

## DEVELOPMENT REVIEW COMMITTEE

-  
Tuesday, December 15, 2015

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AGENDA

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The Monroe County Development Review Committee will conduct a meeting on Tuesday, December 15, 2015, beginning at 1:00 PM at the Marathon Government Center, Media & Conference Room (1<sup>st</sup> 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

Emily Schemper, Comprehensive Planning Manager

Kevin Bond, Planning &amp; Development Review Manager

DOT Representative

Steve Zavalney, Captain, Fire Prevention

Public Works Department Representative

## STAFF MEMBERS

Steve Williams, Assistant County Attorney

Matt Coyle, Principal Planner

Devin Rains, Sr. Planner

Thomas Broadrick, Sr. Planner

Barbara Bauman, Planner

Mitzi Crystal, Transportation Planner

Gail Creech, Sr. Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL

MEETING

New Items:

1. Islander Village, 5030 Fifth Avenue, Stock Island, Mile Marker 4: A public meeting concerning a request for an Amendment to a Major Conditional Use Permit. The requested approval is required for the proposed removal of Condition #3 of Planning Commission Resolution No. P35-05, which required the applicant to construct and maintain a bus shelter. The subject property is legally described as being part of Block 59, Maloney Subdivision, according to the plat thereof, as recorded in Plat Book 1 at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands, and as having real estate numbers 00127400-000000, 00127400-000100, 00127400-000120, 00127400-000121, 00127400-000122, 00127400-000123, 00127400-000124, 00127400-000125, 00127400-000126, 00127400-000127, 00127400-000128, 00127400-000129, 00127400-000132, 00127400-000133, 00127400-000134, 00127400-000135, 00127400-000136, 00127400-000138, 00127400-000139, 00127400-000140, 00127400-000141, 00127400-000142, 00127400-000143, 00127400-000144, 00127400-000145, 00127400-000146, 00127400-000147, 00127400-000148, 00127400-000149, 00127400-000171, 00127400-000172, 00127400-000173, 00127400-000174, 00127400-000175, 00127400-000176, 00127400-000177, 00127400-000178, 00127400-000179, 00127400-000180, 00127400-000181, 00127400-000182, 00127400-000183, 00127401-010910, 00127401-010920, 00127401-010930, 00127401-010940, 00127401-010950, 00127401-010970, 00127401-010980, 00127401-010990, 00127401-011000, 00127401-011090, 00127401-011100.

(File # 2015-208)

[2015-208 DRC SR 12.15.15.pdf](#)

[2015-208 FILE.PDF](#)

[2015-208 Recvd 11.04.15 C-1.0 Site Plan.PDF](#)

[2015-208 Comments Engineering Clarke.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:** Kevin Bond, AICP, Planning and Development Review Manager

**Date:** December 8, 2015

**Subject:** **Islander Village, 5030 Fifth Avenue, Stock Island, Mile Marker 4:** A public meeting concerning a request for an Amendment to a Major Conditional Use Permit. The requested approval is required for the proposed removal of Condition #3 of Planning Commission Resolution No. P35-05, which required the applicant to construct and maintain a bus shelter. The subject property is legally described as being part of Block 59, Maloney Subdivision, according to the plat thereof, as recorded in Plat Book 1 at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands, and as having real estate numbers 00127400-000000, 00127400-000100, 00127400-000120, 00127400-000121, 00127400-000122, 00127400-000123, 00127400-000124, 00127400-000125, 00127400-000126, 00127400-000127, 00127400-000128, 00127400-000129, 00127400-000132, 00127400-000133, 00127400-000134, 00127400-000135, 00127400-000136, 00127400-000138, 00127400-000139, 00127400-000140, 00127400-000141, 00127400-000142, 00127400-000143, 00127400-000144, 00127400-000145, 00127400-000146, 00127400-000147, 00127400-000148, 00127400-000149, 00127400-000171, 00127400-000172, 00127400-000173, 00127400-000174, 00127400-000175, 00127400-000176, 00127400-000177, 00127400-000178, 00127400-000179, 00127400-000180, 00127400-000181, 00127400-000182, 00127400-000183, 00127401-010910, 00127401-010920, 00127401-010930, 00127401-010940, 00127401-010950, 00127401-010970, 00127401-010980, 00127401-010990, 00127401-011000, 00127401-011020, 00127401-011040, 00127401-011090, 00127401-011100. (File # 2015-208)

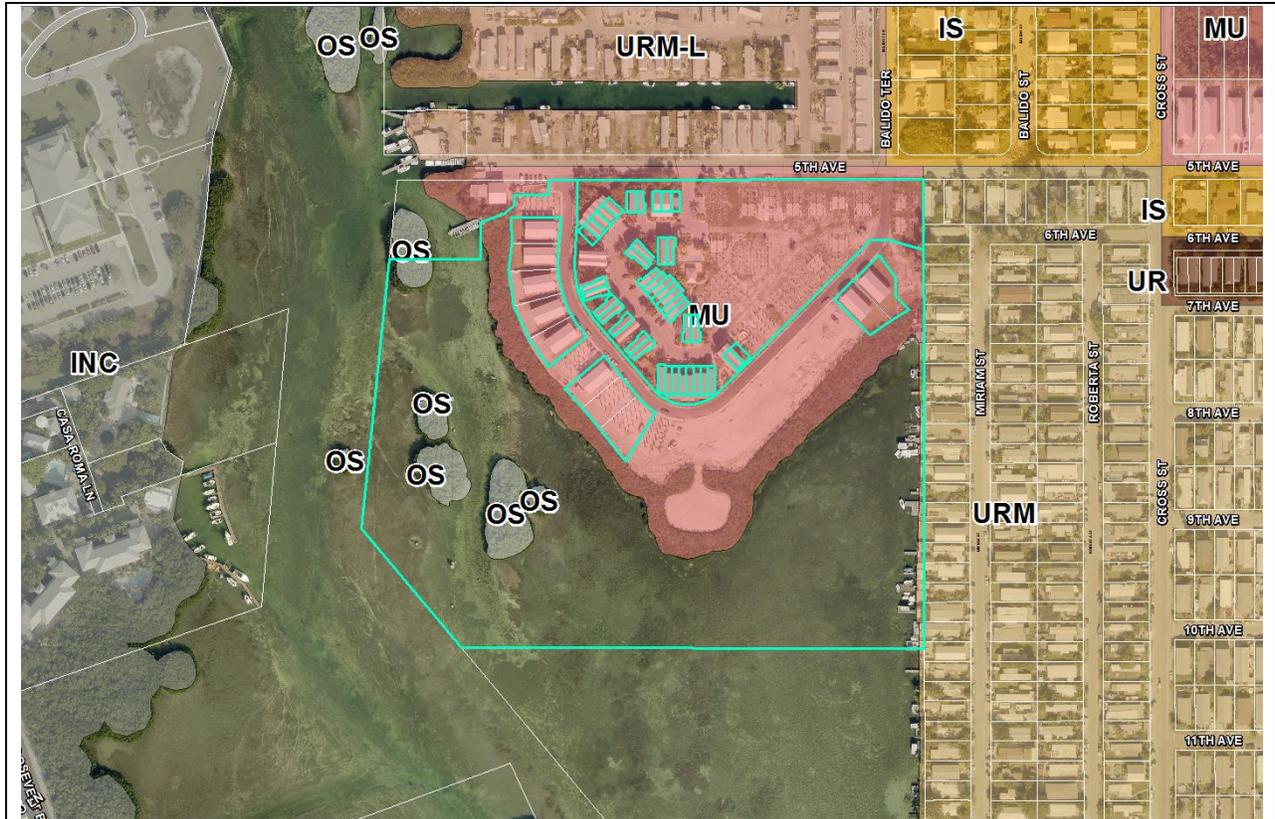
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**Meeting:** December 15, 2015

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**I. REQUEST:**

The applicant requests an amendment to the Major Conditional Use Permit, originally approved by Planning Commission Resolution No. P35-05, in order to remove Condition #3, which required the applicant to construct and maintain a bus shelter in association with the new development of 89 affordable and 22 market-rate dwelling units known as Islander Village.



1  
2 *Subject Property with Land Use District Overlaid (Aerial dated 2015)*

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**II. BACKGROUND INFORMATION:**

- Location/Address:** 5030 Fifth Avenue, Stock Island
- Legal Description:** Lots 1 through 6, and the West one-half of Lot 7, Block 59, Maloney Subdivision of Stock Island, as recorded in Plat Book 1 at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands (full legal description provided in the application/file)
- Real Estate Numbers:** Same as subject above
- Property Owner/Applicant:** Monroe County / Islander Village, LLC
- Agent:** Edwin O. Swift, III; Islander Village, LLC
- Size of Site:** Approximately 11 acres (per County GIS)
- Land Use District:** Mixed Use (MU)
- Future Land Use Map (FLUM) Designation:** Mixed Use/Commercial (MC)
- Tier Designation:** III – Infill Area
- Existing Use:** Affordable multifamily attached residential and market-rate detached residential
- Existing Vegetation/Habitat:** Disturbed/Scarified with landscaping, fringing mangroves
- Community Character of Immediate Vicinity:** Single-family residential, mobile homes
- Flood Zone:** AE-8

1 **III. RELEVANT PRIOR COUNTY ACTIONS:**

2 **7/13/2005** – Planning Commission Resolution No. P35-05 granting a Major Conditional Use  
3 Permit (File # 25027) for 111 residential units, including 89 affordable and 22 market-rate, a  
4 pavilion, pool house, bath house and public pool. The resolution had five conditions of approval,  
5 including Condition #3 related to constructing and maintaining a new bus shelter.  
6

7 **3/6/2006** – Minor Deviation #1 approval per Memorandum to Planning Director in order to  
8 change the size of the proposed dwelling units, change some of the multifamily buildings to  
9 duplexes, remove stairs, revise the main driveway from one-way to two-way, and add a sewer lift  
10 station.  
11

12 **12/11/2006** – Minor Deviation #2 approval per Memorandum to Planning Director in order to  
13 divide project into four phases.  
14

15 **5/7/2007** – Planning Director approved Minor Deviation #3 to the Major Conditional Use Permit  
16 in order to change the number of bedrooms in the units and change the phasing plan.  
17

18 **6/27/2012** – Planning Commission Resolution No. P27-12 approved one-year time extension  
19 (File # 2012-058) to Major Conditional Use Permit; new expiration date to obtain COs is  
20 12/7/2013, unless another time extension granted.  
21

22 **9/17/2012** – Letter acknowledging HB 503 two-year time extension; new expiration date  
23 12/7/2015 (File # 2012-107).  
24

25 **10/25/2012** – Planning Director approved Minor Deviation #4 (File # 2012-138) to the Major  
26 Conditional Use Permit in order to decrease open space, remove pools for Phase 2, modify the  
27 number of stories of the Phase 2 residences, remove a pool and modify another pool. Approval  
28 condition #1 stated “All conditions and provisions set forth in Resolution #P35-05 shall be met.”  
29

30 **7/24/2014** – Planning Director approved Minor Deviation #5 (File # 2014-095) to the Major  
31 Conditional Use Permit in order to modify the number of bedrooms in four of the affordable  
32 units. Approval condition #1 stated “All conditions and provisions set forth in Resolution #P35-  
33 05 shall be met.”  
34

35 **9/30/2015** – Planning Commission Resolution No. P27-15 approved one-year time extension  
36 (File # 2015-148) to Major Conditional Use Permit; new expiration date to obtain COs is  
37 12/7/2016, unless another time extension granted.  
38

39 **IV. ANALYSIS OF PROPOSED AMENDMENT:**

40 Pursuant to Monroe County Land Development Code Section 110-73(c)(5), “any adjustment,  
41 improvement or additional development that is not permitted as of right, as minor deviation, or  
42 as major deviation as set forth in subsections (c)(1), (c)(2), (c)(3) or (c)(4) shall be processed as  
43 an amendment to a conditional use permit in accordance with section 110-74.” Pursuant to Code  
44 Section 110-74, “A conditional use permit may be amended, extended, varied or altered only  
45 pursuant to the standards and procedures established for its original approval or as otherwise set  
46 forth in this article [Code Chapter 110, Article III].”

1 Removing or altering a condition of approval on a Major Conditional Use Permit approved by  
2 the Planning Commission is not permitted as of right, as minor deviation or as major deviation as  
3 set forth in Code Section 110-73(c). Therefore, the request to remove Condition #3 of Planning  
4 Commission Resolution No. P35-05, which required the applicant to construct and maintain a  
5 bus shelter, would require an approval for an amendment to the Major Conditional Use Permit.  
6

7 Planning Commission Resolution No. P35-05 approving the Major Conditional Use Permit  
8 mentioned the following about the bus shelter:  
9

10 Under findings of fact and conclusions:

5. Based on the application, the proposed development will increase daily trips on US1 by 262 with 75% of those trips predicted to travel to Key West. The impact of the increased traffic, proximity to bus service, and lack of bus shelters require the applicant to coordinate with Key West Transit Authority and the County to determine an appropriate location, design and maintenance plan for a bus shelter. Therefore, we conclude that the shelter shall be provided to comply with Section 9.5-69. The applicant has indicated location of a shelter on the site plan.

11 One of the whereas clauses:  
12

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the applicant responded to Staff's request for a bus shelter to be considered a piece of art in public places and hence the applicant offered to contribute \$5,000.00 to the winner of the shelter's artistic design so long as the applicant could participate in the selection of the artist; and

13 Under conditions of approval:  
14  
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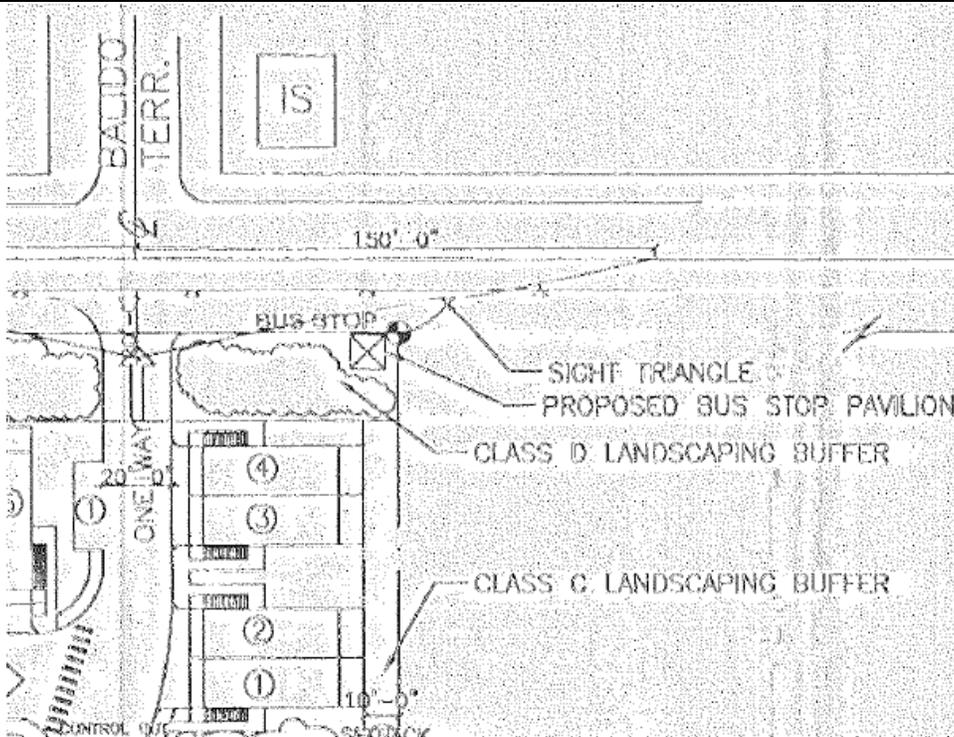
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct and maintain a bus shelter. The design of the shelter shall be approved by the County Planner.

16  
17  
18 The 2005 staff report for the Major Conditional Use request mentioned the following about the  
19 bus shelter:  
20

21 Under analysis of the Community Impact Statement per former Section 9.5-69, now Section  
22 110-70(a)(2)b.7.(iii):  
23

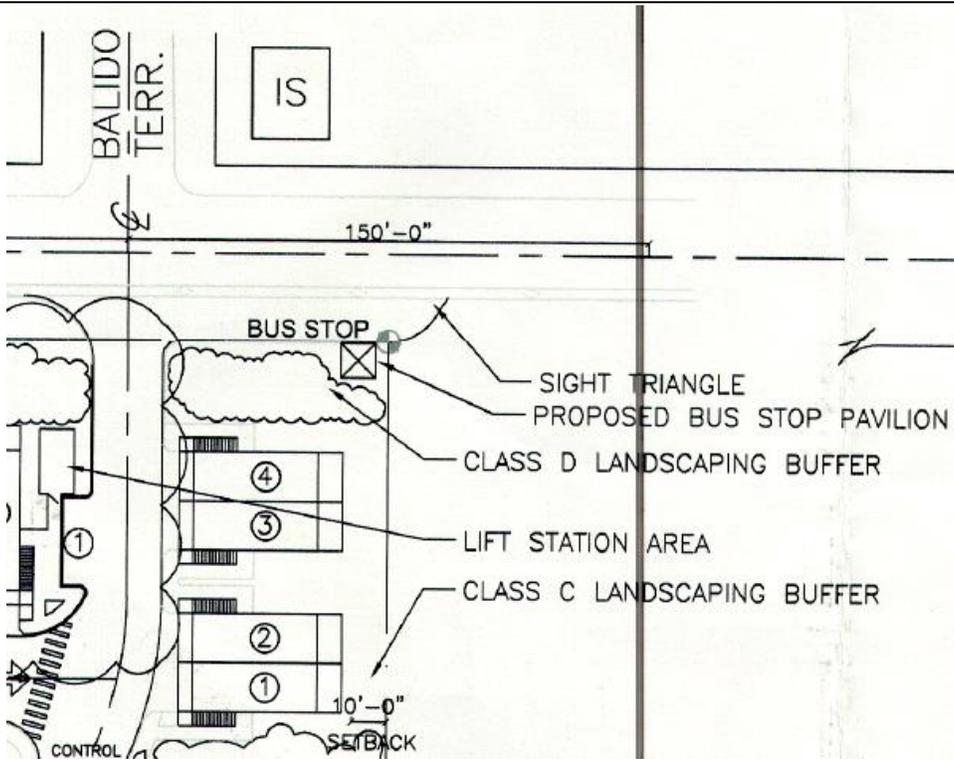
24 "Section 9.5.69(vii)(3) requires an assessment of the impact of the proposed development  
25 upon other adjacent municipalities. The increased daily trips and the proximity of the  
26 development to the bicycle path require the applicant to supply a bus shelter."  
27

28 The location of the bus shelter was indicated on the original approved site plan dated 6/15/2005.  
29 The bus shelter would have been located on the Islander Village property at the northeast corner  
30 of the property, near Fifth Avenue and Balido Street. After the original approval in 2005, five  
31 Minor Deviations to the Major Conditional Use Permit were approved. None of the Minor  
32 Deviations were specifically related to the bus shelter requirement. However, as the excerpts  
33 from the approved site plans on the following pages show, the bus shelter is no longer indicated  
34 as of the site plan dated 3/30/2007 for Minor Deviation #3.  
35



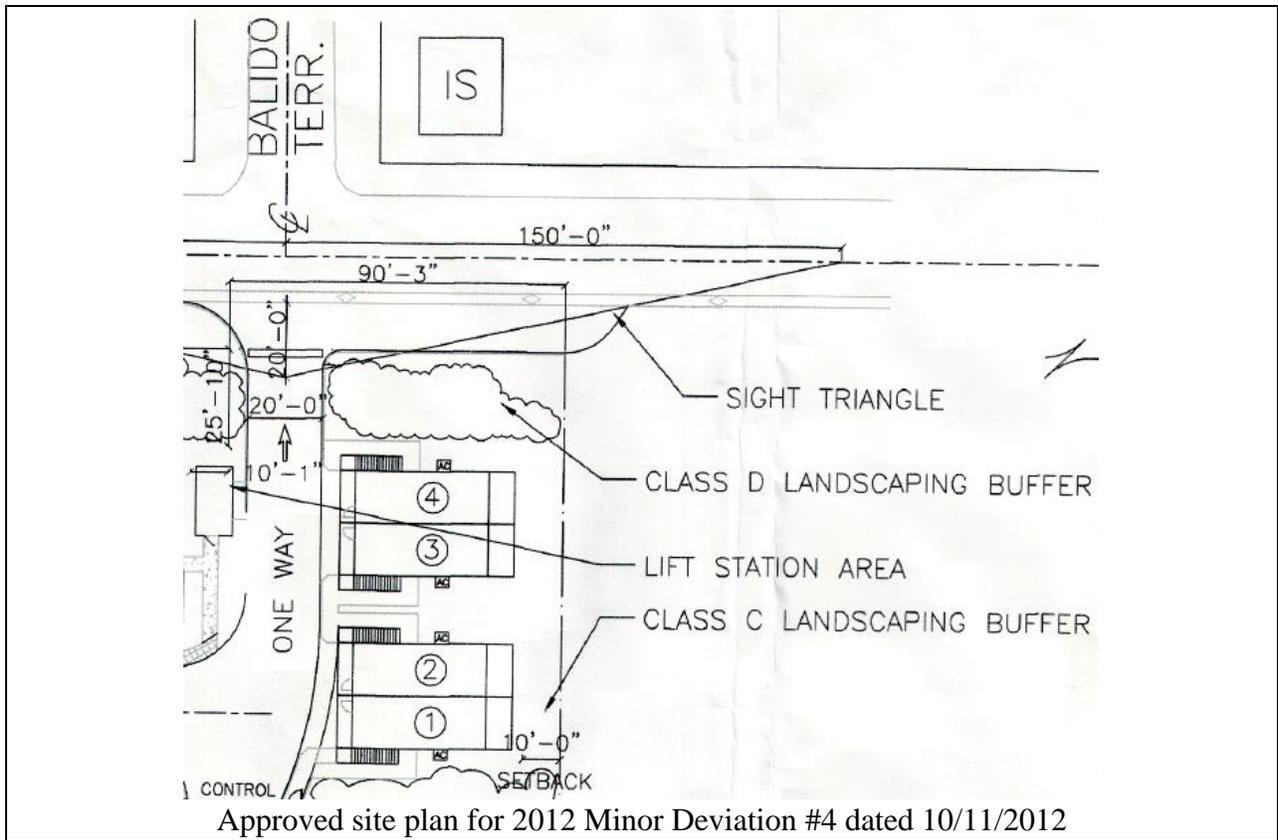
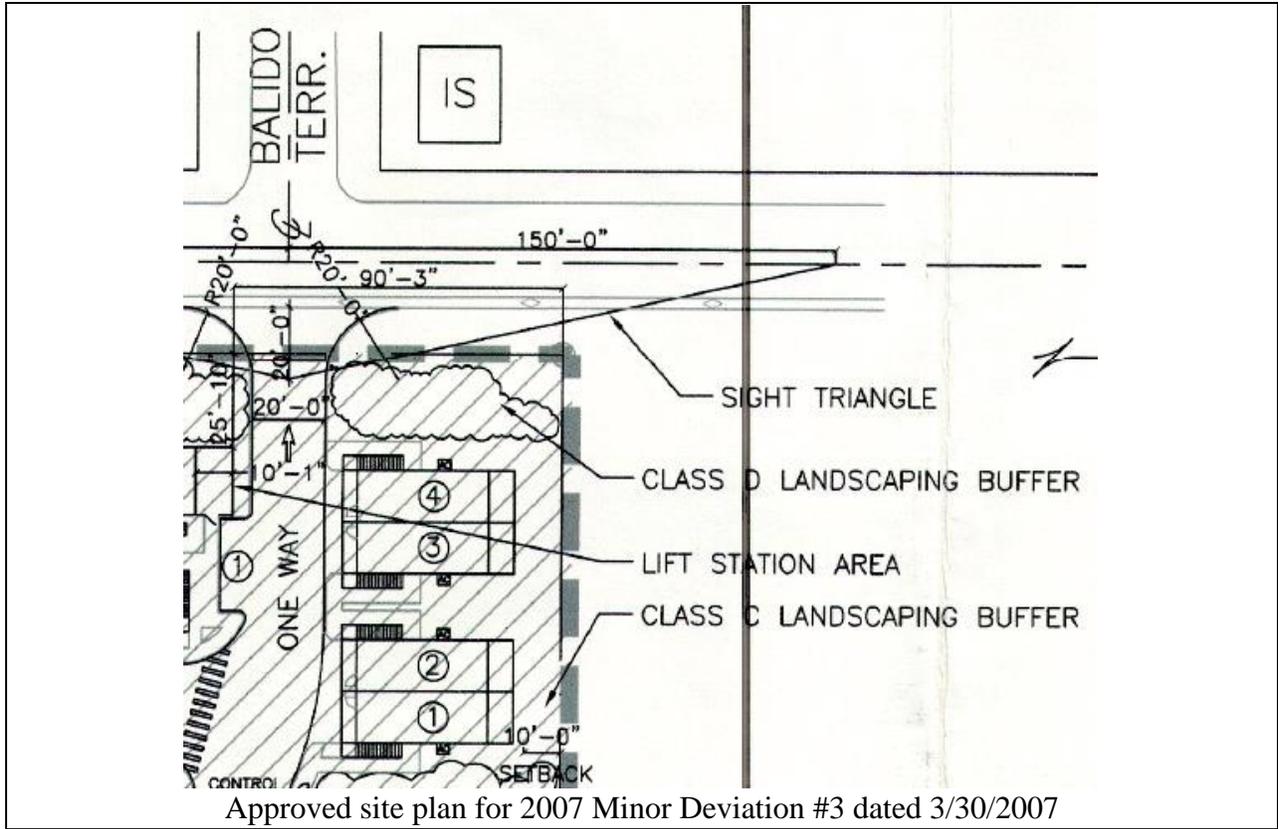
Approved site plan for Major Conditional Use dated 6/15/2005

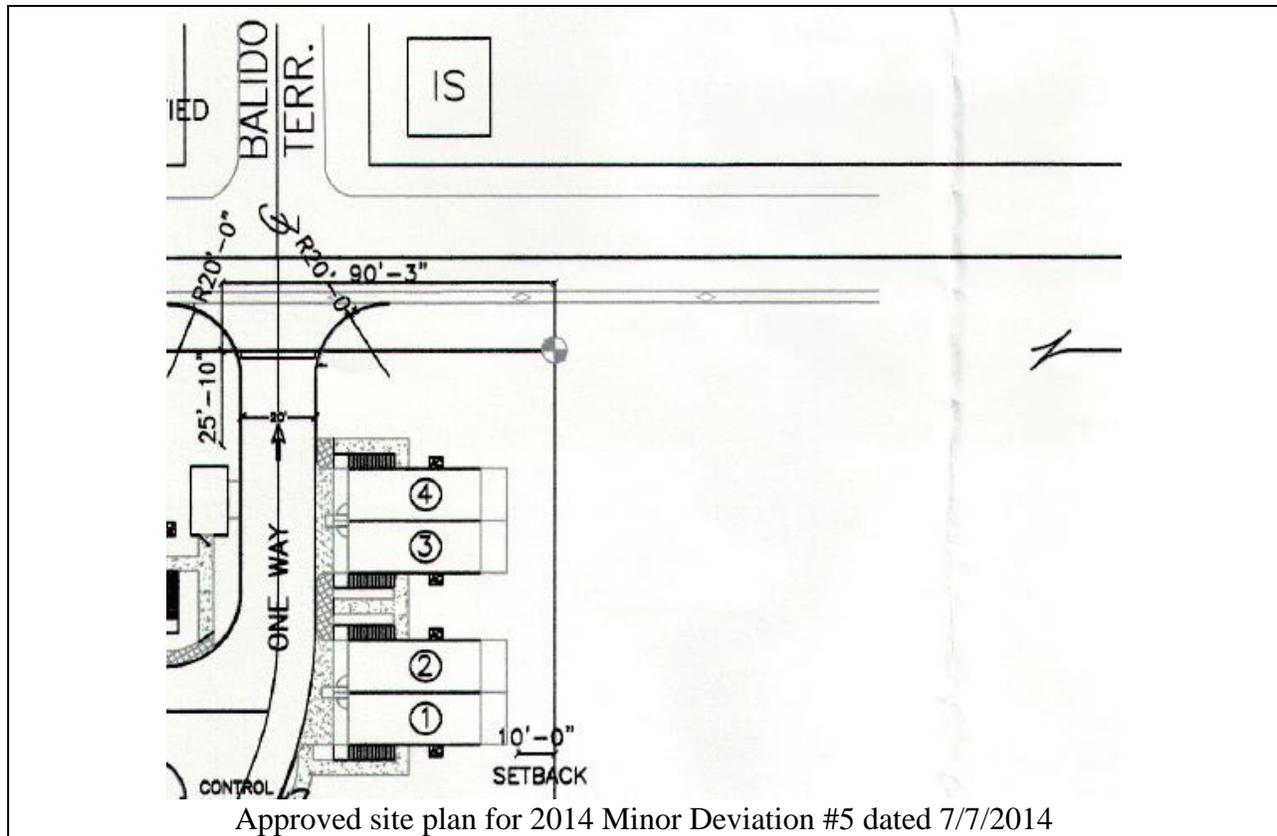
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Approved site plan for Minor Deviation #1 dated 2/1/2006

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In late 2006 and early 2007, there was correspondence (see application) between the County, the Key West Transportation Department and the applicant’s engineer regarding the bus shelter requirement. In a letter dated February 12, 2007, the applicant’s engineer Rick Milelli stated, “The Developer would like [the bus shelter] condition waived because it’s no longer feasible to satisfy,” and included correspondence with the City’s Engineering Department. The City’s Transportation Manager agreed with the waiver request in a letter dated March 5, 2007. However, the request to waive the condition was not and could not have been approved by staff administratively, and no approved Minor Deviation specifically related to the bus shelter requirement. Therefore, the approval condition of Planning Commission Resolution No. P35-05 is still in effect and must be satisfied prior to issuance of the last Certificate of Occupancy associated with the Islander Village development, unless the condition is removed as requested by the proposed amendment to the Major Conditional Use Permit.

The nearest bus stop is two blocks away from the subject property at the corner of Fifth Avenue and Cross Street, and is served by four City bus routes (Blue, Green, Orange and Red). An existing bus shelter is located on the east (inbound) side of Cross Street, but no shelter is located on the west (outbound) side of Cross Street.

At County staff’s request, the applicant explored the feasibility of installing a new bus shelter at the existing bus stop on the west side of Cross Street at Fifth Avenue. The applicant submitted recent correspondence (see application) with the City of Key West’s Transportation Director, Norman Whitaker, and John Anderson of Anderson Outdoor Advertising, who owns and maintains bus shelters in Key West and the County between Stock Island and Marathon. The

1 correspondence from Mr. Whitaker and Mr. Anderson confirms that a new bus shelter either on-  
2 site at Islander Village or off-site at the existing bus stop at Fifth Avenue and Cross Street is not  
3 feasible. The existing 5th & Cross bus stop is in close proximity to the Islander Village entrances  
4 and the City does not want to alter the existing bus routes to serve a new stop located close by at  
5 Islander Village. The advertising company has financial concerns about the costs of installing  
6 and maintaining a new shelter at the existing bus stop, and there is limited space within the right-  
7 of-way for a shelter.

8

9 **V. RECOMMENDATION:**

10 Staff recommends **APPROVAL** of the proposed amendment to the Major Conditional Use  
11 Permit, originally approved by Planning Commission Resolution No. P35-05 (Attachment 1), to  
12 remove Condition #3, which required the applicant to construct and maintain a bus shelter.

13

14 **VI. EXHIBITS:**

15 1. Application

**File #:** **2015-208**

**Owner's Name:** Islander Village LLC

**Applicant:** Islander Village LLC

**Agent:** Edwin O. Swift, III

**Type of Application:** Major - Amend

**Key:** Stock Island

**RE:** 00127400.000000  
Through  
00127400.000183

**Additional Information added to File 2015-208**

# 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: 11.04.15

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

Dear Applicant:

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

Islander Village LLC  
Project / Name to the Monroe County Planning Department.

Thank you.

Gail Creech

Planning Staff

## Creech-Gail

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**From:** Davisson-Bryan  
**Sent:** Monday, July 27, 2015 2:31 PM  
**To:** Creech-Gail  
**Subject:** RE: Need 300' spon list for the attached RE #'s  
**Attachments:** Stock\_Island\_SPONs.xlsx

Attached is the spreadsheet.

Bryan

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

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

### Monroe County - GIS

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

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

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**From:** Creech-Gail  
**Sent:** Monday, July 27, 2015 11:34 AM  
**To:** Davisson-Bryan  
**Subject:** Need 300' spon list for the attached RE #'s

Bryan,  
I need an address list for the surrounding property owners with 300' for the attached list at your convenience. Thanks for your help.

*Best Regards,*  
*Gail Creech*  
*Planning Commission Coordinator*

Monroe County Planning & Environmental Resources  
2798 Overseas Highway, Ste 400  
Marathon, FL 33050  
Main Phone: 305-289-2500  
Office: 305-289-2522  
Fax: 305-289-2536  
[creech-gail@monroecounty-fl.gov](mailto:creech-gail@monroecounty-fl.gov)

ABBOTT JOAN E  
647 WILLIAM ST  
KEY WEST, FL 33040-6851

AKUNA VICTORIA K KATZAKIAN  
G-4 ROBERTA ST  
KEY WEST, FL 33040

ALBERT KENNETH  
H-28 MIRIAM STREET  
KEY WEST, FL 33040

ALBERT KENNETH J  
28H MIRIAM ST  
KEY WEST, FL 33040-5754

ALFONSO CECILIA  
G21 ROBERTA ST  
KEY WEST, FL 33040

ALTIZER PAUL  
3606 HUGHES ST  
HUNTINGTON, WV 25704-1916

ALVAREZ ALEX WILLIAM  
5020 5TH AVE UNIT 6  
KEY WEST, FL 33040-5723

AMBOS DAVID F AND JULIE A  
H-19 MIRIAM STREET  
KEY WEST, FL 33040

ARENCIBIA MARCOS AND DEBORAH  
G-54 MIRIAM ST  
KEY WEST, FL 33040

AYERS KENNETH W JR  
51G MIRIAM ST  
KEY WEST, FL 33040-5753

BAKER RAYMOND E AND LISETTE  
17G ROBERTA ST  
KEY WEST, FL 33040-5756

BALDREE MICHAEL R AND AMY M  
27H MIRIAM ST  
KEY WEST, FL 33040-5754

BALL FRED G  
H-39 MIRIAM STREET  
KEY WEST, FL 33040

BAUCOM PROPERTY HOLDINGS 1, LLC  
261 GOLF CLUB DR  
KEY WEST, FL 33040

BENDER STEPHEN M AND CHERYL  
5020 5TH AVE UNIT 9  
KEY WEST, FL 33040-5723

BICK MICHAEL A  
H-17 MIRIAM ST  
KEY WEST, FL 33040

BRANSON FRANK L AND DEBBIE D  
6920 TURTLE CREEK BLVD  
DALLAS, TX 75205-1252

BRAY KEVIN J  
10475 GANDY BLVD N UNIT 3232  
SAINT PETERSBURG, FL 33702-2426

BUTLER WILLIAM N AND ANITA D  
404 BALIDO TER  
KEY WEST, FL 33040

CAREY CLYDE J JR L/E  
2G ROBERTA ST  
KEY WEST, FL 33040-5756

CASTELLANOS VICTORIA  
5030 5TH AVE UNIT 34  
KEY WEST, FL 33040-5712

CHEE HENG YEE  
34H MIRIAM ST  
KEY WEST, FL 33040-5754

COCONUT MALLORY MARINA AND  
RESORT DOCKOWNERS ASSOC  
1445 S ROOSEVELT BLVD  
KEY WEST, FL 33040-4538

CONCH INVESTORS II LLC  
12178 4TH ST  
RANCHO CUCAMONGA, CA 91730-6127

COOL KATRINA J  
5030 5TH AVE UNIT 36  
KEY WEST, FL 33040-5712

COUGHLIN CALVIN  
H-40 MIRIAM ST  
KEY WEST, FL 33040

COW KEY CONDO LLC  
PO BOX 549  
DELLSLOW, WV 26531-0549

CRAWFORD SANDRA S  
G 46 MIRIAM ST  
KEY WEST, FL 33040

CROSS PHILLIP & ALISO  
POPLAR HALL LN  
CHORLTON CHESTER, CHESHIRE CH2 4DD  
GREAT BRITAIN

CRUZ MICHAEL  
25H MIRIAM ST  
KEY WEST, FL 33040-5754

Labels 1 of 5

DADD ANN M  
701 CATHERINE ST  
KEY WEST, FL 33040-3225

DALLAS DONNA A  
5030 5TH AVE UNIT 74  
KEY WEST, FL 33040-5714

DAVALOS ANTONIO  
5H 5TH AVE  
KEY WEST, FL 33040-5733

DEGRAVE STEPHEN R  
402 AVENUE A  
KEY WEST, FL 33040-5512

DORBIAN JOSEPH AND BABETTE  
103 SALT RD  
ENOLA, PA 17025

DRIVE IN HOMEBUILDERS LLC  
3152 NORTHSIDE DR  
KEY WEST, FL 33040-8006

EATON JOHN F AND RITA G  
1435 S ROOSEVELT BLVD UNIT 1001  
KEY WEST, FL 33040-4538

ECHOLS JOHN D AND GAYLE E  
12H MIRIAM ST  
KEY WEST, FL 33040-5754

EGAMBERDIEV OYBEK  
3930 S ROOSEVELT BLVD APT 307N  
KEY WEST, FL 33040-5177

ELGART MICHAEL  
G-23 ROBERTA ST  
KEY WEST, FL 33040-5756

FERNANDEZ DAVID MORLEY AND VITIA  
PENA  
10G ROBERTA ST  
KEY WEST, FL 33040-5756

FINDLAY GARY E  
38H MIRIAM ST  
KEY WEST, FL 33040-5754

FLYNN DEBRA  
1010 KENNEDY DR STE 401  
KEY WEST, FL 33040-4134

FOUREMAN STEVEN A AND JESSICA L  
5030 5TH AVE UNIT 38  
KEY WEST, FL 33040-5712

GAITAN FELIX A  
G-22 ROBERTA ST  
KEY WEST, FL 33040

GALLO JOHN AND DAVINA L  
5030 5TH AVE UNIT 81  
KEY WEST, FL 33040-5715

GALLOWAY MARIE L REV TRUST 5/21/2004  
18G ROBERTA ST  
KEY WEST, FL 33040-5756

GALO KAREN  
G-5 ROBERTA ST  
KEY WEST, FL 33040

GARCIA ANDRE M  
G-43 MIRIAM ST  
KEY WEST, FL 33040

GARCIA LILA  
47G MIRIAM ST  
KEY WEST, FL 33040-5753

GLUBA COLLEEN MARIE  
5020 5TH AVE UNIT 21  
KEY WEST, FL 33040-5724

GODSELL LINDSAY REGAN  
5030 5TH AVE UNIT 23  
KEY WEST, FL 33040-5711

GONZALEZ MICHAEL AND WENDY S  
H-21 MIRIAM ST  
KEY WEST, FL 33040

GOODE MARITZA CRUZ  
26H MIRIAM ST  
KEY WEST, FL 33040-5754

GOODMAN ALISSA TAMAR  
3 EVERSFIELD RD  
KEW RICHMOND, SURREY TW9 2AP  
ENGLAND

GOODMANAGEMENT LLC  
PO BOX 12967  
NEWPORT NEWS, VA 23612-2967

GUERRA CARLOS F JR  
3409 EAGLE AVE  
KEY WEST, FL 33040-4651

H-4 5TH STOCK IS. LLC  
1101 17TH ST  
KEY WEST, FL 33040-4276

HARNISH MICHAEL AND DIONNE  
3317 RIVIERA DR  
KEY WEST, FL 33040-4631

HERNANDEZ ADELA B  
6G ROBERTA ST  
KEY WEST, FL 33040-5756

HERNANDEZ GILDA C  
1840 W 62ND ST APT 207  
HIALEAH, FL 33012-1901

HERNANDEZ JOSE  
G-60 MIRIAM ST  
KEY WEST, FL 33040

HILLMAN ALAN K & NANCY LEE CO-TR'S  
H-31 MIRIAM ST  
KEY WEST, FL 33040

HORNYAK JOHN D JR AND MONICA S  
405 BALIDO ST  
KEY WEST, FL 33040-5701

HYATT AND HYATT INC  
17021 STARFISH LN W  
SUGARLOAF SHORES, FL 33042

ISLANDER VILLAGE LLC  
201 FRONT ST STE 224  
KEY WEST, FL 33040-8348

JACKSON ERNEST LEE  
4353 AGUALINDA BLVD  
CAPE CORAL, FL 33914-6281

JACOBO ANA H  
13301 SW 204 ST  
MIAMI, FL 33177

JORDAN THOMAS W AND TANA  
G9 ROBERTA ST  
KEY WEST, FL 33040

JOSEPH JEAN R  
1213 GLYNN R ARCHER JR DR LOT 35  
KEY WEST, FL 33040-4145

KILFIAN DENNIS  
5030 5TH AVE UNIT 75  
KEY WEST, FL 33040-5714

KNIGHT EDWARD B LIVING TRUST  
01/23/97  
P O BOX 974  
KEY WEST, FL 33041

KNIGHT EDWARD B  
PO BOX 974  
KEY WEST, FL 33041-0974

KUNTZ RHONDA  
H 37 MIRIAM STREET  
KEY WEST, FL 33040

LAMBERSON JIMMY AND MARITZA  
5030 5TH AVE UNIT 73  
KEY WEST, FL 33040-5714

LAPP GERD PETER AND JANA  
410 BALIDO TER  
KEY WEST, FL 33040-5704

LEGGETT DONZEL A  
5020 5TH AVE UNIT 3  
KEY WEST, FL 33040-5723

LEONARD LAURA  
5020 5TH AVE UNIT 4  
KEY WEST, FL 33040-5738

LOCKWOOD DOLORES C  
G-56 MIRIAM ST  
KEY WEST, FL 33040

MACONI PAUL AND LINDA  
5030 5TH AVE UNIT 83  
KEY WEST, FL 33040-5715

MALBY ANDRIA  
2724 NW 58TH BLVD  
GAINESVILLE, FL 32606-8530

MALBY CHARLES R JR  
1119 GRINNELL ST  
KEY WEST, FL 33040-3205

MARIUS ALONA N K AND LAURENCE  
7H 5TH AVE  
KEY WEST, FL 33040-5733

MELLIES RAYMOND  
23H MIRIAM ST  
KEY WEST, FL 33040-5754

MENARD MICHELLE  
5030 5TH AVE UNIT 33  
KEY WEST, FL 33040-5712

MENDEZ ROLANDO  
H2-5TH AVE  
KEY WEST, FL 33040

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

MONROE COUNTY  
201 FRONT ST STE 107  
KEY WEST, FL 33040-8346

MORTGAGE AUTOMATION CORPORATION  
79 SEASIDE NORTH CT  
KEY WEST, FL 33040-5292

NEFF C ROBERT AND CATHERINE  
2441 PLAINVIEW AVE  
PITTSBURGH, PA 15226-1547

NHC-FL136 LLC  
6991 E CAMELBACK RD STE B310  
SCOTTSDALE, AZ 85251-2493

NMSKW LLC  
19 BEACHWOOD DR  
KEY WEST, FL 33040-6207

NORAT RAFAEL  
38G MIRIAM ST  
KEY WEST, FL 33040-5753

NORRIS JASON L  
G48 MIRIAM ST  
KEY WEST, FL 33040

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

OSTERMAN JOSEPH C AND JAMIE L  
412 BALIDO TER  
KEY WEST, FL 33040-5704

PADRON EUGENIO  
14G ROBERTA ST  
KEY WEST, FL 33040-5756

PARTINGTON JEFFREY AND MARIA  
22H MIRIAM ST  
KEY WEST, FL 33040-5754

PEARSON STEVEN B TRUST 6/1/2011  
7224 BABILONIA ST  
CARLSBAD, CA 92009-6510

PEARSON STEVEN B TRUST 6/1/2011  
404 PLAYA BLANCA  
ENCINITAS, CA 92024-3650

PELLETIER ANNIE  
49G MIRIAM ST  
KEY WEST, FL 33040-5753

PEREZ DARIO AND LUZ MARINA  
G12 ROBERTA ST  
KEY WEST, FL 33040-5756

PEREZ OMAR AND VIVIAN  
E24 11TH AVE  
KEY WEST, FL 33040

PITA JERRY AND DINORA  
30H MIRIAM ST  
KEY WEST, FL 33040-5754

PLUME WAYNE AND CYNTHIA D  
5020 5TH AVE UNIT 20  
KEY WEST, FL 33040

POPE FLOYD L/E  
336 AVENUE D  
KEY WEST, FL 33040-5528

PRESLEY RONALD D AND JODI  
403 BALIDO ST  
KEY WEST, FL 33040

PUJOL ROSA  
406 BALIDO ST  
KEY WEST, FL 33040

R AND G HOLDINGS OF KEY WEST INC  
18F CROSS ST  
KEY WEST, FL 33040-5750

RAFIELD MARY  
45G MIRIAM ST  
KEY WEST, FL 33040-5753

RAMIREZ ARTURO E  
G 25 ROBERTA ST  
KEY WEST, FL 33040

RAY DASHA RENEE  
1215 MCMILLIAN DR  
KEY WEST, FL 33040

RENIER CHARLES HENRY  
PO BOX 169  
KEY WEST, FL 33041

RIOSECO RAUL AND GUILLERMINA  
57G MIRIAM ST  
KEY WEST, FL 33040-5753

RIOSECO SIXTO R AND CRUZ M RIOSECO  
3703 PEARLMAN CT  
KEY WEST, FL 33040-4220

ROBERTS CHARLES F  
5585 2ND AVE STE 4  
KEY WEST, FL 33040-5932

RODRIGUEZ AGUSTIN SR AND ANGELA  
9100 MARE PATH  
SEBRING, FL 33875

ROMAN JOAN K  
5030 5TH AVE UNIT 32  
KEY WEST, FL 33040-5711

RUIZ ROSA VILLABA  
37G MIRIAM ST  
KEY WEST, FL 33040-5753

SANTELLI DAMON  
1512 17TH TER  
KEY WEST, FL 33040-4618

SARIOL EDUARDO R AND JOSEFINA  
13G ROBERTA ST  
KEY WEST, FL 33040-5756

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

SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT  
451 7TH ST SW  
WASHINGTON, DC 20410-8000

SMITH DAVID GEORGE JR  
PO BOX 331  
WAUPACA, WI 54981-0331

SPENCER SONIA  
42G MIRIAM ST  
KEY WEST, FL 33040-5753

SQUELLA JORGE  
11G ROBERTA ST  
KEY WEST, FL 33040-5756

STEINBRENNER FRED  
3301 DUCK AVE APT G  
KEY WEST, FL 33040-4140

STICH MICHAEL AND MARY  
PO BOX 1203  
KEY WEST, FL 33041-1203

STONER JAMES E  
24H MIRIAM ST  
KEY WEST, FL 33040-5754

TORRES JOSE L AND JULIETTE B  
PO BOX 2243  
KEY WEST, FL 33040-2243

TOTINO RAYMOND JR AND CAROLE R  
913 MAIN ST  
PATERSON, NJ 07503-2628

TROSSET ROBERT F III  
5020 5TH AVE UNIT 5  
KEY WEST, FL 33040-5738

TURK JOHN AND LINDA  
202 ANGELA ST  
KEY WEST, FL 33040-7304

VAN MATER ROBIN  
905 TRUMAN AVE  
KEY WEST, FL 33040-6427

VAREA ARIEL SAAVEDRA  
58G MIRIAM ST  
KEY WEST, FL 33040-5753

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

VELOSO MIMI E  
10816 LOMA DEL SOL DR  
EL PASO, TX 79934-3782

WALKER THOMAS G  
3537 52ND AVENUE CIR W  
BRADENTON, FL 34210-3262

WATSON OMAR  
5030 5TH AVE UNIT 47  
KEY WEST, FL 33040-5712

WILBUR WRIGHT 725 LLC  
695 WASHINGTON ST APT 4  
NEW YORK, NY 10014-2521

WILLIAMS DAVID F AND LOUANNA R  
24 AMARYLLIS DR  
KEY WEST, FL 33040

WRIGHT KEVIN  
5030 5TH AVE UNIT 39  
KEY WEST, FL 33040-5712

YGLESIAS RAMON F AND DARLENE S  
410 BALIDO DR  
KEY WEST, FL 33040

FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS

## Detail by Entity Name

### Florida Limited Liability Company

ISLANDER VILLAGE, LLC

### Filing Information

<b>Document Number</b>	L07000036744
<b>FEI/EIN Number</b>	20-8817311
<b>Date Filed</b>	04/06/2007
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

201 FRONT STREET  
SUITE 107  
KEY WEST, FL 33040

Changed: 04/15/2008

### Mailing Address

201 FRONT STREET  
SUITE 107  
KEY WEST, FL 33040

Changed: 04/15/2008

### Registered Agent Name & Address

SWIFT, EDWIN OIII  
201 FRONT STREET  
SUITE 107  
KEY WEST, FL 33040

Address Changed: 04/15/2008

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

SWIFT, EDWIN OIII  
201 FRONT STREET, SUITE 107  
KEY WEST, FL 33040

### Annual Reports

Report Year	Filed Date
2013	03/08/2013
2014	01/23/2014
2015	01/14/2015

### Document Images

<a href="#">01/14/2015 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/23/2014 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/08/2013 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/07/2012 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/13/2011 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/11/2010 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/16/2009 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/15/2008 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/06/2007 -- Florida Limited Liability</a>	View image in PDF format



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

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

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

**Alternate Key: 1161616 Parcel ID: 00127400-000000**

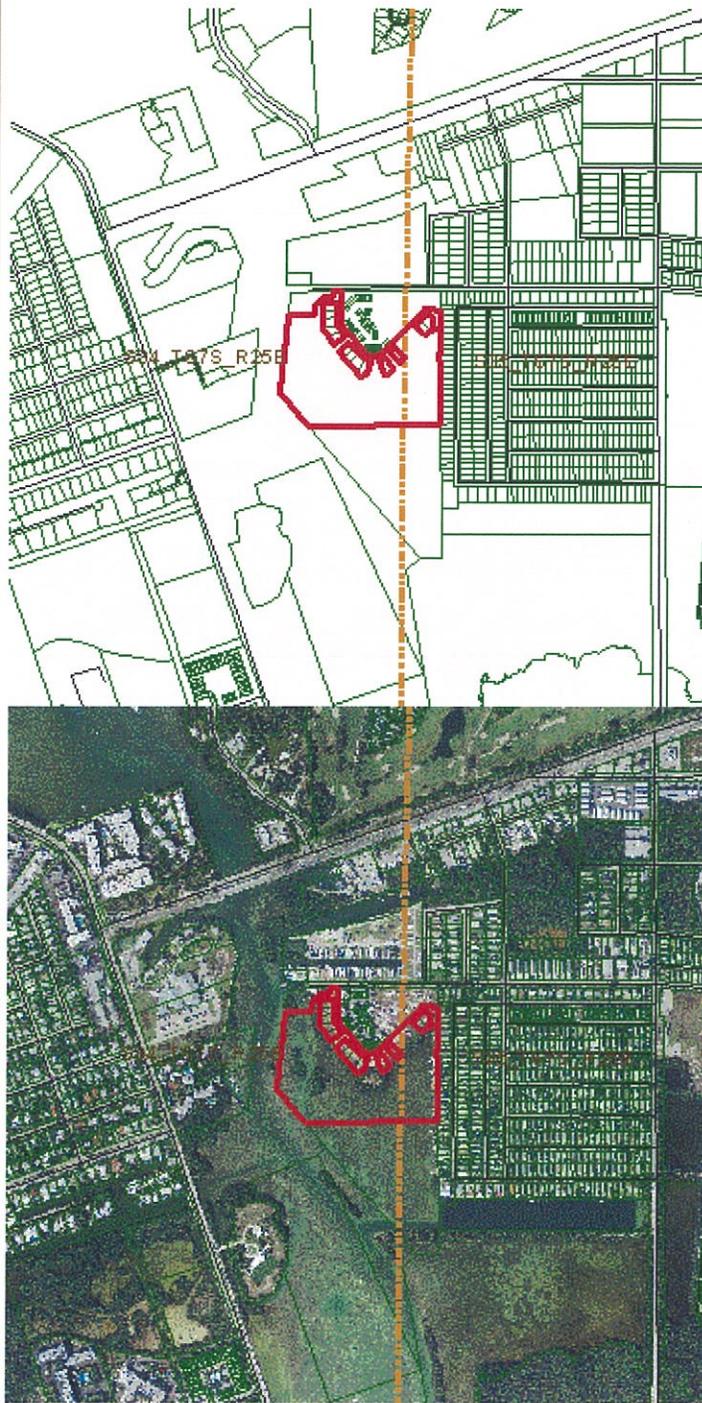
**Ownership Details**

**Mailing Address:**  
DRIVE IN HOMEBUILDERS LLC  
3152 NORTHSIDE DR  
KEY WEST, FL 33040-8006

**Property Details**

**PC Code:** 07 - COMPOUNDS  
**Millage Group:** 110A  
**Affordable Housing:** No  
**Section-Township-Range:** 35-67-25  
**Property Location:** 5020 5TH AVE ISLANDER ESTATES - UNSOLD UNITS SOUTH STOCK ISLAND  
**Legal Description:** STOCK ISLAND MALONEY SUB PB1-55 PT BLK 59 AND ADJ BAY BTM (A/K/A UNITS 90-96-101-103-105-106-107-108-111 ISLANDER ESTATES) OR197-80 OR1332-1953/55 OR1333-1359/60 OR1333-1361/62 OR1584-2477/80C OR1584-2481/83C OR1998-69/71C OR1998-72/73 OR2306-1357/59AFF OR2623-131/193DEC/REST OR2623-643/646(REST/COV) OR2623-1173/76 OR2368-597/695DEC OR2368-696/810DEC OR2753-1174/1178 (AMD/DEC) OR2753-1179/1185(AMD/DEC)

[Click Map Image to open interactive viewer](#)



### Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY			42,920.70 SF
000X - ENVIRONMENTALLY SENS			10.83 AC
1M0W - COMMERCIAL WATERFRON	0	0	66,848.00 SF
9500 - SUBMERGED	0	0	3.23 AC

### Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	5,075 SF	0	0	1959	1960	2	30

### Appraiser Notes

SPLITTING OUT 4.69 AC (1MOW) OF THIS PARCEL FOR ASSESSMT (2301-363) PURP, NOW UNDER 00127400-000100 AK9089566 DONE FOR THE 2007 TAX ROLL.

GATED COMMUNITY FEATURING 22 NEW MODULAR HOMES IN THE PROCESS OF BEING CONSTRUCTED. 2 FLOOR PLANS TO CHOOSE FROM, EACH 1500SF WITH UPGRADES. UNITS ARE LISTED AT \$525,000.

PER OR2623-1173 SALE, COMBINE 10.83 ACRES 000X FROM AK1157813, RE00123700-000000 AND REDUCE 1MOW BY 1,450 SQ FT; DONE FOR THE 2013 TAX ROLL.

UNIT 91 (RE 00127401-010910 AK 9102898), UNIT 92 (RE 00127401-010920 AK 9102686), UNIT 93 (RE 00127401-010930 AK 9102687), UNIT 94 (RE 00127401-010940 AK 9102770), UNIT 95 (RE 00127401-010950 AK 9102899), UNIT 97 (RE 00127401-010970 AK 9102978), UNIT 98 (RE 00127401-010980 AK 9102979), UNIT 99 (RE 00127401-010990 AK 9102980), UNIT 100 (RE 00127401-011000 AK 9103084), UNIT 102 (RE 00127401-011020 AK 9103460), UNIT 104 (RE 00127401-011040 AK 9103503), UNIT 109 (RE 00127401-011090 AK 9102759), UNIT 110(RE 00127401-011100 AK 9102981), HAVE ALL BEEN SPLIT OUT FOR THE 2015 TAX ROLL.

DRIVE IN BLDGS DEP INCREASED DUE TO COND FOR 1983 SCREEN REMOVED FOR 1993 ROLL. BLDG 3 OF 3 IS WKIZ BUILDING AND IT SETS ON APPROX. 3000SQ.FT.OF WATERFRONT LAND. 2001-04-04 CHANGED THE PC CODE FROM 31 TO 18 AND DELETED TWO BUILDINGS THAT WERE DAMAGED BY THE HURRICANE OF 1998 AND WERE NEVER REPAIRED. ALSO CHANGED THE FLA WALLS FROM 19D TO 18C.DUG 5/4/2006 PROPERT RENTED TO FEMA FOR TRAILERS FOR WILMA DISPLACED PERSONS AND WILL BE USED AS STORAGE FOR

TRANSFERRED TO RE 00130780-000000 AK 1164941 A 20' X 42.37' PARCEL OF BAY BOTTOM PER OR2740-554/555, THE LAND SIZES FOR THIS PARCEL AND FOR RE 00130780-000000 AK 1164941 HAVE BEEN ADJUSTED FOR THE 2015 TAX ROLL.

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
08101266	05/02/2008	12/04/2008	6,395	Commercial	INSTALL SERVICE ENTRANCE MOVE CONTROL CABINET
08104239	12/01/2008		75,000	Commercial	1-89 UNITS LATTICE AND GARAGE DOORS ALL UNITS
12104035	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104036	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104037	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104038	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104039	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104040	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104041	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104042	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104043	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104044	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104046	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104047	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104048	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104049	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104051	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR

12104052	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104030	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104031	06/05/2013	02/25/2015	150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
13102459	08/20/2013		125,000	Commercial	SWALE, CURB, SIDEWALK, STREET LAMPS, AND ASPHALT
14101202	09/24/2014		150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101203	09/24/2014		150,000	Commercial	5020 5TH AVE NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101204	09/24/2014		150,000	Commercial	5020 5TH AVE NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101205	09/24/2014		150,000	Commercial	5020 5TH AVE NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101206	09/24/2014	04/07/2015	150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101207	09/24/2014	04/07/2015	150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101208	09/24/2014	03/31/2015	150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101209	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101210	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101201	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF

						FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101200	09/24/2014		150,000	Commercial		5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101199	09/24/2014		150,000	Commercial		5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101198	09/24/2014		150,000	Commercial		5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101197	09/24/2014		150,000	Commercial		5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101196	09/24/2014		150,000	Commercial		5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
13102459	08/20/2013	12/11/2014	125,000	Commercial		SWALE, CURB, SIDEWALKS, ASPHALT, STREET LAMPS AND STRIPING
14104476	10/15/2014	12/19/2014	2,000	Commercial		120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104475	10/15/2014	12/19/2014	2,000	Commercial		120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104473	10/15/2014	12/19/2014	2,000	Commercial		120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104471	10/15/2014	12/19/2014	2,000	Commercial		120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104465	10/15/2014	12/19/2014	2,000	Commercial		120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104283	09/30/2014	12/19/2014	2,000	Residential		GARAGE DOORS
14104284	09/30/2014	09/30/2014	2,000	Residential		GARAGE DOORS
14104285	09/30/2014	12/19/2014	2,000	Residential		GARAGE DOORS
14104286	09/30/2014	12/19/2014	2,000	Residential		GARAGE DOORS
14105310	12/02/2014		2,400			INSTALL 225 LF OF PVC FENCE
14105287	12/02/2014		2,500			INSTALL 200 LF OF 6' PVC FENCE AND 1 4' GATE
14105315	12/02/2014		2,500			INSTALL GARAGE DOORS AS PER PLANS
14105314	12/02/2014		2,500			INSTALL GARAGE DOOR AND HEADER
14101206	09/24/2014		150,000			1472 SF MODULAR HOME
14101207	09/24/2014		150,000			1472 SF MODULAR HOME
14101208	09/24/2014		150,000			1472 SF MODULAR HOME
04-3170	08/06/2004	12/30/2005	10,000	Commercial		DEMOLITION
04102334	08/05/2004	12/30/2005	1,800	Commercial		FENCE
07100515	02/01/2007	12/27/2007	0	Commercial		
07100117	07/20/2007		2,105,000	Commercial		Site Work

07104093	09/19/2007	02/05/2008	50,000	Commercial	Demo Screen
07104387	10/09/2007	03/24/2008	100	Commercial	Trailer Construction 6 months
08100181	03/05/2008	08/29/2008	140,000	Commercial	COMMUNITY POOL
08100274	04/01/2008	08/29/2008	55,900	Commercial	POOL HOUSE
08100775	04/08/2008	12/04/2008	15,310	Commercial	ENTRANCE WALL
08101472	05/21/2008	12/04/2008	2,400	Commercial	MAIL BOX FOUNDATION

## 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
2015	0	4,466	2,405,857	2,410,323	2,410,323	0	2,410,323
2014	0	69,576	698,256	767,832	767,832	0	767,832
2013	0	70,644	598,684	669,328	435,097	0	669,328
2012	0	72,058	602,408	674,466	395,543	0	674,466
2011	0	73,303	401,662	474,965	359,585	0	474,965
2010	0	74,539	252,357	326,896	326,896	0	326,896
2009	0	75,784	834,325	910,109	910,109	0	910,109
2008	0	13,545	834,325	847,870	847,870	0	847,870
2007	156,788	18,741	2,043,625	2,219,154	2,219,154	0	2,219,154
2006	156,788	17,877	4,430,325	4,604,990	4,604,990	0	4,604,990
2005	163,809	18,021	4,430,325	4,612,155	4,612,155	0	4,612,155
2004	163,717	18,093	1,329,325	1,511,135	1,511,135	0	1,511,135
2003	163,717	18,237	1,156,555	1,338,509	1,338,509	0	1,338,509
2002	163,717	18,381	694,063	876,161	876,161	0	876,161
2001	163,717	18,453	694,063	876,233	876,233	0	876,233
2000	182,296	7,711	694,063	884,070	884,070	0	884,070
1999	158,936	7,897	694,063	860,896	860,896	0	860,896
1998	104,699	8,064	694,063	806,826	806,826	0	806,826
1997	104,699	8,250	694,063	807,012	807,012	0	807,012
1996	103,034	8,436	694,063	805,533	805,533	0	805,533
1995	103,034	8,603	694,063	805,700	805,700	0	805,700
1994	97,389	6,701	694,063	798,153	798,153	0	798,153
1993	97,389	7,160	930,625	1,035,174	1,035,174	0	1,035,174
1992	18,718	19,272	638,239	676,229	676,229	0	676,229
1991	18,718	19,396	638,239	676,353	676,353	0	676,353
1990	18,718	19,520	443,321	481,559	481,559	0	481,559
1989	40,259	19,643	443,321	503,223	503,223	0	503,223
1988	37,797	19,767	443,321	500,885	500,885	0	500,885
1987	36,830	19,891	443,971	500,692	500,692	0	500,692
1986	37,026	20,014	443,971	501,011	501,011	0	501,011

1985	35,899	20,138	391,221	447,258	447,258	0	447,258
1984	34,820	20,262	391,221	446,303	446,303	0	446,303
1983	34,820	23,262	391,221	449,303	449,303	0	449,303
1982	75,981	39,366	311,890	427,237	427,237	0	427,237

### 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
4/11/2013	2623 / 1173	2,150,000	WD	03
4/21/2004	1998 / 0072	3,950,000	WD	M
11/1/1994	1332 / 1953	950,000	WD	M

This page has been visited 6,495 times.

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

**End of Additional File 2015-208**

**Islander Village, LLC**  
201 Front St Ste. 224, Key West, FL 33040  
(305) 294-4142



November 3, 2015

Reference: 5030 5<sup>th</sup> Avenue (PC # P35-05) – Additional Information for application for Amendment to a Major Conditional Use – Removal of Bus Shelter Requirement.

Mr. Kevin Bond - Planning & Development Review Manager  
Monroe County - Planning and Environmental Resources Department  
2798 Overseas Highway  
Marathon, FL 33050

Dear Mr. Bond:

Thank you for reviewing the attached application for the removal of the Bus Shelter Requirement in the Islander Village Conditional Use (P35-05). As requested, this letter serves as an introduction to the Islander Village community, and to the bus shelter removal request.

In late 2005 Drive In, LTD obtained a Major Conditional Use for 89 Affordable Deed Restricted homes on the property located at 5030 5<sup>th</sup> Avenue. Soon after the work began on the affordable units, and by late 2008 forty three (43) of the homes were completed and had received their Certificates of Occupancy. At that time it became impossible due to the nationwide Real Estate collapse to continue to build as construction financing was not available. In late 2014 construction financing for the remaining 46 Affordable homes was finally obtained, and construction began this summer. Currently 14 of the homes have CO's, and an additional 10 units are in construction on site and in Ocala. The entire project is scheduled to be complete next fall.

Today we are submitting an application to remove a Bus Shelter from the approved Conditional Use.

Attached you will find correspondence dated February 12th, 2007 from our project Engineer to the Planning Department (Heather Beckman), and a letter to Planning dated March 5<sup>th</sup>, 2007 from the Manager of the City of Key West DOT. These letters ask for the bus shelter requirement to be removed, and provided detailed back up for this request. Unfortunately, it appears that the Planning Department did not respond to the request, and Islander Village did not follow up, and it was forgotten.

The second set of correspondence begins on August 10<sup>th</sup> 2015 when the Planning Department brought this oversight to our attention. The final result of this correspondence is that the DOT Director is in agreement with the 2007 Manager; that

as there is a bus stop within 500 feet of Islander Village, a route deviation for a new stop is not needed or desirable at Islander.

Additionally, the idea was explored that to satisfy its condition Islander could provide an additional bus shelter on Cross and 5<sup>th</sup> Avenue. This was discussed with the DOT Director, and Islander was asked to speak with John Anderson, of Anderson Advertising, as he has a contract for all bus shelters (DOT does not build or maintain bus shelters). Through those discussions it was determined that an additional shelter was not desirable.

This application for removal of the bus shelter is the result of the communication in 2007, and over the last few months.

It is our sincere wish to complete this beautiful Affordable community. Thank you for your time and consideration.

If you are in need of any further information please do not hesitate to contact me or the project manager Debbie Batty at (305)509-1958

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping, horizontal strokes that form a cursive, elongated shape.

Ed Swift III  
Drive In, LTD  
Phone: (305) 294-4142

APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT RECEIVED



MONROE CO. PLANNING DEPT

NOV - 4 2015

Request for an Amendment to a Major 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: ~~\$10,014.00~~

WAIVED FOR AFFORDABLE HOUSING

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

\$429.00

Date of Submittal: Nov / 5 / 2015  
Month Day Year

Applicant/Agent Authorized to Act for the Property Owner:

ISLANDER Village, LLC EDWIN O. SWIFT III  
Applicant (Name of Person, Business or Organization) Name of Person Submitting this Application

201 FRONT STREET STE 224 Key West, FL 33040  
Mailing Address (Street, City, State and Zip Code)

305 294-4142 eswift@HISTORICTOURS.COM  
Daytime Phone Email Address

Property Owner:

ISLANDER Village, LLC via Land Lease with  
(Name/Entity) Contact Person MONROE COUNTY

Debrae BATTY 201 FRONT ST. STE 310 Key West, FL 33040  
Mailing Address (Street, City, State and Zip Code)

305-509-1958 dbatty@HISTORICTOURS.COM  
Daytime Phone Email Address

Legal Description of Property:

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

PART of BLOCK 59 MALONEY STOCK ISLAND  
Block Lot Subdivision Key

See List of RE #'s & LEGAL ATTACHED  
Real Estate (RE) Number Alternate Key Number

5030 5th AVE Key West FL 33040 M.H. 6  
Street Address (Street, City, State, Zip Code) Approximate Mile Marker

APPLICATION

Approval (Development Order / Resolution) #: P35-05

Land Use District Designation of Property: M.U.

Present Land Use of Property: Affordable multi-family

Proposed Land Use of Property: SAME

Total Area of Property: APPROX 11 ACRES

Total Upland Area within Property: \_\_\_\_\_

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

— Total number of non-residential buildings

— Total non-residential floor area in square feet

If residential dwelling units are proposed, please provide:

89 Total number of residential buildings

— Total number of permanent, market-rate units

89 Total number of permanent, affordable units

— 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 \_\_\_

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)

- Completed application form
- Correct fee (check or money order to Monroe County Planning & Environmental Resources)
- Proof of ownership (i.e. Warranty Deed) LAND LEASE IN COUNTY FILES
- Current property record card(s) from the Monroe County Property Appraiser - PLS SEE LIST OF RE #'S ATTACHED
- Photograph(s) of site from adjacent roadway
- Copy of the recorded conditional use permit and any previous modification approvals
- Copy of the most recently approved site plan
- Written description of project
- 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)
- Environmental Designation Survey (prepared in accordance with Monroe County Code §110-70 a.)
- Community Impact Statement (prepared in accordance with Monroe County Code §110-70 b.)

## APPLICATION

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

## APPLICATION

- 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
- 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)
- 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
- Radius report from Monroe County Property Appraiser supporting the required labels
- 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:**

- 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.**

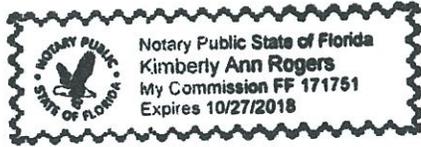
\* \* \* \* \*

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: [Signature] Date: 11/5/15

Sworn before me this 5 day of November 2015



Kimberly Ann Rogers  
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.

Myra H. Wittenberg  
Manager, KWDoT

2007 BUS SHELTER  
Communication



[www.keywestcity.com](http://www.keywestcity.com)  
[mwittenb@keywestcity.com](mailto:mwittenb@keywestcity.com)

CITY OF KEY WEST  
P.O. Box 1078  
KEY WEST, FL 33040  
Phone: (305) 292-8160  
Fax: (305) 292-8285

March 5, 2007

Ms. Heather Beckmann  
Monroe County Planning and Environmental Resources Department  
Marathon Government Center  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33040

Re: Islander Village and Estates

Dear Ms. Beckmann:

I am in receipt of the letter dated February 12, 2007, addressed to you regarding the request for waiver of a certificate of occupancy requirement for a bus shelter to be constructed by the developer and development referenced as "Islander Village and Estates".

The purpose of this letter is to state my agreement with the waiver as requested and as discussed with Mr. Milelli; so noted in his letter to you. This is due to an existing bus stop close to the project site and other issues of safety and road space.

In closing I will note that we are interested in being a part of the planning process with new development and large renovation projects as it can present an opportunity for improvement and provision of customer amenities that provide convenience, coverage from the elements and other accessibility requirements. It also assists in the information sharing process by encouraging discussions for private / public partnerships of the future.

Should you require any other comments or information please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Myra H. Wittenberg".

Myra H. Wittenberg, Manager / CCTM  
Department of Transportation  
City of Key West

AT/mhw

cc: Historic Tours (Rick Milelli)  
Eduardo Herrera, Transit Supervisor

File: Letter (Mo Co Beckman, Islander Development) 3- 5-07



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Rick Milelli, P.E.  
Project Engineer

201 Front Street, Suite 207  
Key West, Florida 33040  
(305) 293-3263  
Fax (305) 296-3927

Email: [rmilelli@historictours.com](mailto:rmilelli@historictours.com)

February 12, 2007

Heather Beckmann  
Monroe County Planning and Environmental Resources Department  
Marathon Government Center  
2798 Overseas Highway Suite 400  
Marathon, FL 33050

**RE: Islander Village and Estates  
Planning Commission Resolution No. P35-05  
Lots 1-6 of Block 59 in Maloney Subdivision  
Stock Island, Florida**

Dear Heather:

The Monroe County Engineering Division has requested Drive In Ltd to remove the proposed bus stop on 5<sup>th</sup> Avenue in front of the Islander Village and Estates development. They are concerned that when a bus is parked at the bus stop the sight triangle for vehicles pulling out of the Islander Village exit road will be blocked, which could lead to an accident.

The Engineering Division recommended moving the bus stop to the west on 5<sup>th</sup> Avenue (see attached correspondence). However, this was not feasible due to turning radius requirements for the buses. The Developer is against moving the bus stop into the proposed development due to the noise and potential liability if an accident were to happen.

I also spoke with Myra Wittenberg with the City of Key West Transportation Department (KWTD) about relocating the bus stop to Balido Terrace. She informed me that there is an existing bus stop on the corner of 5<sup>th</sup> Avenue and Cross Street approximately 500 feet away and that the KWTD does not want to add another bus stop in that area (see attached aerial photograph). I walked from the existing bus stop on 5<sup>th</sup> Avenue to the proposed entrance to Islander Village and it took less than five minutes to cover the distance at a leisurely pace.

The Certificate of Occupancy for the project is linked by the Planning Commission Resolution to constructing and maintaining a bus shelter (see attached). The Developer would like this condition waived because it's no longer feasible to satisfy.

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BOSTON TEA PARTY SHIP & MUSEUM SM • DC DUCKS • GHOSTS & GRAVESTONES SM

I included a figure of the proposed bus stop and a figure of the area without a bus stop. If you have any questions or need additional information, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Milelli", written in a cursive style.

Rick Milelli, P.E. #58315  
Project Engineer

cc: Judith Clark P.E., Monroe County Engineering Division  
Myra Wittenberg, City of Key West Transportation Department

**Rick Milelli**

---

**From:** Cromie-Kerry [Cromie-Kerry@MonroeCounty-FL.Gov]  
**Sent:** Friday, October 27, 2006 10:31 AM  
**To:** Rick Milelli  
**Cc:** koppel-dave@monroecounty-fl.com; Steele-Judith  
**Subject:** RE: Islander Village Plans review

Rick,  
Thanks for that latest and am sure that all will be considered.  
Will definitely get back with you on this, as soon as I hear more.  
Thank You,  
Kerry

**Kerry Cromie**

**Sr. Tech., Monroe County Engineering Dept.**  
The Historic Gato Cigar Factory, 1100 Simonton Street,  
Suite # 2-216, Key West, Florida 33040  
Office (305) 292-4526 Fax (305) 295-4321  
[cromie-kerry@monroecounty-fl.gov](mailto:cromie-kerry@monroecounty-fl.gov)

Help us help you! Please take a moment to complete our Customer Satisfaction Survey: <http://monroesurvey.virtuaitownhall.net/survey.php?9acc14ae1b>

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

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**From:** Rick Milelli [mailto:rmilelli@historictours.com]  
**Sent:** Friday, October 27, 2006 10:29 AM  
**To:** Cromie-Kerry; koppel-dave@monroecounty-fl.com; Steele-Judith  
**Subject:** RE: Islander Village Plans review

Thank you for your input on the Islander Village project. Please review my response to your comments below.

The bus stop is where it is because the route would take it down Balido and then make a left on 5<sup>th</sup> Avenue and pick up people from Islander Village. If you move the bus stop to where you are proposing then how is the bus going to get there. It will have to go down 5<sup>th</sup> Avenue to the end and somehow make a 3 point turn and come back around. I don't think that is very feasible. If you want to move the bus stop to the proposed location then I think we should petition the Planning Dept to eliminate it altogether.

The NW parking area is another matter. It is an existing parking area that services the radio station. We are proposing to pave it and add a handicap space. If you want us to move it then we propose just leaving it as is. I know most municipalities do not like cars backing onto the street but if you look at the site plan you'll notice that the commercial building is at the end of the street. I can't imagine that there is a lot of traffic there. Also, there are a number of trailers on the north side of 5<sup>th</sup> Avenue and all of them back onto the street.

I'd be happy to come down to your office to discuss this further and come up with a solution to these problems.  
Thank you,  
Rick

2/9/2007

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**From:** Cromie-Kerry [mailto:Cromie-Kerry@MonroeCounty-FL.Gov]  
**Sent:** Thursday, October 26, 2006 9:59 AM  
**To:** Rick Milelli  
**Subject:** RE: Islander Village Plans review

Rick,  
Good Thursday.

I met w/ Dave Koppel late yesterday afternoon on the Islander Village plans.  
Here are results of that meeting:

- The New driveway plan submitted from you (in reference to my comment # 2)- reduced width: 24 ft – That New design is acceptable.
- The 20 foot flares detail (which I agreed w/ on: logical) discussed w/ Dave K.- 20 foot radii for drives are acceptable.
- Dave K. looked over plans especially N.W. Parking area (See attachment have included) – He was Not agreeable w/...Please submit revised plan w/ parking area re-located to within limits of project. (Comment was: Do not want backing of vehicles onto road as such)
- N.E. Bus Stop – did Not agree w/...Please submit revised plan w/ Bus Stop re-located due to traffic leaving project conflicting with Clear-sight triangle at that point

If any questions or problems, please notify and in the meantime, will look forward to the modified plans.  
Thanks much. Kerry

**Kerry Cromie**  
**Sr. Tech., Monroe County Engineering Dept.**  
The Historic Gato Cigar Factory, 1100 Simonton Street,  
Suite # 2-216, Key West, Florida 33040  
Office (305) 292-4526 Fax (305) 295-4321  
[cromie-kerry@monroecounty-fl.gov](mailto:cromie-kerry@monroecounty-fl.gov)

Help us help you! Please take a moment to complete our Customer Satisfaction Survey: <http://monrosurvey.virtualtownhall.net/survey.php?9acc14ae1b>

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---

**From:** Rick Milelli [mailto:rmilelli@historictours.com]  
**Sent:** Tuesday, October 17, 2006 12:42 PM  
**To:** Cromie-Kerry  
**Subject:** RE: reply: Islander/Park reviews

Here's the new driveway for Comment #2. I reduced the width to 24 ft. I'm modifying the flares for the other driveways.

Personally, I don't agree with reducing the flares from 20 ft to 10 ft. The main entrance services 89 units so I don't think it really falls into the residential driveway category. I think it should fall between a residential and commercial driveway, that's why a 20 ft flare makes sense. There is going to be a lot of traffic at the entrance including moving trucks etc. By shortening the flare, we are pushing the traffic into the opposite lane and making it more difficult for large vehicles to make the turn. This is just my opinion.

Please let me know if this revised entrance is acceptable.

2/9/2007

Thanks  
Rick

---

**From:** Cromie-Kerry [mailto:Cromie-Kerry@MonroeCounty-FL.Gov]  
**Sent:** Tuesday, October 17, 2006 9:34 AM  
**To:** Rick Milelli  
**Subject:** reply: Islander/Park reviews

That's so True....about field conditions.

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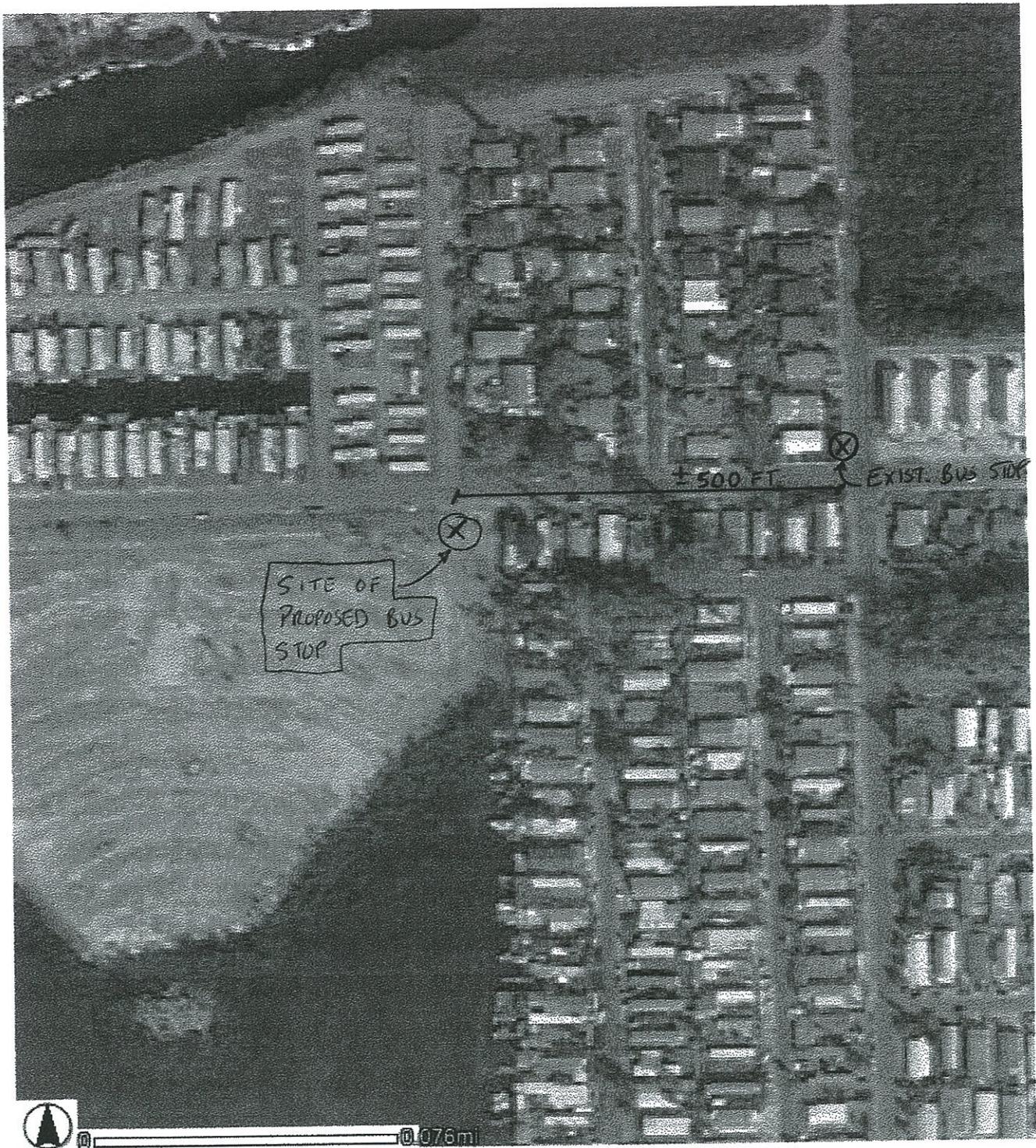
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**PLANNING COMMISSION RESOLUTION NO. P35-05**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST OF DRIVE IN, LTD. FOR A MAJOR CONDITIONAL USE FOR THE DEVELOPMENT OF ONE-HUNDRED AND ELEVEN (111) RESIDENTIAL UNITS, EIGHTY-NINE (89) AFFORDABLE AND TWENTY-TWO (22) MARKET RATE, A PAVILLION, POOL HOUSE, BATH HOUSE, AND PUBLIC POOL FOR THE AFFORDABLE UNITS. THE PROPERTY IS LEGALLY DESCRIBED AS MALONEY SUBDIVISION PB 1-55, LOTS 1 THROUGH 6 AND ½ LOT 7 AND ADJACENT BAY BOTTOM LOTS 1-77, STOCK ISLAND, MONROE COUNTY, FLORIDA, APPROXIMATE MILE MARKER 5, AND THE REAL ESTATE NUMBERS ARE 00123700.000000 AND 00127400.000000.

---

**WHEREAS**, during a regular meeting held on July 13, 2005, the Monroe County Planning Commission conducted a public hearing on the request filed by Drive In, Ltd. for a Major Conditional Use for 111 residential units (89 affordable and 22 market rate with pools), a pavilion, pool house, bath house, and public pool for the affordable units; and

**WHEREAS**, during a regular meeting held on June 9, 2005, the Development Review Committee recommended approval of the Major Conditional Use application to the Planning Commission; 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. Cover Sheet and Index (G-1) prepared by Historic Tours of America dated 3/03/05, received 3/07/05; and
2. Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
3. Conceptual Drainage Plan (C-2) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
4. Conceptual Water Plan (C-3) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
5. Survey (S-1) by Norby & O'Flynn Surveying, Inc, drawn by J. Lynn O'Flynn, PSM dated 4/19/04 and last revised on 2/12/05 and received 03/07/05; and
6. Floor Plan-Affordable Duplex (A-1) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and
7. Elevations-Affordable Duplex (A-2) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and

8. Floor Plan-Market Rate (A-3) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/08/03, received 03/07/05; and
9. Elevations-Market Rate (A-4) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/16/03, received 03/07/05; and
10. Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 2/25/05, received 03/07/05; and
11. Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05; and
12. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/05/05, received 06/16/05; and
13. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/28/05, received 06/29/05; and
14. Letter from Rick Milelli, P.E. dated 06/22/2005 correcting the open space calculation on the Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05 from 92% to 41%.
15. The Staff Report prepared by Heather Beckmann, Planner and Andrew Trivette, Senior Biologist, dated 06/01/05; and
16. The sworn testimony of the Growth Management Staff; and
17. The comments of Donald L. Craig, AICP, representing the applicant's agent; and
18. The advice of Kerry L. Willis, Acting Planning Commission Counsel.

**WHEREAS**, the Planning Commission has made the following **Findings of Fact and Conclusions of Law** based on the evidence presented:

1. Based on the application, FKAA has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FKAA.
2. Based on the application, Florida Keys Electric Cooperative FKEC has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FKEC.
3. Based on the application, the Fire Marshall has reviewed the project. Therefore, we conclude that the requests of the Fire Marshall shall be met to determine compliance with 9.5-69.
4. Based on the application, a breakdown of the proposed residential units by price range was not included. Therefore, we conclude that this is required along with an assessment of the potential of the proposed development to meet local or regional housing needs to determine compliance with Section 9.5-69.
5. Based on the application, the proposed development will increase daily trips on US1 by 262 with 75% of those trips predicted to travel to Key West. The impact of the increased traffic, proximity to bus service, and lack of bus shelters require the applicant to coordinate with Key West Transit Authority and the County to determine an appropriate location, design and maintenance plan for a bus shelter. Therefore, we conclude that the shelter shall be provided to comply with Section 9.5-69. The applicant has indicated location of a shelter on the site plan.

6. Based on the application, South Florida Water Management District (SFWMD) has been contacted to review the stormwater management plan. Therefore, we conclude that the project shall be reviewed and approved by SFWMD to comply with Section 9.5-293.
7. Based on the application, Florida Department of Health has been contacted and requested to coordinate with SFWMD. Therefore, we conclude that the applicant shall also coordinate with Key West Resort Utility (KWRU) to determine compliance with Section 9.5-294.
8. Based on the application, curb cuts will be added along Fifth Avenue. Therefore, we conclude that the applicant shall request and receive a connection permit from the County Engineer for the asphalt curb cuts located on Fifth Avenue.
9. Based on the application, the required parking for the commercial structure has been provided and is located in the front yard setback. Therefore, we conclude that the applicant is requesting a variance from the Planning commission to locate the parking in the setback.
10. Staff finds that United States Fish and Wildlife Service (US F & W S) has been contacted to review the project. Therefore, we conclude that the project shall be reviewed and approved by US F & W S to come into compliance with the code.
11. Staff finds that the applicant has not determined whether the residences will be for sale or lease. Therefore, we conclude that the applicant shall comply with the provisions of Florida Statutes concerning Condominiums and Homeowners Associations, which ever is applicable and that a management plan shall be submitted with the building permit application.
12. Based on the application staff determines that 1,845 square feet of planting area is required for the proposed project. The submitted plan includes a typo indicating a lower square footage. Therefore, we conclude that a revised landscape plan correcting this shall be required.

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the applicant responded to Staff's request for a bus shelter to be considered a piece of art in public places and hence the applicant offered to contribute \$5,000.00 to the winner of the shelter's artistic design so long as the applicant could participate in the selection of the artist; and

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the applicant requested and the Planning Commission agreed to extend the application for building permit(s) from six (6) months to five (5) years from the date of the Planning Commission's approval.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA** that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request of Drive In, Ltd. for a Major Conditional Use for the development of 111 residential units (89 affordable and 22 market rate), a pavilion, pool house, and bathhouse, and a public pool for the affordable units. The property is legally described as Maloney Subdivision PB 1-55, lots 1 through 6 and ½ Lot 7 and adjacent bay bottom lots 1-77, Stock Island, Monroe County, Florida, approximate mile marker 5 subject to the following conditions:

1. Prior to the issuance of a building permit, the following agencies shall review and approve the project for compliance;
  - a) FCAA; and
  - b) KEYS; and
  - c) Fire Marshal (to ensure radius and emergency access request have been properly met); and
  - d) SFWMD; and
  - e) KWRU; and
  - f) County Engineer (for the curb cuts on Fifth Avenue); and
  - g) US F & W S
2. Prior to the issuance of a building permit, the applicant shall submit a report that breaks down the residential units by price along with an assessment of the potential of the development to meet local and regional housing needs.
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct and maintain a bus shelter. The design of the shelter shall be approved by the County Planner.
4. Prior to the issuance of a Certificate of Occupancy, the applicant shall comply with the general provisions of Florida Statutes, Chapter 718 Condominiums and/or Chapter 720 Homeowners Associations whichever is applicable and that a management plan shall be submitted with the building permit application.
5. Prior to the issuance of a Planning Commission Resolution, the applicant shall revise the landscape plan to indicate a total parking lot landscaping area of 1,845 square feet. This plan is to be reviewed and approved by the County Biologist.

**PASSED AND ADOPTED** by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 13<sup>th</sup> day of July 2005.

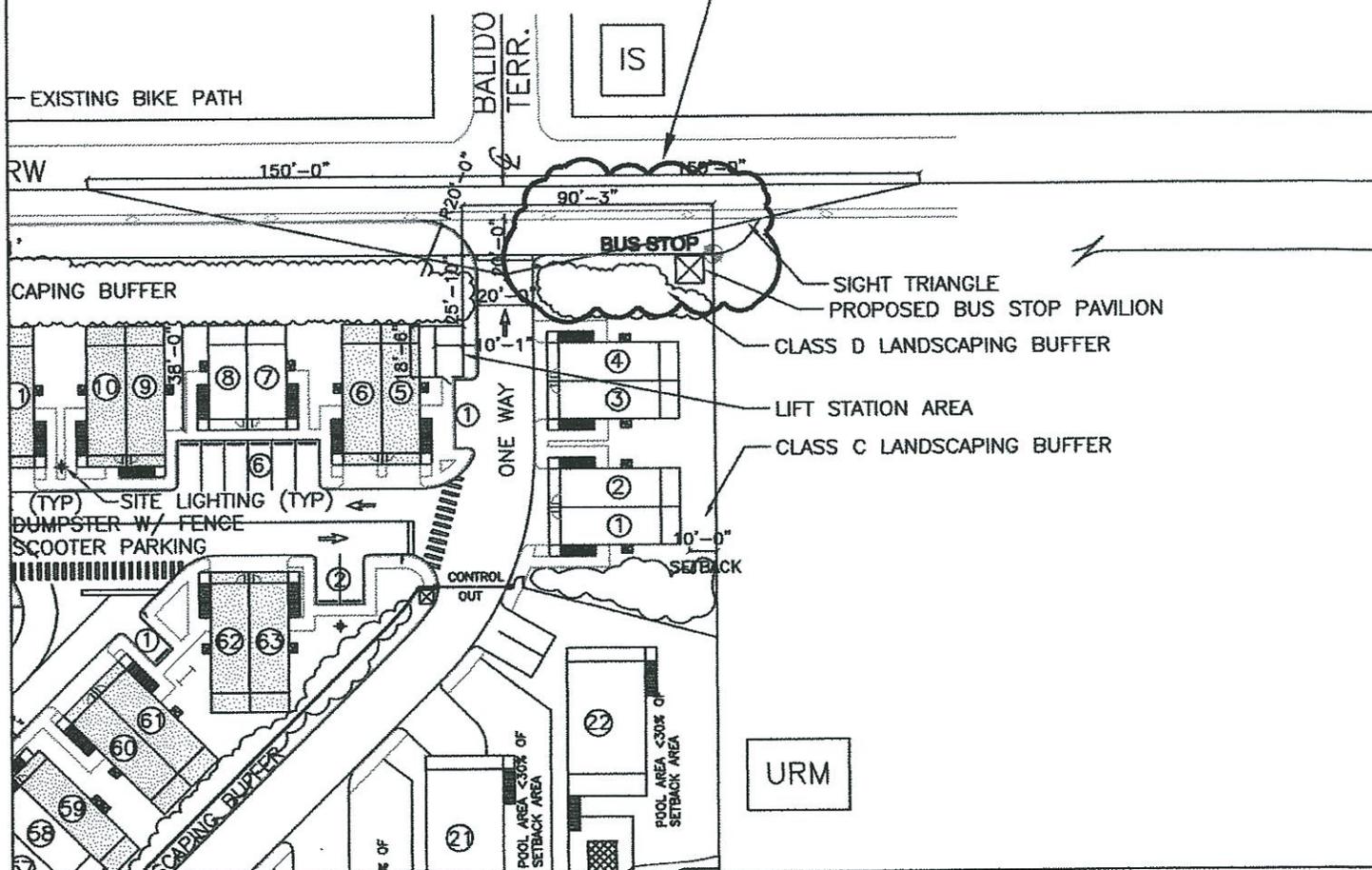
Chair Lynn C. Mapes	<u>YES</u>
Vice-Chair Denise Werling	<u>YES</u>
Commissioner Randolph Wall	<u>YES</u>
Commissioner Giulio Margalli	<u>YES</u>
Commissioner James D. Cameron	<u>YES</u>

**PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**

BY Lynn C. Mapes MONROE COUNTY  
OFFICIAL RECORDS  
Lynn C. Mapes, Chair

Signed this 18<sup>th</sup> day of August, 2005.

# BUS STOP AREA



Historic Tours of America  
 201 Front Street, Suite 205  
 Key West, Florida 33040  
 AUTHORIZATION #26120  
 ph:305-293-3263 fax:292-8902

## ISLANDER VILLAGE AND ESTATES

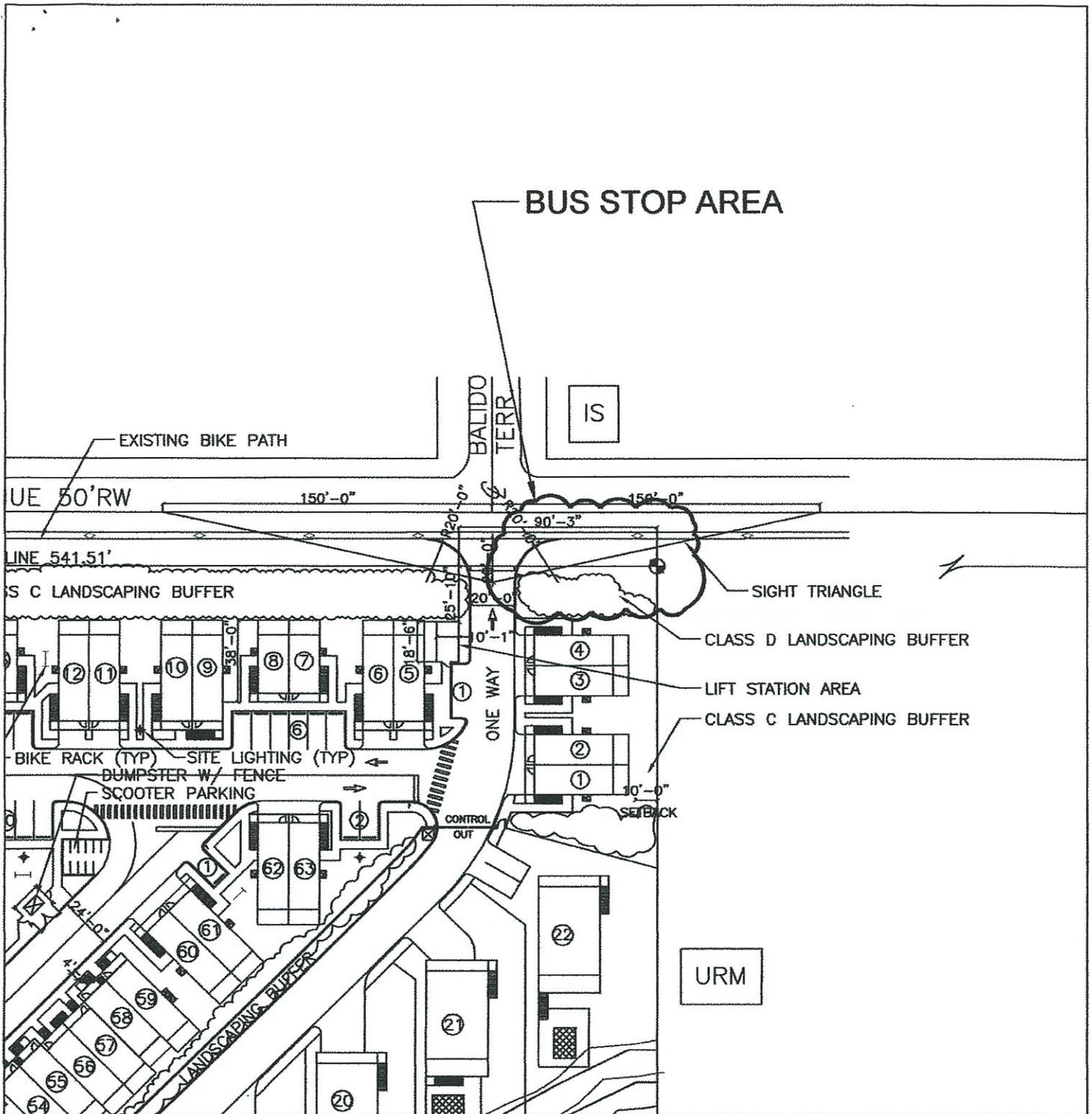
STOCK ISLAND, FLORIDA

### BUS STOP CONFLICT APPROVED SITE PLAN

Revisions:


Drawn By: RJM	Checked By: EOS
Date 3/10/05	Scale: 1/64"=1'

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



# ISLANDER VILLAGE AND ESTATES

STOCK ISLAND, FLORIDA

## BUS STOP CONFLICT NEW SITE PLAN

Historic Tours of America  
201 Front Street, Suite 205  
Key West, Florida 33040  
AUTHORIZATION #26120  
ph.305-293-3263 fax.292-8902

Revisions:


Drawn By: RJM	Checked By: EOS
Date 3/10/05	Scale: 1/64"=1'

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

# 2015 BUS SHELTER COMMUNICATION

**Debbie Batty**

---

**From:** Norman Whitaker <nwhitaker@cityofkeywest-fl.gov>  
**Sent:** Tuesday, September 15, 2015 12:03 PM  
**To:** John Anderson; Debbie Batty; clark-judith@monroecounty-fl.gov  
**Cc:** Rogelio Hernandez  
**Subject:** RE: Islander Village - Bus Shelter

John,

Thank you for responding.

I believe the county was planning to participate with the cost and the suggested location area is heavily used, but we also understand your business related concerns.

For that reason I have asked Debbie Batty to withdraw our request and end the original requirement as it related to a shelter for the Islander Village project.

Sincerely,

Norman Whitaker  
Transportation Director  
City of Key West  
627 Palm Ave.  
Key West, Fl. 33040  
305-809-3918  
nwhitaker@cityofkeywest-fl.gov

---

**From:** John Anderson [mailto:aoakw@aol.com]  
**Sent:** Tuesday, September 15, 2015 10:33 AM  
**To:** Norman Whitaker <nwhitaker@cityofkeywest-fl.gov>; Debbie Batty <dbatty@historictours.com>; clark-judith@monroecounty-fl.gov  
**Cc:** Rogelio Hernandez <rhernandez@cityofkeywest-fl.gov>  
**Subject:** Re: Islander Village - Bus Shelter

To All,

First question I would like to ask is, would this shelter fall under my county contract or City Contract.

Secondly, I'm all about helping the City and County, I believe my record proves that. However, in this instance the location to me is not one that I feel comfortable with. Why? I'm not going to spend thousands upon thousands of dollars on a Bus Shelter that I will never see a return of my investment.

Now, if Islanders Village wants to pay for the Bus Shelter I will absorb the cost of the slab work as well as the installation. This is all contingent upon being under the County contract not the City contract.

Judy, ( County Engineer)Could you please peruse the below e-mails below and let us know if what they want is doable with the County.

I do know that Islander village residence doesn't want a Bus Shelter in front of their property and the City Transit isn't able to safely get to them on a daily basis. So this is the best possible solution for everyone concerned.

Just my thoughts,

Johnny Anderson  
President

---

**From:** Norman Whitaker <[nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)>  
**Date:** Monday, September 14, 2015 3:07 PM  
**To:** Debbie Batty <[dbatty@historictours.com](mailto:dbatty@historictours.com)>  
**Cc:** Rogelio Hernandez <[rhernandez@cityofkeywest-fl.gov](mailto:rhernandez@cityofkeywest-fl.gov)>, John Anderson <[aoakw@aol.com](mailto:aoakw@aol.com)>  
**Subject:** RE: Islander Village - Bus Shelter

Hello Debbie,

John Anderson of Anderson Outdoor Advertising contracts with Key West Transit and owns the bus shelters in Key West and in Monroe County up to Marathon, Fl..

He would be the contact person for information and/or advisement relating to the purchase and installation of an ADA assessable shelter/bus stop at the requested location.

You may reach John Anderson at 305-294-5479 or email him at [aoakw@aol.com](mailto:aoakw@aol.com)

Myself and our Transit Operations Supervisor Rogelio Hernandez 305-809-3916 who provides transit related assistance to Mr. Anderson will be available as needed and/or appropriate.

Thank you for your consideration and assistance.

Sincerely,

Norman Whitaker  
Transportation Director  
City of Key West  
627 Palm Ave.  
Key West, Fl. 33040  
305-809-3918  
[nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)

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**From:** Debbie Batty [<mailto:dbatty@historictours.com>]  
**Sent:** Monday, September 14, 2015 1:50 PM  
**To:** Norman Whitaker <[nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)>  
**Cc:** Rogelio Hernandez <[rhernandez@cityofkeywest-fl.gov](mailto:rhernandez@cityofkeywest-fl.gov)>  
**Subject:** RE: Islander Village - Bus Shelter

Thank you Norman ~

Could you please tell me how you would propose the construction of an ADA bus stop and shelter?

Would the Islander Village Developer be responsible for permitting and building this and then gift it to the city/county?

Or would the DOT get costs for such a shelter and then the developer would give a check to the DOT for the construction?

I am trying to figure out how this would work.

Thank you



Debbie Swift Batty  
Cell: 305.509.1958  
Office: 305.293.3255  
Fax: 305.295.7384  
Director of Property Development ~ HTA  
Realtor ~ Location 3 Real Estate of Key West

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**From:** Norman Whitaker [<mailto:nwhitaker@cityofkeywest-fl.gov>]

**Sent:** Monday, September 14, 2015 1:34 PM

**To:** Debbie Batty <[dbatty@historictours.com](mailto:dbatty@historictours.com)>

**Cc:** Rogelio Hernandez <[rhernandez@cityofkeywest-fl.gov](mailto:rhernandez@cityofkeywest-fl.gov)>

**Subject:** RE: Islander Village - Bus Shelter

Good Afternoon Debbie,

It was nice speaking to you this morning.

Regarding Islander Village and the County Conditional Use that a bus stop/shelter be installed on the property.

Due to the lack of a safe turn around location for full size transit buses, it is not feasible to provide a route deviation, a shelter, or a bus stop on 5<sup>th</sup> Avenue, to directly service Islander Village.

Traveling on Cross Street from U.S. 1, there is a bus stop located on Cross Street at 5<sup>th</sup> Avenue. Traveling on 5<sup>th</sup> Avenue from Maloney, there is a bus stop with shelter located on Cross Street just after turning right off of 5<sup>th</sup> Avenue onto Cross Street headed towards U.S. 1.

Both of these stops are within five hundred (500) feet of Islander Village. I would not recommend that a bus stop and/or a route deviation to service directly in front of Islander Village be pursued.

However, I would request that formal consideration be given for the installation of a new ADA assessable bus stop with shelter to be located on what I would call the Northeast corner of 5<sup>th</sup> Avenue and Cross Street. If you were traveling on Cross Street towards 5<sup>th</sup> Avenue from U.S. 1. It would be

after making a left turn from Cross Street onto 5<sup>th</sup> Avenue, directly across the street from the Harry Bethel County Apartments apartment number 5209.

I believe there is enough setback and it may be County Property.

An ADA assessable bus stop and shelter at this location would provide improved service and amenities for anyone living at Islander Village, Harry Bethel County Apartments, and the surrounding neighborhood as well.

Let me know if we can be of further assistance.

Sincerely,

Norman Whitaker  
Transportation Director  
City of Key West  
627 Palm Ave.  
Key West, Fl. 33040  
305-809-3918  
[nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)

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**From:** Debbie Batty [<mailto:dbatty@historictours.com>]  
**Sent:** Monday, September 14, 2015 11:30 AM  
**To:** Norman Whitaker <[nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)>  
**Subject:** Islander Village - Bus Shelter  
**Importance:** High

Good Morning Mr. Whitaker ~

Thank you for returning my call this morning regarding Islander Village and the condition in our County Conditional Use that we place a bus stop/shelter on the property.

As we discussed, and as you will see from the attached, it was determined a long time ago that a bus stop/shelter was not necessary, nor safe, nor desirable from the perspective of the City of KW DOT or the County Engineering Department. Unfortunately the condition was not removed from the Conditional use, and so I now find myself in the process of having that done.

In this process the County Planning Department suggested that I contact you to see if there was a possibility and desire for Islander Village to place a bus shelter at Cross and 5<sup>th</sup>. As we discussed this morning while you were at that location, this does not seem feasible as there is not available county right away for this purpose.

I am writing this email and asking that you confirm that the DOT is still of the opinion that a bus stop/shelter is not necessary at Islander Village due to the close proximity of 2 bus stops at 5<sup>th</sup> and Cross just 500 feet away, and that it is not feasible to place an additional bus shelter at 5<sup>th</sup> and Cross.

Thank you very much.



Debbie Swift Batty

Cell: 305.509.1958

Office: 305.293.3255

Fax: 305.295.7384

Director of Property Development ~ HTA

Realtor ~ Location 3 Real Estate of Key West

## Debbie Batty

---

**From:** Bond-Kevin <Bond-Kevin@MonroeCounty-FL.Gov>  
**Sent:** Thursday, September 03, 2015 11:11 AM  
**To:** Debbie Batty  
**Cc:** Santamaria-Mayte; rains-devin  
**Subject:** RE: Islander village (bus stop)

Hi, Debbie.

Devin has been trying to reach the Key West transit director, but no response yet. You may wish to reach out yourself since this would be your potential request to remove the bus shelter condition. The Transportation Director is Norman Whitaker [305-809-3918; [nwhitaker@cityofkeywest-fl.gov](mailto:nwhitaker@cityofkeywest-fl.gov)]. If you have trouble reaching Norman, try the Transit Supervisor Rogelio Hernandez [305-809-3915; [rhernandez@cityofkeywest-fl.gov](mailto:rhernandez@cityofkeywest-fl.gov)].

To clarify the condition removal process, you would need to submit a separate [application to amend the prior major conditional use](#) approval. The review process for an amendment to a conditional use application is the same as the original conditional use review. It would be reviewed first by DRC, then go to the Planning Commission. So, if you wished to take the time extension request and the condition removal request to the Planning Commission at the same time, we would hold off on taking the time extension to the PC until after the conditional use amendment to remove the condition goes to DRC. If you are concerned about the time extension, my suggestion would be to let the two requests run separately. Especially since the public notices for the time extension are already being prepared for the Planning Commission meeting on September 30.

Feel free to contact me with any questions, or if I can help with anything. Thank you.

**Kevin Bond, AICP, LEED Green Associate**  
*Planning and Development Review Manager*  
Monroe County Planning and Environmental Resources Department  
2798 Overseas Highway, Suite 410 | Marathon, Florida 33050-4277  
P: 305-289-2507 | F: 305-289-2536  
[www.monroecounty-fl.gov](http://www.monroecounty-fl.gov)

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**From:** Debbie Batty [mailto:[dbatty@historictours.com](mailto:dbatty@historictours.com)]  
**Sent:** Tuesday, August 25, 2015 12:18 PM  
**To:** Bond-Kevin  
**Cc:** Santamaria-Mayte; rains-devin  
**Subject:** RE: Islander village (bus stop)

Thank you ~ That might be the best way to go.

Devin had offered to inquire with the City if a bus shelter is wanted/needed on the west corner of 5<sup>th</sup> Ave/cross, and if so what the cost would be.

At that point we could decide which way to go: shelter or asking planning to remove requirement at the Sept 30<sup>th</sup> Planning Commission meeting.

Thank you for your help and suggestions.

Debbie



Debbie Swift Batty  
Cell: 305.509.1958  
Office: 305.293.3255  
Fax: 305.295.7384  
Director of Property Development ~ HTA  
Realtor ~ Location 3 Real Estate of Key West

---

**From:** Bond-Kevin [<mailto:Bond-Kevin@MonroeCounty-FL.Gov>]  
**Sent:** Tuesday, August 25, 2015 12:12 PM  
**To:** Debbie Batty <[dbatty@historictours.com](mailto:dbatty@historictours.com)>  
**Cc:** Santamaria-Mayte <[Santamaria-Mayte@MonroeCounty-FL.Gov](mailto:Santamaria-Mayte@MonroeCounty-FL.Gov)>; rains-devin <[Rains-Devin@MonroeCounty-FL.Gov](mailto:Rains-Devin@MonroeCounty-FL.Gov)>  
**Subject:** RE: Islander village (bus stop)

Alternatively, if you wish to request removal of the Planning Commission's condition regarding the bus shelter, you may want to request that as part of your time extension on the major conditional use. We could take both requests to the Planning Commission at the same time.

Kevin

---

**From:** Debbie Batty [<mailto:dbatty@historictours.com>]  
**Sent:** Tuesday, August 25, 2015 11:53 AM  
**To:** Bond-Kevin  
**Cc:** Santamaria-Mayte; rains-devin  
**Subject:** Re: Islander village (bus stop)

Thank you Kevin.

Sent from my iPhone

On Aug 25, 2015, at 11:50 AM, Bond-Kevin <[Bond-Kevin@MonroeCounty-FL.Gov](mailto:Bond-Kevin@MonroeCounty-FL.Gov)> wrote:

Hi, Debbie.

As a bit of background on the bus shelter requirement, below are some excerpts from the original Planning Commission resolution approving the major conditional use. Also below is some info about the nearest bus stop to Islander Village. We are happy to work with you, the City of Key West and County staff to come up with a bus shelter solution that works for everyone.

Under findings of fact and conclusions:

<image001.png>

One of the whereas clauses:

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the responded to Staff's request for a bus shelter to be considered a piece of art in public p hence the applicant offered to contribute \$5,000.00 to the winner of the shelter's artist so long as the applicant could participate in the selection of the artist; and

Under conditions of approval:  
<image003.png>

The map below is from [www.kwtransit.com/map](http://www.kwtransit.com/map). The nearest bus stop is 2 blocks away, and is served by three bus routes. The stop on the west side of Cross Street does not have a shelter, but the stop across the street does.

<image004.jpg>

Existing west side bus stop:  
<image005.jpg>

Existing east side bus shelter:  
<image006.jpg>

**Kevin Bond, AICP, LEED Green Associate**  
*Planning and Development Review Manager*  
Monroe County Planning and Environmental Resources Department  
2798 Overseas Highway, Suite 410 | Marathon, Florida 33050-4277  
P: 305-289-2507 | F: 305-289-2536  
[www.monroecounty-fl.gov](http://www.monroecounty-fl.gov)

---

**From:** Santamaria-Mayte  
**Sent:** Tuesday, August 25, 2015 11:09 AM  
**To:** Debbie Batty  
**Cc:** Bond-Kevin  
**Subject:** Re: Islander village (bus stop)

Morning Debbie,

Unfortunately, we can not find anything on our end either. I don't have the ability to remove a PC condition through a deviation.

Kevin bond is looking into this item and will be contacting KW transit and others for additional information. Kevin also clarified that the condition was for a bus shelter, not a new bus stop.

Do you think there is a possibility of providing the bus shelter to the nearby bus stop without a shelter? That may resolve the PC condition without requiring an amendment to the approved conditional use.

I copied kevin on this email too.

Mayte'

Sent from my iPhone

On Aug 25, 2015, at 10:58 AM, Debbie Batty <[dbatty@historictours.com](mailto:dbatty@historictours.com)> wrote:

Good Morning ~

Sorry to bother. I know you are busy. Just wanted to follow up on the Islander Bus Stop question.

We have looked through our files and have not been able to find a response from the county to Rick's letter or to the DOT Letter that were sent to the Planning Department. We do have an unfortunate gap in our emails from a server crash in that time frame, so it could have been lost that way.

I guess my question is; is this a moot point as 46 Co's have already been issued? If not could you give us written determination that the bus stop doesn't have to be built due to the County Engineering and City DOT opposition, and because clearly there is not a need for one as there is one so close. OR if you would like I can resend you all the information with a cover letter asking for a plan deviation to remove it?

Please let me know what, if anything, needs to be done and I will get it done. I just need CO's for 14 houses before October 1<sup>st</sup> for the 14 working families that are depending on us.

Thank you.

<image001.jpg>

Debbie Swift Batty

Cell: 305.509.1958

Office: 305.293.3255

Fax: 305.295.7384

Director of Property Development ~ HTA

Realtor ~ Location 3 Real Estate of Key West

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**From:** Debbie Batty

**Sent:** Wednesday, August 12, 2015 10:49 AM

**To:** 'Santamaria-Mayte' <[Santamaria-Mayte@MonroeCounty-FL.Gov](mailto:Santamaria-Mayte@MonroeCounty-FL.Gov)>

**Subject:** RE: Islander village (bus stop)

Good Morning ~

Rick (the engineer) and I are still looking in the files but thus far we have not found the County's response to the bus stop removal request.

I did find the attached letter from the City of Key West DOT to Planning asking that the bus stop condition be removed. I thought you would want for your file and so am attaching.

Assuming that the Planning Department at the time never responded to the request and the actual removal approval was lost in the shuffle; can

you please tell me what process will be necessary to remove the bus stop requirement?

Can you approve a minor deviation to the plan to remove it if we sent a request? It is certainly a minor change to the community.

Islander Village has never had an issue with putting in the bus stop but when The County Engineering Department and the actual bus service provider (DOT) do not see a safe way to provide service, or the need for it (as there is another bus stop 500 feet away) who are we to argue with that. How could we put one in when the County and the City oppose it. I understand that a bus shelter is probably a standard condition in large developments, but it is obviously not needed here.

We simply want to move forward with the project and be able to provide homes for the 14 families that are expecting to move in Oct 1<sup>st</sup>.

Please help us move forward in the most efficient way possible.

Thank you

<image002.jpg>

Debbie Swift Batty

Cell: 305.509.1958

Office: 305.293.3255

Fax: 305.295.7384

Director of Property Development ~ HTA

Realtor ~ Location 3 Real Estate of Key West

**From:** Santamaria-Mayte [<mailto:Santamaria-Mayte@MonroeCounty-FL.Gov>]

**Sent:** Monday, August 10, 2015 4:37 PM

**To:** Debbie Batty <[dbatty@historictours.com](mailto:dbatty@historictours.com)>

**Subject:** Islander village

Hi Debbie –

We are currently reviewing the Islander Village permits and have noticed that the site plan does not include a bus stop/shelter.

I am searching for records indicating the bus stop condition from the Planning Commission approval was removed. I am not finding any such records.

Do you have anything in your files?

<image003.png>

Mayté

**Mayte Santamaria**

**Senior Director of Planning and Environmental Resources**

Monroe County | Planning & Environmental Resources Department

2798 Overseas Highway | Suite 400 | Marathon, Florida 33050

# ISLANDER Village R.E. #'s & Owners

Alternate Key	Parcel ID	Owner	Physical Location
<a href="#">1161616</a>	00127400-000000	DRIVE IN LTD	5030 5TH AVE SOUTH STOCK ISLAND
<a href="#">9089566</a>	00127400-000100	MONROE COUNTY C/O ISLANDER VILLAGE LLC	5030 5TH AVE SOUTH STOCK ISLAND
<a href="#">9093038</a>	00127400-000120	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 20 SOUTH STOCK ISLAND
<a href="#">9093043</a>	00127400-000121	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 21 SOUTH STOCK ISLAND
<a href="#">9093045</a>	00127400-000122	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 22 SOUTH STOCK ISLAND
<a href="#">9093046</a>	00127400-000123	SAYRE LINDSAY REGAN	5030 5TH AVE UNIT 23 SOUTH STOCK ISLAND
<a href="#">9093047</a>	00127400-000124	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 24 SOUTH STOCK ISLAND
<a href="#">9093048</a>	00127400-000125	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 25 SOUTH STOCK ISLAND
<a href="#">9093049</a>	00127400-000126	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 26 SOUTH STOCK ISLAND
<a href="#">9093051</a>	00127400-000127	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 27 SOUTH STOCK ISLAND
<a href="#">9093052</a>	00127400-000128	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 28 SOUTH STOCK ISLAND
<a href="#">9093053</a>	00127400-000129	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 29 SOUTH STOCK ISLAND
<a href="#">9093169</a>	00127400-000140	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 40 SOUTH STOCK ISLAND
<a href="#">9093171</a>	00127400-000141	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 41 SOUTH STOCK ISLAND

<a href="#">9093172</a>	00127400-000142	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 42 SOUTH STOCK ISLAND
<a href="#">9093173</a>	00127400-000143	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 43 SOUTH STOCK ISLAND
<a href="#">9093174</a>	00127400-000144	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 44 SOUTH STOCK ISLAND
<a href="#">9093175</a>	00127400-000145	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 45 SOUTH STOCK ISLAND
<a href="#">9093176</a>	00127400-000146	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 46 SOUTH STOCK ISLAND
<a href="#">9093177</a>	00127400-000147	SURITA KENNETH A	5030 5TH AVE UNIT 47 SOUTH STOCK ISLAND
<a href="#">9093178</a>	00127400-000148	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 48 SOUTH STOCK ISLAND
<a href="#">9093179</a>	00127400-000149	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 49 SOUTH STOCK ISLAND
<a href="#">9093180</a>	00127400-000135	CONFIDENTIAL DATA F.S. 119.07	5030 5TH AVE UNIT 35 SOUTH STOCK ISLAND
<a href="#">9093181</a>	00127400-000136	COOL KATRINA J	5030 5TH AVE UNIT 36 SOUTH STOCK ISLAND
<a href="#">9093182</a>	00127400-000138	FOUREMAN STEVEN A AND JESSICA L	5030 5TH AVE UNIT 38 SOUTH STOCK ISLAND
<a href="#">9093183</a>	00127400-000139	HEDMAN GRETCHEN	5030 5TH AVE UNIT 39 SOUTH STOCK ISLAND
<a href="#">9093187</a>	00127400-000172	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 72 SOUTH STOCK ISLAND
<a href="#">9093193</a>	00127400-000173	BRIDGER CHRISTOPHER S	5030 5TH AVE UNIT 73 SOUTH STOCK ISLAND

<a href="#">9093195</a>	00127400-000175	KILFIAN DENNIS	5030 5TH AVE UNIT 75 SOUTH STOCK ISLAND
<a href="#">9093196</a>	00127400-000176	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 76 SOUTH STOCK ISLAND
<a href="#">9093197</a>	00127400-000177	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 77 SOUTH STOCK ISLAND
<a href="#">9093198</a>	00127400-000178	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 78 SOUTH STOCK ISLAND
<a href="#">9093199</a>	00127400-000179	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 79 SOUTH STOCK ISLAND
<a href="#">9093200</a>	00127400-000180	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 80 SOUTH STOCK ISLAND
<a href="#">9093201</a>	00127400-000181	GALLO JOHN AND DAVINA L	5030 5TH AVE UNIT 81 SOUTH STOCK ISLAND
<a href="#">9093202</a>	00127400-000182	ISLANDER VILLAGE LLC	5030 5TH AVE UNIT 82 SOUTH STOCK ISLAND
<a href="#">9093203</a>	00127400-000183	MACONI PAUL AND LINDA	5030 5TH AVE UNIT 83 SOUTH STOCK ISLAND
<a href="#">9093295</a>	00127400-000174	DALLAS DONNA A	5030 5TH AVE UNIT 74 SOUTH STOCK ISLAND
<a href="#">9096337</a>	00127400-000132	ROMAN JOAN K	5030 5TH AVE UNIT 32 SOUTH STOCK ISLAND
<a href="#">9096343</a>	00127400-000133	MENARD MICHELLE	5030 5TH AVE UNIT 33 SOUTH STOCK ISLAND
<a href="#">9096345</a>	00127400-000134	CASTELLANOS VICTORIA	5030 5TH AVE UNIT 34 SOUTH STOCK ISLAND
<a href="#">9096657</a>	00127400-000171	PEREZ XAVIER AND TERESE	5030 5TH AVE UNIT 71 SOUTH STOCK ISLAND
<a href="#">Jump to Page 2 of 2</a>			

# LEGAL

## NOTES:

1. The legal descriptions shown hereon were authored by the undersigned.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
5. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
6. The legal description and sketch contained herein does not represent a field boundary survey.
7. Bearings are assumed and based on the S'ly Right of Way line of Fifth Avenue as East-West.
8. Adjoiners are not furnished.
9. The "Apparent Mean High Water Line" as shown hereon does not purport to establish the "Actual Mean High Water Line" for tidal boundary purposes.

## SPECIFIC PURPOSE SURVEY TO ILLUSTRATE LEGAL DESCRIPTIONS PREPARED BY THE UNDERSIGNED:

### ISLANDER VILLAGE:

A parcel of land on Stock Island, being a part of Block 59, MALONEY SUBDIVISION, according to the plat thereof, as recorded in Plat Book 1, at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands, said parcel being more particularly described by metes and bounds as follows:  
Commencing at the W'ly Right-of-Way Line of Cross Street and the S'ly Right-of-Way Line of Fifth Avenue and run thence West along the S'ly Right-of-Way Line of the said Fifth Avenue for a distance of 450.00 feet to the Point of Beginning; thence continue West and along the S'ly Right-of-Way Line of the said Fifth Avenue for a distance of 691.45 feet; thence run South for a distance of 79.47 feet; thence run S 3°00'00" W for a distance of 88.04 feet to a curve, concave to the Northeast and having for its elements a radius of 157.0 feet, and a delta of 43°00'; thence run SE'ly along the arc of said curve for a distance of 117.83 feet to the end of said curve; thence run S 40°00'00"E for a distance of 183.23 feet to a curve, concave to the North and having for its elements a radius of 92.0 feet, and a delta of 95°00'; thence run SE'ly and NE'ly along the arc of said curve for a distance of 152.54 feet to the end of said curve; thence run N 45°00'00"E for a distance of 406.95 feet to a curve, concave to the Northwest and having for its elements a radius of 87.0 feet, and a delta of 11°49'24"; thence run NE'ly along the arc of said curve for a distance of 17.95 feet; thence run East for a distance of 37.33 feet; thence run S 74°58'15" E for a distance of 72.32 feet to a point that is due South of the Point of Beginning; thence run North for a distance of 139.88 feet back to S'ly Right-of-Way Line of the said Fifth Avenue and the Point of Beginning, containing 4.69 acres more or less.

### EASEMENT FOR ROADWAY:

A parcel of land on Stock Island, being a part of Block 59, MALONEY SUBDIVISION, according to the plat thereof, as recorded in Plat Book 1, at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands, said parcel being more particularly described by metes and bounds as follows:  
Commencing at the W'ly Right-of-Way Line of Cross Street and the S'ly Right-of-Way Line of Fifth Avenue, and run West along the S'ly Right-of-Way Line of said Fifth Avenue for a distance of 510.00 feet to the Point of Beginning; thence continue West along the S'ly Right-of-Way Line of the said Fifth Avenue for a distance of 25.00 feet; thence run South for a distance of 73.52 feet to a curve, concave to the Northwest and having for its elements a radius of 95.0 feet, a delta of 30°04'32", and a chord bearing of S 15°02'16" W; thence run SW'ly along arc of said curve for a distance of 49.87 feet; thence run East for a distance of 27.94 feet to a point on a curve, concave to the Northwest and having for its elements a radius of 120.0 feet, a delta of 23°22'28", and a chord bearing of N 11°41'14" E; thence run NE'ly along arc of said curve for a distance of 48.96 feet to the end of said curve; thence run North for a distance of 73.52 feet back to the S'ly Right-of-Way Line of the said Fifth Avenue and the Point of Beginning.

**SPECIFIC PURPOSE SURVEY FOR:** Old Town Key West Development, Ltd.;  
Drive In, Ltd.;

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

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

December 13, 2005

# Islander Village ~ 5030 5<sup>th</sup> Ave. Key West Florida



1  
2 **III. RELEVANT PRIOR COUNTY ACTIONS:**  
3

- 4 **7/13/2005** - Planning Commission Resolution No. P35-05 granting a Major Conditional Use  
5 Permit for 111 residential units, including 89 affordable and 22 market-rate, a pavilion,  
6 pool house, bath house and public pool. Applicant had 5 years from date of approval  
7 (7/13/2012) to apply for building permits.  
8
- 9 **7/19/2006** - BOCC Resolution No. 273-2006 reserving 89 affordable unit allocations until  
10 7/18/2007.  
11
- 12 **4/18/2007** - County approves 99-year ground lease with Islander Village. The original lease  
13 required the affordable units to be completed within 18 months after commencement of  
14 construction.  
15
- 16 **5/16/2007** - BOCC Resolution No. 184-2007 reserving 89 affordable unit allocations until  
17 5/16/2008.  
18
- 19 **6/19/2009** – BOCC approves 1st amendment to ground lease approved to allow an additional  
20 18 months to complete the affordable units.  
21
- 22 **10/21/2009** - BOCC approves 2nd amendment to ground lease approved to provide that no  
23 rent is payable to County.  
24
- 25 **6/15/2011** - BOCC approves 3rd amendment to ground lease approved to extend deadline to  
26 complete affordable units to 6/14/2013.  
27
- 28 **6/27/2012** - Planning Commission Resolution No. P27-12 approved one-year time extension  
29 to Major Conditional Use Permit; new expiration date to obtain COs is 12/7/2013, unless  
30 another time extension granted.  
31
- 32 **9/17/2012** - Letter acknowledging HB 503 two-year time extension; new expiration date  
33 12/7/2015.  
34
- 35 **10/17/2012** - BOCC approves 4th amendment to ground lease approved. Remaining COs  
36 must be obtained by 12/7/2015.  
37
- 38 **1/16/2013** - BOCC Resolution No. 018-2013 extending the reservation for 46 affordable  
39 units allocations through 12/7/2015.  
40
- 41 **9/16/15** - BOCC approves 5th amendment to ground lease approved. Remaining COs must  
42 be obtained by 12/7/2016.  
43  
44  
45  
46

**PLANNING COMMISSION RESOLUTION NO. P35-05**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST OF DRIVE IN, LTD. FOR A MAJOR CONDITIONAL USE FOR THE DEVELOPMENT OF ONE-HUNDRED AND ELEVEN (111) RESIDENTIAL UNITS, EIGHTY-NINE (89) AFFORDABLE AND TWENTY-TWO (22) MARKET RATE, A PAVILLION, POOL HOUSE, BATH HOUSE, AND PUBLIC POOL FOR THE AFFORDABLE UNITS. THE PROPERTY IS LEGALLY DESCRIBED AS MALONEY SUBDIVISION PB 1-55, LOTS 1 THROUGH 6 AND ½ LOT 7 AND ADJACENT BAY BOTTOM LOTS 1-77, STOCK ISLAND, MONROE COUNTY, FLORIDA, APPROXIMATE MILE MARKER 5, AND THE REAL ESTATE NUMBERS ARE 00123700.000000 AND 00127400.000000.

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**WHEREAS**, during a regular meeting held on July 13, 2005, the Monroe County Planning Commission conducted a public hearing on the request filed by Drive In, Ltd. for a Major Conditional Use for 111 residential units (89 affordable and 22 market rate with pools), a pavilion, pool house, bath house, and public pool for the affordable units; and

**WHEREAS**, during a regular meeting held on June 9, 2005, the Development Review Committee recommended approval of the Major Conditional Use application to the Planning Commission; 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. Cover Sheet and Index (G-1) prepared by Historic Tours of America dated 3/03/05, received 3/07/05; and
2. Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
3. Conceptual Drainage Plan (C-2) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
4. Conceptual Water Plan (C-3) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
5. Survey (S-1) by Norby & O'Flynn Surveying, Inc, drawn by J. Lynn O'Flynn, PSM dated 4/19/04 and last revised on 2/12/05 and received 03/07/05; and
6. Floor Plan-Affordable Duplex (A-1) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and
7. Elevations-Affordable Duplex (A-2) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and

8. Floor Plan-Market Rate (A-3) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/08/03, received 03/07/05; and
9. Elevations-Market Rate (A-4) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/16/03, received 03/07/05; and
10. Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 2/25/05, received 03/07/05; and
11. Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05; and
12. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/05/05, received 06/16/05; and
13. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/28/05, received 06/29/05; and
14. Letter from Rick Milelli, P.E. dated 06/22/2005 correcting the open space calculation on the Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05 from 92% to 41%.
15. The Staff Report prepared by Heather Beckmann, Planner and Andrew Trivette, Senior Biologist, dated 06/01/05; and
16. The sworn testimony of the Growth Management Staff; and
17. The comments of Donald L. Craig, AICP, representing the applicant's agent; and
18. The advice of Kerry L. Willis, Acting Planning Commission Counsel.

**WHEREAS**, the Planning Commission has made the following **Findings of Fact and Conclusions of Law** based on the evidence presented:

1. Based on the application, FKAA has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FKAA.
2. Based on the application, Florida Keys Electric Cooperative FKEC has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FKEC.
3. Based on the application, the Fire Marshall has reviewed the project. Therefore, we conclude that the requests of the Fire Marshall shall be met to determine compliance with 9.5-69.
4. Based on the application, a breakdown of the proposed residential units by price range was not included. Therefore, we conclude that this is required along with an assessment of the potential of the proposed development to meet local or regional housing needs to determine compliance with Section 9.5-69.
5. Based on the application, the proposed development will increase daily trips on US1 by 262 with 75% of those trips predicted to travel to Key West. The impact of the increased traffic, proximity to bus service, and lack of bus shelters require the applicant to coordinate with Key West Transit Authority and the County to determine an appropriate location, design and maintenance plan for a bus shelter. Therefore, we conclude that the shelter shall be provided to comply with Section 9.5-69. The applicant has indicated location of a shelter on the site plan.

6. Based on the application, South Florida Water Management District (SFWMD) has been contacted to review the stormwater management plan. Therefore, we conclude that the project shall be reviewed and approved by SFWMD to comply with Section 9.5-293.
7. Based on the application, Florida Department of Health has been contacted and requested to coordinate with SFWMD. Therefore, we conclude that the applicant shall also coordinate with Key West Resort Utility (KWRU) to determine compliance with Section 9.5-294.
8. Based on the application, curb cuts will be added along Fifth Avenue. Therefore, we conclude that the applicant shall request and receive a connection permit from the County Engineer for the asphalt curb cuts located on Fifth Avenue.
9. Based on the application, the required parking for the commercial structure has been provided and is located in the front yard setback. Therefore, we conclude that the applicant is requesting a variance from the Planning commission to locate the parking in the setback.
10. Staff finds that United States Fish and Wildlife Service (US F & W S) has been contacted to review the project. Therefore, we conclude that the project shall be reviewed and approved by US F & W S to come into compliance with the code.
11. Staff finds that the applicant has not determined whether the residences will be for sale or lease. Therefore, we conclude that the applicant shall comply with the provisions of Florida Statutes concerning Condominiums and Homeowners Associations, which ever is applicable and that a management plan shall be submitted with the building permit application.
12. Based on the application staff determines that 1,845 square feet of planting area is required for the proposed project. The submitted plan includes a typo indicating a lower square footage. Therefore, we conclude that a revised landscape plan correcting this shall be required.

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the applicant responded to Staff's request for a bus shelter to be considered a piece of art in public places and hence the applicant offered to contribute \$5,000.00 to the winner of the shelter's artistic design so long as the applicant could participate in the selection of the artist; and

**WHEREAS**, during the 06/08/05 Planning Commission meeting, the applicant requested and the Planning Commission agreed to extend the application for building permit(s) from six (6) months to five (5) years from the date of the Planning Commission's approval.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA** that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request of Drive In, Ltd. for a Major Conditional Use for the development of 111 residential units (89 affordable and 22 market rate), a pavilion, pool house, and bathhouse, and a public pool for the affordable units. The property is legally described as Maloney Subdivision PB 1-55, lots 1 through 6 and ½ Lot 7 and adjacent bay bottom lots 1-77, Stock Island, Monroe County, Florida, approximate mile marker 5 subject to the following conditions:

1. Prior to the issuance of a building permit, the following agencies shall review and approve the project for compliance;
  - a) FCAA; and
  - b) KEYS; and
  - c) Fire Marshal (to ensure radius and emergency access request have been properly met); and
  - d) SFWMD; and
  - e) KWRU; and
  - f) County Engineer (for the curb cuts on Fifth Avenue); and
  - g) US F & W S
2. Prior to the issuance of a building permit, the applicant shall submit a report that breaks down the residential units by price along with an assessment of the potential of the development to meet local and regional housing needs.
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct and maintain a bus shelter. The design of the shelter shall be approved by the County Planner.
4. Prior to the issuance of a Certificate of Occupancy, the applicant shall comply with the general provisions of Florida Statutes, Chapter 718 Condominiums and/or Chapter 720 Homeowners Associations whichever is applicable and that a management plan shall be submitted with the building permit application.
5. Prior to the issuance of a Planning Commission Resolution, the applicant shall revise the landscape plan to indicate a total parking lot landscaping area of 1,845 square feet. This plan is to be reviewed and approved by the County Biologist.

**PASSED AND ADOPTED** by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 13<sup>th</sup> day of July 2005.

Chair Lynn C. Mapes	<u>YES</u>
Vice-Chair Denise Werling	<u>YES</u>
Commissioner Randolph Wall	<u>YES</u>
Commissioner Giulio Margalli	<u>YES</u>
Commissioner James D. Cameron	<u>YES</u>

**PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**

BY Lynn C. Mapes MONROE COUNTY  
Lynn C. Mapes, Chair OFFICIAL RECORDS

Signed this 18<sup>th</sup> day of August, 2005.



**MONROE COUNTY, FLORIDA  
PLANNING COMMISSION RESOLUTION NO. P27-12**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY DRIVE IN, LTD FOR A ONE (1) YEAR TIME EXTENSION TO THE PROJECT COMPLETION EXPIRATION DATE OF THE MAJOR CONDITIONAL USE PERMIT APPROVED BY PLANNING COMMISSION RESOLUTION #P35-05.

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**WHEREAS**, during a public meeting held on June 27, 2012, the Monroe County Planning Commission conducted a review and consideration of a request filed by Ed Swift and Debbie Swift Batty, on behalf of Drive In, LTD, for a one (1) year time extension to the project completion expiration date of a major conditional use permit approved by Planning Commission Resolution #P35-05 in accordance with §110-73 of the Monroe County Code; and

**WHEREAS**, the subject property is located along 5<sup>th</sup> Avenue on Stock Island, approximate mile marker 5, and is legally described as Block 59, Lots 1-6, west ½ of Lot 7 and adjacent bay bottom, Maloney Sub (PB1-55), Stock Island, Monroe County, Florida and having real estate (RE) numbers 00123700.000000, 00127400.000000, 00127400.000100, 00127400.000120, 00127400.000121, 00127400.000122, 00127400.000123, 00127400.000124, 00127400.000125, 00127400.000126, 00127400.000127, 00127400.000128, 00127400.000129, 00127400.000132, 00127400.000133, 00127400.000134, 00127400.000135, 00127400.000136, 00127400.000138, 00127400.000139, 00127400.000140, 00127400.000141, 00127400.000142, 00127400.000143, 00127400.000144, 00127400.000145, 00127400.000146, 00127400.000147, 00127400.000148, 00127400.000149, 00127400.000171, 00127400.000172, 00127400.000173, 00127400.000174, 00127400.000175, 00127400.000176, 00127400.000177, 00127400.000178, 00127400.000179, 00127400.000180, 00127400.000181, 00127400.000182 and 00127400.000183; and

**WHEREAS**, in Planning Commission Resolution #P35-05, the subject property was identified as consisting of two (2) parcels, assessed as real estate (RE) numbers 00123700.000000 and 00127400.000000. As residential units are completed, additional real estate (RE) numbers are being established to account for each residential unit; and

**WHEREAS**, the applicant requested approval of a time extension in order to a) establish a single, clear expiration date for project completion and b) to extend the final expiration date from December 7, 2012 to December 7, 2013; and

**WHEREAS**, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Request for a Time Extension to a Conditional Use Permit application, received by the Monroe County Planning & Environmental Resources Department on May 1, 2012; and
2. Planning Commission Resolution #P35-05;
3. Staff report prepared by Joseph Haberman, AICP, Planning & Development Review Manager, dated June 13, 2012; and
4. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
5. Sworn testimony of the applicant and general public; and
6. Advice and counsel of Susan Grimsley, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

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

1. In 2005, the Planning Commission approved a major conditional use permit for the development of 111 residential dwelling units (89 affordable units and 22 market-rate units) and accessory structures on the property. The approval was memorialized in Planning Commission Resolution #P35-05, signed by the Planning Commission Chair on August 18, 2005. Following its passing of appeal periods, the document was filed and recorded in the official records of the Monroe County Clerk of the Circuit Court on December 07, 2005; and
2. Several building permits have been issued related to the scope of work. As of the date of this approval, 43 of the 111 dwelling units have been completed; and
3. In 2007, Monroe County entered into a ground lease with Islander Village, LLC in order for the Lessee to develop the property with 89 affordable housing units. At the time of this approval, the lease was set to expire on June 14, 2013 pursuant to the Third Amendment; and
4. Pursuant to §110-73(a)(1) of the Monroe County Code, unless otherwise specified in a major conditional use approval, all required building permits and certificates of occupancy (CO's) 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 (2) 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; and

5. Under the current provisions of §110-73(a)(1) of the Monroe County Code, a major conditional use permit is valid for three (3) years from the date in which the development order resolution is recorded. There are no intermittent deadlines required by the code. However, at the time Resolution #P35-05 was issued, the provisions were different. Changes to §110-73(a) became effective January 29, 2010. The amendments did not affect the timelines of any conditional use permits approved prior to that date; and
6. Following its passing of appeal periods, Resolution #35-05 was recorded in the official records of the Monroe County Clerk of the Circuit Court on December 07, 2005. Under the standard provisions in place at the time, an application for a building permit was required by May 7, 2006 – six (6) months after the recording date of December 07, 2005. However, the Planning Commission approved a longer time for building permit application - five (5) years (page 3 of Resolution #35-05). Therefore, an application for a building permit was required by December 7, 2010 – five (5) years after the recording date of December 07, 2005. Under the standard provisions in place at the time, all required certificates of occupancy and certificates of completeness were required within two (2) years of the initial building permit's issuance; and
7. A building permit application for site work was submitted on February 15, 2006. Building Permit #061-1121, approving the site work, was issued on February 16, 2006. Therefore, per the regulations at the time of approval, the project should have been completed, with all certificates of occupancy obtained, by February 16, 2008 – two (2) years after the initial building permit's issuance on February 16, 2006. Consequently and perhaps inadvertently, the Planning Commission provided more time to apply for building permits than receive the certificates of occupancy necessary to inspect and close the building permit files; and
8. The applicant submitted a Florida Senate Bill 360 request to the Building Department for the building permits associated with the project. The Building Department approved the request and by default extended the deadline for building permit application from December 7, 2010 to December 7, 2012; and
9. Monroe County can continue to accept, review and approve building permit applications associated with the project until December 7, 2012. However, the County cannot issue any more certificates of occupancy unless this time extension is granted; and

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

1. The request is consistent with the provisions and intent of the Monroe County Code; and

2. The request is consistent with the provisions and intent of the Monroe County Comprehensive Plan; and
3. The request is not inconsistent with the provisions and intent of the Master Plan for the Future Development of Stock Island and Key Haven; and
4. The request is not inconsistent with any of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

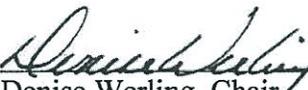
**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA,** that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Drive In, LTD for a one (1) year time extension to the project completion expiration date of a major conditional use permit approved by Planning Commission Resolution #P35-05, subject to the following conditions:

1. The deadline to complete the project approved by Planning Commission Resolution #P35-05 is hereby extended to December 7, 2013. All certificates of occupancies shall be acquired by this date unless an additional time extension is granted.

**PASSED AND ADOPTED BY THE PLANNING COMMISSION** of Monroe County, Florida, at a regular meeting held on the 27<sup>th</sup> of June, 2012.

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

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY  \_\_\_\_\_  
Denise Werling, Chair

FILED WITH THE

Signed this 30<sup>th</sup> day of July, 2012.

JUL 30 2012

AGENCY CLERK

  
MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
Date: 8-3-12

County of Monroe  
Growth Management Division

Planning & Environmental Resources

Department

2798 Overseas Highway, Suite 410

Marathon, FL 33050

Voice: (305) 289-2500

FAX: (305) 289-2536



Board of County Commissioners

Mayor David Rice, Dist. 4

Mayor Pro Tem Kim Wigington, Dist. 1

Heather Carruthers, Dist. 3

George Neugent, Dist. 2

Sylvia J. Murphy, Dist. 5

*We strive to be caring, professional and fair*

September 17, 2012

Edwin O. Swift, III

Drive In, LTD / Islander Village, LLC

201 Front Street, Suite 224

Key West, FL 33040

**SUBJECT: TIME EXTENSION PURSUANT TO STATE OF FLORIDA HOUSE OF REPRESENTATIVES BILL 503**

Mr. Swift,

This letter is in response to your request for a Florida H.B. 503 time extension to the project approved by Monroe County Planning Commission Resolution #P35-05.

In 2005, a major conditional use permit was approved in order to redevelop the property, commonly known as Islander Village, located along 5th Avenue on Stock Island, at approximate mile marker 5 on the Atlantic Ocean side of US 1. The property is legally described as Block 59, Lots 1-6, west ½ of Lot 7 and adjacent bay bottom, Maloney Sub (PB1-55), Stock Island, Monroe County, Florida.

The approval was memorialized in Planning Commission Resolution #P35-05, signed by the Planning Commission Chair on August 18, 2005. Following its passing of appeal periods, the document was filed and recorded in the official records of the Monroe County Clerk of the Circuit Court on December 7, 2005.

Per the approval, a building permit application was required within five years of the recording date - December 7, 2010. All required certificates of occupancy and certificates of completeness were required within two years of the initial building permit's issuance.

A previous time extension was granted in accordance with Florida S.B. 360. As such, the project was provided an amended expiration date of December 7, 2012 to submit a building permit application. All required certificates of occupancy and certificates of completeness were required within two years of the initial building permit's issuance.

A second previous time extension was granted in accordance with §110-73 of the Monroe County Code (memorialized by Planning Commission Resolution #P27-12). As such, the project was provided an amended expiration date of December 7, 2013 to submit all building permit applications and acquire all certificates of occupancy.

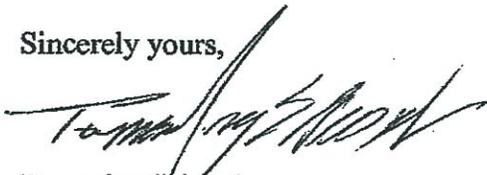
Florida H.B. 503 authorizes a two year permit extension for any development order or building permit issued by local government. In order to be eligible for this extension and notwithstanding other eligibility restrictions, the development order must have an expiration date between January 1, 2012 and January 1, 2014.

In that the approval was set to expire on December 7, 2013 and the request is consistent with the other requirements of Florida H.B. 503, the Planning & Environmental Resources Department is authorized to grant your request. Therefore, the expiration date of the major conditional use permit memorialized by Resolution #P35-05 is hereby extended to **December 7, 2015**. All required certificates of occupancy must be acquired by this date unless additional extension is granted.

Please be aware that this letter only addresses your request for a time extension to the major conditional use permit memorialized by Resolution #P35-05. You may also need to time extensions to building permits that have different expiration dates. Those requests shall be reviewed independently by the Building Department and separate of this approval.

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

Sincerely yours,



Townsley Schwab,  
Senior Director of Planning & Environmental Resources

Cc: Susan Grimsley, Assistant County Attorney  
Joseph Haberman, Planning & Development Review Manager

PREPARED BY AND RETURN TO:  
ERICA N. HUGHES-STERLING, ESQ.  
SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD  
500 FLEMING STREET  
KEY WEST, FL 33040

Doc# 1750693 07/14/2009 4:01PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1750693  
Bk# 2422 Pg# 1333

## FIRST AMENDMENT TO GROUND LEASE AGREEMENT

**THIS FIRST AMENDMENT TO GROUND LEASE AGREEMENT**, dated this 19<sup>th</sup> day of June, 2009, by and between **MONROE COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as "Lessor"), and **ISLANDER VILLAGE, LLC**, a Florida limited liability company (hereinafter referred to as "Lessee"):

### WITNESSETH

**WHEREAS**, Lessor and Lessee entered into that certain 99-year Ground Lease Agreement dated the 18<sup>th</sup> day of April 2007, for the property more particularly described therein (hereinafter "Property") for the construction and development of eighty-nine (89) affordable housing units (the "Affordable Housing Units"), said Lease being recorded in Monroe County Public Records at OR Book 2301, Page 365 (hereinafter "Lease"); and

**WHEREAS**, the parties entered into a Commencement Date Agreement dated the 18<sup>th</sup> day of June, 2008, confirming various dates relating to the Lease, recorded in the Monroe County Public Records at OR Book 2368, at Page 596; and

**WHEREAS**, the parties desire to enter into this First Amendment to Ground Lease Agreement (hereinafter "Agreement") to extend the time for the completion of the construction of the Affordable Housing Units.

**NOW, THEREFORE**, in consideration of mutual covenants and obligations contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned parties agree as follows:

1. The recitals contained herein are true and correct and incorporated herein by reference.
2. The Lease is presently valid and in full force and effect.
3. All conditions under the Lease to be performed by the Lessee thereunder have been satisfied and there has not been a default claimed by Lessor and, as of the date hereof, there are no existing defenses which Lessor has against enforcement of the Lease by Lessee. Similarly, all conditions under the Lease to be performed by the Lessor thereunder have been satisfied and there

has not been a default claimed by Lessee and, as of the date hereof, there are no existing defenses which Lessee has against enforcement of the Lease by Lessor.

4. Section 14.01(a) of the Lease is hereby modified to allow an additional eighteen (18) months from the date of execution of this Amendment to substantially complete the Affordable Housing Units.

5. Except as expressly modified by this Amendment, all terms and conditions of the Lease remain in full force and effect, binding upon the parties.

6. Each party agrees that they have authority to sign this Agreement on behalf of each party and represents and warrants that such person has the full right and authority to enter into this Agreement on behalf of such party and to fully bind such party to the terms and obligations of this Agreement.

IN WITNESS WHEREOF, the undersigned executed this First Amendment to Ground Lease Agreement this 17<sup>th</sup> day of June, 2009.

LESSOR:

MONROE COUNTY BOARD OF  
COUNTY COMMISSIONERS

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

By: [Signature]

, Mayor

By: [Signature]

, Deputy Clerk

Monroe County Attorney  
Approved as to Form:

By: [Signature]

Susan M. Grimsley, Assistant County Attorney

6-12-09

STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 30 day of June, two thousand and nine, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, personally came and appeared \_\_\_\_\_, as Mayor of Monroe County Board of County Commissioners, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]

[Signature]  
NOTARY PUBLIC



LESSEE:  
ISLANDER VILLAGE, LLC, a Florida limited liability company

By: [Signature]  
Edwin O. Swift, III, Manager

WITNESSES AS TO LESSEE:

Signed, sealed and delivered

[Signature]  
Witness as to Lessee

[Signature]  
Witness as to Lessee

**STATE OF FLORIDA  
COUNTY OF MONROE**

**BE IT KNOWN**, That on the 18<sup>th</sup> day of June, two thousand and nine, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, dwelling in the City of Key West, personally came and appeared EDWIN O. SWIFT, III, as Manager of Islander Village, LLC, a Florida limited liability company, to me personally known or has produced \_\_\_\_\_ as identification.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]

[Signature]  
NOTARY PUBLIC



MONROE COUNTY  
OFFICIAL RECORDS

PREPARED BY AND RETURN TO:  
SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD  
500 FLEMING STREET  
KEY WEST, FL 33040

**SECOND AMENDMENT TO GROUND LEASE AGREEMENT AND AMENDMENT  
TO COMMENCEMENT DATE AGREEMENT**

**THIS SECOND AMENDMENT TO GROUND LEASE AGREEMENT AND  
AMENDMENT TO COMMENCEMENT DATE AGREEMENT**, dated this 9<sup>th</sup> day of  
October, 2009, by and between **MONROE COUNTY**, a political subdivision of the State of  
Florida (hereinafter referred to as "Lessor"), and **ISLANDER VILLAGE, LLC**, a Florida limited  
liability company (hereinafter referred to as "Lessee"):

**WITNESSETH**

**WHEREAS**, Lessor and Lessee entered into that certain 99-year Ground Lease Agreement  
dated the 18<sup>th</sup> day of April 2007, for the property more particularly described therein (hereinafter  
"Property") for the construction and development of eighty-nine (89) affordable housing units (the  
"Affordable Housing Units"), said Lease being recorded in Monroe County Public Records at  
Official Records Book 2301, Page 365, as amended by that certain First Amendment to Ground  
Lease Agreement dated June 17, 2009 and recorded at Official Records Book 2422 at Page 1333  
(collectively hereinafter "Lease"); and

**WHEREAS**, the parties entered into a Commencement Date Agreement dated the 18<sup>th</sup> day of  
June, 2008, confirming various dates relating to the Lease, recorded in the Monroe County Public  
Records at OR Book 2368, at Page 596; and

**WHEREAS**, it was the agreement of the parties that Lessor would not charge Lessee (or its  
assigns or sublessees) rent, but in drafting the Lease an Annual Base Rent in the amount of TEN  
AND NO/100 DOLLARS (\$10.00) was included in the Lease as said language was considered usual  
and customary for consideration in a deed or lease but it was not the intent of the parties for there to  
be any rent paid; and,

**WHEREAS**, the parties wish to correct this error in the Lease; and

**WHEREAS**, Lessor and Lessee are authorized to amend the Lease pursuant to Section 20.03  
so long as said amendment is in writing signed by the Lessee and Lessor; and,

**WHEREAS**, Lessor and Lessee desire to amend the Lease to provide that there shall be no  
rent payable under the Lease, the intent being that the Lease will comply with Florida Statute  
196.199(2)(b); and,

IN WITNESS WHEREOF, the undersigned executed this Second Amendment to Ground Lease Agreement and Amendment to Commencement Date Agreement this 21<sup>st</sup> day of Oct., 2009.

LESSOR:  
MONROE COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: George R. Neugent  
; Mayor

(SEAL)  
ATTEST: DANNY L. KOLHAGE, CLERK  
By: Isabel C. DeSantis  
; Deputy Clerk

Monroe County Attorney  
Approved as to Form:

By: Susan M. Grimsley 10-21-09  
Susan M. Grimsley, Assistant County Attorney

STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 21<sup>st</sup> day of Oct., two thousand and nine, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, personally came and appeared George R. Neugent, as Mayor of Monroe County Board of County Commissioners, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]



Isabel C. DeSantis  
NOTARY PUBLIC

LESSEE:  
ISLANDER VILLAGE, LLC, a Florida limited liability company

By: [Signature]  
Edwin O. Swift, III, Manager

WITNESSES AS TO LESSEE:

Signed, sealed and delivered  
[Signature]  
Witness as to Lessee

[Signature]  
Witness as to Lessee

STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 9th day of October, two thousand and nine, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, dwelling in the City of Key West, personally came and appeared EDWIN O. SWIFT, III, as Manager of Islander Village, LLC, a Florida limited liability company, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]

[Signature]  
NOTARY PUBLIC



PREPARED BY AND RETURN TO:  
ERICA N. HUGHES-STERLING, ESQ.  
SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD  
500 FLEMING STREET  
KEY WEST, FL 33040

Doc# 1842643  
Bk# 2524 Pg# 2472

### THIRD AMENDMENT TO GROUND LEASE AGREEMENT

**THIS THIRD AMENDMENT TO GROUND LEASE AGREEMENT**, dated this 15<sup>th</sup> day of June, 2011, by and between **MONROE COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as "Lessor"), and **ISLANDER VILLAGE, LLC**, a Florida limited liability company (hereinafter referred to as "Lessee");

WITNESSETH:

**WHEREAS**, Lessor and Lessee entered into that certain 99-year Ground Lease Agreement dated the 18<sup>th</sup> day of April 2007, for the property more particularly described therein (hereinafter "Property") for the construction and development of eighty-nine (89) affordable housing units (the "Affordable Housing Units"), said Lease being recorded in Monroe County Public Records at OR Book 2301, Page 365 (hereinafter "Lease"); and

**WHEREAS**, the parties entered into a Commencement Date Agreement dated the 18<sup>th</sup> day of June, 2008, confirming various dates relating to the Lease, recorded in the Monroe County Public Records at OR Book 2368, at Page 596; and

**WHEREAS**, the parties entered into a First Amendment to Ground Lease Agreement dated the 17<sup>th</sup> day of June, 2009, extending the time for completion of the construction of the Affordable Housing Units, said First Amendment being recorded in Monroe County Public Records at OR Book 2422, Page 1333; and

**WHEREAS**, the parties entered into a Second Amendment to Ground Lease Agreement and Amendment to Commencement Date Agreement dated the 9<sup>th</sup> day of October, 2009, said Second Amendment being recorded in Monroe County Public Records at OR Book 2437, Page 1747; and

**WHEREAS**, the parties desire to enter into this Third Amendment to Ground Lease Agreement (hereinafter "Agreement") to further extend the time for the completion of the construction of the Affordable Housing Units.

**NOW, THEREFORE**, in consideration of mutual covenants and obligations contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned parties agree as follows:

1. The recitals contained herein are true and correct and incorporated herein by

reference.

2. Section 14.01(a) of the Lease is hereby modified to allow an additional twenty-four (24) months from the date of execution of this Amendment until June 14, 2013, to substantially complete the Affordable Housing Units.

3. Except as expressly modified by this Amendment, all terms and conditions of the Lease remain in full force and effect, binding upon the parties.

4. Each party agrees that they have authority to sign this Agreement on behalf of each party and represents and warrants that such person has the full right and authority to enter into this Agreement on behalf of such party and to fully bind such party to the terms and obligations of this Agreement.

5. This Amendment is retroactive to December 16, 2010 and it is the intention of the parties that the Lease be continuously effective from April 18, 2007.

IN WITNESS WHEREOF, the undersigned executed this Third Amendment to Ground Lease Agreement this 15<sup>th</sup> day of June

LESSOR:  
MONROE COUNTY BOARD OF  
COUNTY COMMISSIONERS



By: *Heather Carruthers*  
Mayor Heather Carruthers

DANNY L. KOLHAGE, CLERK  
By: *Daniel C. Dodant*  
Deputy Clerk 6/15/11

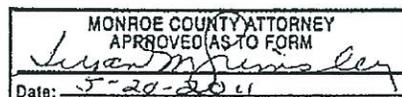
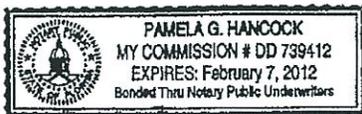
STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 30<sup>th</sup> day of June, two thousand and eleven, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, personally came and appeared Heather Carruthers, as Mayor of Monroe County Board of County Commissioners, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]

*Pamela Hancock*  
NOTARY PUBLIC

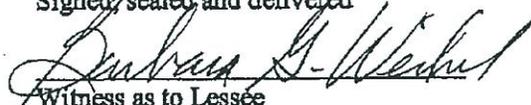


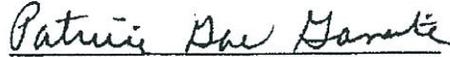
**LESSEE:**  
ISLANDER VILLAGE, LLC, a Florida limited liability company

By:   
Edwin O. Swift, III, Manager

**WITNESSES AS TO LESSEE:**

Signed, sealed and delivered

  
Witness as to Lessee

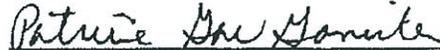
  
Witness as to Lessee

**STATE OF FLORIDA  
COUNTY OF MONROE**

BE IT KNOWN, That on the 29 day of June, two thousand and eleven, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, dwelling in the City of Key West, personally came and appeared EDWIN O. SWIFT, III, as Manager of Islander Village, LLC, a Florida limited liability company, to me personally known or has produced as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]

  
NOTARY PUBLIC



MONROE COUNTY  
OFFICIAL RECORDS

Prepared by and return to:  
Erica N. Hughes-Sterling, Esq.  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, Florida 33040  
(305) 294-9556, extension 223

Doc# 1910542  
Bk# 2602 Pg# 44

#### FOURTH AMENDMENT TO GROUND LEASE AGREEMENT

**THIS FOURTH AMENDMENT TO GROUND LEASE AGREEMENT**, dated this 8 day of December, 2012, by and between **MONROE COUNTY**, a political subdivision of the State of Florida (hereinafter referred to as "Lessor"), and **ISLANDER VILLAGE, LLC**, a Florida limited liability company (hereinafter referred to as "Lessee");

#### WITNESSETH:

**WHEREAS**, Lessor and Lessee entered into that certain 99-year Ground Lease Agreement dated the 18<sup>th</sup> day of April 2007 (hereinafter "Agreement"), for the property more particularly described therein (hereinafter "Property") for the construction and development of eighty-nine (89) affordable housing units (the "Affordable Housing Units"), said Lease being recorded in Monroe County Public Records at OR Book 2301, Page 365 (hereinafter "Lease"); and

**WHEREAS**, the parties entered into a Commencement Date Agreement dated the 18<sup>th</sup> day of June, 2008, confirming various dates relating to the Lease, recorded in the Monroe County Public Records at OR Book 2368, at Page 596; and

**WHEREAS**, the parties entered into a First Amendment to Ground Lease Agreement dated the 17<sup>th</sup> day of June, 2009, extending the time for completion of the construction of the Affordable Housing Units, said First Amendment being recorded in Monroe County Public Records at OR Book 2422, Page 1333; and

**WHEREAS**, the parties entered into a Second Amendment to Ground Lease Agreement and Amendment to Commencement Date Agreement dated the 9<sup>th</sup> day of October, 2009, said Second Amendment being recorded in Monroe County Public Records at OR Book 2437, Page 1747; and

**WHEREAS**, the parties entered into a Third Amendment to Ground Lease Agreement on June 15, 2011 recorded at OR Book 2524, Page 2472 to further extend the time for the completion of the construction of the Affordable Housing Units until June 14, 2013; and

**WHEREAS**, a time extension of two years for the Major Conditional Use Permit was granted in accordance with Chapter 2009-96 Laws of Florida (SB 360) until December 7, 2012; and

**WHEREAS**, a time extension was granted by the Planning Commission in Resolution No. P27-12 extending the expiration of the Conditional Use Permit originally issued by Resolution P35-

05 until December 7, 2013; and

**WHEREAS**, by letter of September 17, 2012 from Planning Director Townsley Schwab, the Major Conditional Use Permit was extended pursuant to Chapter 2012-114 Laws of Florida (HB 503) until December 7, 2015 to obtain all required certificates of occupancy ; and

**WHEREAS**, the parties desire that the Lease and the Conditional Use Permit have the same time periods and expiration dates; and

**WHEREAS**, the Lessee has received certificates of occupancy for 43 of the 89 units required to be built under the Lease;

**NOW, THEREFORE**, in consideration of mutual covenants and obligations contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the undersigned parties agree as follows:

1. The recitals contained herein are true and correct and incorporated herein by reference.

2. Section 14.01(a) of the Lease is hereby modified to provide that Certificates of Occupancy will be obtained by December 7, 2015 for all units required to be built pursuant to the Lease.

3. The Lease is currently in full force and effect, and except as expressly modified by this Amendment, all terms and conditions of the Lease remain in full force and effect, binding upon the parties.

4. Each party agrees that they have authority to sign this Agreement on behalf of each party and represents and warrants that such person has the full right and authority to enter into this Agreement on behalf of such party and to fully bind such party to the terms and obligations of this Agreement.

IN WITNESS WHEREOF, the undersigned executed this Fourth Amendment to Ground Lease Agreement this 17<sup>th</sup> day of Oct., 2012.

**LESSOR:**

MONROE COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_

Mayor David Rice

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

By: \_\_\_\_\_

Deputy Clerk

STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 5th day of November, two thousand and twelve, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, personally came and appeared David P. Rice, as Mayor of Monroe County Board of County Commissioners, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]



Pamela Hancock  
NOTARY PUBLIC

LESSEE:  
ISLANDER VILLAGE, LLC, a Florida limited liability company

By: [Signature]  
Edwin O. Swift, III, Manager

WITNESSES AS TO LESSEE:

Signed, sealed and delivered

[Signature]  
Witness as to Lessee

[Signature]  
Witness as to Lessee

STATE OF FLORIDA  
COUNTY OF MONROE

BE IT KNOWN, That on the 8 day of October, two thousand and twelve, before me, a Notary Public in and for the State of Florida, County of Monroe, duly commissioned and sworn, dwelling in the City of Key West, personally came and appeared EDWIN O. SWIFT, III, as Manager of Islander Village, LLC, a Florida limited liability company, to me personally known or has produced \_\_\_\_\_ as identification.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

[Seal]



[Signature]  
NOTARY PUBLIC

MONROE COUNTY  
OFFICIAL RECORDS



Historic Towns of America  
 400 West Park Street, Suite 200  
 New Orleans, Louisiana 70119  
 Phone: (504) 581-1100  
 Fax: (504) 581-1101  
 Website: www.historictowns.org

THE ARCHITECTS  
 RICHARD A. MULLY  
 278 PEARSON  
 NEW ORLEANS, LA 70119

GENERAL NOTES  
 MAJOR CONSTRUCTION USE APPROVED BY  
 PLANNING RESOLUTION NO. P25-03

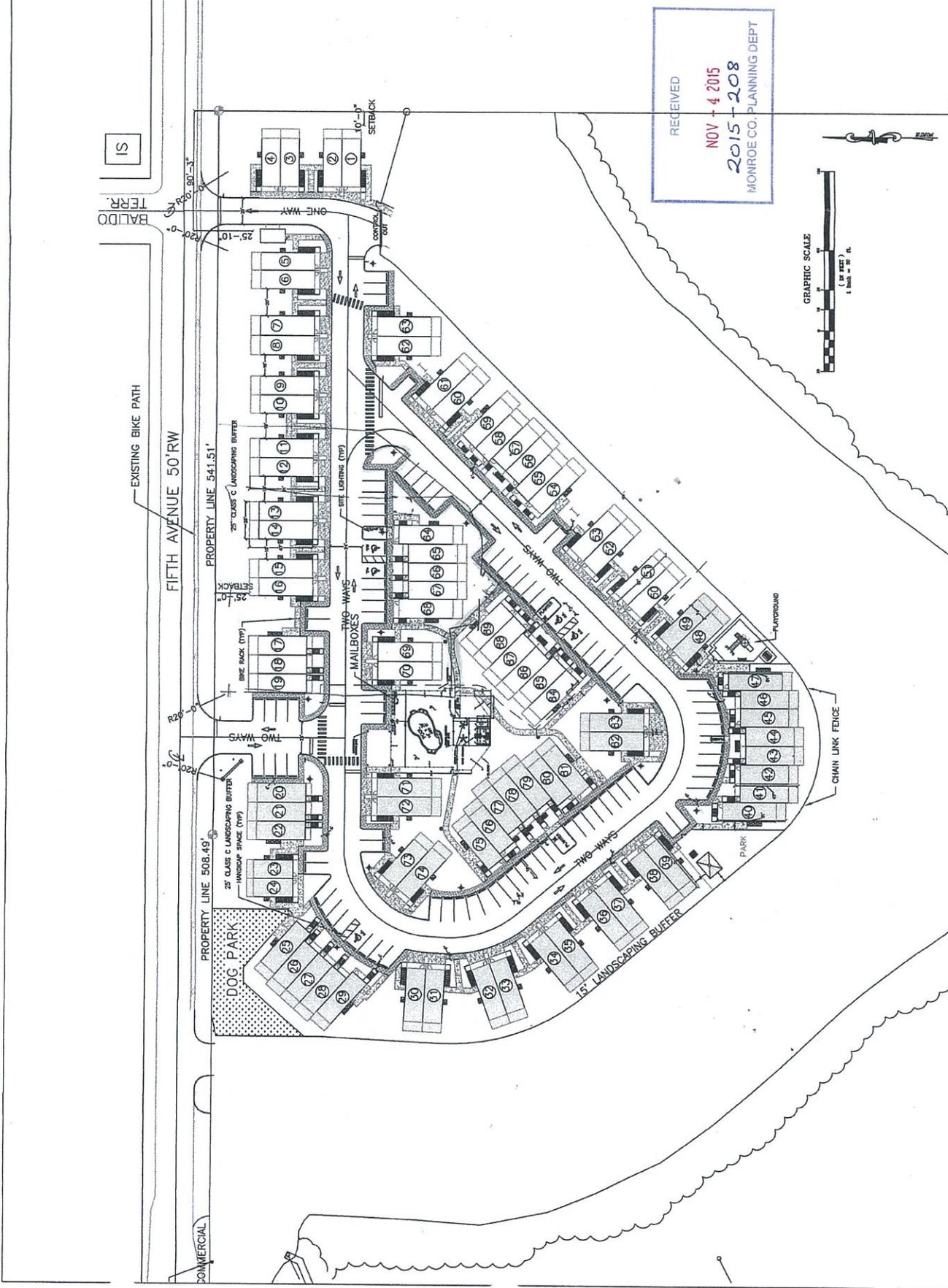
# ISLANDER VILLAGE AND ESTATES

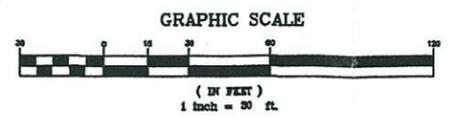
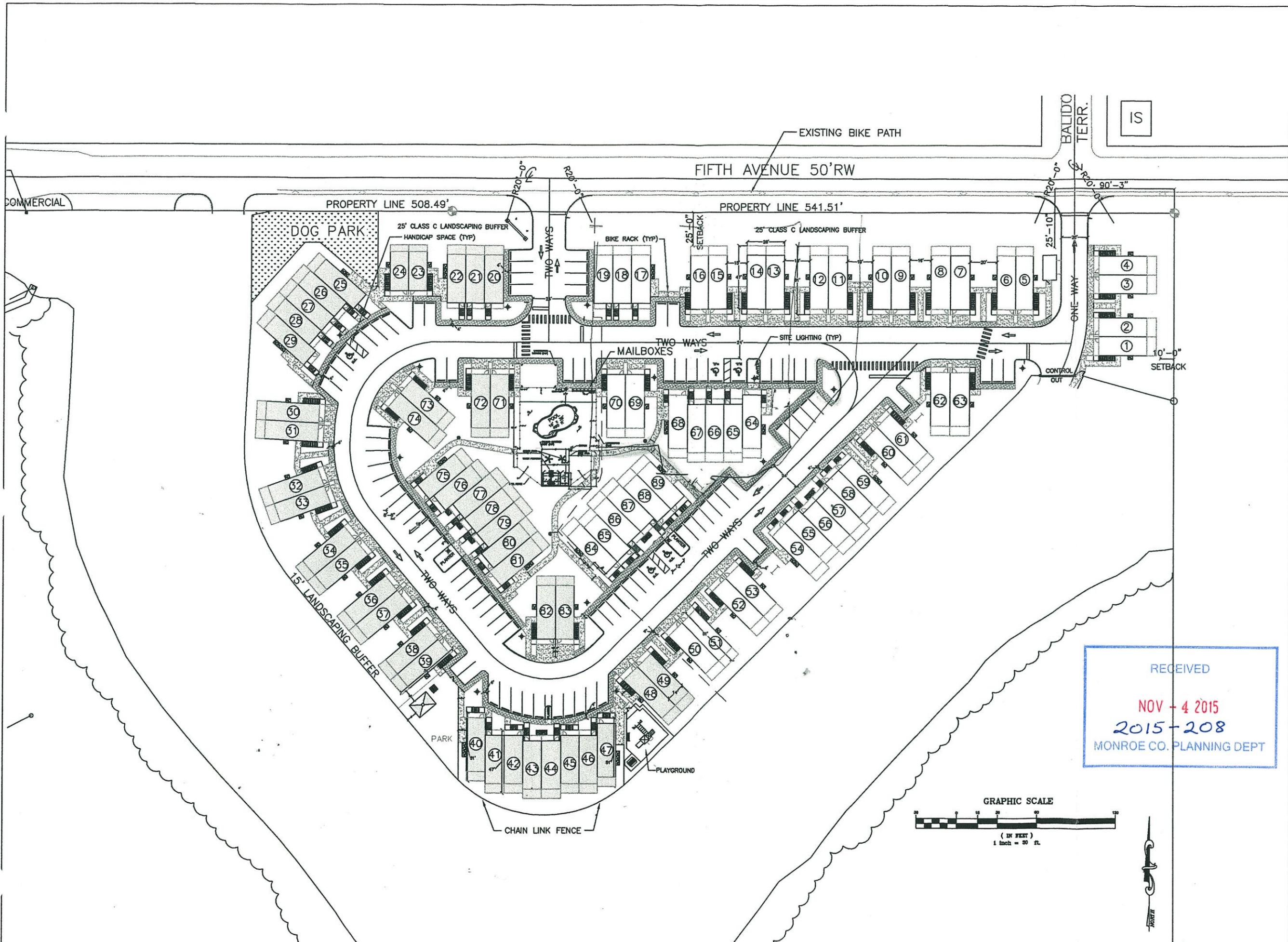
5003 5TH AVENUE  
 STOCK ISLAND, FL

Drawn By: Checked By:  
 RHM RHM  
 Project No.: Date:  
 N/A AUGUST 17, 2008  
 100% C-1 PERMITS IN 10% SUBMITTAL

REVISION	DATE	DESCRIPTION
1	08/17/08	ISSUE FOR PERMITS
2	08/17/08	ISSUE FOR PERMITS
3	08/17/08	ISSUE FOR PERMITS
4	08/17/08	ISSUE FOR PERMITS
5	08/17/08	ISSUE FOR PERMITS
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Sheet Number: **C-1.0**  
 Date: June 2, 2008





RECEIVED  
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 2015-208  
 MONROE CO. PLANNING DEPT



Historic Tours of America  
 201 Front Street, Suite 207  
 Key West, Florida 33040  
 AUTHORIZATION # 26120  
 ph 305-293-3263 fax 296-3827

Seal:

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

General Notes:  
 MAJOR CONDITIONAL USE APPROVED BY  
 PLANNING RESOLUTION NO. P35-05

# ISLANDER VILLAGE AND ESTATES

5030 5TH AVENUE  
 STOCK ISLAND, FL

Drawn By: SLM	Checked By: RJM
Project No. 1701	Scale: AS NOTED
HTA AutoCAD File No. 1701-C-1 08/05-10-14-Phase/Revision	

Print Date:  
June 10, 2014

Revision	Description
1	Monroe County File Marshal Comments 5/20/15
2	Monroe County Planning Dept. Comments 6/1/15
3	Site Plan Revision 12/2/15
4	Site Plan Revision 10/05/16
5	Site Plan Revision 11/03/16

Title:

SITE  
 PLAN

Sheet Number:

**C-1.0**

Date: June 5, 2006



**Engineering Department  
MEMORANDUM**

**To:** Mayte Santamaria, Sr. Director of Planning & Environmental Resources

**From:** Judy Clarke, Director of Engineering Services

**Date:** November 9, 2015

**Re:** Islander Village LLC File # 2015-208 Major Conditional Use Amendment

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I have reviewed the above referenced file that was forwarded to me on November 5<sup>th</sup>. The Engineering Services Department does not have any comments with regard to the removal of the requirement to install a bus shelter adjacent to the development.

If you should have any questions or need any additional information please feel free to contact me by telephone at 305-294-4329 or by email at [Clarke-judith@monroecounty-fl.gov](mailto:Clarke-judith@monroecounty-fl.gov).