TDRs to allow a total of permanent residential units that is beyond that allowed by the allocated density allowance.
- 2: This is allocated density (10 rooms per acre), not maximum net density (15 rooms per buildable acre), as the applicant has not stated any intent to utilize TDRs to allow a total

of transient residential units that is beyond that allowed by the allocated density allowance.

- 3: The low-intensity commercial retail total includes the 1,240 SF marina store / watersports management and 1,783 SF restaurant seating areas.
- 4: Pursuant to a recent text amendment to the Monroe County Code (adopted by Ordinance #019-2013), boat barns consist of nonresidential floor area and are thereby subject to a FAR. Prior to the text amendment, the floor area of a boat barn was not considered nonresidential floor area if its total floor area did not exceed 50% of the total land area on which it was situated. This application was submitted prior to the effective date of Ordinance #019-2013. Further, a condition of the last major conditional use permit approval, #2 of #P21-07, expressly referred to this prior provision. Therefore, as the applicant submitted the plans in reliance of this previous provision, and at a time in which the provision was in effect, the table does not reflect the current light industrial FAR requirement of 0.30 as the floor area of the boat barn (21,924 SF) does not exceed 50% of the total land area (487,000 SF).

Proposed Land Use Intensity (Using TDRs for Hotel Rooms):

Land Use	FAR / Density	Size of Site	Max Allowed	Proposed	Potential Used
Subject Property:					
Permanent Residential	12 units / buildable ac <sup>1</sup>	11.32 upland ac (9.06 buildable ac)	108.72 units	78 units	71.74%
Transient Residential	15 rooms/ buildable ac <sup>2</sup> (max net)	11.32 upland ac (9.06 buildable ac)	135.90 rooms	17 rooms	12.5%
Commercial Retail (low-intensity)	0.35 FAR	11.32 upland ac (493,099 SF)	172,584 SF	3,023 SF <sup>3</sup>	1.75%
Offices	0.40 FAR	11.32 upland ac (493,099 SF)	197,239 SF	225 SF	0.11%
Oceanside East Dry Storage Condominium					
Boat Storage (Light Industrial)	N/A <sup>4</sup>	11.32 upland ac (493,099 SF)	243,500 SF	21,924 SF	0.0 %*
Oceanside Residential Condominium					
Permanent Residential	12 units / buildable ac <sup>1</sup>	11.32 upland ac (9.06 buildable ac)	108.72 units	22 units	20.24%
Cumulative Total					106.34%

- 1: This is maximum net density (12 dwelling units per buildable acre), not allocated density (1 dwelling unit per acre), as the applicant intends to utilize TDRs to allow a total of permanent residential units that is beyond that allowed by the allocated density allowance.
- 2: This is maximum net density (15 rooms per buildable acre), not allocated density (10 rooms per acre). However, the applicant has not stated any intent to utilize TDRs to allow a total of transient residential units that is beyond that allowed by the allocated density allowance.
- 3: The low-intensity commercial retail total includes the 1,240 SF marina store / watersports management and 1,783 SF restaurant seating areas.
- 4: Pursuant to a recent text amendment to the Monroe County Code (adopted by Ordinance #019-2013), boat barns consist of nonresidential floor area and are thereby subject to a FAR. Prior to the text amendment, the floor area of a boat barn was not considered nonresidential floor area if its total floor area did not exceed 50% of the total land area on

1 which it was situated. This application was submitted prior to the effective date of  
2 Ordinance #019-2013. Further, a condition of the last major conditional use permit  
3 approval, #2 of #P21-07, expressly referred to this prior provision. Therefore, as the  
4 applicant submitted the plans in reliance of this previous provision, and at a time in which  
5 the provision was in effect, the table does not reflect the current light industrial FAR  
6 requirement of 0.30 as the floor area of the boat barn (21,924 SF) does not exceed 50% of  
7 the total land area (487,000 SF).  
8

9 Note: Using the county's GIS database, the 11.32 upland acres referenced on page 4 of the  
10 proposed First Amendment may not be correct. There may be more land area, which could  
11 allow the proposed 17 hotel rooms. The applicant must provide the exact amount of total land  
12 area situated above mean high water as soon as possible as this affects the total number of  
13 hotel rooms that may be permitted.  
14

15 **V RECOMMENDATION:**  
16

17 The Planning & Environmental Resources Department recommends approval with the  
18 following revisions (staff reserves the right to request additional revisions as analysis  
19 continues):  
20

- 21 • The total land area of the Oceanside Property must be verified. If the total of 19.98 gross  
22 acres and 11.32 acres of upland acres are incorrect, as presented on page 4, then the  
23 proposed First Amendment shall be revised to reflect the correct acreages. If the total of  
24 19.98 gross acres and 11.32 acres of upland acres are correct, then the proposed First  
25 Amendment shall be revised to reflect the maximum allowed number of hotel rooms  
26 (which would be less than the currently proposed 17).
- 27 • The total number of required rental licenses of the Oceanside Property must be verified.  
28 The applicant is proposing 168; however this may be 5 less than required ( $78 + 78 + 17 =$   
29  $173$ ).
- 30 • With the construction of the affordable housing development located to the east of the  
31 Hickory House property, the Hickory House property became no longer situated on  
32 Maloney Avenue (the site of the affordable housing development served as a parking lot  
33 to the restaurant on the Hickory House property). Therefore, since the establishment of  
34 the affordable housing development, its address has been referred to as 5948 Peninsular  
35 Avenue, not 5948 Maloney Avenue. The proposed First Amendment should be revised to  
36 reflect the currently used address of 5948 Peninsular Avenue, not the previously used  
37 address of 5948 Maloney Avenue.
- 38 • A new design data table of the Oceanside Property, showing the expanded property and  
39 additional hotel rooms, is required to replace the conceptual site plan approved as Exhibit  
40 22 of the existing agreement.
- 41 • A new conceptual site plan of the Oceanside Property, showing the expanded property  
42 and additional hotel rooms, is required to replace the conceptual site plan approved as  
43 Exhibit 23 of the existing agreement.
- 44 • In the proposed First Amendment, a warranty deed ~~is~~ of the Hickory House property is  
45 referred to as Exhibit 22; however there is already an Exhibit 22. This exhibit must be  
46 renumbered as Exhibit 24.

**File #:** **2014-112**

**Owner's Name:** Oceanside Investors, LLC

**Applicant:** Oceanside Investors, LLC

**Agent:** Barton W. Smith, Esq.

**Type of Application:** Development Agreement

**Key:** Stock Island

**RE:** 00127420-000000      00127420-004700  
00127420-000100      00127420-004900  
00127420-004200      00127420-005000  
00127420-004400

**Additional Information added to File 2014-112**

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

Date: 8.07.14

Time: \_\_\_\_\_

Dear Applicant:

This is to acknowledge submittal of your application for Development Agreement  
Type of application

Oceanside Investors LLC to the Monroe County Planning Department.  
Project / Name

Thank you.

Shil Creech

Planning Staff

## Creech-Gail

---

**From:** Davisson-Bryan  
**Sent:** Monday, August 11, 2014 4:03 PM  
**To:** Creech-Gail  
**Subject:** RE: Need 300' Spon List  
**Attachments:** SPONs.xlsx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attached is the spreadsheet.

Bryan

Bryan Davisson  
Monroe County – Growth Management – Geographic Information Systems  
2798 Overseas Highway  
Marathon, FL 33050

Phone: 305-289-2533  
Fax: 305-289-2536

Monroe County - GIS

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. F.S. 668.6076

This message sent from the Monroe County Growth Management Office,  
2798 Overseas Highway, Suite 410, Marathon, FL 33050. Telephone - (305) 289-2500

---

**From:** Creech-Gail  
**Sent:** Monday, August 11, 2014 2:43 PM  
**To:** Davisson-Bryan  
**Subject:** Need 300' Spon List

Bryan,

I have another application with numerous RE numbers:

00127420-000000, 00127420-000100, 00127420-004200, 00127420-004400, 00127420-004700,  
00127420-004900 and 00127420-005000

At your convenience, please provide excel sheet with 300' surrounding property owners. Thanks so much. No hurry.

*Best Regards,*

*Gail Creech*

*Planning Commission Coordinator*

Monroe County Planning & Environmental Resources  
2798 Overseas Highway, Ste 400

Marathon, FL 33050  
Main Phone: 305-289-2500  
Office: 305-289-2522  
Fax: 305-289-2536  
[creech-gail@monroecounty-fl.gov](mailto:creech-gail@monroecounty-fl.gov)

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your e-mail communication may be subject to public disclosure.  
Fax: 305-289-2536

---

1018 TRUMAN LLC  
521 SIMONTON ST  
KEY WEST, FL 33040-6872

ADAMS LILO E  
7139 DRIFTWOOD DR SE  
ADA, MI 49301-7890

ALLEN JEFFREY E AND MONICA  
819 PEACOCK PLZ PMB 809  
KEY WEST, FL 33040-4293

ALSTOTT MICHAEL J FAMILY TRUST AMD  
REST 5/12/2006  
7019 1ST AVE S  
SAINT PETERSBURG, FL 33707-1252

APPELLIS MICHEL  
1414 NEWTON ST  
KEY WEST, FL 33040

ARMOUR JAMES  
4449 BAY SHORE RD  
SARASOTA, FL 34234-3712

ASPINWALL FAMILY TR AG 5/18/2011  
316 NAUTILUS CT  
FORT MYERS, FL 33908-1610

ASPINWALL GARY  
5823 RIVERSIDE LN  
FORT MYERS, FL 33919-2505

BACKWALL PARTNERS LLC  
3605 SOUTH BEACH DR  
TAMPA, FL 33629

BACLE PETER M AND MONICA  
15 AMARYLLIS DR  
KEY WEST, FL 33040

BACLE PETER M AND MONICA  
15 AMARYLLIS DR  
KEY WEST, FL 33040-6204

BAILEY PROPERTIES LLC  
5601 2ND ST W  
LEHIGH ACRES, FL 33971-6332

BAKER GERALD L  
7570 SKIPPER LN  
TALLAHASSEE, FL 32317-9534

BAMPARTNERS LP  
PO BOX 287  
SOUTHFIELD, MI 48037-0287

BARBER BERENICE  
6900 MALONEY AVE UNIT 4  
KEY WEST, FL 33040

BARRETT PAUL L/E  
PO BOX 5888  
KEY WEST, FL 33045-5888

BARTON DONALD J JR  
1502 UNITED ST  
KEY WEST, FL 33040

BEAN LINDA  
21945 MINNETONKA BLVD  
EXCELSIOR, MN 55331-8616

BEHMKE JOHN J AND KAY D  
PO BOX 344  
KEY WEST, FL 33041-0344

BENEDETTO GEORGE  
4421 JEFFERSON HWY  
JEFFERSON, LA 70121-1308

BENNETT GLENN  
6 EMERSON DR  
CINNAMINSON, NJ 08077-4050

BIRMINGHAM IRONWORKS INC  
9107 CHERRY RD  
VERMILION, OH 44089-9311

BITTNER DALE LEE REVOCABLE TRUST  
9/30/2013  
10 AZALEA DR  
KEY WEST, FL 33040-6206

BLANCO LIANA M  
6900 MALONEY AVE UNIT 14  
KEY WEST, FL 33040-6065

BLITZ FAMILY TRUST  
1800 ATLANTIC BLVD APT C338  
KEY WEST, FL 33040-5395

BLUEWATER INVESTMENT LP  
142 JFK DR  
ATLANTIS, FL 33462

BOGGS RONALD  
97 LEISURE CT UNIT 40  
PAGOSA SPRINGS, CO 81147-7746

BORROR DAVID S  
4280 HAYDEN RUN RD  
DUBLIN, OH 43017-4342

BOTTON LINE FISH CO INC  
7311 SALE BLVD  
PANAMA CITY, FL 32409-1349

BOWEN ALFRED AND JOY  
815 PEACOCK PLZ  
KEY WEST, FL 33040

BOYD JOHN L AND BARBARA J  
6781 OLIVE BRANCH RD  
OREGONIA, OH 45054-9456

BREINES STEVEN  
165 HORTON ST  
BRONX, NY 10464-1620

BURNETTE WILLIAM HOLMES REV TR  
05/30/1997  
708 WHITE ST  
KEY WEST, FL 33040-7155

BURNS MICHAEL J AND KARLA V  
6900 MALONEY AVE UNIT 15  
KEY WEST, FL 33040-6065

BUTLER CHUCK  
6800 MALONEY AVE LOT 47  
KEY WEST, FL 33040-8112

C SERVICE LLC  
15680 OLD STATE ROAD 4A  
SUMMERLAND KEY, FL 33042-3702

CALYPSO WATER SPORTS AND  
CHARTERS  
257 ATLANTIC BLVD  
KEY LARGO, FL 33037

CALYPSO WATER SPORTS AND  
CHARTERS INC  
257 ATLANTIC BLVD  
KEY LARGO, FL 33037-4304

CARDENAS ROBERT H AND DEBORAH  
917 EATON ST  
KEY WEST, FL 33040-6922

CASTRO RICARDO F  
6900 MALONEY AVE UNIT 13  
KEY WEST, FL 33040-6065

CAYO HUESO INVESTMENTS LNC  
6511 MALONEY AVE UNIT 6  
KEY WEST, FL 33040

CHEYENNE HOLDINGS LIMITED  
PARTNERSHIP  
2201 4TH ST N STE 201  
SAINT PETERSBURG, FL 33704-4300

COLLINS J FRED  
63 DOLPHIN COVE QUAY  
STAMFORD, CT 06902-7715

CONKLIN EDWARD G  
PO BOX 2468  
KEY WEST, FL 33045-2468

COOPER PETE AND DIANE  
1108 TRUMAN AVE  
KEY WEST, FL 33040-3352

COTTIS JOHN DEC TRUST 5/28/2008  
17258 DOLPHIN ST  
SUGARLOAF SHORES, FL 33042

COUNTY OF MONROE  
1100 SIMONTON ST  
KEY WEST, FL 33040

COVENEY MARY PRISCILLA  
6900 MALONEY AVE UNIT 6  
KEY WEST, FL 33040-6060

COX STANLEY A  
1648 RICHMOND RD  
LEXINGTON, KY 40502

CROWE TIMOTHY J AND DEBORAH R  
1707 PATRICIA ST  
KEY WEST, FL 33040

CVS OF SE MISSOURI PROFIT SHARING  
PLAN  
662 PALOMA CIRCLE  
MESQUITE, NV 89027

DASHER TED  
554 37TH ST N  
BIRMINGHAM, AL 35222-1318

DASHER TED  
4300 10TH AVE S  
BIRMINGHAM, AL 35222-4336

DASHER THEODORE E  
554 37TH ST NORTH  
BIRMINGHAM, AL 35222

DBGB REV LIV TR  
26 HINA ST  
HILO, HI 96720

DELPHFISHING MEDIA INC  
183 VENETIAN WAY  
SUMMERLAND KEY, FL 33042-3684

DEMAURO ROBERT AND KIMBERLY  
CURRY (H/W)  
17195 KINGFISH LN W  
SUMMERLAND KEY, FL 33042-3613

DHILLON WILLIAM J  
29780 SPRINGTIME RD  
BIG PINE KEY, FL 33043-3121

DIMBATH MERLE AND SUSAN REV FAMILY  
LIV TR  
2621 GULFVIEW DR  
KEY WEST, FL 33040-3983

✓ DOLPHIN WATCH I LLC  
3618 EL CENTRO ST  
ST PETE BEACH, FL 33706

✓ DUKE JOHN O REVOCABLE TRUST  
10/11/2013  
28555 JOLLY ROGER DR  
SUMMERLAND KEY, FL 33042-5501

✓ EASTERLY ROBERT  
1107 KEY PLZ - 155  
KEY WEST, FL 33040-4086

✓ ESTILL ROBERT I  
2026 S QUEEN ST  
YORK, PA 17403

✓ F DEPOT INC  
4705 NW 132ND ST  
OPA LOCKA, FL 33054-4313

✓ FEDERAL NATIONAL MORTGAGE  
ASSOCIATION  
3900 WISCONSIN AVE NW  
WASHINGTON, DC 20016-2892

✓ FLEMING ENTERPRISES LLC  
16101 LA GRANDE DR  
LITTLE ROCK, AR 72223-9152

✓ FOLEY WALTER ALLEN  
875 W LOOP 304  
CROCKETT, TX 75835

✓ FOLEY WALTER AND KAY TRUST 4/16/07  
875 WEST LOOP 304  
CROCKETT, TX 75835

✓ FORMOSO CHARLES A  
P O BOX 331089  
COCONUT GROVE, FL 33233

✓ FOWLER CHARLES  
7251 NW 6TH ST  
PLANTATION, FL 33317-1103

✓ FOWLER MILLARD LEON AND CONNIE L  
1716 SOUTH ST  
KEY WEST, FL 33040-3517

✓ FREE SALLY A  
115 SW 58TH ST  
CAPE CORAL, FL 33914

✓ G AND T PROPERTIES LIMITED  
PARTNERSHIP  
45 COYOTE RDG  
GREEN MOUNTAIN, NC 28740-9252

✓ GAP PROPERTIES OF SW FLORIDA 1 INC  
4737 OAK RUN DR  
SARASOTA, FL 34243

✓ GARDNER JENNIE S REV TR 10/26/2010  
201 13TH ST NE APT B  
WASHINGTON, DC 20002-6566

✓ GAYNOR RICHARD G  
2320 DRUSILLA LN  
BATON ROUGE, LA 70809-1495

✓ GIBBS JON M  
411 SHERIDAN BLVD  
ORLANDO, FL 32804-6344

✓ GRAY II FRED EMMET REV TRUST DTD 11-  
04-2004  
23063 WAHOO LN  
CUDJOE KEY, FL 33042

✓ HARLOW JAMES MYRON DEC TR  
12/7/2001  
16657 HOLLY LN  
SUMMERLAND KEY, FL 33042-3508

✓ HAYMAKER JAMES  
326 WHITEHEAD ST  
KEY WEST, FL 33040-6543

✓ HEITLER ROBERT H AND JANE A  
1694 COTTONWOOD CREEK PL  
LAKE MARY, FL 32746-4404

✓ HENDERSON ROBIN M  
PO BOX 2515  
KEY WEST, FL 33045-2515

✓ HILDEBRANDT FREDERICK AND SUSAN  
1901 S ROOSEVELT BLVD APT 401E  
KEY WEST, FL 33040-5249

✓ HOLMES PETER F  
12 WILDWOOD LN  
SCARBOROUGH, ME 04074-9436

✓ HOWARD DAVID B  
2525 N LAKE LEELANAU DR  
LAKE LEELANAU, MI 49653

✓ HOWELL WALTER W REV TR DTD 6-97  
106 KIMBALL POND RD  
CANTERBURY, NH 03224

✓ HOWELL WALTER W TRUSTEE  
106 ~~KIMBALL POND RD~~  
CANTERBURY, NH 03224-2302

✓ HUB FLORIDA LLC  
620 S RIVER LANDING RD  
EDGEWATER, MD 21037-1553

✓ HUNKER WAYDE  
7 PARK MEADOWS DR  
FAIRFIELD, OH 45014-4672

HURST BASIL J  
246 MCCAUSLEY RD  
HUBERT, NC 28539-3540

I-10 LLC  
6 ISLAND RD  
STUART, FL 34996-7005

JACKSON RICHARD W  
1301 FLAGLER AVE  
KEY WEST, FL 33040

JACKSON ROBERT C AND ANGELA G  
14091 SCIO CHURCH RD  
CHELSEA, MI 48118

JACQUES GARY L REV TRUST 6/7/2006  
PO BOX 22  
FLOYD, IA 50435-0022

JESSEE JASON  
1107 KEY PLZ PMB 333  
KEY WEST, FL 33040-4086

JONES JOHN B  
6800 MALONEY AVE LOT 46  
KEY WEST, FL 33040-8112

JONES LLC  
11 CYPRESS AVE  
KEY WEST, FL 33040-6236

KERSHAW ABRAHAM AND CAROL L JOINT  
TRUST 10/23/2012  
31W660 STEARNS RD  
ELGIN, IL 60120-9000

KEY WEST 80 LLC  
26640 EDGEWOOD RD  
EXCELSIOR, MN 55331-8339

KEY WEST HARBOUR YACHT CLUB TR  
6/28/2010  
6818 SEAVIEW BLVD  
HUDSON, FL 34667-1032

KEY WEST MARINA INVESTMENTS LLC  
6000 PENINSULAR AVE  
KEY WEST, FL 33040-6082

KEY WEST MARINA INVESTMENTS LLC  
1500 COLONIAL BLVD STE 103  
FORT MYERS, FL 33907-1025

KEYSTER LLC  
14007 LAKE MAGDALENE BLVD  
TAMPA, FL 33618-2319

LAMILA LIMITED LIABILITY PARTNERSHIP  
20 HIDDEN HILLS WAY  
ARDEN, NC 28704-6110

LANDIS OLIVER  
2740 W FRANKLIN BLVD  
GASTONIA, NC 28052

LANG RICHARD A  
92 HARTFORD PIKE  
NORTH SCITUATE, RI 02857-1846

LAYNE JUDITH  
6900 MALONEY AVE UNIT 1  
KEY WEST, FL 33040-6060

LEE JAMES A  
PO BOX 1022  
ANOKA, MN 55303-0599

LEWIS MARK AND BETH  
2075 WOOD ROAD  
LEBANON, OH 45036

LOCKWOOD BUDDIE A  
6900 MALONEY AVE UNIT 8  
KEY WEST, FL 33040-6060

LONG G GREG AND KRISTINE A  
102 ALGONQUIN  
LAKE WINNEBAGO, MO 64034

LUKOWSKI MICHAEL JOHN AND JUDITH  
ANN  
2200 NW 24TH ST  
GAINESVILLE, FL 32605-3854

LUTZ ELIZABETH N  
6800 MALONEY AVE LOT 48  
KEY WEST, FL 33040-8112

MAGGIO LEONA J  
PO BOX 2147  
KEY WEST, FL 33045-2147

MARLIN INTEGRATED CAPITAL III LLC  
180 SUGARLOAF DR  
SUMMERLAND KEY, FL 33042-3673

MARTIN CHRISTIE L  
6900 MALONEY AVE UNIT 5  
KEY WEST, FL 33040-6060

MARY B REAL ESTATE LLC  
2718 HARRIS AVE  
KEY WEST, FL 33040-3955

MAUN FAMILY TRUST 9/4/2013  
225 CHEROKEE LN  
CARBONDALE, CO 81623-9410

MCCARTHY CHRISTOPHER  
P O BOX 406  
SANDOWN, NH 03873

✓ MCKENDRY BRIAN  
80 PALM DR  
KEY WEST, FL 33040-6130

✓ MCSWEEN MIKE AND NANCY  
1422 HARMONY ST  
NEW ORLEANS, LA 70115-3407

✓ MENTONIS GEORGE AND PATRICIA  
5960 PENINSULAR AVE UNIT 109  
KEY WEST, FL 33040-6051

✱ MICK CAROL L  
PO BOX 210  
SOUTH BERWICK, ME 03908-0210

✓ MICK CAROL L  
PO BOX 763  
DURHAM, NH 03824-0763

✓ MILES GAY C  
404 SANDFIDDLER CT  
MOREHEAD CITY, NC 28557-2530

✓ MONGELLI ROBERT CHARLES DEC TR  
DTD 1-15-02  
1025 SANDYS WAY  
KEY WEST, FL 33040

✓ MORGAN HUGH J  
404 SOUTH ST  
KEY WEST, FL 33040-3138

✓ NASET WALLACE J  
20717 6TH AVE W  
SUMMERLAND KEY, FL 33042-4010

✓ NEUBERGER RENE AMEN AND RESTATE  
INTER VIVOS DEC TR  
175 TEAL CIR  
BERLIN, MD 21811-1531

✓ NGUYEN VINCENT H  
125 2ND ST APT 717  
OAKLAND, CA 94607-4567

✓ NIX JAMES R AND CATHERINE  
6900 MALONEY AVE UNIT 12  
KEY WEST, FL 33040-6060

✓ NOORDHOEK HAROLD  
300 CASUARINA CONCOURSE  
CORAL GABLES, FL 33143-6508

~~OCEANSIDE EAST DRY STORAGE  
CONDOMINIUM~~

OCEANSIDE INVESTORS LLC  
5640 LAUREL AVE  
KEY WEST, FL 33040-5915

✓ OLIVER LAWRENCE J TR DTD 05/02/95  
18420 DEEP PASSAGE LN  
FT MYERS BEACH, FL 33931

✓ OROPEZA HELIO AND CARLEEN  
224 KEY HAVEN RD  
KEY WEST, FL 33040-6224

✓ OSM LLC  
6810 FRONT ST  
KEY WEST, FL 33040-6040

✓ OTTO CORY J  
6900 MALONEY AVE UNIT 17  
KEY WEST, FL 33040-6065

✓ OYEME IV LLC  
PO BOX 787  
KEY WEST, FL 33041-0787

✓ OYSTER POINT PROPERTIES LLC  
105 E ST  
HAMPTON, VA 23661

✓ PETROCINE THOMAS AND LINDA L  
PO BOX 99  
WATERVILLE VALLEY, NH 03215

✓ PFENT DAVID J  
512 NOAH LANE  
KEY WEST, FL 33040

✓ PORTER POWELL DOUGLAS  
95510 OVERSEAS HWY  
KEY LARGO, FL 33037

✓ PRITZ DALE  
1832 SCHAWAN LN  
YORK, PA 17402

✓ REHM ALFRED F  
PO BOX 8086  
WILSON, NC 27893-1086

✓ RICE DAVID P AND MARY L  
133 MOCKINGBIRD LN  
MARATHON, FL 33050-2482

✓ RICHARDS LIVING TRUST 7/20/07  
1214 VON PHISTER ST  
KEY WEST, FL 33040

✓ RIVERO MELISSA A  
6900 MALONEY AVE UNIT 2  
KEY WEST, FL 33040-6060

✓ ROGGERO HARRY J JR LIVING TRUST  
10/1/2012  
21 PARKER AVE  
NEWPORT, RI 02840-6940

✓ ROWLEY RICHARD & PATRICIA  
P O BOX 125  
AUSTINBURG, OH 44010-0125

~~✓ ROWLEY RICHARD D & PATRICIA M  
P O BOX 125  
AUSTINBURG, OH 44010~~

✓ SALERNO ANTHONY L  
114 SINCLAIR DR  
NORTON SHORES, MI 49441-5545

★ SALINERO CHAD  
6900 MALONEY AVE UNIT 3  
KEY WEST, FL 33040-6060

✓ SCHOEPKE CRAIG A AND NANCY C  
29550 WEST CAHILL CT  
BIG PINE KEY, FL 33043

✓ SHATT J MURRAY & MARY H  
PO BOX 420488  
SUMMERLAND KEY, FL 33042-0488

✓ SHEFFLER BARBARA K  
2510 CHAGRIN RIVER RD  
CHAGRIN FALLS, OH 44022-6600

✓ SHIELD LINDA DEC TR 7/7/97  
920 VIRGINIA ST  
KEY WEST, FL 33040

✓ SIMON CHARLES AND JACQUELINE R  
23550 CENTER RIDGE RD STE 206  
WESTLAKE, OH 44145-3655

✓ SIMONDS ROBERT BRADLEY  
17131 SEA GRAPE LN  
SUGARLOAF KEY, FL 33042

✓ SIMONTON ROW LTD  
1109 EATON ST  
KEY WEST, FL 33040

✓ SIMS ROBERT JAMES & NANCY W  
7760 SOUTHWEST 167TH TERRACE  
MIAMI, FL 33157

✓ SMITH KEITH A  
PO BOX 1267  
SUMAS, WA 98295-1267

~~✓ SMITH KEITH A TRUSTEE  
PO BOX 1267  
SUMAS, WA 98295~~

✓ SOULES WILLIAM E  
1710 SW 87TH PL  
OCALA, FL 34476-6713

✓ SPANISH FLY ENTERPRISES INC  
PO BOX 420661  
SUMMERLAND KEY, FL 33042-0661

✓ STAFFORD TERESA  
7B-20-22 ONSLOW AVE  
ELIZABETH BAY, NSW 2011 SW 2011  
AUSTRALIA

✓ STARK JOHN TRUST AGREEMENT  
12/15/1995  
4780 COVE CIR APT 311  
SAINT PETERSBURG, FL 33708-2870

✓ STUURSMA JAMES R AND ANN M  
PO BOX 202  
MACATAWA, MI 49434-0202

✓ SUNSET INVESTORS LLC  
4400 PAPA JOE HENDRICK BLVD  
CHARLOTTE, NC 28262

✓ TARANTINO JOANNE  
1002 WASHINGTON ST  
KEY WEST, FL 33040-4865

✓ THOMAS FLOYD H AND CAROLYN A  
2034 IL ROUTE 2  
DIXON, IL 61021-9075

✓ THOMAS TOM AND LUCILLE G  
2864 COCO LAKES DR  
NAPLES, FL 34105-4511

✓ TIITF/SOVEREIGNTY LANDS  
3900 COMMONWEALTH BLVD  
TALLAHASSEE, FL 32399-3000

✓ TORTUGA WEST HOMEOWNERS ASSOC  
201 FRONT ST STE 110  
KEY WEST, FL 33040-8346

✓ TORTUGA WEST HOUSING LLC  
201 FRONT ST STE 107  
KEY WEST, FL 33040-8346

~~✓ TORTUGA WEST HOUSING LLC  
210 FRONT ST STE 107  
KEY WEST, FL 33040~~

✓ TOWER EQUITIES RE INC  
PO BOX 690785  
CHARLOTTE, NC 28227-7014

TRADEWINDS INTERNATIONAL REAL  
ESTATE PLLC  
1540 INTERNATIONAL PKWY STE 200  
LAKE MARY, FL 32746-4713

TRIVISONNO NICHOLAS L REVOCABLE  
TRUST 2/24/2003  
2019 CRAIGMORE DR  
CHARLOTTE, NC 28226-6206

WALTERS CHARLES D & STEPHANIE  
525 DU PONT LN  
KEY WEST, FL 33040-7458

WELLS KENNETH G  
6651 MALONEY AVE  
KEY WEST, FL 33040-6057

WEYMOUTH LISA A  
P O BOX 791249  
PAIA, HI 96779

WHITEHEAD BRIAN  
49 SUNSET KEY DR  
KEY WEST, FL 33040-8383

~~WHITEHEAD BRIAN J  
49 SUNSET KEY  
KEY WEST, FL 33040~~

WILKES GEORGE A REVOCABLE TRUST  
10/27/2004  
143 RAINBOW DR  
LIVINGSTON, TX 77399-1043

WILSON JAMES E AND MARIA  
27 EVERGREEN AVE  
KEY WEST, FL 33040-6244

WOLZ ROBERT J  
PO BOX 1411  
KEY WEST, FL 33041

WSG KEY WEST HOLDINGS LLC  
400 W 41ST ST STE 200  
MIAMI BEACH, FL 33140-3523

WYLAND OF KEY WEST INC  
953 NW 53RD ST  
FT LAUDERDALE, FL 33309



**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.**

**Alternate Key: 1161624 Parcel ID: 00127420-000000**

### Ownership Details

**Mailing Address:**

OCEANSIDE INVESTORS LLC  
 5640 LAUREL AVE  
 KEY WEST, FL 33040-5915

### Property Details

**PC Code:** 20 - AIRPORTS, MARINAS, BUS TERM

**Millage Group:** 110A

**Affordable Housing:** No

**Section-**

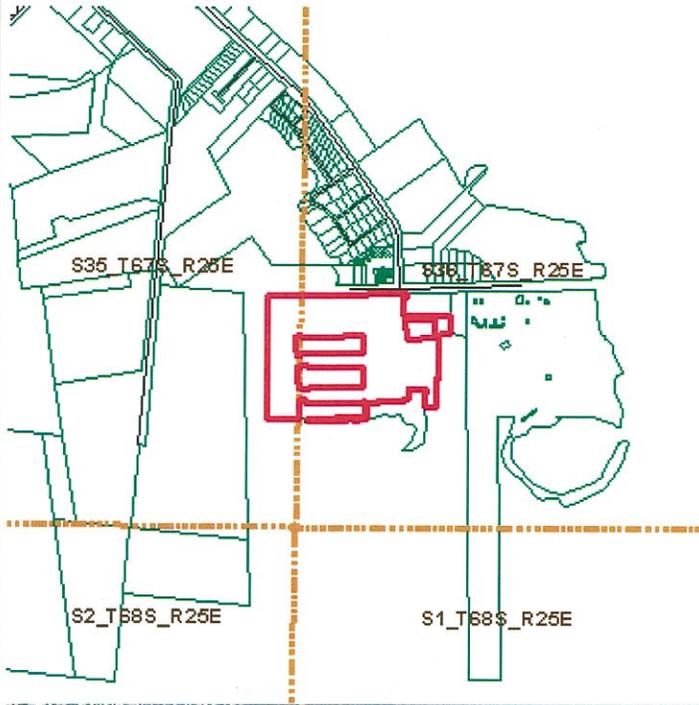
**Township-** 35-67-25

**Range:**

**Property Location:** 5950 PENINSULAR AVE SOUTH STOCK ISLAND

**Legal Description:** STOCK ISLAND MALONEY SUB PB1-55 LOTS 1-2-3 AND ADJ BAY BTM SQR 60 AND PT LTS 1-2-3 AND ADJ BAY BTM SQR 61 AND PT MALONEY AVE VACATED BCC 151-1974 AND FILLED BAY BTM ADJ TO MALONEY AVE (.11AC) AND PT ADJ PARCEL MISC REC BK D-58/59 OR333-58/59 OR509-440 OR514-92OR534-196/198 OR550-695 II 24710 OR690-313E OR739-246 OR930-119/137C/T OR930-148/151 OR959-2354/2355 II 26658 (3608-44) OR1278-2366/69 OR1619-384/386CERT/IIF OR2503-2018/32 OR2634-572/83

[Click Map Image to open interactive viewer](#)



### Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	329,644.00 SF
9500 - SUBMERGED	0	0	6.73 AC

### Building Summary

Number of Buildings: 6  
 Number of Commercial Buildings: 6  
 Total Living Area: 45361  
 Year Built: 1969

### Building 1 Details

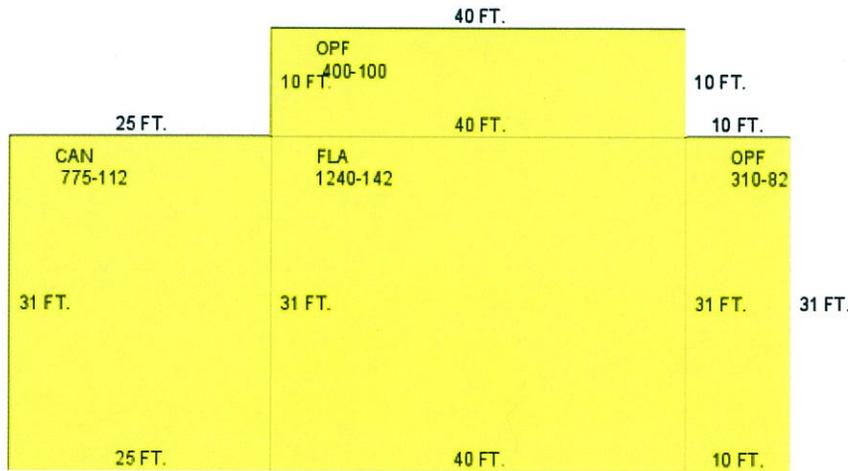
Building Type	Condition <u>A</u>	Quality Grade 250
Effective Age 22	Perimeter 142	Depreciation % 27
Year Built 1969	Special Arch 0	Grnd Floor Area 1,240
Functional Obs 0	Economic Obs 0	

**Inclusions:**

Roof Type	Roof Cover	Foundation
Heat 1	Heat 2	Bedrooms 0
Heat Src 1	Heat Src 2	

**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 8	Dishwasher 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1982					1,240
2	OPF		1	1982					310
3	OPF		1	1982					400
4	CAN		1	1982					775

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10037	VACANT COMM	100	N	Y
	10038	OPF	100	N	N
	10039	OPF	100	N	N
	10040	CAN	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
3284	AVE WOOD SIDING	100

**Building 2 Details**

**Building Type**  
**Effective Age** 22  
**Year Built** 1970  
**Functional Obs** 0

**Condition A**  
**Perimeter** 468  
**Special Arch** 0  
**Economic Obs** 0

**Quality Grade** 250  
**Depreciation %** 27  
**Grnd Floor Area** 9,704

**Inclusions:**

**Roof Type**  
**Heat 1**  
**Heat Src 1**

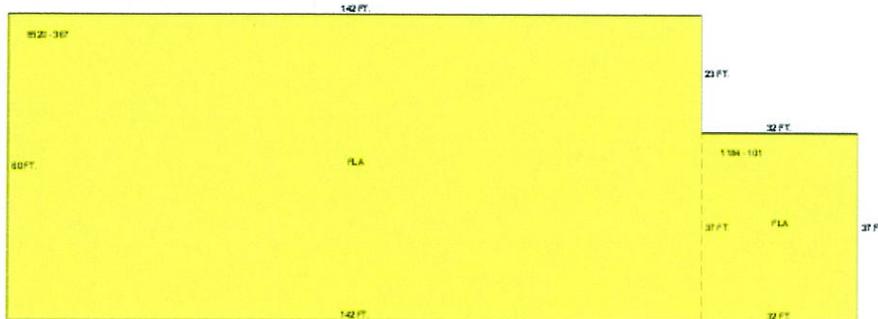
**Roof Cover**  
**Heat 2**  
**Heat Src 2**

**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** 8

**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
1	FLA		1	1982					8,520
2	FLA		1	1982					1,184

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10041	MARINA/AUTO/BUS TERM	100	N	N
	10042	SERV SHOPS ETC	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
3285	METAL SIDING	100

**Building 3 Details**

Building Type  
 Effective Age 14  
 Year Built 1969  
 Functional Obs 0

Condition A  
 Perimeter 800  
 Special Arch 0  
 Economic Obs 0

Quality Grade 250  
 Depreciation % 18  
 Grnd Floor Area 30,000

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

Roof Cover  
 Heat 2  
 Heat Src 2

Foundation  
 Bedrooms 0

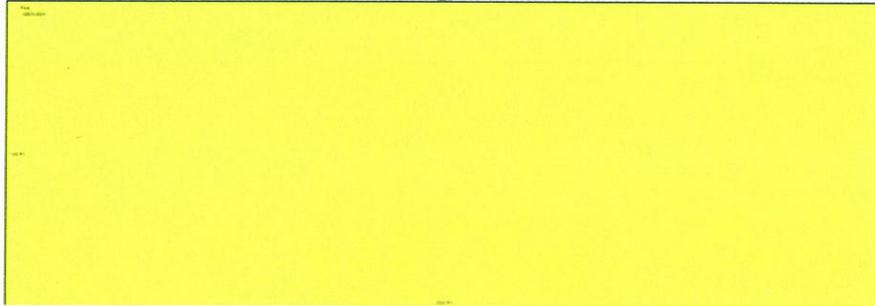
**Extra Features:**

2 Fix Bath 0

Vacuum 0

3 Fix Bath 0  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 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
1	FLA		1	1982					30,000

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10043	WAREHOUSE/MARINA C	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
3286	METAL SIDING	100

**Building 4 Details**

Building Type  
 Effective Age 14  
 Year Built 1983  
 Functional Obs 0

Condition A  
 Perimeter 180  
 Special Arch 0  
 Economic Obs 0

Quality Grade 250  
 Depreciation % 18  
 Grnd Floor Area 988

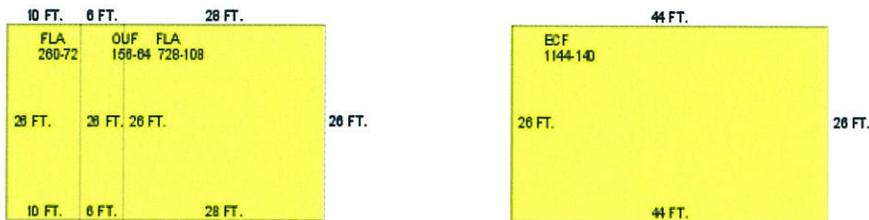
**Inclusions:**

Roof Type  
 Heat 1

Roof Cover  
 Heat 2

Foundation  
 Bedrooms 0

	Heat Src 1		Heat Src 2		
<b>Extra Features:</b>					
	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	18		Dishwasher	0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1983					728
2	OUF		1	1983					156
3	FLA		1	1983					260
4	ECF		1	1996					1,144

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10044	CAMP BLDG	100	N	N
	10045	OUF	100	N	N
	10046	CAMP BLDG-A-	100	N	N
	10047	ECF	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
3287	METAL SIDING	100

### Building 5 Details

Building Type  
 Effective Age 22  
 Year Built 1975  
 Functional Obs 0

Condition A  
 Perimeter 60  
 Special Arch 0  
 Economic Obs 0

Quality Grade 250  
 Depreciation % 27  
 Grnd Floor Area 225

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

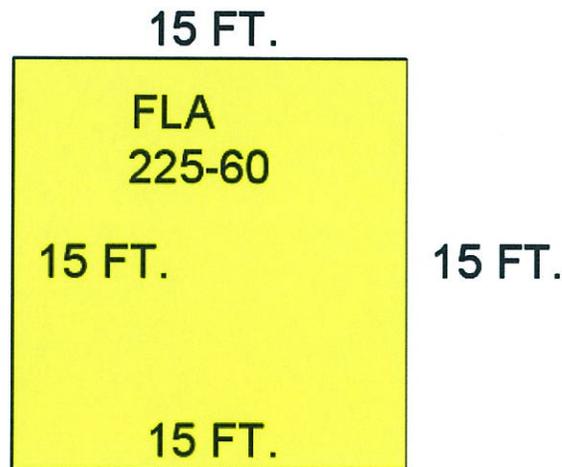
Roof Cover  
 Heat 2  
 Heat Src 2

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 3

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
1	FLA		1	1993					225

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10048	SERV SHOPS ETC	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %

3288

AVE WOOD SIDING

100

### Building 6 Details

Building Type  
Effective Age 12  
Year Built 1995  
Functional Obs 0

Condition E  
Perimeter 304  
Special Arch 0  
Economic Obs 0

Quality Grade 400  
Depreciation % 15  
Grnd Floor Area 3,204

**Inclusions:**

Roof Type  
Heat 1  
Heat Src 1

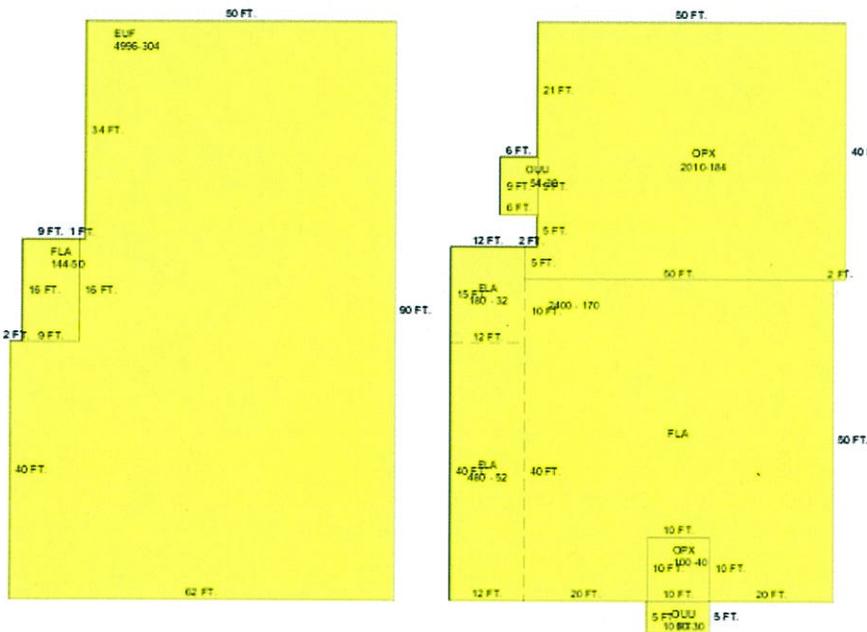
Roof Cover  
Heat 2  
Heat Src 2

Foundation  
Bedrooms 0

**Extra Features:**

2 Fix Bath 2  
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
0	FLA		1	2003					480
0	FLA		1	2003					180
1	EUF		1	2003					4,996
2	FLA		1	2003					144
4	FLA		1	1995					2,400

6	OPX	1	2003	2,010
7	OJU	1	2003	54
8	OPX	1	1995	100
9	OJU	1	2003	50

## Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		RESTRNT/CAFETR-B-	100	Y	Y
		RESTRNT/CAFETR-B-	100	Y	Y
	10049	EUJ	100	N	N
	10050	RESTRNT/CAFETR-B-	100	Y	Y
	10052	REST/CAFET-A-	100	Y	Y
	10054	OPX	100	N	N

## Exterior Wall:

Interior Finish Nbr	Type	Area %
3289	AB AVE WOOD SIDING	100

## Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	UB2:UTILITY BLDG	225 SF	15	15	1979	1980	3	50
2	RK2:BOAT RACKS	175 UT	0	0	1979	1980	1	30
3	PT3:PATIO	5,060 SF	0	0	1976	1977	1	50
4	CL2:CH LINK FENCE	2,892 SF	482	6	1976	1977	2	30
5	PT3:PATIO	1,276 SF	0	0	1976	1977	1	50
6	SW2:SEAWALL	4,995 SF	999	5	1999	2000	5	60
7	SW2:SEAWALL	1,855 SF	371	5	1999	2000	5	60
8	DK3:CONCRETE DOCK	8,418 SF	0	0	1976	1977	5	60
9	AP2:ASPHALT PAVING	70,250 SF	0	0	1976	1977	2	25
10	UB2:UTILITY BLDG	225 SF	15	15	1979	1980	3	50
11	RK2:BOAT RACKS	175 UT	0	0	1979	1980	1	30
12	PT3:PATIO	5,060 SF	0	0	1976	1977	1	50
13	CL2:CH LINK FENCE	2,892 SF	482	6	1976	1977	2	30
14	PT3:PATIO	1,276 SF	0	0	1976	1977	1	50
15	SW2:SEAWALL	4,995 SF	999	5	1999	2000	5	60
16	SW2:SEAWALL	1,855 SF	371	5	1999	2000	5	60
17	DK3:CONCRETE DOCK	8,418 SF	0	0	1976	1977	5	60
18	AP2:ASPHALT PAVING	70,250 SF	0	0	1976	1977	2	25
19	UB2:UTILITY BLDG	96 SF	12	8	1982	1983	3	50
20	FN2:FENCES	360 SF	6	60	1993	1994	2	30
21	UB2:UTILITY BLDG	200 SF	10	20	1982	1983	3	50
22	RK2:BOAT RACKS	10 UT	0	0	1989	1990	1	30

23	FN2:FENCES	1,330 SF	7	190	1993	1994	5	30
24	CL2:CH LINK FENCE	3,120 SF	6	520	1993	1994	1	30
25	PT3:PATIO	1,240 SF	0	0	1994	1995	2	50
26	WD2:WOOD DECK	564 SF	0	0	1994	1995	4	40
27	AC2:WALL AIR COND	2 UT	0	0	1994	1995	1	20
28	WD2:WOOD DECK	60 SF	12	5	1994	1995	1	40
29	AP2:ASPHALT PAVING	2,008 SF	0	0	1994	1995	1	25
30	PT3:PATIO	400 SF	100	4	1993	1994	2	50
31	WD2:WOOD DECK	400 SF	100	4	1983	1984	4	40
32	CB2:DET CABANA	100 SF	10	10	1993	1994	3	60
33	UB2:UTILITY BLDG	72 SF	12	6	1989	1990	2	50
34	UB3:LC UTIL BLDG	40 SF	10	4	1989	1990	1	30
35	UB2:UTILITY BLDG	96 SF	12	8	1992	1993	3	50
36	UB2:UTILITY BLDG	96 SF	12	8	1992	1993	3	50
37	FN2:FENCES	600 SF	60	10	1995	1996	5	30
38	FN2:FENCES	600 SF	60	10	1995	1996	5	30
39	FN2:FENCES	192 SF	16	12	1998	1999	5	30
40	SW2:SEAWALL	1,720 SF	430	4	1998	1999	1	60

### Appraiser Notes

RE: 12361 AND 12745 COMBINED FOR ASSESSING PURPOSES 5-8-87

PER OR2669-824 SPLIT 541 SQ FT ADJACENT TO BOAT SLIP 693 TO RE00127420-000925, AK9102430; DONE FOR THE 2014 TAX ROLL.

2004/1/6...BC...BUILDING 7 AND THE LAND UNDER IT WAS SPLIT OUT AND CONVERTED INTO CONDO BOAT STORAGE. (TO BE HANDELED BY DARLENE) THE OVERRIDE VALUE WAS REDUCED BY \$644,924. OCEANSIDE MARINA 96 SF UB2 IS GUARD HSE BLDG. #1 = TACKLESHOP BLDG. #2 =SHIP'S STORE BLDG. #3 = BOAT STORAGE BLDG. #4 = BATH HOUSE INCOME DATA IN FILE CHANGED THE PC CODE FROM 27 TO 60 FOR HE Y2K TAX VALUE AND PICKIED HE 430 FEET OF RIPRAP. 00/039 2000-12-29 REMOVED THE .75 TO 1.00 FOR THE LAND ADJUSTMENT FOR THE BAY BOTTOM FOR THE 2001 TASX ROLL. DUG 2002/5/31 SB, TPP ACCOUNTS: ALL SEASON ANGLERS - 899101, BENNETT BRIAN-9028196, BITTNER, DALE -8886241, BRIENZA, JAMES-8999629, CALCUTTA-8824149, CAPT MIKES-8939657, CAPT PAUL HELWIG-8943408, CARL PEACHEY-8999255, CHARTER SEA-8918127, CHEERIO CHARTERS-9000762, CLUB FRED-8977640, COLE, WM-8977024, CURRIE, MIKE-8870418, DEBI LOU-8893761, END OF THE LINE-8977090, FUN-SEA-KER-8981677, HIGH SEAS-9000135, HUGH MORGAN-9000300, JACE GROUP-8943716, KEY LIMEY CHARTERS-8859708, KW KAYAK FISHING-8943771, KW METAL SCULPTING-8928694, LIGHTHOUSE INN-8882912, LOGAN, RYON-8970468, MANNETTI CHARTERS-8892004, MARKS MARINE DIESEL RPR-8796684, MS MARGARITE-8927931, MURRAY SHATT-8929368, MYSTIC DREAM-8970534, ON THE FLY-8824823, PIERCE, THOMAS-8889780, QUICK RELIEF-8684584, REEL TIME-8943375, RUSTY FLY-8970842, SEAHORSE-9003182, SEA YA-8914890, SECOND CHANCE-8927912, SHADOW-8927996, SIGNAL 20-9000762, SOUTHERNMOST SAILING-8829345, STRUTHERS, GENE-9001114, SUIA PROPERTIES-8892454, SUPER GROUPER-8928455, SUNDAYS ON THE BAY-8977035, THERAPY-8949469, THOMAS, GREG-8939349, THUMMUS-8787081, TOMCAMP-8989784, TROPICAL DREAM-8954694, WILD ABOUT DOLPHINS-8905246, WILLET MARINE -8819676, SOUTHPAW CHARTERS-9022256, MARINATECH INC-9022597, SUPER GROUPER III-9028493 2/14/2003 ADDED BLDG # 7 , BOAT STORAGE. D.M.J.

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
06106750	03/15/2007		225,000	Commercial	New Marina entrance
10105254	09/02/2010		0	Commercial	WIRE RANGE HOOD
10104979	08/19/2010		0	Commercial	POOL, SPA, FENCE.
13100536	02/28/2013		3,800	Commercial	TEMP OFFICE TRAILER

	13100535	02/28/2013		10,000	Commercial	DEMO INTERIOR
	13100536	02/28/2013		3,800	Commercial	PLACE TEMP OFFICE 8 X 40 FT
	13102543	06/27/2013		0		DEMO BATH HOUSE.
	13102737	07/22/2013		4,635	Commercial	PERMIT APPROVAL TO INSALL VIDEO CAMERA'S FOR SECURITY
1	94-0659	08/01/1994	03/01/1995	200,000	Commercial	COMM.RESTAURANT
	95-0276	08/01/1994	03/01/1995	500	Commercial	ENCLOSURE
	94-1251	10/01/1994	10/01/1995	3,025	Commercial	BUILDING MISC.
4	981173	08/21/1998	06/11/1999	25,000	Commercial	SEAWALL
5	991605	06/23/1999	01/20/2000	9,500	Commercial	COMMERCIAL ROOFING
6	00/2271	05/24/2000	01/01/2001	25,000	Commercial	SEAWALL-REPAIR
7	01-2637	08/24/2001	06/10/2002	3,000,000	Commercial	BOAT STORAGE BLDG
8	01-2635	08/24/2001	06/10/2002	3,000,000	Commercial	BOAT STORAGE BLDG
9	01-5372	08/24/2001	06/10/2002	3,000,000	Commercial	BOAT STORAGE BLDG
10	11/4681	12/26/2001	12/29/2006	16,025	Commercial	SIDEWALK-REPLACE
11	01/4666	12/21/2001	06/10/2002	6,000	Commercial	COMM. MISC.
12	01/2635	08/24/2001	12/28/2007	3,000,000	Commercial	site upgrades
13	02/1355	05/09/2002	12/29/2006	150,000	Commercial	EXPANSION OF REST.
14	02/1758	05/14/2002	06/10/2002	72,000	Commercial	DOCK
15	02-2525	07/12/2002	03/13/2003	150,000	Commercial	ADD TO RESTAURANT& C.O.
17	01-2634	12/19/2001	12/29/2006	30,000	Commercial	SLAB 1,466 SF
	04-1801	05/28/2004	02/16/2005	99,720	Commercial	ELECTRIC MISCELLANEOUS
	01102653		12/29/2006	0	Commercial	new SFR
	01102654		12/29/2006	0	Commercial	new SFR
	01102655		12/29/2006	0	Commercial	new SFR
	01102656		12/29/2006	0	Commercial	new SFR
	01102658		12/29/2006	0	Commercial	new SFR
	01102659		12/29/2006	0	Commercial	new SFF
	01102660		12/29/2006	0	Commercial	new SFR
	01102661		12/30/2003	0	Commercial	new SFR
	01102657		12/30/2003	0	Commercial	new SFR
	01102642		12/30/2003	0	Commercial	new SFR
	01102641		12/30/2003	0	Commercial	new SFR
	01102640		12/30/2003	0	Commercial	new SFR
	01102639		12/30/2003	0	Commercial	new SFR
	01102645		12/30/2003	0	Commercial	new SFR
	01102643		12/30/2003	0	Commercial	new SFR
	01102647		12/30/2003	0	Commercial	new SFRO
	01102646		12/30/2003	0	Commercial	new SFR
	01102648		12/30/2003	0	Commercial	new SFR
	01102649		12/30/2003	0	Commercial	new SFR
	01102650		12/30/2003	0	Commercial	new SFR
	01102651		12/30/2003	0	Commercial	new SFR

01102652		12/30/2003	0	Commercial	new SFR
05104135	08/05/2005	12/29/2006	5,000	Commercial	DEMO DRYWALL & TILE
05105320	04/28/2006	12/28/2007	500,000	Commercial	INTERIOR RENOVATIONS FOR 1ST FLOOR , CONCRETE SLAB, & ROOF
06104082	03/12/2007	12/28/2007	10,000	Commercial	Install New Buffer Tank
07101892	05/24/2007		100,000	Commercial	DEMO METAL BUILD
07101628	06/05/2007	12/28/2007	16,000	Commercial	Install Kitchen Hoods
07102762	08/13/2007		2,400	Commercial	Fire Suppression System
07102478	07/26/2007	01/16/2008	1,200	Commercial	Propane Tank & Lines
07103478	09/13/2007		57,000	Commercial	Dock Improvements & Repairs

### 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
2014	2,360,681	1,344,509	3,393,103	3,452,645	3,452,645	0	3,452,645
2013	2,455,786	1,357,159	4,205,730	3,452,645	3,452,645	0	3,452,645
2012	2,488,395	1,392,190	4,205,730	3,452,645	3,452,645	0	3,452,645
2011	2,539,196	1,422,245	4,205,730	5,021,177	5,021,177	0	5,021,177
2010	2,539,196	1,447,289	7,743,188	5,579,085	5,579,085	0	5,579,085
2009	2,596,980	1,483,137	16,979,873	5,579,085	5,579,085	0	5,579,085
2008	2,621,437	1,513,593	9,096,673	6,950,384	6,950,384	0	6,950,384
2007	1,883,939	1,266,994	3,411,673	6,950,384	6,950,384	0	6,950,384
2006	1,895,088	1,059,408	3,032,673	1,820,647	1,820,647	0	1,820,647
2005	1,952,361	1,080,304	3,032,673	1,820,647	1,820,647	0	1,820,647
2004	1,952,327	1,099,609	1,349,150	1,820,647	1,820,647	0	1,820,647
2003	2,369,256	1,124,895	1,424,150	2,465,571	2,465,571	0	2,465,571
2002	1,799,332	1,145,824	1,459,650	2,465,571	2,465,571	0	2,465,571
2001	1,799,332	1,165,097	996,970	2,465,571	2,465,571	0	2,465,571
2000	1,799,332	349,157	977,395	2,465,571	2,465,571	0	2,465,571
1999	1,799,332	344,291	977,395	1,789,390	1,789,390	0	1,789,390
1998	1,202,121	352,526	977,395	1,356,546	1,356,546	0	1,356,546
1997	1,202,121	362,578	977,395	1,356,546	1,356,546	0	1,356,546
1996	1,084,467	359,012	977,395	1,356,546	1,356,546	0	1,356,546
1995	838,212	358,125	1,071,680	2,283,321	2,283,321	0	2,283,321
1994	842,465	357,609	1,071,680	2,283,321	2,283,321	0	2,283,321
1993	842,465	364,306	2,571,675	2,784,273	2,784,273	0	2,784,273
1992	842,465	373,619	1,550,161	2,766,245	2,766,245	0	2,766,245
1991	877,466	389,118	2,004,157	3,270,741	3,270,741	0	3,270,741
1990	877,466	401,995	1,634,815	3,635,223	3,635,223	0	3,635,223
1989	877,466	417,492	1,634,815	3,635,223	3,635,223	0	3,635,223

1988	800,600	334,434	1,634,815	3,548,483	3,548,483	0	3,548,483
1987	779,565	344,152	1,636,765	3,532,620	3,532,620	0	3,532,620
1986	752,031	349,316	1,486,910	3,167,805	3,167,805	0	3,167,805
1985	735,525	360,772	1,038,731	2,980,119	2,980,119	0	2,980,119
1984	732,449	370,406	1,038,731	2,100,000	2,100,000	0	2,100,000
1983	715,242	217,002	1,038,731	2,030,395	2,030,395	0	2,030,395
1982	693,530	195,738	912,721	1,801,989	1,801,989	0	1,801,989

## 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
6/13/2013	2634 / 572	4,750,000	WD	12
1/26/2011	2503 / 2018	15,932,400	WD	12
6/23/2004	2019 / 1476	7,250,000	WD	M
10/1/1993	1278 / 2366	2,450,000	WD	Q
2/1/1977	706 / 537	1,366,650	00	Q

This page has been visited 235,994 times.

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



**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.**

**Alternate Key: 8884257 Parcel ID: 00127420-000100**

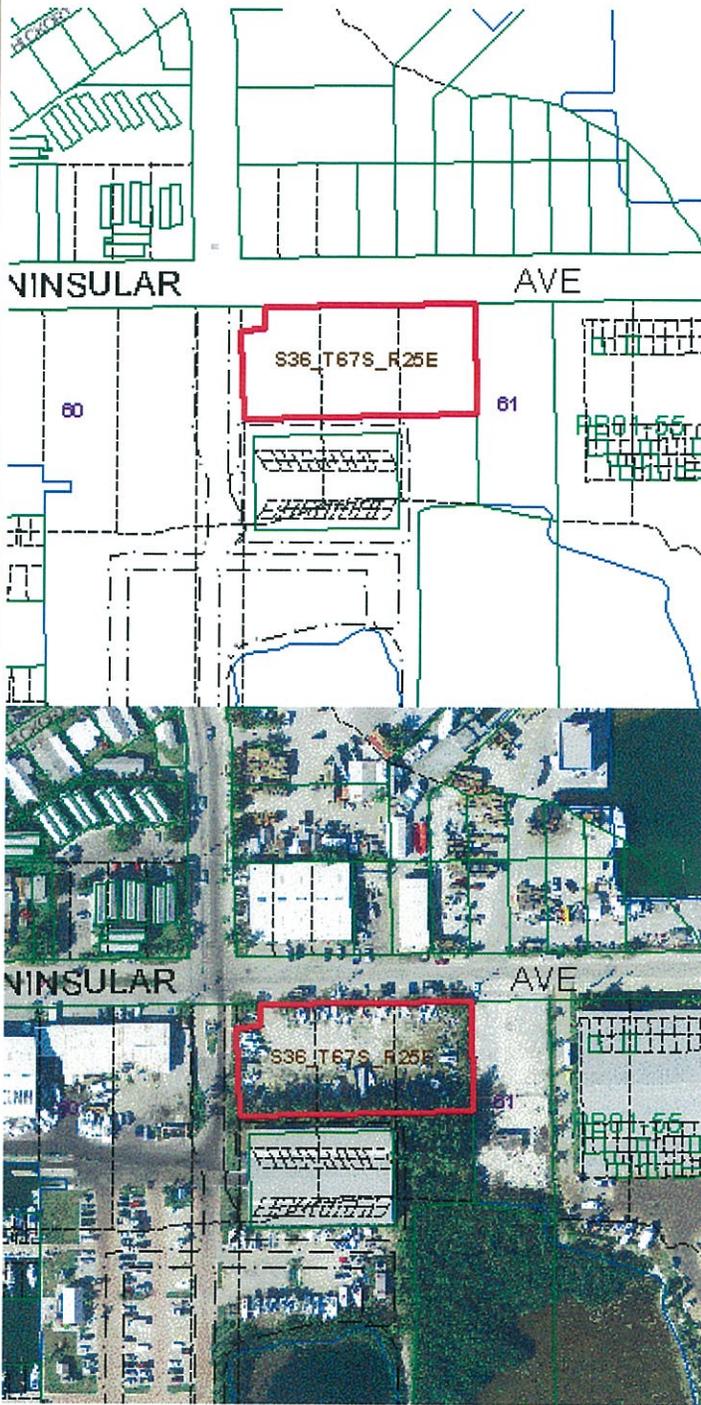
### Ownership Details

**Mailing Address:**  
OCEANSIDE INVESTORS LLC  
5640 LAUREL AVE  
KEY WEST, FL 33040-5915

### Property Details

**PC Code:** 10 - VACANT COMMERCIAL  
**Millage Group:** 110A  
**Affordable Housing:** No  
**Section-Township-Range:** 35-67-25  
**Property Location:** 5970 PENINSULAR AVE SOUTH STOCK ISLAND  
**Legal Description:** SQR 61 PT LOT 1 - 2 AND 3 STOCK ISLAND MALONEY SUB PB1-55 OR1380-841/842 OR1402-1644/45 OR2146-1633/34 OR2503-2018/32 OR2634-572/83

[Click Map Image to open interactive viewer](#)



### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	41,904.00 SF

### Appraiser Notes

THE BUILDING SETS ON ALL THREE LOTS. THE HIGH QUALITY GRADE IS FOR THE EXCEPTIONAL CONSTRUCTION. THE ET5-01 HAS BEEN DOUBLED TO GET HE CORRECT VALUE!!-O5 "SKT BUILDING" BAY 1 & 2 ANDREW ALUMINUM 294-8848 BAY 3 TPE STRUCTURES INC. 305-293-41111 BAY 4 WILLET MARINE 293-0110 BAY 5 KEY FABRICATION 294-7509 BAY 6 MONTAGE BAY 7 & 8,9 & 10 CHEMICAL 296-4028 BAY 11 & 12 FLA KEYS ELECTRIC 296-4028 TPP 8928330 - INTERIOR TRIM BY KEVIN CHANEY (#5)

PARCEL REMOVED FROM STUDY DUE TO THE FACT PARCEL DOES NOT MEET MARKET STANDARDS.

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	08103810	12/03/2008	03/31/2009	4,100	Commercial	CHAIN LINK FN
1	97-1325	07/01/1998	08/25/1999	55,000	Commercial	STORAGE BLDG.
2	992153	09/03/1999	01/21/2000	3,800	Commercial	FENCE & PRIVACY WALLS
3	97/1325	07/01/1998	08/25/1999	55,000	Commercial	COMM. STOAGE-C/O.

## 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
2014	0	0	615,373	615,373	615,373	0	615,373
2013	0	0	638,164	638,164	638,164	0	638,164
2012	0	0	638,164	638,164	638,164	0	638,164
2011	0	0	638,164	638,164	638,164	0	638,164
2010	717,853	34,077	272,333	1,024,263	1,024,263	0	1,024,263
2009	733,806	35,433	384,000	1,152,885	1,152,885	0	1,152,885
2008	733,806	37,223	1,257,120	2,028,149	2,028,149	0	2,028,149
2007	524,548	38,642	1,676,160	2,239,350	2,239,350	0	2,239,350
2006	524,548	40,354	1,539,972	2,104,874	2,104,874	0	2,104,874
2005	382,465	42,122	502,848	927,435	927,435	0	927,435
2004	390,426	43,941	377,136	811,503	811,503	0	811,503
2003	390,426	45,653	377,136	813,215	813,215	0	813,215
2002	390,426	47,421	419,040	856,887	856,887	0	856,887
2001	390,426	49,241	171,597	611,264	611,264	0	611,264
2000	354,120	30,126	171,597	555,843	555,843	0	555,843
1999	0	7,642	144,359	152,001	152,001	0	152,001
1998	0	7,907	144,359	152,266	152,266	0	152,266
1997	0	8,142	144,359	152,501	152,501	0	152,501
1996	0	0	144,359	144,359	144,359	0	144,359

## 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
6/13/2013	2634 / 572	4,750,000	WD	12
1/26/2011	2503 / 2018	15,932,400	WD	12
8/23/2005	2146 / 1633	2,800,000	WD	Q
1/1/1996	1402 / 1644	58,400	WD	P
12/1/1995	1380 / 0841	175,000	WD	Q

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

# Monroe County Property Record Card (149)

Alternate Key: 9054750 Roll Year 2014  
 Effective Date: 8/11/2014 2:08:16 PM Run: 08/11/2014 02:08 PM

OCEANSIDE INVESTORS LLC

5640 LAUREL AVE  
 KEY WEST FL 33040-5915

Parcel 00127440-004200-35-67-25 Nbhd 8099

Alt Key 9054750 Mill Group 110A

Affordable Housing No PC 2000

FEMA Injunction ALL

Inspect Date Oct 05, 2011 Next Review

Business Name

Physical Addr 5950 PENINSULAR AVE, SLIP J-4, SOUTH STOCK ISLAND

## Associated Names

Name	DBA	Role
OCEANSIDE INVESTORS LLC,		Owner

## Legal Description

UNIT J-4 OCEANSIDE EAST DRY STORAGE CONDOMINIUM OR2019-1476/83 OR2503-2018/32 OR2634-572/83

## Condominium Details

Year Built 2003 Footage 33

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	N	0		23,793	0	23,793	23,195	0	N	23,793
2012F	N	0		21,087	0	21,087	21,087	0	N	21,087
2011F	N	0		32,550	0	32,550	32,550	0	N	32,550
2010F	N	0		34,875	0	34,875	34,875	0	N	34,875
2009F	N	0		42,496	0	42,496	42,496	0	N	42,496
2008F	N	0		87,249	0	87,249	87,249	0	N	87,249
2007F	N	0		106,020	0	106,020	106,020	0	N	106,020
2006F	C	0		115,000	0	115,000	115,000	0	N	115,000
2005F	C	550		54,450	0	55,000	55,000	0	N	55,000
2004F	C	1		0	46,785	46,786	46,786	0	N	46,786

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2019	1476	6/23/2004	Warranty Deed	0	M	I	1
2503	2018	1/26/2011	Warranty Deed	0			15,932,400
2634	572	6/13/2013	Warranty Deed	0			4,750,000

# Monroe County Property Record Card (149)

Alternate Key: 9054783 Roll Year 2014  
 Effective Date: 8/11/2014 2:08:36 PM Run: 08/11/2014 02:09 PM

OCEANSIDE INVESTORS LLC  
 5640 LAUREL AVE  
 KEY WEST FL 33040-5915

Parcel 00127440-004400-35-67-25 Nbhhd 8099  
 Alt Key 9054783 Mill Group 110A  
 Affordable Housing No PC 2000  
 FEMA Injunction ALL  
 Inspect Date Oct 05, 2011 Next Review  
 Business Name  
 Physical Addr 5950 PENINSULAR AVE, SLIP J-6, SOUTH STOCK ISLAND

## Associated Names

Name	DBA	Role
OCEANSIDE INVESTORS LLC,		Owner

## Legal Description

UNIT J-6 OCEANSIDE EAST DRY STORAGE CONDOMINIUM OR2019-1476/83 OR2503-2018/32 OR2634-572/83

## Condominium Details

Year Built 2003 Footage 33

## Value History

Tax Year	Val	Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	N		0		23,793	0	23,793	23,195	0	N	23,793
2012F	N		0		21,087	0	21,087	21,087	0	N	21,087
2011F	N		0		32,550	0	32,550	32,550	0	N	32,550
2010F	N		0		34,875	0	34,875	34,875	0	N	34,875
2009F	N		0		42,496	0	42,496	42,496	0	N	42,496
2008F	N		0		87,249	0	87,249	87,249	0	N	87,249
2007F	N		0		106,020	0	106,020	106,020	0	N	106,020
2006F	C		0		115,000	0	115,000	115,000	0	N	115,000
2005F	C		550		54,450	0	55,000	55,000	0	N	55,000
2004F	C		1		0	46,785	46,786	46,786	0	N	46,786

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2019	1476	6/23/2004	Warranty Deed	0	M	I	1
2503	2018	1/26/2011	Warranty Deed	0	I	I	15,932,400
2634	572	6/13/2013	Warranty Deed	0	I	I	4,750,000

# Monroe County Property Record Card <sup>(149)</sup>

Alternate Key: 9054816 Roll Year 2014  
 Effective Date: 8/11/2014 2:09:10 PM Run: 08/11/2014 02:09 PM

OCEANSIDE INVESTORS LLC

5640 LAUREL AVE  
 KEY WEST FL 33040-5915

Parcel 00127440-004700-35-67-25 Nbhd 8099

Alt Key 9054816 Mill Group 110A

Affordable Housing No PC 2000

FEMA Injunction ALL

Inspect Date Oct 05, 2011 Next Review

Business Name

Physical Addr 5950 PENINSULAR AVE, SLIP J-9, SOUTH STOCK ISLAND

## Associated Names

Name	DBA	Role
OCEANSIDE INVESTORS LLC,		Owner

## Legal Description

UNIT J-9 OCEANSIDE EAST DRY STORAGE CONDOMINIUM OR2019-1476/83 OR2503-2018/32 OR2634-572/83

## Condominium Details

Year Built 2003 Footage 33

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	N	0		23,793	0	23,793	23,195	0	N	23,793
2012F	N	0		21,087	0	21,087	21,087	0	N	21,087
2011F	N	0		32,550	0	32,550	32,550	0	N	32,550
2010F	N	0		34,875	0	34,875	34,875	0	N	34,875
2009F	N	0		42,496	0	42,496	42,496	0	N	42,496
2008F	N	0		87,249	0	87,249	87,249	0	N	87,249
2007F	N	0		106,020	0	106,020	106,020	0	N	106,020
2006F	C	0		115,000	0	115,000	115,000	0	N	115,000
2005F	C	550		54,450	0	55,000	55,000	0	N	55,000
2004F	C	1		0	46,785	46,786	46,786	0	N	46,786

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2019	1476	6/23/2004	Warranty Deed	0	M	I	1
2503	2018	1/26/2011	Warranty Deed	0	I	I	15,932,400
2634	572	6/13/2013	Warranty Deed	0	I	I	4,750,000

# Monroe County Property Record Card (149)

Alternate Key: 9054849 Roll Year 2014  
 Effective Date: 8/11/2014 2:09:26 PM Run: 08/11/2014 02:09 PM

OCEANSIDE INVESTORS LLC

5640 LAUREL AVE  
 KEY WEST FL 33040-5915

Parcel 00127440-004900-35-67-25 Nbhd 8099

Alt Key 9054849 Mill Group 110A  
 Affordable Housing No PC 2000  
 FEMA Injunction ALL

Inspect Date Oct 05, 2011 Next Review

Business Name

Physical Addr 5950 PENINSULAR AVE, SLIP J-11, SOUTH STOCK ISLAND

## Associated Names

Name	DBA	Role
OCEANSIDE INVESTORS LLC,		Owner

## Legal Description

UNIT J-11 OCEANSIDE EAST DRY STORAGE CONDOMINIUM OR2019-1476/83 OR2503-2018/32 OR2634-572/83

## Condominium Details

Year Built 2003 Footage 33

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	10106225	Oct 18 2010 12:00AM		0	Commercial	SECURITY ALARM

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	N	0		23,793	0	23,793	23,195	0	N	23,793
2012F	N	0		21,087	0	21,087	21,087	0	N	21,087
2011F	N	0		32,550	0	32,550	32,550	0	N	32,550
2010F	N	0		34,875	0	34,875	34,875	0	N	34,875
2009F	N	0		42,496	0	42,496	42,496	0	N	42,496
2008F	N	0		87,249	0	87,249	87,249	0	N	87,249
2007F	N	0		106,020	0	106,020	106,020	0	N	106,020
2006F	C	0		115,000	0	115,000	115,000	0	N	115,000
2005F	C	550		54,450	0	55,000	55,000	0	N	55,000
2004F	C	1		0	46,785	46,786	46,786	0	N	46,786

# Monroe County Property Record Card <sup>(149)</sup>

Alternate Key: 9054849

Roll Year 2014

Effective Date: 8/11/2014 2:09:26 PM

Run: 08/11/2014 02:09 PM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2019	1476	6/23/2004	Warranty Deed	0	M	I	1
2503	2018	1/26/2011	Warranty Deed	0	12	I	15,932,400
2634	572	6/13/2013	Warranty Deed	0	12	I	4,750,000

# Monroe County Property Record Card (149)

Alternate Key: 9054860 Roll Year 2014  
 Effective Date: 8/11/2014 2:09:41 PM Run: 08/11/2014 02:09 PM

OCEANSIDE INVESTORS LLC Parcel 00127440-005000-35-67-25 Nbhhd 8099  
 5640 LAUREL AVE Alt Key 9054860 Mill Group 110A  
 KEY WEST FL 33040-5915 Affordable Housing No PC 2000  
 FEMA Injunction ALL Next Review  
 Inspect Date Oct 05, 2011  
 Business Name  
 Physical Addr 5950 PENINSULAR AVE, SLIP J-12, SOUTH STOCK ISLAND

## Associated Names

Name	DBA	Role
OCEANSIDE INVESTORS LLC,		Owner

## Legal Description

UNIT J-12 OCEANSIDE EAST DRY STORAGE CONDOMINIUM OR2019-1476/83 OR2503-2018/32 OR2634-572/83

## Condominium Details

Year Built 2003 Footage 33

## Value History

Tax Year	Val	Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2013F	N		0		23,793	0	23,793	23,195	0	N	23,793
2012F	N		0		21,087	0	21,087	21,087	0	N	21,087
2011F	N		0		32,550	0	32,550	32,550	0	N	32,550
2010F	N		0		34,875	0	34,875	34,875	0	N	34,875
2009F	N		0		42,496	0	42,496	42,496	0	N	42,496
2008F	N		0		87,249	0	87,249	87,249	0	N	87,249
2007F	N		0		106,020	0	106,020	106,020	0	N	106,020
2006F	C		0		115,000	0	115,000	115,000	0	N	115,000
2005F	C		550		54,450	0	55,000	55,000	0	N	55,000
2004F	C		1		0	46,785	46,786	46,786	0	N	46,786

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2019	1476	6/23/2004	Warranty Deed	0	M	I	1
2503	2018	1/26/2011	Warranty Deed	0	I	I	15,932,400
2634	572	6/13/2013	Warranty Deed	0	I	I	4,750,000

**End of Additional File 2014-112**

APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



**Request for a Development Agreement**

**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**

Development Agreement Application Fee: \$12,900.00

*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:** 08 / 7 / 2014  
Month Day Year

**Property Owner:**

Oceanside Investors, LLC

Name

1010 Kennedy Drive, Suite 303, Key West, Florida 33040

Mailing Address (Street, City, State, Zip Code)

(305) 395-1610

Daytime Phone

[jallison@theallisonfirm.net](mailto:jallison@theallisonfirm.net)

Email Address

**Agent (if applicable):**

Barton W. Smith, Esq.

Name

138 – 142 Simonton Street, Key West, Florida 33040

Mailing Address (Street, City, State, Zip Code)

(305) 296-7227

Daytime Phone

[bart@smithoropeza.com](mailto:bart@smithoropeza.com)

Email Address

**Legal Description of Property:**

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

**See Development Agreement already on file with County Planning Staff**

Block Lot Subdivision Key

Real Estate (RE) Number Alternate Key Number

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

**If more than one property is to be affected by the development agreement, please attach additional sheets providing all property owners and legal descriptions of properties (with real estate numbers) involved.**

APPLICATION

Land Use District Designation(s) of Property(s): See Development Agreement and attached First Amendment

Present Land Use(s) of Property(s): See Development Agreement and attached First Amendment

Land Area of Property(s): See Development Agreement and attached First Amendment

Provide all parties which would be involved in the development agreement:

See Development Agreement

Provide a clear description of the use(s) proposed on the property(s):

See Development Agreement

Provide a clear description of public facilities that will service the development, including who shall provide such facilities; the date any new facilities, if needed, will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development:

See Development Agreement

Provide a clear description of any reservation or dedication of land for public purposes:

See Development Agreement

Proposed duration of development agreement (note: duration may not exceed 10 years): 10 years

Has a previous application been submitted for this site(s) within the past two years? Yes  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 development agreement application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources); **included**
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site(s) from adjacent roadway(s); -
- Signed and Sealed Boundary Survey(s), 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 by land use district; and total acreage by habitat);
- Written description of project; -
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property(s) – (three 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

APPLICATION

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

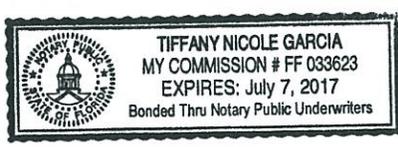
- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)
- Signed and Sealed Site Plan(s), prepared by a Florida registered architect, engineer or landscape architect– 16 sets** (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale)
- Floor Plans for all proposed structures and for any existing structures to be redeveloped – sixteen (16) sets** (drawn at an appropriate standard architectural scale and including handicap accessibility features) – **to be provided**
- Elevations for all proposed structures and for any existing structures to be modified – 16 sets** (with the elevations of the following features referenced to NGVD: existing grade; finished grade; finished floor elevations (lowest supporting beam for V-zone development); roofline; and highest point of the structure) – **to be provided**
- Landscape Plan(s) by a Florida registered landscape architect – 16 sets** (may be shown on the site plan; however, if a separate plan, drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale) – **to be provided**
- Traffic Study(s), prepared by a licensed traffic engineer**
- Relevant Letters of Coordination**

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: [Signature] Date: 8-7-2014

Sworn before me this 7<sup>th</sup> day of August 2014



[Signature]  
Notary Public  
My Commission Expires

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

July 11, 2014

I hereby authorize Barton W. Smith, Esq. be listed as authorized agents  
(Name of Agent)

for Oceanside Investors, LLC for the application submittal for  
(Name of Property Owner(s) the Applicant(s))

Property described as Lot:   , Section 35 Township 67 South, Range 25 East

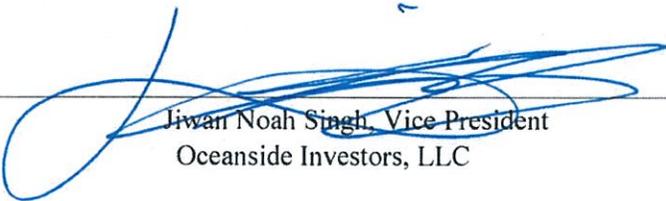
Key (island): Stock Island

and Real Estate number: 00127420-000000  
00127420-000100  
00127420-004200  
00127420-004400  
00127420-004700  
00127420-004900  
00127420-005000.

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

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

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

  
\_\_\_\_\_  
Jiwan Noah Singh, Vice President  
Oceanside Investors, LLC

**NOTARY:  
STATE OF FLORIDA  
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 11 day of July, 2014.

Jiwan Noah Singh is \_\_\_\_\_ personally known \_\_\_\_\_ produced identification

(\_\_\_\_\_ Type of Identification), did / did not take an oath.

  
\_\_\_\_\_  
Notary



**This document was prepared by  
and should be returned to:**

**Brian M. Jones, Esq.  
SHUTTS & BOWEN LLP  
300 S. Orange Avenue, Suite 1000  
Orlando, Florida 32801**

## **SPECIAL WARRANTY DEED**

THAT ATLAS FL II SPE LLC, a North Carolina limited liability company (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by OCEANSIDE INVESTORS LLC, a Florida limited liability company (hereinafter referred to as "Grantee"), whose mailing address is 1010 Kennedy Dr, Suite 302, Key West, FL 33040, the receipt and sufficiency of which consideration are hereby acknowledged, and upon and subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee all of the real property situated in Monroe County, Florida, described on Exhibit A attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and together with all improvements located thereon and any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "Property").

This conveyance is made subject and subordinate to those encumbrances and exceptions set forth on Exhibit B attached hereto and made a part hereof for all purposes and all other matters of record affecting the Property (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, as aforesaid, unto Grantee, its successors and assigns, forever; and Grantor does covenant with Grantee that, except for the Permitted Exceptions, at the time of delivery of this Special Warranty Deed, the Property is free from all encumbrances made by Grantor, and Grantor will WARRANT AND DEFEND all and singular the Property unto Grantee, its successors and assigns, against the lawful claims and demands of all persons claiming by, through or under Grantor, but not otherwise.

By acceptance of this Special Warranty Deed, Grantee acknowledges and agrees that any and all liability hereunder of Grantor, its agents, representatives or employees, including the Special Warranty of title herein contained, shall be limited to and satisfied solely from the Grantor's proceeds from the Property.

By acceptance of this Special Warranty Deed, Grantee assumes payment of all real property taxes on the Property for the year 2013 and subsequent years.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor to be effective as of June 13, 2013.

Signed, sealed and delivered in the presence of the following witnesses: **ATLAS FL II SPE LLC**, a North Carolina limited liability company

Max Labrada  
Print Name: Max Labrada

Dave Bitner  
Print Name: DAVE BITNER

By: A. Yeal V.P.  
Print Name: Charlie Giel  
As Its: Vice President

THE STATE OF FL §  
COUNTY OF Monroe § Key West §

This instrument was acknowledged before me on June 13, 2013, by Charlie Giel, the Vice President of ATLAS FL II SPE LLC, a North Carolina limited liability company, on behalf of said limited liability company.



Brian Bennett  
Printed/Typed Name of Notary

My Commission Expires: 5/9/2014

## EXHIBIT A TO SPECIAL WARRANTY DEED

### Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MONROE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PART A:

UNITS NO. J-4, J-6, J-9, J-11 AND J-12 IN OCEANSIDE EAST DRY STORAGE CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 1918, PAGE 1967, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND ANY AMENDMENTS THERETO (THE "CONDOMINIUM PARCELS").

TOGETHER WITH EACH UNIT'S INTEREST IN THE NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO A LAUNCHING SITE AS MORE PARTICULARLY DESCRIBED IN THAT GRANT OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1915, PAGE 92, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND THE NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, UTILITIES, DRAINAGE, ENCROACHMENTS AND MAINTENANCE AS MORE PARTICULARLY DESCRIBED IN THAT GRANT OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1915, PAGE 100, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

TOGETHER WITH

THAT PARCEL OF LAND (THE "NON-CONDOMINIUM LAND") AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UPLAND TERMINUS BOUNDARY LINE:

A LINE BEING THE WATERWARD BOUNDARY LINE AS OF JULY 1, 1975, LYING IN HAWK CHANNEL IN SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK 61, "GEORGE MCDONALDS PLAT OF A PART OF STOCK ISLAND", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE SOUTH 00° 00' 00" EAST, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 256.64 FEET MORE OR LESS TO THE WATERWARD BOUNDARY LINE AS OF JULY 1, 1975, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE SOUTH 88° 44' 58" WEST, A DISTANCE OF 58.05 FEET; THENCE SOUTH 81° 26' 20" WEST, A DISTANCE OF 13.41 FEET; THENCE SOUTH 48° 22' 45" WEST, A DISTANCE OF 7.77 FEET; THENCE SOUTH 09° 55' 20" WEST, A DISTANCE OF 8.55 FEET; THENCE SOUTH 00° 10' 09" WEST, A DISTANCE OF 178.89 FEET; THENCE SOUTH 01° 46' 07" WEST, A DISTANCE OF 53.90 FEET; THENCE SOUTH 06° 39' 38" WEST, A DISTANCE OF 34.06 FEET; THENCE NORTH 80° 11' 10" WEST, A DISTANCE OF 19.75 FEET; THENCE NORTH 06° 04' 32" EAST, A DISTANCE OF 30.53 FEET; THENCE NORTH 02° 25' 50" EAST, A DISTANCE OF 53.34 FEET; THENCE NORTH 16° 29' 47" WEST, A DISTANCE OF 23.38 FEET; THENCE NORTH 40° 25' 19" WEST, A DISTANCE OF 21.08 FEET; THENCE NORTH 63° 50' 22" WEST, A DISTANCE OF 18.30 FEET; THENCE SOUTH 88° 24' 25" WEST, A DISTANCE OF 48.58 FEET; THENCE SOUTH 80° 34' 05" WEST, A DISTANCE OF 12.37 FEET; THENCE SOUTH 81° 01' 04" WEST, A DISTANCE OF 38.31 FEET; THENCE SOUTH 77° 16' 42" WEST, A DISTANCE OF 50.24 FEET; THENCE SOUTH 68° 46' 49" WEST, A DISTANCE OF 24.66 FEET; THENCE SOUTH 41° 39' 38" WEST, A DISTANCE OF 17.34 FEET; THENCE SOUTH 05° 19' 44" WEST, A DISTANCE OF 26.43 FEET; THENCE SOUTH 00° 57' 38" WEST, A DISTANCE OF 45.02 FEET; THENCE SOUTH 10° 31' 54" EAST, A DISTANCE OF 26.49 FEET; THENCE SOUTH 14° 28' 10" EAST, A DISTANCE OF 29.44 FEET; THENCE SOUTH 34° 09'

00" EAST, A DISTANCE OF 10.17 FEET; THENCE SOUTH 65° 59' 42" EAST, A DISTANCE OF 13.79 FEET; THENCE SOUTH 86° 21' 21" EAST, A DISTANCE OF 27.69 FEET; THENCE NORTH 87° 00' 36" EAST, A DISTANCE OF 46.24 FEET; THENCE NORTH 81° 58' 32" EAST, A DISTANCE OF 35.50 FEET; THENCE SOUTH 87° 38' 26" EAST, A DISTANCE OF 10.36 FEET; THENCE SOUTH 00° 00' 45" WEST, A DISTANCE OF 38.74 FEET; THENCE SOUTH 07° 17' 00" WEST, A DISTANCE OF 50.37 FEET; THENCE SOUTH 01° 31' 11" WEST, A DISTANCE OF 60.24 FEET; THENCE SOUTH 03° 09' 56" EAST, A DISTANCE OF 56.98 FEET; THENCE SOUTH 01° 17' 35" WEST, A DISTANCE OF 67.93 FEET; THENCE SOUTH 24° 27' 36" WEST; A DISTANCE OF 20.05 FEET; THENCE NORTH 70° 07' 27" WEST, A DISTANCE OF 30.56 FEET; THENCE NORTH 39° 29' 04" WEST, A DISTANCE OF 35.34 FEET; THENCE NORTH 20° 28' 48" WEST, A DISTANCE OF 25.13 FEET; THENCE NORTH 75° 38' 40" WEST, A DISTANCE OF 38.00 FEET; THENCE NORTH 45° 33' 20" WEST, A DISTANCE OF 17.49 FEET; THENCE NORTH 23° 30' 00" WEST, A DISTANCE OF 28.68 FEET; THENCE NORTH 43° 31' 59" WEST, A DISTANCE OF 14.41 FEET; THENCE SOUTH 88° 32' 44" WEST, A DISTANCE OF 24.78 FEET; THENCE SOUTH 71° 33' 38" WEST, A DISTANCE OF 41.80 FEET; THENCE SOUTH 89° 52' 50" WEST, A DISTANCE OF 42.77 FEET; THENCE SOUTH 82° 14' 18" WEST, A DISTANCE OF 32.99 FEET; THENCE SOUTH 73° 17' 44" WEST, A DISTANCE OF 19.18 FEET; THENCE SOUTH 79° 38' 41" WEST, A DISTANCE OF 26.35 FEET; THENCE SOUTH 82° 50' 54" WEST, A DISTANCE OF 32.20 FEET; THENCE SOUTH 88° 27' 31" WEST, A DISTANCE OF 22.15 FEET; THENCE NORTH 63° 04' 54" WEST, A DISTANCE OF 5.73 FEET; THENCE SOUTH 56° 22' 23" WEST, A DISTANCE OF 7.38 FEET; THENCE SOUTH 85° 25' 56" WEST, A DISTANCE OF 43.08 FEET; THENCE NORTH 83° 45' 01" WEST, A DISTANCE OF 31.16 FEET; THENCE SOUTH 87° 16' 53" WEST, A DISTANCE OF 45.21 FEET; THENCE SOUTH 86° 20' 31" WEST, A DISTANCE OF 54.32 FEET; THENCE SOUTH 88° 07' 13" WEST, A DISTANCE OF 64.34 FEET; THENCE NORTH 89° 56' 25" WEST, A DISTANCE OF 65.13 FEET; THENCE NORTH 88° 59' 04" WEST, A DISTANCE OF 52.42 TO THE POINT OF TERMINUS AND THE END OF THE HEREIN DESCRIBED LINE.

PARCEL A:

ON THE ISLAND OF STOCK ISLAND, AND BEING LOT ONE (1), BLOCK SIXTY (60) ACCORDING TO GEORGE L. McDONALD'S MAP OF LOTS ONE (1), TWO (2), THREE (3), FIVE (5) AND SIX (6) OF SECTION THIRTY FIVE (35), LOT TWO (2) SECTION THIRTY SIX (36), LOT THREE (3) SECTION TWENTY SIX (26), AND LOT TWO (2) SECTION THIRTY FOUR (34), TOWNSHIP SIXTY SEVEN (67) SOUTH, RANGE TWENTY FIVE (25) EAST, RECORDED IN PLAT BOOK ONE (1), PAGE 55, MONROE COUNTY, FLORIDA RECORDS.

AND ALSO

PARCEL B:

BEING AT A POINT ON THE SOUTH BOUNDARY LINE OF PENINSULA AVENUE, 382 FEET DISTANT AND WEST OF THE INTERSECTION OF THE SOUTH BOUNDARY LINE OF PENINSULA AVENUE WITH THE WEST BOUNDARY LINE OF MALONEY AVENUE, FROM SAID POINT OF BEGINNING, CONTINUE IN A WEST DIRECTION ALONG THE SOUTH BOUNDARY LINE OF PENINSULAR AVENUE EXTENDED A DISTANCE OF 418 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHERLY DIRECTION A DISTANCE OF 520 FEET; THENCE AT RIGHT ANGLES AND IN AN EASTERLY DIRECTION A DISTANCE OF 600 FEET; THENCE AT RIGHT ANGLES AND IN A NORTHERLY DIRECTION A DISTANCE OF 184 FEET; THENCE MEANDERING THE HIGH WATER LINE IN A NORTHWESTERLY AND NORTHEASTERLY DIRECTION A DISTANCE OF 450 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND BEING IN A SUBDIVISION OF LOTS 1, 2, 3, 5 AND 6 OF SECTION 35, LOT 2 OF SECTION 36, LOT 3 OF SECTION 26, LOT 2 OF SECTION 34, TOWNSHIP 67 SOUTH, RANGE 25 EAST, MONROE COUNTY, FLORIDA.

ALSO

PARCEL C:

A PARCEL OF SUBMERGED LAND IN HAWK CHANNEL IN SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 60 OF THE PLAT OF STOCK ISLAND AS RECORDED IN PLAT BOOK 1, PAGE 55, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE RUN WEST ALONG THE NORTH LINE OF SAID LOT 1 AND THE WESTERLY EXTENSION THEREOF FOR A DISTANCE OF 600 FEET TO THE NORTHWEST CORNER OF A PARCEL OF SUBMERGED LAND CONVEYED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND DEED NO. 19811, DATED JUNE 12, 1951; THENCE SOUTH ALONG THE WESTERLY LINE OF SAID PARCEL OF SUBMERGED LAND CONVEYED BY THE TRUSTEES, A DISTANCE OF 520 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL FOR THE POINT OF BEGINNING OF PARCEL OF SUBMERGED LAND HEREINAFTER DESCRIBED; THENCE CONTINUE SOUTH A DISTANCE OF 251.6 FEET; THENCE EAST A DISTANCE OF 600 FEET; THENCE NORTH A DISTANCE OF 251.6 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF SUBMERGED LAND CONVEYED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND BY DEED NO. 19811; THENCE WEST ALONG THE SOUTH LINE OF SAID PARCEL A DISTANCE OF 600 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO

PARCEL D:

ON THE ISLAND KNOWN AS STOCK ISLAND AND DESCRIBED ACCORDING TO THE GEORGE MCDONALD'S PLAT OF A PART OF STOCK ISLAND, RECORDED IN PLAT BOOK 1, PAGE 55, MONROE COUNTY, FLORIDA AS FOLLOWS:

LOTS TWO (2) AND THREE (3) IN BLOCK SIXTY (60).

ALSO

PARCEL E:

A PARCEL OF FORMERLY SUBMERGED LAND IN HAWK CHANNEL IN SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, MONROE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 3, SQUARE 60 OF PLAT TITLED "ALL LOTS 1, 2, 3, 5 AND 6, SECTION 35; LOT 3, SECTION 26; LOT 2, SECTION 34, STOCK ISLAND, TOWNSHIP 67 SOUTH, RANGE 25 EAST", RECORDED IN PLAT BOOK 1, PAGE 55, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, RUN SOUTH 435.6 FEET; THENCE AT RIGHT ANGLES RUN WEST 200 FEET; THENCE AT RIGHT ANGLES RUN NORTH 435.6 FEET TO THE SOUTHWEST CORNER OF LOT 2, SQUARE 60 OF THE ABOVE MENTIONED PLAT; THENCE MEANDER THE SHORELINE TO AN EASTERLY DIRECTION BACK TO THE POINT OF BEGINNING.

ALSO

PARCEL F:

ON THE ISLAND KNOWN AS STOCK ISLAND AND DESCRIBED ACCORDING TO GEORGE L. MCDONALD'S PLAT OF A PART OF SAID STOCK ISLAND, RECORDED IN PLAT BOOK ONE (1), PAGE 55, MONROE COUNTY, FLORIDA, AS FOLLOWS:

LOTS ONE (1) AND TWO (2) IN BLOCK SIXTY ONE (61), TOGETHER WITH A PARCEL OF SUBMERGED

LAND IN THE STRAITS OF FLORIDA, SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, LOCATED SOUTHERLY OF AND ADJACENT TO LOTS 1 AND 2, BLOCK 61, AND DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SHORELINE OF STOCK ISLAND AND THE WEST LINE OF SAID LOT 1, BLOCK 61, ACCORDING TO SAID PLAT OF STOCK ISLAND; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1, BLOCK 61 (EXTENDED) A DISTANCE OF 435 FEET TO A POINT; THENCE EAST A DISTANCE OF 200 FEET TO A POINT IN THE EAST LINE OF SAID LOT 2, BLOCK 61 (EXTENDED); THENCE NORTH ALONG THE EAST LINE OF LOT 2, BLOCK 61 (EXTENDED) A DISTANCE OF 475 FEET, MORE OR LESS TO A POINT IN THE SOUTHERLY SHORELINE OF STOCK ISLAND; THENCE WESTERLY ALONG THE MEANDERS OF SAID SOUTHERLY SHORELINE, A DISTANCE OF 210 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING.

PARCEL G:

LOT 3 IN BLOCK 61 OF STOCK ISLAND AS SHOWN ON PLAT OF SAID STOCK ISLAND MADE BY GEORGE L. MCDONALD AND RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

ALSO

PARCEL H:

THE PORTION OF MALONEY AVENUE LYING BETWEEN BLOCKS 60 AND 61 OF GEORGE L. MCDONALD'S PLAT OF A PART OF STOCK ISLAND, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

PARCEL I:

A PARCEL OF FORMERLY SUBMERGED LAND IN HAWK CHANNEL IN SECTION 35, TOWNSHIP 67 SOUTH, RANGE 25 EAST, MONROE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF BLOCK 60 OF A PLAT OF STOCK ISLAND AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE SOUTH 280 FEET TO THE SOUTHEAST CORNER OF THE SAID BLOCK 60 AND THE SHORELINE ACCORDING TO THE SAID PLAT OF STOCK ISLAND AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 435.60 FEET TO A POINT; THENCE EAST 60 FEET TO A POINT; THENCE NORTH 435.60 FEET TO A POINT; THENCE WEST 60 FEET BACK TO THE POINT OF BEGINNING.

ALSO

PARCEL J:

A PARCEL OF LAND ON THE ISLAND KNOWN AS STOCK ISLAND, MONROE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF LOT 2, BLOCK 60, ACCORDING TO GEORGE MCDONALD'S PLAT OF SAID STOCK ISLAND AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE WEST LINE OF SAID LOT 2 AND THE EXTENSION OF SAID WEST LINE, 715.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH, 56.0 FEET; THENCE WEST 381.3 FEET, MORE OR LESS, TO THE WESTERLY FACE OF AN EXISTING CONCRETE PIER; THENCE SOUTHERLY ALONG A LINE DEFLECTED 93°00 LEFT, 30 FEET, MORE OR LESS; THENCE ALONG THE MEAN HIGH WATER LINE THE FOLLOWING 15 COURSES: (NOTE:

MISSING CALL OF EAST 376.50')

THENCE 87°00 DEFLECTED LEFT (DL), 200 FEET, MORE OR LESS;  
THENCE 27°00 DEFLECTED LEFT, 30.00 FEET, MORE OR LESS;  
THENCE 38°30 DEFLECTED RIGHT, 18.5 FEET, MORE OR LESS;  
THENCE 40°00 DEFLECTED LEFT, 13.0 FEET, MORE OR LESS;  
THENCE 46°50 DEFLECTED RIGHT, 45.0 FEET, MORE OR LESS;  
THENCE 72°00 DEFLECTED LEFT, 75.5 FEET, MORE OR LESS;  
THENCE 27°00 DEFLECTED RIGHT, 25.0 FEET, MORE OR LESS;  
THENCE 64°00 DEFLECTED RIGHT, 94.5 FEET, MORE OR LESS;  
THENCE 47°20 DEFLECTED RIGHT, 52.5 FEET, MORE OR LESS;  
THENCE 37°40 DEFLECTED LEFT, 37.5 FEET, MORE OR LESS;  
THENCE 54°15 DEFLECTED LEFT, 24.5 FEET, MORE OR LESS;  
THENCE 72°00 DEFLECTED LEFT, 40.0 FEET, MORE OR LESS;  
THENCE 28°20 DEFLECTED LEFT, 118.5 FEET, MORE OR LESS;  
THENCE 56°10 DEFLECTED LEFT, 231.9 FEET, MORE OR LESS;  
THENCE WEST, 378.80 FEET BACK TO THE POINT OF BEGINNING.

LESS (CONDOMINIUM):

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK 61, GEORGE MCDONALD'S PLAT OF A PART OF STOCK ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE SOUTH FOR A DISTANCE OF 265.88 FEET; THENCE WEST FOR A DISTANCE OF 100.00 FEET; THENCE SOUTH FOR A DISTANCE OF 339.68 FEET; THENCE WEST FOR A DISTANCE OF 67.20 FEET TO THE POINT OF BEGINNING; THENCE MEANDER THE APPROXIMATE MEAN HIGH WATER LINE FOR THE FOLLOWING TWENTY-TWO (22) METES AND BOUNDS; THENCE SOUTH 04° 53' 14" WEST, A DISTANCE OF 50.44 FEET; THENCE SOUTH 03° 31' 10" WEST, A DISTANCE OF 60.33 FEET; THENCE SOUTH 04° 56' 57" EAST, A DISTANCE OF 108.26 FEET; THENCE SOUTH 06° 27' 03" WEST, A DISTANCE OF 123.44 FEET; THENCE SOUTH 57° 33' 15" WEST, A DISTANCE OF 86.74 FEET; THENCE SOUTH 81° 19' 27" WEST, A DISTANCE OF 44.77 FEET; THENCE NORTH 74° 55' 09" WEST, A DISTANCE OF 14.27 FEET; THENCE NORTH 38° 14' 22" EAST, A DISTANCE OF 83.55 FEET; THENCE NORTH 21° 12' 00" EAST, A DISTANCE OF 20.97 FEET; THENCE NORTH 28° 26' 29" EAST, A DISTANCE OF 45.45 FEET; THENCE NORTH 08° 28' 07" EAST, A DISTANCE OF 14.52 FEET; THENCE NORTH 44° 57' 55" WEST, A DISTANCE OF 32.90 FEET; THENCE NORTH 45° 09' 29" WEST, A DISTANCE OF 12.09 FEET; THENCE SOUTH 87° 09' 32" WEST, A DISTANCE OF 29.15 FEET; THENCE NORTH 75° 12' 35" WEST, A DISTANCE OF 17.77 FEET; THENCE NORTH 23° 09' 22" WEST, A DISTANCE OF 52.43 FEET; THENCE SOUTH 89° 35' 35" WEST, A DISTANCE OF 7.15 FEET; THENCE NORTH 00° 10' 56" EAST, A DISTANCE OF 7.23 FEET; THENCE SOUTH 79° 00' 39" WEST, A DISTANCE OF 63.72 FEET; THENCE NORTH 79° 00' 34" WEST, A DISTANCE OF 28.33 FEET; THENCE SOUTH 77° 29' 51" WEST, A DISTANCE OF 80.86 FEET; THENCE NORTH 88° 49' 09" WEST, A DISTANCE OF 41.75 FEET; THENCE LEAVING THE SAID MEAN HIGH WATER LINE FOR A DISTANCE OF 103.41 FEET; THENCE EAST FOR A DISTANCE OF 81.33 FEET; THENCE NORTH FOR A DISTANCE OF 12.00 FEET; THENCE EAST FOR A DISTANCE OF 157.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE LEFT ALONG THE SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 32.00 FEET AND A CENTRAL ANGLE OF 90° 00' 00" FOR A DISTANCE OF 50.27 FEET TO A POINT OF TANGENCY; THENCE NORTH FOR A DISTANCE OF 36.77 FEET; THENCE EAST FOR A DISTANCE OF 106.74 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING PIERS:

NORTH PIER:

ON STOCK ISLAND, MONROE COUNTY, FLORIDA, AND IS A PARCEL OF SUBMERGED LAND LYING SOUTH OF BLOCK 60, ACCORDING TO GEO MCDONALD'S PLAT OF STOCK ISLAND AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND THE SAID PARCEL BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE CENTERLINE OF MALONEY AVENUE WITH THE CENTERLINE OF PENINSULAR AVENUE; THENCE SOUTH ALONG THE CENTERLINE OF MALONEY AVENUE AND THE SOUTHERLY EXTENSION THEREOF FOR A DISTANCE OF 290.23 FEET TO A POINT; THENCE WEST 228.63 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND BEING DESCRIBED HEREIN; THENCE SOUTH FOR A DISTANCE OF 109 FEET TO A POINT; THENCE WEST FOR A DISTANCE OF 390.55 FEET TO A POINT; THENCE SOUTH 03° 11' 40" EAST FOR A DISTANCE OF 5.17 FEET TO A POINT; THENCE SOUTH 86° 48' 20" WEST FOR A DISTANCE OF 33.50 FEET TO A POINT; THENCE NORTH 03° 11' 40" WEST FOR A DISTANCE OF 119.9 FEET TO A POINT; THENCE NORTH 86° 48' 20" EAST FOR A DISTANCE OF 33.50 FEET TO A POINT; THENCE SOUTH 03° 11' 40" EAST FOR A DISTANCE OF 5.49 FEET TO A POINT; THENCE EAST FOR A DISTANCE OF 398.11 FEET BACK TO THE POINT OF BEGINNING.

MIDDLE PIER:

ON STOCK ISLAND, MONROE COUNTY, FLORIDA, AND IS A PARCEL OF SUBMERGED LAND LYING SOUTH OF BLOCK 60, ACCORDING TO GEO MCDONALD'S PLAT OF STOCK ISLAND AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND THE SAID PARCEL BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE CENTERLINE OF MALONEY AVENUE WITH THE CENTERLINE OF PENINSULAR AVENUE; THENCE SOUTH ALONG THE CENTERLINE OF MALONEY AVENUE AND THE SOUTHERLY EXTENSION THEREOF FOR A DISTANCE OF 290.23 FEET TO A POINT; THENCE WEST 228.63 FEET TO A POINT; THENCE SOUTH FOR A DISTANCE OF 191.89 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND BEING DESCRIBED HEREIN; THENCE CONTINUE SOUTH FOR A DISTANCE OF 127 FEET TO A POINT; THENCE WEST FOR A DISTANCE OF 348.48 FEET TO A POINT; THENCE SOUTH 03° 11' 40" EAST FOR A DISTANCE OF 13.19 FEET TO A POINT; THENCE SOUTH 86° 49' 20" WEST FOR A DISTANCE OF 45 FEET TO A POINT; THENCE NORTH 03° 11' 40" WEST FOR A DISTANCE OF 16 FEET TO A POINT; THENCE SOUTH 86° 48' 20" WEST FOR A DISTANCE OF 20 FEET TO A POINT; THENCE NORTH 03° 11' 40" WEST FOR A DISTANCE OF 125 FEET TO A POINT; THENCE NORTH 86° 48' 20" EAST A DISTANCE OF 20 FEET TO A POINT; THENCE NORTH 03° 11' 40" WEST A DISTANCE OF 16 FEET TO A POINT; THENCE NORTH 86° 48' 20" EAST A DISTANCE OF 45 FEET TO A POINT; THENCE SOUTH 03° 11' 40" EAST FOR A DISTANCE OF 16.61 FEET TO A POINT; THENCE EAST FOR A DISTANCE OF 355.66 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING PIER:

SOUTH PIER:

ON STOCK ISLAND, MONROE COUNTY, FLORIDA, AND IS A PARCEL OF SUBMERGED LAND LYING SOUTH OF BLOCK 60, ACCORDING TO GEO MCDONALD'S PLAT OF STOCK ISLAND, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND THE SAID PARCEL BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE CENTERLINE OF MALONEY AVENUE WITH THE CENTERLINE OF PENINSULAR AVENUE; THENCE SOUTH ALONG THE CENTERLINE OF MALONEY AVENUE AND THE SOUTHERLY EXTENSION THEREOF FOR A DISTANCE OF 290.23 FEET TO A POINT;

THENCE WEST 228.63 FEET TO A POINT; THENCE SOUTH FOR A DISTANCE OF 416.99 FEET TO POINT OF BEGINNING OF THE PARCEL OF LAND BEING DESCRIBED HEREIN; THENCE CONTINUE SOUTH FOR A DISTANCE OF 97 FEET TO A POINT; THENCE WEST FOR A DISTANCE OF 408.80 FEET TO A POINT; THENCE NORTH 03° 11' 40" WEST FOR A DISTANCE OF 115 FEET TO A POINT; THENCE NORTH 86° 48' 20" EAST FOR A DISTANCE OF 38.34 FEET TO A POINT; THENCE SOUTH 03° 11' 40" EAST FOR A DISTANCE OF 20 FEET TO A POINT; THENCE EAST FOR A DISTANCE OF 375.82 FEET BACK TO THE POINT OF BEGINNING.

LESS THE FOLLOWING PARCEL:

DRY STORAGE:

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, BLOCK 61, GEORGE MCDONALDS PLAT OF A PART OF STOCK ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE SOUTH FOR A DISTANCE OF 167.57 FEET; THENCE WEST FOR A DISTANCE OF 103.06 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 59' 20" WEST FOR A DISTANCE OF 182.26; THENCE SOUTH 00° 00' 40" EAST FOR A DISTANCE OF 120.31 FEET; THENCE NORTH 89° 59' 20" EAST FOR A DISTANCE OF 182.26 FEET; THENCE NORTH 00° 00' 40" WEST FOR A DISTANCE OF 120.31 FEET TO THE POINT OF BEGINNING.

## EXHIBIT B TO SPECIAL WARRANTY DEED

### Permitted Exceptions

1. Reservations contained in Deed from the Trustees of the Internal Improvement Fund of the State of Florida, filed March 29, 1960 in Book 180, Page 381 . Note: The right of entry has been released pursuant to S270.11, F.S.
2. State of Florida Department of Administration Division of State Planning Affidavit Regarding the Florida Keys Area of Critical State Concern recorded August 13, 1976 in Book 668, Page 43.
3. Easement granted to The Utility Board of the City of Key West, Florida by instrument recorded March 19, 2002 in Book 1769, Page 863.
4. Grant of Non-Exclusive Easement granted to Oceanside Development Corporation, a Florida corporation and Oceanside Residential Condominium Association, Inc., a Florida not-for-profit corporation by instrument recorded March 19, 2002 in Book 1769, Page 1151.
5. Grant of Non-Exclusive Easement and Provider Agreement granted to Oceanside Development Corporation, a Florida corporation and Oceanside Residential Condominium Association, Inc., a Florida not-for-profit corporation by instrument recorded March 19, 2002 in Book 1769, Page 1164.
6. The right, title or interest, if any, of the public to use as a public beach or recreation area any part of the Land lying between the water abutting the Land and the most inland of any of the following: (a) the natural line of vegetation; (b) the most extreme high water mark; (c) the bulkhead line, or (d) any other line which has been or which hereafter may be legally established as relating to such public use. 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).
7. Rights of the United States Government to that part of the Land, if any, being artificially filled in land in what was formerly navigable waters arising by reason of the United States Government control over navigable waters in the interest of navigation and commerce.
8. Any adverse ownership claim by the State of Florida by right of sovereignty to any part of the Land that is, as of the Date of Policy or was at any time previously, under water (submerged).
9. Reservation(s) in favor of the Trustees of the Internal Improvement Fund of the State of Florida contained in the Deed recorded November 16, 1964 in Book 325, Page 595, as to: a. 3/4 interest in all phosphate, mineral and metal rights. b. 1/2 interest in all petroleum rights. c. Rights of exploration in conjunction with

phosphate, mineral, metal and/or petroleum rights have been released pursuant to Florida Statute 270.11(2).

10. Storm Sewer Easement to the State of Florida for the use and benefit of the State Road Department of Florida recorded September 27, 1966 in Book 379, Page 1033.
11. Drainage Easement in favor of the State Road Department of Florida recorded October 21, 1966 in Book 381, Page 225.
12. Reservation in favor of the Trustees of the Internal Improvement Fund of the State of Florida contained in the Deed recorded January 29, 1970 in Book 446, Page 255, as to: a. 3/4 interest in all phosphate, mineral, and metal rights b. 1/2 interest in all petroleum rights. c. Rights of exploration in conjunction with phosphate, mineral, metal and/or petroleum rights have been released pursuant to Florida Statute 270.11(2).
13. Reservation in favor of the Trustees of the Internal Improvement Fund of the State of Florida contained in the Deed recorded March 26, 1973 in Book 534, Page 198, as to: a. 3/4 interest in all phosphate, mineral, and metal rights. b. 1/2 interest in all petroleum rights. c. Rights of exploration in conjunction with phosphate, mineral, metal and/or petroleum rights have been released pursuant to Florida Statute 270.11(2).
14. Easement in favor of the Utility Board of the City of Key West recorded January 27, 1977 in Book 690, Page 313.
15. Reservation in favor of the Trustees of the Internal Improvement Fund of the State of Florida contained in the Deed recorded December 6, 1985 in Book 959, Page 2354, as to: a. 3/4 interest in all phosphate, mineral, and metal rights. b. 1/2 interest in all petroleum rights. c. Rights of exploration in conjunction with phosphate, mineral, metal and/or petroleum rights have been released pursuant to Florida Statute 270.11(2).
16. Grant of Non-Exclusive Access and Parking Easement Agreement in favor of Oceanside Marina Condominium Association, Inc., as recorded July 1, 1997 in Book 1464, Page 1517.
17. County Ordinance 10-77, providing for the annual levy on garbage and trash collection fees to be assessed upon this parcel of land.
18. Grant of Easement (Launching) as recorded August 1, 2003 in Book 1915, Page 92.
19. Grant of Easement (Ingress, Egress, Utilities, Drainage, Encroachments and Maintenance) as recorded August 1, 2003 in Book 1915, Page 100.

20. All the covenants, conditions, restriction, easements, assessments and possible liens, terms and other provisions of Declaration of Condominium and Exhibits thereto, recorded August 11, 2003 in Book 1918, Page 1967, Public Records of Monroe County, Florida, and as further amended, including, but not limited to one or more of the following: provisions for private charges or assessments; liens for liquidated damages; and/or option, right of first refusal or prior approval of a future purchaser or occupant. NOTE: Developers Right of First Refusal was terminated in Book 2201, Page 1282 and in Book 2212, Page 1604. (As to Condo Parcels only)
21. County Resolution No. 265-2004, providing for the annual levy for wastewater assessments recorded June 23, 2005 in Book 2126, Page 511.
22. Terms and conditions of the Monroe County Planning Commission Resolution No. P21-07 recorded July 13, 2007 in Book 2308, Page 801.

## **FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

**THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT** (“First Amendment”) is entered into by and between Monroe County, Florida, a Political Subdivision of the State of Florida (“Monroe County”), Summerland Palms Investors, LLC, a Florida limited liability company (“Summerland Palms”), Coco Palms Developers, LLC, a Florida limited liability company, (“Coco Palms Developers”), Suncrest Investors, LLC, a Florida limited liability company (“Suncrest”), (collectively, the “Parties”) pursuant to Sections 110-132, 110-133, 130-161.1 of the Monroe County, Florida Code of Ordinances (“Monroe County Code”) and the Florida Local Government Development Agreement Act, Florida Statutes Sections 163.3220-163.3243 (2013) and is binding on the “Effective Date” set forth herein:

### **WITNESSETH:**

The Parties hereby agree as follows:

#### **I. RECITALS**

- A. This First Amendment provides for the inclusion of real property located at 5948 Maloney Avenue, Stock Island, Monroe County, Florida which is commonly referred to as the Hickory House (“Hickory House”) and provides for increase in total Transient Residential Dwelling Units permitted to be developed at property located at 5950 and 5970 Peninsular Avenue, Stock Island, Monroe County, Florida (“Oceanside Property”).
- B. All Parties have the authority to enter into this Agreement through Florida Statutes Chapter 163 and the sole and undivided ownership of the Properties.
- C. Section 163.3220, Florida Statutes, authorizes Monroe County to enter into development agreements with landowners and/or governmental agencies to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development.
- D. This Agreement, among other things, is intended to and shall constitute a development agreement among the Parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3223, et seq., Florida Statutes (“Act”).
- E. The Parties recognize that the public noticing and hearing procedures shall follow the requirements of Section 163.3225, Florida Statutes, which requires the local government to conduct two public hearings, one of which may be before the Planning Commission.
- F. Monroe County finds that entering into this First Amendment furthers the purposes, goals, objectives and policies of the Monroe County Comprehensive Plan which contains goals and objectives that seek to encourage the provision of affordable housing through incentive programs and regulations (including but not limited to Goal 601, Objective 601.1, Objective 601.2 and Objective 601.6).

- G. The Parties, with the exception of Suncrest, but including Suncrest's predecessor in interest, Suncrest Landing, LLC and Singh Investors, LLC, entered into a Development Agreement with the County dated December 5, 2013 ("Development Agreement") providing for the redevelopment of the Oceanside Property.
- H. After entering into the Development Agreement, Suncrest was assigned the purchase and sale agreement previously held by Singh Investors, LLC to purchase the real property owned by Suncrest Landing, LLC, and located at 5176 Suncrest Road, Stock Island, Monroe County, Florida ("Suncrest Property"), which property is subject to the Development Agreement.
- I. On February 14, 2014 Suncrest Investors, LLC acquired the Suncrest Property from Suncrest Landings, LLC, and Suncrest Investors, LLC is now a necessary party to the Development Agreement.
- J. The Development Agreement provided for the transfer of Transferrable Market Rate, Permanent Residential Rate of Growth Ordinance Exemptions ("TRES") to the Oceanside Property from Sender Sites including property owned by Summerland Palms (transfer of rights correspondent to twenty two (22) lawfully-established market-rate, permanent residential dwelling units), Coco Palms (transfer of rights correspondent to seventeen (17) lawfully-established and recognized market-rate, permanent residential dwelling units), and Suncrest (transfer of rights correspondent to seven (7) lawfully-established and recognized market-rate, permanent residential dwelling units).
- K. Since the effective date of the Development Agreement, Oceanside Investors has entered into a purchase and sale agreement with Monroe County to purchase the Hickory House.
- L. On July 16, 2014, Monroe County, pursuant to Monroe County Resolution 116-2014, approved to be abandoned the right-of-way between the Hickory House and Oceanside Investors Property ("Abandoned Road") more particularly described as:

Peninsular Avenue, lying between Block 46 and 60, South of Lots 30, 31 & the West ½ of Lot 32, in Square 46, according to Maloney's subdivision of a part of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of Lot 35 of said plat, thence West along the North Right-of-way line of Peninsular Ave. for a distance of 175.00 feet to the Southeast corner of the said West ½ of Lot 32, and the Point of Beginning; thence continue West along the said North Right-of-way line of Peninsular Ave. for a distance of 195.00 feet, more or less to the platted shoreline per Maloney's subdivision; thence S 18°26'06" W along the platted shoreline for a distance of 63.64 feet to the South Right-of-way line of Peninsular Ave.; thence East along the said South Right-of-way line of Peninsular Ave., for a distance of 215.00 feet more or less to the Southerly extension of the East line of the said West ½ of Lot 32; thence North for a distance of 60.00 feet to the said North Right-of-way line of Peninsular Ave. and the Point of Beginning.

A copy of Monroe County Resolution 116-2014 is attached as Exhibit 21.

M. Hickory House is generally described as follows:

1. Monroe County owns that certain real property located at 5948 Maloney Avenue, Stock Island, Monroe County, Florida. A copy of the Warranty Deed evidencing Monroe County's ownership is attached as Exhibit 22.
2. The Hickory House Property is legally described as Lots 30, 31 and the West ½ of Lot 32, in Square 46, according to Maloney's Subdivision of a part of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

and that certain County-owned abandoned right of way in accordance with Resolution No. 116-2014 comprising a part of Peninsular Avenue, Stock Island, Key West, Florida 33040, which is more particularly described as:

Peninsular Avenue, lying between Block 46 and 60, South of Lots 30, 31 and the West ½ of Lot 32, in Square 46, according to Maloney's subdivision of a part of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida and being more particularly described as: Commence at the Southeast corner of Lot 35 of said plat, thence West along the North right-of-way line of Peninsular Avenue for a distance of 175.00 feet to the Southeast corner of the said West ½ of Lot 32, and the Point of Beginning; thence continue West along the said North right-of-way line of Peninsular Avenue for a distance of 195.0 feet, more or less to the platted shoreline per Maloney's subdivision; thence S 18°26'06" W along the platted shoreline for a distance of 63.64 feet to the South right-of-way line of Peninsular Avenue; thence East along the said South right-of-way line of Peninsular Avenue, for a distance of 215.0 feet more or less to the Southerly extension of the East line of the said West ½ of Lot 32; thence North for a distance of 60.00 feet to the said North right-of-way line of Peninsular Avenue and the Point of Beginning.

3. As of the date of this Agreement, the Hickory House is assessed by the Monroe County Property Appraiser as real estate numbers 00126210-000000, 00126220-000000, 00126230-000000.
4. Historically, the Hickory House was used as a restaurant.
5. The Hickory House Property currently has a Mixed Use ("MU") Land Use (Zoning) District designation and a corresponding Mixed Use Commercial ("MC") Future Land Use Map designation. A copy of the Land Use District Map and Future Land Use Map for the Hickory House is attached as Exhibit 23.
6. The Hickory House currently has a Tier Overlay District Designation of Tier III.
7. The Hickory House consists of 29,447.55 square feet of upland.

- N. As part of the purchase and sale agreement, Oceanside Investors and Monroe County agreed that Oceanside Investors shall make an application to amend the Development Agreement to include the Hickory House and the Abandoned Road.
- O. Oceanside Investors desires to increase the total number of transient dwelling units permitted to be developed on the Oceanside Property.

## II. PURPOSE

- A. The overall purpose of this First Amendment is to include the Hickory House and Abandoned Road and increase the amount of Transient Residential Dwelling Units permitted to be developed on the Oceanside Property.

**NOW, THEREFORE,** the First Amendment is approved as follows:

## III. TERMS OF AGREEMENT

- A. **Recitals.** The recitals explaining the intent and purpose of the First Amendment as set forth in the preceding clauses are incorporated herein and form a material part of this Development Agreement and this First Amendment. The Parties recognize the binding effect of Fla. Stat. §§163.3220-163.3243, as to the form and content of the Development Agreement and First Amendment and in accordance therewith set forth and agree to the following.

- B. **Amendments.** The Development Agreement is hereby amended as follows:

- 1. **Section I.N.7 is hereby deleted in its entirety.**
- 2. **Section III.D.e. is hereby amended as follows:**

e. The redevelopment of the Oceanside Property includes the addition of up to 78 new, market rate residential dwelling units, which may be used as vacation rentals, up to 5 17 new hotel rooms, a new restaurant, and other improvements related to the existing marina and accessory development. The residential density would not exceed 100 permanent residential units and 5 17 transient units. Not including accessory structures related to the residential uses, the nonresidential intensity shall not exceed 40,000 square feet.

- 3. **Section III.G. is amended as follows:**

**Development Allowed.** The following specific criteria are those which will guide development of the Properties, and are standards by which any further approvals shall be measured and shall be as follows:

- a. The Oceanside Property consists of ~~19.84~~ 19.98 gross acres consisting of ~~11.18~~ 11.32 acres of upland and 7.66 acres of submerged land. There currently exist twenty-two (22) market-rate residential dwelling units, in the form of condominium units on the property.

- b. Oceanside Investors is permitted to transfer thirty-two (32) market-rate TRE's along with thirty-two (32) TDR's to the Oceanside Property pursuant to the Development Order #02-07.
- c. After an equivalent number of deed restricted affordable housing units are established on the Summerland Palms Property, Summerland Investors is permitted to transfer market-rate TRE's associated with lawfully established mobile homes from the Summerland Palms Property sender site to the Oceanside Property receiver site pursuant to Monroe County Code Section 130-161.1.
- d. After an equivalent number of deed restricted affordable housing units are established on the Cudjoe Coco Palms Property, ~~Singh Investors~~ Coco Palms Developers is permitted to transfer the market-rate TRE's associated with lawfully established mobile homes from the Cudjoe Coco Palms Property sender site to the Oceanside Property receiver site pursuant to Monroe County Code Section 130-161.1.
- e. After an equivalent number of deed restricted affordable housing units are established on the Stock Island Suncrest Property, Suncrest is permitted to transfer the market-rate TRE's associated with lawfully established mobile homes from the Stock Island Suncrest Property sender site to the Oceanside Property receiver site pursuant to Monroe County Code Section 130-161.1.
- f. Provided such development can be designed and approved by all applicable codes, including but not limited to the Monroe County Code and Florida Building Code, Oceanside Investors is permitted to develop the following buildings, facilities and structures on the Oceanside Property pursuant to this Agreement:
  - i. In addition to the already existing twenty-two (22) attached, market-rate residential dwelling units, up to seventy-eight (78) new attached, market-rate residential dwelling units, each of which may be configured to include a separately rentable "lockout" consisting of no more than one (1) bedroom and one (1) bathroom, all of which may be used for vacation rental use, provided Oceanside Investors constructs and 1) installs and maintains a gated entrance and 2) establishes a homeowner's or property owner's association that expressly regulates or manages vacation rental uses.
  - ii. A hotel with up to ~~five (5)~~ seventeen (17) new hotel rooms.
  - iii Eight (8) existing wet slips that have existed for over 40 years but have not been properly permitted. Twenty percent (20%) of Oceanside Investors' wet slips shall be restricted to use by commercial fishing vessels.
  - iv. A restaurant with up to 150 seats and up to 3,859 square feet of floor area.

- v. Additional amenities ancillary and accessory to the vacation rental and hotel use, including a lobby, gatehouse, offices, fitness center, bath house, maintenance, housekeeping and watersports consisting of up to 9,352 square feet as depicted on plans submitted with this Agreement.
- vi. A marina store, dock master, and watersport offices consisting of up to 1,973 square feet as depicted on plans submitted with this Agreement.
- vii. Parking areas and landscaping
- viii. Public access is permitted to the Oceanside Property and to the Hickory House and Abandoned Road boardwalk from 7:00 a.m. until dusk.

**5. Section III.I is hereby amended as follows:**

**I. Rental License.** Monroe County Code Section 23-85 requires each person engaged in the business of renting accommodations, including vacation rentals and other public lodgings licensed pursuant to Chapter 509, Florida Statutes, to pay a business tax and to obtain annually a business tax receipt for each place of business at which the rental occurs. Each of the new seventy-eight (78) residential dwelling units and each of the lockouts within such units engaged in Vacation Rental use shall be deemed a “place of business” subject to taxation under Monroe County Code Section 23-85. Oceanside Investors, its successors and assigns, so long as all or a portion of the property is used for vacation rentals, shall pay the business tax imposed pursuant to Monroe County Code Section 23-85 for each vacation rental unit and for each lockout utilized for or held out as public lodging, in addition to the ~~five (5)~~ seventeen (17) hotel rooms. Pursuant to this Agreement, Oceanside Investors will be required to obtain a total of ~~one hundred sixty-one (161)~~ one hundred sixty-eight (168) business tax receipts, consisting of one receipt for each dwelling unit, one receipt for each lockout, and one receipt for each hotel room and shall pay the business tax for each unit, lockout, and hotel room being utilized in the business of Vacation Rental annually. The tax collector may not accept the tax or issue receipts for the business tax unless the vacation rentals are licensed pursuant to Ch. 509, Florida Statutes.

**4. Section III.M is hereby amended as follows:**

**M. Site Plan Approval:** Monroe County does hereby accept the conceptual site plan of the Oceanside Property. The conceptual site plan is attached as ~~Exhibit 2325~~. The development shall be consistent with all applicable codes, including but not limited to the Monroe County Comprehensive Plan and Monroe County Code. Following a review of compliance with such codes, the final site plan must be approved by the Monroe County Planning Commission as an amendment to the Property’s major conditional use permit. The Planning Commission has final authority over the development approval and the site plan which may be amended by the Planning Commission.

**C. Effect of First Amendment to Development Agreement.** Except as expressly modified in this First Amendment, all terms and provisions in the Development Agreement for the

Parties remain unchanged and continue in full force and effect.

- D. **Recording.** Monroe County shall record this Agreement with the Clerk of the Circuit Court of Monroe County within fourteen (14) days following signature by all Parties. Oceanside Investors agrees that it shall be responsible for all recording fees and other related fees and costs related to the recording and delivery of this Agreement as described in this section. The provisions hereof shall remain in full force and effect during the term provided herein and shall be binding upon all successors in interest to the Parties to this Agreement.
- E. **Conflicting Resolutions.** All resolutions or parts thereof in conflict with the provisions of this Agreement and its resolution are hereby repealed to the extent of such conflict.
- F. **Severability.** If any part of this Agreement is contrary to, prohibited by, or deemed invalid under any applicable law or regulation, such provisions shall be inapplicable and deemed omitted to the extent so contrary, prohibited, or invalid; however, the remainder of the Agreement shall not be invalidated thereby and shall be given full force and effect as if the contrary, prohibited, or invalid provision was never a part hereof.
- G. **Effective Date.** The “Effective Date” of this Agreement is thirty (45) days after the duly signed and recorded Agreement is received by the Florida Department of Community Affairs pursuant to Chapter 380, Florida Statutes, and if appealed, until the appealed is resolved.

**[REMAINDER OF PAGE INTENTIONALLY BLANK. SIGNATURE PAGES TO FOLLOW.]**

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals on the day and year below written.

**Summerland Palms Investors, LLC**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Suncrest Investors, LLC**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Oceanside Investors, LLC**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Coco Palms Developers, LLC**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2014, by PRITAM SINGH, the managing member of Summerland Palms Investors, LLC, Suncrest Investors, LLC, Oceanside Investors, LLC, and Coco Palms Developers, LLC. He is personally known to me did not take an oath.

\_\_\_\_\_

**Monroe County**

**Monroe County Board of County  
Commissioners**

\_\_\_\_\_

Date

\_\_\_\_\_

MAYOR SYLVIA MURPHY

ATTEST: AMY HEAVILIN, CLERK

\_\_\_\_\_

DEPUTY CLERK



Petitioner: Oceanside Investors, LLC

Doc# 1992171  
Bk# 2696 Pg# 895

**MONROE COUNTY, FLORIDA  
RESOLUTION NO. 116 -2014**

**A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND PUBLIC IN AND TO THAT PORTION OF THE RIGHT-OF-WAY OF THE WESTERN PORTION OF PENINSULAR AVENUE ON STOCK ISLAND THAT IS BOUNDED ON THE NORTH BY LOTS 30, 31 & THE WEST ½ OF LOT 32 IN BLOCK (SQUARE) 46 OF MALONEY SUBDIVISION, BOUNDED ON THE WEST BY A PLATTED SHORELINE OF MALONEY SUBDIVISION, AND BOUNDED ON THE SOUTH BY LOTS 1 AND 2 IN BLOCK (SQUARE) 60 OF MALONEY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1 PAGE 55 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA**

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**WHEREAS**, an application was filed by Oceanside Investors, LLC to abandon a portion of Peninsular Avenue on Stock Island that is located between Blocks 46 and 60 (west of the west ½ of Lot 32 in Block 46) in Maloney Subdivision, as recorded in Plat Book 1, page 55 of the Public Records of Monroe County, Florida; and

**WHEREAS**, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter right-of-way; and

**WHEREAS**, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes; and

**WHEREAS**, at said public hearing, the Board considered the argument of all parties present wishing to speak on the matter, and considered the renouncing and disclaiming of any

right of the County and the public in and to the hereinafter described right-of-way as delineated on the hereafter described map or plat; and

**WHEREAS**, the Board has determined that vacation of the said right-of-way is for the general public welfare, and conforms to the requirement of Sections 336.09 and 336.10, Florida Statutes; and

**WHEREAS**, the Board makes the following Findings of Fact and Conclusions of Law:

1. For purposes of Monroe County Code Sections 19-1(a)(1) and (2) the water at the end of Peninsular Avenue is not "open water."
2. For purposes of Monroe County Code Sec. 19-1(a)(3) abandonment of the right-of-way does not preclude a way for the public to maintain access to the water.
3. By approving this resolution, Monroe County agrees to the abandonment as an affected property owner under Monroe County Sec. 19-1(b).
4. The applicant has agreed to pay any expenses associated with the road abandonment including but not limited to relocation of utilities and any required road improvements.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA**, that it hereby renounces and disclaims any right of the County and public in and to the following described streets, alleyways, roads, or highways as delineated on the hereafter described map or plat, to-wit:

*"Peninsular Avenue, lying between Block 46 and 60, South of Lots 30, 31 & the West ½ of Lot 32, in Square 46, according to Maloney's subdivision of a part of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, and being more particularly described as follows:*

*Commence at the Southeast corner of Lot 35 of said plat, thence West along the North Right-of-way line of Peninsular Ave. for a distance of 175.00 feet to the Southeast corner of the said West ½ of Lot 32, and the Point of Beginning; thence continue West along the said North Right-of-way line of Peninsular Ave. for a distance of 195.00 feet, more or less to the platted shoreline per Maloney's subdivision; thence S 18°26'06" W along the platted shoreline for a distance of 63.64 feet to the South Right-of-way line of Peninsular Ave.; thence East along the said South Right-of-way line of Peninsular Ave., for a distance of 215.00 feet more or less to the Southerly extension of the East line of the said West ½ of Lot 32; thence North for a distance of 60.00 feet to the said North Right-of-way line of Peninsular Ave. and the Point of Beginning. Containing 12,300.00 square feet, more or less."*

**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF Monroe County, Florida**, at a regular meeting held on the 30<sup>th</sup> of June, 2014.

Mayor Sylvia Murphy	<u>Yes</u>
Mayor pro tem Danny L. Kohlage	<u>No</u>
Commissioner Heather Carruthers	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner David Rice	<u>Abstained</u>

**BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA**

BY: Sylvia J. Murphy  
Mayor Sylvia Murphy



BY: AMY HEAVILIN, CLERK

[Signature]  
Deputy Clerk

Approved as to Form and Legal Sufficiency

Susan M. Grivalley  
Assistant County Attorney  
June 19, 2014

FILED FOR RECORD  
2014 JUL -1 PM 1:25

CLK. CIR. C.,  
MONROE COUNTY, FLA

~~FILED FOR RECORD  
2014 JUN 31 PM 1:25  
CLK. CIR. C.,  
MONROE COUNTY, FLA~~

**STATE OF FLORIDA  
COUNTY OF MONROE**

This Copy is a True Copy of the  
Original on File in this Office. Witness  
my hand and Official Seal.

This 1<sup>st</sup> day of July

A.D., 20 14  
AMY HEAVILIN  
Clerk Circuit Court

By [Signature] D.C.



# STATE OF FLORIDA COUNTY OF MONROE

PO Box 1800  
Key West FL 33041  
Office....305-292-7777  
Extension...x219  
Fax.....305-295-8025  
[legals@keysnews.com](mailto:legals@keysnews.com)

INTERNET PUBLISHING  
[keywest.com](http://keywest.com)  
[keysnews.com](http://keysnews.com)  
[floridakeys.com](http://floridakeys.com)  
[key-west.com](http://key-west.com)  
Web Design Services

NEWSPAPERS  
The Citizen  
Southernmost Flyer  
Florida Keys Free Press

MARKETING SERVICES  
Commercial Printing  
Direct Mail

FLORIDA KEYS OFFICES  
Printing / Main Facility  
3420 Northside Drive  
Key West, FL  
33040-1800  
Tel 305-292-7777  
Fax 305-294-0768  
[citizen@keywest.com](mailto:citizen@keywest.com)

Internet Division  
Tel 305-292-1880  
Fax 305-294-1699  
[sales@keywest.com](mailto:sales@keywest.com)

Upper Keys Office  
91731 Overseas Hwy  
Tavernier, FL 33070  
Tel 305-853-7277  
Fax 305-853-0556  
[freepress@floridakeys.com](mailto:freepress@floridakeys.com)

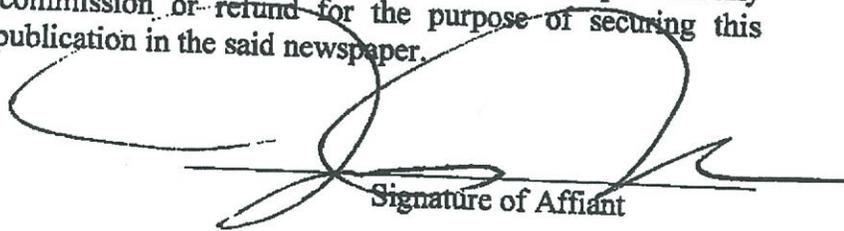
Before the undersigned authority personally appeared Tommy Todd, who on oath says that he is Advertising Director of the Key West Citizen, a daily newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of

Notice of Adoption of Resolution  
Renouncing Right - Peninsular Ave.

was published in said newspaper in the issue(s) of

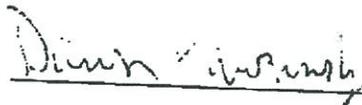
July 7, 2014

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every day, and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
Signature of Affiant

Sworn and subscribed before me this 7 day of July, 2014

Notary Public:



Dawn Kawzinsky  
Expires: 1/4/16



DAWN KAWZINSKY  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE157233  
Expires 1/4/2016

Notary Seal

Personally Known x Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**AND DISCLAIMING ANY  
RIGHT OF THE COUNTY OF  
MONROE AND THE PUBLIC  
IN AND TO A CERTAIN  
STREET AS DELINEATED ON  
A CERTAIN RECORDED  
PLAT.**

NOTICE IS HEREBY GIVEN,  
pursuant to Chapter 336,  
Florida Statutes, that the Board  
of County Commissioners of  
Monroe County, Florida, at a  
meeting held on June 30, 2014  
duly adopted Resolution No.  
116-2014, renouncing and  
disclaiming any right of the  
County of Monroe and the  
public in and to the following  
described streets, alley-ways,  
roads or highways as  
delineated on the hereinafter  
described map or plat, to wit:

**"Peninsular Avenue, lying  
between Block 46 and 60,  
South of Lots 30, 31 & the  
West 1/2 of Lot 32, in Square  
46, according to Maloney's  
subdivision of a part of Stock  
Island, Monroe County,  
Florida, as recorded in Plat  
Book 1, Page 55, of the  
Public Records of Monroe  
County, Florida, and being  
more particularly described  
as follows:**

**Commence at the Southeast  
corner of Lot 35 of said plat,  
thence West along the North  
Right-of-way line of  
Peninsular Ave. for a  
distance of 175.00 feet to the  
Southeast corner of the said  
West 1/2 of Lot 32, and the  
Point of Beginning; thence  
continue West along the said  
North Right-of-way line of  
Peninsular Ave. for a  
distance of 195.00 feet, more  
or less to the platted  
shoreline per Maloney's  
subdivision; thence S  
18°26'06" W along the platted  
shoreline for a distance of  
63.64 feet to the South  
Right-of-way line of  
Peninsular Ave.; thence East  
along the said South  
Right-of-way line of  
Peninsular Ave., for a  
distance of 215.00 feet more  
or less to the Southerly  
extension of the East line of  
the said West 1/2 of Lot 32;  
thence North for a distance  
of 60.00 feet to the said North  
Right-of-way line of  
Peninsular Ave. and the Point  
of Beginning. Containing  
12,300.00 square feet, more  
or less."**

Dated at Marathon, Florida, this  
2nd Day of July, 2014.

AMY HEAVILIN, Clerk of the  
Circuit Court and ex officio  
Clerk of the Board of County  
Commissioners of Monroe  
County, Florida

July 7, 2014 **EXHIBIT 24**  
Key West Citizen

Doc# 1615450 11/30/2006 4:13PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and return to:  
Erica N. Hughes-Sterling  
Attorney at Law  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, FL 33040  
305-294-9556  
File Number: 06-335-JB

11/30/2006 4:13PM  
DEED DOC STAMP CL: PW \$21,875.00

Doc# 1615450  
Bk# 2255 Pg# 1823

[Space Above This Line For Recording Data]

### Warranty Deed

This Warranty Deed made this 28th day of November, 2006 between Melodye Reger a/k/a Melody Reger, a single woman whose post office address is 100 Bay Drive, Key West, FL 33040, grantor, and Monroe County, a political subdivision of the State of Florida whose post office address is 1100 Simonton Street, Key West, FL 33040, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

Lots 30, 31 and the West 1/2 of Lot 32, in Square 46, according to Maloney's subdivision of a part of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

Parcel Identification Number: 00126230-000000; 00126220-000000; 00126210-000000

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 grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*Erica N. Hughes*  
Witness Name: ERICA N. HUGHES

*Melodye Reger* (Seal)  
Melodye Reger

*Mary E. Turso*  
Witness Name: MARY E. TURSO

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 28th day of November, 2006 by Melodye Reger, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]



*Mary E. Turso*  
Notary Public

Printed Name: MARY E. TURSO

My Commission Expires: \_\_\_\_\_

MONROE COUNTY  
OFFICIAL RECORDS

# Map



- Parcels
- Parcels
- Parcels
- Parcels
- Roads
- Parcels

### Zoning (continued)

- Commercial Fishing Special District
- Commercial Fishing Village
- Conservation District
- Destination Resort
- Incorporated
- Industrial
- Imp...

### Zoning (continued)

- Park and Refuge
- Resolution 277-1986
- Research Park
- Recreational Vehicle
- Sparsely Settled
- Suburban Commercial
- Suburban Residential -/Limited
- Urban Commercial

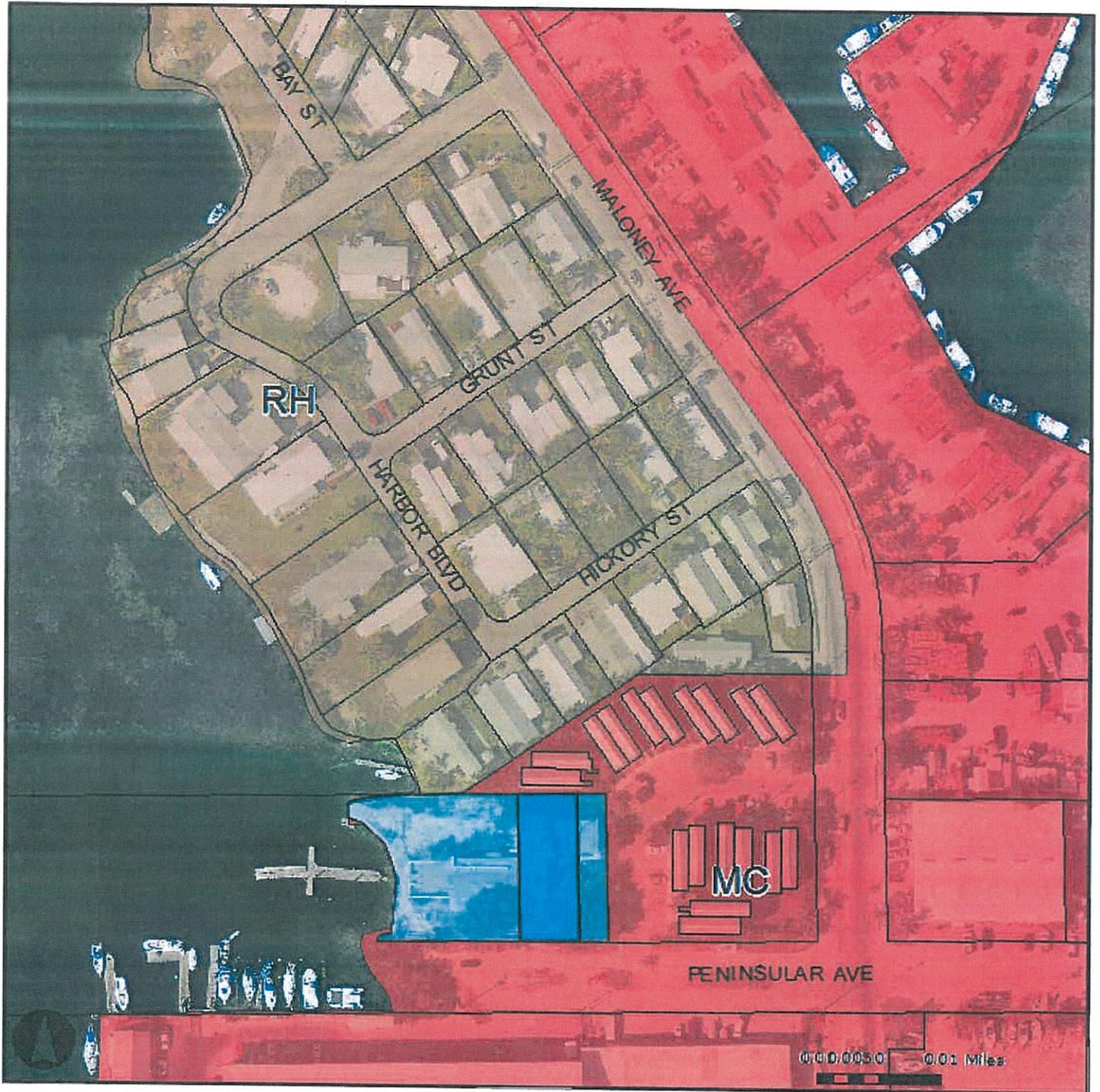
**EXHIBIT 26**

- Zoning
- Airport
- Area of County Critical Concern
- Commercial Fish Areas

- /Duplex/Masonry
- Maritime Industries
- Military Facilities
- Mainland Native
- Mixed Use
- Native Area
- Offshore Island

- Urban Residential
- Urban Residential Mobile Home
- Urban Residential Mobile Home Limited

# Map



- Parcels
- Parcels
- Parcels
- Parcels
- Roads
- Parcels

## Future Land Use Map (FLUM)

- A - Agriculture
- AD - Airport District
- C - Conservation
- E - Education
- I - Industrial
- INS - Institutional
- M - Military
- MC - Mixed Use/Commercial

## Future Land Use Map (FLUM) (continued)

- PB - Public Buildings/Grounds
- PF - Public Facilities
- R - Recreation
- RC - Residential Conservation
- RH - Residential High
- RL - Residential Low
- RM - Residential Medium

**EXHIBIT 26**



MCF - Mixed Use/Commercial  
Fishing

MN - Mainland Native

UNDS - Undesignated

✓ 1018 TRUMAN LLC  
521 SIMONTON ST  
KEY WEST,FL 33040-6872

✓ ADAMS LILO E  
7139 DRIFTWOOD DR SE  
ADA,MI 49301-7890

AKTABOWSKI FRANK AND ANN M  
989 OLD GREENVILLE RD  
FAYETTEVILLE,GA 30215-7042

✓ ALLEN JEFFREY E AND MONICA  
819 PEACOCK PLZ PMB 809  
KEY WEST,FL 33040-4293

✓ ALSTOTT MICHAEL J FAMILY TRUST  
AMD REST 5/12/2006  
7019 1ST AVE S  
SAINT PETERSBURG,FL 33707-1252

✓ APPELLIS MICHEL  
1414 NEWTON ST  
KEY WEST,FL 33040

✓ ARMOUR JAMES  
4449 BAY SHORE RD  
SARASOTA,FL 34234-3712

✓ ASPINWALL FAMILY TR AG  
5/18/2011  
316 NAUTILUS CT  
FORT MYERS,FL 33908-1610

✓ ASPINWALL GARY  
5823 RIVERSIDE LN  
FORT MYERS,FL 33919-2505

✓ BACKWALL PARTNERS LLC  
3605 SOUTH BEACH DR  
TAMPA,FL 33629

✓ BACLE PETER M AND MONICA  
15 AMARYLLIS DR  
KEY WEST,FL 33040-6204

~~BACLE PETER L  
15 AMARYLLIS DR  
KEY WEST,FL 33040~~

✓ BAILEY PROPERTIES LLC  
5601 2ND ST W  
LEHIGH ACRES,FL 33971-6332

✓ BAKER GERALD L  
7570 SKIPPER LN  
TALLAHASSEE,FL 32317-9534

✓ BAMPARTNERS LP  
PO BOX 287  
SOUTHFIELD,MI 48037-0287

✓ BARBER BERENICE  
6900 MALONEY AVE  
KEY WEST,FL 33040

✓ BARRETT PAUL L/E  
PO BOX 5888  
KEY WEST,FL 33045-5888

✓ BARTON DONALD J JR  
1502 UNITED ST  
KEY WEST,FL 33040

BEAM DAVID J AND RACHEL S  
1692 PINE CHANNEL DR  
SUMMERLAND KEY,FL 33042-5718

✓ BEAN LINDA  
21945 MINNETONKA BLVD  
EXCELSIOR,MN 55331-8616

✓ BEHMKE JOHN J AND KAY D  
PO BOX 344  
KEY WEST,FL 33041-0344

✓ BENEDETTO GEORGE  
4421 JEFFERSON HWY  
JEFFERSON,LA 70121-1308

~~BENEDETTO GEORGE M  
4421 JEFFERSON HWY  
JEFFERSON,LA 70121-1308~~

✓ BENNETT GLENN  
6 EMERSON DR  
CINNAMINSON,NJ 08077-4050

BERMAN BENJAMIN REV TRUST  
12/21/2006  
6800 MALONEY AVE LOT 55  
KEY WEST,FL 33040-6073

✓ BIRMINGHAM IRONWORKS INC  
9107 CHERRY RD  
VERMILION,OH 44089-9311

BITTNER BEVERLY A  
6800 MALONEY AVE LOT 39  
KEY WEST,FL 33040-8112

✓ BITTNER DALE LEE REVOCABLE  
TRUST 9/30/2013  
10 AZALEA DR  
KEY WEST,FL 33040-6206

✓ BLANCO LIANA M  
6900 MALONEY AVE UNIT 14  
KEY WEST,FL 33040-6065

✓ BLITZ FAMILY TRUST  
1800 ATLANTIC BLVD APT C338  
KEY WEST,FL 33040-5395

✓ BLUEWATER INVESTMENT LP  
142 JFK DR  
ATLANTIS, FL 33462

✓ BOGGS RONALD  
97 LEISURE CT UNIT 40  
PAGOSA SPRINGS, CO 81147-7746

~~BOGGS RONALD E  
97 LEISURE CT UNIT 40  
PAGOSA SPRINGS, CO 81147-7746~~

✓ BORROR DAVID S  
4280 HAYDEN RUN RD  
DUBLIN, OH 43017-4342

✓ BOTTON LINE FISH CO INC  
7311 SALE BLVD  
PANAMA CITY, FL 32409-1349

✓ BOWEN ALFRED AND JOY  
815 PEACOCK PLZ  
KEY WEST, FL 33040

✓ BOYD JOHN L AND BARBARA J  
6781 OLIVE BRANCH RD  
OREGONIA, OH 45054-9456

✓ BREINES STEVEN  
165 HORTON ST  
BRONX, NY 10464-1620

BRUMBAUGH JOHN R  
3310 N 4TH ST  
HARRISBURG, PA 17110-1413

BUBBUS DAVID AND ELIZABETH  
DIANE JT REV TR 9/16/11  
216 N SHORE DR  
RUSSELLVILLE, AR 72802-8827

BURNETTE WILLIAM HOLMES REV  
TR 05/30/1997  
708 WHITE ST  
KEY WEST, FL 33040-7155

✓ BURNS MICHAEL J AND KARLA V  
6900 MALONEY AVE UNIT 15  
KEY WEST, FL 33040-6065

✓ BUTLER CHUCK  
6800 MALONEY AVE LOT 47  
KEY WEST, FL 33040-8112

✓ C SERVICE LLC  
61 SPOONBILL WAY  
KEY WEST, FL 33040-7916

✓ CALYPSO WATER SPORTS AND  
CHARTERS INC  
257 ATLANTIC BLVD  
KEY LARGO, FL 33037

CAMPBELL EDWARD L AND PAMELA  
JO  
611 SYCAMORE ST  
RAVENSWOOD, WV 26164-1527

✓ CARDENAS ROBERT H AND  
DEBORAH  
917 EATON ST  
KEY WEST, FL 33040-6922

✓ CASTRO RICARDO F  
6900 MALONEY AVE UNIT 13  
KEY WEST, FL 33040-6065

✓ CAYO HUESO INVESTMENTS LNC  
6511 MALONEY AVE  
KEY WEST, FL 33040

✓ CHEYENNE HOLDINGS LIMITED  
PARTNERSHIP  
2201 4TH ST N STE 201  
SAINT PETERSBURG, FL 33704-4300

✓ COLLINS J FRED  
63 DOLPHIN COVE QUAY  
STAMFORD, CT 06902-7715

~~CONFIDENTIAL DATA F.S. 119.07~~

✓ CONKLIN EDWARD G  
PO BOX 2468  
KEY WEST, FL 33045-2468

✓ COOPER PETE AND DIANE  
1108 TRUMAN AVE  
KEY WEST, FL 33040-3352

✓ COTTIS JOHN DEC TRUST 5/28/2008  
17258 DOLPHIN ST  
SUGARLOAF SHORES, FL 33042

✓ COUNTY OF MONROEC/O BOCC  
1100 SIMONTON ST  
KEY WEST, FL 33040

✓ COVENEY MARY PRISCILLA  
6900 MALONEY AVE UNIT 6  
KEY WEST, FL 33040-6060

✓ COX STANLEY A  
1648 RICHMOND RD  
LEXINGTON, KY 40502

✓ CROWE TIMOTHY J AND DEBORAH R  
1707 PATRICIA ST  
KEY WEST, FL 33040

✓ CVS OF SE MISSOURI PROFIT  
SHARING PLAN  
662 PALOMA CIRCLE  
MESQUITE, NV 89027

✓ DASHER TED  
4300 10TH AVE S  
BIRMINGHAM, AL 35222-4336

✓ DASHER THEODORE E  
554 37TH ST NORTH  
BIRMINGHAM, AL 35222

✓ DBGB REV TR DTD 7/10/2000C/O  
BERRYHILL DONALD J AND GLENNA  
TRUSTEES  
26 HINA ST  
HILO, HI 96720

✓ DELPHFISHING MEDIA INC  
183 VENETIAN WAY  
SUMMERLAND KEY, FL 33042-3684

✓ DEMAURO ROBERT AND KIMBERLY  
CURRY (H/W)  
17195 KINGFISH LN W  
SUMMERLAND KEY, FL 33042-3613

✓ DEPIERRO RICHARD  
PO BOX 35  
SAG HARBOR, NY 11963-0001

✓ DHILLON WILLIAM J  
29780 SPRINGTIME RD  
BIG PINE KEY, FL 33043-3121

✓ DIMBATH MERLE AND SUSAN REV  
FAMILY LIV TR  
2621 GULFVIEW DR  
KEY WEST, FL 33040-3983

✓ DOLPHIN WATCH I LLC  
3618 EL CENTRO ST  
ST PETE BEACH, FL 33706

✓ DUKE JOHN O REVOCABLE TRUST  
10/11/2013  
28555 JOLLY ROGER DR  
SUMMERLAND KEY, FL 33042-5501

✓ EASTERLY ROBERT  
1107 KEY PLZ - 155  
KEY WEST, FL 33040-4086

✓ EL PESCADOR ENTERPRISES INC  
917 EATON ST  
KEY WEST, FL 33040-6922

✓ ESTILL ROBERT I  
2026 S QUEEN ST  
YORK, PA 17403

~~ESTILL ROBERT I  
2026 S QUEEN ST  
YORK, PA 17403~~

✓ F DEPOT INC  
4705 NW 132ND ST  
OPA LOCKA, FL 33054-4313

✓ FEDERAL NATIONAL MORTGAGE  
ASSOCIATION  
3900 WISCONSIN AVE NW  
WASHINGTON, DC 20016-2892

✓ FLEMING ENTERPRISES LLC  
16101 LA GRANDE DR  
LITTLE ROCK, AR 72223-9152

✓ FLENARD DIANA L  
6800 MALONEY AVE LOT 44  
KEY WEST, FL 33040-8112

✓ FOLEY WALTER ALLEN  
875 W LOOP 304  
CROCKETT, TX 75835

~~FOLEY WALTER AND KAY TRUST  
4/16/07C/O FOLEY WALTER A AND  
MURLYN KAY TRUSTEES  
875 WEST LOOP 304  
CROCKETT, TX 75835~~

✓ FORMOSO CHARLES A  
P O BOX 331089  
COCONUT GROVE, FL 33233

✓ FOWLER CHARLES  
7251 NW 6TH ST  
PLANTATION, FL 33317-1103

✓ FOWLER MILLARD LEON AND  
CONNIE L  
1716 SOUTH ST  
KEY WEST, FL 33040-3517

✓ FREE SALLY A  
115 SW 58TH ST  
CAPE CORAL, FL 33914

✓ G AND T PROPERTIES LIMITED  
PARTNERSHIP  
45 COYOTE RDG  
GREEN MOUNTAIN, NC 28740-9252

✓ GAP PROPERTIES OF SW FLORIDA-  
1INC  
4737 OAK RUN DR  
SARASOTA, FL 34243

✓ GARDNER JENNIE S REV TR  
10/26/2010  
201 13TH ST NE APT B  
WASHINGTON, DC 20002-6566

✓ GAYNOR RICHARD G  
2320 DRUSILLA LN  
BATON ROUGE, LA 70809-1495

✓ GIBBS JON M  
411 SHERIDAN BLVD  
ORLANDO, FL 32804-6344

✓ GORDON LYNN J  
P O BOX 131  
CAPTAIN COOK, HI 96704

✓ GRAY II FRED EMMET REV TRUST  
DTD 11-04-2004  
23063 WAHOO LN  
CUDJOE KEY, FL 33042

✓ HARLOW JAMES MYRON  
DECLARATION TRUST 12/7/2001  
16657 HOLLY LN  
SUMMERLAND KEY, FL 33042-3508

✓ HAYMAKER JAMES  
326 WHITEHEAD ST  
KEY WEST, FL 33040-6543

✓ HEITLER ROBERT H AND JANE A  
1694 COTTONWOOD CREEK PL  
LAKE MARY, FL 32746-4404

✓ HENDERSON ROBIN M  
PO BOX 2515  
KEY WEST, FL 33045-2515

✓ HILDEBRANDT FREDERICK AND  
SUSAN  
1901 S ROOSEVELT BLVD APT 401E  
KEY WEST, FL 33040-5249

✓ HOLMES PETER F  
12 WILDWOOD LN  
SCARBOROUGH, ME 04074-9436

✓ HOWARD DAVID B  
2525 N LAKE LEELANAU DR  
LAKE LEELANAU, MI 49653

✓ HOWELL WALTER W TRUSTEE  
106 KIMBALL POND RD  
CANTERBURY, NH 03224-2302

✓ HOYT R ASHLEY  
3420 DUCK AVE  
KEY WEST, FL 33040

✓ HUB FLORIDA LLC  
620 S RIVER LANDING RD  
EDGEWATER, MD 21037-1553

✓ HUNKER WAYDE  
7 PARK MEADOWS DR  
FAIRFIELD, OH 45014-4672

✓ HURST BASIL J  
246 MCCAUSLEY RD  
HUBERT, NC 28539-3540

✓ I-10 LLC  
6 ISLAND RD  
STUART, FL 34996-7005

✓ JACKSON RICHARD W  
1301 FLAGLER AVE  
KEY WEST, FL 33040

✓ JACKSON ROBERT C AND ANGELA G  
14091 SCIO CHURCH RD  
CHELSEA, MI 48118

✓ JACQUES GARY L REVOCABLE TRUST  
DTD 6/7/06  
PO BOX 22  
FLOYD, IA 50435-0022

✓ JESSEE JASON  
1107 KEY PLZ PMB 333  
KEY WEST, FL 33040-4086

✓ JONES JOHN B  
6800 MALONEY AVE LOT 46  
KEY WEST, FL 33040-8112

✓ JONES LLC  
11 CYPRESS AVE  
KEY WEST, FL 33040-6236

✓ KERSHAW ABRAHAM AND CAROL L  
JOINT TRUST 10/23/2012  
31W660 STEARNS RD  
ELGIN, IL 60120-9000

✓ KEY WEST 80 LLC  
26640 EDGEWOOD RD  
EXCELSIOR, MN 55331-8339

✓ KEY WEST HARBOUR  
CONDOMINIUM

✓ KEY WEST HARBOUR YACHT CLUB TR  
6/28/2010C/O CRUZ FERMIN P  
TRUSTEE  
6818 SEAVIEW BLVD  
HUDSON, FL 34667-1032

✓ KEY WEST MARINA INVESTMENTS  
LLC  
6000 PENINSULAR AVE  
KEY WEST, FL 33040-6082

✓ KEYSTER LLC  
14007 LAKE MAGDALENE BLVD  
TAMPA, FL 33618-2319

✓ LAMILA LIMITED LIABILITY  
PARTNERSHIP  
20 HIDDEN HILLS WAY  
ARDEN, NC 28704-6110

✓ LANDIS OLIVER  
2740 W FRANKLIN BLVD  
GASTONIA, NC 28052

✓ LANG RICHARD A  
92 HARTFORD PIKE  
NORTH SCITUATE, RI 02857-1846

✓ LAYNE JUDITH  
6900 MALONEY AVE UNIT 1  
KEY WEST, FL 33040-6060

✓  
LEE JAMES A  
PO BOX 1022  
ANOKA, MN 55303-0599

✓  
LEWIS MARK AND BETH  
2075 WOOD ROAD  
LEBANON, OH 45036

✓  
LOCKWOOD BUDDIE A  
6900 MALONEY AVE UNIT 8  
KEY WEST, FL 33040-6060

✓  
LONG G GREG AND KRISTINE A  
102 ALGONQUIN  
LAKE WINNEBAGO, MO 64034

✓  
LOW KEY CHARTER SERVICES INC  
6800 MALONEY AVE LOT 47  
KEY WEST, FL 33040-8112

✓  
LUKOWSKI MICHAEL JOHN AND  
JUDITH ANN  
2200 NW 24TH ST  
GAINESVILLE, FL 32605-3854

✓  
LUTZ ELIZABETH N  
6800 MALONEY AVE LOT 48  
KEY WEST, FL 33040-8112

✓  
MAGGIO LEONA J  
PO BOX 2147  
KEY WEST, FL 33045-2147

✓  
MARLIN INTEGRATED CAPITAL III  
LLC  
180 SUGARLOAF DR  
SUMMERLAND KEY, FL 33042-3673

✓  
MARTIN CHRISTIE L  
6900 MALONEY AVE  
KEY WEST, FL 33040-6060

✓  
MARY B REAL ESTATE LLC  
2718 HARRIS AVE  
KEY WEST, FL 33040-3955

✓  
MAUN FAMILY TRUST 9/4/2013  
225 CHEROKEE LN  
CARBONDALE, CO 81623-9410

✓  
MCCARTHY CHRISTOPHER  
P O BOX 406  
SANDOWN, NH 3873

✓  
MCKENDRY BRIAN  
80 PALM DR  
KEY WEST, FL 33040-6130

✓  
MCSWEEN MIKE AND NANCY  
1422 HARMONY ST  
NEW ORLEANS, LA 70115-3407

✓  
MENTONIS GEORGE AND PATRICIA  
5960 PENINSULAR AVE UNIT 109  
KEY WEST, FL 33040-6051

✓  
MICK CAROL L  
PO BOX 763  
DURHAM, NH 03824-0763

✓  
MILES GAY C  
404 SANDFIDDLER CT  
MOREHEAD CITY, NC 28557-2530

✓  
MONGELLI ROBERT CHARLES DEC TR  
DTD 1-15-02  
1025 SANDYS WAY  
KEY WEST, FL 33040

✓  
MOREAN WILLIAM D LV TR DTD 4-7-  
81 AND REST 11-3-93  
2201 4TH ST N STE 201  
SAINT PETERSBURG, FL 33704-4300

✓  
MORGAN HUGH J  
404 SOUTH ST  
KEY WEST, FL 33040-3138

✓  
NASET WALLACE J AND RUTH S  
20717 6TH AVE W  
SUMMERLAND KEY, FL 33042-4010

✓  
NEUBERGER RENE AMEN AND  
RESTATE INTER VIVOS DEC TR  
175 TEAL CIR  
BERLIN, MD 21811-1531

✓  
NGUYEN VINCENT H  
6900 MALONEY AVE UNIT 11  
KEY WEST, FL 33040-6060

✓  
NIX JAMES R AND CATHERINE  
6900 MALONEY AVE UNIT 12  
KEY WEST, FL 33040-6060

✓  
NOORDHOEK HAROLD  
300 CASUARINA CONCOURSE  
CORAL GABLES, FL 33143-6508

~~OCEANSIDE EAST DRY STORAGE  
CONDOMINIUM~~

~~OCEANSIDE MARINA  
CONDOMINIUM~~

~~OCEANSIDE RESIDENTIAL  
CONDOMINIUM~~

✓  
OLIVER LAWRENCE J TR DTD  
05/02/95  
18420 DEEP PASSAGE LN  
FT MYERS BEACH, FL 33931

✓ OROPEZA HELIO AND CARLEEN  
224 KEY HAVEN RD  
KEY WEST, FL 33040-6224

✓ OSM LLC  
6810 FRONT ST  
KEY WEST, FL 33040-6040

OSM SLIPS LLC  
6810 FRONT ST  
KEY WEST, FL 33040-6040

✓ OTTO CORY J  
6900 MALONEY AVE UNIT 17  
KEY WEST, FL 33040-6065

✓ OYEME IV LLC  
PO BOX 787  
KEY WEST, FL 33041-0787

✓ OYSTER POINT PROPERTIES LLC  
105 E ST  
HAMPTON, VA 23661

✓ PETROCINE THOMAS AND LINDA L  
PO BOX 99  
WATERVILLE VALLEY, NH 3215

✓ PFENT DAVID J AND EVELYN C  
512 NOAH LANE  
KEY WEST, FL 33040

PINA DELORES  
6800 MALONEY AVE LOT 59  
KEY WEST, FL 33040-8111

✓ PORTER POWELL DOUGLAS  
95510 OVERSEAS HWY  
KEY LARGO, FL 33037

✓ PRITZ DALE  
1832 SCHAWAN LN  
YORK, PA 17402

RCM OF KEY WEST LLC  
1025 SANDYS WAY  
KEY WEST, FL 33040

✓ REHM ALFRED F  
PO BOX 8086  
WILSON, NC 27893-1086

✓ RICE DAVID P AND MARY L  
133 MOCKINGBIRD LN  
MARATHON, FL 33050-2482

✓ RICHARDS LIVING TRUST  
7/20/07C/O RICHARDS DEAN ALLEN  
JR TRUSTEE

1214 VON PHISTER ST  
KEY WEST, FL 33040

✓ RICHARDS LIVING TRUST  
7/20/2007C/O RICHARDS DEAN  
ALLEN JR TRUSTEE  
1214 VON PHISTER ST  
KEY WEST, FL 33040

✓ RIVERO MELISSA A  
6900 MALONEY AVE UNIT 2  
KEY WEST, FL 33040-6060

✓ ROGGERO HARRY J JR LIVING TRUST  
10/1/2012  
21 PARKER AVE  
NEWPORT, RI 02840-6940

✓ ROWLEY RICHARD & PATRICIA  
P O BOX 125  
AUSTINBURG, OH 44010-0125

✓ ROWLEY RICHARD D & PATRICIA M  
P O BOX 125  
AUSTINBURG, OH 44010

✓ SALERNO ANTHONY L  
114 SINCLAIR DR  
NORTON SHORES, MI 49441-5545

✓ SALERNO ANTHONY L  
114 SINCLAIR DR  
NORTON SHORES, MI 49441-5545

SAWYER GREGORY M  
6800 MALONEY AVE LOT 37  
KEY WEST, FL 33040-8109

✓ SCHOEPKE CRAIG A AND NANCY C  
29550 WEST CAHILL CT  
BIG PINE KEY, FL 33043

✓ SESSLER WANDA  
6800 MALONEY AVE LOT 42  
KEY WEST, FL 33040-8112

✓ SHATT J MURRAY & MARY H  
PO BOX 420488  
SUMMERLAND KEY, FL 33042-0488

✓ SHEFFLER BARBARA K  
2510 CHAGRIN RIVER RD  
CHAGRIN FALLS, OH 44022-6600

✓ SHIELD LINDA DEC TR 7/7/97  
920 VIRGINIA ST  
KEY WEST, FL 33040

SICINSKI WALTER AND BENNETT  
MONICA  
142 TYRREL AVE  
TORONTO, ONTARIO M6G 2G7

✓ SIMON CHARLES AND JACQUELINE  
R  
23550 CENTER RIDGE RD  
WESTLAKE, OH 44145-3655

✓  
SIMON CHARLES T  
23550 CENTER RIDGE RD  
WESTLAKE, OH 44145-3655

✓  
SIMONDS ROBERT BRADLEY  
17131 SEA GRAPE LN  
SUGARLOAF KEY, FL 33042

✓  
SIMONTON ROW LTD  
1109 EATON ST  
KEY WEST, FL 33040

SIMPSON DANIEL J  
6800 MALONEY AVE LOT 35  
KEY WEST, FL 33040-8109

✓  
SIMS ROBERT JAMES & NANCY W  
7760 SOUTHWEST 167TH TERRACE  
MIAMI, FL 33157

✓  
SMITH KEITH A  
PO BOX 1267  
SUMAS, WA 98295-1267

SMITH KEITH A TRUSTEE(K S SMITH  
MD PROFITSHARING PLAN)  
PO BOX 1267  
SUMAS, WA 98295

✓  
SOULES WILLIAM E  
1710 SW 87TH PL  
OCALA, FL 34476-6713

✓  
SPANISH FLY ENTERPRISES INC  
PO BOX 420661  
SUMMERLAND KEY, FL 33042-0661

✓  
STAFFORD TERESA  
7B-20-22 ONSLOW AVE  
ELIZABETH BAY, NSW 2011 SW  
2011

✓  
STARK JOHN TRUST AGREEMENT  
12/15/1995  
4780 COVE CIR APT 311  
SAINT PETERSBURG, FL 33708-2870

✓  
STUURSMA JAMES R AND ANN M  
PO BOX 202  
MACATAWA, MI 49434-0202

✓  
SUNSET INVESTORS LLC  
4400 PAPA JOE HENDRICK BLVD  
CHARLOTTE, NC 28262

✓  
SUNSET INVESTORS LLC  
4400 PAPA JOE HENDRICK BLVD  
CHARLOTTE, NC 28262

✓  
TARANTINO JOANNE  
1002 WASHINGTON ST  
KEY WEST, FL 33040-4865

✓  
THOMAS FLOYD H AND CAROLYN A  
2034 IL ROUTE 2  
DIXON, IL 61021-9075

✓  
THOMAS TOM AND LUCILLE G  
2864 COCO LAKES DR  
NAPLES, FL 34105-4511

✓  
TIITF/SOVEREIGNTY LANDS  
3900 COMMONWEALTH BLVD  
TALLAHASSEE, FL 32399-3000

✓  
TORTUGA WEST HOMEOWNERS  
ASSOC  
201 FRONT ST STE 110  
KEY WEST, FL 33040-8346

✓  
TORTUGA WEST HOUSING LLC  
210 FRONT ST  
KEY WEST, FL 33040

✓  
TOWER EQUITIES RE INC  
PO BOX 690785  
CHARLOTTE, NC 28227-7014

✓  
TRADEWINDS INTERNATIONAL REAL  
ESTATE PLLC  
1540 INTERNATIONAL PKWY STE  
200  
LAKE MARY, FL 32746-4713  
UNITED STATES OF AMERICA  
ATLANTA, GA 30345

✓  
TRIVISONNO NICHOLAS L  
REVOCABLE TRUST 2/24/2003  
2019 CRAIGMORE DR  
CHARLOTTE, NC 28226-6206

✓  
TRIVISONNO NICHOLAS L  
REVOCABLE TRUST 2/24/2003  
2019 CRAIGMORE DR  
CHARLOTTE, NC 28226-6206

UP DEVELOPMENT KEY WEST  
HOLDINGS LLCC/O OFSM MGT  
OFFICE  
3201 E COLONIAL DR OFC  
ORLANDO, FL 32803-5198

✓  
WALTERS CHARLES D AND  
STEPHANIE  
525 DU PONT LN  
KEY WEST, FL 33040-7458

✓  
WELLS KENNETH G  
6651 MALONEY AVE  
KEY WEST, FL 33040-6057

✓  
WEYMOUTH LISA A  
P O BOX 791249  
PAIA, HI 96779

✓  
WHITEHEAD BRIAN J  
49 SUNSET KEY  
KEY WEST, FL 33040

✓ WILKES GEORGE A REVOCABLE  
TRUST 10/27/2004  
143 RAINBOW DR  
LIVINGSTON, TX 77399-1043

✓ WILSON JAMES E AND MARIA  
27 EVERGREEN AVE  
KEY WEST, FL 33040-6244

✓ WOLZ ROBERT J  
PO BOX 1411  
KEY WEST, FL 33041

✓ WYLAND OF KEY WEST INC  
953 NW 53RD ST  
FT LAUDERDALE, FL 33309

