DEVELOPMENT REVIEW COMMITTEE

-

Tuesday, June 23, 2015

-

AGENDA

-

The Monroe County Development Review Committee will conduct a meeting on Tuesday, June 23, 2015, beginning at 1:00 PM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL

DRC MEMBERS:
Mayte Santamaria, Senior Director of Planning and Environmental Resources
Mike Roberts, Sr. Administrator, Environmental Resources
DOT Representative
Steve Zavalney, Captain, Fire Prevention
Public Works Department Representative

STAFF MEMBERS
Christine Hurley, Growth Management Division Director
Steve Williams, Assistant County Attorney
Peter Morris, Assistant County Attorney
Rey Ortiz, Planning & Biological Plans Examiner Supervisor
Emily Schemper, Comprehensive Planning Manager
Matt Coyle, Principal Planner
Barbara Bauman, Planner
Mitzi Crystal, Transportation Planner
Mary Wingate, Sr. Floodplain Coordinator
Gail Creech, Sr. Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL

MEETING

New Items:

1. Future Investments of KW, LLC, 5582 First Avenue, Stock Island, mile marker 5: A public meeting concerning a request for an Amendment to a Minor Conditional Use Permit. The requested approval is required in order to redevelop the property with light industrial uses, office uses and affordable attached residential dwelling units. The subject property is described as a part of Square (Block) 41, McDonalds's Plat also known as Maloney Subdivision (Plat Book 1, Page 55), Stock Island, Monroe County, Florida, having real estate numbers 00125420.000000 and 00125380.000101.
(File 2015-038)
2015-038 SR DRC 06.23.15.PDF
2015-038 FILE.PDF
2015-038 COMBINED Plans Recvd 05.05.15.PDF

-

-

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 122-2(C), RULES FOR INTERPRETING FLOOD HAZARD ISSUES; PROVIDING FOR THE INCLUSION OF COUNTY POLICY IMPLEMENTATION AND REMOVAL OF THE REQUIREMENT OF GUIDING DOCUMENTS ADOPTED BY RESOLUTION;

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 INCLUSION IN THE MONROE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-109)
2015-109 SR DRC 06.23.15.pdf

3. 24930 Overseas Highway, Summerland Key, Mile Marker 25 (Sender Site); 21585 Old State Road 4A, Cudjoe Key, Mile Marker 22 (Sender Site); 5176 Suncrest Road, Stock Island, Mile Marker 5 (Sender Site) and Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5 (Receiver Site): A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the transfer of 45 Transferable ROGO Exemptions (TREs) from the sender sites to the receiver site. The sender sites are described as Lot 55 and a portion of Lot 54, Summerland Yacht Harbor, Summerland Key, Monroe County, Florida 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, Lot 30, Sacarma, Cudjoe, Monroe County, Florida having real estate #00174960.000000 and Lots 27 and 28, Sun Krest, Stock Island, Monroe County, Florida having real estate # 00132680.000000. The receiver site is 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, Stock Island, Monroe County, Florida, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100.
(File 2013-070)
2013-070 SR DRC 06.23.15.PDF
2013-070 FILE.PDF

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 110-9, SUSPENSION OF DEVELOPMENT REVIEW PROCEEDINGS, ADDING PROVISIONS FOR DEVELOPMENT REVIEW CONTINGENT ON CODE VIOLATION COMPLIANCE; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-111)
2015-111 SR DRC 06.23.15.pdf

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".

ADJOURNMENT

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Monroe County Development Review Committee &
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, AICP, Planning & Development Review Manager
Matthew Coyle, AICP, Principal Planner
Michael Roberts, Senior Administrator of Environmental Resources

Date: June 15, 2015

Subject: *Request for an Amendment to a Minor Conditional Use Permit, 5582 First Avenue, Stock Island, Real Estate #00125420.000000 and 00125380.000101 (File #2015-038)*

Meeting: June 23, 2015

I REQUEST:

The minor conditional use permit amendment is necessary for the property owner to redevelop the subject property with a new mixed use building. The building will consist of 2,000 SF of light industrial floor area, 1,280 SF of office floor area, and 4 attached residential dwelling units and ~~carry out~~ associated site improvements. The attached residential dwelling units would be deed-restricted as affordable housing.

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

Currently, the subject property is developed with a light industrial use, in the form of a warehouse building on the parcel identified by RE #00125420.000000 and a parking/outdoor storage area on the parcel identified by RE #00125380.000101. As the initial development of the property occurred prior to September 15, 1986, the site was deemed to have a minor conditional use permit in accordance with MCC §101-4(c).

As shown on the proposed site plan by Meridian Engineering LLC, dated January 12, 2014 and received May 5, 2015, the applicant is proposing to redevelop the property with a new mixed-used building. The building would consist of two-_stories and have a footprint of 3,920 SF (49' x 80'). On the first floor, it would provide 1,280 SF of nonresidential floor area for office use and 2,000 SF of nonresidential floor area for light industrial use. On the second floor, it would provide four residential apartments (affordable housing) with approximately 2,460 SF of floor area in total. The remainder of the property would be utilized for parking and open space. Parking would be located in front of the new building. In addition, infrastructure improvements and accessory development would be carried out throughout the subject property.

To facilitate the proposed development, the existing warehouse would be demolished.

Location:

Address: 5582 First Avenue, Stock Island, approximate mile marker 5 (Atlantic Ocean side of US 1)

Legal Description: Part of Square (Block) 41, McDonalds's Plat also known as Maloney Subdivision (Plat Book 1, Page 55), Stock Island, Monroe County, Florida

Real Estate (RE) Numbers: #00125420.000000 and #00125380.000101

Applicant:

Agent: Kevin Sullivan, Trepanier & Associates, Inc.

Owner: Future Investments of KW, LLC

II RELEVANT PRIOR COUNTY ACTIONS:

The following building permits are on file:

Building Permit #	RE #	Year Issued	Scope of Work
7820 [1]	00125380.000101	1964	Install storage shed for equipment storage
29624 [1]	00125380.000101	1973	Repair roof of storage shed
091-5175	00125420.000000	2010	After-the-fact remodel of building and painting of sign

1: While filed with RE #00125380.000101, plans included in the application indicate that the scope of work affected RE #00125420.000000.

On February 12, 2014, a Pre-Application Conference regarding the subject property and proposed development was held at the office of the Monroe County Planning & Environmental Resources Department in Marathon. Following the conference, on June 12, 2014, a letter of understanding was issued.

The applicant filed an administrative variance application (File #2015-037) to be concurrently reviewed with this minor conditional use permit application. The applicant is requesting approval of a variance to the off-street parking space requirements (to reduce the off-street parking space requirement from 11 to 10 spaces). After a review of the application, staff recommended approval of the request with conditions and subsequently surrounding property owner notices were mailed on May 14, 2015. Unless a party requests a public hearing by the planning commission, the administrative variance will be approved 30 days after the property was posted with notice of the application (*This date would be approximately June 14, 2015; however as of the date of this staff report, the applicant has not provided an affidavit indicating the date in which notice was posted on the property. Notice is typically posted a few days after the surrounding property notices are mailed*).

III BACKGROUND INFORMATION:

1. Size of Site: 0.29 acres (12,500 SF)
2. Land Use District: Mixed Use (MU)
3. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)
4. Tier Designation: Tier III
5. Existing Uses: Light industrial
6. Existing Vegetation / Habitat: Scarified
7. Community Character of Immediate Vicinity: Mixed Use - light industrial, commercial office and residential
8. Flood Zone: AE-EL 8'

IV REVIEW OF APPLICATION:

MCC §110-67 provides the standards which are applicable to all conditional uses. When considering applications for a minor conditional use permit, the Development Review Committee and Director of Planning & Environmental Resources shall consider the extent to which:

1. *The conditional use is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan and the Land Development Code:*

   Policies from the *Monroe County Year 2010 Comprehensive Plan* that directly pertain to the proposed use include:

   Policy 101.4.5: The principal purpose of the Mixed Use/ Commercial land use category is to provide for the establishment of commercial land use (zoning) districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment.

Employee housing and commercial apartments are also permitted. In addition, Mixed Use/Commercial land use districts are to establish and conserve areas of mixed uses, which may include maritime industry, light industrial uses, commercial fishing, transient and permanent residential, institutional, public, and commercial retail uses.

This land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and non-residential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited. The County shall continue to take a proactive role in encouraging the maintenance and enhancement of community character and recreational and commercial working waterfronts.

Policy 101.5.3: In order to encourage a compact form of nonresidential growth, the Permit Allocation System shall limit and direct new non-residential development primarily to areas designated as Tier III under Goal 105 not located within a designated Special Protection Area and provide incentives for redevelopment of existing developed and vacant infill sites.

Policy 101.20.2: The Community Master Plans shall be incorporated into the 2010 Comprehensive Plan as a part of the plan and be implemented as part of the Comprehensive Plan. The following Community Master Plans have been completed in accordance with the principles outlined in this section and adopted by the BOCC:

***

3. The Stock Island/Key Haven Livable CommuniKeys Plan Volume I is incorporated by reference into the 2010 Comprehensive Plan. The term Strategies in this Master Plan is equivalent to the term Objectives in the Comprehensive Plan and the term Action Item is equivalent to the term Policy; the meanings and requirements for implementation are synonymous.

4. Volume Two (2) of the Stock Island and Key Haven Livable CommuniKeys Master Plan titled Harbor Preservation/Redevelopment and Corridor Enhancement Plan dated November 2005 and incorporated by reference into the 2010 Comprehensive Plan. The term Strategies in this Master Plan is equivalent to the term Objectives in the Comprehensive Plan and the term Action Item is equivalent to the term Policy; the meanings and requirements for implementation are synonymous.

***

Any development on Stock Island shall be consistent with all goals, strategies and action items of *the Master Plan for the Future Development of Stock Island and Key Haven* (aka the Livable CommuniKeys Plan). Action items that directly pertain to the subject property and proposed redevelopment include:

Action Item 1.1.1: Create an overlay district in appropriate areas to only permit workforce/affordable housing in conjunction with permitted commercial and light industrial uses.

Action Item 2.3.1: Continue to recognize land use districts and FLUM categories as the regulatory tool used for evaluating individual proposals for compliance with land development standards such as type of use and intensity of use.

Action Item 3.1.1: Provide a density bonus unique to Stock Island to encourage the development of low to very low income rental housing.

Action Item 3.1.3: Work with commercial businesses in the area to identify if the site has the appropriate land use designation and remaining density to provide for low to very low housing

Action Item 3.4.3: Increase density bonuses for low and very low income.

Action Item 5.1.2: Emphasize maritime industries in all aspects of community design.

Action item 6.4.2: Increase compliance with stormwater regulations in the high density areas of Stock Island.

Action Item 9.1.2: Amend the parking regulations of the Land Development Regulations to reduce the amount of required vehicular parking spaces in commercial establishments in exchange for scooter spaces.

Action Item 9.4.3: Require the provision of bicycle facilities and parking in all new development and redevelopment.

2. *The conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development:*

The proposed redevelopment is consistent with the community character of the immediate vicinity.

The surrounding area consists of a mixture of land uses, including residential and nonresidential uses. The subject property is located near the intersection of First Avenue and Third Street. There are light industrial developments on several neighboring properties.

A light industrial use has existed on the subject property since the 1960s. According to the Monroe County Property Appraiser's records, the building was constructed in 1965 and consists of 4,500 SF (assessed as warehousing). The proposed attached residential dwelling units would be a new use, but the units are consistent with the established residential uses on adjacent properties.

3. *The design of the proposed development minimizes adverse effects, including visual impacts, of the proposed use on adjacent properties:*

The proposed redevelopment minimizes adverse effects, including visual impacts, on adjacent properties.

Concerning the proposed built environment, the proposed building is at a scale that is consistent with the sizes of other buildings in the community. The proposed building design includes architectural features that provide visual interest and break up the mass of the structure. Further, the proposed architectural style is similar and consistent in design, materials, and colors with many other existing buildings in the Stock Island and Key West communities.

Concerning landscaping, as part of the development, it shall be required that additional native trees and landscaping elements be planted throughout the site.

4. *The proposed use will have an adverse impact on the value of surrounding properties:*

   There is no evidence indicating that the proposed redevelopment will have an adverse impact on the value of the surrounding properties.

5. *The adequacy of public facilities and services, including, but not limited to, roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by the Land Development Code:*

   1. Roads:

      Localized Impacts & Access Management: If applicable to their respective jurisdiction, new or reconfigured access to/from developments shall be approved by the Public Works Division or the Florida Department of Transportation (FDOT).

      Level of Service (LOS): According to the 2013 US 1 Arterial Travel Time and Delay Study, Segment 1 of US 1 had a "B" level of service. (note: the application did not include a traffic study or analysis by a qualified traffic engineer).

   2. Stormwater: A surface water management plan shall be approved by the County Engineer/County Biologist and if necessary, the South Florida Water Management District (SFWMD).

   3. Sewer: The applicant shall coordinate with KW Resort Utilities, Corp.

   4. Water: The applicant shall coordinate with the Florida Keys Aqueduct Authority.

   5. Refuse Disposal: The applicant shall coordinate with Monroe County Solid Waste Management.

   6. Emergency Management: The applicant shall coordinate with the Office of the Fire Marshal.

6. *The applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development:*

   There is no evidence to support or disprove the applicant's financial and technical capacity.

7. *The development will adversely affect a known archaeological, historical or cultural resource:*

   The proposed redevelopment will not adversely affect a known archaeological, historical or cultural resource.

8. *Public access to public beaches and other waterfront areas is preserved as part of the proposed development:*

   The proposed redevelopment will not have an adverse impact on public access to a waterfront area.

9. *The proposed use complies with all additional standards imposed on it by the particular provision of the Land Development Code authorizing such use and by all other applicable requirements of the Monroe County Code:*

   1. Residential Rate of Growth Ordinance (ROGO) (§138-19 – §138-28): *In compliance following the receipt of 4 affordable ROGO allocations.*

      The proposed development shall require 4 ROGO allocations, to be awarded or transferred to the subject property in accordance with MCC Chapter 138.

   2. Non-Residential Rate of Growth Ordinance (NROGO) (§138-47 – §138-56): *In compliance.*

      The NROGO shall apply to the development of all new nonresidential floor area, except as exempted by MCC §138-50, for which a building permit or other final development approval is required. *Nonresidential floor area* means the sum of the total floor area for a nonresidential building or structure, as defined in MCC §101-1. Additionally, covered and unenclosed boat racks with three or fewer sides not associated with retail sales of boats are not considered nonresidential floor area. Further, the term "nonresidential floor area" does not include space occupied by residential uses, including spaces occupied by a transient residential unit and an institutional-residential use as defined in MCC §101-1.

      As detailed in the 2014 letter of understanding, based on the documentation contained with the files for Building Permits #7820 and #091-5175, as well as information

provided in the Monroe County Property Appraiser's records, there is 4,500 SF of NROGO exempt floor area associated with the property.

The new building requires 3,280 SF of NROGO allocations (associated with the covered and enclosed nonresidential areas). To facilitate the new building, the existing 4,500 SF building would be demolished. The 4,500 SF may be applied toward the new building and a new NROGO allocation is not required.

3. Purpose of the MU District (§130-38): *In compliance.*

   The purpose of the MU district is to establish or conserve areas of mixed uses, including commercial fishing, resorts, residential, institutional and commercial uses, and preserve these as areas representative of the character, economy and cultural history of the Florida Keys.

4. Permitted Uses (§130-88): *In compliance.*

   In total, the proposed redevelopment consists of the following uses:
   - New Building:
     - 1,280 SF of enclosed nonresidential floor area associated with four 320 SF office areas (office use); and
     - 2,000 SF of enclosed nonresidential floor area associated with four 500 SF warehouse areas (light industrial use); and
     - Unspecified SF of residential floor area associated with four 2-bedroom apartments (attached residential dwelling use).

   Office means a use where business, professional or governmental services are made available to the public.

   Light industrial use means an industrial use that is not a heavy industrial use. *Industrial use* means a use devoted to the manufacture, warehousing, assembly, packaging, processing, fabrication, storage or distribution of goods and materials whether new or used or the substantial refinishing, repair and/or rebuilding of vehicles or boats. *Heavy industrial use* means an industrial use with greater than average potential impacts on the environment and that is characterized by significant impacts on adjacent uses in terms of noise, hazards and odors, such as junkyards, marine railways and dry docks, bulk petroleum storage, and resource extraction where more than 20% of the use takes place outside of an enclosed building or where exterior storage equals or exceeds building floor area.

   Dwelling, attached, means a residential dwelling unit consisting of one or more of residential units that are developed without open yards on all sides of the dwelling unit. *Dwelling unit* means one or more rooms physically arranged to create a housekeeping establishment for occupancy by one family with separate toilet facilities.

In the MU district and density-permitting, office uses of less than 2,500 SF may be permitted as-of-right.

In the MU district and density-permitting, light industrial uses may be permitted with a minor conditional use permit provided that a) the parcel proposed for development is less than two acres; b) the parcel proposed for development is separated from any established residential use by at least a class "C" bufferyard; and c) all outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least 6' in height.

In the MU district and density-permitting, attached residential dwelling units may be permitted with a minor conditional use permit provided that: a) the total number of units does not exceed 4; and b) the structures are designed and located so that they are visually compatible with established residential development within 250' of the parcel proposed for development.

In the MU district, accessory uses may be permitted as-of-right.

5. Residential Density and Maximum Floor Area Ratio (§130-157, §130-162 & §130-164): *In compliance.*

The following land use intensities apply:

Land Use	Floor Area Ratio or Max Net Density	Size of Site	Max Allowed	Proposed	Potential Utilized
Office	0.40 FAR	0.28 acres (12,500 SF)	5,000 SF	1,280 SF	25.60%
Light Industrial	0.30 FAR	0.28 acres (12,500 SF)	3,750 SF	2,000 SF	53.33%
Non-Affordable Cumulative Total (cannot exceed 100%)					78.93%
Affordable Housing [1]	18 units / buildable acre [2]	0.28 acres (0.23 buildable)	4.14 units	4 units	96.62%
Affordable Cumulative Total (cannot exceed 100%)					96.62%

1: Pursuant to MCC §130-161(a)(5), when calculating density, any affordable or employee housing on a parcel and the floor area thereof shall be excluded from the calculation of the total gross nonresidential floor area development that may be lawfully established on the parcel, provided, however, that the total residential density allowed on the site shall not exceed the maximum net density for affordable and employee housing.

2: Pursuant to MCC §130-161(a)(2), the maximum net residential density allowed per district and by MCC §130-161 shall not require transferable development rights (TDR) for affordable housing developed in accordance with MCC §130-161(a)(8).

6. Required Open Space (§118-9, §130-157, §130-162 & §130-164): *In compliance.*

There is a required open space ratio of 0.20. In total, the property consists of 12,500 SF of upland area. In order to be in compliance, the site requires 2,500 SF of open space. The proposed site plan indicates that 3,756 SF of open space will be provided.

7. Minimum Yards (§118-12 & §130-186): *In compliance.*

   The required non-shoreline setbacks are as follows: Primary Front yard – 15'; Secondary Front Yard – 15'; Rear yard – 10'; and Side yard – 10'/15' (where 10' is required for one side and 15' is the minimum combined total of both sides).

8. Maximum Height (§130-187): *Full compliance to be determined upon building permit application review.*

   No structure or building shall be development that exceeds a maximum height of 35'.

   Building elevations were submitted with the application and the building is depicted as 34'-5", as measured from grade.

9. Surface Water Management Criteria (§114-3): *Full compliance to be determined upon building permit application review.*

   A stormwater plan was submitted with the application (Sheet C-1). Review of the water quantity and water quality calculations indicate that the impervious cover of the parcel was underrepresented – the disturbed area of the parcel is 12,500 SF (0.287 acres). In addition, the % impervious surface for the site should be calculated at 80%. If the flexi-pave pavers are intended as semi-pervious, please include installation and maintenance details and associated infiltration calculations with the building permit application. Further, the depth to groundwater for the site must be confirmed. For the swale calculations the depth to groundwater is given as 3', however for the trench drain the depth to groundwater is given as 7', please revise the plans to reflect the actual depth to groundwater for the site. Also, the calculations indicate a swale volume provided of 1,822 cubic feet; however, the swales actually depicted on the site plan have a retention volume of approximately 165 cubic feet.

   In addition to the site plan revisions required above, please note that the stormwater management plan submitted with the building permit application shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, explanations, and citations to supporting references, and any additional information deemed necessary by the Director of Planning & Environmental Resources. The stormwater management plan must be sealed by an engineer registered in the state with experience in stormwater management and drainage design.

10. Wastewater Treatment Criteria (§114-5): *Compliance to be determined by KW Resort Utilities, Corp prior to the issuance of a building permit.*

11. Fencing (§114-20): *Full compliance to be determined upon building permit application review.*

    Wall/fencing details were not provided with the application. Any new wall/fencing shall be reviewed independently for compliance as an accessory structure/use under a building permit application.

12. Floodplain Management (§122-1 – §122-6): *Full compliance to be determined upon building permit application review.*

    The site is designated within a flood zone on the Federal Emergency Management Agency's flood insurance rate maps. All new structures, including the hotel, must be built to floodplain management standards that meet or exceed those for flood protection.

13. Energy Conservation Standards (§114-45): *Full compliance to be determined upon building permit application review.*

    The development proposal includes the following required energy conservation measures: reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas to reduce local air temperatures and reflected light and heat; the installation of native plants in required landscaping, which will reduce the requirements for water and maintenance; the installation of shade trees, which will provide shade for parking areas; and the provision of structural shading.

    Not enough information was provided to determine if the development proposal includes the following required energy conservation measures: use of energy-efficient feature in window design; use of operable windows and ceiling fans; installation of energy-efficient appliances and equipment; prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts; installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas; and orientation of structures, as possible, to reduce solar heat gain by walls and to use the natural cooling effects of the wind.

14. Potable Water Conservation Standards (§114-46): *Full compliance to be determined upon building permit application review.*

15. Environmental Design Criteria and Mitigation Standards (§118-6, §118-7 & §118-8): *Not applicable.*

    The development area is scarified. The proposed site plan submitted does not indicate that any native trees or plants will be removed. Mitigation will be required for qualifying native vegetation removed for development. The number, species and sizes of plants to be mitigated shall be identified in an existing conditions report prepared and submitted by the Applicant and approved by the County Biologist.

16. Required Parking (§114-67): *Not in compliance.*

The redevelopment would be subject to the following off-street parking requirements:

Specific Use	*Multiplier*	*Proposed*	*Required Spaces*
Offices	3 spaces per 1,000 SF	1,280 SF	3.8 spaces
Warehousing (a specific form of industrial)	1 space per 1,000 SF	2,000 SF	2.0 spaces
Multifamily residential developments	2 spaces per each 1-bedroom unit; 2 spaces per each 2-bedroom unit; and 3 spaces per each 3 or more bedroom unit	4 units (three 2-bedroom units and one 1-bedroom unit)	8.0 spaces
		Total	13.8 spaces

The standard parking requirements require 14 spaces. However, the redevelopment is a mixed-use. For that reason, it is eligible for a shared-parking reduction. The following table indicates a minimum number of spaces that would be required:

Specific Use	Nighttime	Weekday		Weekend	
	12 am-6 am	9 am-4 pm	6 pm-12 am	9 am-4 pm	6 pm-12 am
Residential (8.0 spaces)	8.0	4.8	7.2	6.4	7.2
Office/Industrial (5.8 spaces)	0.3	5.8	0.6	0.6	0.3
Minimum Total	8.3	**10.6**	7.8	7.0	7.5

In addition, per MCC §114-67(e)(5) and consistent with *the Master Plan for the Future Development of Stock Island & Key Haven*, the planning director may grant a reduction of up to 20% in the number of required parking spaces for nonresidential uses, provided an equivalent number of parking spaces are reduced in size and redesigned to accommodate scooters and other similar modes of transportation. If 11 spaces are required and provided, the site plan may include up to 9 vehicle spaces and 2 scooter parking spaces.

The number of handicap accessible spaces shall be dependent on the total amount of parking provided (generally 1 space for every 25 spaces provided). Such spaces shall be designed and marked for exclusive use of those individuals who have a severe physical disability and have permanent or temporary mobility problems who have been issued either a disabled parking permit or a license plate. In addition, parking access aisles must be part of an accessible route to the building entrance. The access

aisle shall be striped diagonally to designate it as a no-parking zone. Curb ramps must be located outside of the disabled parking spaces and access aisles.

There is a minimum requirement of 11 spaces. The proposed site plan shows 8 vehicle spaces (1 of which is handicap accessible) and 8 scooter spaces. The total of 8 vehicle spaces is not in compliance.

As previously noted, the applicant filed an administrative variance application. The applicant is requesting approval of a variance to reduce the off-street parking space requirement from 11 to 10 spaces. After a review of the application, staff recommended approval of the request with conditions and subsequently surrounding property owner notices were mailed on May 14, 2015. Unless a party requests a public hearing by the planning commission, the administrative variance will be approved 30 days after the property was posted with notice of the application.

All regular parking spaces, with the exception of parallel, must be at least 8'6" in width by 18' in length. Parallel parking spaces must be 8'6" in width by 25' in length. Handicap-accessible parking spaces must be at least 12' in width with an access aisle of 5' in width. Further, each required parking space shall have direct and unrestricted access to an aisle of the following minimum width:

Parking Pattern	*One Way Aisle Width*	*Two Way Aisle Width*
0 degrees	12'	24'
30/45 degrees	15'	24'
60 degrees	18'	24'
75 degrees	22'	24'
90 degrees	24'	24'

The 7 regular vehicle spaces exceed the minimum dimensional requirements (4 are 8'-9" x 18' and 3 are 10' x 18') and the handicap accessible vehicle space meets the minimum dimensional requirements (12' x 18'). The 8 scooter spaces would be approximately 2'-3" by 6'. Each vehicle parking space has an access aisle of 29' and each scooter space has an access aisle of 6'.

Note: While there are not any minimum dimensional requirements in the MCC for scooter spaces, the 2'-3" widths appear deficient to accommodate wider scooters and motorcycles and Staff suggests removing 1-2 of the non-required scooter spaces and providing wider spaces of approximately 4'.

17. Required Loading and Unloading Spaces (§114-69): *In compliance.*

One 11' by 55' loading/unloading space is required and shown on the site plan. An additional non-required loading space is shown on the site plan near the bath house building.

18. Required Landscaping (§114-99 – §114-105): *In compliance.*

Since the property is within a MU district, a class "C" landscaping standard is required since six or more parking spaces are sited on the subject property.

All street fronts not required to provide a scenic corridor or bufferyards in accordance with §114-100, §114-101 or §114-102 shall plant trees. Such trees shall be native canopy trees, not intrusive to utilities or pavement, and shall be installed pursuant to a landscape plan, with the number of trees to be equal to at least one canopy tree (3" DBH) per 100' of street length, provided that in no event will less than one street tree be provided for every lot. Existing natural native vegetation takes priority and satisfies this requirement.

A landscape plan was submitted with the application (Sheet C-1). The required Class C buffer is depicted on the plans.

19. Required Bufferyards (§114-124 – §114-130): *In compliance.*

    There are no district boundary buffers required for the site.

20. Outdoor Lighting (§114-159 – §114-163): *Full compliance to be determined upon building permit application review.*

    Outdoor lighting is not being reviewed as part of this application. Any new outdoor lighting shall be reviewed independently for compliance as an accessory use/structure under a building permit application.

21. Signs (§142-1 – §142-7): *Full compliance to be determined upon building permit application review.*

    Signage is not being reviewed as part of this application. Any new signage shall be reviewed independently for compliance as an accessory use/structure under a building permit application.

22. Access Standards (§114-195 – §114-201): *Compliance to be determined.*

    There is one existing access drive to/from First Avenue. The applicant is proposing to reconfigure this single access drive. An access connection permit(s) will be required from the Public Works Division for the reconfigured access to the county right-of-way.

23. Chapter 533, Florida Statues: *Full compliance to be determined upon building permit application review.*

    All accessibility standards as required by Florida Statutes and the Americans with Disabilities Act (ADA) must be met.

24. Other Issues:

- The subject property consists of two contiguous parcels. Pursuant to MCC §130-166, any development that has or is a part of a common plan or theme of development or use, including, but not limited to, an overall plan of development, common or shared amenities, utilities or facilities, may be aggregated for the purpose of determining permitted or authorized development and compliance with each and every standard of the MCC and for the purpose of determining the appropriate form of development review.

- As required by MCC §114-21, the required recycling collection area (at least 144 SF in area) shall be provided and identified. The location of the collection area shall be in an area that a) is accessible and convenient to the intended users (typically no more than 200' from the farthest user); does not interfere with the primary use of the site; c) can tolerate noise, odor and increased pedestrian and vehicle traffic; and d) is designed to be easily accessible by all collection vehicles.

- As set forth in MCC §101-1, *affordable housing* is defined as follows:

  (1) *Affordable housing* means residential dwelling units that meet the following requirements: a) Meet all applicable requirements of the U.S. Department of Housing and Urban Development minimum property standards as to room sizes, fixtures, landscaping and building materials, when not in conflict with applicable laws of the county and b) a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of that amount which represents either 50% (very low income) or 80% (low income) or 100% (median income) or 120% (moderate income) of the monthly median adjusted household income for the county.

  (2) *Affordable housing owner occupied, low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 80% of the median monthly household income for the county.
  (3) *Affordable housing owner occupied, median income*, means a dwelling unit occupied only by a household whose total household income does not exceed 100% of the median monthly household income for the county.
  (4) *Affordable housing owner occupied, moderate income*, means a dwelling unit occupied only by a household whose total household income does not exceed 160% of the median monthly household income for the county.
  (5) *Affordable housing owner occupied, very low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 50% of the median monthly household income for the county.
  (6) *Affordable housing trust fund* means a trust fund established and maintained by the county for the purpose of preserving existing and promoting creation of new affordable and employee housing. Funds collected for and deposited in the trust fund shall be used exclusively for purposes of creating, preserving or maintaining affordable and employee housing in the Florida Keys.

(7) *Affordable rental housing, low income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 80% of the monthly median adjusted household income for the county.

(8) *Affordable rental housing, median income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 100% of the monthly adjusted median household income for the county.

(9) *Affordable rental housing, moderate income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 120% of the monthly median adjusted household income for the county.

(10) *Affordable rental housing, very low income*, means a rental dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 50% of the monthly median adjusted household income for the county.

(11) *Employee housing* means an attached or detached dwelling unit that is intended to serve as affordable, permanent housing for working households, which derive at least 70% of their household income from gainful employment in the county and meet the requirements for affordable housing as defined in MCC §101-1 and as per MCC §130-161.

(12) *Employer-owned rental housing* means an attached or detached dwelling unit owned by a firm, business, educational institution, non-governmental or governmental agency, corporation or other entity that is intended to serve as affordable, permanent housing for its employees. This category of employee housing shall be located on the same parcel of land as the nonresidential use.

(13) *Inclusionary housing* means the resulting affordable and/or employee housing created or preserved with the development and/or redevelopment of a parcel where provisions of approved development agreements or orders implement and promote affordable and/or employee housing goals, objectives and policies contained in the plan by requiring set-asides for affordable and/or employee housing units.

(14) *Median income, rental rates and qualifying incomes table*, means eligibility requirements compiled each year by the planning department based upon the median annual household income published for the county on an annual basis by the U.S. Department of Housing and Urban Development and similar information for median and moderate income levels from the Florida Housing Finance Corporation. Affordable housing eligibility requirements for each household will be based upon median annual household income adjusted by family size, as set forth by the U.S. Department of Housing and Urban Development and the Florida Housing Finance Corporation. The county shall rely upon this information to determine maximum rental rates and maximum household incomes eligible for affordable housing rental or purchase.

(15) *Monthly median household income* means the median annual household income for the county divided by 12.

V RECOMMENDED ACTION:

Staff recommends APPROVAL if all of the following conditions are met:

1. Prior to the issuance of a development order approving the amendment to the minor conditional use permit, the administrative variance to the off-street parking requirements (File #2015-037) must be approved in order to reduce the parking requirement and facilitate approval of the proposed site plan by Meridian Engineering LLC, dated January 12, 2014 and received May 5, 2015. In the event that the administrative variance application is withdrawn or denied, the applicant shall revise the site plan accordingly and additional review by the Development Review Committee shall be required.

2. Prior to the issuance of a building permit for any of the four (4) affordable dwelling units, all necessary ROGO allocations for the dwelling units shall be acquired.

3. Item 9.4.3 of the Master Plan for the Future Development of Stock Island and Key Haven requires the provision of bicycle facilities and parking in all new development and redevelopment. Prior to any certificate of occupancy for the new building, a bicycle rack shall be installed on the property. The design and location must be approved by the Director of Planning & Environmental Resources.

4. As required by MCC §114-21, the required recycling collection area (at least 144 SF in area) shall be provided and identified. Prior to any certificate of occupancy for the new building, the collection area shall be installed on the property. The design and location must be approved by the Director of Planning & Environmental Resources.

5. In accordance with MCC §114-3(h) a revised stormwater management plan shall be submitted with the building permit application. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, explanations, and citations to supporting references, and any additional information deemed necessary by the Director of Planning & Environmental Resources. The stormwater management plan must be sealed by an engineer registered in the state with experience in stormwater management and drainage design.

6. Prior to the issuance of a certificate of occupancy for any new building, all required landscaping shall be formally approved by a Building Permit, planted and pass a final inspection by the County Biologist or his or her designee.

7. A minor conditional use permit is not a final approval for certain development. The applicant shall obtain a building permit(s) for any improvement requiring such an approval.

8. The scope of work has not been reviewed for compliance with Florida Building Code. Prior to the issuance of Building Permits, new development and structures shall be found

in compliance by the Monroe County Building Department, Floodplain Administrator, and the Office of the Fire Marshal.

9. The Public Works Division shall review any proposed work within County public rights-of-way and the Division maintains the right to request revisions as it carries out its review of any application for an access permit. It is the responsibility of the applicant to obtain all required permits before starting work.

10. The residential dwelling units were approved using incentives set forth in §130-161 of the Monroe County Code. As such the affordable housing shall be developed in accordance with §130-161.

11. The proposed architectural style and design of the buildings - as illustrated in the proposed floor plans and building elevations included in the application - has been reviewed and conceptually approved by this minor conditional use permit. Any modifications shall be reviewed by the Planning & Environmental Resources for consistency with this approval. Any modification of consistent design shall be approved administratively as a minor deviation by the Senior Director of Planning & Environmental Resources.

VI <u>PLANS REVIEWED:</u>

A. Site Plan by Meridian Engineering, LLC, dated January 12, 2014 and received May 5, 2015
B. Landscape / Stormwater Plan by Meridian Engineering, LLC, dated January 12, 2014 and received May 5, 2015
C. Proposed Elevations by Meridian Engineering, LLC, dated January 12, 2014 and received May 5, 2015
D. Proposed Floor Plans by Meridian Engineering, LLC, dated January 12, 2014 and received May 5, 2015
E. Boundary Survey (RE #00125420.000000) by J. Lynn O'Flynn, Inc., dated September 23, 2013
F. Boundary Survey (RE #00125380.000101) by J. Lynn O'Flynn, Inc., dated October 3, 2013

File #: **2015-038**

Owner's Name: Future Investments of KW LLC

Applicant: Future Investments of KW LLC

Agent: Trepanier & Associates, Inc.

Type of Application: Minor - Amend

Key: Stock Island

RE: 00125420.000000
00125380.000101

Additional Information added to File 2015-038

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

We strive to be caring, professional, and fair.

Date: 2.26.15
Time: _____

Dear Applicant:

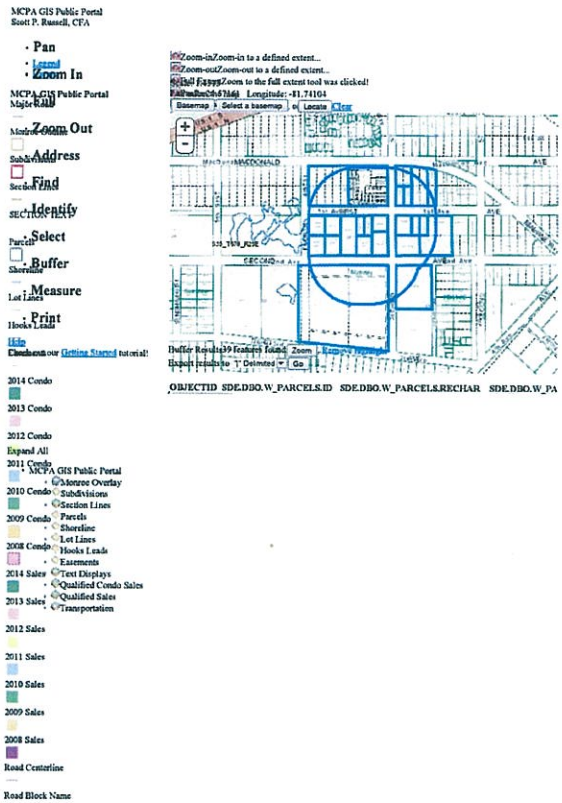
This is to acknowledge submittal of your application for Minor - Amend
Type of application

Future Investments of KW LLC
Project / Name
to the Monroe County Planning Department.

Thank you.

Gail Creech

Planning Staff


MCPA GIS Public Portal
Scott P. Russell, CFA
Pan
Legend
Zoom In
Zoom Out
Address
Find
Identify
Select
Buffer
Measure
Print
Help
Zoom-inZoom-in to a defined extent...
Zoom-outZoom-out to a defined extent...
Full ExtentZoom to the full extent tool was clicked!
Latitude: 26.67164 Longitude: -81.74104
Basemap Select a basemap Locate Clear
Buffer Results: 39 features found. Zoom Remove Results
Export results to Delimited Go
OBJECTID SDE.DBO.W_PARCELS.ID SDE.DBO.W_PARCELS.RECHAR SDE.DBO.W_PA
2014 Condo
2013 Condo
2012 Condo
Expand All
2011 Condo
MCPA GIS Public Portal
Monroe Overlay
2010 Condo
Subdivisions
Section Lines
2009 Condo
Parcels
Shoreline
2008 Condo
Lot Lines
Hooks Leads
Easements
2014 Sales
Text Displays
Qualified Condo Sales
2013 Sales
Qualified Sales
Transportation
2012 Sales
2011 Sales
2010 Sales
2009 Sales
2008 Sales
Road Centerline
Road Block Name

Verified GC

5514 STOCK ISLAND LLC
2903 HARRIS AVE
KEY WEST, FL 33040

5640 STORAGE LLC
PO BOX 1527
KEY WEST, FL 33041-1527

AMERIGAS EAGLE PROPANE LP
PO BOX 798
VALLEY FORGE, PA 19482-9908

CONDELLA STEVE J
PO BOX 2658
KEY WEST, FL 33045-2658

COOPER JAMES ROBERT & NANCY S
22 AMARYLLIS DR
KEY WEST, FL 33040-6204

CREATIVE CHOICE HOMES XXVI LTD
8895 N MILITARY TRL STE 101B
WEST PALM BEACH, FL 33410-6259

DE MARCO PIERGIORGIO DECLARATION
OF TR DTD 6/4/99
12824 VALEWOOD DR
NAPLES, FL 34119-8501

HENSON STEVE R AND DEBORAH A
1415 ATLANTIC BLVD
KEY WEST, FL 33040

KEY WEST TRAILERS LLC
1000 MARKET ST UNIT 300
PORTSMOUTH, NH 03801-3399

KWT LLC
1000 MARKET ST
PORTSMOUTH, NH 3801

~~KWT LLC~~
~~1000 MARKEY ST~~
~~PORTSMOUTH, NH 3801~~

MAC STORAGE LLC
5580 1ST AVE
KEY WEST, FL 33040-5928

OVIDE KARTHRYN ANN
3619 EAGLE AVE
KEY WEST, FL 33040

QUINTANA MARGARITA
3707 DONALD AVE
KEY WEST, FL 33040-4409

REFRESHMENT SERVICES INC
3400 SOLAR AVE
SPRINGFIELD, IL 62707-5713

RIESI PIZZA LLC
1025 SANDYS WAY
KEY WEST, FL 33040

ROBERTS CHARLES F
5585 2ND AVE
KEY WEST, FL 33040-5945

SLOANS LANDING LLC
201 FRONT STSTE 224
KEY WEST, FL 33040

STAR OF THE SEA FOUNDATION INC
5640 MACDONALD AVE
KEY WEST, FL 33040

SUNSET PARTY CAT INC
6300 3RD ST
KEY WEST, FL 33040

SWIFT EDWIN O
201 FRONT ST STE 224
KEY WEST, FL 33040-8348

TELCOM SYSTEMS LTD
450 NE 1ST RD
HOMESTEAD, FL 33030

WSMP SOUTHEAST COLORADO LP
PO BOX U
COLUMBIA, MO 65205

ZILKO MILDRED
117 YALE ST
ROSLYN HEIGHTS, NY 11577-2429

End of Additional File 2015-038

02/19/15

TREPANIER & ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Ms. Mayté Santamaria, AICP, Director
Monroe County Planning & Environmental Resources
2798 Overseas Hwy, Suite 400
Marathon, FL 33050

Re: 5582 First Avenue, Stock Island
Application for an Amendment to Minor Conditional Use &
Application for a Parking Variance
RE# 00125420-000000 & 00125380-000101

Dear Ms. Santamaria,

We are proposing to redevelop this existing nonconforming industrial property into a conforming mixed-use development consisting of light industrial work spaces & deed-restricted workforce housing.

Currently the site consists of an industrial structure constructed in the early 1960s and outdoor storage. The property contains no stormwater management, no conforming setbacks, no open space, no buffer yards, no loading zone, and no parking. The redevelopment calls for the existing building to be demolished, in its entirety, and a new conforming mixed-use building rebuilt. The redevelopment will comply with setbacks, open space, impervious surface, loading zones and buffer yards.

On February 12, 2014 County planning staff sat down with us at a pre-application conference regarding the property and the proposed use. On June 12, 2014 we were issued a Letter of Understanding[1]. After reviewing staff's comments and revising our plans we are submitting two applications required for the redevelopment:

1. An Amendment to a Minor Conditional Use; and
2. A Parking Variance.

The existing and proposed development was analyzed pursuant Sec. 110-73 and an interesting result came to light. If the redevelopment did not include affordable housing, the approval process would require only a minor deviation (with its associated fee of $1,768.00). Unfortunately, the manner in which the code is constructed catapults the approval process into a full Amendment to a Minor Conditional Use and a parking variance (with its associated fee of $10,061.00) as a result of the affordable housing.

Application Fee Summary			
Review Analysis	Minor Deviation (No Affordable Housing)	Conditional Use Amendment (Affordable Housing)	Parking Variance (Affordable Housing)
Application Fee	$1,768.00	$8,484.00	$1,248.00
Advertising Fee	$0.00	$329.00	$0.00
Traffic Analysis Fee	$5,000.00	$5,000.00	$0.00
Total	**$6,768.00**	**$13,813.00**	**$1,248.00**

[1] Attachment A - Letter of understanding 6-12-14

402 Appelrouth Lane • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: kevin@OwenTrepanier.com

As you can see in order to pursue the community's goal of increasing the stock of affordable housing, especially in combination with commercial, the project is penalized by an $8,293.00 increase in the application fees and a significant increase in approval process timeframe.

Given our property owner's and the County's shared commitment to increasing the community's affordable housing stock we formally request the application fee for the redevelopment be discounted an a pro-rata basis by the additional cost associated with the affordable housing portion of the project ($8,293.00).

Thank you for your time and consideration in this matter.

Please don't hesitate to call me if you have any questions or need additional information.

Sincerely,

Kevin Sullivan, AICP

(2) Minor deviations to minor and major conditional use permits.

Minor deviations to minor or major conditional use permits may be approved by the planning director. Such modifications are limited to the following:

a. Additional development that requires a deviation of up to ten percent of one or more the following requirements as follows:

1. Amount of off-street parking pursuant to section 114-67 or the approved conditional use permit, whichever is more restrictive;

2. Amount of loading/unloading spaces pursuant to section 114-68 or the approved conditional use permit, whichever is more restrictive;

3. Amount of landscaping pursuant to section 114-99 or the approved conditional use permit, whichever is more restrictive;

4. Bufferyard width and/or plantings pursuant to sections 114-125 through 114-130 or the approved conditional use permit, whichever is more restrictive;

5. Access pursuant to section 114-195 through 114-199 or the approved conditional use permit, whichever is more restrictive;

6. Width of setbacks pursuant to section 130-186 or the approved conditional use permit, whichever is more restrictive;

7. Amount of non-residential floor area pursuant to section 130-164 or the approved conditional use permit, whichever is more restrictive; and/or

8. Amount of open space pursuant to sections 130-157, 130-162 and 130-164 or the approved conditional use permit, whichever is more restrictive.

b. Additional development that requires a deviation of up to five percent of one or more the following requirements as follows:

1. Amount of dwelling units pursuant to section 130-157 or the approved conditional use permit, whichever is more restrictive.

2. Amount of hotel-motel, recreational vehicle and/or institutional residential dwelling units pursuant to section 130-162

c. For approved commercial retail uses only, additional development or redevelopment that requires a deviation of up to ten percent of the approved intensity in terms of trip generation.

d. Adjustments to the development plan schedule or phasing plan. However, in no event may a minor deviation extend any final deadlines for completion as such an approval may only be granted in accordance with subsection (a).

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
FEB 26 2015
MONROE CO. PLANNING DEPT

Request for an Amendment to a Minor Conditional Use Permit

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

Major Conditional Use Permit Application Fee: $8,484.00

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
Traffic Study Review: $5,000.00

Date of Submittal: 01 / 23 / 15
Month Day Year

Applicant/Agent Authorized to Act for the Property Owner:

Trepanier & Associates Inc. — Kevin Sullivan
Applicant (Name of Person, Business or Organization) — Name of Person Submitting this Application

1421 First Street key West FL, 33040
Mailing Address (Street, City, State and Zip Code)

305-293-8983 — kevin@owentrepanier.com
Daytime Phone — Email Address

Property Owner:

Future investments of KW LLC — Frank Herrada
(Name/Entity) — Contact Person

PO Box 4801 key West FL, 33040
Mailing Address (Street, City, State and Zip Code)

305-797-2002 — Frank@fmhbuilders.com
Daytime Phone — Email Address

Legal Description of Property:
(If in metes and bounds, attach legal description on separate sheet)

Stock Island Maloney Subdivision — Stock Island
Block — Lot — Subdivision — Key

00125420-000000 & 00125380-000101 — 1159581 & 1159522
Real Estate (RE) Number — Alternate Key Number

5582 First Avenue Key West Fl, 33040 — 4.5
Street Address (Street, City, State, Zip Code) — Approximate Mile Marker

APPLICATION

Approval (Development Order) #: grandfathered conditional use: Sec. 101-4(c)

Land Use District Designation of Property: Mixed Use (MU)

Present Land Use of Property: Light industrial and office

Proposed Land Use of Property: Light industrial, office and residential

Total Area of Property: 12,500 sq ft

Total Upland Area within Property: 12,500 sq ft

If non-residential or commercial floor area is proposed, please provide:

1 (first floor) Total number of non-residential buildings

3,280 sq ft Total non-residential floor area in square feet

If residential dwelling units are proposed, please provide:

1 (second floor) Total number of residential buildings

0 Total number of permanent, market-rate units

4 Total number of permanent, affordable units

0 Total number of transient units (hotel, recreational vehicle and/or campground)

Has a previous application been submitted for this site within the past two years? Yes ___ No X

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

- x Completed application form
- x Correct fee (check or money order to Monroe County Planning & Environmental Resources)
- x Proof of ownership (i.e. Warranty Deed)
- x Current property record card(s) from the Monroe County Property Appraiser
- x Photograph(s) of site from adjacent roadway
- x Copy of the recorded conditional use permit and any previous modification approvals
- x Copy of the most recently approved site plan
- x Written description of project
- x Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – 8 sets (at a minimum, survey should include elevations; all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage; and total acreage by habitat)

x Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– 8 sets (drawn to a scale of 1:10 or 1:20). 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 shown in accordance with Florida Statutes
All attributes from the boundary survey
Future Land Use Map (FLUM) designation(s) of the site
Land Use (Zoning) District designation(s) of site
Tier designation(s) of the site
Flood zones pursuant to the Flood Insurance Rate Map
Setback lines as required by the Land Development Code
Locations and dimensions of all existing and proposed structures, including all paved areas and clear site triangles
Size and type of buffer yards and parking lot landscaping areas, including the species and number of plants (*unless a separate landscape plan showing such is submitted*)
Extent and area of wetlands, open space preservation areas and conservation easements
Delineation of habitat types to demonstrate buildable area on the site, including any heritage trees identified and any potential species that may use the site (certified by an approved biologist and based on the most current professionally-recognized mapping by the U.S. Fish and Wildlife Service) (unless a separate landscape plan showing such is submitted)
Location of fire hydrants or fire wells
The location of public utilities, including location of the closest available water supply system or collection lines and the closest available wastewater collection system or collection lines (with wastewater system provider) or on-site system proposed to meet required County and State of Florida wastewater treatment standards
A table providing the total land area of the site, the total buildable area of the site, the type and square footage of all nonresidential land uses, the type and number of all residential dwelling units, the amounts of impervious and pervious areas, and calculations for land use intensity, open space ratio, and off-street parking

x Landscape Plan by a Florida registered landscape architect – 8 sets (may be shown on the site plan; however, if a separate plan, drawn to a scale of 1:10 or 1:20). At a minimum, the landscaping plan should include the following:

Date, north point and graphic scale
Boundary lines of site, including all property lines and mean high-water lines shown in accordance with Florida Statutes
Locations and dimensions of all existing and proposed structures, including all paved areas
Open space preservation areas
Existing natural features
Size and type of buffer yards including the species, size and number of plants
Parking lot landscaping including the species, size and number of plants
Specimen trees, or threatened and endangered plants to be retained and those to be relocated or replaced
Transplantation plan (if required)

x Stormwater/ Surface Water Management Plan – 8 sets (including existing and proposed topography, all drainage structures, retention areas, drainage swales and existing and proposed permeable and impermeable areas)

x Building Floor Plans for all proposed structures and for any existing structures to be redeveloped – 8 sets (drawn at an appropriate standard architectural scale)

x Building Elevations for all proposed structures and for any existing structures to be modified – 8 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)

Traffic Study, prepared by a licensed traffic engineer

x Transportation fee of $5,000 to cover the cost of experts hired by the Growth Management Division to review the traffic study (any unused funds deposited will be returned upon permit approval)

Construction Management Plan, stating how impacts on near shore water and surrounding property will be managed (i.e. construction barriers, hay bales, flagging)

x 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

x Radius report from Monroe County Property Appraiser supporting the required labels

x Proof of Coordination are required from the following:

Florida Keys Aqueduct Authority (FKAA)
Florida Keys Electric Cooperative (FKEC) or Keys Energy Services
Monroe County Office of the Fire Marshal
Monroe County Solid Waste Management
Florida Department of Health if wastewater flows are less than or equal to 5,000 gallons per day or Florida Department of Environmental Protection if wastewater flows exceed 5,000 gallons per day

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

x Notarized Agent Authorization

Vegetation Survey or Habitat Evaluation Index

Construction Phasing Plan

Additional Proof of Coordination may be required for your project, please contact with the Planning & Environmental Resources Department to identify other agencies expected to review the project. Other agencies may include, but are not limited to:

Key West Resort Utilities
Key Largo Wastewater Treatment District (KLWTD)
South Florida Water Management District (SFWMD)
Florida Department of Transportation (FDOT)
Florida Department of Environmental Protection (FDEP)
Florida Department of State, Division of Historic Resources
Florida Game and Freshwater Fish Commission (FGFFC)
U.S. Army Corps of Engineers (ACOE)
U.S. Fish and Wildlife Service (USFW)

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

* * * * * * *

APPLICATION

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

Signature of Applicant: _____ **Date:** 2-19-15

Sworn before me this 19 day of February, 2015

RICHARD PUENTE
Commission # FF 067969
Expires March 2, 2018
Bonded Thru Troy Fain Insurance 800-385-7019

Richard Puente
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.

1-23-14
(Date)

I hereby authorize Trepanier & Associates Inc. be listed as authorized agent
(Name of Agent)

for Future Investments of KW, LLC for the application submittal for
(Name of Property Owner(s) the Applicant(s))

Property described as Lot: _____, Block 41,

Subdivision: Stock Island maloney, Key (island): Stock Isalnd

and Real Estate number: 00125380-000101 & 00125420-000000

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

The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all of the actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

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.

Property Owner(s) Signature

FRANK HERRADA / Future Investment of KW, LLC
Printed Name of Owner(s)

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 23 **day of** January, 2014.

Frank Herrada **is** ✓ **personally known** _____ **produced identification**

(_____ **Type of Identification), did / did not take an oath.**

Notary

S. MONSALVATGE
Commission # EE 034932
Expires November 23, 2014
Bonded Thru Troy Fain Insurance 800-385-7019

APPLICATION

AFFIDAVIT

(State of Florida)
(County of Monroe)

Before me, the undersigned authority, personally appeared _____, who, after being duly sworn deposes and says that the following statements are true and correct to the best of his/ her knowledge and belief.

1. That a waterproof sign containing a legal notice for _____ for the property was placed at properties legally described as _____, _____ _____Key, Monroe County; with the following Real Estate Number(s) _____ _____on the _____ day of _____, ____. This waterproof sign contained an area of at least four (4) square feet. The sign containing the Legal Notice was placed on the properties in compliance with the 30-day posting requirements of the Monroe County Code. The sign is clearly visible from all public streets adjacent to the property. It provides a brief description of the proposed variance and it indicates where the public may examine the application.

2. A photograph of that waterproof sign containing the Legal Notice is attached hereto.

Witnesses (2):	Name of Affiant:
_____	_____
(Name)	(Name)
_____	_____
Date	Date
_____	_____
(Name)	Address
_____	_____
Date	City, State, Zip Code
(Name)	

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC

Sign _____
Print _____
State of Florida at Large (seal)
My Commission Expires:

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, District 1
George Neugent, District 2
Heather Carruthers, District 3
David Rice, District 4

June 12, 2014

Trepanier & Associates, Inc.
Attn: Owen Trepanier
PO Box 4801
Key West, FL 33040

Attachment A

SUBJECT: LETTER OF UNDERSTANDING CONCERNING A NEW MIXED USE BUILDING (OFFICE, LIGHT INDUSTRIAL AND RESIDENTIAL) AT 5582 1ST AVENUE, STOCK ISLAND, ON PARCELS HAVING REAL ESTATE NUMBERS 00125380.000101 AND 00125420.000000.

Mr. Trepanier,

Pursuant to §110-3 of the Monroe County Code (MCC), this document shall constitute a Letter of Understanding (LOU). On February 12, 2014, a Pre-Application Conference regarding the above-referenced property was held at the office of the Monroe County Planning & Environmental Resources Department in Marathon. Attendees of the meeting included Owen Trepanier, Patrick Wright and Frank Herrada (hereafter referred to as "the Applicant") and Joseph Haberman, Planning & Development Review Manager, and Michael Roberts, Senior Administrative of Environmental Resources (hereafter referred to as "Staff").

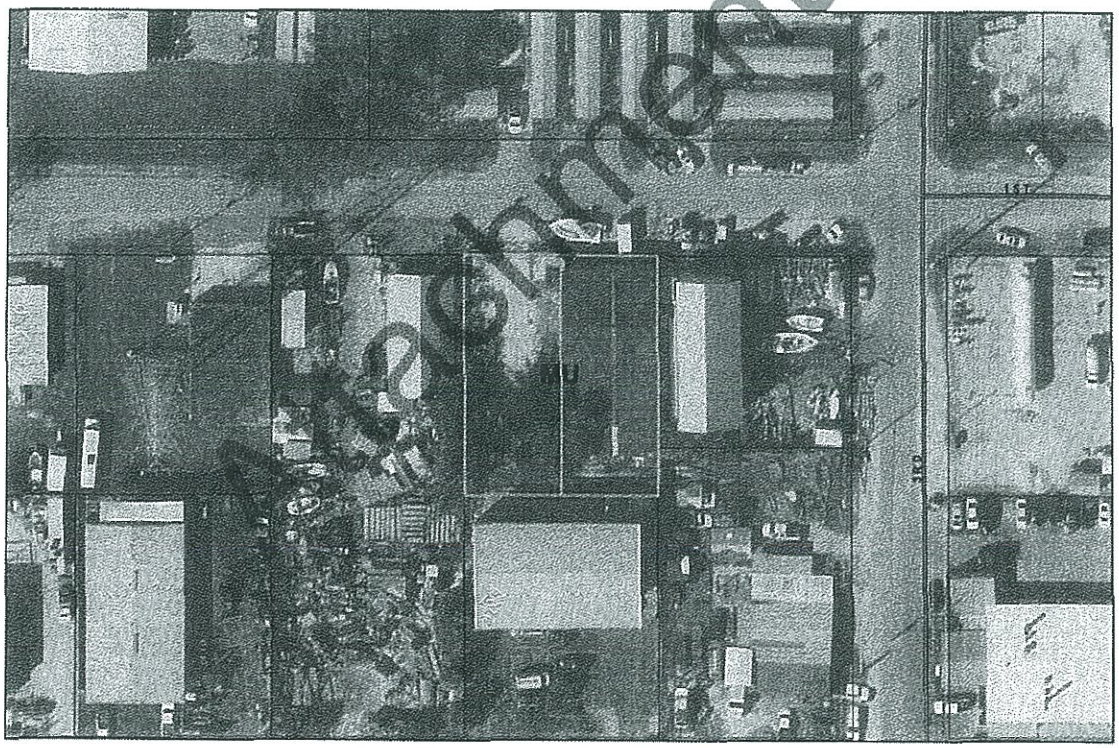
Materials presented for review included:

(a) Pre-Application Conference Request Form;
(b) Monroe County Property Record Card;
(c) Monroe County Land Use District Map and Future Land Use Map;
(d) Boundary Survey (*RE #00125420.000000*) by J. Lynn O'Flynn, Inc., dated September 23, 2013;
(e) Boundary Survey (*RE #00125380.000101*) by J. Lynn O'Flynn, Inc., dated October 3, 2013;
(f) Proposed Site Plan by Meridian Engineering, LLC, dated January 17, 2014 (*submitted prior to the pre-application conference on January 28, 2014*);
(g) Proposed Site Plan and Building Plans by Meridian Engineering, LLC, dated February 11, 2014 (*submitted for review at the pre-application conference on February 12, 2014*);
(h) Proposed Site Plan by unknown and undated (*submitted for review after the pre-application conference on March 27, 2014*); and

(i) Proposed Site Plan by Meridian Engineering, LLC, dated April 28, 2014 (*submitted for review after the pre-application conference on May 13, 2014*).

I. APPLICANT PROPOSAL

The Applicant is proposing to redevelop the property with a new mixed-used building. Currently, the subject property is developed with a light industrial use, in the form of a warehouse building on the parcel identified by RE #00125420.000000 and a parking/outdoor storage area on the parcel identified by RE #00125380.000101. The new two-story building would provide 1,280 SF of 'office' nonresidential floor area, 2,000 SF of 'warehouse' nonresidential floor area and four residential apartments (affordable housing) with unspecified amounts of floor area. Parking would be located in front of the new building. To facilitate the proposed development, the existing warehouse would be demolished. The Applicant submitted proposed site and building plans with the application on January 28, 2014. The proposed site plan was revised several times after the pre-application conference to address comments provided by Staff. This letter only addresses the development shown on the most recent site plan, dated April 28, 2014 and received on May 13, 2014.



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

II. SUBJECT PROPERTY DESCRIPTION

1. The property is located at 5582 1st Avenue on Stock Island, at mile marker 5.5 on the Atlantic Ocean side of Overseas Highway (US 1).

2. The property is comprised of two contiguous parcels/lots, legally described as part of Block (Square) 41, Maloney subdivision, also known as MacDonald Plat, (Plat Book 1, Page 55), Monroe County, Florida and assessed under real estate (RE) #00125380.000101 and #00125420.000000.

3. According to the boundary surveys submitted with the application, the property consists of 0.29 acres (12,500 SF) of land area (in the form of two parcels, each 125' in depth by 50' in width). All calculations included in this letter are based on this figure. A sealed survey shall be required at the time of application submittal for any development approval for new development adversely affecting open space or land use intensity. If the amount of upland provided on the sealed boundary survey differs, then calculations provided in this letter are subject to change.

4. There is one existing building and several accessory structures on the subject property. According to the Monroe County Property Appraiser's records, the building was constructed in 1965 and consists of 4,500 SF (assessed as warehousing).

III. RELEVANT PRIOR COUNTY ACTIONS

1. The following building permits are on file:

Building Permit #	RE #	Year Issued	Scope of Work
7820 [1]	00125380.000101	1964	Install storage shed for equipment storage
29624 [1]	00125380.000101	1973	Repair roof of storage shed
091-5175	00125420.000000	2010	After-the-fact remodel of building and painting of sign

1: While filed with RE #00125380.000101, plans included in the application indicate that the scope of work affected RE #00125420.000000.

IV. REVIEW

The following regulations directly affect the proposal; however, please note that there may be other regulations not referred to nor described in this letter, which may govern development.

1. The subject property consists of two contiguous parcels. Pursuant to MCC §130-166, any development that has or is a part of a common plan or theme of development or use, including, but not limited to, an overall plan of development, common or shared amenities, utilities or facilities, may be aggregated for the purpose of determining permitted or authorized development and compliance with each and every standard of the MCC Land Development Code and for the purpose of determining the appropriate form of development review.

2. The subject property is currently located within a Mixed Use (MU) Land Use (Zoning) District and designated within a Mixed Use / Commercial (MC) Future Land Use Map (FLUM) category.

Attachment A

3. The subject property has a tier designation of Tier III.

4. The proposed uses would be consistent with the purpose of the MU district, which is to establish or conserve areas of mixed uses, including commercial fishing, resorts, residential, institutional and commercial uses, and preserve these as areas representative of the character, economy and cultural history of the Florida Keys.

   Further, the proposed uses would be consistent with the purpose of the MC future land use category as set forth in Monroe County Comprehensive Plan (MCCP) Policy 101.4.5, which is to provide for the establishment of commercial land use (zoning) districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. In addition, Mixed Use/Commercial land use districts are to establish and conserve areas of mixed uses, which may include maritime industry, light industrial uses, commercial fishing, transient and permanent residential, institutional, public, and commercial retail uses.

5. The proposed site plan includes the following development on the property:

   - New Building on RE #00125380.000101 and RE #00125420.000000 (total square footage not specified):
     - 1,280 SF of enclosed nonresidential floor area associated with four 320 SF office areas (office use); and
     - 2,000 SF of enclosed nonresidential floor area associated with four 500 SF warehouse areas (light industrial use); and
     - Unspecified SF of residential floor area associated with four 2-bedroom apartments (attached residential dwelling use); and
     - 960 SF of unenclosed covered walkways (accessory use).
   - Parking area on RE #00125380.000101 and RE #00125420.000000:
     - 7 regular vehicle parking spaces (accessory use); and
     - 1 handicap-accessible vehicle parking space (accessory use); and
     - 9 scooter parking spaces (accessory use); and
     - 1 loading/unloading space (accessory use)

   Execution of the proposed site plan would result in the following existing development on the property to be removed:

   - Existing building on RE #00125420.000000:
     - 4,500 SF of nonresidential floor area associated with warehousing (light industrial use).
   - Parking area on RE #00125380.000101:
     - Unspecified amount and type of parking spaces (accessory use).

   As defined in MCC §101-1:

Attachment A

Office means a use where business, professional or governmental services are made available to the public.

Light industrial use means an industrial use that is not a heavy industrial use. *Industrial use* means a use devoted to the manufacture, warehousing, assembly, packaging, processing, fabrication, storage or distribution of goods and materials whether new or used or the substantial refinishing, repair and/or rebuilding of vehicles or boats. *Heavy industrial use* means an industrial use with greater than average potential impacts on the environment and that is characterized by significant impacts on adjacent uses in terms of noise, hazards and odors, such as junkyards, marine railways and dry docks, bulk petroleum storage, and resource extraction where more than 20% of the use takes place outside of an enclosed building or where exterior storage equals or exceeds building floor area.

Dwelling, attached, means a residential dwelling unit consisting of one or more of residential units that are developed without open yards on all sides of the dwelling unit. *Dwelling unit* means one or more rooms physically arranged to create a housekeeping establishment for occupancy by one family with separate toilet facilities.

Accessory use means a use that: 1) is subordinate to and serves an existing principal use; 2) is subordinate in area, extent and purpose to an existing principal use served; 3) contributes to the comfort, convenience or necessity of occupants of the principal use served; 4) is located on the same lot/parcel or on a lot/parcel that is under the same ownership as the lot/parcel on which the principal use is located; 5) is located on the same lot/parcel or on a contiguous lot/parcel as an existing principal use, excluding accessory docking facilities that may be permitted on adjacent lots/parcels pursuant to §118-12; and 6) is located in the same land use (zoning) district as the principal use, excluding off-site parking facilities pursuant to §114-67. Accessory uses include the utilization of yards for home gardens, provided that the produce of the garden is for noncommercial purpose. In no event shall an accessory use or structure be established prior to the principal use to which it is accessory. Accessory uses shall not include guest units or any other potentially habitable structures. Habitable structures are considered to be dwelling units as defined in MCC §101-1.

Attachment A

6. The proposed site plan includes a new building with 1,280 SF of office-related floor area. Pursuant to MCC §130-88(a)(2), in the MU district and density-permitting, office uses of less than 2,500 SF may be permitted as-of-right.

   The proposed site plan includes a new building with 2,000 SF of light industrial-related floor area. Pursuant to MCC §130-88(b)(9), in the MU district and density-permitting, light industrial uses may be permitted with a minor conditional use permit provided that a) the parcel proposed for development is less than two acres; b) the parcel proposed for development is separated from any established residential use by at least a class "C" bufferyard; and c) all outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least 6' in height.

The proposed site plan includes a new building with 4 attached residential dwelling units. Pursuant to MCC §130-88(b)(2), in the MU district and density-permitting, attached residential dwelling units may be permitted with a minor conditional use permit provided that: a) the total number of units does not exceed 4; and b) the structures are designed and located so that they are visually compatible with established residential development within 250' of the parcel proposed for development.

The proposed site plan includes several existing accessory structures. Pursuant to MCC §130-88(a)(12), in the MU district, accessory uses may be permitted as-of-right.

7. Prior to building permit approval for the proposed development, minor conditional use permit approval will be required prior to the issuance of any building permits related to a new building on the property.

   Minor conditional use permit applications are approved, approved with conditions, or denied by the Senior Director of Planning & Environmental Resources following a public meeting of the Development Review Committee.

   Pursuant to MCC §110-67, when considering applications for a minor conditional use permit, the Planning & Environmental Resources Department shall consider the extent to which 1) the conditional use is consistent with the purposes, goals, objectives and standards of the MCCP and the MCC; 2) the conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development; 3) the design of the proposed development minimizes adverse effects, including visual impacts, or the proposed use on adjacent properties; 4) the proposed use will have an adverse effect on the value of surrounding properties; 5) the adequacy of public facilities and services, including, but not limited to, roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by the Land Development Code; 6) the applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development; 7) the development will adversely affect a known archaeological, historical or cultural resource; 8) public access to public beaches and other waterfront areas is preserved as a part of the proposed development; and 9) the proposed use complies with all additional standards imposed on it by the particular provision of the Land Development Code authorizing such use and by all other applicable requirements of the MCC.

8. Pursuant to MCC §138-21, the Residential Rate of Growth Ordinance (ROGO) shall apply to all residential dwelling units for which a building permit is required by the Land Development Code and for which building permits have not been issued prior to July 13, 1992, except as otherwise provided.

Attachment A

As such, the proposed development shall require 4 ROGO allocations, to be awarded or transferred to the subject property in accordance with MCC Chapter 138.

9. Pursuant to MCC §138-48, the Nonresidential Rate of Growth Ordinance (NROGO) shall apply to all nonresidential floor area for which a building permit is required by the Land Development Code and for which building permits have not been issued prior to September 19, 2001, except as otherwise provided.

   Pursuant to MCC §138-50, the NROGO permit allocation system shall not apply to the redevelopment, rehabilitation or replacement of any lawfully established nonresidential floor area which does not increase the amount of nonresidential floor area greater than that which existed on the site prior to the redevelopment, rehabilitation or replacement. The planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about September 19, 2001, the effective date of the original NROGO.

   The plans on file with Building Permit #7820 depict a structure very similar in size and design to the existing structure on RE #00125420.000000. Filed under RE #00125380.000101 (the RE# associated with the contiguous and vacant parcel), Building Permit #7820 was filed in error and should be filed under RE #00125420.000000 for the following reasons:

   a) The parcels identified by RE #00125380.000101 and RE #00125420.000000 do not have distinct legal descriptions (such as independent lot numbers). Both are generally described as part of Block 41. RE #'s were not requested for building permit applications in the 1960s. When Building Permit #7820 was later filed under a RE#, the staff filed the document using the general description provided which did not include a full metes and bounds legal description or address. The only identifying information was a reference to the parcel being part of Block 41, on 1st Avenue and being "directly south of SIRCO Hardware Store. Both parcels met those three identifying factors.
   b) Building Permit #7820 was approved in late 1964. The Monroe County Property Appraiser's records indicate the existing structure on RE #00125420.000000 was built in 1965, a date consistent with a structure receiving an approval in 1964.
   c) The plans included with Building Permit #7820 show a structure that is 84' in depth. According to the boundary survey submitted with the application, the existing structure is 94' in depth (however, the building is not a true rectangle and the opposite side has a lesser depth). [Note: Full width of the structure is not provided in the plans (which were not to scale), only a partial measurement of width showing confirming that the approved structure was at least 27' in width].

   The plans in Building Permit #7820 show a structure with a roof footprint of 84' by approximately 50' (exact width was not provided). It is unknown when the structure was modified to have a larger roof footprint with a 94' depth and 48' width (as shown on the boundary survey). Further, the plans showed the structure as an open, unenclosed structure with no walls. It was later enclosed with walls; however there is not a building permit on file for this improvement.

Attachment A

The boundary survey does not provide the depth and width of the enclosed area of the building. The Monroe County Property Appraiser's records indicate that the area enclosed by walls is 90' by 50' (4,500 SF). Further, the Property Appraiser's records support this area being enclosed prior to September 19, 2001. In addition, supporting information provided in the application for Building Permit #091-5175, which approved remodeling, showed a building with enclosed area.

Based on the documentation contained with the files for Building Permits #7820 and #091-5175, as well as information provided in the Monroe County Property Appraiser's records, there is 4,500 SF of NROGO exempt floor area associated with the property.

Note: There is not a building permit on file for the shed, approximately 12' by 6', that is located on RE #00125380.000101 (as shown on the boundary survey and referenced in the Property Appraiser's records). As there is no Growth Management Division approval on file for the shed, the property owner must submit a letter of development rights determination application in order for Staff to determine if the 72 SF was lawfully-established.

The new building requires 3,280 SF of NROGO allocations (associated with the covered and enclosed nonresidential areas). To facilitate the new building, the existing 4,500 SF building would be demolished. The 4,500 SF may be applied toward the new building and a new NROGO allocation is not required.

10. Pursuant to MCC §130-157 and MCC §130-164, the following land use intensities apply:

Land Use	Floor Area Ratio or Max Net Density	Size of Site	Max Allowed	Proposed	Potential Utilized
Office	0.40 FAR	0.28 acres (12,500 SF)	5,000 SF	1,280 SF	25.60%
Light Industrial	0.30 FAR	0.28 acres (12,500 SF)	3,750 SF	2,000 SF	53.33%
Non-Affordable Cumulative Total (cannot exceed 100%)					78.93%
Affordable Housing [1]	18 units / buildable acre [2]	0.28 acres (0.23 buildable)	4.14 units	4 units	96.62%
Affordable Cumulative Total (cannot exceed 100%)					96.62%

1: Pursuant to MCC §130-161(a)(5), when calculating density, any affordable or employee housing on a parcel and the floor area thereof shall be excluded from the calculation of the total gross nonresidential floor area development that may be lawfully established on the parcel, provided, however, that the total residential density allowed on the site shall not exceed the maximum net density for affordable and employee housing.
2: Pursuant to MCC §130-161(a)(2), the maximum net residential density allowed per district and by MCC §130-161 shall not require transferable development rights (TDR) for affordable housing developed in accordance with MCC §130-161(a)(8).

Attachment A

11. In order to take advantage of available incentives, including the density bonuses allowed by MCC §130-161(a)(2) and (a)(5), the Applicant is proposing to have the four attached residential dwelling units approved as affordable housing.

As set forth in MCC §101-1, *affordable housing* is defined as follows:

(1) Affordable housing means residential dwelling units that meet the following requirements: a) Meet all applicable requirements of the U.S. Department of Housing and Urban Development minimum property standards as to room sizes, fixtures, landscaping and building materials, when not in conflict with applicable laws of the county and b) a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of that amount which represents either 50% (very low income) or 80% (low income) or 100% (median income) or 120% (moderate income) of the monthly median adjusted household income for the county.

(2) *Affordable housing owner occupied, low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 80% of the median monthly household income for the county.

(3) *Affordable housing owner occupied, median income*, means a dwelling unit occupied only by a household whose total household income does not exceed 100% of the median monthly household income for the county.

(4) *Affordable housing owner occupied, moderate income*, means a dwelling unit occupied only by a household whose total household income does not exceed 160% of the median monthly household income for the county.

(5) *Affordable housing owner occupied, very low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 50% of the median monthly household income for the county.

(6) *Affordable housing trust fund* means a trust fund established and maintained by the county for the purpose of preserving existing and promoting creation of new affordable and employee housing. Funds collected for and deposited in the trust fund shall be used exclusively for purposes of creating, preserving or maintaining affordable and employee housing in the Florida Keys.

(7) *Affordable rental housing, low income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 80% of the monthly median adjusted household income for the county.

(8) *Affordable rental housing, median income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 100% of the monthly adjusted median household income for the county.

(9) *Affordable rental housing, moderate income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 120% of the monthly median adjusted household income for the county.

(10) *Affordable rental housing, very low income*, means a rental dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 50% of the monthly median adjusted household income for the county.

(11) *Employee housing* means an attached or detached dwelling unit that is intended to serve as affordable, permanent housing for working households, which derive at least 70% of their household income from gainful employment in the county and meet the

Attachment A

requirements for affordable housing as defined in MCC §101-1 and as per MCC §130-161.

(12) *Employer-owned rental housing* means an attached or detached dwelling unit owned by a firm, business, educational institution, non-governmental or governmental agency, corporation or other entity that is intended to serve as affordable, permanent housing for its employees. This category of employee housing shall be located on the same parcel of land as the nonresidential use.

(13) *Inclusionary housing* means the resulting affordable and/or employee housing created or preserved with the development and/or redevelopment of a parcel where provisions of approved development agreements or orders implement and promote affordable and/or employee housing goals, objectives and policies contained in the plan by requiring set-asides for affordable and/or employee housing units.

(14) *Median income, rental rates and qualifying incomes table*, means eligibility requirements compiled each year by the planning department based upon the median annual household income published for the county on an annual basis by the U.S. Department of Housing and Urban Development and similar information for median and moderate income levels from the Florida Housing Finance Corporation. Affordable housing eligibility requirements for each household will be based upon median annual household income adjusted by family size, as set forth by the U.S. Department of Housing and Urban Development and the Florida Housing Finance Corporation. The county shall rely upon this information to determine maximum rental rates and maximum household incomes eligible for affordable housing rental or purchase.

(15) *Monthly median household income* means the median annual household income for the county divided by 12.

12. In the MU district, there is a required open space ratio of 0.20 or 20%. As defined in MCC §101-1, *open space* means that portion of any parcel or area of land or water that is required to be maintained such that the area within its boundaries is open and unobstructed from the ground to the sky.

    The proposed site plan does not provide enough information for Staff to determine compliance. In order to be in compliance, the site would require 2,500 SF of open space. A notation on the site data table on the proposed site plan states "Open Space…20% Required and Proposed," but it does not clearly state that the exact square footage (i.e. 2,500 SF) that would be provided.

13. The required non-shoreline setbacks in the MU district are as follows for mixed use developments: Front yard – 15'; Rear yard – 10'; and Side yard – 10'/15' (where 10' is required for one side and 15' is the minimum combined total of both sides).

    In general, development is not shown in a required setback on the proposed site plan. However, there is an issue with the proposed site plan that affects a final determination of compliance. Concerning the required side yard setbacks of 5' and 10', there may be a shortage of 6". The property is only 100' in width. The total width of the noted intermittent widths is 100'-6": 10'-0" + 3'-0" 1'-0" + 80'-0" + 1'-0" + 5'-6". It appears the notation of

Attachment A

5'-6" for the western side yard setback is error and should 5'-0". However, if the notation is correct, the building width must be reduced or a setback variance must be granted.

14. The development would be subject to the following off-street parking requirements:

Specific Use	*Multiplier*	*Proposed*	*Required Spaces*
Offices	3 spaces per 1,000 SF	1,280 SF	3.8 spaces
Warehousing (a specific form of industrial)	1 space per 1,000 SF	2,000 SF	2.0 spaces
Multifamily residential developments	2 spaces per each 1-bedroom unit; 2 spaces per each 2-bedroom unit; and 3 spaces per each 3 or more bedroom unit	4 units (all with 2 bedrooms)	8.0 spaces
		Total	13.8 spaces

The standard parking requirements require 14 spaces. However, the development is a mixed-use. For that reason, it is eligible for a shared-parking reduction. The following table indicates a minimum number of spaces that would be required:

Specific Use	Nighttime	Weekday		Weekend	
	12 am-6 am	9 am-4 pm	6 pm-12 am	9 am-4 pm	6 pm-12 am
Residential (8.0 spaces)	8.0	4.8	7.2	6.4	7.2
Office/Industrial (5.8 spaces)	0.3	5.8	0.6	0.6	0.3
Minimum Total	8.3	**10.6**	7.8	7.0	7.5

In addition, per MCC 114-67(e)(5) and consistent with *the Master Plan for the Future Development of Stock Island & Key Haven*, the planning director may grant a reduction of up to 20% in the number of required parking spaces for nonresidential uses, provided an equivalent number of parking spaces are reduced in size and redesigned to accommodate scooters and other similar modes of transportation. If 11 spaces are required and provided, the site plan may include up to 9 vehicle spaces and 2 scooter parking spaces.

The number of handicap accessible spaces shall be dependent on the total amount of parking provided (generally 1 space for every 25 spaces provided). Such spaces shall be designed and marked for exclusive use of those individuals who have a severe physical disability and have permanent or temporary mobility problems who have been issued either a disabled parking permit or a license plate. In addition, parking access aisles must be part of an accessible route to the building entrance. The access aisle shall be striped diagonally to designate it as a no-parking zone. Curb ramps must be located outside of the disabled parking spaces and access aisles.

There is a minimum requirement of 11 spaces. The proposed site plan shows 8 vehicle spaces (1 of which is handicap accessible) and 9 scooter spaces. The total of 8 vehicle spaces is not in compliance.

Attachment A

All regular parking spaces, with the exception of parallel, must be at least 8'6" in width by 18' in length. Parallel parking spaces must be 8'6" in width by 25' in length. Handicap-accessible parking spaces must be at least 12' in width with an access aisle of 5' in width. Further, each required parking space shall have direct and unrestricted access to an aisle of the following minimum width:

Parking Pattern	*One Way Aisle Width*	*Two Way Aisle Width*
0 degrees	12'	24'
30/45 degrees	15'	24'
60 degrees	18'	24'
75 degrees	22'	24'
90 degrees	24'	24'

The 7 regular vehicle spaces exceed the minimum dimensional requirements (8'-9" x 18') and the handicap accessible vehicle space meets the minimum dimensional requirements (12' x 18'). The 9 scooter spaces would be 2' by 6'. While there is no minimum dimensional requirements in the MCC for scooter spaces, the 2' widths appear deficient to accommodate wider scooters and motorcycles and Staff suggests removing 1-2 of the non-required scooter spaces and providing wider spaces.

The 90 degree vehicle spaces have 24' of aisle width to back up; however it should be noted the loading space is located in the center of the parking area- 21'-6" from the edges of the western spaces and an unspecified distance from the edges of the eastern spaces.

15. Pursuant to MCC §114-69(a), all non-residential uses with 2,500 SF to 49,000 SF of floor area are required to have a loading/unloading space, measuring 11' by 55'. A loading/unloading space of only 11' x 35' is shown on the proposed site plan. Further, MCC §114-69(b) states loading/unloading spaces "shall not be located on any public right-of-way, or on any parking spaces or parking aisle." The loading/unloading space is located within the 24' parking aisles for the vehicle spaces.

    To address this issue, the proposed site can be revised or pursuant to MCC §114-69(c), the Planning & Environmental Resources Director is authorized, to grant a reduction in the dimensional requirements for loading/unloading spaces, based on the submittal of a parking demand study, prepared and signed by a qualified traffic engineer, supporting the reduced loading/unloading spaces. This study must approved by the planning director, following a review by the county's traffic consultant.

16. Action Item 9.4.3 of *the Master Plan for the Future Development of Stock Island and Key Haven* requires the provision of bicycle facilities and parking in all new development and redevelopment. A bicycle rack is not shown on the proposed site plan.

17. If a parking lot/area is provided and it contains 6 or more spaces, a class "C" landscaping standard is required. Class "C" landscaping is described/illustrated in MCC §114-100.

Attachment A

The proposed site plan did not provide detailed landscaping improvements related to parking lot landscaping; therefore Staff could not determine compliance with landscaping requirements.

18. Pursuant to MCC §114-104, all street fronts not required to provide a scenic corridor or bufferyards in accordance with §114-100, §114-101 or §114-102 shall plant trees. Such trees shall be native canopy trees, not intrusive to utilities or pavement, and shall be installed pursuant to a landscape plan, with the number of trees to be equal to at least one canopy tree (3" DBH) per 100' of street length, provided that in no event will less than one street tree be provided for every lot. Existing natural native vegetation takes priority and satisfies this requirement.

    The proposed site plan did not provide detailed landscaping improvements related to street trees; therefore Staff could not determine compliance with landscaping requirements.

19. Although the subject property appears to be scarified for the most part, mitigation will be required for qualifying native vegetation removed for development. The number, species and sizes of plants to be mitigated shall be identified in an existing conditions report prepared and submitted by the Applicant and approved by the County Biologist.

    In accordance with MCC §118-7(1), to the maximum extent practicable, development shall be sited so as to preserve all listed threatened, endangered, commercially exploited, and regionally important native plant species and all native trees with a diameter at breast height (DBH) of greater than 4".

20. A stormwater management plan shall be required as a part of conditional use permit and building permit applications that involve modifications to the site. This plan shall detail pre and post development water flow and storage on site with supporting calculations. Pursuant to MCC §114-3(e), water management areas shall be legally reserved to and maintained by the operational entity and be dedicated on the plat, deed restriction, or easements. Stormwater management areas shall be connected to a public road or other location from which operation and maintenance means of access are legally and physically available to the operational entity, in accordance with county land development regulations governing subdivision of land. As provided in MCC §114-3(g), it is the responsibility of the applicant to provide a stormwater management plan for the development that contains sufficient information for the planning director to evaluate the environmental and stormwater discharge characteristics of the affected areas, the potential and predicted impacts of the proposed activity on community waters, and the effectiveness and acceptability of those measures proposed by the applicant for reducing adverse impacts. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, explanations, and citations to supporting references, and any additional information deemed necessary by the planning director. The stormwater management plan must be sealed by an engineer registered in the state with experience in stormwater management and drainage design.

Attachment A

In accordance with the retention/detention criteria contained in §114-3(f)(2)(b), For impervious surface area percent greater than 40 percent, retention and/or detention shall be provided for the first 2½ inches of rainfall times the percent of impervious coverage of the site. The retention or detention volumes shall be calculated according to the following formulae:

Treatment volume (acre feet) = Disturbed area (acres) x 2.5 (inches) x percent impervious area (%)/12 (inches/foot).

As defined in §114-3(f)(2)(b)(4), For the purposes of this section, the term "disturbed area" includes the entire lot except that the areas covered by the following best management practices (BMP's) shall be subtracted from the calculation of disturbed area:

(i) Forested upland areas/vegetative buffer strips (both natural and manmade) which will be retained intact and over or through which vehicular access or travel is not possible and will not occur; and

(ii) Open water surfaces and wetlands (salt marsh, buttonwood, mangroves, or freshwater marsh habitat types).

Being these BMP's are not provided on the subject parcels, the water quality volumes shall be based on a disturbed area 0f 2500 square feet. Based on data provided on the site plan, with an impervious surface coverage of 71.4%, the required treatment volume is 1857.44 cubic feet. The site plan indicates that the total swale volume provided is 1,452 cubic feet. The stormwater management plan will need to be revised prior to submittal for a building permit.

Attachment A

21. No structure or building shall be developed that exceeds a maximum height of 35'. *Height* means the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding chimneys; spires and/or steeples on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in MCC Chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations. *Grade* means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher.

    Building elevations were not provided for the building proposed on the most recently received site plan.

22. A traffic study shall be required as a part of conditional use permit and building permit applications involving the new building. The projected trip generation and level of service of US 1 affect whether or not the redevelopment may be permitted or prohibited. The County's traffic consultant shall review any traffic impact analysis required as part of a development approval application to determine to what extent the redevelopment will affect

the level of service along US 1. According to the 2013 US 1 Arterial Travel Time and Delay Study, Segment 1 of US 1 had a "B" level of service.

23. No building permit shall be issued by the county for impact-producing development unless the applicant has paid the applicable impact fees.

V. OTHER ISSUES CONCERNING THE PROPOSAL

1. Any development on Summerland Key shall be consistent with all goals, strategies and action items of *the Master Plan for the Future Development of Stock Island and Key Haven* (aka the Livable CommuniKeys Plan). A copy of this plan will be provided upon request.

2. Prior to the issuance of any building permit, if such review is required, all proposed development shall be found in compliance by the Monroe County Building Department and the Monroe County Office of the Fire Marshal. Staff recommends that the Applicant coordinate with these offices prior to application submittal. The Planning & Environmental Resources Department does not review for compliance with the Florida Building Code.

3. The property is within an AE – EL 8' flood zone. All new structures must be built to floodplain management standards that meet those for flood protection.

4. All development shall be required to meet all standards and requirements of the Americans with Disabilities Act (ADA).

5. In summary, based on the information provided, approval of the project as proposed will require the following Growth Management Division application/approvals:

   - Administrative Variance application (reducing the parking requirement from 9 spaces to 8 spaces) - granted by the Senior Director of Planning & Environmental Resources, following a review by staff (MCC §102-186) [Note: This application is not required if the required amount of additional spaces can be sited on the property]
   - Administrative Variance application (reducing the side yard setback requirement from 10' to 9'-6" or 5' to 4'-6") - granted by the Senior Director of Planning & Environmental Resources, following a review by staff (MCC §102-186) [Note: This application is not required if the required setbacks can be met on the property]
   - Minor Conditional Use Permit Application (to approve the site plan and the proposed use of the new building) – granted by the Senior Director of Planning & Environmental Resources, following a review by staff and the Development Review Committee (MCC §110-67)
   - ROGO Application (x 4) – granted by the Planning Commission, following a review by staff (MCC Chapter 138)
   - Affordable Housing Deed Restriction Application – granted by the Senior Director of Planning & Environmental Resources, following an administrative review by staff (MCC §130-161)

Attachment A

- Building Permits (final approval to construct the building and carry out site improvements) – granted by the Building Official, following an administrative review by staff

6. As part of any minor conditional use permit and building permit application, the site plan submitted with the application will need revisions and more detail. In addition, a landscape plan and surface water management plan will be required. Concerning the site plan, the following revisions are required (additional revisions may be requested upon review of a subsequent, more detailed site plan):
   - As part of any minor conditional use permit application, the site plan submitted must be sealed and provided at a scale of 1:10 or 1:20 (Staff only received a pdf copy of the most recent plan).
   - The Future Land Use Map (FLUM) designation, Land Use (Zoning) District designation and Tier designation of the site of the site must be provided. [Only the zoning is provided on the proposed site plan.]
   - To assure compliance with MCC §130-157, on the Site Data table, the "Residential" must be denoted as "Affordable Housing Residential".
   - To confirm compliance with MCC §130-157 and §130-164, on the Site Data table, the exact square footage of open space must be provided.
   - To assure compliance with MCC §130-186, on the Site Data table, the reference to "Street Side 0 FT" must be removed.
   - On the site plan illustration, the total width of the noted intermittent widths (and development associated therewith) shall equal 100'.
   - Unless the total is reduced by a variance, at least 9 vehicle parking spaces and 2 scooter parking spaces shall be provided.
   - Unless modified pursuant to MCC §114-69(c), on the site plan illustration, the loading/unloading space shall be 11' by 55' and not located in any parking aisle.
   - Size and type of parking lot landscaping areas and street trees, including the species and number of plants (unless a separate landscape plan showing such is submitted) shall be provided.
   - The solid waste collection area shall be shown (currently such an area is not noted).
   - As required by MCC §114-21, the required recycling collection area (at least 144 SF in area) shall be provided and identified. The location of the collection area shall be in an area that a) is accessible and convenient to the intended users (typically no more than 200' from the farthest user); does not interfere with the primary use of the site; c) can tolerate noise, odor and increased pedestrian and vehicle traffic; and d) is designed to be easily accessible by all collection vehicles.
   - As required by Action Item 9.4.3 of *the Master Plan for the Future Development of Stock Island and Key Haven*, a bicycle rack shall be shown.

* * * * * * *

Pursuant to MCC §110-3, you are entitled to rely upon the representations set forth in this letter as accurate under the regulations currently in effect. This letter does not provide any vesting to the existing regulations. If the Monroe County Code or Comprehensive Plan is amended, the project will be required to be consistent with all regulations and policies at the time of

Attachment A

development approval. The Department acknowledges that all items required as a part of the application for development approval may not have been addressed, and consequently reserves the right for additional comment.

You may appeal decisions made in this letter. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Highway, Suite 410, Marathon, FL 33050.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter, or if we may further assist you with your project, please feel free to contact our Marathon office at (305)289-2500.

Sincerely yours,

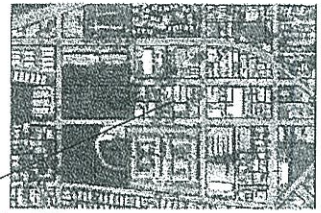
Townsley Schwab,
Senior Director Planning & Environmental Resources

CC: Joseph Haberman, Planning & Development Review Manager
Michael Roberts, Senior Administrator of Environmental Resources

Attachment A

COMMERCIAL BUILDING
OFFICE/WAREHOUSE & (4) 2 BEDROOM AFFORDABLE UNITS

5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA 33040



2 CS-1 LOCATION MAP
SCALE: NOT TO SCALE

SITE DATA

SITE ADDRESS: 5582 1ST AVE, SOUTH STOCK ISLAND, FL 33040
SITE SIZE: 12,000 SQ.FT.
RE's: 00125360-000101 & 00125420-000000
ZONING: MU (MIXED USE)

USE		ALLOWED	PROPOSED	DEV.POT.
WAREHOUSE	0.2	2,752.0	2,880	83.3%
OFFICE	0.4	5,504.0	1,296	23.5%
TOTAL				76.9%
RESIDENTIAL	18	4.1	4	98.4%

PARKING	HEIGHT	REQ'D	PROPOSED
WAREHOUSE	1	1/1K	2
OFFICE		3/1K	4
RESIDENTIAL		2/UNIT	8
		TOTAL	14

OPEN SPACE
30% REQUIRED AND PROPOSED

LANDSCAPING
SCENIC CORRIDOR: NA
STREET BUFFER: NA
DISTRICT BUFFER: NA
PARKING LOT: CLASS C
AREA - 291 SQ.FT.
TREES - 2
SHRUBS - 3

FLOOD ZONE, AE 8
F.I.R.M.- COMMUNITY#120070, MAP & PANEL #1513 BUFFIX K, DATE 03-19-05
SECTION/TOWNSHIP/RANGE: 35-67-25
LEGAL DESCRIPTION FOR RE: 00125360-000101: STOCK ISLAND MALONEY (5-6)
PB1 B6, PART 40 (P 41 LAFT K 12 SFT)
LEGAL DESCRIPTION FOR RE: 00125420-000000: STOCK ISLAND MALONEY
SUBDIVISION PB1-65 PART (BOR 41)
SETBACKS: FRONT 15 FT; SIDE 10/15 FT; REAR 10 FT; STREET SIDE 0 FT
OCCUPANCY: SECTION 304 BUSINESS GROUP B/ LOW HAZARD & FORADE GROUP B-2
TYPE OF CONSTRUCTION: VB

DESIGN DATA

120 MPH LOADS: ASCE 7-98
WIND LOAD: 140 mph; 3 sec gust, EXPOSURE C, ROOF LIVE LOAD 20 PSF
DEAD LOAD: 18 PSF, FLOOR LL 100 PSF

PLAN INDEX

G1 SITE PLAN, LOCATION MAP, SITE DATA

BUILDING NOTES

FIRST FLOOR
FOUR 200 SQ. FT. OFFICES
FOUR 360 SQ. FT. WAREHOUSE SPACES
800 SQ. FT. OF COVERED EXTERIOR WALKWAYS

SECOND FLOOR:
FOUR 3-BDRM AFFORDABLE UNITS

GENERAL NOTES

1. PAVING, PLANTING FOR THE WORK AT THE LOCATION IS DESIGNATED HEREIN.
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
3. THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.
4. THE CONTRACTOR SHALL VISIT THE SITE AND REVIEW THE PLAN WITH EXISTING CONDITIONS BEFORE BID, CHECK AND VERIFY ALL DIMENSIONS AND EXISTING OF THE WORK SITE AND REPORT ANY DISCREPANCIES, INTERFERENCES OR CONDITIONS THAT ARE UNACCEPTABLE.
5. NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, INTERFERENCE, OMISSIONS OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MUST WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT CAUSED BY SUCH MODIFICATIONS SHALL BE BORNE BY THE CONTRACTOR WITHOUT ADDITIONAL COST TO THE OWNER AND/OR THE ENGINEER.
6. THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY AND PROTECTION OF PERSONS ON THE SITE AT ALL TIMES AND SHALL PERFORM THE WORK IN SUCH A WAY THAT THE WORK AND THE ADJACENT PUBLIC, THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO ADJACENT BUILDINGS AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
7. AND REGARDING TO THE PRESENCE OF UNDERGROUND OBSTRUCTIONS SHALL INCLUDE BUT NOT LIMITED TO THE PROJECT, CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING BARBARA WILSON LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC ROADWAY OR ANY OTHER AREA WHERE UNDERGROUND UTILITIES MAY BE FOUND (WELL, ROADWAY, UTILITY EASEMENTS, ETC.)
8. THE GENERAL CONTRACTOR SHALL PROVIDE ADEQUATE SUPERVISION & LOCATION COORDINATED WITH THE OWNER FOR THE DEPOSITS OF BUILDING MATERIALS, AND CONSTRUCTION WASTE. THE DUMPSTER SHALL BE SUPPLIED AT APPROVED DISTANCES TO PROVIDE EASY USE AND MINIMUM DISTURBANCE.
9. THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2005 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
10. THE OWNERSHIP OF ALL FABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED IN THE 2010 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
11. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, NOTES OR SCHEDULES SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
12. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
13. THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS AND A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE MADE WITH THE OWNER AND ENGINEER OF RECORD. ALL WORK SHALL BE REJECTED IN THE OWNER'S OPINION, COMPLETION OF WORK.
14. THE PLANS ARE BASED ON THE 2010 FLORIDA BUILDING CODE, COMPLIANCE WITH THE BUILDING CODE INCLUDES ADHERENCE TO THE FLORIDA HOUSING CODE, ENERGY CODE. THE CONTRACTOR SHALL MAINTAINED AND MEET THE BUILDING CODE IN ENTIRETY AND MUST ADHERE TO COMPLIANCE WITH ALL PROVISIONS OF THE CODE.
15. PORTABLE RESTROOM FACILITY IS NOT PROVIDED BY THE SITE BY THE CONTRACTOR.

DRAINAGE CALCULATIONS

WATER QUANTITY – PREDEVELOPMENT

PROJECT AREA =	0.27 AC
PERVIOUS AREA =	0.18 AC
EXISTING IMP. AREA =	0.09 AC
% IMPERVIOUS =	33.3%
AVERAGE CN (Pervious Grass Good) =	74
AVERAGE CN (Impervious Paved) =	98
WEIGHTED CN (PERVIOUS) =	77
DEVELOPED AVERAGE PERVIOUS =	0.18 AC
SCS CONSERVATION =	0.61 IN
Q100 = (P-0.2S)^2 / (P+0.8S) =	1.14 IN
Q100 =	0.08 CFS

WATER QUANTITY – POSTDEVELOPMENT

PROJECT AREA =	0.27 AC
PERVIOUS AREA =	0.09 AC
IMPERVIOUS AREA =	0.18 AC
% IMPERVIOUS =	66.7%
AVERAGE CN (Pervious Grass Good) =	74
AVERAGE CN (Impervious Paved) =	98
WEIGHTED CN (PERVIOUS) =	86
DEVELOPED AVERAGE PERVIOUS =	0.09 AC
SCS CONSERVATION =	0.16 IN
Q100 = (P-0.2S)^2 / (P+0.8S) =	1.28 IN
Q100 =	0.19 CFS

NET ADDITIONAL RUNOFF TO BE DISCHARGED = 0.11 CFS

POSTDEVELOPMENT – PREDEVELOPMENT

Q100 = 0.11 CFS

WATER QUALITY

PROJECT AREA = 0.27 AC
IMPERVIOUS = 0.18 AC
APPROVAL = 1.5 IN

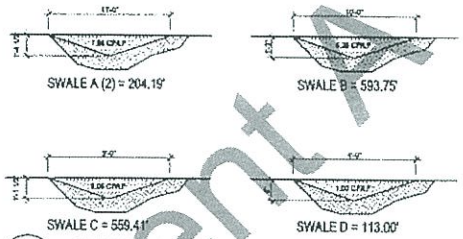
AVERAGE DEPTH OF RUNOFF FROM IMPERVIOUS SURFACE = 0.22 IN

ALLOWED TYPE OF ROOF IMPERVIOUS = 0.27 CFS
ROOF AREA = 1,440 SQ.
IMPERVIOUS AREA = 0.03 AC
% IMPERVIOUS = 16.7%

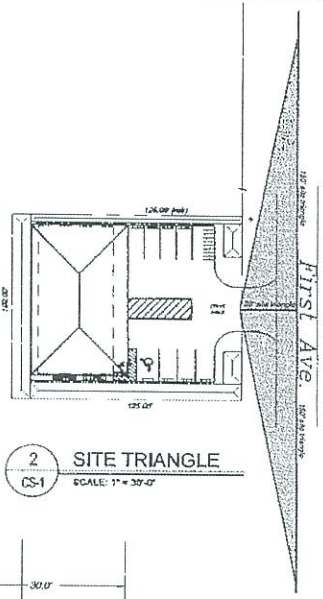
0.27 CFS < 0.11 CFS — BY INSPECTION CONTROLS

TRUE VOLUME REQUIRED

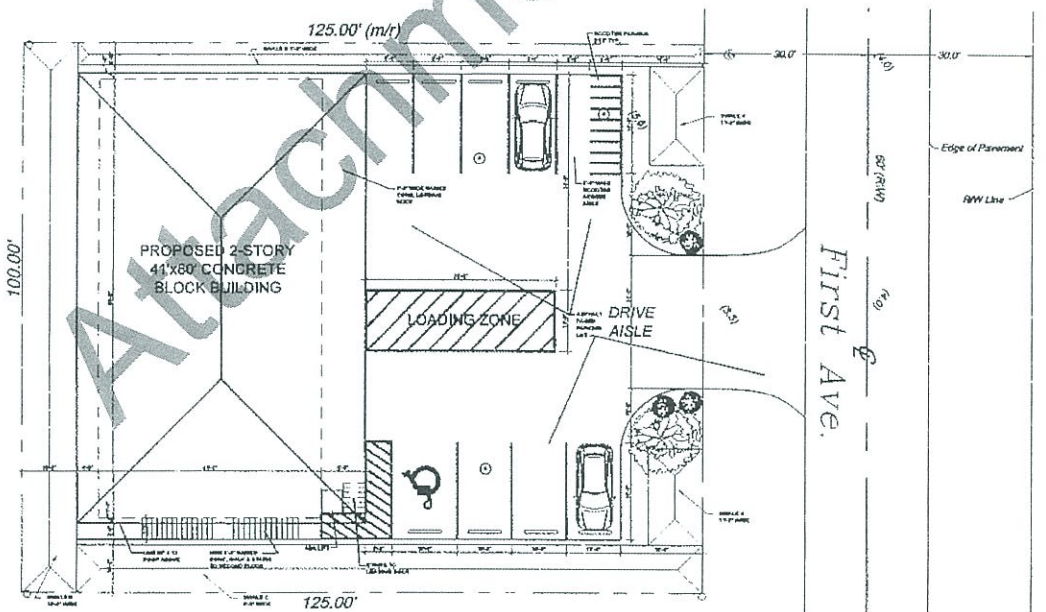
SWALE VOLUME REQUIRED = (0.11 / 12) * 1.48 CF
SWALE VOLUME PROVIDED = 1 * 1 * 1 = 1 CF
SWALE VOLUME PROVIDED IS SIGNIFICANT TO ACCOUNT FOR TRUE SWALE



3 CS-1 SWALE DETAILS
SCALE: N.T.S.



2 CS-1 SITE TRIANGLE
SCALE: 1" = 30'-0"



1 CS-1 SITE PLAN
SCALE: 1" = 10'-0"

Attachment A

Michelen Engineering LLC
201 Front Street, Suite 212
Key West, Florida 33040
AUTHORIZATION #29841
RICHARD A. MICELI
P.E. #58318

COMMERCIAL BUILDING
OFFICE/WAREHOUSE
5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By: PCB
Checked By: RAM
Project No.:
Scale:
AutoCad File No.:

Title: COVER SHEET
SITE PLAN AND
PROJECT DATA

Sheet Number: C-1

Date: APRIL 28, 2014

Sec. 110-73. - Development under an approved conditional use permit.

(a)Effect of issuance of a conditional use approval.

Approval for a conditional use shall be deemed to authorize only the particular use for which it is issued. A conditional use approval shall not be transferred to a successive owner without notification to the planning director within 60 days of the transfer.

(1)Unless otherwise specified in a major conditional use approval, all required building permits and certificates of occupancy shall be procured within three years of the date on which the major conditional use approval is recorded and filed in the official records of Monroe County, or the major conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. Extensions of time to a major conditional use approval may be granted only by the planning commission for periods not to exceed two years, unless otherwise specified. Applications for extensions shall be made prior to the expiration dates. Extensions to expired major conditional use approvals shall be accomplished only by re-application for the major conditional uses. When a hearing officer has ordered a conditional use approval initially denied by the planning commission, the planning commission shall nonetheless have the authority to grant or deny a time extension under this section. If the planning commission denies a time extension, the holder of the conditional use may request an appeal of that decision under chapter 102, article VI by filing the notice required by that article within 30 days of the written denial of the planning commission.

(2)Unless otherwise specified in a minor conditional use approval, all required building permits and certificates of occupancy shall be procured within three years of the date on which the minor conditional use approval is recorded and filed in the official records of Monroe County, or the minor conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. Extensions of time to a minor conditional use approval may be granted only by the planning director for periods not to exceed one year. Applications for extensions shall be made prior to the expiration dates. Extensions to expired minor conditional use approvals shall be accomplished only by re-application for the minor conditional uses. When a hearing officer has ordered a conditional use approval initially denied by the planning director, the planning director shall nonetheless have the authority to grant or deny a time extension under this section. If the planning director denies a time extension, the holder of the conditional use may request an appeal of that decision under chapter 102, article VI by filing the notice required by that article within 30 days of the written denial of the planning director.

(3)Development of the use shall not be carried out until the applicant has secured all other permits and approvals required by this Land Development Code or regional, state and federal agencies and until the approved conditional use is recorded in accordance with section 110-72

(4)In the case of conditional use permit approvals for sites that have existing development, lawful uses that are in existence but anticipated to be demolished may remain in place while the redevelopment is taking place to provide an opportunity for the site to remain functional.

(b)Enforcement.

Whenever the planning director has reason to believe the provisions and/or conditions of a conditional use permit are being violated, the planning director or code compliance director shall notify the alleged violator by certified mail and require corrective action of the violation(s) within a reasonable period of time, not to exceed 120 days. If necessary, for the protection of the public health, safety or welfare, the planning director may notify the building official to issue a temporary order stopping any and all work on the development until such time as the violation is cured. If the violation(s) is not corrected within the time specified, the violation(s) shall be referred to the code compliance department for enforcement.

1850
220500

This Document Prepared By and Return to:
Koenig Higsmith & Van Loon
3158 Northside Drive
Key West, FL 33040

Doc# 1955034 10/24/2013 8:56AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

10/24/2013 8:56AM
DEED DOC STAMP CL: Krys $2,205.00

Parcel ID Number: 00125380 (vacant) & 00125420

Doc# 1955034
Bk# 2655 Pg# 1381

Warranty Deed

This Indenture, Made this 22nd day of October, 2013 A.D., **Between**
MICHELE E. HUGHES, as Successor Trustee of the JOHN S. ARCHER FAMILY LIVING TRUST AGREEMENT U/T/D June 16, 2008
of the County of Pinellas, State of Florida, **grantor,** and
FUTURE INVESTMENTS OF KW, LLC, a Florida limited liability company
whose address is: P.O. Box 4801, Key West, FL 33041
of the County of Monroe, State of Florida, **grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of
----------TEN DOLLARS ($10)---------- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of MONROE State of Florida to wit:

Part of Block 41 according to McDonald's 1908 survey of part of said Island recorded in Plat Book 1 at page 55 of Monroe County Official Records.

This Parcel of Land herein described is located on Stock Island, Monroe County, Florida, and is part of Block 41 according to McDonald's 1908 survey of part of said Island recorded in Plat Book 1 at page 55 of Monroe County Official Records and is more particularly described as follows:

From the intersection of the South Line of First Avenue and the West line of Third Street go Westerly along the South line of First Avenue a distance of 100 feet to a point which point is the point of beginning; thence continue Westerly along the South line of First Avenue a distance of 50 feet to a point, thence at right angles and Southerly a distance of 125 feet to a point; thence at right angles Easterly a distance of 50 feet to a point; thence at right angles and Northerly a distance of 125 feet back to the point of beginning. (Alternate Key 1159581)

AND

On Stock Island, according to McDonald's plat of a portion of Stock Island, recorded in Plat Book One (1), Page Fifty-five (55), Monroe County, Florida, Official Records. Begin at the Northwest corner of Block Forty-One (41), go Easterly along the South side of First Avenue a distance of Three Hundred (300) feet to a point which is the point of beginning of the hereinafter described land; continue Easterly along the South side of First Avenue a distance of Fifty (50) feet to a point; thence at right angles and Southerly a distance of One Hundred Twenty-Five (125) feet to a point; thence at right angles and Westerly a distance of Fifty (50) feet to a point; thence at right angles and Northerly a distance of One Hundred Twenty-Five (125) feet to First Avenue and the point of beginning. (Alternate Key 1159522)

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

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

JOHN S. ARCHER FAMILY LIVING TRUST
AGREEMENT U/T/D June 16, 2008

Printed Name: Elaine Bates
Witness

By: Michele E. Hughes (Seal)
Michele E. Hughes
Successor Trustee
P.O. Address: 1101 60th St South, Gulfport, FL 33707

Printed Name: Patsy Sims
Witness

STATE OF Florida
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 22nd day of October, 2013 by Michele E. Hughes, Successor Trustee on behalf of said Florida trust, she is personally known to me or she has produced her Florida driver's license as identification.

NCoffin
Printed Name:
Notary Public
My Commission Expires:

NANCY COFFIN
Notary Public, State of Florida
Commission # DD 974825
My comm. expires April 13, 2014

Doc# 1955034
Bk# 2655 Pg# 1382

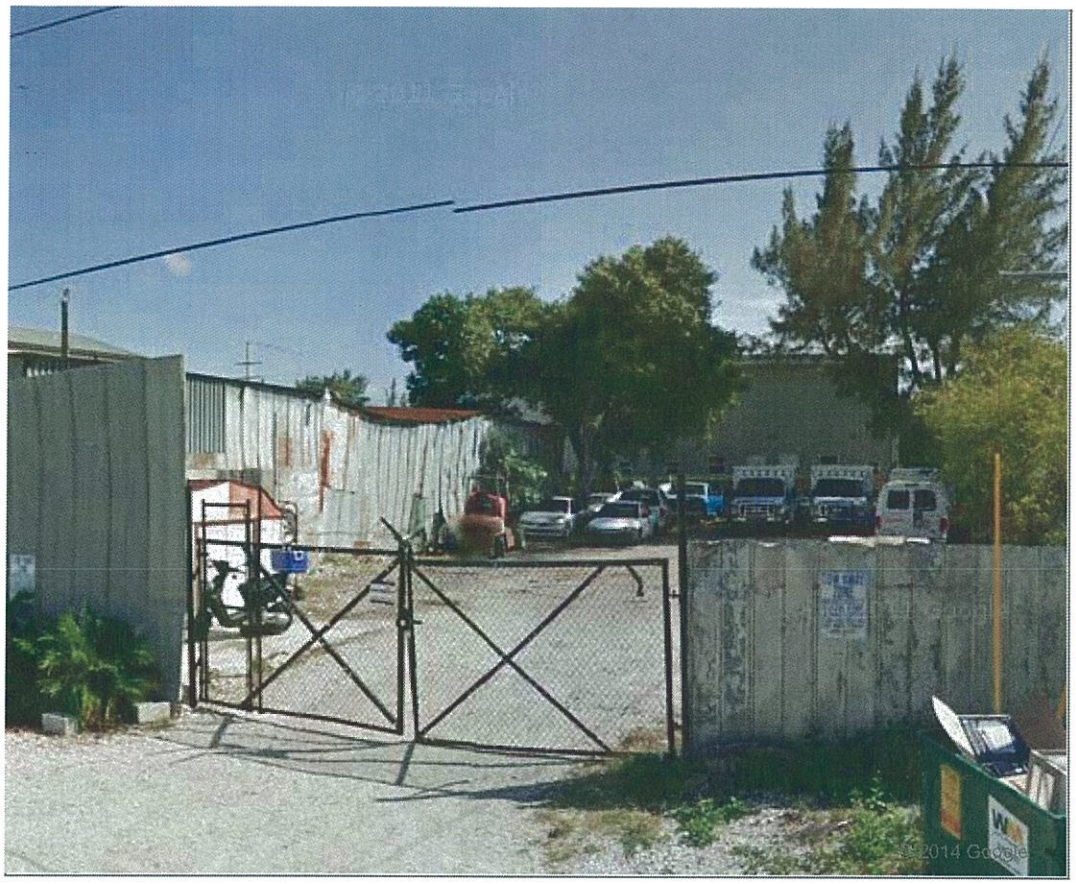
MONROE COUNTY
OFFICIAL RECORDS

1309-172

Google

Address **5566 1st Avenue**

Address is approximate



Google

Address **5574 1st Avenue**

Address is approximate

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

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

The offices of the Property Appraiser will be closed Monday, January 20th in observance of Martin Luther King Jr. Day. Our offices will re-open Tuesday at 8am.

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

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

Alternate Key: 1159581 **Parcel ID:** 00125420-000000

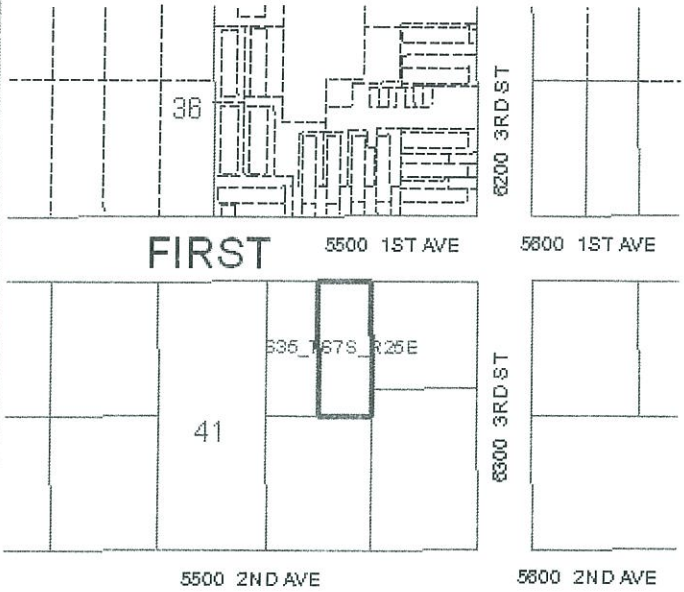
Ownership Details

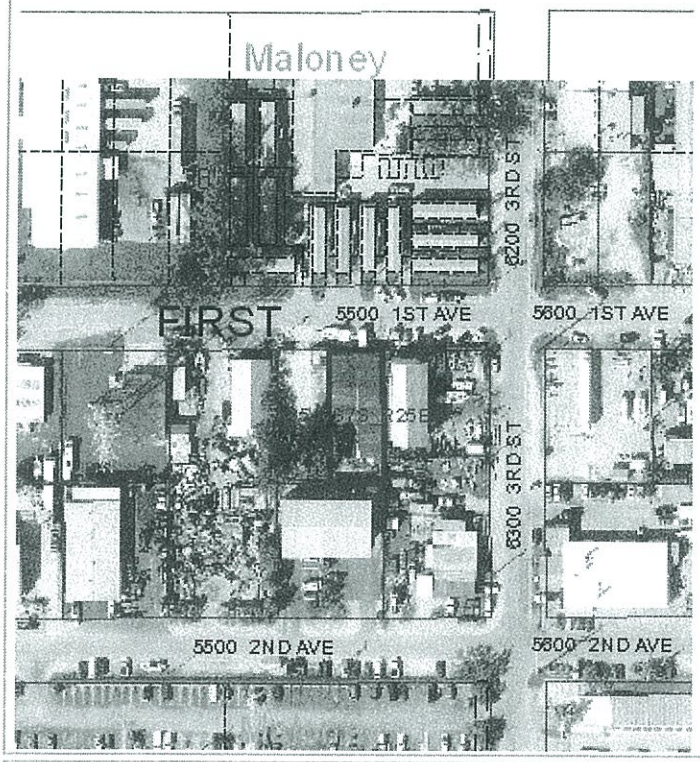
Mailing Address:
FUTURE INVESTMENTS OF KW LLC
PO BOX 4801
KEY WEST, FL 33041-4801

Property Details

PC Code: 48 - WAREHOUSING (PC/LIST)
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 5582 FIRST AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUBDIVISION PB1-55 PART SQR 41 OR353-57-58 OR435-905/06 OR924-1414/15WILL OR1388-442/43 OR2368-467/68 OR2655-1374D/C OR2655-1381/82

Click Map Image to open interactive viewer





Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	50	125	6,250.00 SF

Building Summary

Number of Buildings: 1

Number of Commercial Buildings: 1
Total Living Area: 4500
Year Built: 1965

Building 1 Details

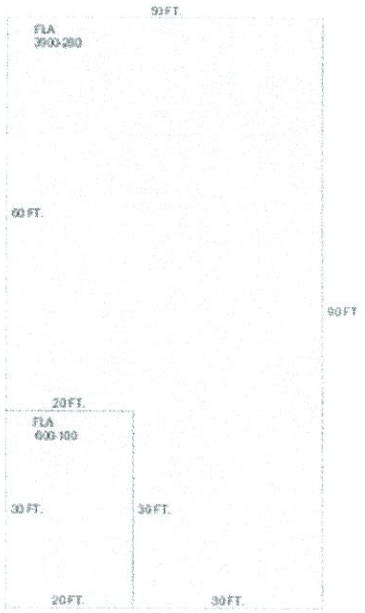
Building Type		Condition	F	Quality Grade	200
Effective Age	56	Perimeter	380	Depreciation %	60
Year Built	1965	Special Arch	0	Grnd Floor Area	4,500
Functional Obs	0	Economic Obs	0		

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	1	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	3	Dishwasher	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1989					3,900
2	FLA		1	1989					600

Interior Finish:

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

9782	WAREHOUSE/MARINA D	100	N	N
9783	WAREHOUSE/MARINA D	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
3186	C.B.S.	5
3187	METAL SIDING	95

Appraiser Notes

50 OT 150 .4/2/2001 D.M.J.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	09105175	12/18/2009	05/20/2010	7,861	Commercial	ATF INTERIOR REMODEL EXT PAINT & SIGN

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	88,060	0	201,250	289,310	289,310	0	289,310
2012	109,583	0	201,250	310,833	310,833	0	310,833
2011	109,583	0	201,250	310,833	310,833	0	310,833
2010	109,583	0	188,370	297,953	297,953	0	297,953
2009	109,583	0	300,000	409,583	409,583	0	409,583
2008	109,583	0	187,500	297,083	272,401	25,000	247,401
2007	75,623	0	250,000	325,623	296,453	25,000	271,453
2006	75,623	0	229,688	305,311	278,584	25,000	253,584
2005	65,596	0	125,000	190,596	179,463	25,000	154,463
2004	65,553	0	62,500	128,053	125,225	25,000	100,225
2003	65,553	0	62,500	128,053	124,943	25,000	99,943
2002	65,553	0	62,500	128,053	124,595	25,000	99,595
2001	65,553	0	43,750	109,303	108,242	25,000	83,242
2000	55,009	0	43,750	98,759	98,759	25,000	73,759
1999	51,449	1,699	40,625	93,773	93,773	0	93,773
1998	29,168	1,744	33,125	64,037	64,037	0	64,037
1997	29,168	1,783	33,125	64,076	64,076	0	64,076
1996	25,986	624	33,125	59,735	59,735	0	59,735
1995	25,986	642	33,125	59,753	59,753	0	59,753
1994	25,986	200	33,125	59,311	59,311	0	59,311

1993	25,986	200	33,125	59,311	59,311	0	59,311
1992	25,986	200	33,125	59,311	59,311	0	59,311
1991	25,986	200	33,125	59,311	59,311	0	59,311
1990	53,488	2,384	22,500	78,372	78,372	0	78,372
1989	0	2,184	22,500	24,684	24,684	0	24,684
1988	0	2,184	22,500	24,684	24,684	0	24,684
1987	0	2,184	22,500	24,684	24,684	0	24,684
1986	0	2,184	20,313	22,497	22,497	0	22,497
1985	0	2,184	18,750	20,934	20,934	0	20,934
1984	0	2,184	18,750	20,934	20,934	0	20,934
1983	0	2,184	18,750	20,934	20,934	0	20,934
1982	0	2,184	12,500	14,684	14,684	0	14,684

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
10/22/2013	2655 / 1381	315,000	WD	05
2/1/1996	1388 / 0442	90,000	WD	Q

This page has been visited 59,145 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

The offices of the Property Appraiser will be closed Monday, January 20th in observance of Martin Luther King Jr. Day. Our offices will re-open Tuesday at 8am.

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

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

Alternate Key: 1159522 **Parcel ID:** 00125380-000101

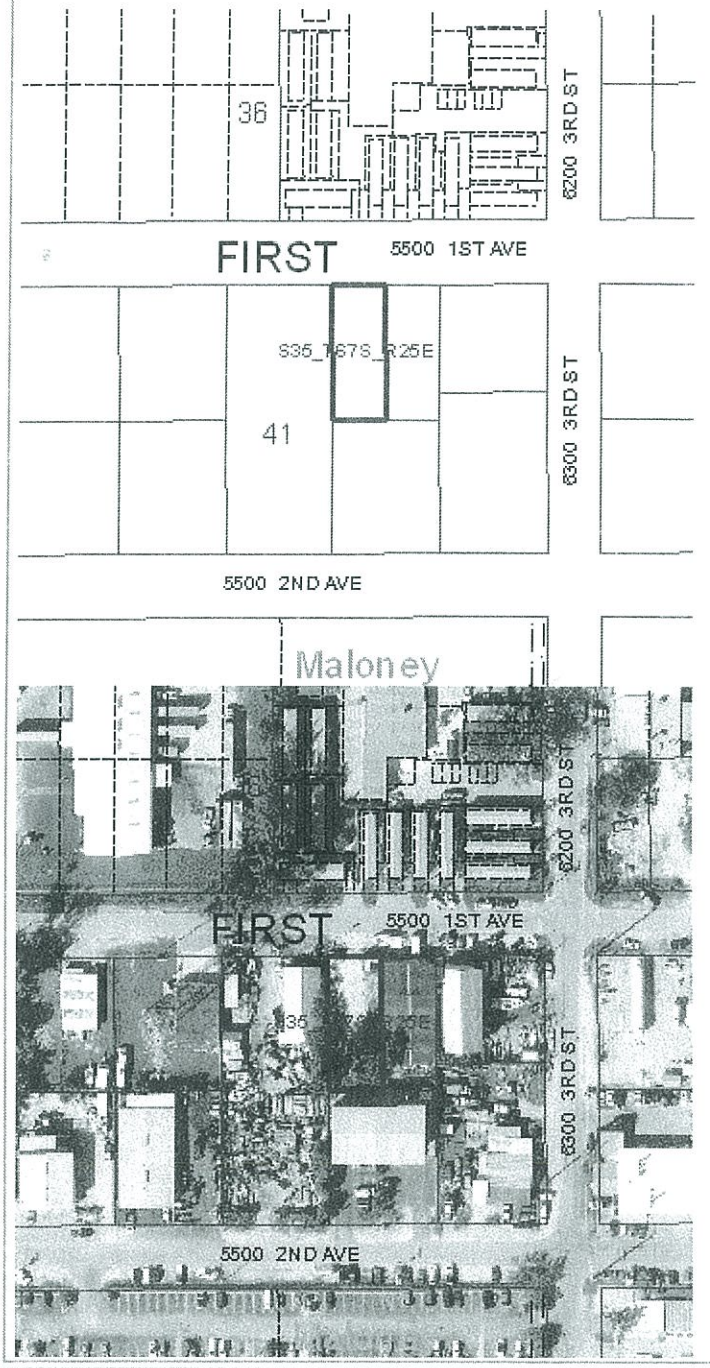
Ownership Details

Mailing Address:
FUTURE INVESTMENTS OF KW LLC
PO BOX 4801
KEY WEST, FL 33041-4801

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 1ST AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB PB1-55 PART SQR 41 50FT X 125FT OR572-312 OR826-136 OR924-1414/15WILL OR1786-724 OR2368-467/68TR OR2368-465/79 OR2655-1374D/C OR2655-1381/82

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
1M0D - COMMERCIAL DRY	50	125	6,250.00 SF

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life

2	PT3:PATIO	216 SF	18	12	1979	1980	2	50
3	CL2:CH LINK FENCE	1,350 SF	225	6	1984	1985	2	30
4	RW2:RETAINING WALL	375 SF	125	3	1984	1985	3	50
5	UB2:UTILITY BLDG	72 SF	12	6	1989	1990	1	50

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	3,548	28,750	32,298	32,298	0	32,298
2012	0	3,626	201,250	204,876	204,876	0	204,876
2011	0	3,704	201,250	204,954	204,954	0	204,954
2010	0	3,783	188,370	192,153	192,153	0	192,153
2009	0	3,896	300,000	303,896	210,659	0	303,896
2008	0	4,009	187,500	191,509	191,509	0	191,509
2007	0	4,083	250,000	254,083	254,083	0	254,083
2006	0	4,196	229,688	233,884	233,884	0	233,884
2005	0	4,309	125,000	129,309	129,309	0	129,309
2004	0	4,423	62,500	66,923	66,923	0	66,923
2003	0	4,535	62,500	67,035	67,035	0	67,035
2002	0	4,727	62,500	67,227	67,227	0	67,227
2001	0	4,943	43,750	48,693	48,693	0	48,693
2000	0	1,354	43,750	45,104	45,104	0	45,104
1999	0	859	40,625	41,484	41,484	0	41,484
1998	0	806	33,125	20,700	20,700	0	20,700
1997	0	825	33,125	20,700	20,700	0	20,700
1996	0	0	33,125	19,875	19,875	0	19,875
1995	0	0	33,125	33,125	33,125	0	33,125
1994	0	0	33,125	33,125	33,125	0	33,125
1993	0	0	33,125	33,125	33,125	0	33,125
1992	0	0	33,125	33,125	33,125	0	33,125
1991	0	0	33,125	33,125	33,125	0	33,125
1990	0	0	22,500	22,500	22,500	0	22,500
1989	0	0	22,500	22,500	22,500	0	22,500
1988	0	0	22,500	22,500	22,500	0	22,500
1987	0	0	22,500	22,500	22,500	0	22,500
1986	0	0	20,313	20,313	20,313	0	20,313
1985	0	0	18,750	18,750	18,750	0	18,750
1984	0	0	18,750	18,750	18,750	0	18,750
1983	0	0	18,750	18,750	18,750	0	18,750
1982	0	0	12,500	12,500	12,500	0	12,500

Parcel Sales History

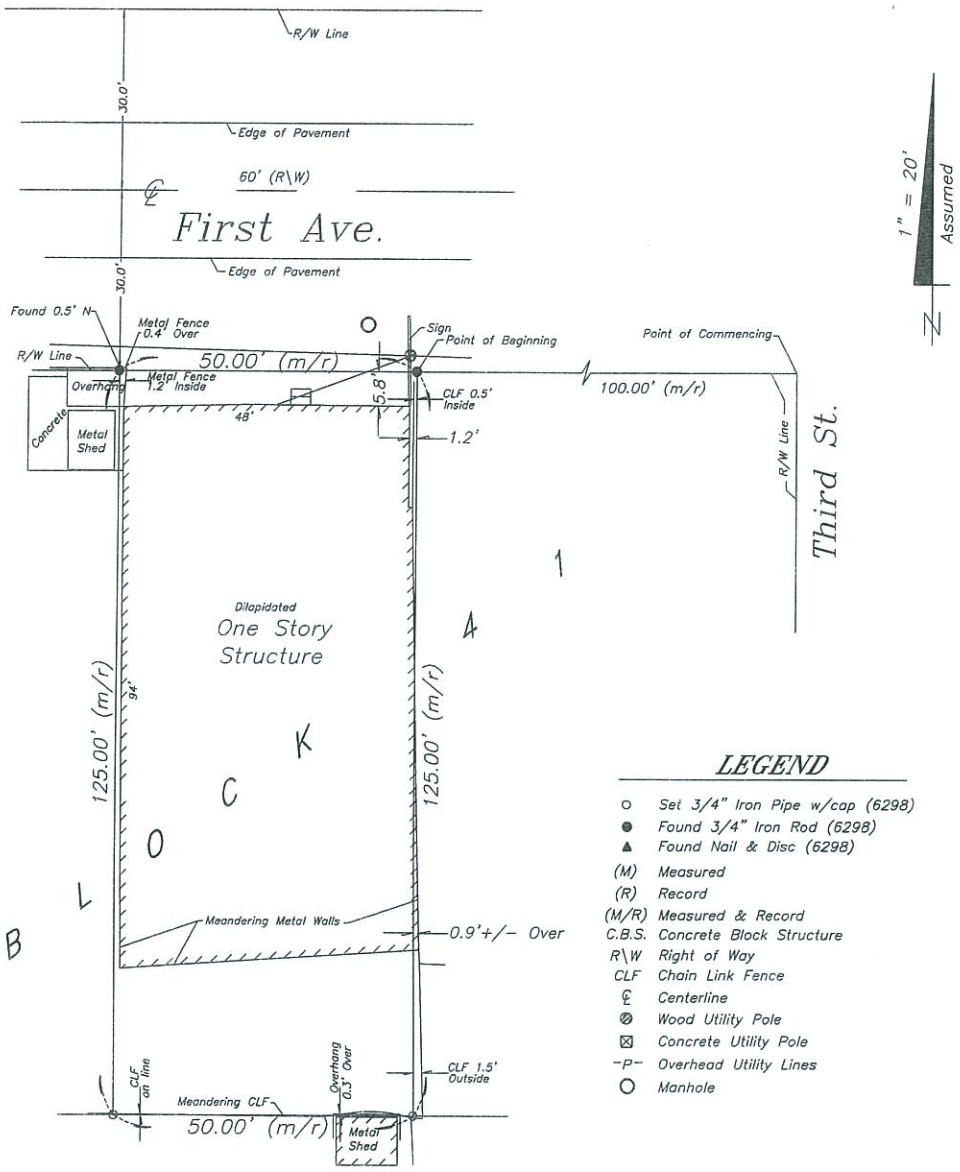
NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/22/2013	2655 / 1381	315,000	WD	05
5/15/2002	1786 / 724	65,000	WD	Q
2/1/1981	826 / 136	25,000	WD	Q

This page has been visited 59,092 times.

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

Boundary Survey Map of part of Block 41, McDonald Plat of Stock Island



LEGEND

- ○ Set 3/4" Iron Pipe w/cap (6298)
- ● Found 3/4" Iron Rod (6298)
- ▲ Found Nail & Disc (6298)
- (M) Measured
- (R) Record
- (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
- ○ Manhole

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: 5582 First Avenue, Stock Island, FL.*
5. *This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.*
6. *Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.*
7. *North Arrow is assumed and based on the legal description.*
8. *All Concrete and bricking is not shown.*
9. *Date of field work: September 23, 2013*
10. *Ownership of fences is undeterminable, unless otherwise noted.*
11. *Adjoiners are not furnished.*
12. *The Survey Report is not full and complete without the attached Survey Map.*

BOUNDARY SURVEY OF: The parcel of land herein described is located on Stock Island. Monroe County, Florida, and is part of Block 41 according to McDonald's 1906 survey of part of said Island recorded in Plat Book 1 at Page 55 of Monroe County Official Records and is more particularly described as follows:
From the intersection of the South line of First Avenue and the West line of Third Street go Westerly along the South line of First Avenue a distance of 100 feet to a point which point is the Point of Beginning; thence continue Westerly along the South line of First Avenue a distance of 50 feet to a point; thence at right angles and Southerly a distance of 125 feet to a point; thence at right angles and Easterly a distance of 50 feet to a point; thence at right angles and Northerly a distance of 125 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: *Future Investments of Key West, Inc.;*
Frank and Mercy Herrada;
Koenig Highsmith & Van Loon, P.A.;
Chicago Title Insurance Company;

J. LYNN O'FLYNN, INC.

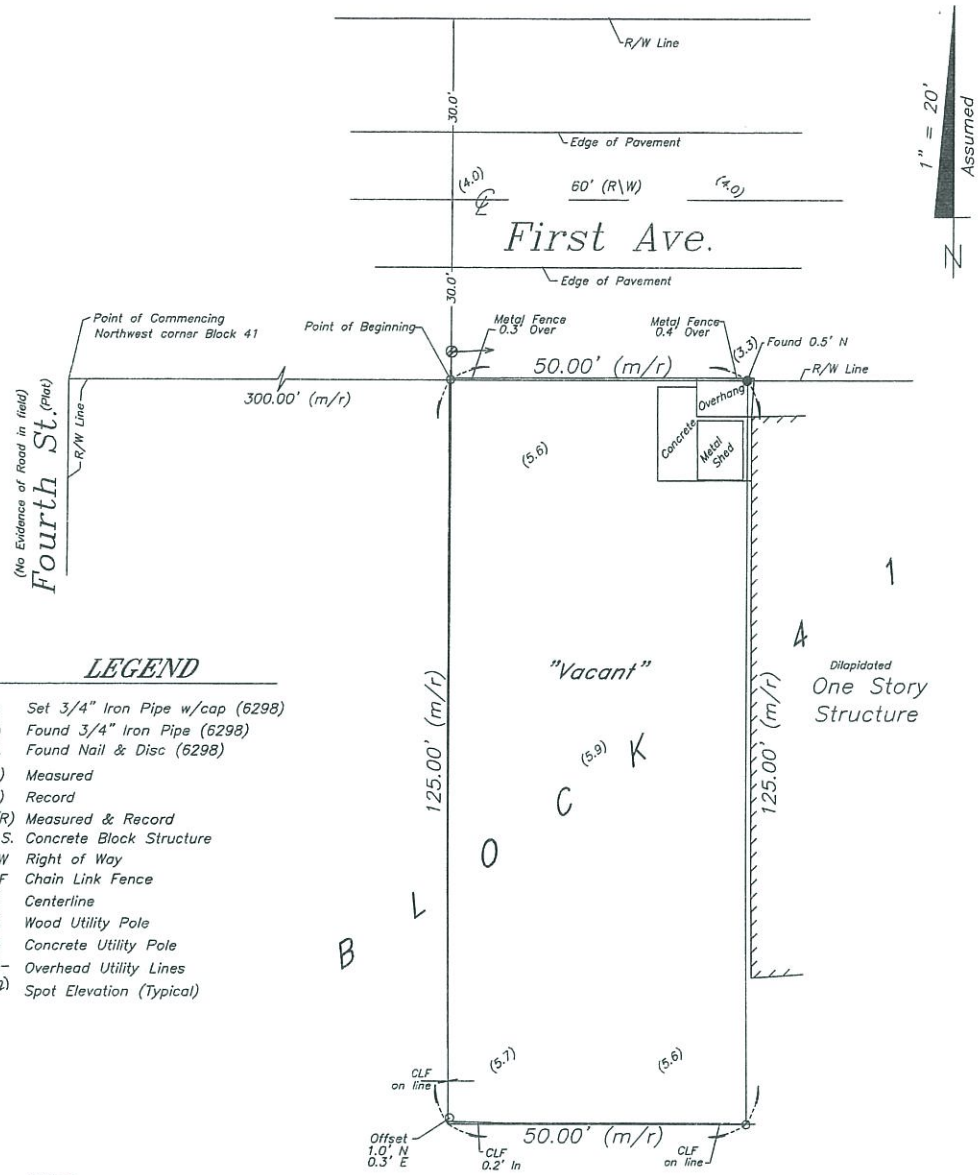
J. Lynn O'Flynn, PSM
Florida Reg. #6298

September 23, 2013

THIS SURVEY IS NOT ASSIGNABLE

J. LYNN O'FLYNN, Inc.
Professional Surveyor & Mapper
PSM #6298
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Boundary Survey Map of part of Block 41, McDonald Plat of Stock Island



LEGEND

- ○ Set 3/4" Iron Pipe w/cap (6298)
- ● Found 3/4" Iron Pipe (6298)
- ▲ Found Nail & Disc (6298)
- (M) Measured
- (R) Record
- (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
- (4.2) Spot Elevation (Typical)

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: 5582 First Avenue, Stock Island, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. All Concrete and bricking is not shown.
9. Date of field work: October 2, 2013
10. Ownership of fences is undeterminable, unless otherwise noted.
11. Adjoiners are not furnished.
12. Elevations are shown in parenthesis and refer to Mean Sea Level, N.G.V.D. 1929 Datum.
13. Benchmark utilized: H 121
14. Flood Insurance Rate Map Zone: AE (EL 8); Community Panel #125129; 1528 K; dated 2-18-05.

BOUNDARY SURVEY OF: On Stock Island, according to McDonald's plat of a portion of Stock Island, recorded in Plat Book One (1), Page Fifty-five (55), Monroe County, Florida, Official Records.

Begin at the Northwest corner of Block Forty-One (41), go Easterly along the South side of First Avenue a distance of Three Hundred (300) feet to a point which is the point of beginning of the hereinafter described land; continue Easterly along the South side of First Avenue a distance of Fifty (50) feet to a point; thence at right angles and Southerly a distance of One Hundred Twenty-Five (125) feet to a point; thence at right angles and Westerly a distance of Fifty (50) feet to a point; thence at right angles and Northerly a distance of One Hundred Twenty-Five (125) feet to First Avenue and the point of beginning.

BOUNDARY SURVEY FOR: Future Investments of Key West, Inc.;
Frank and Mercy Herrada;
Koenig Highsmith & Van Loon, P.A.;
Chicago Title Insurance Company;

J. LYNN O'FLYNN, INC.

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

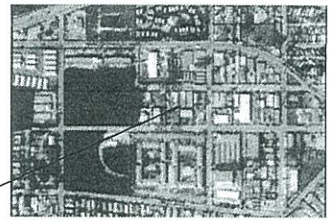
October 3, 2013

THIS SURVEY IS NOT ASSIGNABLE

J. LYNN O'FLYNN, Inc.
Professional Surveyor & Mapper
PSM #6298
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

COMMERCIAL BUILDING
OFFICE/WAREHOUSE & AFFORDABLE HOUSING
RESIDENTIAL

5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA 33040



2 / CS-1 LOCATION MAP
SCALE: NOT TO SCALE

SITE DATA

SITE ADDRESS: 5582 1ST AVE, SOUTH STOCK ISLAND, FL 33040
SITE SIZE: 12,500.0 SQ.FT.
RE's: 00125380-000101 & 00125420-000000
ZONING: MU (MIXED USE)
FLUM: MC
TIER DESIGNATION: TIER III [2]

USE		ALLOWED	PROPOSED	DEV.POT.
LIGHT INDUSTRIAL	0.3	3,750.0	2,080	53.3%
OFFICE	0.4	5,000.0	1,280	25.6%
TOTAL				78.9%
RESIDENTIAL	10	4.1	4	99.8%

PARKING	REQMT.	REQ'D	PROPOSED
LIGHT INDUSTRIAL	1/1k	4	
OFFICE	3/1k	4	
RESIDENTIAL	2/unit	8	
	TOTAL	16	8+3+11 (3 [20% of 16] from 8 scooters)

OPEN SPACE
20% REQUIRED 12,500 x .2 = 2,500 SQ. FT. AND PROPOSED 3,756 SQ. FT.

LANDSCAPING
SCENIC CORRIDOR: NA
STREET BUFFER: NA
DISTRICT BUFFER: NA
PARKING LOT: CLASS C
AREA - 251 SQ.FT.
TREES - 2
SHRUBS - 4

FLOOD ZONE: AE 8
F.I.R.M.- COMMUNITY#120070C: MAP & PANEL #1528 SUFFIX K DATE:07-18-05
SECTION/TOWNSHIP/RANGE: 25-67-25
LEGAL DESCRIPTION FOR RE: 00125380-000101: STOCK ISLAND MALONEY SUB PB1-55 PART SQR 41 50FT X 125FT
LEGAL DESCRIPTION FOR RE: 00125420-000000: STOCK ISLAND MALONEY SUBDIVISION PB1-55 PART SQR 41
SETBACKS: FRONT 15 FT, SIDE 10-15 FT, REAR 10 FT
OCCUPANCY: SECTION 304 BUSINESS GROUP B/ LOW- HAZARD STORAGE,GROUP S-2
TYPE OF CONSTRUCTION: VB

DESIGN DATA

DESIGN LOADS: ASCE 7-10
WIND LOAD: 180 mph; 3 sec gust, EXPOSURE C; ROOF LIVE LOAD 20 PSF,
DEAD LOAD 15 PSF, FLOOR LL 100 PSF

PLAN INDEX

CS-1 COVER SHEET, SITE PLAN, LOCATION MAP, SITE DATA
C-1 LANDSCAPE AND STORM WATER PLAN
A-1 PROPOSED ELEVATIONS
A-2 PROPOSED FIRST/SECOND FLOOR PLAN

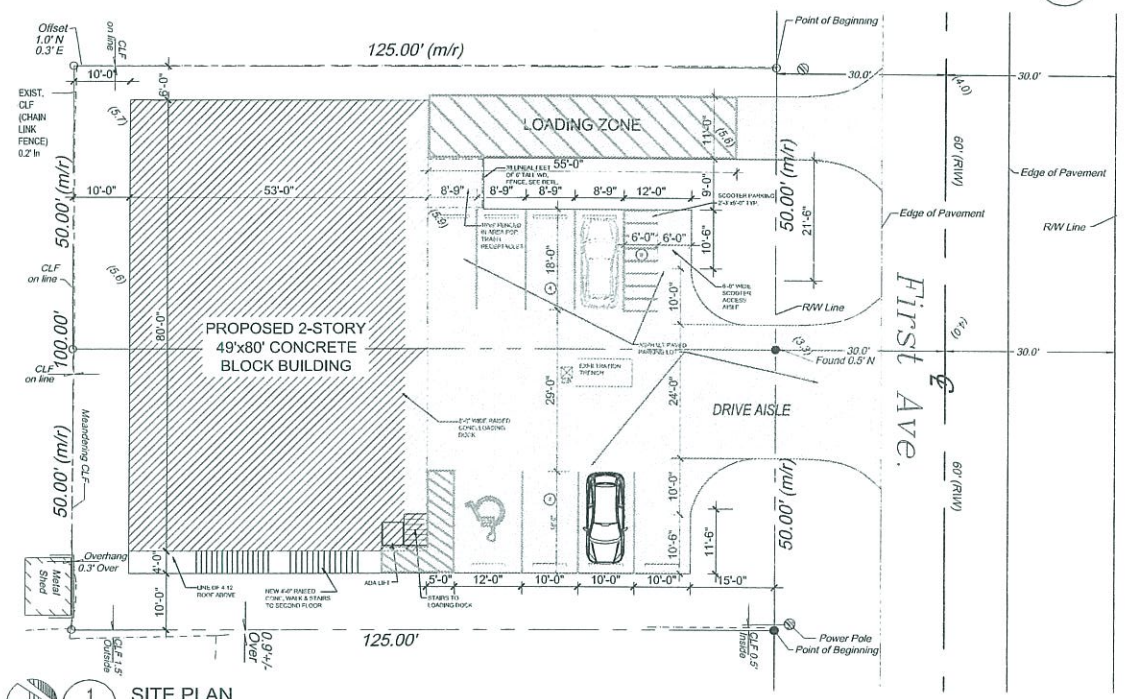
BUILDING NOTES

FIRST FLOOR:
FOUR 320 SQ. FT. OFFICES
FOUR 500 SQ. FT. WAREHOUSE SPACES
960 SQ. FT. OF COVERED EXTERIOR WALKWAYS

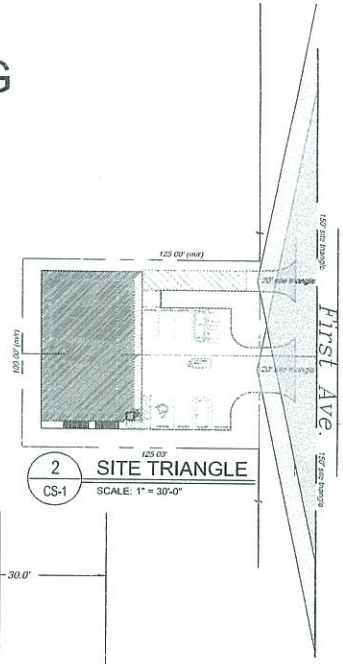
SECOND FLOOR:
THREE 2-BDRM AND ONE 1-BDRM AFFORDABLE UNITS

GENERAL NOTES

1. THESE PLANS ARE FOR THE WORK AT THE LOCATION DESIGNATED HEREIN.
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
3. THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.
4. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.
5. NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL ARE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.
6. THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THIS WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
7. NO RESEARCH AS TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND PUBLIC CATEGORY 1 & 2 LINES).
8. THE GENERAL CONTRACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSIGHTLY CONDITIONS.
9. THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2010 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
10. SHOP DRAWINGS OF ALL PREFABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2010 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
11. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
12. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
13. THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND COMPLETE AS-BUILT SETS SHALL BE REQUIRED TO BE OWNER AFTER COMPLETION OF WORK.
14. THESE PLANS, AS DRAWN AND NOTED, COMPLY WITH THE BUILDING CODE AND HAVE NO REQUIREMENTS OF THE FLORIDA MODEL ENERGY CODE. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE COVERING CODE IN ITS ENTIRETY AND BUILD IN ACCORDANCE WITH ALL PROVISIONS OF THIS CODE.
15. FOR NON-RESIDENTIAL FACILITIES TO BE PROVIDED BY THE SITE BY THE CONTRACTOR.



1 / CS-1 SITE PLAN
SCALE: 1" = 10'-0"



2 / CS-1 SITE TRIANGLE
SCALE: 1" = 30'-0"

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29401
ph 305-293-3203 fax 293-4099

Seal

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE ENGINEER

RICHARD J. MILELLI
PE #58315

General Notes

COMMERCIAL BUILDING
OFFICE/WAREHOUSE &
AFFORDABLE HOUSING
RESIDENTIAL
5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By	Checked By
PCS	RJM
Project No.	Scale

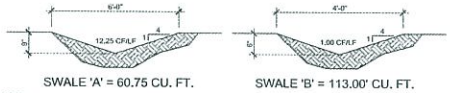
AutoCad File No.

Revisions

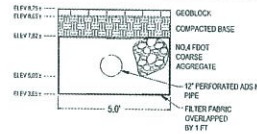
Title: COVER SHEET SITE PLAN AND SITE DATA

Sheet Number
CS-1

Date: JANUARY 17,2014



2 C-1 SWALE DETAILS
SCALE: N.T.S.



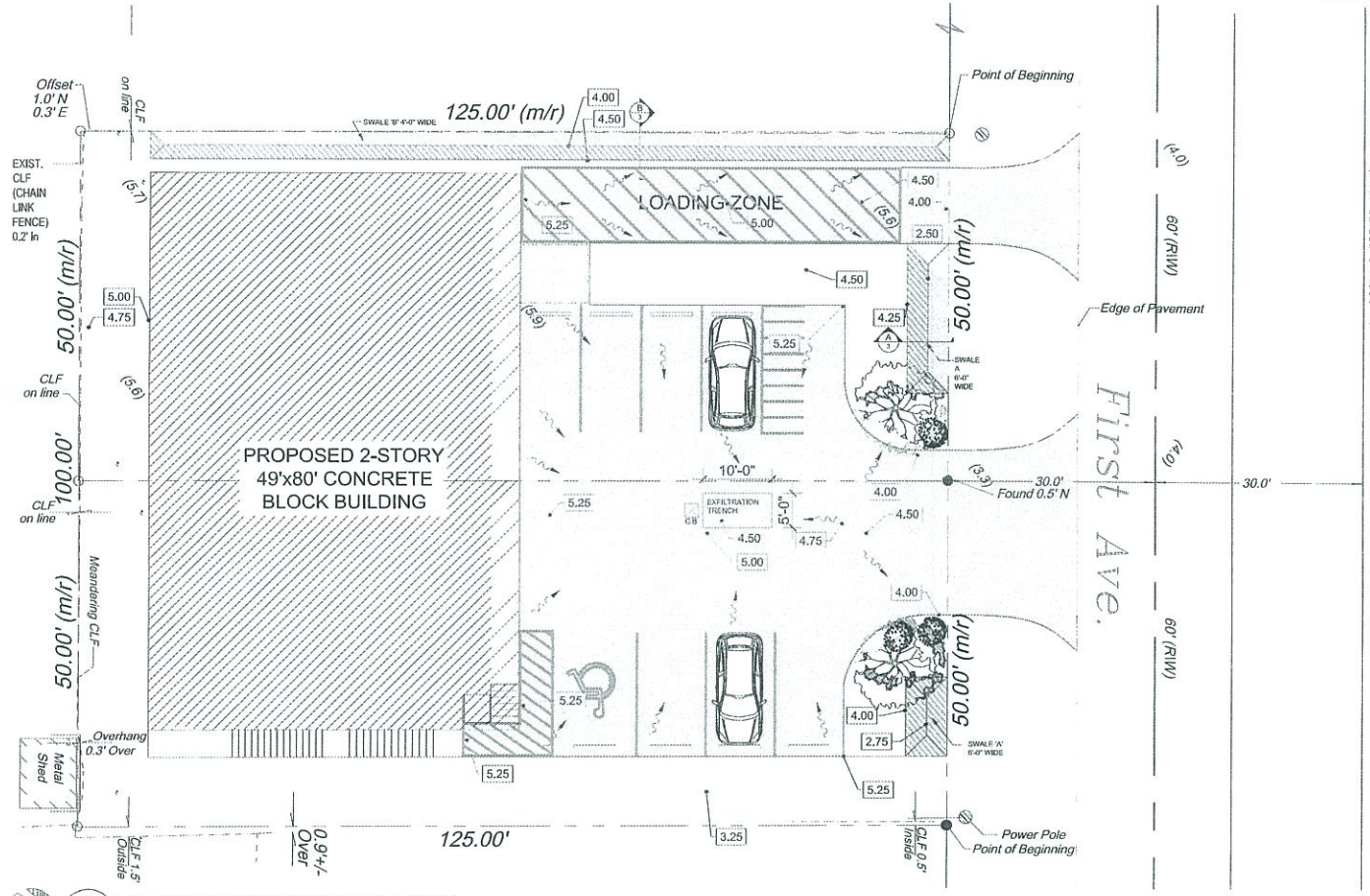
EXFILTRATION TRENCH
NTS

NOTES:

1. FILTER FABRIC SHALL BE MARAFI FILTERWEAVE 300 OR ENGINEER APPROVED EQUIVALENT. FILTER FABRIC SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

PROJECT DATA

	PROPOSED	EXISTING	REQUIRED	VARIANCE REQUESTED
RE NO.	00125380-000101			
	00125470-000000			
ZONING /FLUM	MU (MIXED USE)			
TIER	TIER III			
LEGAL DESCRIPTION	STOCK ISLAND MALONEY SUB PB1-55 PART SQR 41 50FT X125FT			
	STOCK ISLAND MALONEY SUBDIVISION PB1-55 PART SQR 41			
FLOOD ZONE	AE-8			
SETBACKS				
FRONT	62'	N/A	15'	NONE
SIDE	10'/15'	N/A	10'/15'	NONE
REAR	10'	N/A	10'	NONE
BUFFERS	N/A			



1 C-1 LANDSCAPE/STORMWATER PLAN
SCALE: 1/8" = 1'-0"

STORMWATER LEGEND

~	DRAINAGE FLOW
(5.0)	EXISTING ELEVATION
5.00	PROPOSED ELEVATION

DRAINAGE CALCULATIONS

WATER QUANTITY – PREDEVELOPMENT

PROJECT AREA = 0.297 AC
PERVIOUS AREA = 0.175 AC
IMPERVIOUS AREA = 0.011 AC
% IMPERVIOUS = 36.6%

RAINFALL FOR 25yr/24hr EVENT (F) =
RAINFALL FOR 25yr/3 DAY EVENT (R) = 10 IN.

DEPTH TO WATER TABLE = 2 FT.
DEVELOPED AVAILABLE STORAGE = 4.75 IN.
SOIL STORAGE (S) = 3.94 IN.

Qpre = $\frac{(P-0.2S)^2}{(P+0.8S)}$ = 5.19 IN.
VOLUME = Q • A = 0.77 Ac-In

WATER QUANTITY – POSTDEVELOPMENT

PROJECT AREA = 0.297 AC
PERVIOUS AREA = 0.036 AC
IMPERVIOUS AREA = 0.261 AC
% IMPERVIOUS = 88.0%

NOTE: PERVIOUS MATERIAL IS CONSIDERED AS IMPERVIOUS

RAINFALL FOR 25yr/24hr EVENT (P) = 7 IN.
RAINFALL FOR 25yr/3 DAY EVENT (P) =

DEPTH TO WATER TABLE = 2 FT.
DEVELOPED AVAILABLE STORAGE = 4.75 IN.
SOIL STORAGE (S) = 3.94 IN.

Qpost = $\frac{(P-0.2S)^2}{(P+0.8S)}$ = 5.19 IN.
VOLUME = Q • A = 0.13 Ac-In

POST DEVELOPMENT – PREDEVELOPMENT

Qpost - Qpre = 1.27 IN.
VOLUME = Q • A = 0.30 Ac-In

SWALE VOLUME PROVIDED

SWALE VOLUME PROVIDED = A + B = 173.75 CF

WATER QUALITY

PROJECT AREA = 0.297 Ac
PERVIOUS = 0.036 Ac
IMPERVIOUS = 1.16 Ac

A CONTINUOUS OF FRENCH FROM DRAINAGE BASIN = 0.297 Ac-In

REQUIRED TRENCH PERCENT IMPERVIOUS = 0.297 Ac-In

IMPERVIOUS AREA = 0.261 Ac
% IMPERVIOUS = 73.6%

0.36 Ac-In = 0.59 Ac-In TRENCH SIZING CONTROL

EXFILTRATION TRENCH PROVIDED

TRENCH LENGTH = 84 FT
EXFILTRATION TRENCH VOLUME CALCULATED USING STANDARD EQUATION (FSS-4-M 01 THE EXFILTRATION TRENCH IS WITHIN ELEVATION 2.0 IN. W = 2.5 IN. D = 1.3 IN. L = 84 FT
VOLUME = 0.59 Ac-In

LANDSCAPE LEGEND

CANOPY TREE

SHRUBS

CLASS "C" LIGHT INDUSTRIAL - RESIDENTIAL BUFFER (5 FT WIDTH)

-2 CANOPY SUCH AS BURTONWOOD, GUMBO LIMBO OR SEAGRAPE
-3 SHRUBS SUCH AS MARLBERRY, BEAUTYBERRY OR JAWANICA CAPER

ADDITIONAL LANDSCAPE REQUIREMENTS

430 SQ. FT. OF PLANTING AREA IS REQUIRED

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29101
ph 305-293-3263 fax 293-4895

Seal

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED IN THE BLOCK

RICHARD J. MILLELLI
PE #58315

General Notes

COMMERCIAL BUILDING OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL

5592 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

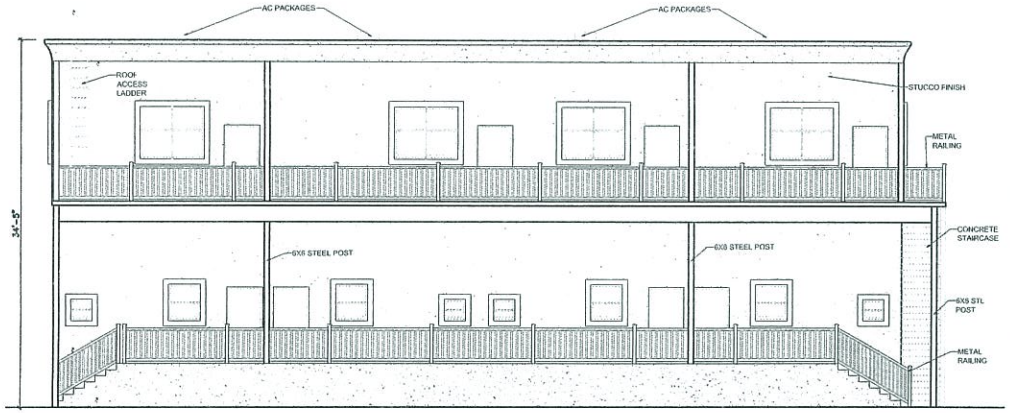
Drawn By: PCS	Checked By: RJM
Project No.	Scale:
AutoCad File No.	

Revisions:

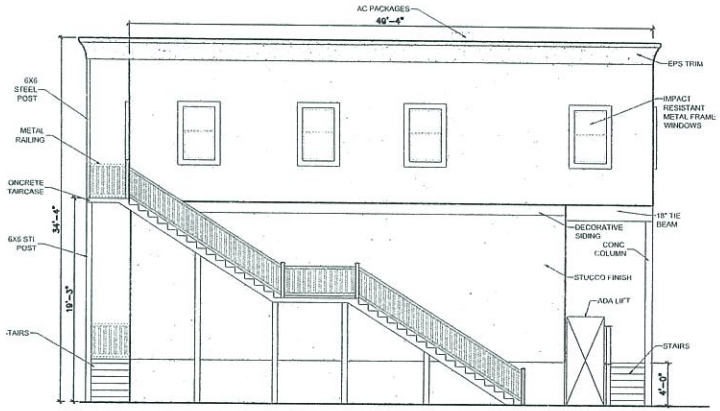
Title: LANDSCAPE/ STORMWATER PLAN

Sheet Number C-1

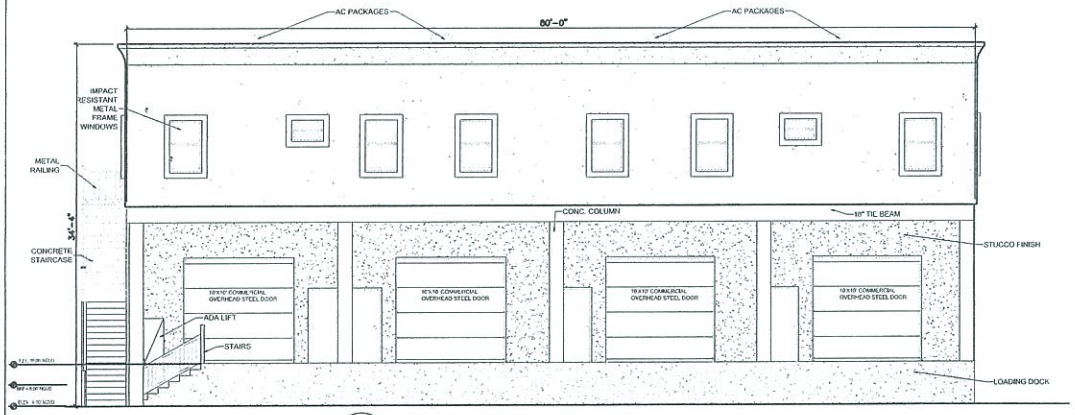
Date: JANUARY 12,2014



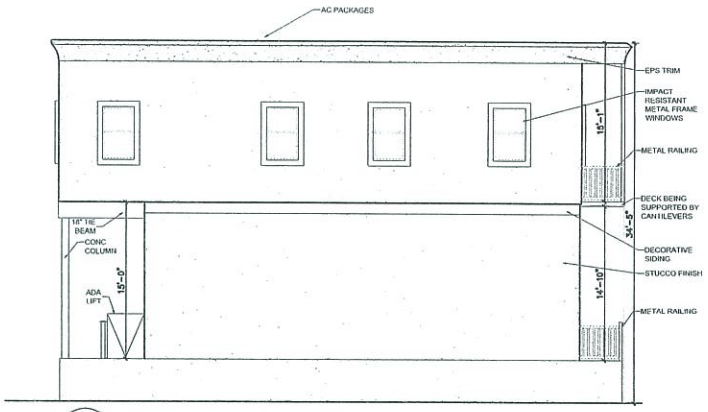
4 A-1 SOUTH SIDE ELEVATION
SCALE: 3/16"=1'-0"



3 A-1 EAST SIDE ELEVATION
SCALE: 3/16"=1'-0"



2 A-1 NORTH SIDE ELEVATION
SCALE: 3/16"=1'-0"



1 A-1 WEST SIDE ELEVATION
SCALE: 3/16"=1'-0"

Meridian Engineering LLC
281 Front Street, Suite 219
Key West, Florida 33040
AUTHORIZATION #29101
ph 305-293-3203 fax 293-4499

Seal

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE ENGR.
RICHARD J. MILELLI
PE #58315

General Notes

COMMERCIAL BUILDING OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL

5592 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By: PCS	Checked By: RJM
Project No.	Scale

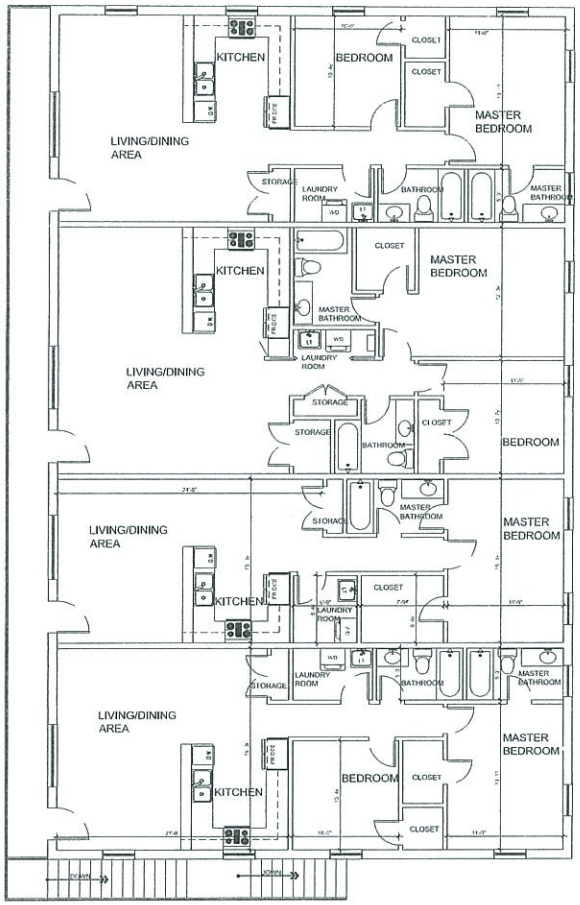
AutoCad File No.

Revisions:

Title: PROPOSED ELEVATIONS

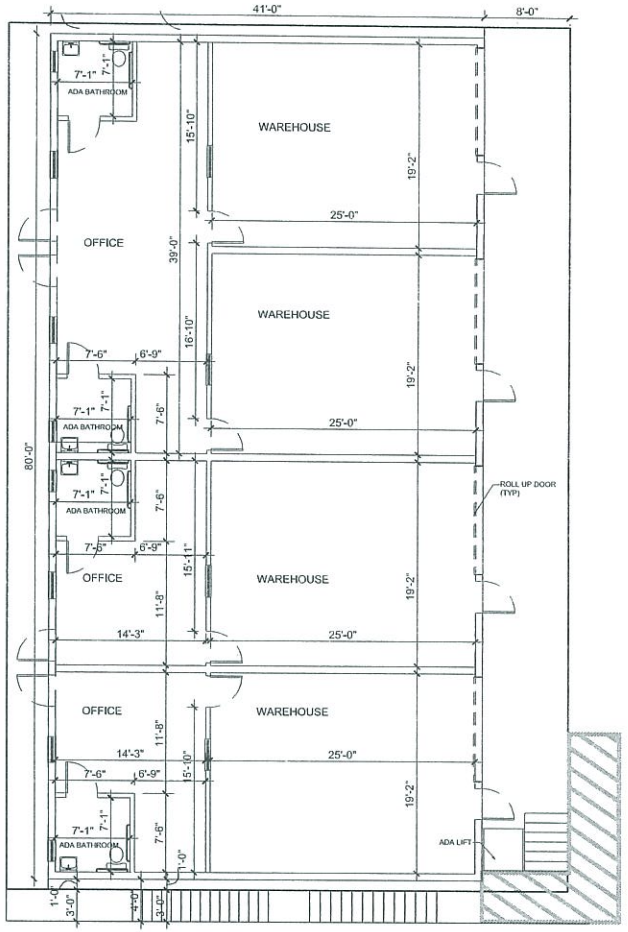
Sheet Number A-1

Date: JANUARY 17,2014



2 / A-2 **2ND FLOOR PROPOSED PLAN**

SCALE: 3/16"=1'-0"



1 / A-2 **1ST FLOOR PROPOSED PLAN**

SCALE: 3/16"=1'-0"

Meridian Engineering LLC
291 Front Street, Suite 219
Key West, Florida 33040
AUTHORIZATION #29161
ph 305-293-3223 fax 293-4899

Seal

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED IN THIS BLOCK

RICHARD J. MILELLI
PE #58315

General Notes

COMMERCIAL BUILDING OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL

5532 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By: PCS	Checked By: RJM
Project No.	Scale

AutoCad File No.

Revisions:

Title: PROPOSED FIRST/SECOND FLOOR PLAN

Sheet Number A-2

Date: JANUARY 12,2014

TREPANIER

& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

02/19/15

Ms. Carol Cobb, Senior Administrator
Monroe County Solid Waste
1100 Simonton Street, Suite 284
Key West, FL 33040

Re: 5582 First Avenue, Stock Island- Conditional Use
RE No. 00132690-000000 & 00132700-000000

Dear Ms. Cobb:

We are submitting a conditional use request on behalf of Future Investments of KW LLC. We have submitted an application to demolish an existing non conforming building and construct a new mixed use building comprised of office and light industrial use with four (4) affordable apartments. Site improvements will be made including storm water management, landscaping improvements, and wetland buffering. The recycling and solid waste handling will be by licensed haulers.

Included with this letter are a site plan, location map and aerial photo.

Please review the material, send any comments to Ms. Gail Creech:

Ms. Gail Creech
Monroe County Planning Dept.
2798 Overseas Highway
Marathon, FL 33050

If you have any questions, please don't hesitate to call.

Sincerely,

Kevin Sullivan, AICP

402 Appelrouth Lane • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: kevin@owentrepanier.com

TREPANIER

& ASSOCIATES INC

LAND USE PLANNING

DEVELOPMENT CONSULTANTS

02/19/15

Mr. Dale Finnegan
Director of Electrical Operations
P.O. Box 6100
Key West, FL 33041-6100

Re: 5582 First Avenue, Stock Island- Conditional Use
RE No. 00132690-000000 & 00132700-000000

Dear Mr. Finnegan:

We are submitting a conditional use request on behalf of Future Investments of KW LLC. We have submitted an application to demolish an existing non conforming building and construct a new mixed use building comprised of office and light industrial use with four (4) affordable apartments. Site improvements will be made including storm water management, landscaping improvements, and wetland buffering. The recycling and solid waste handling will be by licensed haulers.

Included with this letter are a site plan, location map and aerial photo.

Please review the material, send any comments to Ms. Gail Creech:

Ms. Gail Creech
Monroe County Planning Dept.
2798 Overseas Highway
Marathon, FL 33050

If you have any questions, please don't hesitate to call.

Sincerely,

Kevin Sullivan, AICP

402 Appelrouth Lane • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: kevin@owentrepanier.com

TREPANIER

& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

02/19/15

Ms. Marnie Walterson
Engineering Department
FKAA
PO Box 1239
Key West, FL 33041-1239

Re: 5582 First Avenue, Stock Island- Conditional Use
RE No. 00132690-000000 & 00132700-000000

Dear Ms. Walterson:

We are submitting a conditional use request on behalf of Future Investments of KW LLC. We have submitted an application to demolish an existing non conforming building and construct a new mixed use building comprised of office and light industrial use with four (4) affordable apartments. Site improvements will be made including storm water management, landscaping improvements, and wetland buffering. The recycling and solid waste handling will be by licensed haulers.

Included with this letter are a site plan, location map and aerial photo.

Please review the material, send any comments to Ms. Gail Creech:

Ms. Gail Creech
Monroe County Planning Dept.
2798 Overseas Highway
Marathon, FL 33050

If you have any questions, please don't hesitate to call.

Sincerely,

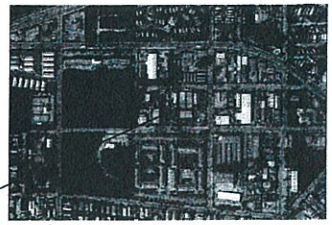
Kevin Sullivan, AICP

402 Appelrouth Lane • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: kevin@owentrepanier.com

COMMERCIAL BUILDING
OFFICE/WAREHOUSE & AFFORDABLE HOUSING
RESIDENTIAL

5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA 33040

SITES



2 CS-1 LOCATION MAP
SCALE: NOT TO SCALE

SITE DATA

SITE ADDRESS: 5582 1ST AVE, SOUTH STOCK ISLAND, FL 33040
SITE SIZE: 12,500.0 SQ.FT.
RE's: 00125380-000101 & 00125420-000000
ZONING: MU (MIXED USE)
FLUM: MC
TIER DESIGNATION: TIER III

USE		ALLOWED	PROPOSED	DEV.POT.
LIGHT INDUSTRIAL	0.3	3,750.0	2,000	53.3%
OFFICE	0.4	5,000.0	1,280	25.6%
TOTAL				78.9%
RESIDENTIAL	18	4.1	4	96.8%

PARKING	REQMT.	REQ'D	PROPOSED
LIGHT INDUSTRIAL	1/1k	4	
OFFICE	3/1k	4	
RESIDENTIAL	2/unit	8	
	TOTAL	16	8+3=11 (3 [20% of 16] from 8 scooters)

OPEN SPACE
20% REQUIRED 12,500 x .2 = 2,500 SQ. FT. AND PROPOSED 3,756 SQ. FT.

LANDSCAPING
SCENIC CORRIDOR: NA
STREET BUFFER: NA
DISTRICT BUFFER: NA
PARKING LOT: CLASS C
AREA - 251 SQ.FT.
TREES - 2
SHRUBS - 3

FLOOD ZONE: AE 8
F.I.R.M.: COMMUNITY#12087C; MAP & PANEL #1528 SUFFIX K; DATE:02-18-05
SECTION/TOWNSHIP/RANGE: 35-67-25
LEGAL DESCRIPTION FOR RE: 00125380-000101: STOCK ISLAND MALONEY SUB PB1-55 PART SQR 41 50FT X125FT
LEGAL DESCRIPTION FOR RE: 00125420-000000: STOCK ISLAND MALONEY SUBDIVISION PB1-55 PART SQR 41
SETBACKS: FRONT 15 FT; SIDE 10/15 FT; REAR 10 FT;
OCCUPANCY: SECTION 304 BUSINESS GROUP B/ LOW- HAZARD STORAGE,GROUP S-2
TYPE OF CONSTRUCTION: VB

DESIGN DATA

DESIGN LOADS: ASCE 7-10
WIND LOAD: 180 mph, 3 sec gust; EXPOSURE C; ROOF LIVE LOAD 20 PSF;
DEAD LOAD 15 PSF; FLOOR LL 100 PSF

PLAN INDEX

CS-1 COVER SHEET, SITE PLAN, LOCATION MAP, SITE DATA
C-1 LANDSCAPE AND STORM WATER PLAN
A-1 PROPOSED ELEVATIONS
A-2 PROPOSED FIRST/SECOND FLOOR PLAN

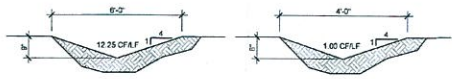
BUILDING NOTES

FIRST FLOOR:
FOUR 320 SQ. FT. OFFICES
FOUR 500 SQ. FT. WAREHOUSE SPACES
960 SQ. FT. OF COVERED EXTERIOR WALKWAYS

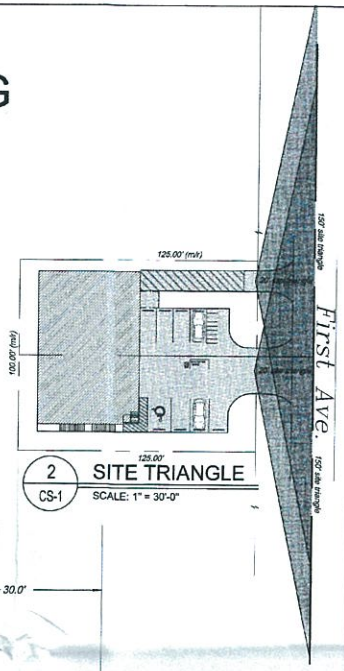
SECOND FLOOR:
THREE 2-BDRM AND ONE 1-BDRM AFFORDABLE UNITS

GENERAL NOTES

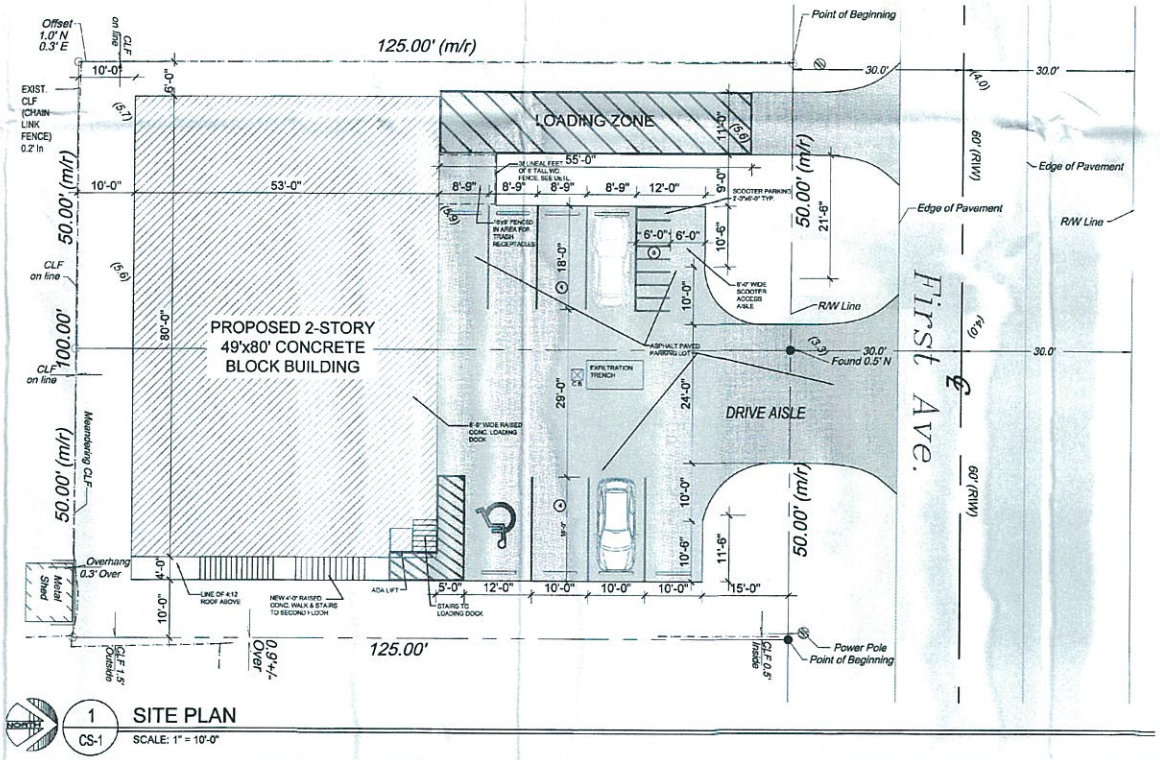
1. THESE PLANS ARE FOR THE WORK AT THE LOCATION SO DESIGNATED HEREIN.
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
3. THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.
4. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID, CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.
5. NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL WILL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.
6. THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THE WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
7. NO RESEARCH HAS BEEN MADE TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED ON OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND UTILITY EASEMENTS, ETC.)
8. THE GENERAL CONTACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSANITARY CONDITIONS.
9. THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2010 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MORE STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
10. SHOP DRAWINGS OF ALL PRE-FABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2010 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
11. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
12. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
13. THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND DELIVERED AS-BUILT SETS SHALL BE DELIVERED TO THE OWNER AFTER COMPLETION OF WORK.
14. THESE PLANS, AS DRAWN AND NOTED, COMPLY WITH THE BUILDING ENVELOPE ENERGY REQUIREMENTS OF THE FLORIDA MODEL ENERGY CODE. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE GOVERNING CODE IN ITS ENTIRETY AND BUILD IN ACCORDANCE WITH ALL PROVISIONS OF THIS CODE.
15. PORTABLE RESTROOM FACILITIES TO BE PROVIDED AT THE SITE BY THE CONTRACTOR



3 CS-1 SWALE DETAILS
SCALE: N.T.S. (SEE SWALE CALCULATIONS SHEET C-1



2 CS-1 SITE TRIANGLE
SCALE: 1" = 30'-0"



1 CS-1 SITE PLAN
SCALE: 1" = 10'-0"

RECEIVED
MAY - 5 2015
MONROE CO. PLANNING DEPT

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #25401
ph:305-293-0293 fax:293-4896
RICHARD J. MILELLI
PE #58315

General Notes:

Revisions:

COMMERCIAL BUILDING
OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL
5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By: PCS	Checked By: RJM
Project No.	Scale:

AutoCad File No.

Title: COVER SHEET SITE PLAN AND SITE DATA

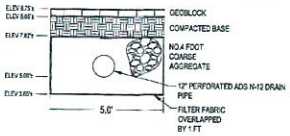
Sheet Number: CS-1

Date: JANUARY 12,2014

SWALE 'A' = 60.75 CU. FT. SWALE 'B' = 113.00' CU. FT.

2 / C-1 SWALE DETAILS

SCALE: N.T.S.



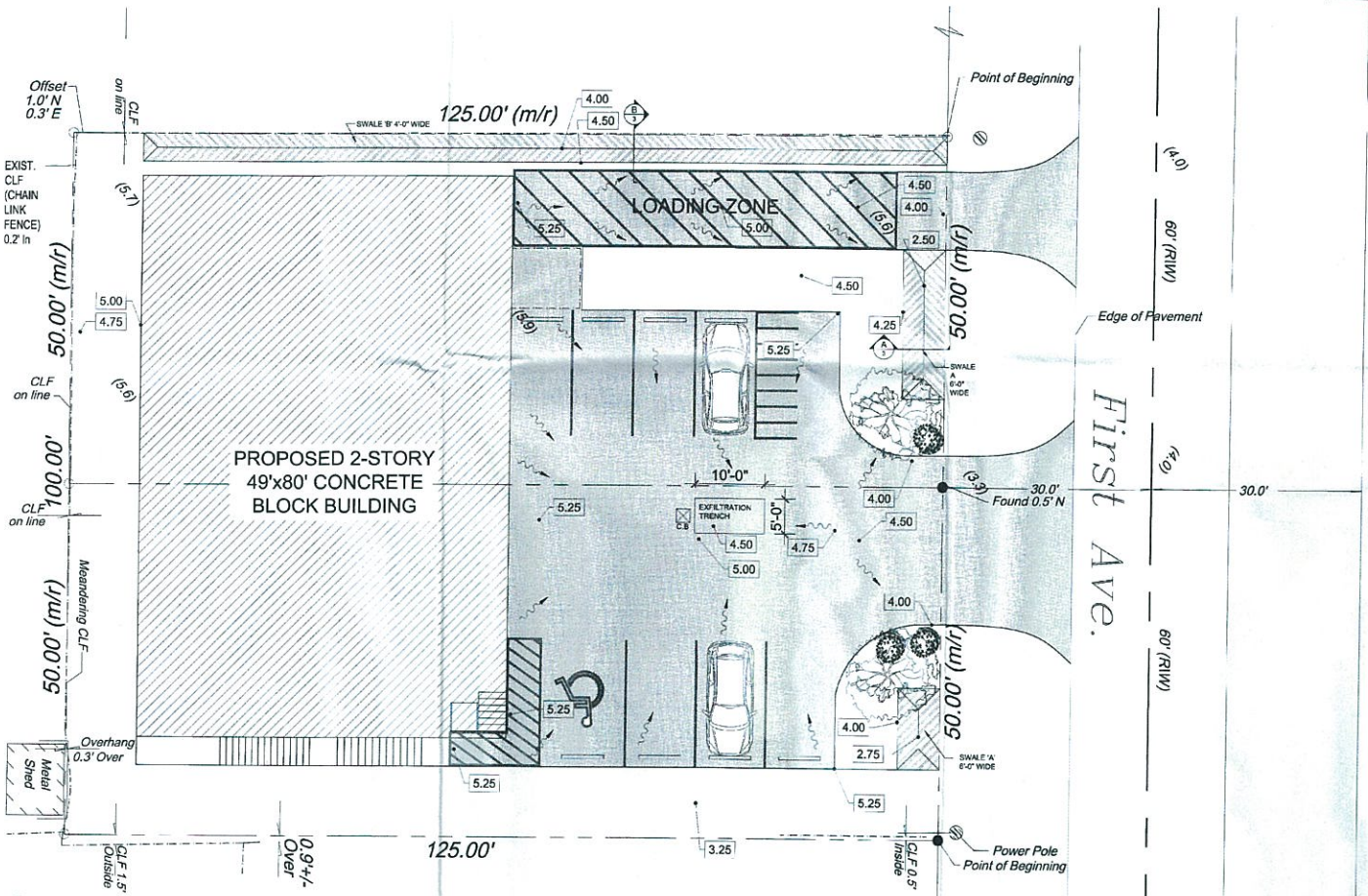
EXFILTRATION TRENCH
NTS

NOTES:

1. FILTER FABRIC SHALL BE MARAFI FILTERWEAVE 300 OR ENGINEER APPROVED EQUIVALENT. FILTER FABRIC SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

PROJECT DATA

	PROPOSED	EXISTING	REQUIRED	VARIANCE REQUESTED
RE NO.	00125380-000101			
	00125403-000000			
ZONING / FLUM	MU (MIXED USE)			
TIER	TIER III			
LEGAL DESCRIPTION	STOCK ISLAND MALONEY SUB PB1-55 PART SQR 41 50FT X 125FT			
	STOCK ISLAND MALONEY SUBDIVISION PB1-55 PART SQR 41			
FLOOD ZONE	AE-8			
SETBACKS				
FRONT	62'	N/A	15'	NONE
SIDE	10/15'	N/A	10/15'	NONE
REAR	10'	N/A	10'	NONE
BUFFERS	NA			



1 / C-1 LANDSCAPE/STORMWATER PLAN

SCALE: 1/8" = 1'-0"

DRAINAGE FLOW
(5.0) EXISTING ELEVATION
5.00 PROPOSED ELEVATION

DRAINAGE CALCULATIONS

WATER QUANTITY – PREDEVELOPMENT

PROJECT AREA = 0.287 Ac.
PERVIOUS AREA = 0.176 Ac.
IMPERVIOUS AREA = 0.111 Ac.
% IMPERVIOUS = 38.8%

RAINFALL FOR 25yr/24hr EVENT (P) = 8 in.
RAINFALL FOR 25yr/3 DAY EVENT (P) =

DEPTH TO WATER TABLE = 3 Ft.
DEVELOPED AVAILABLE STORAGE = 4.94 in.
SOIL STORAGE (S) = 2.64 in.

$Q_{pre} = \frac{(P-0.2S)^2}{(P+0.8S)} =$ 6.59 in.

VOLUME = Q/k = 1.77 Ac-in

WATER QUANTITY – POSTDEVELOPMENT

PROJECT AREA = 0.287 Ac.
PERVIOUS AREA = 0.246 Ac.
IMPERVIOUS AREA = 0.041 Ac.
% IMPERVIOUS = 15.06%

NOTE: FLESHPAVE MATERIAL IS COUNTED AS IMPERVIOUS

RAINFALL FOR 25yr/24hr EVENT (P) = 8 in.
RAINFALL FOR 25yr/3 DAY EVENT (P) =

DEPTH TO WATER TABLE = 3 Ft.
DEVELOPED AVAILABLE STORAGE = 4.94 in.
SOIL STORAGE (S) = 1.48 in.

$Q_{post} = \frac{(P-0.2S)^2}{(P+0.8S)} =$ 7.43 in.

VOLUME = Q/k = 2.13 Ac-in

POSTDEVELOPMENT – PREDEVELOPMENT

$Q_{post} - Q_{pre} =$ 1.37 in

VOLUME = Q/k = 0.36 Ac-in

WATER QUALITY

PROJECT AREA = 0.287 Ac.
PERVIOUS = 0.24 Ac.
IMPERVIOUS = 1.12 Ac.

A) ONE INCH OF RUNOFF FROM DRAINAGE BASIN = 0.287 Ac-in

B) 2.5 INCHES * (WEIGHTED IMPERVIOUS) = 0.87 Ac-in

IMPERVIOUS AREA = 0.279 Ac.
% IMPERVIOUS = 70.2%

0.36 Ac-in < 0.87 Ac-in WATER QUALITY CONTROLS

SWALE VOLUME PROVIDED

SWALE VOLUME REQUIRED = 0.55 * 3600 = 1,815 CF
SWALE VOLUME PROVIDED = A + B = 1,820.81 CF

EXFILTRATION TRENCH PROVIDED

TRENCH = 5' x 40' = 200 SF

EXFILTRATION TRENCH VOLUME CALCULATED USING STAND EQUATION (PG F-13 OF THE ERP INFORMATION MANUAL)

VARIABLES K=0.25(ft/ft); H=7; W=5; D=4; S=0

VOLUME = 0.31 Ac-in

LANDSCAPE LEGEND

CANOPY TREE

SHRUBS

CLASS "C" LIGHT INDUSTRIAL - RESIDENTIAL BUFFER (5 FT WIDE)

- 2 CANOPY SUCH AS BUTTONWOOD, GUMBO LIMBO OR SEAGRAPE
- 3 SHRUBS SUCH AS MARLBERRY, BEAUTYBERRY OR JAMAICA CAPER

ADDITIONAL LANDSCAPE REQUIREMENTS

430 SQ. FT. OF PLANTING AREA IS REQUIRED

RECEIVED
MAY - 5 2015
2015-038
MONROE CO PLANNING DEPT

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29401
P: 305-295-3293 fax 294-4886
Seal: RICHARD J. MILELLI LICENSE No. 58315 STATE OF FLORIDA
RICHARD J. MILELLI
PE #58315

General Notes:

COMMERCIAL BUILDING OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL

5592 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

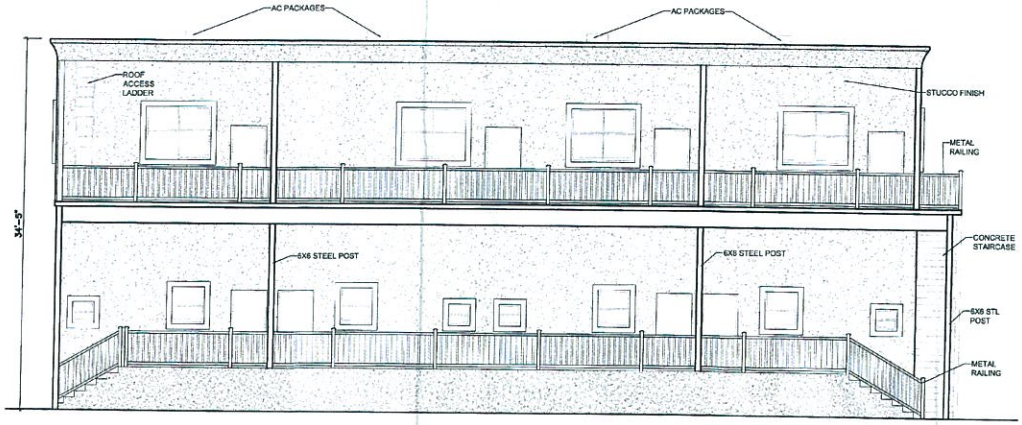
Drawn By: PCB	Checked By: RJM
Project No.	Scale:
AutoCad File No.	

Revisions:

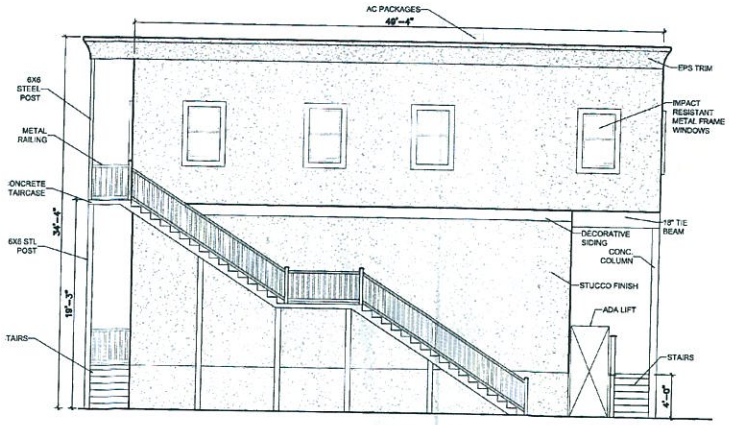
Title: LANDSCAPE/ STORMWATER PLAN

Sheet Number: C-1

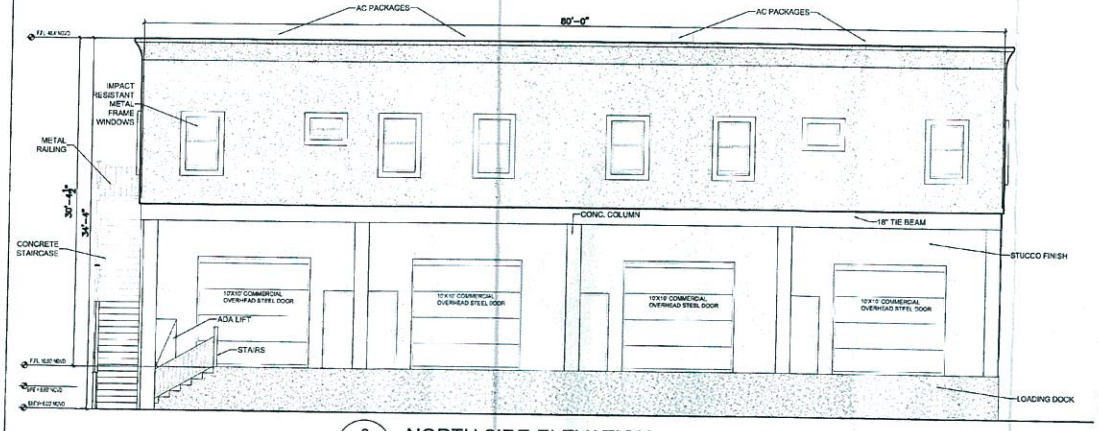
Date: JANUARY 12,2014



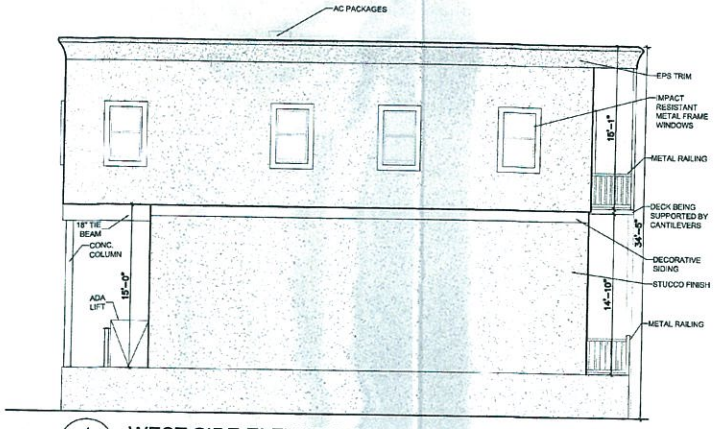
4 / A-1 SOUTH SIDE ELEVATION
SCALE: 3/16"=1'-0"



3 / A-1 EAST SIDE ELEVATION
SCALE: 3/16"=1'-0"



2 / A-1 NORTH SIDE ELEVATION
SCALE: 3/16"=1'-0"



1 / A-1 WEST SIDE ELEVATION
SCALE: 3/16"=1'-0"

RECEIVED
MAY - 5 2015
2015-038
MONROE CO. PLANNING DEPT

N
W E
S

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29401
P:305-292-0292 fax:292-4699

Seal: RICHARD J. MILELLI LICENSED No. 58315 STATE OF FLORIDA PROFESSIONAL ENGINEER
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE ENGINEER
RICHARD J. MILELLI
PE #58315

General Notes:

COMMERCIAL BUILDING OFFICE/WAREHOUSE & AFFORDABLE HOUSING RESIDENTIAL

5882 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

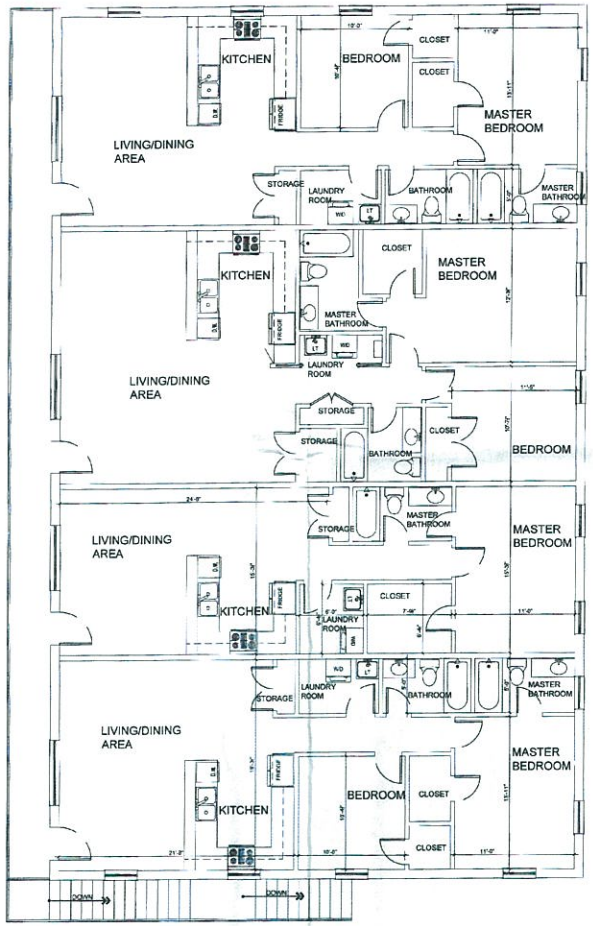
Drawn By: PCS	Checked By: RJM
Project No.	Scale:
AutoCad File No.	

Revisions:

Title: PROPOSED ELEVATIONS

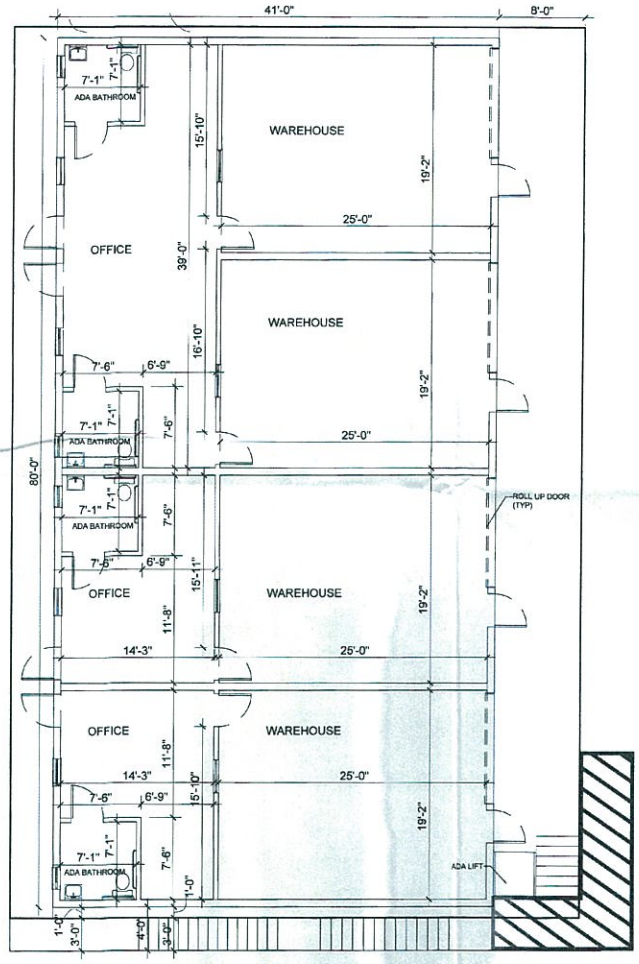
Sheet Number: A-1

Date: JANUARY 12,2014



2 / A-2 **2ND FLOOR PROPOSED PLAN**

SCALE: 3/16"=1'-0"



1 / A-2 **1ST FLOOR PROPOSED PLAN**

SCALE: 3/16"=1'-0"

RECEIVED
MAY - 5 2015
2015-038
MONROE CO. PLANNING DEPT

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29401
p:305-293-3260 fax:295-4899

RICHARD J. MILELLI
LICENSED
No. 58315
STATE OF FLORIDA
PROFESSIONAL ENGINEER

RICHARD J. MILELLI
PE #58315

General Notes:

Revisions:

COMMERCIAL BUILDING
OFFICE/WAREHOUSE &
AFFORDABLE HOUSING
RESIDENTIAL
5582 1ST AVENUE, STOCK ISLAND
KEY WEST, FLORIDA

Drawn By: PCS	Checked By: RJM
Project No.	Scale:

AutoCad File No.

Title: PROPOSED FIRST/SECOND FLOOR PLAN

Sheet Number: A-2

Date: JANUARY 12,2014

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Development Review Committee

Through: Mayté Santamaria, Director of Planning & Environmental Resources

From: Ed Koconis, AICP, Permit Manager

Date: June 1, 2015

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 122-2(C), RULES FOR INTERPRETING FLOOD HAZARD ISSUES; PROVIDING FOR THE INCLUSION OF COUNTY POLICY IMPLEMENTATION AND REMOVAL OF THE REQUIREMENT OF GUIDING DOCUMENTS ADOPTED BY RESOLUTION; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.*

Meeting: June 23, 2015

I REQUEST

The Planning & Environmental Resources Department is proposing amendments to the text of §122-2(c) of the Monroe County Code (MCC). The purpose of the proposed amendment to the Land Development Regulations is additional text to not only remain in the National Flood Insurance Program (NFIP) as stated in Section 122-1(b), but also to move forward with the intent of Monroe County becoming eligible to enter FEMA's Community Rating System (CRS). The proposed amendment would allow staff to implement internal County policies without the requirement of being formally adopted by resolution.

II RELEVANT PRIOR COUNTY ACTIONS

On January 18, 1994 the BOCC approved Ordinance No. 002-1994 adding the language "as adopted by resolution from time to time by the Board of County Commissioners."

III REVIEW

General provisions of Floodplain Management are presented in Section 122-2. However, rules for interpreting flood hazard issues presented in subsection (c) thereof do not specifically include the implementation of internal County policies; and all documents provided by FEMA require formal adoption by the BOCC in the form of a resolution before

they may be implemented. The proposed amendment would authorize the implementation of internal County policies to be used by the building official. This was specifically requested by FEMA in their December 22, 2014 letter to County Administrator Roman Gastesi. This letter is attached (Attachment "A") and the specific request may be found under Procedures for review and determination of "substantial damage" on pages 4 and 5.

IV PROPOSED AMENDMENT

Section 122-2 General provisions.

* * * * * *

122-2(c) Rules for interpreting flood hazard issues. The boundaries of the flood hazard areas shown on the official flood insurance rate maps may be determined by scaling distances. Required interpretations of those maps for precise locations of such boundaries shall be made by the floodplain administrator, in consultation with the building official. In interpreting other provisions of this chapter, the building official shall be guided by the current edition of FEMA's 44 CFR, and FEMA's interpretive letters, policy statements and technical bulletins, and county policy implementation ~~as adopted by resolution from time to time by the board of county commissioners~~. Additionally, the building official shall also obtain, review and reasonably use any base flood elevation and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, and other developments meet the criteria required in the appropriate flood zone.

IV RECOMMENDATION

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

Staff has found that the proposed text amendment would be consistent with the provisions of §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; 2. Changed assumptions (e.g., regarding demographic trends); 3. Data errors, including errors in mapping, vegetative types and natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for additional detail or comprehensiveness; or 6. Data updates.

Specifically, staff has found that the proposed text amendments are necessary due to "5. recognition of a need for additional detail or comprehensiveness."

Staff recommends that the DRC recommend approval to amend the Monroe County Code as stated in the text of this staff report.

Attachment "A"

U.S. Department of Homeland Security
Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341

FEMA

December 22, 2014

Mr. Roman Gastesi, Jr.
Monroe County Administrator
1100 Simonton Street, Suite 205
Key West, Florida 33040

Reference: National Flood Insurance Program (NFIP) Community Assistance Visit (CAV) Report of Findings of Monroe County's Response

Dear Mr. Gastesi:

This is to provide you with the findings of the review of the second response from Monroe County to the CAV that Federal Emergency Management Agency (FEMA) conducted during August 5-6, 2013. The purpose of this visit was to evaluate the effectiveness of floodplain management and other programs under the participatory requirements of the NFIP and to verify implementation of the Reasonable and Prudent Alternatives (RPAs) related to requisite consultation under the Endangered Species Act, as well as the Pilot Inspection Procedure.

We appreciate the cooperation, assistance, and hospitality extended by Ms. Mary Wingate, Senior Floodplain Coordinator; Mr. Michael Roberts, Senior Administrator, Environmental Resources; and Dr. Laurie McHargue, Environmental Scientist, during this visit.

We commend you for adopting on April 4, 2004, a higher regulatory floodplain management standard to limit the size of the floodprone enclosures below the lowest floor in A-Zones, and those below the lowest horizontal structural member of the lowest floor in V-Zones to 299 square feet. Implementation of this standard perhaps is instrumental in discouraging property owners from the conversion of these enclosures into noncompliant, habitable areas.

We reviewed the following as a part of this visit:

Status of the Pilot Inspection Procedure

FEMA terminated the pilot inspection procedure on June 28, 2013. Monroe County provided us with the status, as of November 19, 2013. According to his status report, 2,727 structures out of 5,686 originally identified for inspection under this pilot procedure were brought into compliance with the County's floodplain management regulations. We proposed to shift the remaining 2,959 structures, minus the number of Section 1316 declarations, from the pilot inspection procedure to the normal compliance process under the NFIP. We received the County's remedial plan, dated August 23, 2013. Please provide the current status of these 2,900 plus structures by February 13, 2015.

Elevation Certificates (ECs)

We evaluated your response for the 25 Elevation Certificates (ECs) we reviewed during the February 25-26, 2013 CAV and our review findings are included in Enclosure 1 (Elevation Certificates Review (Table 1)). We reviewed 49 ECs as a part of this CAV and our review findings are included in Enclosure 2 (Elevation Certificates Review (Table 2)).

We again provide you with the following general guidelines for reviewing the ECs for accurate completion by the certifier and review by Monroe County staff:

- The new EC became mandatory and the previous version obsolete on August 1, 2013. The expiration date for the new EC is July 31, 2015.
- The longitude coordinate for Monroe County communities is West or negative. Latitude and longitude coordinates may be documented in degrees only with four decimal places or in degrees, minutes and seconds format with one decimal for seconds' part.
- The certifier needs to seal, sign and date in the box shown in Section D, and in accordance with Florida licensing regulations.
- An enclosure used for parking of vehicles that is directly underneath an elevated building is not considered an attached garage. It is considered to be an enclosure. Section A8 of the EC applies; not Section A9.
- The elevations documented in Section C2 must be consistent with the building diagram number in A7, and the building diagram number must be representative of the finished-construction of structure.
- For maintaining records as a part of participation in the NFIP, we review the finished-construction EC; not the one based on building under-construction, or that based on building construction drawings (Section C1).
- If flood openings are not applicable, certifier needs to document 'not applicable' or N/A; not by showing them as zero.
- Engineered flood openings require professional certification to be attached to the EC.
- The EC may be only a part of compliance documentation; it may include, but is not limited to, Floodproofing Certificate, and corresponding design and operation and maintenance plan; V-Zone Certificate and their corresponding designs; certifications for engineered flood openings; and State, Federal and other permits/approvals.
- A certified EC or any other such document may not be altered even by what may seem like an insignificant change (e.g. hand correction of building diagram number).
- All elevations may be documented to only one decimal place.
- Attach other certifications (e.g. Floodproofing, V-Zone, engineered flood openings) and maintain their corresponding designs in records.

Please provide us with the revised, newly-prepared elevation certificates and other required documentation that demonstrate compliance with the County's floodplain management requirements for the structures listed in Enclosures 1 and 2 by February 13, 2015.

Floodproofing Certificates (FCs) and corresponding design, and operation and maintenance plans for nonresidential structures in A-Zones

No nonresidential structures were permitted to allow floodproofing since the February 2013 CAV. We received your response to previously reviewed 14 FCs during the August 2012 CAV and our review findings are included in Enclosure 3 (Floodproofing Certificates Review).

Only one FC for the structure located at 500 Burton Drive was provided with the required design for the hydrostatic load. However, the design did not include hydrodynamic load, buoyant load, and flood-borne debris-induced load. Further, the elevations shown on the FC are not consistent with those shown on the EC. The remaining 13 FCs did not include the requisite design loads. The floodproofing designs without consideration of all flood-related loads (i.e., hydrostatic, hydrodynamic, buoyant, debris-induced) are inadequate. The resultant floodproofing measures will not withstand the flood loads during the base flood conditions, and thus render the buildings "not floodproofed". Without the complete FC and supporting design and documentation (operation and maintenance plan) they are considered noncompliant with the County's regulations.

A majority of the 13 FCs included only the location where the floodproofing panels are stored and who is responsible for their operation and maintenance plans to assure continued viability of the floodproofing measures. Critical elements of floodproofing are the evacuation of the premises and installation of all floodproofing measures (e.g. panels, gates, gaskets, sealants) well before the arrival of the impending flood event. Please provide us with the revised, new floodproofing certificates with corresponding designs and operation and maintenance plans by February 13, 2015.

<u>Alternative designs for flood openings for elevated structures in A-Zones, if different from the NFIP criteria</u>

When flood openings other than those meeting the NFIP prescriptive requirements (44 CFR §60.3 (c) (5)) are provided, they must be certified by a Florida-licensed Professional Engineer or an Architect, as provided for by the State licensing regulations to certify such design. This certification must be attached to the EC. Alternatively, the evaluation service reports by the ICC Evaluation Service (ES) may be attached, as long as the installation of the flood openings is performed in accordance with the instructions provided by the ICC ES.

<u>V-Zone certifications for structures in coastal high hazard areas</u>

We reviewed three V-Zone Certificates (VCs) for the structures located at:

1. 144 Blue Harbor Drive,

Design detail for the breakaway concrete block wall appears to include reinforcement, which will prevent the wall from breaking away under lesser magnitude than those loads expected under the base flood conditions. Also, there appears to be a one-inch thick Styrofoam bond breaker at the top and sides of wall, but not on the bottom. The V-Zone certification, prepared by Mr. Robert Barnes, RAA, included only the foundation design and anchoring. It must also include the certification for the breakaway wall design. It should be required that the at-grade slab in V-Zones must not contain any reinforcement and should breakaway into smaller pieces (e.g. 3' x 3') under lesser magnitude loads than those expected during the base flood conditions and not cause any damage to the principal and adjacent structures. We requested you to provide us with the revised, new V-Zone certification for both aspects of design and a summary of design loads that

form the basis for certification by January 10, 2014. However, your response did not include this documentation. Please provide it to us by February 13, 2015.

2. 806 Narragansett Lane

We requested Monroe County to provide us with the revised, new V-Zone certification for both aspects of design and a summary of design loads that form the basis for certification similar to the structure number 1 listed in this letter by January 10, 2014. However, your response did not include this documentation. Please provide it to us by February 13, 2015.

3. 16 Hazel Street

We requested Monroe County to provide us with the revised, new V-Zone certification for both aspects of design and a summary of design loads that form the basis for certification similar to the structure number 2 listed in this letter by January 10, 2014. However, your response did not include this documentation. Please provide it to us by February 13, 2015.

4. 183 Stor Lane

We reviewed the V-Zone certification for the structure located at 183 Stor Lane along with the design calculations, dated April 14, 2014, by Robert Barnes and Associates. We have found them to be satisfactory, except for the lack of the certifier's seal on the certification. Please assure that the certification includes the certifier's seal, in the absence of which the structure will be considered as a violation of the NFIP. Please provide a copy of it to us by February 13, 2015.

Variance actions (both granted and denied)

Monroe County indicated that no variances were granted since the February 2013 CAV. As a part of the February 20, 2013 CAV we reviewed four variances, among which the Board of County Commissioners granted two, denied one and one was in litigation. Granting of these variances is inconsistent with the NFIP requirements that FEMA specifically listed in its letter of October 29, 1987, to Mayor Hernandez after a finding that Monroe County had established a pattern of issuing unjustified variances. While a single elevation variance for one structure may not result in FEMA imposing sanctions for lack of compliance, any additional such variance or other form of noncompliance may. NFIP sanctions include probation and subsequent suspension in accordance with Title 44 of the Code of Federal Regulations, Section 59.24.

Procedures for review and determination of "substantial damage"

We reviewed the County response to 46 of the flood insurance claims that equaled or exceeded $200,000. Monroe County advised us that 20 of these structures were not located in its jurisdiction.

Monroe County indicated for a significant majority of the remaining structures that there were no permit applications for damage repair. This suggested that the County does not yet have mechanisms in place for evaluating damaged buildings, regardless of the source, for potential substantial damage determinations. This is a required element for participation in the NFIP. We requested you, by January 10, 2014, to forward to us the procedures the County will implement to evaluate such building damage and determine potential substantial damage.

We have reviewed the document in Exhibit H of the County's response entitled Substantial Improvement or Substantial Damage. However, there was no information about how the County intends to enforce it. We strongly recommend that the affidavits be revised to reflect substantial improvement or substantial damage, rather than for nonsubstantial improvement or nonsubstantial damage. Please provide us with any resolution or ordinance amendment through which the County intends to enforce the substantial improvements and substantial damages using these requirements and copies of the revised affidavits by February 13, 2015.

Manufactured and Modular Homes

We have reviewed the County's response for the required compliance documentation for the 36 manufactured homes (Enclosure 4) and 44 modular homes (Enclosure 5). Documentation required of compliance was provided for only one manufactured home and one modular home. Please provide us with the ECs, FCs, and VCs, as appropriate, for the remaining manufactured and modular homes by February 13, 2015.

Submit-for-Rate Structures

Submit-for-Rate structures are those for which the lowest floor was determined to be two or more feet below the base flood elevation through flood insurance rating process. We previously requested Monroe County to investigate these for potential violations. We also limited the scope of these structures, via the email dated January 30, 2014, to only those listed in Enclosure 8, which included the potential reasons for negative insurance rating. This list was provided to Monroe County in November 2013. However, County's response did not include this documentation.

We request that the County review the permit files to investigate these structures and determine the cause – if an elevation variance was granted, potential error on the part of the insurance mechanism, or it is indeed a violation of Monroe County ordinances. Please forward to us your action plan for remedying the potential violations by February 13, 2015.

Maintenance of floodplain management records

We strongly recommend that Monroe County maintain, at a minimum, the following documentation:

- Permit applications;
- Copies of Federal, State, and other permits and/or approvals;
- Elevation Certificates for finished-construction and professional certification of engineered flood openings, when such flood openings are used, and their corresponding designs;
- Floodproofing Certificates along with their designs (to withstand hydrostatic, hydrodynamic, buoyant loads, and debris-induced loads associated with the base flood that form the basis for the certifications by the licensed professionals) and operation and maintenance plans to assure continued viability of the floodproofing measures;
- V-Zone certifications and corresponding designs ((1) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building

components, and (2) the breakaway walls' collapse occurs under a water load less than that which would occur during the base flood; and the building is not subject to collapse, displacement or other structural damage due to wind and flood loads acting on all building components) that form the basis for the certifications by the licensed professionals);

- Damage (from any source) inspection reports for potential substantial damage determinations, with detailed cost breakdowns for restoration to pre-damaged condition;
- Permit applications that include improvements, especially potential substantial improvements, with detailed cost breakdowns for proposed improvements and market values with the County's evaluation; and
- Applications for variances, both granted and denied, along with the County's evaluation and written notification to the applicant.

Tour of the Special Flood Hazard Areas

During the August 2013 CAV, we visited some structures that were categorized as submit-for-rate structures along Ocean Shores Drive, Bostwick Drive, and Adams Drive, in Key Largo. All of them were found to have violations previously identified through the insurance mechanism. However, we received no response from the County.

We also reviewed two structures along Adams Drive – 1042 Adams Drive and 1016 Adams Drive:

1. The structure located at 1042 Adams Drive is a new VE-Zone structure that was under construction. We observed that the structure included more than 6-inch thick floor slab, nonbreakaway walls, and stubbing for the utilities below the BFE. We understand that this structure received a Certificate of Occupancy in November 2013 and that the VE-Zone certification is available. The floor slabs for V-Zone structures must be four inches or less in thickness, unreinforced, and must breakaway into small pieces (e.g. 3' x 3') during the base flood conditions. This structure violates provisions of Section 122-4 (b) 5 of the County's floodplain management ordinance and the NFIP's free of obstruction requirements and must be brought into compliance. Please provide us with the documentation demonstrating compliance by February 13, 2015.

2. The structure located at 1016 Adams Drive violated Monroe County floodplain management ordinance by having two floodprone apartments below the lowest floor. The NFIP restricts the use of the floodprone enclosures solely to parking of vehicles, storage, and building access. We acknowledge your response that stated this is a pre-FIRM structure and that it has not been substantially improved. This is resolved and no longer a compliance issue.

We appreciate your diligence in providing us with the repeatedly requested documentation by February 13, 2015. We stand ready to offer any assistance you may require in achieving compliance with NFIP regulations and more restrictive Monroe County floodplain management ordinance requirements. Please be advised that participation in the Community Rating System Program is based on successfully demonstrated compliant floodplain management programs rather than commitments to enforce regulations to achieve compliance in the future.

If you or your staff have any questions or require additional information, please call Prasad Inmula at (770) 220-8841 or he may be reached by e-mail at prasad.inmula@fema.dhs.gov.

Sincerely,

Susan W. Wilson

Susan W. Wilson, CFM, Chief
Floodplain Management & Insurance Branch
Mitigation Division

Enclosure 1 (Table 1)

Monroe County (Florida) Elevation Certificates Review

#	Address	Street	Finding/Shortcoming	Remedial Action	MC RESPONSE	FEMA 2nd Review Comment	MC 2nd Response	FEMA 3rd Review
1	418	3rd Street	Lat/Long incorrect format	Degrees only - Use 4 decimals; Deg. Min. Sec. Seconds to one decimal. Flood openings are N/A; not zero.	corrected elevation certificate in file	Lat/Long Seconds part to one decimal - minor	No response required by MC	Resolved.
2	135	Pacific Avenue	Incorrect Bldg. Diagram #	It needs to be 1A or 1B; not 1.	N/A Grade elevation above BFE	There is no diagram 1 on new EC.	CO'd prior to CAV, no new el cert forthcoming	Acknowledged.
3	34	Sunset Road	Incorrect flood openings	Flood openings need to be documented; not zero.	corrected elevation certificate in file	M/E 9.6' below BFE; it must be ≥ BFE. Flood openings N/A; not zero (VE-Zone). V-Zone cert required.	elec meter elec corp	Acknowledged.
4	13	Bunting Drive	Not an attached garage	Bldg. Diagram # 6 with enclosure. C2 (a) and ((b) need corrections.	corrected elevation certificate in file	Certification of flood openings is required.	smart vent approval	Resolved.
5	205	La Paloma Road	M/E not explained	Describe machinery/equipment in Section D (Comments).	corrected elevation certificate in file	Certification of flood openings is required.	smart vent approval	Corrected EC has not corrected C2.e. Provide EC that documents specific M/E component.
6	175	Bahama Avenue	M/E not documented	Document M/E elevation in C2 (e) and explain in Section D.	corrected elevation certificate in file	Lat/Long Seconds part to one decimal - minor		
7	1	Rock Harbor Drive	All items not documented	A4 (Building Use) and C2 (d) and (e) need to be	corrected elevation	Good		
8	3	South Booming Lane	Only first page found. M/E 3 ft. below BFE	Needs the 2nd page. C1 needs to be documented and C2 (e) explained in Section D.	Corrected elevation certificate in file	Section C1 must be completed. M/E 3' below BFE. Need new EC.	The house already received a Certificate of Occupancy. The M/e is noted in the comments section that is the electric meter, whose location and elevation is still decided by the Electric Cooperative.	Acknowledged.

9	23	Bunting Drive	M/E not explained	Explain M/E in Section D.		Explain M/E in Section D.	The house already received a Certificate of Occupancy in 2012 and no new certificate is forthcoming. However, Monroe County no longer accepts finished construction elevation certificates without the M/E being properly documented.	Acknowledged.
10	36	Seagate Blvd.	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	Good		
11	107	Hilson Court	Inconsistent elevations for Bldg. Diagram #6	Elevations documented in C2 must be consistent with the Bldg. Diagram #6.	Waiting for correction		Diagram 6 is the correct diagram, see attached photo of the house.	C2.e (M/E) must not be N/A for finished construction EC. Provide new EC with M/E elevation documented and explained.
12	43	Spadefish Lane	Only first page found.	Include both pages of the EC. A8 is N/A; not zero flood openings.	corrected elevation certificate in file	Good		
13	26	South Andros Road	Flood openings not needed in attached garage.	Flood openings not necessary for attached garage 1 ft. above BFE. Other than this the EC is good.	corrected elevation certificate in file	Lat/Long Seconds part to one decimal - minor		

14	20	East Snapper Point Drive	Flood openings not documented.	Flood openings for attached garage need to be documented.	corrected elevation certificate in file	EC must be sealed and signed in Section D (box). Show flood openings in enclosure and attached garage. Certification of flood openings is required. Need new EC.	SFR CO'd prior to February CAV so no new elevation certificate is available, however, flood vents section completed and they are not engineered vents so no certification is required. Monroe County has photos of flood vents which are more than sufficient. Monroe County no longer accepts Elevation Certificates without signature and seal in Section D.	Unsealed EC is considered uncertified; thus constitutes a violation of NFIP regulations. **Provide new certified EC showing compliance with MC and NFIP regulations.**
15	75	Gull Lane	M/E unexplained.	Explain M/E in Section D.	Waiting on correction		CO'd prior to CAV, no new el cert forthcoming.	Acknowledged.
16	567	Oldsmar Lane	M/E unexplained.	Explain M/E in Section D.	corrected elevation certificate in file	Good		
17	17217	Dolphin St. East	Electric panel 2 ft. below BFE and EC not sealed/signed.	Electric panel needs to be protected from floodwaters. EC needs to be sealed and signed in box in Section D.	corrected elevation certificate in file and SFR already CO'd	M/E 3' below BFE; it must be ≥ BFE. Four flood openings providing 1,048 in^2 of net opening?	electric meter location determined by Florida Keys Electric Coop, SFR CO'd and no further elevation certificate forthcoming.	Unsealed EC is considered uncertified; thus constitutes a violation of NFIP regulations. **Provide new certified EC showing compliance with MC and NFIP regulations.**
18	27315	Guadeloupe Lane	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	Good		
19	18	Verde Drive	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	Good		

20	22707	Blackbeard Lane	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	M/E 2' below BFE; it must be ≥ BFE.	The comments section for this certificate state that it is the blower motor bracket for the septic system, whose location is permitted and regulated by the Department of Health.	Resolved.
21	1137	Basque Lane	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	M/E 3' below BFE; it must be ≥ BFE. V-Zone cert required.	Keys Energy Service. The newer VE zone certificate was not required at the time.	Unsealed EC is considered uncertified; thus constitutes a violation of NFIP regulations. Provide new certified EC showing compliance with MC and NFIP regulations. Provide V-Zone certification also, which is required for all V-Zone buildings and need not be on the new Form.
22	27321	W. Indies Drive	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	Finished-construction EC required; not one that is under-construction. Need new EC.	Finished construction Elevation Certificate attached.	EC is accurate and properly certified. Resolved.

23	22938	John Avery Lane	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	M/E 3' below BFE; it must be ≥ BFE. V-Zone cert and design loads required.	Determined by the Keys Energy Service. The newer VE zone certificate was not required at the time.	Unsealed EC is considered uncertified; thus constitutes a violation of NFIP regulations. Provide new certified EC showing compliance with MC and NFIP regulations. Provide V-Zone certification also, which is required for all V-Zone buildings and need not be on the new Form.
24	740	Big Pine Avenue	EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right).	corrected elevation certificate in file	Good		
25	400	Avenue B	Under construction EC.	Provide finished construction EC.	SFR file missing	M/E 6" below BFE; it must be ≥ BFE.	Certificate attached. M/E noted in comments is electric meter, whereby the location is determined by the Electric Company (CES).	Resolved.

Enclosure 2 (Table 2)

Monroe County, Florida: Elevation Certificates Second Review

(5 - 6 August 2013 CAV)

#	Address		Finding	Shortcoming	Remedial Action	Monroe County Response	FEMA Review/Remedial Action
1	73	Blackbeard Drive	Zone X, BD 1A	None.	None.		
2	9	Knoll Lane	Zone AE, BFE 12 feet, BD 8	Unspecified number of flood openings in attached garage.	Provide new, revised EC indicating compliance with County requirements.	Garage venting is explained in comments section. There are two vents in the walls and the garage door is also vented.	EC is accurately prepared. No further action is necessary.
3	766	Musa Drive	Zone AE, BFE 9 feet, BD 6	None.	None.		
4	42	North Bounty Lane	Zone AE, BFE 10 feet, BD 6	Only one flood opening in enclosure; must be ≥ 2.	Provide new, revised EC indicating compliance with County requirements.	This house received a Certificate of Occupancy in 2013 and no new elevation certificate is forthcoming. Unfortunately, we are unable to verify weather a corrected elevation certificate is in the file already, as the file is missing.	Records maintenance is an important part of participatory requirements of the NFIP. Sans the Elevation Certificate indicating compliance, this structure is considered non-compliant. Provide new, revised EC indicating compliance with County requirements.
5	16	Atlantic Blvd.	Zone AE, BFE 7 feet, BD 1	None.	None.		
6	38	Ocean Drive	Zone AE, BFE 8 feet, BD 6	None.	None.		
7	76	Ibis Lane	Zone AE, BFE 11 feet, BD 6	None.	None.		
8	23	East 1st Street	Zone AE, BFE 9 feet, BD 5	See comments 3 & 4 below.	None.		
9	64	SE Marline Avenue	Zone AE, BFE 9 feet, BD 6	None.	None.		
10	11	Atlantic Avenue	Zone AE, BFE 7 feet, BD 6	None.	None.		
11	1217	Mockingbird Road	Zone AE, BFE 8 feet, BD 6	See comment 5 below.	None.		
12	29	Anglefish Cay Drive	Zone VE, BFE 13 feet, BD 9	None.	None.		
13	23039	Bonita Lane	PIP submittal in 2009. Never got inspected by the PIP.	Bathroom of convenience in lower level enclosure.	Must assure that the floodprone enclosures shall only be used for parking, storage and access. Provide documented evidence of compliance.	Monroe County no longer permits "convenience bathrooms" in below flood enclosures. The remainder of the enclosure has been brought into compliance under demolition permit # 131-107.	Convenience bathrooms are noncompliant use of floodprone enclosures. The structure remains a noncompliant building. Provide documented evidence of compliance.
14	1997	Long Beach Road	May 2011 PIP inspection. August 2009 relief from Court.	Bed rooms and bathrooms in lower level enclosure.	Must assure that the floodprone enclosures shall only be used for parking, storage and access. Provide documented evidence of compliance.	Letter has been sent to owner advising them that unless compliance is achieved, the County will have no choice but to declare the property ineligible for flood insurance under a 1316 declaration. Staff is awaiting direction from the County Attorney for approval to issue the declaration.	Section 1316 declaration is not a substitute for compliance. The structure is noncompliant. Provide certified documentation indicating compliance with the County requirements.
15	1044	Lagoon Drive	Zone AE, BFE 10 feet, BD 6	1,016 sq. ft. enclosure lacks flood openings (> 299 sq. ft.).	County regulations allow no larger than 299 sq. ft. of enclosure. Provide new, revised EC indicating compliance with County requirements.	... In addition, at the time of permit issuance, the floodplain ordinance did not require flood vents. Monroe County no...	Only partial MC response was included. Lack of flood openings constitutes noncompliance. Provide certified documentation indicating compliance with the County requirements.

16	1115	Tatch Lane	Zone VE, BFE 12 feet, BD 6	307 sq. ft. > 299 sq. ft.). Lacks the V-Zone certification.	County regulations allow no larger than 299 sq. ft. of enclosure. Provide new, revised EC and V-Zone certification for design/anchoring foundation and breakaway walls as well as summary of design loads indicating compliance with County requirements.	The SFR has already received a Certificate of Occupancy. The VE certification required at the time are attached to the plans. Monroe County is no longer approving elevation certificates if a 299 square foot enclosure is measured as larger than 299 square feet.	Lack of V-Zone certifications for both foundation design and anchoring, and breakaway walls constitutes noncompliance. Provide copies of the certification from the plans.
17	28231	Dorothy Lane	Zone AE, BFE 8 feet, BD 5	None.	None.		
18	16	Flipper Road	Zone AE, BFE 10 feet, BD 5	None.	None.		
19	33990	Overseas Highway	Zone AE, BFE 8 feet, BD 6	Inadequate flood openings.	Provide new, revised EC indicating compliance with County requirements.	The discrepancy on the flood openings is explained in the comments section of the certificate. The square footage of the elevator shaft was included in the total square footage but no venting is required for elevator shafts.	EC is accurately prepared. No further action is necessary.
20	25	Emerald Drive	Zone AE, BFE 10 feet, BD 6	None.	None.		
21	6	Riviera Drive	Zone AE, BFE 10 feet, BD 6	None.	None.		
22	27321	W. Indies Drive	Zone AE, BFE 9 feet, BD 5	None.	None.		
23	1117	Basque lane	Zone VE, BFE 12 feet, BD 5	None.	None.		
24	701	Spanish Main Drive	Zone VE, BFE 12 feet, BD 6	None.	None.		
25	5455	McDonald Avenue (Building 12)	Zone AE, BFE 9 feet, BD 5	None.	None.		
26	5455	McDonald Avenue (Building 11)	Zone AE, BFE 9 feet, BD 5	All elevations identical to those of Building 12.	EC must be prepared individually for each structure; not copy those for other structure. Provide new EC for each structure indicating compliance with County requirements.	All of these units have been CO'd already and no new elevation certificates are forthcoming. However, there are differences in the elevations of grade, and finished floors in several of the certificates were not just duplicates of each other.	No further action is necessary.
27	5455	McDonald Avenue (Building 10)	Zone AE, BFE 9 feet, BD 5				
28	5455	McDonald Avenue (Building 9)	Zone AE, BFE 9 feet, BD 5				
29	5455	McDonald Avenue (Building 8)	Zone AE, BFE 9 feet, BD 5				
30	5455	McDonald Avenue (Building 7)	Zone AE, BFE 9 feet, BD 5				
31	5455	McDonald Avenue (Building 6)	Zone AE, BFE 9 feet, BD 5				
32	5455	McDonald Avenue (Building 6)	Zone AE, BFE 9 feet, BD 5				
33	5455	McDonald Avenue (Building 5)	Zone AE, BFE 9 feet, BD 5				
34	5455	McDonald Avenue (Building 4)	Zone AE, BFE 9 feet, BD 5				
35	5455	McDonald Avenue (Building 3)	Zone AE, BFE 9 feet, BD 5				
36	5455	McDonald Avenue (Building 2)	Zone AE, BFE 9 feet, BD 5				
37	5455	McDonald Avenue (Building 1)	Zone AE, BFE 9 feet, BD 5				

38	5455	McDonald Avenue (Shed)	Zone AE, BFE 9 feet, BD 1	Lack of flood openings.	Provide new, revised EC indicating compliance with County requirements.	This was a shed only and the elevation certificate was offered to the county as a courtesy and not required in the permit. However, in the comments section of the certificate there is a note that there are two vents, as requires and they are more than sufficient.	No further action is necessary.
39	701	Spanish Main Drive (Lot 284)	Zone AE, BFE 11 feet, BD 6	None.	None.		
40	27315	Guadalupe Lane	Zone AE, BFE 9 feet, BD 5	None.	None.		
41	17287	Caymen Drive	Zone AE, BFE 9 feet, BD 5	None.	None.		
42	23	Blue Water Drive	Zone AE, BFE 6 feet, BD 6	None.	None.		
43	27403	Antigua Lane	Zone AE, BFE 11 feet, BD 6	None.	None.		
44	29030	Marygold Drive	Zone AE, BFE 8 feet, BD 5	None.	None.		
45	1156	Hakluyt Lane	Zone VE, BFE 13 feet, BD 5	Under-construction EC.	Provide new, finished-construction EC as well as the V-Zone certification for design/anchoring foundation and breakaway walls as well as summary of design loads indicating compliance with County requirements.	This house was permitted prior to Monroe County requiring the more detailed VE Zone certificate and calculations. No finished construction elevation certificate has been submitted yet as the house is still under construction. No certificate of Occupancy will be issued without an approved Finished Construction elevation Certificate.	Acknowledged. Provide certified, finished-construction EC and V-Zone certification for design and anchoring after completion.
46	7	Cypress Terrace	Zone VE, BFE 13 feet, BD 6	None.	None.		
47	54	Bay Drive	Zone AE, BFE 8 feet, BD 5	None.	None.		
48	701	Spanish Main Drive (Lot 101)	Zone VE, BFE 12 feet, BD 5	Under-construction EC.	Provide new, finished-construction EC as well as the V-Zone certification for design/anchoring foundation and breakaway walls as well as summary of design loads indicating compliance with County requirements.	Elevation Certificate is attached. No new V Zone certificate or calcs are forthcoming as this house was permitted prior to Monroe County requiring more than a VE Zone statement on the plans.	Elevation certificate is completed accurately. Provide V-Zone certifications for foundation design .
49	1053	Hawkbill Lane	Zone VE, BFE 12 feet, BD 5	Under-construction EC.	Provide new, finished-construction EC as well as the V-Zone certification for design/anchoring foundation and breakaway walls as well as summary of design loads indicating compliance with County requirements.	Elevation Certificate is attached. No new V Zone certificate or calcs are forthcoming as this house was permitted prior to Monroe County requiring more than a VE Zone statement on the plans.	Elevation certificate is completed accurately. Provide V-Zone certifications for foundation design.

Notes: (1) Crawl space foundation enclosed by open wood-lattice (with >40% openings) or insect screen may use Building Diagram # 5.
(2) Structures in all A-Zones built prior to 1 October 1986 are not subject to the flood openings requirements.
(3) Elevations may be documented only to one decimal place.
(4) Longitude coordinate must be "minus" or "west".
(5) Latitude/Longitude to be documented: if one number, to 4 decimal places; if deg./min./seconds, seconds to 1 decimal place.

Enclosure 3

Monroe County (Florida) Floodproofing Certificates Second Review

#	Street #	Address	Finding/Shortcoming	Remedial Action	MONROE COUNTY RESPONSE/NOTES	FEMA 2nd Review Comment	Monroe County Response	FEMA Review/Remedial Action
1	500	Burton Drive	Certificate inconsistent with the design	The Floodproofing Certificate must be consistent with the design. An operation and maintenance plan needs to be prepared to assure continued viability of floodproofing measures.	permit 11305244 Documents in folder Exb B	The floodproofing design included only the hydrostatic loads; it must also included the hydrodynamic and buoyant loads (44 CFR §60.3 (c) (3)).	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
2	102400	Overseas Highway (Tiki Bar for Hampton Inn)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 12302509 Documents in Exb B	Floodproofing only to the BFE (rated as minus 1). No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
3	99470	Overseas Highway (Snooks Bayside Restaurant)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 12300107 Documents in Exb B	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
4	35	Ocean Reef Drive	Certificate with no design and the operation and maintenance plan. Inconsistent elevations between the EC and the FC	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	*Permit 1130555B*	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
5	1	Service Village Lane (also includes 24 Dockside Lane #512 , Key Largo address)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.		No MC response. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	Unable to locate the original file based on the address provided here.	The address was obtained from the County records. Provide floodproofing certification with consideration of all flood loads.

6	141	Overseas Highway (City of Key West Public Works)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 081-1257 all documents in enclosure 2 folder(item 6)	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
7	5030	5th Avenue, Key West (Stock Island Malowy Sub)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 081-274 pool house only plans still in paper form all other documents in folder for item 7	Only performance requirements outlined. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
8	13	Seagate Blvd., Key Largo	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.		No MC response. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
9	24642	Overseas Highway, Summerland Key	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 041-2784 all documents in folder(item #9)	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
10	99470	Overseas Highway, Key Largo	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.		No MC response. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.

11	6021	Peninsular Avenue, Stock Island (key West)	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 101-4036 still in paper form FC and ltr from owner in item #11 folder	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
12	260	Crane Blvd., Sugarloaf Key	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.	permit 011-3996 all available documents in file, permit expired with no maintenance plan submitted	No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	Owner will be notified by Monroe County that the permit must be reopened and the required flood load design details will be required to be submitted with that renewal permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
13	120	Anchor Drive, Key Largo	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.		No MC response. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.
14		Ocean Reef Plat # 13	Certificate with no design and the operation and maintenance plan	Design for the floodproofing measures to withstand hydrostatic, hydrodynamic, buoyant, and flood-borne debris forces as well as the operation and maintenance plan.		No MC response. No floodproofing design that forms the basis for certification included; it must include hydrostatic, hydrodynamic, and buoyant loads.	The permit for this construction is now closed, however, Monroe County now requires all floodproofing to include flood load data in the permit application.	Without consideration of all flood loads acting on floodproofing measures, the certification is at best inadequate - it will not protect the building from flood damage during the base flood. Provide floodproofing certification with consideration of all flood loads.

Enclosure 4

Monroe County (Florida) Manufactured Homes' (MH) Elevation Certificates Second Review

#	Address	Street	Finding/Shortcoming	Remedial Action	Monroe County Response	FEMA Finding/Remedial Action
1	99	Seaside Avenue	Both Lowest Floor (LF) and machinery/equipment (M/E) 1.6 feet below the BFE (11 ft.)	LF must be at or above the BFE. Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance.	Manufactured home permitted on FEMA piers no higher than 40" but allowed below base flood as recognized as one of the few pure mobile home parks (not replacing a flood damaged home).	It is assumed that this MH is in an existing MH park or subdivision (by "pure"). The NFIP requires the bottom of chassis to be at least 36" above grade on a reinforced pier foundation; not no higher than 40". Provide EC and other documentation demonstrating this requirement is met.
2	135	Pacific Avenue	Machinery/equipment 3.3 feet below the BFE (11 ft.)	Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance. The Certifier must sign/seal in Section D (big box on bottom right).	Elevation Certificate reviewed and found to be compliant (attached).	Acknowledged. No further action is necessary.
3	34	Sunset Road	LF 0.1 ft. below BFE and M/E 0.5 ft. below the BFE (9 ft.)	LF must be at or above the BFE. Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance. The Certifier must sign/seal in Section D (big box on bottom right).	This is not a manufactured home. - bottom of beam on elevation certificate (attached) is .2' above bfe. Electrical panel elevation determined by electric company.	The EC is not certified (lack of seal and signature). As it is located in a VE-Zone, V-Zone certification is required. Provide certified EC and V-Zone certifications.
4	6500	Maloney Ave., Lot 38	LF 0.1 ft. below BFE and M/E 0.5 ft. below the BFE (9 ft.). Not certified.	LF must be at or above the BFE. Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance. The Certifier must sign/seal in Section D (big box on bottom right).	This is a manufactured home in a pure park, on FEMA piers no higher than 40" but allowed below base flood as recognized as one of the pure mobile home parks not replacing a flood...	The NFIP requires the bottom of chassis to be at least 36" above grade on a reinforced pier foundation; not no higher than 40". Provide EC and other documentation demonstrating this requirement is met.
5	G-45	Miriam Street	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This manufactured home received a Certificate of Occupancy in 2008. Monroe County no longer accepts Elevation Certificates with no seal/signature in the box in Section D.	Provide certified EC.
6	175	Bahama Avenue	M/E not documented	Document M/E elevation in C2 (e) and explain in Section D. Provide new, revised EC demonstrating compliance.	This structure received a Certificate of Occupancy in 2013 so no new elevation certificate is forthcoming. However, Monroe County now requires M/E to be documented on the certificate.	Provide certified EC with M/E properly documented.

7	B-16	8th Avenue	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	This structure received a Certificate of Occupancy in 2009. As of 2012 Monroe County no longer issues certificates of Occupancy without a finished construction elevation certificate.	Provide the required certified, finished-construction EC.
8	701	Spanish Main Drive, Lot 247	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	This structure received a Certificate of Occupancy in 2009. As of 2012 Monroe County no longer issues certificates of Occupancy without a finished construction elevation certificate.	Provide the required certified, finished-construction EC.
9	C-11	9th Avenue	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This manufactured home received a Certificate of Occupancy in 2008. Monroe County no longer accepts Elevation Certificates with no seal/signature in the box in Section D.	Provide the required certified, finished-construction EC.
10	36	Seagate Blvd.	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Signature is in box on bottom right (EC attached).	The certifier did not affix seal. Provide signed and sealed EC.
11	11	Mockingbird Road	Flood Zone X; EC not required	None		
12	17	Old State Road	All good	None		
13	130	Sands Road	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This was permitted and the Elevation Certificate approved prior to Monroe County requiring all elevation certificates to be signed in both the bottom and the box at the bottom right. Monroe County has ceased accepting these incomplete certificates.	Provide the required certified, finished-construction EC.
14	6800	Maloney Ave., Lot 58	LF 0.6 ft. below BFE and M/E 1.2 ft. below the BFE (9 ft.). Not certified.	LF must be at or above the BFE. Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance. The Certifier must sign/seal in Section D (big box on bottom right).	At the time of construction, this was considered a pure manufactured home park and this replacement was due to flood damage. Therefore, this structure was allowed to be elevated on 36" FEMA piers below the flood.	This is a complete misunderstanding of the NFIP requirements for flood-damaged MH in an existing home park. This structure must be elevated to or above the BFE (44 CFR§ 60.3 (c) (6)). Provide certified EC showing compliance.

15	C-36	10th Avenue	M/E unexplained and elevation not documented	Explain M/E in Section D. M/E needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. Provide new, revised EC demonstrating compliance.	This construction was finalled prior to Monroe County requiring finished construction elevation certificates. At the time of certificate, there was no M/E to measure.	Provide the required certified, finished-construction EC with M/E elevation documented and component explained.
16	1117	Calder Road	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This manufactured home received a Certificate of Occupancy in 2009. As of 2012, Monroe County no longer accepts Elevation Certificates unless signed in both the bottom and the box at the bottom right.	Provide the required certified, finished-construction EC.
17	354	King Avenue	Elevations in C2 are inconsistent with Building Diagram (BD) # 6	Building elevations must be consistent with BD #. Provide new, revised EC demonstrating compliance.	You are right, the diagram should have been #5. However, this property received???	Provide the required certified, finished-construction EC with the correct BD #.
18	50	Palm Drive	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right).	Monroe County no longer accepts elevation certificates without the signatures in both places at the bottom of the certificate. This will be verified when the finished construction elevation certificate is received.	Provide the required certified, finished-construction EC.
19	701	Spanish Main Drive, Lot 77	VE-Zone. EC for building under construction.	Finished construction EC is required to be maintained. Provide new, revised EC and V-Zone certification for foundation design and anchoring demonstrating compliance.	This manufactured home received a Certificate of Occupancy prior to Monroe County verifying signatures in both places on the certificate. VE zone certificate requirements had not been updated at that time and Monroe County now requires more details on the???	Provide the required certified, finished-construction EC. As it is located in a VE-Zone, V-Zone certification is required. Provide certified V-Zone certifications.
20	Lot 77	Venture Out (Cudjoe Key)	Only V-Zone certification provided	Certification included only for foundation design and anchoring. Unacceptable breakaway walls: (1) contain reinforcing bars, and (2) tied to beam and column. 4-inch concrete slab includes wire mesh reinforcement; it should breakaway into small pieces (e.g. 3' x 3') under lesser magnitude loads than those expected during the base flood condition. Structure must be brought into compliance.	Certificate of Occupancy issues prior to Monroe County requiring more detailed certificate for V zone construction. New owners are required to acknowledge that reinforced ground slabs can be treated as lowest horizontal structural member per TB-5 guidance.	This structure is in violation of free of obstruction requirements of V-Zones (44 CFR § 60.3 (e) (5)) and must be brought into compliance. Provide the required certified, finished-construction EC and V-Zone certifications.

21	16	Riviera Drive	Building Department stamp made BFE illegible (10' ?). EC not certified.	Clarify the BFE. The Certifier must sign/seal in Section D (big box on bottom right).	This manufactured home already received a Certificate of Occupancy and no further certificate is forthcoming. Monroe County no longer puts stamp on certificates.	The structure is in violation of the NFIP without the required certification of the elevation of the lowest floor. Provide certified EC.
22	701	Spanish Main Drive, Lot 397	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	This manufactured home received a Certificate of Occupancy in 2010, prior to Monroe County requiring finished construction elevation certificates. Monroe County no longer issues Certificates of Occupancy without an approved finished construction elevation certificate.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
23	5001	Fifth Avenue, Unit 39	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This manufactured home received a Certificate of Occupancy, however, Monroe County no longer accepts Elevation Certificates without the signatures in both the bottom and the box on the bottom right.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
24	5001	Fifth Avenue, Unit 70	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Manufactured home has received a Certificate of Occupancy, however, Monroe County has ceased approving elevation certificates without signatures and the box on bottom right.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
25	5001	Fifth Avenue, Lot 69	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Manufactured home has received a Certificate of Occupancy, however, Monroe County has ceased approving elevation certificates without signatures and the box on bottom right.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.

26	55	Boca Chica Road, Lot 407	VE-Zone. EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC and V-Zone certification (for both foundation design/anchoring and breakaway walls) demonstrating compliance.	This manufactured home received a Certificate of Occupancy issues prior to Monroe County verifying signatures in both places on the certificate. VE zone certificate requirements had not been updated at the time and Monroe County now requires more details on the VE zone certificates.	Provide the required certified EC. As it is located in a VE-Zone, V-Zone certification is required. Provide certified V-Zone certifications.
27	407	Venture Out (Cudjoe Key)	Only V-Zone certification provided	Certification included only for foundation design and anchoring. Unacceptable breakaway walls: (1) contain reinforcing bars, and (2) tied to beam and column. 4-inch concrete slab includes wire mesh reinforcement; it should breakaway into small pieces (e.g. 3' x 3') under lesser magnitude loads than those expected during the base flood condition. Structure must be brought into compliance.	Certificate of Occupancy issues prior to Monroe County requiring more detailed certificate for V zone construction. New owners are required to acknowledge that reinforced ground slabs can be treated as lowest horizontal structural member per TB-5 guidance.	This structure is in violation of free of obstruction requirements of V-Zones (44 CFR § 60.3 (e) (5)) and must be brought into compliance. Provide the required certified, finished-construction EC and V-Zone certifications.
28	701	Spanish Main Drive, Unit 243	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Manufactured home has received a Certificate of Occupancy, however, Monroe County has ceased approving elevation certificates without signatures in both the bottom and the box on the bottom right.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
29	701	Spanish Main Drive, Unit 99	VE-Zone. EC not certified.	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC and V-Zone certification (for both foundation design/anchoring and breakaway walls) demonstrating compliance.	Same property as below. See response.	See below (# 30) for the required documentation.
30	Lot 99	Venture Out (Cudjoe Key)	Only V-Zone certification provided	Certification included only for foundation design and anchoring. Unacceptable breakaway walls: (1) contain reinforcing bars, and (2) tied to beam and column. 4-inch concrete slab includes wire mesh reinforcement; it should breakaway into small pieces (e.g. 3' x 3') under lesser magnitude loads than those expected during the base flood condition. Structure must be brought into compliance. Provide new, revised EC and V-Zone certification (for both foundation design/anchoring and breakaway walls) demonstrating compliance.	Certificate of Occupancy issues prior to Monroe County requiring more detailed certificate for V zone construction. New owners are required to acknowledge that reinforced ground slabs can be treated as lowest horizontal structural member per TB-5 guidance.	This structure is in violation of free of obstruction requirements of V-Zones (44 CFR § 60.3 (e) (5)) and must be brought into compliance. Provide the required certified, finished-construction EC and V-Zone certifications.

31	701	Spanish Main Drive, Lot 227	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	This structure received a Certificate of Occupancy prior to Monroe County requiring finished construction elevation certificates. Monroe County no longer issues Certificates of Occupancy without an approved finished construction elevation certificate.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
32	H-12	Miriam Street	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	This structure received a Certificate of Occupancy prior to Monroe County verifying signature in both spots on elevation certificate.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.
33	701	Spanish Main Drive, Lot 101	VE-Zone. EC good.	Provide V-Zone certification (for both foundation design and anchoring and breakaway walls) demonstrating compliance.	Same property as below. See response.	See below (# 34) for the required documentation.
34	Lot 101	Venture Out (Cudjoe Key)	Only V-Zone certification provided	Certification included only for foundation design and anchoring. Unacceptable breakaway walls: (1) contain reinforcing bars, and (2) tied to beam and column. 4-inch concrete slab includes wire mesh reinforcement; it should breakaway into small pieces (e.g. 3' x 3') under lesser magnitude loads than those expected during the base flood condition. Structure must be brought into compliance. Provide new, revised EC and V-Zone certification (for both foundation design/anchoring and breakaway walls) demonstrating compliance.	Certificate of Occupancy issues prior to Monroe County requiring more detailed certificate for V zone construction. New owners are required to acknowledge that reinforced ground slabs can be treated as lowest horizontal structural member per TB-5 guidance.	This structure is in violation of free of obstruction requirements of V-Zones (44 CFR § 60.3 (e) (5)) and must be brought into compliance. Provide the required certified, finished-construction EC and V-Zone certifications.
35	701	Spanish Main Drive, Lot 284	EC for building under construction.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	Construction completed. Final el cert in file (attached).	The certifier did not affix seal. Provide signed and sealed EC.
36	115	Ivanhoe Court	EC not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	The home was completed prior to Monroe County verifying signatures in both places on the certificate. Monroe County no longer approves certificates without the signature in the box on the bottom.	The structure is in violation of the NFIP without the required certification of the elevation of the finished construction lowest floor. Provide certified EC.

Note:
(1) Document latitude/longitude coordinates' seconds' part to one decimal, if in deg. min. seconds format.
(2) Document latitude/longitude coordinates to four decimal places, if documented only in degrees.
(3) Document longitude coordinate with a "minus" or "West" for Monroe County.

Enclosure 5

Monroe County (Florida) Modular Homes' Elevation Certificates Second Review

#	Address	Street	Finding/Shortcoming	Remedial Action	Monroe County Response	FEMA Finding/Remedial Action
1	Lot 17	Barbados Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
2	22924	Buccaneer Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
3	3956	Hall Road	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
4	Lot 99	Blackbeard Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR still under construction., permit 041-1906. No CO will be issued until an approved Finished Construction Elevation Certificate is received.	Acknowledged.
5	27439	St. Vincent Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
6	1078	Picard Lane	M/E 2.7' ft. below BFE. EC no certified.	Machinery and equipment needs to be elevated to or above the BFE or otherwise protected from intrusion of floodwaters during base flood condition. The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Blower box housing (servicing septic) is M/E below flood, being replaced with central sewer.	No signature over the PSM's seal; thus uncertified and a violation of the NFIP requirements. Provide certified EC.
7	238	Ocean Blvd.	EC completed correctly and building compliant.	None		
8	922	La Paloma Road	Building In Zone X.	None		

9	27345	Tobago Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
10	331	Avenue D	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
11	360	Avenue C	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
12	370	Avenue C	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
13	27399	Jamaica Lane	EC for building under construction. No flood openings in enclosure.	Enclosure must have adequate flood openings. Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
14	102	Shore Drive	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
15	27369	Jamaica Lane	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.

16	27243	Antigua Lane	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
17	19538	Caloosa Street	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance. Provide V-Zone certification for foundation design and anchoring along with the design loads that form the basis for certification.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
18	19528	Caloosa Street	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance. Provide V-Zone certification for foundation design and anchoring along with the design loads that form the basis for certification.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
19	331	Avenue B	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
20	983	Indies Road	EC completed correctly and building compliant.	None		
21	22987	Redfish Lane	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	Finished construction elevation certificate attached in Exhibit 5 folder.	No PSM's seal is found; thus uncertified, and a violation of the NFIP requirements. Provide certified EC.
22	236	Allen Avenue	Building elevations inconsistent with BD # 5. EC not certified.	Provide new, revised EC with consistent elevations. The Certifier must sign/seal in Section D (big box on bottom right).	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
23	73	N Lake Drive	M/E 0.6' below BFE.	M/E must be protected from intrusion of floodwaters during the base flood condition. Provide new, revised EC demonstrating compliance.	No such address, please provide an RE# or permit number or name of owner.	The list was provided by Monroe County; FEMA did not prepare it. Provide certified EC.
24	27315	Guadaloupe Lane	EC completed correctly and building compliant.	None		

25	501	Avenue B	EC for building under construction	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
26	371	Avenue C	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Monroe County is no longer accepting elevation certificates without a seal and signature in the bottom right box, per FEMA direction. This SFR received a Certificate of Occupancy in 11/10.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
27	6620	Maloney Avenue, Unit 1	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Monroe County is no longer accepting elevation certificates without a seal and signature in the bottom right box, per FEMA direction. This SFR received a Certificate of Occupancy in 11/08.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
28	23050	Bonito Lane	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Monroe County is no longer accepting elevation certificates without a seal and signature in the bottom right box, per FEMA direction. This SFR received a Certificate of Occupancy in 10/11.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
29	16780	Cypress Road	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Monroe County is no longer accepting elevation certificates without a seal and signature in the bottom right box, per FEMA direction. This SFR received a Certificate of Occupancy in 7/10.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
30	27452	Antigua Lane	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide new, revised EC demonstrating compliance.	Monroe County is no longer accepting elevation certificates without a seal and signature in the bottom right box, per FEMA direction. This SFR received a Certificate of Occupancy in 8/12.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
31	141	Arica Lane	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificate.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.

32	31449	Avenue G	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificate.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
33	25	Pequena Lane	EC for building under construction. No flood openings in enclosure.	Enclosure must have adequate flood openings. Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificate. The flood venting was inspected and verified to be compliant prior to Certificate of Occupancy and Floodplain Dept has photos.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
34	351	Avenue F	EC completed correctly and building compliant.	None		
35	81	Palm Drive	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificate.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
36	31017	Hibiscus Drive	Not certified	The Certifier must sign/seal in Section D (big box on bottom right).	Accepts Elevation Certificates.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
37	29439	Saratoga Avenue	EC completed correctly and building compliant.	None		
38	27459	Haiti Lane		Provide new, revised EC with consistent elevations. The Certifier must sign/seal in Section D (big box on bottom right).	SFR received a CO prior to Monroe County requiring finished elevation certificates. Monroe County no longer issues certificates of occupancy without finished construction elevation certificate in file.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.
39	29565	Forrestal Avenue	Not certified	The Certifier must sign/seal in Section D (big box on bottom right). Provide certification for engineered flood openings.	SFR received a Certificate of Occupancy in 2012. Monroe County is now requiring signature in box on bottom right as well as the engineering for the flood openings- no elevation certificate forthcoming.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.

40	23	Emerald Drive	Not certified. M/E 0.5' below BFE.	M/E must be protected from intrusion of floodwaters during the base flood condition. Provide new, revised EC demonstrating compliance. The Certifier must sign/seal in Section D (big box on bottom right).	Construction completed, M/E in comments is the meter box, location determined by Keys Energy Services.	No PSM's seal is found (no other shortcoming); thus uncertified, and a violation of the NFIP requirements. Provide certified EC.
41	400	Avenue B	M/E 0.5' below BFE.	M/E must be protected from intrusion of floodwaters during the base flood condition. Provide new, revised EC demonstrating compliance.	Construction completed.	EC is accurately completed. No further response required.
42	33990	Overseas Highway	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	Construction completed.	No PSM's seal is found (no other shortcoming); thus uncertified, and a violation of the NFIP requirements. Provide certified EC.
43	1117	Basque Lane	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance. Provide V-Zone certification for foundation design and anchoring along with the design loads that form the basis for certification.	Finished construction elevation certificate attached in Exhibit 5 folder.	No PSM's seal is found (no other shortcoming); thus uncertified, and a violation of the NFIP requirements. Provide certified EC.
44	31060	Avenue D	EC for building under construction. EC not certified.	Finished construction EC is required to be maintained. Provide new, revised EC demonstrating compliance.	SFR received a Certificate of Occupancy without the Finished Elevation certificate. The Building Department has ceased this practice.	Sans certified, finished-construction EC, this structure is considered a violation of the NFIP requirements (44 CFR §59.1 (violation)). Provide certified, finished-construction EC.

Note:
(1) Document latitude/longitude coordinates' seconds' part to one decimal, if in deg. Min. seconds format.
(2) Document latitude/longitude coordinates to four decimal places, if documented only in degrees.
(3) Document longitude coordinate with a "minus" or "West" for Monroe County.

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

To: Development Review Committee
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, AICP, Planning & Development Review Manager
Matthew Coyle, AICP, Principal Planner MC

Date: June 17, 2015

Subject: *Request for a Minor Conditional Use Permit to transfer 45 Transferable ROGO Exemptions (TREs) from sender sites on Summerland Key, Cudjoe Key and Stock Island to a receiver site on Stock Island (commonly known as Oceanside Marina) (File #2013-070)*

Meeting: June 23, 2015

I REQUEST:

The applicant is requesting approval of a minor conditional use permit in order to transfer 45 Residential Rate of Growth Ordinance (ROGO) exemptions – known as TRE's - from sender sites at 24930 Overseas Highway on Summerland Key (22 market-rate permanent TRE's), 21585 Old State Road 4A on Cudjoe Key (16 market-rate permanent TRE's) and 5176 Suncrest Road on Stock Island (7 market-rate permanent TRE's) to a receiver site at 5948, 5950 and 5970 Peninsular Avenue on Stock Island. The transfer is in accordance with MCC §130-161.1.

The 45 TRE's are subject of 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.

On the sender sites, the residential dwelling units in which the transferred market-rate permanent TRE's are derived shall be converted to, or replaced with, an equivalent amount of deed-restricted affordable housing.

Applicant: Barton W. Smith, Esq. - Smith Oropeza Hawks, P.L.

Property Owners: Summerland Palm Investors, LLC (24930 Overseas Highway)
Coco Palms Developers, LLC (21585 Old State Road 4A)
Suncrest Investors, LLC (5176 Suncrest Road)
Oceanside Investors, LLC (5948, 5950 and 5970 Peninsular Avenue)

II RELEVANT PRIOR COUNTY/CITY ACTIONS:

Location #1 (Receiver Site): Oceanside Marina, 5498, 5950 and 5970 Peninsular Avenue, Stock Island:

In 1996, the Oceanside Investors' predecessor in interest applied for a minor conditional use permit for part of the Oceanside Marina property, 5970 Peninsular Avenue (real estate #00127420.000100 only). The approval is memorialized by Development Order #12-96, approved by the Director of Planning on July 23, 1996, and recorded in the official records of Monroe County on September 6, 1996. The permit allowed for the construction of a 9,600 SF storage building and other associated accessory improvements (Planning Department File #96045).

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

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

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

In 2007, the Oceanside Investors' predecessor in interest applied for an amendment to a major conditional use permit for part of the current Oceanside Marina property, 5950 and 5970 Peninsular Avenue (real estate #00127420.000000 and real estate #00127420.000100 only, as well as other property associated with a condominium development). The approval is memorialized by Planning Commission Resolution #P21-07, approved by the Planning Commission at a public hearing on April 11, 2007, signed by the Planning Commission Chair on May 9, 2007, and recorded in the official records of Monroe County on July 13, 2007. The amendment allowed for the demolition of several buildings and construction of 32 attached, market-rate residential dwelling units; 2 boat barns; 8 wet slips; and other associated accessory improvements. Please note that this project was not fully completed and

the 32 dwelling units were never constructed (and will not be constructed) (Planning Department File #26028).

In 2013, Oceanside Investors applied for the development agreement which is currently in effect. The original agreement was approved by the BOCC at a public hearing on December 11, 2013, and recorded in the official records of Monroe County on December 19, 2013. The original agreement allowed for the transfer of 46 market-rate TRE's from three sender sites to the Oceanside Marina property. The agreement also conceptually approved the scope of work of a concurrent major conditional use permit application and associated site plan (File #2013-069). [Please note that as of the date of this report, this project has not been completed. The applicant has 10 years from the effective date of the development agreement to complete the project.]

In 2013, Oceanside Investors applied for an amendment to the Oceanside Marina property's major conditional use permit to improve the marina's facilities, construct 78 new market rate residential dwelling units, construct 5 new hotel rooms, construct a new restaurant and carry out associated site improvements. The approval is memorialized by Planning Commission Resolution #P04-14, approved by the Planning Commission at a public hearing on February 26, 2014, signed by the Planning Commission Chair on March 26, 2014, and recorded in the official records of Monroe County on June 13, 2014 (File #2013-068). [Please note that as of the date of this report, this project has not been completed. The applicant has 10 years from the effective date of the development agreement to complete the project.]

In 2014, Oceanside Investors applied for a minor conditional use permit to transfer 9.3 of the TDR's required to facilitate the project approved by Resolution #P04-14 to the Oceanside Marina property. The approval is memorialized by Development Order #04-14, reviewed by the DRC at a public meeting on October 28, 2014, signed by the Senior Director of Planning & Environmental Resources on November 19, 2014, and recorded in the official records of Monroe County on March 6, 2015 (Planning Department File #2014-041).

In 2014, Oceanside Investors applied for an abandonment of a segment of Peninsular Avenue located north of the Oceanside Marina property (lying between Block 46 and Block 60). The abandonment was approved by the BOCC on June 30, 2014, as memorialized in Resolution #116-2014 (File #2014-054). Note: As a result, the Oceanside Marina property increased in size.

In 2014, Oceanside Investors entered into a purchase and sale agreement with Monroe County to purchase the Hickory House property located north of the Oceanside Marina property. On February 3, 2015, Oceanside Investors closed on the Hickory House property. Note: As a result, the Oceanside Marina property increased in size.

In 2014, Oceanside Investors applied for an amendment to the development agreement currently in effect. The first amendment was recorded in the official records of Monroe County on December 17, 2014 (File #2014-112). The first amendment added adjacent property and the abandoned roadway (as memorialized in Resolution #116-2014), increased the allowed number of hotel rooms from 5 to 17, allowed the transfer of up to 12 vested

rights associated with a previous approval related to Hawk's Cay and amended the conceptual site plan.

In 2014, Oceanside Investors applied for a minor conditional use permit to transfer 24.1 of the TDR's required to facilitate the project approved by Resolution #P04-14 to the Oceanside Marina property. The approval is memorialized by Development Order #06-14, reviewed by the DRC at a public meeting on November 17, 2014, signed by the Senior Director of Planning & Environmental Resources on December 12, 2014 and recorded in the official records of Monroe County on January 29, 2015 (Planning Department File #2014-139).

In 2014, Oceanside Investors applied for an abandonment of a second segment of Peninsular Avenue located north of the Oceanside Marina property (lying between Block 46 and Block 60). The abandonment was approved by the BOCC on March 18, 2015 (File #2014-132). Note: As a result, the Oceanside Marina property increased in size.

In 2014, Oceanside Investors applied for an amendment to the Oceanside Marina property's major conditional use permit to add adjacent property and the abandoned roadway, increase the allowed number of hotel rooms from 5 to 17 and amend the approved site plan. The approval is memorialized by Planning Commission Resolution #P41-14, approved by the Planning Commission at a public hearing on November 19, 2014, signed by the Planning Commission Chair on March 25, 2015 (File #2014-133).

In 2014, Oceanside Investors applied for a minor conditional use permit to transfer 5 transient TREs to the Oceanside Marina property. The application is currently being reviewed and processed. It will be decided upon by the Director of Planning & Environmental Resources following a review by the Development Review Committee (File #2014-141).

In 2014, Oceanside Investors applied for a second amendment to the development agreement which is currently in effect. The second amendment proposes to add abandoned roadway to the property, increase the maximum number of permanent residential units from 100 to 101 and amend the conceptual site plan. The second amendment was approved by the BOCC on June 10, 2015.

In 2014, Oceanside Investors applied for a minor deviation to the major conditional use permit to modify the site plan last approved by Planning Commission Resolution #P41-14 and increase the amount of approved permanent residential dwelling units from 100 to 101. The deviation will be decided by the Director of Planning & Environmental Resources following a review by staff (File #2014-176).

<u>Location #2 (Sender Site): Summerland Palms Trailer Park, 24930 Overseas Highway, Summerland Key:</u>

The Planning & Environmental Resources Department issued a Letter of Development Rights determination for the property on November 7, 2013. The letter states that there are 22

ROGO exemptions, associated with lawful the existence of 22 mobile homes (as market-rate, permanent residential units) (File #2013-134).

As described earlier in this report, in 2013, the development agreement that is currently in effect was initially approved. The original (and amended) agreement allowed for the transfer of 22 market-rate TRE's from 24930 Overseas Highway to the Oceanside Marina property.

Location #3 (Sender Site): Rainbow's End Trailer Park, 21585 Old State Rd 4A, Cudjoe Key:

On May 13, 2008, a Letter of Development Rights Determination was issued for the property. The letter states that there are 16 ROGO exemptions, associated with lawful the existence of 16 mobile homes (File #28019).

The Planning & Environmental Resources Department issued a revised Letter of Development Rights determination for the property on November 26, 2013. The letter states that there are 17 ROGO exemptions, associated with lawful the existence of 17 mobile homes (as market-rate, permanent residential units) and 5 RVs spaces (as transient residential units) (File #2013-132).

As described earlier in this report, in 2013, the development agreement that is currently in effect was initially approved. The original (and amended) agreement allowed for the transfer of 17 market-rate TRE's from 21585 Old State Rd 4A to the Oceanside Marina property.

Location #4 (Sender Site): 5176 Suncrest Road, Stock Island:

The Planning & Environmental Resources Department issued a Letter of Development Rights determination for the property on November 14, 2013. The letter states that there are 7 ROGO exemptions, associated with lawful the existence of 7 mobile homes (as market-rate, permanent residential units) (File #2013-133).

As described earlier in this report, in 2013, the development agreement that is currently in effect was initially approved. The original (and amended) agreement allowed for the transfer of 7 market-rate TRE's from 5176 Suncrest Road to the Oceanside Marina property.

III BACKGROUND INFORMATION:

Location #1 (Receiver Site) - Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, mile marker 5:

Legal Description: 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 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, Stock Island

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

Total Size of Parcels: Approximately 20.20 acres (approximately 12.20 acres of upland)

Land Use District: Mixed Use (MU)

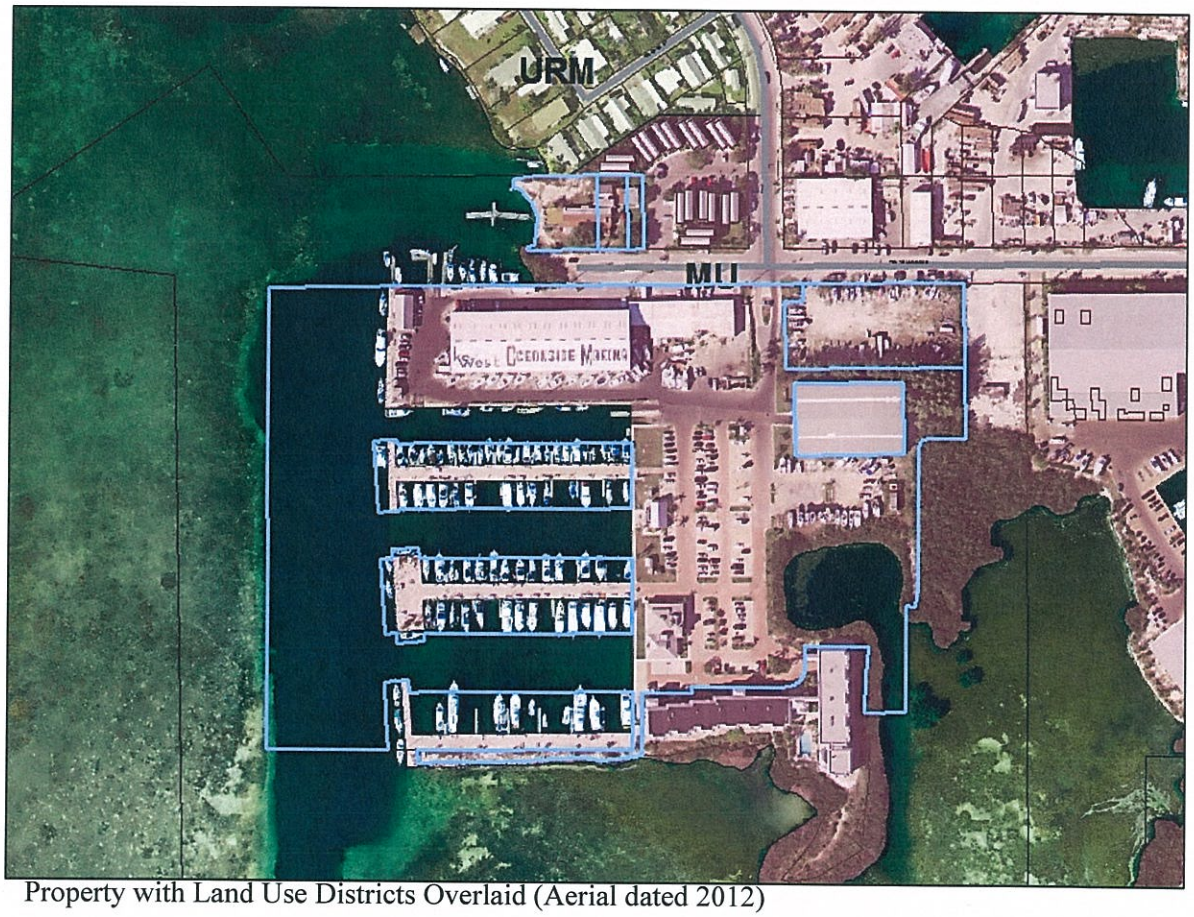
Future Land Use Map (FLUM) Designation: Mixed Use / Commercial (MC)

Tier Designation: Tier III

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

Existing Uses: Marina, Commercial Retail, Office, Residential

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



Property with Land Use Districts Overlaid (Aerial dated 2012)

Location #2 (Sender Site) - Summerland Palms Trailer Park, 24930 Overseas Highway, Summerland Key, mile marker 25:

Legal Description: Lot 55 and a portion of Lot 54, Summerland Yacht Harbor, Summerland Key

Real Estate (RE) Numbers: 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

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

Land Use District: Urban Residential Mobile Home (URM)

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

Tier Designation: Tier III

Flood Zone: AE-EL 8'

Existing Use: Mobile Home

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

Property with Land Use Districts Overlaid (Aerial dated 2012)

Location #3 (Sender Site) – Rainbow's End Trailer Park, 21585 Old State Rd 4A, Cudjoe Key, mile marker 22:

Legal Description: Lot 30, Sacarma, Cudjoe Key

Real Estate (RE) Number: 00174960.000000

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

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

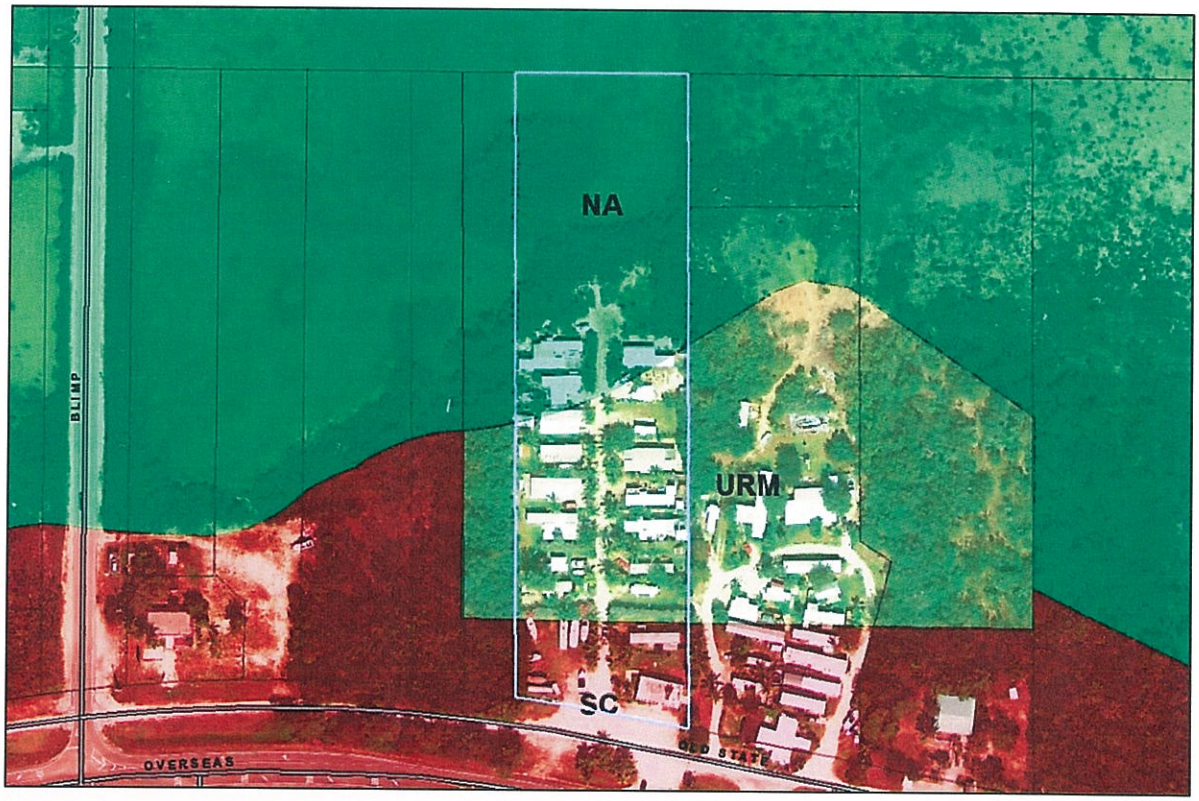
Future Land Use Map (FLUM) Designations: Residential Conservation (RC), Residential High (RH) and Mixed Use / Commercial (MC)

Tier Designation: Tier III

Flood Zone: AE-EL 10'

Existing Uses: Mobile Home, Commercial Retail, RV

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



Property with Land Use Districts Overlaid (Aerial dated 2012)

Location #4 (Sender Site) - 5176 Suncrest Road, Stock Island, mile marker 5:

Legal Description: Lots 27 and 28, Sun Krest, Stock Island

Real Estate (RE) Number: 00132680.000000

Total Size of Parcel: Approximately 2.07 acres (Unknown amount of upland)

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

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

Tier Designations: Tier I and Tier III

Flood Zones: AE-EL 8' and AE-EL 9'

Existing Uses: Mobile Home

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

Property with Land Use Districts Overlaid (Aerial dated 2012)

IV REVIEW OF APPLICATION:

As set forth in MCC §130-161.1(2)(a), the intent of the subject TRE program is to establish an appropriate incentive for mobile home park owners to maintain mobile home park sites, mobile home developments in URM and URM-L districts, and contiguous parcels under common ownership containing mobile homes where any of the foregoing is presently serving as a primary source of affordable housing in Monroe County (any of the foregoing being an "eligible sender site") by providing an alternative development strategy to straightforward market-rate redevelopment. This program is intended to allow the transfer of market rate ROGO exemptions associated with lawfully established dwelling units now existing at an eligible sender site to be transferred to another site or sites in exchange for maintaining an equal or greater number of deed-restricted affordable dwelling units within Monroe County. This program seeks to address the housing needs of the Florida Keys as a regional obligation.

The subject TRE program provides an eligible sender site owner the opportunity to transfer market rate ROGO exemptions currently associated with existing and lawfully established dwelling units from eligible sender sites to receiver site(s) within Monroe County, provided that it involves the pooling of affordable dwelling unit rights for redevelopment at donated, purchased or otherwise appropriately deed-restricted sites, and transfer of ROGO exemptions or allocations for the purpose of implementing and facilitating one or more affordable housing projects. The provisions of MCC §130-161.1 shall control over all contrary provisions of the Land Development Code related to the transferability of ROGO exemptions.

Pursuant to MCC §130-161.1(2)(b), the subject TRE program requires the following procedure:

(i) This transfer shall require an approved development agreement:

In compliance: A development agreement authorizing the transfer was approved by the BOCC at a public hearing on December 11, 2013 and recorded in the official of Monroe County on December 19, 2013. The original agreement allowed for the transfer of 46 market-rate TRE's from three sender sites to the Oceanside Marina property.

(ii) Minor conditional use approval is required to complete the transfer.

In compliance: This application is for the required minor conditional use permit approval.

(iii) A development agreement shall not be required for an eligible sender site containing ten or fewer mobile homes. For the purposes of this exception, property owners shall not be permitted to subdivide by deed, split ownership or otherwise divide larger contiguous parcels containing more than ten mobile homes to create parcels containing fewer than ten mobile homes.

Not applicable: The development agreement involves several mobile home parks. In two of the mobile home parks, the total number of mobile homes affected exceeds 10.

Pursuant to MCC §130-161.1(2)(c), the subject TRE program requires the following:

(i) Sender site restrictions:

(1) *ROGO exemptions transferred under this program may be transferred on a 1 for 1 basis where the ROGO exemptions are to be transferred to single-family residential lots or parcels within the same ROGO planning subarea. However, where transfers are to be made to commercial or recreational working waterfronts (as defined by Florida Statutes), or to multi-family projects in non-IS districts, the transfers shall result in no fewer than two deed-restricted affordable or workforce housing units remaining on an eligible sender site(s) for each market rate ROGO exemption transferred. MCC §130-161.1 expresses the county's preference for transfer of ROGO exemptions to single-family lots/parcels....A given potential scenario may depend upon availability of affordable ROGO allocations provided by the county:*

<u>In compliance:</u> The development agreement involves a transfer on a 1 for 1 basis, as the receiver site is within the same ROGO planning subarea as all of the sender sites. The receiver site does not currently consist of single-family residential lots or parcels. As a plat was not required or feasible, after any approval and construction of the residential dwelling units, the developer will establish individual parcels for each of the residential dwelling units via the Monroe County Property Appraiser (with a unique real estate number for each single-family unit).

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

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

<u>In compliance:</u> The applicant hired a professional to carry out inspection of the mobile home parks. Report(s) have been provided to the County for all properties. All sender site units shall be appropriately deed-restricted for 99 years for long-term affordability prior to the receiver site units receiving a certificate of occupancy.

(3) *The number of transferred ROGO exemptions shall not exceed the number of restricted affordable dwelling units maintained at the eligible sender sites:*

In compliance: The development agreement involves the transfer of 46 TRE's to the receiver site and the deed-restrictions of 46 affordable housing units at the sender sites. This minor conditional use only approves the transfer of 45 TRE's.

(4) *The resulting development or redevelopment of affordable housing pursuant to the governing development agreement will be targeted to serve as closely as possible the following household income categories: 25 percent very low income households, 25 percent low income households, 25 percent median income households, and 25 percent moderate income households (or as otherwise approved by the BOCC):*

In compliance: The agreement includes an approximate combination of 50 percent moderate-income, 25 percent median-income and 25 percent low-income. The applicant has requested that allocations associated with the very low-income be reserved for other projects that require very low-income allocations. Specifically:

- Suncrest shall be allocated 3 low income and 4 moderate income
- Summerland Palms shall be allocated 7 low income, 10 median income and 5 moderate income
- Coco Palms Developers shall be allocated 1 low income, 2 median income and 14 moderate income

(5) *Lot rents and/or sales prices for resulting deed-restricted dwelling units shall be established in accordance with restrictions outlined in Florida Statutes and/or the MCC:*

In compliance: Compliance shall be monitored and an annual report shall be provided.

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

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

(7) *A development agreement proposed under this program shall not utilize more than 50 percent of the existing affordable housing allocations then available to Monroe County, unless otherwise approved by the BOCC:*

In compliance: The development agreement involves a reservation of 46 affordable housing allocations: Summerland Palms (22), Cudjoe Coco Palms (17) and Suncrest (7). Further, of the 46 affordable housing allocations, 23 would be moderate income, 12 would be median income and 11 would be low income.

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

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

In compliance: All of the sender sites and the receiver site subject to the development agreement are located in the Lower Keys ROGO subarea.

Pursuant to MCC §130-161.1(2)(d), the subject TRE program requires the following minor conditional use permit requirements:

(i) Receiver site criteria:

(1) *The receiver site shall be located in a Tier III designated area:*

In compliance: The receiver site is designated Tier III.

(2) *The receiver site shall not be located in a velocity (V) zone:*

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

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

In compliance: This requirement is stated several times in the development agreement and will be enforced.

(4) *All or any portion of the redeveloped or preserved affordable housing units may be redeveloped or retained at one or more alternate or additional locations donated or sold to Monroe County, identified in the Development Agreement and otherwise*

compliant with the remainder of this section, including but not limited to the requirements set forth in MCC §130-161.1(2)(c)(i)(2):

Not applicable.

(5) *Transferred ROGO-exemptions shall remain in the same ROGO planning subarea:*

In compliance: All of the sender sites and the receiver site are located in the Lower Keys ROGO subarea.

Receiver Site Development Overview:

New dwelling units are permitted on the receiver site. The following regulations pertain to use and density of the receiver site (a full review shall be carried out upon submittal a building permit application):

Permitted Uses in the MC FLUM category (MCCP Policy 101.4.5):

New dwelling units are permitted in the MC FLUM category. The principal purpose of the MC land use category is to provide for the establishment of commercial land use (zoning) districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. In addition, MC land use districts are to establish and conserve areas of mixed uses, which may include maritime industry, light industrial uses, commercial fishing, transient and permanent residential, institutional, public, and commercial retail uses. This land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and non-residential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited.

Permitted Uses in the MU district (MCC §130-88):

New dwelling units are permitted in the MU district. Attached residential dwelling units, where the total number is greater than four units, may be permitted with a minor conditional use permit. However, in the case of this receiver site, due to other uses on-site, it is currently subject to a major conditional use permit approval.

Permanent Residential Density in MU district (MCC §130-157):

Land Use	FAR / Density	Size of Site	Max Allowed	Proposed	Potential Used
Permanent Residential	12 units / buildable ac [1]	12.06 upland ac (9.65 buildable ac)	115.80 units	100 units	86.36%

1: This is maximum net density (12 units per buildable acre), not allocated density (1 unit per acre).
2: While this applicant only involves 45 TRE's, the applicant is currently proposing 78 new units on the receiver site. An additional 22 units are currently in existence (100 in total).
3: The above table does not reflect the cumulative density that is or will be utilized by other land uses.

Permanent Residential Density in the MC FLUM category (MC Policy 101.4.21):

Max Net Density	Size of Site	Max Allowed	Proposed
2-18 units / buildable acre	12.06 upland ac (9.65 buildable ac)	173.7	100

1: This is maximum net density (18 per buildable acre), not allocated density.
2: While this applicant only involves 45 TRE's, the applicant is currently proposing 100 units on the receiver site.
3: The above table does not reflect the cumulative density that is or will be utilized by other land uses.

V RECOMMENDATION:

Staff recommends APPROVAL to the Director of Planning & Environmental Resources of the transfer of the subject 45 TRE's with the following conditions:

1. Prior to the issuance of any development order formally approving the transfer, all required Transferable Development Rights (TDR's) shall have been transferred to the receiver site.

File #: **2013-070**

Owner's Name: Oceanside Investors LLC

Applicant: Oceanside Investors LLC
Summerland Palms Investors LLC
Coco Palms Investors LLC
Suncrest Investors LLC

Agent: Barton W. Smith, Esq.

Type of Application: Minor - TRE

Key: Stock Island, Cudjoe Key

RE: 00127420.000000, 00127420.000100, 00126210.000000, 00126220.000000, 00126230.000000, 00132680.000000, 00174960.000000, 00133760.000127, 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, 00194741.002200

Sender Sites: Summerland Palms Investors, LLC
Suncrest Investors, LLC
Coco Palms Developers, LLC

Receiver Site: Oceanside Investors, LLC

File #: **2013-070**

Owner's Name: Atlas FL II SPE LLC

Applicant: Oceanside Investors LLC
Summerland Palms Investors LLC
~~H & L Florida Associates LLC~~
~~R & S of Key West Inc.~~
~~H-Try LLC & 5671 MacDonald LLC~~
COCO PALMS I

Agent: Barton W. Smith, Esq.

Type of Application: Minor - TRE

Key: Stock Island

RE: 00127420-000000; 00127420-000100

Sender Sites: Summerland Palms Investors LLC
~~H & L Florida Associates LLC~~
~~R & S of Key West Inc., H-Try~~ LLC &
~~5671~~ MacDonald LLC

Receiver Site: Oceanside Investors LLC

Additional Information added to File 2013-070

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
MAY 21 2015
MONROE CO. PLANNING DEPT

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

May 21, 2015

VIA HAND DELIVERY

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company and Coco Palms Developers, LLC's
Second Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval with File No. 2013-070

Dear Matt,

This letter will constitute Oceanside Investors, LLC ("Oceanside"), a Florida limited liability company and Coco Palms Developers, LLC's[1] request to update and revise the Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070 as amended through my firm's April 5, 2015 letter to you (collectively, the "2013 Application"), which is enclosed. This amendment is requesting to reduce the TREs to be transferred to Oceanside from 46 TREs to 45 TREs by reducing the amount requested to be transferred from Coco Palms from seventeen to sixteen. Additions made to the 2013 Application, are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Sender Site Property Owner:

Coco Palms Developers, LLC[2]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

[1] Summerland Palms Investors, LLC and Suncrest Investors, LLC are also co-applicants but are unaffected by this amendment.

[2] ~~Seventeen (17)~~ Sixteen (16) of the Seventeen (17) Market Rate TREs are being transferred; please see copy of the January 16, 2014 LDRD letter confirming that the Coco Palms Developers, LLC property is entitled to seventeen (17) ROGO exemptions previously submitted as part of this Application

138-142 Simonton Street · Key West, Florida 33040 · Phone: (305) 296-7227 · Fax: (305) 296-8448

Mailing Address (Street, City, State, Zip Code)
305-395-1610
Daytime Phone

Amount of dwelling units to be transferred to Receiver Site: 45 ~~46~~ "

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

April 6, 2015

VIA FEDEX

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company
Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE): Receiver Site Approval with File No. 2013-070

Dear Matt,

As previously discussed, in light of a change to one of the sender site owners on the Oceanside project development, amendments are required to reflect such changes for that certain Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070, as amended by the amendment letter dated February 24, 2015 attached as Exhibit A (collectively, the "2013 Application"). Additions made to the 2013 Application and 2014 Application are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, Coco Palms Investors, LLC, and Suncrest Investors, LLC ~~and Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski~~
c/o Smith Oropeza Hawks, P.L. Barton W. Smith, Esq.

Name

138 – 142 Simonton Street, Key West, Florida 33040

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

138-142 Simonton Street · Key West, Florida 33040 · Phone: (305) 296-7227 · Fax: (305) 296-8448

(305) 296-7227

Daytime Phone

bart@smithoropeza.com

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040 MM25

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

Sender Site Property Owner:

Suncrest Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lots 27 and 28 Sun Krest, Plat Book 1, Page 107

Block Lot Subdivision Key

00132680-000000 1167142

Real Estate (RE) Number Alternate Key Number

5176 Suncrest Road, Stock Island, Florida 33040 MM5

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

Sender Site Property Owner:

Coco Palms Developers, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
Lot 30 Sacarma, Plat Book 2, Page 48

Block	Lot	Subdivision	Key
00174960-000000		1227021	

Real Estate (RE) Number	Alternate Key Number
21585 Old State Road 4A, Cudjoe Key, Florida	MM 21
Street Address (Street, City, State, Zip Code)	Approximate Mile Marker

~~**Sender Site Property Owner:**~~

~~Barton W. Smith and Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski~~

~~Name~~

~~6800 Maloney Avenue, Unit 29, Stock Island, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~305-296-7227~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~
~~(If in metes and bounds, attach legal description on separate sheet)~~
~~Unit 29 of Harbor Shores Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824~~

~~Block~~	~~Lot~~	~~Subdivision~~	~~Key~~
~~00133760-000127~~		~~8699468~~	

~~Real Estate (RE) Number~~	~~Alternate Key Number~~
~~6800 MALONEY AVE LOT 29 KEY WEST, FL 33040-8109~~	~~MM 5~~
~~Street Address (Street, City, State, Zip Code)~~	~~Approximate Mile Marker~~

Receiver Site Property Owner:

Oceanside Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Receiver Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
SEE ATTACHED LEGAL DESCRIPTION AT TAB 2

Block	Lot	Subdivision	Key
00127420-000000, 00127420-00010000, 126210-000000, 00126220-000000, and 00126230-000000 1161624, 8884257 1160407, 1160415 and 1160423			

Real Estate (RE) Number — Alternate Key Number

5950 – 5970 and 5948 Peninsular Avenue, Stock Island, Florida 33040 — MM 5

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

Sender Site Land Use District Designation: Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

Suncrest Investors, LLC property - Mixed Use (MU) and Native Area (NA)

Coco Palms Developers, LLC's property - Urban Residential Mobile Home (URM), Native Area (NA), and Suburban Commercial (SC)

~~Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property – Urban Residential Mobile Home (URM)~~

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

Suncrest Investors, LLC property - Mixed Use Commercial (MC) and Residential Conservation (RC)

Coco Palms Developers, LLC's property - Residential Conservation (RC) and Mixed Use Commercial (MC)

~~Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property – Residential High (RH)~~

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site:

_____

Amount of dwelling units to be transferred to Receiver Site: ~~47~~ 46 _____"

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

EXHIBIT A

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
FEB 24 2015
MONRCE CO. PLANNING DEPT

COPY

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

February 24, 2015

VIA HAND DELIVERY

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval with File No. 2013-070

Dear Matt,

As previously discussed, in light of multiple changes on the Oceanside project development, amendments are required to reflect such changes for that certain Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070 (the "2013 Application"). Additions made to the 2013 Application and 2014 Application are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, H~~&L Florida Associates, LLC, R&S of Key West, Inc., H-Try, LLC, and 5671 MacDonald LLC,~~ Coco Palms Investors, LLC, Suncrest Investors, LLC, and Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski
C/O Smith Oropeza Hawks, P.L. 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

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC[1]

Name

1010 Kennedy Drive, Suite 303 2, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040

MM25

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

Sender Site Property Owner:

Suncrest Investors, LLC[2]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lots 27 and 28 Sun Krest, Plat Book 1, Page 107[3]

Block Lot Subdivision Key

00132680-000000 1167142

Real Estate (RE) Number Alternate Key Number

5176 Suncrest Road, Stock Island, Florida 33040 MM5

[1] Twenty two (22) Market Rate TREs are being transferred.

[2] Seven (7) Market Rate TREs are being transferred; please see copy of the November 14, 2013 LDRD letter stating that the Suncrest Investors, LLC property is entitled to seven (7) ROGO exemptions attached as Exhibit A to this letter

[3] Please see property record card and conveyance deed attached as Exhibit B to this letter

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

Sender Site Property Owner:

Coco Palms Developers, LLC[4]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
Lot 30 Sacarma, Plat Book 2, Page 48[5]

Block	Lot	Subdivision	Key
00174960-000000		1227021	

Real Estate (RE) Number Alternate Key Number

21585 Old State Road 4A, Cudjoe Key, Florida MM 21

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

Sender Site Property Owner:

Barton W. Smith and Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski

Name

6800 Maloney Avenue, Unit 29, Stock Island, Florida 33040

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

305-296-7227

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
Unit 29 of Harbor Shores Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824[6]

Block	Lot	Subdivision	Key
00133760-000127		8699468	

Real Estate (RE) Number Alternate Key Number

6800 MALONEY AVE LOT 29 KEY WEST, FL 33040-8109 MM 5

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

---

[4] Seventeen (17) Market Rate TREs are being transferred; please see copy of the January 16, 2014 LDRD letter confirming that the Coco Palms Developers, LLC property is entitled to seventeen (17) ROGO exemptions attached as Exhibit C to this letter

[5] Please see property record card and conveyance deed attached as Exhibit D to this letter

[6] Please see property record card and conveyance deed attached as Exhibit E to this letter

~~Sender Site Property Owner:~~

~~H&L Florida Associates, LLC C/O Gregory Oropeza~~

~~Name~~

~~138 Simonton Street, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-7227~~

~~Daytime Phone~~

~~Sender Site Legal Description:~~

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

~~Lot 30 Plat Book 2-48 Cudjoe Key~~

~~Block Lot Subdivision Key~~

~~00174960-000000 1227021~~

~~Real Estate (RE) Number Alternate Key Number~~

~~21585 Old State Road 4A, Cudjoe Key, Florida 33040 MM 21~~

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

~~Sender Site Property Owner:~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~Sender Site Legal Description:~~

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

~~31 9 Maloney Stock Island~~

~~Block Lot Subdivision Key~~

~~001224430-000000 1158851~~

~~Real Estate (RE) Number Alternate Key Number~~

~~5671 MacDonald Avenue, Key West, Florida 33040 MM 5~~

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

~~Sender Site Property Owner:~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~Sender Site Legal Description:~~
~~(If in metes and bounds, attach legal description on separate sheet)~~

~~31~~	~~16~~	~~Maloney~~	~~Stock Island~~
~~Block~~	~~Lot~~	~~Subdivision~~	~~Key~~
~~001224470-000000~~	~~1158593~~		
~~Real Estate (RE) Number~~		~~Alternate Key Number~~	

~~Vacant Land on MacDonald Avenue, Key West, Florida 33040 MM 5~~
~~Street Address (Street, City, State, Zip Code) Approximate Mile Marker~~

Receiver Site Property Owner:

Oceanside Investors, LLC
Name

1010 Kennedy Drive, Suite 30~~3~~2, Key West, Florida 33040
Mailing Address (Street, City, State, Zip Code)

305-395-1610
Daytime Phone

Receiver Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
SEE ATTACHED LEGAL DESCRIPTION AT TAB 2[7]

Block	Lot	Subdivision	Key
00127420-000000, ~~and~~ 00127420-00010000, 126210-000000, 00126220-000000, and 00126230-000000 1161624, ~~and~~ 8884257 1160407, 1160415 and 1160423			

Real Estate (RE) Number Alternate Key Number
5950 – 5970 and 5948 Peninsular Avenue, Stock Island, Florida 33040 MM 5
Street Address (Street, City, State, Zip Code) Approximate Mile Marker

Sender Site Land Use District Designation: Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

~~H&L Florida Associates, LLC – Urban Residential Mobile Home (URM)~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC – Mixed Use (MU)~~

Suncrest Investors, LLC property - Mixed Use (MU) and Native Area (NA)

Coco Palms Developers, LLC's property - Urban Residential Mobile Home (URM).

[7] Please see property record cards and conveyance deed regarding real estate numbers 00126210-000000, 00126220-000000, and 00126230-000000 attached as Exhibit F to this letter

Native Area (NA), and Suburban Commercial (SC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property - Urban Residential Mobile Home (URM)

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

~~H&L Florida Associates, LLC – Mixed Use Commercial (MC)~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC – Mixed Use Commercial (MC)~~

Suncrest Investors, LLC property - Mixed Use Commercial (MC) and Residential Conservation (RC)

Coco Palms Developers, LLC's property - Residential Conservation (RC) and Mixed Use Commercial (MC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property – Residential High (RH)

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site:

Amount of dwelling units to be transferred to Receiver Site: ~~46~~ 47

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
APR - 7 2015
MONROE CO. PLANNING DEPT

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

April 6, 2015

VIA FEDEX

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company
Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE): Receiver Site Approval with File No. 2013-070

Dear Matt,

As previously discussed, in light of a change to one of the sender site owners on the Oceanside project development, amendments are required to reflect such changes for that certain Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070, as amended by the amendment letter dated February 24, 2015 attached as Exhibit A (collectively, the "2013 Application"). Additions made to the 2013 Application and 2014 Application are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, Coco Palms Investors, LLC, and Suncrest Investors, LLC ~~and Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski~~
c/o Smith Oropeza Hawks, P.L. Barton W. Smith, Esq.

Name

138 – 142 Simonton Street, Key West, Florida 33040

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

138-142 Simonton Street · Key West, Florida 33040 · Phone: (305) 296-7227 · Fax: (305) 296-8448

(305) 296-7227

Daytime Phone

bart@smithoropeza.com

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040 MM25

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

Sender Site Property Owner:

Suncrest Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lots 27 and 28 Sun Krest, Plat Book 1, Page 107

Block Lot Subdivision Key

00132680-000000 1167142

Real Estate (RE) Number Alternate Key Number

5176 Suncrest Road, Stock Island, Florida 33040 MM5

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

Sender Site Property Owner:

Coco Palms Developers, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lot 30 Sacarma, Plat Book 2, Page 48

Block	Lot	Subdivision	Key
00174960-000000		1227021	

Real Estate (RE) Number	Alternate Key Number
21585 Old State Road 4A, Cudjoe Key, Florida	MM 21
Street Address (Street, City, State, Zip Code)	Approximate Mile Marker

~~**Sender Site Property Owner:**~~

~~Barton W. Smith and Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski~~

~~Name~~

~~6800 Maloney Avenue, Unit 29, Stock Island, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~305-296-7227~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~

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

~~Unit 29 of Harbor Shores Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824~~

~~Block~~	~~Lot~~	~~Subdivision~~	~~Key~~
~~00133760-000127~~		~~8699468~~	

~~Real Estate (RE) Number~~	~~Alternate Key Number~~
~~6800 MALONEY AVE LOT 29 KEY WEST, FL 33040-8109~~	~~MM 5~~
~~Street Address (Street, City, State, Zip Code)~~	~~Approximate Mile Marker~~

Receiver Site Property Owner:

Oceanside Investors, LLC

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Receiver Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
SEE ATTACHED LEGAL DESCRIPTION AT TAB 2

Block	Lot	Subdivision	Key
00127420-000000, 00127420-00010000, 126210-000000, 00126220-000000, and 00126230-000000 1161624, 8884257 1160407, 1160415 and 1160423			

Real Estate (RE) Number	Alternate Key Number
5950 – 5970 and 5948 Peninsular Avenue, Stock Island, Florida 33040	MM 5
Street Address (Street, City, State, Zip Code)	Approximate Mile Marker

Sender Site Land Use District Designation: Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

Suncrest Investors, LLC property - Mixed Use (MU) and Native Area (NA)

Coco Palms Developers, LLC's property - Urban Residential Mobile Home (URM), Native Area (NA), and Suburban Commercial (SC)

~~Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property - Urban Residential Mobile Home (URM)~~

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

Suncrest Investors, LLC property - Mixed Use Commercial (MC) and Residential Conservation (RC)

Coco Palms Developers, LLC's property - Residential Conservation (RC) and Mixed Use Commercial (MC)

~~Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property - Residential High (RH)~~

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site:

_____

Amount of dwelling units to be transferred to Receiver Site: ~~47~~ 46_____"

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

EXHIBIT A

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
FEB 24 2015
MONROE CO. PLANNING DEPT

COPY

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

February 24, 2015

VIA HAND DELIVERY

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company
Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval with File No. 2013-070

Dear Matt,

As previously discussed, in light of multiple changes on the Oceanside project development, amendments are required to reflect such changes for that certain Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070 (the "2013 Application"). Additions made to the 2013 Application and 2014 Application are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, H~~&L Florida Associates, LLC, R&S of Key West, Inc., H-Try, LLC, and 5671 MacDonald LLC,~~ Coco Palms Investors, LLC, Suncrest Investors, LLC, and Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski
C/O Smith Oropeza Hawks, P.L. 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

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC[1]

Name

1010 Kennedy Drive, Suite 30~~3~~2, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040

MM25

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

Sender Site Property Owner:

Suncrest Investors, LLC[2]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lots 27 and 28 Sun Krest, Plat Book 1, Page 107[3]

Block Lot Subdivision Key

00132680-000000 1167142

Real Estate (RE) Number Alternate Key Number

5176 Suncrest Road, Stock Island, Florida 33040 MM5

[1] Twenty two (22) Market Rate TREs are being transferred.

[2] Seven (7) Market Rate TREs are being transferred; please see copy of the November 14, 2013 LDRD letter stating that the Suncrest Investors, LLC property is entitled to seven (7) ROGO exemptions attached as Exhibit A to this letter

[3] Please see property record card and conveyance deed attached as Exhibit B to this letter

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

Sender Site Property Owner:

Coco Palms Developers, LLC[4]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lot 30 Sacarma, Plat Book 2, Page 48[5]

Block Lot Subdivision Key

00174960-000000 1227021

Real Estate (RE) Number Alternate Key Number

21585 Old State Road 4A, Cudjoe Key, Florida MM 21

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

Sender Site Property Owner:

Barton W. Smith and Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski

Name

6800 Maloney Avenue, Unit 29, Stock Island, Florida 33040

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

305-296-7227

Daytime Phone

Sender Site Legal Description:

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

Unit 29 of Harbor Shores Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824[6]

Block Lot Subdivision Key

00133760-000127 8699468

Real Estate (RE) Number Alternate Key Number

6800 MALONEY AVE LOT 29 KEY WEST, FL 33040-8109 MM 5

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

---

[4] Seventeen (17) Market Rate TREs are being transferred; please see copy of the January 16, 2014 LDRD letter confirming that the Coco Palms Developers, LLC property is entitled to seventeen (17) ROGO exemptions attached as Exhibit C to this letter

[5] Please see property record card and conveyance deed attached as Exhibit D to this letter

[6] Please see property record card and conveyance deed attached as Exhibit E to this letter

~~**Sender Site Property Owner:**~~

~~H&L Florida Associates, LLC C/O Gregory Oropeza~~

~~Name~~

~~138 Simonton Street, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-7227~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~

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

~~Lot 30 Plat Book 2-48 Cudjoe Key~~

~~Block Lot Subdivision Key~~

~~00174960-000000 1227021~~

~~Real Estate (RE) Number Alternate Key Number~~

~~21585 Old State Road 4A, Cudjoe Key, Florida 33040 MM 21~~

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

~~**Sender Site Property Owner:**~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~

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

~~31 9 Maloney Stock Island~~

~~Block Lot Subdivision Key~~

~~001224430-000000 1158851~~

~~Real Estate (RE) Number Alternate Key Number~~

~~5671 MacDonald Avenue, Key West, Florida 33040 MM 5~~

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

~~**Sender Site Property Owner:**~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~
~~(If in metes and bounds, attach legal description on separate sheet)~~

~~31~~	~~16~~	~~Maloney~~	~~Stock Island~~
~~Block~~	~~Lot~~	~~Subdivision~~	~~Key~~
~~001224470-000000~~	~~1158593~~		
~~Real Estate (RE) Number~~		~~Alternate Key Number~~	
~~Vacant Land on MacDonald Avenue, Key West, Florida 33040 MM 5~~			
~~Street Address (Street, City, State, Zip Code)~~		~~Approximate Mile Marker~~	

Receiver Site Property Owner:

Oceanside Investors, LLC

Name

1010 Kennedy Drive, Suite 30~~3~~2, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Receiver Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
SEE ATTACHED LEGAL DESCRIPTION AT TAB 2[7]

Block	Lot	Subdivision	Key
00127420-000000, ~~and~~ 00127420-00010000, 126210-000000, 00126220-000000, and 00126230-000000 1161624, ~~and~~ 8884257 1160407, 1160415 an d 1160423			
Real Estate (RE) Number		Alternate Key Number	
5950 – 5970 and 5948 Pen~~n~~insular Avenue, Stock Island, Florida 33040			MM 5
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	

Sender Site Land Use District Designation: Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

~~H&L Florida Associates, LLC – Urban Residential Mobile Home (URM)~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC – Mixed Use (MU)~~

Suncrest Investors, LLC property - Mixed Use (MU) and Native Area (NA)

Coco Palms Developers, LLC's property - Urban Residential Mobile Home (URM),

[7] Please see property record cards and conveyance deed regarding real estate numbers 00126210-000000, 00126220-000000, and 00126230-000000 attached as Exhibit F to this letter

Native Area (NA), and Suburban Commercial (SC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property - Urban Residential Mobile Home (URM)

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

~~H&L Florida Associates, LLC – Mixed Use Commercial (MC)~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC – Mixed Use Commercial (MC)~~

Suncrest Investors, LLC property - Mixed Use Commercial (MC) and Residential Conservation (RC)

Coco Palms Developers, LLC's property - Residential Conservation (RC) and Mixed Use Commercial (MC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property – Residential High (RH)

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site:

Amount of dwelling units to be transferred to Receiver Site: ~~46~~ 47 "

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
FEB 2 4 2015
MONROE CO. PLANNING DEPT

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

February 24, 2015

VIA HAND DELIVERY

Matt Coyle, AICP, Senior Planner
Monroe County Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Oceanside Investors, LLC, a Florida limited liability company
Amendment to Previously Submitted Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval with File No. 2013-070

Dear Matt,

As previously discussed, in light of multiple changes on the Oceanside project development, amendments are required to reflect such changes for that certain Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE):Receiver Site Approval filed May 31, 2013/File No. 2013-070 (the "2013 Application"). Additions made to the 2013 Application and 2014 Application are underlined in blue and deletions are ~~stricken through in red~~.

The following amendments are hereby made to the 2013 Application:

"Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, H~~&L Florida Associates, LLC, R&S of Key West, Inc., H-Try, LLC, and 5671 MacDonald LLC,~~ Coco Palms Investors, LLC, Suncrest Investors, LLC, and Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski
C/O Smith Oropeza Hawks, P.L. 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

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC[1]

Name

1010 Kennedy Drive, Suite 30~~3~~2, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040

MM25

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

Sender Site Property Owner:

Suncrest Investors, LLC[2]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lots 27 and 28 Sun Krest, Plat Book 1, Page 107[3]

Block Lot Subdivision Key

00132680-000000 1167142

Real Estate (RE) Number Alternate Key Number

5176 Suncrest Road, Stock Island, Florida 33040 MM5

[1] Twenty two (22) Market Rate TREs are being transferred.

[2] Seven (7) Market Rate TREs are being transferred; please see copy of the November 14, 2013 LDRD letter stating that the Suncrest Investors, LLC property is entitled to seven (7) ROGO exemptions attached as Exhibit A to this letter

[3] Please see property record card and conveyance deed attached as Exhibit B to this letter

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

Sender Site Property Owner:

Coco Palms Developers, LLC[4]

Name

1010 Kennedy Drive, Suite 302, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:

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

Lot 30 Sacarma, Plat Book 2, Page 48[5]

Block Lot Subdivision Key

00174960-000000 1227021

Real Estate (RE) Number Alternate Key Number

21585 Old State Road 4A, Cudjoe Key, Florida MM 21

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

Sender Site Property Owner:

Barton W. Smith and Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski

Name

6800 Maloney Avenue, Unit 29, Stock Island, Florida 33040

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

305-296-7227

Daytime Phone

Sender Site Legal Description:

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

Unit 29 of Harbor Shores Condominium, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824[6]

Block Lot Subdivision Key

00133760-000127 8699468

Real Estate (RE) Number Alternate Key Number

6800 MALONEY AVE LOT 29 KEY WEST, FL 33040-8109 MM 5

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

[4] Seventeen (17) Market Rate TREs are being transferred; please see copy of the January 16, 2014 LDRD letter confirming that the Coco Palms Developers, LLC property is entitled to seventeen (17) ROGO exemptions attached as Exhibit C to this letter

[5] Please see property record card and conveyance deed attached as Exhibit D to this letter

[6] Please see property record card and conveyance deed attached as Exhibit E to this letter

~~**Sender Site Property Owner:**~~

~~H&L Florida Associates, LLC C/O Gregory Oropeza~~

~~Name~~

~~138 Simonton Street, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-7227~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~

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

~~Lot 30 Plat Book 2-48 Cudjoe Key~~

~~Block Lot Subdivision Key~~

~~00174960-000000 1227021~~

~~Real Estate (RE) Number Alternate Key Number~~

~~21585 Old State Road 4A, Cudjoe Key, Florida 33040 MM 21~~

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

~~**Sender Site Property Owner:**~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~

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

~~31 9 Maloney Stock Island~~

~~Block Lot Subdivision Key~~

~~001224430-000000 1158851~~

~~Real Estate (RE) Number Alternate Key Number~~

~~5671 MacDonald Avenue, Key West, Florida 33040 MM 5~~

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

~~**Sender Site Property Owner:**~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC~~

~~Name~~

~~PO Box 6032, Key West, Florida 33040~~

~~Mailing Address (Street, City, State, Zip Code)~~

~~(305) 296-8851~~

~~Daytime Phone~~

~~**Sender Site Legal Description:**~~
~~(If in metes and bounds, attach legal description on separate sheet)~~

~~31~~	~~16~~	~~Maloney~~	~~Stock Island~~
~~Block~~	~~Lot~~	~~Subdivision~~	~~Key~~
~~001224470-000000~~	~~1158593~~		
~~Real Estate (RE) Number~~		~~Alternate Key Number~~	
~~Vacant Land on MacDonald Avenue, Key West, Florida 33040 MM 5~~			
~~Street Address (Street, City, State, Zip Code)~~		~~Approximate Mile Marker~~	

Receiver Site Property Owner:

Oceanside Investors, LLC

Name

1010 Kennedy Drive, Suite 30~~3~~2, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Receiver Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)
SEE ATTACHED LEGAL DESCRIPTION AT TAB 2[7]

Block	Lot	Subdivision	Key
00127420-000000, ~~and~~ 00127420-00010000, 126210-000000, 00126220-000000, and 00126230-000000 1161624, ~~and~~ 8884257 1160407, 1160415 an d 1160423			
Real Estate (RE) Number		Alternate Key Number	
5950 – 5970 and 5948 Pen~~n~~insular Avenue, Stock Island, Florida 33040			MM 5
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	

Sender Site Land Use District Designation: Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

~~H&L Florida Associates, LLC – Urban Residential Mobile Home (URM)~~

~~R&S OF KEY WEST, INC., H TRY, LLC, and 5671 MACDONALD LLC – Mixed Use (MU)~~

Suncrest Investors, LLC property - Mixed Use (MU) and Native Area (NA)

Coco Palms Developers, LLC's property - Urban Residential Mobile Home (URM),

[7] Please see property record cards and conveyance deed regarding real estate numbers 00126210-000000, 00126220-000000, and 00126230-000000 attached as Exhibit F to this letter

Native Area (NA), and Suburban Commercial (SC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property - Urban Residential Mobile Home (URM)

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

~~H&L Florida Associates, LLC – Mixed Use Commercial (MC)~~

~~R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC – Mixed Use Commercial (MC)~~

Suncrest Investors, LLC property - Mixed Use Commercial (MC) and Residential Conservation (RC)

Coco Palms Developers, LLC's property - Residential Conservation (RC) and Mixed Use Commercial (MC)

Barton W. Smith, Paulina Smith subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski property – Residential High (RH)

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site:

_____

Amount of dwelling units to be transferred to Receiver Site: ~~46~~ 47 "

If you or any of staff should have any questions please do not hesitate to contact me.

Sincerely,

Barton W. Smith, Esq.

cc: Client (e-mail w/enclosures)

EXHIBIT A

County of Monroe
Growth Management Division

Planning & Environmental Resources Department
2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536

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

November 14, 2013

Smith Oropeza, P.L.
Attn: Barton Smith
138-142 Simonton Street
Key West, FL 33040

RE: LETTER OF DEVELOPMENT RIGHTS DETERMINATION FOR SUNCREST LANDINGS, LOCATED AT 5176 SUNCREST ROAD, STOCK ISLAND ON PROPERTY HAVING REAL ESTATE NUMBER 00132680.000000

This letter is in response to your request for a determination as to the number of dwelling units that were lawfully established and thereby exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system on the above-described premises.

Background Information:

The subject property is located at 5176 Suncrest Road on Stock Island, at approximate mile marker 5 on the Atlantic Ocean side US 1. The existing mobile home park on the property is known as Suncrest Landings.

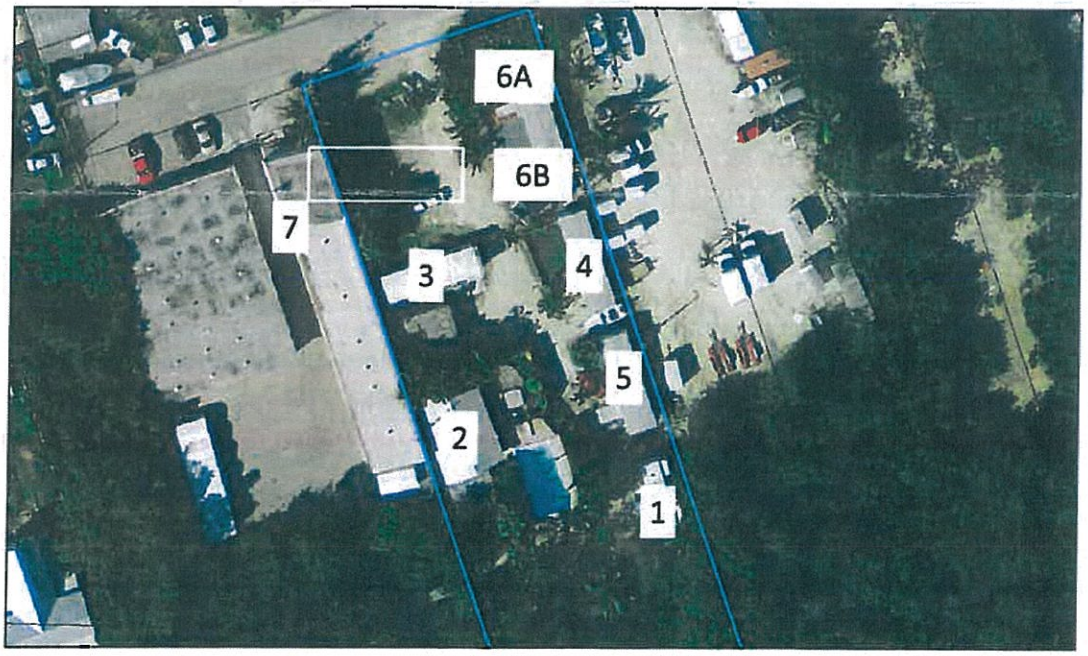
The property is comprised of one parcel of land. It is legally described as Lots 27 and 28, Sunkrest (Plat Book 1, Page 107), Stock Island, Monroe County, Florida, with the parcel currently assessed under real estate (RE) number 00132680.000000.

Note: The aforementioned RE number was expanded by aggregation with other parcels by the Monroe County Property Appraiser for the 2006 tax roll. Prior to 2006, the property was assessed under RE #00123460.000000, RE #00132670.000000 (Lot 27) and RE #00132680.000000 (Lot 28).

The property is located partially within the Mixed Use (MU) Land Use (Zoning) District and partially within a Native Area (NA) Land Use (Zoning) District. Consistent with the boundaries of the MU/NA districts, it is within Mixed Use/Commercial (MC) and Residential Conservation (RC) Future Land Use Map (FLUM) categories. Existing residential development is entirely within the MU/MC portion of the site. The following aerial photograph shows the boundaries of the property and the land use districts of the immediate area:

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

A site visit was conducted by Planning & Environmental Resources Department staff on October 21, 2013. During the site visit, staff observed four (4) single-family mobile homes (Units #2, #3, #4 and #5), one (1) two-family mobile home (Units #6A and #6B) and two (2) recreational vehicles (RVs) (Units #1 and #7). The unit numbers are shown on the following image, as observed on the site visit. Note: Unit #7 was observed on the 2013 site visit, but is not visible in the 2012 aerial.



Subject Property with Unit Numbers (Aerial dated 2012)

Residential Dwelling Units:

The applicant asserts that the 8 residential dwelling units are lawfully-established and thereby exempt from the ROGO permit allocation system.

Pursuant to §138-22(1), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit that does not increase the number of residential dwelling units above that which existed on the site prior to the redevelopment, rehabilitation or replacement. Therefore, owners of land containing residential dwelling units shall be entitled to one unit for each such unit lawfully-established. The planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the following documents supporting the lawful existence of the residential dwelling unit or space must be found:

Any issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about July 13, 1992:

The following building permits are on file in the Building Department's records:

RE# 00132680.000000		
Permit #	*Date Issued*	*Description*
A-2152*	03/17/1977	Construct addition to mobile home (Unit #2)
A-2267*	04/14/1977	Install 150 amp electric service and sub feed (Unit #?)
991-2674	11/12/1999	Replace meter can and riser (Unit #?)
101-5181	08-31-2010	Move electric service (Unit #5)
121-1525	4/3/2012	Install sewer connection to 8 trailers
121-4915	12/05/2012	Sewer tie in (Unit #3)
121-4917	12/05/2012	Sewer tie in (Unit #4)
121-4920	12/05/2012	Sewer tie in (Unit #6A)
121-4927	12/05/2012	Sewer tie in (Unit #1)
121-4928	12/05/2012	Sewer tie in (Unit #5)
RE #00123460.000000 (Combined with RE #00132680.000000 in 2006)		
Permit #	*Date Issued*	*Description*
None	--	--
RE# 00132670.000000 (Combined with RE #00132680.000000 in 2006)		
Permit #	*Date Issued*	*Description*
A-7906	03/02/1981	Install swimming pool
011-3227	09/20/2001	Interior renovations (Unit #?)
021-3171	07/24/2002	Relocate existing 200 amp electric service (Unit #3)

* Also on file with RE #00132670.000000

There is not a building permit(s) on file in the Building Department's records for the construction of the mobile home park and the installation of the original mobile homes.

The building permits on file for other improvements support the existence of a mobile home park. Building Permit #A-2152 approved an addition to a mobile home. Building Permit #011-3227 renovations to a mobile home. Building Permits #A-2267, #991-2674, #101-5181 and #021-3171 approved electric work associated with existing mobile homes.

Building Permits #121-1525, #121-4915, #121-4917, #121-4920, #121-4927 and #121-4928 approved sewer work, which included a sewer connection for 8 trailers and 5 lateral tie-ins to the connection. Concerning the total number of units served by the sewer connection, it should be noted that wastewater-related building permits were expedited at that time and the Planning Department did not review such applications to determine if the development served by the wastewater-related was lawfully established. To clarify this issue, the permit included the following language "THE ISSUANCE OF THIS PERMIT IN NO WAY AUTHORIZES OR RECOGNIZES A LAWFUL DWELLING UNIT ON THIS PARCEL. SEPARATE APPROVAL PROCESS IS REQUIRED FOR ESTABLISHING STATUS OF LAWFUL UNIT (IF APPLICABLE)."

Of importance to the total number of mobile homes in place at the time in which the ROGO was adopted in 1992, the applications for Building Permits #011-3227 and 021-3171 include copies of the same survey of the property from 1991 (by Robert E. Reece, P.A.). The survey shows 6 mobile homes, 5 of which were located in the same location/configuration as the single-family mobile homes and the two-family mobile home observed on the site visit (Units #2, #3, #4, #5, #6A and #6B). In addition, the sixth mobile home on the survey was located in the same location as one of the existing RVs observed on the site visit (Unit #1).

Documentation from the Monroe County Property Appraiser's Office indicating residential use on or about July 13, 1992:

For the parcel currently identified as RE #00132680.000000, the Property Appraiser currently assesses the parcel under a property classification code of 08 (Multifamily less than 10 units). Eight residential buildings are currently attributed to the property.

Monroe County Property Appraiser Data (2013)		
Building #	*Year Built*	*Type / Square footage*
#1	1972	R1 (648 SF - 12' x 54')
#2	1972	R1 (444 SF - 12' x 37')
#3	1978	R1 (480 SF - 12' x 40')
#4	1978	R1 (407 SF - 11' x 37')
#5	1978	R1 (240 SF - 8' x 30')
#6	1972	R1 (472 SF - 12' x 40')
#7	1972	R1 (878 SF - approx. 24' x 40')
#8	1955	R1 (189 SF -14' x 18')

* Note: The Building numbers assigned by the Monroe County Property Appraiser do not correspond with the address numbers, as shown on the image on page 2 of this letter.
** An appraiser note dated 2001 indicates that Building #4 is a "travel trailer" and Building #5 is a "RV"

Two building permit files (011-3227 and 021-3171) included property record cards for RE #00132670.000000 (Lot 27) from 2001 and 2002 respectively. Note: Suncrest Landings had two real estate numbers in the past (00132670.000000 and 00132680.000000). Both the property record cards show only two mobile homes, which, based on location on Lot 27 and size, appear to be Units #2 and #3 (Property Appraiser Buildings #6 and #7 on the preceding table). Unit #7 is located on Lot 27 but was not accounted for on the property record cards.

Aerial photographs and original dated photographs showing the structure(s) existed on or about July 13, 1992:

Aerial photography from January 1984 to 2012 confirms the continuous existence of at least four structures on the property (Units #2, #3, #4, and #5). Other structures were in existence during that timeframe, but are not visible due to obstructing vegetation on the site. As a note, aerial photography can only confirm the number of structures, not the number of dwelling units, in existence at any given time.

Structure	Structure Visible							
	1984	1989	1993	1999	2002	2006	2009	2012
Unit 1		X		X		X	X	X
Unit 2	X	X	X	X	X	X	X	X
Unit 3	X	X	X	X	X	X	X	X
Unit 4	X	X	X	X	X	X	X	X
Unit 5	X	X	X	X	X	X	X	X
Unit 6		X	X	X	X	X	X	X
Unit 7								

Residential county directory entries on or about July 13, 1992:

No residential county directory entries were provided for review.

Rental, occupancy or lease records, on or about July 13, 1992, indicating the number, type and term of the rental or occupancy:

No rental, occupancy or lease records were provided for review.

State and/or County licenses, on or about July 13, 1992, indicating the number and types of rental units:

No State or county licenses were provided for review.

Documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about July 13, 1992:

The applicant submitted thirteen electrical connect orders from between 1957 and 1988. A letter from the Florida Keys Aqueduct Authority was submitted showing 10 accounts were established between 1950 and 1963. It is unclear as to where these electric and water meters were located.

Note: Water and electric service were likely provided at times earlier than the aforementioned dates; however records confirming/supporting such were not provided.

Similar supporting documentation not listed above as determined suitable by the planning director:

Site visits were conducted by Planning & Environmental Resources Department staff on October 15, 2013 and October 21, 2013. Staff observed 5 mobile homes and 2 recreational vehicles, with one of the mobile homes being a duplex with symmetrical design and each unit having a kitchen, bathroom and bedroom.

The 1988 Monroe County Mobile Home Study indicates 5 mobile homes were observed on the property at that time. However, it should be noted that the surveyor's objective was to obtain a county-wide estimate of mobile homes and recreational vehicles, not necessarily an exact total, and the surveyor may not have been authorized to enter the private property to get an accurate account on the subject property.

Lawful Determination:

Based on a review of the records associated with the subject property, the Planning & Environmental Resources Department has determined that seven (7) permanent residential dwelling units were lawfully-established on the subject property and their replacement would thereby be exempt from the ROGO permit allocation system.

In the application, it is asserted that 8 mobile homes (permanent residential dwelling units) were lawfully established. This total corresponded to the total number of dwelling units observed by staff during the site visits. But regardless of the existing total, in order to provide a ROGO exemption for a given dwelling unit, the planning director shall review available documents to determine if a body of evidence exists to support the lawful existence of the dwelling unit on or about July 13, 1992, the effective date of the original ROGO ordinance.

Although there are not any building permits on file for the installation of the existing mobile homes and recreational vehicles, there is consistent evidence supporting the existence of 7 permanent residential dwelling units (Units #1, #2, #3, #4, #5, #6A and #6B). There are at least two pieces of evidence supporting each of these dwelling units as lawful. However, there is no documentation on file that supports the existence of Unit #7 in 1992, nonetheless its lawful existence.

Conversely, the information on file indicates that Unit #7 was recently introduced to the site without the benefit of a permit. Unit #7 is not shown or identified in the 1991 survey included with Building Permits #011-3227 and 021-3171, it is not visible in any aerial photographs and it is not accounted for on past property record cards for Lot 27. Further, RVs have not been

permitted in the MU district since its inception in 1986. In addition, it is important to note that an additional RV space could not have been permitted on the site from 1996 to present due the transient moratorium. Therefore, Staff has found that Unit #7 was not lawfully established and is thereby not exempt from the ROGO permit allocation system. [Note: records indicate that the second RV, Unit #1, was installed prior to 1986].

* * * * * * *

This letter does not provide any vesting to existing regulations and the replacement dwelling units and any new accessory structures must be built in compliance with all applicable regulations of the Monroe County Code and Comprehensive Plan at the time of development approval. Furthermore, if the exempted development is not replaced, but substantially improved as defined in the Monroe County Code, such development must be brought into compliance with all applicable regulations.

You may appeal decisions set forth in this letter. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to the Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Hwy, Suite 410, Marathon, FL 33050.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter or if we may further assist you with your project, please feel free to contact our Marathon office at (305) 289-2500.

Sincerely,

Townsley Schwab, Senior Director of Planning & Environmental Resources

EXHIBIT B

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: 1167142 **Parcel ID:** 00132680-000000

Ownership Details

Mailing Address:
SUNCREST INVESTORS LLC
1010 KENNEDY DR STE 302
KEY WEST, FL 33040-4133

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 5176 SUNCREST RD SOUTH STOCK ISLAND
Subdivision: SUN KREST
Legal Description: LTS 27-28 SUNKREST STOCK ISLAND PB1-107 AND ADJ BAY BTM OR494-395 PROB NO 78-244-CP-12 OR955-2016 OR1194-1563/64P/R OR1264-2247/48 OR1693-2136/37 OR1693-2138/39 OR1700-2225/27PR/C OR1700-2228 OR1707-1717 OR1903-1979/80 OR2671-849/50

Click Map Image to open interactive viewer

Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	24,500.00 SF
9500 - SUBMERGED			0.45 AC

Building Summary

Number of Buildings: 8

Number of Commercial Buildings: 0
Total Living Area: 3758
Year Built: 1955

Building 1 Details

Building Type	R1	**Condition**	P	**Quality Grade**	300
Effective Age	52	**Perimeter**	132	**Depreciation %**	51
Year Built	1972	**Special Arch**	0	**Grnd Floor Area**	648
Functional Obs	0	**Economic Obs**	0		

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

Roof Type	FLAT OR SHED	**Roof Cover**	MIN/PAINT CONC	**Foundation**	CONC BLOCK
Heat 1	NONE	**Heat 2**	NONE	**Bedrooms**	2
Heat Src 1	NONE	**Heat Src 2**	NONE		

Extra Features:

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1972		N	0.00	0.00	648
2	OPF	8:METAL/ALUM	1	1999			0.00	0.00	648

Building 2 Details

Building Type	R1	**Condition**	P	**Quality Grade**	300
Effective Age	52	**Perimeter**	98	**Depreciation %**	51
Year Built	1972	**Special Arch**	0	**Grnd Floor Area**	444
Functional Obs	0	**Economic Obs**	0		

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

Roof Type	FLAT OR SHED	**Roof Cover**	MIN/PAINT CONC	**Foundation**	CONC BLOCK
Heat 1	NONE	**Heat 2**	NONE	**Bedrooms**	2
Heat Src 1	NONE	**Heat Src 2**	NONE		

Extra Features:

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1972		N	0.00	0.00	444

Building 3 Details

Building Type	R1	**Condition**	P	**Quality Grade**	300
Effective Age	46	**Perimeter**	104	**Depreciation %**	44
Year Built	1978	**Special Arch**	0	**Grnd Floor Area**	480
Functional Obs	0	**Economic Obs**	0		

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

Roof Type FLAT OR SHED **Roof Cover** METAL **Foundation** CONC BLOCK
Heat 1 NONE **Heat 2** NONE **Bedrooms** 2
Heat Src 1 NONE **Heat Src 2** NONE

Extra Features:

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1978		N	0.00	0.00	480

Building 4 Details

Building Type R1 **Condition** P **Quality Grade** 100
Effective Age 46 **Perimeter** 96 **Depreciation %** 44
Year Built 1978 **Special Arch** 0 **Grnd Floor Area** 407
Functional Obs 0 **Economic Obs** 0

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

Roof Type FLAT OR SHED **Roof Cover** METAL **Foundation** CONC BLOCK
Heat 1 NONE **Heat 2** NONE **Bedrooms** 1
Heat Src 1 NONE **Heat Src 2** NONE

Extra Features:

2 Fix Bath	0	**Vacuum**	0
3 Fix Bath	0	**Garbage Disposal**	0
4 Fix Bath	0	**Compactor**	0

5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0
7 Fix Bath	0	Fireplaces	0
Extra Fix	-2	Dishwasher	0

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1978		N	0.00	0.00	407

Building 5 Details

Building Type	R1	Condition	P	Quality Grade	100
Effective Age	46	Perimeter	76	Depreciation %	44
Year Built	1978	Special Arch	0	Grnd Floor Area	240
Functional Obs	0	Economic Obs	0		

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

Roof Type	FLAT OR SHED	Roof Cover	MIN/PAINT CONC	Foundation	CONC BLOCK
Heat 1	NONE	Heat 2	NONE	Bedrooms	1
Heat Src 1	NONE	Heat Src 2	NONE		

Extra Features:

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1978		N	0.00	0.00	240

Building 6 Details

Building Type R1
Effective Age 52
Year Built 1972
Functional Obs 0
Condition P
Perimeter 104
Special Arch 0
Economic Obs 0
Quality Grade 350
Depreciation % 51
Grnd Floor Area 472

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

Roof Type FLAT OR SHED
Roof Cover MIN/PAINT CONC
Foundation CONC BLOCK
Heat 1 NONE
Heat 2 NONE
Bedrooms 2
Heat Src 1 NONE
Heat Src 2 NONE

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1971		N			472

Building 7 Details

Building Type R1
Effective Age 32
Year Built 1972
Functional Obs 0
Condition P
Perimeter 139
Special Arch 0
Economic Obs 0
Quality Grade 300
Depreciation % 35
Grnd Floor Area 878

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

Roof Type FLAT OR SHED
Roof Cover MIN/PAINT CONC
Foundation CONC BLOCK
Heat 1 NONE
Heat 2 NONE
Bedrooms 2
Heat Src 1 NONE
Heat Src 2 NONE

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	8:METAL/ALUM	1	1971		N			878
2	OUF	8:METAL/ALUM	1	1999					68

Building 8 Details

Building Type R1
Effective Age 69
Year Built 1955
Functional Obs 0
Condition P
Perimeter 64
Special Arch 0
Economic Obs 0
Quality Grade 150
Depreciation % 62
Grnd Floor Area 189

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

Roof Type FLAT OR SHED
Roof Cover TAR & GRAVEL
Foundation CONCRETE SLAB
Heat 1 NONE
Heat 2 NONE
Bedrooms 1
Heat Src 1 NONE
Heat Src 2 NONE

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

Building Sketch Image

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	5:C.B.S.	1	1955		N			189
2	OUU	5:C.B.S.	1	1998					63

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	MH3:TRAILER PORCH	132 SF	33	4	1977	1978	2	50
2	CA2:CARPORT	648 SF	54	12	1977	1978	1	50
2	WD2:WOOD DECK	120 SF	15	8	1981	1982	3	40
3	PT3:PATIO	150 SF	30	5	1981	1982	2	50
3	AC2:WALL AIR COND	1 UT	0	0	1984	1985	3	20
4	PT3:PATIO	240 SF	30	8	1981	1982	2	50
5	CA2:CARPORT	96 SF	12	8	1989	1990	2	50
5	MH3:TRAILER PORCH	300 SF	25	12	1987	1988	3	50
6	WD2:WOOD DECK	192 SF	0	0	1987	1988	2	40
7	AC2:WALL AIR COND	1 UT	0	0	1989	1990	1	20
8	AC2:WALL AIR COND	1 UT	0	0	1989	1990	3	20
8	AC2:WALL AIR COND	4 UT	0	0	1984	1985	3	20
9	FN2:FENCES	540 SF	60	9	1987	1988	2	30
10	MH6:GR L PORCHES	240 SF	20	12	1971	1972	1	30
11	UB2:UTILITY BLDG	120 SF	12	10	1971	1972	3	50

11	FN2:FENCES	480 SF	60	8	1975	1976	2	30
12	CA2:CARPORT	96 SF	12	8	1989	1990	2	50
13	AC2:WALL AIR COND	2 UT	0	0	1984	1985	3	20
15	CL2:CH LINK FENCE	160 SF	40	4	1990	1991	1	30
16	MH3:TRAILER PORCH	16 SF	4	4	1977	1978	4	50
17	PT3:PATIO	120 SF	12	10	1984	1985	2	50
18	PT3:PATIO	120 SF	12	10	1988	1989	2	50
19	MH3:TRAILER PORCH	16 SF	4	4	1988	1989	3	50
20	AC2:WALL AIR COND	1 UT	0	0	1988	1989	1	20
22	PT3:PATIO	132 SF	12	11	1984	1985	2	50
23	CA2:CARPORT	144 SF	12	12	1984	1985	2	50
25	AC2:WALL AIR COND	1 UT	0	0	1984	1985	3	20
26	FN2:FENCES	240 SF	60	4	1999	2000	2	30
27	PO2:LOW COST POOL	300 SF	25	12	1980	2010	4	40

Appraiser Notes

14-1
LOT 27 (RE 00132670-000000 AK 1167134) AND ADJACENT BAY BOTTOM (RE 00123460-000000 AK 1157597) HAVE NOW BEEN COMBINED WITH THIS PARCEL FOR ASSESSMENT PURPOSES, DONE FOR THE 2006 TAX ROLL. LG
BUILDING 4 OF 4 IS A TRAVEL TRAILER THAT IS BEING RENTED 2001-04-10 REMOVED THE ARCH DESIGN CODES "6" AND ADDED 5 OF 5 WHICH IS THE RV THAT IS BEING USED AS A RENTAL. ALSO CHANGED THE NEGATIVE LAND ADJ. FROM .70 TO 1.00 FOR THE 2001 TAX ROLL. THE PROPERTY IS BEING LISTED BY "PARADICE REALITY"VIC HAYMAN-294-6008-DUG
MISC CHANGES AND PL ADJ FOR 2006 TRIM.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	10105181	08/31/2010		0	Commercial	ELEC TO NEW POLE
	12101525	04/24/2012		42,000	Commercial	SEWER TIE IN. INSTALL SEWER CONNECTION TO 8 UNITS
	12104917	12/05/2012		1,123	Commercial	SEWER TIE IN UNIT 4.
	12104920	12/05/2012		1,571	Commercial	SEWER TIE IN UNIT 6A.
	12104927	12/05/2012		1,767	Commercial	SEWER TIE IN UNIT 1.
	12104928	12/05/2012		1,777	Commercial	SEWER TIE IN UNIT 5.
	14103778	09/10/2014		2,395	Commercial	OWNER POLE 100 AMP 1 PHASE WITH OVERHEAD SERVICE

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	110,177	21,447	471,768	603,392	441,650	0	603,392
2013	111,827	21,709	401,001	534,537	401,500	0	534,537
2012	115,440	21,962	401,001	365,000	365,000	0	365,000
2011	114,531	22,351	297,051	365,000	365,000	0	365,000
2010	123,676	18,513	346,175	365,000	365,000	0	365,000
2009	138,299	18,903	373,558	477,684	477,684	0	477,684
2008	126,210	19,276	415,851	561,337	561,337	0	561,337
2007	177,606	18,558	415,851	612,015	612,015	0	612,015
2006	179,587	19,029	385,051	451,789	451,789	0	451,789
2005	61,167	16,946	275,000	353,113	353,113	0	353,113
2004	61,169	17,489	88,000	166,658	166,658	0	166,658
2003	61,169	18,041	88,000	167,210	167,210	0	167,210
2002	94,110	18,554	88,000	200,664	200,664	0	200,664
2001	94,110	19,226	58,300	171,636	171,636	0	171,636
2000	61,534	23,794	40,810	126,138	126,138	0	126,138
1999	61,534	24,582	40,810	126,926	126,926	0	126,926
1998	30,767	12,676	40,810	84,253	84,253	0	84,253
1997	30,767	13,072	40,810	84,649	84,649	0	84,649
1996	30,767	13,568	40,810	85,145	85,145	0	85,145
1995	30,767	14,092	40,810	85,669	85,669	0	85,669
1994	41,777	15,298	40,810	97,885	97,885	0	97,885
1993	41,777	15,829	40,810	98,416	98,416	0	98,416
1992	17,400	376	40,810	58,586	58,586	0	58,586
1991	17,400	376	40,810	58,586	58,586	0	58,586
1990	17,400	376	27,720	45,496	45,496	0	45,496
1989	17,400	376	27,720	45,496	45,496	0	45,496
1988	13,474	376	27,720	41,570	41,570	0	41,570
1987	13,308	376	27,720	41,404	41,404	0	41,404
1986	13,384	376	25,025	38,785	38,785	0	38,785
1985	11,662	376	23,100	35,138	35,138	0	35,138
1984	10,952	376	23,100	34,428	34,428	0	34,428
1983	10,952	376	23,100	34,428	34,428	0	34,428
1982	11,144	376	6,917	18,437	18,437	0	18,437

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
2/14/2014	2671 / 849	750,000	WD	01
6/30/2003	1903 / 1979	1	WD	M
5/4/2001	1693 / 2136	1	WD	M

This page has been visited 524,019 times.

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

Prepared by and return to:
Gregory S. Oropeza, Esq.
Attorney at Law
Smith | Oropeza, P.L.
138-142 Simonton Street
Key West, FL 33040
305-296-7227
File Number: **2013-152**
Will Call No.: $750,000.—

Parcel Identification No. **00132680-000000**

Doc# 1968963 02/14/2014 3:28PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

02/14/2014 3:28PM
DEED DOC STAMP CL: Krys $5,250.00

Doc# 1968963
Bk# 2671 Pg# 849

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **14th** day of **February, 2014** between **Suncrest Landing, LLC, a Florida limited liability company** whose post office address is **P.O. Box 6002, Key West, FL 33040** of the County of **Monroe**, State of **Florida**, grantor*, and **Suncrest Investors, LLC, a Florida limited liability company** whose post office address is **1010 Kennedy Drive, Suite 302, Key West, FL 33040** of the County of **Monroe**, State of **Florida**, grantee*,

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:

> **ON THE ISLAND OF STOCK ISLAND AND BEING LOTS NUMBERED 27 AND 28 OF SUN KREST SUBDIVISION, A SUBDIVISION OF A PART OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 67 SOUTH, RANGE 25 EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 107, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. ANDALSO A PARCEL OF SUBMERGED LAND IN SECTION 35, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, LYING SOUTHERLY OF AND ADJACENT TO LOTS 27 AND 28 OF SUN KREST SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 107, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SW CORNER OF SAID LOT 27, SAID SW CORNER BEING AT THE MEAN HIGH WATER MARK OF COW KEY CHANNEL; THENCE NORTHEASTERLY ALONG SAID MEAN HIGH WATER MARK TO THE SE CORNER OF SAID LOT 28 OF SUN KREST SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE EXTENSION OF THE EASTERLY LINE OF SAID LOT 28, 221.0 FEET; THENCE WITH A DEFLECTED ANGLE TO THE RIGHT OF 101° 30' RUN WESTERLY 102.1 FEET, MORE OR LESS, TO THE INTERSECTION WITH SOUTHEASTERLY EXTENSION OF THE WESTERLY LINE OF SAID LOT 27; THENCE NORTHWESTERLY ALONG SAID SOUTHEASTERLY EXTENSION 210.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.**

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

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

Suncrest Landing, LLC

By: _____
Walter S. Holland, Jr., Managing Member

Witness Name: Gregory Oropeza

Witness Name: Madison Fallon

By: _____
Roberta Holland, Managing Member

Witness Name: Gregory Oropeza

Witness Name: Madison Fallon

(Corporate Seal)

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 14th day of February, 2014 by Walter S. Holland, Jr., Managing Member and Roberta Holland, Managing Member of Suncrest Landing, LLC, on behalf of the corporation. They [_] are personally known to me or [X] have produced a driver's license as identification.

[Notary Seal]

GREGORY OROPEZA
MY COMMISSION # EE 005958
EXPIRES: July 1, 2014
Bonded Thru Notary Public Underwriters

Notary Public

Printed Name: _____

My Commission Expires: _____

MONROE COUNTY
OFFICIAL RECORDS

DoubleTime®

EXHIBIT C

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, District 1
George Neugent, District 2
Heather Carruthers, District 3
David Rice, District 4

January 16, 2014

Smith Oropeza, P.L.
Attn: Barton Smith
138-142 Simonton Street
Key West, FL 33040

RE: ADDENDUM #2 TO THE MAY 13, 2008 LETTER OF DEVELOPMENT RIGHTS DETERMINATION FOR RAINBOW'S END TRAILER PARK AND COCO'S CANTINA, LOCATED AT 21585 OVERSEAS HIGHWAY (US 1), CUDJOE KEY, ON PROPERTY HAVING REAL ESTATE NUMBER 00174960.000000

This letter is in response to your request for a determination as to the number of dwelling units that were lawfully established and thereby exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system on the above-described premises.

A letter of development rights determination was issued for the subject property on May 13, 2008. Based on a review of the records available at that time, the Planning & Environmental Resources Department determined that 16 permanent residential dwelling units (in the form of mobile homes) and 1,400 square feet of nonresidential floor area is lawfully-established on the subject property. Following the receipt and review of new information, an addendum was issued on November 26, 2013 modifying the recognized total of lawfully-established permanent residential dwelling units (in the form of mobile homes) from 16 to 17.

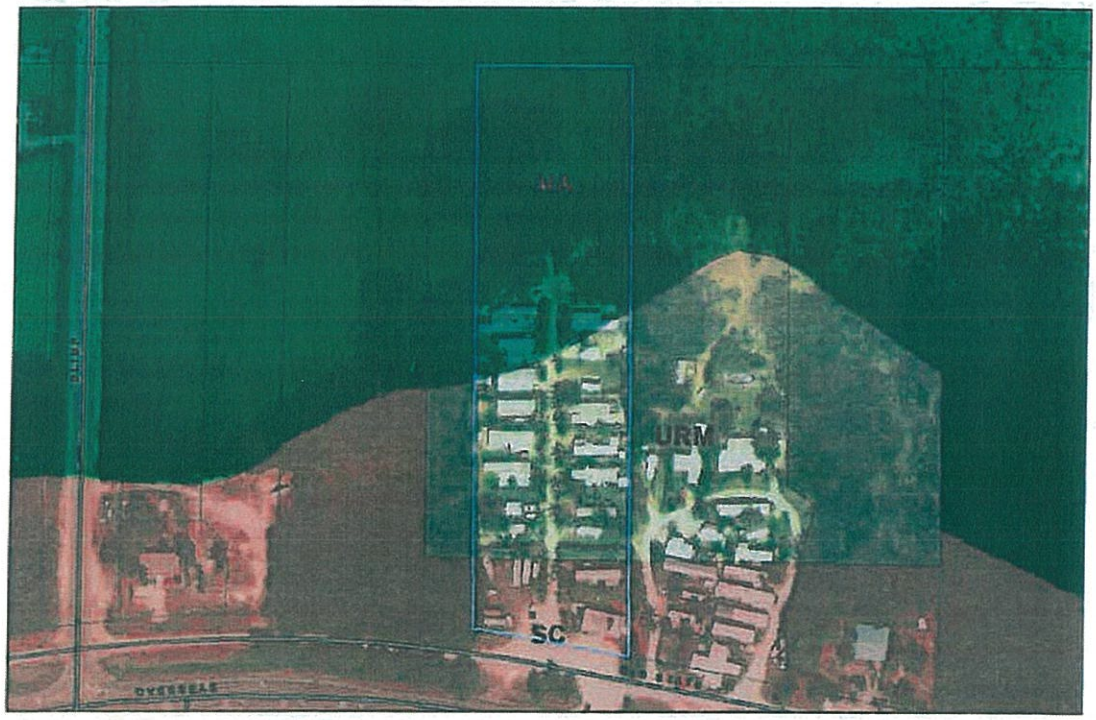
In addition, the applicant has requested a revised determination and submitted additional information supporting the existence of five (5) transient residential dwelling units (in the form of recreational vehicle (RV) spaces). The applicant has not requested any revision to the determination of 1,400 square feet of nonresidential floor area or any further revision to the determination of 17 permanent residential dwelling units.

Background Information:

The subject property, commonly known as Rainbow's End Trailer Park and Coco's Cantina, is located at 21585 Overseas Highway (US 1) on Cudjoe Key, at approximate mile marker 22 on the Gulf of Mexico side of US 1.

The property is legally described as Lot 30, Sacarma subdivision, Cudjoe Key (Plat Book 2, Page 48), having real estate (RE) number 00174960.000000.

The property is divided within three Land Use (Zoning) Districts: Suburban Commercial (SC), Urban Residential Mobile Home (URM) and Native Area (NA). Consistent with the Land Use Districts, the property is also divided within three Future Land Use Map (FLUM) categories: Mixed Use Commercial (MC), Residential High (RH) and Residential Conservation (RC). The following aerial photograph shows the boundaries of the property and the land use districts of the immediate area:



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

Transient Residential Dwelling Units:

In the application for the May 13, 2008 letter, a previous applicant, who is not associated with the current property owner and applicant, requested a finding that five (5) transient residential dwelling units (in the form of RV spaces) were lawfully-established. At that time, staff was not provided, nor found, sufficient documentation to conclude that the five (5) RV spaces were lawfully established.

The current applicant also asserts that five (5) RV spaces were lawfully-established and thereby exempt from the ROGO permit allocation system. To support this claim, the current applicant submitted additional information that was not previously provided, including Monroe County Property Appraiser documentation, aerial photographs and an affidavit from a previous property owner (Donald C. Jones).

Recreational vehicles are a type of dwelling unit. As defined in MCC §101-1, a recreational vehicle parked on a recreational vehicle space is a type of transient residential unit. As defined in MCC §101-1, a *transient residential unit* means a dwelling unit used for transient housing such as hotel or motel room, seasonal residential unit, or space for parking a recreational vehicle or travel trailer.

Pursuant to MCC §138-22(1), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit that does not increase the number of residential dwelling units above that which existed on the site prior to the redevelopment, rehabilitation or replacement. Therefore, owners of land containing residential dwelling units shall be entitled to one unit for each such unit lawfully-established. The planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the following documents supporting the lawful existence of the residential dwelling unit or space must be found:

Note: The determination in the May 13, 2008 letter was concluded pursuant to Administrative Interpretation #03-108, which provided the criteria to determine whether or not a residential dwelling unit was lawfully-established. However, in 2011, MCC §138-22 was amended to included criteria within the code and Administrative Interpretation #03-108 was rescinded. The criteria within Administrative Interpretation #03-108 and MCC §138-22 are marginally different.

Any issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about July 13, 1992:

Building permits permitting the establishment of RV spaces were not located. However, the building permits on file for the property support the continuous existence of a mobile home park on the property from the 1970s to present. In Monroe County, it is common for mobile home parks to include both mobile home lots and RV spaces.

The following table organizes building permits by the non-platted internal lot numbers, as assigned by the mobile home park operator. As a note, some building permits did not provide an internal lot/unit number and the area in which the existing RV spaces are located is not defined by a lot number:

RE #00174960.000000		
Permit #	*Date Issued*	*Description*
121-2085*	06-05-2012	Demolish 2 mobile homes (units 13 and 15)
101-7113*	02-04-2011	Paint existing building and install fence (unit not specified)
071-5151	12-05-2007	Demolish 1 mobile home and associated structures (unit 12)
071-4938	11-19-2007	Reinstall 100 amp electric service (unit 10)
061-3431	06-07-2006	Re-roof 1 mobile home (unit 10)
061-1799	03-20-2006	Install 3 temporary FEMA trailers (units 2, 3 and 14)
061-1400	03-01-2006	Replace 2 gang meter (units 1 and 3)

061-1396	03-01-2006	Replace 2 gang meter (units 2 and 4)
051-6769	01-26-2006	Construct handicap ramp to mobile home (unit 15)
051-6626	12-08-2005	Demolish 1 mobile home and associated structures (unit 14)
051-6623	12-08-2005	Demolish 1 mobile home and associated structures (unit 2)
021-2209	05-23-2002	Change out 4 ton package unit with new unit (restaurant)
021-1550	04-17-2002	Upgrade to 100 amp electric service (unit 4)
981-2736	12-15-1998	Repair roof of 1 mobile home (unit 6)
971-0062	01-28-1997	Install area light (unit not specified)
951-0514	05-17-1996	Replace 1 mobile home (unit 6)
951-1792	01-09-1996	Upgrade hood fire suppression system (restaurant)
951-1132	08-07-1995	Replace electric service (units 10 and 12)
951-0774	06-07-1995	Install A/C with duct system (restaurant)
881-1314	07-12-1988	Reinstall 100 amp electric service (unit not specified)
881-1112	06-16-1988	Replace meter can (units 9 and 11)
881-0387	03-08-1988	Re-roof and remodel 1 mobile home (unit not specified)
881-0313	02-26-1988	Replace meter can (unit not specified)
881-0287	02-23-1988	Replace electric service (unit not specified)
881-0099	01-22-1988	Construct screened porch and deck (unit 10)
871-0642	10-10-1987	Install 200 amp electric service (unit not specified)
A-17356	04-06-1987	Upgrade to 100 amp electric service (unit 2 A)
A-13965	08-20-1985	Construct porch and shed (unit not specified)
A-12813	01-23-1985	Addition to sign
A-10096	12-14-1982	Replace 1 mobile home (unit not specified)
A-9853	11-01-1982	Construct shed (unit 16)
A-9596	07-22-1982	Replace 1 mobile home unit 1)
A-9274	03-09-1982	Replace 1 mobile home (unit 8)
A-9086*	01-20-1982	Replace 1 mobile home (unit not specified)
A-8805	11-03-1981	Install 2 mobile home
A-6217	01-07-1980	Install 100 amp electric service (unit 2 B)
A-4921	03-09-1979	Construct fence and porch (unit 2 A)
A-4724	02-01-1979	Replace 1 mobile home (unit 2 A)
34347	11-08-1974	Install 200 amp electric service (unit not specified)

* Issued or located after the May 13, 2008 letter

Although there is not a building permit on file that establishes or references a RV space, there are several building permits on file for miscellaneous electrical improvements on the property. There are five electric meters in existence in the area where the RV spaces are currently located. While none of the aforementioned building permits specifically indicate an electrical improvement to a meter in the RV space area, several do not provide exact locations of the approved improvements and thereby may have approved the meters in the RV space area or improvements thereto.

Documentation from the Monroe County Property Appraiser's Office indicating residential use on or about July 13, 1992:

The Monroe County Property Appraiser assessed the property identified as RE #00174960.000000 from 1982 to 1987 under a property classification (PC) code of PC 21 (restaurant or cafeteria). In 1988, the PC code was changed to PC 36 (mobile home parks/ private camping/ recreational parks). In 2009, the PC code was changed to PC 28 (parking lots/ mobile home parks). It has been assessed as PC 28 until present.

The Property Appraiser's records indicate a building value on the parcel from 1982 to 2012; however a building is currently not attributed to the property. Mobile homes under separate ownership and/or assessed by the Tax Collector are not reflected as buildings or structures in the Property Appraiser's records. RVs are not reflected as buildings or structures in the Property Appraiser's records. It is unknown why the restaurant building is not reflected. Further, the Property Appraiser's records include the following appraiser's note: "Coco's Cantina Restaurant plus 17 unit mobile home park Rainbows End."

In addition to the current property record card which only provides data back to 1982, a property record card from 1975 indicates that there was a mobile home park/RV development on the property at that time. The number of RV spaces is not provided.

Aerial photographs and original dated photographs showing the structure(s) existed on or about July 13, 1992:

Aerial photography from 1982 to 2012 confirms the continuous existence of a mobile home park on the property. Aerial photography from 1989, 1992, 1994, 1996, 1998 and 2006 shows 16 structures on the property, all of which appear to be mobile homes and/or RVs (not including the restaurant). Aerial photography from 2009 and 2012 shows 17 structures on the property, all of which appear to be mobile homes and/or RVs (not including the restaurant). Aerial photography from 2000, 2002 and 2004 indicates the presence of 15 structures on the property, all of which appear to be mobile homes and/or RVs (not including the restaurant). However, from the aerial photography, Staff cannot determine with any certainty if a given structure was a mobile home, a RV or another type of structure or vehicle.

Several of the aerial photographs show what appears to be RVs and/or vehicles parked in the RV space area.

Residential county directory entries on or about July 13, 1992:

No residential county directory entries, from on or about July 13, 1992, were provided for review.

Rental, occupancy or lease records, on or about July 13, 1992, indicating the number, type and term of the rental or occupancy:

No rental, occupancy or lease records, from on or about July 13, 1992, were provided for review.

State and/or County licenses, on or about July 13, 1992, indicating the number and types of rental units:

Rainbow's End Trailer Park had a valid Monroe County business tax receipt for 2006-07 and 2007-08 (#47144-4647). The total number of mobile homes, RVs or lots was not specified on the tax receipt. Further, Rainbow's End Trailer Park had a valid Monroe County occupational license for 1988-1989 (#42878). The total number of mobile homes, RVs or lots was not specified on the license.

Note: The mobile home park may have had valid occupation licenses, business tax receipts or other Monroe County Tax Collector documentation for other years; however such documentation was not provided for review.

State of Florida Department of Health operating permits from 2007, 2006, 2004 and 1999 (44-54-00055) for the Rainbow's End Trailer Park site indicate that there were 16 mobile home spaces and 5 RV spaces on the property at that times. No information prior to 1999 was provided for review. Furthermore, these documents only reflect "spaces" not units.

Online State of Florida Department of Business & Professional Regulations records state that Rainbow Key had 16 lots in 1988, 1994 and 2007. In addition, the current online State of Florida Department of Business & Professional Regulations records state that special qualifications for Rainbow Key include "Park Includes RV Lots" and "Permitted Prior to June 4, 1986." However, the online records do not indicate the number of RV lots or the date(s) in which they were established.

Note: The mobile home park may have had valid operating permits or other State of Florida documentation for other years; however such documentation was not provided for review.

Documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about July 13, 1992:

The applicant submitted three billing statements from Keys Energy Services, detailing electric service records for units. However, the total number of mobile homes and/or RV spaces is not specified as there are multiple meters.

Note: Water and electric service were likely provided at times earlier than the aforementioned dates; however records confirming/supporting such were not provided.

Similar supporting documentation not listed above as determined suitable by the planning director:

Prior to the 1986 re-zoning of the property to SC, URM and NA, the property was divided within a RU-5P district (Mobile Home Park Residential) and a BU-2 (Medium Business) district. The mobile home park area of the site was entirely within the RU-5P district. Mobile homes were permitted in the RU-5P district.

Prior to the May 13, 2008 letter, a site visit was conducted by Planning & Environmental Resources Department Staff on May 2, 2008. Staff observed 13 mobile homes, 3 RVs and the Coco's Cantina restaurant.

A second site visit was conducted by Planning & Environmental Resources Department staff on October 23, 2013. During the site visit, staff observed a total of 17 mobile homes and an area with five (5) electric meters and five (5) water hookups for RVs on the property.

The 1988 mobile home study, prepared by the Planning Department, indicates that 16 "mobile homes" and 1 "other" present on the site at that time. However, it should be noted that the surveyor's objective was to obtain a county-wide estimate of mobile homes and recreational vehicles, not necessarily an exact total, and the surveyor may not have been authorized to enter the private property to get an accurate account on the subject property.

The applicant provided a notarized affidavit from Donald C. Jones dated January 3, 2014. Mr. Jones, a former president of the company that owned the property (Rainbow Key, Inc.) attests that during the entire Rainbow Key, Inc. ownership period (November 12, 1986 to June 23, 2008), five (5) RV spaces and 17 mobile home lots were continuously in existence on the property.

Lawful Determination:

Based on a review of the records, the Planning & Environmental Resources Department has determined that five (5) transient residential dwelling units (in the form of RV spaces) were lawfully-established on the subject property. As such, up to five (5) RV space may continue to exist. Further, the five (5) ROGO exemptions associated with the transient residential dwelling units may be transferred off-site to an eligible receiver site(s) in accordance with the Monroe County Code.

As required by MCC §138-22(1), two acceptable documents - the Donald C. Jones affidavit from 2014 and State of Florida Department of Health operating permits from 2007, 2006, 2004 and 1999 - state that five (5) RV spaces have been in existence on the property. Further, Monroe County Property Appraiser documentation from 1975, as well as aerial photograph dating back to 1984, indicates the presence of RVs on the property prior to July 13, 1992.

Please note that this determination relates to the number of transient residential dwelling units that were lawfully-established on or about July 13, 1992. It does not state or imply that all of the structures in existence were lawfully-established. Several of the structures on the mobile home lots observed by staff during the site visits appeared to be RVs, not mobile homes. Any RV located on a mobile home lot will have to be removed and any unlawful construction will require an after-the-fact building permit for its construction or a demolition permit.

* * * * * * *

This letter does not provide any vesting to existing regulations and the replacement dwelling units and any new accessory structures must be built in compliance with all applicable regulations of the Monroe County Code and Comprehensive Plan at the time of development approval. Furthermore, if the exempted development is not replaced, but substantially improved as defined in the Monroe County Code, such development must be brought into compliance with all applicable regulations.

You may appeal decisions set forth in this letter. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to the Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Hwy, Suite 410, Marathon, FL 33050.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter or if we may further assist you with your project, please feel free to contact our Marathon office at (305) 289-2500.

Sincerely,

Townsley Schwab, Senior Director of Planning & Environmental Resources

EXHIBIT D

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: 1227021 **Parcel ID:** 00174960-000000

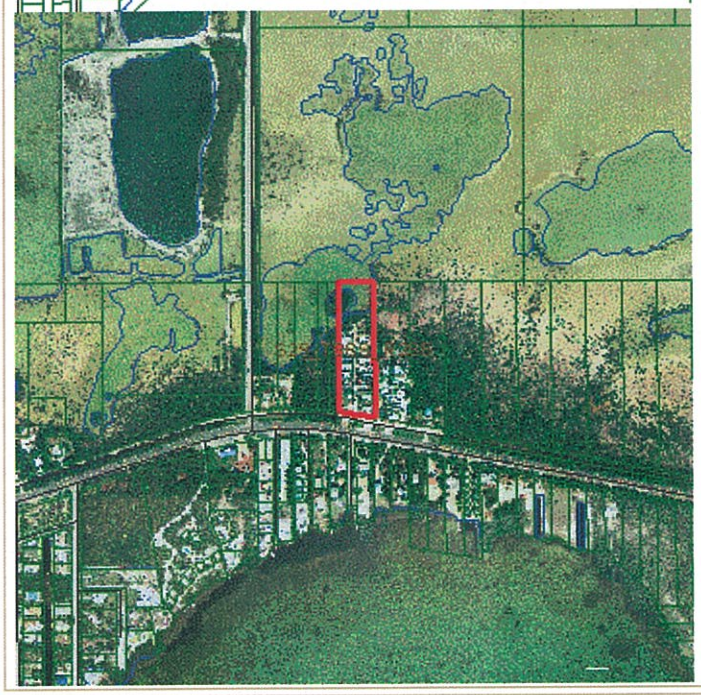
Ownership Details

Mailing Address:
COCO PALMS DEVELOPERS LLC
PO BOX 2039
KEY WEST, FL 33045-2039

Property Details

PC Code: 28 - PARKING LOTS, MOBILE HOME PARKS
Millage Group: 100C
Affordable Housing: No
Section-Township-Range: 29-66-28
Property Location: 21585 OLD STATE RD 4A CUDJOE KEY
Subdivision: SACARMA
Legal Description: LT 30 SACARMA PB-2-48 CUDJOE KEY OR517-537 OR548-825 OR772-875/76 OR825-1456 OR825-1457C OR997-1780 OR2368-990 OR2479-1854/55 OR2653-227/28

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
000X - ENVIRONMENTALLY SENS			1.08 AC
02RV - REC VEHICLE PARK	0	0	2.34 AC

Building Summary

Number of Buildings: 1

Number of Commercial Buildings: 1
Total Living Area: 1400
Year Built: 1963

Building 1 Details

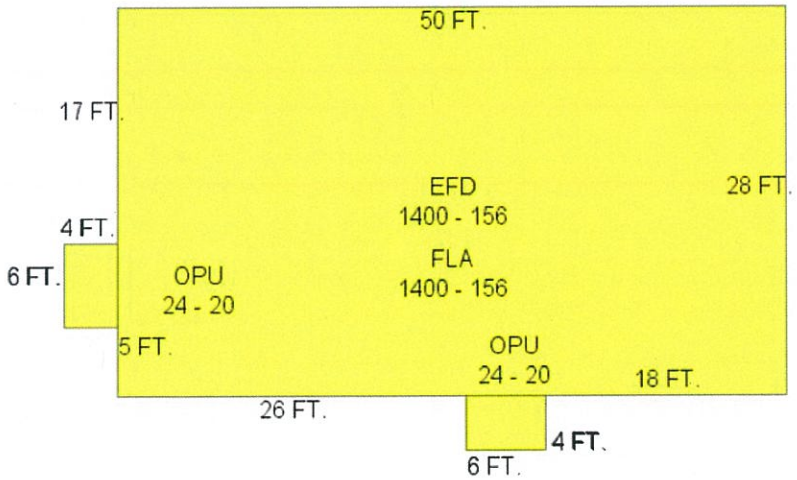
Building Type		**Condition**	A	**Quality Grade**	300
Effective Age	59	**Perimeter**	156	**Depreciation %**	60
Year Built	1963	**Special Arch**	0	**Grnd Floor Area**	1,400
Functional Obs	0	**Economic Obs**	0		

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	6	**Dishwasher**	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	EFD		1	1963					1,400
2	FLA		1	1963					1,400
3	OPU		1	1963					24
4	OPU		1	1963					24

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		RESTAURANT & CAFETR	100	N	Y

Exterior Wall:

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

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT2:BRICK PATIO	840 SF	60	14	2008	2009	4	50
2	PT3:PATIO	2,560 SF	0	0	1975	1976	2	50
3	CL2:CH LINK FENCE	2,100 SF	350	6	2010	2011	1	30
4	FN2:FENCES	420 SF	6	70	1975	1976	1	30
5	AP2:ASPHALT PAVING	100 SF	2	50	1975	1976	1	25

Appraiser Notes

COCO'S CANTINA RESTAURANT PLUS 17 UNIT MH PARK RAINBOWS END
14-1
10/29/2013 BEN. SALE REVIEW

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	07105151	12/05/2007	12/31/2008	5,000	Residential	DEMO MH
	14103066	09/24/2014		50,000		# 14 - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	14103065	09/24/2014		50,000		# 15 - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	14103064	09/24/2014		50,000		# 13 - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	14103063	09/24/2014		50,000		# 2 - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	14103062	09/24/2014		50,000		# 1A - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	14103060	09/24/2014		50,000		# 3 - REPLACE EXISTING TRAVEL TRAILERS WITH NEW 481 SF "AFFORDABLE PARK MODEL"
	95-0514	03/01/1996	11/01/1996	6,000	Residential	MOBILE/HOME/REPLACEMENT
	95-0774	06/01/1995	11/01/1995	1	Residential	A/C
3	98-2736	12/16/1998	05/24/1999	11,675	Residential	ROOFING
4	02/2209	05/23/2002	01/01/2003	3,500	Residential	CHANGE A/C
	05106623	12/08/2005	12/31/2008	1,500	Residential	DEMO - WILMA
	05106626	12/08/2005	12/31/2008	1,500	Residential	DEMO - WILMA

05106769	01/26/2006	12/31/2008	660	Residential	HANDICAP RAMP
07104938	11/19/2007	12/31/2008	1,500	Residential	ELECTRIC MISC

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	73,806	19,838	934,508	1,089,736	1,089,736	0	1,089,736
2013	0	10,521	1,320,000	781,285	759,759	0	781,285
2012	113,620	10,553	1,320,000	804,310	804,310	0	804,310
2011	118,708	10,584	1,320,000	806,124	806,124	0	806,124
2010	118,708	10,616	858,000	806,124	806,124	0	806,124
2009	125,491	10,647	858,000	1,128,998	1,128,998	0	1,128,998
2008	125,491	9,072	1,940,598	1,128,998	1,128,998	0	1,128,998
2007	88,022	9,072	2,156,220	1,128,998	1,128,998	0	1,128,998
2006	88,022	9,072	1,724,976	406,516	406,516	0	406,516
2005	88,022	9,482	1,149,984	490,137	490,137	0	490,137
2004	88,021	9,891	574,992	490,137	490,137	0	490,137
2003	88,021	10,301	574,992	490,137	490,137	0	490,137
2002	88,021	10,710	431,244	404,509	404,509	0	404,509
2001	88,021	11,120	431,244	404,509	404,509	0	404,509
2000	88,021	4,004	431,244	305,777	305,777	0	305,777
1999	88,021	4,132	431,244	305,777	305,777	0	305,777
1998	58,842	4,260	431,244	305,777	305,777	0	305,777
1997	58,842	4,388	431,244	305,777	305,777	0	305,777
1996	53,493	4,380	431,244	305,777	305,777	0	305,777
1995	48,635	4,568	431,244	305,777	305,777	0	305,777
1994	48,635	4,096	431,244	305,777	305,777	0	305,777
1993	48,635	4,224	431,244	273,438	273,438	0	273,438
1992	48,635	4,352	431,244	266,252	266,252	0	266,252
1991	48,635	4,480	431,244	266,252	266,252	0	266,252
1990	48,635	4,608	431,244	266,252	266,252	0	266,252
1989	48,635	4,736	431,244	266,252	266,252	0	266,252
1988	46,331	3,697	287,496	236,770	236,770	0	236,770
1987	54,897	3,794	240,625	236,770	236,770	0	236,770
1986	55,062	3,891	240,625	236,770	236,770	0	236,770
1985	40,221	2,394	81,000	123,615	123,615	0	123,615
1984	39,314	2,394	81,000	122,708	122,708	0	122,708
1983	39,314	2,394	81,000	122,708	122,708	0	122,708
1982	37,434	2,394	81,000	120,828	120,828	0	120,828

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
9/26/2013	2653 / 227	1,400,000	WD	01
8/5/2010	2479 / 1854	100	QC	11
6/20/2008	2368 / 990	1,400,000	WD	Q
11/1/1986	997 / 1780	170,000	WD	U
12/1/1980	825 / 1456	160,000	WD	Q
2/1/1973	772 / 875	73,000	00	Q

This page has been visited 523,583 times.

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

Prepared by and return to:
Gregory S. Oropeza, Esq.
Attorney at Law
Smith | Oropeza, P.L.
138-142 Simonton Street
Key West, FL 33040
305-296-7227
File Number: **2013-151**
Will Call No.:

$1,400,000.-

Doc# 1952849 10/04/2013 3:10PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

10/04/2013 3:10PM
DEED DOC STAMP CL: Krys $9,800.00

Parcel Identification No. **00174960-000000**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **26th** day of **September, 2013** between **H & L Florida Associates, LLC, a Florida limited liability company** whose post office address is **1582 York Avenue, Suite 3C, New York, NY 10028** of the County of **New York**, State of **New York**, grantor*, and **Coco Palms Developers, LLC, a Florida limited liability company,** whose post office address is **P.O. Box 2039, Key West, FL 33040** of the County of **Monroe**, State of **Florida**, grantee*,

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:

> **Lot 30 Sacarma, a subdivision of Government Lots 3 and 4 in Section 29, Township 66 South, Range 28 East, Cudjoe Key, Monroe County, Florida, recorded in Plat Book 2, Page 48 of the Public Records of Monroe County, Florida.**

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

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

H & L Florida Associates, LLC

By: _____
Matthew Hornstein, Managing Member

Witness Name: Fidelia Dieudonne

Witness Name: Jay J. Cyr

Doc# 1952849
Bk# 2653 Pg# 227

(Corporate Seal)

DoubleTime®

State of NEW YORK
County of NEW YORK

The foregoing instrument was acknowledged before me this 26th day of September, 2013 by Matthew Hornstein of H & L Florida Associates, LLC, on behalf of the corporation. He/she [_] is personally known to me or [X] has produced a driver's license as identification.

[Notary Seal]

ROSE M SMALL
Notary Public - State of New York
NO. 01SM6108336
Qualified in New York County
My Commission Expires 4-12-16

Notary Public

Printed Name: ROSE M. SMALL

My Commission Expires: APRIL 12, 2016

Doc# 1952849
Bk# 2653 Pg# 228

MONROE COUNTY
OFFICIAL RECORDS

DoubleTime®

EXHIBIT E

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: 8699468 Parcel ID: 00133760-000127

Ownership Details

Mailing Address:
CZERNIEWSKA APOLONIA L/E
6800 MALONEY AVE LOT 29
KEY WEST, FL 33040-8109

All Owners:
CZERNIEWSKA APOLONIA L/E, CZERNIEWSKI STANISLAW T/C L/E

Property Details

PC Code: 02 - MOBILE HOMES
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 6800 MALONEY AVE LOT: 29 SOUTH STOCK ISLAND
Legal Description: UNIT 29 HARBOR SHORES, A CONDOMINIUM OR986-1279/80 OR1180-1678 OR1184-1530AFF OR2597-227/28

Click Map Image to open interactive viewer

Exemptions

Exemption	Amount
06 - SENIOR HOMESTEAD	50,000.00
39 - 25000 HOMESTEAD	25,000.00
44 - ADDL HOMESTEAD	25,000.00

Land Details

Land Use Code	Frontage	Depth	Land Area
020D - MOB HOME DRY	0	0	3,982.00 SF
00CE - COMMON ELEMENT	0	0	1.00 LT

Doc# 1906163 11/05/2012 3:34PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

11/05/2012 3:34PM
DEED DOC STAMP CL: DS $931.00

Doc# 1906163
Bk# 2597 Pg# 227

Prepared by and return to:
Barton W Smith, Esq.
Administrator
Barton Smith, P.L.
624 Whitehead Street
Key West, FL 33040
305-296-7227
File Number: **2012-94**
Will Call No.: $133,000.-

Parcel Identification No. **00133760-000127**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **5th** day of **November, 2012** between **LEONARD E. HEPBURN and ANNETTE E. HEPBURN** whose post office address is of the County of , State of , grantor*, and **Barton W. Smith and Paulina Smith, as husband and wife, subject to a life estate in favor of Apolonia Czerniewska and Stanislaw Czerniewski** whose post office address is **1419 Von Phister Street, Key West, FL 33040** of the County of **Monroe**, State of **Florida**, grantee*,

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:

> **Unit No. 29 of HARBOR SHORES CONDOMINIUM, a Condominium, according to the Declaration of Condominium recorded in O.R. Book 982, Page 1824, and all exhibits and amendments thereof, Public Records of Monroe County, Florida.**

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

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

Witness Name: ED SALAZAR

Witness Name: Gregory Oropeza

Witness Name: ED SALAZAR

Witness Name: Gregory Oropeza

Leonard E Hepburn (Seal)
Leonard E Hepburn

Annette E. Hepburn (Seal)
Annette E. Hepburn

EXHIBIT 30

DoubleTime®

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 5th day of November, 2012 by Leonard E Hepburn and Annette E. Hepburn, who [_] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

GREGORY OROPEZA
MY COMMISSION # EE 005958
EXPIRES: July 1, 2014
Bonded Thru Notary Public Underwriters

Notary Public

Printed Name: _____

My Commission Expires: _____

MONROE COUNTY
OFFICIAL RECORDS

EXHIBIT F

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: 1160407 **Parcel ID:** 00126210-000000

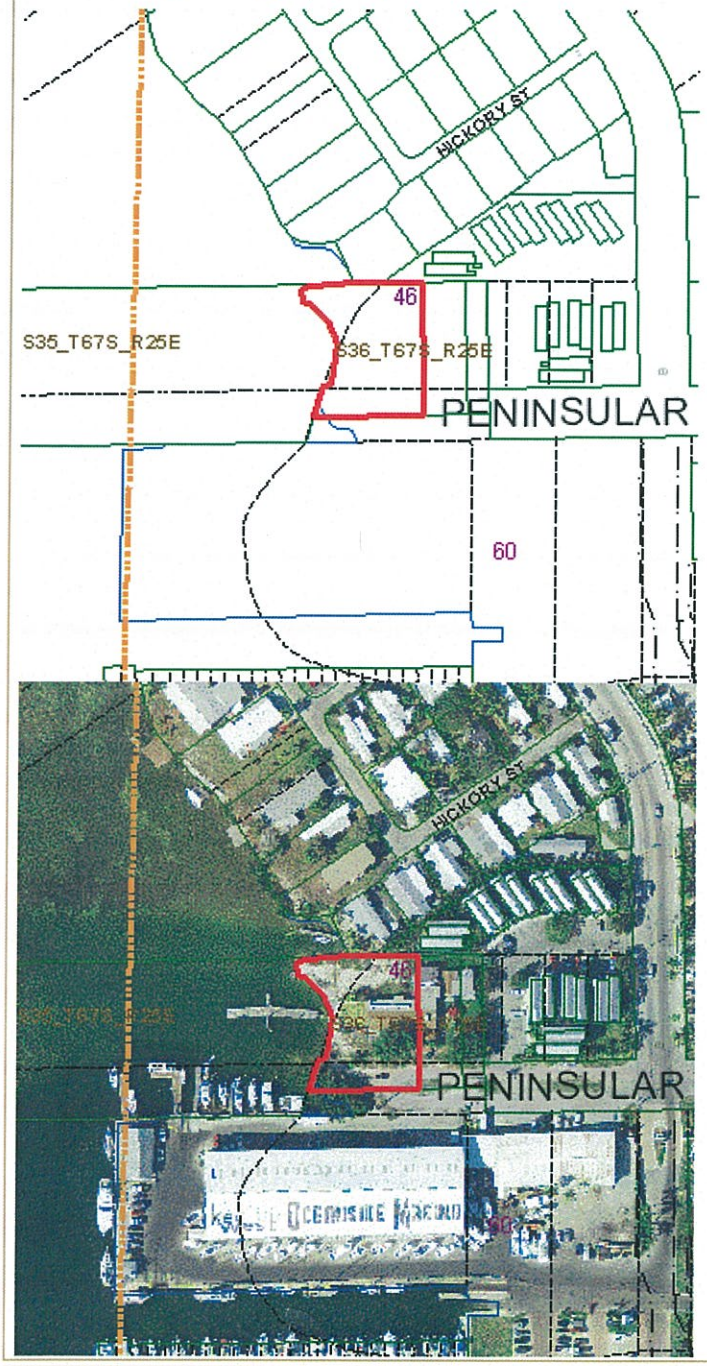
Ownership Details

Mailing Address:
OCEANSIDE INVESTORS LLC
C/O ALLISON JOHN
1010 KENNEDY DR STE 302
KEY WEST, FL 33040-4133

Property Details

PC Code:	86 - COUNTIES OTHER THAN (PC/LIST)
Millage Group:	110A
Affordable Housing:	No
Section-Township-Range:	35-67-25
Property Location:	5948 PENINSULAR AVE SOUTH STOCK ISLAND
Legal Description:	BK 46 LT 30 STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 AND PT OF PENINSULAR AVE VACATED OR396-430-431 OR849-2215D/C OR909-2011 OR1486-1843 OR2003-1905/06Q/C OR2255-1923 OR2696-895/899(RES NO 116-2014) OR2723-119/20

Click Map Image to open interactive viewer



Exemptions

Exemption	Amount
14 - COUNTYLANDS	628,797.00

Land Details

Land Use Code	Frontage	Depth	Land Area
8600 - COUNTY	0	0	18,760.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 1
Total Living Area: 3798
Year Built: 1958

Building 1 Details

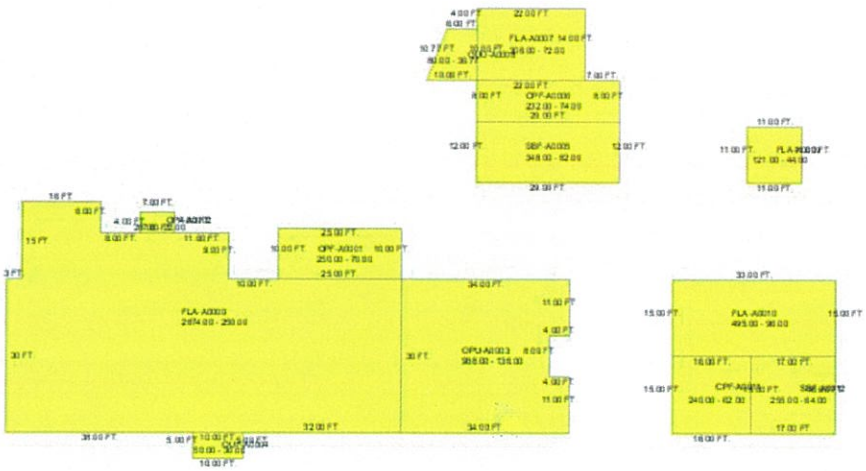
Building Type		**Condition**	F	**Quality Grade**	350
Effective Age	50	**Perimeter**	462	**Depreciation %**	60
Year Built	1958	**Special Arch**	0	**Grnd Floor Area**	3,798
Functional Obs	0	**Economic Obs**	0		

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	2	**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	10	**Dishwasher**	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	3:WD FR STUCCO	1	1958	Y			2,874

2	OPF		1	1958		250
3	OPF		1	1958		28
4	OPU		1	1958		988
5	OUF		1	1958		50
6	SBF	3:WD FR STUCCO	1	1958		348
7	CPF		1	1958		232
8	FLA	3:WD FR STUCCO	1	1958	Y	308
9	OUU		1	1958		80
10	FLA	3:WD FR STUCCO	1	1958	N	121
11	FLA	3:WD FR STUCCO	1	1958	N	495
12	CPF		1	1958		240
13	SBF		1	1958		255

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		APTS-A	100	N	N
	1	APTS-A	100	N	N
	1	APTS-A	100	N	Y
	1	REST/CAFET-A-	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
3236	AB AVE WOOD SIDING	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	220 SF	22	10	1957	1958	2	50
2	PT3:PATIO	450 SF	10	45	1964	1965	2	50
3	DK4:WOOD DOCKS	66 SF	6	11	1969	1970	3	40
4	FN2:FENCES	756 SF	126	6	1979	1980	2	30
5	SW2:SEAWALL	498 SF	166	3	1974	1975	2	60
6	DK4:WOOD DOCKS	200 SF	20	10	1974	1975	3	40
7	DK4:WOOD DOCKS	318 SF	106	3	1974	1975	3	40
8	PT3:PATIO	348 SF	87	4	1974	1975	2	50
9	PT3:PATIO	210 SF	70	3	1974	1975	2	50
10	DK4:WOOD DOCKS	64 SF	4	16	1970	2005	3	40
11	DK4:WOOD DOCKS	1,155 SF	11	105	1970	2005	3	40
12	DK4:WOOD DOCKS	112 SF	28	4	1970	2005	3	40

Appraiser Notes

14-1

HICKORY HOUSE RESTAURANT, IS VACANT NOT IN USE, REDUCED THE EFF. AGE & THE WALL TYPE, REMOVED AC, BARRY
LAND SIZE INCREASED BY 3,760 SQ FT FOR THE 2015 TAX ROLL DUE TO THE ABANDONMENT OF THAT PORTION OF PENINSULAR AVENUE DESCRIBED IN RESOLUTION NO 116-2014 FILED IN OR2696-895/899.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	04-0445	07/06/2004	05/25/2005	225	Commercial	AWNINGS
	07100377	01/29/2007	06/19/2007	3,500	Commercial	CHAIN LINK FENCE Temporary

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	236,299	25,503	361,139	622,941	571,634	622,941	0
2013	236,299	25,503	374,514	636,316	519,668	636,316	0
2012	236,299	25,503	374,514	636,316	472,426	636,316	0
2011	236,299	25,503	374,514	636,316	429,479	636,316	0
2010	254,021	25,781	318,696	598,498	390,436	598,498	0
2009	254,021	25,921	75,000	354,942	354,942	354,942	0
2008	277,651	26,200	75,000	378,851	378,851	378,851	0
2007	196,147	23,576	390,000	609,723	609,723	609,723	0
2006	333,867	19,346	390,000	525,365	525,365	0	525,365
2005	247,085	19,466	225,000	491,551	491,551	0	491,551
2004	122,774	47,689	150,000	320,463	320,463	0	320,463
2003	122,774	48,526	120,000	291,300	291,300	0	291,300
2002	122,774	49,390	120,000	292,164	292,164	0	292,164
2001	122,774	49,971	105,000	277,745	277,745	0	277,745
2000	122,774	29,739	105,000	257,513	257,513	0	257,513
1999	122,774	30,240	105,000	258,014	258,014	0	258,014
1998	81,849	30,989	105,000	217,838	217,838	0	217,838
1997	81,849	31,807	105,000	218,656	218,656	0	218,656
1996	31,245	32,802	105,000	169,047	169,047	0	169,047
1995	31,245	33,439	105,000	169,684	169,684	0	169,684
1994	31,245	34,406	105,000	170,651	170,651	0	170,651
1993	77,215	23,720	108,000	208,935	208,935	0	208,935
1992	77,215	3,855	108,000	189,070	189,070	0	189,070
1991	77,215	3,945	108,000	189,160	189,160	0	189,160
1990	136,757	4,035	90,720	231,512	231,512	0	231,512
1989	136,712	4,080	90,720	231,512	231,512	0	231,512
1988	105,194	3,554	90,720	199,468	199,468	0	199,468

1987	72,176	3,713	90,720	166,609	166,609	0	166,609
1986	72,350	3,833	90,720	166,903	166,903	0	166,903
1985	71,161	3,993	52,000	127,154	127,154	0	127,154
1984	70,481	4,152	52,000	126,633	126,633	0	126,633
1983	70,481	4,272	52,000	126,753	126,753	0	126,753
1982	67,896	4,341	45,000	117,237	117,237	0	117,237

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
2/3/2015	2723 / 119	2,000,000	QC	11
11/28/2006	2255 / 1923	3,125,000	WD	M
1/28/2004	2003 / 1905	557,000	QC	M
11/1/1997	1486 / 1843	800,000	WD	M

This page has been visited 528,581 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.

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

Alternate Key: 1160415 **Parcel ID:** 00126220-000000

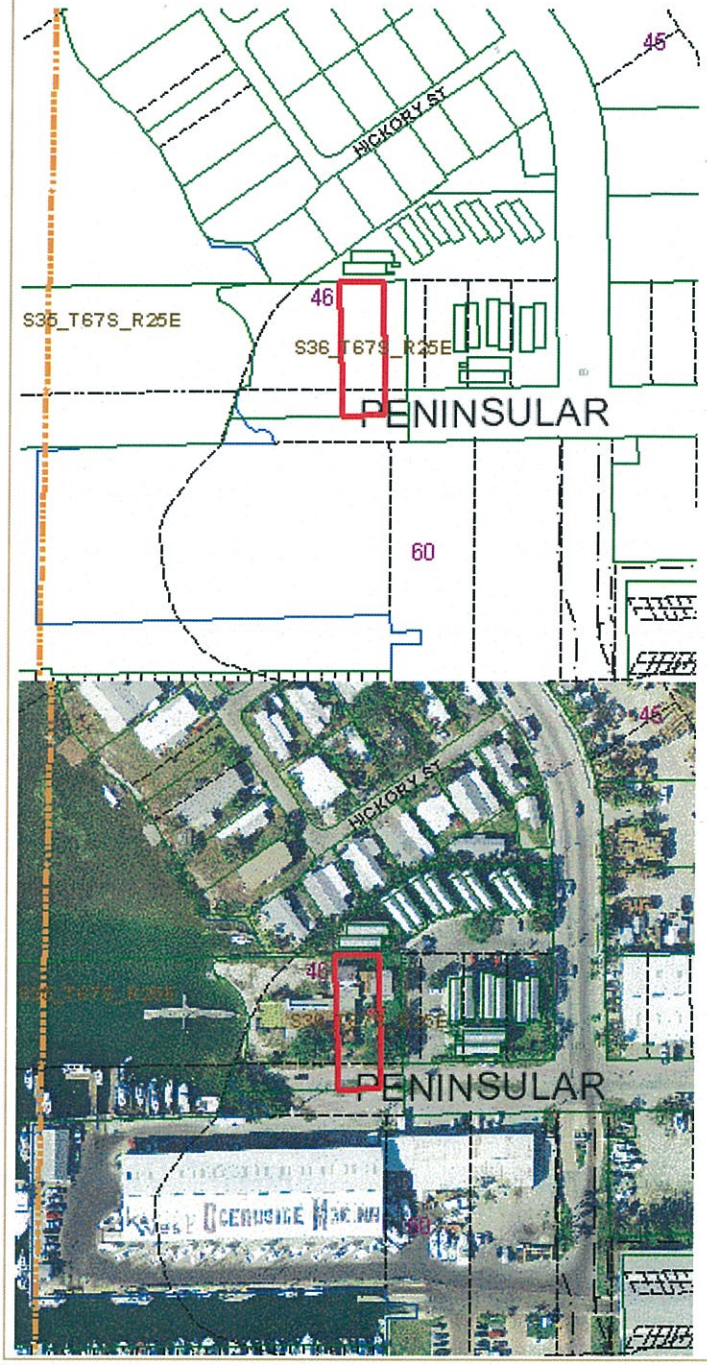
Ownership Details

Mailing Address:
OCEANSIDE INVESTORS LLC
C/O ALLISON JOHN
1010 KENNEDY DR STE 302
KEY WEST, FL 33040-4133

Property Details

PC Code: 80 - VACANT GOVERNMENTAL
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: VACANT LAND SOUTH STOCK ISLAND
Legal Description: BK 46 LT 31 STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 AND PT OF PENINSULAR AVE VACATED OR396-430/431 OR849-2215D/C OR909-2011 OR1486-1843 OR2003-1905/06Q/C OR2255-1923 OR2696-895/899(RES NO 116-2014) OR2723-119/20

Click Map Image to open interactive viewer



Exemptions

Exemption	Amount
14 - COUNTYLANDS	55,359.00

Land Details

Land Use Code	Frontage	Depth	Land Area
8600 - COUNTY	50	125	7,750.00 SF

Appraiser Notes

LAND SIZE INCREASED BY 1,500 SQ FT FOR THE 2015 TAX ROLL DUE TO THE ABANDONMENT OF THAT PORTION OF PENINSULAR AVENUE DESCRIBED IN RESOLUTION NO 116-2014 FILED IN OR2696-895/899.

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	194,063	194,063	50,327	194,063	0
2013	0	0	201,250	201,250	45,752	201,250	0
2012	0	0	201,250	201,250	41,593	201,250	0
2011	0	0	201,250	201,250	37,812	201,250	0
2010	0	0	188,370	188,370	34,375	188,370	0
2009	0	0	31,250	31,250	31,250	31,250	0
2008	0	0	31,250	31,250	31,250	31,250	0
2007	0	0	93,750	93,750	93,750	93,750	0
2006	0	0	87,500	87,500	87,500	0	87,500
2005	0	0	62,500	62,500	62,500	0	62,500
2004	0	0	33,125	33,125	33,125	0	33,125
2003	0	0	33,125	33,125	33,125	0	33,125
2002	0	0	33,125	33,125	33,125	0	33,125
2001	0	0	33,125	33,125	33,125	0	33,125
2000	0	0	33,125	33,125	33,125	0	33,125
1999	0	0	33,125	33,125	33,125	0	33,125
1998	0	0	33,125	33,125	33,125	0	33,125
1997	0	0	33,125	33,125	33,125	0	33,125
1996	0	0	33,125	19,875	19,875	0	19,875
1995	0	0	33,125	33,125	33,125	0	33,125
1994	0	0	33,125	33,125	33,125	0	33,125
1993	0	0	33,125	33,125	33,125	0	33,125
1992	0	0	33,125	33,125	33,125	0	33,125
1991	0	0	33,125	33,125	33,125	0	33,125
1990	0	0	32,500	32,500	32,500	0	32,500
1989	0	0	32,500	32,500	32,500	0	32,500
1988	0	0	22,500	22,500	22,500	0	22,500
1987	0	0	22,500	22,500	22,500	0	22,500
1986	0	0	20,313	20,313	20,313	0	20,313
1985	0	0	18,750	18,750	18,750	0	18,750
1984	0	0	18,750	18,750	18,750	0	18,750
1983	0	0	18,750	18,750	18,750	0	18,750

1982	0	0	10,000	10,000	10,000	0	10,000

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
2/3/2015	2723 / 119	2,000,000	QC	11
11/28/2006	2255 / 1923	1	WD	M
1/28/2004	2003 / 1905	1	QC	M
11/1/1997	1486 / 1843	1	WD	M

This page has been visited 528,589 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.

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

Alternate Key: 1160423 Parcel ID: 00126230-000000

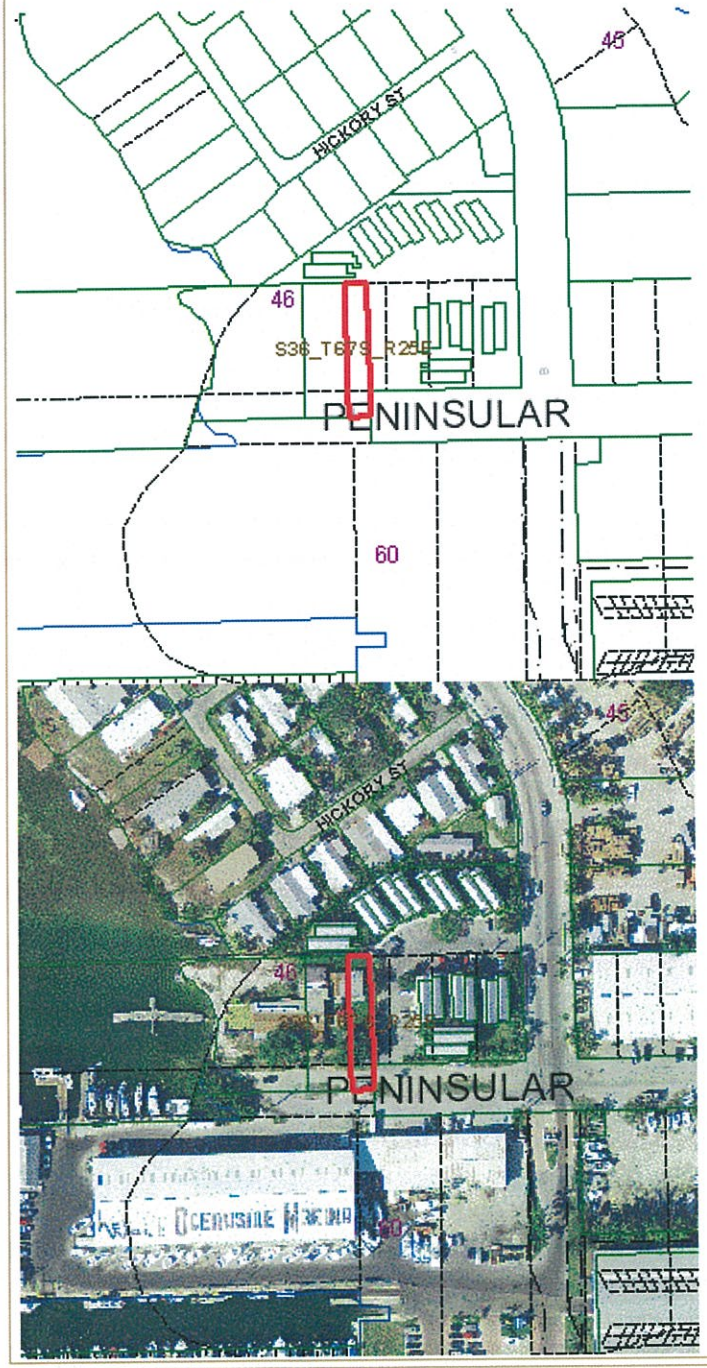
Ownership Details

Mailing Address:
OCEANSIDE INVESTORS LLC
C/O ALLISON JOHN
1010 KENNEDY DR STE 302
KEY WEST, FL 33040-4133

Property Details

PC Code: 80 - VACANT GOVERNMENTAL
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: VACANT LAND SOUTH STOCK ISLAND
Legal Description: BK 46 W 1/2 LT 32 STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 AND PT OF PENINSULAR AVE VACATED OR396-430/431 OR849-2215D/C OR909-2011 OR1486-1843 OR2003-1905/06Q/C OR2255-1923 OR2696-895/899(RES NO 116-2014) OR2723-119/20

Click Map Image to open interactive viewer



Exemptions

Exemption	Amount
14 - COUNTYLANDS	32,730.00

Land Details

Land Use Code	Frontage	Depth	Land Area
8600 - COUNTY	25	125	3,875.00 SF

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	2,432 SF	608	4	1998	1999	1	30

Appraiser Notes

LAND SIZE INCREASED BY 750 SQ FT FOR THE 2015 TAX ROLL DUE TO THE ABANDONMENT OF THAT PORTION OF PENINSULAR AVENUE DESCRIBED IN RESOLUTION NO 116-2014 FILED IN OR2696-895/899.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	991650	08/12/1999	10/27/1999	6,250	Residential	ATF FENCE

Parcel Value History

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2014	0	2,128	122,344	124,472	29,755	124,472	0
2013	0	2,256	126,875	129,131	27,050	129,131	0
2012	0	2,426	126,875	129,301	24,591	129,301	0
2011	0	2,554	126,875	129,429	22,356	129,429	0
2010	0	2,681	113,995	116,676	20,324	116,676	0
2009	0	2,852	15,625	18,477	18,477	18,477	0
2008	0	2,979	15,625	18,604	18,604	18,604	0
2007	0	2,770	46,875	49,645	49,645	49,645	0
2006	0	2,921	43,750	46,671	46,671	0	46,671
2005	0	3,035	31,250	34,285	34,285	0	34,285
2004	0	3,149	16,563	19,712	19,712	0	19,712
2003	0	3,301	16,563	19,864	19,864	0	19,864
2002	0	3,415	16,563	19,978	19,978	0	19,978
2001	0	3,528	16,563	20,091	20,091	0	20,091
2000	0	2,241	16,563	18,804	18,804	0	18,804
1999	0	0	16,563	16,563	16,563	0	16,563
1998	0	0	16,563	16,563	16,563	0	16,563
1997	0	0	33,125	33,125	33,125	0	33,125
1996	0	0	33,125	19,875	19,875	0	19,875
1995	0	0	33,125	33,125	33,125	0	33,125
1994	0	0	33,125	33,125	33,125	0	33,125
1993	0	0	33,125	33,125	33,125	0	33,125

1992	0	0	33,125	33,125	33,125	0	33,125
1991	0	0	33,125	33,125	33,125	0	33,125
1990	0	0	32,500	32,500	32,500	0	32,500
1989	0	0	32,500	32,500	32,500	0	32,500
1988	0	0	22,500	22,500	22,500	0	22,500
1987	0	0	22,500	22,500	22,500	0	22,500
1986	0	0	20,313	20,313	20,313	0	20,313
1985	0	0	18,750	18,750	18,750	0	18,750
1984	0	0	18,750	18,750	18,750	0	18,750
1983	0	0	18,750	18,750	18,750	0	18,750
1982	0	0	10,000	10,000	10,000	0	10,000

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
2/3/2015	2723 / 119	2,000,000	QC	11
11/28/2006	2255 / 1923	1	WD	M
1/28/2004	2003 / 1905	1	QC	M
11/1/1997	1486 / 1843	1	WD	M

This page has been visited 528,559 times.

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

Please Return to:
Smith | Oropeza | Hawks
138-142 Simonton Street
Key West, Florida 33040
Consideration: $2,000,000.00

Doc# 2014388 02/03/2015 2:17PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

02/03/2015 2:17PM
DEED DOC STAMP CL: Krys $14,000.00

This Instrument Prepared By:

STONES & CARDENAS
221 Simonton Street
Key West, FL 33040
(305) 294-0252

Doc# 2014388
Bk# 2723 Pg# 119

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 3rd day of February, 2015, by and between MONROE COUNTY, a political subdivision of the State of Florida, whose address is c/o Roman Gastesi, Jr., County Administrator, 1100 Simonton Street, Room 2-205, Key West, FL 33040, party of the first part, and OCEANSIDE INVESTORS, LLC, a Florida limited liability company, whose address is C/O John Allison, 1010 Kennedy Drive, Suite 302, Key West, FL 33040, party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten and 00/100 ($10.00) Dollars, in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the said party of the second part all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Monroe, State of Florida, to wit:

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 ALSO:
The Northerly 1/2 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 195.0 feet, more or less to the platted shoreline of Peninsular Avenue; thence S 17°19'01" W along the platted shoreline for a distance of 31.62 feet to the Centerline of Peninsular Ave.; thence East along the said center line of Peninsular Ave., for a distance of 205.0 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 30.00 feet to the said North right-of-way line of Peninsular Ave. and the point of beginning.
Containing 6,000.0 square feet, more or less.

SUBJECT TO: Taxes, if any, for the year 2015 and subsequent years.

SUBJECT TO: Conditions, restrictions, limitations, reservations and easements of record, including all development approvals issued by Monroe County, Florida.

Doc# 2014388
Bk# 2723 Pg# 120

THIS DOCUMENT WAS PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR ABSTRACT EXAMINATION AND IS BASED SOLELY ON THE FACTS PROVIDED BY EITHER OF THE PARTIES OR THEIR AGENTS.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoove of the said party of the second part forever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST: _____
Clerk (or Deputy Clerk of the Circuit Court)
Monroe County, Florida

By its Board of County Commissioners

By: _____
Danny Kolhage, Mayor/Chairperson

MONROE COUNTY
OFFICIAL RECORDS

County of Monroe
Growth Management Division

Planning & Environmental Resources Department
2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536

We strive to be caring, professional and fair

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

Date: 5.31.13

Time:_____

Dear Applicant:

This is to acknowledge submittal of your application for Minor - TRE
Type of application

Oceanside Key West to the Monroe County Planning Department.
Project / Name

Thank you.

Gail Creech

Planning Staff

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 PLAZA STE 809
KEY WEST, FL 33040

ALSTOTT MICHAEL J FAMILY TRUST
AMD REST S/12/2006
7019 1ST AVE S
ST PERESBURG, FL 33707

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

BAC AVIATION AND MARINE LLC
5401 HANGAR CT
TAMPA, FL 33634

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

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 AND DONNA L/E
219 GOLF CLUB DR
KEY WEST, FL 33040-7938

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

BENEDETTO GEORGE
4421 JEFFERSON HWY
JEFFERSON, LA 70121-1308

BENNER LEAH AND WAYNE
6900 MALONEY AVE UNIT 11
KEY WEST, FL 33040-6060

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

BITTNER DALE L
PO BOX 5143
KEY WEST, FL 33045

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

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

Verified by Gail Pages 1-7

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

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

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

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

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

CARDENAS ROBERT H JR AND
DEBORAH S
917 EATON ST
KEY WEST, FL 33040

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

CILETTI LARRY
341 TOM BROWN RD
MOORESTOWN, NJ 08057-4001

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

CONKLIN EDWARD G
5950 PENINSULA AVE
KEY WEST, FL 33040

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
4300 10TH AVE S
BIRMINGHAM, AL 35222-4336

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

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

DBGB REV LIV TR
26 HINA ST
HILO, HI 96720

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 AND BEATRIZ
28555 JOLLY ROGER DR
SUMMERLAND KEY, FL 33042-5501

ESTILL ROBERT I
2026 S QUEEN ST
YORK, PA 17403

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

FLEMING ENTERPRISES LLC
3901 PROGRESS ST
NORTH LITTLE ROCK, AR 72114

FOLEY ALLEN
5950 PENINSULAR AVE PIER 638
KEY WEST, FL 33040-6097

FOLEY WALTER ALLEN
875 W LOOP 304
CROCKETT, TX 75835

FOLEY WALTER AND KAY TRUST
4/16/07
875 WEST LOOP 304
CROCKETT, TX 7583S

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

FOWLER CHARLES
28388 COUNTY RD
SUMMERLAND KEY, FL 33042-5633

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
1018 SE 38TH ST APT 101
CAPE CORAL, FL 33904-8131

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

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

GOTHIER ROBERT V JR
415 FALLOWFIELD RD STE 301
CAMP HILL, PA 17011-4907

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
4633 DREXEL AVE
EDINA, MN 55424

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

HENDERSON ROBIN M
5950 PENINSULAR AVE SLIP 613
KEY WEST, FL 33040

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

HOLMES PETER F
12 WILDWOOD LANE
SCARBOROUGH, ME 4074

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 3224

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

HUB FLORIDA LLC
200 HARRY S TRUMAN PKWY STE 300
ANNAPOLIS, MD 21401-7479

HUNKER WAYDE
7 PARK MEADOWS COURT
FAIRFIELD, OH 45014

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 CYNTHIA S REV TR 6/7/2006
P O BOX 22
FLOYD, IA 50435

JACQUES GARY L REVOCABLE TRUST
DTD 6/7/06
PO BOX 22
FLOYD, IA 50435-0022

JESSEE JASON
1107 KEY PLAZA STE 333
KEY WEST, FL 33040

JOHNSTON ANN
PO BOX 2039
KEY WEST, FL 33045-2039

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

JONES LLC
11 CYPRESS AVE
KEY WEST, FL 33040

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

KEY WEST 80 LLC
26640 EDGEWOOD ROAD
SHOREWOOD, MN 55331

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

KEY WEST HARBOUR YACHT CLUB, A
CONDOMINIUM

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

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

KLITENICK MICHAEL P AND JUDIE
3510 EAGLE AVE
KEY WEST, FL 33040

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

MAGGIO LEONA J
5950 PENINSULAR AVE
KEY WEST, FL 33040-6097

MARLIN INTEGRATED CAPITAL III LLC
4035 RIDGE TOP RD STE 600
FAIRFAX, VA 22030

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

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

MAUN MATTHEW D
0225 CHEROKEE LN
CARBONALE, CO 81623

MBA GRAPHICS OF TAMPA INC
116 ADALIA AVE
TAMPA, FL 33606

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 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

MILLARD LEON FOWLER AND CONNIE L
1716 SOUTH STREET
KEY WEST, FL 33040

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

MONROE COUNTY TEACHERS FEDERAL
CREDIT UNION
P O BOX 2666
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 TRAL CIR
BERLIN, MD 21811

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

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

OYEME IV LLC
P O BOX 787
KEY WEST, FL 33040

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
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

PROBERT FAMILY LIMITED
PARTNERSHIP THE
3728 FLAGLER AVE
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 7/20/07
1214 VON PHISTER ST
KEY WEST, FL 33040

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

ROGGERO HARRY
21 PARKER AVE
NEWPORT, RI 2840

ROGGERO HARRY J JR
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
MUSKEGON, MI 49441

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

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

SWENSON PETER
2 BARRACUDA LN
KEY LARGO, FL 33037

TARANTINO JOANNE
1002 WASHINGTON ST
KEY WEST, FL 33040-4865

THOMAS TOM AND LUCILLE G
2864 COCO LAKES DR
NAPLES, FL 34105-4511

THOMPSON AND COMPANY OF TAMPA INC
5401 HANGAR CT
TAMPA, FL 33634

TIITF/SOVEREIGNTY LANDS
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

TORTUGA WEST HOMEOWNERS ASSOC
201 FRONT ST STE 110
KEY WEST, FL 33040

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

TRADEWINDS INTERNATIONAL REAL ESTATE PLLC
1540 INTERNATIONAL PKWY STE 200
LAKE MARY, FL 32746-4713

TRIVISONNO NICHOLAS L REVOCABLE TRUST DTD 2/24/03
2019 CRAIGMORE DR
CHARLOTTE, NC 28226

UNITED STATES OF AMERICA
ATLANTA, GA 30345

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 J
49 SUNSET KEY
KEY WEST, FL 33040

WILKES GEORGE A REVOCABLE TRUST 10/27/2004
PO BOX 253
SEELEY LAKE, MT 59868

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 ARTHUR GODFREY RD STE 200
MIAMI BEACH, FL 33140

WYLAND OF KEY WEST INC
953 NW 53RD ST
FT LAUDERDALE, FL 33309

End of Additional File 2013-070

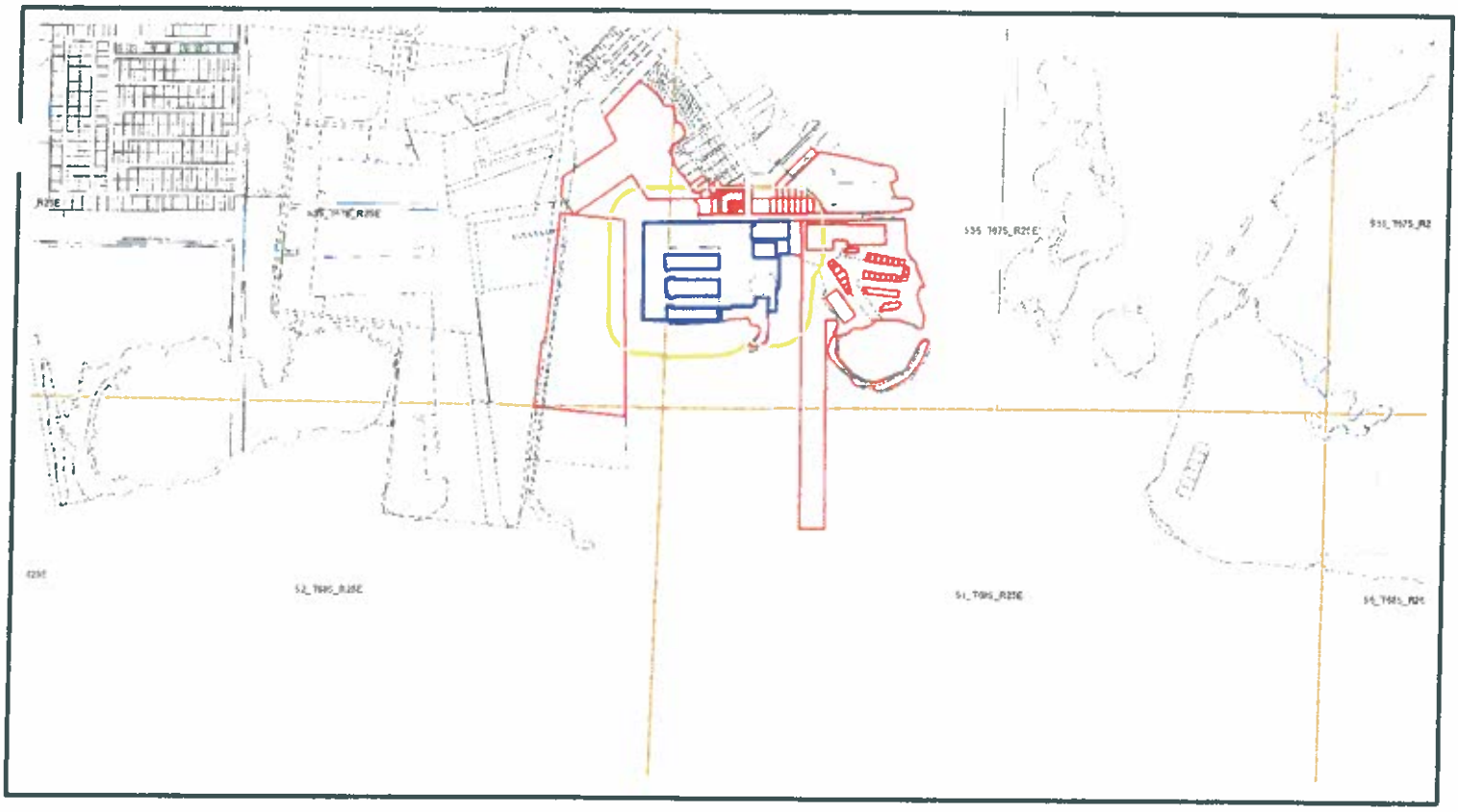
Oceanside Key West

Minor Conditional Use Application

By: Oceanside Investors, LLC

5950 Peninsular Avenue

Key West, Florida 33040



Oceanside Investors, LLC

300 Foot Radius

Printed:May 30, 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

No.	Description
1.	Minor Conditional Use Application
2.	Legal Description
3.	Evidence of Ownership – Sender and Receiver sites
4.	Property Record Card – receiver site
5.	Location Map of Receiver Site
6.	Photographs from Roadway
7.	Notarized Agent Authorization Form
8.	Draft Resolution – Minor Conditional Use

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
MAY 31 2013
MONROE CO. PLANNING DEPT

Request for a Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE): RECEIVER SITE APPROVAL

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

Conditional Use, Transfer of ROGO Exemption Application Fee: $1,740.00

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: 05 / 31 / 2013
Month Day Year

Applicant / Agent:

Oceanside Investors, LLC, Summerland Palms Investors, LLC, H&L Florida Associates, LLC, R&S of Key West, Inc., H-Try, LLC, and 5671 MacDonald LLC, C/O Smith Oropeza, P.L. 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

Email Address

Sender Site Property Owner:

Summerland Palms Investors, LLC

Name

1010 Kennedy Drive, Suite 303, Key West, Florida 33040

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

305-395-1610

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)

See attached tab 2

Block Lot Subdivision Key

See attached RE and Alt. Key table at tab 3

Real Estate (RE) Number Alternate Key Number

24930 Overseas Highway Lot 1 – 12 and 14 – 22, Summerland Key, Florida 33040 MM25

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

Sender Site Property Owner:

H&L Florida Associates, LLC C/O Gregory Oropeza

Name

138 Simonton Street, Key West, Florida 33040

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

(305) 296-7227

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)

Lot 30 Plat Book 2-48 Cudjoe Key

Block Lot Subdivision Key

00174960-000000 1227021

Real Estate (RE) Number Alternate Key Number

21585 Old State Road 4A, Cudjoe Key, Florida 33040 MM 21

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

Sender Site Property Owner:

R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC

Name

PO Box 6032, Key West, Florida 33040

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

(305) 296-8851

Daytime Phone

Sender Site Legal Description:
(If in metes and bounds, attach legal description on separate sheet)

31 9 Maloney Stock Island

Block Lot Subdivision Key

001224430-000000 1158851

Real Estate (RE) Number Alternate Key Number

5671 MacDonald Avenue, Key West, Florida 33040 MM 5

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

Sender Site Property Owner:

R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC

Name

PO Box 6032, Key West, Florida 33040

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

(305) 296-8851

Daytime Phone

Sender Site Legal Description:

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

Block	Lot	Subdivision	Key
31	16	Maloney	Stock Island

Real Estate (RE) Number	Alternate Key Number
001224470-000000	1158593

Vacant Land on MacDonald Avenue, Key West, Florida 33040 MM 5

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

Receiver Site 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

Receiver Site Legal Description:

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

SEE ATTACHED LEGAL DESCRIPTION AT TAB 2

Block	Lot	Subdivision	Key
00127420-000000	and 00127420-000100	1161624 and 8884257	

Real Estate (RE) Number	Alternate Key Number
5950 – 5970 Penninsular Avenue, Stock Island, Florida 33040	MM 5

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

Sender Site Land Use District Designation:

Summerland Palms Investors, LLC – Urban Residential Mobile Home (URM)

H&L Florida Associates, LLC - Urban Residential Mobile Home (URM)

R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC – Mixed Use (MU)

APPLICATION

Receiver Site Land Use District Designation: Oceanside Investors, LLC – Mixed Use (MU)

Sender Site Existing Land Use: Summerland Palms Investors, LLC – Residential High (RH)

H&L Florida Associates, LLC – Mixed Use Commercial (MC)

R&S OF KEY WEST, INC., H-TRY, LLC, and 5671 MACDONALD LLC – Mixed Use Commercial (MC)

Receiver Site Existing Land Use: Oceanside Investors, LLC – Mixed Use Commercial (MC)

Development Order No. permitting dwelling units to be transferred off Sender Site: _____

Amount of dwelling units to be transferred to Receiver Site: 46

Has a previous application been submitted for this site within the past two years? Yes ___ No X

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

- ☐ **Complete application** (unaltered and unbound); **- tab 1**
- ☐ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☐ **Proof of ownership for both sender and receiver sites (i.e. Warranty Deed); tab 3**
- ☐ **Copy of Development Order establishing dwelling units to be transferred off sender site; to be provided**
- ☐ **Current Property Record Card(s) from the Monroe County Property Appraiser for receiver site; - tab 4**
- ☐ **Location map of receiver site; - tab 5**
- ☐ **Photograph(s) of receiver site from adjacent roadway(s); - tab 6**
- ☐ **Signed and Sealed Boundary Survey of receiver site, prepared by a Florida registered surveyor – 6 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); **included**
- ☐ **Typed name and address mailing labels of all property owners within a 300 foot radius of the receiver site.** 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 – **included in inside sleeve**

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 sender site and receiver site properties) – **tab 7**
- ☐ **Any Letters of Understanding pertaining to the proposed transfer**
- ☐ **Vegetation Survey or Habitat Evaluation Index** (please contact Monroe County Environmental Resources prior to application submittal to determine if this documentation is necessary)

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

If for any reason the minor conditional use permit application requires review and consideration by the Monroe County Planning Commission, additional fees, mailing labels and copies of plans shall be required prior to item being scheduled for commission review.

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

Signature of Applicant: _____ **Date:** 5-31-13

Sworn before me this 31 day of May 2013

GREGORY OROPEZA
MY COMMISSION # EE 005958
EXPIRES: July 1, 2014
Bonded Thru Notary Public Underwriters

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.

OCEANSIDE INVESTORS, LLC
5950 – 5970 Penninsular Avenue
Stock Island, Florida

LEGAL DESCRIPTION

That parcel of 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 8° 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 feet 22.15; 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 Northeast 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 32.0 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° 00' 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° 11'4 0" 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.

Prepared by and Return To:

Mark S. Weinberg, Esquire
GRAY ROBINSON, P.A.
1221 Brickell Avenue – Suite 1600
Miami, Florida 33131

Parcel ID Numbers: See Attached Exhibit A-1
Grantee's EIN #: _____

Doc# 1927973 04/09/2013 11:38AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

04/09/2013 11:38AM
DEED DOC STAMP CL: DS $6,230.00

Doc# 1927973
Bk# 2622 Pg# 996

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 21st day of March, 2013 between **SPECIAL ACQUISITIONS III, INC., a Florida corporation** (the "**Grantor**"), whose mailing address is 6435 Naples Blvd., Naples, FL 34109, and **SUMMERLAND PALMS INVESTORS, LLC**, a Florida limited liability company (the "**Grantee**"), whose mailing address is 1010 Kennedy Dr., Suite 302, Key West, FL 33040.

WITNESSETH

That Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns the following property (the "**Property**") lying and being in MONROE COUNTY, Florida, and more particularly described as follows:

SEE **EXHIBIT "A"** ATTACHED HERETO AND MADE A PART HEREOF.

Subject, however, to: (i) taxes and assessments for the current year and subsequent years; (ii) covenants, restrictions and public utility easements of record (iii) existing zoning and governmental regulations; and (iv) all matters that an accurate survey of the Property would reveal.

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

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

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by its duly authorized signatory on the day and year first above written.

GRANTOR:

SPECIAL ACQUISITIONS III, INC., a Florida corporation

By: _____
Name: Michael Rinaldi
Title: Vice President

[Seal]

Signed, sealed and delivered in the presence of these witnesses:

Witness: _____
Print Name: MARIE WYGLENDOWSKI

Witness: _____
Print Name: Maria Garcia

STATE OF FLORIDA)
) ss.:
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 21 day of March, 2013 by Michael Rinaldi as Vice President of SPECIAL ACQUISITIONS III, INC., a Florida corporation on behalf of the corporation. He is ☐ personally known to me OR ☐ Produced _____ as identification.

_____
Print or Stamp Name: _____
Notary Public, State of Florida at Large
Commission No.:
My Commission Expires:

MARIA GARCIA
Notary Public - State of Florida
My Comm. Expires Aug 14, 2016
Commission # EE 222867

EXHIBIT "A"
Legal Description of the Property

Lots 54 and 55, SUMMERLAND YACHT HARBOR, SUMMERLAND KEY, FL, as recorded in Plat Book 2, Page 142, of the Public Records of Monroe County, Florida.

LESS AND EXCEPT:

A portion of Lot 54, SUMMERLAND YACHT HARBOR, SUMMERLAND KEY, FL, as recorded in Plat Book 2, Page 142, of the Public Records of Monroe County, Florida and better described as follows:

Beginning at the intersection of the Southwesterly Right-of-Way line of Center Street and the Southwesterly Right-of-Way line of Horace Street; thence South 00°01'34" East along said Southwesterly Right-of-Way line of Horace Street for 100.20 feet; thence North 86°23'13" West along the Northerly Right-of-Way line of U.S. Highway No. 1 for 49.86 feet; thence North 06°42'37" East for 40.06 feet; thence North 86°23'13" West for 31.16 feet; thence North 03°36'47" East for 5.00 feet; thence North 83°47'50" West for 23.29 feet; thence North 01°05'31" East for 7.75 feet; thence South 88°53'40" East for 27.50 feet; thence North 40°27'32" East for 25.00 feet; thence North 03°36'47" East for 25.00 feet; thence South 86°23'13" East along the Southerly Right-of-Way line of Center Street for 53.64 feet back to the POINT OF BEGINNING.

AND LESS AND EXCEPT:

Unit 13, SUMMERLAND PALMS CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2356, Page 1, of the Public Records of Monroe County, Florida; together with the undivided 1/22nd interest in the common areas appertaining thereto.

NOW KNOWN AS:

Condominium Units 1 to 12, inclusive and Condominium Units 14 to 22, inclusive, of SUMMERLAND PALMS CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2356, Page 1, of the Public Records of Monroe County, Florida.

EXHIBIT "A-1"

Folio Numbers Assigned to the Property

FOLIO NO.:

9091408 – Unit 1
9091409 – Unit 2
9091410 - Unit 3
9091411 - Unit 4
9091412 - Unit 5
9091413 - Unit 6
9091414 - Unit 7
9091415 - Unit 8
9091416 - Unit 9
9091417 – Unit 10
9091418 - Unit 11
9091419 - Unit 12
9091421 - Unit 14
9091423 - Unit 15
9091424 - Unit 16
9091425 - Unit 17
9091426 - Unit 18
9091427 - Unit 19
9091428 - Unit 20
9091429 - Unit 21
9091430 - Unit 22

all of SUMMERLAND PALMS CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2356, Page 1, of the Public Records of Monroe County, Florida.

MONROE COUNTY
OFFICIAL RECORDS

Doc# 1802297 08/17/2010 12:07PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

08/17/2010 12:07PM
DEED DOC STAMP CL: TRINA $0.70

Doc# 1802297
Bk# 2479 Pg# 1854

THIS DOCUMENT PREPARED BY: L. TAUBE, Esq
RETURN TO:
Mr. Jack Hornstein
Security Search of Florida, Inc.
1402 Laird Street
Key West, FL 33040

Parcel ID Number: 00174960-000000

DEED

This DEED is made and given this 5 day of August, 2010, by and between Coco Palms, LLC, a Florida limited liability company, of the County of Monroe, State of Florida, Grantor, and H & L Florida Associates, LLC, a Florida limited liability company, Grantee. Each of Grantor and Grantee has an address of 1402 Laird Street, Key West, Florida 33040 of the County of Monroe, State of Florida.

WITNESSETH that Grantor, for and in consideration of the sum of Ten ($10.00) Dollars in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, aliens, remises, releases, conveys, confirms and quitclaims to Grantee, and its heirs, successors and assigns, forever, in fee simple, the following described land, situate, lying, and being in the County of Monroe, State of Florida, to wit:

> Lot 30 Sacarma, a subdivision of Government Lots 3 and 4 in Section 29, Township 66 South Range 28 East, Cudjoe Key, Monroe County, Florida, recorded in Plat Book 2, Page 48 of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, for the use, benefit and profit of Grantee, in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that 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: covenants, easements and restrictions of record, and taxes accruing after December 31, 2009.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presences:

WITNESSES:

Print Name: Jaime Laba
Witness

Print Name: Laree Sparks
Witness

Coco Palms, LLC,
a Florida limited liability company

By: _____ *(Seal)*
Joseph D. Cleghorn, Jr.,
Managing Member
Address: 1421 First Street, Key West, FL33040

STATE OF FLORIDA :
COUNTY OF Monroe :

The foregoing was acknowledged before me this 5 day of August, 2010, by Joseph D. Cleghorn Jr., as Manager Member of Coco Palms, LLC, a Florida limited liability company. He is personally known to me or he has produced his _____ as identification.

Print Name: _____

Notary Public
My Commission Expires:

JAIME LABA
Comm# DD0...
Expires 10/22/...
Florida Not...

Return to: (enclose self addressed stamped envelope)

Name

Address

(3)

This Instrument Prepared by:

Address:

(3)

Grantee Name and S.S. #:

Grantee Name and S.S. #:

(9.00 / 1.50) 3162.50

684340

OFF REC 1168 PAGE 1213

FILED FOR RECORD
'91 MAY -2 3:50
DANNY L. KOLLAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

This Indenture,

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

Made this day of A. D. 19

Between LLOYD E. BREEZE and LLOYD E. BREEZE, JR., both single men over the age of 18

of the County of Monroe in the State of Florida party of the first part, and R & S OF KEY WEST, INC., a Florida Corporation

whose address is 202 Duval Street, Key West, FL 33040

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

Lots 9, 13, 14, 15, 16, 19 and 20, Block 31 of McDonald's Plat of Stock Island according to the Plat thereof recorded in Plat Book 1 at Page 55 of the Public Records of Monroe County, Florida.

Subject to:
1. Taxes and assessments for the year
2. Conditions, limitations, restrictions and easements of record.
3. Prior grants of gas, oil and mineral rights.

DS Paid 3162.50 Date 5-2-91
MONROE COUNTY
DANNY L. KOLLAGE, CLERK CIR. CT.
By Volme Hernandez D.C.

Property Appraiser's Parcel Identification Number: 00124490, 00124500, 00124530, 00124430, 00124470, 00124480

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

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

Signed, Sealed and Delivered in Our Presence:

LLOYD E. BREEZE L.S.

L.S.

L.S.

L.S.

State of Florida }
County of MONROE }

I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

LLOYD E. BREEZE, a single man over the age of 18

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

Witness my hand and offical seal at Key West, County of Monroe, and State of Florida, this 25th day of May, A. D. 1991.

My Commission Expires 1-21-91

Notary Public

THIS INSTRUMENT PREPARED BY
THE LAW OFFICE OF THOMAS J. SINICI, JR.
422 Eaton St., KEY WEST, FLORIDA 33040

OFFICIAL RECORD 1168 PAGE 1214

684340

TUTTLE LAW PRINT, PAGE, MINNEAPOLIS, MINNESOTA, 55402 TOLL FREE 800-328-1899 FORM 1201 Warranty Deed

Warranty Deed

TO

Date

ABSTRACT OF DESCRIPTION

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Witness

Witness

LLOYD E. BREEZE, JR.

STATE OF Ky.

COUNTY OF Fayette

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledments, LLOYD E. BREEZE, JR., to me well known and known to me to be the individual described in and who executed the foregoing deed, and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Lexington, Fayette County of Fayette, and State of Ky., this 29th day of April, A.D., 1991.

My Commission Expires May 6, 1994 NOTARY PUBLIC, State at Large, Ky. (SEAL)

NOTARY PUBLIC

Recorded in Official Records Book
In Monroe County, Florida
Record Verified
DANNY L. KOLHAGE
Clerk Circuit Court

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Timothy J. Koenig., Esq.
FELDMAN KOENIG HIGHSMITH
& VAN LOON, P.A.
3158 Northside Drive
Key West, Florida 33040

Doc# 1824203 02/15/2011 2:45PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

02/15/2011 2:45PM
DEED DOC STAMP CL: MARGO $0.70

File Number: 21002-0047
Parcel ID # - 00124470-000000 & 00124460-0000000

SPACE ABO' Doc# 1824203
Bk# 2504 Pg# 2007

WARRANTY DEED

THIS INDENTURE, made this 10th day of February, 2011 between **R & S OF KEY WEST, INC., a Florida corporation**, Grantor, and, **5671 MACDONALD, LLC, a Florida limited liability company**, whose post office address is 20 Driftwood Drive, Key West, Florida 33040 Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of $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, **an undivided one third (1/3rd) interest** in the following described lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

Lots 9, 13, 14, 15 & 16, Block 31, MCDONALD'S PLAT, Stock Island, Plat Book 1, Page 55, Monroe County, Florida records.

AND GRANTOR does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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

Witnesses as to all signatures:

R & S OF KEY WEST, INC., a Florida corporation

Witness Signature
GREGORY D. DAVILA
Printed Name

KIT CARSON SMITH, as President

Witness Signature
HEIDI E. DAVILA
Printed Name

STATE OF FLORIDA)
COUNTY OF MONROE)

On this 10th day of February, 2011 before me personally came **KIT CARSON SMITH, as President of R & S OF KEY WEST, INC., a Florida corporation** who is personally known to me (yes) (no) or who have produced personally known as identification to me, and who acknowledged execution of the foregoing instrument.

Notary Public, State of Florida

HEIDI E. DAVILA
COMMISSION EXPIRES NOV 11, 2012
#DD823114
NOTARY PUBLIC, STATE OF FLORIDA

MONROE COUNTY
OFFICIAL RECORDS

Doc# 1791273 05/26/2010 2:56PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

05/26/2010 2:56PM
DEED DOC STAMP CL: TRINA $0.70

Doc# 1791273
Bk# 2487 Pg# 1547

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Timothy J. Koenig,, Esq.
FELDMAN KOENIG HIGHSMITH
& VAN LOON, P.A.
3158 Northside Drive
Key West, Florida 33040

File Number: 21002-0047
Parcel ID # - 00124470-000000 & 00124460-0000000

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

10.

THIS INDENTURE, made this 17 day of March, 2010 between **R & S OF KEY WEST, INC., a Florida corporation**, Grantor, and, **H-TRY LLC, a Florida limited liability company,** whose post office address is 815 Peacock Plaza, Key West, Florida 33040 Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of $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 **an undivided one third (1/3rd) interest** in the following described lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

Lots 9, 13, 14, 15 & 16, Block 31, MCDONALD'S PLAT, Stock Island, Plat Book 1, Page 55, Monroe County, Florida records.

AND GRANTOR does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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

Witnesses as to all signatures:

R & S OF KEY WEST, INC., a Florida corporation

Witness Signature

KIT CARSON SMITH, as President

Gregory Olopeza
Printed Name

Witness Signature

Deanna P. Esquinaldo
Printed Name

STATE OF FLORIDA)
COUNTY OF MONROE)

On this 17th day of March, 2010 before me personally came **KIT CARSON SMITH, as President of R & S OF KEY WEST, INC., a Florida corporation** who is personally known to me (yes) (no) or who have produced _____ as identification to me, and who acknowledged execution of the foregoing instrument.

DEANNA P. ESQUINALDO
MY COMMISSION # DD 58300
EXPIRES: October 10, 2010
Bonded Thru Notary Public Underwriters

Notary Public, State of Florida

MONROE COUNTY
OFFICIAL RECORDS

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

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

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

Property Record Card -
Map portion under construction.

Return to Search Results | Modify Search | New Search | Send Email to MCPA Regarding this Parcel | Estimate Taxes on this Parcel

Print Page

Previous Record

Alternate Key: 1161624 **Parcel ID: 00127420-000000**

Next Record

Ownership Details

Mailing Address:
ATLAS FL II SPE LLC
6430 N WICKHAM RD
MELBOURNE, FL 32940-2012

Property Details

PC Code: 20 - AIRPORTS, MARINAS, BUS TERM
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
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

Monroe County Links

» Monroe County Home Page
» BOCC
» Growth Management
» Building Dept.
» Code Compliance
» FEMA Flood Insurance Info

Monroe County Constitutional Officers

» Clerk of the Courts
» Sheriff's Office
» Elections Supervisor
» Tax Collector

Monroe County Cities

» City of Key West
» City of Marathon
» City of Key Colony Beach
» City of Layton
» Islamorada, Village of Islands

First Time Home Buyer (IRS)

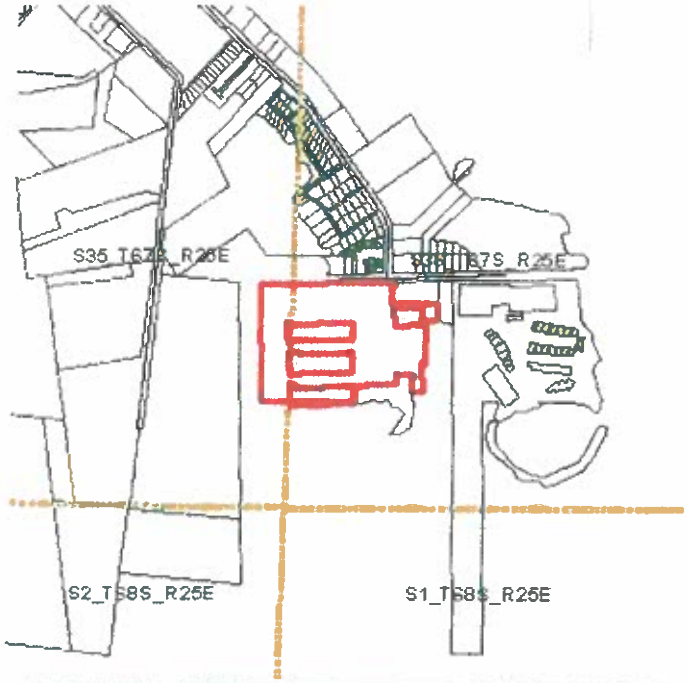
» Cancellation of Debt Flyer (English)
» Cancellation of Debt Flyer (Spanish)
» 1st Time Homebuyers Fact Sheet
» 1st Time Homebuyers Basic Information
» 1st Time Homebuyers Scenarios
» 1st Time Homebuyers Q&A's

IRS Links

» Make Work Pay Credit
» Energy Conservation Credit

Other Links

» FL Dept Rev - Property Tax Oversight
» Census Info



Show Parcel Map that can launch map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	330,185.00 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

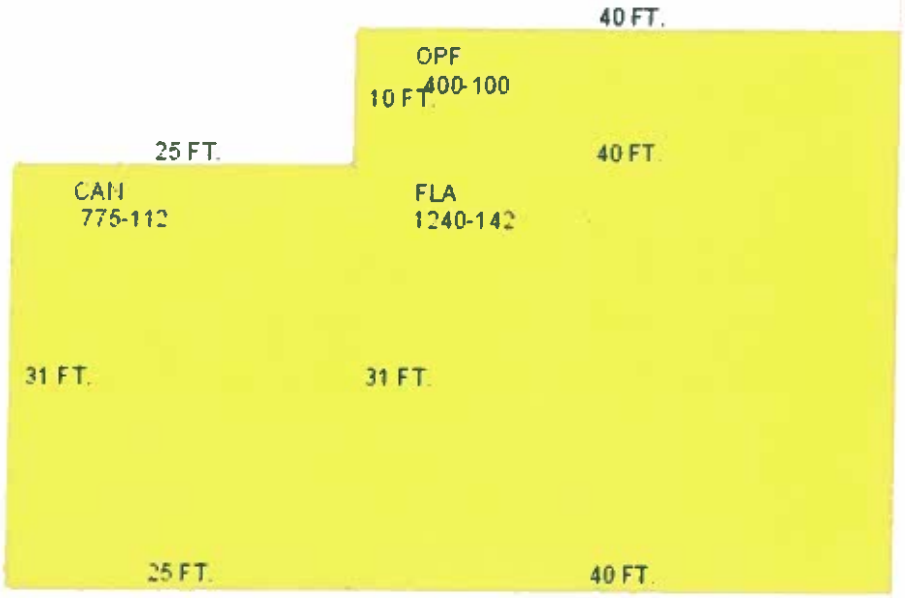
Building Type		**Condition**	A
Effective Age	21	**Perimeter**	142
Year Built	1969	**Special Arch**	0
Functional Obs	0	**Economic Obs**	0

Inclusions:

Roof Type		**Roof Cover**	
Heat 1		**Heat 2**	
Heat Src 1		**Heat Src 2**	

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %

1	FLA	1	1982
2	OPF	1	1982
3	OPF	1	1982
4	CAN	1	1982

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10037	VACANT COMM
	10038	OPF
	10039	OPF
	10040	CAN

Exterior Wall:

Interior Finish Nbr	Type
3284	AVE WOOD SIDING

Building 2 Details

Building Type
Effective Age 21
Year Built 1970
Functional Obs 0

Condition A
Perimeter 542
Special Arch 0
Economic Obs 0

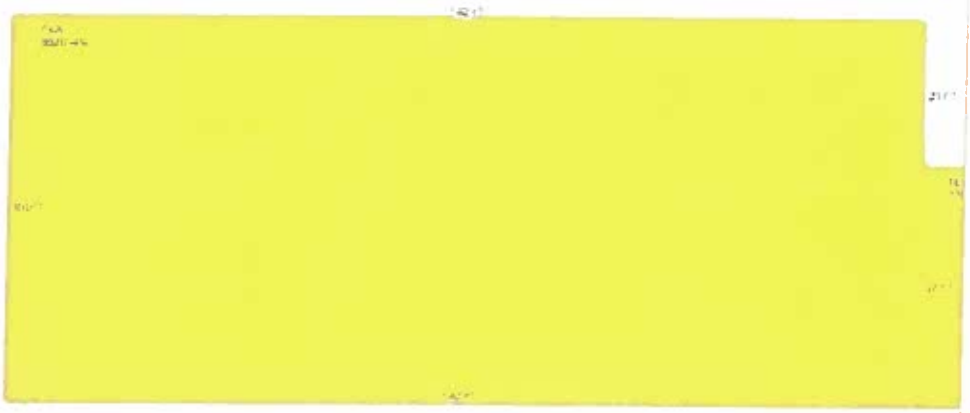
Inclusions:

Roof Type
Heat 1
Heat Src 1

Roof Cover
Heat 2
Heat Src 2

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %
1	FLA		1	1982			
2	FLA		1	1982			

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10041	MARINA/AUTO/BUS TERM
	10042	SERV SHOPS ETC

Exterior Wall:

Interior Finish Nbr	Type
3285	METAL SIDING

Building 3 Details

Building Type
Effective Age 13

Condition A
Perimeter 800

Year Built 1969 **Special Arch** 0
Functional Obs 0 **Economic Obs** 0

Inclusions:

Roof Type **Roof Cover**
Heat 1 **Heat 2**
Heat Src 1 **Heat Src 2**

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	0

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	F
1	FLA		1	1982				

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10043	WAREHOUSE/MARINA C

Exterior Wall:

Interior Finish Nbr	Type
3286	METAL SIDING

Building 4 Details

Building Type
Condition A
Effective Age 13
Perimeter 180
Year Built 1983
Special Arch 0
Functional Obs 0
Economic Obs 0

Inclusions:

Roof Type
Roof Cover
Heat 1
Heat 2
Heat Src 1
Heat Src 2

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	18

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %
1	FLA		1	1983			
2	OUF		1	1983			
3	FLA		1	1983			
4	ECF		1	1996			

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10044	CAMP BLDG
	10045	OUF
	10046	CAMP BLDG-A-
	10047	ECF

Exterior Wall:

Interior Finish Nbr	Type
3287	METAL SIDING

Building 5 Details

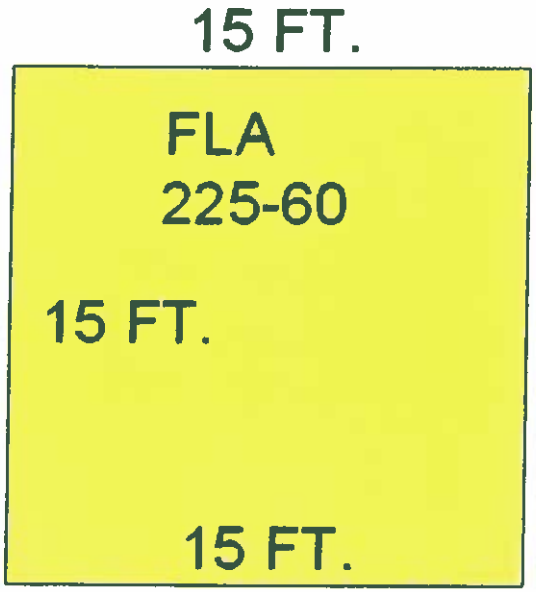
Building Type		**Condition**	A
Effective Age	21	**Perimeter**	60
Year Built	1975	**Special Arch**	0
Functional Obs	0	**Economic Obs**	0

Inclusions:

Roof Type		**Roof Cover**	
Heat 1		**Heat 2**	
Heat Src 1		**Heat Src 2**	

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %
1	FLA		1	1993			

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10048	SERV SHOPS ETC

Exterior Wall:

Interior Finish Nbr	Type
3288	AVE WOOD SIDING

Building 6 Details

Building Type
Effective Age 11
Year Built 1995
Functional Obs 0

Condition E
Perimeter 416
Special Arch 0
Economic Obs 0

Inclusions:

Roof Type
Heat 1
Heat Src 1

Roof Cover
Heat 2
Heat Src 2

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

Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %
1	EUF		1	2003			
2	FLA		1	2003			
3	FLD		1	2003			
4	FLA		1	1995			
5	FLE		1	2003			
6	OPX		1	2003			
7	OUU		1	2003			
8	OPX		1	1995			
9	OUU		1	2003			

Interior Finish:

Section Nbr	Interior Finish Nbr	Type
	10049	EUF
	10050	RESTRNT/CAFETR-B-
	10051	RESTRNT/CAFETR-B-
	10052	REST/CAFET-A-
	10053	RESTRNT/CAFETR-B-

10054	OPX

Exterior Wall:

Interior Finish Nbr	Type
3289	AB AVE WOOD SIDING

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

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.
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
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
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 82,016 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

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

Property Record Card -
Map portion under construction.

Return to Search Results | Modify Search | New Search | Send Email to MCPA Regarding this Parcel | Estimate Taxes on this Parcel

Print Page

Previous Record

Alternate Key: 8884257

Parcel ID: 00127420-000100

Next Record

Ownership Details

Mailing Address:
ATLAS FL II SPE LLC
6430 N WICKHAM RD
MELBOURNE, FL 32940-2012

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

Monroe County Links

» Monroe County Home Page
» BOCC
» Growth Management
» Building Dept.
» Code Compliance
» FEMA Flood Insurance Info

Monroe County Constitutional Officers

» Clerk of the Courts
» Sheriff's Office
» Elections Supervisor
» Tax Collector

Monroe County Cities

» City of Key West
» City of Marathon
» City of Key Colony Beach
» City of Layton
» Islamorada, Village of Islands

First Time Home Buyer (IRS)

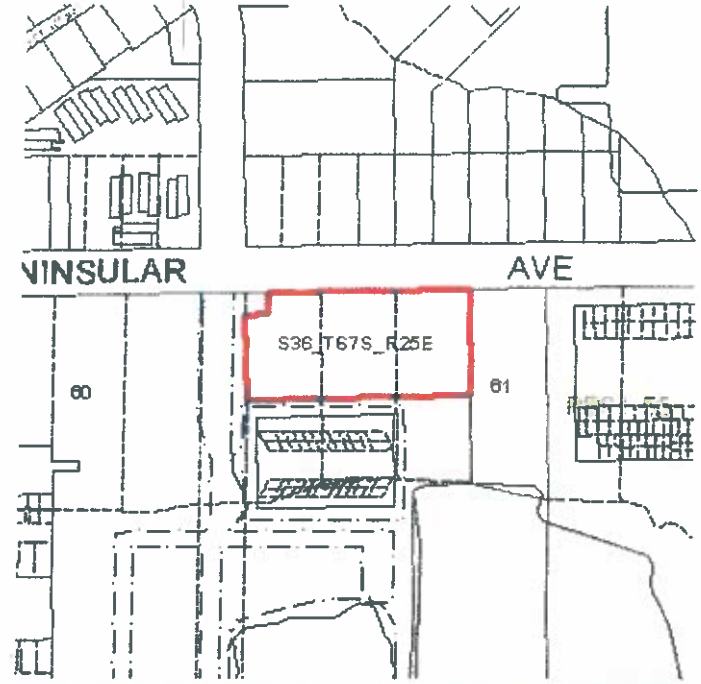
» Cancellation of Debt Flyer (English)
» Cancellation of Debt Flyer (Spanish)
» 1st Time Homebuyers Fact Sheet
» 1st Time Homebuyers Basic Information
» 1st Time Homebuyers Scenarios
» 1st Time Homebuyers Q& A's

IRS Links

» Make Work Pay Credit
» Energy Conservation Credit

Other Links

» FL Dept Rev - Property Tax Oversight
» Census Info



Show Parcel Map that can bench map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	41,904.00 SF

Appraiser Notes

PARCEL REMOVED FROM STUDY DUE TO THE FACT PARCEL DOES NOT MEET MARKET STANDARDS.

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 II-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)

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
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
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

This page has been visited 82,030 times.

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

Oceanside Investors, LLC

Printed:May 30, 2013

MCPA GIS Public Portal

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

Oceanside Marina
KEY WEST FLORIDA
OCEANSIDE MARINA

May 30, 2013

I hereby authorize Barton W. Smith, Esq. of Smith Oropeza, P.L. be listed as authorized agent
(Name of Agent)

for Summerland Palms Investors, LLC, Oceanside Investors, LLC and Singh Investors, LLC for the application submittal for
(Name of Property Owner(s) the Applicant(s))

Key (island): Summerland

Real Estate numbers: Summerland Palms Investors, LLC:

00194741-000100	00194741-000200	00194741-000300
00194741-000400	00194741-000500	00194741-000600
00194741-000700	00194741-000800	00194741-000900
00194741-001000	00194741-001100	00194741-001200
00194741-001400	00194741-001500	00194741-001600
00194741-001700	00194741-001800	00194741-001900
00194741-002000	00194741-002100	00194741-002200

Key (island): Stock Island

Real Estate numbers: Oceanside Investors, LLC

00127420-000000	00127420-000100

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.

Property Owner(s) Signature

Jiwan N. Singh, Managing Member
Summerland Palms Investors, LLC,
Oceanside Investors, LLC,
Singh Investors, LLC

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 30th day of May, 2013.

Jiwan N. Singh is _____ personally known X produced identification

(_____ Type of Identification), did / did not take an oath.

Notary

GREGORY OROPEZA
MY COMMISSION # EE 005958
EXPIRES: July 1, 2014
Bonded Thru Notary Public Underwriters

BARTON SMITH
Notary Public - State of Florida
My Comm. Expires Sep 1, 2016
Commission # EE 196837
Bonded Through National Notary Assn.

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION **APPROVING** THE REQUEST BY OCEANSIDE INVESTORS, LLC, SUMMERLAND PALMS INVESTORS, LLC, AND SINGH INVESTORS, LLC; TRANSFERRING TWENTY-ONE (21) MARKET RATE RESIDENTIAL ROGOS FROM SUMMERLAND PALMS INVESTORS, LLC AND SEVENTEEN (17) MARKET RATE RESIDENTIAL ROGOS FROM SINGH INVESTORS, LLC TO OCEANSIDE INVESTORS, LLC AT PROPERTY LEGALLY DESCRIBED AS LOTS 1, 2, 3 & ADJ BAY BOTTOM, SQUARE 60, PART LOTS 1, 2, 3, & ADJ BAY BOTTOM, SQUARE 61 PART MALONEY AVE VACATED & FILLED BAY BOTTOM ADJACENT TO MALONEY AVE & ADJ PARCEL, STOCK ISLAND, MONROE COUNTY, FLORIDA HAVING REAL ESTATE NUMBERS 00127420-000000 AND 00127420-000100, AT APPROXIMATE MILE MARKER 5; ALLOCATING TWENTY-ONE (21) AFFORDABLE RESIDENTIAL ROGOS TO SUMMERLAND PALMS INVESTORS, LLC AT PROPERTY LEGALLY DESCRIBED AS 24930 OVERSEAS HIGHWAY, SUMMERLAND KEY, FLORIDA 33042, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 HAVING REAL ESTATE NUMBERS 00194741-000100, 00194741-000200, 00194741-000300, 00194741-000400, 00194741-000500, 00194741-000600, 00194741-000700, 00194741-000800, 00194741-000900, 00194741-001000, 00194741-001100, 00194741-001200, 00194741-001400, 00194741-001500, 00194741-001600, 00194741-001700, 00194741-001800, 00194741-001900, 00194741-002000, 00194741-002100, 00194741-002200; ALLOCATING SEVENTEEN (17) AFFORDABLE RESIDENTIAL ROGOS TO SINGH INVESTORS, LLC AT PROPERTY LEGALLY DESCRIBED AS LOT 30 SACARMA, A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 SECTION 29, TOWNSHIP 66 SOUTH RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY HAVING REAL ESTATE NUMBERS 00174960-000000; REQUIRING THE

DEED RESTRICTION OF SUMMERLAND PALMS INVESTORS, LLC AND SINGH INVESTORS, LLC PROPERTIES FOR AFFORDABLE USE FOR A PERIOD OF NINETY-NINE (99) YEARS;

WHEREAS, during a regularly scheduled public meeting held on _____, the Monroe County Planning Commission conducted a review and consideration of the request filed by Oceanside Investors, LLC ("Oceanside"), Summerland Palms Investors, LLC ("Summerland Palms") and Singh Investors, LLC ("Singh Investors") for a minor conditional use permit pursuant to Monroe County Code Section 130-161.1; and

WHEREAS, Oceanside owns that certain real property located at 5950 Peninsular Avenue, South Stock Island, Florida ("Oceanside Property"). Historically and currently the Oceanside Property was and is being used for residential and marina uses; and

WHEREAS, the Oceanside Property is located in the Mixed Use ("MU") land use district and has the corresponding Mixed Use Commercial ("MC") Future Land Use Map designation; and

WHEREAS, the Oceanside Property is located at 5950 Peninsular Avenue, Stock Island; and

WHEREAS, Oceanside's predecessor in interest, Douglas Walker, obtained an amendment to a conditional use permit for this property pursuant to Planning Commission Resolution P52-97 signed August 18, 1999 for the construction of twenty-two (22) attached permanent market rate dwelling units along with transferring to the Oceanside Property 18.31 Transferable Development Rights ("TDRs"); one swimming pool; a 372 square foot pool house; a 120 square foot observation gazebo; a 22,000 square foot NROGO exempt boat storage building; a 435 square foot addition to an existing 225 square foot dock master's office; a 1,670 square foot addition to an existing tackle shop and 2,485 square foot addition to an existing restaurant, which construction has been completed; and

WHEREAS, Oceanside's predecessor in interest and Walker's successor in interest, Kings Pointe Marina, LLC ("Kings Pointe"), acquired the adjacent property, 5970 Peninsular Avenue, Stock Island, Monroe County, Florida, which had situated on it a 9,600 square foot metal building which was subsequently demolished by Kings Pointe; and

WHEREAS, Atlas is proposing to amend the Conditional Use in order to remove a 372 square foot pool house; a 30,090 square foot metal building; 16,109 square foot metal building; a 2,214 square foot tackle shop; a 552 square foot fuel building; a 1,232 square foot Bath House; a 4,500 square foot Restaurant; and a 102 square foot Guardhouse and CONSTRUCT seventy-eight (78) attached market rate dwelling units, each with one lockout, for vacation rental use; five (5) hotel rooms; permit Eight (8) already existing wet slips that were not properly permitted; a 150 seat restaurant consisting of 3,859 square feet; additional amenities, including a lobby, offices, fitness center, bath house, maintenance, and housekeeping consisting of 6,657 NROGO exempt square feet; a marina store, dockmaster, seaplane office and watersports consisting of

1,933 square feet; parking for 248 vehicles and provide a gated entrance (collectively, all development is deemed the "Project"); and

WHEREAS, Summerland Palms owns that certain real property located at 24930 Overseas Highway, Summerland Key, Florida 33042, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22 (collectively, the "Summerland Property"). Historically and currently the Summerland Property was and is used as a Mobile Home Park; and

WHEREAS, the Summerland Property is zoned Urban Residential Mobile Home ("URM") under the current Land Use District Map and Residential High ("RH") under the Future Land Use Map; and

WHEREAS, Singh Investors owns that certain real property located at 21585 Old State Road 4A, Cudjoe Key, Florida, legally described as Lot 30 Sacarma, a subdivision of Government Lots 3 and 4 Section 29, Township 66 South Range 28 East, Cudjoe Key, Monroe County, Florida, recorded in Plat Book 2, Page 48 of the Public Records of Monroe County ("Singh Property"); and

WHEREAS, the Singh Property is zoned Urban Residential Mobile Home ("URM") under the current Land Use District Map and Mixed Use Commercial ("MC") under the Future Land Use Map; and

WHEREAS, Summerland Palms is desirous of transferring the development rights (the "Summerland Rights") attributable to twenty-one (21) Market Rate dwelling units, including 21 ROGO exemptions, located at the Summerland Property, to the Oceanside Property. Simultaneously therewith, Summerland Palms agrees to deed restrict the twenty-one (21) units at the Summerland Property and to maintain those units as affordable housing pursuant to Section 130-161.1 of Monroe County, Florida, Code of Ordinances ("Monroe County *Code*"); and

WHEREAS, this Agreement will allow for a reasonable use of the Summerland Property and Oceanside Property by allowing the transfer of residential development rights, including the Summerland Rights to the eligible receiver site of Oceanside Property, while assuring preservation on the Summerland Property of an equivalent number of units as affordable housing; and

WHEREAS, Singh Investors is desirous of transferring the development rights ("Singh Rights"), attributable to Seventeen (17) Market Rate dwelling units, including Seventeen (17) ROGO exemptions, located at the Singh Property, to the Oceanside Property. Simultaneously therewith, Singh Investors agrees to deed restrict the Seventeen (17) Market Rate units at the Singh Property and to maintain those units as affordable housing pursuant to Section 130-161.1 of Monroe County *Code*; and

WHEREAS, this Agreement will allow for a reasonable use of the Singh Property and Oceanside Property by allowing the transfer of residential development rights, including market rate permanent residential ROGO exemptions, lawfully associated with the Singh Property to the eligible receiver site of Oceanside Property while assuring preservation on the Singh Property of an equivalent number of units as affordable housing; and

WHEREAS, Section 130-161(a)(1) of the Monroe County *Code* intends "to establish an appropriate incentive for mobile home park owners to maintain mobile home park sites, mobile home developments in URM and URM-L districts, and contiguous parcels under common ownership containing mobile homes where any of the foregoing is presently serving as a primary source of affordable housing in Monroe County (any of the foregoing being an "eligible sender site") by providing an alternative development strategy to straightforward market-rate redevelopment. This program is intended to allow the transfer of market rate ROGO exemptions associated with lawfully established dwelling units now existing at an eligible sender site to be transferred to another site or sites in exchange for maintaining an equal or greater number of deed-restricted affordable dwelling units within Monroe County. This program seeks to address the housing needs of the Florida Keys as a regional obligation"; and

WHEREAS, Section 130-161(a)(1) of the Monroe County *Code* provides an eligible sender site owner the opportunity to transfer TREs currently associated with existing and lawfully established dwelling units from eligible sender sites to receiver site(s) within Monroe County, provided that affordable dwelling unit rights are appropriately deed restricted; and

WHEREAS, Section 130-161(a)(2) of the Monroe County *Code* provides that the maximum net residential density allowed per district and by this section shall not require TDRs for affordable housing appropriately deed restricted; and

WHEREAS, the overall purpose of this Agreement is to allow the Parties to implement the provisions of Monroe County *Code* Section 130-161.1 as applied to the Property in order to insure the continued provision of needed affordable housing in the unincorporated Lower Keys; and

WHEREAS, Monroe County *Code* Section 130-161.1(b)(i) requires approval of a development agreement and Minor Conditional Use in order to transfer the development rights attributable to ten (10) or more mobile homes; and

WHEREAS, the item was heard at a regularly scheduled meeting of the Development Review Committee on _____; and

WHEREAS, The Planning Commission was presented with the following evidence, which by reference is hereby incorporated as part of the record of said hearing:

1) The sworn testimony of the Growth Management Staff

2) The sworn testimony of the Applicant and Applicant's witnesses
3) Sworn testimony by the public;
4) Exhibits provided by the Applicant; and

WHEREAS, the Planning Commission heard argument and explanation from Barton W. Smith, attorney for the Applicant; and

WHEREAS, advice and counsel were provided by Susan Grimsley, Assistant County Attorney and by John Wolfe, Attorney for the Planning Commission; and

WHEREAS, Monroe County Code Section 110-67provides the standards which are applicable to all conditional use permits which are as follows:

Monroe County Code Section 110-67 - Standards applicable to all conditional uses.

When considering applications for a conditional use permit, the director of planning and the planning commission shall consider the extent to which:

(a) The conditional use is consistent with the purposes, goals, objectives and standards of the plan and this chapter;
(b) The conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development;
(c) The design of the proposed development minimizes adverse effects, including visual impacts, or the proposed use on adjacent properties;
(d) The proposed use will have an adverse effect on the value of surrounding properties;
(e) The adequacy of public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by this chapter;
(f) The applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development;
(g) The development will adversely affect a known archaeological, historical or cultural resource;
(h) Public access to public beaches and other waterfront areas is preserved as a part of the proposed development; and
(i) The proposed use complies with all additional standards imposed on it by the particular provision of this chapter authorizing such use and by all other applicable requirements of the Monroe County Code.

WHEREAS, the Planning Commission has determined that the application meets the standards required in Monroe County Code Section 110-67 by the design submitted and by the assignment of the conditions of this resolution; and

WHEREAS, after consideration of the testimony and evidence presented, the Planning Commission makes the following findings of Fact and Conclusions of Law:

1. The 38 ROGO units from Summerland Palms Property and Singh Property may be transferred according to the terms of this minor conditional use permit, which allows for the transfer after the Summerland Palms and Singh Property have been deed restricted as affordable housing pursuant to Monroe County Code Section 130-160.

2. Summerland Palms and Singh Investors are required to deed restrict the Thirty-Eight 38 mobile home units at property known as Summerland Palms, legally described as 24930 Overseas Highway, Summerland Key, Florida 33042, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, having Real Estate Numbers: 00194741-002000, 00194741-000600, 00194741-002000, 00194741-001400, 00194741-001500, 00194741-002100, 00194741-000800, 00194741-000300, 00194741-001200, 00194741-001000, 00194741-000000, 00194741-001900, 00194741-001600, 00194741-002200, 00194741-000200, 00194741-001300, 00194741-000500, 00194741-001100, 00194741-000700, 00194741-000400, 00194741-000900, 00194741-001700, 00194741-000100, 00194741-000800, and Singh Property legally described as legally described as Lot 30 Sacarma, a subdivision of Government Lots 3 and 4 Section 29, Township 66 South Range 28 East, Cudjoe Key, Monroe County, Florida, recorded in Plat Book 2, Page 48 of the Public Records of Monroe County, having Real Estate Numbers: 00174960-000000 overriding any phasing requirements or simultaneous building at any location including the Oceanside Property for purposes of this application.

3. Compliance with the following standards imposed on this conditional use application by the Land Development Regulations pursuant to Monroe County Code Section 110-71 will be determined by the Building Department upon submittal for a building permit to the Building Department:

    1) Floodplain Management (Monroe County Code Section 122-2 and Section 122-3);
    2) Outdoor lighting (Monroe County Code Section 114-151 – 114-163);
    3) Handicap Accessibility (Chapter 11, Florida Building Code);
    4) Air Installation Compatible Use Zone (AICUZ) Building Requirements required by the AICUZ applicable at the time of the major conditional use application.

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

Section 1. The request by Oceanside Investors, LLC for an amendment to a major conditional use permit for the following is APPROVED subject to the conditions in Section 2:

1. The Thirty-Eight (38) ROGO units from Summerland Palms Property and Singh Property may be transferred to the Oceanside Property.

2. Summerland Palms shall be allocated twenty-one (21) affordable residential ROGOs for the Summerland Palms Property.

3. Singh Investors shall be allocated Seventeen (17) affordable residential ROGOs for the Singh Property.

Section 2. The Approval is SUBJECT TO THE FOLLOWING CONDITIONS:

1. Summerland Palms shall be required to deed restrict the Summerland Palms Property lots for a period of ninety-nine (99) years.

2. Singh Investors shall be required to deed restrict the Singh Property for a period of ninety-nine (99) years.

3. At Monroe County's request, Singh Investors, its successors and/or assigns and Summerland Palms, its successors and/or assigns shall provide Monroe County with an annual report demonstrating compliance with the eligibility requirements of Monroe County *Code* Section 130-161.

   a. In order for Singh Investors, Summerland Palms and Oceanside Investors, and their successors and/or assigns to be entitled to the incentives for affordable or employee housing outlined in Section 130 and chapter 138, articles II and III, the owner must ensure that:

      i. The use of the affordable housing dwelling unit is restricted to households that meet the adjusted gross annual income limits for median-income as defined in section 101-1

      ii. Tourist housing use or vacation rental use of affordable or employee housing units is prohibited.

      iii. The parcel of land proposed for development of affordable or employee housing shall only be located within a tier III designated area or, within a tier III-A (special protection area) designated area that does not propose the clearing of any portion of an upland native habitat patch of one acre or greater in area.

      iv. At the time of sale of an owner-occupied affordable unit, the total income of households eligible to purchase shall not exceed 120 percent of the median household income for the county. However, a unit within a class of affordable housing eligibility may only be sold to a household within that same class, i.e., a median income household that purchased a home within this category must sell the home to a qualifying household within the median income category;

      v. During occupancy of any affordable housing rental unit, not otherwise limited by state or federal statute or rule concerning household income, a household's annual income may increase to an amount not to

exceed 140 percent of the median household income for the county. If the income of the lessee exceeds this amount, the tenant's occupancy shall terminate at the end of the existing lease term. The maximum lease for any term shall be three years or 36 months;

vi. When establishing a rental and sales amount, the county shall assume family size as indicated in the table below. This section shall not be used to establish the maximum number of individuals who actually live in the unit. This table shall be used in conjunction with the eligibility requirements created by section 101-1

Size of Unit	*Assumed Family Size*	*Minimum Occupancy*
Efficiency (no separate bedroom)	1	1
One bedroom	2	1
Two bedroom	3	2
Three bedroom	4	3
Four or more bedrooms	5	1 per bedroom

vii. Except for tenants of employer-owned rental housing, as set forth in subsection (a)(6)k. of this section, the income of eligible households shall be determined by counting only the first and highest paid 40 hours of employment per week of each unrelated adult. For a household containing adults related by marriage or a domestic partnership registered with the county, only the highest 60 hours of the combined employment hours shall be counted, which shall be considered to be 75 percent of the adjusted gross income. The income of dependents regardless of age shall not be counted in calculating a household's income; and

viii. In the special case of employer-owned rental housing, as defined in section 101-1, employees shall be eligible as tenants of the affordable rental housing, if the income of each tenant, as determined following the requirements in subsection (a)(6)j. of this section, is not more than the 80 percent of the median income adjusted gross income for households within the county. The tenants of this affordable employee housing shall be required to derive at least 70 percent of their income from within the county. The maximum occupancy of employer-owned rental housing for employees shall be no more than two tenants per bedroom; with a maximum of three bedrooms per unit. The total monthly lease charged tenants for each dwelling unit shall not exceed 30 percent of the median adjusted gross annual income for households within the county, divided by 12.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on __ day of _____ 2013.

Easy Peel™ Labels
Use Avery® Template 5160®

Feed Paper — Bend along line to expose Pop-Up Edge™

AVERY® 5260™

MAUN MATTHEW D
0225 CHEROKEE LN
CARBONALE, CO 81623

TARANTINO JOANNE
1002 WASHINGTON ST
KEY WEST, FL 33040-4865

GARDNER JENNIE S REV TR
10/26/2010
1018 SE 38TH ST APT 101
CAPE CORAL, FL 33904-8131

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

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

RCM OF KEY WEST LLC
1025 SANDYS WAY
KEY WEST, FL 33040

OYSTER POINT PROPERTIES LLC
105 E ST
HAMPTON, VA 23661

HOWELL WALTER W REV TR DTD
6-97
106 KIMBALL POND RD
CANTERBURY, NH 3224

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

JONES LLC
11 CYPRESS AVE
KEY WEST, FL 33040

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

JESSEE JASON
1107 KEY PLAZA STE 333
KEY WEST, FL 33040

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

SIMONTON ROW LTD
1109 EATON ST
KEY WEST, FL 33040

SALERNO ANTHONY L
114 SINCLAIR DR
MUSKEGON, MI 49441

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

MBA GRAPHICS OF TAMPA INC
116 ADALIA AVE
TAMPA, FL 33606

HOLMES PETER F
12 WILDWOOD LANE
SCARBOROUGH, ME 4074

RICHARDS LIVING TRUST
7/20/2007
C/O RICHARDS DEAN ALLEN JR
TRUSTEE
1214 VON PHISTER ST
KEYSTER LLC
14007 LAKE MAGDALENE BLVD
TAMPA, FL 33618-2319

JACKSON RICHARD W
1301 FLAGLER AVE
KEY WEST, FL 33040

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

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

APPELLIS MICHEL
1414 NEWTON ST
KEY WEST, FL 33040

BLUEWATER INVESTMENT LP
142 JFK DR
ATLANTIS, FL 33462

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

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

BACLE PETER L
15 AMARYLLIS DR
KEY WEST, FL 33040

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

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®

Sens de chargement

Replier à la hachure afin de révéler le rebord Pop-Up™

26

www.avery.com
1-800-GO-AVERY

189 Total Count

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®
Sens de chargement
Replier à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY

TRADEWINDS INTERNATIONAL
REAL ESTATE PLLC
1540 INTERNATIONAL PKWY STE
200
LAKE MARY, FL 32746-4713

COX STANLEY A
1648 RICHMOND RD
LEXINGTON, KY 40502

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

HARLOW JAMES MYRON
DECLARATION TRUST 12/7/2001
16657 HOLLY LN
SUMMERLAND KEY, FL 33042-
3508

HARLOW JAMES MYRON
DECLARATION TRUST 12/7/2001
16657 HOLLY LN
SUMMERLAND KEY, FL 33042-
3508

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

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

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

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

MILLARD LEON FOWLER AND
CONNIE L
1716 SOUTH STREET
KEY WEST, FL 33040

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

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

NEUBERGER RENE AMEN AND
RESTATE INTER VIVOS DEC TR
175 TRAL CIR
BERLIN, MD 21811

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

PRITZ DALE
1832 SCHAWAN LN
YORK, PA 17402

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

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

SWENSON PETER
2 BARRACUDA LN
KEY LARGO, FL 33037

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

HUB FLORIDA LLC
200 HARRY S TRUMAN PKWY
STE 300
ANNAPOLIS, MD 21401-7479

TORTUGA WEST HOMEOWNERS
ASSOC
201 FRONT ST STE 110
KEY WEST, FL 33040

TORTUGA WEST HOUSING LLC
201 FRONT ST STE 107
KEY WEST, FL 33040-8346

TRIVISONNO NICHOLAS L
REVOCABLE TRUST DTD 2/24/03
2019 CRAIGMORE DR
CHARLOTTE, NC 28226

ESTILL ROBERT I
2026 S QUEEN ST
YORK, PA 17403

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

NASET WALLACE J AND RUTH S
20717 6TH AVE W
SUMMERLAND KEY, FL 33042-
4010

LEWIS MARK AND BETH
2075 WOOD ROAD
LEBANON, OH 45036

ROGGERO HARRY
OCEANSIDE MARINA
21 PARKER AVE
NEWPORT, RI 2840

ROGGERO HARRY J JR
21 PARKER AVE
NEWPORT, RI 02840-6940

TORTUGA WEST HOUSING LLC
210 FRONT ST STE 107
KEY WEST, FL 33040

Easy Peel™ Labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5260™

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®
Sens de alimentation
Replier à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY

BARRETT PAUL AND DONNA L/E
219 GOLF CLUB DR
KEY WEST, FL 33040-7938

BEAN LINDA
21945 MINNETONKA BLVD
EXCELSIOR, MN 55331-8616

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

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

CHEYENNE HOLDING5 LIMITED
PARTNERSHIP
2201 4TH ST N STE 201
SAINT PETERSBURG, FL 33704-
4300

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

GRAY II FRED EMMET REV TRU5T
DTD 11-04-2004
23063 WAHOO LN
CUDJOE KEY, FL 33042

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

SIMON CHARLES T
23550 CENTER RIDGE RD STE
206
WESTLAKE, OH 44145-3655

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

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

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

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

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

DBGB REV TR DTD 7/10/2000
C/O BERRYHILL DONALD J AND
GLENNA TRUSTEES
26 HINA ST
HILO, HI 96720

DBGB REV LIV TR
26 HINA ST
HILO, HI 96720

DIMBATH MERLE AND 5USAN
REV FAMILY LIV TR
2621 GULFVIEW DR
KEY WEST, FL 33040-3983

KEY WEST 80 LLC
26640 EDGEWOOD ROAD
SHOREWOOD, MN 55331

WILSON JAMES E AND MARIA
27 EVERGREEN AVE
KEY WEST, FL 33040-6244

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

LANDIS OLIVER
2740 W FRANKLIN BLVD
GASTONIA, NC 28052

FOWLER CHARLE5
28388 COUNTY RD
5UMMERLAND KEY, FL 33042-
5633

DUKE JOHN AND BEATRIZ
28555 JOLLY ROGER DR
SUMMERLAND KEY, FL 33042-
5501

THOMAS TOM AND LUCILLE G
2864 COCO LAKES DR
NAPLES, FL 34105-4511

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

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

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

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

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

easy peel™ Labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5260™

CILETTI LARRY
341 TOM BROWN RD
MOORESTOWN, NJ 08057-4001

KLITENICK MICHAEL P AND JUDIE
3510 EAGLE AVE
KEY WEST, FL 33040

BACKWALL PARTNERS LLC
3605 SOUTH BEACH DR
TAMPA, FL 33629

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

PROBERT FAMILY LIMITED PARTNERSHIP THE
3728 FLAGLER AVE
KEY WEST, FL 33040

TIITF/SOVEREIGNTY LANDS
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

FLEMING ENTERPRISES LLC
3901 PROGRESS ST
NORTH LITTLE ROCK, AR 72114

WSG KEY WEST HOLDINGS LLC
400 ARTHUR GODFREY RD STE 200
MIAMI BEACH, FL 33140

MARLIN INTEGRATED CAPITAL III LLC
4035 RIDGE TOP RD STE 600
FAIRFAX, VA 22030

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

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

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

GOTHIER ROBERT V JR
415 FALLOWFIELD RD STE 301
CAMP HILL, PA 17011-4907

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

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

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

SUNSET INVESTORS LLC
4400 PAPA JOE HENDRICK BLVD
CHARLOTTE, NC 28262

BENEDETTO GEORGE
4421 JEFFERSON HWY
JEFFERSON, LA 70121-1308

BENEDETTO GEORGE M
4421 JEFFERSON HWY
JEFFERSON, LA 70121-1308

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

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

HAYMAKER JAMES
4633 DREXEL AVE
EDINA, MN 55424

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

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

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

STARK JOHN TRUST AGREEMENT 12/15/1995
4780 COVE CIR APT 311
SAINT PETERSBURG, FL 33708-2870

WHITEHEAD BRIAN J
49 SUNSET KEY
KEY WEST, FL 33040

PFENT DAVID J
512 NOAH LANE
KEY WEST, FL 33040

PFENT DAVID J AND EVELYN C
512 NOAH LANE
KEY WEST, FL 33040

PFENT DAVID J
512 NOAH LANE
KEY WEST, FL 33040

Easy Peel™ Labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5260™
Sens de chargement
Replier à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY
Etiquettes faciles à peler
Utilisez le cabarit AVERY® 5160®

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

WALTERS CHARLES D AND
STEPHANIE
525 DU PONT LN
KEY WEST, FL 33040-7458

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

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

FOLEY ALLEN
5950 PENINSULAR AVE PIER 638
KEY WEST, FL 33040-6097

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

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

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

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

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

WALTERS CHARLES D &
STEPHANIE A
525 DU PONT LN
KEY WEST, FL 33040-7458

THOMPSON AND COMPANY OF
TAMPA INC
5401 HANGAR CT
TAMPA, FL 33634

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

LOW KEY CHARTER SERVICES INC
5950 PENINSULA AVE
KEY WEST, FL 33040

HENDERSON ROBIN M
5950 PENINSULAR AVE SLIP 613
KEY WEST, FL 33040

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

ATLAS FL II SPE LLC
6430 N WICKHAM RD
MELBOURNE, FL 32940-2012

WELLS KENNETH G
6651 MALONEY AVE
KEY WEST, FL 33040-6057

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

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

WALTERS CHARLES D &
STEPHANIE
525 DU PONT LN
KEY WEST, FL 33040-7458

BAC AVIATION AND MARINE LLC
5401 HANGAR CT
TAMPA, FL 33634

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

CONKLIN EDWARD G
5950 PENINSULA AVE
KEY WEST, FL 33040

MAGGIO LEONA J
5950 PENINSULAR AVE
KEY WEST, FL 33040-6097

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

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

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

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

KEY WEST HARBOUR YACHT
CLUB TR 6/28/2010
C/O CRUZ FERMIN P TRUSTEE
6818 SEAVIEW BLVD
HUDSON, FL 34667-1032

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®
Sens de chargement
Replier à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY
easy peel™ labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5260™

25

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

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

BENNER LEAH AND WAYNE
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

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

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

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

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

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

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

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

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

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

HUNKER WAYDE
7 PARK MEADOWS COURT
FAIRFIELD, OH 45014

ALSTOTT MICHAEL J FAMILY
TRUST AMD REST 5/12/2006
7019 1ST AVE S
ST PERESBURG, FL 33707

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

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

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

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

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

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

ALLEN JEFFREY E AND MONICA
819 PEACOCK PLAZA STE 809
KEY WEST, FL 33040

FOLEY WALTER ALLEN
875 W LOOP 304
CROCKETT, TX 75835

FOLEY WALTER AND KAY TRUST
4/16/07
C/O FOLEY WALTER A AND
MURLYN KAY TRUSTEES
875 WEST LOOP 304

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

CARDENAS ROBERT H JR AND
DEBORAH S
917 EATON ST
KEY WEST, FL 33040

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

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

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

WYLAND OF KEY WEST INC
953 NW 53RD ST
FT LAUDERDALE, FL 33309

Etiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®
Sens de chargement
Replier à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY
Easy peel labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5260™

Easy Peel® Labels
Use Avery® Template 5160®

Feed Paper

Bend along line to
expose Pop-Up Edge™

AVERY® 5260™

PETROCINE THOMAS AND LINDA
L
PO BOX 99
WATERVILLE VALLEY, NH 3215

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®

Sens de

Repliez à la hachure afin de
révéler le rebord Pop-Up™

www.avery.com
1-800-GO-AVERY

BAMPARTNERS LP
PO BOX 287
SOUTHFIELD, MI 48037-0287

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

BITTNER DALE L
PO BOX 5143
KEY WEST, FL 33045

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

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

JACQUES CYNTHIA S REV TR 6/7/2006
P O BOX 22
FLOYD, IA 50435

JOHNSTON ANN
PO BOX 2039
KEY WEST, FL 33045-2039

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

MCCARTHY CHRISTOPHER
P O BOX 406
SANDOWN, NH 3873

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

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

MONROE COUNTY TEACHERS FEDERAL
CREDIT UNION
P O BOX 2666
KEY WEST, FL 33040

PORTER POWELL DOUGLAS
95510 OVERSEAS HWY
KEY LARGO, FL 33037

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

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

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

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

STUURSMA JAMES R AND ANN M
PO BOX 202
MACATAWA, MI 49434-0202

WEYMOUTH LISA A
P O BOX 791249
PAIA, HI 96779

WILKES GEORGE A REVOCABLE TRUST
10/27/2004
PO BOX 253
SEELEY LAKE, MT 59868

WOLZ ROBERT J
PO BOX 1411
KEY WEST, FL 33041

Added by Gail

Étiquettes faciles à peler
Utilisez le gabarit AVERY® 5160®
Sens de chargement
Repliez à la hachure afin de révéler le rebord Pop-Up™
www.avery.com
1-800-GO-AVERY
Easy Peel® Labels
Use Avery® Template 5160®
Feed Paper
Bend along line to expose Pop-Up Edge™
AVERY® 5160®

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

To: Monroe County Development Review Committee &
Mayté Santamaria, Senior Director of Planning & Environmental Resources

From: Emily Schemper, Comprehensive Planning Manager

Date: June 10, 2015

Subject: *AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 110-9, SUSPENSION OF DEVELOPMENT REVIEW PROCEEDINGS, ADDING PROVISIONS FOR DEVELOPMENT REVIEW CONTINGENT ON CODE VIOLATION COMPLIANCE; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.* (FILE #2015-111)

Meeting: June 23, 2015

I. REQUEST

This is a request from the Planning & Environmental Resources Department, based on BOCC direction, to amend Section 110-9 – Suspension of Development Review Proceedings, to add provisions specifically allowing the Planning Director to condition development review on resolution of outstanding code violations, per the direction of the Monroe County Board of County Commissioners (BOCC).

II. RELEVANT PRIOR COUNTY ACTIONS

On October 2, 1986, the BOCC adopted Ordinance No. 033-1986, which adopted the Monroe County Comprehensive Plan, including Volume III - Land Development Regulations. The suspension of development review proceedings language currently effective as Section 110-9 of the Monroe County Code was adopted as Section 5-109 of the Land Development Regulations at that time.

On January 21, 2015, at a regularly scheduled meeting, the BOCC directed staff to evaluate and propose amendments to Monroe County Code (MCC) Section 110-9 – Suspension of development review proceedings – in order to allow the Planning Director to authorize development review contingent on the resolution of outstanding code violations on the property proposed for development.

III. REVIEW

MCC Section 110-9 currently reads as follows:

> **Sec. 110-9. – Suspension of development review proceedings.**
> The director of planning may in his discretion suspend consideration of any application for development approval during the pendency of a code enforcement proceeding involving all or a portion of the parcel proposed for development.

Pursuant to MCC Section 101-1. Definitions., development approval is defined as follows:

> *Development approval*, *development order*, or *development permit* includes any building permit, conditional use approval, subdivision approval, change of land use district boundary, comprehensive plan text amendment, certificate of compliance, or any other official action by any official, commission, or board of the county having the effect of permitting development.

The current provisions of Section 110-9 give the Planning Director the authority to postpone the processing and review of development applications for property with pending code enforcement proceedings. Per direction by the BOCC, staff has developed the proposed amendment in order to give the Planning Director the ability to not just defer review of development approval, but to impose conditions on development approval(s) requiring the subject property's compliance and resolution of outstanding code violations. The goal is that this flexibility will further encourage property owners to resolve code violations.

IV. PROPOSED AMENDMENT

Staff recommends the following changes (Additions are underlined and in green; Deletions are ~~stricken and in red~~; Text to remain the same is in black):

Sec. 110-9. – Suspension of development review proceedings.
The ~~director of p~~Planning Director may in his or her discretion suspend consideration of any application for development approval during the pendency of a code ~~enforcement~~ compliance proceeding involving all or a portion of the parcel proposed for development. The Planning Director may suspend development review entirely for such a parcel, or may choose to proceed with review of a development application but impose conditions on such development approval requiring resolution of outstanding code violations on the subject parcel.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, it furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Objective 101.4: Monroe County shall regulate future development and redevelopment to maintain the character of the community and protect the natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map.

B. The amendment is not inconsistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statutes.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(b) Protecting shoreline and benthic resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

(g) Protecting the historical heritage of the Florida Keys.

(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

i. The Florida Keys Aqueduct and water supply facilities;

ii. Sewage collection, treatment, and disposal facilities;

iii. Solid waste treatment, collection, and disposal facilities;

iv. Key West Naval Air Station and other military facilities;

v. Transportation facilities;

vi. Federal parks, wildlife refuges, and marine sanctuaries;

vii. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;

viii. City electric service and the Florida Keys Electric Co-op; and

ix. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.

(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.

(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is not inconsistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The amendment is consistent with one or more of the required provisions of §102-158(d)(5)(b):

1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; **N/A**

2. Changed assumptions (e.g., regarding demographic trends); **N/A**

3. Data errors, including errors in mapping, vegetative types and natural features described in volume I of the plan; **N/A**

4. New issues; **The proposed amendment addresses new issues related to the increased frequency of outstanding code violations on parcels requesting development approval.**

5. Recognition of a need for additional detail or comprehensiveness; **The proposed amendment addresses the need for additional detail in the Planning Director's ability to suspend development review proceedings due to outstanding code violations.**

6. Data updates. **N/A**

VI. STAFF RECOMMENDATION

Staff has found that the proposed text amendment would be consistent with one or more of the required provisions of §102-158(d)(5)(b). Specifically, staff has found that the proposed text amendments are necessary due to new issues and recognition of a need for additional detail or comprehensiveness. Staff recommends that the Board of County Commissioners amend the Monroe County Code as stated in the text of this staff report.