

DEVELOPMENT REVIEW COMMITTEE

Tuesday, August 30, 2016

AGENDA

The Monroe County Development Review Committee will conduct a meeting on Tuesday, August 30, 2016, beginning at 1:00 PM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL

DRC MEMBERS:

Mayte Santamaria, Senior Director of Planning and Environmental Resources
Mike Roberts, Sr. Administrator, Environmental Resources
Emily Schemper, Comprehensive Planning Manager
Kevin Bond, Planning & Development Review Manager
DOT Representative
Steve Zavalney, Captain, Fire Prevention
Public Works Department Representative

STAFF MEMBERS

Steve Williams, Assistant County Attorney
Peter Morris, Assistant County Attorney
Devin Rains, Sr. Planner
Thomas Broadrick, Sr. Planner
Barbara Bauman, Planner
Janene Sclafani, Planner
Gail Creech, Sr. Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL: July 25, 2016

MEETING

New Items:

1. Tavernier Inn and Cafe Moka, 91865 Overseas Highway, Tavernier, mile marker 92: A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the proposed redevelopment of the existing hotel into six (6) attached affordable employee housing dwelling units, and retention of an existing 1,780 square feet of medium intensity commercial retail floor area. The subject property is described as Lots 1, 2, 3, 4, 5, 36, and 37, Block A, Tavernier No. 2 (PB2-8), together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100, Monroe County, Florida, having real estate number 00555610.000000.

(File 2016-082)

[2016-082 SR DRC 08.30.16.PDF](#)

[2016-082 FILE.PDF](#)

[2016-082 Traffic Ltr 07.01.16.pdf](#)

[2016-082 Traffic Ltr 07.21.16.pdf](#)

[2016-082 Combined 08.11.16.PDF](#)

[2016-082 Combined Plans recvd05.27.16.pdf](#)

[2016-082 Recvd07.05.16Combined.PDF](#)

[2016-082 Recvd07.06.16LP-1.pdf](#)

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.5.25, PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PLATTED LOT WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PLATTED LOT WITH AN RL FUTURE LAND USE MAP DESIGNATION AND WITHIN AN SR ZONING DISTRICT; AND PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PARCEL EXISTING PRIOR TO SEPTEMBER 15, 1986 WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PARCEL THAT WAS SUBDIVIDED FROM A TRACT WITHIN AN APPROVED AND RECORDED PLATTED SUBDIVISION PRIOR TO SEPTEMBER 15, 1986 WITH AN RM FUTURE LAND USE MAP DESIGNATION AND WITHIN AN IS ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

(File #2016-107)

[2016-107 SR DRC 08.30.16.PDF](#)

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 130-157, MAXIMUM RESIDENTIAL DENSITY AND DISTRICT OPEN SPACE, PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PLATTED LOT WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PLATTED LOT WITHIN AN SR ZONING DISTRICT; AND PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PARCEL EXISTING PRIOR TO SEPTEMBER 15, 1986 WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PARCEL THAT WAS SUBDIVIDED FROM A TRACT WITHIN AN APPROVED AND RECORDED PLATTED SUBDIVISION PRIOR TO SEPTEMBER 15, 1986 WITHIN AN IS ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE.

(FILE #2016-108)

[2016-108 SR DRC 08.30.16.PDF](#)

4. Key Marina Development LLC, 97617 Overseas Highway / 30, 42 & 80 East Second Street, Key Largo, mile marker 97.6 oceanside: A public meeting concerning a request for a Major Conditional Use Permit. The requested approval is required for the proposed development of 22 permanent, market-rate dwelling units and three (3) transient hotel rooms. The subject property is legally described as Lots 1-8 & 30-33, Block 2; Part of Block 3; Lots 1 & 2, Block 4; parts of East First Street and East Second Street abandoned by BOCC Resolution Nos. 603-2006 and 493-2007 and adjacent bay bottom, Mandalay Subdivision (Plat Book 1, Page 194), Key Largo, Monroe County, Florida, having real estate numbers 00554420-000000, 00554670-000000, 00554700-000000, 00554730-000000 and 00554740-000000.

(File 2016-076)

[2016-076 SR DRC 08.30.16.PDF](#)

[2016-076 FILE.PDF](#)

[2016-076 Combined05.06.16.PDF](#)

[2016-076 Recvd 06.17.16 Combined.PDF](#)

5. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REPEALING SECTION 126-14 "EMPLOYEE HOUSING FAIR SHARE IMPACT FEE" OF THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(File 2016-117)

[2016-117 SR DRC 08.30.16.PDF](#)

~~6. Henderson Building, Overseas Highway, Big Pine Key, mile marker 30: A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the development of a proposed 8,000 square foot building with 2,600 square feet of commercial retail, low-intensity and office uses and six attached dwelling units designated as employee housing. The subject property is described as a parcel of land in Section 26, Township 66 South, Range 29 East, Big Pine Key, Monroe County, Florida, also known as Lots 12 and 13 of an unrecorded Plat of survey by C. G. Bailey, Reg. Florida Land Surveyor, No. 620 and dated September 19, 1952, having real estate number 00111560-000000.~~

(File 2015-218) ON HOLD

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

From: Emily Schemper, Comprehensive Planning Manager 

Date: August 22, 2016

Subject: *Request for a Minor Conditional Use Permit to develop 6 attached dwelling units as affordable employee housing, associated accessory uses, and 1,780 square feet of medium intensity commercial retail on property located at 91865 Overseas Highway (US 1), Tavernier, Key Largo, approximate mile marker 92, Real Estate #00555610.000000 (File #2016-082)*

Meeting: August 30, 2016

I REQUEST:

On May 27, 2016, Tavernier Hotel Holdings, LLC submitted an application for a minor conditional use permit requesting to change the use of a complex of historic buildings from a hotel (currently known as “Tavernier Inn”) to six (6) attached, affordable employee housing dwelling units. Also included in the development plan is a historic building containing an existing 1,780 square feet of medium intensity commercial retail (currently known as “Moka Café”).



Subject Property Outlined, with Land Use (Zoning) District (Aerial dated 2015)

II BACKGROUND INFORMATION:

Location: MM 91.8, Tavernier, Oceanside

Address: 91865 Overseas Highway, Tavernier

Description: Lots 1, 2, 3, 4, 5, 36, and 37, Block A, Tavernier No. 2 (PB2-8), together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100, Key Largo, Monroe County, Florida

Real Estate Number: 00555610.000000

Size of Site: 0.48 acres

Land Use District (LUD): Suburban Commercial (SC)

Land Use District Overlays: Tavernier Historic District Overlay; Tavernier Creek to Mile Marker 97 U.S. Highway 1 Corridor District Overlay (“General Urban” zone)

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

Tier Designation: Tier III

Flood Zone: AE-EL 10

Existing Use: Hotel, Commercial Retail/Restaurant, some vacant

Existing Vegetation / Habitat: Scarified

Owner/Applicant: Tavernier Hotel Holdings, LLC

Agent: Key Largo Hospitality Group LLC/ (Jorge Cepero)

Community Character of Immediate Vicinity: Adjacent land currently has Suburban Commercial zoning to the north and west along US1, developed with commercial businesses; and Improved Subdivision zoning to the south along Tavern Drive, developed with single family residences.

III RELEVANT PRIOR COUNTY ACTIONS:

On August 17, 2005, the Monroe County Board of County Commissioners (BOCC) adopted Ordinance No. 019-2005, amending the Monroe County Code to create the Tavernier Historic District Overlay, and amending the Land Use District Map to establish the boundaries of the Tavernier Historic District Overlay. On November 12, 1996, the BOCC signed Resolution Numbers 524-1996, 525-1996, 526-1996, and 527-1996, designating the “Copper Kettle,” the “Standard Oil Gas Station,” the “Tavernier Hotel,” and the “Old Tavern Tea Room,” respectively, as historic and cultural landmarks. The site is located within the Tavernier Historic District Overlay on the Land Use District (Zoning) Map, and is also specifically designated as a historic landmark. It is therefore subject to the historic preservation regulations in the Monroe County Land Development Code.

On March 26, 2015, the County issued a Letter of Understanding (LOU), updating and confirming an LOU dated November 16, 2006 regarding the subject property. In the LOUs, the County recognizes eighteen (18) transient units, one (1) permanent dwelling unit, and 4,108 square feet of nonresidential floor area as lawfully established on the site and thereby exempt from the ROGO/NROGO permit allocation system (18 transient ROGO exemptions; 1 permanent ROGO exemption; 4,108 square feet of nonresidential floor area exempt from NROGO). The 2015 LOU provides details regarding which portions of the buildings on the site contain which types of ROGO/NROGO exemptions.

On June 7, 2016, the Monroe County Historic Preservation Commission signed Resolution HP 11-16, granting a special certificate of appropriateness to Tavernier Hotel Holdings, LLC, to restore the first story of the front façade of the Tavernier Inn by eliminating the windows and replacing them with new entry doors.

On August 19, 2016, the Senior Director of Planning and Environmental Resources (the chair of the DRC) signed Development Order No. 06-16, approving a minor conditional use permit to allow the transfer of eighteen (18) TREs from 91865 Overseas Highway, Tavernier, approximate mile marker 92, commonly known as Tavernier Inn (the subject property for the current minor CUP request), to 97450 Overseas Highway, Key Largo, approximate mile marker 97.5, commonly known as Playa Largo Resort. The approval is currently in its 30-day County appeal period, which is due to expire on September 19, 2016, after which it will be transmitted to the State of Florida Department of Economic Opportunity (DEO) for their 45-day review period. If no valid appeal is filed, the permit will become effective after the DEO appeal period has passed or DEO waives its right of appeal. The current minor CUP application that is the subject of this staff report has been requested, in part, to gain approval for a change of use that will fulfill condition number one of D.O. 06-16, which states, “no building permit shall be issued for the hotel rooms requiring the TREs on the receiver site (Playa Largo) until the structures in which the hotel rooms to be transferred are located (Tavernier Inn and associated buildings on the site) are converted to another permitted use as per an issued building permit, and a final certificate of occupancy for the conversion has been issued.”

IV REVIEW OF APPLICATION:

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

1. *The conditional use is consistent with the purposes, goals, objectives and standards of the comprehensive plan and the land development regulations:*

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

Policy 101.5.6

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

This future land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and

nonresidential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited. The County shall continue to take a proactive role in encouraging the preservation and enhancement of community character and recreational and commercial working waterfronts.

Policy 101.5.25

Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the FLUM and described in Policies 101.5.1 - 101.5.20 [§163.3177(6)(a)1.,F.S.].

Policy 101.3.3

Monroe County shall allocate at least 20% of the annual allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units as part of ROGO. Any portion of the allocations not used for affordable housing shall be retained and be made available for affordable housing from ROGO year to ROGO year. Affordable housing eligible for this separate allocation shall meet the criteria specified in Policy 601.1.4 and the Land Development Code, but shall not be subject to the competitive Residential Permit Allocation and Point System in Policy 101.6.4. Any parcel proposed for affordable housing shall not be located within an area designated as Tier I as set forth under Goal 105 or within a Tier III-A Special Protection Area as set forth in Policy 205.1.1.

Policy 601.1.4

All affordable housing projects which receive development benefits from Monroe County, including but not limited to ROGO allocation award(s) reserved for affordable housing, maximum net density, or donations of land, shall be required to maintain the project as affordable for a period of 99 years pursuant to deed restrictions or other mechanisms specified in the Land Development Code, and administered by Monroe County or the Monroe County Housing Authority.

Consistency with the land development regulations is addressed later in this report.

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

Adjacent land currently has Suburban Commercial zoning to the north and west along US1, developed with commercial businesses; and Improved Subdivision zoning to the south along Tavern Drive, developed with single family residences.

Parcels surrounding the subject property currently have zoning designations of Suburban Commercial and Improved Subdivision. Land uses surrounding the subject property include a mixture of residential, office, light industrial, and commercial retail.

The parcel has a tier designation of Tier III. The majority of the site is scarified, consisting of pea-rock gravel, pavers, and asphalt.

The proposed residential and commercial retail development is consistent with the community character of the immediate vicinity.

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

The current lawful use of the site includes 18 hotel rooms, one commercial apartment, and 4,108 square feet of nonresidential uses. The proposed change of use will reduce the number of units to 6 affordable dwelling units, and the amount of nonresidential floor area to 1,780 square feet. According to the traffic letter submitted by the applicant, the proposed change of use will also reduce the number of average daily trips to and from the site.

The proposed redevelopment/reuse is to occur within the existing buildings on the site, which are designated as local historic landmarks by the BOCC. Any change to the appearance of the buildings will require review by the Monroe County Historic Preservation Commission and approval of a special certificate of appropriateness.

Additionally, as required by the Land Development Code, the applicant will be installing native trees and landscaping along the perimeter of the property as a district boundary buffer, to the maximum extent practicable given the physical constraints on the site and its historic status.

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

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

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

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

A. Roads:

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

The site currently does not have vehicular access onto US1, and the applicant is not proposing any new access along US1.

The Public Works Department shall review any proposed work within County public rights-of-way, including any future improvements proposed to the existing access drives along Atlantic Circle Drive and/or Tavern Drive. The Department maintains the right to request revisions as it carries out its review of any application for an access permit. It is the responsibility of the applicant to obtain all required permits before starting work. In addition, new access drives must be designed in accordance with the Land Development Code (Land Development Code requirements are addressed later in this report).

Level of Service (LOS): The projected trip generation and level of service of US 1 directly affect whether or not the redevelopment may be permitted or prohibited. According to the 2015 US 1 Arterial Travel Time and Delay Study, Segment 22 of US 1 had a level of service of "A." The traffic letter submitted by the applicant shows an overall reduction in the number of vehicle trips the proposed redevelopment will generate to and from the site.

- B. Stormwater: The applicant is not proposing any changes or increases to the existing impervious area on the site. Therefore, no stormwater management plan is required at this time.
 - C. Sewer: The applicant has submitted a letter of coordination from Key Largo Wastewater Treatment District (KLWTD), dated August 9, 2016, regarding the sewer system for the proposed development, stating that KLWTD's infrastructure is sufficient at this time to accept wastewater discharge from the proposed development.
 - D. Water: The applicant has submitted a letter of coordination from the Florida Keys Aqueduct Authority, dated June 30, 2016, regarding potable water service and has indicated no objection to the proposed development.
 - E. Refuse Disposal: The applicant has submitted a letter of coordination from Monroe County Solid Waste Management, dated July 6, 2016, indicating no objection to the proposed development.
 - F. Emergency Management: The applicant has submitted a letter of coordination from the Office of the Fire Marshal, email dated June 29, 2016, indicating no objection to the proposed development.
6. *The applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development:*

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

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

The proposed redevelopment does not include any exterior changes to the designated historic structures on the site at this time. If the applicant proposes any exterior changes in the future, a special certificate of appropriateness must be acquired from the Historic Preservation Commission. Therefore, the proposed development will not adversely affect any known archaeological, historical or cultural resource

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

The proposed redevelopment will not have an adverse impact on public access to a waterfront area. The property is under private ownership and does not have any shoreline areas.

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

- A. Residential Rate of Growth Ordinance (ROGO) (§138-19–§138-28): *Compliance to be determined at time of building permit issuance.*

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

Prior to issuance of any building permit for conversion of a hotel room to an affordable employee housing unit, the applicant must obtain a ROGO allocation (affordable ROGO allocations may be available) for each affordable employee housing unit included in the permit application scope of work.

- B. Nonresidential Rate of Growth Ordinance (NROGO) (§138-47–§138-56): *In compliance.*

The proposed 1,780 square feet of medium intensity commercial retail floor area is already existing on the site and is included in the total amount of nonresidential floor area (4,108 SF) recognized by the LOU dated March 14, 2015 as exempt from the NROGO permit allocation system.

The proposed 3,980 square feet of residential amenity floor area (storage, study rooms, laundry room, lounge, library, etc.) is considered accessory to the principal residential use and does not require NROGO. Such areas will not be counted as nonresidential floor area, provided they are accessible for use by the residents of the property and not open for use by the public.

C. Purpose of the SC District (§130-43): *In compliance.*

Pursuant to MCC §130-43, *The purpose of the SC district is to establish areas for commercial uses designed and intended primarily to serve the needs of the immediate planning area in which they are located. This district should be established at locations convenient and accessible to residential areas without use of U.S. 1.*

Per the definition of “employee housing” in LDC §101-1, the proposed attached employee housing units will serve the local population, as they are *intended to serve as affordable, permanent housing for working households, which derive at least 70 percent of their household income from gainful employment in the county.*

The proposed development is in compliance with the purpose of the SC zoning district.

D. Permitted Uses (§130-93): *In compliance.*

The proposed uses include 1,780 square feet of medium intensity commercial retail; six (6) attached affordable employee housing dwelling units; and accessory uses to the dwelling units including a lobby, an office, a lounge, a computer room, a library, a laundry room, three study rooms, and storage space.

Pursuant to §130-93, in the SC district:

- Commercial retail, low- and medium-intensity and office uses or any combination thereof of less than 2,500 square feet of floor are permitted as of right;
- Attached and unattached residential dwellings involving six to 18 units, designated as employee housing as provided for in section 130-161 are permitted as a minor conditional use; and
- Accessory uses are permitted as of right.

According to the definitions in §101-1:

- *Commercial retail use means a use that sells goods or services at retail. Commercial retail uses are divided into the following three classifications:*
 - (1) *Commercial retail low-intensity means commercial retail uses that generate less than 50 average daily trips per 1,000 square feet of floor area.*
 - (2) *Commercial retail medium-intensity means retail uses that generate between 50 and 100 average daily trips per 1,000 square feet of floor area.*
 - (3) *Commercial retail high-intensity means retail uses that generate above 100 average daily trips per 1,000 square feet of floor area.*

Per the traffic letter submitted by the applicant, the current type of commercial retail use on the site generates only 44.32 daily trips per 1,000 square feet of gross floor

area. However, the applicant is asking for approval of the floor area as a medium intensity commercial retail use to accommodate a wider range of prospective tenants in the future.

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

Per LDC §130-161(f), prior to the issuance of a building permit for any of the proposed affordable employee housing units, a restrictive covenant shall be approved by the County and recorded in the office of the Clerk of the County to ensure compliance with the provisions of Section 130-161 of the Land Development Code regarding affordable and employee housing.

- *Accessory use or accessory structure means a use or structure that:*
 - (1) Is subordinate to and serves an existing principal use or principal structure; and*
 - (2) Is subordinate in area, extent and purpose to an existing principal use or principal structure served; and*
 - (3) Contributes to the comfort, convenience or necessity of occupants of the principal use or principal structure served; and*
 - (4) Is located on the same lot/parcel or on a lot/parcel that is under the same ownership as the lot/parcel on which the principal use or principal structure is located; and*
 - (5) Is located on the same lot/parcel or on a contiguous lot/parcel as an existing principal use or principal structure, excluding accessory docking facilities that may be permitted on adjacent lots/parcels pursuant to section 118-12; and*
 - (6) Is located in the same land use (zoning) district as the principal use or principal structure, excluding off-site parking facilities pursuant to section 114-67.*

Accessory uses include the utilization of yards for home gardens, provided that the produce of the garden is for noncommercial purpose. In no event shall an accessory use or structure be established prior to the principal use to which it is accessory. Accessory uses shall not include guest units or any other potentially habitable structures. Habitable structures are considered to be dwelling units as defined in this section.

The applicant has identified 4,244 square feet of floor area proposed to be converted into affordable employee housing units, and 3,980 square feet of floor area to be converted into accessory uses for the dwelling units.

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

Maximum Net Density (§130-157)					
Land Use	Maximum Net Density	Buildable Area (subtract 0.20 open space ratio)	Maximum Allowed	Proposed	Potential Used
Attached dwelling units - affordable	18 du/buildable acre	0.38 buildable acres	6.8 du	6 du	88.2% as affordable housing
Nonresidential Intensity (§130-164)					
Land Use	Maximum F.A.R.	Size of Site (upland)	Maximum Allowed	Proposed	Potential Used
Commercial Retail – Medium Intensity	0.25	20,908 SF	5,227 SF	1,780 SF	34.1%
Cumulative total					N/A*
*Per §130-161(a)(5), <i>Notwithstanding the provisions of [Chapter 130 – Land Use Districts: Article V. – Land Use Intensities], when calculating density, any existing lawfully established or proposed affordable or employee housing on a parcel and the floor area thereof shall be excluded from the calculation of the total gross nonresidential floor area development that may be lawfully established on the parcel, provided, however, that the total residential density allowed on the site shall not exceed the maximum net density for affordable and employee housing.</i>					

As shown in the table above, the site is in compliance with the density requirements of §130-157 for the attached affordable employee housing dwelling units, and with the nonresidential intensity requirements of §130-164 for the commercial retail use. The applicant is using 88.2% of the site’s maximum net density for the attached affordable employee housing dwelling units, and 34.1% of the site’s maximum nonresidential intensity for the commercial retail use. Per §130-161(a)(5), *Notwithstanding the provisions of [Chapter 130 – Land Use Districts: Article V. – Land Use Intensities], when calculating density, any existing lawfully established or proposed affordable or employee housing on a parcel and the floor area thereof shall be excluded from the calculation of the total gross nonresidential floor area development that may be lawfully established on the parcel, provided, however, that the total residential density allowed on the site shall not exceed the maximum net density for affordable and employee housing.*

F. Required Open Space (§118-9 & §130-157): *In compliance.*

There is a required open space ratio of 0.20 or 20% in the SC land use district. In total, the property consists of 20,908 square feet of upland area. Therefore, at least 4,182 square feet of the site must remain open space. The site data table on the

proposed site plan indicates that there will be 10,469 square feet of pervious area on the site.

G. Setbacks (§130-186): *In compliance (lawfully nonconforming).*

Non-shoreline setbacks (§130-186):

The required non-shoreline setbacks in the SC district are as follows:

- Primary front yard: 25’
- Secondary front yard: 15’
- Primary side yard: 10’
- Secondary side yard: 5’
- Rear yard: 10’

As shown on the proposed site plan, and consistent with the submitted boundary survey, the existing structures and uses on the site are nonconforming to the required setbacks on the site:

Required vs. Existing Non-Shoreline Setbacks (§130-186)			
Property Line	Type of setback required	Required Setback	Existing/Provided Setback
Northwest (adjacent to US1)	Primary Front Yard	25’	0’
Northeast (adjacent to Atlantic Circle Drive)	Secondary Front Yard	15’	0’
Southeast (adjacent to Tavern Drive)	Secondary Front Yard	15’	2’
Southwest (property line between Lot 36 and adjacent Lot 35)	Secondary Side Yard	5’	0’
Southwest (property line between Lots 4&5 and adjacent Lot 35)	Rear Yard	10’	0’
Southwest (property line between Lot 5 and adjacent Lot 6)	Secondary Side Yard	5’	0’

The proposed change of use does not include any external changes to the structures on the site. Furthermore, the buildings on the site are designated as historic landmarks by the BOCC. The nonconforming structures may continue pursuant to §102-57. - Nonconforming structures, and §134-58 – Nonconforming Structures (within Chapter 134 – Miscellaneous: Article III – Archaeological, Historical or Cultural Landmarks).

H. Maximum Height (§130-187): *In compliance.*

No structure or building shall be developed that exceeds a maximum height of 35’-0”, as measured from grade (unless a listed exception in MCC §130-187).

Height is defined as "the vertical distance between grade and the highest part of any structure, including mechanical equipment, but excluding chimneys; spires and/or

steeple on structures used for institutional and/or public uses only; radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or transmission towers; and certain antenna supporting structures with attached antenna and/or collocations as permitted in MCC chapter 146. However, in no event shall any of the exclusions enumerated in this section be construed to permit any habitable or usable space to exceed the applicable height limitations.

Grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure, or the crown or curb of the nearest road directly adjacent to the structure, whichever is higher. To confirm the natural elevation of the ground surface, the county shall utilize the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in 2007. In the event 2007 LiDAR data is not available for a given parcel, the county shall use the best available data, including, but not limited to, pre-construction boundary surveys with elevations, pre-construction topographic surveys, elevation certificates and/or other optical remote sensing data.

No new buildings or external changes to existing buildings are proposed on the site. According to the data table on the proposed site plan, the maximum building height on the site is 27.67 feet.

I. Surface Water Management Criteria (§114-3): *In compliance.*

Pursuant to §114-3(d) Exemptions, *Notwithstanding any other provisions of this land development code, the following activities are exempt, unless otherwise required by state or federal law:*

...

(2) *Routine maintenance of existing impervious area other than single family and duplex residences shall meet one of the following conditions:*

a. The maintenance does not increase the existing impervious conditions of the site; or

b. The proposed maintenance is certified by a licensed engineer demonstrating that the maintenance will not increase the design peak discharge rate, volume pollution load of stormwater runoff, or impervious coverage of the site; or

c. The placement of a new structure does not change the designed peak discharge rate, volume or pollution load, or increase impervious coverage of site area of stormwater runoff from the site.

The applicant is not proposing any changes or increases to the existing impervious area on the site. Therefore, no stormwater management plan is required at this time.

J. Wastewater Treatment Criteria (§114-5): *Full compliance to be determined by KLWTD, DEP, and Building Department prior to the issuance of a building permit.*

The applicant has submitted a letter of coordination from Key Largo Wastewater Treatment District (KLWTD), dated August 9, 2016, regarding the sewer system for the proposed development, stating that KLWTD's infrastructure is sufficient at this time to accept wastewater discharge from the proposed development.

K. Fencing (§114-20): *In compliance.*

The applicant is not proposing any new fencing or changes to existing fencing on the site at this time.

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

The site is designated within an AE-EL 10 flood zone on the Federal Emergency Management Agency (FEMA)'s flood insurance rate maps. The proposed redevelopment will be reviewed at the time of building permit application for compliance with floodplain regulations.

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

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

N. Potable Water Conservation Standards (§114-46): *Full compliance to be determined by FKAA and Building Department prior to the issuance of a building permit.*

The applicant has submitted a letter of coordination from the Florida Keys Aqueduct Authority (FKAA), dated June 30, 2016, regarding the proposed development, stating that FKAA has no objection to the proposed change of use.

O. Environmental Design Criteria and Mitigation Standards (§118-6, §118-7 & §118-8): *Full compliance to be determined upon building permit application review.*

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

In accordance with §118-8, the removal of any listed threatened, endangered, commercially exploited, and regionally important native plant species and all native trees with a diameter at breast height (DBH) of greater than four inches shall require payment to the county environmental land management and restoration fund in an amount sufficient to replace each removed plant or tree on a 2:1 basis. The number, species, and sizes of trees and plants to be mitigated shall be identified in the existing conditions report approved by the county biologist in accordance with the minimum size requirements set forth in §114-101.

No removal of vegetation is proposed on the site at this time.

P. Required Parking (§114-67 & §130-128): *In compliance (existing nonconformity – compliance to the greatest extent practicable).*

Specific Use	Multiplier	Proposed Use	Required
Eating and Drinking Establishments	For areas devoted to food/beverage service, 1.0 space per 3 seats or 3.0 spaces per 1,000 sq. ft. of nonresidential floor area, whichever total amount is higher. For other areas, 3.0 spaces per 1,000 sq. ft. of nonresidential floor area within the building separate from the seating area and devoted to activities other than food/beverage service (including, but not limited to, kitchen, office, retail sales not related to food or beverage and storage).	Seating area: 41 seats (41/3 = 13.67 spaces) Non-seating area: 842 SF (.842*3 = 2.53 spaces)	16 spaces
Residential Development	1.5 spaces per dwelling unit*	6 dwelling units (6*1.5 = 9 spaces)	9 spaces
Total			25 spaces
Shared Parking:			
Residential & Retail	Divide total required by 1.2*	25 spaces / 1.2	21 spaces
*Pursuant to §130-128, within the Tavernier Creek to Mile Marker 97 U.S. Highway 1 Corridor Development Standards and Guidelines, Residential parking requirements for the “General Urban” zone of the Tavernier Creek to Mile Marker 97 U.S. Highway 1 Corridor are lowered to 1.5 spaces per dwelling unit, and for parking shared by residential and retail development, the total number of spaces required is divided by 1.2.			

As shown in the table on the previous page, 21 parking spaces are required on the site to accommodate six (6) residential dwelling units and 1,780 square foot restaurant (with 41 seats and 842 square feet of non-seating floor area). The proposed site plan includes 19 parking spaces: 17 existing parking spaces on the subject parcel, and two on-street parking spaces along the US1 frontage of the site. Pursuant to §130-128, within the Tavernier Creek to Mile Marker 97 U.S. Highway 1 Corridor Development Standards and Guidelines, in the “General Urban” zone, *on-street parking available along the each site’s frontage can be counted as part of the parking requirement for the uses found on that site.*

The existing hotel and commercial retail uses on the site are already nonconforming to the off-street parking requirements of the Land Development Code. Pursuant to §102-59 (Nonconforming signs, parking, landscaping, lighting, access, and bufferyards), *...nonconforming signs and all uses that are nonconforming due to failure to comply with the standards of chapter 114, articles III-VI and chapter 142, shall bring their properties into compliance with these provisions whenever substantial improvements or change of use are proposed or, if such is physically impossible due to site size, the physical layout of structure on and adjoining the site, into compliance to the maximum extent practical.* Based on the site’s historic designation, the size of the site, and the physical layout of the existing historic structures, staff has determined that the provision of 19 parking spaces (a deficit of 2 parking spaces from the required 21 spaces) is compliant with the provisions of §114-67 (Required off-street parking) to the maximum extent practical.

Q. Required Loading and Unloading Spaces (§114-69): *Existing nonconformity.*

For nonresidential uses of 0-2,499 SF, one loading space of 11 by 35 feet is required. The proposed site plan does not identify a loading space for the existing 1,780 SF commercial retail use, however this is an existing nonconformity and no changes are proposed to the existing nonresidential use on the site. The applicant is not proposing any new buildings or external changes to existing buildings on the site. Furthermore, the site is designated as a historic landmark. The property does not have additional land area to accommodate a loading zone.

R. Required Landscaping (§114-99 – §114-105): *In compliance (existing nonconformity).*

The existing parking lot landscaping is already nonconforming to the landscaping requirements of the Land Development Code. Pursuant to §102-59 (Nonconforming signs, parking, landscaping, lighting, access, and bufferyards), *...nonconforming signs and all uses that are nonconforming due to failure to comply with the standards of chapter 114, articles III-VI and chapter 142, shall bring their properties into compliance with these provisions whenever substantial improvements or change of use are proposed or, if such is physically impossible due to site size, the physical layout of structure on and adjoining the site, into compliance to the maximum extent practical.*

The applicant is not proposing an increase in the number of parking spaces or any changes to the parking lot area and therefore is not required to bring the parking lot into compliance with the landscaping requirements at this time. Note – as discussed under “Required Bufferyards” below, the applicant is proposing the addition of some native vegetation along the perimeter of the property, adjacent to the parking lot.

- S. Required Bufferyards (§114-124 – §114-130): *In compliance (existing nonconformity – compliance to the maximum extent practical).*

A major street bufferyard is required along the US 1 right-of-way. In the SC district, the required major street bufferyard is a class “C” bufferyard. The minimum class “C” bufferyard is 10’ in width. No major street bufferyard currently exists on the site. According to the boundary survey of the site, the existing historic buildings are set back less than eight feet from the property line along US 1, and the setback area is occupied by pavers and planter areas. Per the applicant, it is not feasible to plant any bufferyard areas along US 1.

Land use district bufferyards are required. Along the southeast and southwest property lines there is an Improved Subdivision (IS) district. Along an SC/IS boundary line, a class “D” district boundary bufferyard is required. A class “D” bufferyard has a minimum width of 20’ and its planting requirements are described/illustrated in MCC §114-128. No district boundary bufferyard currently exists on the site. Based on the existing layout of the parking lot and fencing on the site, the applicant has indicated that a 20’ bufferyard is not feasible on the site. The submitted site plan indicates a 2’ wide class “D” buffer along the southeast and southwest property lines.

The existing development on the site is already nonconforming to the landscaping and bufferyard requirements of the Land Development Code. Pursuant to §102-59 (Nonconforming signs, parking, landscaping, lighting, access, and bufferyards), *...nonconforming signs and all uses that are nonconforming due to failure to comply with the standards of chapter 114, articles III-VI and chapter 142, shall bring their properties into compliance with these provisions whenever substantial improvements or change of use are proposed or, if such is physically impossible due to site size, the physical layout of structure on and adjoining the site, into compliance to the maximum extent practical.* Based on the site’s historic designation, the size of the site, and the physical layout of the existing historic structures, staff has determined that the proposed landscape plan is compliant with bufferyard requirements of the Land Development Code to the maximum extent practical.

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

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

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

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

V. Access Standards (§114-195 – §114-201): *Not applicable.*

There is one existing vehicular access point to and from the development along Atlantic Circle Drive, and one existing vehicular access point to and from the development along Tavern Drive. The site has no existing access along US1.

No changes to access are proposed.

W. Recycling Area (§114-21): *Compliance to be determined.*

Per §114-21, a solid waste/recycling collection area of at least 144 square feet is required for the six attached dwelling units, and a solid waste/recycling collection area of at least 82 square feet is required for the 1,780 SF commercial retail use.

- *A collection area may be set back five feet from any side yard property line.*
- *Collection areas shall be screened on at least three sides. Screening shall consist of a solid or semi-opaque enclosure that shall not exceed six feet in height.*
- *The enclosure shall provide a minimum of one foot six inch clearance on each side of the container.*
- *Area required is measured from the interior dimensions of the enclosure. Enough room should be provided to move and lift containers. The design of the enclosure should make it easy to keep container lids shut at all times.*
- *Exterior collection areas should be located in an area accessible and convenient to the intended users (typically no more than 200 feet from the farthest user). The location of the collection area should not interfere with the primary use of the site. It should be located in areas that can tolerate noise, odor and increased pedestrian and vehicle traffic. The collection area should be designed to be easily accessible by all collection vehicles.*

The site plan indicates an existing fenced-in “dumpster station” of approximately 85 square feet at the corner of Atlantic Circle Drive and Tavern Drive. The majority of the existing dumpster area is located on public right of way. The proposed site plan does not include an additional solid waste/recycling collection area for the proposed residential use.

Prior to issuance of a development order approving the minor conditional use permit, the site plan shall be revised to remove the dumpster area from the right of way and to address a solid waste/recycling collection area to the maximum extent practicable.

V RECOMMENDED ACTION:

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

1. Prior to issuance of a development order approving the minor conditional use permit, the site plan shall be revised to remove the dumpster area from the right of way and to address a solid waste/recycling collection area to the maximum extent practicable.
2. Prior to issuance of any building permit for conversion of a hotel room to an affordable employee housing unit, the applicant must obtain a ROGO allocation (affordable ROGO allocations may be available) for each affordable employee housing unit included in the permit application scope of work.
3. Per LDC §130-161(f), prior to the issuance of a building permit for any of the proposed affordable employee housing units, a restrictive covenant shall be approved by the County and recorded in the office of the Clerk of the County to ensure compliance with the provisions of LDC §130-161 regarding affordable and employee housing.
4. Prior to the issuance of a certificate of occupancy for any proposed affordable employee housing dwelling unit, all required landscaping shall be formally approved by a Building Permit, planted and pass a final inspection by the County Biologist or his or her designee.
5. A minor conditional use permit is not a final approval for certain development. The applicant shall obtain a building permit(s) for any improvement requiring such an approval.
6. The scope of work has not been reviewed for compliance with Florida Building Code. Prior to the issuance of Building Permits, new development and structures shall be found in compliance by the Monroe County Building Department, Floodplain Administrator, and the Office of the Fire Marshal.
7. The Public Works Division shall review any proposed work within County public rights-of-way and the Division maintains the right to request revisions as it carries out its review of any application for an access permit. It is the responsibility of the applicant to obtain all required permits before starting work.

VI PLANS REVIEWED:

1. Proposed Reference Site Plan (Sheet A100), by Mayer S. Abbo, Prime Design Associates, dated 8/9/2016, signed and sealed 8/9/2016;
2. Existing and Proposed New Floor Plans (Sheet A202), by Mayer S. Abbo, Prime Design Associates, dated 8/9/2016; and
3. Landscape Plan (Sheet LP-1), by Steven E. Tate, Covelli Design Associates, LLC, dated 7/1/2016, signed and sealed 7/5/2016.

File #: 2016-082

Owner's Name: Tavernier Hotel Holdings, LLC

Applicant: Tavernier Hotel Holdings, LLC

Agent: Jorge Cepero

Type of Application: Minor

Key: Key Largo

RE: 00555610.000000

Additional Information added to File 2016-082

County of Monroe

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 Heather Carruthers, Dist. 3

Mayor Pro Tem George Neugent, Dist. 2

Danny L. Kollhage, Dist. 1

David Rice, Dist. 4

Sylvia Murphy, Dist. 5

We strive to be caring, professional, and fair.

Date: 5.27.16

Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for _____

Minor CU

Type of application

Tavernier Hotel Holdings LLC to the Monroe County Planning Department.

Project / Name

Thank you.

Sail Creek

Planning Staff

MCPA GIS Public Portal
Scott P. Russell, CFA

- Pan
- Legend
- Zoom In

MCPA GIS Public Portal
Major Road

Zoom Out

- Monroe Outline
- Subdivisions
- Section Lines

Identify

Select

Buffer

Measure

Print

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

2016 Condo

2015 Condo

2014 Condo

Expand All

2013 Condo

• MCPA GIS Public Portal

• Monroe Overlay

• Subdivisions

• Section Lines

• Parcels

• Shoreline

• Lot Lines

• Hooks Leads

• Easements

• Text Displays

• Qualified Condo Sales

• Qualified Sales

• Transportation

Road Block Name

Right of Way

Zoom-in Zoom-in to a defined extent...
 Zoom-out Zoom-out to a defined extent...
 Full Extent Zoom to the full extent tool was clicked!
 Search: 37609543city, origin: 80.649274 Clear

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

Buffer Results 40 features found Zoom Remove highlight
 Export results to " " Delimited Go

Search:
OBJECTID SDE.DBO.W_PARCELS.ID SDE.DBO.W_PARCELS.RECHAR SDE.DBO.W_PARCELS.GEO_FEAT

Verified GC

- ✓ 132 TAVERN LLC
PO BOX 539
TAVERNIER, FL 33070-0539
- ✓ 150 ATLANTIC CIRCLE LLC
4490 NAVAJO TRL
JAMESTOWN, OH 45335-1479
- ✓ ATLANTIC CIRCLE LLC
256 BOUGAINVILLEA ST
TAVERNIER, FL 33070-2206
- ✓ BIGGER CHARLES H
170 ATLANTIC CIRCLE DR
TAVERNIER, FL 33070-2605
- ✓ BIGGER ELLEN LENORE
128 TAVERN DR
TAVERNIER, FL 33070-2625
- ✓ BLACKWOOD ROBERT H AND TAMMY R
1331 N TROPICAL TRL
MERRITT ISLAND, FL 32953-6036
- ✓ CRAMER STEVEN J AND SHELLI M
165 ATLANTIC CIRCLE DR
TAVERNIER, FL 33070-2657
- ✓ DANGEL BRIDGET
107 TAVERN DR
TAVERNIER, FL 33070-2624
- ✓ DOT/ST.OF FL
(STATE ROAD DEPARTMENT)
TALLAHASSEE, FL 32399
- ✓ G AND W 2009 INVESTMENT LLC
8 BOUNTY LN
KEY LARGO, FL 33037
- ✓ GALLAGHER THOMAS F AND GAE
PO BOX 743
TAVERNIER, FL 33070-0743
- ✓ GARGANO LYNDA E
PO BOX 1113
TAVERNIER, FL 33070-1113
- ✓ GOTTA LUV IT INVESTMENTS LLC
3005 SW 2ND AVE STE 101
FORT LAUDERDALE, FL 33315-3339
- ✓ HEWITT MARK D AND PEGGY A
14818 E FISH HOOK DR
PARK RAPIDS, MN 56470
- ✓ HOKE TYLER ROBERT
151 OCEAN VIEW DR
TAVERNIER, FL 33070-2635
- ✓ J & K INC
PO BOX 554
TAVERNIER, FL 33070-0554
- ✓ KLEIN SHARI
140 ATLANTIC CIRCLE DR
TAVERNIER, FL 33070-2605
- ✓ KRUSZELNICKI VIOLETTA
PO BOX 370551
KEY LARGO, FL 33037-0551
- ✓ LOWE HOUSE CORPORATION
91770 OVERSEAS HWY
TAVERNIER, FL 33070-2640
- ✓ MITCHELL TONY BOB AND DIANE
PO BOX 370845
KEY LARGO, FL 33037-0845
- ✓ MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FL 33040
- ✓ MONROE COUNTY
500 WHITEHEAD ST
KEY WEST, FL 33040-6581
- ✓ NICHOLLS CHRISTINE
PO BOX 584
TAVERNIER, FL 33070-0584
- ✓ OHARA JUDY
136 TAVERN DR
TAVERNIER, FL 33070-2625
- ✓ PEACE GEORGE W TRUST AGREEMENT
5/27/2008
10400 SW 53RD ST
COOPER CITY, FL 33328-5608
- ✓ REBOREDO JOSE AND ALEJANDRINA
2831 SW 128TH AVE
MIAMI, FL 33175-2005
- ✓ ROSE GLEN A REV TR AGR 6/16/05
1830 NW 87TH AVE
PEMBROKE PINES, FL 33024-3318
- ✓ SCOTT GEORGE AND LOUISE
420 S COCONUT PALM BLVD
TAVERNIER, FL 33070-2253
- ✓ SHORCITOS HOLDINGS LLC
PO BOX 782
TAVERNIER, FL 33070-0782
- ✓ STEWART FAMILY TRUST 06/29/2007
143 ATLANTIC CIR DR
TAVERNIER, FL 33070

Labels 1 of 2

✓ STEWART TITLE GUARANTY COMPANY
1980 POST OAK BLVD STE 800
HOUSTON, TX 77056-3826

✓ SUNSHINE GASOLINE DISTRIBUTORS INC
1650 NW 87TH AVE
DORAL, FL 33172-2614

✓ TAVERNIER HOTEL HOLDINGS LLC
4651 SHERIDAN ST STE 480
HOLLYWOOD, FL 33021-3430

✓ YAYOU LLC
400 S COCONUT PALM BLVD
TAVERNIER, FL 33070-2253

End of Additional File 2016-082



PRIMEHOSPITALITYGROUP

TRANSMITTAL LETTER

RECEIVED

MAY 27 2016

MONROE CO. PLANNING DEPT

To: Gail Creech, Planning and Environmental Resource Department

From: Jorge Cepero

Date: May 26, 2016

Ref.: Tavernier Hotel- Use Change- Restaurant and Hotel to Restaurant, Affordable Housing, and Retail- Minor Conditional Use Application

Dear Gail,

Enclosed please find the following required documents for the Use Change application:

- A. Executed Application Form
- B. Required Fees
 - 1. Application Fee of \$8,484.00
 - 2. Advertising Fee of \$245.00
 - 3. Property Owner Notification Fee of \$99.00 (3x33)
- C. Proof of Ownership
- D. Current Property Record Card
- E. Photographs of Site from Road
- F. Written Description of Project
- G. Boundary Survey (to Also Serve as Site Plan)
- H. Building Floor Plans (Existing and New)
- I. Building Elevations (Existing- No Changes Being Requested)
- J. Mailing Labels
- K. Radius Report
- L. Radius Map
- M. Notarized Agent Authorization Letter

If you require additional information, please do not hesitate to call me.

Thank you,

Jorge S. Cepero
Prime Homes
4651 Sheridan Street, Suite 480
Phone: 954-392-8788 ext 319
Fax: 954-889-0889

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use: Use Change from Restaurant and Hotel to Restaurant, Affordable Housing and Retail

May 26, 2016

Document Index

- Section A- Executed Application Form
- Section B- Required Fees
- Section C- Proof of Ownership
- Section D- Current Property Record Card
- Section E- Photographs of Site from Road
- Section F- Written Description of Project

Section G- Boundary Survey (also to Serve as Site Plan)

Section H- Building Floor Plans (Existing and New)

Section I- Building Elevations (Existing- No Change Being Requested)

Section J- Mailing Labels

Section K- Radius Report

Section L- Radius Map

Section M- Notarized Agent Authorization Letter

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section A-

Executed Application Form

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Request for a Minor Conditional Use Permit

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

Minor Conditional Use Permit Application Fee: \$8,484.00

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

Advertising Costs: \$245.00

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

Traffic Study Review: \$5,000.00

Date of Submittal: 5 / 26 / 2016
 Month Day Year

Applicant/Agent Authorized to Act for the Property Owner:

PMG Asset Services, LLC	Jorge Cepero
Applicant (Name of Person, Business or Organization)	Name of Person Submitting this Application
4651 Sheridan St, Suite 480, Hollywood, FL 33021	
Mailing Address (Street, City, State and Zip Code)	
954-624-4723	jorgec@primegroupus.com
Daytime Phone	Email Address

Property Owner:

Tavernier Hotel Holdings, LLC	Jorge Cepero
(Name/Entity)	Contact Person
4651 Sheridan St, Suite 480, Hollywood, FL 33021	
Mailing Address (Street, City, State and Zip Code)	
954-624-4723	jorgec@primegroupus.com
Daytime Phone	Email Address

Legal Description of Property:

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

A	1, 2, 3, 4, 36 and 37	Tavernier No. 2	Largo
Block	Lot	Subdivision	Key
00555610.000000	00555610		
Real Estate (RE) Number		Alternate Key Number	
91865 Overseas Hwy, Tavernier, FL 33070 MM 92			
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	

APPLICATION

Land Use District Designation of Property: SC- Suburban Commercial

Present Land Use of Property: Restaurant, Hotel

Proposed Land Use of Property: Restaurant, Affordable Housing, Retail

Total Area of Property: 0.48 acres

Total Upland Area within Property: 0.48 acres

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

1 & 1/4 Total number of non-residential buildings

3,481 Total non-residential floor area in square feet

If residential dwelling units are proposed, please provide:

1 Total number of residential buildings

0 Total number of permanent, market-rate units

6 Total number of permanent, affordable units

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

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

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

(Please check as you attach each required item to the application)

- Completed application form
- Correct fee (check or money order to Monroe County Planning & Environmental Resources)
- Proof of ownership (i.e. Warranty Deed)
- Current property record card(s) from the Monroe County Property Appraiser
- Photograph(s) of site from adjacent roadway
- Written description of project
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – 6 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)
- Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– 6 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

APPLICATION

- 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 – 6 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 – 6 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 – 6 sets (drawn at an appropriate standard architectural scale)
- Building Elevations for all proposed structures and for any existing structures to be modified – 6 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

APPLICATION

- 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.

* * * * *

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.

Tavernier Hotel Holdings, LLC, By: PMG at Tavernier, LLC, its Manager
By: Prime Hospitality Group III, LLC, its Manager, By: PMG Asset Services, LLC, its Manager

Signature of Applicant: [Signature] Date: 05-26-2016
Larry M. Abbo, Manager

Sworn before me this 26 day of MAY, 2016



[Signature]
Notary Public
My Commission Expires

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

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section B-

Required Fee's

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section C-

Proof of Ownership

NOTE TO CLERK/TAX EXAMINER: Actual consideration paid is \$ 2,400,000.00

This Instrument Prepared by and Return to:
Jennifer G. Sanchez, Esq.
Sanchez & Ashby, P.A.
1223 White Street, Unit 104
Key West, FL 33040
(305) 293-0084

Parcel ID Number: 00555610-000000

Warranty Deed

This Indenture, Made this 29th day of May, 2015 A.D., Between
Tavernier Properties LLC, a Florida limited liability company

of the County of MONROE, State of Florida, grantor, and
Tavernier Hotel Holdings LLC, a Florida limited liability company

whose address is: 4651 Sheridan Street, Suite 480, Hollywood, FL 33021

of the County of Broward, State of Florida, grantee.

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

Lots 1, 2, 3, 4, 36 and 37, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (Parcel Identification No. 1681946) lying adjacent to said lots, between the Northerly and Southerly lines of Lots 1, 2, 3 and 4 of Block A, extended Easterly to the center of the alley; and the portion of the alley lying adjacent to said Lots 36 and 37 of Block A between the Northerly and Southerly lines of said Lots 36 and 37 of said Block A extended Westerly to the center of the alley.

AND

Lot 5, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (formerly Parcel Identification No. 1681954) lying adjacent to said Lot 5 of Block A, between the Northerly and Southerly lines of said Lot 5 of Block A extended Easterly to the center of the alley.

Subject to current taxes, easements and restrictions of record.

Warranty Deed - Page 2

Parcel ID Number: 00555610-000000

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

Signed, sealed and delivered in our presence:

Tavernier Properties LLC, a Florida limited liability company
By: Conch Harbor Marina LLC, a Florida limited liability company, as Managing Member

[Signature]
Printed
Witness 1

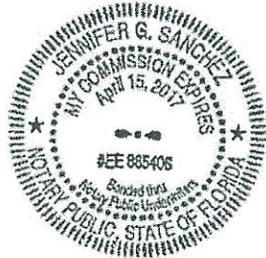
By: *[Signature]* (Seal)
Craig H. Hunt, Managing Member
P.O. Address: 951 Caroline Street, KEY WEST, FL 33040

[Signature]
Printed
Witness 2
Ralph Sanchez

STATE OF Florida
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 22nd day of May, 2015 by
**Craig H. Hunt, as Managing Member of Conch Harbor Marina LLC, a Florida
a limited liability company, as Managing Member of Tavernier Properties LLC, a Florida limited liability
company**
who is personally known to me or who has produced his _____ as identification

[Signature]
Printed Name: Jennifer G. Sanchez
Notary Public
My Commission Expires: 04/15/17



Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section D-

Current Property Record Card



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

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

Property Record Card -

Maps are now launching the new map application version

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

Alternate Key: 1681946 Parcel ID: 00555610-000000

Ownership Details

Mailing Address:
TAVERNIER HOTEL HOLDINGS LLC
4651 SHERIDAN ST STE 480
HOLLYWOOD, FL 33021-3430

Property Details

PC Code: 39 - HOTELS,MOTELS
Millage Group: 500P
Affordable Housing: No
Section-Township-Range: 34-62-38
Property Location: 91885 OVERSEAS HWY TAVERNIER
Subdivision: TAVERNIER NO 2
Legal Description: BK A LTS 1-5 AND 36-37 TAVERNIER NO 2 PB2-8 KEY LARGO AND PT DISCLAIMED ALLEY (RES NO 11-1968) E6-162 OR405-1100 OR456-15/16 OR679-206 OR760-97 OR777-285 OR833-593 OR841-265 OR841-266 OR841-270D/C OR841-272 OR841-274 OR841-284 OR1044-1828 OR1010-31 OR1010-399/AFF OR1067-2306/07 OR1172-997 OR1197-1015/16 OR1229-148 OR1657-1813 OR2186-2007/2008 OR2347-1038/1043ORD OR2461-82/84 OR2745-570-71

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	25	90	10,665.00 SF
100D - COMMERCIAL DRY	0	0	8,100.00 SF
100H - COMMERCIAL HIGHWAY	25	90	2,375.00 SF

Building Summary

Number of Buildings: 5
 Number of Commercial Buildings: 5
 Total Living Area: 10150
 Year Built: 1936

Building 1 Details

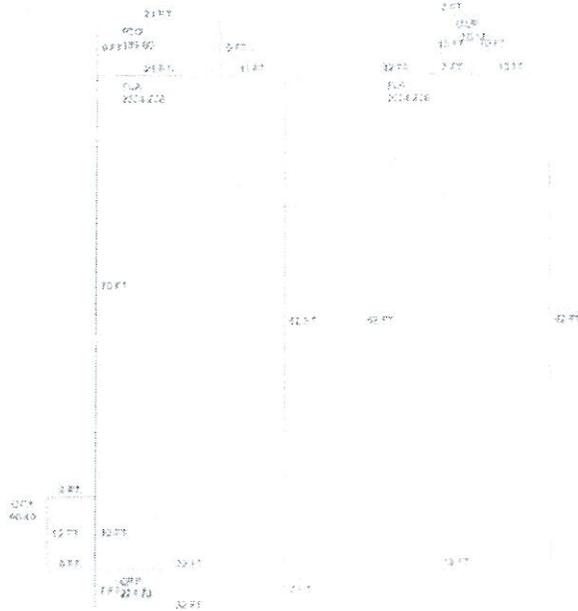
Building Type	Condition F	Quality Grade 300
Effective Age 25	Perimeter 456	Depreciation % 33
Year Built 1936	Special Arch 0	Grnd Floor Area 5,248
Functional Obs 0	Economic Obs 0	

Inclusions:

Roof Type	Roof Cover	Foundation CONC PILINGS
Heat 1	Heat 2	Bedrooms 0
Heat Src 1	Heat Src 2	

Extra Features:

2 Fix Bath	0	Vacuum	0
3 Fix Bath	0	Garbage Disposal	0
4 Fix Bath	0	Compactor	0
5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0
7 Fix Bath	0	Fireplaces	0
Extra Fix	21	Dishwasher	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	OPX		1	2013					96
1	FLA		1	1981					2,624
2	OPF		1	1981					224

4	PTO	1	1975	189
5	FLA	1	1981	2,624
6	OUF	1	1981	70

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	14549	HOTEL/MOTEL C	90	N	N
	14550	OFFICE BLD-1 STORY	10	N	N
	14551	HOTEL/MOTEL C	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
5043	C.B.S.	100

Building 2 Details

Building Type
 Effective Age 25
 Year Built 1936
 Functional Obs 0

Condition F
 Perimeter 160
 Special Arch 0
 Economic Obs 0

Quality Grade 300
 Depreciation % 33
 Grnd Floor Area 1,344

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

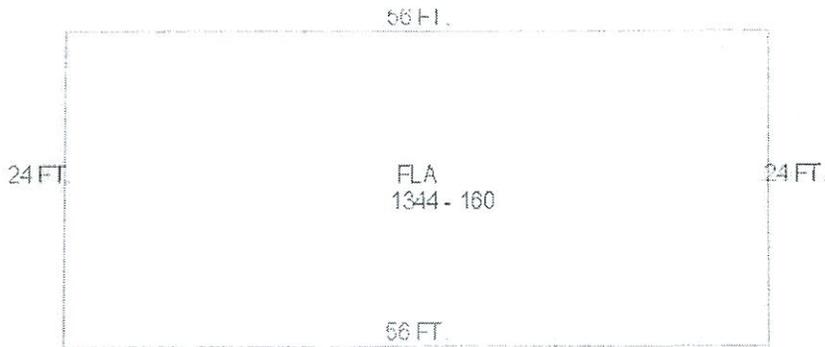
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 9

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1981					1,344

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	14552	HOTEL/MOTEL C	20	N	N
	14553	APARTMENTS	55	N	N
	14554	SERV SHOPS ETC	25	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
5044	C.B.S.	100

Building 3 Details

Building Type
Effective Age 25
Year Built 1936
Functional Obs 0

Condition F
Perimeter 195
Special Arch 0
Economic Obs 0

Quality Grade 250
Depreciation % 33
Grnd Floor Area 1,818

Inclusions:

Roof Type
Heat 1
Heat Src 1

Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

2 Fix Bath 0

Vacuum 0

3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 9

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	PTO		1	1981					72
0	OPF		1	1981					108
1	FLA	1:WD FRAME	1	1981		Y			1,818

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		RESTAURANT & CAFETR	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
5045	AVE WOOD SIDING	100

Building 4 Details

Building Type
 Effective Age 25
 Year Built 1935
 Functional Obs 0

Condition F
 Perimeter 80
 Special Arch 0
 Economic Obs 0

Quality Grade 250
 Depreciation % 33
 Grnd Floor Area 348

Inclusions:

Roof Type
Heat 1
Heat Src 1

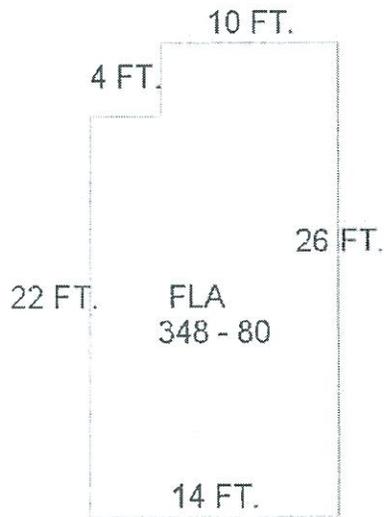
Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

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

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1981					348

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	14556	HOTEL/MOTEL C	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
5046	AVE WOOD SIDING	100

Building 5 Details

Building Type
Effective Age 25

Condition F
Perimeter 212

Quality Grade 250
Depreciation % 33

Year Built 1943
Functional Obs 0

Special Arch 0
Economic Obs 0

Gmd Floor Area 1,392

Inclusions:

Roof Type
Heat 1
Heat Src 1

Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

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

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	PTO		1	1997					176
0	FLA		1	1997					1,104
0	OPF		1	1975					216
0	FLA		1	1975					288

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		OFFICE BLD-1 STORY	20	N	N
		HOTEL/MOTEL D	80	N	N
		HOTEL/MOTEL D	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
	AVE WOOD SIDING	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	PT2:BRICK PATIO	1,000 SF	0	0	2013	2014	2	50
1	AC2:WALL AIR COND	6 UT	0	0	1975	1976	1	20
2	AC2:WALL AIR COND	16 UT	0	0	1975	1976	2	20
3	FN2:FENCES	1,158 SF	0	0	1994	1995	2	30
4	WD2:WOOD DECK	796 SF	0	0	1997	1998	2	40
5	PT3:PATIO	1,582 SF	0	0	1975	1976	2	50
6	AP2:ASPHALT PAVING	232 SF	29	8	1991	1992	2	25
7	FN2:FENCES	96 SF	16	6	1983	1984	2	30
8	AC2:WALL AIR COND	2 UT	0	0	2013	2014	1	20

Appraiser Notes

BK A LOT 5 (RE00555620-000000 AK1681954) IS NOW COMBINED WITH THIS PARCEL FOR ASSESSMENT PURPOSES, DONE FOR THE 2011 TAX ROLL 4/7/2011MKD

THE DEVELOPMENT ORDER FILED 2/27/2008 IN OR2347-1038/1043 STATES THAT THERE ARE 16 TRANSIENT UNITS AND 1 MARKET RATE UNIT ELIGIBLE TO BE TRANSFERRED OFF SITE. FOUR OF THE BUILDINGS ON-SITE HAVE BEEN DESIGNATED HISTORICAL AND CULTURAL LANDMARKS. THE PROPERTY OWNERS (TAVERNIER HOTEL LLC) HAS ESTABLISHED LOTS 1-5 BLK A AS THE SENDER SITE AND THE EXISTING TRANSIENT AND PERMANENT USES SHALL CONTINUE UNTIL A RECEIVER SITE HAS BEEN IDENTIFIED. THIS DEVELOPMENT ORDER SHALL REMAIN EFFECTIVE FOR 5 YEARS FROM THE DATE OF THIS ORDER BEING RECORDED (EXPIRES 2/27/2013).

2001/05/09 FIELD INSPECTED. PHOTO ON FILE. NCG HISTORICAL BLDGS WITH EXTERIOR/INTERIOR RENOVATIONS 1982 BLDG. 1 - 2 STORY HOTEL BLDG. 2 - CONNECTS RESTAURANT TO HOTEL 56'X24' (1 ROOM/STORAGE/1 APT) UNDER REPAIRS BLDG. 3 - RESTAURANT -(CLOSED AT PRESENT TIME) BLDG. 4 - COTTAGE (1 ROOM)

RE #S 555560-55560 & 555920 & 555930 COMBINED FOR ASSMT PURPOSES 1-27-98

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	12303532	01/16/2013	05/07/2013	13,500	Commercial	INSTALL PAVERS
	2303978	09/05/2002	01/01/2004	1		REM/REP 5 TON A/H
	06301814	05/05/2006	01/01/2007	1		INTERIOR DEMOLITION
	06303255	07/07/2006	01/01/2007	1		ROOF (HOTEL #4)
	06303257	07/07/2006	01/01/2007	1		ROOF (HOTEL #3)
	06302331	07/07/2006	01/01/2007	1		ROOF (HOTEL #6)
	06303256	07/07/2006	01/01/2007	1		ROOF (HOTEL #1)
	07303655	09/24/2007	12/10/2007	1		INTERIOR DEMOLITION

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	781,647	27,803	268,500	1,717,769	1,717,769	0	1,717,769
2014	781,647	25,672	268,500	1,738,891	1,735,882	0	1,738,891
2013	722,867	18,002	159,160	1,568,949	1,568,949	0	1,568,949
2012	763,758	18,331	159,160	1,554,514	1,554,514	0	1,554,514
2011	790,587	18,804	294,435	1,554,514	1,554,514	0	1,554,514
2010	689,084	18,679	330,700	1,038,463	1,038,463	0	1,038,463
2009	726,495	19,110	367,710	1,214,520	1,214,520	0	1,214,520
2008	726,495	19,479	494,500	1,458,518	1,458,518	0	1,458,518
2007	574,683	19,911	568,875	1,927,654	1,927,654	0	1,927,654
2006	539,934	23,237	368,065	931,236	931,236	0	931,236
2005	540,975	24,004	275,540	840,519	840,519	0	840,519
2004	540,964	24,625	201,165	766,754	766,754	0	766,754
2003	578,254	25,350	179,495	783,099	783,099	0	783,099
2002	540,964	26,011	122,010	688,985	688,985	0	688,985
2001	572,788	26,737	76,856	676,381	676,381	0	676,381
2000	520,054	854	62,169	583,077	583,077	0	583,077
1999	520,054	890	62,169	583,113	583,113	0	583,113
1998	427,505	926	62,169	490,600	490,600	0	490,600
1997	320,359	325	8,907	329,591	329,591	0	329,591
1996	291,236	336	8,907	300,479	300,479	0	300,479
1995	291,236	347	8,907	300,490	300,490	0	300,490
1994	291,236	112	7,125	298,473	298,473	0	298,473
1993	291,236	112	7,719	299,067	299,067	0	299,067
1992	291,236	112	7,313	298,661	298,661	0	298,661
1991	223,499	112	7,313	230,924	230,924	0	230,924
1990	223,499	112	7,313	230,924	230,924	0	230,924
1989	223,499	112	6,750	230,361	230,361	0	230,361
1988	174,062	112	6,750	180,924	180,924	0	180,924
1987	171,422	112	6,750	178,284	178,284	0	178,284
1986	171,567	112	6,750	178,429	178,429	0	178,429
1985	168,449	112	6,750	175,311	175,311	0	175,311
1984	166,321	112	6,750	173,183	173,183	0	173,183
1983	166,321	112	6,035	172,468	172,468	0	172,468
1982	80,138	112	6,035	86,285	86,285	0	86,285

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
-----------	----------------------------	-------	------------	---------------

5/29/2016	2745 / 570	2,400,000	WD	37
3/25/2010	2461 / 82	2,300,000	WD	01
2/3/2006	2186 / 2007	2,750,000	WD	M
10/4/2000	1657 / 1813	1	WD	M
12/1/1991	1197 / 1015	1	WD	M
9/1/1988	1067 / 2306	1	WD	M
3/1/1988	1044 / 1828	1	WD	M

This page has been visited 105,041 times.

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

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable

Housing and Retail

Section E-

Photographs of Site from the Road



T A H O T V E T E R N E L L I E R

COMPLETE AUTO PARTS AUTO REPAIR

HOTEL BOOKS 570



CAFÉ MOKA

Café & Bakery

CB

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section F-

Written Description of Project

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use: Use Change from Restaurant and Hotel to Restaurant, Affordable Housing and Retail

Project Narrative:

The applicant is seeking to change the use of the Tavernier Inn building from hotel use to affordable housing.

The overall property has a historical designation, and consists of several buildings. Other than the restaurant occupied by Moka Café, and the residential unit, the rest of the buildings in the complex have hotel rooms, or uses related to the hotel, such as office, laundry and common areas. The largest building is the 2 story historic Tavernier Inn, where the hotel originated.

The main building (historic Tavernier Inn) currently houses the majority of the hotel rooms for the Tavernier Hotel, as well as office and hotel associated uses. The other buildings also hold rooms, as well as office and hotel associated uses. Due to the historic status of the buildings, they can not be demolished, nor can their exterior be altered without review from the county to assure the changes are consistent with their historic status.

The hospitality sector in the keys is quickly modernizing, providing more services, and offering a higher quality room. The limitations of the existing buildings, due to their historic status, increasingly place this location at a disadvantage in the hospitality market. However, the existing floor plan layouts, and available utilities, do lend themselves to conversion to a successful affordable housing, and retail use.

Through this application, we seek to change the hotel rooms to retail use, and affordable housing, with common areas, and associated utility spaces.

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section G-

Boundary Survey

(to also serve as Site Plan)

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section H-

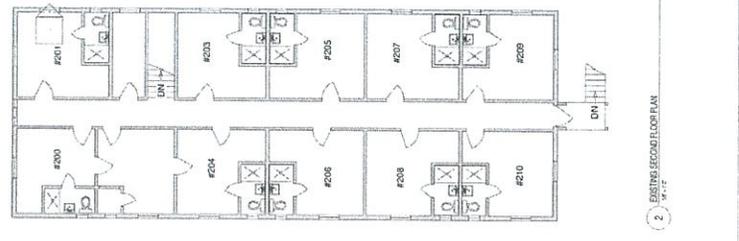
Building Floor Plans

(Existing & New)

Historic Tavernier Hotel
 91865 Overseas Hwy,
 Key Largo, FL 33070

Project Name	Historic Tavernier Hotel
Client	Private Group, Inc.
Architect	CH2M
Date	05/27/16
Project Status	Design Development
Checkmark	Project Manager
A200	

PRELIMINARY NOT FOR CONSTRUCTION
 Existing Floor Plans



1 EXISTING GROUND FOOTPRINT
 W.P.C.

2 EXISTING SECOND FLOOR PLAN
 W.P.C.

Historic Tavernier Hotel
 91865 Overseas Hwy,
 Key Largo, FL 33070

Project Schedule: _____ Date: _____

PRELIMINARY NOT FOR
 CONSTRUCTION

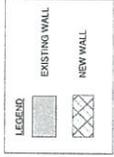
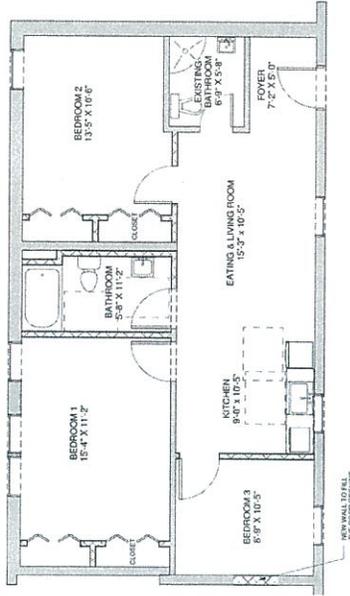
Existing And New
 Unit #1 (FHA) Plan

Drawn By: _____
 Project No.: _____
 Date: _____
 Checked By: _____
 Project Manager: _____

A202.1

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

RECEIVED
 MAY 27 2016
 2016-082
 MONROE CO. PLANNING DEPT



1 EXISTING & NEW ENLARGED UNIT #1 FLOOR PLAN

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section I-

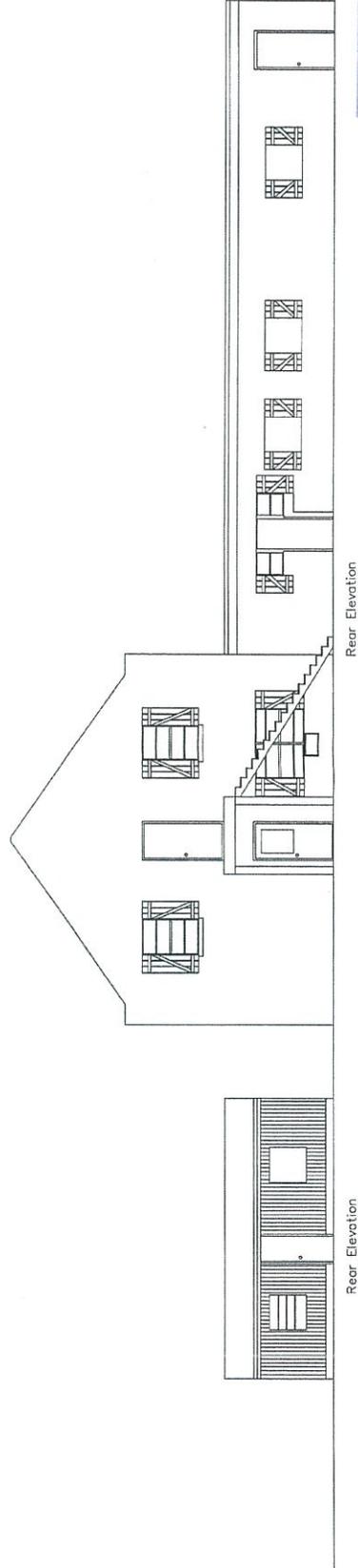
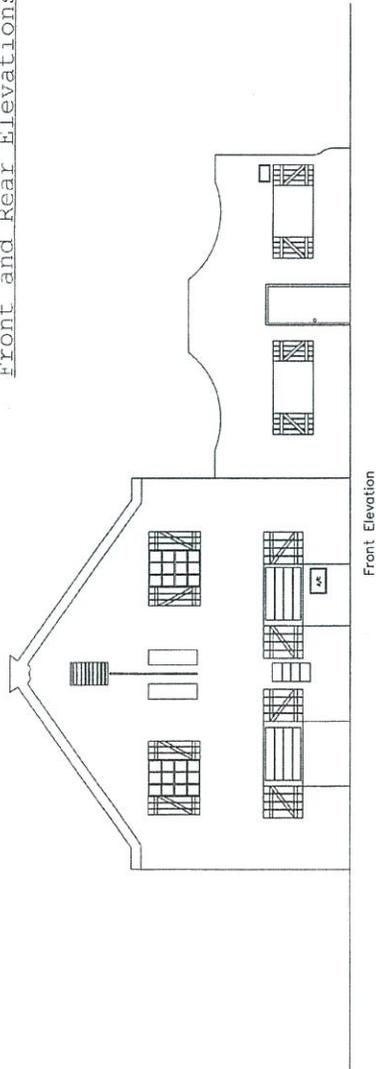
Building Elevations

(Existing- No Change Requested)

Tavernier Hotel

91865 Overseas Hwy, Tavernier, Fl. 33070

Front and Rear Elevations



Rear Elevation

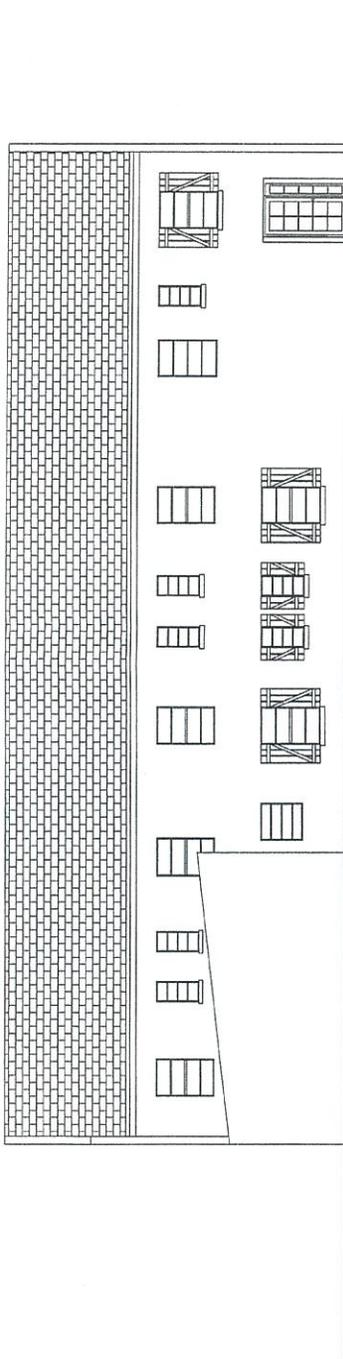
Rear Elevation

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2016-082
MONROE CO. PLANNING DEPT.

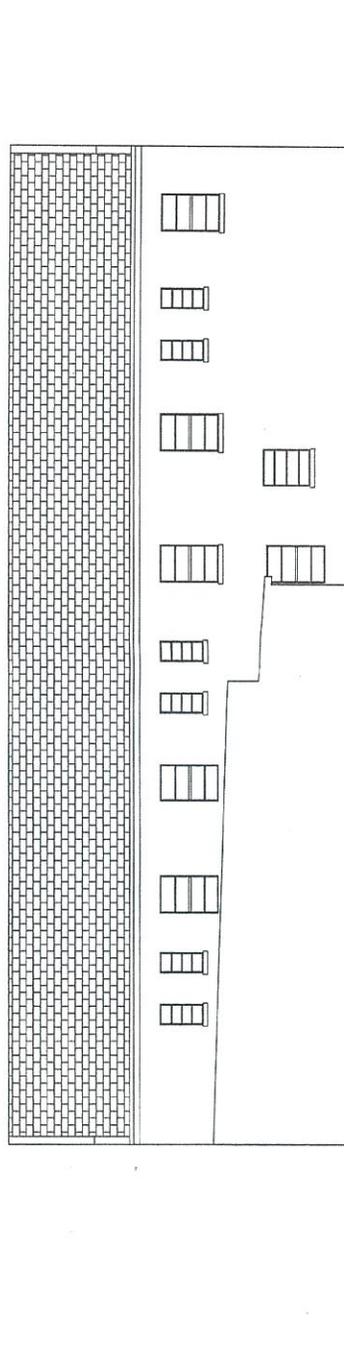
Tavernier Hotel

91865 Overseas Hwy, Tavernier, Fl. 33070

Side Elevations



Left Side Elevation



Right Side Elevation

RECEIVED
MAY 27 2016
2016-082
MONROE CO. PLANNING DEPT

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section J-

Mailing Labels

✓ Lowe House Corporation
91770 Overseas Hwy
Tavernier, FL 33070

✓ Peace George W Trust Agreement
5/27/2008
10400 SW 53rd Street
Cooper City, FL 33328

✓ Yayou LLC
400 Coconut Palm Blvd
Tavernier, FL 33070

✓ Mitchell Tony Bob and Diane
PO Box 370845
Key Largo, FL 33037

✓ DOT/ST of FL
State Road Department
Tallahassee, FL 32399

✓ Shorcitos Holdings LLC
PO Box 782
Tavernier, FL 33070

✓ Tavernier Hotel Holdings LLC
4651 Sheridan Street
STE 480
Hollywood, FL 33021

✓ Gotta Luv It Investments LLC
3005 SW 2nd Ave STE 101
Ft. Lauderdale, FL 33315

✓ Sunshine Gasoline Distributors Inc
1650 NW 87th Ave
Doral, FL 33172

✓ G and W 2009 Investment LLC
8 Bounty Ln
Key Largo, FL 33037

✓ Monroe County
500 Whitehead St
Key West, FL 33040

✓ Stewart Family Trust 06/29/2007
143 Atlantic Circle Dr.
Tavernier, FL 33070

✓ Klein Shari
140 Atlantic Circle Dr
Tavernier, FL 33070

✓ Gargano Lynda E
PO Box 1113
Tavernier, FL 33070

✓ Nicholls Christine
Po Box 584
Tavernier, FL 33070

✓ Dangel Bridget
107 Tavern Dr
Tavernier, FL 33070

✓ Gallagher Thomas F and Gae
PO Box 743
Tavernier, FL 33070

✓ Bigger Charles H
170 Atlantic Circle Dr
Tavernier, FL 33070

✓ Hoke Tyler Robert
151 Ocean View Dr
Tavernier, FL 33070

✓ Ohara Judy
136 Tavern Dr
Tavernier, FL 33070

✓ Atlantic Circle LLC
256 Bougainvillea Street
Tavernier, FL 33070

✓ Scott George and Louise
420 Coconut Palm Blvd
Tavernier, FL 33070

✓ Blackwood Robert H and Tammy R
1331 N. Tropical Trail
Merritt Island, FL 32953

✓ 150 Atlantic Circle LLC
4490 Navajo Trail
Jamestown, OH 45335

✓ 132 Tavern LLC
PO Box 539
Tavernier, FL 33070

✓ J & K Inc
PO Box 554
Tavernier, FL 33070

✓ Reboredo Jose and Alejandrina
2831 SW 128th Ave
Miami, FL 33175

✓ Hewitt Mark D and Peggy A
14818 E Fish Hook Dr
Park Rapids, MN 56470

✓ Cramer Steven J and Shellie M
165 Atlantic Circle Dr
Tavernier, FL 33070

✓ Stewart Title Guaranty Company
1980 Post Oak Blvd STE 800
Houston, TX 77056

Rose Glen A Rev TR AGR 6/16/05
1830 NW 87th Ave
Pembroke Pines, FL 33024

Kruszelnicki Violetta
PO Box 370551
Key Largo, FL 33037

Bigger Ellen Lenore
128 Tavern Dr
Tavernier, FL 33070

Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section K-

Radius Report

Monroe County Property Appraiser - Radius Report

AK: 1102105	Parcel ID: 00090180-000000	Physical Location	91770 OVERSEAS	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB1-64 PT LOT 21 AND SWLY 58.15 FT OF NELY 97.97 FT TR-A BURTONS				
Owners Name: LOWE HOUSE CORPORATION				
Address: 91770 OVERSEAS HWY		TAVERNIER	FL	33070-2640
AK: 1682411	Parcel ID: 00556080-000000	Physical Location	158 ATLANTIC	KEY LARGO
Legal Description: BK B LTS 4, 15 AND 16 TAVERNIER NO 2 PB2-8 KEY LARGO OR276-482 COUNTY JUDGE'S DOCKET 11-124				
Owners Name: PEACE GEORGE W TRUST AGREEMENT 5/27/2008				
Address: 10400 SW 53RD ST		COOPER CITY	FL	33328-5608
AK: 1585815	Parcel ID: 00479290-000000	Physical Location	91700 OVERSEAS	TAVERNIER
Legal Description: LT 4 AND 5 BURTONS ADD TO TAVERNIER KEY LARGO 82 OR4-244/45 OR753-1057/59 OR753-1060 OR899-5				
Owners Name: YAYOU LLC				
Address: 400 S COCONUT PALM BLVD		TAVERNIER	FL	33070-2253
AK: 1102091	Parcel ID: 00090170-000000	Physical Location	91790 OVERSEAS	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB1-64 PT LOTS 21-22 AND THE N'LY 39.82 FT OF TRACT A BURTON A				
Owners Name: MITCHELL TONY BOB AND DIANE				
Address: PO BOX 370845		KEY LARGO	FL	33037-0845
AK: 1101966	Parcel ID: 00090050-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB 1-64 PT LOT 16 G6 -42				
Owners Name: DOT/ST.OF FL				
Address: (STATE ROAD DEPARTMENT)		TALLAHASSEE	FL	32399
AK: 1682501	Parcel ID: 00556180-000000	Physical Location	91875 OVERSEAS	KEY LARGO
Legal Description: TAVERNIER NO 2 PB2-8 KEY LARGO BLOCK D (A/K/A S Q D LOT 1) AND PART OF UNAMED 30FT RD AND ISI				
Owners Name: SHORCITOS HOLDINGS LLC				
Address: PO BOX 782		TAVERNIER	FL	33070-0782
AK: 1681946	Parcel ID: 00555610-000000	Physical Location	91865 OVERSEAS	TAVERNIER
Legal Description: BK A LTS 1-5 AND 36-37 TAVERNIER NO 2 PB2-8 KEY LARGO AND PT DISCLAIMED ALLEY (RES NO 11-1				
Owners Name: TAVERNIER HOTEL HOLDINGS LLC				
Address: 4651 SHERIDAN ST STE 480		HOLLYWOOD	FL	33021-3430
AK: 1682381	Parcel ID: 00556050-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: BK B LT 12 AND NE LY 25 FT OF LT 11 TAVERNIER 2 PB 2-8 KEY LARGO G5-74 OR226-395/96 OR817-247 OF				
Owners Name: GOTTA LUV IT INVESTMENTS LLC				
Address: 3005 SW 2ND AVE STE 101		FORT LAUDERDALE	FL	33315-3339
AK: 1682331	Parcel ID: 00556000-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: BK B LT 7 AND NE LY 25 FT OF LT 8 TAVERNIER 2 PB2 -8 KEY LARGO G5-74 OR226-395/96 OR817-247 OR				
Owners Name: GOTTA LUV IT INVESTMENTS LLC				
Address: 3005 SW 2ND AVE STE 101		FORT LAUDERDALE	FL	33315-3339
AK: 1584959	Parcel ID: 00478410-000000	Physical Location	91860 OVERSEAS	KEY LARGO
Legal Description: BK 1 LTS 6-14 TAVERNIER PB1-105 KEY LARGO OR365-69 5/96 OR566-458DC OR1079-1441/43WILL OR1221-1				
Owners Name: SUNSHINE GASOLINE DISTRIBUTORS INC				
Address: 1650 NW 87TH AVE		DORAL	FL	33172-2614
AK: 1585831	Parcel ID: 00479310-000000	Physical Location	91700 OVERSEAS	KEY LARGO
Legal Description: LT 6 BURTONS ADD TO TAVERNIER KEY LARGO PB2-82 -244-245 OR753-1057/59 OR753-1060 OR899-564 OF				
Owners Name: YAYOU LLC				
Address: 400 S COCONUT PALM BLVD		TAVERNIER	FL	33070-2253

AK: 1584843	Parcel ID: 00478300-000000	Physical Location	91812 OVERSEAS	KEY LARGO
Legal Description: BK 1 LTS 1 THRU 5 TAVERNIER PB1-105 AND LOTS 1, 2 AND 3 BURTONS ADD TO TAVERNIER PB2-82 KE				
Owners Name: G AND W 2009 INVESTMENT LLC				
Address: 8 BOUNTY LN		KEY LARGO	FL	33037
AK: 1101923	Parcel ID: 00090020-000000	Physical Location	91895 OVERSEAS	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB1-64 PT LOT 16, SW 'LY 10' LOT 16 (PARCEL F) PT LOT 17 (PARCELS E				
Owners Name: MONROE COUNTY				
Address: 500 WHITEHEAD ST		KEY WEST	FL	33040-6581
AK: 1102121	Parcel ID: 00090200-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB1-64 PT GOV LOT 2 G11-216-217 OR543-182 OR667-116Q				
Owners Name: DOT/ST.OF FL				
Address: (STATE ROAD DEPARTMENT)		TALLAHASSEE	FL	32399
AK: 1101974	Parcel ID: 00090060-000000	Physical Location	143 ATLANTIC CIR	KEY LARGO
Legal Description: 34 62 38 ISLAND OF PB 1-64 KEY LARGO PT LOT 17 A2- 167 H3-111 PROBATE NO 8-158A OR872-1065 OR98				
Owners Name: STEWART FAMILY TRUST 06/29/2007				
Address: 143 ATLANTIC CIR DR		TAVERNIER	FL	33070
AK: 1102075	Parcel ID: 00090150-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PB 1-64 PT LOT 18 OR 338-470-471				
Owners Name: DOT/ST.OF FL				
Address: (STATE ROAD DEPT)		TALLAHASSEE	FL	32399
AK: 1682276	Parcel ID: 00555940-000000	Physical Location	140 ATLANTIC	KEY LARGO
Legal Description: BK B LT 1 TAVERNIER 2 PB2-8 KEY LARGO OR21-25 OR71 1-9 OR976-770 OR1313-1611/12F/J OR1594-2259L/E				
Owners Name: KLEIN SHARI				
Address: 140 ATLANTIC CIRCLE DR		TAVERNIER	FL	33070-2605
AK: 1682322	Parcel ID: 00555990-000000	Physical Location	123 TAVERN DR	KEY LARGO
Legal Description: TAVERNIER NO 2 KEY LARGO PB2-8 LT 5 AND 6 LESS SEL Y 1.5 FT BK B OR447-805 OR611-645 OR1093-2247				
Owners Name: GARGANO LYNDA E				
Address: PO BOX 1113		TAVERNIER	FL	33070-1113
AK: 1682225	Parcel ID: 00555890-000000	Physical Location	120 TAVERN DR	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO LOTS 33 & 34 BLK A & PT DISCLAIMED ALLEY RES NO 11-1968 G51-125				
Owners Name: NICHOLLS CHRISTINE				
Address: PO BOX 584		TAVERNIER	FL	33070-0584
AK: 1682292	Parcel ID: 00555960-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: BK B LT 3 TAVERNIER #2 PB2-8 KEY LARGO OR165-402 O R354-123 OR1007-1873/74P/R OR1009-1306 OR1696				
Owners Name: DANGEL BRIDGET				
Address: 107 TAVERN DR		TAVERNIER	FL	33070-2624
AK: 1681971	Parcel ID: 00555640-000000	Physical Location	91825 OVERSEAS	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO LOT 6-7-8-9-10 BLK A & ADJ PT DISCLAIMED ALLEY RES NO.11-1968 C				
Owners Name: GALLAGHER THOMAS F AND GAE				
Address: PO BOX 743		TAVERNIER	FL	33070-0743
AK: 1682390	Parcel ID: 00556060-000000	Physical Location	170 ATLANTIC	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO S 1.5' LOT 6 & ALL LOT 13 & SW 1' LOT 14 SQR B OR211-517/518 OR694-				
Owners Name: BIGGER CHARLES H				
Address: 170 ATLANTIC CIRCLE DR		TAVERNIER	FL	33070-2605
AK: 1682403	Parcel ID: 00556070-000000	Physical Location	166 ATLANTIC	TAVERNIER
Legal Description: BK B LT 14 LESS 1FT TAVERNIER NO 2 KEY LARGO OR443 -955/59 OR1333-1700 OR1420-2132 OR1510-140 OR1				
Owners Name: HOKE TYLER ROBERT				
Address: 151 OCEAN VIEW DR		TAVERNIER	FL	33070-2635

AK: 1682179	Parcel ID: 00555840-000000	Physical Location	136 TAVERN DR	TAVERNIER
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO LOT 29 BLK A & PT D ISCLAIMED ALLEY RES NO 11-1968 G59-513/14 O				
Owners Name: OHARA JUDY				
Address: 136 TAVERN DR			TAVERNIER	FL 33070-2625
AK: 1682357	Parcel ID: 00556020-000000	Physical Location	178 ATLANTIC	KEY LARGO
Legal Description: BK B SWLY 25FT LT 8 AND ALL LT 9 TAVERNIER 2 PB2-8 KEY LARGO OR226-395/96 OR817-247 OR821-697L				
Owners Name: ATLANTIC CIRCLE LLC				
Address: 256 BOUGAINVILLEA ST			TAVERNIER	FL 33070-2206
AK: 1682284	Parcel ID: 00555950-000000	Physical Location	107 TAVERN DR	TAVERNIER
Legal Description: BKB LT 2 TAVERNIER #2 PB2-8 KEY LARGO OR21-25 OR71 1-9 OR811-1202 OR1696-118 OR1981-2079(CTT)				
Owners Name: DANGEL BRIDGET				
Address: 107 TAVERN DR			TAVERNIER	FL 33070-2624
AK: 1682047	Parcel ID: 00555710-000000	Physical Location	91831 OVERSEAS	KEY LARGO
Legal Description: TAVERIER #2 PB2-8 KEY LARGO LOTS 16-20 BLK A & PT DISCLAIMED ALLEY RES NO 11-1968 OR89-446/4				
Owners Name: SCOTT GEORGE AND LOUISE				
Address: 420 S COCONUT PALM BLVD			TAVERNIER	FL 33070-2253
AK: 1682241	Parcel ID: 00555910-000000	Physical Location	114 TAVERN DR	KEY LARGO
Legal Description: BLK A LOT 35 & PT DISCLAIMED ALLEY RES NO 11-196 8 TAVERNIER #2 PB2-8 KEY LARGO OR299-155/				
Owners Name: BLACKWOOD ROBERT H AND TAMMY R				
Address: 1331 N TROPICAL TRL			MERRITT ISLAND	FL 32953-6036
AK: 1682438	Parcel ID: 00556100-000000	Physical Location	150 ATLANTIC	KEY LARGO
Legal Description: BK B LT 17-18 TAVERNIER 2 PB2-8 KEY LARGO E6-12 CO UNTY JUDGE'S DOCKET 11-124 OR902-2190 OR15				
Owners Name: 150 ATLANTIC CIRCLE LLC				
Address: 4490 NAVAJO TRL			JAMESTOWN	OH 45335-1479
AK: 1682373	Parcel ID: 00556040-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: LT 11 LESS NELY 25FT BK B TAVERNIER 2 PB2-8 KEY LA RGO OR226-395/96 OR817-247 OR821-697D/C OR91				
Owners Name: GOTTA LUV IT INVESTMENTS LLC				
Address: 3005 SW 2ND AVE STE 101			FORT LAUDERDALE	FL 33315-3339
AK: 1682187	Parcel ID: 00555850-000000	Physical Location	132 TAVERN DR	TAVERNIER
Legal Description: BK A LT 30 TAVERNIER 2 PB2-8 KEY LARGO PT DISCLAIM ED ALLEY RES NO 11-1968 OR288-180/81 OR405-1				
Owners Name: 132 TAVERN LLC				
Address: PO BOX 539			TAVERNIER	FL 33070-0539
AK: 9034631	Parcel ID: 00090041-000000	Physical Location	VACANT LAND	KEY LARGO
Legal Description: 34 62 38 ISLAND OF KEY LARGO PORTION OF OLD ST RD 4-A R-O-W LYING SE & CONTIGUOUS W/SE R-O-				
Owners Name: MONROE COUNTY				
Address: 500 WHITEHEAD STREET			KEY WEST	FL 33040
AK: 1681997	Parcel ID: 00555660-000000	Physical Location	91795 OVERSEAS	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO LOTS 11 THRU 15 BLK A & PT DISCLAIMED ALLEY RES NO 11-1968 OR36				
Owners Name: J & K INC				
Address: PO BOX 554			TAVERNIER	FL 33070-0554
AK: 1682497	Parcel ID: 00556170-000000	Physical Location	167 ATLANTIC	KEY LARGO
Legal Description: BKC LT 6 TAVERNIER #2 PB2-8 KEY LARGO G5-74 OR884- 418P/R OR974-947 CASE #87-1039-CIV-T-13 OR111C				
Owners Name: REBOREDO JOSE AND ALEJANDRINA				
Address: 2831 SW 128TH AVE			MIAMI	FL 33175-2005
AK: 8798822	Parcel ID: 00556140-000100	Physical Location	159 ATLANTIC	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO A PORTION OF THE SE 'LY 3.5' OF LOT 3 & S'LY 57' LOT 4 BK C OR544-20				
Owners Name: HEWITT MARK D AND PEGGY A				
Address: 14818 E FISH HOOK DR			PARK RAPIDS	MN 56470

AK: 1682489	Parcel ID: 00556160-000000	Physical Location	165 ATLANTIC	TAVERNIER
Legal Description: BK C LT 5 TAVERNIER 2 PB2-8 KEY LARGO G5-74 OR884- 411P/R OR946-1325AFF OR900-1698 OR1011-2388 C				
Owners Name: CRAMER STEVEN J AND SHELLI M				
Address: 165 ATLANTIC CIRCLE DR		TAVERNIER	FL	33070-2657
AK: 1682217	Parcel ID: 00555880-000000	Physical Location	124 TAVERN DR	KEY LARGO
Legal Description: BK A LT 32 AND NE 10 FT OF LT 31 AND PT VACATED ALLEY TAVERNIER NO 2 PB2-8 KEY LARGO RES I				
Owners Name: STEWART TITLE GUARANTY COMPANY				
Address: 1980 POST OAK BLVD STE 800		HOUSTON	TX	77056-3826
AK: 1682454	Parcel ID: 00556120-000000	Physical Location	149 ATLANTIC	KEY LARGO
Legal Description: BK C LOTS 1 AND 2 AND PT LOT 17 PB1-64 TAVERNIER NO 2 D2-544 D3-52 OR3-310/311 OR189-296 OR1098-1				
Owners Name: ROSE GLEN A REV TR AGR 6/16/05				
Address: 1830 NW 87TH AVE		PEMBROKE PINES	FL	33024-3318
AK: 1682471	Parcel ID: 00556140-000000	Physical Location	155 ATLANTIC	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO LOT 3 LESS A PORTION OF THE SE'LY 3.5' & THE N'LY 3' LOT 4 BK C OR				
Owners Name: KRUSZELNICKI VIOLETTA				
Address: PO BOX 370551		KEY LARGO	FL	33037-0551
AK: 1682195	Parcel ID: 00555860-000000	Physical Location	128 TAVERN DR	KEY LARGO
Legal Description: TAVERNIER #2 PB2-8 KEY LARGO SW 40' LOT 31 BLK A & PT DISCLAIMED ALLEY RES NO 11-1968 OR39				
Owners Name: BIGGER ELLEN LENORE				
Address: 128 TAVERN DR		TAVERNIER	FL	33070-2625

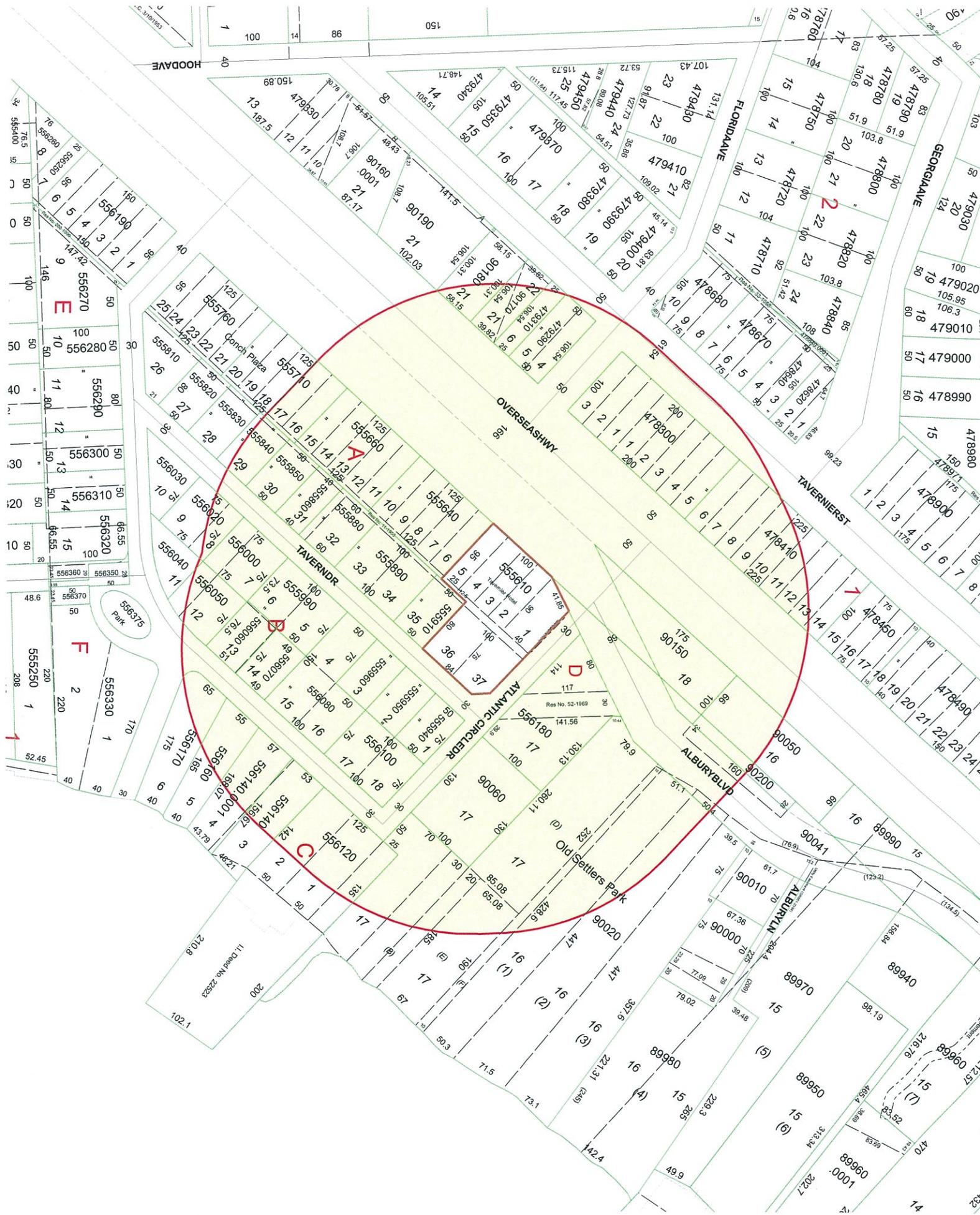
Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:
Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section L-

Radius Map



HOODAVE

FLORIDA AVE

GEORGIA AVE

TAVERNIER ST

OVERSEASHWY

TAVINDR

ATLANTIC CIRCLE DR

ALBURY BLVD

ALBURY LN

Old Settlers Park

Park

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C

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Res No. 52-1009

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Tavernier Inn

91865 Overseas Hwy, Tavernier

Application for Minor Conditional Use:

Use Change from Restaurant and Hotel to Restaurant, Affordable
Housing and Retail

Section M-

Notarized Letter of Authorization

Tavernier Hotel Holdings, LLC

May 25, 2016

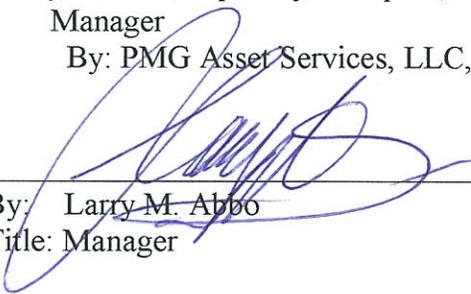
Emily Schemper, AICP
Comprehensive Planning Manager
Planning & Environmental Resources Department
Monroe County, Florida
2798 Overseas Highway, Suite 400, Marathon, FL. 33050

RE: Agent's Authorization- Change from Hotel to Affordable Housing
Folio Number: 00555610.000000

Dear Emily Schemper,

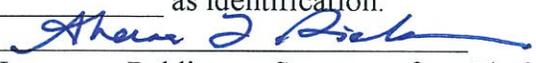
Tavernier Hotel Holdings, LLC consents to Jorge Cepero, acting as it's agent for any public hearing or administrative process related to the use change to affordable housing units and commercial use at the Tavernier Inn located at 91865 Overseas Hwy, Key Largo.

Tavernier Hotel Holdings, LLC
By: PHG at Tavernier, LLC, its Manager
By: Prime Hospitality Group III, LLC, its
Manager
By: PMG Asset Services, LLC, its Manager


By: Larry M. Abbo
Title: Manager

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by LARRY M. ASSO of Tavernier Hotel Holdings, LLC on this 26 day of May, 2016 who is PERSONALLY KNOWN to me or who produced _____ as identification.


Notary Public, State of Florida

Print Name: SHANA L. RICHMAN

Commission Expires: _____



4651 Sheridan Street, Suite 480, Hollywood, FL 33024 (954) 398-053

PH: 954-624-4702

Traf Tech

ENGINEERING, INC.

July 1, 2016

Mr. Jorge Cepero
Prime Group
4651 Sheridan Street, Suite 480
Hollywood, Florida 33021

Re: Tavernier – Change of Use (Traffic Statement)

Dear Jorge:

Per your request, Traf Tech Engineering, Inc. conducted a trip generation comparison analysis associated with an existing development located at 91865 Overseas Highway in Tavernier, Monroe County, Florida. This traffic statement addresses the trip difference between the following uses:

EXISTING USE

- o 18 hotel rooms

PROPOSED USE

- o 6 affordable apartment units with accessory areas for the residents

A trip generation comparison analysis was performed using the trip generation equations published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual (9th Edition)*. The trip generation analysis was undertaken for daily, AM peak hour, and PM peak hour conditions. According to ITE, the trip generation equations used for the existing and proposed land uses are:

ITE Land Use 220 – Apartment

Daily Trips

$$T = 6.65 (X)$$

Where T = number of daily trips and X = number of dwelling units

AM Peak Hour

$$T = 0.51 (X)$$

Where T = number of AM peak hour trips and X = number of dwelling units

PM Peak Hour

$$T = 0.62 (X)$$

Where T = number of PM peak hour trips and X = number of dwelling units

ITE Land Use 310 – Hotel

Daily Trips

$$T = 8.17 (X)$$

Where T = number of daily trips and X = number of rooms

AM Peak Hour

$$T = 0.53 (X)$$

Where T = number of AM peak hour trips and X = number of rooms

PM Peak Hour

$$T = 0.60 (X)$$

Where T = number of PM peak hour trips and X = number of rooms

Using the above-listed trip generation equations from the ITE document, a trip generation comparison analysis was undertaken for the existing and proposed uses. The results of this effort are documented in Table 1 below.

TABLE 1 Trip Generation Summary Tavernier Change in Use				
Land Use	Size	Number of Trips		
		Daily	AM Peak	PM Peak
EXISTING USE				
Hotel	18 rooms	146	10	11
PROPOSED USES				
Apartments	6 units	40	3	4
Difference		-106	-7	-7

Source: ITE Trip Generation Manual (9th Edition)

As indicated in Table 1, the change in use from 18 hotel rooms to six (6) affordable housing units results in a reduction in trips on a daily and peak hour basis. Hence, the proposed change in use will have a positive effect to the nearby transportation network.

Please give me a call if you have any questions.

Sincerely,

TRAF TECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer

Traf Tech

ENGINEERING, INC.

July 21, 2016

Mr. Jorge Cepero
Prime Group
4651 Sheridan Street, Suite 480
Hollywood, Florida 33021

Re: Tavernier – Change of Use (Traffic Statement)

Dear Jorge:

Per your request, Traf Tech Engineering, Inc. conducted a trip generation comparison analysis associated with an existing development located at 91865 Overseas Highway in Tavernier, Monroe County, Florida. This traffic statement addresses the trip difference between the following uses:

EXISTING USE

- 18 hotel rooms

PROPOSED USE

- 6 affordable apartment units with accessory areas for the residents
- 1,780 square feet of median intensity commercial

A trip generation comparison analysis was performed using the trip generation equations published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual (9th Edition)*. The trip generation analysis was undertaken for daily, AM peak hour, and PM peak hour conditions. According to ITE, the trip generation equations used for the existing and proposed land uses are:

ITE Land Use 220 – Apartment

Daily Trips

$$T = 6.65 (X)$$

Where T = number of daily trips and X = number of dwelling units

AM Peak Hour

$$T = 0.51 (X)$$

Where T = number of AM peak hour trips and X = number of dwelling units

PM Peak Hour

$$T = 0.62 (X)$$

Where T = number of PM peak hour trips and X = number of dwelling units

ITE Land Use 310 – Hotel

Daily Trips

$$T = 8.17 (X)$$

Where T = number of daily trips and X = number of rooms

AM Peak Hour

$$T = 0.53 (X)$$

Where T = number of AM peak hour trips and X = number of rooms

PM Peak Hour

$$T = 0.60 (X)$$

Where T = number of PM peak hour trips and X = number of rooms

ITE Land Use 826 – Specialty Retail

Daily Trips

$$T = 44.32 (X)$$

Where T = number of daily trips and X = 1,000 square feet of gross floor area

AM Peak Hour

T = None

PM Peak Hour

$$T = 2.71 (X)$$

Where T = number of PM peak hour trips and X = 1,000 square feet of gross floor area

Using the above-listed trip generation equations from the ITE document, a trip generation comparison analysis was undertaken for the existing and proposed uses. The results of this effort are documented in Table 1 below.

TABLE 1 Trip Generation Summary Tavernier Change in Use				
Land Use	Size	Number of Trips		
		Daily	AM Peak	PM Peak
EXISTING USE				
Hotel	18 rooms	146	10	11
PROPOSED USES				
Apartments	6 units	40	3	4
Commercial	1,780 sf	80	0	5
Subtotal		120	3	9
Difference		-26	-7	-2

Source: ITE Trip Generation Manual (9th Edition)

Traf Tech

ENGINEERING, INC.

As indicated in Table 1, the change in use from 18 hotel rooms to six (6) affordable housing units plus 1,780 square feet of commercial use results in a reduction in trips on a daily and peak hour basis. Hence, the proposed change in use will have a positive effect to the nearby transportation network.

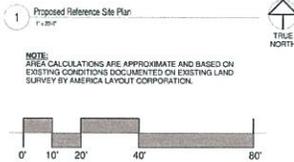
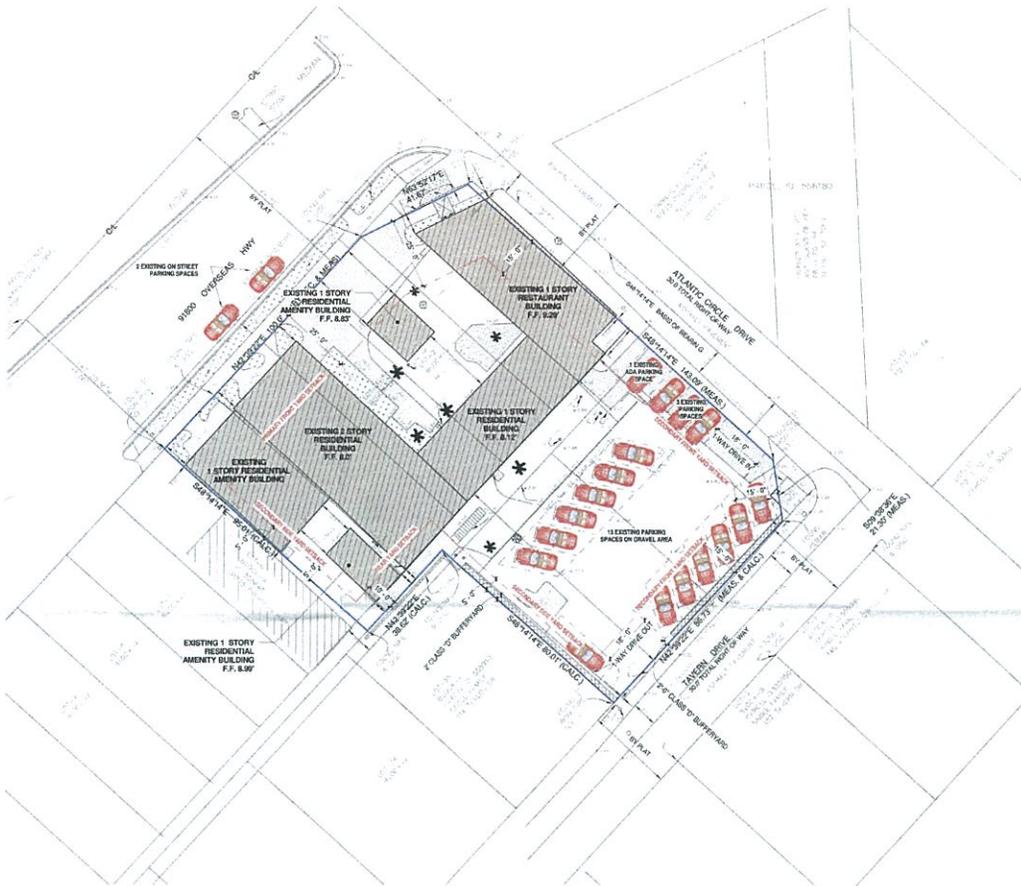
Please give me a call if you have any questions.

Sincerely,

TRAF TECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer





SITE DATA TABLE	
<p>PARCEL TO DEVELOP (OWNER): LAND USE ZONING DISTRICT DESIGNATION: SUBURBAN COMMERCIAL (SC) FUTURE LAND USE MAP PLUM OR DESIGNATION: MIXED USE COMMERCIAL (MUC) TITLE DESCRIPTION: TRS 11 FLOOD ZONE (IF APPLICABLE): AE 1-B DISTRICT: TAVERNIER HISTORIC DISTRICT OVERLAY TRAVELER'S HISTORY DISTRICT OVERLAY</p>	
TOTAL SITE AREA	53.27 ACRES (1% OF US ACRS)
APPROXIMATE FLOOR AREA	5,642 SF
EXISTING FLOOR AREA	1,788 SF
TOTAL FLOORING AREA	7,430 SF
CONCRETE	711 SF
ASPHALT	639 SF
WOOD DECK	248 SF
ADHESIVE TILE	147 SF
TOTAL INTERIORS AREA	16,439 SF
TOTAL OPEN SPACE PERIODIC AREA	30,839 SF
PERCENT OF OPEN SPACE PERIODIC	57.9%
MAX. BUILDING HEIGHT	4 STORIES
PRIMARY FRONT YARD SETBACK (OVERSEAS HIGHWAY)	25' 0"
SECONDARY FRONT YARD SETBACK (PLANNING DISTRICT)	10' 0"
REAR SETBACK	10' 0"
REAR YARD SETBACK	10' 0"
CLAS "C" BUFFERED OVERSEAS HIGHWAY - MAJOR STREET (LEFT)	50' 0"
CLAS "C" BUFFERED OVERSEAS HIGHWAY - MAJOR STREET (RIGHT)	50' 0"
PARKING SPACES	172 SPACES
PROPOSED PARKING SPACES TOTAL	172 SPACES / 172 SPACES
RESTAURANT PARKING	18 SPACES / 18 SPACES
RETAIL PARKING	14 SPACES / 14 SPACES
SHARED PARKING TOTAL	32 SPACES / 32 SPACES

LAND USE DENSITY (SC - SUBURBAN COMMERCIAL DISTRICT)					
LAND USE	MINIMUM FLOOR AREA RATIO/DENSITY	SET OF SITE	MINIMUM ALLOWED	PROPOSED	POTENTIAL USED
APPROXIMATE HOUSING	25 TAX	36,508 SF	1,227 SF	1,788 SF	34,20%
APPROXIMATE HOUSING	18 TO 1 BUILDABLE ACRE	38 TO 1 BUILDABLE ACRES	0.84 DU	0.4 FORTYFOUR DU	05.72%

- ### SITE PLAN NOTES
- REFER TO ALL APPLICABLE REGULATORY AND ZONING ORDINANCES, LOCAL ORDINANCES, AND FUTURE LAND USE MAP PLUM OR DESIGNATION FOR THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT OR WARRANTY OF ANY KIND.
 - REFER TO ALL APPLICABLE REGULATORY AND ZONING ORDINANCES, LOCAL ORDINANCES, AND FUTURE LAND USE MAP PLUM OR DESIGNATION FOR THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT OR WARRANTY OF ANY KIND.
 - THE OWNER SHALL PROVIDE CONCRETE CURBS AND CURB CUTS TO ALL APPLICABLE FOR ALL CURBS AND CURB CUTS AS REQUIRED BY THE CITY ENGINEER'S PLAN CONTROLLING SITE PLAN.
 - CONCRETE SHALL BE PROVIDED FOR ALL CURBS AND CURB CUTS AS REQUIRED BY THE CITY ENGINEER'S PLAN CONTROLLING SITE PLAN.
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 - CONCRETE SHALL BE PROVIDED FOR ALL CURBS AND CURB CUTS AS REQUIRED BY THE CITY ENGINEER'S PLAN CONTROLLING SITE PLAN.

pd
PRIME DESIGN ASSOCIATES
 ARCHITECTURE - PLANNING - DESIGN
 AA 26002234
 4651 SHERIDAN ST., SUITE 400
 HOLLYWOOD FLORIDA, 33021
 VOICE: 954.251.5790
 FAX: 954.392.6748



MAYER S. ABBO, ARCHITECT
 SEAL

Historic Tavernier Hotel
 91865 Overseas Hwy.,
 Key Largo, FL 33070

Revision Schedule
 No. Description Date

DESIGN DEVELOPMENT

PRELIMINARY NOT FOR CONSTRUCTION

FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT

Proposed Reference Site Plan

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Client Name: Prime Design, Inc.
 Project Number: 03016
 Date: 08-09-16
 Project Status: Design Development
 Checked by: Project Manager

A100
 Scale: 1" = 20'-0"



PRIME DESIGN ASSOCIATES
ARCHITECTURE, PLANNING, DESIGN

A.A. 26002234

4651 SHERIDAN ST. SUITE 460
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Historic Tavernier Hotel

91865 Overseas Hwy,
Key Largo, FL 33070

Revision Schedule

No.	Description	Date
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DESIGN DEVELOPMENT
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CONSTRUCTION**

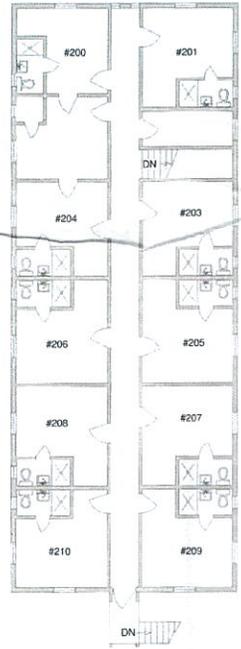
FOR PERMIT
CONSTRUCTION PLANS BY
OTHERS UNDER SEPARATE
PERMIT

Existing Floor Plans

Client Name: Prime Group, Inc.
Project Number: 630016
Date: 08-05-16
Project Status: Design Development
Checked by: Project Manager

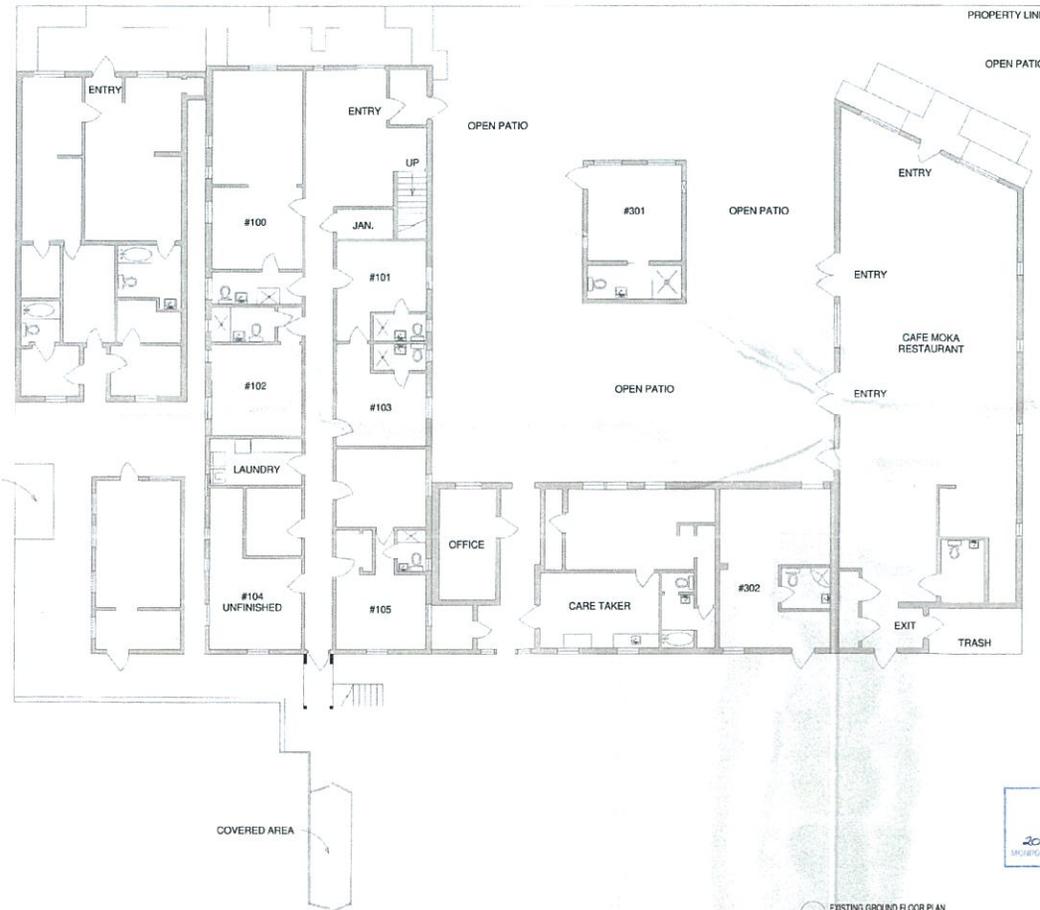
A200

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



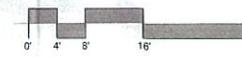
2 EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



1 EXISTING GROUND FLOOR PLAN
1/4" = 1'-0"

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



SIDEWALK
GRASS
PROPERTY LINE

OPEN PATIO

OPEN PATIO

OPEN PATIO

OPEN PATIO

OPEN PATIO

ENTRY

ENTRY

ENTRY

EXIT

TRASH

ENTRY

ENTRY

JAN.

#101

#103

LAUNDRY

#104 UNFINISHED

#105

OFFICE

CARE TAKER

#302

COVERED AREA

UTILITY SHED

DN

UP

DN

DN



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AA 26002234

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MAYER S. ABBO, ARCHITECT

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Historic Tavernier Hotel

91865 Overseas Hwy,
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Revision Schedule

No.	Description	Date
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DESIGN DEVELOPMENT
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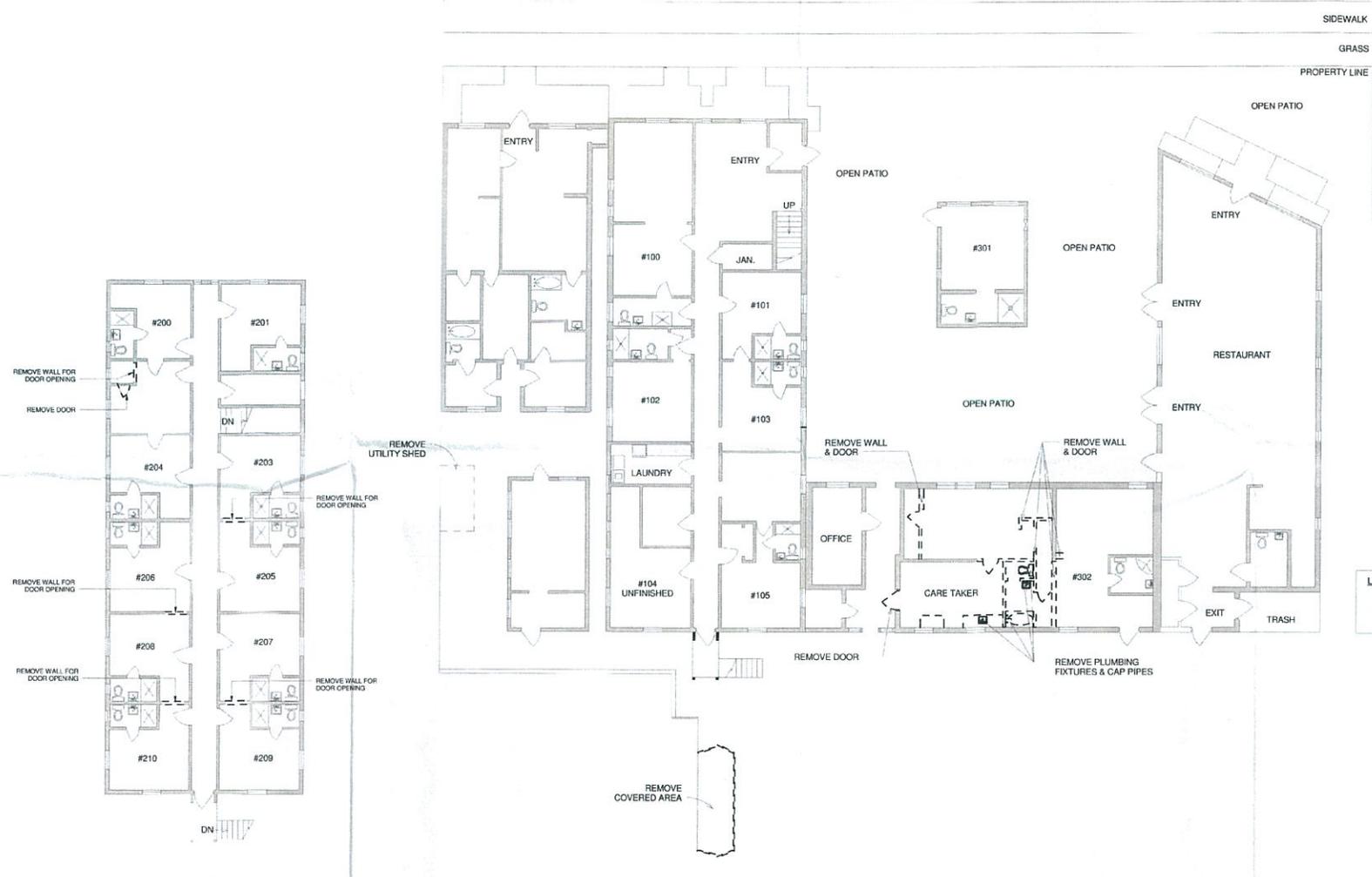
FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT

Existing & Proposed Demolition Floor Plans

Client Name	Prime Group, Inc.
Project number	0321-16
Date	08-09-16
Project Status	Design Development
Checked by	Project Manager

A201

Scale 1/8" = 1'-0"

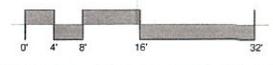


2 EXISTING & PROPOSED DEMOLITION SECOND FLOOR PLAN 1/8" = 1'-0"

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.

1 EXISTING & PROPOSED DEMOLITION GROUND FLOOR PLAN 1/8" = 1'-0"

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



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4851 SHERIDAN ST. SUITE 400
HOLLYWOOD FLORIDA, 33021
VOICE: 954.251.5790
FAX: 954.392.8748

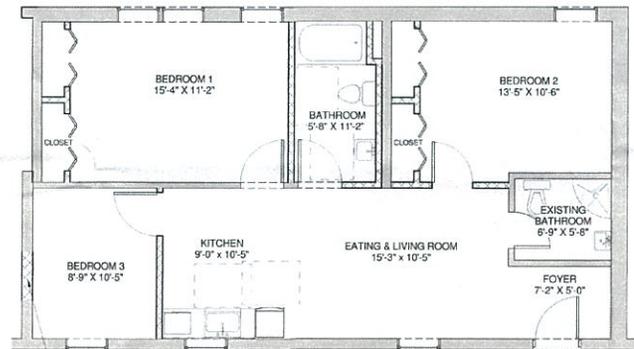
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Historic Tavernier Hotel

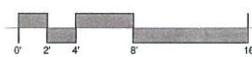
91865 Overseas Hwy,
Key Largo, FL 33070



NEW WALL TO FILL THE DOOR OPENING

1 EXISTING & PROPOSED NEW ENLARGED UNIT #1 (FHA) PLAN
1/4" = 1'

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEGARIE MASTERS.



Revision Schedule

No.	Description	Date

DESIGN DEVELOPMENT
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Existing & Proposed New Unit #1 (FHA) Plan

Client Name	Prima Group, Inc.
Project Number	0301-1
Date	08-08-16
Project Status	Design Development
Checked by	Project Manager

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A202.1

Scale 1/4" = 1'-0"

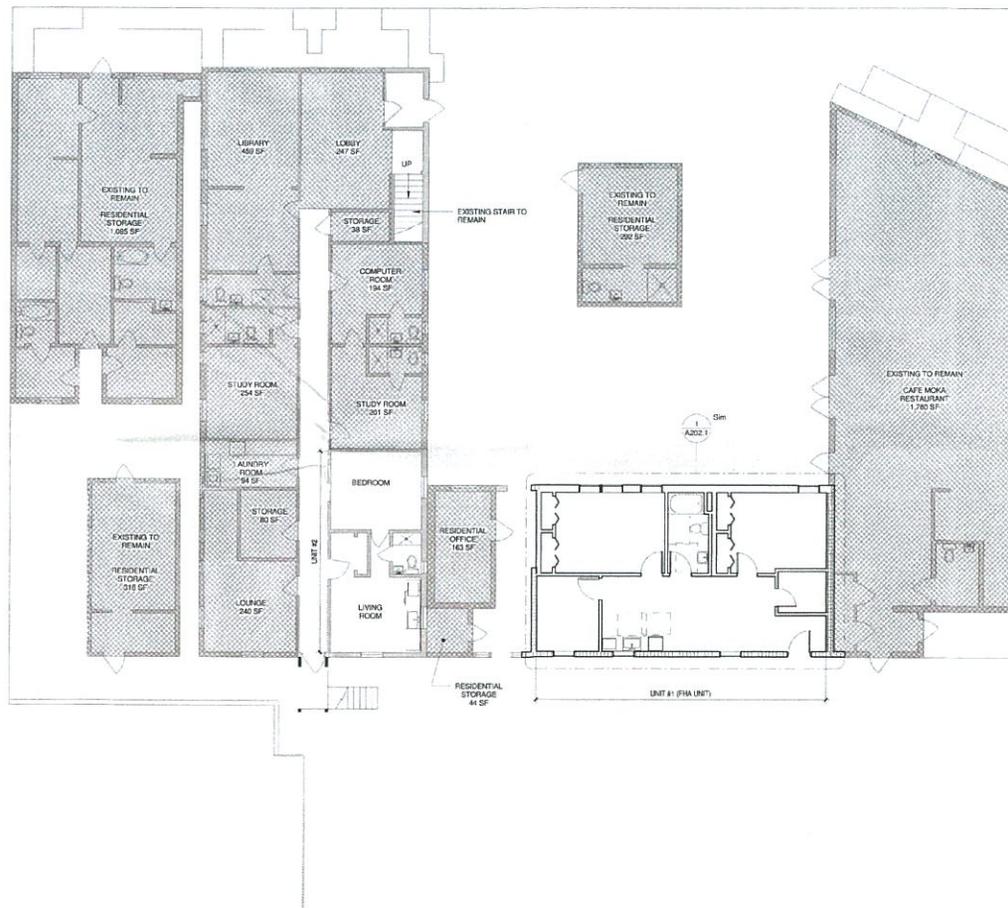
BUILDING AREA DATA TABLE		
GROUND FLOOR	RESIDENTIAL (AFFORDABLE HOUSING)	1,933 SF (18.32%)
	RESIDENTIAL AMENITIES	3,705 SF (37.06%)
	RESTAURANT	1,789 SF (17.79%)
SECOND FLOOR	RESIDENTIAL (AFFORDABLE HOUSING)	2,311 SF (23.12%)
	RESIDENTIAL AMENITIES	371 SF (3.71%)
TOTAL BUILDING AREA		30,004 SF (30.74%)

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



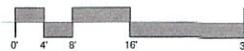
2 EXISTING & PROPOSED NEW SECOND FLOOR PLAN
1/8" = 1'-0"

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



1 EXISTING & PROPOSED NEW GROUND FLOOR PLAN
1/8" = 1'-0"

NOTE:
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FAX: 954.392.8748

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Revision Schedule

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PERMIT

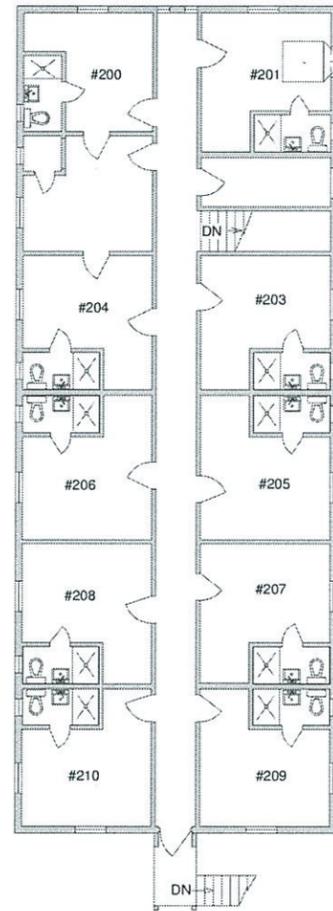
Existing &
Proposed New
Floor Plans

Client Name: Prime Group, Inc.
Project Number: 030915
Date: 08-09-15
Project Status: Design Development
Checked by: Project Manager

A202

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

08/09/15 9:25:00 AM



2 EXISTING SECOND FLOOR PLAN
1/8" = 1'-0"



1 EXISTING GROUND FLOOR PLAN
1/8" = 1'-0"

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Historic Tavernier Hotel
91865 Overseas Hwy,
Key Largo, FL 33070

Revision Schedule		
No.	Description	Date

PRELIMINARY NOT FOR CONSTRUCTION

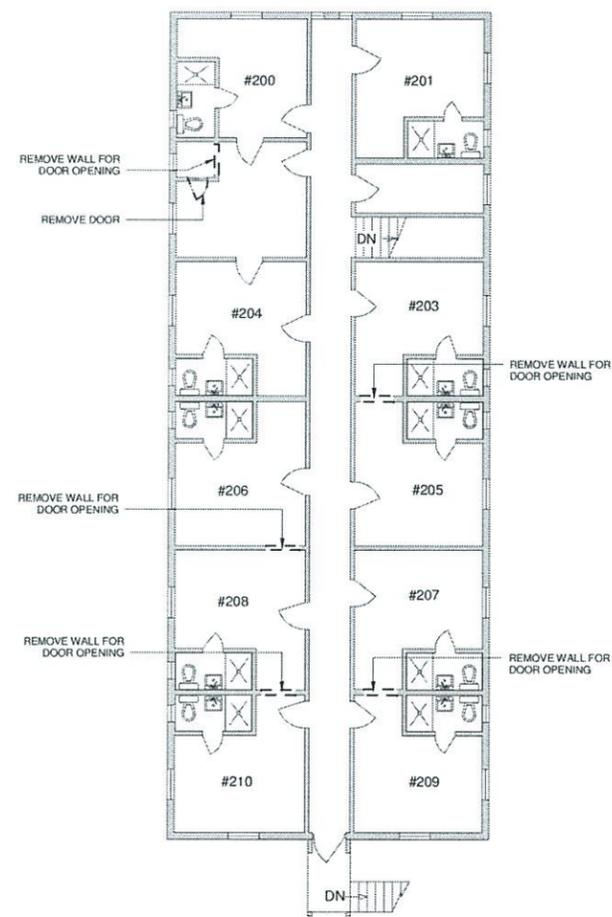
Existing Floor Plans

Client Name	Prime Group, Inc.
Project number	030816
Date	05-26-16
Project Status	Design Development
Checked by	Project Manager

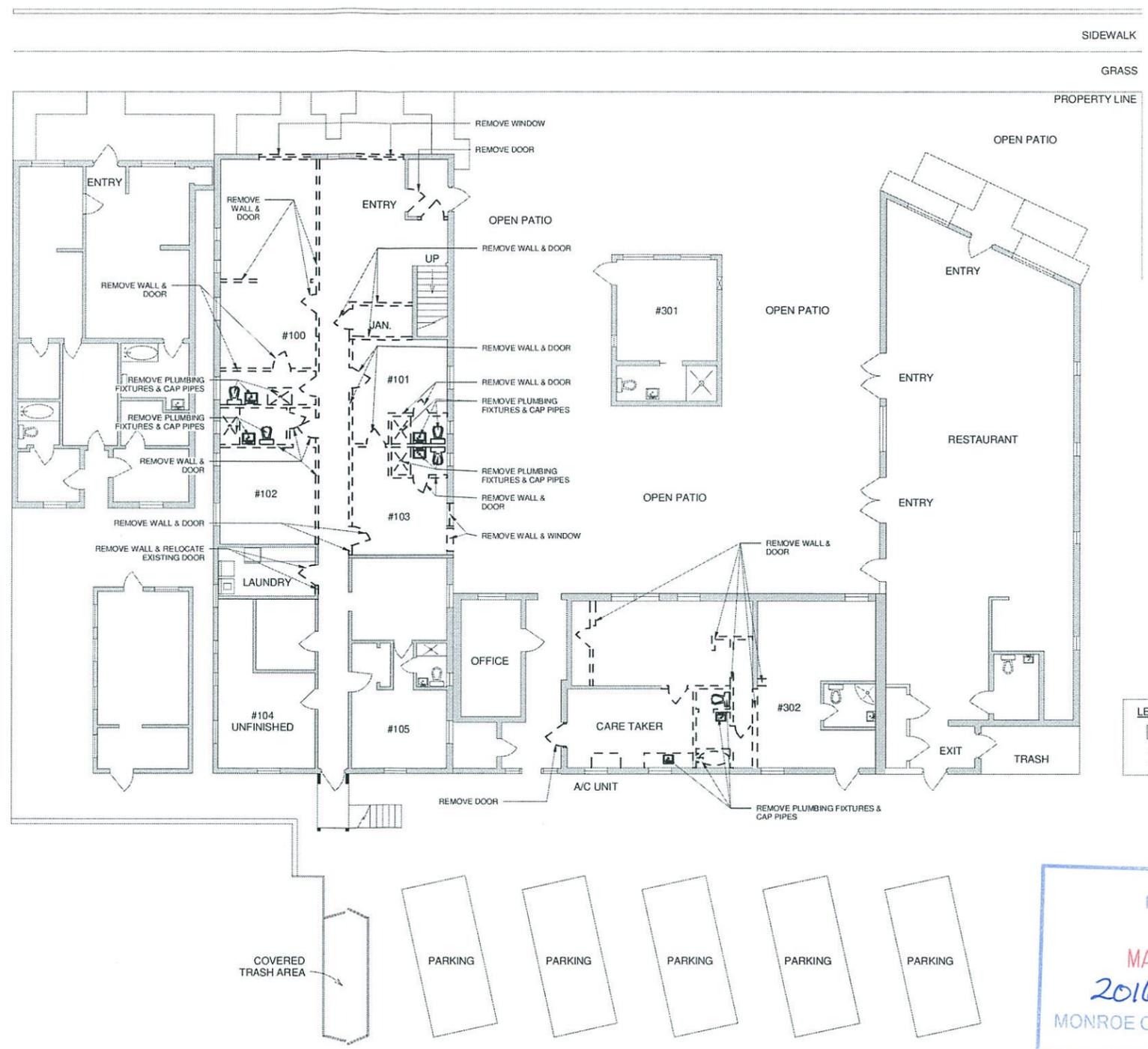
A200

Scale 1/8" = 1'-0"

5/26/2016 2:15:48 PM



2 EXISTING AND DEMOLITION SECOND FLOOR PLAN
1/8" = 1'-0"



1 EXISTING AND DEMOLITION GROUND FLOOR PLAN
1/8" = 1'-0"

LEGEND

	EXISTING WALL
	DEMO WALL

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Historic Tavernier Hotel
91865 Overseas Hwy,
Key Largo, FL 33070

Revision Schedule

No.	Description	Date

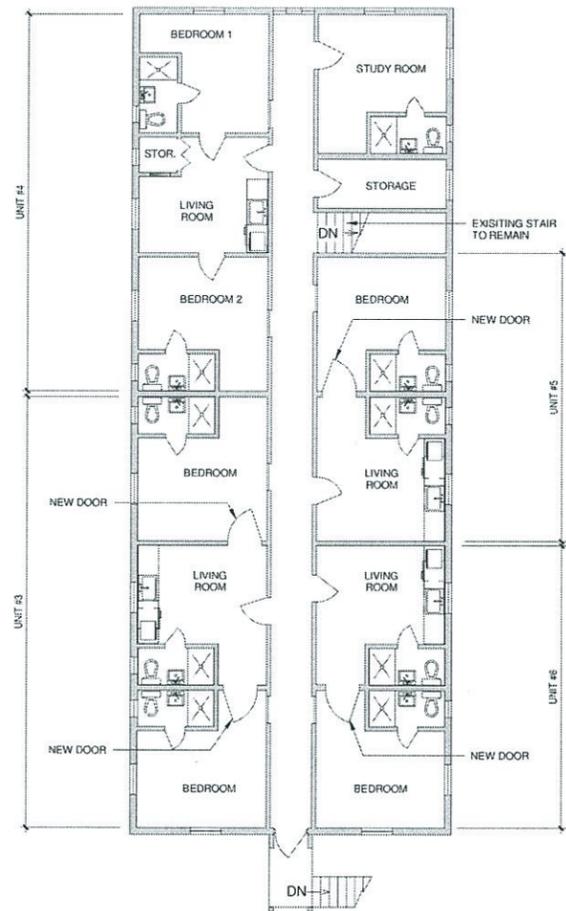
PRELIMINARY NOT FOR CONSTRUCTION

Existing And Demolition Floor Plans

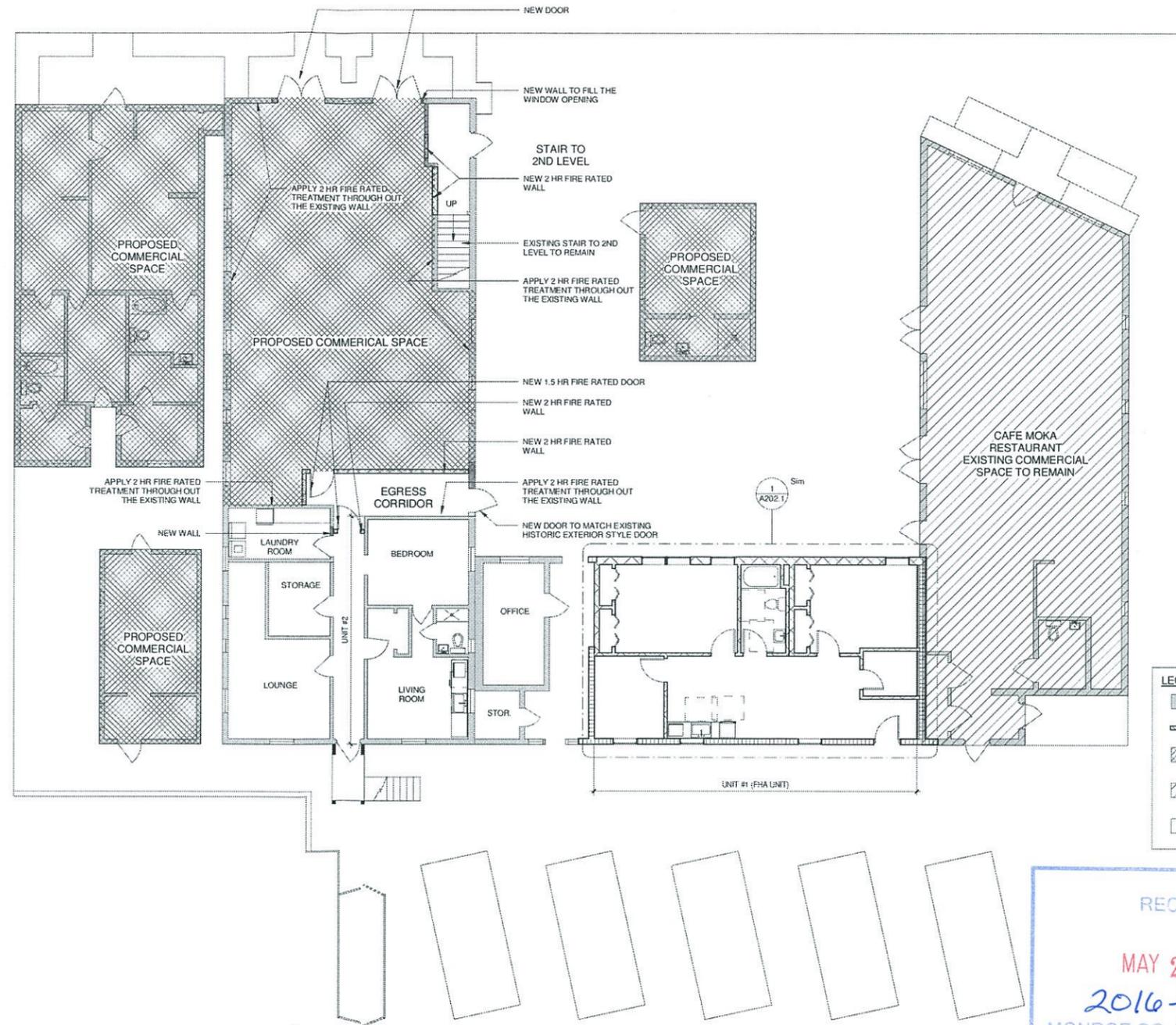
Client Name	Prime Group, Inc.
Project number	030816
Date	05-20-16
Project Status	Design Development
Checked by	Project Manager

A201
Scale 1/8" = 1'-0"

5/20/16 2:18:47 PM



2 EXISTING AND NEW SECOND FLOOR PLAN
1/8" = 1'-0"



1 EXISTING AND NEW GROUND FLOOR PLAN
1/8" = 1'-0"

LEGEND

- EXISTING WALL
- NEW WALL
- NEW COMMERCIAL SPACE
- EXISTING COMMERCIAL SPACE TO REMAIN
- RESIDENTIAL SPACE

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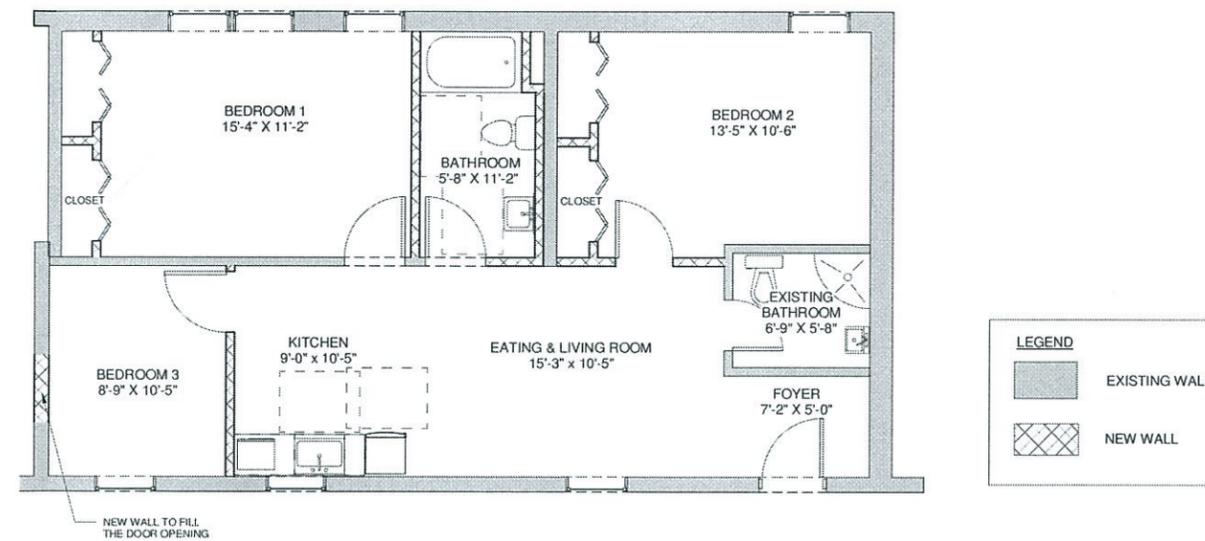
Existing And New Floor Plans

Client Name	Primo Group, Inc.
Project number	030816
Date	05-20-16
Project Status	Design Development
Checked by	Project Manager

A202

Scale 1/8" = 1'-0"

5/26/2016 10:58:11 AM



1 EXISTING & NEW ENLARGED UNIT #1 (FHA) PLAN
1/4" = 1'-0"

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Revision Schedule		
No.	Description	Date

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Existing And New Unit #1 (FHA) Plan

Client Name	Prime Group, Inc.
Project number	030316
Date	05-26-16
Project Status	Design Development
Checked by	Project Manager

A202.1
Scale 1/4" = 1'-0"

5/26/2016 10:18:59 AM

Tavernier Hotel

91865 Overseas Hwy, Tavernier, Fl. 33070

Front and Rear Elevations



Front Elevation



Rear Elevation

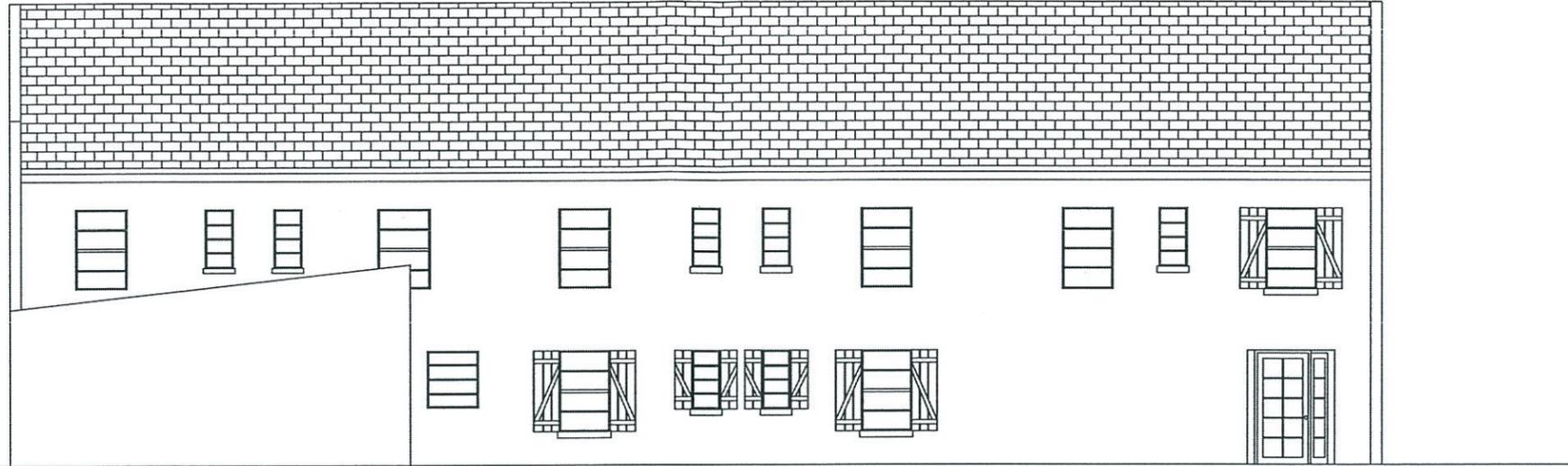
Rear Elevation

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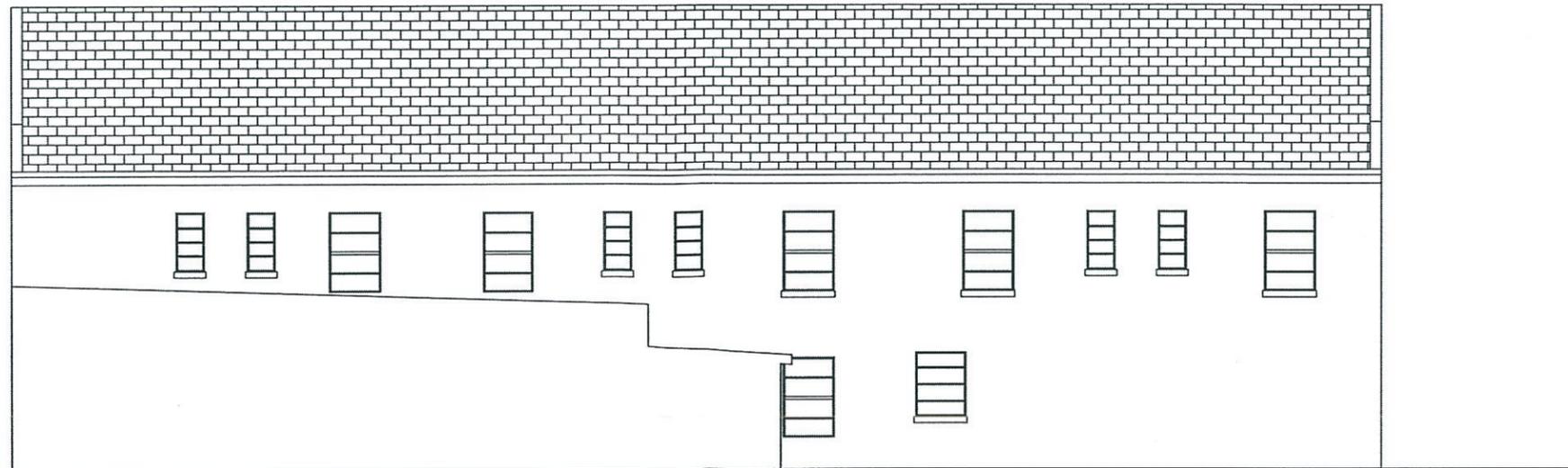
Tavernier Hotel

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Side Elevations



Left Side Elevation



Right Side Elevation





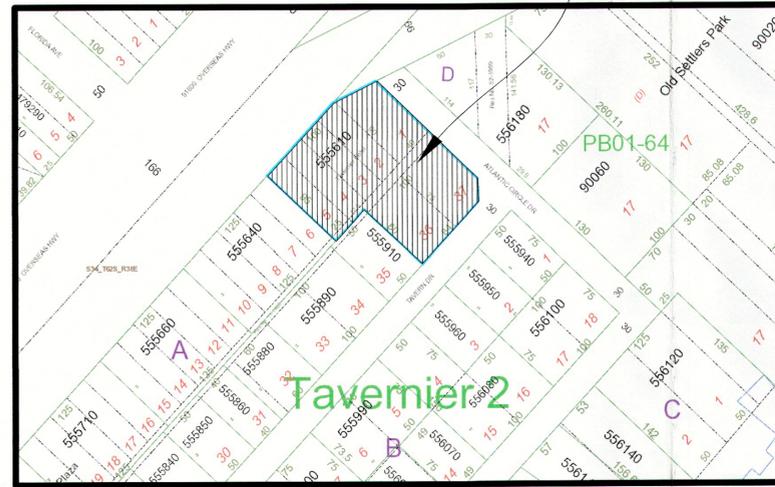
VICINITY MAP
NOT TO SCALE
SEC 34 -TWP 62S - RGE 38E
SUBJECT
PROPERTY

BOUNDARY SURVEY ALTA / ACSM LAND TITLE SURVEY SURVEYOR'S REPORT

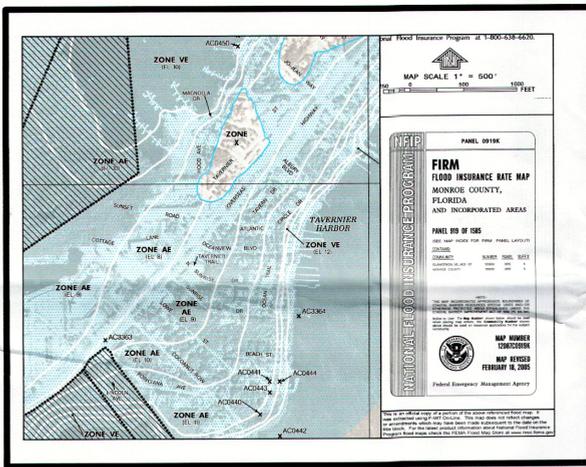
TAVERNIER HOTEL

91865 OVERSEAS HWY, KEY LARGO, FLORIDA 33070

SCHEDULE B SECTION II EXCEPTIONS



FLOOD INSURANCE RATE MAP



CERTIFY TO: Tavernier Hotel Holdings, LLC.

LEGAL DESCRIPTION
PARCEL ID: 00555610
KEY: 1681946
Lots 1, 2, 3, 4, 36 and 37, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (Parcel Identification No. 1681946) lying adjacent to said lots, between the Northernly and Southernly lines of Lots 1, 2, 3 and 4 of Block A, extended Easterly to the centerline of the alley, and the portion of the alley lying adjacent to said Lots 36 and 37 of Block A between the Northernly and Southernly lines of said Lots 36 and 37 of said Block A extended Easterly to the center of the alley.

AND
Lot 5, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (formerly Parcel Identification No. 1681954) lying adjacent to said Lot 5 of Block A, between the Northernly and Southernly lines of said Lot 5 of Block A extended Easterly to the center of the alley.

SURVEYOR'S NOTES:

- #1 Please See Abbreviations and Legend
 - #2 Scale of Drawing " As Shown"
 - #3 Type of survey: BOUNDARY SURVEY.
 - #4 All Right of Way shown are Public unless otherwise noted.
 - #5 Legal Description Furnished by client.
 - #6 No underground installations on improvements have been located except as noted.
 - #7 Ownership of fences is not determine.
 - #8 Record and measurement calls are in substantial agreement unless otherwise shown.
 - #9 Benchmark: Monroe County (NAVD 88)
Elevations are expressed in feet derived from a direct, closed level circuit from Benchmark
NAME: 872 3747 F TIDAL
PID AC3363
ELEV. (FT) 7.198 NAVD 88
 - #10 Bearing base: National Geodetic Survey
The horizontal coordinates were established by GPS observations AC4815, and adjusted by the National Geodetic Survey
GPS CONTROL POINT
DESIGNATION - TAVERNIER RM 3
PID - AC4815
STATE/COUNTY- FL/MONROE
The following values were computed from the NAD 83(1990) position.
- | CONTROL | North | East | Units | Scale Factor | Converg. |
|-----------------|------------|------------|-------|--------------|------------|
| AC4815;SPC FL E | 246,055.95 | 816,292.33 | sFT | 0.99997058 | +0 12 15.9 |

- #11 Easement shown on the recorded subdivision plat are shown hereon.
- #12 Parcel is in Flood Zone,
Map Number: 12087C0919K
Community Name: MONROE COUNTY
Number :126129
Panel : 0919
Firm Zone: AE
Date of Firm: 02-18-2005
Base Elev.: 10
Suffix: "k"
#13 Total Gross Land Area calculated
0.48 Acres more or less.

NOTES:
ACCURACY:
THE EXPECTED USE OF THE LAND AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (5J-17), IS COMMERCIAL/HIGH RISK. THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 4 FOOT IN 10,000 FEET, THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSE TRAVERSE GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

APPARENT PHYSICAL USE:
THE PROPERTY DESCRIBED IN THIS BOUNDARY SURVEY SHOWS ONE AREA OF INGRESS-EGRESS, ALONG THE EASTERLY PROPERTY LINE ALSO KNOWN SOUTHERLY RIGHT OF WAY LINE OF ATLANTIC CIRCLE DRIVE MONROE, COUNTY.

SURVEYOR'S CERTIFICATE:

"The undersigned hereby certifies to: TAVERNIER PROPERTIES LLC, a Florida limited liability company, Borrower: _____, and the Title Insurer Old Republic National Title Insurance Company, that (a) this survey is true and correct and was made on the ground under my supervision as per the field notes shown hereon and correctly shows the boundary lines, dimensions and area of the land indicated hereon and each individual parcel thereof. (b) all monuments shown hereon actually exist, and the location, size and type of such monuments are correctly shown; (c) this survey correctly shows the size, location and type of all buildings, structures, other improvements and visible items on the subject Property; (d) this survey correctly shows the location and dimensions of all alleys, streets, roads, rights-of-way, easements, building setback lines and other matters of record of which the undersigned has been advised affecting the subject Property according to the legal description in such easements and other matters (with instrument, book and page number indicated); (e) except as shown, there are not visible (1) improvements, easements, rights-of-way, party walls, drainage ditches, streams, uses, discrepancies or conflicts, (2) encroachments onto adjoining premises, streets or alleys by any of said buildings, structures, or other improvements, (3) encroachments onto the subject Property by buildings, structures, or the other improvements on adjoining premises, or (4) encroachments on any easement, building setback line or other restricted area by any buildings, structures or other improvements on the subject property, (f) the subject property abuts a dedicated public street or road as shown hereon; and (g) meets the minimum technical standards set forth by the Florida Board of Land Surveyors pursuant to Section 472.027, Florida Statutes and Chapter 5J-17 Florida Administrative Code."

Dated this: 28 day of MAY 2015

By: WILLIAM HERRYMAN

ISSUED BY: Old Republic National Title Insurance Company
FILE NO.: 14107552 ES
Agent File # S142391
County: Monroe

Effective Date: November 17, 2014 at 8:00 A.M.

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on adjoining land.
2. Rights or claims of parties in possession.
3. Construction, Mechanic's, Contractors' or Materialmen's lien claims, if any, where no notice thereof appears of record.
4. Easements or claims of easements not shown by the public records.
5. General or special taxes and assessments required to be paid in the year 2015 and subsequent years, which are not yet due and payable.

Note: Taxes for the year 2015 became a lien on the land January 1st although not due or payable until November 1st of said year. Taxes for the year 2014 are Not Paid. Tax Account Number 1681946.
TAX HYPERLINK: 0055561000000346238

6. Restrictions and provisions set forth in State law under Chapter 76-190 and Chapter 22F8.02 of the Florida Administrative Code for Land Planning of the Florida Keys Area of Critical State Concern, and those instruments pertaining thereto, recorded in Official Records Book 668, Page 43 of the Public Records of Monroe County, Florida, together with the provisions of State Law 380.0552 and any amendments of the foregoing.
7. County Ordinance 10-77, providing for the annual levy on garbage and trash collection fees to be assessed.

8. Dedications and rights of way, including any utility lines in Alley, as shown on Plat of Tavernier No. 2, recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, as affected by Resolution No. 11-1968 by the Board of County Commissioners of Monroe County, renouncing and disclaiming any interest in 10 foot alley in Block A of Tavernier No. 2, Plat Book 2, Page 8, and recorded on February 27, 1968 in Official Records Book 405, Page 1100, in the Public Records of Monroe County, Florida.

10. Terms and conditions of that Owner's Acknowledgement of Water Service Restrictions, between Demkot, Inc. a Florida corp., and Florida Keys Aqueduct Authority, recorded on April 7, 1988 in Official Records Book 1047, Page 2141, in the Public Records of Monroe County, Florida.
11. Terms, conditions, covenants and easement rights set forth in Hotel/Motel Bulk Services Agreement, dated February 12, 2004 and Memorandum of Agreement, between Keysway Investments, Inc. and Comcast of California/Colorado/Florida/Oregon, Inc., recorded on March 22, 2004 in Official Records Book 1985, Page 2257, in the Public Records of Monroe County, Florida.

12. Restrictions, covenants and limitations set forth in Unity of Title (Lots 1 & 2, Tavernier No. 2) recorded on July 24, 1985 in Official Records Book 948, Page 1454, in the Public Records of Monroe County, Florida.
13. Terms, conditions, covenants, obligations and restrictions set forth in Monroe County, Florida Minor Conditional Use Development Order No. 09-07, including Historical and Cultural Landmark designation of four buildings on site, recorded February 27, 2008 in Official Records Book 2347, page 1038 and further recorded March 13, 2013 in Official Records Book 2617, page 2386 and recorded April 4, 2014 in Official Records Book 2678, page 98.

14. Terms, covenants, conditions and other matters contained in any unrecorded Lease(s) and all rights thereunder of the Lessee(s) and of any party claiming by, through or under the Lessee(s).
15. The following matters shown by unsigned and unsealed Draft of Survey by Reece & White Land Surveying, Inc., under invoice no. 14031012, field dated 3/10/2014, and any consequences or obligations associated therewith, to wit:

- A. Encroachment of fence and dumpster pad in right of way of Tavern Drive and into right of way of Circle Drive. No ALTA form 9-06 or ALTA form 9-2-06 coverage will be given for this.
- B. Encroachment of one story structure into right of way of Circle Drive by 1.6 feet to 2.0 feet. No ALTA form 9-06 or ALTA form 9-2-06 coverage will be given for this.
- C. Encroachment of 2nd floor landing, wall and concrete pavement onto Lot 35 and alley appurtenant thereto.
- D. Encroachment of planters from Lot 1 into Circle Drive right of way.

RECEIVED
MAY 27 2015
2016-082
MONROE CO. PLANNING DEPT

2011 ALTA/ACSM CERTIFICATION

To: TAVERNIER PROPERTIES LLC, a Florida limited liability company,
Title Insurer Old Republic National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items of Table A thereof. The field work was completed on 05-28-2015.

Date of Map : 05-28-2015

By: WILLIAM HERRYMAN

Registration/License Number # 2804

SYMBOL LEGEND

- CENTER LINE
- POWER POLE
- OAK TREE
- LIGHT POLE
- STOP SIGN
- FIRE HYDRANT
- WATER VALVE
- SIGN
- BELLSOUTH BOX
- WATER METER
- COCONUT
- MAIL BOX
- TREE
- SANITARY SEWER
- HANKHOLE
- GAS VALVE
- CLEAN OUT
- PALM
- PINE TREE

ABBREVIATIONS

- AVE = AVENUE
- ASPH = ASPHALT
- A/W = ANCHORED WIRE
- A/C = AIR CONDITIONER
- BLDG = BUILDING
- B. COR = BLOCK CORNER
- CAL = CALCULATED
- C.B. = CATCH BASIN
- CH = CHERRY
- CLF = CHAIN LINK FENCE
- CONC. = CONCRETE
- COL = COLUMN
- COMP. = COMPUTED
- CUP. = CONCRETE UTILITY HOLE
- CLIP. = CONCRETE LIGHT POLE
- CBS = CONCRETE BLOCK
- STR. = STRUCTURE
- C.M.E. = CANAL MAINTENANCE
- EASEMENT
- D = DELTA
- D/W = DRIVEWAY
- D.M.E. = DRAINAGE & MAINTENANCE
- EAS. = EASEMENT
- ENC. = ENCROACHMENT
- E.T.P. = ELECTRIC TRANSFORMER PAD
- F.P.L. = FLORIDA POWDER AND LIGHT
- F.A. = FIRE HYDRANT
- F.I.P. = FOUND IRON PIPE
- F.F. = FINISH FLOOR
- F.B.H. = FOUND BOLL HOLE
- F.R. = FOUND REBAR
- F.D. = FOUND DISC
- F/N = FOUND NAIL
- I.F. = IRON FENCE
- L = LENGTH
- L.F.E. = LOWEST FLOOR ELEVATION
- L.P. = LIGHT POLE
- MEAS. = MEASURED
- M.H. = MAN HOLE
- M.L. = MENTUM LINE
- NEV-30 = NATIONAL GEODETIC VERTICAL DATUM
- N.T.S. = NOT TO SCALE
- O.E. = OVERHEAD ELECTRIC LINE
- D/L = ON LINE
- D.H. = OVERHANGING ROOF
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- P.S. PLAT
- P.C. = POINT OF CURVATURE
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- P.R.C. = POINT OF REVERSE CURVATURE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.C.P. = PERMANENT CONTROL POINT
- P.L. = PLANTER
- P.M. = PARKING METER
- P.R.M. = PERMANENT REFERENCE MONUMENT
- P/W = PARKWAY
- R = RADIUS
- RES = RESIDENCE
- S/W = RIGHT OF WAY
- S.D.H. = SET DRILL HOLE
- S.I.P. = SET IRON PIPE
- S/N = SET NAIL
- S.D.W.K. = SIDEWALK
- T = TANGENT
- U.E. = UTILITY EASEMENT
- W = WIDTH
- W/F = WOOD FENCE
- W/S = WOOD SHED
- W.V. = WATER VALVE
- W.U.P. = WOOD UTILITY POLE
- IRON FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- CHICKEN FENCE
- CBS WALL
- OVERHEAD ELEC.
- PENTER LINE
- EASEMENT
- BENOTES ELEVATIONS
- BUILDING
- DISTANCE
- CATCH BASIN
- WATER METER
- V.I.J.P.
- STATE ROAD
- US HIGHWAY
- INTERSTATE
- COLUMNS

Engineering & Surveying Consultant
7659 Southwest 102nd Place
Miami, Florida 33173
LB No. 7464
Tel. 305-606-0031
Fax. 305-412-3545

BY WILLIAM HERRYMAN
Professional Land Surveyor
FLORIDA LICENSE NO. 2804

PROJECT:
ALTA BOUNDARY SURVEY
91865 OVERSEAS HWY, KEY LARGO, FL, 33070
SEC 34-62S-38E
MONROE COUNTY, FLORIDA

JOB NO.: 1502725

FIELD BOOK: _____

CAD FILE: LD-9

DATE: 05-28-2015

SCALE: AS SHOWN

DRAWN: LDD

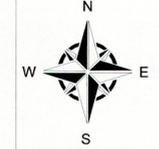
REV: W-H

REVISIONS:

SHEET No: 1-OF-2

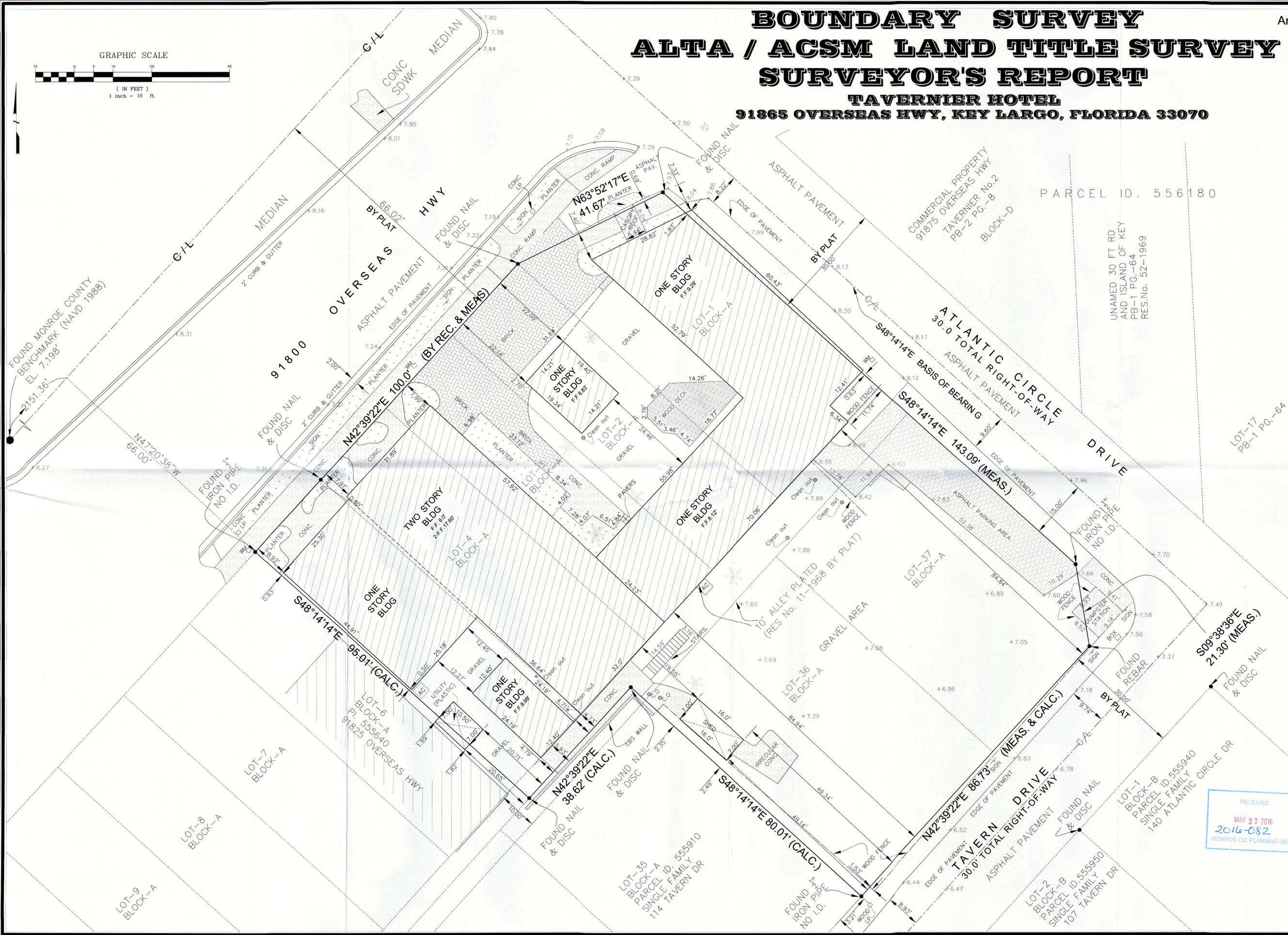
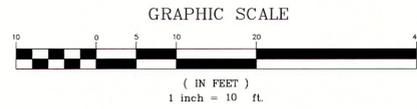
BOUNDARY SURVEY ALTA / ACSM LAND TITLE SURVEY SURVEYOR'S REPORT

America Layout Corp



**TAVERNIER HOTEL
91865 OVERSEAS HWY, KEY LARGO, FLORIDA 33070**

PARCEL ID. 556180



Engineering & Surveying Consultant
7659 Southwest 102nd Place
Miami, Florida 33173
Tel. 305-606-0031
Fax. 305-412-3545
LB No. 7464

BY WILLIAM HERSHMAN
Professional Land Surveyor
State of Florida
No. 12345

PROJECT: ALTA BOUNDARY SURVEY
91865 OVERSEAS HWY, KEY LARGO, FL 33070
SEC 34-62S-38E
MONROE COUNTY, FLORIDA

JOB NO.	1502725
FIELD BOOK:	
CAD FILE:	LD-9
DATE:	05-28-2015
SCALE:	AS SHOWN
DRAWN:	LDD
REV:	W-H
REVISIONS:	
SHEET NO.	2-OF-2

RECEIVED
MAY 27 2016
2016-082
MONROE CO. PLANNING DEPT

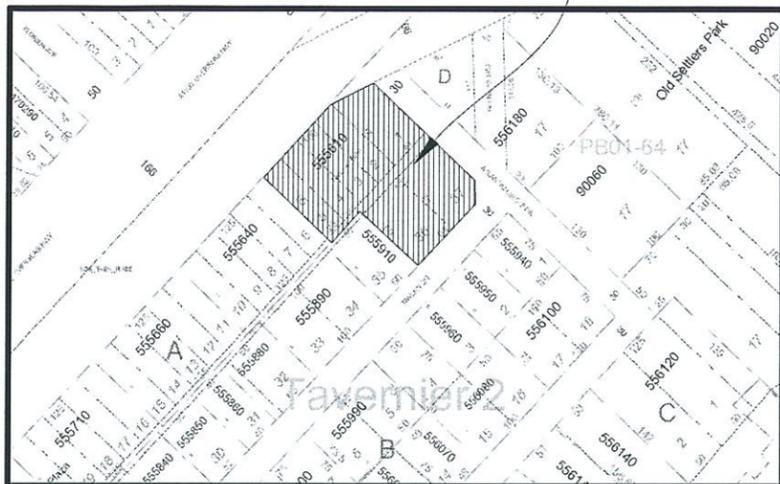
VICINITY MAP NOT TO SCALE SEC 34 -TWP 62S - RGE 38E SUBJECT PROPERTY

BOUNDARY SURVEY ALTA / ACSM LAND TITLE SURVEY SURVEYOR'S REPORT

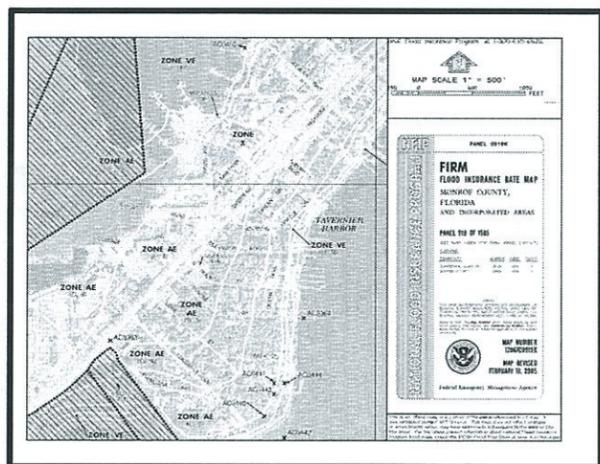
TAVERNIER HOTEL

91865 OVERSEAS HWY, KEY LARGO, FLORIDA 33070

SCHEDULE B SECTION II EXCEPTIONS



FLOOD INSURANCE RATE MAP



CERTIFY TO: Tavernier Hotel Holdings, LLC.

LEGAL DESCRIPTION PARCEL ID: 00555610 KEY:1681946 Lots 1, 2, 3, 4, 36 and 37, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida...

AND Lot 5, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (formerly Parcel Identification No. 1681954) lying adjacent to said Lot 5 of Block A...

NOTES: ACCURACY: THE EXPECTED USE OF THE LAND AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (5J-17), IS COMMERCIAL-HIGH RISK, THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET, THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSE TRAVERSE GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

APPARENT PHYSICAL USE: THE PROPERTY DESCRIBED IN THIS BOUNDARY SURVEY SHOWS ONE AREA OF INGRESS-EGRESS, ALONG THE EASTERLY PROPERTY LINE ALSO KNOWN SOUTHERLY RIGHT OF WAY LINE OF ATLANTIC CIRCLE DRIVE MONROE, COUNTY.

SURVEYOR'S NOTES:

- #1 Please See Abbreviations and Legend #2 Scale of Drawing " As Shown" #3 Type of survey: BOUNDARY SURVEY. #4 All Right of Way shown are Public unless otherwise noted. #5 Legal Description Furnished by client. #6 No underground installations on improvements have been located except as noted. #7 Ownership of fences is not determine. #8 Record and measurement calls are in substantial agreement unless otherwise shown. #9 Benchmark: Monroe County (NAVD 88) Elevations are expressed in feet derived from a direct, closed level circuit from Benchmark NAME: 872 3747 F TIDAL PID AC3363 ELEV. (FT) 7.198 NAVD 88 #10 Bearing base: National Geodetic Survey The horizontal coordinates were established by GPS observations AC4815, and adjusted by the National Geodetic Survey GPS CONTROL POINT DESIGNATION - TAVERNIER RM 3 PID - AC4815 STATE/COUNTY- FL/MONROE The following values were computed from the NAD 83(1990) position.

Table with columns: CONTROL, North, East, Units, Scale Factor, Converg. Values: AC4815/SPC FLE, 246,055.95, 816,292.33, sFT, 0.99997058, +0 12 15.9

- #11 Easement shown on the recorded subdivision plat are shown hereon. #12 Parcel is in Flood Zone, Map Number: 12087C0919K Community Name: MONROE COUNTY Number :126129 Panel : 0919 Firm Zone: AE Date of Firm: 02-18-2005 Base Elev.: 10 Suffix: "k" #13 Total Gross Land Area calculated 0.48 Acres more or less.



SURVEYOR'S CERTIFICATE:

"The undersigned hereby certifies to: TAVERNIER PROPERTIES LLC, a Florida limited liability company, Borrower: _____, and the Title Insurer Old Republic National Title Insurance Company, that (a) this survey is true and correct and was made on the ground under my supervision as per the field notes shown hereon and correctly shows the boundary lines, dimensions and area of the land indicated hereon and each individual parcel thereof. (b) all monuments shown hereon actually exist, and the location, size and type of such monuments are correctly shown; (c) this survey correctly shows the size, location and type of all buildings, structures, other improvements and visible items on the subject Property; (d) this survey correctly shows the location and dimensions of all alleys, streets, roads, rights-of-way, easements, building setback lines and other matters of record of which the undersigned has been advised affecting the subject Property according to the legal description in such easements and other matters(with instrument, book and page number indicated); (e) except as shown, there are not visible(1)improvement, easements, rights-of-way, party walls, drainage ditches, streams, uses, discrepancies or conflicts., (2) encroachments onto adjoining premises, streets or alleys by any of said buildings, structures, or other improvements,(3) encroachments onto the subject Property by buildings, structures, or the other improvements on adjoining premises, or (4) encroachments on any easement, building setback line or other restricted area by any buildings, structures or other improvements on the subject property. (f) the subject property abuts a dedicated public street or road as shown hereon; and (g) meets the minimum technical standards set forth by the Florida Board of Land Surveyors pursuant to Section 472.027, Florida Statutes and Chapter 5J-17 Florida Administrative Code."

Dated this 26 day of MAY 2015

Signature of William Herryman, WILLIAM HERRYMAN, Registration/License Number # 2804

ISSUED BY: Old Republic National Title Insurance Company FILE NO.: 14107552 ES Agent File # S142391 County: Monroe

Effective Date: November 17, 2014 at 8:00 A.M.

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

- 1. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment. 1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on adjoining land. 2. Rights or claims of parties in possession. 3. Construction, Mechanic's, Contractors' or Materialmen's lien claims, if any, where no notice thereof appears of record. 4. Easements or claims of easements not shown by the public records. 5. General or special taxes and assessments required to be paid in the year 2015 and subsequent years, which are not yet due and payable.

Note: Taxes for the year 2015 became a lien on the land January 1st although not due or payable until November 1st of said year. Taxes for the year 2014 are Not Paid. Tax Account Number 1581946. TAX HYPERLINK: 0055561000000346236

- 6. Restrictions and provisions set forth in State law under Chapter 75-190 and Chapter 22F8.02 of the Florida Administrative Code for Land Planning of the Florida Keys Area of Critical State Concern, and those instruments pertaining thereto, recorded in Official Records Book 668, Page 43 of the Public Records of Monroe County, Florida, together with the provisions of State Law 380.0552 and any amendments of the foregoing. 7. County Ordinance 10-77, providing for the annual levy on garbage and trash collection fees to be assessed. 8. Dedications and rights of way, including any utility lines in Alley, as shown on Plat of Tavernier No. 2, recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, as affected by Resolution No. 11-1968 by the Board of County Commissioners of Monroe County, renouncing and disclaiming any interest in 10 foot alley in Block A of Tavernier No 2, Plat Book 2, Page 8, and recorded on February 27, 1968 in Official Records Book 405, Page 1100, in the Public Records of Monroe County, Florida. 10. Terms and conditions of that Owner's Acknowledgement of Water Service Restrictions, between Demcot, Inc. a Florida corp., and Florida Keys Aqueduct Authority, recorded on April 7, 1988 in Official Records Book 1047, Page 2141, in the Public Records of Monroe County, Florida. 11. Terms, conditions, covenants and easement rights set forth in Hotel/Motel Bulk Services Agreement, dated February 12, 2004 and Memorandum of Agreement, between Keysway Investments, Inc. and Comcast of California/Colorado/Florida/Oregon, Inc., recorded on March 22, 2004 in Official Records Book 1985, Page 2257, in the Public Records of Monroe County, Florida. 12. Restrictions, covenants and limitations set forth in Unity of Title (Lots 1 & 2, Tavernier No. 2) recorded on July 24, 1985 in Official Records Book 948, Page 1454, in the Public Records of Monroe County, Florida. 13. Terms, conditions, covenants, obligations and restrictions set forth in Monroe County, Florida Minor Conditional Use Development Order No. 09-07, including Historical and Cultural Landmark designation of four buildings on site, recorded February 27, 2008 in Official Records Book 2347, page 1038 and further recorded March 13, 2013 in Official Records Book 2517, page 2396 and recorded April 4, 2014 in Official Records Book 2678, page 98. 14. Terms, covenants, conditions and other matters contained in any unrecorded Lease(s) and all rights thereunder of the Lessee(s) and of any party claiming by, through or under the Lessee(s). 15. The following matters shown by unsigned and unsealed Draft of Survey by Recco & White Land Surveying, Inc., under invoice no. 14031012, field dated 3/10/2014, and any consequences or obligations associated therewith, to wit:

- A. Encroachment of fence and dumpster pad in right of way of Tavern Drive and into right of way of Circle Drive. No ALTA form 9-05 or ALTA form 9-2-05 coverage will be given for this. B. Encroachment of one story structure into right of way of Circle Drive by 1.6 feet to 2.0 feet. No ALTA form 9-06 or ALTA form 9-2-06 coverage will be given for this. C. Encroachment of 2nd floor landing, wall and concrete pavement onto Lot 35 and alley appurtenant thereto. D. Encroachment of planters from Lot 1 into Circle Drive right of way.

2011 ALTA/ACSM CERTIFICATION

To: TAVERNIER PROPERTIES LLC, a Florida limited liability company, Title Insurer Old Republic National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items of Table A thereof. The field work was completed on 05-28-2015.

Date of Map : 05-28-2015

Signature of William Herryman, WILLIAM HERRYMAN, Registration/License Number # 2804

SYMBOL LEGEND

- CENTER LINE, POWER POLE, OAK TREE, LIGHT POLE, STOP SIGN, FIRE HYDRANT, WATER VALVE, SIGN, BELLSOUTH BOX, WATER METER, COCONUT, MAIL BOX, TREE, SANITARY SEWER, MANHOLE, GAS VALVE, CLEAN OUT, PALM, PINE TREE

ABBREVIATIONS

- AVE = AVENUE, ASPH = ASPHALT, A/W = ANCHORED WIRE, A/C = AIR CONDITIONER, BLDG = BUILDING, B.COR = BLOCK CORNER, CAL = CALCULATED, C.B. = CATCH BASIN, CH = CHIMNEY, CLF = CHAIN LINK FENCE, CONC = CONCRETE, COL = COLUMN, COMP = COMPUTED, CUP = CONCRETE UTILITY POLE, CLP = CONCRETE LIGHT POLE, CBS = CONCRETE BLOCK, CME = CANAL MAINTENANCE EASEMENT, D = DELTA, D/W = DRIVEWAY, DME = DRAINAGE & MAINTENANCE EASEMENT, EAS = EASEMENT, ENC = ENCROACHMENT, E.T.P. = ELECTRIC TRANSFORMER PAD, F.P.L. = FLORIDA POWER AND LIGHT, F.H. = FIRE HYDRANT, F.I.P. = FOUND IRON PIPE, F.F. = FOUND REBAR, F.D. = FOUND DIRT, F.N. = FOUND NAIL, I.F. = IRON FENCE, L = LENGTH, L.F.E. = LOWEST FLOOR ELEVATION, L.P. = LIGHT POLE, HEAD = HEADERS, MH = MAN HOLE, M/L = MONUMENT LINE, N.G.S. = NATIONAL GEODETIC VERTICAL DATUM

- N.T.S. = NOT TO SCALE, DE = OVERHEAD ELECTRIC LINE, D/L = ON LINE, DH = OVERHANGING ROOF, D/S = OFF SET, P = PLAT, P.C. = POINT OF CURVATURE, P.T. = POINT OF TERMINATION, P.R.C. = POINT OF REVERSE CURVATURE, P.C.C. = POINT OF COMPOUND CURVATURE, P.C.P. = PERMANENT CONTROL POINT, PL = PLANTER, P.M. = PARKING METER, P.R.M. = PERMANENT REFERENCE MONUMENT, P/W = PARKWAY, R = RADIUS, RES = RESIDENCE, R/W = RIGHT OF WAY, S.B.M. = SET BRILL HOLE, S.I.P. = SET IRON PIPE, S/N = SET NAIL, S/WALK = SIDEWALK, T = TANGENT, U.C. = UTILITY CASEMENT, W = WIDTH, W/F = WOOD FENCE, W/S = WOOD SHED, W/V = WATER VALVE, W.U.P. = WOOD UTILITY POLE, W.F. = WOOD FENCE, W.C.F. = WOOD CHAIN LINK FENCE, W.C.F. = WOOD CHICKEN FENCE, W.C.W. = WOOD CEMENT WALL, W.H.E. = WOOD OVERHEAD ELEC. W.C.L. = WOOD CENTER LINE W.C.E. = WOOD EASEMENT, W.C.E. = WOOD ELEVATIONS, W.B. = WOOD BUILDING, W.D. = WOOD DISTANCE, W.C.B. = WOOD CATCH BASIN, W.W.M. = WOOD WATER METER, W.W.R. = WOOD WASTE ROAD, W.H.W. = WOOD HIGHWAY, W.S.T. = WOOD INTERSTATE, W.C.L. = WOOD COLLUMNS

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: THAT THE SKETCH OF THIS ALTA SURVEY WAS PREPARED UNDER MY SUPERVISION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 THROUGH 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472 OF THE FLORIDA STATUTES AND THAT THE SKETCH THEREON IS TRUE AN CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

Engineering & Surveying Consultant 7659 Southwest 102nd Place Miami, Florida 33173 Tel. 305-606-0031 Fax. 305-412-3545

Signature of William Herryman, WILLIAM HERRYMAN, Registration/License Number # 2804

PROJECT: ALTA BOUNDARY SURVEY 91865 OVERSEAS HWY, KEY LARGO, FL, 33070 SEC 34-62S-38E MONROE COUNTY, FLORIDA

Form with fields: JOB No. 1502725, FIELD BOOK, CAD FILE: LD-9, DATE: 05-28-2015, SCALE: AS SHOWN, DRAWN: LDD, REV: W-H, SHEET No. 1-OF-2



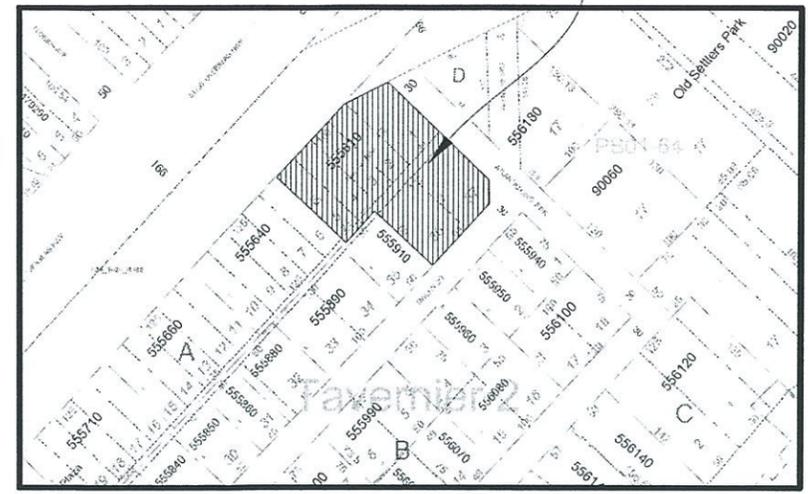
VICINITY MAP
NOT TO SCALE
SEC 34 - TWP 62S - RGE 38E
SUBJECT
PROPERTY

BOUNDARY SURVEY ALTA / ACSM LAND TITLE SURVEY SURVEYOR'S REPORT

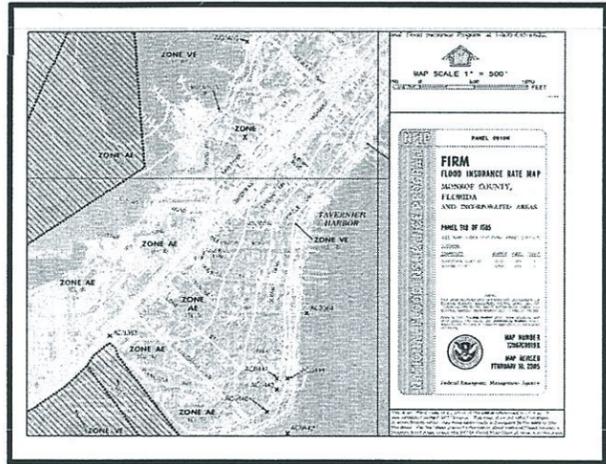
TAVERNIER HOTEL 91865 OVERSEAS HWY, KEY LARGO, FLORIDA 33070

SCHEDULE B SECTION II
EXCEPTIONS

CERTIFY TO: Tavernier Hotel Holdings, LLC.



FLOOD INSURANCE RATE MAP



LEGAL DESCRIPTION
PARCEL ID: 00555610
KEY: 1681946
Lots 1, 2, 3, 4, 36 and 37, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (Parcel Identification No. 1681946) lying adjacent to said lots, between the Northerly and Southerly lines of Lots 1, 2, 3 and 4 of Block A, extended Easterly to the centerline of the alley; and the portion of the alley lying adjacent to said Lots 36 and 37 of Block A between the Northerly and Southerly lines of said Lots 36 and 37 of said Block A extended Westerly to the center of the alley.

AND
Lot 5, Block A, TAVERNIER NO. 2, according to the Plat thereof as recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, together with that portion of the alley as disclaimed in Official Records Book 405, Page 1100 (formerly Parcel Identification No. 1681954) lying adjacent to said Lot 5 of Block A, between the Northerly and Southerly lines of said Lot 5 of Block A extended Easterly to the center of the alley.

NOTES:
ACCURACY:
THE EXPECTED USE OF THE LAND AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (5J-17), IS COMMERCIAL/HIGH RISK, THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET, THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSE TRAVERSE GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

APPARENT PHYSICAL USE:
THE PROPERTY DESCRIBED IN THIS BOUNDARY SURVEY SHOWS ONE AREA OF INGRESS-EGRESS, ALONG THE EASTERLY PROPERTY LINE ALSO KNOWN SOUTHERLY RIGHT OF WAY LINE OF ATLANTIC CIRCLE DRIVE MONROE, COUNTY.

SURVEYOR'S NOTES:

- #1 Please See Abbreviations and Legend
 - #2 Scale of Drawing "As Shown"
 - #3 Type of survey: BOUNDARY SURVEY.
 - #4 All Right of Way shown are Public unless otherwise noted.
 - #5 Legal Description Furnished by client.
 - #6 No underground installations on improvements have been located except as noted.
 - #7 Ownership of fences is not determine.
 - #8 Record and measurement calls are in substantial agreement unless otherwise shown.
 - #9 Benchmark: Monroe County (NAVD 88)
Elevations are expressed in feet derived from a direct, closed level circuit from Benchmark
NAME: 872 3747 F TIDAL
PID AC3363
ELEV. (FT) 7.198) NAVD 88
 - #10 Bearing base: National Geodetic Survey
The horizontal coordinates were established by GPS observations AC4815, and adjusted by the National Geodetic Survey
GPS CONTROL POINT
DESIGNATION - TAVERNIER RM 3
PID - AC4815
STATE/COUNTY- FL/MONROE
The following values were computed from the NAD 83(1990) position.
- | CONTROL | North | East | Units | Scale Factor | Converg. |
|-----------------|------------|------------|-------|--------------|------------|
| AC4815;SPC FL E | 246,055.95 | 816,292.33 | sFT | 0.99997058 | +0 12 15.9 |
- #11 Easement shown on the recorded subdivision plat are shown hereon.
 - #12 Parcel is in Flood Zone,
Map Number: 12087C0919K
Community Name: MONROE COUNTY
Number :126129
Panel : 0919
Firm Zone: AE
Date of Firm: 02-18-2005
Base Elev.: 10
Suffix: "K"
 - #13 Total Gross Land Area calculated
0.48 Acres more or less.

SURVEYOR'S CERTIFICATE:

"The undersigned hereby certifies to: TAVERNIER PROPERTIES LLC, a Florida limited liability company, Borrower: _____, and the Title Insurer Old Republic National Title Insurance Company, that (a) this survey is true and correct and was made on the ground under my supervision as per the field notes shown hereon and correctly shows the boundary lines, dimensions and area of the land indicated hereon and each individual parcel thereof. (b) all monuments shown hereon actually exist, and the location, size and type of such monuments are correctly shown; (c) this survey correctly shows the size, location and type of all buildings, structures, other improvements and visible items on the subject Property; (d) this survey correctly shows the location and dimensions of all alleys, streets, roads, rights-of-way, easements, building setback lines and other matters of record of which the undersigned has been advised affecting the subject Property according to the legal description in such easements and other matters (with instrument, book and page number indicated); (e) except as shown, there are not visible (1) improvements, easements, rights-of-way, drainage ditches, streams, uses, discrepancies or conflicts, (2) encroachments onto adjoining premises, streets or alleys by any of said buildings, structures, or other improvements, (3) encroachments onto the subject Property by buildings, structures, or other improvements on adjoining premises, or (4) encroachments on any easement, building setback line or other restricted area by any buildings, structures or other improvements on the subject property, (f) the subject property abuts a dedicated public street or road as shown hereon; and (g) meets the minimum technical standards set forth by the Florida Board of Land Surveyors pursuant to Section 472.027, Florida Statutes and Chapter 5J-17 Florida Administrative Code."



Dated this: 28 day of MAY 2015
By: WILLIAM HERRYMAN

ISSUED BY: Old Republic National Title Insurance Company
FILE NO.: 14107552 ES
Agent File # S142391
County: Monroe

Effective Date: November 17, 2014 at 8:00 A.M.

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
 1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments on the Land of existing improvements located on adjoining land.
 2. Rights or claims of parties in possession.
 3. Construction, Mechanic's, Contractors' or Materialman's lien claims, if any, where no notice thereof appears of record.
 4. Easements or claims of easements not shown by the public records.
 5. General or special taxes and assessments required to be paid in the year 2015 and subsequent years, which are not yet due and payable.
- Note: Taxes for the year 2015 became a lien on the land January 1st although not due or payable until November 1st of said year. Taxes for the year 2014 are Not Paid. Tax Account Number 1681946.
TAX HYPERLINK: 0055561000000346238
6. Restrictions and provisions set forth in State law under Chapter 76-190 and Chapter 22F8.02 of the Florida Administrative Code for Land Planning of the Florida Keys Area of Critical State Concern, and those instruments pertaining thereto, recorded in Official Records Book 658, Page 43 of the Public Records of Monroe County, Florida, together with the provisions of State Law 380.0552 and any amendments of the foregoing.
 7. County Ordinance 10-77, providing for the annual levy on garbage and trash collection fees to be assessed.
 8. Dedications and rights of way, including any utility lines in Alley, as shown on Plat of Tavernier No. 2, recorded in Plat Book 2, Page 8, of the Public Records of Monroe County, Florida, as affected by Resolution No. 11-1968 by the Board of County Commissioners of Monroe County, renouncing and disclaiming any interest in 10 foot alley in Block A, of Tavernier No. 2, Plat Book 2, Page 8, and recorded on February 27, 1968 in Official Records Book 405, Page 1100, in the Public Records of Monroe County, Florida.
 10. Terms and conditions of that Owner's Acknowledgement of Water Service Restrictions, between Demkol, Inc. a Florida corp., and Florida Keys Aqueduct Authority, recorded on April 7, 1988 in Official Records Book 1047, Page 2141, in the Public Records of Monroe County, Florida.
 11. Terms, conditions, covenants and easement rights set forth in Hotel/Motel Bulk Services Agreement, dated February 12, 2004 and Memorandum of Agreement, between Keyways Investments, Inc. and Comcast of California/Colorado/Florida/Oregon, Inc., recorded on March 22, 2004 in Official Records Book 1985, Page 2257, in the Public Records of Monroe County, Florida.
 12. Restrictions, covenants and limitations set forth in Unity of Title (Lots 1 & 2, Tavernier No. 2) recorded on July 24, 1955 in Official Records Book 948, Page 1454, in the Public Records of Monroe County, Florida.
 13. Terms, conditions, covenants, obligations and restrictions set forth in Monroe County, Florida Minor Conditional Use Development Order No. 09-07, including Historical and Cultural Landmark designation of four buildings on site, recorded February 27, 2008 in Official Records Book 2347, page 1038 and further recorded March 13, 2013 in Official Records Book 2617, page 2386 and recorded April 4, 2014 in Official Records Book 2678, page 96.
 14. Terms, covenants, conditions and other matters contained in any unrecorded Lessee(s) and all rights thereunder of the Lessee(s) and of any party claiming by, through or under the Lessee(s).
 15. The following matters shown by assigned and unassigned Draft of Survey by Reece & White Land Surveying, Inc., under invoice no. 14031012, field dated 3/10/2014, and any consequences or obligations associated therewith, to wit:

- A. Encroachment of fence and dumpster pad in right of way of Tavern Drive and into right of way of Circle Drive. No ALTA form 9-06 or ALTA form 9-2-06 coverage will be given for this.
- B. Encroachment of one story structure into right of way of Circle Drive by 1.6 feet to 2.0 feet. No ALTA form 9-06 or ALTA form 9-2-06 coverage will be given for this.
- C. Encroachment of floor landing, wall and concrete pavement onto Lot 35 and alley appurtenant thereto.
- D. Encroachment of planters from Lot 1 into Circle Drive right of way.

2011 ALTA/ACSM CERTIFICATION

To: TAVERNIER PROPERTIES LLC, a Florida limited liability company,
Title Insurer Old Republic National Title Insurance Company.
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items of Table A thereof.
The field work was completed on 05-28-2015.
Date of Map : 05-28-2015
WILLIAM HERRYMAN
Registration/License Number # 2804

SYMBOL LEGEND	ABBREVIATIONS	N.T.S. = NOT TO SCALE
○ CENTER LINE	AVE = AVENUE	D/C = OVERHEAD ELECTRIC LINE
⊕ POWER POLE	ASPH = ASPHALT	D/L = ON LINE
○ OAK TREE	A/W = ANCHORED WIRE	D/R = OVERHANGING ROOF
⊕ LIGHT POLE	A/C = AIR CONDITIONER	D/S = OFF SET
⊕ FIRE HYDRANT	B. COR = BLOCK CORNER	P.F. = PLAT
⊕ WATER VALVE	CAL = CALCULATED	P.C. = POINT OF CURVATURE
⊕ SIGN	CB = CATCH BASIN	P.T. = POINT OF TERMINATION
⊕ BELLSOUTH BOX	CH = CHORD	P.R.C. = POINT OF REVERSE CURVATURE
⊕ WATER METER	CL = CHAIN LINK FENCE	P.C.C. = POINT OF COMPOUND CURVATURE
⊕ COCONUT	CONC. = CONCRETE	P.C.P. = PERMANENT CONTROL POINT
⊕ MAIL BOX	COL. = COLUMN	PL = PLANTER
⊕ TREE	COMP. = COMPUTED	PH = PARKING METER
⊕ SANITARY SEWER	CUP = CONCRETE UTILITY POLE	P.R.M. = PERMANENT REFERENCE MONUMENT
⊕ MANHOLE	CLP = CONCRETE LIGHT POLE	P/W = PARKWAY
⊕ GAS VALVE	CBS = CONCRETE BLOCK	R = RADIUS
⊕ CLEAN OUT	CNE = CANAL MAINTENANCE	RES = RESIDENCE
⊕ PALM	EASEMENT	R/W = RIGHT OF WAY
⊕ PINE TREE	D = DELTA	SBH = SET DRILL HOLE
	D/W = DRIVEWAY	S.I.P. = SET IRON PIPE
	D/MC = DRAINAGE & MAINTENANCE	S/N = SET NAIL
	EAC = EASEMENT	SDV/LK = SIDEWALK
	ENC = ENCROACHMENT	T = TARGET
	ETP = ELECTRIC TRANSFORMER PAD	UE = UTILITY EASEMENT
	F.P.L. = FLUORID POWER AND LIGHT	V = WIDTH
	F.I.P. = FOUND IRON PIPE	V/F = WOOD FENCE
	FF = FINISH FLOOR	V/S = WOOD SHED
	F.B.H. = FOUND BRILL HOLE	W.V. = WATER VALVE
	FR = FOUND REBAR	W.U.P. = WOOD UTILITY POLE
	F/B = FOUND BISC	
	F/N = FOUND NAIL	— — — — — IRON FENCE
	L/F = LENGTH	— — — — — CHAIN LINK FENCE
	L.F.E. = LOWEST FLOOR ELEVATION	— — — — — WOOD FENCE
	L.P. = LIGHT POLE	— — — — — CHICKEN FENCE
	HEADS = MEASURED	— — — — — C/BS WALL
	M.H. = MAN HOLE	— — — — — OVERHEAD ELEC.
	M.S. = MONUMENT LINE	— — — — — EASEMENT
	NG.V.D. = NATIONAL GEODETIC	— — — — — BENCHMARK ELEVATIONS
	VERTICAL DATUM	— — — — — BUILDING
		— — — — — DISTANCE
		— — — — — CATCH BASIN
		— — — — — WATER METER
		— — — — — W.U.P.
		— — — — — STATE ROAD
		— — — — — HIGHWAY
		— — — — — INTERSTATE
		— — — — — COLUMNS

Engineering & Surveying Consultant
7659 Southwest 102nd Place
Miami, Florida 33173
Tel. 305-606-0031
Fax. 305-412-3545
LB No. 7464

BY WILLIAM HERRYMAN
Professional Land Surveyor
STATE OF FLORIDA

PROJECT: ALTA BOUNDARY SURVEY
91865 OVERSEAS HWY, KEY LARGO, FL 33070
SEC 34-62S-38E
MONROE COUNTY, FLORIDA

JOB No. 1502725
FIELD BOOK:
CAD FILE: LD-9
DATE: 05-28-2015
SCALE: AS SHOWN
DRAWN: LDD
REV: W-H
REVISIONS:
SHEET No. 1-OF-2

Tavernier Hotel
Front and Rear Elevations



Front Elevation

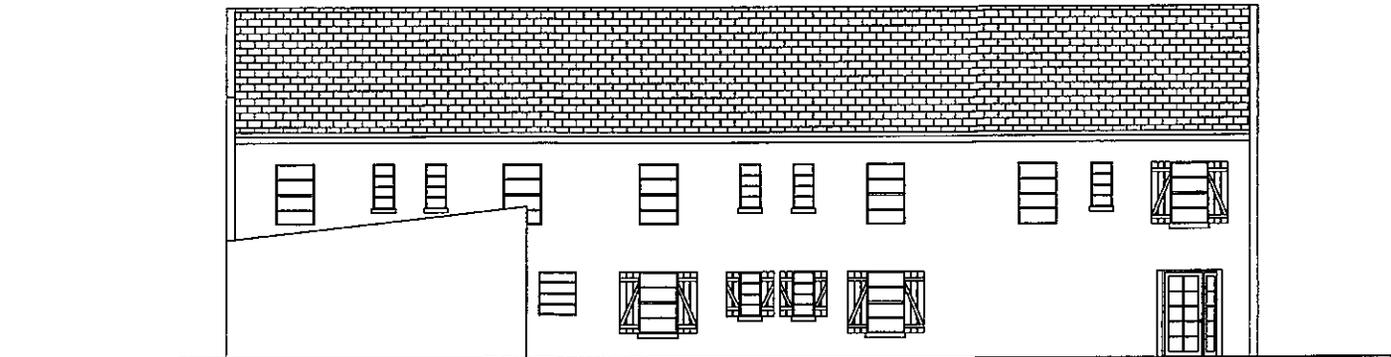


Rear Elevation

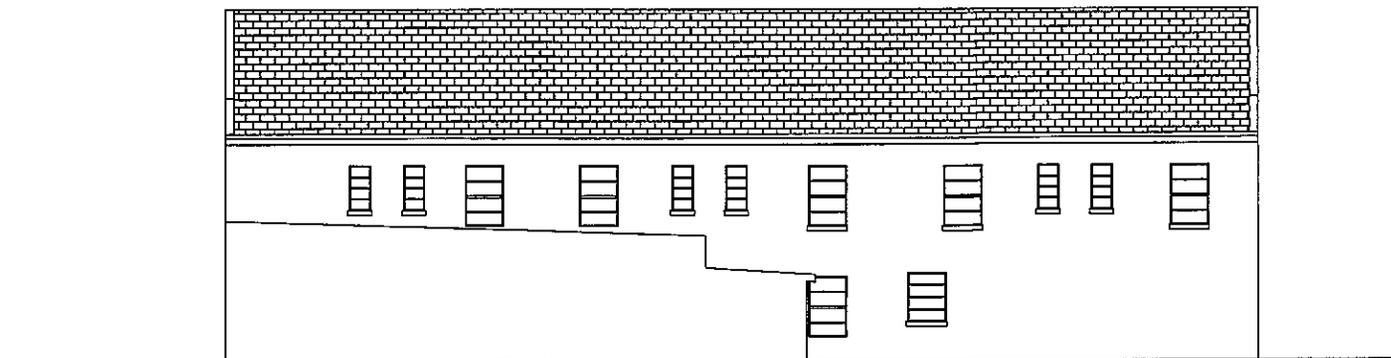
Rear Elevation

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#2016-0382
MONROE CO. PLANNING DEPT

Tavernier Hotel
Left and Right Elevations



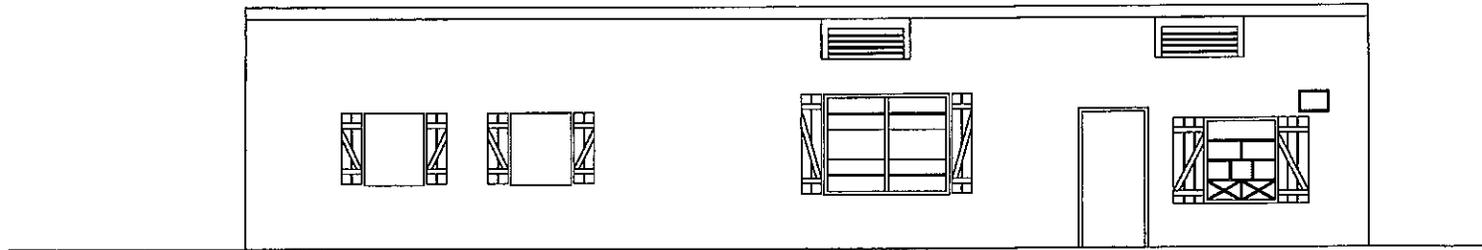
Left Side Elevation



Right Side Elevation

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APR - 6 2018
2016-08-2
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Tavernier Hotel
Courtyard Elevation



Courtyard Elevation

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HONOLULU PLANNING DEPT



PRIME DESIGN ASSOCIATES ARCHITECTURE - PLANNING - DESIGN

AA 26002234 4851 SHERIDAN ST. SUITE 400 HOLLYWOOD FLORIDA, 33021



MAYER S. ABBO, ARCHITECT

Historic Tavernier Hotel 91865 Overseas Hwy, Key Largo, FL 33070

DESIGN DEVELOPMENT PRELIMINARY NOT FOR CONSTRUCTION

FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT Existing Reference Site Plan

Scale 1" = 20'

SITE PLAN NOTES

- 1. REFER TO THE CITY OF KEY LARGO PLANNING DEPARTMENT FOR ALL APPLICABLE REGULATIONS AND ORDINANCES. THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KEY LARGO AND THE STATE OF FLORIDA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KEY LARGO AND THE STATE OF FLORIDA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KEY LARGO AND THE STATE OF FLORIDA.

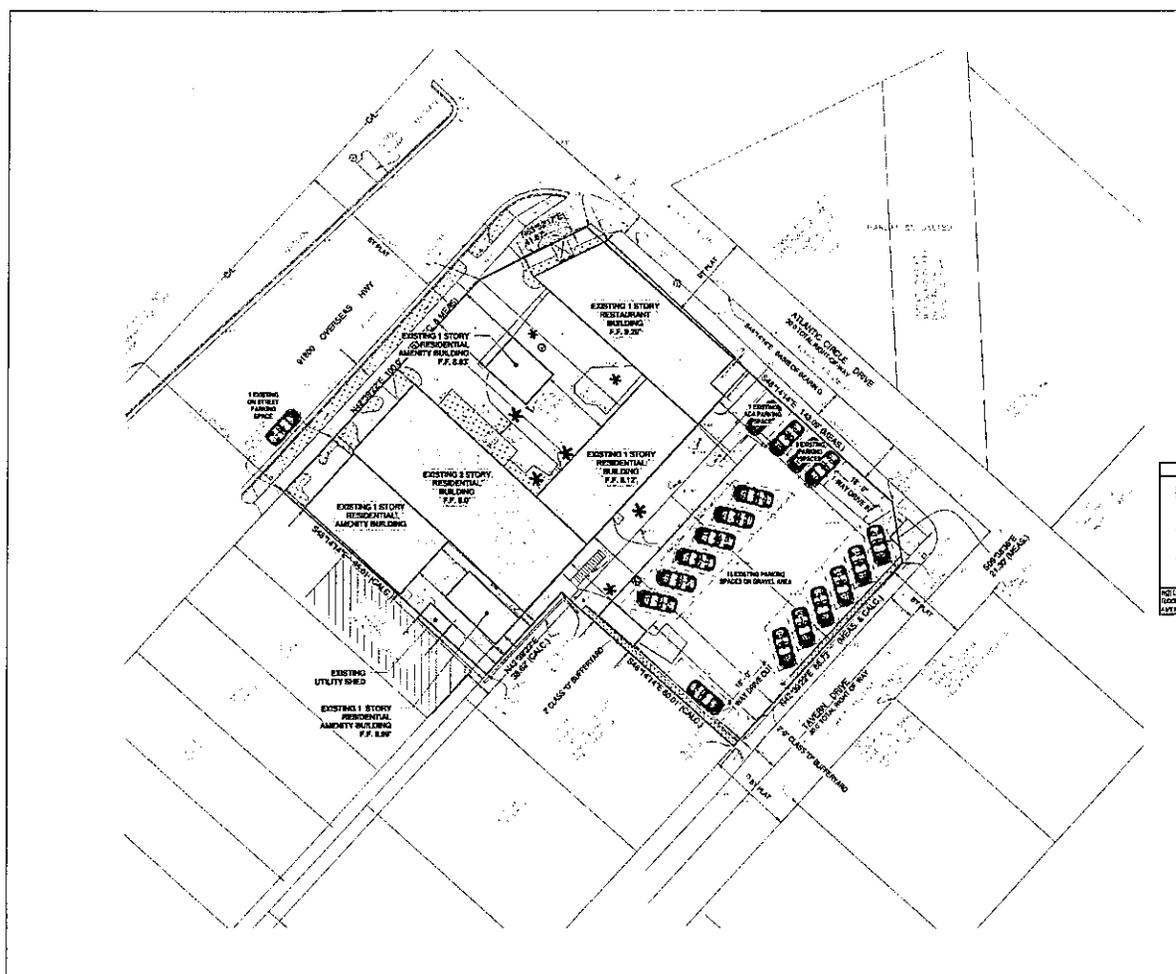
SITE DATA TABLE

Table with 2 columns: ITEM and QUANTITY. Includes rows for TOTAL SITE AREA, AVAILABLE BUILDING AREA, TOTAL BUILDING AREA, etc.

LAND USE DENSITY (C-C SUBURBAN COMMERCIAL DISTRICT)

Table with 6 columns: LAND USE, MAXIMUM FLOOR AREA RATIO, SETBACK, MAX HEIGHT, MINIMUM LOT AREA, POTENTIAL USES.

NOTES: THESE PLANS AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KEY LARGO AND THE STATE OF FLORIDA.



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PRIME DESIGN ASSOCIATES
ARCHITECTURE-PLANNING-DESIGN

AA 26002234
4851 SHERIDAN ST. SUITE 400
HOLLYWOOD FLORIDA, 33021
VOICE: 954.251.5790
FAX: 954.392.8740

SEAL
MAYER S. ABBO, ARCHITECT

Historic Tavernier Hotel
91865 Overseas Hwy,
Key Largo, FL 33070

Permit Submitter
Description

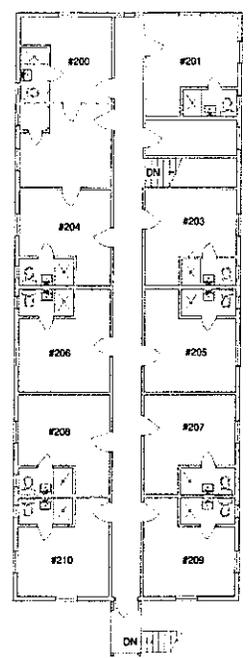
DESIGN DEVELOPMENT
PRELIMINARY NOT FOR CONSTRUCTION

FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT

Existing Floor Plans

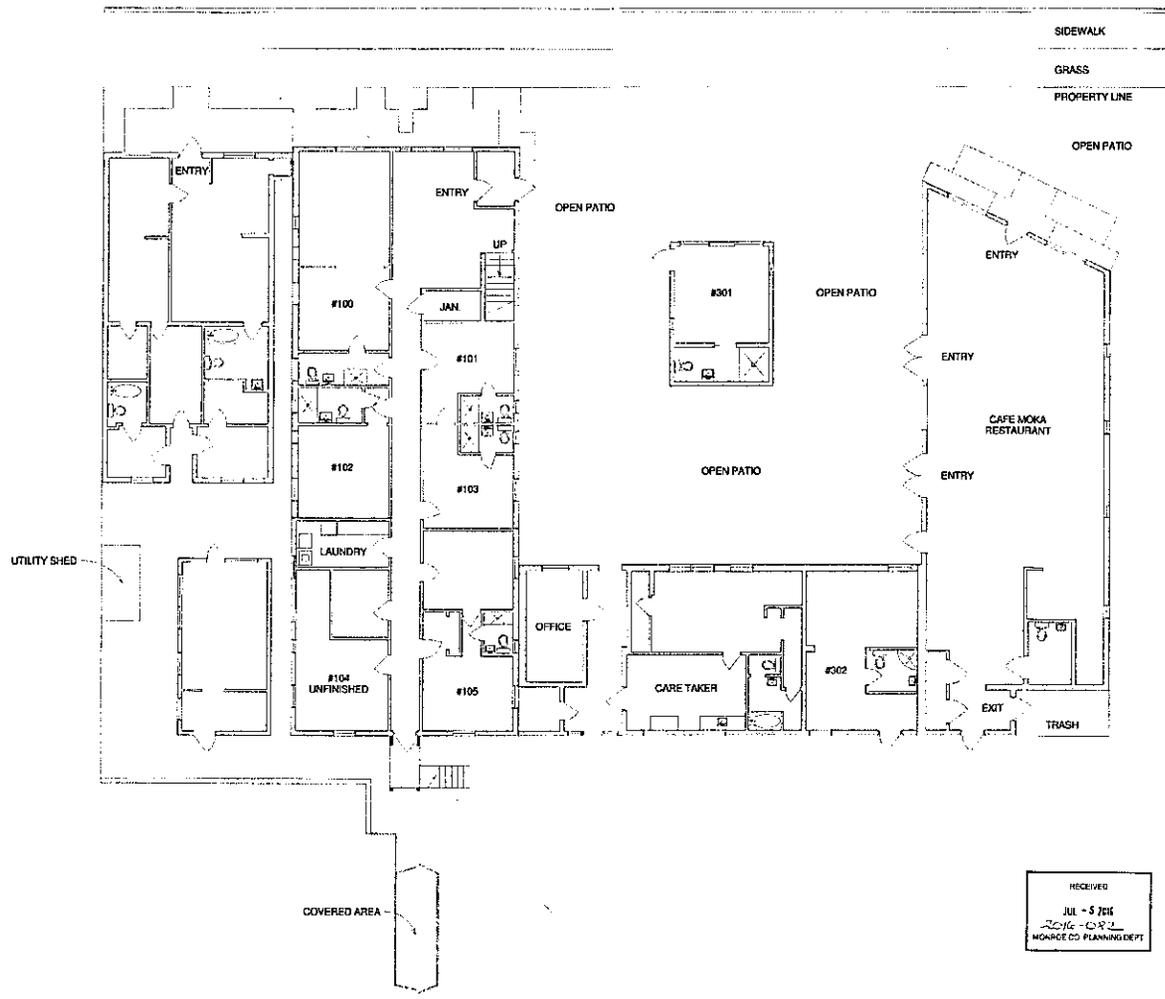
Client Name: _____ Permal Design, Inc.
Project Number: 0320-19
Date: 07/01/18
Project Owner: _____ Design Development
Checked by: _____ Project Manager

A200
Scale: 1/8" = 1'-0"



2 EXISTING SECOND FLOOR PLAN
1/8" = 1'-0"

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



1 EXISTING GROUND FLOOR PLAN
1/8" = 1'-0"

NOTE:
FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.

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PRIME DESIGN ASSOCIATES
ARCHITECTURE - PLANNING - DESIGN

AA 26002234

4551 SHERIDAN ST. SUITE 408
HOLLYWOOD FLORIDA, 33021
VOICE: 954.251.5790
FAX: 954.292.8748

SEAL
MAYER S. ARBO, ARCHITECT

THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED TO HIM BY OTHERS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF ANY STRUCTURE OR EQUIPMENT NOT SHOWN ON THESE PLANS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF ANY STRUCTURE OR EQUIPMENT NOT SHOWN ON THESE PLANS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE DESIGN OF ANY STRUCTURE OR EQUIPMENT NOT SHOWN ON THESE PLANS.

Historic Tavernier Hotel
91865 Overseas Hwy,
Key Largo, FL 33070

DESIGN DEVELOPMENT
PRELIMINARY NOT FOR CONSTRUCTION

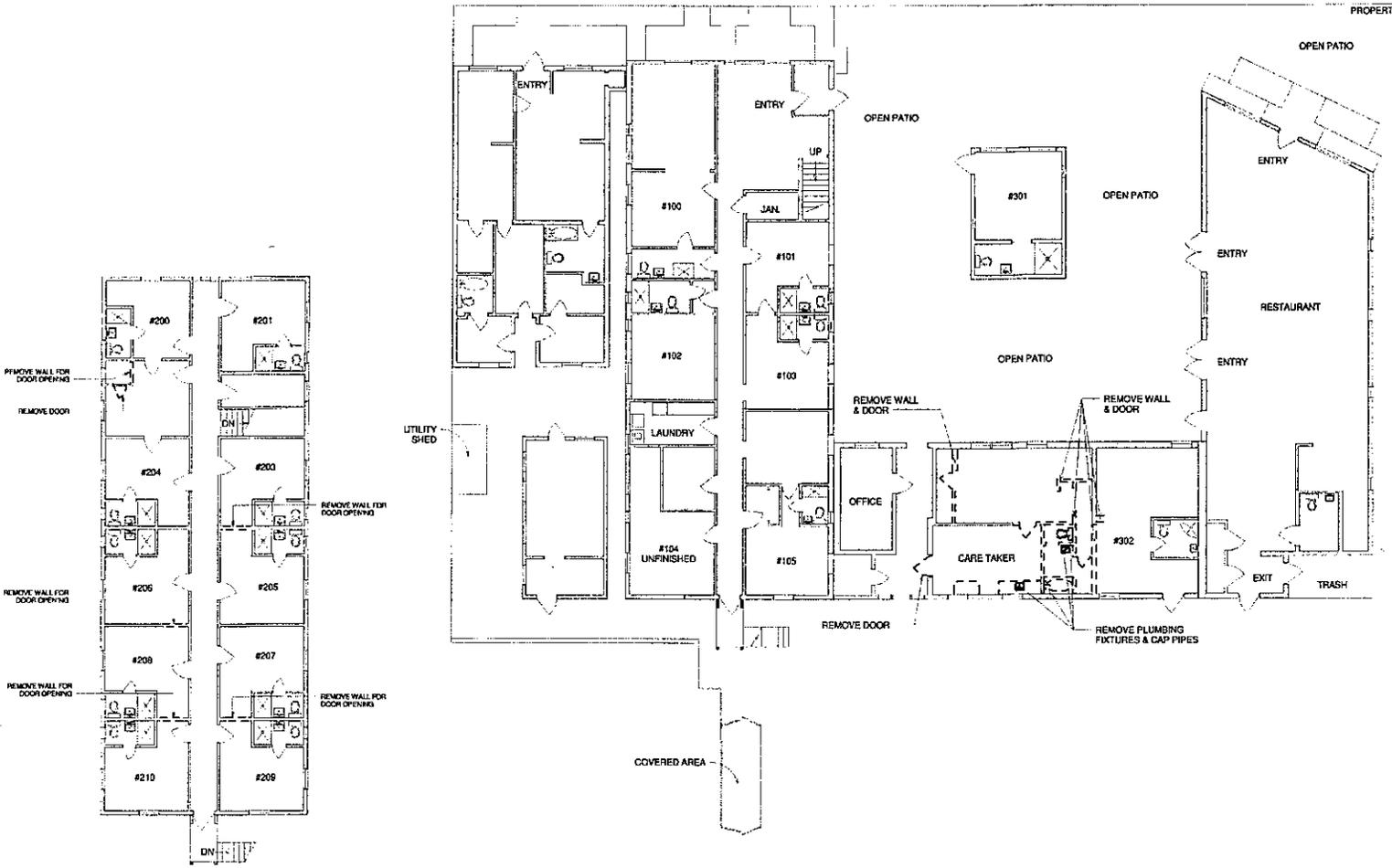
FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT

Existing & Proposed Demolition Floor Plans

Client Name: _____
Project Number: _____
Date: _____
Project Status: _____
Checked by: _____

A201

SIDEWALK
GRASS
PROPERTY LINE



LEGEND
— EXISTING WALL
- - - DEMO WALL

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2016-082
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2 EXISTING & PROPOSED DEMOLITION SECOND FLOOR PLAN
12'-11"

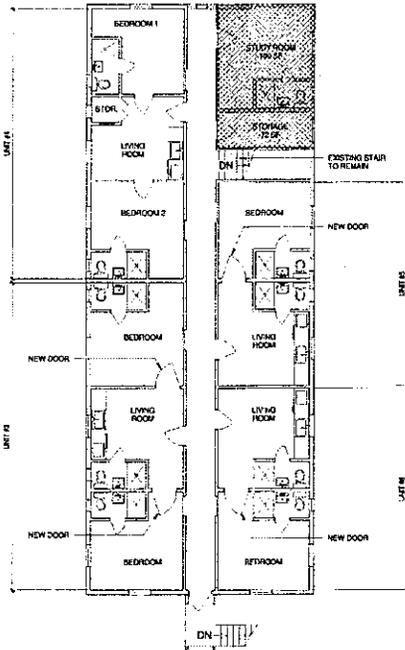
NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.

1 EXISTING & PROPOSED DEMOLITION GROUND FLOOR PLAN
12'-11"

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.

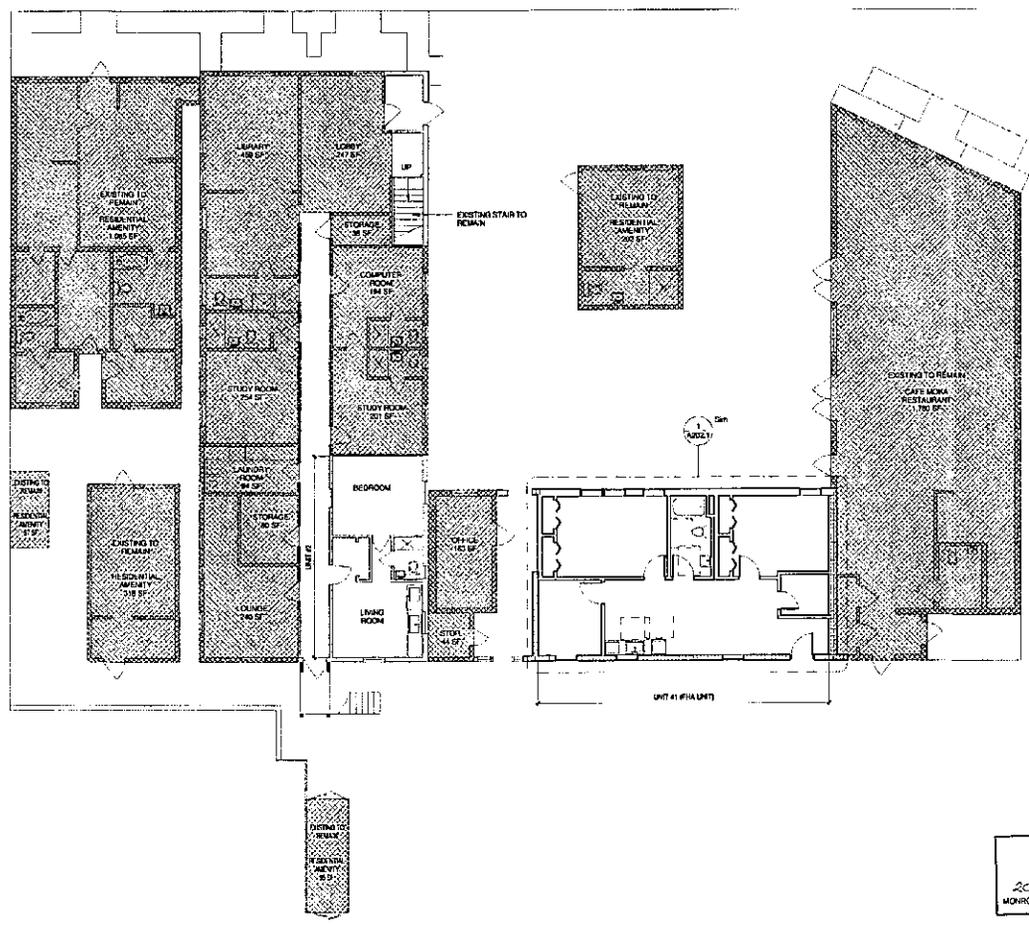
BUILDING AREA DATA TABLE		
GROUND FLOOR	RESIDENTIAL (AFFORDABLE HOUSING)	2,993 SF (15.03%)
	RES. UTIL. AMENITIES	3,861 SF (20.02%)
	RESTAURANT	3,790 SF (20.02%)
SECOND FLOOR	RESIDENTIAL (AFFORDABLE HOUSING)	3,211 SF (16.72%)
	RES. UTIL. AMENITIES	271 SF (1.42%)
TOTAL BUILDING AREA		19,158 SF (100%)

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



2 EXISTING & PROPOSED NEW SECOND FLOOR PLAN
18'-11" x 24'-0"

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.



1 EXISTING & PROPOSED NEW GROUND FLOOR PLAN
18'-11" x 24'-0"

NOTE: FLOOR PLAN INFORMATION AND BUILDING AREA CALCULATIONS ARE APPROXIMATE AND BASED ON EXISTING CONDITIONS DOCUMENTED ON EXISTING BUILDING CONDITIONS SURVEY BY MEASURE MASTERS.

RECEIVED
JUL - 5 2016
2016-082
MONROE CO. PLANNING DEPT

pd
PRIME DESIGN
ASSOCIATES
ARCHITECTURE - PLANNING - DESIGN
AA 26002234
4651 SHERIDAN ST. SUITE 400
HOLLYWOOD FLORIDA, 33021
VOICE: 954.251.5790
FAX: 954.392.6748

SEAL
MAYER S. ABBO, ARCHITECT

Historic Tavernier Hotel
91865 Overseas Hwy,
Key Largo, FL 33070

Permit Schedule
DESIGN DEVELOPMENT
PRELIMINARY NOT FOR CONSTRUCTION
FOR PERMIT CONSTRUCTION PLANS BY OTHERS UNDER SEPARATE PERMIT
Existing & Proposed New Floor Plans

Client Name: Prime Group, Inc.
Project Number: 200818
Date: 07-01-16
Project Status: Design Development
Checked by: Project Manager
A202
Scale: 1" = 1'-0"

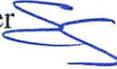


MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

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

From: Emily Schemper, AICP, Comprehensive Planning Manager 

Date: August 22, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.5.25, PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PLATTED LOT WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PLATTED LOT WITH AN RL (RESIDENTIAL LOW) FUTURE LAND USE MAP DESIGNATION AND WITHIN AN SR (SUBURBAN RESIDENTIAL) ZONING DISTRICT; AND PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PARCEL EXISTING PRIOR TO SEPTEMBER 15, 1986 WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PARCEL THAT WAS SUBDIVIDED FROM A TRACT WITHIN AN APPROVED AND RECORDED PLATTED SUBDIVISION PRIOR TO SEPTEMBER 15, 1986 WITH AN RM (RESIDENTIAL MEDIUM) FUTURE LAND USE MAP DESIGNATION AND WITHIN AN IS (IMPROVED SUBDIVISION) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (Planning File #2016-107)

Meeting: August 30, 2016

I. REQUEST

The Monroe County Planning & Environmental Resources Department is proposing an amendment to revise the maximum net density standards in Policy 101.5.25 for the Residential Low (RL) and Residential Medium (RM) future land use map (FLUM) categories.

II. BACKGROUND INFORMATION

On March 23, 2016, at their regularly scheduled meeting, the Monroe County Board of County Commissioners (BOCC) held a public hearing to consider a request for a Beneficial Use Determination (BUD) and the recommendations of the special magistrate for a platted lot with an RL FLUM designation and within a Suburban Residential (SR) zoning district which had less land area than that required by the density standards of the Comprehensive Plan and the Land Development Code to develop the lot with one single family residence. The special magistrate had issued a recommended order that stated “recommended that the Board of County Commissioners deny Petitioners’ application for relief under the BUD Ordinance.” The BOCC denied the applicant’s request for relief. The BOCC also directed staff to propose amendments to the Comprehensive Plan and Land Development Code that would allow owners of platted lots within the SR zoning district that lack the minimum land area required under the SR density standards to for a single family residence with the transfer of one TDR.

On July 26, 2016, the Monroe County Planning Commission (PC) considered an appeal by a property owner who had been denied a building permit for a single family residence on an unplatted parcel of land with an RM FLUM designation and within an Improved Subdivision (IS) zoning district based on the density standard of one dwelling unit per platted lot for the RM and IS districts in the Comprehensive Plan and Land Development Code. The PC denied the applicant’s appeal.

In completing the BOCC directed review of the SR zoning density, staff has also been evaluating the potential for an amendment to the density requirements of the Land Development Code that would allow owners of unplatted parcels that existed prior to September 15, 1986 and are now within an IS zoning district to apply for a ROGO allocation in order to build a single family residence on such a parcel.

Staff is combining the these concepts into one amendment proposal based on the similarities between the two proposed amendments in purpose, analysis, and data

III. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

Deletions are shown in **red** and **stricken-through**; additions are shown in **green** and **underlined**.

Policy 101.5.25

Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the FLUM and described in Policies 101.5.1 - 101.5.20 [§163.3177(6)(a)1.,F.S.].

Future Land Use Densities and Intensities				
Future Land Use Category And Corresponding Zoning	Residential ⁽¹⁾		Nonresidential	Minimum Open Space Ratio ^(c)
	Allocated Density ^(a) (per upland acre)	Maximum Net Density ^{(a) (b)} (per buildable acre)	Maximum Intensity (floor area ratio)	

Agriculture/Aquaculture (A) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.25	Per underlying zoning
Airport (AD) (AD zoning)	0 du 0 rooms/spaces	N/A N/A	0.10	0.20
Commercial (COMM) (C1 and C2 zoning)	0 du 0 rooms/spaces	N/A N/A	0.15-0.50	0.20
Conservation (C) (CD zoning)	0 du 0 rooms/spaces	N/A N/A	0.05	0.90
Education (E) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Industrial (I) (I and MI zoning)	1 du 0 rooms/spaces	2 du N/A	0.25-0.60	0.20
Institutional (INS) ^(d) (no directly corresponding zoning)	0 du 15 rooms/spaces	N/A 24 rooms/spaces	0.30	Per underlying zoning
Mainland Native (MN) (MN zoning)	0.01 du 2 spaces ^(e)	N/A N/A	0.03	0.95-0.99
Military (M) (MF zoning)	6 du 10 rooms/spaces	12 du 20 rooms/spaces	0.30-0.50	0.20
Mixed Use/Commercial (MC) ^{(f)(g)} (SC, UC, DR, RV, MU and MI zoning)	1 du (DR, MU, MI) 3 du (SC) 6 du (UC) Commercial Apartments (RV) ^(h) 5-15 rooms/spaces	2 du (MI) 6-18du (SC) ^(k) 12 du (UC) 12-18 du (MU) ^(k) 18 du (DR) 10-25 rooms/spaces	0.10-0.45 (SC, UC, DR, MU) <2,500 SF (RV) 0.30-0.60 (MI)	0.20
Mixed Use/Commercial Fishing (MCF) ^(f) (CFA, CFV, CFSD zoning)	1 du (CFSD-20) ⁽ⁱ⁾ 3 du (CFA, all other CFSD) 1 du/lot (CFV) 0 rooms/spaces	12 du (CFA, CFSD) N/A (CFV) N/A	0.25-0.40	0.20
Preservation (P) ^(d) (P zoning)	0 du 0 rooms/spaces	N/A N/A	0	1.00
Public Buildings/Lands (PB) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Public Facilities (PF) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Recreation (R) (PR zoning)	0 du 2 rooms/spaces	N/A N/A	0.20	0.90

Residential Conservation (RC) (OS and NA zoning)	0-0.10 du (OS) 0.25 du (NA) 0 rooms/spaces	N/A N/A	0-0.20	0.95
Residential Low (RL) (SS, SR, and SR-L zoning)	0.50 du 0 rooms/spaces	3 du (SR-L) 5 du (SR) or <u>1 du/lot (SR)^(m)</u> N/A (SS) N/A	0.25 <2500 SF (SR)	0.50 (SR, SR-L) 0.80 (SS)
Residential Medium (RM) (IS, IS-V, IS-M and IS-D ^(j) zoning)	1 du/lot (IS, IS-V, IS-M) 2 du/lot (IS-D) 0 rooms/spaces	<u>1/pre-1986 parcel⁽ⁿ⁾ (IS, IS-V, IS-M)</u> N/A (IS-D) N/A	0	0.20
Residential High (RH) (IS-D ^(j) , URM, URM-L and UR zoning)	6 du (UR) 1du/lot (URM, URM-L) 2 du/lot (IS-D) 0-10 rooms/spaces	12-25 du (UR) ^(k) N/A (IS-D, URM, URM-L) 0-20 rooms/spaces	0	0.20

Notes:

- (a) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net density bonuses shall not be available.
- (b) The Maximum Net Density is the maximum density allowable with the use of TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density without the use of TDRs. "N/A" means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space. For the purposes of max net density calculations for platted lots in the SR district (see footnote (m) below) and for pre-1986 parcels in the IS district (see footnote (n) below), open space shall not be deducted from the area of the site.
- (c) Additional open space requirements may apply based on environmental protection criteria; in these cases, the most restrictive requirement shall apply.
- (d) Future land use categories of Agriculture/Aquaculture, Education, Institutional, Preservation, Public Buildings/Lands, and Public Facilities, which have no directly corresponding zoning, may be used with new or existing zoning districts as appropriate.
- (e) Within the Mainland Native future land use district, campground spaces and nonresidential buildings shall only be permitted for educational, research or sanitary purposes.
- (f) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing future land use categories, the maximum floor area ratio shall be 0.10 and the maximum net density bonuses shall not be available.
- (g) A mixture of uses shall be maintained for parcels designated as MI zoning district that are within the MC future land use category. Working waterfront and water dependent uses, such as marina, fish house/market, boat repair, boat building, boat storage, or other similar uses, shall comprise a minimum of 35% of the upland area of the property, adjacent to the shoreline, pursuant to Policy 101.5.6.
- (h) In the RV zoning district, commercial apartments shall be allowed, not to exceed 10% of total spaces allowed or in existence on the site, whichever is less.
- (i) The allocated density for the CFSD-20 zoning district (Little Torch Key) shall be 1 dwelling unit per acre, or 1 dwelling unit per parcel for those parcels existing as of September 15, 1986, whichever is less, and the maximum net density bonuses shall not be available. Residential density shall be allowed in addition to the permitted nonresidential

uses and intensity (i.e., density and intensity shall not be counted cumulatively).

- (j) Within IS subdivisions with primarily single family residential units, IS-D zoning may be used with a RM future land use designation for platted lots which have a duplex that was lawfully established prior to September 15, 1986.
- (k) The maximum net density shall be 25 du/buildable acre for the UR zoning district and shall be 18 du/buildable acre for the MU and SC zoning district for development where all units are deed restricted affordable dwelling units. For the UR zoning district market rate housing may be developed as part of an affordable or employee housing project with a maximum net density not exceeding 18 du/buildable acre.
- (l) Vessels, including live-aboard vessels, or associated wet slips are not considered dwelling units and do not count when calculating density.
- (m) Within the Residential Low future land use category, the maximum net density for platted lots within the SR zoning district shall be 1 dwelling unit per platted lot, provided all of the following conditions are met:
 - 1) The parcel must be one full platted lot shown on a plat approved by the County and duly recorded;
 - 2) The platted lot may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);
 - 3) The platted lot must have a Tier designation of Tier III;
 - 4) Notwithstanding Policy 101.13.2, the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot, regardless of the size of the lot and the allocated density assigned to it;
 - 5) The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and
 - 6) The subject parcel must comply with Policy 301.2.5 regarding legal access.
- (n) Within the Residential Medium future land use category, the maximum net density within the IS zoning district shall be 1 dwelling unit per parcel for parcels that meet all of the following conditions:
 - 1) The parcel must be subdivided from a tract identified on a plat approved by the County and duly recorded;
 - 2) The parcel must have been subdivided from within the tract before September 15, 1986;
 - 3) The applicant must provide sufficient evidence that the parcel was subdivided before September 15, 1986 from a tract included on an approved plat (such as one or more of the following: boundary survey, deed);
 - 4) The tract from which the subject IS parcel was subdivided may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);
 - 5) The subject parcel may not be part or all of a platted lot;
 - 6) The parcel must have a Tier designation of Tier III;
 - 7) The maximum net density may only be reached with the transfer of one (1) full TDR to the IS parcel;
 - 8) The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and
 - 9) The subject parcel must comply with Policy 301.2.5 regarding legal access.

IV. ANALYSIS OF PROPOSED AMENDMENT

Residential Medium FLUM (IS Zoning)

Monroe County's current adopted Comprehensive Plan and Land Development Code (LDC) have allocated density requirements that require a parcel to be a duly recorded lot on a plat approved by the County in order to develop a single family residential dwelling unit within an RM FLUM and IS zoning district.

Per Policy 101.5.25 of the Comprehensive Plan, the RM FLUM has a maximum residential allocated density of one (1) dwelling unit per lot (1 du/lot), consistent with the allocated density for the IS zoning district pursuant to LDC Section 130-157.

"Buildable lot" is defined in LDC Section 101-1 as "a duly recorded lot that complies with each and every requirement of the county's zoning and subdivision codes immediately prior to the effective date of the ordinance from which this chapter is derived."

"Lot" is defined in LDC Section 101-1 as "a duly recorded lot as shown on a plat approved by the county."

"Parcel of land" is defined in LDC Section 101-1 as "any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit."

"Platted lot" is defined in LDC Section 101-1 as "a lot that is identified on a plat that was approved by the board of county commissioners and duly recorded."

The Monroe County adopted 1986 Land Development Regulations (LDRs) included a plat approval process and stated the process was required for:

- (1) The division of land into three or more parcels;
- (2) The division of land into two or more parcels where the land involved in the division was previously divided without plat approval within the prior two years; or
- (3) The division of land into two parcels where the disclosure statement required under subsection (f) of this section is not attached to the conveyance.

DIVISION 4. PLAT APPROVAL

Sec. 5-401. Plat Approval and Recording Required.

- A. Except as provided in subsections (B) and (C) of this section, plat approval shall be required for:
 - 1. the division of land into three or more parcels; or
 - 2. the division of land into two or more parcels where the land involved in the division was previously divided without plat approval within the prior two years; or
 - 3. the division of land into two parcels where the disclosure statement required under subsection F hereof is not attached to the conveyance.
- B. No building permit, except for single family detached dwellings and accessory uses thereto, shall be issued for the construction of any building, structure or improvement unless a final plat has been approved in accordance with the provisions of this Division and recorded for the lot on which the construction is proposed.
- C. No plat approval is required if the subdivision involved consists only of the dedication of a road, highway, street, alley or easement and the Director of Planning finds that it is not necessary that a plat be recorded. In lieu of recording a plat, the dedication shall be required by deed and shall be subject to compliance with the submission of a grading, paving and drainage plan which will meet the requirements of these regulations and the posting of an improvement guarantee or bond as required under Section 5-405 of this Chapter before the acceptance of the dedication by the Board of County Commissioners.

- D. No plat of any subdivision shall be entitled to be recorded in the office of the Clerk of the Circuit Court until it shall have been approved by the Board of County Commissioners in the manner prescribed herein and certified by the Clerk.
- E. If a plat has been previously approved and recorded, technical or minor changes to the plat may be approved by the Director of Planning. All other changes shall be considered in accordance with the provisions of this Division.
- F. The conveyance of land which involves the division of the land into two parcels where plat approval is not obtained pursuant to this Division, shall include the following disclosure statement:

The parcel of land described in this instrument is located in unincorporated Monroe County. The use of the parcel of land is subject to and restricted by the goals, policies and objectives of the Monroe County Plan and Land Development Regulations adopted as a part of, and in conjunction with and as a means of implementing the Monroe County Comprehensive Plan. The Land Development Regulations provide that no building permits shall be issued for any development of any kind unless the proposed development complies with each and every requirement of the regulations, including minimum area requirements for residential development. You are hereby notified that under the Monroe County Land Development Regulations the division of land into parcels of land are not approved as platted lots under the regulations confers no right to develop a parcel of land for any purpose.

Sec. 5-404. Final Plat Approval.

- A. Generally. All applicants for approval of a plat shall submit a final plat for approval in accordance with the provisions of this Section.
- B. Application. It shall be the responsibility of the developer to complete, have in final form, and submit to the Development Review Coordinator for final processing the final plat, along with all final construction plans, required documents, exhibits, legal instruments to guarantee performance, certificates properly executed by all required agencies and parties as required in this Chapter, and the recording fee, and any other documents or information as are required by the Director of Planning. After receipt of a complete application for final plat approval, as determined in accordance with Section 5-104, the Development Review Coordinator shall submit the application and accompanying documents to the Development Review Committee.

F. Action by the Board of County Commissioners. For proposed subdivisions involving five (5) or more lots the Board of County Commissioners shall review the application, the recommendations of the Development Review Committee and the Planning Commission, and the testimony at the public hearing, and shall grant final plat approval, grant approval subject to specified conditions, or deny the application, in accordance with the provisions of Section 5-107.

Sec. 5-414. Amendment of a recorded final plat.

An amendment of a recorded final plat or portion thereof shall be accomplished in the same manner as for approval of the plat.

The 1986 Land Development Regulations also established the purpose of the Improved Subdivision (zoning) District and density standards.

Sec. 9-113. Purpose of the Improved Subdivision District (IS)

The purpose of this district is to accommodate the legally vested residential development rights of the owners of lots in subdivisions that were lawfully established and improved prior to the adoption of these regulations. For the purpose of this section, improved lots are those which are served by a dedicated and accepted existing road of porous or non-porous material, that have a Florida Keys Aqueduct Authority approved potable water supply, and that have sufficient uplands to accommodate the proposed use in accordance with the required setbacks. This district is not intended to be used for new land use districts of this classification within the County.

DIVISION 3. LAND USE INTENSITIES

Sec. 9-301. Land Use Intensity.

No structure or land in Monroe County shall hereafter be developed, used or occupied at an intensity or density greater than the standards set out in this Division. No density shall be allocated for any land designated as mangroves on the Existing Conditions Map.

Sec. 9-302. Maximum Residential Density and District Open Space*.

LAND USE DISTRICT AND USE	ALLOCATED DENSITY (DU/acre)	MAXIMUM NET DENSITY (DU/acre)	O.S.R*
URBAN COMMERCIAL	6.0	12.0	.2
URBAN RESIDENTIAL	6.0	12.0	.2
URBAN RESIDENTIAL-MOBILE HOME	5.0	7.0	.2
SUBURBAN COMMERCIAL	3.0	6.0	0
SUBURBAN RESIDENTIAL	1.0	10.0	.5
SUBURBAN RESIDENTIAL (LTD)	1.0	3.0	0
SPARSELY SETTLED NATIVE	.5	6.0	.8
Mangroves	0	0	1.0
Freshwater Wetlands	.2	0	1.0
Transitional Habitats	.3	5.0	.85
Scarified/Disturbed	.5	5.0	.6
Hammocks	.5	5.0	.8
Beach/Berm	.5	5.0	.9
Pinelands	.5	5.0	.8
MAINLAND NATIVE	.01	1.0	.99
OFFSHORE ISLAND	.1	2.0	.95
IMPROVED SUBDIVISION	See Section 9-303		
COMMERCIAL FISHING	3.0	12.0	.2
DESTINATION RESORT	1.0	18.0	.2
LIGHT INDUSTRY	6.0	12.0	0
MARITIME INDUSTRY	6.0	12.0	0
MIXED USE	1.0	12.0	.2
MILITARY FACILITIES			
DISTRICT	6.0	12.0	.2
PARK AND REFUGE DISTRICT	0.5	5.0	0.9

CONTROLLED
BY NET BUILDING
AREA

Sec. 9-303. Improved Subdivision and Commercial Fishing Village District Densities.

Notwithstanding the density limitations of Section 9-302, the owner of a lot in an Improved Subdivision District or Commercial Fishing Village District shall be entitled to develop a single family detached dwelling on the lot, provided that:

- A. the lot has sufficient land area and dimensions to meet the requirements of Chapter 10D-6 Fla. Admin. Code for the installation of on-site wastewater treatment systems;
- B. the lot is not owned in common ownership with any adjacent lot;
- C. the lot was a lawful buildable lot eligible for a building permit on the effective date of these regulations; and
- D. the development of a single family detached dwelling on the lot conforms to each and every other requirement of this Plan.

In the event contiguous lots are owned in common ownership on or after the effective date of these regulations, the owner thereof shall be entitled to one unit per two lots or 12,500 square feet of land area, exclusive of rights-of-way, whichever area is less, provided that in no event shall a landowner be entitled to more dwelling units than buildable lots were provided for in the plat as originally approved by Monroe County and filed with the Clerk of the Court.

L-10. **LOT** means a parcel of land occupied or intended for occupancy by an individual use including one main structure together with accessory structures, yards, open spaces, buffer areas and parking spaces.

B-7. **BUILDABLE LOT** means a duly recorded lot that complies with each and every requirement of the County's zoning and subdivision codes immediately prior to the effective date of this Plan.

The majority of parcels with RL FLUM designations and within IS zoning districts are *platted lots* within subdivisions identified on plats approved by the County. However, there are a number of parcels with RL FLUM and IS zoning designations that were created without plat approval or that contain land included on a plat but only identified as a "tract" or for some other purpose; such parcels do not meet the definition of "lot." The legal descriptions for a number of these parcels show that the property is located within a Tract of land included in a duly recorded plat, but these were not divided into "lots" at the time of the plat. In some cases, these tracts of land were subsequently

divided into multiple parcels that were never shown as lots or parcels on a plat, re-plat, or amended plat approved by the County and recorded by the Clerk of Court's office. Such parcels do not meet the definition of "lot" and therefore have no density assigned to them.

Additionally, the current Comprehensive Plan and LDC do not assign a maximum net density to RM FLUM and IS zoning districts and, as such, the use of Transferrable Development Rights (TDRs) is not an option. Owners of vacant parcels that do not meet the definition of "lot" and are within the RM FLUM and IS zoning district therefore do not have any residential density.

The majority of these parcels were designated IS with the adoption of the land use district map in 1986 and RM with the adoption of the FLUM in 1993 (effective 1997).

Staff is proposing that parcels that do not meet the definition of "lot," but were subdivided prior to the adoption of the IS zoning district (September 15, 1986) from tracts of land identified on a plat, be given the opportunity to develop one dwelling unit by transferring one TDR to the parcel and retiring the development rights for one dwelling unit on the TDR sender site. This proposal would not create a net increase in development potential in the County as the applicant would need to retire one unit of density from another property and transfer the TDR to the parcel proposed for development.

Pre-1986 parcels would be required to meet all requirements for TDRs under Comprehensive Plan Policy 101.13.3 and LDC Section 130-160. The use of TDRs would require the retirement of development rights for one (1) dwelling unit of density on an eligible TDR sender site.

Preliminary analysis of the platted subdivisions within IS zoning districts indicates that approximately 215 parcels may qualify as parcels subdivided prior to September 15, 1986 from within tracts of land identified on a plat. The number of parcels within this scenario may vary as property owners have (and continue to) split and combine properties without County Planning & Environmental Resources Department knowledge (nor plat approval). If this amendment is adopted, each parcel shall be individually evaluated at the time of an application for development. Property owners must provide sufficient evidence that the parcel was subdivided from a tract before this date.

Again, all TDR sender and receiver site criteria identified in Policy 101.13.3 would apply to such transfers:

Sender Site Criteria:

1. Property has development rights to transfer, and
2. Located in a Tier I, II, III-A, or III designated area; including any tier within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

1. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
 - Liveable CommuniKeys Community Centers shall be encouraged as receiving areas for transfer of development rights.
2. Must have an adopted maximum net density standards;

3. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.)
4. Located within a Tier III designated area; and
5. Is not located within a designated CBRS unit.

Staff also recommends that the proposed maximum net density standard only be available to parcels that have sufficient legal access meeting the requirements of Policy 301.2.5.

Future Land Use Densities and Intensities				
Future Land Use Category And Corresponding Zoning	Residential ⁽¹⁾		Nonresidential	Minimum Open Space Ratio ^(c)
	Allocated Density ^(a) (per upland acre)	Maximum Net Density ^{(a) (b)} (per buildable acre)	Maximum Intensity (floor area ratio)	
...				
Residential Medium (RM) (IS, IS-V, IS-M and IS-D ^(j) zoning)	1 du/lot (IS, IS-V, IS-M) 2 du/lot (IS-D) 0 rooms/spaces	<u>1/pre-1986 parcel⁽ⁿ⁾ (IS, IS-V, IS-M)</u> <u>N/A (IS-D)</u> N/A	0	0.20
...				
<p>...</p> <p><u>(n) Within the Residential Medium future land use category, the maximum net density within the IS zoning district shall be 1 dwelling unit per parcel for parcels that meet all of the following conditions:</u></p> <ol style="list-style-type: none"> <u>1. The parcel must be subdivided from a tract identified on a plat approved by the County and duly recorded;</u> <u>2. The parcel must have been subdivided from within the tract before September 15, 1986;</u> <u>3. The applicant must provide sufficient evidence that the parcel was subdivided before September 15, 1986 from a tract included on an approved plat (such as one or more of the following: boundary survey;</u> <u>4. The tract from which the subject IS parcel was subdivided may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);</u> <u>5. The subject parcel may not be part or all of a platted lot;</u> <u>6. The parcel must have a Tier designation of Tier III;</u> <u>7. The maximum net density may only be reached with the transfer of one (1) full TDR to the IS parcel;</u> <u>8. The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and</u> <u>9. The subject parcel must comply with Policy 301.2.5 regarding legal access.</u> 				

Residential Low FLUM (SR Zoning)

Within unincorporated Monroe County, there are approximately 35 platted subdivisions that are either partially or entirely within SR zoning districts and have RL FLUM designations. These subdivisions were designated SR with the adoption of the land use district map in 1986 and RL with the adoption of the FLUM in 1993 (effective 1997). Monroe County's current adopted Comprehensive Plan and LDC have residential density regulations for the RL FLUM and SR zoning districts that require a site to have more land than a typical platted subdivision lot would have in order to build a single residential dwelling unit. Owners of vacant land within these subdivisions are often unable to develop a single family dwelling unit on a single platted lot.

The 1986 Land Development Regulations also established the purpose of the Suburban Residential (zoning) District and density standards.

Sec. 9-107. Purpose of the Sub Urban Residential District (SR)

The purpose of this district is to establish areas of low to medium density residential uses characterized principally by single-family detached dwellings. This district is predominated by development; however, natural and developed open space create an environment defined by plants, spaces and over-water views.

Sec. 9-108. Purpose of the Sub Urban Residential District (Limited) (SRL)

The purpose of this district is to establish areas of exclusive low to medium density residential uses.

DIVISION 3. LAND USE INTENSITIES

Sec. 9-301. Land Use Intensity.

No structure or land in Monroe County shall hereafter be developed, used or occupied at an intensity or density greater than the standards set out in this Division. No density shall be allocated for any land designated as mangroves on the Existing Conditions Map.

Sec. 9-302. Maximum Residential Density and District Open Space*.

<u>LAND USE DISTRICT AND USE</u>	<u>ALLOCATED DENSITY (DU/acre)</u>	<u>MAXIMUM NET DENSITY (DU/acre)</u>	<u>O.S.R*</u>
URBAN COMMERCIAL	6.0	12.0	.2
URBAN RESIDENTIAL	6.0	12.0	.2
URBAN RESIDENTIAL-MOBILE HOME	5.0	7.0	.2
SUBURBAN COMMERCIAL	3.0	6.0	0
SUBURBAN RESIDENTIAL	1.0	10.0	.5
SUBURBAN RESIDENTIAL (LTD)	1.0	3.0	0
SPARSELY SETTLED NATIVE	.5	6.0	.8
Mangroves	0	0	1.0
Freshwater Wetlands	.2	0	1.0
Transitional Habitats	.3	5.0	.85
Scarified/Disturbed	.5	5.0	.6
Hammocks	.5	5.0	.8
Beach/Berm	.5	5.0	.9
Pinelands	.5	5.0	.8
MAINLAND NATIVE	.01	1.0	.99
OFFSHORE ISLAND	.1	2.0	.95
IMPROVED SUBDIVISION	See Section 9-303		
COMMERCIAL FISHING	3.0	12.0	.2
DESTINATION RESORT	1.0	18.0	.2
LIGHT INDUSTRY	6.0	12.0	0
MARITIME INDUSTRY	6.0	12.0	0
MIXED USE	1.0	12.0	.2
MILITARY FACILITIES			
DISTRICT	6.0	12.0	.2
PARK AND REFUGE DISTRICT	0.5	5.0	0.9

* See additional open space ratios in Chapter 9 Division 8; in accordance with Section 2-101A, the most restrictive of these ratios applies.

In 2003, the BOCC adopted Ordinance 41-2003, to revise the maximum net density and open space standards to remove existing inconsistencies between Monroe County Comprehensive Plan and Land Development Regulations:

BACKGROUND

The Monroe County Year 2010 Comprehensive Plan adopted in 1996 designates land use densities and intensities as delineated in Policy 101.4.21. The Monroe County Land Development Regulations (LDR) were codified prior to the Year 2010 Comprehensive Plan therefore certain inconsistencies exist between the two documents. Section 9.5-262 of the LDR, entitled "Maximum residential density and district open space" contains some inconsistencies with regard to the densities and intensities set forth in the Comprehensive Plan. Furthermore, the existing text for 9.5-262 indicated that there was no "planning" open space for the Suburban Commercial, Improved Subdivision, Industrial and Maritime Industry zoning districts. This has been amended to indicate a 0.2 open space ratio, which is consistent with Division 8 Environmental Open Space Ratios. The existing text also includes seven (7) sub-categories under the Native zoning. Staff recognized that the sub-categories were types of "habitat" rather than land use districts and are also listed in Division 8 therefore they have been eliminated from the text of 9.5-262 to avoid redundancy. Finally, pursuant to Ordinance 003-2002 the new density bonuses for affordable and employee housing in the Urban Residential, Suburban Commercial and Mixed Use zoning districts have also been incorporated into this text amendment.

ANALYSIS

Monroe County is designated as an "Area of Critical State Concern" and as such is governed by Chapters 9J-5 and 9J-12 of the Florida Administrative Code (F.A.C.) and Chapter 163 of the Florida Statutes. The Year 2010 Comprehensive Plan has been deemed to be consistent with 9J-5, 9J-12, and 163. Therefore, any Land Development Regulations that are inconsistent with the

Comprehensive Plan are inconsistent with the aforementioned chapters of the F.A.C. and the Florida Statutes. Pursuant to 9J-5.006(3)(c)7 the Comprehensive Plan shall establish standards for densities and intensities of use for each future land use category. An amendment to Section 9.5-262 would remove any existing inconsistencies with regard to the Comprehensive Plan. By removing these inconsistencies the Planning Department will further the following Principles for Guiding Development:

- To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation; and
- To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife and their habitats; and
- To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, dune ridges and beaches, wildlife and their habitat; and
- To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

Section 9.5-262 additions and deletions shown in underline and strikethrough format.

Section 9.5-262. Maximum residential density and district open space

<i>Land use District</i>	<i>Allocated density DU/acre</i>	<i>Maximum net density DU/buildable area</i>	<i>Open space ratio</i>
Urban Commercial	6.0	12.0	0.2
Urban Residential	6.0	12.0	0.2
<u>(Affordable housing)</u>	<u>6.0</u>	<u>25.0</u>	<u>0.2</u>
<u>(Employee housing)</u>	<u>6.0</u>	<u>25.0</u>	<u>0.2</u>
Urban Residential Mobile Home (URM)	5.0 <u>1/lot</u>	7.0 <u>0</u>	0.2
Mobile Home Parks per 9.5-4(M-16)	<u>5.0</u>	<u>7.0</u>	<u>0.2</u>
<u>URM-Limited</u>	<u>1/lot</u>	<u>0</u>	<u>0.2</u>
Suburban Commercial	3.0	6.0	0.2
<u>(Employee housing)</u>	<u>3.0</u>	<u>15.0</u>	<u>0.2</u>
Suburban Residential	1.0 <u>0.5</u>	10 <u>5.0</u>	0.5
Suburban Residential LTD	1.0 <u>0.5</u>	3.0	<u>0.5</u>

Per Policy 101.5.25 of the Comprehensive Plan, the allocated density for the RL FLUM and SR zoning district is 0.50 dwelling units per acre, which would require a parcel to have two (2) acres of upland to meet the allocated density standard for a single proposed dwelling unit. This is consistent with LDC Section 130-157, which gives an allocated density of 0.50 dwelling units per acre to the SR zoning district.

Both the Comprehensive Plan and the LDC also include maximum net density provisions, which allow development at a higher density with the use of transferable development rights (TDRs) and/or for development of affordable housing. Per Policy 101.5.25, within the RL FLUM and SR zoning district, the maximum net density is 5.0 dwelling units per buildable acre. As defined in the glossary of the Comprehensive Plan, *Buildable Acre means the upland portion of a parcel that is not required open space. Also referred to as Buildable Area.* The buildable acreage of a site is therefore calculated by subtracting required open space from the gross acreage of a site. Per Policy 101.5.25, the required open space ratio for parcels designated as RL FLUM is 0.50.

Therefore, a parcel would need to have a gross area of 0.40 acres of upland to meet the maximum net density requirement for a single proposed dwelling unit ($[0.40 \text{ gross acres} - (0.40 \times 0.50 \text{ open space ratio})] \times 5.0 \text{ du/buildable acre} = 1.0 \text{ dwelling unit}$). This is consistent with the maximum net density provisions for the SR zoning district in LDC Section 130-157.

The typical size of platted lots within the County’s SR subdivisions is much less than 2 acres, and less than 0.40 acres as well: a typical 50’ x 100’ lot contains 5,000 sf, which is 0.11 acres. As shown in the table below, a lot of this size within an SR zoning district would only be able to build 0.055 dwelling units under the allocated density; under the maximum net density standard, a lot of this size would only be able to build 0.275 dwelling units. Although lot sizes vary between platted subdivisions, the majority of platted lots within SR zoning districts do not meet the allocated or the maximum net density requirements for development of a single family residence.

Staff has developed the proposed amendment which would allow Tier III platted lots in subdivisions with SR zoning to develop one dwelling unit per platted lot under maximum net density with the transfer of one (1) full TDR to the SR site. Such lots would be required to meet all requirements for TDRs under Comprehensive Plan Policy 101.13.3 and LDC Section 130-160. The use of TDRs would require the retirement of development rights for one (1) dwelling unit of density on an eligible TDR sender site.

Staff also recommends that parcels eligible for the 1 du/lot maximum net density option must have sufficient legal access meeting the requirements of Policy 301.2.5, which states, *in order to proceed with development, a parcel shall have legal access to public or private roads, rights of way or easements or such access shall be established.*

Future Land Use Densities and Intensities				
Future Land Use Category And Corresponding Zoning	Residential ⁽¹⁾		Nonresidential	Minimum Open Space Ratio ^(c)
	Allocated Density ^(a) (per upland acre)	Maximum Net Density ^{(a) (b)} (per buildable acre)	Maximum Intensity (floor area ratio)	
...				
Residential Low (RL) (SS, SR, and SR-L zoning)	0.50 du 0 rooms/spaces	3 du (SR-L) 5 du (SR) <u>or</u> 1 du/lot (SR) ^(m) N/A (SS) N/A	0.25 <2500 SF (SR)	0.50 (SR, SR-L) 0.80 (SS)
...				
<p>...</p> <p><u>(m) Within the Residential Low future land use category, the maximum net density for platted lots within the SR zoning district shall be 1 dwelling unit per platted lot, provided all of the following conditions are met:</u></p> <ol style="list-style-type: none"> 1. <u>The parcel must be one full platted lot shown on a plat approved by the County and duly recorded;</u> 2. <u>The platted lot may not be identified for any other use or purpose on the plat (e.g., “park,” “common area,” etc.);</u> 3. <u>The platted lot must have a Tier designation of Tier III;</u> 4. <u>Notwithstanding Policy 101.13.2, the maximum net density may only be reached with the transfer of one (1) full</u> 				

- TDR to the SR lot, regardless of the size of the lot and the allocated density assigned to it;
5. The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and
 6. The subject parcel must comply with Policy 301.2.5 regarding legal access.

The table below illustrates how, under current density regulations, a typical 50'x100' platted lot would not meet the allocated density or maximum net density requirements to build a single dwelling unit on a single lot; and how, under the proposed amendment, a platted lot would be able to develop a single dwelling unit on a single platted lot under the maximum net density standard and with the transfer of one full TDR to the parcel.

Example Calculations for a Typical Platted Lot in SR Zoning		
Parcel Info		
Platted Lot Size (typical)	50' x 100' (5,000 sf)	
Gross Acreage	0.11 acres	
Required Open Space Ratio (SR Zoning)	0.50 (50%)	
Allocated Density		
Allocated Density Standard (SR Zoning)	0.5 du/gross acre	
Maximum Development Potential	0.055 du	
Max Net Density	Current Regulations	Proposed Regulations
Maximum Net Density Standard (SR Zoning)	5.0 du/Buildable Acre	5.0 du/Buildable Acre or 1 du/ lot* * the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot
Buildable Acreage (0.11 gross acres – 0.055 acres required open space)	0.055 acres	1 lot
Maximum Development Potential (must use TDRs to make up the difference between allocated maximum development potential and proposed # of dwelling units)	0.275 du	1.0 du with the transfer of 1 TDR
TDRs needed to build one dwelling unit	N/A (development potential using max net density is still less than 1 du)	1.0 TDR (must find an eligible sender site with at least 1 du of allocated density)

V. CONSISTENCY WITH THE MONROE COUNTY COMPREHENSIVE PLAN, THE PRINCIPLES FOR GUIDING DEVELOPMENT, AND FLORIDA STATUTES.

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County 2030 Comprehensive Plan. Specifically, it furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Objective 101.3

Monroe County shall regulate new residential development based upon the finite carrying capacity of the natural and man-made systems and the growth capacity while maintaining a maximum hurricane evacuation clearance time of 24 hours.

Objective 101.5

Monroe County shall regulate future development and redevelopment to maintain and enhance the character of the community and protect natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map.

Policy 101.5.2

The principal purpose of the Residential Low (RL) future land use category is to provide for low-density residential development in partially developed areas with substantial native vegetation. Low intensity public and low intensity institutional uses are also allowed.

Policy 101.5.3

The principal purpose of the Residential Medium (RM) future land use category is to recognize those portions of subdivisions that were lawfully established and improved prior to the adoption of this plan and to define improved subdivisions as those lots served by a dedicated and accepted existing roadway, have an approved potable water supply, and have sufficient uplands to accommodate the residential uses. Development on vacant land within this land use category shall be limited to one residential dwelling unit for each such platted lot or parcel which existed on or before January 4, 1996.

Policy 101.13.3

Transfer of Development Rights program sender and receiver sites are subject to the following transfer conditions:

Sender Site Criteria:

1. Property has development rights to transfer, and
2. Located in a Tier I, II, III-A, or III designated area; including any tier within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

6. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
 - Liveable CommuniKeys Community Centers shall be encouraged as receiving areas for transfer of development rights.
7. Must have an adopted maximum net density standards;

8. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.)
9. Located within a Tier III designated area; and
10. Is not located within a designated CBRS unit.

Goal 102: Monroe County shall direct future growth to lands which are most suitable for development and shall encourage conservation and protection of environmentally sensitive lands (wetlands, beach berm and tropical hardwood hammock).

Policy 105.2.1

Monroe County shall designate all lands outside of mainland Monroe County, except for the Ocean Reef planned development, into three general categories for purposes of its Land Acquisition Program and smart growth initiatives in accordance with the criteria in Policy 205.1.1.1. These three categories are: Natural Area (Tier I); Transition and Sprawl Reduction Area (Tier II) on Big Pine Key and No Name Key only; and Infill Area (Tier III). The purposes, general characteristics, and growth management approaches associated with each tier are as follows:

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

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

Goal 205: The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced.

Objective 205.1

Monroe County shall maintain the Tier Overlay District Maps as required in Policy 105.2.2.

Policy 205.1.1

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

1. Land located outside of Big Pine Key and No Name Key shall be designated as Tier I based on following criteria:
 - Natural areas including old and new growth upland native vegetated areas, above 4 acres in area.
 - Vacant land which can be restored to connect upland native habitat patches and reduce further fragmentation of upland native habitat.
 - Lands required to provide an undeveloped buffer, up to 500 feet in depth, if indicated by appropriate special species studies, between natural areas and development to reduce secondary impacts; canals or roadways, depending on size may form a boundary that removes the need for the buffer or reduces its depth.
 - Lands designated for acquisition by public agencies for conservation and natural resource protection.
 - Known locations of threatened and endangered species.
 - Lands designated as Conservation and Residential Conservation on the Future Land Use Map or within a buffer/restoration area as appropriate.
 - Areas with minimal existing development and infrastructure.

2. Lands on Big Pine Key and No Name Key designated as Tier I, II, or III shall be in accordance with the wildlife habitat quality criteria as defined in the Habitat Conservation Plan for those islands.
3. Lands located outside of Big Pine Key and No Name Key that are not designated Tier I shall be designated Tier III.
4. Designated Tier III lands located outside of Big Pine Key and No Name Key with tropical hardwood hammock or pinelands of one acre or greater in area shall be designated as Special Protection Areas.
5. Lands within the Ocean Reef planned development shall be excluded from any Tier designation.

Policy 301.2.5

In order to proceed with development, a parcel shall have legal access to public or private roads, rights of way or easements or such access shall be established.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statutes.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and benthic resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 1. The Florida Keys Aqueduct and water supply facilities;
 2. Sewage collection, treatment, and disposal facilities;
 3. Solid waste treatment, collection, and disposal facilities;
 4. Key West Naval Air Station and other military facilities;
 5. Transportation facilities;

6. Federal parks, wildlife refuges, and marine sanctuaries;
 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 8. City electric service and the Florida Keys Electric Co-op; and
 9. Other utilities, as appropriate.
- (i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
 - (j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
 - (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
 - (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.
 - (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is not inconsistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions.

163.3161(6), F.S. – It is the intent of this act that adopted comprehensive plans shall have the legal status set out in this act and that no public or private development shall be permitted except in conformity with comprehensive plans, or elements or portions thereof, prepared and adopted in conformity with this act.

163.3177(1), F.S. – The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a

consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

163.3201, F.S. – Relationship of comprehensive plan to exercise of land development regulatory authority.—It is the intent of this act that adopted comprehensive plans or elements thereof shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area. It is the intent of this act that the adoption and enforcement by a governing body of regulations for the development of land or the adoption and enforcement by a governing body of a land development code for an area shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan as required by this act.

VI. PROCESS

Comprehensive Plan Amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the State Land Planning Agency. The amendment is transmitted to State Land Planning Agency, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

VII. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to Policy 101.5.25.



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

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

From: Emily Schemper, AICP, Comprehensive Planning Manager 

Date: August 22, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 130-157, MAXIMUM RESIDENTIAL DENSITY AND DISTRICT OPEN SPACE, PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PLATTED LOT WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PLATTED LOT WITHIN AN SR (SUBURBAN RESIDENTIAL) ZONING DISTRICT; AND PROVIDING A MAXIMUM NET DENSITY OF ONE DWELLING UNIT PER PARCEL EXISTING PRIOR TO SEPTEMBER 15, 1986 WITH THE TRANSFER OF ONE TDR FOR THE DEVELOPMENT OF ONE TIER 3 PARCEL THAT WAS SUBDIVIDED FROM A TRACT WITHIN AN APPROVED AND RECORDED PLATTED SUBDIVISION PRIOR TO SEPTEMBER 15, 1986 WITHIN AN IS (IMPROVED SUBDIVISION) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE #2016-108)

Meeting: August 30, 2016

I. REQUEST

The Monroe County Planning & Environmental Resources Department is proposing an amendment to revise the maximum net density standards in Section 130-157 for the Suburban Residential (SR) and Improved Subdivision (IS) Land Use (Zoning) Districts, to be consistent with a corresponding proposed amendment to the Comprehensive Plan (see Exhibit 1).

II. BACKGROUND INFORMATION

On March 23, 2016, at their regularly scheduled meeting, the Monroe County Board of County Commissioners (BOCC) held a public hearing to consider a request for a Beneficial Use Determination (BUD) and the recommendations of the special magistrate for a platted lot within an

SR zoning district and with a Residential Low (RL) Future Land Use Map (FLUM) designation which had less land area than that required by the density standards of the Comprehensive Plan and the Land Development Code to develop the lot with one single family residence. The special magistrate had issued a recommended order that stated “recommended that the Board of County Commissioners deny Petitioners’ application for relief under the BUD Ordinance.” The BOCC denied the applicant’s request for relief. The BOCC also directed staff to propose amendments to the Comprehensive Plan and Land Development Code that would allow owners of platted lots within the SR zoning district that lack the minimum land area required under the SR density standards to apply for a single family residence with the transfer of one Transferrable Development Right (TDR).

On July 26, 2016, the Monroe County Planning Commission (PC) considered an appeal by a property owner who had been denied a building permit for a single family residence on an unplatted parcel of land with an RM FLUM designation and within an Improved Subdivision (IS) zoning district based on the density standard of one dwelling unit per platted lot for the RM and IS districts in the Comprehensive Plan and Land Development Code. The PC denied the applicant’s appeal.

In completing the BOCC directed review of the SR zoning density, staff has also been evaluating the potential for an amendment to the density requirements of the Land Development Code that would allow owners of unplatted parcels that existed prior to September 15, 1986 and are now within an IS zoning district to apply for a ROGO allocation in order to build a single family residence on such a parcel.

Staff is combining these concepts into one amendment proposal based on the similarities between the two proposed amendments in purpose, analysis, and data.

III. PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT

Deletions are shown in red and ~~stricken through~~; additions are shown in green and underlined.

Sec. 130-157. Maximum permanent residential density and minimum required open space.

The maximum permanent residential density for those uses permitted by this chapter and minimum required open space shall be in accordance with the following table:

Maximum Permanent Residential Density and Minimum Open Space			
Land Use District	Allocated Density^{(a)(b)} DU/Gross Acre of Upland	Maximum Net Density^{(a)(b)(c)} DU/Buildable Acre	Minimum Open Space Ratio^(d)
Airport (AD)	0	N/A	0.20
Commercial 1 (C1)	0	N/A	0.20
Commercial 2 (C2)	0	N/A	0.20

Commercial Fishing Area (CFA)	3	12 ^(e)	0.20
Commercial Fishing Special District (CFSD)	CFSD-20: 1 ^(f) Other CFSDs: 3	CFSD-20: N/A Other CFSDs: 12 ^(e)	0.20
Commercial Fishing Village (CFV)	1/lot	N/A	0.20
Conservation (CD)	0	N/A	0.90
Destination Resort (DR)	1.0	18.0 ^(e)	0.20
Improved Subdivision (IS)	1/lot	0 <u>1/pre-1986 parcel^(g)</u>	0.20
Improved Subdivision – Duplex (IS-D)	2/lot	0	0.20
Industrial (I)	1.0	2.0	0.20
Mainland Native Area (MN)	0.01	N/A	0.99 ^(hg)
Maritime Industries (MI) ^(ih)	1.0	2.0 ^(e)	0.20
Military Facilities (MF)	6.0	12.0	0.20
Mixed Use (MU)	1.0	12.0 ^(e)	0.20
Native Area (NA)	0.25	N/A	0.95 ^(d)
Offshore Island (OS)	0.1	N/A	0.95
Park and Refuge (PR)	0	N/A	0.90
Preservation (P)	0	N/A	1.00
Recreational Vehicle (RV)	0 ⁽ⁱⁱ⁾	N/A	0.20
Sparsely Settled Residential (SS)	0.5	N/A	0.80
Suburban Commercial (SC)	3.0	TDRs: 6.0 ^(e) Affordable: 18.0 ^(e)	0.20
Suburban Residential (SR)	0.5	5.0 <u>1/lot^(k)</u>	0.50
Suburban Residential (Limited) (SR-L)	0.5	3.0	0.50
Urban Commercial (UC)	6.0	12.0 ^(e)	0.20
Urban Residential (UR)	6.0	TDRs: 12.0 Affordable: 25.0	0.20
Urban Residential--Mobile Home (URM):	1/lot	N/A	0.20

Mobile Home Parks per Section 101-1	5.0	7.0	0.20
Urban Residential Mobile Home-Limited (URM-L)	1/lot	N/A	0.20
<p>(a) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net density bonuses shall not be available.</p> <p>(b) Vessels, including live-aboard vessels or associated wet slips, are not considered dwelling units and do not count when calculating density.</p> <p>(c) Maximum Net Density is the maximum density allowable with the use of the TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density without the use of TDRs. "N/A" means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space. <u>For the purposes of max net density calculations for platted lots in the SR district (see footnote (k) below) and for pre-1986 parcels in the IS district (see footnote (g) below), open space shall not be deducted from the area of the site.</u></p> <p>(d) Additional open space requirements may apply based on environmental protection criteria - see additional open space ratios in Chapter 118. In accordance with section 101-2(1), the most restrictive of these ratios applies.</p> <p>(e) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing future land use categories, the maximum net density bonuses shall not be available.</p> <p>(f) Per Policy 101.5.25, the allocated density for the CFSD-20 land use district (Little Torch Key) shall be 1 dwelling unit per acre, or 1 dwelling unit per parcel for those parcels existing as of September 15, 1986, whichever is less, and the maximum net density bonuses shall not be available. Residential density shall be allowed in addition to the permitted nonresidential uses and intensity (i.e., density and intensity shall not be counted cumulatively).</p> <p><u>(g) Within the IS zoning district, the maximum net density shall be 1 dwelling unit per parcel for parcels that meet all of the following conditions:</u></p> <ol style="list-style-type: none"> 1) <u>The parcel must be subdivided from a tract identified on a plat approved by the County and duly recorded;</u> 2) <u>The parcel must have been subdivided from within the tract before September 15, 1986;</u> 3) <u>The applicant must provide sufficient evidence that the parcel was subdivided before September 15, 1986 from a tract included on an approved plat (such as one or more of the following: boundary survey, deed, etc.);</u> 4) <u>The tract from which the subject IS parcel was subdivided may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);</u> 5) <u>The subject parcel may not be part or all of a platted lot;</u> 6) <u>The parcel must have a Tier designation of Tier III;</u> 7) <u>The maximum net density may only be reached with the transfer of one (1) full TDR to the IS parcel;</u> 8) <u>The TDR must meet all requirements and procedures specified in Section 130-160; and</u> 9) <u>The subject parcel must comply with Policy 301.2.5 of the Comprehensive Plan regarding legal access.</u> <p><u>(hg)</u> The minimum open space ratio for the MN zoning district is 0.99 for permanent residential uses. For campground and nonresidential uses within the MN zoning district, the minimum open space ratio is 0.95, as shown in the density and intensity tables in Sections 130-162 and 130-164.</p>			

- (ih) A mixture of uses shall be maintained for parcels designated as MI zoning district that are within the MC future land use category. Working waterfront and water dependent uses, such as marina, fish house/market, boat repair, boat building, boat storage, or other similar uses, shall comprise a minimum of 35% of the upland area of the property, adjacent to the shoreline, pursuant to Policy 101.5.6 of the Comprehensive Plan.
- (ji) ~~(i)~~ Per Section 130-92(a)(4), in the RV zoning district, commercial apartments shall be the only permanent residential use allowed, not to exceed 10% of total RV spaces allowed or in existence on the site, whichever is less.
- (k) Within the SR zoning district, the maximum net density for platted lots shall be 1 dwelling unit per platted lot, provided all of the following conditions are met:
 - 1) The parcel must be one full platted lot shown on a plat approved by the County and duly recorded;
 - 2) The platted lot may not be identified for any other use or purpose on the plat (e.g., “park,” “common area,” etc.);
 - 3) The platted lot must have a Tier designation of Tier III;
 - 4) Notwithstanding Section 130-160, the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot, regardless of the size of the lot and the allocated density assigned to it;
 - 5) The TDR must meet all requirements and procedures specified in Section 130-160; and
 - 6) The subject parcel must comply with Policy 301.2.5 of the Comprehensive Plan regarding legal access.

IV. ANALYSIS OF PROPOSED AMENDMENT

Improved Subdivision Zoning

Monroe County’s current adopted Comprehensive Plan and Land Development Code (LDC) have allocated density requirements that require a parcel to be a duly recorded lot on a plat approved by the County in order to develop a single family residential dwelling unit within an RM FLUM and IS zoning district.

Per LDC Section 130-157, the IS zoning district has a maximum residential allocated density of one (1) dwelling unit per lot (1 du/lot), consistent with the allocated density for the RM FLUM pursuant to Policy 101.5.25 of the Comprehensive Plan.

“Buildable lot” is defined in LDC Section 101-1 as “a duly recorded lot that complies with each and every requirement of the county's zoning and subdivision codes immediately prior to the effective date of the ordinance from which this chapter is derived.”

“Lot” is defined in LDC Section 101-1 as “a duly recorded lot as shown on a plat approved by the county.”

“Parcel of land” is defined in LDC Section 101-1 as “any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.”

“Platted lot” is defined in LDC Section 101-1 as “a lot that is identified on a plat that was approved by the board of county commissioners and duly recorded.”

The majority of parcels within IS zoning districts and with RL FLUM designations are platted lots within subdivisions identified on plats approved by the County. However, there are a number of parcels with RL FLUM and IS zoning designations that were created without plat approval or that contain land included on a plat but only identified as a “tract” or for some other purpose; such parcels do not meet the definition of “lot.” The legal descriptions for a number of these parcels show that the property is located within a Tract of land included in a duly recorded plat, but these were not divided into “lots” at the time of the plat. In some cases, these tracts of land were subsequently divided into multiple parcels that were never shown as lots or parcels on a plat, re-plat, or amended plat approved by the County and recorded by the Clerk of Court’s office. Such parcels do not meet the definition of “lot” and therefore have no density assigned to them.

Additionally, the current Comprehensive Plan and LDC do not assign a maximum net density to RM FLUM and IS zoning districts and, as such, the use of TDRs is not an option. Owners of vacant parcels that do not meet the definition of “lot” and are within the RM FLUM and IS zoning district therefore do not have any residential density.

The majority of these parcels were designated IS with the adoption of the land use district map in 1986 and RM with the adoption of the FLUM in 1993 (effective 1997).

Staff is proposing that parcels that do not meet the definition of “lot,” but were subdivided prior to the adoption of the IS zoning district (September 15, 1986) from tracts of land identified on a plat, be given the opportunity to develop one dwelling unit by transferring one TDR to the parcel and retiring the development rights for one dwelling unit on the TDR sender site. This proposal would not create a net increase in development potential in the County as the applicant would need to retire one unit of density from another property and transfer the TDR to the parcel proposed for development.

Pre-1986 parcels would be required to meet all requirements for TDRs under Comprehensive Plan Policy 101.13.3 and LDC Section 130-160. The use of TDRs would require the retirement of development rights for one (1) dwelling unit of density on an eligible TDR sender site.

Preliminary analysis of the platted subdivisions within IS zoning districts indicates that approximately 215 parcels may qualify as parcels subdivided prior to September 15, 1986 from tracts of land identified on a plat. The number of parcels within this scenario may vary as property owners have (and continue to) split and combine properties without County Planning & Environmental Resources Department knowledge (nor plat approval). If this amendment is adopted, each parcel shall be individually evaluated at the time of an application for development. Property owners must provide sufficient evidence that the parcel was subdivided from a tract before this date. Again, all TDR sender and receiver site criteria identified in Policy 101.13.3 would apply to such transfers:

Sender Site Criteria:

1. Property has development rights to transfer, and

2. Located in a Tier I, II, III-A, or III designated area; including any tier within the County’s Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

1. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
 - Liveable CommuniKeys Community Centers shall be encouraged as receiving areas for transfer of development rights.
2. Must have an adopted maximum net density standards;
3. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.)
4. Located within a Tier III designated area; and
5. Is not located within a designated CBRS unit.

Staff also recommends that the proposed maximum net density standard only be available to parcels that have sufficient legal access meeting the requirements of Policy 301.2.5, which states, *in order to proceed with development, a parcel shall have legal access to public or private roads, rights of way or easements or such access shall be established.*

The proposed amendment is consistent with a corresponding proposed amendment to Policy 101.5.25 of the Comprehensive Plan (see Exhibit 1).

Maximum Permanent Residential Density and Minimum Open Space			
Land Use District	Allocated Density^{(a)(b)} DU/Gross Acre of Upland	Maximum Net Density^{(a)(b)(c)} DU/Buildable Acre	Minimum Open Space Ratio^(d)
...			
Improved Subdivision (IS)	1/lot	0 <u>1/pre-1986 parcel^(g)</u>	0.20
...			
<p>...</p> <p>(c) Maximum Net Density is the maximum density allowable with the use of the TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density without the use of TDRs. “N/A” means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space. <u>For the purposes of max net density calculations for platted lots in the SR district (see footnote (k) below) and for pre-1986 parcels in the IS district (see footnote (g) below), open space shall not be deducted from the area of the site.</u></p> <p>...</p> <p><u>(g) Within the IS zoning district, the maximum net density shall be 1 dwelling unit per parcel for parcels that meet all of the following conditions:</u></p>			

1. The parcel must be subdivided from a tract identified on a plat approved by the County and duly recorded;
2. The parcel must have been subdivided from within the tract before September 15, 1986;
3. The applicant must provide sufficient evidence that the parcel was subdivided before September 15, 1986 from a tract included on an approved plat (such as one or more of the following: boundary survey, deed, etc.);
4. The tract from which the subject IS parcel was subdivided may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);
5. The subject parcel may not be part or all of a platted lot;
6. The parcel must have a Tier designation of Tier III;
7. The maximum net density may only be reached with the transfer of one (1) full TDR to the IS parcel;
8. The TDR must meet all requirements and procedures specified in Section 130-160; and
9. The subject parcel must comply with Policy 301.2.5 of the Comprehensive Plan regarding legal access.

...

Suburban Residential Zoning

Within unincorporated Monroe County, there are approximately 35 platted subdivisions that are either partially or entirely within SR zoning districts and have RL FLUM designations. These subdivisions were designated SR with the adoption of the land use district map in 1986 and RL with the adoption of the FLUM in 1993 (effective 1997). Monroe County's current adopted Comprehensive Plan and LDC have residential density regulations for the RL FLUM and SR zoning districts that require a site to have more land than a typical platted subdivision lot would have in order to build a single residential dwelling unit. Owners of vacant land within these subdivisions are often unable to develop a single family dwelling unit on a single platted lot.

Per LDC Section 130-157, the allocated density for the SR zoning district is 0.50 dwelling units per acre, which would require a parcel to have two (2) acres of upland to meet the allocated density standard for a single proposed dwelling unit. This is consistent with Policy 101.5.25 of the Comprehensive Plan, which gives an allocated density of 0.50 dwelling units per acre to the RL FLUM.

Both the Comprehensive Plan and the LDC also include maximum net density provisions, which allow development at a higher density with the use of TDRs and/or for development of affordable housing. Per LDC Section 130-157, and consistent with Policy 101.5.25, within the SR zoning district, the maximum net density is 5.0 dwelling units per buildable acre. As defined in the glossary of the Comprehensive Plan, *Buildable Acre means the upland portion of a parcel that is not required open space. Also referred to as Buildable Area.* The buildable acreage of a site is therefore calculated by subtracting required open space from the gross acreage of a site. Per LDC Section 130-157, the required open space ratio for parcels within the SR zoning district is 0.50.

Therefore, a parcel would need to have a gross area of 0.40 acres of upland to meet the maximum net density requirement for a single proposed dwelling unit ($[0.40 \text{ gross acres} - (0.40 \times 0.50 \text{ open space ratio})] \times 5.0 \text{ du/buildable acre} = 1.0 \text{ dwelling unit}$). This is consistent with the maximum net density provisions for the FL FLUM and SR zoning district in Policy 101.5.25.

The typical size of platted lots within the County’s SR-zoned subdivisions is much less than 2 acres, and less than 0.40 acres as well: a typical 50’ x 100’ lot contains 5,000 sf, which is 0.11 acres. As shown in the table below, a lot of this size within an SR zoning district would only be able to build 0.055 dwelling units under the allocated density; under the maximum net density standard, a lot of this size would only be able to build 0.275 dwelling units. Although lot sizes vary between platted subdivisions, the majority of platted lots within SR zoning districts do not meet the allocated or the maximum net density requirements for development of a single family residence.

Staff has developed the proposed amendment which would allow Tier III platted lots in subdivisions with SR zoning to develop one dwelling unit per platted lot under maximum net density with the transfer of one (1) full TDR to the SR site. Such lots would be required to meet all requirements for TDRs under Comprehensive Plan Policy 101.13.3 and LDC Section 130-160. The use of TDRs would require the retirement of development rights for one (1) dwelling unit of density on an eligible TDR sender site. This proposal would not create a net increase in development potential in the County as the applicant would need to retire one unit of density from another property and transfer the TDR to the parcel proposed for development.

Staff also recommends that parcels eligible for the 1 du/lot maximum net density option must have sufficient legal access meeting the requirements of Policy 301.2.5, which states, *in order to proceed with development, a parcel shall have legal access to public or private roads, rights of way or easements or such access shall be established.*

Maximum Permanent Residential Density and Minimum Open Space			
Land Use District	Allocated Density^{(a)(b)} DU/Gross Acre of Upland	Maximum Net Density^{(a)(b)(c)} DU/Buildable Acre	Minimum Open Space Ratio^(d)
...			
Suburban Residential (SR)	0.5	5.0 <u>1/lot^(k)</u>	0.50
...			
<p>...</p> <p>(c) Maximum Net Density is the maximum density allowable with the use of the TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density without the use of TDRs. “N/A” means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space. <u>For the purposes of max net density calculations for platted lots in the SR district (see footnote (k) below) and for pre-1986 parcels in the IS district (see footnote (g) below), open space shall not be deducted from the area of the site.</u></p> <p>...</p> <p><u>(k) Within the SR zoning district, the maximum net density for platted lots shall be 1 dwelling unit per platted lot, provided all of the following conditions are met:</u></p> <p style="padding-left: 20px;"><u>1. The parcel must be one full platted lot shown on a plat approved by the County and duly</u></p>			

recorded;

2. The platted lot may not be identified for any other use or purpose on the plat (e.g., “park,” “common area,” etc.);
3. The platted lot must have a Tier designation of Tier III;
4. Notwithstanding Section 130-160, the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot, regardless of the size of the lot and the allocated density assigned to it;
5. The TDR must meet all requirements and procedures specified in Section 130-160; and
6. The subject parcel must comply with Policy 301.2.5 of the Comprehensive Plan regarding legal access.

The table below illustrates how, under current density regulations, a typical 50’x100’ platted lot would not meet the allocated density or maximum net density requirements to build a single dwelling unit on a single lot; and how, under the proposed amendment, a platted lot would be able to develop a single dwelling unit on a single platted lot under the maximum net density standard and with the transfer of one full TDR to the parcel.

Example Calculations for a Typical Platted Lot in SR Zoning		
Parcel Info		
Platted Lot Size (typical)	50’ x 100’ (5,000 sf)	
Gross Acreage	0.11 acres	
Required Open Space Ratio (SR Zoning)	0.50 (50%)	
Allocated Density		
Allocated Density Standard (SR Zoning)	0.5 du/gross acre	
Maximum Development Potential	0.055 du	
Max Net Density	Current Regulations	Proposed Regulations
Maximum Net Density Standard (SR Zoning)	5.0 du/Buildable Acre	5.0 du/Buildable Acre or 1 du/ lot* * the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot
Buildable Acreage (0.11 gross acres –0.055 acres required open space)	0.055 acres	1 lot
Maximum Development Potential (must use TDRs to make up the difference between allocated maximum development potential and proposed # of dwelling units)	0.275 du	1.0 du with the transfer of 1 TDR
TDRs needed to build one dwelling unit	N/A (development potential using max net density is still less than 1 du)	1.0 TDR (must find an eligible sender site with at least 1 du of allocated density)

V. CONSISTENCY WITH THE MONROE COUNTY COMPREHENSIVE PLAN, THE PRINCIPLES FOR GUIDING DEVELOPMENT, FLORIDA STATUTES, and THE LAND DEVELOPMENT CODE.

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County 2030 Comprehensive Plan. Specifically, it furthers:

Goal 101: Monroe County shall manage future growth to enhance the quality of life, ensure the safety of County residents and visitors, and protect valuable natural resources.

Objective 101.3

Monroe County shall regulate new residential development based upon the finite carrying capacity of the natural and man-made systems and the growth capacity while maintaining a maximum hurricane evacuation clearance time of 24 hours.

Objective 101.5

Monroe County shall regulate future development and redevelopment to maintain and enhance the character of the community and protect natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map.

Policy 101.5.2

The principal purpose of the Residential Low (RL) future land use category is to provide for low-density residential development in partially developed areas with substantial native vegetation. Low intensity public and low intensity institutional uses are also allowed.

Policy 101.5.3

The principal purpose of the Residential Medium (RM) future land use category is to recognize those portions of subdivisions that were lawfully established and improved prior to the adoption of this plan and to define improved subdivisions as those lots served by a dedicated and accepted existing roadway, have an approved potable water supply, and have sufficient uplands to accommodate the residential uses. Development on vacant land within this land use category shall be limited to one residential dwelling unit for each such platted lot or parcel which existed on or before January 4, 1996.

Policy 101.13.3

Transfer of Development Rights program sender and receiver sites are subject to the following transfer conditions:

Sender Site Criteria:

1. Property has development rights to transfer, and
2. Located in a Tier I, II, III-A, or III designated area; including any tier within the County's Military Installation Area of Impact (MIAI) Overlay.

Receiver Site Criteria:

6. The Future Land Use category and Land Use (Zoning) District must allow the requested use;
 - Liveable CommuniKeys Community Centers shall be encouraged as receiving areas for transfer of development rights.
7. Must have an adopted maximum net density standards;
8. Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.)
9. Located within a Tier III designated area; and
10. Is not located within a designated CBRS unit.

Goal 102: Monroe County shall direct future growth to lands which are most suitable for development and shall encourage conservation and protection of environmentally sensitive lands (wetlands, beach berm and tropical hardwood hammock).

Policy 105.2.1

Monroe County shall designate all lands outside of mainland Monroe County, except for the Ocean Reef planned development, into three general categories for purposes of its Land Acquisition Program and smart growth initiatives in accordance with the criteria in Policy 205.1.1.1. These three categories are: Natural Area (Tier I); Transition and Sprawl Reduction Area (Tier II) on Big Pine Key and No Name Key only; and Infill Area (Tier III). The purposes, general characteristics, and growth management approaches associated with each tier are as follows:

1. Natural Area (Tier I): Any defined geographic area where all or a significant portion of the land area is characterized as environmentally sensitive by the policies of this Plan and applicable habitat conservation plan, is to be designated as a Natural Area. New development on vacant land is to be severely restricted and privately owned vacant lands are to be acquired or development rights retired for resource conservation and passive recreation purposes. However, this does not preclude provisions of infrastructure for existing development. Within the Natural Area designation are typically found lands within the acquisition boundaries of federal and state resource conservation and park areas, including isolated platted subdivisions; and privately-owned vacant lands with sensitive environmental features outside these acquisition areas.
2. Transition and Sprawl Reduction Area (Tier II): Any defined geographic area on Big Pine Key and No Name Key, where scattered groups and fragments of environmentally sensitive lands, as defined by this Plan, may be found and where existing platted subdivisions are not predominately developed, not served by complete infrastructure facilities, or not within close proximity to established commercial areas, is to be designated as a Transition and Sprawl Reduction Area. New development is to be discouraged and privately owned vacant lands acquired or development rights retired to reduce sprawl, ensure that the Keys carrying capacity is not exceeded, and prevent further encroachment on sensitive natural resources. Within a Transition and Sprawl Reduction Area are typically found:

scattered small nonresidential development and platted subdivisions with less than 50 percent of the lots developed; incomplete infrastructure in terms of paved roads, potable water, or electricity; and scattered clusters of environmentally sensitive lands, some of which are within or in close proximity to existing platted subdivisions.

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

Goal 205: The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced.

Objective 205.1

Monroe County shall maintain the Tier Overlay District Maps as required in Policy 105.2.2.

Policy 205.1.1

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

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

- Lands designated as Conservation and Residential Conservation on the Future Land Use Map or within a buffer/restoration area as appropriate.
 - Areas with minimal existing development and infrastructure.
2. Lands on Big Pine Key and No Name Key designated as Tier I, II, or III shall be in accordance with the wildlife habitat quality criteria as defined in the Habitat Conservation Plan for those islands.
 3. Lands located outside of Big Pine Key and No Name Key that are not designated Tier I shall be designated Tier III.
 4. Designated Tier III lands located outside of Big Pine Key and No Name Key with tropical hardwood hammock or pinelands of one acre or greater in area shall be designated as Special Protection Areas.
 5. Lands within the Ocean Reef planned development shall be excluded from any Tier designation.

Policy 301.2.5

In order to proceed with development, a parcel shall have legal access to public or private roads, rights of way or easements or such access shall be established.

B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statutes.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and benthic resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 1. The Florida Keys Aqueduct and water supply facilities;

2. Sewage collection, treatment, and disposal facilities;
 3. Solid waste treatment, collection, and disposal facilities;
 4. Key West Naval Air Station and other military facilities;
 5. Transportation facilities;
 6. Federal parks, wildlife refuges, and marine sanctuaries;
 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 8. City electric service and the Florida Keys Electric Co-op; and
 9. Other utilities, as appropriate.
- (i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
 - (j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
 - (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
 - (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.
 - (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is not inconsistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:

163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions.

163.3161(6), F.S. – It is the intent of this act that adopted comprehensive plans shall have the legal status set out in this act and that no public or private development shall be permitted except in conformity with comprehensive plans, or elements or portions thereof, prepared and adopted in conformity with this act.

163.3177(1), F.S. – The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government’s programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

163.3201, F.S. – Relationship of comprehensive plan to exercise of land development regulatory authority.—It is the intent of this act that adopted comprehensive plans or elements thereof shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area. It is the intent of this act that the adoption and enforcement by a governing body of regulations for the development of land or the adoption and enforcement by a governing body of a land development code for an area shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan as required by this act.

D. The proposed amendment is consistent with one or more of the required provisions of LDC Section 102-158(d)(5)(b):

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

N/A

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

N/A

3. Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan;

N/A

4. New issues;

The County is proposing text amendments to Policy 101.5.25 to address the maximum net density for the Residential Low and Residential Medium future land use categories. The

proposed text amendment to Section 130-157 is necessary to be consistent with the proposed comprehensive plan amendment. Note, Sections 163.3194 and 163.3201, F.S., require land development regulations to be consistent with and implement the Comprehensive Plan.

5. Recognition of a need for additional detail or comprehensiveness; or

The proposed amendment addresses the need for additional detail to implement proposed comprehensive plan policies related to maximum net density in the SR and IS zoning districts.

6. Data updates;

The proposed amendment addresses data updates regarding the number of IS parcels and SR lots that do not meet the density requirements of the Land Development Code and Comprehensive Plan.

7. In no event shall an amendment be approved which will result in an adverse community change to the planning area in which the proposed development is located or to any area in accordance with a livable communities master plan pursuant to findings of the board of county commissioners.

The proposed amendment will not result in an adverse community change to the areas it affects. The proposal would not create a net increase in development potential in the County as the applicant would need to retire one unit of density from another property and transfer the TDR to the parcel proposed for development. Further, the affected parcels would be limited to those with a Tier III designation, those with all infrastructure, and those not within a CBRS unit.

VI. STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to Land Development Code Section 130-157.

VII. EXHIBITS

1. Corresponding proposed Comprehensive Plan amendment.

EXHIBIT 1 TO STAFF REPORT

CORRESPONDING PROPOSED COMPREHENSIVE PLAN AMENDMENT

Proposed deletions are shown in red and ~~stricken through~~; proposed additions are shown in green and underlined.

Policy 101.5.25

Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the FLUM and described in Policies 101.5.1 - 101.5.20 [§163.3177(6)(a)1.,F.S.].

Future Land Use Densities and Intensities				
Future Land Use Category And Corresponding Zoning	Residential ^(l)		Nonresidential	Minimum Open Space Ratio ^(c)
	Allocated Density ^(a) (per upland acre)	Maximum Net Density ^{(a) (b)} (per buildable acre)	Maximum Intensity (floor area ratio)	
Agriculture/Aquaculture (A) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.25	Per underlying zoning
Airport (AD) (AD zoning)	0 du 0 rooms/spaces	N/A N/A	0.10	0.20
Commercial (COMM) (C1 and C2 zoning)	0 du 0 rooms/spaces	N/A N/A	0.15-0.50	0.20
Conservation (C) (CD zoning)	0 du 0 rooms/spaces	N/A N/A	0.05	0.90
Education (E) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Industrial (I) (I and MI zoning)	1 du 0 rooms/spaces	2 du N/A	0.25-0.60	0.20
Institutional (INS) ^(d) (no directly corresponding zoning)	0 du 15 rooms/spaces	N/A 24 rooms/spaces	0.30	Per underlying zoning
Mainland Native (MN) (MN zoning)	0.01 du 2 spaces ^(e)	N/A N/A	0.03	0.95-0.99
Military (M) (MF zoning)	6 du 10 rooms/spaces	12 du 20 rooms/spaces	0.30-0.50	0.20
Mixed Use/Commercial (MC) ^{(f)(g)} (SC, UC, DR, RV, MU and MI zoning)	1 du (DR, MU, MI) 3 du (SC) 6 du (UC) Commercial Apartments (RV) ^(h)	2 du (MI) 6-18du (SC) ^(k) 12 du (UC) 12-18 du (MU) ^(k) 18 du (DR)	0.10-0.45 (SC, UC, DR, MU) <2,500 SF (RV)	0.20

	5-15 rooms/spaces	10-25 rooms/spaces	0.30-0.60 (MI)	
Mixed Use/Commercial Fishing (MCF) ^(f) (CFA, CFV, CFSD zoning)	1 du (CFSD-20) ⁽ⁱ⁾ 3 du (CFA, all other CFSD) 1 du/lot (CFV) 0 rooms/spaces	12 du (CFA, CFSD) N/A (CFV) N/A	0.25-0.40	0.20
Preservation (P) ^(d) (P zoning)	0 du 0 rooms/spaces	N/A N/A	0	1.00
Public Buildings/Lands (PB) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Public Facilities (PF) ^(d) (no directly corresponding zoning)	0 du 0 rooms/spaces	N/A N/A	0.30	Per underlying zoning
Recreation (R) (PR zoning)	0 du 2 rooms/spaces	N/A N/A	0.20	0.90
Residential Conservation (RC) (OS and NA zoning)	0-0.10 du (OS) 0.25 du (NA) 0 rooms/spaces	N/A N/A	0-0.20	0.95
Residential Low (RL) (SS, SR, and SR-L zoning)	0.50 du 0 rooms/spaces	3 du (SR-L) 5 du (SR) <u>or</u> 1 du/lot (SR) ^(m) N/A (SS) N/A	0.25 <2500 SF (SR)	0.50 (SR, SR-L) 0.80 (SS)
Residential Medium (RM) (IS, IS-V, IS-M and IS-D) ⁽ⁱ⁾ zoning)	1 du/lot (IS, IS-V, IS-M) 2 du/lot (IS-D) 0 rooms/spaces	<u>1/pre-1986 parcel⁽ⁿ⁾ (IS, IS-V, IS-M)</u> N/A (IS-D) N/A	0	0.20
Residential High (RH) (IS-D) ^(j) , URM, URM-L and UR zoning)	6 du (UR) 1du/lot (URM, URM-L) 2 du/lot (IS-D) 0-10 rooms/spaces	12-25 du (UR) ^(k) N/A (IS-D, URM, URM-L) 0-20 rooms/spaces	0	0.20

Notes:

- (a) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net density bonuses shall not be available.
- (b) The Maximum Net Density is the maximum density allowable with the use of TDRs, or for qualifying affordable housing development. TDRs can be utilized to attain the density between the allocated density standard up to the maximum net density standard. Deed restricted affordable dwelling units may be built up to the maximum net density

without the use of TDRs. "N/A" means that maximum net density bonuses shall not be available. Buildable acres means the portion of a parcel of land that is developable and is not required open space. For the purposes of max net density calculations for platted lots in the SR district (see footnote (m) below) and for pre-1986 parcels in the IS district (see footnote (n) below), open space shall not be deducted from the area of the site.

- (c) Additional open space requirements may apply based on environmental protection criteria; in these cases, the most restrictive requirement shall apply.
- (d) Future land use categories of Agriculture/Aquaculture, Education, Institutional, Preservation, Public Buildings/Lands, and Public Facilities, which have no directly corresponding zoning, may be used with new or existing zoning districts as appropriate.
- (e) Within the Mainland Native future land use district, campground spaces and nonresidential buildings shall only be permitted for educational, research or sanitary purposes.
- (f) For properties consisting of hammocks, pinelands or disturbed wetlands within the Mixed Use/ Commercial and Mixed Use/ Commercial Fishing future land use categories, the maximum floor area ratio shall be 0.10 and the maximum net density bonuses shall not be available.
- (g) A mixture of uses shall be maintained for parcels designated as MI zoning district that are within the MC future land use category. Working waterfront and water dependent uses, such as marina, fish house/market, boat repair, boat building, boat storage, or other similar uses, shall comprise a minimum of 35% of the upland area of the property, adjacent to the shoreline, pursuant to Policy 101.5.6.
- (h) In the RV zoning district, commercial apartments shall be allowed, not to exceed 10% of total spaces allowed or in existence on the site, whichever is less.
- (i) The allocated density for the CFSD-20 zoning district (Little Torch Key) shall be 1 dwelling unit per acre, or 1 dwelling unit per parcel for those parcels existing as of September 15, 1986, whichever is less, and the maximum net density bonuses shall not be available. Residential density shall be allowed in addition to the permitted nonresidential uses and intensity (i.e., density and intensity shall not be counted cumulatively).
- (j) Within IS subdivisions with primarily single family residential units, IS-D zoning may be used with a RM future land use designation for platted lots which have a duplex that was lawfully established prior to September 15, 1986.
- (k) The maximum net density shall be 25 du/buildable acre for the UR zoning district and shall be 18 du/buildable acre for the MU and SC zoning district for development where all units are deed restricted affordable dwelling units. For the UR zoning district market rate housing may be developed as part of an affordable or employee housing project with a maximum net density not exceeding 18 du/buildable acre.
- (l) Vessels, including live-aboard vessels, or associated wet slips are not considered dwelling units and do not count when calculating density.

(m) Within the Residential Low future land use category, the maximum net density for platted lots within the SR zoning district shall be 1 dwelling unit per platted lot, provided all of the following conditions are met:

- 1) The parcel must be one full platted lot shown on a plat approved by the County and duly recorded;
- 2) The platted lot may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);
- 3) The platted lot must have a Tier designation of Tier III;
- 4) Notwithstanding Policy 101.13.2, the maximum net density may only be reached with the transfer of one (1) full TDR to the SR lot, regardless of the size of the lot and the allocated density assigned to it;
- 5) The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and
- 6) The subject parcel must comply with Policy 301.2.5 regarding legal access.

(n) Within the Residential Medium future land use category, the maximum net density within the IS zoning district shall be 1 dwelling unit per parcel for parcels that meet all of the following conditions:

- 1) The parcel must be subdivided from a tract identified on a plat approved by the County and duly recorded;
- 2) The parcel must have been subdivided from within the tract before September 15, 1986;
- 3) The applicant must provide sufficient evidence that the parcel was subdivided before September 15, 1986 from a tract included on an approved plat (such as one or more of the following: boundary survey, deed, etc.);

- 4) The tract from which the subject IS parcel was subdivided may not be identified for any other use or purpose on the plat (e.g., "park," "common area," etc.);
- 5) The subject parcel may not be part or all of a platted lot;
- 6) The parcel must have a Tier designation of Tier III;
- 7) The maximum net density may only be reached with the transfer of one (1) full TDR to the IS parcel;
- 8) The TDR must meet all requirements and procedures specified in Policy 101.13.3 and Section 130-160 of the Land Development Code; and
- 9) The subject parcel must comply with Policy 301.2.5 regarding legal access.



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

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

From: Kevin Bond, AICP, Planning and Development Review Manager
Michael Roberts, CEP, PWS, Senior Administrator of Environmental Resources

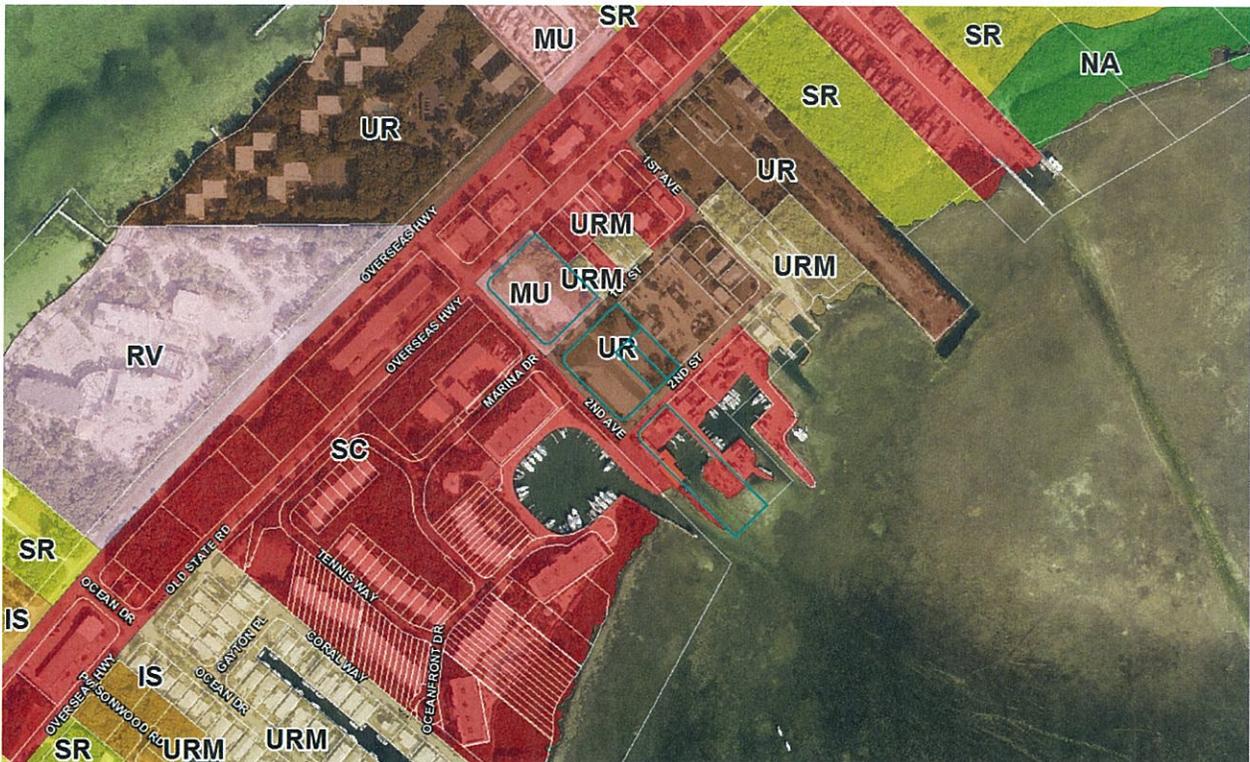
Date: August 18, 2016

Subject: *Major Conditional Use Permit, Key Marina Development LLC, 97617 Overseas Highway, 30, 42 & 80 East Second Street, Key Largo, mile marker 97.6 oceanside, Real Estate # 00554420-000000, 00554670-000000, 00554700-000000, 00554730-000000 and 00554740-000000 (File # 2016-076)*

Meeting: August 30, 2016

1 I REQUEST:

2
3 The requested Major Conditional Use Permit is required for the proposed development of 22
4 permanent, market-rate dwelling units designed as attached vacation rentals, three (3)
5 transient hotel rooms, 4,976 square feet of commercial retail restaurant and accessory uses.
6



7
8 *Subject Property (center) with Land Use (Zoning) Districts (2015 Aerial)*
9

1 **II BACKGROUND INFORMATION:**
2

3 **Location:** Corner of U.S. 1 and Second Avenue near Mile Marker 97.6 oceanside

4 **Address:** 97617 Overseas Highway, 30, 42 & 80 East Second Street, Key Largo

5 **Legal Description:** Lots 1-8 & 30-33, Block 2; Part of Block 3; Lots 1 & 2, Block 4; parts of
6 East First Street and East Second Street abandoned by BOCC Resolution Nos. 603-2006 and
7 493-2007 and adjacent bay bottom, Mandalay Subdivision (Plat Book 1, Page 194), Key
8 Largo, Monroe County, Florida

9 **Real Estate (RE) Numbers:** 00554420-000000, 00554670-000000, 00554700-000000,
10 00554730-000000 and 00554740-000000

11 **Property Owner/Applicant:** Key Marina Development LLC

12 **Agent:** David deHaas-Grosseck

13 **Size of Site:** 138,548 square feet (3.18 acres) per survey; 139,012 square feet (3.19 acres) per
14 proposed site plan; 148,125 square feet (3.40 acres) per MCPA. *Note: Given these differing*
15 *numbers, the correct site size must be verified. For this report, the site size per the proposed*
16 *site plan is used.*

17 **Land Use (Zoning) District:**

18 Mixed Use (MU) RE # 00554420-000000

19 Urban Residential (UR) RE # 00554670-000000, 00554700-000000 and 00554730-000000

20 Suburban Commercial (SC) RE # 00554740-000000

21 **Future Land Use Map (FLUM) Category:**

22 Mixed Use/Commercial (MC) RE # 00554420-000000 and 00554740-000000

23 Residential High (RH) RE # 00554670-000000, 00554700-000000 and 00554730-000000

24 **Tier Designation:** III (Infill Area)

25 **Flood Zone:** X, AE-8, AE-9, AE-10, VE-11 and VE-14

26 **Existing Uses:** Vacant, waterfront restaurant and docking facility

27 **Existing Vegetation/Habitat:** Disturbed

28 **Community Character of Immediate Vicinity:** Single-and multi-family residential, mobile
29 homes, residential condominiums, hotels, retail, offices, indoor storage, marina, restaurant,
30 bank and undeveloped parcels are located within 500 feet of the subject property.
31

32 **III RELEVANT PRIOR COUNTY ACTIONS:**
33

34 On February 15, 2006, the BOCC adopted Ordinance No. 003-2006 approving the request by
35 Earthmark Companies LLC to amend the Land Use District (Zoning) map from Suburban
36 Commercial (SC) to Mixed Use (MU) for Lots 1-8, 30-33, Block 2, Mandalay PB1-194 and
37 to amend the Land Use District (Zoning) map from Suburban Residential-Mobile Home
38 (URM) to Urban Residential (UR) for parcels of land within Block 3, Mandalay PB1-194
39 with RE # 00554730-000000, 00554700-000000 and 00554670-000000. Effective 5/2/2006.
40

41 In 2006, the Planning Director issued a Letter of Understanding and Development Rights
42 Determination, which recognized as lawfully-established 11 transient units, 22 permanent
43 market-rate residential units, 5,138 square feet of non-residential floor area and 12 boat slips
44 on the property.

1 On November 1, 2006, the BOCC adopted Resolution Nos. 603-2006 and 604-2006
2 approving the abandonment of 10,270 square feet of East First Street and 6,556 square feet of
3 East Second Street in the Mandalay subdivision. The resolutions also approved correlating
4 Reverter Agreements, Public Access Easements and Maintenance Agreements. The Reverter
5 Agreement provided for the return of the abandoned portions of the streets if the
6 redevelopment project had not substantially moved forward within two years. This time
7 frame was later extended by a Development Agreement. The Public Access Easement
8 provides ingress and egress across the abandoned portion of East Second Street to property
9 owners in the Mandalay subdivision and their guests and invitees. The Maintenance
10 Agreement requires the developer to improve and maintain Second Avenue from Northbound
11 U.S. 1 to the ocean.
12

13 On November 14, 2007, the BOCC adopted Resolution No. 493-2007 approving the request
14 by Ocean Sunrise Associates for a development agreement (File # 27091) to donate two (2)
15 market rate ROGO exemptions to the County, donate eight (8) transient ROGO exemptions
16 to the County, donate 0.57 acres of land to the County for use as open space or a passive park
17 and redevelopment of the subject property. The resolution and development agreement were
18 recorded 1/18/2008. DCA issued its no appeal letter 2/28/2008. The agreement became
19 effective 3/6/2008 for a term of 10 years. Per item 12 on pages 17-18 of the agreement, the
20 owner has four (4) years to obtain the first building permit and up to 10 years to obtain the
21 first Certificate of Occupancy (CO). The development agreement approved a conceptual plan
22 to redevelop the subject property into a resort area, consisting of 22 permanent market-rate
23 dwelling units, three (3) transient dwelling units, 3,782 square feet of commercial retail non-
24 residential floor area, 12 boat slips and associated amenities. The agreement required the
25 developer to construct improvements for public use along Second Avenue, including paving,
26 12 parking spaces for public use and nine (9) parking spaces for the restaurant, landscaping,
27 signage and lighting. The agreement extended the reverter clause of the road abandonment to
28 10 years from the effective date of the agreement, the same as the requirement for obtaining
29 COs for the development.
30

31 On January 8, 2008, the Planning Commission adopted Resolution No. P69-07 approving the
32 request by Ocean Sunrise Associates LLC for a Major Conditional Use Permit (File # 27138)
33 to redevelop the property into a resort area, consisting of 22 permanent market-rate
34 dwelling units, three (3) transient units, 3,782 square feet of commercial retail non-residential
35 floor area, 12 boat slips and associated amenities. The resolution also stated, "Approval of
36 this major conditional use permit effectively transfers the two (2) permanent market-rate Rate
37 of Growth Ordinance (ROGO) exemptions and eight (8) transient ROGO exemptions to
38 Monroe County. Once transferred, these ROGO exemptions shall not return to the
39 Applicant." The Planning Commission also adopted Resolution No. P68-07 approving the
40 request by Ocean Sunrise Associates LLC for a variance (File # 27139) to allow the required
41 amount of bufferyard landscaping to be planted around the perimeter and throughout the
42 project site instead of along the land use district boundary lines. The resolutions were signed
43 3/3/2008. DCA no appeal letter 5/22/2008. Recorded 5/23/2008. The Major Conditional Use
44 Permit is now expired.
45

1 On June 22, 2011, the Planning Commission adopted Resolution No. P17-11 approving a
2 request by Florida Keys Quality Foods, Inc., doing business as Mandalay Oceanfront Grill &
3 Tiki, for a 5SRX (restaurant, no package sales) alcoholic beverage use permit (File # 2011-
4 045). The resolution was signed 8/4/2011. The approval was appealed to the Florida Division
5 of Administrative Hearings (File # 2011-100) and was “affirmed in all respects” by a Final
6 Order on 5/4/2012 with Case # 11-4994.
7

8 On September 21, 2011, the County and Morgan Ocean Sunrise LLC entered into an
9 amendment to a lease for encroachments into the County’s Second Avenue right-of-way. The
10 lease allows the use of the existing buildings and accessory structures that exist on the
11 County right-of-way as shown on Exhibit B and associated improvements. Development
12 within the lease area is limited to that allowed by the development agreement as amended
13 and only parking, wheel stops and landscaping are otherwise permitted within the leased
14 area, outside of the structures and buildings shown on Exhibit B. There shall be no changes
15 or improvements which further increase the footprint of the existing development shown on
16 Exhibit B. The lease area is approximately 20'x176' and is located adjacent to Lot 1, Block 4,
17 Mandalay. The lease expires 11/30/2017.
18

19 On February 29, 2012, the Planning Director approved a Minor Deviation to the Major
20 Conditional Use Permit approved by PC Resolution No. P69-07 (File # 2011-083). The
21 minor deviation allowed revisions to the approved site plan and added an interim phase to the
22 redevelopment process. The Minor Deviation was approved with 13 conditions and recorded
23 6/12/2012. The interim phase was for a temporary off-street parking area to be located on the
24 portion of the subject property between former East First and Second Streets.
25

26 **IV REVIEW OF APPLICATION:**
27

28 Section 110-67 of the Monroe County Land Development Code (LDC) provides the
29 standards which are applicable to all conditional uses. When considering applications for a
30 conditional use permit, the Planning Director and the Planning Commission shall consider
31 the extent to which:
32

- 33 (a) *The conditional use is consistent with the purposes, goals, objectives and policies of the*
34 *Comprehensive Plan and this Land Development Code:*
35

36 Policies from the *Monroe County Year 2030 Comprehensive Plan* that directly pertain to
37 the proposed conditional use include:
38

39 Policy 101.5.4: The principal purpose of the Residential High (RH) future land use
40 category is to provide for high-density single-family, multi-family, and institutional
41 residential development, including mobile homes and manufactured housing, located
42 near employment centers.
43

44 Policy 101.5.6: The principal purpose of the Mixed Use/Commercial (MC) future
45 land use category is to provide for the establishment of mixed use commercial land
46 use (zoning) districts where various types of commercial retail and office may be

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

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

Policy 101.5.25: Monroe County hereby adopts the following density and intensity standards for the future land use categories, which are shown on the FLUM and described in Policies 101.5.1 - 101.5.20 [§163.3177(6)(a)1.,F.S.].

Future Land Use Densities and Intensities				Minimum Open Space Ratio ^(c)
Future Land Use Category And Corresponding Zoning	Residential ⁽¹⁾		Nonresidential	
	Allocated Density ^(a) (per upland acre)	Maximum Net Density ^{(a) (b)} (per buildable acre)	Maximum Intensity (floor area ratio)	
Mixed Use/Commercial (MC) ^{(d)(e)} (SC, UC, DR, RV, MU and MI zoning)	1 du (DR, MU, MI) 3 du (SC) 6 du (UC) Commercial Apartments (RV) ^(b) 5-15 rooms/spaces	2 du (MI) 6-18du (SC) ^(k) 12 du (UC) 12-18 du (MU) ^(k) 18 du (DR) 10-25 rooms/spaces	0.10-0.45 (SC, UC, DR, MU) <2,500 SF (RV) 0.30-0.60 (MI)	0.20
Residential High (RH) (IS-D) ^(f) , URM, URM-L and UR zoning)	6 du (UR) 1du/lot (URM, URM-L) 2 du/lot (IS-D) 0-10 rooms/spaces	12-25 du (UR) ^(k) N/A (IS-D, URM, URM-L) 0-20 rooms/spaces	0	0.20

Action Items of the *Key Largo Community Master Plan* (aka the Livable CommuniKeys Plan) that directly pertain to the subject property and proposed redevelopment include:

Action Item 1.3.1: Continue to use the FLUM and Land Use District Maps to regulate development of individual parcels with respect to density, intensity, bulk regulations, and all other land development regulation. This will protect the existing conformance status of most uses and promote orderly development consistent with the Comprehensive Plan.

The subject property is not located within one of the overlay districts of the LCP.

1 (b) *The conditional use is consistent with the community character of the immediate vicinity*
2 *of the parcel proposed for development:*
3

4 The proposed development is consistent with the community character of the immediate
5 vicinity. The subject property is located at the corner of Overseas Highway / U.S. 1 and
6 Second Avenue in the Mandalay subdivision near mile marker 97.6, on land running
7 from northbound U.S. 1 to the ocean. The surrounding area within 500 feet of the subject
8 property consists of a mixture of land uses, including single- and multi-family residential,
9 mobile homes, residential condominiums, hotels, retail, offices, indoor storage, a marina,
10 restaurants, a bank and undeveloped parcels.
11

12 (c) *The design of the proposed development minimizes adverse effects, including visual*
13 *impacts, of the proposed use on adjacent properties:*
14

15 The proposed redevelopment minimizes adverse effects, including visual impacts, on
16 adjacent properties. Concerning the proposed built environment, the proposed building is
17 at a scale that is consistent with the sizes of other buildings in the community,
18 particularly the Mariners Club development to the south. The proposed building designs
19 include architectural features that provide visual interest and break up the mass of the
20 structure. Further, the proposed architectural style is similar and consistent in design,
21 materials, and colors with other existing buildings in the Key Largo/U.S. 1 corridor.
22

23 (d) *The proposed use will have an adverse effect on the value of surrounding properties:*
24

25 There is no evidence indicating that the proposed redevelopment would have an adverse
26 impact on the value of the surrounding properties.
27

28 (e) *The adequacy of public facilities and services:*
29

30 1. *Transportation/Roadways:*
31

32 *Localized Impacts & Access Management:* Vehicular access to the site is proposed via
33 three driveways on Second Avenue, which connects to U.S. 1. Access to and from the
34 development shall be approved by the County Public Works Division and the County
35 Engineer. In addition, the proposed access drives must be designed in accordance
36 with the Land Development Code, which are addressed later in this report.
37

38 *Level of Service (LOS):* The trip generation presented in the Level 1 traffic study
39 dated June 2016 by KBP Consulting, Inc. was reviewed by the County's traffic
40 consultant, URS, who concurred with the findings that the proposed Mandalay/Key
41 Marina development would not degrade the LOS of surrounding roadways. However,
42 further consideration should be given to the six (6) comments under the Site Plan
43 review section. *Also, the applicant's consultant should certify that the site driveways*
44 *provide clear sight visibility and the site is designed to accommodate the design*
45 *vehicle as part of a Level III analysis.* See URS letter dated August 16, 2016.
46

- 1 2. *Solid Waste*: The applicant submitted a coordination letter dated June 16, 2016 from
2 Keys Sanitary Service.
- 3
- 4 3. *Potable Water*: The applicant submitted a coordination letter dated June 8, 2016 from
5 the Florida Keys Aqueduct Authority.
- 6
- 7 4. *Sanitary Sewer*: The applicant submitted a coordination letter dated June 7, 2016
8 from the Key Largo Wastewater Treatment District.
- 9
- 10 5. *Drainage/Stormwater*: A surface water management plan shall be approved by the
11 Planning & Environmental Resources Department (Land Development Code
12 requirements are addressed later in this report).
- 13
- 14 6. *Schools*: Sufficient school classroom capacity is available to accommodate the
15 proposed uses.
- 16
- 17 7. *Recreation and Open Space*: Sufficient recreation and open space capacity is
18 available to accommodate the proposed uses.
- 19

20 (f) *The applicant for conditional use approval has the financial and technical capacity to*
21 *complete the development as proposed and has made adequate legal provision to*
22 *guarantee the provision and development of any improvements associated with the*
23 *proposed development:*

24 There is no evidence to support or disprove the applicant's financial and technical
25 capacity.
26

27

28 (g) *The development will adversely affect a known archaeological, historical or cultural*
29 *resource:*

30 The proposed development would not adversely affect a known archaeological, historical
31 or cultural resource.
32

33

34 (h) *Public access to public beaches and other waterfront areas is preserved as a part of the*
35 *proposed development:*

36 The property is adjacent to a waterfront area where Second Avenue terminates at the
37 Atlantic Ocean. Public access to the waterfront via Second Avenue would be preserved as
38 required by a Maintenance Agreement and a Lease Agreement between the developer and
39 the County. The only development allowed within the Second Avenue right-of-way near
40 the waterfront is a required row of nine on-street parking spaces for the adjacent
41 restaurant.
42

43

44 (i) *The proposed use complies with all additional standards imposed on it by the particular*
45 *provision of this Land Development Code authorizing such use and by all other*
46 *applicable requirements:*

1 1. Residential Rate of Growth Ordinance (ROGO) (LDC Chapter 138, Article II): *Not*
2 *applicable.*
3

4 The proposed development of 22 attached residential dwelling units and three (3)
5 transient units was previously recognized by the County as lawfully established and
6 exempt from ROGO. Pursuant to LDC Section 138-22(1), redevelopment,
7 rehabilitation or replacement of any lawfully established residential dwelling unit or
8 space that does not increase the number of residential dwelling units above that which
9 existed on the site prior to the redevelopment, rehabilitation or replacement shall be
10 exempt from the residential ROGO system. The proposed development is consistent
11 with the prior Letter of Development Rights Determination and the prior
12 Development Agreement.
13

14 2. Nonresidential Rate of Growth Ordinance (NROGO) (LDC Chapter 138, Article III):
15 *In compliance.*
16

17 The NROGO shall apply to the development of all new and expanded nonresidential
18 floor area, except as exempted by LDC Section 138-50, for which a building permit
19 or other final development approval is required. Pursuant to LDC Section 138-50(a),
20 the NROGO shall not apply to development with no net increase in nonresidential
21 floor area.
22

23 *Nonresidential floor area* means the sum of the total floor area for a nonresidential
24 building or structure, as defined in LDC Section 101-1. Additionally, covered and
25 unenclosed boat racks with three or fewer sides not associated with retail sales of
26 boats are not considered nonresidential floor area. Further, the term “nonresidential
27 floor area” does not include space occupied by residential uses, including spaces
28 occupied by a transient residential unit and an institutional-residential use as defined
29 in LDC Section 101-1.
30

31 In a letter dated May 22, 2006, the Planning & Environmental Resources Department
32 determined 5,183 square feet of nonresidential floor area was lawfully established on
33 the property. The subsequent Development Agreement and Major Conditional Use
34 Permit in 2008 approved 3,782 square feet of commercial retail nonresidential floor
35 area to be redeveloped on the property without being subject to NROGO. The
36 Development Agreement said the excess of 1,401 square feet of floor area may be
37 transferred to another property as allowed by County Code. A Minor Deviation in
38 2012 included an approval condition stating the remaining 1,495 square feet [unclear
39 why the amount is different] of NROGO vested floor area could be used toward an
40 awning/canopy expansion for the restaurant. The site plan submitted for the proposed
41 development lists 4,975 square feet of “existing” nonresidential floor area. Pursuant
42 to LDC Section 138-50(1), the NROGO shall not apply since the proposed
43 development would not have a net increase in nonresidential floor area.
44

45 Nonetheless, staff recommends that the applicant clarify the different amounts of
46 floor areas on the proposed plans and correct the plans as needed.

1 3. Purpose of the MU, UR and SC Districts (LDC Sections 130-38, 130-46 & 130-48):
2 *In compliance.*
3

4 The subject property is located within three different land use (zoning) districts.
5

6 The purpose of the MU District is to establish or conserve areas of mixed uses,
7 including commercial fishing, resorts, residential, institutional and commercial uses,
8 and preserve these as areas representative of the character, economy and cultural
9 history of the Florida Keys.
10

11 The purpose of the UR District is to provide areas appropriate for high-density
12 residential uses designed and intended for occupancy by persons gainfully employed
13 in the Florida Keys and to create areas to provide for vacation rental use of detached
14 dwellings, duplexes, and multifamily dwellings. This district should be established at
15 or near employment centers.
16

17 The purpose of the SC District is to establish areas for commercial uses designed and
18 intended primarily to serve the needs of the immediate planning area in which they
19 are located. This district should be established at locations convenient and accessible
20 to residential areas to reduce trips on U.S. 1.
21

22 4. Permitted and Conditional Uses (LDC Sections 130-88, 130-93 & 130-98): *Not in*
23 *compliance.*
24

25 The proposed uses include 22 attached vacation rental units, three (3) hotel rooms,
26 4,976 square feet of commercial retail restaurant and accessory uses. The vacation
27 rental units and the hotel rooms would be located within the MU and UR portions of
28 the property, and the restaurant is located in the SC portion of the property. Accessory
29 uses are proposed throughout the property.
30

31 Within the MU District:

- 32 ■ Vacation rental use of detached dwelling units is permitted as-of-right if a special
33 vacation rental permit is obtained under the regulations established in LDC
34 Section 134-1.
 - 35 ■ Hotels of fewer than 50 rooms are permitted as minor conditional uses, provided
36 that:
 - 37 a. The use is compatible with established land uses in the immediate vicinity;
38 and
 - 39 b. One or more of the following amenities is available to guests:
 - 40 1. Swimming pool;
 - 41 2. Marina; and
 - 42 3. Tennis courts.
- 43
44
45

- 1 ▪ Attached residential dwelling units are permitted as major conditional uses,
2 provided that:
3 a. The structures are designed and located so that they are visually compatible
4 with established residential development within 250 feet of the parcel
5 proposed for development; and
6 b. The parcel proposed for development is separated from any established
7 residential use by a class C bufferyard.
8

9 Within the UR District:

- 10 ▪ Vacation rental use is permitted as-of-right if a special vacation rental permit is
11 obtained under the regulations established in LDC Section 134-1
12 ▪ Attached residential dwelling units are permitted as minor conditional uses,
13 provided that:
14 a. Sufficient common areas for recreation are provided to serve the number of
15 dwelling units proposed to be developed;
16 b. All entryways are designed and lighted to allow safe and secure access to all
17 structures from walks and parking areas; and
18 c. Access to U.S. 1 is by way of:
19 1. An existing curb cut;
20 2. A signalized intersection; or
21 3. A curb cut that is separated from any other curb cut on the same side of
22 U.S. 1 by at least 400 feet.
23

24 Within the SC District:

- 25 ▪ Commercial retail, low- and medium-intensity and office uses or any combination
26 thereof of greater than 2,500 but less than 10,000 square feet of floor area are
27 permitted as minor conditional uses, provided that access to U.S. 1 is by way of:
28 a. An existing curb cut;
29 b. A signalized intersection; or
30 c. A curb cut that is separated from any other curb cut on the same side of U.S. 1
31 by at least 400 feet.
32

33 Pursuant to LDC Sections 130-88 (a)(12), 130-93(a)(7) and 130-98(a)(4), accessory
34 uses are permitted as of right in the MU, UR and SC Districts with building permits.
35

36 Building 2, containing attached vacation rental units and the hotel rooms, straddles
37 the land use district boundary between MU and UR portions of the property. The UR
38 District prohibits hotels and the MU District only allows vacation rental use of
39 detached dwelling units. Therefore, the hotel rooms must be located within the MU
40 portion of the property and the attached vacation rental units must be located within
41 the UR portion of the property. In order for staff to recommend approval of the
42 requested Major Conditional Use Permit, the proposed uses must be located within
43 the proper land use districts.
44
45

1 5. Maximum Residential Densities and Nonresidential Land Use Intensities (LDC
2 Sections 130-157, 130-162 & 130-164): *In compliance.*

3
4 The proposed development includes a mix of residential and non-residential uses,
5 transient and non-transient uses, involving parcels in three different land use districts.
6

7 Nonresidential Floor Area Analysis
8

Land Use	Floor Area Ratio	Size of Site (upland)	Maximum Allowed	Proposed	Potential Used
Commercial retail, medium-intensity (SC parcel)	0.25	17,037 SF	4,259 SF	4,975 SF	117%

9
10 The amount of nonresidential floor area is for the existing restaurant use, which is
11 located entirely within the SC District. Although the application states that the
12 restaurant use is not changing and the updated traffic study excluded the restaurant
13 from its trip generation calculations, the plans indicate a higher floor area (4,975 SF)
14 than the prior approved Development Agreement and Major Conditional Use (3,782
15 SF). The floor area discrepancy is not explained, but the calculation may include an
16 awning covering the previously uncovered outdoor seating area. This may also be
17 related to the 2012 minor deviation. The original traffic study did include the
18 restaurant floor area, which stated 3,782 square feet and a daily weighted volume of
19 300 trips. In terms of commercial retail intensity, this translates to 79.3 trips per 1,000
20 square feet of floor area, which is a medium-intensity commercial retail use.
21

22 LDC Section 101-1 defines the following relevant terms:
23

24 *Commercial retail use* means a use that sells goods or services at retail. Commercial
25 retail uses are divided into the following three classifications:

- 26 (1) *Commercial retail low-intensity* means commercial retail uses that generate less
27 than 50 average daily trips per 1,000 square feet of floor area.
28 (2) *Commercial retail medium-intensity* means retail uses that generate between 50
29 and 100 average daily trips per 1,000 square feet of floor area.
30 (3) *Commercial retail high-intensity* means retail uses that generate above 100
31 average daily trips per 1,000 square feet of floor area.
32

33 *Floor area* means the sum of the gross horizontal areas of each story of the principal
34 building, measured from the exterior walls or from the centerline of party walls,
35 including the floor area of accessory uses and of accessory buildings and structures.
36

37 *Floor area ratio* means the total floor area of the building on a lot divided by the
38 gross area of the lot or site.
39

40 Staff recommends that the applicant clarify the total amount of floor area for the
41 restaurant uses and revise the plans as needed. All floor area as defined above should
42 be included in the floor area ratio calculations. If the restaurant floor area has
43 increased, then that increase should also be reflected in the traffic study.

1 Residential Density Analysis
2

Land Use	Allocated Density	Size of Site ¹ (upland)	Maximum Allowed	Proposed	Potential Used
Attached Residential (MU parcel)	1 DU / acre	1.32 acres	1.32 units		
Attached Residential (UR parcels)	6 DU / acre	1.48 acres	8.89 units		
<i>Total Non-Transient</i>		<i>2.80 acres</i>	<i>10.21 units</i>	<i>22 units</i>	<i>215%</i>
Hotel (MU parcel)	10 rooms / acre	1.32 acres	13.18 rooms	3 rooms	23%

3
4 The proposed residential density is pursuant to an approved Development Agreement
5 and is being redeveloped from prior existing lawfully-established units and rooms.
6 The subject property was previously developed with mobile homes and RVs that have
7 all been removed from the property. Although the property exceeds the maximum
8 allocated density, the nonconforming density is protected by the 2030 Comprehensive
9 Plan and the adopted Land Development Code.

10
11 Pursuant to 2030 Comprehensive Plan Policy 101.5.29, notwithstanding the density
12 limitations set forth in Policy 101.5.25, land upon which a lawfully established
13 residential dwelling unit exists shall be entitled to a density of one dwelling unit per
14 each recognized lawfully established unit. Such lawfully-established dwelling unit(s)
15 shall not be considered as nonconforming as to the density provisions of Policy
16 101.5.25 and the Monroe County Code.

17
18 Pursuant to LDC Section 130-163, notwithstanding the provisions of LDC Sections
19 130-157, 130-158 and 130-162, the owners of land upon which a lawfully established
20 dwelling unit, mobile home, or transient residential unit exists shall be entitled to one
21 dwelling unit for each type of dwelling unit in existence before January 4, 1996. Such
22 legally-established dwelling unit shall not be considered as a nonconforming use.

- 23
24 6. Minimum Open Space (LDC Sections 118-9, 130-157, 130-162 & 130-164): *In*
25 *Compliance.*

26
27 The minimum required open space ratio for the proposed uses within the MU, UR
28 and SC Districts is 0.20 or 20%. According to the proposed site plan, the property
29 consists of 139,012 square feet of upland area. Therefore, at least 27,802 square feet
30 of the total land area shall remain open space. The proposed site plan indicates there
31 would 43% (59,775 square feet) of open space.

- 32
33 7. Required Setbacks (LDC Sections 118-12 & 130-186): *Not in compliance.*

34
35 The property is located in three different land use districts, so the applicable yards
36 vary accordingly. The table below is noted with which land use district's setbacks are
37 required.
38

Summary of Required Non-Shoreline Setbacks per LDC Section 130-186				
Setback Type	Minimum Required (feet)	Existing Setback (feet)	Proposed Setback (feet)	In compliance? Y/N / Change (feet)
Primary Front Yard (along Overseas Hwy, MU District)	25	vacant	25	Y
Secondary Front Yard (along 2nd Ave, E 1st St & E 2nd St, MU, UR & SC Districts)	15	vacant	5	N
Primary Side Yard	N/A	N/A	N/A	N/A
Secondary Side Yard (along northeastern property lines; MU, UR & SC Districts)	5	Vacant	7	Y
Rear Yard	N/A	N/A	N/A	N/A

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Minimum 15-foot secondary front yard setbacks are required along the East First Street and East Second Street rights-of-way. The proposed site plan indicates a five (5)-foot setback line along these two streets. Pursuant to LDC Section 130-189(c), on parcels fronting more than one road, such as corner lots and double frontage parcels, each yard along a road shall be a front yard. Staff recommends that the plans be revised to indicate the required 15-foot secondary front yard setback along East First Street and East Second Street.

According to pages 11 and 12 of the development agreement, “The County acknowledges that there is no undisturbed or unaltered shoreline on the Property. Pursuant to [former] County Code Section 9.5-286, a twenty (20) foot setback from the mean high water line (“MHWL”) shall be required for all principal structures.” This is consistent with current LDC Section 118-12(b)(1).

Pursuant to LDC Section 118-12(c), accessory structures, as defined in LDC Section 101-1, within the shoreline setback shall be constructed at a foundation height not to exceed 18 inches above existing grade and shall meet the following design criteria:

- (1) Along altered shorelines, including manmade canals, channels, and basins:
 - a. In no event shall the total, combined area of all structures occupy more than 60% of the upland area of the shoreline setback.
 - b. Pools, spas, and any screen structures over pools or spas shall be set back a minimum of 10 feet, as measured from the mean high water (MHW) line.

To demonstrate compliance, staff recommends that the calculation of open space within the shoreline setback be provided on the proposed site plan (sheet C-2).

1 8. Maximum Height (LDC Section 130-187): *Not in compliance.*

2
3 No structure or building shall be developed that exceeds a maximum height of 35
4 feet. Pursuant to LDC Section 101-1:

5
6 *Height* means the vertical distance between grade and the highest part of any
7 structure, including mechanical equipment, but excluding the following: chimneys;
8 spires and/or steeples on structures used for institutional and/or public uses only;
9 radio and/or television antenna, flagpoles; solar apparatus; utility poles and/or
10 transmission towers; and certain antenna supporting structures with attached antenna
11 and/or collocations as permitted in Chapter 146. However, in no event shall any of the
12 exclusions enumerated in this definition be construed to permit any habitable or
13 usable space to exceed the applicable height limitations. In the case of airport
14 districts, the height limitations therein shall be absolute and the exclusions
15 enumerated in this definition shall not apply.

16
17 *Grade* means the highest natural elevation of the ground surface, prior to
18 construction, next to the proposed walls of a structure, or the crown or curb of the
19 nearest road directly adjacent to the structure, whichever is higher. To confirm the
20 natural elevation of the ground surface, prior to construction, the county shall utilize
21 the Light Detection and Ranging (LiDAR) dataset for Monroe County prepared in
22 2007 and other best available data, including, but not limited to, preconstruction
23 boundary surveys with elevations, pre-construction topographic surveys, elevation
24 certificates and/or other optical remote sensing data.

25 According to the building elevation plan (sheet A-3), Building 1 would have a
26 proposed height of 38 feet, 4 inches as measured from existing grade of +3.2 feet
27 NGVD. The elevation plan also indicates that the crown of road elevation is +3.6 feet
28 NGVD. Using the crown of road elevation, the building would have a proposed
29 height of 37.9 feet.

30
31 According to the building elevation plan (sheet A-4), Building 2 would have a
32 proposed height of 36.75 feet as measured from existing grade of +3.2 feet NGVD.
33 The elevation plan also indicates that the crown of road elevation is +3.6 feet NGVD.
34 Using the crown of road elevation, the building would have a proposed height of 36.3
35 feet.

36
37 According to the building elevation plan (sheet A-6), the Reception Building would
38 have a proposed height of 38 feet, 6 inches as measured from existing grade of +2.1
39 feet NGVD. The elevation plan does not indicate the crown of road elevation.

40
41 According to the building elevation plan (sheet A-7), the Laundry Building would
42 have a proposed height of 20 feet, 5 inches as measured from existing grade of +3.2
43 feet NGVD. The elevation plan does not indicate the crown of road elevation.

44
45 According to the building elevation plan (sheet A-8), the elevator would have a
46 proposed height of 37 feet, 6 inches as measured from existing grade of +3.2 feet

1 NGVD. The elevation plan does not indicate the crown of road elevation. The site
2 plan (sheet C-2) indicates two elevators.
3

4 All of the proposed buildings, except the laundry building, would exceed the 35-foot
5 maximum height pursuant to LDC Section 130-187 as measured on the submitted
6 plans. However, the submitted Boundary, Mean High Water Line & Topographic
7 Survey by Keith M. Chee-A-Tow, P.L.S. dated 4/2/2015 and last revised 3/28/2016
8 indicates spot elevations within Second Avenue as high as 6.21 feet and within
9 Overseas Highway as high as 6.64 feet. The submitted survey does not indicate spot
10 elevations within the subject property, except for the waterfront parcel within the SC
11 District, so it is unclear how the grade elevations were determined. The term “grade”
12 as defined in LDC Section 101-1 means “the highest natural elevation of the ground
13 surface, prior to construction, next to the proposed walls of a structure, or the crown
14 or curb of the nearest road directly adjacent to the structure, whichever is higher.”
15

16 Staff recommends the plans be revised to clarify how existing grade was determined
17 or use the crown of road elevation as provided for in the “grade” and “height”
18 definitions in LDC Section 101-1 so that no building would exceed 35 feet in height.
19

20 9. Surface Water Management Criteria (LDC Section 114-3): *Full compliance to be*
21 *determined upon building permit application review.*
22

23 10. Wastewater Treatment Criteria (LDC Section 114-5): *Full compliance to be*
24 *determined by FCAA and Building Department prior to the issuance of a building*
25 *permit.*
26

27 11. Fences (LDC Section 114-20): *Full compliance to be determined upon building*
28 *permit application review.*
29

30 The site plan does not indicate any fencing.
31

32 12. Floodplain Management (LDC Chapter 122): *Full compliance to be determined upon*
33 *building permit application review.*
34

35 The site is located within the X, AE-8, AE-9, AE-10, VE-11 and VE-14 flood zones
36 on the Federal Emergency Management Agency (FEMA)’s flood insurance rate
37 maps. All new structures must be built to floodplain management standards that meet
38 those for flood protection. The elevation plan (sheet A-3) shows that the finished first
39 floor of all buildings would have an elevation of at least +12.7 feet NGVD. The
40 ground level of the buildings would be either open or parking. “Reception storage” is
41 indicated on the ground level of the reception building.
42
43
44
45

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

3
4 Not enough information was provided to determine which energy and water
5 conservation standards the development proposal includes.
6

7 14. Potable Water Conservation Standards (LDC Section 114-46): *Full compliance to be*
8 *determined by FCAA and Building Department prior to the issuance of a building*
9 *permit.*

10
11 15. Environmental Design Criteria and Mitigation Standards (LDC Sections 118-6, 118-7
12 & 118-8): *Full compliance to be determined upon building permit application review.*

13
14 In accordance with LDC Section 118-7(1) and (2), to the maximum extent
15 practicable, development shall be sited so as to preserve all listed threatened,
16 endangered, commercially exploited, and regionally important native plant species
17 and all native trees with a diameter at breast height (DBH) of greater than four inches.
18 All champion and specimen trees shall be preserved in their natural condition.
19

20 Although the site is for the most part scarified, mitigation will be required for
21 qualifying native vegetation removed for development. The number, species and sizes
22 of plants to be mitigated shall be identified in an existing conditions report to be
23 submitted by the applicant and approved by the County Biologist prior to building
24 permit review.
25

26 16. Required Off-Street Parking (LDC Section 114-67): *Not in compliance.*
27

Specific Use Category	Multiplier	Proposed Quantity	Required Spaces
Multifamily residential developments	2.0 spaces per each 1- and 2-bedroom dwelling unit; 3.0 spaces per each 3 or more bedroom dwelling unit	8 two-bedroom units; 14 three-bedroom units	16 + 42 = 58
Eating and drinking establishments	For areas devoted to food/beverage service, 1.0 space per 3 seats or 3.0 spaces per 1,000 sq. ft. of nonresidential floor area, whichever total amount is higher.	150 seats; 4,976 SF	50
Hotels	1.0 space per each 1-bedroom transient dwelling unit and 1.0 space plus 0.5 space for each additional bedroom per each 2 or more bedroom transient dwelling unit	3 units	3
Cumulative Total			111

28
29 The proposed parking plan on sheet C-3 indicates at total of 95 off-street parking
30 spaces, including two ADA accessible spaces. The table above shows that 111 off-
31 street parking spaces are required pursuant to LDC Section 114-67(c), based on the

1 proposed uses. Staff recommends the plans be revised to indicate the required 111
2 off-street parking spaces, or the applicant obtains an alternate means of compliance.

3
4 Additionally, there are mistakes on the parking space labels on sheet C-3. The
5 labeling skips from space #45 to space #49. The “20 spaces” label is incorrect
6 because 17 spaces are indicated. The total number of spaces provided should be
7 indicated in the off-street parking table on sheet C-3.

8
9 Parking space dimensions are not indicated on the proposed parking plan on sheet C-
10 3. Pursuant to LDC Section 114-67(b), minimum required parking space dimensions
11 are 8.5 feet in width and 18 feet in length. Staff recommends revising the plans to
12 indicate the proposed space lengths and widths.

13
14 No wheel stops are indicated on the proposed parking plan (sheet C-3) or the
15 proposed site plan (C-2). Pursuant to LDC Section 114-67(j), all pervious and
16 impervious surface parking spaces shall have a wheel stop, bumper blocks or similar
17 barriers where the front of the parking space is adjacent a building, required yard or
18 required landscaping, to designate each parking space. Staff recommends the plans be
19 revised to indicate the required wheel stops.

20
21 The proposed parking plan on sheet C-3 states two bicycle racks are provided in the
22 Off-Street Parking table, but none are indicated on the drawing. The bike racks are
23 indicated on proposed site plan sheet C-2. Pursuant to LDC Section 114-67(k), a
24 bicycle rack for parking bicycles shall be provided by all nonresidential development
25 within 200 feet of an existing or programmed state or county bikeway. The minimum
26 layout for a bicycle parking area shall be a two-foot-wide by six-foot-long stall with a
27 minimum aisle width of five feet. The bicycle parking area shall be located within 50
28 feet of a public entrance to the principal structure and shall not interfere with
29 pedestrian or vehicular traffic. Staff recommends the parking plan be revised to
30 indicate the location and dimensions of the required bicycle spaces.

31
32 Note: In addition to the regular off-street parking spaces, the proposed parking plan
33 on sheet C-3 also indicates 12 boat trailer parking spaces in its own parking area with
34 a separate driveway to Second Avenue.

35
36 17. Required Loading/Unloading Spaces (LDC Section 114-69): *Not in compliance.*

37
38 One 11’x55’ loading/unloading space is required for nonresidential uses of 2,500 to
39 19,999 square feet in floor area. The proposed nonresidential floor area is 4,976
40 square feet. The proposed site plan (sheet C-2) indicates one 17’x 68.6’ loading/
41 unloading space near the proposed boat trailer parking area. This proposed location is
42 not ideal given the location of the nonresidential uses it serves.

43
44 Pursuant to LDC Section 114-69(b), “Loading/unloading spaces shall be located
45 entirely on the same lot as the principal use they serve. These spaces shall not be

1 located on any public right-of-way, or on any parking spaces or parking aisle. The
2 spaces shall be accessible and adjacent or as close to the building served as possible.”
3

4 Staff recommends the required loading/unloading space be located as close to the
5 restaurant building as possible.
6

7 18. Landscaping (LDC Chapter 114, Article IV): *Not in compliance.*
8

9 Since the proposed off-street parking areas contain six or more spaces and are located
10 within the MU and UR Districts, a class “C” landscaping standard is required. The
11 class “C” landscaping standard requires 430 square feet of planting area, two (2)
12 canopy trees and five (5) shrubs for every 24 parking spaces.
13

14 The proposed landscaping plan (sheet C-4) indicates that the required class “C”
15 landscaping standard is not in compliance. The table calculated the landscaping
16 requirement based on 90 parking spaces, although the parking plan (sheet C-3)
17 indicates 95 total parking spaces. As mentioned above, the total off-street parking
18 requirement is 111 spaces, based on the proposed uses. Therefore, the Class C
19 landscaping requirement is not in compliance. Staff recommends the landscaping plan
20 be revised to provide the required Class C landscaping based on the correct amount of
21 spaces proposed.
22

23 All street fronts not required to provide a scenic corridor or bufferyards in accordance
24 with LDC Sections 114-100, 114-101 or 114-102 shall plant trees, pursuant to LDC
25 Section 114-104. Some street fronts on the landscaping plan do not require
26 bufferyards, but are not indicated as providing the required street trees. Staff
27 recommends revising the landscaping plan (sheet C-4) to indicate the required street
28 trees, pursuant to LDC Section 114-104.
29

30 19. Scenic Corridor and Bufferyards (LDC Chapter 114, Article V): *Not in compliance.*
31

32 A Class B major street bufferyard is required along the U.S. 1 right-of-way, pursuant
33 to LDC Section 114-127. The landscaping plan (sheet C-4) provides this buffer.
34

35 Multiple district boundary buffers are required pursuant to LDC Section 114-126. A
36 Class C buffer is required along the MU-URM boundary to the northeast. The
37 landscaping plan (sheet C-4) provides this buffer. Class C buffers are required along
38 the UR-SC boundary to the southwest adjacent to Second Avenue and along the UR-
39 SC boundary to the southeast adjacent to East Second Street. The landscaping plan
40 (sheet C-4) does not provide these buffers.
41

42 Staff recommends the landscaping plan (sheet C-4) be revised to indicate the required
43 Class C buffer along the UR-SC district boundary to the southwest adjacent to
44 Second Avenue and along the UR-SC boundary to the southeast adjacent to East
45 Second Street.
46

1 20. Outdoor Lighting (LDC Chapter 114, Article VI): *Full compliance to be determined*
2 *upon building permit application review.*
3

4 No structure or land shall be developed, used or occupied unless all outdoor lighting
5 conforms to the requirements of this article and the sea turtle protection provisions of
6 Chapter 12, Article V of the County Code of Ordinances, unless otherwise specified
7 within the LDC. The proposed site plan (sheet C-2) indicates cut-off outdoor lighting
8 fixtures throughout the property. However, not enough detail was provided to
9 determine full compliance.

10
11 Additionally, the development agreement includes some provisions related to outdoor
12 lighting. Page 8 states public improvements to be constructed by the Owner shall be
13 “landscaping, project identification signage and lighting to at least County standards
14 for such local streets as Second Avenue.” Page 12 states “Utilities, lighting, and
15 signage shall comply with all applicable requirements of the County Code, including
16 the waterfront lighting criteria in County Code Section 9.5-395 [now LDC Section
17 114-163]. The Owner shall install all utilities underground where practicable and
18 shall screen all utility facilities. The Owner shall utilize shaded light sources to
19 illuminate all signs, facades, buildings, parking and loading areas, and shall arrange
20 such lighting to eliminate glare to parcels lying outside the Property. No intermittent
21 or flashing lights or flashing signs shall be allowed.”
22

23 21. Signs (LDC Chapter 142): *Full compliance to be determined upon building permit*
24 *application review.*
25

26 Signage is not being reviewed as part of this application. The existing ground-
27 mounted sign at the corner of Overseas Highway and Second Avenue is indicated on
28 the survey and site plan. Any new signage shall be reviewed independently for
29 compliance as an accessory use/structure under a building permit application.
30

31 22. Access Standards (LDC Chapter 114, Article VII): *Full compliance to be determined*
32 *upon building permit application review.*
33

34 Vehicular access to the site is proposed via three driveways on Second Avenue, a
35 County road that provides access to U.S. 1. No direct access to U.S. 1 is proposed
36 from the subject property. Separate permits or approvals from the County’s Public
37 Works and Engineering Departments will be required.
38

39 A Level 1 traffic study prepared by KBP Consulting, Inc. updated June 2016 was
40 submitted. The study was reviewed by the County’s transportation consultant, John
41 Arrieta with URS, who concurred with the findings that the proposed Mandalay/Key
42 Marina development would not degrade the level of service of surrounding roadways.
43 However, further consideration should be given to the six (6) comments under the
44 Site Plan review section. Also, the applicant’s consultant should certify that the site
45 driveways provide clear sight visibility and the site is designed to accommodate the

1 design vehicle as part of a Level III analysis. Staff recommends that the applicant
2 address the comments in the attached review letter dated August 16, 2016.

3
4 Clear sight triangles are indicated on proposed site plan sheet C-2, but they do not
5 indicate any distance measurements and they are not shown on proposed landscaping
6 plan sheet C-4. Pursuant to LDC Section 114-201, all entrance drives and street
7 intersections shall provide clear sight triangles in both directions. Pursuant to LDC
8 Section 114-105, shrubs and hedges shall be maintained at a height not to exceed
9 three (3) feet if located within the clear sight triangle as defined in LDC Section 114-
10 201. Staff recommends that the required clear sight triangles be indicated on both the
11 proposed site plan sheet C-2 and the proposed landscaping plan sheet C-4, as well as
12 distances from the edge of pavement of the street to the point on the drive at which
13 clear sight is indicated and distances measured along the centerline of the street from
14 the centerline of the entrance.

15
16 23. Chapter 533, Florida Statutes: *Full compliance to be determined upon building permit*
17 *application review.*

18
19 All standards and requirements of the American with Disabilities Act (ADA) must be
20 met. Two (2) ADA accessible parking spaces are proposed.

21
22 24. Solid Waste/Recycling (LDC Section 114-21): *Not in compliance*

23
24 For nonresidential buildings of 0 to 5,000 square feet of floor area, a minimum
25 collection area of 82 square feet is required. For multi-family residential
26 developments of 16 to 30 dwelling units, a minimum collection area of 240 square
27 feet is required. Therefore, the total solid waste/recycling collection area requirement
28 for the proposed development is 322 square feet. The proposed site plan (sheet C-2)
29 indicates a single dumpster, approximately 10'x10', in the corner of the proposed
30 boat trailer parking area near Overseas Highway.

31
32 Staff recommends the plans be revised to indicate the required 322 square feet of
33 solid waste/recycling collection area, which shall meet the setback, screening,
34 enclosure design and location standards of LDC Section 114-21.

35
36 25. Inclusionary Housing Requirements (LDC Section 130-161): *In compliance*

37
38 The development agreement and BOCC Resolution No. 493-2007 addressed the
39 inclusionary housing requirement. The BOCC granted relief to the developer from the
40 inclusionary housing standards in effect at that time. The property previously had
41 additional dwelling units that, instead of being redeveloped, were dedicated to the
42 County to use for affordable housing. Eight (8) unused transient ROGO exempt units
43 and two (2) market-rate ROGO exempt units were donated to the County for
44 affordable housing use as described in the development agreement. The Planning
45 Commission Resolution No. P69-07, which approved the prior Major Conditional
46 Use Permit, also stated, "Approval of this major conditional use permit effectively

1 transfers the two (2) permanent market-rate Rate of Growth Ordinance (ROGO)
2 exemptions and eight (8) transient ROGO exemptions to Monroe County. Once
3 transferred, these ROGO exemptions shall not return to the Applicant.”
4

5 26. Other Issues:
6

7 • Maintenance Agreement:

8 Pursuant to BOCC Resolution Nos. 603-2006 and 604-2006, the applicant executed a
9 maintenance agreement to improve and maintain Second Avenue, which is a County
10 right-of-way. The maintenance agreement states that the “specific maintenance and
11 improvement plan for Second Avenue will be approved by the County Engineer and
12 all other County departments required to approve the configuration and maintenance
13 of County roads.”
14

15 • Development Agreement:

16 A. Part C.5. “Other Improvements for Public Use” of the development agreement
17 outlines the improvements to be constructed by the Owner (the applicant) within
18 Second Avenue. The required improvements include street paving, 12 parking
19 spaces for public use, nine (9) parking spaces for restaurant patrons only marked
20 by signage, landscaping, signage and lighting, reconstruction of the existing
21 accessway at the terminus of Second Avenue (near the shoreline) and utility
22 infrastructure. The conceptual plan approved with the development agreement and
23 the approved site plan for the prior Major Conditional Use Permit both depicted
24 the layout of improvements within Second Avenue, including the roundabout at
25 the intersection of Second Avenue and East Second Street. The layout of public
26 improvements on the proposed site plan submitted with the subject Major CUP
27 request differs from those plans and does not depict the on-street restaurant
28 parking. According to the Engineering review comments in the attached June 6,
29 2016 letter, the layout of improvements in Second Avenue does not meet their
30 requirements. Staff recommends that the Second Avenue improvements be
31 coordinated with the County Engineer and other departments as needed and the
32 plans revised accordingly.
33

34 B. Page 9 of the development agreement states that the Owner is entitled to the use
35 of a total of 5,183 square feet of commercial floor area, of which 3,782 square
36 feet are being retained for restaurant use. The proposed site plan lists 4,976 square
37 feet of restaurant floor area. No explanation is given for this difference. The
38 submitted traffic study stated that the restaurant use was excluded from the trip
39 generation calculations because the use would not change. The minor deviation
40 approved in 2012 was related to the expansion of covered, but unenclosed,
41 outdoor restaurant seating. The proposed site plan now depicts the restaurant as a
42 contiguous footprint, although prior plans distinguished between the building and
43 the outdoor seating area. Staff recommends that the proposed restaurant floor area
44 be verified and the square footages corrected as needed. As recommended by the
45 County transportation consultant, the traffic study should include the restaurant
46 use and be revised to a Level III study.

- 1 • Alcoholic Beverage Use Permit:
2 Planning Commission Resolution No. P17-11 for a 5SRX permit at the restaurant
3 included a condition of approval requiring the applicant to get a building permit to
4 install the parking as shown on the approved site plan for the prior Major Conditional
5 Use Permit, which included the 12 parallel parking spaces along Second Avenue and
6 the nine parking spaces (including one ADA compliant space). It is unclear if this
7 permit was obtained and if the work has been completed and approved by the County.
8
- 9 • Minor Deviation:
10 The minor deviation approved on February 29, 2012 included several conditions.
11 Condition #5 stated that the area for outdoor seating remained at 2,064 square feet
12 and the approved plan depicted the boundaries of the 2,064 square foot outdoor
13 seating area. Condition #6 stated that the owner may utilize the remaining 1,495
14 square feet of NROGO vested area toward an awning/canopy expansion. It is
15 unknown why this amount differs from the amount in the development agreement.
16 Condition #7 required the canopy to remain unenclosed unless a future approval
17 allows otherwise. If the outdoor seating area is unenclosed, then it is unclear why this
18 area would be included in the restaurant floor area. The LDC definition of “floor
19 area” counts areas that are enclosed and covered. Nonetheless, the amount of floor
20 area indicated on the proposed site plan submitted with the subject Major CUP
21 request is now 4,976 square feet. Staff recommends that the restaurant floor area be
22 verified and the plans and calculations revised as needed.
23
- 24 • Miscellaneous:
25 A. The total land area differs between the submitted survey, the proposed site plan
26 and the Monroe County Property Appraiser’s records. Given these differing
27 numbers, the correct amount needs to be confirmed and verify that the calculation
28 includes the former rights-of-way and excludes submerged lands and the Second
29 Avenue lease area.
30
31 B. The submitted paper survey is not for the subject parcels. The electronic copy is
32 for the subject parcels, but is not signed and sealed. Please submit a signed and
33 sealed paper copy of the correct survey.
34
35 C. The property line dimension on the site plan along the northeastern side of Block
36 3 says 287 feet, but the survey and parcel map says 250 feet. Please correct the
37 dimension label.
38
39 D. The property line dimension on site plan along Second Avenue says 975 feet, the
40 survey dimensions add up to 909.92 feet and parcel map dimensions add up to
41 1,000 feet. Please verify the correct length of the property line along Second
42 Avenue and correct the plans as needed.
43
44 E. Please label the building elevations (sheets A-3, A-4, A-6, A-7, A-8) using north,
45 south, east and west directions, so the plans are clearer about which elevation is
46 the front, rear and sides.

- 1 F. Please provide building elevations for all four sides of the reception building.
2
3 G. The proposed site plan (sheet C-2) indicates multiple sets of stairways near each
4 building, but the stairs are not indicated on the floor plans or the elevation plans.
5 Please indicate the stairways on the floor plans and elevation plans.
6
7 H. The floor plans indicate storage, stairways and other apparently enclosed spaces
8 on the ground levels of the proposed buildings, but these ground level enclosures
9 are not indicated on the elevation plans.
10
11 I. A structure is apparently indicated between Building 1 and the Reception
12 Building, but it is not labeled. It is not clear if this is an elevated walkway or
13 another type of structure. Please clarify and label the plans as needed.
14
15 J. The unit count title for the First Level Layout of Building 2 is incorrect. The label
16 states “7 units” but four units are indicated. Please correct the label.
17
18 K. The proposed unit layouts cannot be permitted as designed because they would
19 constitute additional dwelling units and would exceed the maximum 22 units
20 allowed per the development agreement. The County and the State of Florida are
21 under a memorandum of understanding (see attached) regarding guidelines for
22 approving additions that do not create an additional dwelling unit. Under
23 Attachment A of the MOU, each non-hotel dwelling unit contains a “Bedroom
24 #1” that each contain their own separate entrance, lockable internal connection
25 and wet bar. As a result of this design, a wet bar is not allowed. Similarly, each
26 non-hotel dwelling unit contains a “Bedroom #2” that is shared with the adjacent
27 unit. Each “Bedroom #2” contains a separate entrance, lockable internal
28 connection and wet bar.
29
30 To allow the wet bars, the total counter surface area cannot exceed 16 square feet,
31 including a 1-bin sink limited to 1 square foot in size with electricity limited to
32 110 volt service. All lockable internal connections between the wet bars and the
33 rest of the unit would also have to be changed to unlockable internal connections,
34 which are cased openings of 42 inches (3 feet, 6 inches) or more in width. The
35 separate entrances should also be eliminated, unless the owner is willing to record
36 a covenant restricting the dwelling units to single-family occupancy only pursuant
37 to Attachment A of the MOU.
38
39 L. The layout of docks does not match the conceptual site plan approved in the
40 development agreement or the approved site plan from the prior Major CUP. The
41 layout is also different than the 2012 minor deviation plan. The development
42 agreement and the prior Major CUP established there are 12 boat slips.
43

44 V. RECOMMENDED ACTION:
45

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

1 1. Prior to the request being scheduled for a Planning Commission hearing:
2

- 3 a. The hotel rooms must be located within the MU portion of the property and the
4 attached vacation rental units must be located within the UR portion of the property.
5
- 6 b. Clarify the correct land area calculations as a total and land within each of the three
7 different land use districts.
8
- 9 c. Clarify the total amount of floor area for the restaurant uses and revise the plans as
10 needed. All floor area as defined in LDC Section 101-1 should be included in the
11 floor area ratio calculations. If the restaurant floor area has increased, then that
12 increase should also be reflected in the traffic study.
13
- 14 d. Indicate the required 15-foot secondary front yard setback along East First Street and
15 East Second Street.
16
- 17 e. Clarify how existing grade was determined or use the crown of road elevation as
18 provided for in the “grade” and “height” definitions in LDC Section 101-1 so that no
19 building would exceed 35 feet in height.
20
- 21 f. Indicate all 111 required off-street parking spaces or obtain an alternate means of
22 compliance.
23
- 24 g. List the total number of off-street parking spaces provided in the table on sheet C-3.
25
- 26 h. Correct the mistakes on the parking space labels on sheet C-3. The labeling skips
27 from space #45 to space #49. The “20 spaces” label is correct because only 17 spaces
28 are indicated.
29
- 30 i. Indicate parking space lengths and widths. Minimum 8.5’ x 18’ required.
31
- 32 j. Indicate wheel stops where required.
33
- 34 k. Indicate location and dimensions of bicycle spaces on the proposed parking plan
35 (sheet C-3).
36
- 37 l. Locate the required loading/unloading space as close to the restaurant building as
38 possible.
39
- 40 m. Indicate the required clear sight triangles (including distance measurements) on both
41 the proposed site plan (sheet C-2) and the proposed landscaping plan (sheet C-4).
42
- 43 n. Indicate the required 322 square feet of solid waste/recycling collection area, which
44 shall meet the setback, screening, enclosure design and location standards of LDC
45 Section 114-21.
46

- 1 o. The design of the public improvements within Second Avenue, the T-turnaround at
2 East First Street, the roundabout design and the three driveways shall be approved by
3 the County Engineer and the County Fire Marshal.
4
- 5 p. Please make all of the miscellaneous corrections outlined under “Other Issues” above.
6
- 7 q. Provide the calculation of open space within the shoreline setback on the proposed
8 site plan (sheet C-2).
9
- 10 r. Revise the landscaping plan (sheet C-4) to provide the required amount of Class C
11 landscaping based on the correct amount of off-street parking spaces proposed.
12
- 13 s. Revise the landscaping plan (sheet C-4) to indicate the required Class C buffers along
14 the UR-SC district boundary to the southwest adjacent to Second Avenue and along
15 the UR-SC district boundary to the southeast adjacent to East Second Street.
16
- 17 t. Revise the landscaping plan (sheet C-4) to indicate the required street trees, pursuant
18 to LDC Section 114-104.
19
- 20 2. Prior to the Planning Commission hearing, the applicant shall address the attached
21 comments from the County’s transportation consultant and the County Engineer.
22
- 23 3. Pursuant to the development agreement approved by BOCC Resolution No. 493-2007:
24
- 25 a. The accessory dock slips shall be for the exclusive use of on-site owners and guests
26 and shall not be operated as a commercial marina. No live-aboards shall be permitted.
27 The owner shall record in the public records of Monroe County a deed restriction in a
28 form acceptable to the County prohibiting the use of live-aboards on the property.
29
- 30 b. All utilities shall be installed underground where practicable and all utility facilities
31 shall be screened. Shaded light sources shall be utilized to illuminate all signs,
32 facades, buildings, parking and loading areas, and such lighting shall be arranged to
33 eliminate glare to parcels lying outside the property. No intermittent or flashing lights
34 or flashing signs shall be allowed.
35
- 36 c. The owner shall utilize best installation and maintenance practices for landscaping
37 throughout the property, including but not limited to that which is required in the
38 County Land Development Code, throughout the project. Seventy percent (70%) of
39 all required plants shall be Florida Keys native plants that are suitable for the site
40 conditions and are a species typical of the Upper Keys. The Owner shall remove all
41 Category I invasive exotic plants on the property.
42
- 43 d. The owner shall provide copies of the recorded Unity of Title combining the upland
44 parcels described in Exhibit A of the development agreement.
45
- 46 e. No Certificate of Occupancy for a permanent individual building, with the exception
of a temporary sales office/model unit, shall be issued until the County has assured

1 itself that, subsequent to approved plans, the Owner has complied with all conditions
2 in the permits issued by the County and other regulatory entities for that building.
3

4 f. The development agreement expires on March 6, 2018. The owner shall obtain the
5 first Certificate of Occupancy for a building on the property no later than March 6,
6 2018, unless a time extension is approved as provided for in the development
7 agreement and County Code.
8

9 g. Approval of this major conditional use permit effectively transfers the two (2)
10 permanent market-rate Rate of Growth Ordinance (ROGO) exemptions and eight (8)
11 transient ROGO exemptions to Monroe County. These ROGO exemptions shall not
12 return to the Applicant.
13

14 4. Prior to the issuance of a certificate of occupancy for any new building, all required
15 landscaping shall be formally approved by a Building Permit, planted and pass a final
16 inspection by the County Biologist or designee.
17

18 5. Prior to the issuance of a building permit, the applicant shall submit a stormwater
19 management plan, prepared in accordance with LDC Section 114-3(g).
20

21 6. A major conditional use permit is not a final approval for certain development. The
22 applicant shall obtain building permits for any improvement requiring such an approval.
23

24 7. The scope of work has not been reviewed for compliance with Florida Building Code.
25 Prior to the issuance of Building Permits, new development and structures shall be found
26 in compliance by the Monroe County Building Department, Floodplain Administrator,
27 and the Office of the Fire Marshal.
28

29 8. The Public Works Division shall review any proposed work within County public rights-
30 of-way and the Division maintains the right to request revisions as it carries out its review
31 of any application for an access permit. It is the responsibility of the applicant to obtain
32 all required permits before starting work.
33

34 VI. PLANS REVIEWED:
35

- 36 A. Existing Site Plan (C-1) by deHaas Consulting & Design, undated
- 37 B. Proposed Site Plan (C-2) by deHaas Consulting & Design, undated, revised 6/15/2016
- 38 C. Proposed Parking Plan (C-3) by deHaas Consulting & Design, undated
- 39 D. Proposed Landscaping Plan (C-4) by deHaas Consulting & Design, undated
- 40 E. Building 1 & 2 Floor Layout (A-1) by deHaas Consulting & Design, undated
- 41 F. Plan View (A-2) by deHaas Consulting & Design, undated
- 42 G. Elevations–Building 1 (A-3) by deHaas Consulting & Design, undated, revised 6/15/2016
- 43 H. Elevations–Building 2 (A-4) by deHaas Consulting & Design, undated, revised 6/15/2016
- 44 I. Reception Building Floor Plan (A-5) by deHaas Consulting & Design, undated
- 45 J. Reception Building Elevation (A-6) by deHaas Consulting & Design, undated, revised
46 6/15/2016

- 1 K. Laundry Building (A-7) by deHaas Consulting & Design, undated, revised 6/15/2016
- 2 L. Elevator Elevations (A-8) by deHaas Consulting & Design, undated, revised 6/15/2016
- 3 M. Architectural Details (A-9) by deHaas Consulting & Design, undated
- 4 N. Conceptual Stormwater Management Plan (SW) by deHaas Consulting & Design,
- 5 undated
- 6 O. Boundary, Mean High Water Line & Topographic Survey by Keith M. Chee-A-Tow,
- 7 P.L.S. of Aviom & Associates, Inc. dated 4/2/2015 and last revised 3/28/2016
- 8

9 VII. EXHIBITS:

- 10
- 11 1. Engineering Department Memorandum dated June 6, 2016 from Judith Clarke, P.E.
- 12 Director of Engineering Services
- 13 2. Level III Traffic Impact Study June 2016 Update – Review dated August 16, 2016 from
- 14 John Arrieta, P.E., PTOE Senior Traffic Engineer/Transportation Planner
- 15 3. Road Abandonments
- 16 4. Development Agreement
- 17 5. Prior Major Conditional Use Permit and approved site plan
- 18 6. Lease Agreement



**Engineering Department
MEMORANDUM**

To: Kevin Bond, Development Review Manager
From: Judy Clarke, Director of Engineering Services
Date: June 6, 2016
Re: 2016-076 Major Conditional Use Key Marina Development LLC

I have reviewed the plans for the above referenced May 6, 2016 submittal and have the following comments:

1. Sheet C-1 Site Plan does not reflect the most recent proposed version of right of way improvements currently under review by Engineering Department.
2. Sheet C-2 Proposed Site Plan depicts the Registration Building encroaching onto the cul-de-sac that was required by the Fire Department for vehicle turnaround. Current right of way permit plans depict roadway within the cul-de-sac in that area; buildings should be set back from road as appropriate.
3. Sheet C-2 Proposed Site Plan- the easternmost parking lot entrance should be eliminated due to its proximity to the cul-de-sac; current right of way plans depict required stormwater management swales and on street parallel parking spaces in this area. Required stormwater swales on right of way extend through location of the second parking lot entrance so this should be relocated or right of way plan must be reconfigured and resubmitted.
4. The stormwater management for the cul-de-sac will be addressed under the pending right of way permit (including portion within easement). The stormwater management for the brick paver walkway that will connect the cul-de-sac to E. 2nd Street should be addressed under the building department permit.

If you should need any additional information please feel free to contact me.



August 16, 2016

Mr. Kevin Bond – *Planning and Development Review Manager*
Monroe County Planning & Environmental Resources Department
2798 Overseas Highway, Suite 410
Marathon, FL 33050-4277

via eMail

**Re: Mandalay Key Marina – Key Largo (US 1 – MM 98.0)
Level III Traffic Impact Study June 2016 Update - Review**

Dear Mr. Bond:

We have reviewed the traffic impact study updated June 30, 2016 submitted by *KBP Consulting, Inc.* in support of Mandalay/Key Marina Development FILE#2016-076 application, and received via email on August 4, 2016.

- A Traffic Methodology Memorandum was not included with the report, nor is it mentioned that the methodology was discussed and approved by County Staff.
- *Background data:* The site is located near MM 98.0 along US 1 just north of 2nd Avenue, Key Largo, Florida. The property has approximately 3.5 acres. The existing site provides a waterfront restaurant and vacant land. The subject site is proposed to be redeveloped as *Mandalay Condominium* to provide 22 residential condominium dwelling units and three (3) transient (hotel) dwelling units in addition to the existing waterfront restaurant, which will remain unchanged as a result of this project.
- *Site Plan:* A reduced size site plan is included with the traffic report. Access to the site is proposed to be provided via three (3) driveways along 2nd Avenue. A review of the provided site plan yielded the following comments (see attachment):
 1. The site plan does not show if the existing foliage along 2nd Avenue is outside, does not impede, or is to be removed from within the sight triangles at the driveways to attest for clear sight visibility.
 2. The vehicle maneuverability details are not presented on the site plan. Specific areas of concern are:
 - a. Boat Trailer Parking.
 - b. Turnaround area for E. 1st Street.
 - c. Parking underneath buildings. Does Building 1 provide a turnaround area?
 - d. Use of excess areas in front of the Reception Building.
 - e. Configuration/use of the roundabout.
 3. The site plan shows the dumpster within the Boat Trailer Parking. How is this dumpster going to be used? It does not show connection to, and it is far from the building within the property.
 4. The report states in page 3 that one of the driveways will be one-way inbound only. The site plan seems to indicate that all three driveways are two-way; please clarify.
 5. The Reception Building shows two (2) protrusions into the travel way. Please clarify their need and impact to the travel way.
 6. Bike racks are shown next to the Reception Building. Please place some bike racks abutting the pool area to serve expected demand from the pool, so bicyclist could access them without having to cross E. 2nd Street.
- *Trip Generation:* The trip generation for this traffic study is based on *ITE Trip Generation Manual - 9th Edition* using ITE land uses 230 and 310. A trip generation was not calculated for the existing restaurant. A trip generation based on the existing site survey or ITE Land Use 931 – Quality Restaurant should be done.



The report indicates that the proposed development (net new trips without including the existing restaurant) is anticipated to generate 148 total daily trips, of which 12 are AM peak hour trips (3 inbound and 9 outbound) and 13 are PM peak hour trips (8 inbound and 5 outbound), respectively. Based on ITE Land Use 931 trip generation rates and a 4,975 sq. ft. restaurant (measurement taken from site plan provided in Appendix A), the existing restaurant is anticipated to generate 438 daily trips. We do not concur with the statement that a Level I analysis is required. The total gross trip generation is over 500 vehicles per day; therefore, a Level III analysis would be required.

- *U.S. 1 Traffic Impact and Reserve Capacity:* The updated analysis uses the 2015 TTDS Level of Service and Reserve Capacity Table. Based on this table, reserve capacities for US 1 Segments # 20 through 24 are identified to have adequate reserve capacity to accommodate the project trips based on a non-linear trip dissipation based on the population located within each US 1 Segment.

At this time, we concur with the findings that the proposed Mandalay/Key Marina development would not degrade the LOS of surrounding roadways. However, further consideration should be given to the six (6) comments under the Site Plan review section. Also, the applicant's consultant should certify that the site driveways provide clear sight visibility and the site is designed to accommodate the design vehicle as part of a Level III analysis. Should you have any questions, feel free to call me.

Sincerely,
URS Corporation Southern


John Arrieta, PE, PTOE
Senior Traffic Engineer/Transportation Planner

cc: Ms. Mayte Santamaria – Monroe County

RESOLUTION NO. 603 - 2006**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO A PORTION OF EAST FIRST STREET, BEING PART OF MANDALAY SUBDIVISION LOCATED IN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (KEY LARGO) AND APPROVAL OF THE CORRELATING REVERTER AGREEMENT, PUBLIC ACCESS EASEMENT AND MAINTENANCE AGREEMENT.**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes, and

WHEREAS, at said public hearing the Board considered the argument of all parties present wishing to speak on the matter, and all premises considered concerning the renouncing and disclaiming of any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, and

WHEREAS, the Petitioner provided an executed *Reverter Agreement* for return of the abandoned portion of road if the Mandalay Property is not approved for development and if the Petitioner does not undertake development within 2 years from the date of this Resolution (which time will be extended for a reasonable period provided the Petitioner is substantially moving forward with development), said *Reverter Agreement* being attached hereto as EXHIBIT I, and made a part of this Resolution; and

WHEREAS, the Petitioner provided an executed *Public Access Easement* to Monroe County to ensure that after the abandonment, property owners in the Mandalay subdivision, and their guests and invitees and the public, will have ingress and egress across that portion of East Second Right-of-way described in Exhibit "A" to the Easement, said *Public Access Easement* being attached hereto as EXHIBIT II, and made a part of this Resolution; and

WHEREAS, the Petitioner provided an executed *Maintenance Agreement* to improve and maintain that portion of East Second Avenue shown on Exhibit B of the Agreement; said *Maintenance Agreement* being attached hereto as EXHIBIT III, and made a part of this Resolution; and

WHEREAS, the Board has determined that vacation of the said road is for the general public welfare, and conforms to the requirement of Florida Statutes Secs. 336.09 and 336.10; now, therefore,

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, hereby

1. Renounces and disclaims any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00" E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;

thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;

thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00" E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;

thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;

thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet; thence continue along said right-of-way line N.45°00'00"East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.

Subject to easements, restrictions and reservations of record;

Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.

(See Attached Exhibit A)

2. Accepts and approves the Reverter Agreement (attached as EXHIBIT I), the Public Access Easement (attached as EXHIBIT II), and the Maintenance Agreement (attached as EXHIBIT III) and made a part of this Resolution.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board on the 15th day of November, 2006.

Mayor DiGennaro	<u>Yes</u>
Mayor Pro Tem Spehar	<u>Yes</u>
Commissioner Neugent	<u>Yes</u>
Commissioner Murphy	<u>No</u>
Commissioner McCoy	<u>Yes</u>

(SEAL)

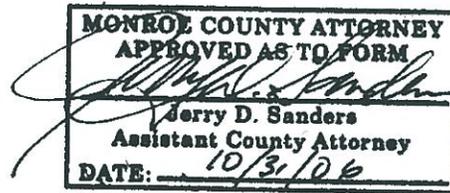
Attest: DANNY L.KOLHAGE, Clerk

By *Daniel C. De Santis*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

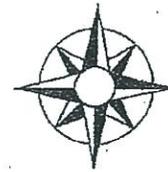
By *Mario DiGennaro*
Mayor/Chairperson

(KMP:RAP: EAST FIRST ST, KL MANDALAY SUB 11.15..06)



FILED FOR RECORD
2007 FEB 15 PM 4:34
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

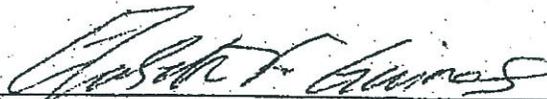
of a portion of East First Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

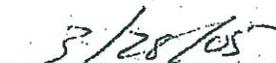
All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00"E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;
thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

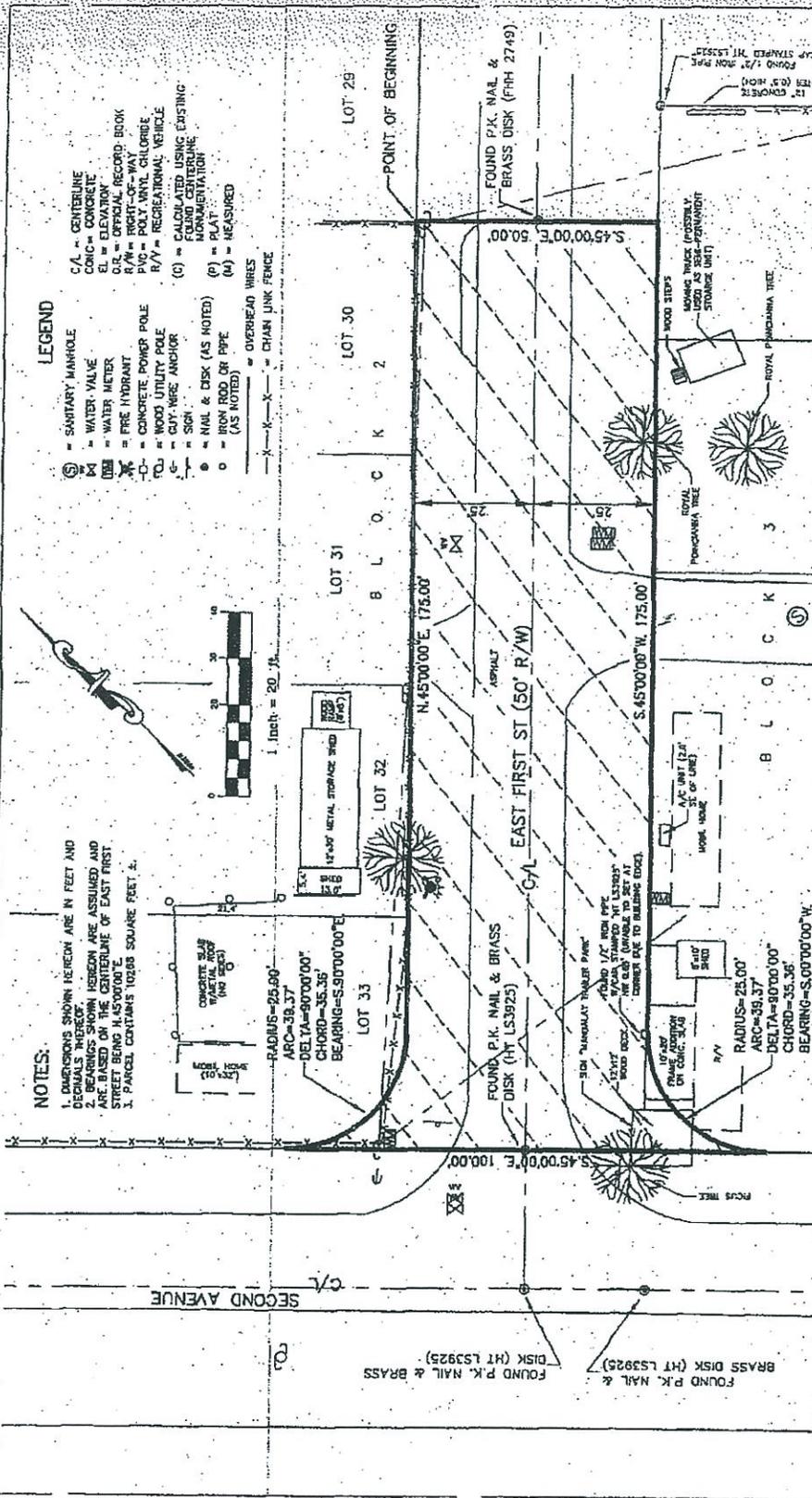
Reference: 0169-1102-008.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com

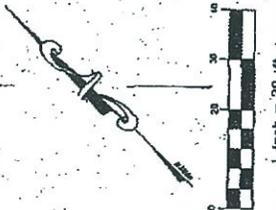
EXHIBIT

A

tabbles



- LEGEND**
- ① - SANITARY MANHOLE
 - M - WATER VALVE
 - W - WATER METER
 - PH - FIRE HYDRANT
 - CP - CONCRETE POWER POLE
 - CU - WOOD UTILITY POLE
 - CA - COT. WIRE ANCHOR
 - CS - SIGN
 - CD - NAIL & DISK (AS NOTED)
 - CO - IRON ROD OR PIPE (AS NOTED)
 - OC - OVERHEAD WIRES
 - OX - CHAIN LINK FENCE
 - CA - CENTERLINE
 - CO - CONCRETE
 - EL - ELEVATION
 - OR - OFFICIAL RECORD BOOK
 - R/W - RIGHT-OF-WAY
 - R/V - RECREATIONAL VEHICLE
 - (C) - CALCULATED USING EXISTING DATA
 - (P) - PLAT
 - (M) - MEASURED



NOTES:

1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00\"/>

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST FIRST STREET, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION)

PREPARED BY: *Elizabeth F. Gaines* DATE SIGNED: *3/14/04*

ELIZABETH F. GAINES, P.S.M. FL LIC. NO. 4576 DATE SIGNED: *3/14/04*

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 03/14/2004
 DATE OF FIELD WORK: 3/18/2004
 SCALE: 1"=20'
 F.B./P.C.: 122/3-5
 FILE NAME: 0169-1102-008.DWG

E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-34B
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

Return to:

County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio)
Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for
Recording

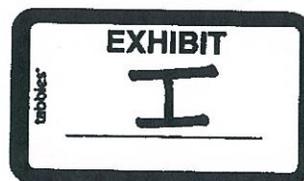
REVERTER AGREEMENT

THIS Agreement is made this 15th day of November 2006, by and between Ocean Sunrise Associates, LLC, a Florida limited liability company (hereinafter "OSA"), whose address is: 12800 University Drive, Suite 400, Fort Myers, Florida 33907, and Monroe County, by its Board of County Commissioners (hereinafter "County").

WHEREAS, the OSA has petitioned COUNTY to abandon those portions of East First Street and East Second Street as set forth in **Exhibit A** attached hereto; and

WHEREAS, the COUNTY is willing to abandon those portions of East First Street and East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit A**; and

WHEREAS, as a condition of that abandonment County has requested OSA agree to this reverter agreement to ensure that after the abandonment, if the Mandalay Property is not approved for development and OSA (its successors or assigns) does not undertake development within 2 years from the date of this agreement (which time will be extended



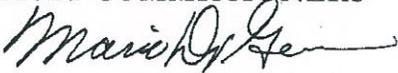
for a reasonable period provided OSA is substantially moving forward with development), then the property which has been abandoned (**Exhibit A**) will revert back to and be transferred back to ownership by Monroe County.

NOW, THEREFORE, for and in consideration of Monroe County's abandonment of the property herein and OSA's agreement to either develop the property set forth in **Exhibit B** or have the property revert back to ownership by Monroe County, the Parties agree as follows:

1. Monroe County Board of County Commissioners ("County") agrees to abandon that property set forth on **Exhibit A** and transfer ownership of this property to Ocean Sunrise Associates, LLC ("OSA"), a Florida Limited Liability Company.
2. OSA agrees that they will grant all easements and obtain all consents necessary from all utilities in a timely manner as required for completion of the project and as may reasonably be required by Monroe County.
3. Ocean Sunrise Associates, LLC agrees that they will timely move forward with plans to develop that property set forth herein as **Exhibit B** (as the same may be modified from time to time, a portion of which encompasses the property abandoned by County, that is, those portions of East 1st Street and East 2nd Street.
4. County and OSA agree that if OSA has not substantially moved forward with development of the Mandalay Project within two (2) years from the date the Board of County Commissioners approves the request for abandonment that the property (**Exhibit A**) abandoned and transferred to OSA will revert and be transferred back to County.

DATED this 15th day of November, 2006.

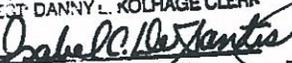
MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS

By 
Printed Name Mario DiGennaro
Title Mayor/Chairperson

OCEAN SUNRISE ASSOCIATES, LLC

By 
Printed Name Doug Cordella
Title V.P.

(SEAL)
ATTORNEY DANNY L. KOLHAGE CLERK


CLERK
11-15-06

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


JERRY D. SANDERS
ASSISTANT COUNTY ATTORNEY
11/26/06

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

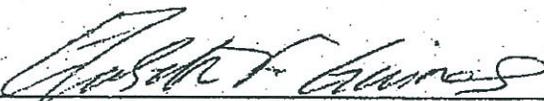
of a portion of East First Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

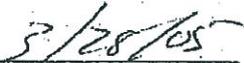
All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00"E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;
thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-008.dwg

1342 Colonial Boulevard, Suite E-34E, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com

EXHIBIT

A

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

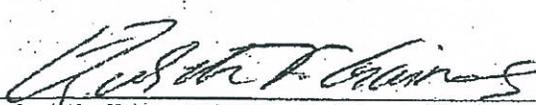
of a portion of East Second Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

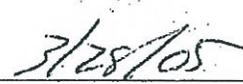
All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 100.79 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East Second Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.

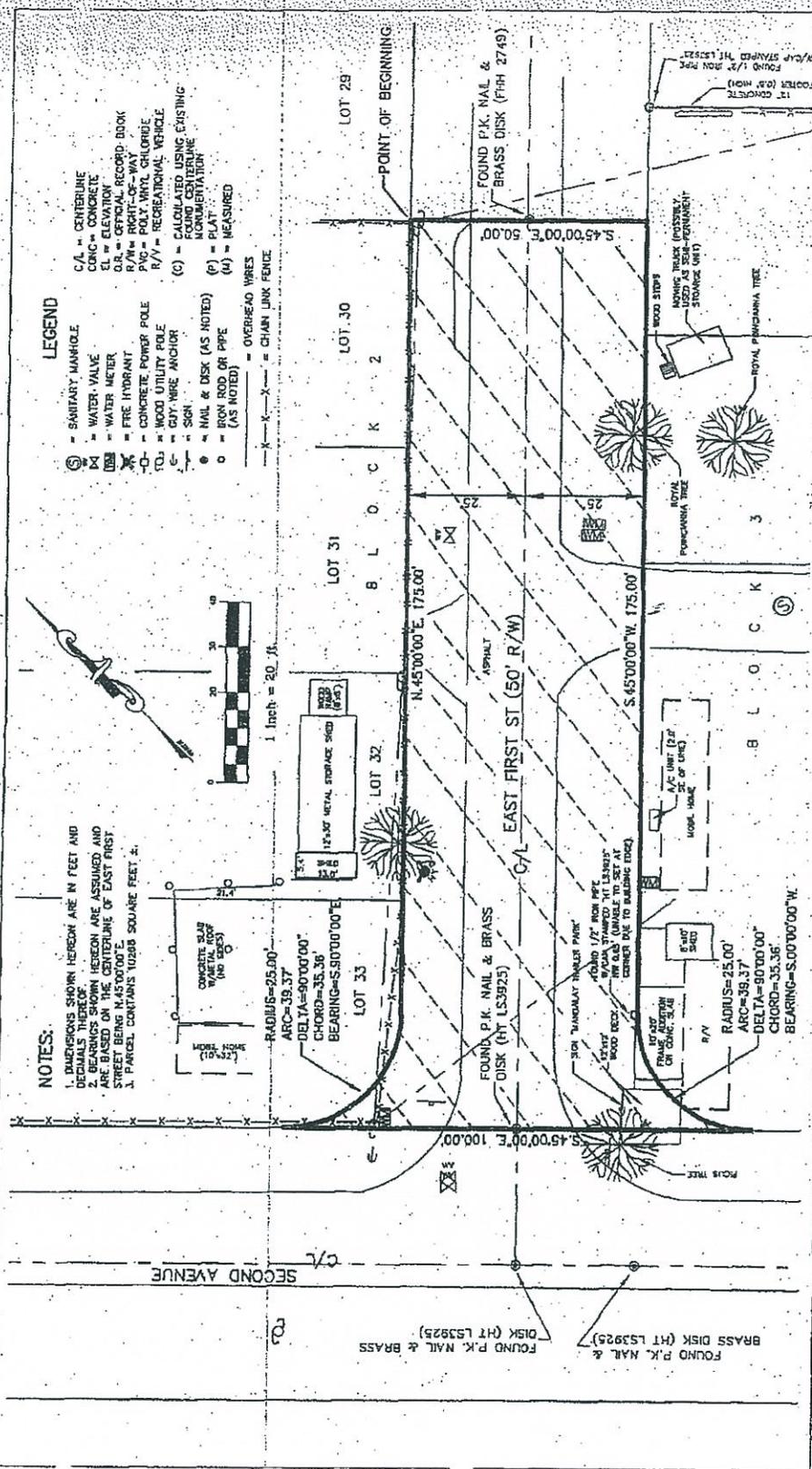

Elizabeth F. Gaines, PSM Florida License No. 4576


Date

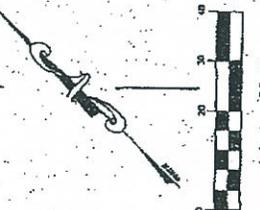
Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-009.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com



- LEGEND**
- - SANITARY MANHOLE
 - ⊕ - WATER VALVE
 - ⊗ - WATER METER
 - ⊕ - FIRE HYDRANT
 - ⊕ - CONCRETE POWER POLE
 - ⊕ - WOOD UTILITY POLE
 - ⊕ - CITY WIRE ANCHOR
 - ⊕ - SIGN
 - ⊕ - NAIL & DISK (AS NOTED)
 - ⊕ - IRON ROD OR PIPE (AS NOTED)
 - ⊕ - OVERHEAD WIRES
 - ⊕ - CHAIN LINK FENCE
 - ⊕ - CENTERLINE
 - ⊕ - CONCRETE
 - ⊕ - ELEVATION
 - ⊕ - OFFICIAL RECORD BOOK
 - ⊕ - RIGHT-OF-WAY
 - ⊕ - POLY-VINYL CHLORIDE
 - ⊕ - RECREATIONAL VEHICLE
 - ⊕ - CALCULATED USING EXISTING FOUND CENTERLINE
 - ⊕ - PLANT IDENTIFICATION
 - ⊕ - MEASURED



NOTES:

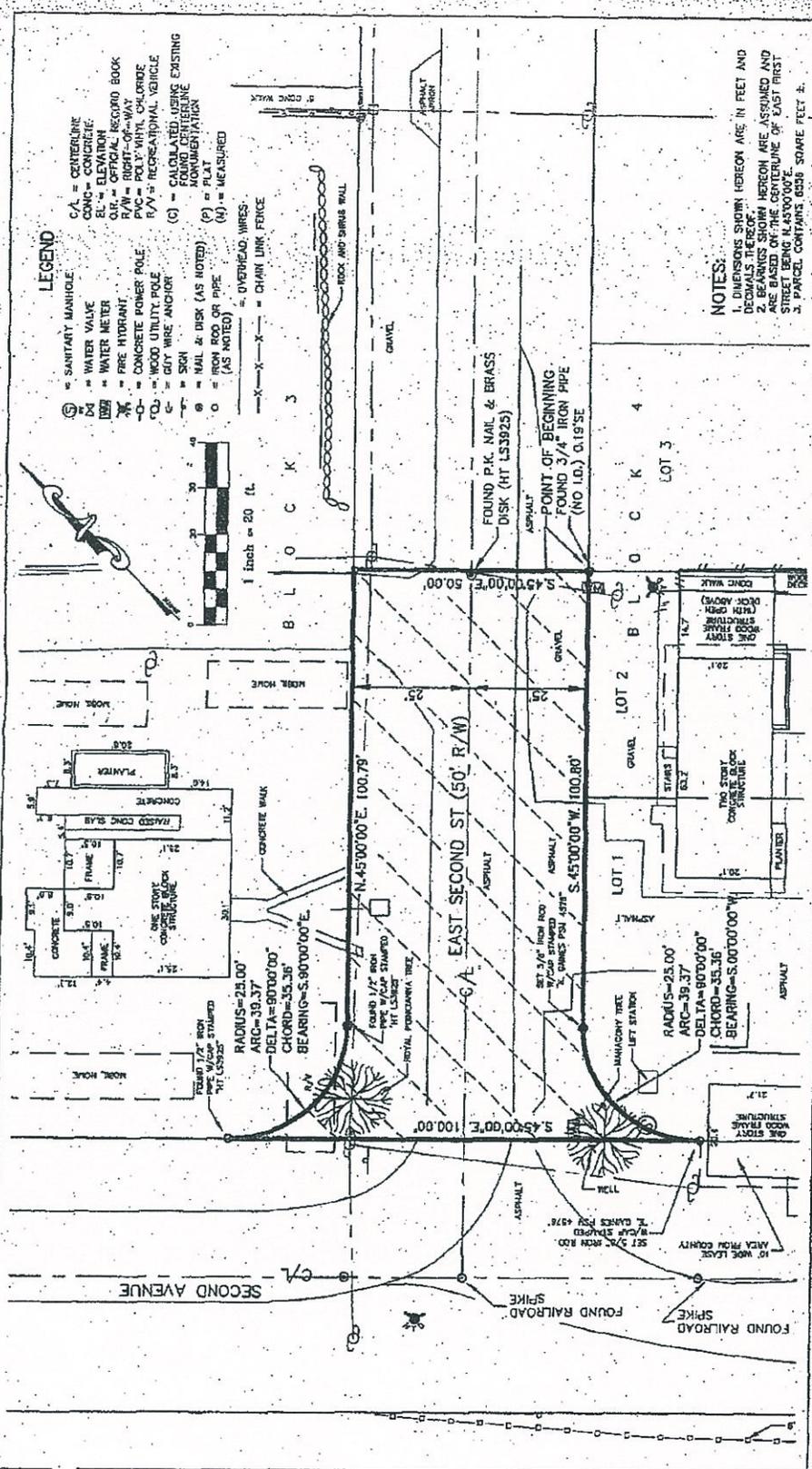
1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS SHOWN HEREON ARE ASSUMED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00"E.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00"E.
3. PARCEL CONTAINS 10,288 SQUARE FEET ±.

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 03/14/2005
 DATE OF FIELD WORK: 3/18/2004
 SCALE: 1"=20'
 F.B./P.C.: 122/3-5
 FILE NAME: 0168-1102-008.DWG

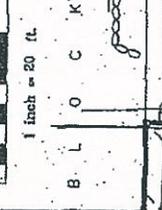
E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-34B
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST FIRST STREET, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION)

PREPARED BY: *[Signature]* DATE SIGNED: 3/14/05
 EUGENIETH F. GAINES, P.S.M. FL LIC. NO. 4576
 I, JIM WILD, WITHOUT THE SIGNATURE AND THE ORIGINAL BASED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



- LEGEND**
- = SANITARY MANHOLE
 - ⊕ = WATER VALVE
 - ⊕ = FIRE HYDRANT
 - ⊕ = CONCRETE POWER POLE
 - ⊕ = WOOD UTILITY POLE
 - ⊕ = GUY WIRE ANCHOR
 - ⊕ = SOIL NAIL & DISK (AS NOTED)
 - ⊕ = IRON ROD OR PIPE (AS NOTED)
 - ⊕ = CHAIN LINK FENCE
 - ⊕ = OVERHEAD WIRES
 - ⊕ = PLAT MONUMENT
 - ⊕ = MEASURED



NOTES:

1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. DIMENSIONS ARE ASSUMED AND ARE BASED ON THE CURVATURE OF EAST FIRST STREET BEING 1/4500000.
2. PARCEL CONTAINS 6336 SQUARE FEET ±.

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 03/14/2005
 DATE OF FIELD WORK: 3/18/2004
 SCALE: 1" = 20'
 F.B./P.C.: 122/3-5
 FILE NAME: 0169-1102-009.DWG

E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-348
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST SECOND STREET, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION).

PREPARED BY: *[Signature]* DATE SIGNED: *[Signature]*

EDIZABETH F. GAINES, P.S.M. FL LIC. NO. 4576

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

Return to:
County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio) Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for Recording

PUBLIC ACCESS EASEMENT

THIS EASEMENT, made this 15th day of November 2006, by and between Ocean Sunrise Associates, LLC, a Florida limited liability company, Grantor, whose address is: 12800 University Drive, Suite 400, Fort Myers, Florida 33907, to Monroe County, Grantee.

WITNESSETH:

WHEREAS, the Grantor has petitioned Grantee to abandon that portion of East Second Street as set forth in **Exhibit "A"** attached hereto; and

WHEREAS, the Grantee is willing to allow Grantor to abandon a portion of East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit "A"**; and

WHEREAS, as a condition of that abandonment Grantee has requested Grantor agree to this public access easement to ensure that after the abandonment, property owners in the Mandalay subdivision, and their guests and invitees, will have ingress and egress across that portion of East Second Street Right-of-way described in **Exhibit "A"** that is abandoned by Grantee;

NOW, THEREFORE, for and in consideration of the accessibility herein made available to Grantee, the Grantor does grant to Grantee on behalf of property owners in the Mandalay subdivision, their successors and their guests and invitees, a perpetual easement on and over that portion of East Second Street, which is described in **Exhibit "A"** and attached hereto for the purpose of ingress and egress only.



IN WITNESS WHEREOF, Grantor has executed this easement, on the day and year first stated above.

GRANTOR:

OCEAN SUNRISE ASSOCIATES, LLC,
A Florida limited liability company

WITNESSES:
Michael J. Hillman
[Signature]

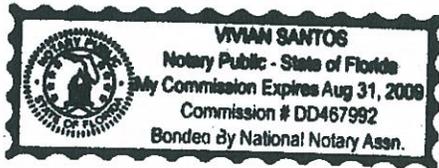
By: [Signature]
Printed Name: Doug Cordello
Managing Member

STATE OF FLORIDA)
COUNTY OF)

The foregoing instrument was acknowledge before me this 24th day of October 2006, by Doug Cordello, as Managing Member of Ocean Sunrise Associates, LLC, a Florida limited liability company, who is () personally known to me or (x) who provided driver's license as identification and who did take an oath.



[Signature]
Notary Signature and Seal



ATTEST: DANNY L. KOLHAGE
CLERK OF THE COURT

BY: [Signature]
Deputy Clerk 11-15-06

ACCEPTED BY:

GRANTEE:

BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY: [Signature]
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

[Signature]
JERRY D. SANDERS 10/26/06
ASSISTANT COUNTY ATTORNEY

DESCRIPTION:

A PORTION OF BLOCK 3 AND EAST SECOND STREET, MANDALAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 PAGE 194, BEING IN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF EAST FIRST STREET AND SECOND AVENUE, ACCORDING TO SAID PLAT OF MANDALAY; THENCE ALONG THE CENTERLINE OF SECOND AVENUE SOUTH 44°37'16" EAST, A DISTANCE OF 242.03 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 45°22'44" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SECOND AVENUE; THENCE SOUTH 44°37'16" EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND EXTENSION THEREOF, A DISTANCE OF 98.15 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 50.29 FEET, A CENTRAL ANGLE OF 42°24'49" AND A CHORD DISTANCE OF 36.38 FEET WHICH BEARS NORTH 13°49'03" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.23 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 91.12 FEET, A CENTRAL ANGLE OF 22°20'51" AND A CHORD DISTANCE OF 35.32 FEET WHICH BEARS NORTH 06°53'42" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.54 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 24.46 FEET, A CENTRAL ANGLE OF 60°02'19" AND A CHORD DISTANCE OF 24.48 FEET WHICH BEARS NORTH 31°18'18" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 25.63 FEET; THENCE NORTH 64°10'43" EAST, A DISTANCE OF 35.68 FEET; THENCE NORTH 72°15'39" EAST, A DISTANCE OF 20.56 FEET; THENCE NORTH 44°37'45" WEST, A DISTANCE OF 33.25 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 8.73 FEET, A CENTRAL ANGLE OF 54°28'53" AND A CHORD DISTANCE OF 7.99 FEET WHICH BEARS SOUTH 27°39'51" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 8.30 FEET; THENCE SOUTH 63°40'53" WEST, A DISTANCE OF 16.18 FEET; THENCE SOUTH 68°04'17" WEST, A DISTANCE OF 29.28 FEET; THENCE SOUTH 11°13'06" WEST, A DISTANCE OF 3.30 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.37 FEET, A CENTRAL ANGLE OF 25°00'06" AND A CHORD DISTANCE OF 21.81 FEET WHICH BEARS SOUTH 41°24'43" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 21.98 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 21.70 FEET, A CENTRAL ANGLE OF 62°19'22" AND A CHORD DISTANCE OF 22.45 FEET WHICH BEARS SOUTH 52°47'41" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.60 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 52.57 FEET, A CENTRAL ANGLE OF 41°20'05" AND A CHORD DISTANCE OF 37.11 FEET WHICH BEARS SOUTH 76°40'48" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.13 ACRES (5,474 SQUARE FEET), MORE OR LESS

In accordance with CH-61G17-6
of the Florida Administrative Code,
this Description and Sketch of Description
bears the notation:

THIS IS NOT A SURVEY.

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR SKETCH

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF SECOND AVENUE BEING S 44°37'16" E, PER PLAT.

SKETCH OF DESCRIPTION

OF
PORTION OF
MANDALAY

MONROE COUNTY, FLORIDA

SECTION 6-62-39

DATE: 10/18/2006
SCALE: N/A DRAWN BY: GHF
APPROVED BY: DMD
JOB NO. ASM52588 MANDALAY
(SOD).dwg

REVISED: _____



AMERICAN SURVEYING & MAPPING
STATE LICENSE OF AUTHORIZATION NUMBER LB#6393
1030 N. ORLANDO AVENUE SUITE B
WINTER PARK, FLORIDA
32789 (407) 426-7979

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

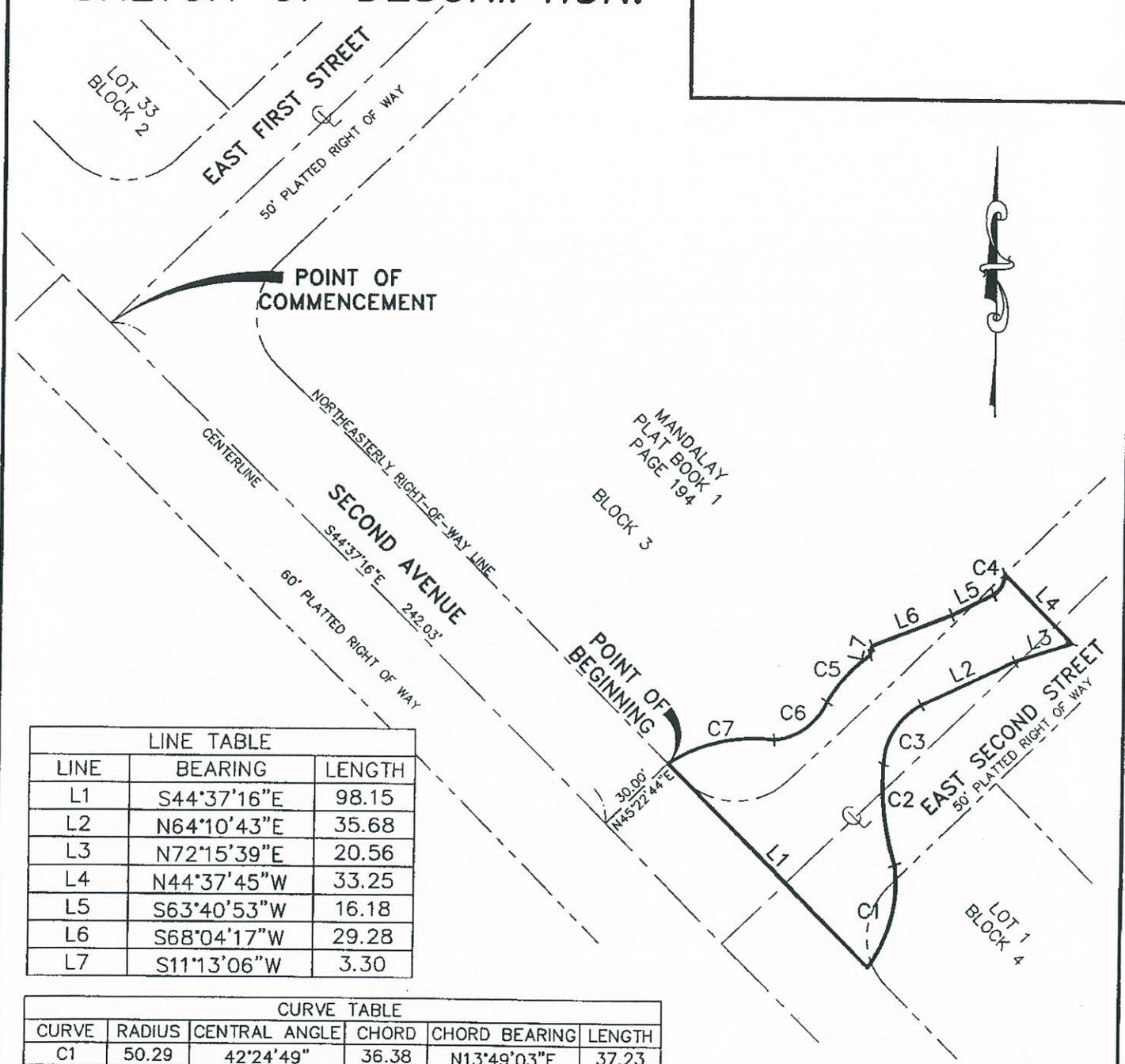
David M. DeFilippo
DAVID M. DeFILIPPO

PSM #5038

DATE: Oct 20, 2006



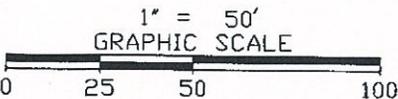
SKETCH OF DESCRIPTION:



LINE TABLE		
LINE	BEARING	LENGTH
L1	S44°37'16\"E	98.15
L2	N64°10'43\"E	35.68
L3	N72°15'39\"E	20.56
L4	N44°37'45\"W	33.25
L5	S63°40'53\"W	16.18
L6	S68°04'17\"W	29.28
L7	S11°13'06\"W	3.30

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING	LENGTH
C1	50.29	42°24'49\"	36.38	N13°49'03\"E	37.23
C2	91.12	22°20'51\"	35.32	N06°53'42\"W	35.54
C3	24.46	60°02'19\"	24.48	N31°18'18\"E	25.63
C4	8.73	54°28'53\"	7.99	S27°39'51\"W	8.30
C5	50.37	25°00'06\"	21.81	S41°24'43\"W	21.98
C6	21.70	62°19'22\"	22.45	S52°47'41\"W	23.60
C7	52.57	41°20'05\"	37.11	S76°40'48\"W	37.93

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR DESCRIPTION



DATE: 10/18/2006
 SCALE: 1"=50' DRAWN BY: GHF
 APPROVED BY: DMD
 JOB NO. ASMS2588 MANDALAY
 (SOD).dwg

REVISED:

AMERICAN SURVEYING & MAPPING
 CERTIFICATE OF AUTHORIZATION NUMBER LB#6393
 1030 N. ORLANDO AVENUE SUITE B
 WINTER PARK, FLORIDA
 32789 (407) 426-7979

Return to:

County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio)
Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for
Recording

MAINTENANCE AGREEMENT

WHEREAS, the OSA has petitioned COUNTY to abandon those portions of East First Street and East Second Street as set forth in **Exhibit A** attached hereto; and

WHEREAS, the COUNTY is willing to abandon those portions of East First Street and East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit A**; and

WHEREAS, as a condition of that abandonment OSA has agreed to this maintenance agreement to improve and maintain that portion of East Second Avenue shown on **Exhibit B**.

NOW, THEREFORE, for and in consideration of Monroe County's abandonment of the property set forth on Exhibit A and OSA's agreement to maintain the property set forth in **Exhibit B**, the Parties agree as follows:

1. Monroe County Board of County Commissioners ("County") agrees to abandon that property set forth on **Exhibit A** and transfer ownership of this property to Ocean Sunrise Associates, LLC ("OSA"), a Florida Limited Liability Company.



2. OSA agrees to improve and maintain that portion of East 2nd Avenue as shown on the legal descriptions and survey (**Exhibit B**).
3. The specific maintenance and improvement plans for East 2nd Avenue will be approved by the County Engineer and all other County departments required to approve the configuration and maintenance of County roads.
4. OSA understands that the specific requirements for maintenance and improvement may change from time to time, and agrees to comply with all reasonable requests for changes and upgrades.

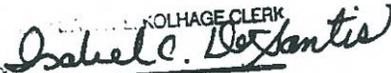
DATED this 15th day of November, 2006

**MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By 
 Printed Name Mario DiGennaro
 Title Mayor/Chairperson

OCEAN SUNRISE ASSOCIATES, LLC

By 
 Printed Name Doug Cardillo
 Title V.P. its manager

DEPUTY CLERK

DEPUTY CLERK

**MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:**

 JERRY D. SANDERS 10/26/06
 ASSISTANT COUNTY ATTORNEY

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

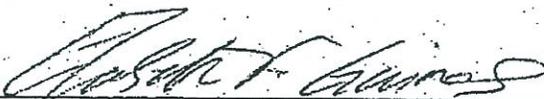
of a portion of East First Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00"E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;
thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00" East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-008.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com

EXHIBIT

A

tabbles

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

of a portion of East Second Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 100.79 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East Second Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.

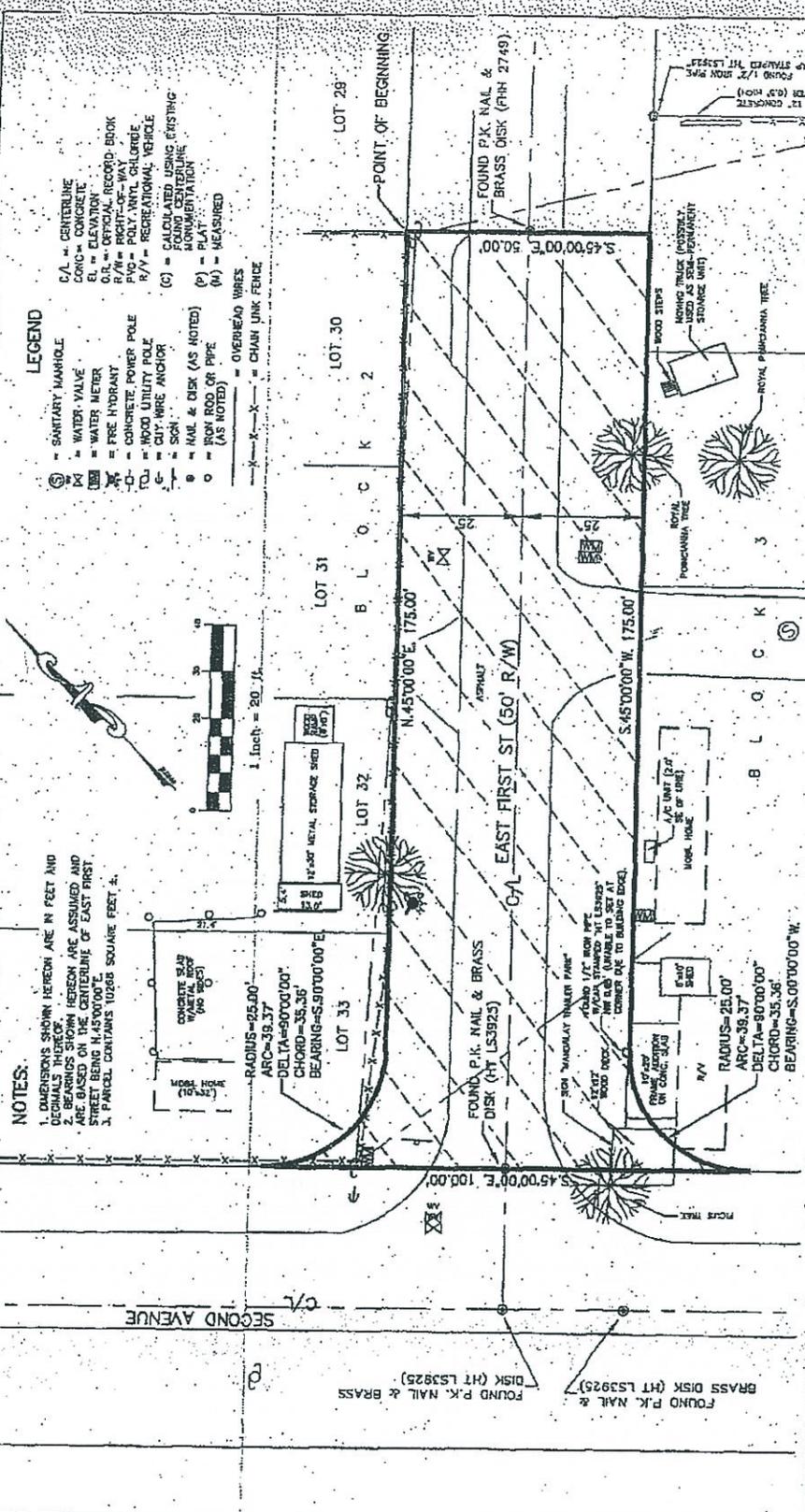

Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-009.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com



NOTES:

1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
2. DIMENSIONS SHOWN HEREON ARE ASSUMED AND ARE BASED ON THE CORNER MEASURE OF EAST FIRST STREET BEING N. 45°00'00" E. 100.00'.
3. PARCELL CONTAINS 10268 SQUARE FEET ±.

LEGEND

- ⊙ - SANITARY MANHOLE
- ⊕ - WATER VALVE
- ⊖ - WATER METER
- ⊗ - FIRE HYDRANT
- ⊘ - CONCRETE POWER POLE
- ⊙ - WOOD UTILITY POLE
- ⊙ - CUT-WIRE ANCHOR
- ⊙ - NAIL & DISK (AS NOTED)
- ⊙ - IRON ROD OR PIPE (AS NOTED)
- ⊙ - MEASURED
- ⊙ - CALCULATED USING EXISTING FOUND CENTERLINE
- ⊙ - RECREATIONAL VEHICLE
- ⊙ - POLY NYL. CHLORIDE
- ⊙ - RIGHT-OF-WAY
- ⊙ - OFFICIAL RECORD BOOK
- ⊙ - ELEVATION
- ⊙ - CONCRETE
- ⊙ - CENTERLINE

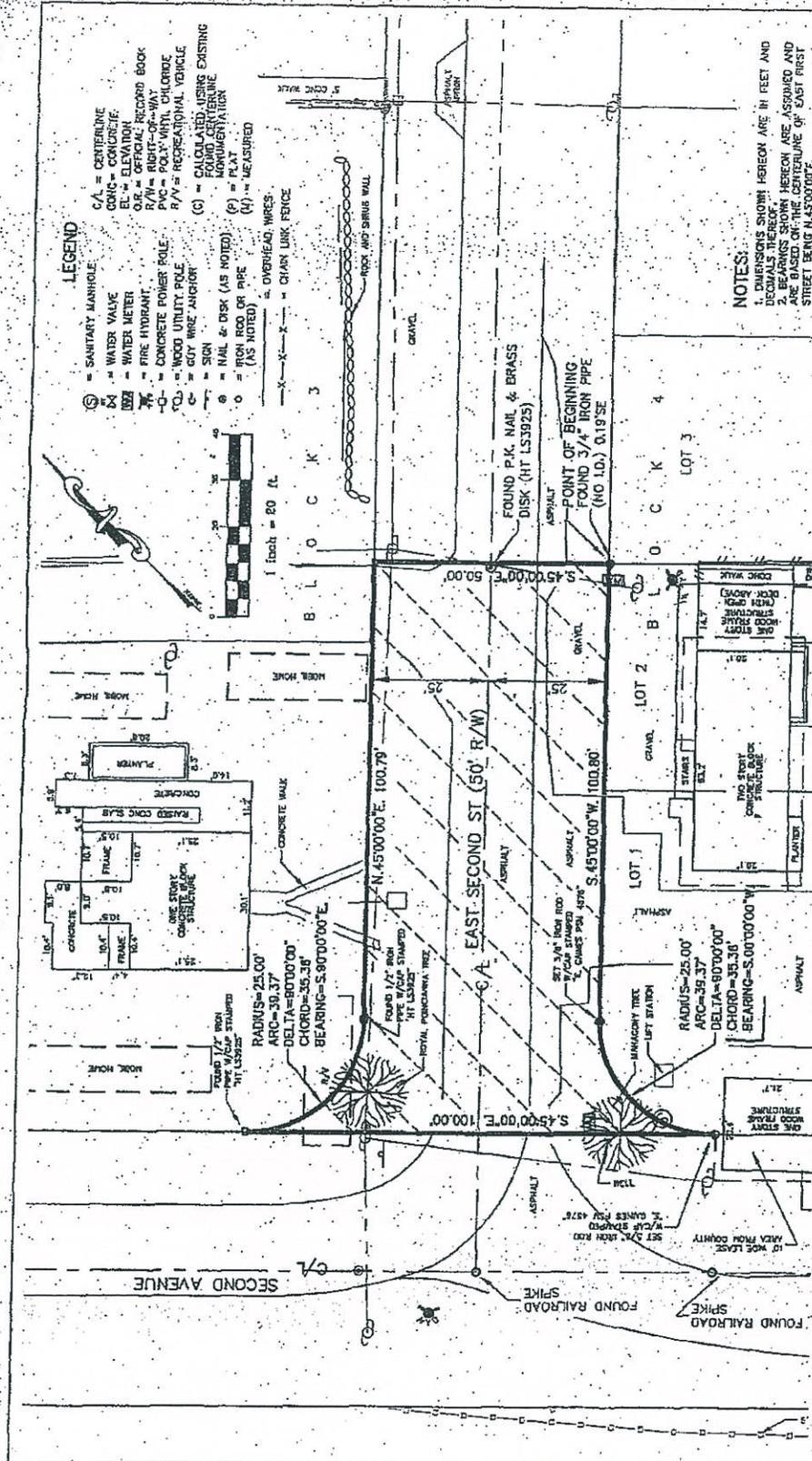
⊙ - OVERHEAD WIRES
 ⊙ - CHAIN LINK FENCE

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 03/14/2005
 DATE OF FIELD WORK: 3/18/2004
 SCALE: 1"=20'
 F.B./P.G.: 122/3-5
 FILE NAME: 0169-1102-008.DWG

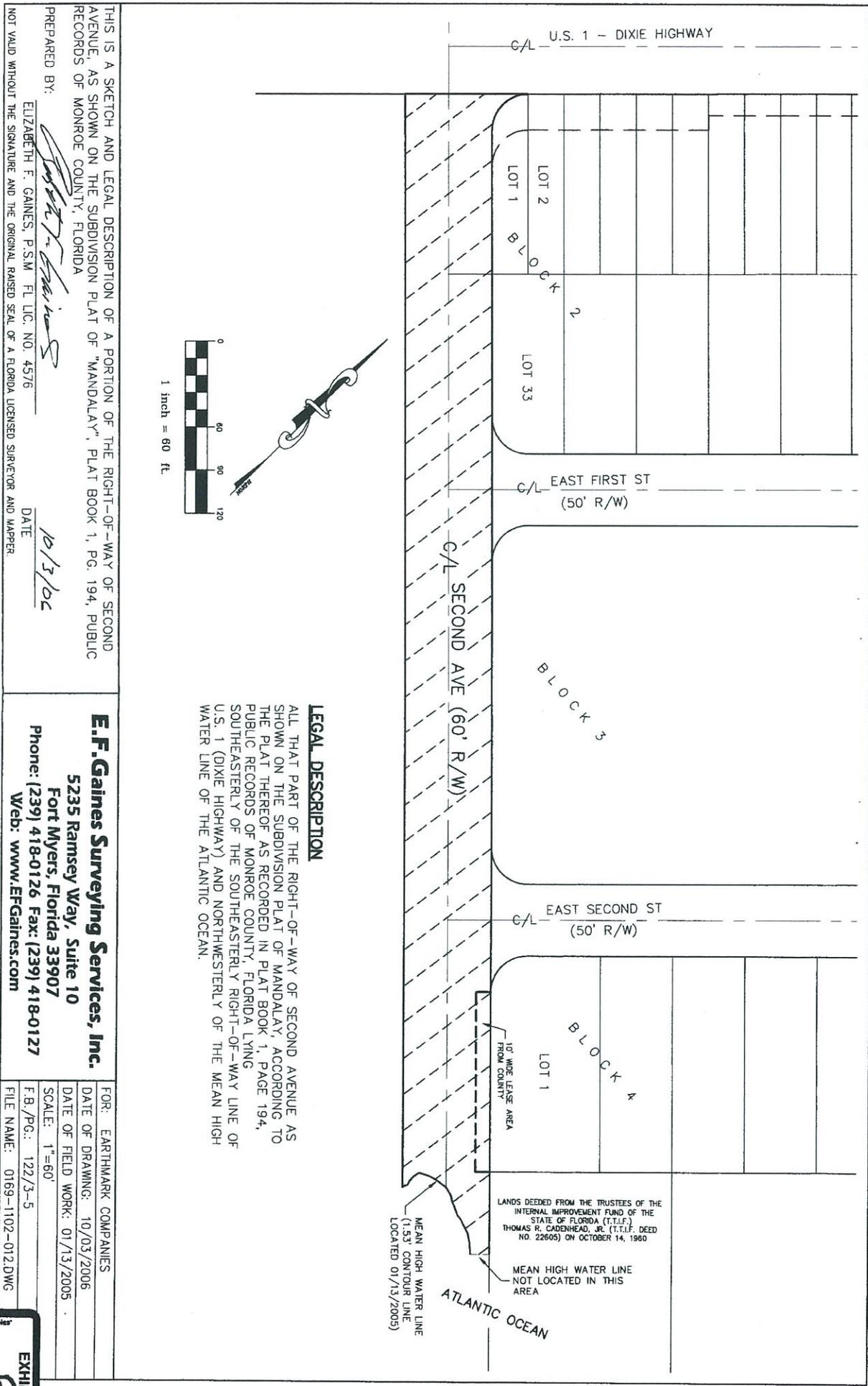
E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-34B
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST FIRST STREET, AS SHOWN ON THE SUBMISSION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION)

PREPARED BY: *[Signature]* DATE SIGNED: *3/14/05*
 ELIZABETH F. GAINES, P.S.M. F.L.C. NO. 4376
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BASED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



- LEGEND**
- SANITARY MANHOLE
 - WATER VALVE
 - FIRE HYDRANT
 - CONCRETE POWER POLE
 - WOOD UTILITY POLE
 - CITY WIRE ANCHOR
 - SIGN
 - NAIL & DISK (AS NOTED)
 - IRON ROD OR PIPE (AS NOTED)
 - OVERHEAD WRES.
 - CHAIN LINK FENCE
 - CONCRETE
 - PLASTER
 - RAISED CONC. SLAB
 - CONCRETE
 - FRAME
 - ONE STORY FRAME OR CONSTRUCTION
 - ROOF
 - MOOR HOSE
 - CONCRETE WALK
 - ROYAL PONDEROSA TREE
 - MINOR TREE
 - LEFT STATION
 - 10' WIDE LOT
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 - 30456\"
 - 30492\"
 - 30528\"
 - 30564\"
 - 30600\"
 - 30636\"



LEGAL DESCRIPTION

ALL THAT PART OF THE RIGHT-OF-WAY OF SECOND AVENUE AS SHOWN ON THE SUBDIVISION PLAT OF MANDALAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA LYING SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. 1 (DIXIE HIGHWAY) AND NORTHWESTERLY OF THE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN.

THIS IS A SKETCH AND LEGAL DESCRIPTION OF A PORTION OF THE RIGHT-OF-WAY OF SECOND AVENUE, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA

PREPARED BY: *Elizabeth F. Gaines*

ELIZABETH F. GAINES, P.S.M. FL LIC. NO. 4576

DATE: 10/3/06

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

E.F. Gaines Surveying Services, Inc.

5235 Ramsey Way, Suite 10
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

FOR: EARTHMARK COMPANIES

DATE OF DRAWING: 10/03/2006

DATE OF FIELD WORK: 01/13/2005

SCALE: 1"=60'

F.B./PG.: 122/3-5

FILE NAME: 0169-1102-012.DWG



RESOLUTION NO. 604 - 2006**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO A PORTION OF EAST SECOND STREET, BEING PART OF MANDALAY SUBDIVISION LOCATED IN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (KEY LARGO) AND APPROVAL OF THE CORRELATING REVERTER AGREEMENT, PUBLIC ACCESS EASEMENT AND MAINTENANCE AGREEMENT.**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes, and

WHEREAS, at said public hearing the Board considered the argument of all parties present wishing to speak on the matter, and all premises considered concerning the renouncing and disclaiming of any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, and

WHEREAS, the Petitioner provided an executed *Reverter Agreement* for return of the abandoned portion of road if the Mandalay Property is not approved for development and if the Petitioner does not undertake development within 2 years from the date of this Resolution (which time will be extended for a reasonable period provided the Petitioner is substantially moving forward with development), said *Reverter Agreement* being attached hereto as EXHIBIT I, and made a part of this Resolution; and

WHEREAS, the Petitioner provided an executed *Public Access Easement* to Monroe County to ensure that after the abandonment, property owners in the Mandalay subdivision, and their guests and invitees and the public, will have ingress and egress across that portion of East Second Right-of-way described in Exhibit "A" to the Easement, said *Public Access Easement* being attached hereto as EXHIBIT II, and made a part of this Resolution; and

WHEREAS, the Petitioner provided an executed *Maintenance Agreement* to improve and maintain that portion of East Second Avenue shown on Exhibit B of the Agreement; said *Maintenance Agreement* being attached hereto as EXHIBIT III, and made a part of this Resolution; and

WHEREAS, the Board has determined that vacation of the said road is for the general public welfare, and conforms to the requirement of Fla. Stat. Secs. 336.09 and 336.10; now, therefore,

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, hereby

1. Renounces and disclaims any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

*BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00" E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00" W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;*

*thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00" E. for 35.36 feet; thence continue along said right-of-way line N.45°00'00" East for 100.79 feet to the Point of Beginning of the Parcel herein described;
Bearings are based on the centerline of East Second Street being N.45°00'00"E.*

*Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;
Prepared by E.F. Gaines Surveying Services, Inc*

(See Attached Exhibit A)

2. Accepts and approves the *Reverter Agreement* (attached as EXHIBIT I), the *Public Access Easement* (attached as EXHIBIT II), and the *Maintenance Agreement* (attached as EXHIBIT III) and made a part of this Resolution.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board on the 15th day of November, 2006.

Mayor DiGennaro
Mayor Pro Tem Spehar
Commissioner Neugent
Commissioner Murphy
Commissioner McCoy

Yes
Yes
Yes
No
Yes

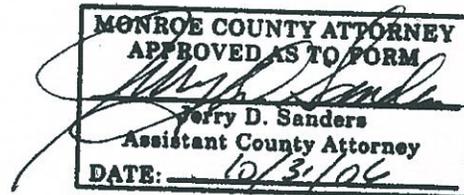
(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

By *Danny L. Kolhage*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *Marion DiGennaro*
Mayor/Chairperson

(KMP:RAP: EAST SECOND ST, KL MANDALAY SUB 11.15..06)



FILED FOR RECORD
2007 FEB 15 PM 4:56
DANNY L. KOLHAGE
CLK. CR. CL.
MONROE COUNTY FLA.

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

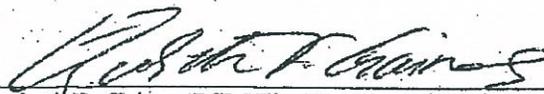
of a portion of East Second Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 100.79 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East Second Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576

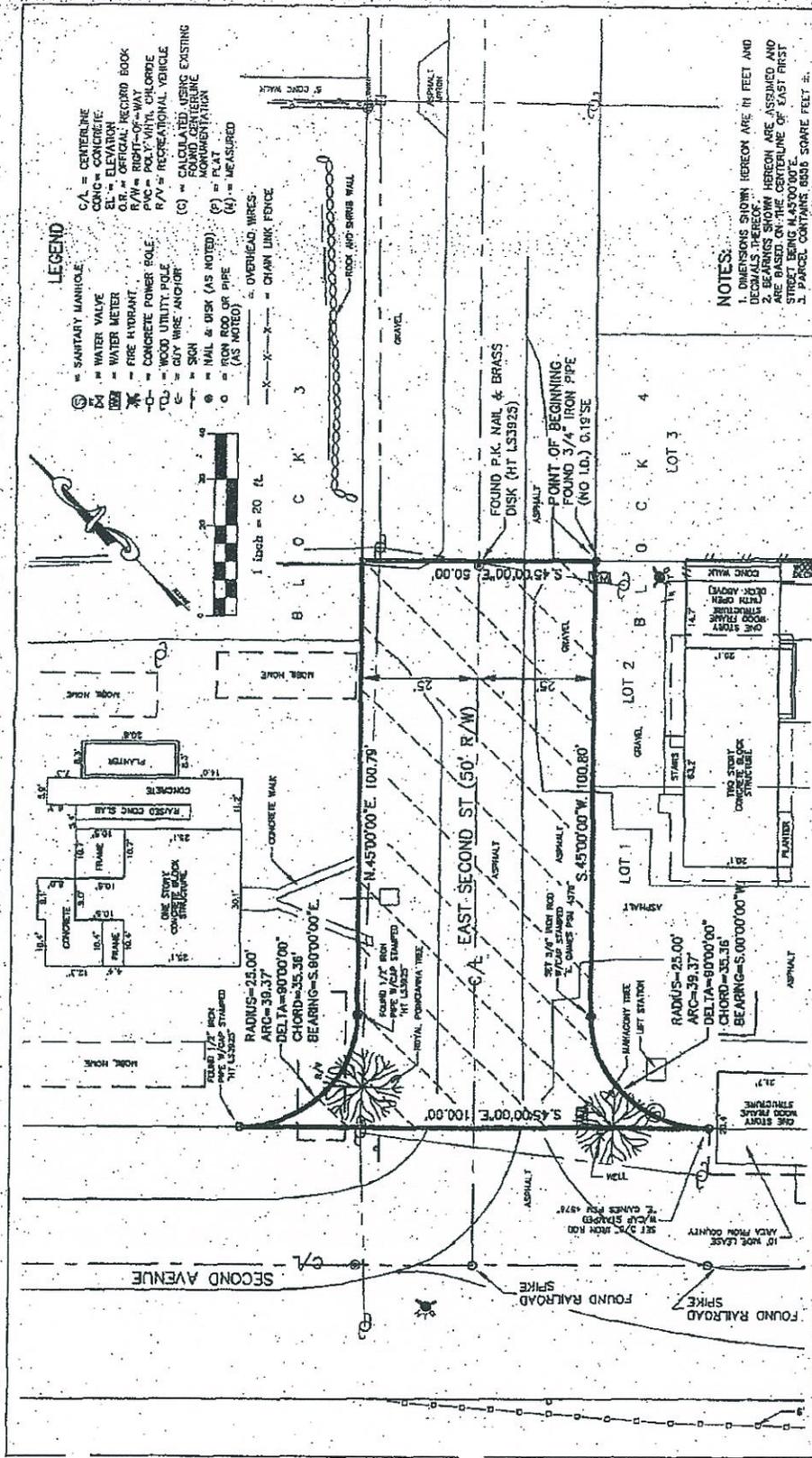

Date

Not valid unless signed and embossed with the seal of the named surveyor.

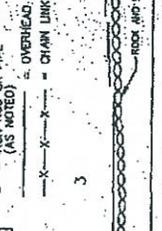
Reference: 0169-1102-009.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com





- LEGEND**
- = SANITARY MANHOLE
 - ⊕ = WATER VALVE
 - ⊕ = FIRE HYDRANT
 - ⊕ = CONCRETE POWER POLE
 - ⊕ = WOOD UTILITY POLE
 - ⊕ = CUY WIRE AND/OR
 - ⊕ = SKIN
 - ⊕ = NAIL & DISK (AS NOTED)
 - ⊕ = IRON ROD OR PIPE (AS NOTED)
 - ⊕ = OVERHEAD WIRE
 - ⊕ = CHAIN LINK FENCE
 - ⊕ = CONCRETE
 - ⊕ = BRICK
 - ⊕ = G.I.P.
 - R/W = RIGHT-OF-WAY
 - PVC = POLY-VINYL CHLORIDE
 - P/V = RECREATIONAL VEHICLE
 - (C) = CALCULATED VERSUS EXISTING MONUMENTATION
 - (P) = PLAT
 - (M) = MEASURED



- NOTES:**
1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
 2. BEARINGS SHOWN HEREON ARE ASSIGNED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00\"/>

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST SECOND STREET, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY", PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION)

PREPARED BY: *[Signature]* DATE SIGNED: *3/14/05*

ELIZABETH F. GAINES, P.S.M. FL LIC. NO. 4576

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

E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-34B
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 03/14/2005
 DATE OF FIELD WORK: 3/18/2004
 SCALE: 1" = 20'
 F.B./P.C.: 122/3-5
 FILE NAME: 0169-1102-009.DWG

Return to:

County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio)
Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for
Recording

REVERTER AGREEMENT

THIS Agreement is made this 15th day of November 2006, by and between Ocean Sunrise Associates, LLC, a Florida limited liability company (hereinafter "OSA"), whose address is: 12800 University Drive, Suite 400, Fort Myers, Florida 33907, and Monroe County, by its Board of County Commissioners (hereinafter "County").

WHEREAS, the OSA has petitioned COUNTY to abandon those portions of East First Street and East Second Street as set forth in **Exhibit A** attached hereto; and

WHEREAS, the COUNTY is willing to abandon those portions of East First Street and East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit A**; and

WHEREAS, as a condition of that abandonment County has requested OSA agree to this reverter agreement to ensure that after the abandonment, if the Mandalay Property is not approved for development and OSA (its successors or assigns) does not undertake development within 2 years from the date of this agreement (which time will be extended



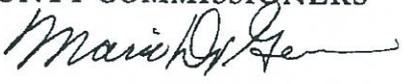
for a reasonable period provided OSA is substantially moving forward with development), then the property which has been abandoned (**Exhibit A**) will revert back to and be transferred back to ownership by Monroe County.

NOW, THEREFORE, for and in consideration of Monroe County's abandonment of the property herein and OSA's agreement to either develop the property set forth in **Exhibit B** or have the property revert back to ownership by Monroe County, the Parties agree as follows:

1. Monroe County Board of County Commissioners ("County") agrees to abandon that property set forth on **Exhibit A** and transfer ownership of this property to Ocean Sunrise Associates, LLC ("OSA"), a Florida Limited Liability Company.
2. OSA agrees that they will grant all easements and obtain all consents necessary from all utilities in a timely manner as required for completion of the project and as may reasonably be required by Monroe County.
3. Ocean Sunrise Associates, LLC agrees that they will timely move forward with plans to develop that property set forth herein as **Exhibit B** (as the same may be modified from time to time, a portion of which encompasses the property abandoned by County, that is, those portions of East 1st Street and East 2nd Street.
4. County and OSA agree that if OSA has not substantially moved forward with development of the Mandalay Project within two (2) years from the date the Board of County Commissioners approves the request for abandonment that the property (Exhibit A) abandoned and transferred to OSA will revert and be transferred back to County.

DATED this 15th day of November, 2006.

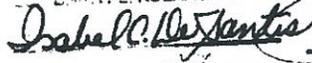
MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS

By 
Printed Name Mario DiGennaro
Title Mayor/Chairperson

OCEAN SUNRISE ASSOCIATES, LLC

By 
Printed Name Doug Cordella
Title V.P.

DANIEL KOLHAGE CLERK



11-15-06

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


JERRY D. SANDERS
ASSISTANT COUNTY ATTORNEY 11/24/06

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

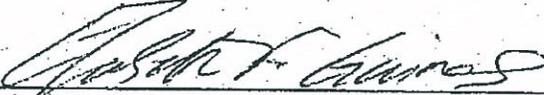
of a portion of East First Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more-particularly-described-as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00"E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;
thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-008.dwg

1342 Colonial Boulevard, Suite E-34E, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com

EXHIBIT

A

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

of a portion of East Second Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

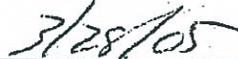
All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 100.79 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East Second Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.

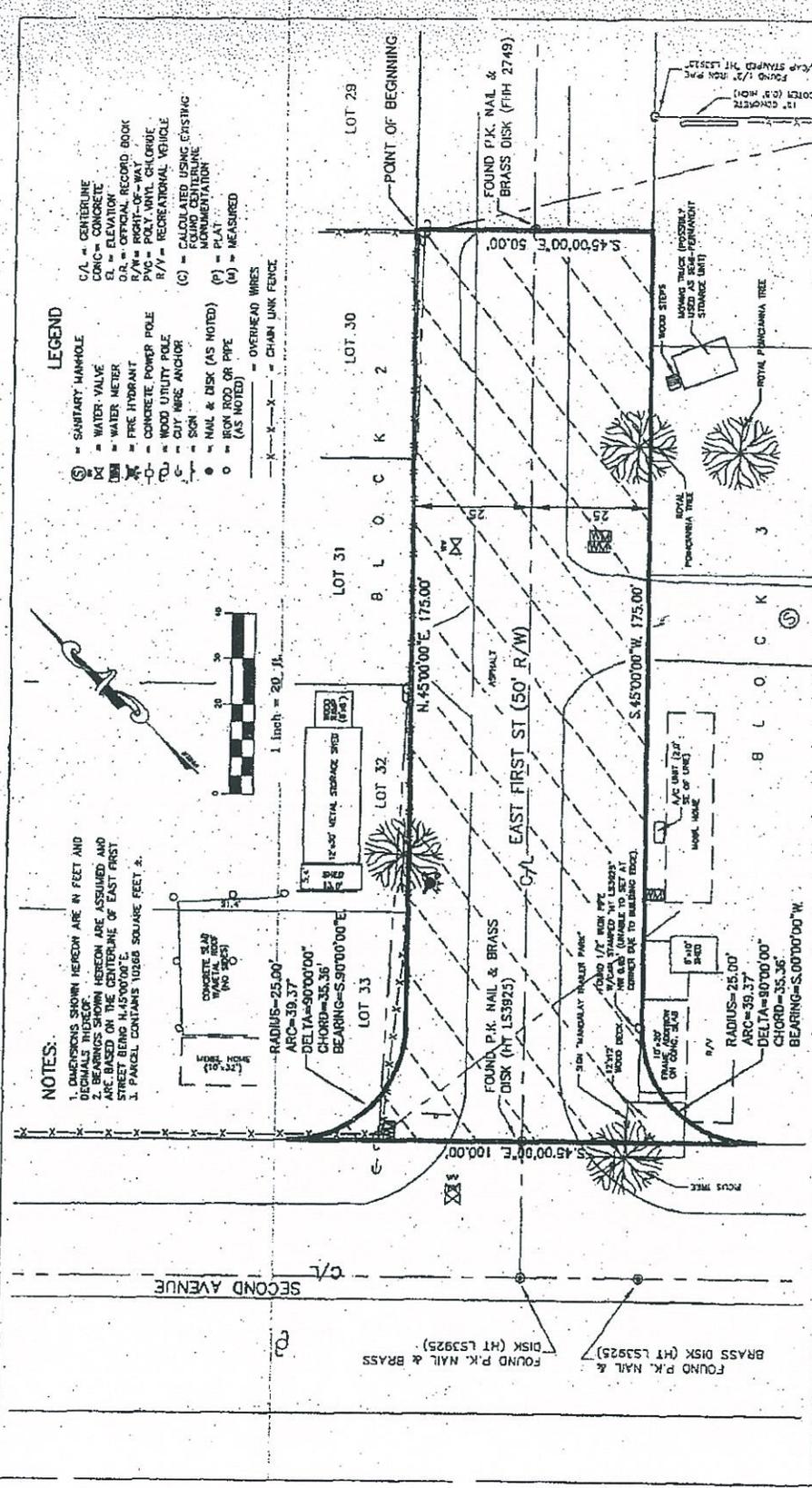

Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-009.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com



- NOTES:**
1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. DIMENSIONS ON THE HEREON ARE ASSUMED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00"E.
 2. LOT 32 CONTAINS 1028 SQUARE FEET, ±.
- LEGEND**
- ⊕ = SANITARY MANHOLE
 - ⊕ = WATER VALVE
 - ⊕ = WATER METER
 - ⊕ = FIRE HYDRANT
 - ⊕ = CONCRETE POWER POLE
 - ⊕ = WOOD UTILITY POLE
 - ⊕ = CITY WIRE ANCHOR
 - ⊕ = SIGN
 - ⊕ = NAIL & DISK (AS NOTED)
 - ⊕ = IRON ROD OR PIPE (AS NOTED)
 - ⊕ = MEASURED
 - ⊕ = CALCULATED USING EXISTING MONUMENTATION
 - ⊕ = PLAT
 - ⊕ = CHAIN LINK FENCE
 - ⊕ = OVERHEAD WIRES

NOTES:

1. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. DIMENSIONS ON THE HEREON ARE ASSUMED AND ARE BASED ON THE CENTERLINE OF EAST FIRST STREET BEING N.45°00'00"E.

2. LOT 32 CONTAINS 1028 SQUARE FEET, ±.

LEGEND

- ⊕ = SANITARY MANHOLE
- ⊕ = WATER VALVE
- ⊕ = WATER METER
- ⊕ = FIRE HYDRANT
- ⊕ = CONCRETE POWER POLE
- ⊕ = WOOD UTILITY POLE
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- ⊕ = MEASURED
- ⊕ = CALCULATED USING EXISTING MONUMENTATION
- ⊕ = PLAT
- ⊕ = CHAIN LINK FENCE
- ⊕ = OVERHEAD WIRES

FOR: EARTHMARK COMPANIES

DATE OF DRAWING: 03/14/2008

DATE OF FIELD WORK: 3/18/2004

SCALE: 1"=20'

F.B./P.G.: 122/3-5

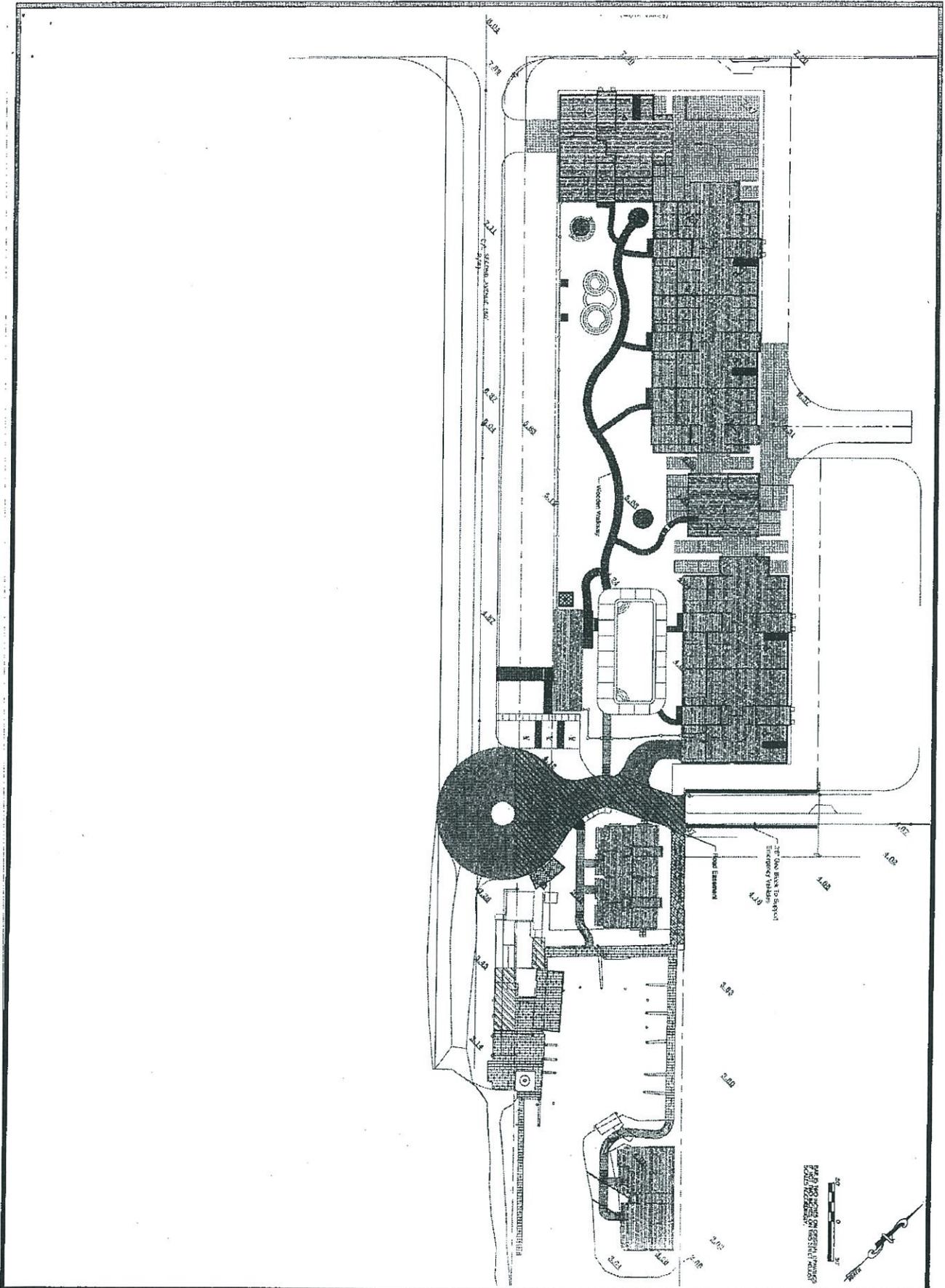
FILE NAME: 0169-1102-COR.DWG

E.F. Gaines Surveying Services, Inc.
 1342 Colonial Boulevard Suite E-34B
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

THIS IS A SPECIFIC PURPOSE SURVEY OF A PORTION OF THE RIGHT-OF-WAY OF EAST FIRST STREET, AS SHOWN ON THE SUBDIVISION PLAT OF "MANDALAY, PLAT BOOK 1, PG. 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION)

PREPARED BY: ELIZABETH F. GAINES, P.S.M. FL LIC. NO. 4576 *3/14/08* **DATE SIGNED:**

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



JOB NO. _____
 DRAWN BY _____
 CHECKED BY _____
 DATE _____
 SHEET _____ OF _____

Mandalay Harbor Resort
 Islamorada, FL
 SITE PLAN

REVISIONS:	ORIGINAL:
1	Consult: Pre-Design Plan: 2/29/06
2	
3	
4	

ALBANE PEREZ, P.E.
 Florida P.E. No. 51468
 Date: 02/20/2006

CIVIL ENGINEERING • REGULATORY PERMITTING • CONSTRUCTION MANAGEMENT
PEREZ ENGINEERING & DEVELOPMENT, INC.
 10110 Gulf Parkway, Suite 300
 Fort Myers, Florida 33907
 TEL: (813) 239-9443 FAX: (813) 239-9445
 TAMPA OFFICE
 2107 West Chesham Road, Suite 140
 Tampa, Florida 33607
 TEL: (813) 273-1616 FAX: (813) 273-1710

CIVIL ENGINEERING • REGULATORY PERMITTING • CONSTRUCTION MANAGEMENT

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 TAMPA OFFICE
 2107 West Chesham Road, Suite 140
 Tampa, Florida 33607
 TEL: (813) 273-1616 FAX: (813) 273-1710

Exhibit
B

Return to:
County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio) Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for Recording

PUBLIC ACCESS EASEMENT

THIS EASEMENT, made this 15th day of November 2006, by and between Ocean Sunrise Associates, LLC, a Florida limited liability company, Grantor, whose address is: 12800 University Drive, Suite 400, Fort Myers, Florida 33907, to Monroe County, Grantee.

WITNESSETH:

WHEREAS, the Grantor has petitioned Grantee to abandon that portion of East Second Street as set forth in **Exhibit "A"** attached hereto; and

WHEREAS, the Grantee is willing to allow Grantor to abandon a portion of East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit "A"**; and

WHEREAS, as a condition of that abandonment Grantee has requested Grantor agree to this public access easement to ensure that after the abandonment, property owners in the Mandalay subdivision, and their guests and invitees, will have ingress and egress across that portion of East Second Street Right-of-way described in **Exhibit "A"** that is abandoned by Grantee;

NOW, THEREFORE, for and in consideration of the accessibility herein made available to Grantee, the Grantor does grant to Grantee on behalf of property owners in the Mandalay subdivision, their successors and their guests and invitees, a perpetual easement on and over that portion of East Second Street, which is described in **Exhibit "A"** and attached hereto for the purpose of ingress and egress only.



IN WITNESS WHEREOF, Grantor has executed this easement, on the day and year first stated above.

GRANTOR:

OCEAN SUNRISE ASSOCIATES, LLC,
A Florida limited liability company

WITNESSES:
Michael J. Hillman
[Signature]

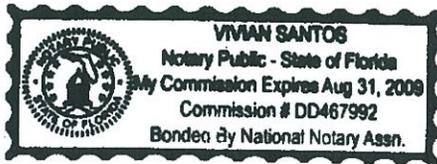
By: [Signature]
Printed Name: Doug Cordello
Managing Member

STATE OF FLORIDA)
COUNTY OF)

The foregoing instrument was acknowledge before me this 24th day of October 2006, by Doug Cordello, as Managing Member of Ocean Sunrise Associates, LLC, a Florida limited liability company, who is () personally known to me or () who provided driver's license as identification and who did take an oath.



[Signature]
Notary Signature and Seal



ATTEST: DANNY L. KOLHAGE
CLERK OF THE COURT

BY: [Signature]
Deputy Clerk 11-15-06

ACCEPTED BY:

GRANTEE:

BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY: [Signature]
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

[Signature]
JERRY D. SANDERS 10/26/06
ASSISTANT COUNTY ATTORNEY

DESCRIPTION:

A PORTION OF BLOCK 3 AND EAST SECOND STREET, MANDALAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 PAGE 194, BEING IN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, MONROE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF EAST FIRST STREET AND SECOND AVENUE, ACCORDING TO SAID PLAT OF MANDALAY; THENCE ALONG THE CENTERLINE OF SECOND AVENUE SOUTH 44°37'16" EAST, A DISTANCE OF 242.03 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 45°22'44" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SECOND AVENUE; THENCE SOUTH 44°37'16" EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND EXTENSION THEREOF, A DISTANCE OF 98.15 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 50.29 FEET, A CENTRAL ANGLE OF 42°24'49" AND A CHORD DISTANCE OF 36.38 FEET WHICH BEARS NORTH 13°49'03" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.23 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 91.12 FEET, A CENTRAL ANGLE OF 22°20'51" AND A CHORD DISTANCE OF 35.32 FEET WHICH BEARS NORTH 06°53'42" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.54 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 24.46 FEET, A CENTRAL ANGLE OF 60°02'19" AND A CHORD DISTANCE OF 24.48 FEET WHICH BEARS NORTH 31°18'18" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 25.63 FEET; THENCE NORTH 64°10'43" EAST, A DISTANCE OF 35.68 FEET; THENCE NORTH 72°15'39" EAST, A DISTANCE OF 20.56 FEET; THENCE NORTH 44°37'45" WEST, A DISTANCE OF 33.25 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 8.73 FEET, A CENTRAL ANGLE OF 54°28'53" AND A CHORD DISTANCE OF 7.99 FEET WHICH BEARS SOUTH 27°39'51" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 8.30 FEET; THENCE SOUTH 63°40'53" WEST, A DISTANCE OF 16.18 FEET; THENCE SOUTH 68°04'17" WEST, A DISTANCE OF 29.28 FEET; THENCE SOUTH 11°13'06" WEST, A DISTANCE OF 3.30 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.37 FEET, A CENTRAL ANGLE OF 25°00'06" AND A CHORD DISTANCE OF 21.81 FEET WHICH BEARS SOUTH 41°24'43" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 21.98 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 21.70 FEET, A CENTRAL ANGLE OF 62°19'22" AND A CHORD DISTANCE OF 22.45 FEET WHICH BEARS SOUTH 52°47'41" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.60 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 52.57 FEET, A CENTRAL ANGLE OF 41°20'05" AND A CHORD DISTANCE OF 37.11 FEET WHICH BEARS SOUTH 76°40'48" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.93 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.13 ACRES (5,474 SQUARE FEET), MORE OR LESS

In accordance with CH-61G17-6
of the Florida Administrative Code,
this Description and Sketch of Description
bears the notation:

THIS IS NOT A SURVEY.

SHEET 1 OF 2
SEE SHEET 2 OF 2 FOR SKETCH

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF SECOND AVENUE BEING S 44°37'16" E, PER PLAT.

SKETCH OF DESCRIPTION

OF
PORTION OF
MANDALAY

MONROE COUNTY, FLORIDA

SECTION 6-62-39

DATE: 10/18/2006

REVISED:

SCALE: N/A DRAWN BY: GHF

APPROVED BY: DMD

JOB NO. ASM52588 MANDALAY

(SOD).dwg



AMERICAN SURVEYING & MAPPING
STATE OF FLORIDA
LICENSE OF AUTHORIZATION NUMBER LB#6393
1030 N. ORLANDO AVENUE SUITE B
WINTER PARK, FLORIDA
32789 (407) 426-7979

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

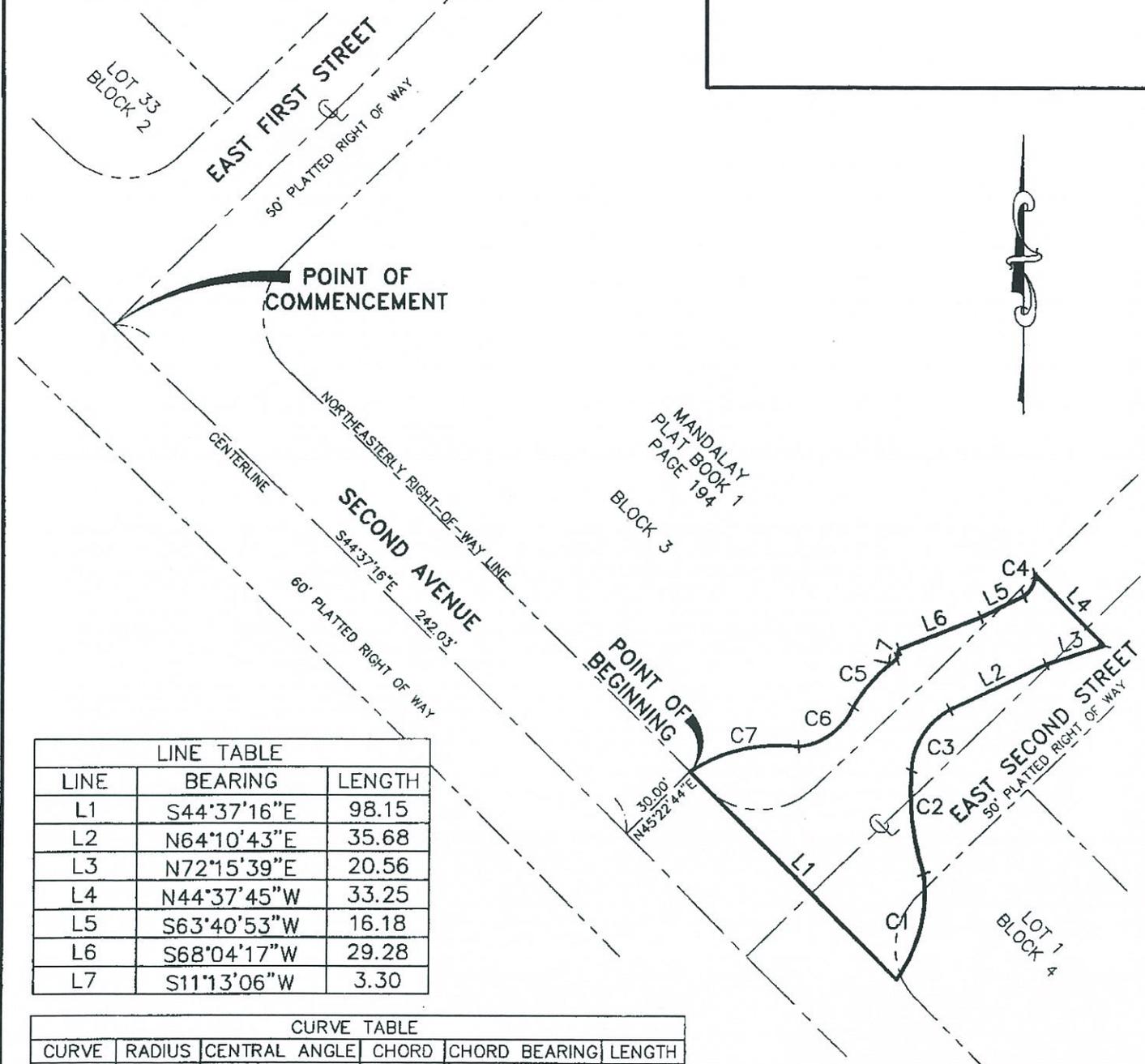
David M. DeFilippo
DAVID M. DeFILIPPO

PSM #5038

DATE: Oct 20, 2006



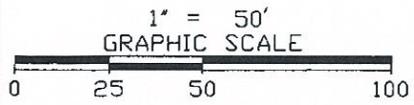
SKETCH OF DESCRIPTION:



LINE TABLE		
LINE	BEARING	LENGTH
L1	S44°37'16\"E	98.15
L2	N64°10'43\"E	35.68
L3	N72°15'39\"E	20.56
L4	N44°37'45\"W	33.25
L5	S63°40'53\"W	16.18
L6	S68°04'17\"W	29.28
L7	S11°13'06\"W	3.30

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING	LENGTH
C1	50.29	42°24'49\"	36.38	N13°49'03\"E	37.23
C2	91.12	22°20'51\"	35.32	N06°53'42\"W	35.54
C3	24.46	60°02'19\"	24.48	N31°18'18\"E	25.63
C4	8.73	54°28'53\"	7.99	S27°39'51\"W	8.30
C5	50.37	25°00'06\"	21.81	S41°24'43\"W	21.98
C6	21.70	62°19'22\"	22.45	S52°47'41\"W	23.60
C7	52.57	41°20'05\"	37.11	S76°40'48\"W	37.93

SHEET 2 OF 2
SEE SHEET 1 OF 2 FOR DESCRIPTION



DATE: 10/18/2006
 SCALE: 1"=50' DRAWN BY: GHF
 APPROVED BY: DMD
 JOB NO. ASM52588 MANDALAY
 (SOD).dwg

REVISED:

AMERICAN SURVEYING & MAPPING
 CERTIFICATE OF AUTHORIZATION NUMBER LB#6393
 1030 N. ORLANDO AVENUE SUITE B
 WINTER PARK, FLORIDA
 32789 (407) 426-7979

Return to:

County Attorney
PO Box 1026
Key West, Florida 33040

This instrument Prepared by
Timothy Nicholas Thomes, P.A.
Post Office Box 3318
Key Largo, FL 33037

Property Appraisers Parcel Identification (Folio)
Number(s):

Alternate Key No.

Space Above This Line for Processing Data

Space Above This Line for
Recording

MAINTENANCE AGREEMENT

WHEREAS, the OSA has petitioned COUNTY to abandon those portions of East First Street and East Second Street as set forth in **Exhibit A** attached hereto; and

WHEREAS, the COUNTY is willing to abandon those portions of East First Street and East Second Street Right-of-way being part of Mandalay subdivision located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, more particularly described on **Exhibit A**; and

WHEREAS, as a condition of that abandonment OSA has agreed to this maintenance agreement to improve and maintain that portion of East Second Avenue shown on **Exhibit B**.

NOW, THEREFORE, for and in consideration of Monroe County's abandonment of the property set forth on Exhibit A and OSA's agreement to maintain the property set forth in **Exhibit B**, the Parties agree as follows:

1. Monroe County Board of County Commissioners ("County") agrees to abandon that property set forth on **Exhibit A** and transfer ownership of this property to Ocean Sunrise Associates, LLC ("OSA"), a Florida Limited Liability Company.



2. OSA agrees to improve and maintain that portion of East 2nd Avenue as shown on the legal descriptions and survey (**Exhibit B**).
3. The specific maintenance and improvement plans for East 2nd Avenue will be approved by the County Engineer and all other County departments required to approve the configuration and maintenance of County roads.
4. OSA understands that the specific requirements for maintenance and improvement may change from time to time, and agrees to comply with all reasonable requests for changes and upgrades.

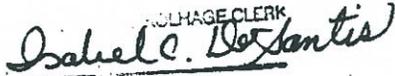
DATED this 15th day of November, 2006

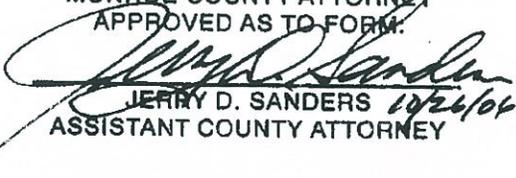
**MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By 
 Printed Name Mario DiGennaro
 Title Mayor/Chairperson

OCEAN SUNRISE ASSOCIATES, LLC

By 
 Printed Name Doug Cardillo
 Title V.P. & manager


 DEPUTY CLERK

MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:

 JERRY D. SANDERS 10/26/06
 ASSISTANT COUNTY ATTORNEY

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

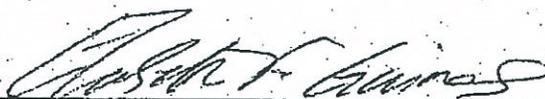
of a portion of East First Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

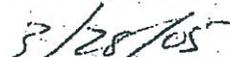
All that part of East First Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the easterlymost corner of Lot 30, Block 2, and the northwesterly right-of-way line of East First Street per said subdivision plat of Mandalay; thence S.45°00'00"E. for 50.00 feet to the southeasterly right-of-way line of said East First Street;
thence along said southeasterly right-of-way line S.45°00'00"W. for 175.00 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East First Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 175.00 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East First Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 10268 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.


Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-008.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com

EXHIBIT

A

E.F. Gaines Surveying Services, Inc.



DESCRIPTION

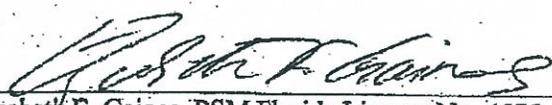
of a portion of East Second Street Right-of-Way,
being part of Mandalay Subdivision located in
Section 6, Township 62 South, Range 39 East, Monroe County, Florida

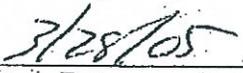
All that part of East Second Street Right-of-way, per the subdivision plat of Mandalay located in Section 6, Township 62 South, Range 39 East, Monroe County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the northerlymost corner of Lot 2, Block 4, and the southeasterly right-of-way line of East Second Street per said subdivision plat of Mandalay;
thence along said southeasterly right-of-way line S.45°00'00"W. for 100.80 feet;
thence continue along said right-of-way line southerly 39.37 feet along the arc of a tangential circular curve concave to the east, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.00°00'00"E. for 35.56 feet to the northeasterly right-of-way line of Second Avenue per said subdivision plat of Mandalay;
thence along said northeasterly right-of-way line of said Second Avenue, N.45°00'00"W. for 100.00 feet to the northwesterly right-of-way line of said East Second Street;
thence along said right-of-way line easterly 39.37 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 25.00 feet, through a central angle of 90°00'00" and being subtended by a chord which bears S.90°00'00"E. for 35.36 feet;
thence continue along said right-of-way line N.45°00'00"East for 100.79 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the centerline of East Second Street being N.45°00'00"E.
Subject to easements, restrictions and reservations of record;
Containing 6556 square feet, more or less;

Prepared by E.F. Gaines Surveying Services, Inc.

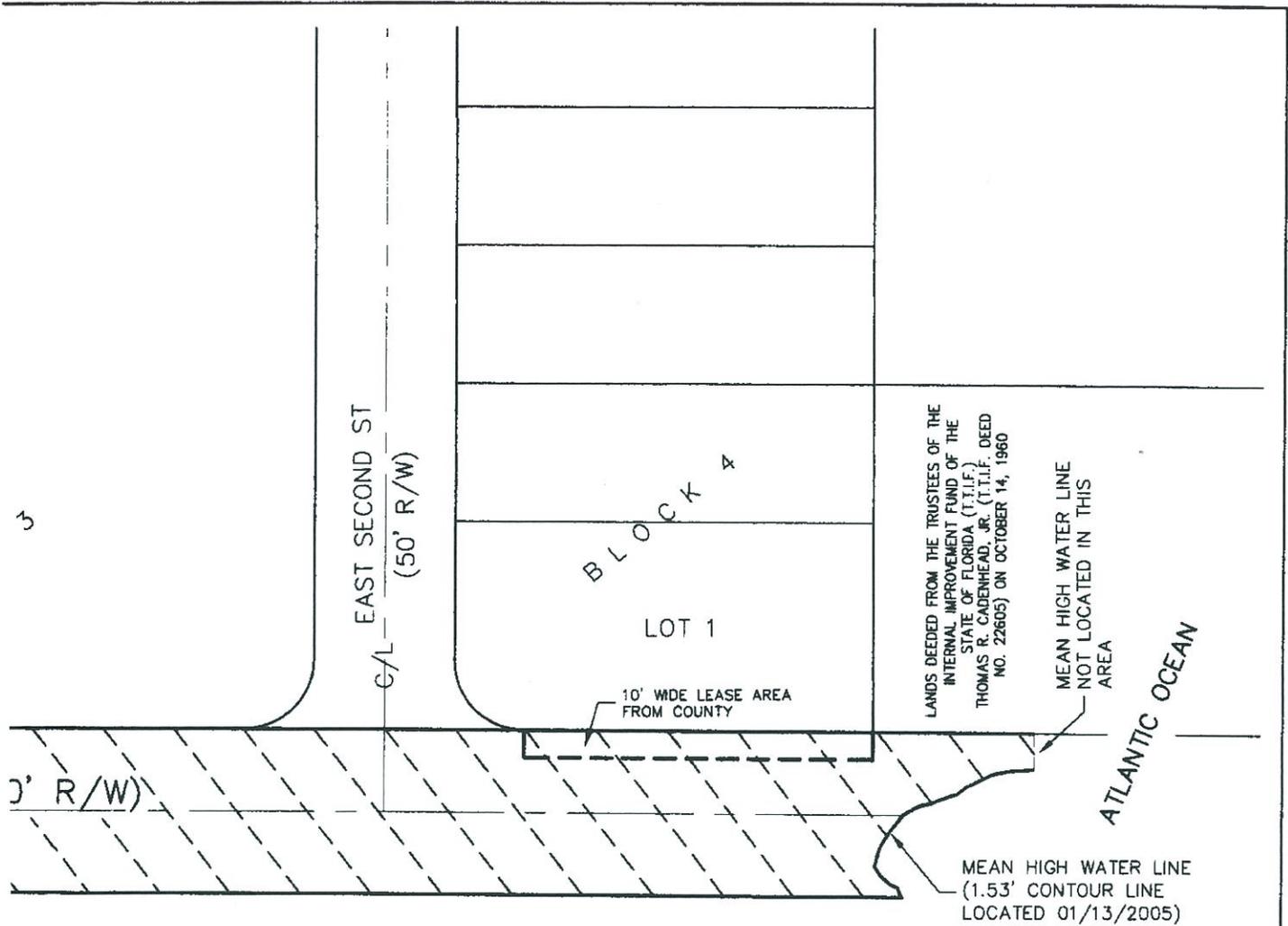

Elizabeth F. Gaines, PSM Florida License No. 4576


Date

Not valid unless signed and embossed with the seal of the named surveyor.

Reference: 0169-1102-009.dwg

1342 Colonial Boulevard, Suite E-34B, Fort Myers, Florida 33907
Phone: 239-418-0126 • Fax: 239-418-0127 • www.EFGaines.com



LEGAL DESCRIPTION

THAT PART OF THE RIGHT-OF-WAY OF SECOND AVENUE AS SHOWN ON THE SUBDIVISION PLAT OF MANDALAY, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA LYING THEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF LOT 1 (DIXIE HIGHWAY) AND NORTHWESTERLY OF THE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN.

F. Gaines Surveying Services, Inc.
 5235 Ramsey Way, Suite 10
 Fort Myers, Florida 33907
 Phone: (239) 418-0126 Fax: (239) 418-0127
 Web: www.EFGaines.com

FOR: EARTHMARK COMPANIES
 DATE OF DRAWING: 10/03/2006
 DATE OF FIELD WORK: 01/13/2005
 SCALE: 1"=60'
 F.B./PG.: 122/3-5
 FILE NAME: 0169-1102-012.DWG

EXHIBIT
B

Doc# 1678803 01/18/2008 3:05PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1678803
Bk# 2341 Pg# 972

1 This instrument prepared by:
2 The Craig Company
3 P.O. Box 970
4 610 White Street
5 Key West, Florida 33040
6 Parcel I.D. Nos.:
7 Ocean Sunrise Associates LLC
8 RE# s 00554420, 00554730, 00554740, 00554700,
9 and 00554670, 00554940-000300

11 **DEVELOPMENT AGREEMENT FOR**
12 **MANDALAY BAY DEVELOPMENT**
13 **(AKA OCEAN SUNRISE ASSOCIATES, LLC)**

14 **THIS AGREEMENT** is entered into by and between Ocean Sunrise Associates LLC, a
15 Florida Limited Liability Corporation (herein, the "Owner"), and Monroe County, a division
16 of the state of Florida (herein, the "County"), pursuant to Sections 9.5-101 and 9.5- 102 of the
17 County Code, and the Florida Local Government Development Agreement Act, Sections
18 163.3220-163.3243, Florida Statutes (2004), and is binding on the "Effective Date" set forth
19 herein.

20 **WITNESSETH:**

21 **WHEREAS**, Owner is the owner of approximately 3.29 acres of contiguous uplands
22 plus 0.68 acres submerged land in the corporate limits of the County, now known as Mandalay
23 Resort at Mile Marker 98, Lots 1 and 2, Parcels 1 and 2, Block 4, Mandalay Subdivision, Key
24 Largo, more particularly described in the legal description attached hereto as Exhibit A (herein,
25 the "Property"); and

26 **WHEREAS**, the County has recognized that there are, existent on the Property, eleven

1 (11) transient ROGO exemptions due to the fact that the County identified that there were eleven
2 (11) licensed recreational vehicles onsite used for transient purposes; and that only three (3) of
3 these units may be used on the property in combination with the proposed twenty-two (22)
4 residential units and proposed restaurant due to the size of the property; and

5 **WHEREAS**, the Owner relied upon the directions given to it by the County as to the
6 sequence of its applications and submissions for development; and

7 **WHEREAS**, the Owner has timely filed its applications for development in accordance
8 with those directions prior to the approval of the Inclusionary Housing ordinance; and

9 **WHEREAS**, the County and the Owner agree that the Owner has offered the County the
10 eight (8) unused transient ROGO exemption rights to be used for affordable housing applications
11 and be assigned unique, numeric identifiers for each, pursuant to the appropriate transfer
12 procedure as identified by the County, to be subsequently sponsored by the County at no
13 additional cost to Owner; and

14 **WHEREAS**, the Owner has leased from the County a portion of Second Avenue
15 adjacent to the property and more specifically described as the easterly ten (10) feet of Second
16 Avenue, Mandalay Subdivision, Key Largo, adjacent to Lot 1, Block 4, Plat Book 1-194; and

17 **WHEREAS**, the Property is currently vacated of residential structures and remains
18 developed with the existing restaurant, commercial and accessory uses including docks, as
19 further described in Section C 3.a of this Agreement; and

20 **WHEREAS**, redevelopment of the Property provides the opportunity to upgrade the
21 existing facilities, voluntarily contribute to the provision of affordable housing, upgrade and
22 enhance the existing transient facility and amenities, provide on-site wastewater

1 treatment that meets 2010 standards, either by advanced wastewater treatment (AWT) or
2 connection to the Key Largo Wastewater Treatment District if available at the time of permit,
3 meet current stormwater retention standards to contribute to the protection of the nearshore
4 waters in the County, assure the improvement of facilities for public access to the waterfront of
5 the Atlantic Ocean, and provide additional benefits to the County as set forth in this Agreement;
6 and

7 **WHEREAS**, Owner desires to create a residential development on the Property with the
8 facilities, amenities and infrastructure as set forth in this Agreement; and

9 **WHEREAS**, The County Board of County Commissioners, per Resolution 603-2006,
10 and 604-2006, has approved a request by the Owner to abandon a portion of East First Street and
11 East Second Street adjacent to the Property to allow the rational redevelopment of the Property,
12 and

13 **WHEREAS**, the proposed redevelopment is permissible and appropriate under the
14 County's Comprehensive Plan Future Land Use designation applicable to the Property, which
15 allows mixed use development along with various types of residential and nonresidential uses;
16 and

17 **WHEREAS**, the Property is a highly disturbed, fully developed upland site which does
18 not contain wetlands, listed species habitat, or other environmentally sensitive habitat with
19 the exception of existing mangroves that are protected under State law; and

20 **WHEREAS**, the Owner has provided public notice of the parties' intent to consider
21 entering into this Agreement by publishing an advertisement in a newspaper of general circulation
22 and readership in the County, and provision made for posting of the Property subject to this
23 Agreement, and mailing notices to the persons and entities shown on the most recent Monroe

1 County Tax Roll to be the owner of property lying within three hundred (300) feet of the
2 boundaries of the Property subject to this Agreement; and

3 **WHEREAS**, the County Planning Commission has held a public hearing on October 24,
4 2007, to consider this Agreement, and the Monroe County Board of County Commissioners
5 has held a public hearing on November 14, 2007, to consider this Agreement; and

6 **WHEREAS**, the County has determined that this Agreement is in the public interest and
7 will further the health, safety, welfare, of the residents of the County of Monroe.

8 **NOW, THEREFORE**, in consideration of the mutual promises and undertakings contained
9 herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as
10 follows:

11 A. **RECITALS**. The recitals set forth in the preceding "Whereas" clauses are incorporated
12 herein and form a material part of this Agreement.

13 B. **DEFINITIONS**. For the purposes of this Agreement, the following terms shall have the
14 following meanings. Terms not defined in this agreement shall be as defined in the
15 County Code, in Chapter 163, Florida Statutes, or, if not defined in the Code or Statute,
16 shall be understood by their usual and customary meaning.

17 1. **"Agreement"** shall refer to this Development Agreement, as the same may be
18 subsequently amended, modified or supplemented pursuant to its terms and provisions and
19 pursuant to the provisions of Sections 163.3220-163.3243, inclusive, Florida Statutes.

20 2. **"County Code"** shall refer to the Code of Ordinances of the County of Monroe in
21 existence on the Effective Date of this Agreement.

22 3. **"Comprehensive Plan"** shall refer to the County's Comprehensive
23 effective as of the date of this Agreement.

- 1 4. **"Conceptual Site Plan"** shall mean the site plan document attached to this Agreement
2 which portrays the intensities, densities and general location of the development expected and
3 proposed on the Property.
- 4 5. **"Development"** shall refer to the redevelopment of the Property for the uses permitted by
5 this Agreement, subject to the conditions, obligations, restrictions and terms contained herein.
- 6 6. **"Dwelling, Apartment"** shall refer to the dwelling unit type defined in Section 9.5-4 (D-
7 24) of the County Code.
- 8 7. **"Dwelling Unit"** shall refer to a dwelling unit as defined in Section 9.5-4 (D-31) of the
9 County Code.
- 10 8. **"Effective Date"** shall refer to the date this Agreement becomes effective, as set forth in
11 this Agreement.
- 12 9. **"Final Site Plan"** shall mean that site plan which is approved in connection with and part
13 of the Major Conditional Use application approved by the Monroe County Planning Commission
14 for the Property.
- 15 10. **"Florida Department of Community Affairs"** (FDCA) and "state land planning
16 agency" shall mean and refer to the "state land planning agency" as defined in Chapter 163, Part
17 II, Florida Statutes.
- 18 11. **"Land Development Regulations"** (LDRs) shall mean Chapter
19 9.5 of the County Code in existence on the Effective Date of this Agreement.
- 20 12. **"Owner"** shall refer to the owner of the Property identified in the
21 first paragraph of this Agreement.
- 22 13. **"Property"** shall refer to the parcel of real property located in the County that is the
23 subject of this Agreement as described on Exhibit A attached hereto and made a part hereof.

1 14. **"Public facilities"** means those facilities identified in Section
2 163.3221, Florida Statutes (2004), as well as Sections 9.5-293, 9.5-294, 9.5-326 of the County
3 Code of Ordinances and as set forth in this Agreement.

4 15. **"Residential Rate of Growth Ordinance" or "ROGO Allocation"** shall be as those
5 terms are defined in Chapter 9.5-120 of County Code of Ordinances.

6 16. **"Mandalay Bay Development"** means the Development as a whole, to include: the three
7 (3) transient units, twenty-two (22) market rate residential units, restaurant facility, accessory boat
8 slips, other accessory uses and amenities, and all other uses and structures.

9 17. **"ROGO Exemptions"** means the right to build two (2) market rate residential units not
10 subject to the County's Rate of Growth Ordinance (ROGO) and allocated to adjacent property,
11 which rights are owned or controlled by the Owner, who has full authority to transfer these
12 rights.

13 18. **"Site Plan"** means both the Conceptual Site Plan dated July 31, 2007, and/or the Final
14 Site Plan with a date to be determined, as appropriate.

15 19. **"Transient"** means the use of a unit for a consecutive tenancy of
16 28 days or less as defined by Florida Statutes and further defined by Section 9.5-4(T-4) of the
17 Monroe County Code of Ordinances.

18 **C. TERMS OF AGREEMENT.**

19
20 1. **Legal Description; Ownership and Equitable Interests in the Property.** The legal
21 description of the Property subject to this Agreement is attached hereto as Exhibit "A" and
22 incorporated herein by reference. The owner of the Property as of the date of execution of this
23 Agreement is the Owner. There are no other legal or equitable owners of the Property known to
24 the parties to this Agreement.

1 2. **Duration of Agreement, Agreement Renewal.** This Agreement shall remain in effect
2 for an initial period of ten (10) years, commencing on the Effective Date set forth below. This
3 Agreement may be renewed or extended as provided by law.

4 3. **Reservations or Dedications of Land for Public Purposes.** The parties agree that the
5 owner will dedicate to the County parcel(s) of land located in the median of US Highway 1 – The
6 Overseas Highway - nearby to the property, as further described in the attached survey, Exhibit C,
7 for the sole purpose of open space or non- structural recreational use by the County. The transfer
8 of the property to the County shall be completed within one hundred eighty (180) days of the
9 effective date of this agreement.

10 4. **Dedication of Market Rate and Transient Residential ROGO Exemptions.** The
11 Owner has full authority through ownership or control, to transfer the two (2) market rate ROGO
12 exemptions that were authorized by the County to be used at the Mariner's Club development,
13 proximate to the property. Said market rate ROGO exemptions were authorized by County Major
14 Conditional Use Resolution 30-1980, and re-authorized by Planning Commission Resolution P82-
15 02. The Owner shall dedicate said market rate ROGO exemptions to the County for construction
16 of affordable housing, administrative relief as defined by Monroe County Code, or any other
17 lawful purpose. The Owner has the full authority through ownership or control, to transfer the
18 eight (8) transient residential ROGO exemptions that were recognized by the County as lawfully
19 established units by the County in its Letter of Understanding dated May, 2006. The owner shall
20 dedicate said transient residential ROGO exemptions to the County for construction of affordable
21 housing as defined by Monroe County Code.

22 5. **Other Improvements for Public Use.** The Owner and the County have previously agreed
23 that the Owner shall improve and maintain Second Avenue from its northern intersection with the

1 northbound lanes of US Highway 1 to its southern terminus at the mean high waters of the
2 Atlantic Ocean. The improvements to be constructed by the Owner shall be:

- 3 a) Street paving
- 4 b) Twelve (12) parking spaces for public use
- 5 c) Parking for nine (9) spaces limited to use by the patrons of the restaurant on the property,
6 wherein such parking spaces shall be identified by signage approved by the County
7 limiting their use for restaurant patrons.
- 8 d) Landscaping, project identification signage and lighting to at least County standards for
9 such local streets as Second Avenue.
- 10 e) Reconstruction of the existing accessway at the terminus of Second Avenue to County
11 standards for public use as an accessway described above. However, the reconstruction
12 shall not cause the removal of restaurant facilities located on the County right-of-way for
13 which the owner has a license from the County for such use.
- 14 f) Utility infrastructure inclusive of water lines, fire hydrants, sewer collection lines, storm
15 sewer lines, electricity and lighting.
- 16 g) Appropriate signage limiting parking as required by the County. The Owner and the
17 County agree that the County shall grant to the Owner easements and necessary
18 agreements to allow the owner to maintain the improvements named above on a regular
19 basis at no cost to the County. The right to use the nine (9) parking spaces for the
20 restaurant shall remain as long as there is a lease agreement with the County, unless the
21 restaurant is voluntarily removed from the property by the owner or its assigns.

22 **6. Existing Development; Preparation for Redevelopment.**

- 23 a) **Existing Development.** The following residential uses were recognized by Monroe

1 County on the Property and have subsequently been demolished: twenty-two (22)
2 permanent residential units, eleven (11) transient units. The Owner is entitled to the use
3 of a total of five thousand one hundred and eighty three (5183) square feet of
4 commercial floor area, of which three thousand seven hundred eighty two square feet
5 are being retained for restaurant use, a twelve (12) slip accessory docking
6 facility and other amenities.

7 b) **Redevelopment Preparation.** The Property will be prepared for redevelopment by
8 permitted demolition and appropriate removal of certain existing structures.

9 7. **Plan Approval, Including Densities and Intensities.**

10 a) **Approval of Conceptual Site Plan; Minor Revisions; Final Site Plan.** The Property
11 shall be redeveloped and operated as a Resort consisting of three (3) transient Resort units,
12 twenty-two (22) market rate units, together with three thousand seven hundred eighty two
13 (3782) square feet of restaurant floor area consisting of one thousand seven hundred
14 eighteen (1718) square feet of enclosed space and two thousand sixty four (2064) square
15 feet of open dining area, twelve (12) boat slips depicted on the Conceptual Site Plan for
16 Mandalay Resort, dated July 31, 2007, which was prepared by Erickson Associates, and is
17 attached hereto as Exhibit C. The Conceptual Site Plan is subject to further approval by
18 the County Planning Commission, however said future approvals shall recognize the
19 aforementioned uses and densities and intensities whether they are used on or offsite; any
20 subsequent site plans, site plan approvals and building permits shall substantially comply
21 with this Conceptual Site Plan. The Final Site Plan may modified without further approval
22 from the Planning Commission, but with staff approval only, to accommodate: (1)
23 refinements to the site plan submitted for building permit including minor shifts in

1 location of five (5) feet or less in the residential structures, roadways, pathways, and
2 swimming pool configurations; (2) changes to the building type or number of residential
3 units, so long as the density set forth in this Agreement is not exceeded; or (3)
4 modifications that are necessary to meet regulatory requirements imposed by any other
5 governmental entity.

6 **b) Form of Ownership.** The Property may be redeveloped and operated as a resort,
7 condominium, cooperative, fractional ownership, or similar form of ownership of all or a
8 portion of the properties; and the submission of the properties to the condominium,
9 cooperative, or similar form of ownership (and recordation of a corresponding declaration
10 of condominium, fractional, cooperative or similar instrument) or the sale of individual
11 transient residential dwelling units therein shall not be prohibited or in violation of the
12 terms and provisions of this Agreement.

13 **c) Exempt Dwelling Units under this Agreement.** Pursuant to Section 9.5-120.4(a) of the
14 County Code, the twenty-two (22) market rate units and the three (3) transient residential
15 dwelling units on the Property, together with the unused eight (8) transient units allocated
16 to the Property and offered to the County but, not used for the Conceptual Site Plan, are
17 exempt from the requirements of the County's residential ROGO.

18 **d) Density under this Agreement.** Pursuant to Section 9.5-204, Section 9.5-206, and 9.5-
19 219 of the County Code applicable to the Urban Residential (UR), Suburban Commercial
20 (SC) and Mixed Use (MU) districts and applicable provisions in the Comprehensive Plan,
21 Owner is entitled to redevelop, and will redevelop the Property to consisting of three (3)
22 transient units, twenty-two (22) market rate units, subject to Planning Commission
23 approval.

1 e) **Commercial Floor Area Approved Under This Agreement.** Pursuant to County Code
2 9.5-124.3, the Owner is to be able to use or reconstruct a total of three thousand seven
3 hundred eighty two (3782) square feet of commercial floor area or non-residential
4 development on the Property without being subject to NROGO requirements

5 f) **Accessory Uses.** Accessory uses to be developed or
6 redeveloped on the Property as part of the development include the following: Pools and
7 pool decks, landscaping, street and parking areas, and all other areas of the
8 development not part of a transient residential unit. Accessory, "back of the house" uses
9 to the development: spa services, storage, receiving, men's and women's locker rooms,
10 employee lounge, public circulation, maintenance, toilets, offices, and mechanical room.
11 The use of the accessory uses shall be limited to the owners and guests of the
12 development. The accessory dock slips will be for the exclusive use of on-site owners and
13 guests and will not be operated as a commercial marina. No live-aboards will be
14 permitted. The Owner shall record in the public records of Monroe County a deed
15 restriction in a form acceptable to the County prohibiting the use of live-aboards on the
16 Property.

17 8. **Development Conditions.** The following conditions, terms, restrictions, and other
18 requirements have been determined by the County of Monroe to be necessary for the public
19 health, safety, and welfare of its citizens:

20 a) **Building Height.** Buildings may be constructed to a maximum height of thirty- five (35)
21 feet per section 9.5-283 of the County Code

22 b) **Setbacks.** The County acknowledges that there is no undisturbed or unaltered shoreline on
23 the Property. Pursuant to County Code Section 9.5-286, a twenty (20) foot setback from

1 the mean high water line ("MHWL") shall be required for all principal structures.

2 c) **Utilities, Lighting, and Signage.** Utilities, lighting, and signage shall comply with all
3 applicable requirements of the County Code, including the waterfront lighting criteria in
4 County Code Section 9.5-395. The Owner shall install all utilities underground where
5 practicable and shall screen all utility facilities. The Owner shall utilize shaded light
6 sources to illuminate all signs, facades, buildings, parking and loading areas, and shall
7 arrange such lighting to eliminate glare to parcels lying outside the Property. No
8 intermittent or flashing lights or flashing signs shall be allowed.

9 d) **Landscaping.** The Owner and/or condominium or other association shall utilize
10 "best installation and maintenance practices" for landscaping throughout the Property,
11 including but not limited to that which is required in Divisions 10 and 11 of the Code,
12 throughout the project. The above listed parties shall provide a guarantee bond to ensure
13 one hundred percent (100%) survival of all owner-installed plants for one (1) year after
14 receipt of a final Certificate of Occupancy for each section of the Development, acts of
15 God such as hurricanes notwithstanding, as further defined by Sections 9.5-361, 9.5-376,
16 9.5-378, and 9.5-379 of the County Code. Seventy percent (70%) of all required plants
17 installed shall be Florida Keys native plants that are suitable for the site conditions and are
18 a species typical of the Upper Keys. The Owner shall remove all Category I invasive
19 exotic plants on the Property.

20 e) **Parking.** The redevelopment shall comply with the parking criteria as required by Section
21 9.5-352 of the County Code. The owner shall have the right to place nine (9) parking
22 spaces of the total parking spaces required for the restaurant on the public right-of-way of
23 Second Avenue immediately adjacent to the restaurant, and on County property to be

1 improved and maintained by the Owner as described in section 9. "Other Improvements
2 for Public Use" below.

3 f) **Other Improvements.** There will be a sewage treatment
4 plant (STP) provided as depicted by the Conceptual Site Plan that serves the Property, or
5 connection to the Key Largo Wastewater Treatment District at time of permit.

6 g) **Internal Infrastructure.** The underground infrastructure, water and sewer serving the
7 transient residential dwelling units and residential dwelling units and commercial units,
8 shall be completed before a Certificate of Occupancy may be issued for the unit.

9 h) **Fire Safety.** The Owner shall provide firewalls and other such fire protection facilities
10 as required by the Life Safety Code. Fire sprinklers will be installed as required by
11 County Code.

12 i) **Open Space Ratio.** Pursuant to County Code Sections 9.5-343, 9.5-262, and 9.5-267, a
13 minimum of twenty per cent (20%) open space is required. The Owner will maintain a
14 minimum of twenty per cent (20%) open space on the Property.

15 j) **Wind Load.** The Owner shall construct all structures on the Property, including doors,
16 windows, and cladding, to withstand the mile per hour peak winds as specified in the
17 2004 Florida Building Code.

18 k) **Energy Efficiency.** The Owner shall construct all residential and commercial structures in
19 conformance with the specifications of the State of Florida Energy Efficiency Code for
20 Building Construction (State Energy Code) and further defined by Sections 9.5-329 and
21 9.5-335 of the County Code.

22 l) **Permits from Other Regulatory Entities.** Other agency permits or approvals may be

1 required as provided by applicable law prior to the County's issuance of building permits
2 for redevelopment of the Property. The Owner shall obtain all necessary permits or
3 approvals from other local, regional, state and federal regulatory entities and provide
4 copies of each to the County within a reasonable time after such permits are issued.

5 m) **Stormwater Management.** The Development shall comply with the stormwater
6 management criteria in County Code Section 9.5-293 and as approved by the South
7 Florida Water Management District (SFWMD). The Development will meet all applicable
8 federal, state, regional, and local stormwater management requirements, including any
9 applicable requirements pursuant to the National Pollutant Discharge Elimination System
10 (NPDES) permit issued by the Florida Department of Environmental Protection (FDEP)
11 for the County in February 2005, prohibiting direct discharges into Outstanding Florida
12 Waters.

13 n) **ROGO EXEMPT Dwelling Units.** The Owner has agreed to donate to the County two
14 (2) market rate ROGO exempt dwelling units, which it owns, or controls, for affordable
15 housing use, administrative relief, or any other lawful purpose as described in Section 4
16 "Dedication of ROGO Exemptions" above.

17 o) **ROGO EXEMPT Transient Units.** The Owner has agreed to donate to the County
18 eight (8) transient residential ROGO exempt units, which it owns, or controls, for
19 affordable housing use as described in Section 4 "Dedication of ROGO Exemptions"
20 above.

21 p) **Additional Conditions by Mutual Agreement.** Nothing in this Agreement shall
22 preclude the parties from applying additional conditions, by mutual written consent,
23 during the final permitting approval process.

- 1 q) **Temporary Sales Facilities.** The County will permit the construction/placement of a
2 temporary sales center and a model unit.
- 3 r) **Unity of Title.** The Owner has agreed to execute a Unity of Title combining the upland
4 parcels described in Exhibit A and to record same in the public records of Monroe County,
5 Florida. The Owner shall provide copies of the recorded instrument, showing the book and
6 page where recorded, to the County within ninety (90) days of the effective date of this
7 agreement. Prior to recordation, the Owner shall additionally provide the County an
8 Opinion of Title in a form acceptable to the County Attorney.
- 9 9. **Public Utilities; Concurrency, Impact Fees.** The following identifies the public facilities
10 that are required and that will service the development authorized by this Agreement; who shall
11 provide the facilities; what new facilities, if any, will be constructed; and a schedule to assure
12 public facilities are available concurrent with the impacts of development.
- 13 a) **Potable Water.** The Florida Keys Aqueduct Authority provides domestic potable water.
- 14 b) **Electric Service.** Florida Keys Electric Cooperative provides electric service.
- 15 c) **Solid Waste.** County Garbage Service or its successors and assigns, as determined by the
16 County, provide solid waste service.
- 17 d) **Fire Service.** Fire service is provided by the Key Largo Volunteer Fire District.
- 18 e) **Concurrency.** All public facilities identified above are available as of the date of this
19 Agreement, and capacity for each is projected to be available concurrent with the impacts
20 of development.
- 21 f) **Wastewater.** Wastewater treatment shall be provided by the construction of a new
22 advanced wastewater treatment ("AWT") plant approved by the Florida Department of
23 Environmental Protection. The treatment plant shall meet the AWT nutrient removal

1 standards as specified by FDEP and shall be completed before a Certificate of Occupancy
2 may be issued for any unit or accessory use. Should the Key Largo central wastewater
3 treatment system have available capacity and collection lines in place at the time of
4 certificate of occupancy of the units and commercial floor area at the resort, the owner
5 shall connect to that system.

6 g) **Public Recreational Facilities.** Public recreational facilities shall be addressed through
7 impact fees, if any. The Owner has agreed to donate land for public open space use and
8 recreation.

9 h) **Impact Fees.** Any increased impact on public facilities or public services attributable to
10 each unit of the development, and the cost of capital improvements to meet the associated
11 demand on such facilities or services, shall be assured by payment to the County,
12 concurrent with the issuance of the building permits for each unit, of any applicable
13 County impact fees required by ordinance then in effect, as well as by payment by the
14 Owner of any applicable utility system development fees.

15 10. **Retention and Transfer of Excess Commercial Floor Area.** The Property has existing
16 rights to five thousand one hundred eighty three (5183) square feet of lawfully established non
17 -residential floor area. The Conceptual Site Plan proposes the use of three thousand seven
18 hundred eighty two (3782) square feet of non-residential floor area. The County and the Owner
19 agree that the excess of one thousand four hundred one (1401) square feet of floor area may be
20 retained by the owner and transferred to another site as allowed by County Code.

21 11. **Extension of Reverter Clause Attached to Approval of Abandonment of Portions of**
22 **East First and East Second Streets.** The County's approval of the Owner's petition for
23 abandonment was approved with the condition that should development on the Property not be
24 undertaken within two (2) years of the approval of the abandonment, the road right-of-way

1 abandoned will revert to the ownership of the County. By this Agreement the County and Owner
2 agree that the time frames for the reversion clause of the road abandonment approval is extended
3 to the period required for obtaining Certificates of Occupancy for the development or ten (10)
4 years from the effective date of this Agreement as provided in section C.13 a.3 below.

5 **12. All Local Permits Approved or Needed.**

6 a) **Development Approvals.** The following County development approvals are required for
7 the development authorized by this Agreement:

8 1) **Conditional Use Approval.** Final Site Plan approval by the County Planning
9 Commission and planning staff confirming compliance with this Agreement and
10 applicable County Code requirements.

11 2) **Final Site Plan.** Final site plan application and approval by the County building
12 official, fire marshal, and planning staff confirming compliance with this Agreement
13 and applicable County Code requirements.

14 3) **Building Permits.** As of right building permits will be issued, as provided
15 pursuant to the County Code, for each transient residential dwelling unit as well as for
16 the boat dock units, pool facilities, commercial floor area, and other individual
17 structures. An overall site permit will address landscaping, parking, paths, setback,
18 open space and other associated items. The Owner has informed the County that as an
19 option it may employ the services of a "private provider" architectural engineering
20 firm to review building permit applications and perform construction inspections and
21 issue reports to the County, as allowed by state law applicable to the Building Code.
22 The County has indicated that it will cooperate with the Owner to facilitate the use of
23 "private provider" services for building permit review and inspections, whose cost will

1 be the responsibility of the Owner. The Owner shall have a period of ten (10) years
2 from the effective date of this Agreement to obtain the first Certificate of Occupancy
3 for a building on the Property and four (4) years from the effective date of this
4 Agreement to obtain the first building permit. The building permits for the
5 improvements to Second Avenue shall be submitted within forty-eight (48) months of
6 the effective date of this agreement.

7 b) **Review.** No further review or discretionary review will be required by the County with the
8 exception of the Planning Commission Major Conditional Use review, it being agreed that
9 the Development, as depicted on the approved Conceptual Site Plan attached hereto,
10 requires only the aforementioned development approvals so long as the Final Site Plan
11 substantially complies with the Conceptual Site Plan approved under this Agreement.

12 c) **Compliance.** Nothing in this Agreement shall be deemed to obviate the Owner's
13 compliance with terms and provisions of each such identified approval.

14 d) **Completeness.** The parties acknowledge that the Owner
15 has submitted all information necessary for review under the County Code.

16 13. **Mutual Cooperation.** The County agrees to cooperate with the Owner in a timely manner
17 in providing and/or granting all permits, licenses, approvals, or consents necessary or appropriate
18 to fully implement this Agreement. The County and the Owner agree to cooperate fully with and
19 assist each other in the performance of the provisions of this Agreement.

20 14. **Development to Comply with Permits and County Comprehensive Plan and Code**
21 **Provisions.** The development described in and authorized by this Agreement shall be constructed
22 in accordance with all specified permit conditions, and in accordance with all applicable
23 provisions of the County's Comprehensive Plan and County Code. No Certificate of Occupancy

1 for a permanent individual building, with the exception of the temporary sales office/model unit
2 shall be issued until the County has assured itself that, subsequent to approved plans, the Owner
3 has complied with all conditions in the permits issued by the County and other regulatory entities
4 for that building.

5 15. **Finding of Consistency.** The County finds that the Development authorized herein is
6 consistent with the County's Comprehensive Plan and Land Development Regulations as
7 applicable. Approval of this Agreement satisfies the requirements of Section 9.5-266(3)b of the
8 Code.

9 16. **Compliance with Permits, Terms, Conditions, and Restrictions not identified Herein.**
10 The failure of this Agreement to address a particular permit requirement, condition, term, or
11 restriction shall not relieve the Owner of the necessity of complying with the laws governing said
12 permitting requirements, conditions, terms, or restrictions.

13 17. **Governing Laws.**

14 a) **Controlling Regulations.** For the duration of this Agreement, all approved development
15 on the Property shall comply with and be controlled by this Agreement and by the
16 provisions of the Comprehensive Plan and County Code, as applicable. The parties do not
17 anticipate the application of subsequently adopted laws and policies to the Property except
18 as expressly provided in this Agreement.

19 b) **Subsequently Adopted Laws and Policies.** Pursuant to Section 163.3233, Florida
20 Statutes (2004), the County may apply subsequently adopted laws and policies to the
21 Property only if the County holds a public hearing and determines that: (a) the new laws
22 and policies are not in conflict with the laws and policies governing the Agreement and do
23 not prevent development of the land uses, intensities, or densities set forth in this

1 Agreement; (b) the new laws and policies are essential to the public health, safety, or
2 welfare, and the County expressly states that they apply to the Development that is subject
3 to this Agreement; (c) the local government demonstrates that substantial changes have
4 occurred in pertinent conditions existing at the time of approval of this Agreement; or (d)
5 the Agreement is based on substantially inaccurate information supplied by the Owner.
6 Redevelopment of the Property shall not be subject to any moratoria or other restrictions
7 on redevelopment, including the redevelopment of existing mobile home parks, marinas,
8 or recreational vehicle parks, which may be established or otherwise imposed in any
9 manner or at any time by the County. Nothing in this Agreement shall prohibit the parties
10 from mutually agreeing to apply subsequently adopted laws to the Property.

11 c) **State or Federal Laws.** If state or federal laws enacted after the effective date of this
12 Agreement preclude any party's compliance with the terms of this Agreement, this
13 Agreement shall be modified as is necessary to comply with the relevant state or federal
14 laws. However, this Agreement shall not be construed to waive or abrogate any rights that
15 may vest pursuant to common or statutory law.

16 18. **Amendments, Renewal, Revocation and Termination.** This
17 Agreement may be amended, renewed, or terminated as follows:

18 a) **Amendments.** As provided in Section 163.3237, Florida Statutes (2004), this Agreement
19 may be amended by mutual consent of the parties to this Agreement or by their successors
20 in interest; an instrument in writing signed by the parties or their successors shall
21 accomplish an amendment under this provision.

22 b) **Renewal.** As provided in Section 163.3229, Florida Statutes (2004), this Agreement may
23 be renewed by the mutual consent of the parties, subject to the following public hearing

1 requirements in Section 163.3225, Florida Statutes (2004): the County shall conduct at
2 least two (2) public hearings, one (1) of which may be held by the local planning agency at
3 the option of the County. Notice of intent to consider renewal of the Agreement shall be
4 advertised approximately seven (7) days before each public hearing in a newspaper of
5 general circulation and readership in Monroe County, Florida and shall be mailed to all
6 affected property owners before the first public hearing. The day, time, and place at which
7 the second public hearing will be held shall be announced at the first public hearing. The
8 notice shall specify the location of the land subject to the Agreement, the Development
9 uses on the Property, the population densities, and the building intensities and height and
10 shall specify a place where a copy of the Agreement can be obtained.

11 c) **Termination by Owner.** The Owner or its successor(s) in interest may terminate this
12 Agreement following a breach of this Agreement, upon written notice to the County as
13 provided in this Agreement.

14 d) **Revocation by County.** Pursuant to Section 163.3235, Florida Statutes (2004), this
15 Agreement may be revoked by the County if the County finds, on the basis of
16 competent substantial evidence, that there has been a failure to comply with the terms of
17 this Agreement.

18 e) **Termination by Mutual Consent.** This Agreement may be terminated by mutual
19 consent of the parties, and such mutual termination shall not require a public hearing to
20 effect the termination.

21 **19. Breach of Agreement and Cure Provisions.**

22 a) **Written Notice on the Owner.** If the County concludes there has been a material
23 breach of this Agreement, prior to revoking this Agreement, the County shall serve

1 written notice on the Owner, identifying the term or condition the County contends has
2 been materially breached and providing the Owner ninety (90) days from the date of
3 receipt of the notice to cure the breach or negotiate an amendment to the Agreement.
4 Each of the following events, unless caused by fire, storm, flood, other Act of God, or
5 events beyond the control of the Owner, shall be considered a material breach of this
6 Agreement: (a) failure to comply with the provisions of this Agreement; or (b) failure
7 to comply with terms and conditions of permits issued by the County of County or
8 other regulatory entity for the Development authorized by this Agreement.

9 **b) Written Notice on the County.** If the Owner concludes that there has been a material
10 breach in the terms and conditions of this Agreement, the Owner shall serve written notice
11 on the County, identifying the term or condition the Owner contends has been materially
12 breached and providing the County ninety (90) days from the date of receipt of the notice
13 to cure the breach or negotiate an amendment to the Agreement. The following events,
14 unless caused by fire, storm, flood, other Act of God, or events beyond the control of the
15 County, shall be considered a material breach of this Agreement: (a) failure to comply
16 with the provisions of this Agreement, or (b) failure to timely process any application for
17 site plan approval or other development approval required to be issued by the County for
18 the Development authorized by this Agreement.

19 **c) Option to Terminate.** If a material breach of this Agreement occurs and is not cured
20 within the time periods provided above, the party that provided notice of breach may elect
21 to terminate this Agreement or may seek to enforce this Agreement as provided herein.

22 **d) Waiver of Breach.** If either party waives a material breach in this Agreement by the
23 other party, such a waiver shall not be deemed a waiver of any subsequent breach.

24 **20. Notices.** All notices, demands, requests, or replies provided for or permitted by this
25 Agreement, including notification of a change of address, shall be in writing to the addressees

1 identified below, and may be delivered by any one of the following methods: (a) personal
2 delivery; (b) deposit with the United States Postal Service as certified or registered mail, return
3 receipt requested, postage prepaid; or (c) deposit with an overnight express delivery service with a
4 signed receipt required. Notice shall be effective upon receipt. The addresses and telephone
5 numbers of the parties are as follows:

6 **TO THE OWNER:**

7 Doug Cordelo

8 Ocean Sunrise Associates, LLC

9 12800 University Drive, Suite 400

10 Ft. Myers, Florida 33907

11 Telephone: (239) 415-6202

1 **With a copy by regular U.S. Mail to:**

2 Timothy N. Thomes, Esquire
3 99198 Overseas Highway, Suite 8
4 Key Largo, FL 33037
5 Telephone: (305) 451-4053

6
7 **TO THE COUNTY:**

8 Monroe County Administrator
9 1110 Simonton Street
10 Key West, Florida 33040 Telephone: (305) 292-4441

11
12 **With a copy by regular U.S. Mail to:**

13 Suzanne Hutton, Esquire
14 Monroe County Attorney
15 Post Office Box 1026
16 Key West, Florida 33041-1026
17 Telephone: (305) 292 3470

18
19 21. **Annual Report.** On the anniversary date of the Effective Date of this Agreement, the
20 Owner shall provide to the County a report identifying: (a) the amount of development authorized
21 by this Agreement that has been completed; (b) the amount of development authorized by this
22 Agreement that remains to be completed; and (c) any changes to the plan of development that
23 have occurred during the one (1) year period from the Effective Date of this Agreement or from
24 the date of the last annual report.

25 22. **Enforcement.** In accordance with Section 163.3243, Florida Statutes (2004), any party to
26 this Agreement, any aggrieved or adversely affected person as defined in Section 163.3215(2),
27 Florida Statutes (2004), or the state land planning agency may file an action for injunctive relief
28 in the circuit court of Monroe County, Florida, to enforce the terms of this Agreement or to
29 challenge the compliance of this Agreement with the provisions of Sections 163.3220-163.3243,
30 Florida Statutes (2004). If this Agreement is not accepted and approved by Monroe County, then
31 all rights and property transferred by the Owner to the County shall revert to, and shall be
32 transferred back to, the Owner.

1 23. **Binding Effect.** This Agreement shall be binding upon the
2 parties hereto, their successors in interest, heirs, assigns, and personal representatives.

3 24. **Drafting of Agreement.** The parties acknowledge that they jointly participated in the
4 drafting of this Agreement and that no term or provision of this Agreement shall be construed in
5 favor of or against either party based solely on the drafting of the Agreement.

6 25. **Severability.** In the event any provision, paragraph or section of this Agreement is
7 determined to be invalid or unenforceable by a court of competent jurisdiction, such
8 determination shall not affect the enforceability or the validity of the remaining provisions of this
9 Agreement.

10 26. **Applicable Law.** This Agreement was drafted and delivered in the State of Florida and
11 shall be construed and enforced in accordance with the laws of the State of Florida.

12 27. **Litigation; Attorney's Fees; Venue; Waiver of Right to Jury Trial.** In the event of any
13 litigation arising out of this Agreement between the County and Owner, the prevailing party shall
14 be entitled to recover all reasonable costs incurred with respect to such litigation, including
15 reasonable attorney's fees. This includes, but is not limited to, reimbursement for such reasonable
16 attorneys' fees and costs incurred with respect to any appellate, bankruptcy, post-judgment, or
17 trial proceedings related to this Agreement. Venue for any legal proceeding arising out of this
18 Agreement shall be in Monroe County, Florida. The parties to this Agreement waive the right to
19 a jury trial in any litigation arising out of or initiated under this Agreement.

20 28. **Use of Singular and Plural.** Where the context requires, the singular includes the plural,
21 and the plural includes the singular.

22 29. **Duplicate Originals; Counterparts.** This Agreement may be executed in any number of
23 originals and in counterparts, all of which evidence one (1) agreement. Only one (1) original is

1 required to be produced for any purpose.

2 30. **Headings.** The headings contained in this Agreement are for identification purposes
3 only and shall not be construed to amend, modify, or alter the terms of the Agreement.

4 31. **Entirety of Agreement.** This Agreement incorporates or supersedes all prior
5 negotiations, correspondence, conversations, agreements, or understandings regarding the
6 matters contained herein. The parties agree that there are no commitments, agreements, or
7 understandings concerning the subjects covered by this Agreement that are not contained in or
8 incorporated into this document and, accordingly, no deviation from the terms hereof shall be
9 predicated upon any prior representations or agreements, whether written or oral. This
10 Agreement contains the entire and exclusive understanding and agreement among the parties
11 and may not be modified in any manner except by an instrument in writing signed by the
12 parties.

13 32. **Recording; Effective Date.** The Owner shall record this Agreement in the public records
14 of Monroe County, Florida, within fourteen (14) days after the date of execution of this
15 Agreement. A copy of the recorded Agreement showing the date, page and book where recorded
16 shall be submitted to the state land planning agency by hand delivery, registered or certified
17 United States mail, or by a delivery service that provides a signed receipt showing the date of
18 delivery, within fourteen (14) days after the Agreement is recorded. The Owner shall also provide
19 a copy of the recorded Agreement to the County within the same time period. This Agreement
20 shall become effective thirty (30) days after the date it is received by the state land-planning
21 agency.

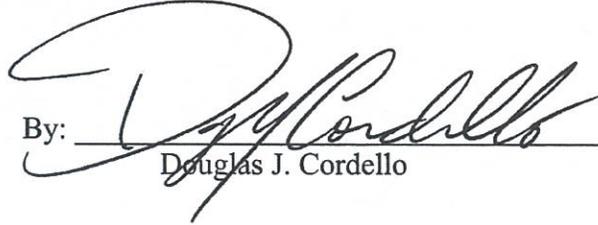
22 33. **Date of Agreement.** The date of this Agreement is the date the last party signs and
23 acknowledges this Agreement.

1 IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives,

2 have set their hands and seals on the dates below written.

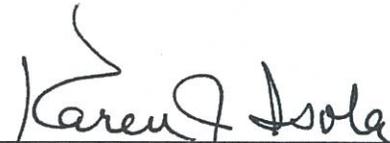
3 Ocean Sunrise Associates LLC

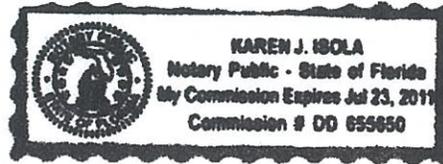
4
5 12-19-07
6 Date

By: 
Douglas J. Cordello

8
9 STATE OF FLORIDA
10 COUNTY OF ~~MONROE~~ Lee

11
12 The foregoing instrument was acknowledged before me on this 19 day of December
13 2007, by Douglas J. Cordello as VP of Ocean Sunrise Associates LLC. who is
14 personally known to me or who produced _____ as identification, and who
15 did/did not take an oath.

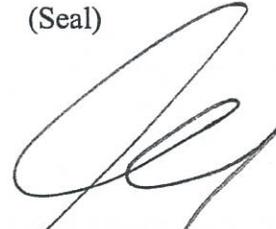
16
17 
18
19 Notary Public, State of Florida At Large
20 My commission expires: 7/23/11



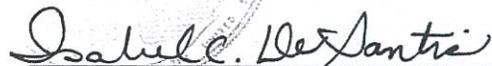
(Seal)

21
22
23
24 COUNTY OF MONROE

25
26 11/14/07
27 Date

By: 
28
29
30 Sonny McCoy, MAYOR

31 ATTEST: DANNY L. KOLHAGE, Clerk

32
33 
34 COUNTY CLERK

35
36 APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE
37 COUNTY OF MONROE, FLORIDA ONLY.

38
39
40 
41 COUNTY ATTORNEY
January 14, 2008

**EXHIBITS TO OCEAN SUNRISE ASSOCIATES, LLC
DEVELOPMENT AGREEMENT**

- EXHIBIT A: LEGAL DESCRIPTION OF PROPERTY**
- EXHIBIT B: LEGAL DESCRIPTION OF LEASED PROPERTY**
- EXHIBIT C: CONCEPTUAL SITE PLAN**
- EXHIBIT D: LEGAL DESCRIPTION OF LAND TO BE DEDICATED TO
COUNTY**

EXHIBIT A

Legal Description of Subject Property

Subject property containing parcels described as:

Lots 1-8 & 30-33, Mandalay Subdivision, Plat Book 1-194, Key Largo,
Monroe County, Florida
RE # 00554420;

SW'LY 125'x250' & NW'LY 95' of NE'LY 100' of SW'LY 225' of SQR 3, Mandalay
Subdivision, Plat Book 1-104, Key Largo, Monroe County, Florida
RE# 00554730;

Lots 1-2, Block 4, & Adjacent Bay Bottom, Mandalay Subdivision, Plat Book 1-194,
Key Largo, Monroe County, Florida
RE# 00554740;

NE 50' of the SW 225' of SQR 3 (5-A), Mandalay Subdivision, Key Largo, Florida

PT SQR 3, Mandalay Subdivision, Key Largo, Monroe County, Florida
RE# 00554670

Section 06, Township 62, Range 39

Doc# 1678803
Bk# 2341 Pg# 1001

EXHIBIT B

Legal Description of Leased Property

Property described as the Easterly ten feet of Second Avenue, adjacent to Lot 1, Block 4, Plat Book 1-194, Mandalay Subdivision, Key Largo, Monroe County, Florida

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this 12th day of NOVEMBER 1997, between the BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, hereinafter referred to as "LESSOR" and CANALIS HOLDING CORP., hereinafter referred to as "LESSEE."

LESSOR for and in consideration of the mutual covenants and agreements hereinafter contained, does hereby lease to said LESSEE the lands described in paragraph 2 below and subject to the following terms and conditions:

1. TERM The term of this lease shall be for a period of twenty (20) years commencing on 12/11/97 and ending on 11/30/2017 unless sooner terminated pursuant to the provisions of this lease.

2. DESCRIPTION OF PREMISES The property subject to this lease is situated in the County of Monroe, State of Florida, and is more particularly described as the easterly ten feet of Second Avenue, Mandalay Subdivision, Key Largo, Monroe County, Florida, adjacent to Lot 1, Block 4, Plat Book 1-194.

3. PURPOSE This Lease is for the purposes described in Exhibit A which is attached hereto and made a part hereof.

4. CONSIDERATION LESSEE shall pay to LESSOR within ten days of the commencement date and each anniversary thereafter, the sum of \$100 per year to be remitted to the Clerk for the Board of County Commissioners, 500 Whitehead Street, Key West, Florida 33040.

5. QUIET ENJOYMENT AND RIGHT OF USE LESSEE shall have the right of ingress and egress to, from and upon the leased premises for all purposes necessary to the full quiet enjoyment by said LESSEE of the rights conveyed herein.

6. UNAUTHORIZED USE LESSEE shall, through its agents and employees, prevent the unauthorized use of the leased premises or any use thereof not in conformance with this lease. No changes or improvements which increase to any degree the existing footprint of buildings on said leased premises or any other improvement, or any addition to any existing landscaping, including plants and rocks, shall be allowed under this lease.

7. ASSIGNMENT/SUBLEASE This lease shall not be assigned or subleased in whole or in part without the prior written consent of LESSOR. Any assignment or sublease made either in whole or in part without the prior written consent of LESSOR shall be void and without legal effect.

8. EASEMENTS This lease is subject to any utility easement existing on said leased premises. Any other easement not approved in writing by LESSOR shall be void and without legal effect.

9. RIGHT OF INSPECTION LESSOR or its duly authorized agents, representatives or employees shall have the right at any and all times during daylight hours to inspect the leased premises and the works and operations of LESSEE in any matter pertaining to this lease.

10. INSURANCE REQUIREMENTS During the term of this lease, LESSEE shall procure and maintain policies of fire, extended risk, and liability insurance coverage. The liability insurance coverage shall be in amounts not less than \$100,000.00 per occurrence and \$200,000.00 per accident for personal injury, death and property damage on the leased premises. Such policies of insurance shall name LESSOR, Monroe County, and LESSEE as co-insureds. LESSEE shall submit written evidence of having procured all insurance policies required herein prior to the effective

Aug-09-2004 14:18

From-MONROE COUNTY ENGINEERING

+9092964921

T-694 P 062/006 F-50

date of this lease and shall submit annually thereafter written evidence of maintaining such insurance policies to the Clerk of the Board of County Commissioners, Monroe County, Florida, 500 Whitehead Street, Key West, FL 33040. LESSEE shall purchase all policies of insurance from a financially responsible insurer duly authorized to do business in the State of Florida. LESSEE shall be financially responsible for any loss due to failure to obtain adequate insurance coverage, and the failure to maintain such policies or certificates in the amounts set forth shall constitute a breach of this lease.

11. **LIABILITY** Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees and agents thereof. Nothing herein shall be construed as an indemnity or a waiver of sovereign immunity enjoyed by any party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

12. **PAYMENT OF TAXES AND ASSESSMENTS** LESSEE shall assume full responsibility for and shall pay all liabilities that accrue to the leased premises or to the improvements thereon, including any and all ad valorem taxes and drainage and special assessments or taxes of every kind and all mechanic's or materialmen's liens which may be hereafter lawfully assessed and levied against the leased premises.

13. **NO WAIVER OF BREACH** The failure of LESSOR to insist in any one or more instances upon strict performance of any one or more of the covenants, terms and conditions of this lease shall not be construed as a waiver of such covenants, terms or conditions, but the same shall continue in full force and effect, and no waiver of LESSOR of any of the provisions hereof shall in any event be deemed to have been made unless the waiver is set forth in writing, signed by LESSOR.

14. **TIME** Time is expressly declared to be of the essence of this lease.

15. **UTILITY FEES** LESSEE shall be responsible for the payment of all charges for the furnishing of gas, electricity, water and other public utilities to the leased premises and for having all utilities turned off when the leased premises are surrendered.

16. **MINERAL RIGHTS** This lease does not cover petroleum or petroleum products or minerals and does not give the right to LESSEE to drill for or develop the same, and LESSOR specifically reserves the right to lease the leased premises for purpose of exploring and recovering oil and minerals by whatever means appropriate; provided, however, that LESSEE named herein shall be fully compensated for any and all damages that might result to the leasehold interest of said LESSEE by reason of such exploration and recovery operation.

17. **RIGHT OF AUDIT** LESSEE shall make available to LESSOR all financial and other records relating to this lease, and LESSOR shall have the right to either audit such records at any reasonable time or require the submittal of an annual independent audit by a Certified Public Accountant during the term of this lease. This right shall be continuous until this lease expires or is terminated. This lease may be terminated by LESSOR should LESSEE fail to allow public access to all documents, papers, letters or other materials made or received in conjunction with this lease, pursuant to the provisions of Chapter 119, Florida Statutes.

18. **CONDITION OF PREMISES** LESSOR assumes no liability of obligation to LESSEE with reference to the condition of the leased premises. The leased premises herein are leased by LESSOR to LESSEE in an "as is" condition, with LESSOR assuming no responsibility for the care, repair, maintenance or improvement of the leased premises for the benefit of LESSEE.

19. **COMPLIANCE WITH LAWS** LESSEE agrees that this lease is contingent upon and subject to LESSEE obtaining all applicable permits and complying with all applicable permits, regulations, ordinances, rules, and laws of the State of Florida or the United States or of any political subdivision or agency of either.

20. **NOTICE** All notices given under this lease shall be in writing and shall be served by certified mail including, but not limited to, notice of any violation served pursuant to 253.04, Florida Statutes, to the last address of the party to whom notice is to be given, as designated by such party in writing. LESSOR and LESSEE hereby designate their address as follows:

LESSOR:
County Administrator
Public Service Building
5100 College Road, Stock Island
Key West, FL 33040

LESSEE:
Marty Webb
CANALIS HOLDING CORP.
80 East Second Street
Key Largo, FL 33037

21. **BREACH OF COVENANTS, TERMS OR CONDITIONS** Should LESSEE breach any of the covenants, terms or conditions of this lease, LESSOR shall give written notice to LESSEE to remedy such breach within sixty (60) days of such notice. In the event LESSEE fails to remedy the breach to the satisfaction of LESSOR within sixty (60) days of receipt of written notice, LESSOR may either terminate this lease and recover from LESSEE all damages LESSOR may incur by reason of the breach including, but not limited to, the cost of recovering the leased premises and attorneys' fees or maintain this lease in full force and effect and exercise all rights and remedies herein conferred upon LESSOR.

22. **DAMAGE TO THE PREMISES**

(A) LESSEE shall not do, or suffer to be done, in, on or upon the leased premises or as affecting said leased premises or adjacent properties, any act which may result in damage or depreciation of value to the leased premises or adjacent properties, or any part thereof.

(B) LESSEE shall not generate, store, produce, place, treat, release or discharge any contaminants, pollutants or pollution, including, but not limited to, hazardous or toxic substances, chemicals or other agents on, into, or from the leased premises or any adjacent lands or waters in any manner not permitted by law. For the purposes of this lease, "hazardous substances" shall mean and include those elements or compounds defined in 42 USC Section 9601 or which are contained in the list of hazardous substances adopted by the United States Environmental Protection Agency (EPA) and the list of toxic pollutants designated by the United States Congress or the EPA or defined by any other federal, state or local statute, law, ordinance, code, rule, regulation, order or decree regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance, material, pollutant or contaminant. "Pollutants" and "pollution" shall mean those products or substances defined in Florida Statutes, Chapter 376 and Chapter 403, and the rules promulgated thereunder, all as amended or updated from time to time. In the event of LESSEE's failure to comply with this paragraph, LESSEE shall, at its sole cost and expense, promptly commence and diligently pursue any legally required closure, investigation, assessment, cleanup, decontamination, remediation, restoration and monitoring of (1) the leased premises, and (2) all off-site ground and surface waters and lands affected by LESSEE's such failure to comply, as may be necessary to bring the leased premises and affected off-site waters and lands into full compliance with all applicable federal, state, or local statutes, laws, ordinances, codes, rules, regulations, orders, and decrees, and to restore the damaged property to the condition existing immediately prior to the occurrence which caused the damage. LESSEE's obligations set forth in this paragraph shall survive the termination or expiration of this lease. This paragraph shall not be construed as a limitation upon LESSEE's obligations regarding indemnification and payment of costs and fees as set forth in paragraph 12 of this lease, nor upon any other obligations or responsibilities of LESSEE

as set forth herein. Nothing herein shall relieve LESSEE of any responsibility or liability prescribed by law for fines, penalties and damages levied by governmental agencies, and the cost of cleaning up any contamination caused directly or indirectly by LESSEE's activities or facilities. Upon discovery of a release of a hazardous substance or pollutant, or any other violation of local, state, or federal law, ordinance, code, rule, regulation, order or decree relating to the generation, storage, production, placement, treatment, release or discharge of any contaminant, LESSEE shall report such violation to all applicable governmental agencies having jurisdiction, and to LESSOR, all within the reporting period of the applicable agency.

(C) Should the buildings which extend onto the leased premises be substantially damaged for any reason and cannot be repaired but must, pursuant to law, be removed and replaced by structure(s) meeting laws in existence at the time of such occurrence, this lease shall be automatically terminated.

23. SURRENDER OF PREMISES Upon termination or expiration of this lease, LESSEE shall surrender the leased premises to LESSOR. In the event no further use of the leased premises or any part thereof is needed, LESSEE shall give written notification to LESSOR at least six (6) months prior to the release of any or all of the leased premises. Notification shall include a legal description and an explanation of the release. The release shall only be valid if approved by LESSOR through the execution of a release of lease instrument with the same formality as this lease. Prior to surrender of all or any part of the leased premises, a representative of the Division of State Lands shall perform an on-site inspection. If the leased premises violate conditions set forth in paragraph 6 herein, LESSEE shall pay all costs necessary to remove any unauthorized improvements or changes.

24. PROHIBITIONS AGAINST LIENS OR OTHER ENCUMBRANCES Fee title to the leased premises is held by LESSOR. LESSEE shall not do or permit anything to be done which purports to create a lien or encumbrance of any nature against the real property contained in the leased premises including, but not limited to, mortgages or construction liens against the leased premises or against any interest of LESSOR therein.

25. PARTIAL INVALIDITY If any term, covenant, condition or provision of this lease shall be ruled by a court of competent jurisdiction, to be invalid, void, or unenforceable, the remainder shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

26. ARCHAEOLOGICAL AND HISTORIC SITES Execution of this lease in no way affects any of the parties' obligations pursuant to Chapter 267, Florida Statutes. The collection of artifacts or the disturbance of archaeological and historic sites on state-owned lands is prohibited unless prior authorization has been obtained from the Department of State, Division of Historical Resources.

27. SOVEREIGNTY SUBMERGED LANDS This lease does not authorize the use of any lands located waterward of the mean of ordinary high water line of any lake, river, stream, creek, bay, estuary, or other water body or the waters or the air space thereabove.

28. DUPLICATE ORIGINALS This lease is executed in duplicate originals each of which shall be considered an original for all purposes.

29. ENTIRE UNDERSTANDING This lease sets forth the entire understanding between the parties and shall only be amended with the prior written approval of LESSOR.

30. MAINTENANCE OF IMPROVEMENTS LESSEE shall maintain the real property contained within the leased premise in a state of good condition including, but not limited to, keeping the leased premises free of trash or litter and meeting all building and safety codes in the location situated.

31. GOVERNING LAW This lease shall be governed by and interpreted according to the laws of the State of Florida.

32. SECTION CAPTIONS Articles, subsections and other captions contained in this lease are for reference purposes only, and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this lease or any provisions thereof.

IN WITNESS WHEREOF, the parties hereto have caused this lease to be executed on the day and date first above written.



TEST RAYMOND L. KOLHAGE, CLERK
By Raymond L. Kolhage
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By John London
Mayor/Chairman

CANALS HOLDING CORP.

By Marty Webb president
Marty Webb, President

Recess/Adjournment

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY Suzanne A. Hutton
SUZANNE A. HUTTON
DATE 10/10/97

ASSIGNMENT OF LEASE

KNOW ALL MEN BY THESE PRESENTS THAT CANALIS HOLDING CORP., the lessee under Lease Agreement dated 12/01/1997 through 11/30/2017 demising the parking premises described on Exhibit A attached hereto located in Monroe County, Florida.

HEREBY assigns and transfers to EARTHMARK COMPANIES, LLC, a Florida limited liability company, as Assignee herein, all right, title and interest in said lease for and during the rest and remainder of the term of said Lease, and subject all of the rents, agreements and conditions of said lease.

TO HAVE AND TO HOLD the same unto the said Assignee from the 2nd day of February, 2004.

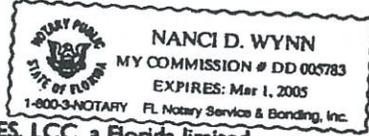
IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on the 3rd day of February, 2004.

Signed, sealed and delivered
In the presence of:

Nanci D Wynn
Nanci D Wynn
County of Lake
State of Fla.

By: *John M. Singleton*
CANALIS HOLDING CORP.
JOHN M. SINGLETON, PRES.

I do hereby certify that *John M. Singleton* did appear before me his ACCEPTANCE OF LEASE *Nanci D Wynn*



KNOW ALL MEN BY THESE PRESENTS THAT: EARTHMARK COMPANIES, LLC, a Florida limited liability company, the Assignee named in the foregoing Assignment of Lease, hereby accepts the Lease referred to therein and hereby agrees to abide by the terms and conditions thereof and to pay the rent thereon.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on this 2nd day of February, 2004.

Signed, sealed and delivered
In the presence of:

Nanci D Wynn
Nanci D Wynn
County of Lake
State of Florida

EARTHMARK COMPANIES, LLC
By: *[Signature]*
President

I hereby certify that *Dave Clark* did appear before me his day of Feb 2004. *1.1.07*

CONSENT OF LANDLORD

KNOW ALL MEN BY THESE PRESENTS THAT: MONROE COUNTY, a political subdivision of the State of Florida, the Lessor named in the forgoing Lease, hereby consent to the assignment of such Lease from CANALIS HOLDING CORP., to EARTHMARK COMPANIES, LLC, a Florida limited liability company, subject all of the rents, agreements and conditions of said lease.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on this 18th day of February, 2004.

Attest: _____

MONROE COUNTY

By Murray Nelson

APPROVED AS TO FORM:
MONROE COUNTY ATTORNEY

Suzanne A. Hutton
SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date 2/18/04



DANNY L. KOLHAGE, CLERK

Danny L. Kolhage
DEPUTY CLERK

Doc# 1678803
Bk# 2341 Pg# 1009

**CONSENT OF LANDLORD
TO ASSIGNMENT**

KNOW ALL MEN BY THESE PRESENTS THAT: The Monroe County Board of County Commissioners, the Lessor in the lease entered into November 12, 1997, with Canalis Holding Corp., and previously assigned to Earthmark Companies, LLC, does hereby consent to the assignment of said lease from Earthmark Companies, LLC, to its wholly owned subsidiary Ocean Sunrise Associates LLC, a Florida limited liability company, subject to all the rents, agreements and conditions of said lease.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on this 18 day of August, 2004.



DANNY L. KOLHAGE, CLERK

By: Daniel C. DeSantis
Deputy Clerk

MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS

By: Murray Nelson
Murray Nelson, Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

Suzanne A. Hutton
SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date: 7/20/04

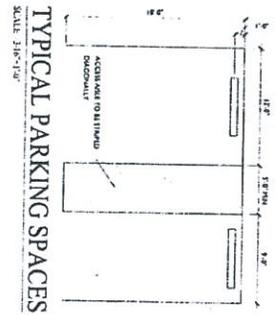
Doc# 1678803
Bk# 2341 Pg# 1010

EXHIBIT C

Conceptual Site Plan

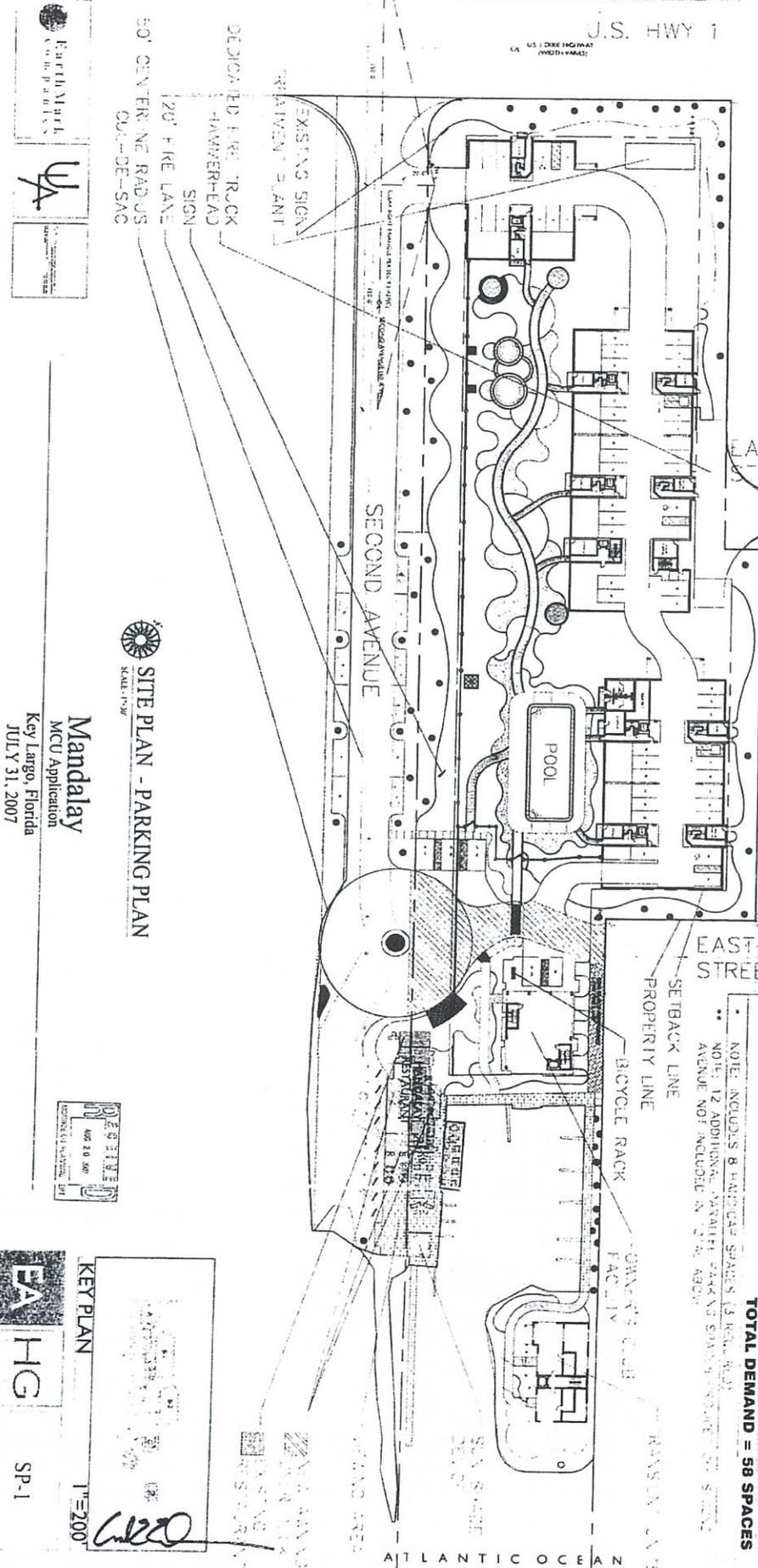
Reference conceptual site plan as prepared by Erickson Associates/Hill Glazier Architects for "Mandalay MCU Application", SP-1, dated July 31, 2007, and submitted with application.

UNIT MATRIX			
TRANSEUNT UNITS	UNIT TYPE	# OF UNITS	AREA
1 Bedroom Unit (450 sq ft)	RM-12	2	1,200 SF
2 Bedroom Unit (450 sq ft)	RM-14	1	1,250 SF
RESIDENTIAL UNITS			
2 Bedroom Unit (500 sq ft)	RM-32	2	2,282 SF
3 Bedroom Unit (500 sq ft)	RM-23	2	2,772 SF
4 Bedroom Unit (500 sq ft)	RM-22	8	2,217 SF
1 Bedroom Unit (300 sq ft)	RM-32	4	2,282 SF
2 Bedroom Unit (300 sq ft)	RM-33	4	2,796 SF
4 Bedroom Unit (500 sq ft)	RM-34	2	2,980 SF



PARKING INFORMATION			
USE	AREA OR # OF ROOMS	PARKING ACTOR (PER ZONING CODE)	SPACE #S
RESIDENTIAL UNITS	22 UNITS	1.5 PER UNIT	33
TRANSEUNT UNITS	3 UNITS	1 PER UNIT	3
RESTAURANT			3
OPEN SPACE	2,064 SF	7 SPACES PER 1,000 SF	12
COVERED SPACE	1,778 SF	14 SPACES PER 1,000 SF	24
GRAND TOTAL PARKING DEMAND = 58 SPACES			
SPARED PARKING CAPACITY ON ADJACENT PROPERTY = 22 SPACES			
TOTAL DEMAND = 58 SPACES			

NOTE: INCLUDES 8 HANDICAP SPACES (3 PER 1,000 SF)
NOTE: 12 ADDITIONAL SPACES PARKING DEMAND ON ADJACENT PROPERTY (30 SPACES)
AVENUE NOT INCLUDED IN TOTAL ABOVE



EarthMark
CORPORATION

Y&A
LANDSCAPE ARCHITECTURE

Mandalay
MCU Application
Key Largo, Florida
JULY 31, 2007

KEY PLAN
SCALE: 1"=200'

BA HG SP-1

10/2007

EXHIBIT D

Legal Description of Land to be Dedicated to Monroe County

Part Tract 5A, Amended Plat of Mandalay Subdivision, Plat Book 5-25, Key Largo,
Monroe County, Florida
RE#00554940-000300

Section 06, Township 62, Range 39

MONROE COUNTY PROPERTY APPRAISER

PROPERTY INFORMATION FOR:

Alternate Key: 1680435
RE Number: 00554940-000300

Property Details

<p>OWNER OF RECORD</p> <p>OCEAN KEY ASSOCIATES LTD 12800 UNIVERSITY DR STE 400 FORT MYERS, FL 33907-5336</p> <p>PHYSICAL LOCATION</p> <p>KEY LARGO</p> <p>LEGAL DESCRIPTION</p> <p>AMD PLAT OF MANDALAY KEY LARGO PH5-25 PT TR 5A OR562-411 OR1028-3540C-(TRIUMH) OR1813- 1466-61(CW) OR1813-1462-63(CW)</p> <p>SECTION, TOWNSHIP, RANGE</p> <p>06 - 62 - 39</p> <p>AFFORDABLE HOUSING No</p> <p>MILLAGE GROUP</p> <p>500K</p> <p>PC CODE</p> <p>1000 - VACANT COMMERCIAL</p>	<p>PROPERTY MAP</p>
---	----------------------------

Land Details

LAND USE CODE	FRONTAGE	DEPTH	LAND AREA
100H - COMMERCIAL HIGHWAY	0	0	0.57 AC

Parcel Value History

TAX ROLL YEAR	BUILDING	MISCELLANEOUS IMPROVEMENTS	LAND	JUST	EXEMPTIONS (NOT INCLUDING SENIORS)	TAXABLE
2006	0	0	37,962	37,962	0	37,962
2005	0	0	37,962	37,962	0	37,962
2004	0	0	63,270	37,962	0	37,962
2003	0	0	48,450	29,070	0	29,070
2002	0	0	48,450	29,070	0	29,070
2001	0	0	48,450	29,070	0	29,070
2000	0	0	48,450	29,070	0	29,070
1999	0	0	48,450	29,070	0	29,070
1998	0	0	48,450	29,070	0	29,070
1997	0	0	48,450	29,070	0	29,070
1996	0	0	48,450	29,070	0	29,070
1995	0	0	48,450	48,450	0	48,450
1994	0	0	48,450	48,450	0	48,450
1993	0	0	48,450	48,450	0	48,450
1992	0	0	48,450	48,450	0	48,450
1991	0	0	48,450	48,450	0	48,450

MONROE COUNTY
OFFICIAL RECORDS

RESOLUTION NO. 493 -2007

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING THE REQUEST BY OCEAN SUNRISE ASSOCIATES FOR A DEVELOPMENT AGREEMENT TO DONATE TWO (2) MARKET RATE ROGO EXEMPTIONS TO MONROE COUNTY; DONATE EIGHT (8) TRANSIENT RESIDENTIAL ROGO EXEMPTIONS TO MONROE COUNTY; DONATE 0.57 ACRES OF LAND TO MONROE COUNTY FOR USE AS OPEN SPACE OR A PASSIVE PARK; AND REDEVELOPMENT ON PROPERTY LEGALLY DESCRIBED AS AMENDED PLAT OF MANDALAY KEY LARGO PB5-25 PART TRACK 5A, MANDALAY, PB1-194, KEY LARGO LOTS 1-8 & 30-33, PART SQUARE 3 INCLUDING BUT NOT LIMITED TO NE 30' OF THE SW 225' AND SW'LY 125' X 250" & NW'LY 95' OF NE'LY 100' OF SW'LY 225' & ADJACENT BAY BOTTOM HAVING REAL ESTATE NUMBERS 00554420.000000, 00554670.000000, 00554700.000000, 00554730.000000, 00554740.000000, & 005549040.000300 LOCATED IN MONROE COUNTY, FLORIDA.

WHEREAS, during a regularly scheduled public meeting held on November 14, 2007, the Monroe County Board of County Commissioners (BOCC) conducted a review and consideration of a request filed by Ocean Sunrise Associates, for a development agreement pursuant to Sections 101 and 102 of the Monroe County Code; and

WHEREAS, during a regularly scheduled meeting held on October 24, 2007, the Monroe County Planning Commission conducted a review and consideration of this same request; and

WHEREAS, during a regularly scheduled meeting held on September 24, 2007, the Monroe County Development Review Committee conducted a review and consideration of this same request; and

WHEREAS, the subject property is located at approximate mile marker 97.5 oceanside in Key Largo legally described as Amended Plat of Mandalay Key Largo PB5-25 Part Track 5A, Mandalay, PB1-194, Key Largo Lots 1-8 & 30-33, Part Square 3 including but not limited to NE 30' of the SW 225' and SW'LY 125' x 250" & NW'LY 95' of NE'LY 100' of SW'LY 225' & Adjacent Bay Bottom; and

WHEREAS, the BOCC passed Resolution 603-2006 to abandon 10,270 SF of First Street and Resolution 604-2006 to abandon 6,556 SF of Second Street; and

WHEREAS, these Resolutions included and approved a maintenance agreement for Second Avenue; and

WHEREAS, the BOCC was presented with the following information, which by reference is hereby incorporated as part of the record of said hearing:

1. Application for a Development Agreement received by Monroe County on August 22, 2007; and
2. Development Agreement received by Monroe County via email on October 4, 2007; and
3. Staff Report by Julianne Thomas, Planner amended as directed during the meeting and dated October 29, 2007; and
4. The sworn testimony of Growth Management Division Staff; and
5. The sworn testimony of the Applicant; and
6. The sworn testimony of the public; and
7. Exhibits provided by the applicant; and
8. Comments by Timothy Thomes, attorney for the applicant; and
9. Comments by the County Attorney Office; and

WHEREAS, Monroe County Code (MCC) § 9.5-266(b) provides inclusionary housing standards which are applicable to development or redevelopment of permanent residential units; and

WHEREAS, the applicant relied on representation from staff that this development would not be subject to the inclusionary housing ordinance based on conversations with staff and acceptance and processing of a map amendment in September 2005 which would have been prohibited if the property was subject to inclusionary housing standards pursuant to Resolution 320-2005; and

WHEREAS, the BOCC can grant relief from the inclusionary housing standards to any applicant pursuant to MCC § 9.5-266(b)(3)c; and

WHEREAS, the Monroe County Board of County Commissioners makes the following Findings of Fact and Conclusions of Law:

1. Based on MCC § 9.5-101 the Development Agreement does meet the requirements to allow Monroe Count to enter into a Development Agreement.
2. Based on MCC §9.5-102(a), the BOCC does have the authority to enter into this Development Agreement.
3. Any transfer of transient ROGO exemptions or commercial floor area shall comply with the requirements of the MCC at the time of transfer.
4. Approval of this Development Agreement by the BOCC shall not constitute approval of a specific site plan. Approval of a site plan shall be determined upon submittal of an application for Major Conditional Use Permit approval which would include any variance applications required to be in compliance with land development regulations.

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

SECTION 1: The preceding Findings of Fact and Conclusions of Law are incorporated by reference in support of its decision to **APPROVE** the request by Ocean Sunrise Associates for a development agreement subject to the conditions in Section 2.

SECTION 2. The recommendation for approval is subject to the following conditions:

1. Upon execution of the development agreement, two (2) market rate ROGO exemptions shall be transferred to Monroe County as directed by the Development Agreement.
2. Upon execution of the development agreement, ownership of RE 00554940.000300 shall be transferred to Monroe County as directed by the Development Agreement.
3. Upon execution of the development agreement, eight (8) transient residential ROGO exemptions shall be transferred to Monroe County as directed by the Development Agreement.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 14th day of November, 2007.

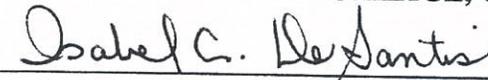
Mayor Charles "Sonny" McCoy	<u>Yes</u>
Mayor Pro Tem Mario DiGennaro	<u>Yes</u>
Commissioner Dixie Spehar	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Sylvia J. Murphy	<u>Yes</u>

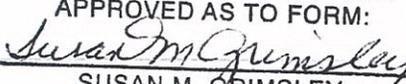
BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA

BY: 
Mayor Charles "Sonny" McCoy

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK


Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

SUSAN M. GRIMSLEY
ASSISTANT COUNTY ATTORNEY
Date January 14, 2008



Doc# 1696544 05/23/2008 2:34PM
 Filed & Recorded in Official Records of
 MONROE COUNTY DANNY L. KOLHAGE

Doc# 1696544
 Bk# 2362 Pg# 2287

**MONROE COUNTY, FLORIDA
 PLANNING COMMISSION RESOLUTION NO. P69-07**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION **APPROVING** THE REQUEST BY OCEAN SUNRISE ASSOCIATES LLC FOR A MAJOR CONDITIONAL USE PERMIT IN ORDER TO REDEVELOP THE SUBJECT PROPERTY INTO A RESORT AREA, CONSISTING OF TWENTY-TWO (22) PERMANENT MARKET-RATE DWELLING UNITS, THREE (3) TRANSIENT DWELLING UNITS, 3,782 SQ FT OF COMMERCIAL RETAIL NON-RESIDENTIAL FLOOR AREA, TWELVE (12) BOAT SLIPS AND ASSOCIATED AMENITIES, AT PROPERTY LEGALLY DESCRIBED AS MANDALAY, PB1-194, KEY LARGO, LOTS 1-8 & 30-33, PART SQUARE 3 INCLUDING, BUT NOT LIMITED TO, NE 30' OF THE SW 225' AND SW' LY 125' X 250' & NW' LY 95' OF NE' LY 100' OF SW' LY 225' & ADJACENT BAY BOTTOM, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE (RE) NUMBERS 00554420.000000, 00554670.000000, 00554700.000000, 00554730.000000 & 00554740.000000.

WHEREAS, during a regularly scheduled public meeting held on January 8, 2008, the Monroe County Planning Commission conducted a review and consideration of a request filed by the Craig Company, on behalf of Ocean Sunrise Associates LLC, for a major conditional use permit in accordance with §9.5-69, §9.5-233, §9.5-235 and §9.5-248 of the Monroe County Code; and

WHEREAS, the subject property is located to the Southeast of the intersection of the Overseas Highway (US 1) and Second Street, Key Largo, approximate Mile Marker 97.5 (Oceanside), and is legally described as Mandalay, PB1-194, Key Largo, Lots 1-8 & 30-33, Part Square 3 including, but not limited to, NE 30' of the SW 225' and SW' LY 125' x 250' & NW' LY 95' of NE' LY 100' of SW' LY 225' & adjacent bay bottom, Key Largo, Monroe County, Florida, having real estate (RE) numbers 00554420.000000, 00554670.000000, 00554700.000000, 00554730.000000 & 00554740.000000; and

WHEREAS, the Applicant requested a major conditional use permit in order to redevelop the subject property into a resort area, consisting of twenty-two (22) permanent

market-rate dwelling units, three (3) transient dwelling units, 3,782 ft² of commercial retail non-residential floor area, twelve (12) boat slips and associated amenities; and

WHEREAS, the Planning Commission reviewed 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. Major conditional use permit application received by the Monroe County Planning & Environmental Resources Department on October 31, 2007; and
2. Site Plans (SP-1 & SP-2) by Professional Design Associates, Inc. (PDA) and Hill Glazier Architects, dated October 29, 2007; and
3. Building A & B Floor / Roof Plans (AA201, AA202, AA203 & AA204) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
4. Building B Typical Pod (A401) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
5. Building A & B End Units (A402 & A403) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
6. Building A & B, Building C and Building D Elevations (A501) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
7. Building A & B, Building C and Building D Sections (A502) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
8. Building C Floor / Roof Plans (AC201 & AC202) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
9. Building D Floor / Roof Plans (AD201, AD202 & AD203) by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
10. Hardscape Plan by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
11. Conceptual Drainage Plan (C-1) by Perez Engineering, dated October 30, 2007; and
12. Boundary Survey by E.F. Gaines Surveying Services, Inc., dated March 25, 2004; and
13. Landscape Plan by Professional Design Associates, Inc. (PDA), dated October 29, 2007; and
14. Staff report prepared by Julianne Thomas, Monroe County Planner, dated December 21, 2007; and
15. Sworn testimony of Monroe County Planning & Environmental Resources Department Staff; and
16. Sworn testimony of the Applicant and the general public; and
17. Exhibits provided by the Applicant at the public meeting; and
18. Advice and counsel of John Wolfe; and

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

1. The subject property is partially located in a Mixed Use (MU) Land Use District, partially located in an Urban Residential (UR) Land Use District and partially located in an Sub Urban Commercial (SC) Land Use District; and

2. The subject property has a partial Future Land Use Map (FLUM) designation of Mixed Use / Commercial (MC) and a partial Future Land Use Map (FLUM) designation of Residential High (RH); and
3. Pursuant to §9.5-233, §9.5-235 and §9.5-248 of the Monroe County Code, the redevelopment shall require major conditional use permit approval; and
4. §9.5-65 of the Monroe County Code provides the standards which are applicable to all conditional uses. When considering applications for a conditional use permit, the Planning Commission shall consider the extent to which:
 - (a) The conditional use is consistent with the purposes, goals, objectives and standards of the Monroe County Year 2010 Comprehensive Plan and Monroe County Code; and
 - (b) The conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development; and
 - (c) The design of the proposed development minimizes adverse effects, including visual impacts, or the proposed use on adjacent properties; and
 - (d) The proposed use will have an adverse effect on the value of surrounding properties; and
 - (e) The adequacy of public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by the Monroe County Code; and
 - (f) The Applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development; and
 - (g) The development will adversely affect a known archaeological, historical or cultural resource; and
 - (h) Public access to public beaches and other waterfront areas is preserved as a part of the proposed development; and
 - (i) The proposed use complies with all additional standards imposed on it by the particular provision of this chapter authorizing such use and by all other applicable requirements of the Monroe County Code.
5. Developments requiring a major conditional use permit shall be consistent with the Principles for Guiding Development in the Florida Keys Area of Critical State Concern.
6. Planning & Environmental Resources Department Staff could not determine compliance with the following standards imposed on this conditional use application pursuant to MCC §9.5-65(i):

- (a) Required Landscaping (§9.5-361)
 - (b) Street Trees (§9.5-366)
 - (c) Mitigation Standards (§9.5-346)
 - (d) Required Buffer-yards (§9.5-376, §9.5-378 & §9.5-379); and
7. Planning & Environmental Resources Department Staff found that the Applicant has demonstrated that all other required standards shall be met and recommended approval of the major conditional use permit application with conditions; and
8. On November 14, 2007, the Board of County Commissioners passed and adopted a development agreement between Ocean Sunrise Associates LLC and Monroe County which, in part, provided conceptual approval of the site plan. Approval of the development agreement was recorded in Resolution 413-2007; and

WHEREAS, the Planning Commission makes the following Conclusions of Law:

1. The major conditional use permit request is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan; and
2. The major conditional use permit request is consistent with the provisions and intent of Chapter 9.5 of the Monroe County Code.
 - a. The land uses of the redevelopment are permitted uses in the Mixed Use (MU), Urban Residential (UR) and Sub Urban Commercial (SC) Land Use Districts; and
 - b. The redevelopment shall meet all of the standards for a conditional use permit as set forth in §9.5-65(a),(b), (c), (d), (e), (f), (g) and (h) of the Monroe County Code; and
 - c. The Applicant shall demonstrate that the redevelopment meets all of the standards for a conditional use permit as set forth in §9.5-65(i), including, but not limited to Required Landscaping (§9.5-361), Street Trees (§9.5-366), Mitigation Standards (§9.5-346) and Required Buffer-yards (§9.5-376, §9.5-378 & §9.5-379) prior to the issuance of any building permit; and
3. The major conditional use permit request is consistent with the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and
4. As set forth within the development agreement approved by the Board of County Commissioners on November 14, 2007:
 - a. The property owner shall have up to four (4) years to obtain the first building permit and up to ten (10) years to obtain the first Certificate of Occupancy; and
 - b. Approval of this major conditional use permit effectively transfers the two (2) permanent market-rate Rate of Growth Ordinance (ROGO) exemptions and eight

(8) transient ROGO exemptions to Monroe County. Once transferred, these ROGO exemptions shall not return to the Applicant.

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 Ocean Sunrise Associates LLC for a major conditional use permit in order to redevelop the subject property into a resort area, consisting of twenty-two (22) permanent market-rate dwelling units, three (3) transient dwelling units, 3,782 ft² of commercial retail non-residential floor area, twelve (12) boat slips and associated amenities, at property legally described as Mandalay, PB1-194, Key Largo, Lots 1-8 & 30-33, Part Square 3 including, but not limited to, NE 30' of the SW 225' and SW' LY 125' x 250' & NW' LY 95' of NE' LY 100' of SW' LY 225' & adjacent bay bottom, Key Largo, Monroe County, Florida, having real estate (RE) numbers 00554420.000000, 00554670.000000, 00554700.000000, 00554730.000000 & 00554740.000000, with the following conditions:

1. Prior to the issuance of a building permit, the Applicant shall submit signed and sealed landscape plans to the Planning & Environmental Resources Department showing compliance with the landscaping requirements as determined under Planning Commission Resolution P68-2007.
2. Prior to the issuance of a building permit, the Applicant shall receive all required permits and approvals from the United States Army Corps of Engineers, Florida Department of Environmental Protection, South Florida Water Management District, Florida Department of Health and the Florida Department of Transportation.
3. Prior to the issuance of a building permit, the proposed development and buildings shall be found in compliance by the Monroe County Building Department, the Monroe County Floodplain Administrator, the Monroe County Engineer and the Monroe County Office of the Fire Marshal.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 8th day of January, 2008.

Chair Wall	<u>YES</u>
Vice-Chair Cameron	<u>YES</u>
Commissioner Marston	<u>YES</u>
Commissioner Popham	<u>YES</u>
Commissioner Windle	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY *Randolph D. Wall*
Randolph D. Wall, Chair

**MONROE COUNTY
OFFICIAL RECORDS**

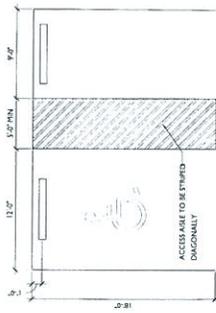
Signed this 3rd day of March, 2008.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY <u><i>[Signature]</i></u> Attorney's Office

PARKING INFORMATION

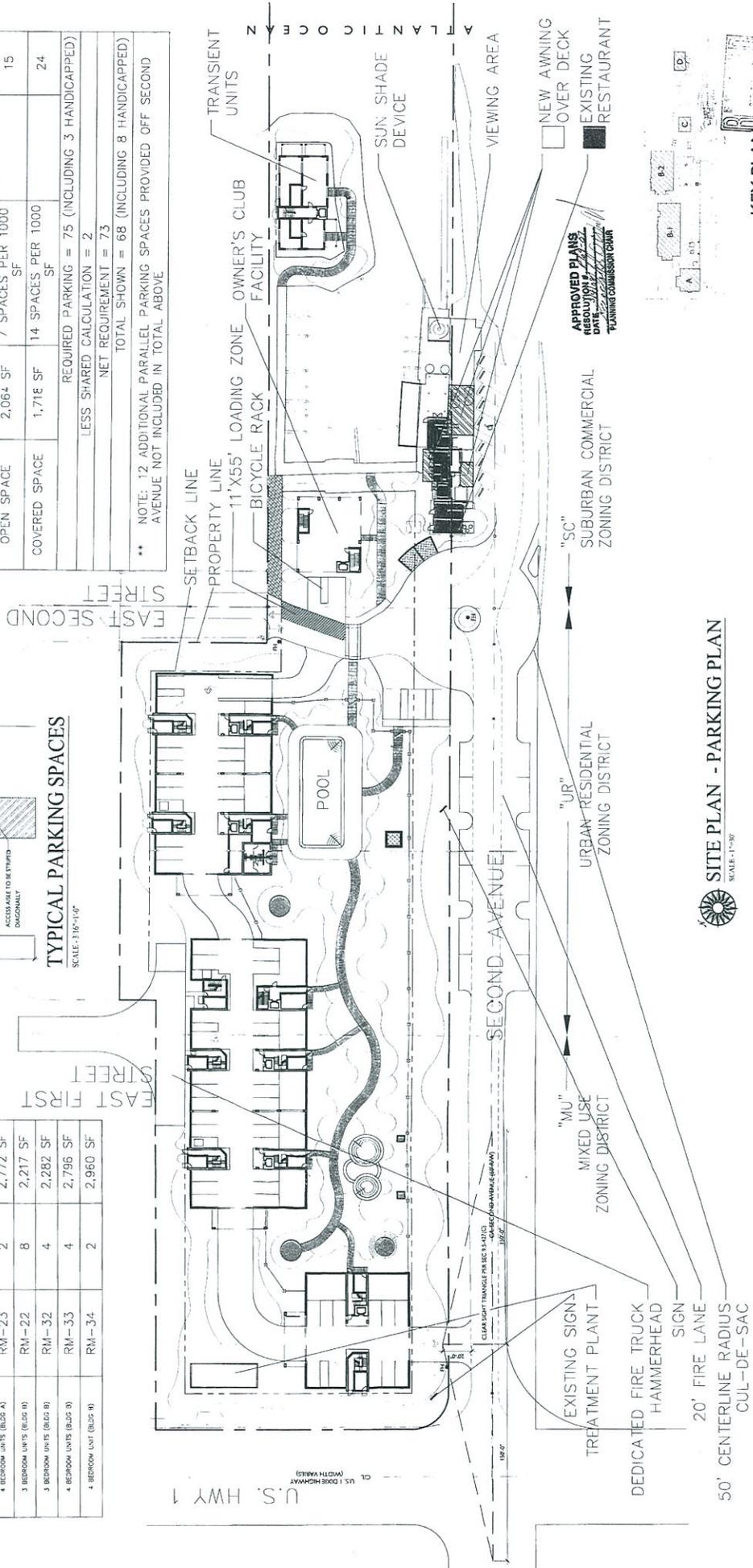
ALL STALLS SHOWN AT 9'x16'

USE	AREA OR # OF ROOMS	PARKING FACTOR (PER ZONING CODES)	SPACE #'S	SUBTOTAL PARKING
RESIDENTIAL UNITS	22 UNITS	1.5 PER UNIT		33
TRANSIENT UNITS				
1 BEDROOM RESTAURANT	3 UNITS	1 PER UNIT		3
OPEN SPACE	2,064 SF	7 SPACES PER 1000 SF		15
COVERED SPACE	1,718 SF	14 SPACES PER 1000 SF		24
REQUIRED PARKING = 75 (INCLUDING 3 HANDICAPPED)				
LESS SHARED CALCULATION = 2				
NET REQUIREMENT = 73				
TOTAL SHOWN = 68 (INCLUDING 8 HANDICAPPED)				
** NOTE: 12 ADDITIONAL PARALLEL PARKING SPACES PROVIDED OFF SECOND AVENUE NOT INCLUDED IN TOTAL ABOVE				



TYPICAL PARKING SPACES
SCALE: 3/16"=1'-0"

UNIT MATRIX	UNIT TYPE	# OF UNITS	AREA
TRANSIENT UNITS			
1 BEDROOM LARGE PLATE (BUDS D)	RM-12	2	1,200 SF
1 BEDROOM LARGE PLATE (BUDS B)	RM-14	1	1,252 SF
RESIDENTIAL UNITS			
2 BEDROOM UNITS (BUDS A)	RM-32	2	2,282 SF
4 BEDROOM UNITS (BUDS A)	RM-23	2	2,772 SF
3 BEDROOM UNITS (BUDS B)	RM-22	8	2,217 SF
3 BEDROOM UNITS (BUDS B)	RM-32	4	2,282 SF
4 BEDROOM UNITS (BUDS B)	RM-33	4	2,796 SF
4 BEDROOM UNIT (BUDS B)	RM-34	2	2,960 SF



APPROVED PLANS
RESOLUTION # 2007-22
DATE 10/29/07
PLANNING COMMISSION CHAIR

SITE PLAN - PARKING PLAN
SCALE: 1/8"=1'-0"

KEY PLAN

EA HG SP-1

Mandalay
MCU Application
Key Largo, Florida
OCTOBER 29, 2007

EarthMark companies logo and other project-related information.

Handwritten signature

Doc# 1856141 10/26/2011 1:48PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

AMENDMENT TO LEASE

THIS AMENDMENT TO LEASE (Amendment) is made this 21st day of September 2011 by and between the Board of County Commissioners of Monroe County, Florida, a political subdivision of the State of Florida (BOCC or Lessor) and Morgan Ocean Sunrise, LLC, a New York limited liability company (Lessee).

WHEREAS, on November 12, 1997, the BOCC entered into a Lease Agreement (Lease) with Canalis Holding Corp. for ten feet of county right of way (ROW) on Second Avenue, Key Largo, Florida, for a term of ten years from December 1, 1997 until November 30, 2017; and

WHEREAS, this lease was entered into in order to reflect the historic encroachment of a concrete building and a frame building, existing since 1944 and the early 1960s respectively, however no survey or drawing was attached that demonstrated the actual building configuration within the ROW ; and

WHEREAS, the Lease was assigned from Canalis Holding Corporation to Earthmark Companies, LLC, which assignment was approved as required by paragraph 7 of the Lease by the BOCC on February 18, 2004; and

WHEREAS, the Lease was assigned from Earthmark Companies, LLC, to Ocean Sunrise Associates, LLC , which assignment was approved by the BOCC August 18, 2004; and

WHEREAS, on July 21, 2011, the BOCC acknowledged the transfer of title through a foreclosure action from Ocean Sunrise Associates, LLC to Morgan Ocean Sunrise , LLC and approved the assignment of the Lease to Morgan Ocean Sunrise, LLC, on the same date; and

WHEREAS, the Owner Lessee assigned the Lease to Florida Keys Quality Foods, Inc., a tenant of the adjacent property and the leased ROW upon which the existing building(s) is located, which assignment was approved by the Lessor on July 21, 2011; and

WHEREAS, Lessee is the successor in interest to the rights and obligations set forth in a Development Agreement between Ocean Sunrise Associates, LLC and the BOCC (Development Agreement) which was approved by Resolution 493-2007 on November 14, 2007, which includes the use of the leased property and which was executed subsequently to the Lease, thus allowing some modification in the use of the property under the Lease; and

WHEREAS, the survey and site plan provided at the time of the Development Agreement approval show encroachment of buildings or structures beyond the original description of the leased premises as well as allowing parking, wheel stops, an impervious handicapped parking space, and landscaping on the County right of way; and

WHEREAS, Lessor and Lessee desire to clarify the amount of property leased and the use of the property pursuant to the Lease based on the subsequent approvals; and

WHEREAS, the BOCC has specifically determined:

1. Morgan Ocean Sunrise, LLC is the owner of Lot 1, block 4, Mandalay Subdivision according to the plat thereof recorded at Plat Book 1, Page 194 of the Official Records of Monroe County and is the only property owner adjacent to the right of way;

2. The parcel which was the subject of the Lease upon which the buildings encroached in the past, prior to 1997, is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property;

3. The leased parcel, as amended by this instrument , is of insufficient size and shape to be issued a building permit for any type of stand-alone development to be constructed on that parcel;

4. Because of the historical encroachments for approximately sixty (60) years on this portion of Second Avenue, the public's use of and access to the County's right of way is not further affected by the Lease or this Amendment.

5. Lessor has no current need for the leased property and no other use planned for the property.

NOW, THEREFORE, the parties agree to amend the Lease as follows:

1. Paragraph 2 is amended as follows:
 2. Description of Premises: The property subject to this lease is described on Exhibit A attached hereto.
2. Paragraph 3 is amended as follows:
 3. Purpose: This lease is for the purpose of allowing the use of the existing buildings and accessory structures that exist on the county right of way as shown on Exhibit B and associated improvements.
3. Paragraph 6 is amended as follows:
 6. Unauthorized Use. Lessee shall, through its agents and employees, prevent the unauthorized use of the leased premises or any use thereof not in conformance with this Lease. Development shall be as allowed by the Development Agreement dated November 14, 2007, or the Development Agreement as modified as provided by law. Only parking, wheel stops and landscaping are otherwise permitted within the leased area, outside of the structures and buildings shown on Exhibit B, in accordance with the Development Agreement and any conditional use permit. Whether the Development Agreement is in effect or not, there shall be no changes or improvements which further increase the footprint of the existing development as shown on Exhibit B.
4. Paragraph 10 is amended as follows:
 10. Insurance Requirements. During the term of this Lease, Lessee shall procure and maintain policies of fire, extended risk, and general liability insurance coverage. The liability insurance coverage shall be in an amount not less than \$200,000 per person and \$300,000 per occurrence

for personal injury, death and property damage on the leased premises. Such policies shall name Lessor "Monroe County" as an additional insured. Evidence of insurance shall be submitted annually. Lessee shall purchase all policies of insurance from a financially responsible insurer duly authorized to do business in the State of Florida, acceptable to Lessor. Lessee shall be financially responsible for any loss due to failure to obtain adequate insurance coverage, and the failure to maintain such policies or certificates in the amounts set forth shall constitute a breach of the Lease.

5. Paragraph 11 shall be amended as follows:

11. Liability and Indemnification. Notwithstanding any minimum insurance requirements prescribed elsewhere in this agreement, Lessee covenants and agrees that it shall defend, indemnify and hold the Lessor and the Lessor's elected and appointed officers and employees harmless from and against (i) any claims, actions or causes of action, (ii) any litigation, administrative proceedings, appellate proceedings, or other proceedings relating to any type of injury (including death), loss, damage, fine, penalty or business interruption, and (iii) any costs or expenses that may be asserted against, initiated with respect to, or sustained by, any indemnified party by reason of, or in connection with, (A) any activity of Lessee or any of its employees, agents, sub-lessees in any tier or other invitees during the term of this Agreement, (B) the negligence or willful misconduct of Lessee or any of its employees, agents, sub-lessees in any tier or other invitees except to the extent the claims, actions, causes of action, litigation, proceedings, costs or expenses arise from the intentional or sole negligent acts or negligent acts in part or omissions of the Lessee or any of its employees, agents, contractors or invitees (other than Lessee). Insofar as the claims, actions, causes of action, litigation, proceedings, costs or expenses relate to events or circumstances that occur during the term of this Lease, this section will survive the expiration of the term of this Lease or any earlier termination of this Lease. The extent of liability is in no way limited to, reduced, or lessened by the insurance requirements contained elsewhere within this Lease.

6. Paragraph 20 shall be amended to show the parties addresses as follows:

Lessor: County Administrator, 1100 Simonton Street, Key West, FL 33040

Lessee: Morgan Ocean Sunrise, LLC, c/o Robert Moser, 63 Putnam Street, Saratoga Springs, NY 12866

7. Paragraph 24 shall be amended to add the following:

Notwithstanding, Lessee shall be entitled to mortgage its leasehold interest in the premises provided such mortgage interest is subordinate to the terms and conditions of this Lease Agreement. Lessee shall provide the documents to Lessor thirty (30) days before closing to verify that the appropriate language is in the proposed documents.

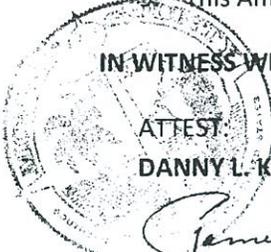
8. Paragraph 4 shall be amended as follows:

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Bk# 2539 Pg# 1636

Consideration: Lessee shall pay Fifty Dollars (\$50.00) per month commencing on the effective date of this Amendment to the Clerk of the Board, 500 Whitehead Street, Key West, Florida, 33040.

9. This Amendment to Lease is binding on the successors and assigns of the parties.

IN WITNESS WHEREOF, the parties have executed this Amendment to Lease.



ATTEST
DANNY L. KOLHAGE, CLERK

[Signature]
Deputy Clerk

MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS

[Signature]
Mayor Heather Carruthers

MORGAN OCEAN SUNRISE, LLC

[Signature]
Signature
Title: Member

Robert C. Morgan
Print Name

Witnesses:

- 1. [Signature]
- 2. Carol A. Sardo

- 1. DEIRDRE OGBER-BONSH
Print Name
- 2. CAROL A. SARDO
Print Name

STATE OF New York
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 14th day of October, 2011, by Robert C. Morgan as Member of Morgan Ocean Sunrise, LLC, a New York limited liability company, who is personally known to me, or who [] has produced _____ as identification.

[Signature]
Notary Public
Print Name: Jill E. Garvey

JILL E GARVEY
NOTARY PUBLIC STATE OF NEW YORK
MONROE COUNTY
LIC. #01GA6209025
COMM. EXP. JULY 13, 2013

My Commission expires:
(seal) July 13, 2013

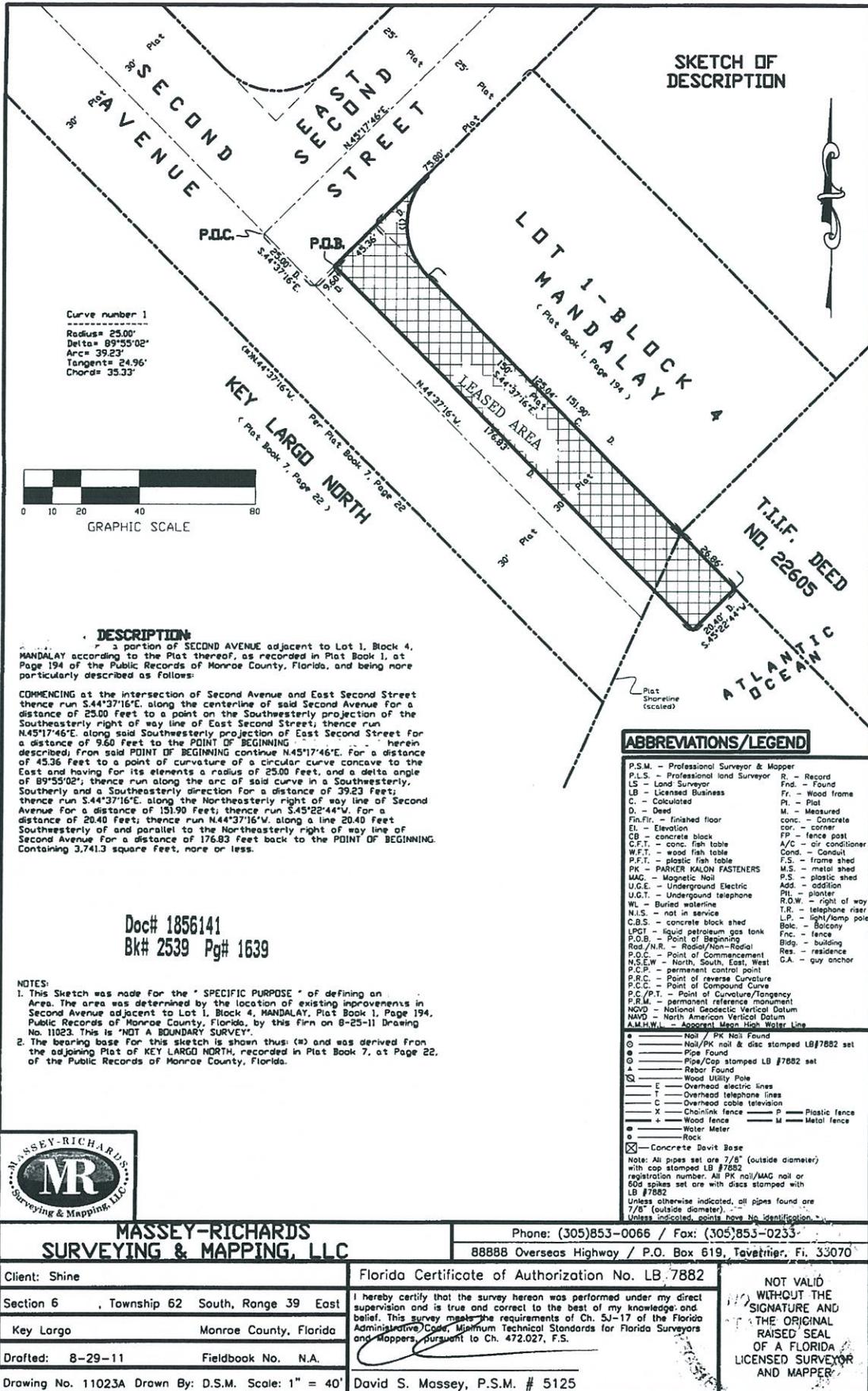
MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
[Signature]
SUSAN M. GRIMSLEY
ASSISTANT COUNTY ATTORNEY
Date October 17, 2011

EXHIBIT A
TO
AMENDMENT TO LEASE
SECOND AVENUE

Commencing at the intersection of Second Avenue and East Second Street thence run S.44-37'16"E. along the centerline of said Second Avenue for a distance of 25.00 feet to a point on the Southwesterly projection of the Southeasterly right of way line of East Second Street; thence run N.45-17'46"E. along said Southwesterly projection of East Second Street for a distance of 9.60 feet to the POINT OF BEGINNING of the area herein described; from said POINT OF BEGINNING continue N.45-17'46"E. for a distance of 45.36 feet to a point of curvature of a circular curve concave to the East and having for its elements a radius of 25.00 feet, and a delta angle of 89-55'02";thence run along the arc of said curve in a Southwesterly, Southerly and a Southeasterly direction for a distance of 39.23 feet; thence run S.44-37'16"E. along the Northeasterly right of way line of Second Avenue for a distance of 151.90 feet; thence run S.45-22'44"W. for a distance of 20.40 feet; thence run N.44-37'16" W. along a line 20.40 feet Southwesterly of and parallel to the Northeasterly right of way line of Second Avenue for a distance of 176.83 feet back to the POINT OF BEGINNING . Containing 3,741.3 square feet, more or less.

Doc# 1856141
Bk# 2539 Pg# 1638

EXHIBIT A
 AMENDMENT TO LEASE SECOND AVENUE



Curve number 1
 Radius= 25.00'
 Delta= 89°55'02"
 Arc= 39.23'
 Tangents 24.96'
 Chords= 35.33'



DESCRIPTION:

... a portion of SECOND AVENUE adjacent to Lot 1, Block 4, MANDALAY according to the Plat thereof, as recorded in Plat Book 1, at Page 194 of the Public Records of Monroe County, Florida, and being more particularly described as follows:

COMMENCING at the intersection of Second Avenue and East Second Street thence run S.44°37'16"E. along the centerline of said Second Avenue for a distance of 25.00 feet to a point on the Southwesterly projection of the Southeasterly right of way line of East Second Street; thence run N.45°17'46"E. along said Southwesterly projection of East Second Street for a distance of 9.60 feet to the POINT OF BEGINNING described; from said POINT OF BEGINNING continue N.45°17'46"E. for a distance of 45.36 feet to a point of curvature of a circular curve concave to the East and having for its elements a radius of 25.00 feet, and a delta angle of 89°55'02"; thence run along the arc of said curve in a Southeasterly, Southerly and a Southeasterly direction for a distance of 29.23 feet; thence run S.44°37'16"E. along the Northeasterly right of way line of Second Avenue for a distance of 151.90 feet; thence run S.45°22'44"W. for a distance of 20.40 feet; thence run N.44°37'16"W. along a line 20.40 feet Southeasterly of and parallel to the Northeasterly right of way line of Second Avenue for a distance of 176.83 feet back to the POINT OF BEGINNING. Containing 3,741.3 square feet, more or less.

Doc# 1856141
 Bk# 2539 Pg# 1639

NOTES:

- This Sketch was made for the "SPECIFIC PURPOSE" of defining an Area. The area was determined by the location of existing improvements in Second Avenue adjacent to Lot 1, Block 4, MANDALAY, Plat Book 1, Page 194, Public Records of Monroe County, Florida, by this firm on 8-25-11 Drawing No. 11023. This is "NOT A BOUNDARY SURVEY".
- The bearing base for this sketch is shown thus: (N) and was derived from the adjoining Plat of KEY LARGE NORTH, recorded in Plat Book 7, at Page 22, of the Public Records of Monroe County, Florida.

ABBREVIATIONS/LEGEND

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

- ⊙ - Nail / PK Nail Found
 - - Nail/PK nail & disc stamped LB #7882 set
 - ⊖ - Pipe Found
 - ⊕ - Pipe/Cop stamped LB #7882 set
 - ⊗ - Rubber Found
 - ⊘ - Wood Utility Pole
 - ⊙ - Overhead electric lines
 - ⊙ - Overhead telephone lines
 - ⊙ - Overhead cable television
 - ⊙ - Chainlink fence
 - ⊙ - Wood fence
 - ⊙ - Water Meter
 - ⊙ - Rock
 - ⊙ - Concrete Davit Base
- Note: All pipes set are 7/8" (outside diameter) with cap stamped LB #7882 registration number. All PK nail/MAG nail or 608 spikes set are with discs stamped with LB #7882. Unless otherwise indicated, all pipes found are 7/8" (outside diameter). Unless indicated, pipes have No Identification.



**MASSEY-RICHARDS
 SURVEYING & MAPPING, LLC**

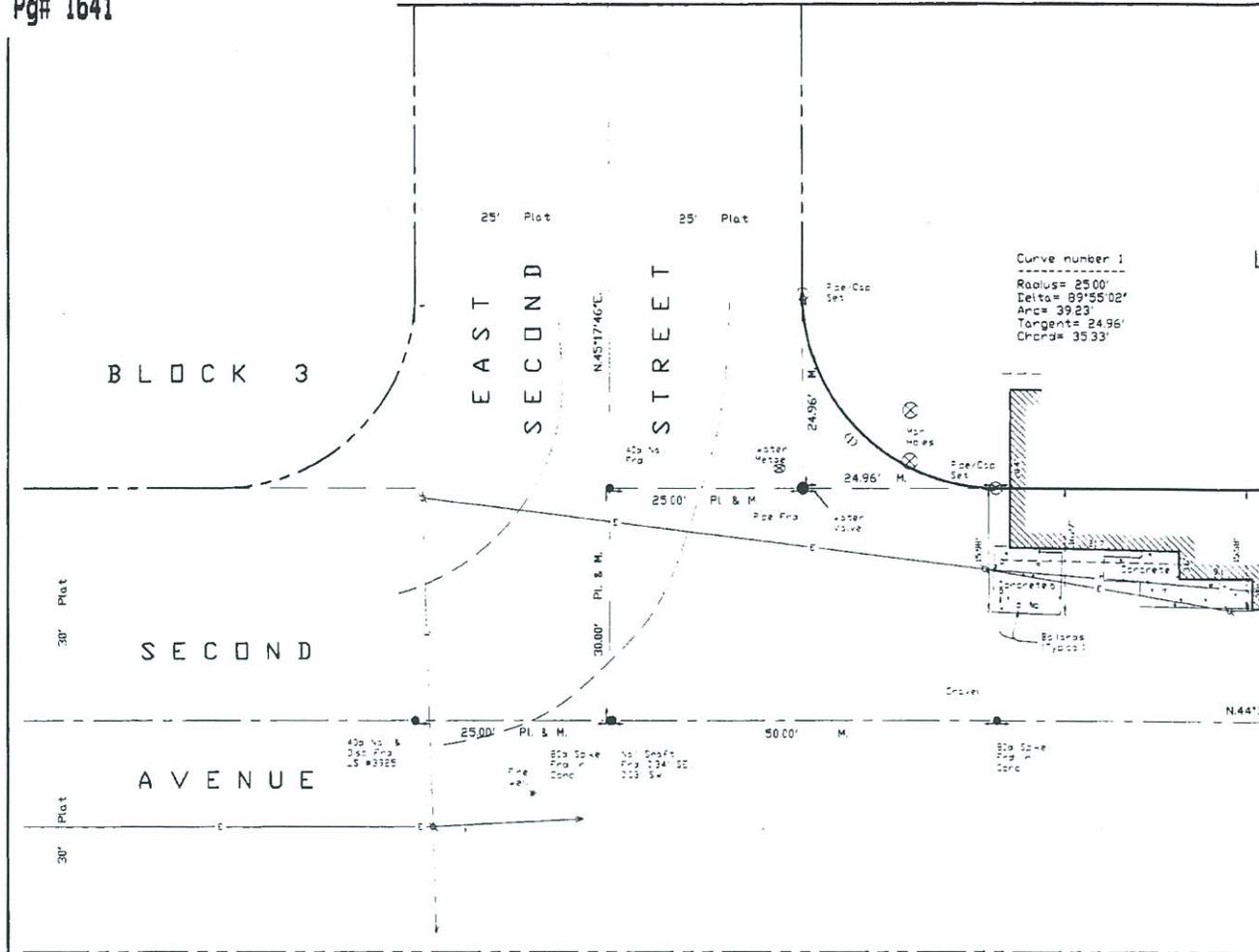
Phone: (305)853-0066 / Fax: (305)853-0233

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

Client: Shine
 Section 6, Township 62 South, Range 39 East
 Key Largo, Monroe County, Florida
 Drafted: 8-29-11 Fieldbook No. N.A.
 Drawing No. 11023A Drawn By: D.S.M. Scale: 1" = 40'

Florida Certificate of Authorization No. LB 7882
 I hereby certify that the survey hereon was performed under my direct supervision and is true and correct to the best of my knowledge and belief. This survey meets the requirements of Ch. 5J-17 of the Florida Administrative Code, Minimum Technical Standards for Florida Surveyors and Mappers, pursuant to Ch. 472.027, F.S.
 David S. Massey, P.S.M. # 5125

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



(M)N44°37'16\"/>

KEY LARGO NORTH
 (Plat Book 7, Page 22)

- NOTES
- 1 This sketch was made for the 'SPECIFIC PURPOSE' of showing the existing above ground improvements located in the area of the Description herein.
 - 2 No underground utilities or structure were located for this sketch.
 - 3 The bearing base for this sketch is shown thus: (M) and was derived from the adjoining Plat of KEY LARGO NORTH having a bearing of N44°37'16\"/>

DE
 Exis
 ad
 to
 Pag
 Plat

MONROE COUNTY
 OFFICIAL RECORDS

File #: **2016-076**

Owner's Name: Key Marina Development LLC

Applicant: Key Marina Development LLC

Agent: David Dehaas-Grosseck

Type of Application: Major

Key: Key Largo

RE: 00554420.000000
00554670.000000
00554700.000000
00554730.000000
00554740.000000

Additional Information added to File 2016-076

**MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT**



Disclosure of Interest



Pursuant to Section 101-6 of the Land Development Code, this form shall accompany land-use related applications. The intent is to disclose the identity of true parties in interest to the public, thereby enabling the public to ascertain which parties will potentially benefit.

Any person or entity holding real property in the form of a partnership, limited partnership, corporation, assignment of interest, trust, option, assignment of beneficial or contractual interest, or any form of representative capacity whatsoever for others, except as otherwise provided, shall, during application submittal for a specified application types, make a public disclosure, in writing, under oath, and subject to the penalties prescribed for perjury. Exemptions to the requirements of this section include the beneficial interest which is represented by stock in corporations registered with the federal securities exchange commission or in corporations registered pursuant to Chapter 517, Florida Statutes, whose stock is for sale to the general public.

This written disclosure shall be made to the planning director at the time of application. The disclosure information shall include the name and address of every person having a beneficial or contractual interest in the real property, however small or minimal.

FORM

- If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>
Key Marina Development LLC	100 %
52 Puley Rd unit 155 Celebration FL 34747	

- If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>
Mark R. Gerengen 301 W Platt ST unit 368 Tampa FL 33606	78 %
Andrew Hamzlik 301 W Platt ST unit 368 Tampa FL 33606	22 %

- If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

* In the case of a trust, the four largest beneficiaries must also sign the affidavit.

- If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

- If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

* Please provide date of contract _____

- If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. (Use additional sheets if necessary):

<i>Name and Address</i>

By signing this form, the signer certifies that he or she is a person who is familiar with the information contained in the form, and that to the best of his or her knowledge such information is true, complete and accurate.

Printed Name / Signature of Person Completing Form: Mack R Greenger Mack R Greenger
 State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 1 day of JULY 2016, by M GREENGER. He/she is personally known to me or has produced _____ as identification.

Notary Public
 My Commission Expires
 JOHN HOUPT
 MY COMMISSION # FF 227573
 EXPIRES: May 5, 2019
 Bonded Thru Budget Notary Services

County of Monroe

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

We strive to be caring, professional, and fair.

Date: 5.06.16
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Major CU
Type of application

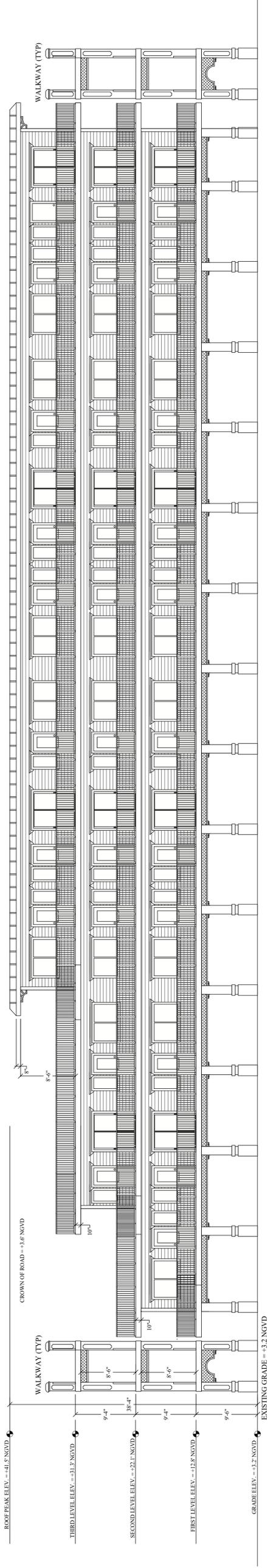
Key Marina Development LLC to the Monroe County Planning Department.
Project / Name

Thank you.

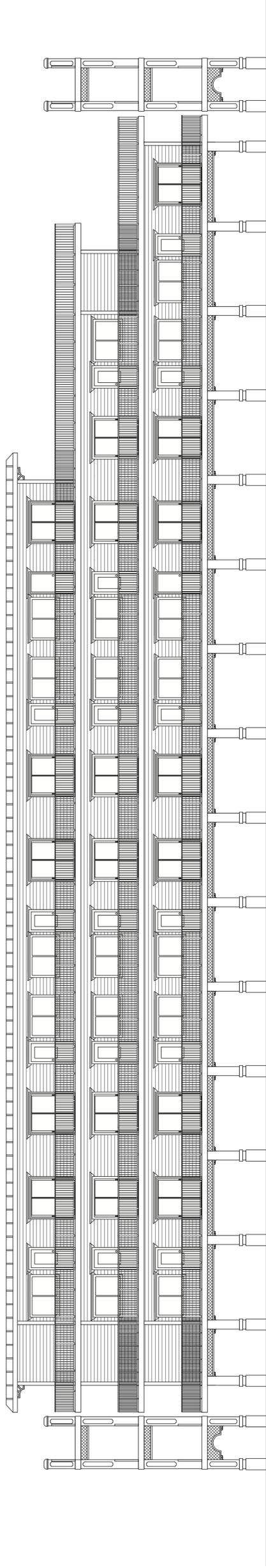
Gail Creech

Planning Staff

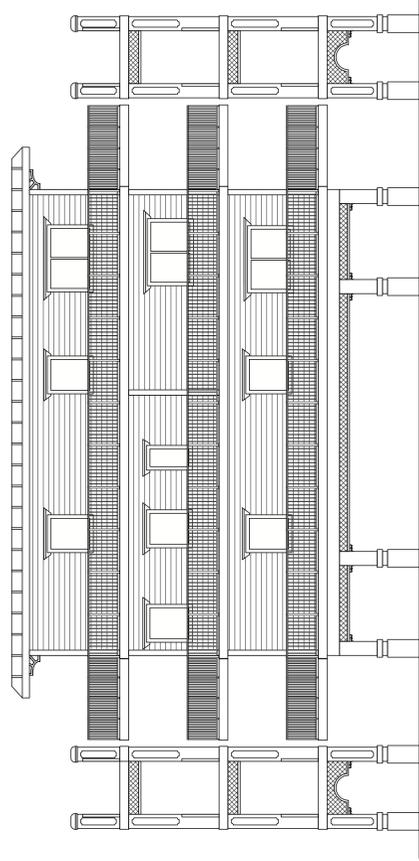
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



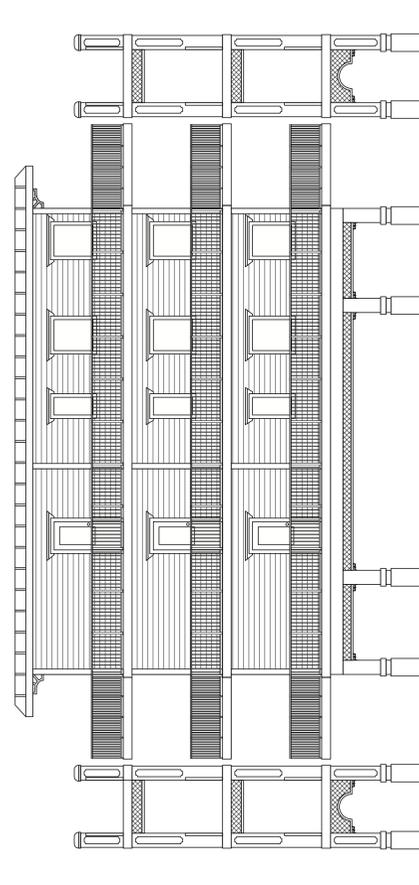
ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 1 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY
ELEVATIONS	JSK
06-15-16	

delhaas
 Consulting & Design



David delhaas Grosseck
 305.852.9851 fax: 305.852.4138

KEYS ENGINEERING SERVICES
 Doyle L. Osborn
 P.E. No. FL 27428
 91700 OVERSEAS HIGHWAY, SUITE 1
 TAVERNER, FLORIDA 33070
 305-852-0262

ENGINEERING BY:

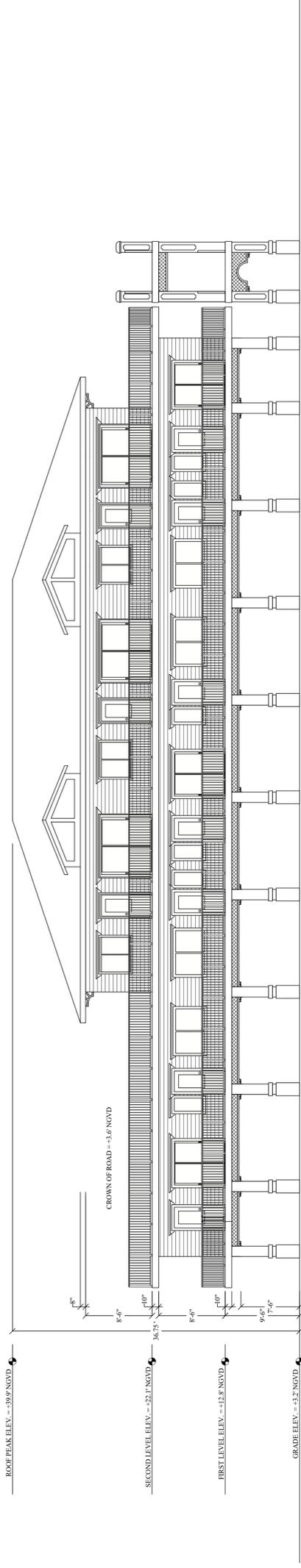
KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 1

DRAWN
 Jeff Kesting
 CHECKED
 D. DEHAAS
 DATE

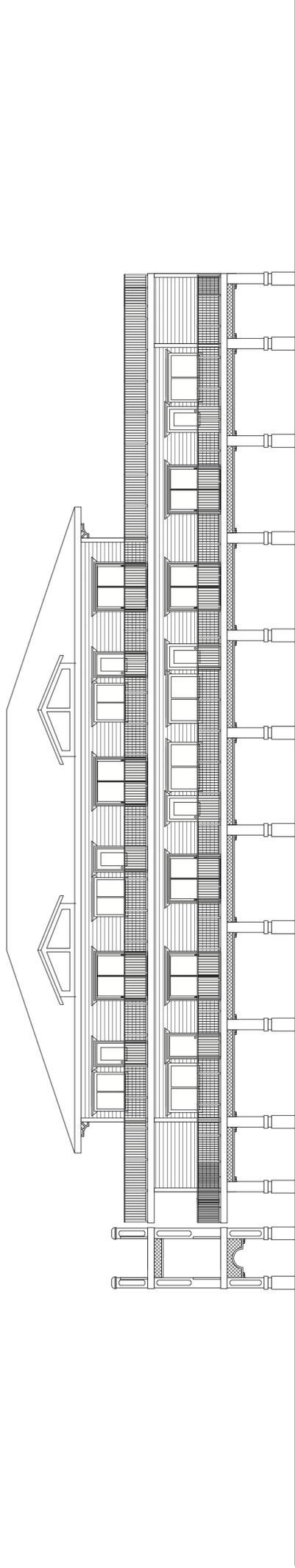
SHEET
A-3

of 14 SHEETS

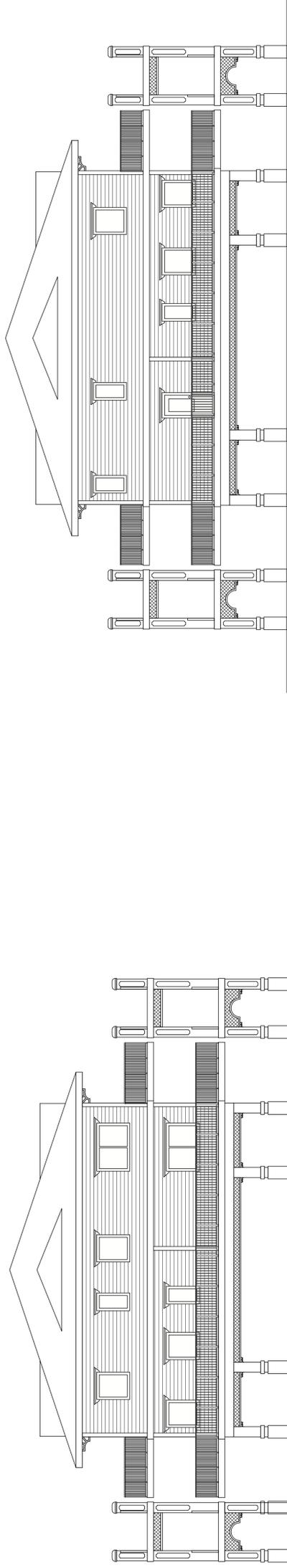
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE

ELEVATION - RIGHT SIDE

BUILDING 2 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY
ELEVATIONS	JSK
06-15-16	

delhaas
 Consulting & Design
 David delhaas Grosseck
 305.852.9851 fax: 305.852.4138



KEYS ENGINEERING SERVICES
 Darle L. Osborn
 P.E. No. FL 27428
 91700 OVERSEAS HIGHWAY, SUITE 1
 TAVERNER, FLORIDA 33070
 305-852-0262

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 2

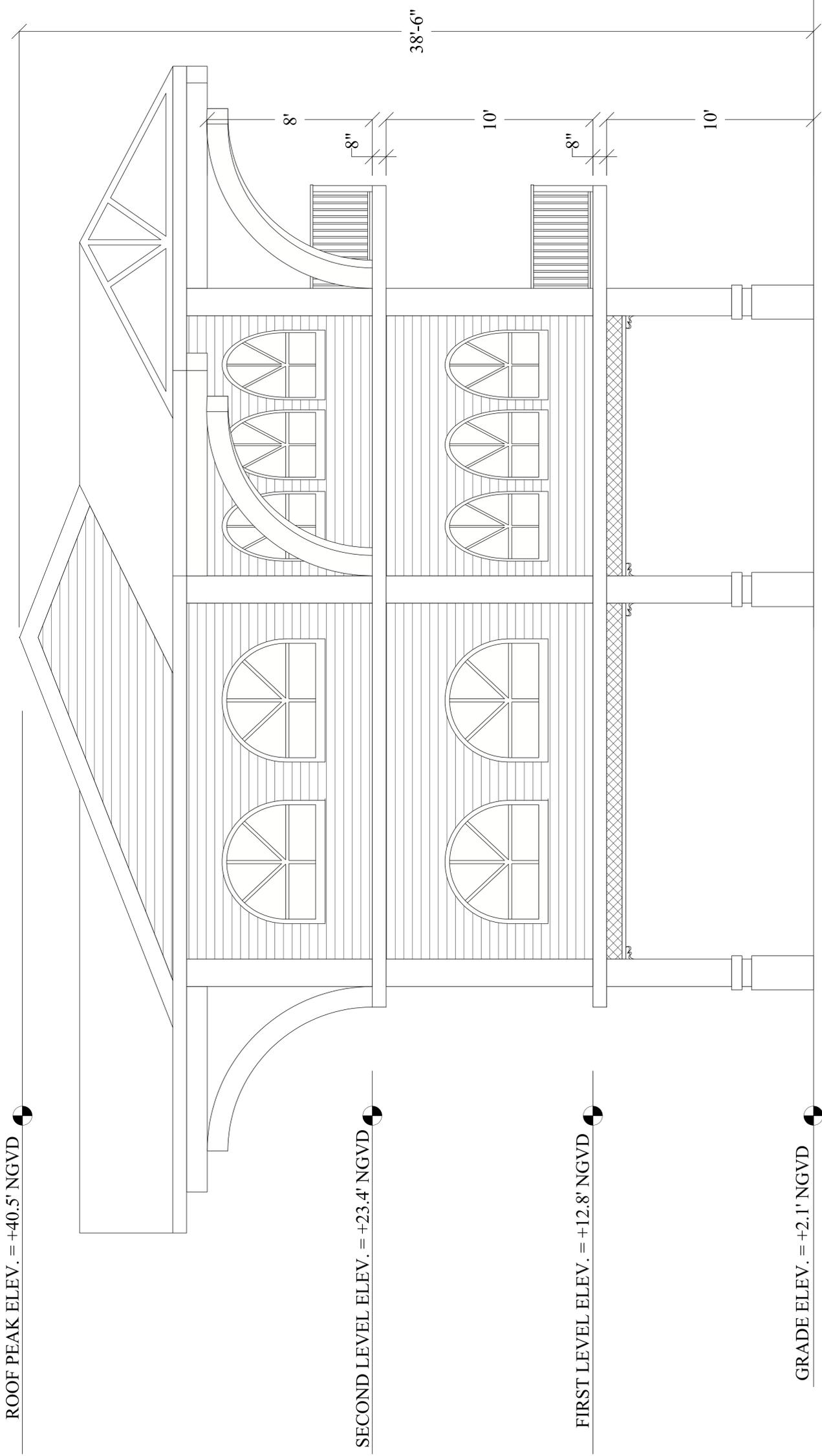
ENGINEERING BY:

DRAWN
 Jeff Kesling
 CHECKED
 D. DEHAAS
 DATE

SHEET
A-4
 OF 14 SHEETS

ALL IDEAS, DESIGNS, ARRANGEMENTS, & PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY & THE PROPERTY OF THIS OFFICE. NONE OF THIS INFORMATION SHALL BE USED BY, OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF DEHAAS CONSULTING AND DESIGN. DO NOT SCALE DRAWINGS.

KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - STREET SIDE

RECEPTION BUILDING ELEVATIONS

SCALE: 3/8" = 1'

REVISIONS	BY
ELEVATIONS	JSK
06-15-16	

delhaas
 Consulting & Design
 David delhaas Grosseck
 305.852.9851 fax: 305.852.4138



KEYS ENGINEERING SERVICES
 Daryle L. Osborn
 P.E. No. FL 27428
 91700 OVERSEAS HIGHWAY, SUITE 1
 TAVERNER, FLORIDA 33070
 305-852-0262

KEY MARINA DEVELOPMENT
RECEPTION BUILDING ELEVATION
 ENGINEERING BY:

DRAWN	Jeff Kesling
CHECKED	D. DEHAAS
DATE	
SHEET	A-6
OF	14
SHEETS	

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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY

REVISIONS	BY
ELEVATIONS	JSK
06-15-16	

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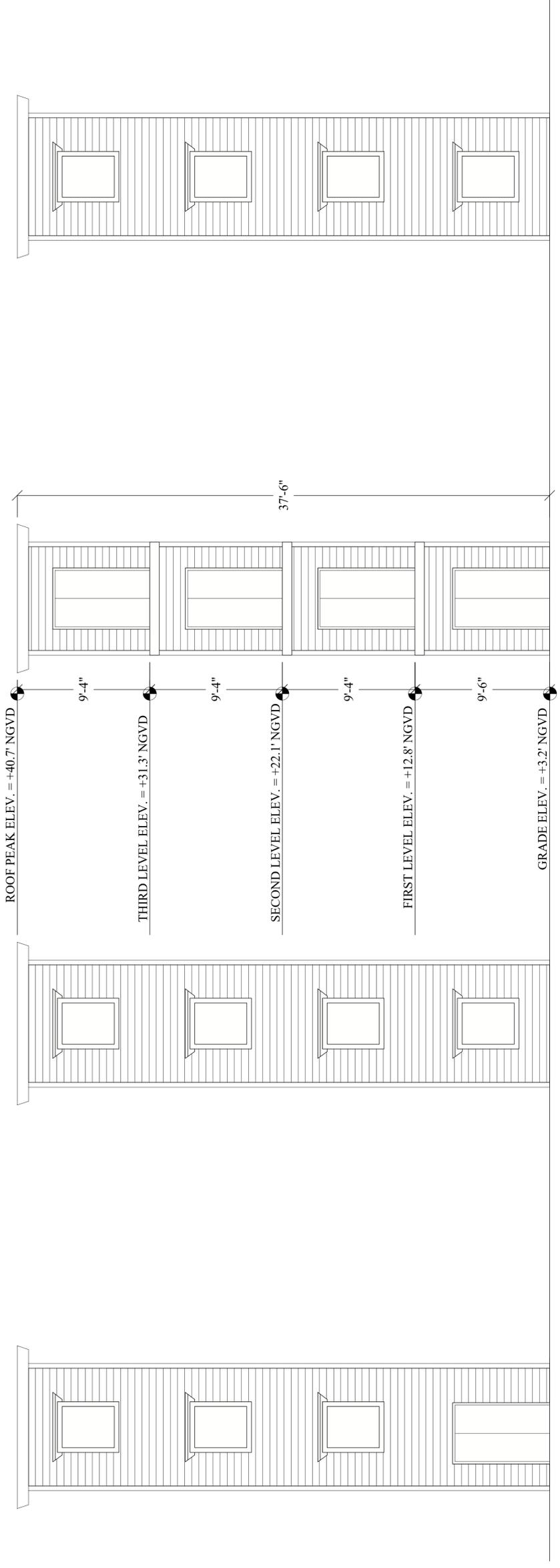
KEYS ENGINEERING SERVICES
 Darle L. Osborn
 P.E. No. FL 27428
 91700 OVERSEAS HIGHWAY, SUITE 1
 TAVERNIER, FLORIDA 33070
 305-852-0262

KEY MARINA DEVELOPMENT
ELEVATOR ELEVATIONS

ENGINEERING BY:

DRAWN	CHECKED	DATE
Jeff Kesling	D. DEHAAS	

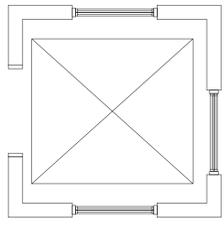
SHEET
A-8
 of 14 SHEETS



REAR ELEVATION RIGHT SIDE ELEVATION FRONT ELEVATION LEFT SIDE ELEVATION

ELEVATOR ELEVATIONS

SCALE: 1/4" = 1'



TYPICAL ELEVATOR PLAN VIEW

SCALE: 1/4" = 1'

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KEY MARINA DEVELOPMENT, LLC. MAJOR CONDITIONAL USE at MANDALAY

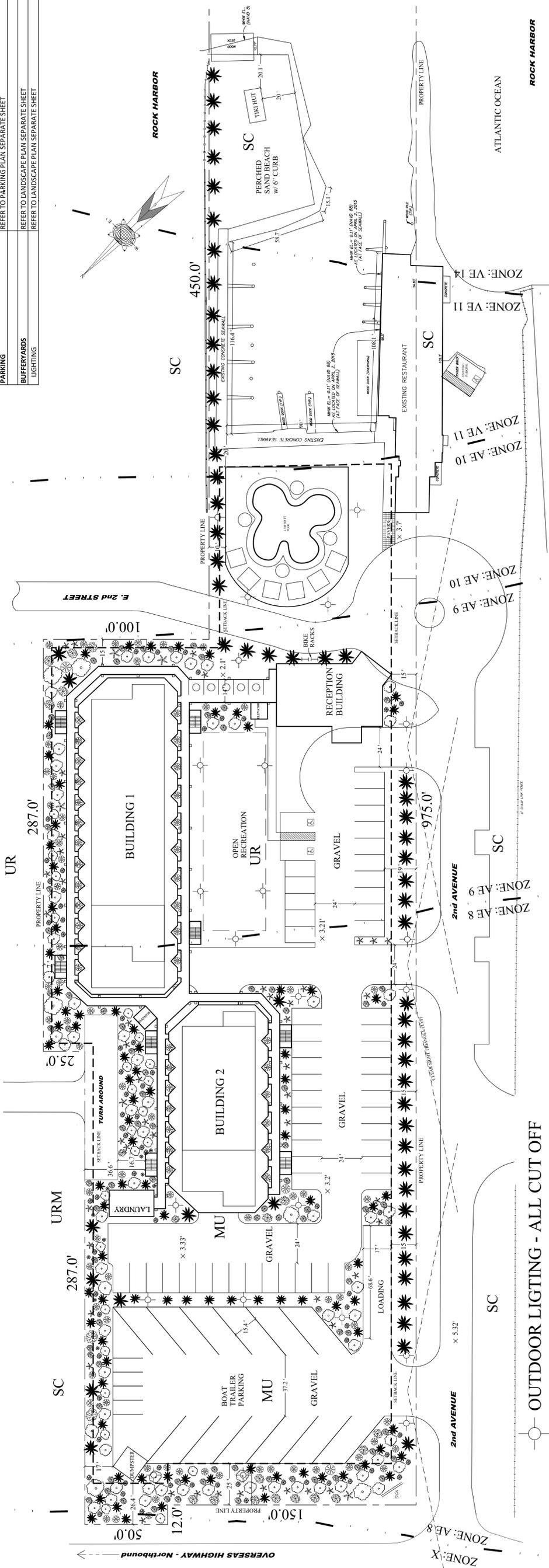
DENSITY / INTENSITY CALCULATIONS

LAND USE DISTRICT	AREA SQ. FT.	AREA SQ. FT.	UNIT TYPE	DWELLING PER	TOTAL DWELLINGS	TOTAL DWELLINGS
	GROSS	MAX NET		AREA W/ SQ. FT. REQUIRED	ALLOWED	PROPOSED/ PER DEV. AGREEMENT
MU MIX USE	57,400	46,660	TRANSIENT	10 = 4,356 / 15 MAX NET = 2,904	13 UNITS / 7.6 MAX	3 TRANSIENT UNITS
MU MIX USE	57,400	46,660	MARKET RATE V. RENTAL	1 = 43,650 / 12 MAX NET = 3,360	1.3 UNITS / 13.8 MAX	11 UNITS
UR URBAN RESIDENTIAL	64,575	57,335	MARKET RATE V. RENTAL	6 = 7,260 / 12 MAX NET = 3,630	8.8 UNITS / 15.7 MAX	11 UNITS
SC SUBURBAN COMMERCIAL	17,037	for totals	RESTAURANT	MED INTENSITY = .35 PER A.	TOTAL MARKET 29.5	22 TOTAL MARKET UNITS
TOTALS	139,012	121,032		5,962 SQ. FT. ALLOWED	4,975 SQ. FT. EXISTING	

PROPERTY INFORMATION KEY MARINA DEVELOPMENT LLC.	
PARCEL ID	ALTERNATIVE KEY
00554420-000000	1679917
00554670-000000	1680168
00554700-000000	1680192
00554730-000000	1680222
00554740-000000	1680231

LEGAL DISCUSSION	PROPERTY ADDRESS	SPECIFICS
BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO PART OF SQUARE 3 MANDALAY KEY LARGO	30 & 42 E. SECOND ST., KEY LARGO, FL. 33037	
NE 50 FT OF THE SW 225 FT OF SCR 3 (5-A) MANDALAY KEY LARGO		
BLK 3, SWLY 125 FT X 125 FT & NWLY 95 FT OF NEWLY 100 FT OF SW 225 FT MANDALAY PB 1 - PAGE 194 KEY LARGO		
BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1 - PAGE 194 KEY LARGO TIF DEED 22605		
VACATION RENTALS, MOTEL, RESTAURANT & AMENITIES		
LAND USE DISTRICT(S) ZONING	SC, MU, UR	
ADJOINING PROPERTY	SC, URM, UR	
FUTURE LAND USE ZONING	MU	
TIER DESIGNATION	TIER III	
FLOOD ZONE(S)	FEMA P # 125129 AE-8-9-10 & VE-11-14	
DEVELOPMENT AREA AND CALCULATIONS		
TOTAL SITE AREA	167,761.2 SQ. FT. = 3.85 ACRES	
TOTAL UPLAND AREA	139,012.2 SQ. FT. = 3.19 ACRES	
TOTAL PERVIOUS AREA	101,200.2 SQ. FT. = .73 PERCENTAGE OF SITE	
TOTAL IMPERVIOUS AREA	37,832 SQ. FT. = .27 PERCENTAGE OF SITE	
TOTAL GRAVEL AREAS	41,699 SQ. FT. = .29 PERCENTAGE OF SITE	
TOTAL AREA W/GRAVEL OCCUPIED	79,511 SQ. FT. = .57 PERCENTAGE OF SITE	
DENSITY	22 UNITS	
VACATION RENTALS	3 UNITS	
MOTEL ROOMS / SUITES		
RESTAURANT	4,976 SQ. FT.	
GUEST AMENITIES NON-COMMERCIAL	3,776 SQ. FT.	
SETBACKS	PRIMARY FRONT YARD 25 FT., SECONDARY FRONT YARD 15 FT. REAR 20 FT. M.H.W. LINE, SECONDARY SIDE 5'	
OPEN SPACE REQUIRED ALL DISTRICTS	0.20 OSR	
OPEN SPACE PROVIDED (total unoccupied)	0.43 OSR	
HABITAT TYPE	DEVELOPED/DISTURBED/SCARIFIED	
PARKING	REFER TO PARKING PLAN SEPARATE SHEET	
BUFFER YARDS	REFER TO LANDSCAPE PLAN SEPARATE SHEET	
LIGHTING	REFER TO LANDSCAPE PLAN SEPARATE SHEET	

INFORMATION AND GENERAL CALCULATIONS	REFERENCE AREA	SPECIFICS
PROPERTY ADDRESS	30 & 42 E. SECOND ST., KEY LARGO, FL. 33037	
LEGAL DISCUSSION	00554420-000000 BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO PART OF SQUARE 3 MANDALAY KEY LARGO	
	00554670-000000 NE 50 FT OF THE SW 225 FT OF SCR 3 (5-A) MANDALAY KEY LARGO	
	00554700-000000 BLK 3, SWLY 125 FT X 125 FT & NWLY 95 FT OF NEWLY 100 FT OF SW 225 FT MANDALAY PB 1 - PAGE 194 KEY LARGO	
	00554730-000000 BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1 - PAGE 194 KEY LARGO TIF DEED 22605	
PROPOSED DEVELOPMENT	VACATION RENTALS, MOTEL, RESTAURANT & AMENITIES	
LAND USE DISTRICT(S) ZONING	SC, MU, UR	
ADJOINING PROPERTY	SC, URM, UR	
FUTURE LAND USE ZONING	MU	
TIER DESIGNATION	TIER III	
FLOOD ZONE(S)	FEMA P # 125129 AE-8-9-10 & VE-11-14	
DEVELOPMENT AREA AND CALCULATIONS		
TOTAL SITE AREA	167,761.2 SQ. FT. = 3.85 ACRES	
TOTAL UPLAND AREA	139,012.2 SQ. FT. = 3.19 ACRES	
TOTAL PERVIOUS AREA	101,200.2 SQ. FT. = .73 PERCENTAGE OF SITE	
TOTAL IMPERVIOUS AREA	37,832 SQ. FT. = .27 PERCENTAGE OF SITE	
TOTAL GRAVEL AREAS	41,699 SQ. FT. = .29 PERCENTAGE OF SITE	
TOTAL AREA W/GRAVEL OCCUPIED	79,511 SQ. FT. = .57 PERCENTAGE OF SITE	
DENSITY	22 UNITS	
VACATION RENTALS	3 UNITS	
MOTEL ROOMS / SUITES		
RESTAURANT	4,976 SQ. FT.	
GUEST AMENITIES NON-COMMERCIAL	3,776 SQ. FT.	
SETBACKS	PRIMARY FRONT YARD 25 FT., SECONDARY FRONT YARD 15 FT. REAR 20 FT. M.H.W. LINE, SECONDARY SIDE 5'	
OPEN SPACE REQUIRED ALL DISTRICTS	0.20 OSR	
OPEN SPACE PROVIDED (total unoccupied)	0.43 OSR	
HABITAT TYPE	DEVELOPED/DISTURBED/SCARIFIED	
PARKING	REFER TO PARKING PLAN SEPARATE SHEET	
BUFFER YARDS	REFER TO LANDSCAPE PLAN SEPARATE SHEET	
LIGHTING	REFER TO LANDSCAPE PLAN SEPARATE SHEET	



PROPOSED SITE PLAN
SCALE: 1" = 30'



REVISIONS	BY
SETBACK LINE	JSK
06-15-16	

delhaas Consulting & Design
305.852.9851 Fax: 305.852.4138

KEYS ENGINEERING SERVICES
1700 OVERSEAS HIGHWAY, SUITE 115
P.O. BOX 17428
TALLAHASSEE, FLORIDA 32317
305-852-0262

PROPOSED SITE PLAN

KEY MARINA DEVELOPMENT

DRAWN	CHECKED	DATE
Jeff Kesling	D. DEHAAS	

SHEET **C-2** OF 14 SHEETS

ALL IDEAS, DESIGNS, ARRANGEMENTS, & PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY & THE PROPERTY OF THIS OFFICE. NONE OF THIS INFORMATION SHALL BE USED BY, OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF DEHAAS CONSULTING AND DESIGN. DO NOT SCALE DRAWINGS.



June 16, 2016

David Dehaas
Dehaas Consulting & Design
(305) 852-9851
dehaas@bellsouth.net

P.O. Box 345

Tavernier

Florida

33070

RE: Key Marina Development, LLC., 80 E. 2nd Street, Key Largo, FL.

Dear Mr. Dehaas,

We are in receipt of your correspondence requesting a "Letter of Coordination" with us relating to the project you are planning, regarding prospective garbage and recycling service for the resort. Please consider this the letter of coordination that you requested.

Phone

(305)

451-2025

At this time you have stated that it is a resort, therefore, I assume there will be no residential units and that the whole property will be considered commercial as it relates to garbage service.

Fax

(305)

451-5954

We will be your service provider, and look forward to working with you on this project.

Signed,

Elizabeth A. Beattie,
Account Representative

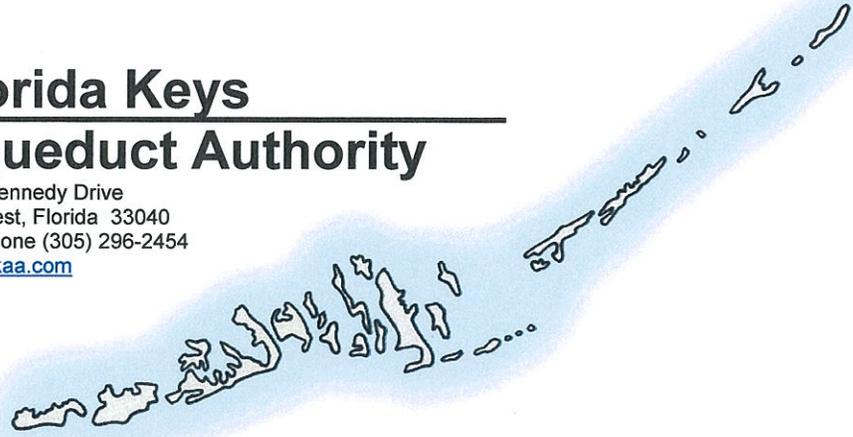


Residential and Commercial • Solid Waste Collection • Roll-off Service • Clam Shell • Recycling Service



Florida Keys Aqueduct Authority

1100 Kennedy Drive
Key West, Florida 33040
Telephone (305) 296-2454
www.fkaa.com



J. Robert Dean
Chairman
District 3

Antoinette M. Appell
Vice-Chairman
District 4

Cara Higgins
District 1

David C. Ritz
District 5

Richard J. Toppino
District 2

Kirk C. Zuelch
Executive Director

June 8, 2016



DeHaas Consulting and Design
88975 Overseas Highways
Tavernier, FL 33070

Owner: Key Marina Development
52 Riley Road
Kissimmee, FL 34747-5420

RE: Mandalay Bay-80 E. Second Street-Key Largo, Florida
RE # 00554730-000000, 00554740-000000, 00554700-000000, 00554670-000000, 00554760-000000, & 00554420-000000
Location #s 005537, 005538, 049404, 014260, 006165, & 009129

Dear Mr. DeHaas;

This letter will serve as preliminary coordination of the above referenced project with the Florida Keys Aqueduct Authority.

There are 6" water mains on Second Avenue, East Second Avenue and E First Avenue along with water meters that will need to be relocated out of proposed property that will be abandoned right-of-way. FKAA will require a utility permit for relocation of water mains, hydrants and meters.

Should you have any questions or require any further information please feel free to call me.

Sincerely,
Florida Keys Aqueduct Authority

Marnie L. Walterson
Distribution Design Supervisor

CC Christie Martin, Customer Service Manager-Key West
Yusi Bonachea, Customer Service Manager-Marathon
Sue Reich, Customer Service Manager-Tavernier



FLORIDA KEYS ELECTRIC COOPERATIVE ASSOCIATION, INC. – FKEC

91630 OVERSEAS HIGHWAY, P.O. BOX 377, TAVERNIER, FL 33070-0377 PHONE (305) 852-2431 FAX: (305) 852-4794

March 18, 2016

David deHaas-Grosseck
deHaas Consulting & Design
88975 Overseas Highway
Tavernier, FL 33070



Send to email address: deHaas@bellsouth.net

**Re: Letter of Coordination: 80 E Second Street, Key Largo FL
Parcel ID Nos. 1680231-000000, 1679917-000000,
1680168-000000, 1680192-000000, 1680222-000000**

Dear David,

The facilities and operations of Florida Keys Electric Cooperative Association, Inc. (FKEC) are designed to accommodate normal electrical load growth, providing sufficient energy is available from our mainland supplier. FKEC anticipates no significant problems in providing power to the property referenced above.

Easements may be required.

When preliminary electrical and site plans are available, please arrange to meet with FKEC Engineering staff to review and plan the project.

Sincerely,

A handwritten signature in red ink, appearing to read "Keith Kropf". The signature is stylized and somewhat cursive.

Keith Kropf, PE
Director of Engineering



BOARD OF COUNTY COMMISSIONERS
Mayor Heather Carruthers, District 3
Mayor Pro Tem, George Neugent, District 2
Danny L. Kollhage, District 1
David Rice, District 4
Sylvia J. Murphy, District 5

OFFICE of
the FIRE MARSHAL
490 63rd Street
Marathon, FL 33050
PHONE: (305) 289-6368
FAX: (305) 289-6369



David DeHaas
For: Key Marine Development LLC

June 6, 2016

RE: Letter of Coordination - - **Major Conditional Use Permit - Project # 2016-076**

Dear Mr. DeHaas,

Pursuant to the requirements of the Monroe County Planning Department Development Permit Application, this shall serve as the letter of coordination between the Monroe County Fire Marshal's Office and Key Marine Development, LLC.

1. The Fire Marshal's Office enforces the Florida Fire Prevention Code (5th Edition), The Florida Building Code (5th Edition), National Fire Protection Code (NFPA 1), Life Safety Code (NFPA 101) and related NFPA standards as applicable and adopted by the State of Florida.
2. All fire rated penetrations shall be caulked with a UL approved product per manufacturer's specifications. A detail sheet shall be included with the final set of approved and sealed plans on each method used the fire stop system. A single manufacturer of Fire Penetration sealant shall be used throughout the structure. Expanding "foam" products shall not be permitted anywhere in the structure.
3. Approved fire hydrants shall be provided for building to meet necessary fire flow requirements as determined by the NFPA 1, Ch.18, and approved by the Florida Keys Aqueduct Authority (FKAA).
4. Fire Department access and fire flow shall comply with NFPA 1, Ch.18.
5. All structures proposed under this development shall be fully protected by an automatic sprinkler system and fire alarm.

It is understood that after conceptual review of the project has been granted, preliminary fire protection plans shall be included with improvements to water supply via fire hydrant and shall be submitted to Fire Marshal's Office prior to final plan review and issuance of a building permit. The Key Largo Fire Department provides fire suppression service to the proposed project location.

Sincerely,


Steven M. Zavalney
Deputy Fire Marshal, Monroe County Fire Rescue

David Dehaas

From: Laura Weinstock [laura.weinstock@klwtd.com]
Sent: Tuesday, June 07, 2016 1:03 PM
To: dehaas@bellsouth.net
Cc: Nicole Watson; Mike Dempsey
Subject: KLWTD Letter of Coordination



Good afternoon David,

I did receive your request and at this time we are unable to issue this letter. This property does not currently have a point of connection. Ed Castle, Mike Dempsey, Sam Stoia and I are meeting today at 3:00 to review the entire set of plans and discuss the next step.

I will be in touch with you when a decision has been made as to what our next step will be. Please feel free to email me with any questions or concerns.

Thank you,

Laura Weinstock
Contracts & Construction Administrator
Key Largo Wastewater Treatment District
133550 Overseas Highway Key Largo, FL 33037
Office: (305) 451-4019 ext 307 Secure Fax: (866) 291-5960

**MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT**



Disclosure of Interest



Pursuant to Section 101-6 of the Land Development Code, this form shall accompany land-use related applications. The intent is to disclose the identity of true parties in interest to the public, thereby enabling the public to ascertain which parties will potentially benefit.

Any person or entity holding real property in the form of a partnership, limited partnership, corporation, assignment of interest, trust, option, assignment of beneficial or contractual interest, or any form of representative capacity whatsoever for others, except as otherwise provided, shall, during application submittal for a specified application types, make a public disclosure, in writing, under oath, and subject to the penalties prescribed for perjury. Exemptions to the requirements of this section include the beneficial interest which is represented by stock in corporations registered with the federal securities exchange commission or in corporations registered pursuant to Chapter 517, Florida Statutes, whose stock is for sale to the general public.

This written disclosure shall be made to the planning director at the time of application. The disclosure information shall include the name and address of every person having a beneficial or contractual interest in the real property, however small or minimal.

- If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

- If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

- If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest. (Use additional sheets if necessary):

Name and Address	% of Ownership

* In the case of a trust, the four largest beneficiaries must also sign the affidavit.

- If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners. (Use additional sheets if necessary):

Name and Address	% of Ownership
GnP Development Partners LLC 52 Riley Rd, Unit 155 Celebration FL 34747	79.487 %
Andrew Hanzlik 11223 Bridgehouse Rd, Windermere FL 34786	20.513 %

- If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners. (Use additional sheets if necessary):

Name and Address	% of Ownership

* Please provide date of contract _____

- If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. (Use additional sheets if necessary):

Name and Address

By signing this form, the signer certifies that he or she is a person who is familiar with the information contained in the form, and that to the best of his or her knowledge such information is true, complete and accurate.

Printed Name / Signature of Person Completing Form: Mark R Bergeron
 State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 1st day of June 2016, by Mark R Bergeron. He/she is personally known to me or has produced _____ as identification.



Dee Kirby
 Notary Public
 My Commission Expires 8/8/17

03/2013



6/1/16
(Date)

I hereby authorize DAVID DEHAAS-GROSSECK be listed as authorized agent
(Name of Agent)

for KEY MARINA DEVELOPMENT, LLC for the application submittal for
(Name of Property Owner(s) the Applicant(s))

Property described as Lot: _____, Block _____,
Subdivision: MANDALAY, Key (island): KEY LARGO
and Real Estate number: MULTIPLE.

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

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

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

[Signature]
Property Owner(s) Signature

Mark R Berenger
Printed Name of Owner(s)

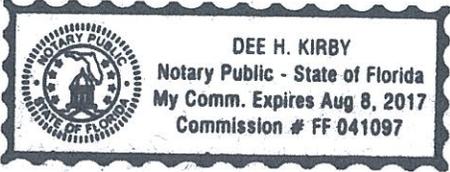
NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 1st day of June, 2016.

Mark R Berenger is personally known _____ produced identification

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

[Signature]
Notary



DS 14,225.00
R 27.00
14,252.00

Prepared By:
C. Davis Ely
Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville, FL 32207

Record and Return To:
J. Paul Raymond
Macfarland Ferguson & McMullen
Post Office Box 1669
Clearwater, FL 33757

Doc# 1954976 10/23/2013 2:43PM
Filed & Recorded in Official Records of
MONROE COUNTY ANY HEVILIN

10/23/2013 2:43PM
DEED DOC STAMP CL: Krys \$14,735.00

Doc# 1954976
Bk# 2655 Pg# 1209

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 21st day of October, 2013, between **OB FLORIDA CRE HOLDINGS, LLC**, a Florida limited liability company ("Grantor"), whose address is 200 West Congress Street, Lafayette, Louisiana 70501, and **KEY MARINA DEVELOPMENT, LLC**, a Florida limited liability company ("Grantee"), whose address is 3922 Premier Drive North, Tampa, Florida 33618;

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of Monroe, State of Florida:

See Exhibit "A" attached hereto and by reference made a part hereof.

Property Appraiser's Parcel ID Numbers: 1679917, 1680168, 1680192, 1680222, and 1680231.

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;
2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;
3. Matters which a current survey of the Land would reveal; and
4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances, the said Grantor does hereby fully warrant the title to said Land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name, the day and year first above written.

Signed, sealed and delivered
in the presence of:

OB FLORIDA CRE HOLDINGS, LLC, a
Florida limited liability company

By: IB SPE Management, Inc., a Delaware
corporation, its Manager

[Signature]
Print Name: Mariza Powell

By: [Signature]
Name: Jason Block
Its: Authorized Person

[Signature]
Print Name: ANTONETTE KNOWLES

Doc# 1954976
Bk# 2655 Pg# 1210

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 18 day of October, 2013, by Jason Block, as an Authorized Person of IB SPE Management, Inc., a Delaware corporation, in its capacity as the Manager of **OB FLORIDA CRE HOLDINGS, LLC**, a Florida limited liability company, on behalf of the company and corporation. He *(check one)* is personally known to me, or has produced a valid driver's license as identification.

[Signature]
Print Name: Diane Lotrich
Notary Public, State and County Aforesaid
My Commission Expires: _____
Commission Number: _____

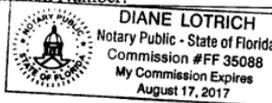


EXHIBIT A

Part I - Singleton Parcel

Parcel 1

Lots 1 and 2, Block 4, MANDALAY, according to the Plat thereof, recorded in Plat Book 1, Page 194, among the Public Records of Monroe County, Florida;

Together with a parcel of submerged land in Sec. 6, Twp. 62 South, Rge. 39 East, Key Largo, Florida, Monroe County, Florida, more particularly described as:

From the intersection of the dividing line between Lots 2 and 3, Block 4 with the Southeastery side of East Second Street, all as shown on Plat of MANDALAY, recorded in Plat Book 1, Page 194, Public Records of Monroe County, Florida, run Southeastery along said dividing line, a distance of 150 feet to the most Easterly corner of Lot 2 and the most Westerly corner of a parcel heretofore conveyed to A.F. Meade by Trustees I.L.F. Deed No. 22133 and the Point of Beginning of the parcel hereinafter described; thence continue Southeastery along last described course and parallel to the said Southeastery side of the Meade parcel, a distance of 250 feet; thence Southwestery along the dividing line between Lot 1, Block 4, and Second Avenue, according to said Plat Book 1, Page 194; thence Northwestery along said prolongation a distance of 250 feet to the most Southerly corner of said Lot 1, Block 4; thence Northeastery along the Southeastery side of Lots 1 and 2, a distance of 125.8 feet to the Point of Beginning.

Parcel 2

Leasehold estate in favor of Canals Holding Corp. created in that certain Lesse Agreement dated November 12, 1957 between Board of County Commissioners Monroe County, Florida, Lessor and Canals Holding Corp., Lessee censes the following described lands:

The Easterly ten feet of Second Avenue adjacent to Lot 1, Block 4, MANDALAY, according to the Plat thereof as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

Part II - Lively Parcel

A strip of land 125 feet wide and 250 feet in depth off the Southwestery side of Block 3, said strip being 125 feet on East First Street and East Second Street, and 250 feet on Second Avenue, MANDALAY, according to the plat thereof recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida. Also described as: A strip of land 125 feet wide and 250 feet in depth off the Southwestery side of Block 3, said strip being 125 feet on East First Street on East Second and East Avenue 250 feet on Second Avenue, MANDALAY, according to the plat thereof recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

AND

A tract of land in Block 3 of MANDALAY, a subdivision of Key Largo, according to the Plat recorded in Plat Book 1, at Page 194 Public Records. of Monroe County, Florida, said tract having a frontage of 100 feet on East First Street, according to the plat of MANDALAY, and a depth of 95 feet and further described as the Northwestery 95 feet of the Northeastery 100 feet of the Southwestery 225 feet of said Block 3.

AND

The Northeastery 50 feet of the Southwestery 175 feet, and the Northeastery 50 feet of the Southwestery 225 feet, Block 3, MANDALAY, a subdivision of Key Largo, according to the Plat recorded in Plat Book 1, Page 194 Public Records of Monroe County, Florida, less the Northwestery 55 feet of the Northeastery 100 feet of the Southwestery 225 feet thereof of said Block 3.

Part III - Bennett Parcel

Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 31, 32 and 33, Block 2, MANDALAY, according to the Plat thereof, as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

MONROE COUNTY
OFFICIAL RECORDS

MCPA GIS Public Portal
Scott P. Russell, CFA

- Pan
- Legend
- Zoom In

MCPA GIS Public Portal
Major Roads

Zoom Out

- Monroe Outline
- Subdivisions
- Section Lines

Identify

- Parcels
- Shoreline

Measure

- Lot Lines
- Hooks Leads

Print

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

2016 Condo

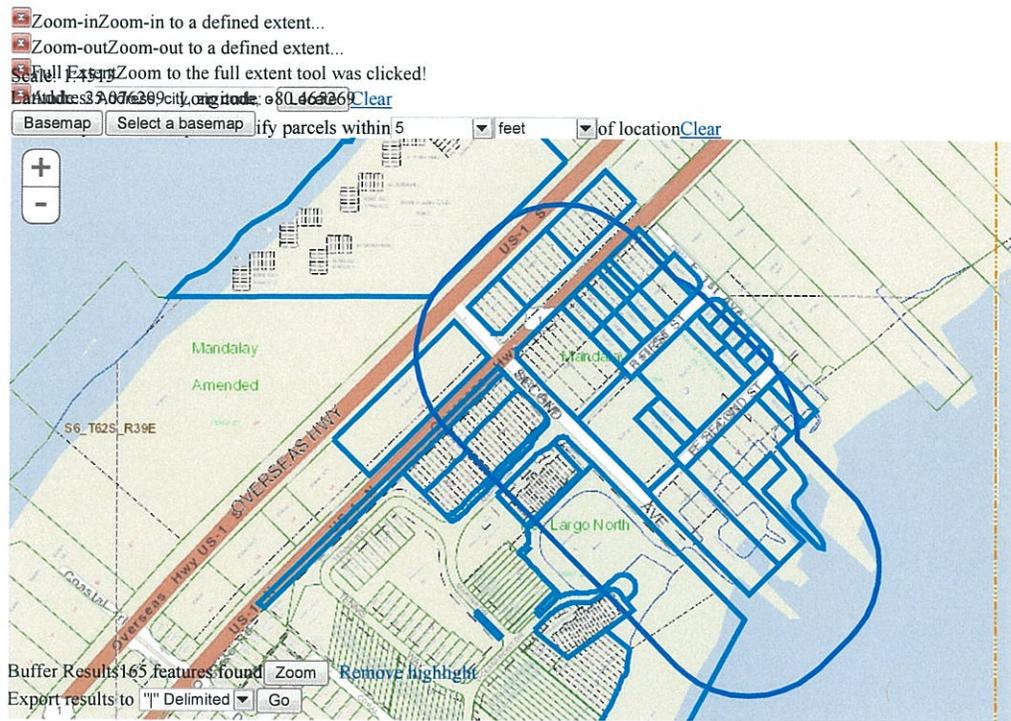
2015 Condo

2014 Condo

Expand All

- MCPA GIS Public Portal
- Monroe Overlay
- Subdivisions
- Section Lines
- Parcels
- Shoreline
- Lot Lines
- Hooks Leads
- Easements
- Text Displays
- Qualified Condo Sales
- Qualified Sales
- Transportation
- Road Centerline
- Road Block Name

Right of Way



OBJECTID SDE.DBO.W_PARCELS.ID SDE.DBO.W_PARCELS.RECHAR SDE.DBO.W_PARCELS.GEO_FEAT

Verified GE

- ✓ ACKERMANN DONALD W AND MARILYN
97652 OVERSEAS HWY APT HH1
KEY LARGO, FL 33037-2207
- ✓ ADAM RYAN A REV TR OF 05/13/05
600 S ATLANTIC AVE
DAYTONA BEACH, FL 32118-4510
- ✓ ADAMS JAMES HARVEY
18404 SW 87TH CT
CUTLER BAY, FL 33157-7226
- ✓ ALEXANDRES INVESTMENTS LLC
2655 S LE JEUNE RD PH 2
MIAMI, FL 33134-5827
- ✓ APORTELA LLLP
17792 FIELDBROOK CIR W
BOCA RATON, FL 33496-1568
- ✓ BAGBY ROBERT E TRUST 8/9/2002
811 KINGS RDG
LIBERTY, MO 64068-3524
- ✓ BAKER KEITH A
7555 CONIFER DR
COLORADO SPRINGS, CO 80920-4529
- ✓ BALDWIN SHARON C
12 GROVE AVE
FLOURTOWN, PA 19031-1907
- ✓ BANKS ROBERT W
3831 SW 56TH ST
FORT LAUDERDALE, FL 33312-6207
- ✓ BARKER ROBERT AND MARDELL
157 PHEASANTWOOD TRL
BATTLE CREEK, MI 49017-3139
- ✓ BEAUDETTE BRUCE M
236 WOODIN RD
CLIFTON PARK, NY 12065-5507
- ✓ BENNARDO MARIANNE DECLARATION OF
TRUST 7/10/2013
1009 AZALEA RD
DELRAY BEACH, FL 33483-6601
- ✓ BERNAT DOLORES P TRUST AGR
4/23/1998
12832 QUAIL CT
PALOS HEIGHTS, IL 60463-2282
- ✓ BESADA MARCIA
521 MAJORCA AVE
CORAL GABLES, FL 33134-4221
- ✓ BOCA MARINA COURT LLC
31 SENECA RD
SEA RANCH LAKES, FL 33308-2325
- ✓ BODKER TERRI L
97652 OVERSEAS HWY APT P4
KEY LARGO, FL 33037-2206
- ✓ BOLAND CECIL SAMUEL REVOCABLE
TRUST 10/1/2015
97652 OVERSEAS HWY HH 7
KEY LARGO, FL 33037-2221
- ✓ BOLAND CECIL SAMUEL REVOCABLE
TRUST 10/1/2015
97652 OVERSEAS HWY APT HH7
KEY LARGO, FL 33037-2201
- ✓ BORKOWSKI RICHARD V & CATHERINE M
5 GREENWICH CT
SHOREHAM, NY 11786-2017
- ✓ BROCK LISA M
14606 JOCKEYS RIDGE DR
CHARLOTTE, NC 28277-3716
- ✓ BROWN MARY A
1323 TAMARIND WAY
BOCA RATON, FL 33486-6905
- ✓ BURGESS CHRISTOPHER R & ANGELA D
15440 SW 148TH PL
MIAMI, FL 33187-5535
- ✓ BURKARD JONATHAN W
106 S SEWALLS POINT RD
STUART, FL 34996-6319
- ✓ BUSMAN-MORIARTY CLAUDIA
97625 OVERSEAS HWY
KEY LARGO, FL 33037-4029
- ✓ CAMILLE'S FOODS INC
PO BOX 371532
KEY LARGO, FL 33037-1532
- ✓ CAMMAROTA ARMAND A JR
305 BAY TREE CIR
VERNON HILLS, IL 60061-1234
- ✓ CAPUTO MARNI
237 LA PALOMA RD
KEY LARGO, FL 33037-4652
- ✓ CARMEL ASSETS LLC
9045 S DADELAND BLVD
MIAMI, FL 33156-2955
- ✓ CHILDREE RONALD M
97652 OVERSEAS HWY APT T12
KEY LARGO, FL 33037-2226
- ✓ CHUNDURU RAVI
PO BOX 9507
TAVERNIER, FL 33070-9507

Labels 1 of 5

* = added to Applicant labels

✓ CLARK JAMES C AND DIANA
1673 SOUTH ST
NEW HAVEN, VT 05472-4051

✓ COPLAN JANET SUE TRUST 4/30/2014
97652 OVERSEAS HWY APT C8
KEY LARGO, FL 33037-2223

✓ CORRADINI CAROL ANN LIV TR 06/06/2006
7744 SW 193RD ST
CUTLER BAY, FL 33157-7389

✓ CULLEN ROBERT F JR AND KAREN J
14641 SW 67TH AVENUE
MIAMI, FL 33101

✓ DELGADO SANTOS AND CYNTHIA
23 E FIRST ST
KEY LARGO, FL 33037-4036

✓ DICKER CRAIG L
9000 NEW DELHI PL
DULLES, VA 20189-9005

✓ DILLON WILLIAM
30800 S WIXOM RD
WIXOM, MI 48393-2418

✓ DIVINE PROPERTIES NUMBER 1 LLC
8586 POTTER PARK DR
SARASOTA, FL 34238-5439

✓ DOT/ST.OF FL
FDOT
TALLAHASSEE, FL 32399

✓ EDWARDS ALAN B
6304 SARATOGA CIR
DAVIE, FL 33331-2105

✓ ELIADES STEVEN AND JEANNE
31 STARLIGHT DR
HOPEWELL JUNCTION, NY 12533-5524

✓ ESPY ALEXANDRA BEATON
PO BOX 123
DILLON, CO 80435-0123

✓ FAGGIONI RONALD A AND CAROLYN I
2073 HENDRICKS AVE
BELLMORE, NY 11710-3058

✓ FAMILY TRUST U/W/O CAROLINE P
BRUMBAUGH 7/27/1998
6479 SUNSET DR
MIAMI, FL 33143-4676

✓ FERNANDEZ WILLIAM AND SONIA
208 KEELER LN
NORTH SALEM, NY 10560-2207

FEW MICHAEL D AND DARCI E
97501 OVERSEAS HWY UNIT 313
KEY LARGO, FL 33037-4041

✓ FIRST MIDWEST TRUST COMPANY
PO BOX 990
MOLINE, IL 61266-0990

✓ FIRST STATE BANK OF THE FLORIDA
KEYS
3406 N ROOSEVELT BLVD
KEY WEST, FL 33040-4266

✓ FOX THOMAS AND AMY M
97652 OVERSEAS HWY APT P5
KEY LARGO, FL 33037-2206

✓ FRANZ P AND L FAMILY TRUST 1/12/1990
97652 OVERSEAS HWY APT HH45
KEY LARGO, FL 33037-2220

✓ GAC MARIA U
573 SHERIDAN RD
GLENCOE, IL 60022-1764

✓ GARCIA AVELINO AND MONICA G
8401 SW 84TH TER
MIAMI, FL 33143-6919

✓ GO FOR IT ADVENTURES LLC
28123 SW 160TH CT
HOMESTEAD, FL 33033-1125

✓ GOLDSTEIN AMBER E L/E
97652 OVERSEAS HWY APT S5
KEY LARGO, FL 33037-2203

✓ GONZALEZ LEANDRO JAVIER
9200 SW 117TH TER
MIAMI, FL 33176-4234

✓ GREENSPAN RICHARD R AND YVETTE M
16073 BRIER CREEK DR
DELRAY BEACH, FL 33446-9561

✓ GSPARK LLC
6205 BLUE LAGOON DR STE 300
MIAMI, FL 33126-6017

✓ HAAS DENNIS
97652 OVERSEAS HWY APT T6
KEY LARGO, FL 33037-2205

✓ HABITAT FOR HUMANITY OF THE UPPER
KEYS INC
PO BOX 372151
KEY LARGO, FL 33037-7151

✓ HALEY JAMES A TRUST
11034 SW 37TH MNR
DAVIE, FL 33328-1318

✓ HARRELSON PEGGY GREGSON
REVOCABLE TRUST 3/14/14
1119 S 3RD AVE
BOZEMAN, MT 59715-5264

✓ HARRINGTON GERALD I
30 EAST 1ST STREET
KEY LARGO, FL 33037

✓ HARRIS MARGARET M
424 SPRUCE AVE
WEST ISLIP, NY 11795-2712

✓ HART LAUREN
2811 KIRK ST
MIAMI, FL 33133-3916

✓ HAYNIE J NEIL AND SUSAN INCE
1700 SW 12 AVE
BOCA RATON, FL 33486

✓ HEALEY PAUL J AND DEBRA L
6 PLEASANT RIDGE RUN RD
GOSHEN, NY 10924-5324

✓ HEELY CATHERINE G
9 NOCTURNE ROAD
MONROE TOWNSHIP, NJ 08831-7971

✓ HEINER FREDERICK H AND DONNA E
97652 OVERSEAS HWY APT T9
KEY LARGO, FL 33037-2226

✓ HEINRICH LAURA J
97652 OVERSEAS HWY PH 2
KEY LARGO, FL 33037-2220

✓ HELLER MARGARUITTE AND ERICH E
97652 OVERSEAS HWY APT M12
KEY LARGO, FL 33037-2225

✓ HELSEL ZANE AND JOAN E
2144 PENNINGTON RD
EWING, NJ 08638-1433

✓ HENRIQUES ROBERT C
11 CHESTER SQ
GLOUCESTER, MA 01930-1313

✓ HERNANDEZ MAYKE
PO BOX 372394
KEY LARGO, FL 33037-7394

✓ HERNANDEZ-CASTRO NOYDE
114 FIRST AVE
KEY LARGO, FL 33037-4003

✓ HILLEND DAVID V
97652 OVERSEAS HWY APT C11
KEY LARGO, FL 33037-2223

✓ HOLTON TIMOTHY R AND JENNIFER A
296 WASHINGTON AVE
MEMPHIS, TN 38103

✓ KALATZIS DIMITRIOS AND JOANNE
97652 OVERSEAS HWY APT M7
KEY LARGO, FL 33037-2225

✓ KATZMAN HOWARD E AND SHIRLEY R
7255 SW 140TH TER
PALMETTO BAY, FL 33158-1265

✓ KERCKAERT MICHAEL AND SHANNON L/E
5825 HEMPSTEAD RD
OXFORD, MI 48371-1233

✓ KEY MARINA DEVELOPMENT LLC
52 RILEY RD UNIT 155
KISSIMMEE, FL 34747-5420

✓ KLASFELD ILENE AND JON
1908 NW 4TH AVE APT 112
BOCA RATON, FL 33432-1501

✓ KLUMPENAAR BRAM
296 CLAUDE AVE
DORVAL, QUEBEC H9S 3B2
CANADA

✓ KRAUSE JOSEPH AND FRANCES
2637 NW 23RD WAY
BOCA RATON, FL 33431-4015

✓ KROHN JOHN RAMON JR
61 BITTERN DR
GETTYSBURG, PA 17325-8611

✓ LAMB WILLIAM R AND CHERYL L
34 E 2ND ST
KEY LARGO, FL 33037

✓ LANDRY BONNIE LAVONNE
24 E FIRST ST
KEY LARGO, FL 33037-4013

✓ LESPERANCE LISA V
1351 NW 16TH ST
MIAMI, FL 33125-2493

✓ LEVY BARUCH AND JANE
2708 OAKMONT CT
WESTON, FL 33332-1834

✓ LISOR SUZANNE K REV TR
1103 SPRING BROOKE DR
GOSHEN, IN 46528-5059

✓ MAJOY CHRISTOPHER O AND MARLENE M
1149 SHELTERED BROOK DR
HURON, OH 44839-2824

✓ MARINERS CLUB HOMEOWNERS ASSOC INC 97501 OVERSEAS HWY STE 1 KEY LARGO, FL 33037-4017	✓ MARINERS CLUB HOMEOWNERS ASSOCIATION INC 9100 S DADELAND BLVD STE 400 MIAMI, FL 33156-7819	✓ MARINERS CLUB US INVESTMENTS LLC PO BOX 566478 MIAMI, FL 33256-6478
✓ MARINERS PARADISE RESORT INC 97501 OVERSEAS HWY UNIT 131 KEY LARGO, FL 33037-4015	✓ MASK PARTNERS LLC PO BOX 7250 FORT MYERS, FL 33919-0250	✓ MAYER ANN E FINN AND ROBERT T 3 FAIRVIEW TER GREENLAND, NH 03840-2242
✓ MCCASSEY EVERETT A AND MICHELLE M 117 AKIOHALA PL KAILUA, HI 96734-3902	✓ MCGEE LAWRENCE U 5110 PALMERSTON LN WINSTON SALEM, NC 27104-1431	★ MERRELL RUSTY N AND CHERYL ANN 97652 OVERSEAS HWY APT M11 KEY LARGO, FL 33037-2225
✓ MEYERS PATRICK JEFFREY 116 FIRST AVE KEY LARGO, FL 33037-4003	★ MILANDER MARY LOU PO BOX 467 ISLAMORADA, FL 33036-0467	✓ MILANESE GARY 97652 OVERSEAS HWY APT T4 KEY LARGO, FL 33037-2205
✓ MILLER MICHAEL 97501 OVERSEAS HWY UNIT 311 KEY LARGO, FL 33037-4040	✓ MOFFITT GREGORY P AND REGINA A 29453 CEDAR NECK RD OCEAN VIEW, DE 19970	✓ MOSS STEPHEN E 42 ONEIDA AVE OAKLAND, NJ 07436-3731
✓ MY FAMILY TRUST 12/4/2012 PO BOX 370888 KEY LARGO, FL 33037-0888	✓ NESS DONALD 97501 OVERSEAS HWY UNIT 136 KEY LARGO, FL 33037-4016	✓ OKUN THEODORE 97652 OVERSEAS HWY PH 7 KEY LARGO, FL 33037-2221
✓ ORIHUELA PEDRO E 17911 NW 9TH CT PEMBROKE PINES, FL 33029-3114	✓ PEREZ ROBERT L AND VIOLET M 1919 DRISCOLL ST HOUSTON, TX 77019-6101	✓ PLEASANT WILLIAM R AND KIMBERLY E 330 MAGOTHY RD SEVERNA PARK, MD 21146-4203
✓ PROPERTY 135 LLC 9182 GRAYTRAX RD GRAND BLANC, MI 48439-8033	✓ PUHST KLAUS J AND SIGRID AM LOHOF 27 21266 JESTEBURG, GERMANY	✓ RAHAIM ANDREW D AND JEAN T 6 AUSPICE CIR NEWARK, DE 19711-2976
✓ RASKIND STEVEN L 25 ARGYLE DR EATONS NECK, NY 11768	✓ ROBINSON JOHN G AND BARBARA J 97652 OVERSEAS HWY OFC KEY LARGO, FL 33037-2216	✓ ROSE ERIC CELLU 101425 OVERSEAS HWY UNIT 366 KEY LARGO, FL 33037-4505
✓ SAILFISH 332 LLC 290 NE 68TH ST MIAMI, FL 33138	✓ SANFORD M ANN SANFORD TRUST 5-20-1997 2549 MIDLAND AVE TOLEDO, OH 43614-5543	✓ SANTANA RAMON R AND YOLANDA ACEBAL PO BOX 901368 HOMESTEAD, FL 33090-1368

✓ SANTE CHRIS D
PO BOX 373006
KEY LARGO, FL 33037-3006

✓ SCHOTT DEANA L
2056 HUTTON PT
LONGWOOD, FL 32779-2855

✓ SCULL PROPERTIES LLC
7960 OLD GEORGETOWN RD STE 8C
BETHESDA, MD 20814-2418

✓ SEVERSON DONALD R AND LOUANNE
DEC TRUST 11/12/1996
PO BOX 886
ELKHORN, WI 53121-0886

✓ SHUCK RONALD E AND LISA L
7485 CADY RD
NORTH ROYALTON, OH 44133-6338

✓ SHUGG ROBERT C AND ELIZABETH A
97652 OVERSEAS HWY APT M10
KEY LARGO, FL 33037-2225

✓ SIMPSON JOHN AND MARY
541 FOREST GATE CRES
WATERLOO, ONTARIO N2V 2X3
CANADA

✓ SINISCALCO WAYNE P AND LORIN BLAKE
97652 OVERSEAS HWY APT HH31
KEY LARGO, FL 33037-2218

✓ SMITH BRIAN R T
97652 OVERSEAS HWY APT T5
KEY LARGO, FL 33037-2205

✓ SMITH BRUCE W AND VICKY S
PO BOX 35
OKOBOJI, IA 51355-0035

✓ SMITH FAMILY HOLDINGS LLC
PO BOX 25
MEDFORD, NJ 08055-0025

✓ SMITH MICHAEL J AND DONNA
515 CARIBBEAN BLVD
KEY LARGO, FL 33037-4342

✓ SOMOGYI ROBERT J AND MARILYN B
42 W COLLEGE AVE APT 314S
YARDLEY, PA 19067-1553

✓ SPRINKLE GEORGE C JR AND MELISSA B
17205 SW 256TH ST
HOMESTEAD, FL 33031

✓ STANNARD PENNY LEE
97501 OVERSEAS HWY UNIT 323
KEY LARGO, FL 33037-4041

✓ STELRI LLC
3532 E HIGGINS DR
MOUNT PLEASANT, SC 29466-6890

✓ STONE THOMAS J TRUST 7/21/2000
PO BOX 372880
KEY LARGO, FL 33037-7880

✓ TIELEN GISELA B
97652 OVERSEAS HWY APT HH4
KEY LARGO, FL 33037-2207

✓ TUCKER ROBERT J AND CHARLENE A
401 CLOVER MILL RD
EXTON, PA 19341-2502

✓ VALDES CARLOS AND ELOINA
97675 OVERSEAS HWY
KEY LARGO, FL 33037

✓ VALERIUS THOMAS F AND LYNN C
9200 SW 85TH ST
MIAMI, FL 33173-4527

✓ VASQUEZ KARLA
112 FIRST AVE
KEY LARGO, FL 33037-4003

✓ VEIL MARK AND TINA
107 WOODSMUIR CT
PALM BEACH GARDENS, FL 33418-8020

✓ WALSH FRANK B JR REVOCABLE TRUST
11/30/1996
97652 OVERSEAS HWY APT HH33
KEY LARGO, FL 33037-2203

✓ WALTZMAN STUART REVOCABLE TRUST
12/4/1998
333 E 30TH ST APT 18J
NEW YORK, NY 10016-6459

✓ WATERMAN JAMES HENRY TRUST AGR
3/19/1997
193 ATLANTIC BLVD
KEY LARGO, FL 33037-4339

✓ WEPPLER CHARLES H AND RITA
3-396 ASSINIBOINE AVE
WINNIPEG, MB R3C 0Y1
CANADA

✓ WESTER DAVID A AND SHARON M
4244 CHASE AVE
MIAMI BEACH, FL 33140-3008

✓ WHITE PAUL C AND NORMA S
97501 OVERSEAS HWY UNIT 122
KEY LARGO, FL 33037-4015

✓ WHITE STEPHEN P AND ANNE L
97501 OVERSEAS HWY UNIT 321
KEY LARGO, FL 33037-4041

End of Additional File 2016-076

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



Request for 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

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

Advertising Costs: \$245.00

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

Traffic Study Review: \$5,000.00

Date of Submittal: / /
 Month Day Year

Applicant/Agent Authorized to Act for the Property Owner:

KEY MARINA DEVELOPMENT LLC.

DAVID DEHAAS-GROSSECK, Agent

Applicant (Name of Person, Business or Organization)

Name of Person Submitting this Application

Agent Mailing: deHaas Consulting and Design, 88975 Overseas Highway, Tavernier, FL., 33070
Mailing Address (Street, City, State and Zip Code)

Office (305) 853-9851 Cell (305) 394-9333
Daytime Phone

dehaas@bellsouth.net
Email Address

Property Owner:

KEYS MARINA DEVELOPMENT LLC.

MARK R. GERENGER

(Name/Entity)

Contact Person

52 RILEY RD., KISSIMMEE, FL. 34737-5420
Mailing Address (Street, City, State and Zip Code)

Cell (407) 616-3248
Daytime Phone

markgerenger@gnpdev.com
Email Address

Legal Description of Property:

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

Multiple Parcels please refer to the Property Record Cards and Attached information sheet

Block	Lot	Subdivision	Key
-------	-----	-------------	-----

Real Estate (RE) Number 30 and 42 E. SECOND ST., KEY LARGO, FL. 33037	Alternate Key Number 98
--	----------------------------

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

APPLICATION

Land Use District Designation of Property: SC MU UR

Present Land Use of Property: RESORT & RESTAURANT

Proposed Land Use of Property: RESORT & RESTAURANT

Total Area of Property: 167,761.2 SQ. FT. = 3.85 ACRES

Total Upland Area within Property: 139,012.2 SQ. FT. = 3.19 ACRES

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

1 Total number of non-residential buildings

4,976 sq. ft. Total non-residential floor area in square feet

If residential dwelling units are proposed, please provide:

2 Total number of residential buildings

22 Total number of permanent, market-rate units

_____ Total number of permanent, affordable units

3 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)
- Current property record card(s) from the Monroe County Property Appraiser
- Photograph(s) of site from adjacent roadway
- 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.)
- 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

APPLICATION

- 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)
- 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)

APPLICATION

- 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.

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: 4/28/10

Sworn before me this 28 day of April 2010



JOHN HOUPT
MY COMMISSION # FF 227573
EXPIRES: May 5, 2019
Bonded Thru Budget Notary Services

[Signature]
Notary Public
My Commission Expires

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

Monroe County
Planning Department

AGENT AUTHORIZATION

To Whom it May Concern,

This shall act as authorization for David deHaas-Grosseck to act as agent for the purpose of submitting and coordination application(s) for the following;

KEY MARINA DEVELOPMENT, LLC.

Name

MAJOR CONDITIONAL USE

Project

REDEVELOPMENT OF PROPERTY(S) AT MANDALAY SUBDIVISION

Location

On behalf of;

KEY MARINA DEVELOPMENT, LLC

Entity

MARK R. GERENGER, MGR.

Name

Signature

Sworn before me this 28 day of APRIL, 2012-16

Notary Public

My Commission Expires



JOHN HOUPT
MY COMMISSION # FF 227573
EXPIRES: May 5, 2019
Bonded Thru Budget Notary Services

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Detail by Entity Name

Florida Limited Liability Company

KEY MARINA DEVELOPMENT, LLC

Filing Information

Document Number	L13000095238
FEI/EIN Number	46-3577200
Date Filed	07/02/2013
State	FL
Status	ACTIVE

Principal Address

52 Riley Road Unit 155
Celebration, FL 34747

Changed: 04/12/2014

Mailing Address

52 Riley Road Unit 155
Celebration, FL 34747

Changed: 04/12/2014

Registered Agent Name & Address

Gerenger, Mark R
52 Riley Road , STE-155
Celebration, FL 34747

Name Changed: 02/22/2015

Address Changed: 02/22/2015

Authorized Person(s) Detail

Name & Address

Title MGR

GERENGER, MARK R
52 Riley Road Unit 155
Celebration, FL 34747

Annual Reports

Report Year	Filed Date
2015	02/22/2015
2015	07/11/2015
2016	04/04/2016

Document Images

04/04/2016 -- ANNUAL REPORT	View image in PDF format
07/11/2015 -- AMENDED ANNUAL REPORT	View image in PDF format
02/22/2015 -- ANNUAL REPORT	View image in PDF format
04/12/2014 -- ANNUAL REPORT	View image in PDF format
07/02/2013 -- Florida Limited Liability	View image in PDF format

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State of Florida, Department of State

PROPERTY INFORMATION KEY MARINA DEVELOPMENT LLC.		
PARCEL ID	ALTERNATIVE KEY	LEGAL DISCRPTION
00554420-000000	1679917	BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO
00554670-000000	1680168	PART OF SQUARE 3 MANDALAY, KEY LARGO
00554700-000000	1680192	NE 50 FT OF THE SW 225 FT OF SQR 3 (5-A) MANDALAY KEY LARGO
00554730-000000	1680222	BLK 3, SWLY 125 FT X125 FT & NWLY 95 FT OF NELY 100 FT OF SW 225 FT MANDALAY PB 1- PAGE 194 KEY LARGO
00554740-000000	1680231	BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1- PAGE 194 KEY LARGO TIFF DEED 22605



KEY MARINA DEVELOPMENT, LLC. **MAJOR CONDITIONAL USE**

ENVIRONMENTAL DESIGNATION DESCRIPTION

All required information for submission is located on the Site Plan(s) which is made part of this Application for a Major Conditional Use.

The site of the proposed project is scarified and previously developed. There are no existing hardwood hammocks, no endangered species habitats, nor is this a major wildlife intensive use area.

All shoreline areas are altered and developed with an existing docking facility, which is to be upgraded through permitting of all governing agencies. There are no known aquatic resources within the boat basin adjoining the development. Any resources which might be present would be identified during a benthic survey for permitting. And small coral would be relocated using current governing agency protocols.

A Storm Water Management Plan is required as part of the Major Conditional Use application/ redevelopment procedures, and shall address stormwater runoff, pre-construction and post-construction, and is made part of the application package. Appropriate retention of stormwater shall be maintained as required by code, consequently, there shall be no adversely impact the near shore water quality. Natural drainage patterns shall be incorporated into the overall Storm Water Management Plan. Due to the existing rise in existing grade from the water ward portion of the development toward Overseas Highway / U.S. Highway One, as perched sand beach with perimeter rip rap and concrete curb shall be incorporated into the Stormwater Plan to prevent any runoff at water's edge.



KEY MARINA DEVELOPMENT, LLC. MAJOR CONDITIONAL USE

COMMUNITY IMPACT STATEMENT

General Description of Proposed Development

The proposed is the reconstruction and redevelopment of a pre-existing transient facility. As part of the Development Agreement the pre-existing units were identified and allowed to be reconstructed per the conditions of the Agreement notwithstanding the current density and intensity of the multi-districted site. As identified in Development Agreement and the Modification of the Development Agreement, the property has the right to construct twenty one, (21) Vacation Rental Dwelling Units, which is defined in the Land Development Regulations of Monroe County as:

***Vacation rental or unit** means an attached or detached dwelling unit that is rented, leased or assigned for tenancies of less than 28 days duration. Vacation rental use does not include hotels, motels, and RV spaces, which are specifically addressed in each district.*

and three (3) Transient Units, which is according to code (LDRs) are defined as:

Room, hotel or motel means a unit in a public lodging establishment as defined by F.S. § 509.013(4)(a) intended for transient lodging only for periods not exceeding 30 days. Transient occupancy shall conform to the definition contained in F.S. § 509.013(12) as to transient occupancy. For the purposes of density restriction under this chapter:

- (1) Hotel or motel room may be a single room or a suite and may include a kitchenette but no more than 1½ bathrooms and one bedroom and one other living area.*
- (2) All entrances to a hotel or motel room shall share the same key or means of controlling access so that the hotel or motel room as defined herein is not divisible into separately rentable units.*
- (3) Suites containing more than one bedroom and 1½ baths may be constructed; however, each bedroom/bath combination shall be considered a hotel/motel unit.*

The units are proposed to be located in two structures. One structure containing eighteen (18) units, and being four stories in height, and a second structure



containing a total of 7 units, consisting of four (4) vacation rental units and three(3) Transient/Motel suites).

Accompanying the accommodations, shall be significant amenities, which in other land use districts, might almost qualify as a destination resort. The proposed amenities include the continuation of the existing restaurant, open recreation areas, sand beach, swimming pool, breakfast/multipurpose room, exercise facilities, and an upgrade to the existing docking facility to provide docking for the resort guests as well as temporarily docking for guests of the restaurant.

The Reception Building shall include with the reception area, facilities to enhance our guests total vacation experience. Proposed are, "curb-side" open check-in area, a fitness area, breakfast buffet/ multi-purpose area, adjoining a third story open deck with an unencumbered view of the Atlantic Ocean.

The Swimming Pool is proposed "Ocean side" of the development. The commercial pool shall have pavers as decking, which shall allow for activities as well as good drainage.

The proposed Resort is to be connected by raised walkways, elevators, and numerous outside stairways. In addition to the Bufferyards required, significant vegetation is proposed, with the accent on native and "non-watering" plants.

Limited paving for the project is proposed, using granite chips, sand and other non-pervious materials to aid in the control of storm water, and to the extent possible provide our guests with a "beach-side" vacation.

The water side portion of the Site, which adjoins the docking area, is proposed to have a "perched" sand beach area. The area is to be surrounding by an 8" concrete curb which shall prevent stormwater runoff and well as maintaining a stable base for recreational activities.

The two main buildings are "clustered", by using a forth story in one building and locating the structures as far toward a corner of the property as setbacks allow. The



design provides for as much open space as possible. Parking shall be located under the buildings to the extent possible, again with the intent of more open space.

The Vacation /Tourist Rental units as designed are two (2) bedrooms, two (2) bath suites of approximately 840 square feet with an optional third bedroom and bath,

which may be used by the connection suites on either side of the unit. Using this design, we have maximized the versatility of our accommodations for our guests, without significant costs for construction, which in turn shall allow for more reasonable rental fees.

Impacts

In terms of “quality of life” and the intent of the Land Development Regulations of Monroe County, this redevelopment shall a positive impact in the following manner:

All proposed structures shall comply with Monroe County Flood Plain and FEMA requirement, the old development was not compliant.

The project shall be required to be current with all aspect of Waste Treatment and proper connection to the Key Largo Waste Treatment District lines and facilities, the previous development was not connected.

All utilities shall be upgraded to current code. The old development was not up to code. Underground Electric is proposed to aid in good construction practices as well as to enhance the visual impact of the resort.

The project is a redevelopment and is in general, “replacing” what was on the site previously. This aspect of the development, together with our Coordination with the public faculties/utilities indicates that there will be no significant increase to the demand necessary for reconstruction.



In terms of compliance to applicable codes, environmental concerns, neighboring properties, the "Community Character", and economic values, this development shall have a significant positive impact on the immediate planning area.

CONSTRUCTION PLAN

It is the intent of the developer, Key Marine Development, LLC., to construction the project simultaneously, and as quickly as possible, using the most current available techniques and materials.



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

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

The offices of the Property Appraiser will be closed.
Monday the 15th for Presidents Day.
Website tested on IE8, IE9, & Firefox. Requires Adobe Flash 10.3 or higher

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

Alternate Key: 1679917 Parcel ID: 00554420-000000

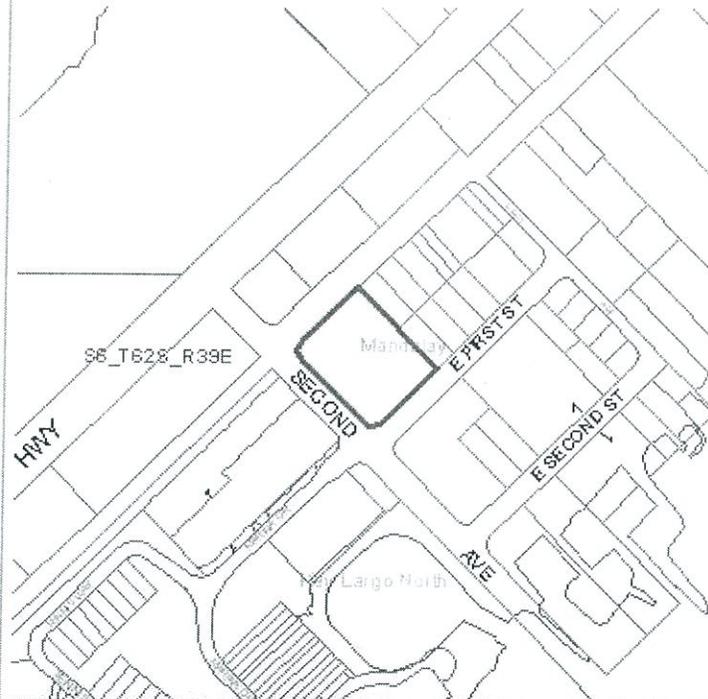
Ownership Details

Mailing Address:
KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 500K
Affordable Housing: No
Section-
Township- 06-62-39
Range:
Property Location: VACANT LAND KEY LARGO
Subdivision: MANDALAY
Legal Description: BK 2 LOTS 1 THRU 8 AND LOTS 30 THRU 33 MANDALAY PB1-194 KEY LARGO OR534-798E OR634-726 OR654-409Q OR654-410L/E OR791-687 OR975-1539D/C OR975-1542 OR1126-1288/89 OR1126-1286 OR1996-1515/16 OR2287-2090/2114(RES NO 603-2006) OR2477-2491/2493C/T OR2647-963/67 OR2655-1209/11

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100H - COMMERCIAL HIGHWAY	50	125	50,000.00 SF

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	CL2:CH LINK FENCE	3,300 SF	660	5	2006	2007	1	30

Appraiser Notes

RE 554350-55440 & 554420 & 554630-554660 COMBINED PER OWNERS REQUEST 5-19-94 CW RE 554410 COMBINED FOR EXEMPTION PURPOSES 12-16-80 JMH

2004 SALE. PROPERTY VALUE IS FOR EXISTING RV SITES REMOVED FOR FUTURE CONDO'S.

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
05305548	10/19/2005	10/05/2006	1	CHAINLINK AND WOOD FENCE	
05306606	01/18/2006	10/05/2006	1	DEMOLITION OF MOBILE HOME	
05306605	01/18/2006	10/05/2006	1	DEMO R.V. & CONCRETE ADDITION	
05306604	01/18/2006	10/05/2006	1	DEMO ONE-STORY CONCRETE BLDG	

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	4,649	750,000	754,649	754,649	0	754,649
2014	0	4,447	750,000	754,447	754,447	0	754,447
2013	0	4,620	400,000	404,620	194,659	0	404,620
2012	0	4,793	172,170	176,963	176,963	0	176,963
2011	0	5,024	172,170	177,194	177,194	0	177,194
2010	0	5,198	286,950	292,148	292,148	0	292,148
2009	0	5,371	322,800	328,171	328,171	0	328,171
2008	0	5,602	699,400	705,002	705,002	0	705,002
2007	7,125	5,148	689,063	701,336	701,336	0	701,336
2006	5,690	22,992	689,063	717,745	717,745	0	717,745
2005	5,636	23,812	689,063	718,511	718,511	0	718,511
2004	15,510	13,350	216,211	245,071	245,071	0	245,071
2003	11,489	13,853	208,125	233,467	233,467	0	233,467
2002	20,077	14,357	159,690	194,124	194,124	0	194,124
2001	14,341	14,609	148,753	177,703	177,703	0	177,703
2000	14,341	9,000	138,753	162,094	162,094	0	162,094
1999	9,876	16,090	135,940	161,906	161,906	0	161,906
1998	9,876	3,218	135,940	149,034	149,034	0	149,034
1997	9,876	3,218	135,940	149,034	149,034	0	149,034
1996	9,876	3,218	135,940	149,034	149,034	0	149,034
1995	9,876	3,218	135,940	149,034	149,034	0	149,034
1994	9,876	3,218	103,125	116,219	116,219	0	116,219
1993	9,876	3,218	18,750	31,844	31,844	0	31,844

1992	9,876	3,218	18,750	31,844	31,844	0	31,844
1991	9,876	3,218	18,750	31,844	31,844	0	31,844
1990	5,088	3,218	18,750	27,056	27,056	0	27,056
1989	5,088	3,218	18,750	27,056	27,056	0	27,056
1988	3,983	3,218	18,750	25,951	25,951	25,000	951
1987	3,935	3,218	17,563	24,716	24,716	24,716	0
1986	3,958	3,218	17,563	24,739	24,739	24,739	0
1985	3,459	3,218	17,563	24,240	24,240	24,240	0
1984	3,281	3,218	17,563	24,062	24,062	24,062	0
1983	3,281	3,218	17,556	24,055	24,055	24,055	0
1982	3,326	3,218	17,556	24,100	24,100	24,100	0

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/18/2013	2655 / 1209	2,105,000	WD	12
8/5/2013	2647 / 963	5,092,900	WD	38
8/3/2010	2477 / 2491	200,000	CT	12
4/15/2004	1996 / 1515	800,000	WD	Q
3/1/1990	1126 / 1288	57,500	WD	O

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



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

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

The offices of the Property Appraiser will be closed
Monday the 15th for Presidents Day.
Website tested on IE8, IE9, & Firefox. Requires Adobe Flash 10.3 or higher

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

Alternate Key: 1680168 Parcel ID: 00554670-000000

Ownership Details

Mailing Address:
KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

Property Details

PC Code: 00 - VACANT RESIDENTIAL
Millage Group: 500K
Affordable Housing: No
Section-Township-Range: 06-62-39
Property Location: VACANT LAND KEY LARGO
Subdivision: MANDALAY
Legal Description: PT SQR 3 MANDALAY KEY LARGO OR411-278 OR1413-229 OR1413-231D/C OR1994-526/27 OR2477-2491/93C/T OR2647-963/67 OR2655-1209/11

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
M10D - RESIDENTIAL DRY	50	155	7,750.00 SF

Appraiser Notes

BUILDING DEMO FOR 2006 ROLL.

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
05304589	09/23/2005	12/19/2005	1		DEMO CONCRETE BUILDING

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	0	25,797	25,797	25,797	0	25,797
2014	0	0	24,659	24,659	24,659	0	24,659
2013	0	0	22,762	22,762	22,762	0	22,762
2012	0	0	30,349	30,349	30,349	0	30,349
2011	0	0	30,349	30,349	29,837	0	30,349
2010	0	0	27,125	27,125	27,125	0	27,125
2009	0	0	52,313	52,313	52,313	0	52,313
2008	0	0	98,813	98,813	98,813	0	98,813
2007	0	0	164,688	164,688	164,688	0	164,688
2006	0	0	139,500	139,500	139,500	0	139,500
2005	0	0	139,500	139,500	139,500	0	139,500
2004	0	0	89,609	89,609	89,609	0	89,609
2003	0	0	19,375	19,375	19,375	0	19,375
2002	0	0	19,375	19,375	19,375	0	19,375
2001	0	0	14,531	14,531	14,531	0	14,531
2000	0	0	14,531	14,531	14,531	0	14,531
1999	0	0	14,531	14,531	14,531	0	14,531
1998	0	0	14,531	14,531	14,531	0	14,531
1997	0	0	14,531	14,531	14,531	0	14,531
1996	0	0	14,531	14,531	14,531	0	14,531
1995	0	0	14,531	14,531	14,531	0	14,531
1994	0	0	14,531	14,531	14,531	0	14,531
1993	0	0	14,531	14,531	14,531	0	14,531
1992	0	0	14,531	14,531	14,531	0	14,531
1991	0	0	14,531	14,531	14,531	0	14,531
1990	0	0	14,531	14,531	14,531	0	14,531
1989	0	0	14,531	14,531	14,531	0	14,531
1988	0	0	14,531	14,531	14,531	0	14,531
1987	0	0	14,531	14,531	14,531	0	14,531
1986	0	0	14,531	14,531	14,531	0	14,531
1985	0	0	14,531	14,531	14,531	0	14,531
1984	0	0	14,531	14,531	14,531	0	14,531

1983	0	0	8,251	8,251	8,251	0	8,251
1982	0	0	8,251	8,251	8,251	0	8,251

Parcel Sales History

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Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/18/2013	2655 / 1209	2,105,000	WD	12
8/5/2013	2647 / 963	5,092,900	WD	12
8/3/2010	2477 / 2491	200,000	CT	12
4/13/2004	1994 / 0526	1	WD	M
7/1/1996	1413 / 0229	1	WD	M

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



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

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

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

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

Alternate Key: 1680192 Parcel ID: 00554700-000000

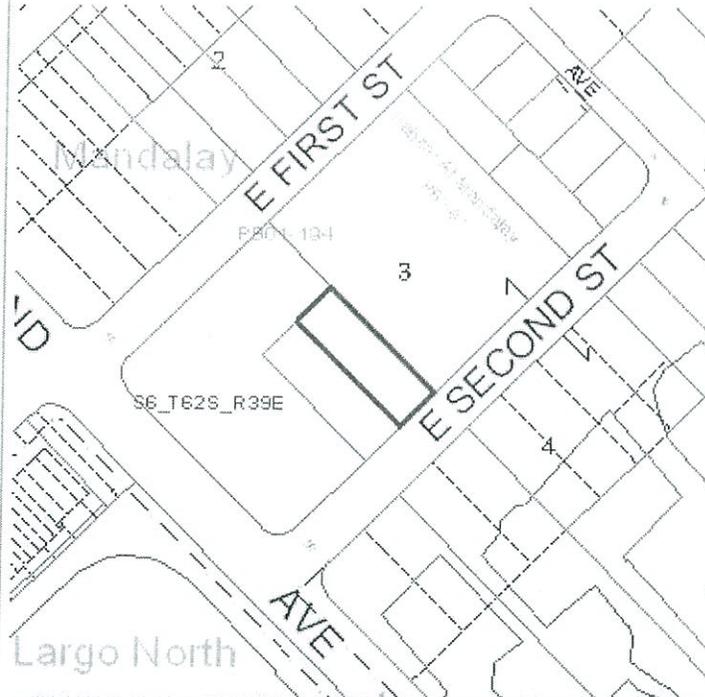
Ownership Details

Mailing Address:
KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

Property Details

PC Code: 00 - VACANT RESIDENTIAL
Millage Group: 500K
Affordable Housing: No
Section-Township-Range: 06-62-39
Property Location: 30 E SECOND ST KEY LARGO
Subdivision: MANDALAY
Legal Description: NE 50FT OF THE SW 225FT OF SQR 3 (5-A) MANDALAY KEY LARGO OR411-278 OR1413-229 OR1413-231D/C OR1994-526/27 OR2477-2491/93C/T OR2647-963/67 OR2655-1209/11

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
M10D - RESIDENTIAL DRY	50	155	7,750.00 SF

Appraiser Notes

5/22/2012 INSPECTION SHOWS BLDG HAS BEEN DEMOLISHED.

HAS 6 RV PADS WITH ELECTRIC ON PROPERTY.

2004 6-14 ADJ SF PER GIS. CW

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	1300586	03/19/2001	01/01/2002	1		ELECTRIC UP-GRADE
	2301329	04/10/2002	01/01/2004	1		ELECTRIC METER

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	0	25,797	25,797	25,797	0	25,797
2014	0	0	24,659	24,659	24,659	0	24,659
2013	0	0	22,762	22,762	22,762	0	22,762
2012	0	0	87,728	87,728	87,728	0	87,728
2011	76,393	0	87,728	164,121	164,121	0	164,121
2010	76,316	0	96,875	173,191	173,191	0	173,191
2009	79,369	0	123,516	202,885	202,885	0	202,885
2008	82,422	0	164,688	247,110	247,110	0	247,110
2007	118,422	0	164,688	283,110	283,110	0	283,110
2006	110,181	0	139,500	249,681	249,681	0	249,681
2005	109,130	0	139,500	248,630	248,630	0	248,630
2004	122,226	0	71,688	193,914	193,914	0	193,914
2003	90,538	0	22,500	113,038	113,038	0	113,038
2002	60,690	0	15,000	75,690	75,690	0	75,690
2001	43,006	0	14,063	57,069	57,069	0	57,069
2000	43,006	0	14,063	57,069	57,069	0	57,069
1999	43,006	0	14,063	57,069	57,069	0	57,069
1998	43,006	0	14,063	57,069	57,069	0	57,069
1997	43,006	0	14,063	57,069	57,069	0	57,069
1996	43,006	0	14,063	57,069	57,069	25,500	31,569
1995	43,006	0	14,063	57,069	57,069	25,500	31,569
1994	43,006	0	14,063	57,069	57,069	25,500	31,569
1993	43,006	0	14,063	57,069	57,069	25,500	31,569
1992	43,006	0	14,063	57,069	57,069	25,500	31,569
1991	43,006	0	14,063	57,069	57,069	25,500	31,569
1990	44,115	0	14,063	58,178	58,178	25,500	32,678
1989	40,105	0	14,063	54,168	54,168	25,500	28,668
1988	35,261	0	14,063	49,324	49,324	25,500	23,824
1987	34,880	0	14,063	48,943	48,943	25,500	23,443

1986	35,049	0	14,063	49,112	49,112	25,500	23,612
1985	33,780	0	14,063	47,843	47,843	25,500	22,343
1984	32,178	0	14,063	46,241	46,241	25,500	20,741
1983	32,398	0	8,251	40,649	40,649	25,500	15,149
1982	28,061	0	8,251	36,312	36,312	25,500	10,812

Parcel Sales History

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Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/18/2013	2655 / 1209	2,105,000	WD	12
8/5/2013	2647 / 963	5,092,900	WD	38
8/3/2010	2477 / 2491	200,000	CT	12
4/13/2004	1994 / 0526	1	WD	M
7/1/1996	1413 / 0229	125,000	WD	M

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



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

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

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Requires Adobe Flash
10.3 or higher

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

Alternate Key: 1680222 Parcel ID: 00554730-000000

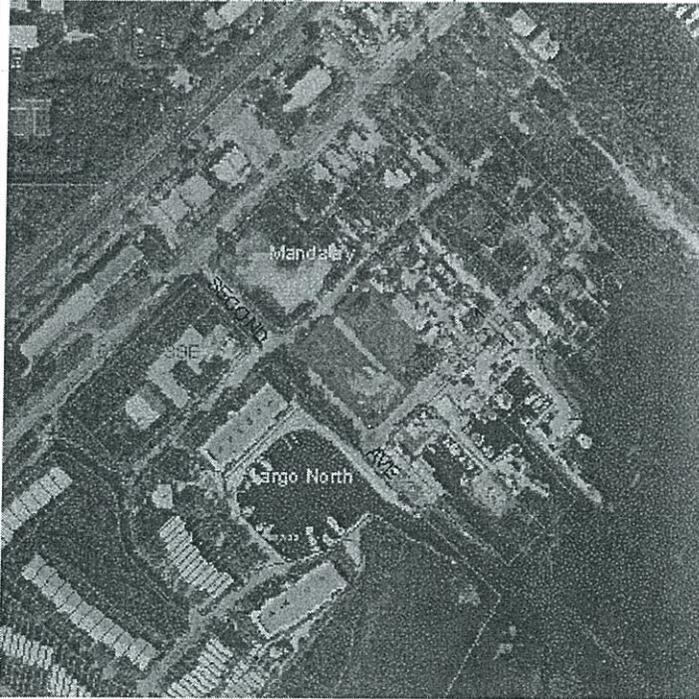
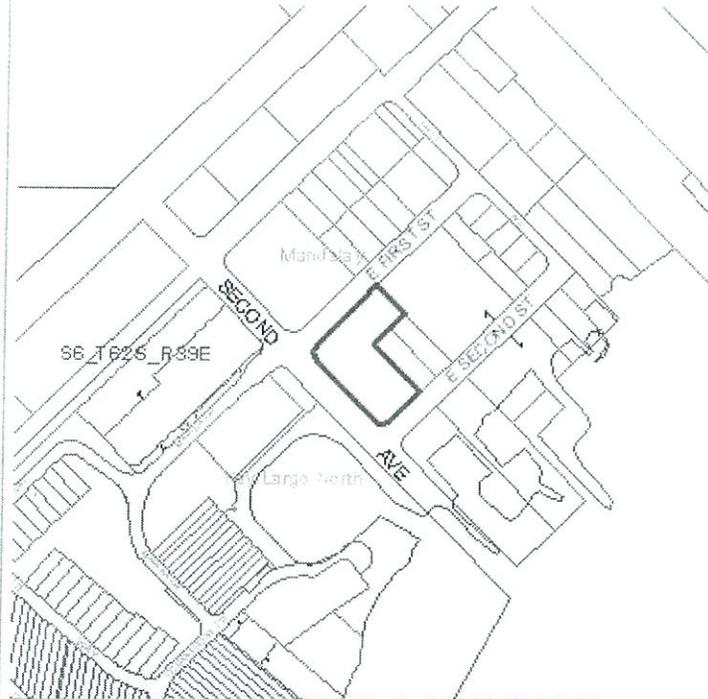
Ownership Details

Mailing Address:
KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 500K
Affordable Housing: No
Section-
Township- 06-62-39
Range:
Property Location: 43 E SECOND ST Unit Number: 28 KEY LARGO
Subdivision: MANDALAY
Legal Description: BK 3 SWLY 125FT X 250FT AND NWLY 95 FT OF NELY 100FT OF SWLY 225 FT MANDALAY PB1-194 KEY LARGO OR448-629 OR470-188 OR1255-773 OR1994-526/527 OR2287-2090/2114(RES NO 603-2006) OR2477-2491/2493C/T OR2647-963/67 OR2655-1209/11

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	40,750.00 SF

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	3,112 SF	0	0	1975	1976	3	50

Appraiser Notes

RE: 55468 COMBINED FOR ASSESSING PURPOSES 5-5-87JMH MANDALAY TRAILER PARK 17 SITES RE 554680 ALSO BUILDING DEMO FOR 2006 ROLL. SKETCH FOOTPRINT LEFT FOR PERMITTING.

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
300910	02/28/2000	01/01/2001	1	ELECTRIC UPGRADE	
0031880	04/26/2000	12/18/2000	1	DEMO SCR ENCL CODE ENF	
1304038	11/26/2001		1	INSTALL PUMP STATION	
1303295	08/28/2001	01/01/2003	1	INSTALL 3-TON A/C PACKAGE	
2300915	03/08/2002	01/01/2004	1	REROOF	
05303988	09/13/2005	12/19/2005	1	DEMOLITION MH	
05303989	09/13/2005	12/19/2005	1	DEMO MH	
05303990	09/13/2005	12/19/2005	1	DEMO MH	
05303991	09/13/2005	12/19/2005	1	DEMO MH	
05304034	09/13/2005	12/19/2005	1	DEMO MH	
05304035	09/13/2005	12/19/2005	1	DEMO MH	
05304313	09/13/2005	12/19/2005	1	DEMO MH	
05304036	09/13/2005	12/19/2005	1	DEMO MH	
04304300	09/13/2005	12/19/2005	1	DEMO MH	
04304307	09/13/2005	12/19/2005	1	DEMO MH	
04304309	09/13/2005	12/19/2005	1	DEMO MH	
04304308	09/13/2005	12/19/2005	1	DEMO MH	
04304298	09/13/2005	12/19/2005	1	DEMO MH	
05304590	09/23/2005	12/19/2005	1	DEMO/1 CONCRETE BLDG	

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	13,693	366,750	380,443	380,443	0	380,443
2014	0	12,448	366,750	379,198	379,198	0	379,198
2013	0	12,448	342,125	1,644,317	1,644,317	0	1,644,317
2012	0	12,448	342,125	1,644,317	1,644,317	0	1,644,317
2011	0	12,448	586,500	1,644,317	1,644,317	0	1,644,317
2010	0	12,448	285,250	1,644,317	1,644,317	0	1,644,317
2009	0	12,448	366,750	1,644,317	1,644,317	0	1,644,317
2008	0	12,448	692,750	1,644,317	1,644,317	0	1,644,317

2007	0	12,448	865,938	1,644,317	1,644,317	0	1,644,317
2006	121,378	12,448	733,500	867,326	867,326	0	867,326
2005	113,007	13,070	733,500	859,577	859,577	0	859,577
2004	31,665	13,693	631,625	807,284	807,284	0	807,284
2003	31,665	14,315	652,000	807,284	807,284	0	807,284
2002	24,746	14,938	448,250	308,932	308,932	0	308,932
2001	24,746	15,560	326,000	308,932	308,932	0	308,932
2000	24,746	6,473	326,000	308,932	308,932	0	308,932
1999	24,746	10,974	326,000	308,932	308,932	0	308,932
1998	24,746	2,400	326,000	308,932	308,932	0	308,932
1997	24,746	2,404	326,000	308,932	308,932	0	308,932
1996	24,746	2,407	244,500	308,932	308,932	0	308,932
1995	24,746	2,411	244,500	308,932	308,932	0	308,932
1994	24,746	2,414	244,500	308,932	308,932	0	308,932
1993	24,746	2,418	244,500	263,550	263,550	0	263,550
1992	24,746	2,421	122,250	263,550	263,550	0	263,550
1991	24,746	2,425	122,250	263,550	263,550	0	263,550
1990	24,746	2,428	122,250	263,550	263,550	0	263,550
1989	22,497	2,432	122,250	263,550	263,550	0	263,550
1988	19,787	2,436	122,250	238,094	238,094	0	238,094
1987	19,568	2,439	76,407	175,924	175,924	0	175,924
1986	19,672	2,124	58,594	127,163	127,163	0	127,163
1985	18,967	2,124	58,594	79,685	79,685	0	79,685
1984	17,861	2,124	58,594	78,579	78,579	0	78,579
1983	17,861	2,124	118,669	138,654	138,654	0	138,654
1982	18,201	2,124	118,669	138,994	138,994	0	138,994

Parcel Sales History

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Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/18/2013	2655 / 1209	2,105,000	WD	12
8/5/2013	2647 / 963	5,092,900	WD	38
8/3/2010	2477 / 2491	200,000	CT	12
4/13/2004	1994 / 0526	2,500,000	WD	M
4/1/1993	1255 / 773	385,000	WD	Q
2/1/1970	448 / 629	47,500	00	Q

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



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Property Appraiser
Monroe County, Florida

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

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

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

Alternate Key: 1680231 Parcel ID: 00554740-000000

Ownership Details

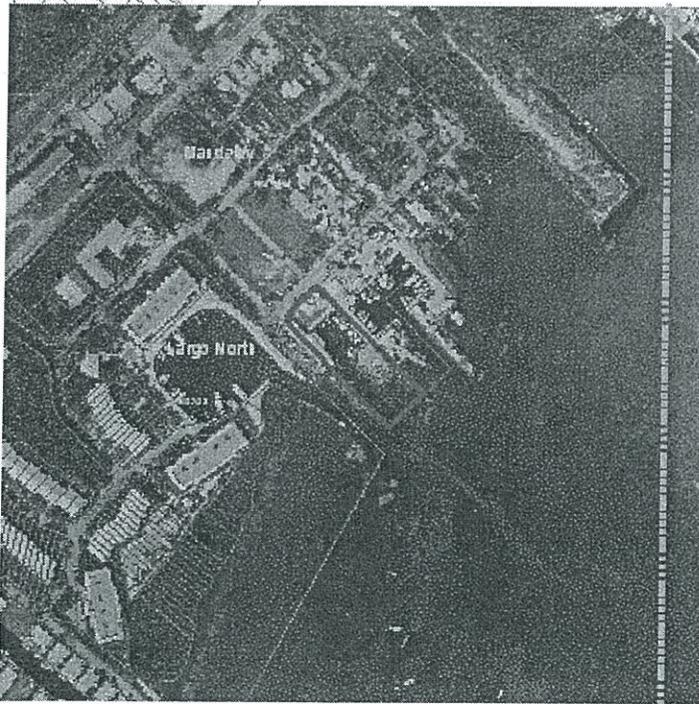
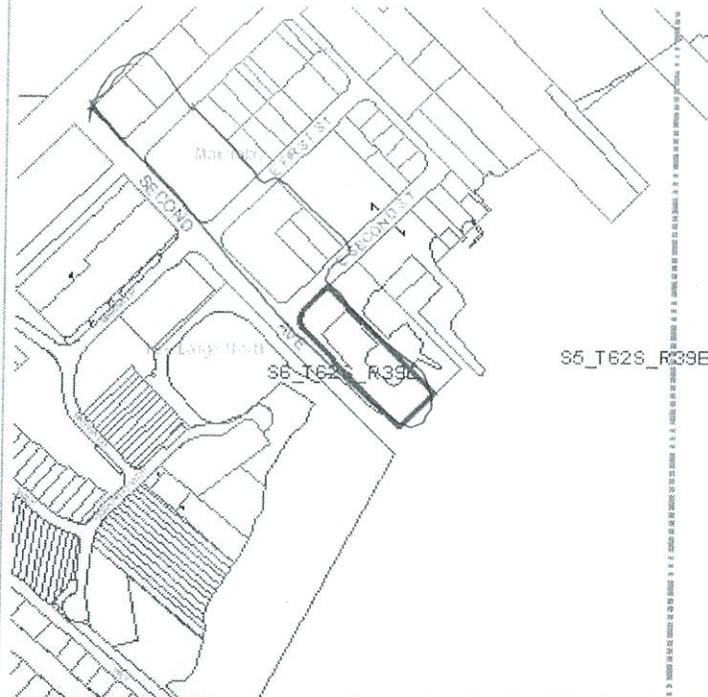
Mailing Address:
KEY MARINA DEVELOPMENT LLC
52 RILEY RD
KISSIMMEE, FL 34747-5420

Property Details

PC Code: 12 - STORE/OFF/RES OR COMBINATION
Millage Group: 500K
Affordable Housing: No
Section-
Township- 06-62-39
Range:
Property Location: 80 E SECOND ST KEY LARGO
Subdivision: MANDALAY
Legal Description: BLK 4 LTS 1 AND 2 AND ADJ BAY BTM MANDALAY PB1-194 KEY LARGO TIIF DEED 22605 OR434-916/917 OR606-636 OR684-636 OR688-238/239 OR765-1639/1640 OR1030-2361 OR1040-138/139 OR1040-140/141/AFF OR1040-142/43 OR1083-129 OR1148-1897 OR1254-1356/1357 OR1426-178/179 OR1449-1274/1276C OR1994-2491/2493 OR2287-2090/2114(RES NO 603-2006) OR2477-2491/2493C/T OR2647-963/67 OR2655-1209/11

300

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	18,900.00 SF
100W - COMMERCIAL WATERFRON	0	0	2,250.00 SF
000X - ENVIRONMENTALLY SENS	0	0	0.66 AC

Building Summary

Number of Buildings: 2
 Number of Commercial Buildings: 2
 Total Living Area: 5811
 Year Built: 1944

Building 1 Details

Building Type
 Effective Age 45
 Year Built 1944
 Functional Obs 0

Condition F
 Perimeter 513
 Special Arch 0
 Economic Obs 0

Quality Grade 300
 Depreciation % 55
 Grnd Floor Area 3,571

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

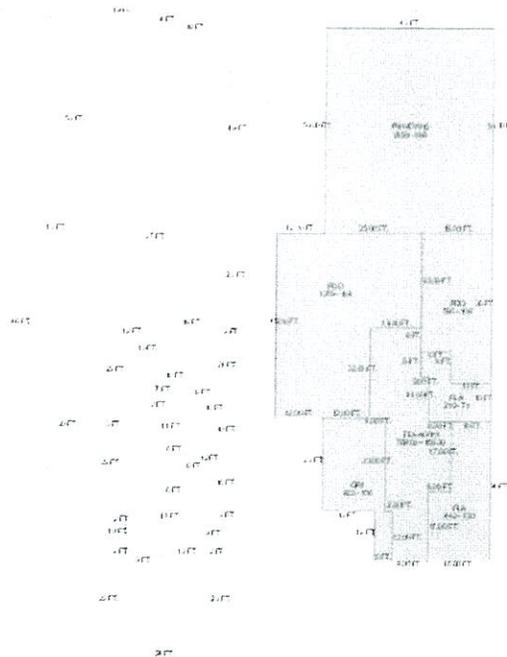
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

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

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	OPX		1	1960				423
0	FLA		1	1995				442
0	FLA		1	2000				210

0	FLA		1	2011	2,150
0	PDO	1:WD FRAME	1	2000	1,379
0	PDO	1:WD FRAME	1	2004	596
0	FLA	5:C.B.S.	1	1944	769

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		OPEN STORAGE-D-	100	N	N
		FOOD PROCESSING-D-	100	N	N
		RESTAURANT & CAFETR	100	N	N
		PATIO DINING	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
5028	AB AVE WOOD SIDING	50
5029	REIN CONCRETE	50

Building 2 Details

Building Type
 Effective Age 39
 Year Built 1966
 Functional Obs 80

Condition F
 Perimeter 344
 Special Arch 0
 Economic Obs 0

Quality Grade 350
 Depreciation % 50
 Grnd Floor Area 2,240

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 8

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	FLA		1	1987					280
1	FLA		1	1987					980
3	FLA		1	1987					980
4	OUF		1	1987					853

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		SERV SHOPS ETC	100	N	N
	14511	APTS-B	100	N	Y
	14513	1 STORY STORES	100	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
5030	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	SW2:SEAWALL	1,260 SF	4	315	1969	1970	4	60
2	DK3:CONCRETE DOCK	1,029 SF	7	147	1967	1968	4	60
3	UB2:UTILITY BLDG	440 SF	22	20	1973	1974	3	50
4	DK3:CONCRETE DOCK	720 SF	120	6	2000	2001	3	60

5	AC2:WALL AIR COND	3 UT	0	0	0	2005	2	20
6	DK3:CONCRETE DOCK	375 SF	75	5	1987	2005	4	60
7	TK2:TIKI	288 SF	12	24	2000	2006	5	40
8	DK4:WOOD DOCKS	163 SF	0	0	2004	2005	3	40
9	UB2:UTILITY BLDG	480 SF	20	24	1970	2005	3	50
10	WD2:WOOD DECK	288 SF	18	16	2004	2005	2	40
11	BR2:BOAT RAMP	608 SF	38	16	1987	2006	2	60
12	CL2:CH LINK FENCE	2,000 SF	400	5	2006	2007	1	30

Appraiser Notes

2004 6-14 PER OR1994-2491 CANALIS HOLDING CORP'S LEASE W/BCC FOR E 10' OF 2ND AVE ADJ TO LOT 1 TRANSFERS TO OCEAN SUNRISE ASSOCIATES. CW MANDALAY MARINA & TIKI BAR DEP PERMIT NO 44-0114549-001-ES (INSTALL 720 SQ FT WOODEN COMMERCIAL DOCK. TPP 9022300 - DIVE IN INC RE: 554750 & 90720 COMBINED PER OWNERS REQUEST 7-23-84JMH

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	11300477	03/01/2011	10/13/2011	1		CONCRETE SLAB
	11305496	11/30/2011	08/08/2012	1		RE-ROOF - METAL
	11300538	04/18/2011	08/08/2012	1		AWNINGS
	12300628	04/04/2012	08/08/2012	1		INT/EXT REMODEL/REPAIR
	15302762	06/02/2015		2,500		DEMO WOOD GARAGE
	15305238	11/06/2015		12,000		DEMO - BUILDING, DECK & FINGER PIERS
	14305670	11/06/2015		360,000		SINGLE FAMILY RESIDENCE
	9930072	02/16/1999	11/16/2000	1		DOCKS
	2301272	04/11/2002	01/01/2003	1		DEMO OF CHICKEE
	2301123	04/08/2002	01/01/2003	1		FENCE REPAIR
	04302078	05/11/2004	11/01/2004	1		DEMO TRAILER
	04303222	08/05/2004	11/01/2004	1		REPL SLAB & DEMO TRAILER
	04305389	01/13/2005	10/17/2005	1		INTERIOR RENOVATIONS
	04304494	01/13/2005	10/17/2005	1		ROOF REPLACEMENT
	04304492	01/13/2005	10/17/2005	1		RETHATCH TIKI HUT
	05300719	06/21/2005	10/16/2005	1		DECK REPAIR
	05603253	12/02/2005	10/05/2006	1		CHAINLINK FENCE

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2015	326,724	96,210	528,816	951,750	951,750	0	951,750
2014	342,060	88,684	528,816	959,560	959,560	0	959,560

2013	342,060	89,614	528,816	960,490	960,490	0	960,490
2012	361,322	90,957	661,004	1,113,283	1,113,283	0	1,113,283
2011	376,658	92,073	661,004	1,129,735	1,129,735	0	1,129,735
2010	376,658	93,115	925,379	1,395,152	1,395,152	0	1,395,152
2009	376,658	94,346	1,033,665	1,504,669	1,504,669	0	1,504,669
2008	395,297	95,574	1,122,259	1,613,130	1,613,130	0	1,613,130
2007	474,921	78,925	1,275,821	1,829,667	1,829,667	0	1,829,667
2006	480,035	64,185	1,275,821	1,820,041	1,820,041	0	1,820,041
2005	490,420	54,106	850,571	1,395,097	1,395,097	0	1,395,097
2004	273,585	44,817	226,871	358,858	358,858	0	358,858
2003	273,585	46,545	226,871	358,858	358,858	0	358,858
2002	273,585	49,852	226,871	358,858	358,858	0	358,858
2001	273,585	51,202	226,871	358,858	358,858	0	358,858
2000	273,585	16,984	226,871	358,858	358,858	0	358,858
1999	273,585	17,439	226,871	358,858	358,858	0	358,858
1998	182,506	17,827	226,871	358,858	358,858	0	358,858
1997	182,506	18,423	226,871	358,858	358,858	0	358,858
1996	142,454	18,949	189,071	358,858	358,858	0	358,858
1995	142,454	19,430	189,071	358,858	358,858	0	358,858
1994	142,454	20,003	189,071	358,858	358,858	0	358,858
1993	142,454	20,734	189,071	358,858	358,858	0	358,858
1992	142,454	21,310	104,021	358,858	358,858	0	358,858
1991	142,454	22,087	104,021	358,858	358,858	0	358,858
1990	142,464	22,732	104,021	358,858	358,858	0	358,858
1989	142,464	23,393	104,021	358,858	358,858	0	358,858
1988	121,634	20,762	104,381	246,777	246,777	25,000	221,777
1987	82,489	5,583	104,381	192,453	192,453	25,000	167,453
1986	82,898	5,583	104,381	192,862	192,862	25,000	167,862
1985	79,763	5,583	104,381	189,727	189,727	0	189,727
1984	76,255	5,583	104,381	186,219	186,219	12,500	173,719
1983	32,789	3,591	39,394	75,774	75,774	0	75,774
1982	25,994	3,591	39,394	68,979	68,979	0	68,979

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/18/2013	2655 / 1209	2,105,000	WD	12
8/5/2013	2647 / 963	5,092,900	WD	38
8/3/2010	2477 / 2491	200,000	CT	12
4/15/2004	1994 / 2491	2,000,000	WD	Q
10/1/1996	1426 / 0178	690,000	WD	P

9/1/1990	1148 / 1897	50,000	WD	P
1/1/1988	1040 / 142	445,000	WD	Q

This page has been visited 14,193 times.

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

deHaas

Consulting & Design



COPY OF E-MAIL SENT APPLIABLE AGENCIES & UTILITIES

To Whom It May Concern,

Per the requirements of application for a Major Conditional Use from Monroe County, this is a request for a letter of coordination from your agency/utility.

The proposed project is the redevelopment of multiple parcels of land located within the Mandalay Subdivision in Key Largo. The completed project will operate as a "resort", consisting of 21 vacation rentals, 3 motel suites, in two major buildings, a reception and offices, guest building, swimming pool and the existing restaurant. The docking facilities shall be "upgraded" as possible/necessary.

Owner: Key Marina Development, LLC.
52 Riley Rd.
Kissimmee, Fl. 34747-5420

Street Address currently is: 80 E. Second St.
Key Largo, Fl., 33037

Property Appraiser numbers:
1680231-000000
1679917-000000
1680168-000000
1680192-000000
1680222-000000

Please find attached a copy of the survey for the subject property and Arial photo.
Please contact me with any questions at this e mail or office phone: 305 852-9851

Thank you for your attention to this matter,

David deHaas



FLORIDA KEYS ELECTRIC COOPERATIVE ASSOCIATION, INC. – FKEC

91630 OVERSEAS HIGHWAY, P.O. BOX 377, TAVERNIER FL 33070-0377 PHONE (305) 852-2431 FAX (305) 852-4794

March 18, 2016

David deHaas-Grosseck
deHaas Consulting & Design
88975 Overseas Highway
Tavernier, FL 33070

Send to email address: deHaas@bellsouth.net

**Re: Letter of Coordination: 80 E Second Street, Key Largo FL
Parcel ID Nos. 1680231-000000, 1679917-000000,
1680168-000000,1680192-000000,1680222-000000**

Dear David,

The facilities and operations of Florida Keys Electric Cooperative Association, Inc. (FKEC) are designed to accommodate normal electrical load growth, providing sufficient energy is available from our mainland supplier. FKEC anticipates no significant problems in providing power to the property referenced above.

Easements may be required.

When preliminary electrical and site plans are available, please arrange to meet with FKEC Engineering staff to review and plan the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Kropf". The signature is stylized and somewhat cursive.

Keith Kropf, PE
Director of Engineering

David Dehaas

From: Franck, Bruce [Bruce.Franck@dep.state.fl.us]
Sent: Friday, March 18, 2016 8:29 AM
To: 'David Dehaas'
Subject: RE: Letter of Coordination

Hey David,

Will get a letter of coordination to you. I am in the field today. If I get back to office in time I will give you a call about Kawama.

Bruce

From: David Dehaas [mailto:dehaas@bellsouth.net]
Sent: Thursday, March 17, 2016 5:51 PM
To: mwalterson@Fkaa.com; keith.kropf@fkec.com; suzir@klwtd.com; zavalney-steven@monroecounty-fl.gov; Franck, Bruce; 'Gilbert, Ingrid N SAJ'
Cc: 'David Dehaas'
Subject: Letter of Coordination

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Thank you for your attention to this matter,

David deHaas

David Dehaas

From: Marnie Walterson [mwalterson@fkaa.com]
Sent: Friday, March 18, 2016 10:33 AM
To: David Dehaas
Subject: RE: Letter of Coordination

I will need proposed plans. Thanks

Marnie Walterson

Distribution Design Supervisor
Florida Keys Aqueduct Authority

1100 Kennedy Dr.

Key West, FL 33040

Phone: (305) 295-2154

Fax: (305) 295-2223

Email: mwalterson@fkaa.com

Learn more about the *Florida Keys Aqueduct Authority* at: www.fkaa.com

Florida Keys Water

It's Worth Saving

From: David Dehaas [mailto:dehaas@bellsouth.net]
Sent: Thursday, March 17, 2016 5:51 PM
To: Marnie Walterson; keith.kropf@fkec.com; suzir@klwtd.com; zavalney-stein@monroecounty-fl.gov; 'Franck, Bruce'; 'Gilbert, Ingrid N SAJ'
Cc: 'David Dehaas'
Subject: Letter of Coordination

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Thank you for your attention to this matter,

David deHaas



David Dehaas

From: Zavalney-Steve [Zavalney-Steve@MonroeCounty-FL.Gov]
Sent: Friday, March 18, 2016 2:15 PM
To: David Dehaas
Subject: Re: Letter of Coordination

Hi David,

Please provide a scope of the project, a proposed site plan, and any details (construction docs) on the structures you have at this time. Need the site plan at a minimum.

Thanks

Captain Steven M. Zavalney

Deputy Fire Marshal Monroe County Fire Rescue

(305) 453-8726 (Key Largo Satellite Office)

(305) 289-6368 (Fire Rescue Main Office)

Privacy Statement: This e-mail and any files transmitted with it are intended only for the person or entity to which it is addressed and may contain confidential material and / or material protected by law. Any retransmission or use of this information may be a violation of that law. If you received this in error, please contact the sender and delete the material from any computer.

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 communications may be subject to public disclosure if the privacy statement above does not apply.

From: 'David Dehaas' <dehaas@bellsouth.net>
Date: Thursday, March 17, 2016 at 17:53
To: Steve Zavalney <zavalney-steve@monroecounty-fl.gov>
Subject: FW: Letter of Coordination



deHaas

Consulting & Design

David deHaas Grosseck
305.852.9851 fax: 305.852.4138

From: David Dehaas [<mailto:dehaas@bellsouth.net>]

Sent: Thursday, March 17, 2016 5:51 PM

To: 'mwalterson@Fkaa.com'; 'keith.kropf@fkec.com'; 'suzir@klwtd.com'; 'zavalney-steven@monroecounty-fl.gov'; 'Franck, Bruce'; 'Gilbert, Ingrid N SAJ'

Cc: 'David Dehaas'

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Thank you for your attention to this matter,

David deHaas



deHaas

Consulting & Design

David deHaas Grosseck
305.852.9851 fax: 305.852.4138

David Dehaas

From: Suzi Rubio [suzi.rubio@klwtd.com]
Sent: Thursday, March 17, 2016 5:51 PM
To: dehaas@bellsouth.net
Subject: Out of the office Re: Letter of Coordination

This email address is no longer active. For immediate assistance please contact the District at 305.451.4019 or contact our Contracts and Construction Administrator at LauraW@klwtd.com

--

Suzi Rubio,
Construction/Project Administrator
Key Largo Wastewater Treatment District
98880 Overseas Hwy; P.O. Box 491
Key Largo, FL 33037
Office: 305-451-4019 ext. 221
Fax: 305-647-2604

David Dehaas

From: David Dehaas [dehaas@bellsouth.net]
Sent: Thursday, March 17, 2016 5:55 PM
To: 'lauraW@klwtd.com'
Subject: FW: Letter of Coordination
Attachments: 20160317174358.pdf

From: David Dehaas [mailto:dehaas@bellsouth.net]
Sent: Thursday, March 17, 2016 5:51 PM
To: 'mwalterson@Fkaa.com'; 'keith.kropf@fkec.com'; 'suzir@klwtd.com'; 'zavalney-steven@monroecounty-fl.gov'; 'Franck, Bruce'; 'Gilbert, Ingrid N SAJ'
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Please find attached a copy of the survey for the subject property and Arial photo. Please contact me with any questions at this e mail or office phone: 305 852-9851

Thank you for your attention to this matter,

David deHaas

Monroe County Property Appraiser - Radius Report

AK: 8632894	Parcel ID: 00554891-010700	Physical Location	VACANT LAND	KEY LARGO
Legal Description: PT TRACTS J AND K AND PT BLKS 10 AND 11 KEY LARGO NORTH PB7-22 .843 AC OR838-285/87 OR915-69/71				
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC				
Address: 97501 OVERSEAS HWY STE 1		KEY LARGO	FL	33037-4017
AK: 8631782	Parcel ID: 00554891-000100	Physical Location	MARINA ENTRANCE	KEY LARGO
Legal Description: TR L AND THE NELY 14.27 FT OF LOT 1 AND THE SELY 7' 1.40 FT LOTS 2 THRU 8 BLK 1 KEY LARGO NORTH				
Owners Name: MARINERS CLUB HOMEOWNERS ASSOC INC				
Address: 97501 OVERSEAS HWY STE 1		KEY LARGO	FL	33037-4017
AK: 8633092	Parcel ID: 00554891-012500	Physical Location	MARINA DR	KEY LARGO
Legal Description: PT TRACTS J AND K AND PT BLKS 10 AND 11 (A/K/A BOA T STORAGE/MEETING BUILDING) 1.12 AC KEY				
Owners Name: MARINERS CLUB KEY LARGO INC				
Address: 97501 OVERSEAS HWY STE 1		KEY LARGO	FL	33037-4017
AK: 1103951	Parcel ID: 00090961-000500	Physical Location	97652 OVERSEAS UNIT P5	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 3 & 8.5% COMMON ELEMENTS OR686-779 OR815-				
Owners Name: FOX AMY M				
Address: 97652 OVERSEAS HWY APT P5		KEY LARGO	FL	33037-2206
AK: 1103934	Parcel ID: 00090961-000300	Physical Location	97652 OVERSEAS UNIT P3	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR650-72/73 OR853-11				
Owners Name: GARCIA AVELINO AND MONICA G				
Address: 8401 SW 84TH TER		MIAMI	FL	33143-6919
AK: 1104027	Parcel ID: 00090961-001200	Physical Location	97652 OVERSEAS UNIT P12	KEY LARGO
Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO 3-645 OR775-640 OR799-395 OR1553-392				
Owners Name: WALTZMAN STUART REV TRUST 12/4/1998				
Address: 333 E 30TH ST APT 18J		NEW YORK	NY	10016-6459
AK: 1103918	Parcel ID: 00090961-000100	Physical Location	97652 OVERSEAS UNIT P1	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR625-855/856				
Owners Name: CULLEN ROBERT F JR AND KAREN J				
Address: 14641 SW 67TH AVENUE		MIAMI	FL	33101
AK: 1104060	Parcel ID: 00090962-000300	Physical Location	97652 OVERSEAS UNIT T3	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR646-388 OR823-245				
Owners Name: BROCK LISA M				
Address: 14606 JOCKEYS RIDGE DR		CHARLOTTE	NC	28277-3716
AK: 1104051	Parcel ID: 00090962-000200	Physical Location	97652 OVERSEAS UNIT T2	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 2 8.3% COMMON ELEMENTS OR636-276 OR990-65/6				
Owners Name: MOSS STEPHEN E				
Address: 42 ONEIDA AVE		OAKLAND	NJ	07436-3731
AK: 1104043	Parcel ID: 00090962-000100	Physical Location	97652 OVERSEAS UNIT T1	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR656-111/12 OR1314-				
Owners Name: BANKS ROBERT W				
Address: 3831 SW 56TH ST		FORT LAUDERDALE	FL	33312-6207
AK: 1680061	Parcel ID: 00554570-000000	Physical Location	22 FIRST AVE	KEY LARGO
Legal Description: BK 2 LT 23 MANDALAY KEY LARGO PB1-194 OR358-584 OR 845-285D/C OR1008-1340/32WILL CASE87-134-CP-1				
Owners Name: SMITH MICHAEL J AND DONNA				
Address: 515 CARIBBEAN BLVD		KEY LARGO	FL	33037-4342

AK: 1104001	Parcel ID: 00090961-001000	Physical Location	97652 OVERSEAS	UNIT P10	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR661-839					
Owners Name: JHALEY JAMES A TRUST					
Address: 11034 SW 37TH MNR		DAVIE	FL	33328-1318	
AK: 1103977	Parcel ID: 00090961-000700	Physical Location	97652 OVERSEAS	UNIT P7	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 7 658-334-335 OR1259-1360/61 OR1540-2442/43 OR1540-2442/43					
Owners Name: JBURGESS CHRISTOPHER R AND ANGELA D					
Address: 15440 SW 148TH PL		MIAMI	FL	33187-5535	
AK: 1103993	Parcel ID: 00090961-000900	Physical Location	97652 OVERSEAS	UNIT P9	KEY LARGO
Legal Description: APT 9 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -249 OR841-1101 OR914-2290/91 OR1548-1009/12 OR1548-1009/12					
Owners Name: JSHUCK RONALD E AND LISA L					
Address: 7485 CADY RD		NORTH ROYALTON	OH	44133-6338	
AK: 1103985	Parcel ID: 00090961-000800	Physical Location	97652 OVERSEAS	UNIT P8	KEY LARGO
Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -832-833 OR888-1836 OR1213-909/10 OR1753-2265C					
Owners Name: JSCHOTT DEANA L					
Address: 2056 HUTTON PT		LONGWOOD	FL	32779-2855	
AK: 1103969	Parcel ID: 00090961-000600	Physical Location	97652 OVERSEAS	UNIT P6	KEY LARGO
Legal Description: APT 6 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO -615 OR665-500 OR670-729 OR824-1095 OR824-1096					
Owners Name: JDILLON WILLIAM					
Address: 30800 S WIXOM RD		WIXOM	MI	48393-2418	
AK: 1680419	Parcel ID: 00554940-000100	Physical Location	97600 OVERSEAS		KEY LARGO
Legal Description: PT TR 5A AMD PLAT OF MANDALAY KEY LARGO PB2-25 35-174 OR787-1458 OR1007-87/88 OR1452-2208/10T					
Owners Name: JWATERMAN JAMES HENRY TRUST AGR 3/19/1997					
Address: 193 ATLANTIC BLVD		KEY LARGO	FL	33037-4339	
AK: 1103926	Parcel ID: 00090961-000200	Physical Location	97652 OVERSEAS	UNIT P2	KEY LARGO
Legal Description: UNIT 2 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO OR607-350 OR1315-839D/C OR1317-1183/93EST-PR					
Owners Name: JSIMPSON JOHN AND MARY					
Address: 541 FOREST GATE CRES		WATERLOO	ON	N2V 2X3	CANADA
AK: 1680206	Parcel ID: 00554710-000000	Physical Location	36 E SECOND ST	UNIT 22	KEY LARGO
Legal Description: MANDALAY PB1-194 KEY LARGO PT SQR 3 AND LOTS 5-6-7 AND 8 SQR 4 AND ADJ FILL BAY BTM OR545-931					
Owners Name: JMY FAMILY TRUST 12/4/2012 C/O STOIA SAMUEL C TRUSTEE					
Address: PO BOX 370888		KEY LARGO	FL	33037-0888	
AK: 1104019	Parcel ID: 00090961-001100	Physical Location	97652 OVERSEAS	UNIT P11	KEY LARGO
Legal Description: UNIT 11 ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO 53-256/57 OR688-274/75 OR748-514 OR1110-654 OR					
Owners Name: JMAYER ANN E FINN AND ROBERT T					
Address: 3 FAIRVIEW TER		GREENLAND	NH	03840-2242	
AK: 8497628	Parcel ID: 00090961-000400	Physical Location	97652 OVERSEAS	UNIT P4	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 1 KEY LARGO APT NO 4 7.1% COMMON ELEMENTS OR612-553 OR810-31					
Owners Name: JBODKER TERRI L					
Address: 97652 OVERSEAS HWY APT P4		KEY LARGO	FL	33037-2206	
AK: 1104841	Parcel ID: 00090966-002900	Physical Location	97652 OVERSEAS	UNIT PH5	KEY LARGO
Legal Description: APT P5 ROCK HARBOR CONDOMINIUM #6 OR778-1326 OR8 07-1971 OR822-411 OR1626-1988/90 OR1682-764 (U)					
Owners Name: JSTONE THOMAS J TRUST 7/21/2000					
Address: PO BOX 372880		KEY LARGO	FL	33037-7880	
AK: 1104493	Parcel ID: 00090965-000700	Physical Location	97652 OVERSEAS	UNIT M7	KEY LARGO
Legal Description: APT 7 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO 14-296 OR860-1470 OR1067-348 OR1440-1734 OR1540-2442/43					
Owners Name: JKALATZIS DIMITRIOS AND JOANNE					
Address: 97652 OVERSEAS HWY APT M7		KEY LARGO	FL	33037-2225	

AK: 1104230 **Parcel ID:** 00090963-000700 **Physical Location** 97652 OVERSEAS UNIT S7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR604-838 OR756-179
Owners Name: SOMOGYI ROBERT J AND MARILYN B
Address: 42 W COLLEGE AVE APT 314S YARDLEY PA 19067-1553

AK: 1104809 **Parcel ID:** 00090966-002500 **Physical Location** 97652 OVERSEAS UNIT PH1 KEY LARGO
Legal Description: APT P-1 ROCK HARBOR CONDOMINIUM 6 OR778-694 OR2340 -817/18D/C OR2374-99 OR2635-102021R/S
Owners Name: KROHN JOHN RAMON JR
Address: 61 BITTERN DR GETTYSBURG PA 17325-8611

AK: 1104434 **Parcel ID:** 00090965-000100 **Physical Location** 97652 OVERSEAS UNIT M1 KEY LARGO
Legal Description: APT 1 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -402/03 OR824-335 OR1009-2027 OR1270-1348 OR12
Owners Name: BAKER KEITH A
Address: 7555 CONIFER DR COLORADO SPRINGS CO 80920-4529

AK: 1104124 **Parcel ID:** 00090962-000900 **Physical Location** 97652 OVERSEAS UNIT T9 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO & 8.5% COMMON ELEMENTS OR655-67-68 OR828-
Owners Name: HEINER FREDERICK H AND DONNA E
Address: 97652 OVERSEAS HWY APT T9 KEY LARGO FL 33037-2226

AK: 1104175 **Parcel ID:** 00090963-000100 **Physical Location** 97652 OVERSEAS UNIT S1 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 1 8.3% COMMON ELEMENTS OR624-177 OR801-610
Owners Name: KRAUSE JOSEPH AND FRANCES
Address: 2637 NW 23RD WAY BOCA RATON FL 33431-4015

AK: 1104752 **Parcel ID:** 00090966-002000 **Physical Location** 97652 OVERSEAS UNIT HH43 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 43 & 3.07% LEMENTS OR778-231 OR920-529/30 OR1408-649/5C
Owners Name: HAYNIE J NEIL AND SUSAN INCE
Address: 1700 SW 12 AVE BOCA RATON FL 33486

AK: 1104388 **Parcel ID:** 00090964-000900 **Physical Location** 97652 OVERSEAS UNIT C9 KEY LARGO
Legal Description: APT NO 9 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO OR716-566 OR1078-2160AFF OR1331-394AFF OR13
Owners Name: HARRELSON PEGGY GREGSON REVOCABLE TRUST 3/14/14 C/O HARRELSON MIKE CO-TRUSTEE
Address: 1119 S 3RD AVE BOZEMAN MT 59715-5264

AK: 1104612 **Parcel ID:** 00090966-000600 **Physical Location** 97652 OVERSEAS UNIT HH7 KEY LARGO
Legal Description: APT 7 ROCK HARBOR CONDOMINIUM 6 OR778-705 OR847-69 7 OR931-2309 OR1015-1892 OR1168-973/74 OR1518-
Owners Name: BOLAND CECIL SAMUEL REVOCABLE TRUST 10/1/2015
Address: 97652 OVERSEAS HWY HH 7 KEY LARGO FL 33037-2221

AK: 1104469 **Parcel ID:** 00090965-000400 **Physical Location** 97652 OVERSEAS UNIT M4 KEY LARGO
Legal Description: APT 4 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -118 OR1023-2374 OR1597-957/58
Owners Name: LESPERANCE LISA V
Address: 1351 NW 16TH ST MIAMI FL 33125-2493

AK: 1104655 **Parcel ID:** 00090966-001000 **Physical Location** 97652 OVERSEAS UNIT HH25 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 25 & 3.07% LEMENTS OR778-217 OR829-1608 OR951-1864/186
Owners Name: MOFFITT GREGORY P AND REGINA A
Address: 29453 CEDAR NECK RD OCEAN VIEW DE 19970

AK: 1104591 **Parcel ID:** 00090966-000400 **Physical Location** 97652 OVERSEAS UNIT HH5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 6 APT 5 OR781-1574 O R826-2121 OR1407-124 OR1780-75/77 OR1780-78AF
Owners Name: SPRINKLE GEORGE C JR AND MELISSA B
Address: 17205 SW 256TH ST HOMESTEAD FL 33031

AK: 1104442 **Parcel ID:** 00090965-000200 **Physical Location** 97652 OVERSEAS UNIT M2 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 2 680-188 OR784-131 OR840-491 OR870-1860FJ CASE
Owners Name: ADAM RYAN A REV TR OF 05/13/05
Address: 600 S ATLANTIC AVE DAYTONA BEACH FL 32118-4510

AK: 1104574 Parcel ID: 00090966-000200 Physical Location 97652 OVERSEAS UNIT HH3 KEY LARGO
 Legal Description: APT 3 ROCK HARBOR CONDOMINIUM 6 OR778-892 OR811-18 01 OR1110-1647 OR2456-881
 Owners Name: HENRIQUES ROBERT C
 Address: 11 CHESTER SQ GLOUCESTER MA 01930-1313

AK: 1104710 Parcel ID: 00090966-001600 Physical Location 97652 OVERSEAS UNIT HH35 KEY LARGO
 Legal Description: APT 35 ROCK HARBOR CONDOMINIUM 6 OR778-886 OR812-4 19 OR817-280 OR1038-1684/93 OR1335-590/91M/T C
 Owners Name: VEIL MARK AND TINA
 Address: 107 WOODSMUIR CT PALM BEACH FL 33418-8020

AK: 1104396 Parcel ID: 00090964-001000 Physical Location 97652 OVERSEAS UNIT C10 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR714-758 OR1078-21
 Owners Name: GREENSPAN RICHARD R AND YVETTE M
 Address: 16073 BRIER CREEK DR DELRAY BEACH FL 33446-9561

AK: 1104191 Parcel ID: 00090963-000300 Physical Location 97652 OVERSEAS UNIT S3 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR612-635 OR823-601
 Owners Name: LISOR SUZANNE K REV TR
 Address: 1103 SPRING BROOKE DR GOSHEN IN 46528-5059

AK: 1104531 Parcel ID: 00090965-001100 Physical Location 97652 OVERSEAS UNIT M11 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO R700-308 OR806-919 OR1310-204/05 OR1585-2162 C
 Owners Name: BELLIS STEPHEN L AND MARTHA A LIV TR DTD 11/23/05
 Address: PO BOX 524 INDIAN RIVER MI 49749-0524

AK: 1104353 Parcel ID: 00090964-000600 Physical Location 97652 OVERSEAS UNIT C6 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 6 8.5% COMMON ELEMENTS OR698-778 OR940-775
 Owners Name: HELSEL ZANE AND JOAN E
 Address: 2144 PENNINGTON RD EWING NJ 08638-1433

AK: 1104418 Parcel ID: 00090964-001200 Physical Location 97652 OVERSEAS UNIT C12 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR681-204 OR786-904
 Owners Name: KLASFELD ILENE AND JON
 Address: 1908 NW 4TH AVE APT 112 BOCA RATON FL 33432-1501

AK: 1104604 Parcel ID: 00090966-000500 Physical Location 97652 OVERSEAS UNIT HH6 KEY LARGO
 Legal Description: APT 6 ROCK HARBOR CONDOMINIUM PT 6 OR778-238 -305 OR877-2423 OR1055-2109 OR1055-2110/2112 O
 Owners Name: ROBINSON JOHN G AND BARBARA J
 Address: 97652 OVERSEAS HWY OFC KEY LARGO FL 33037-2216

AK: 1104337 Parcel ID: 00090964-000400 Physical Location 97652 OVERSEAS UNIT C4 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 4 646-439 OR844-809 OR1314-1906 OR1445-1730/31R
 Owners Name: BOLAND CECIL SAMUEL REVOCABLE TRUST 10/1/2015
 Address: 97652 OVERSEAS HWY APT HH7 KEY LARGO FL 33037-2201

AK: 1104451 Parcel ID: 00090965-000300 Physical Location 97652 OVERSEAS UNIT M3 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR654-185/86 OR1014-
 Owners Name: SANTANA RAMON R AND YOLANDA ACEBAL
 Address: PO BOX 901368 HOMESTEAD FL 33090-1368

AK: 1104868 Parcel ID: 00090966-003100 Physical Location 97652 OVERSEAS UNIT PH7 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM 6 APT P7 OR778-882 OR975-1 981 OR 975-1982AFF OR1429-1640/41 OR1745-2127/
 Owners Name: OKUN THEODORE
 Address: 97652 OVERSEAS HWY PH 7 KEY LARGO FL 33037-2221

AK: 1104540 Parcel ID: 00090965-001200 Physical Location 97652 OVERSEAS UNIT M12 KEY LARGO
 Legal Description: APT NO 12 ROCK HARBOR CONDOMINIUM NO 5 KEY OR725-511 OR1099-1314 OR1103-1352C OR1255-84
 Owners Name: HELLER MARGARUITTE AND ERICH E
 Address: 97652 OVERSEAS HWY APT M12 KEY LARGO FL 33037-2225

AK: 1104647 Parcel ID: 00090966-000900 Physical Location 97652 OVERSEAS UNIT HH24 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 24 & 3.72% ELEMENTS OR778-888 OR1014-289 OR1174-1140/42
 Owners Name: VALÉRIUS THOMAS F AND LYNN C
 Address: 9200 SW 85TH ST MIAMI FL 33173-4527

AK: 1104141 Parcel ID: 00090962-001100 Physical Location 97652 OVERSEAS UNIT T11 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR682-753 OR835-135
 Owners Name: DICKER CRAIG L
 Address: 9000 NEW DELHI PL DULLES VA 20189-9005

AK: 1104507 Parcel ID: 00090965-000800 Physical Location 97652 OVERSEAS UNIT M8 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO & 8.5% COMMON ELEMENTS OR670-40/41 OR941-
 Owners Name: RAHAIM ANDREW D AND JEAN T
 Address: 6 AUSPICE CIR NEWARK DE 19711-2976

AK: 1104680 Parcel ID: 00090966-001300 Physical Location 97652 OVERSEAS UNIT HH31 KEY LARGO
 Legal Description: APT 31 ROCK HARBOR CONDOMINIUM #6 OR781-1588 OR 839-971 OR839-972Q/C OR951-810/13 OR951-815AF
 Owners Name: SINISCALCO WAYNE P AND LORIN BLAKE
 Address: 97652 OVERSEAS HWY APT HH31 KEY LARGO FL 33037-2218

AK: 1104515 Parcel ID: 00090965-000900 Physical Location 97652 OVERSEAS UNIT M9 KEY LARGO
 Legal Description: APT 9 ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO -463 OR1631-1804 OR2731-2209
 Owners Name: BURKARD JONATHAN W
 Address: 106 S SEWALLS POINT RD STUART FL 34996-6319

AK: 1104698 Parcel ID: 00090966-001400 Physical Location 97652 OVERSEAS UNIT HH33 KEY LARGO
 Legal Description: APT 33 ROCK HARBOR CONDOMINIUM 6 OR778-224 OR2581- 1245/53WILL OR2591-1497
 Owners Name: WALSH FRANK B JR REVOCABLE TRUST 11/30/1996
 Address: 97652 OVERSEAS HWY APT HH33 KEY LARGO FL 33037-2203

AK: 1104663 Parcel ID: 00090966-001100 Physical Location 97652 OVERSEAS UNIT HH26 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 26 & 3.07% ELEMENTS OR778-192 (UR WD & TRUST ON FIL
 Owners Name: LEVY BARUCH AND JANE
 Address: 2708 OAKMONT CT WESTON FL 33332-1834

AK: 1104523 Parcel ID: 00090965-001000 Physical Location 97652 OVERSEAS UNIT M10 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR704-431 OR1190-2
 Owners Name: SHUGG ROBERT C AND ELIZABETH A
 Address: 97652 OVERSEAS HWY APT M10 KEY LARGO FL 33037-2225

AK: 1104132 Parcel ID: 00090962-001000 Physical Location 97652 OVERSEAS UNIT T10 KEY LARGO
 Legal Description: APT NO 10 ROCK HARBOR CONDOMINIUM NO 2 KEY R656-173/74 OR1103-446 OR1614-562
 Owners Name: WESTER DAVID A AND SHARON M
 Address: 4244 CHASE AVE MIAMI BEACH FL 33140-3008

AK: 1104302 Parcel ID: 00090964-000100 Physical Location 97652 OVERSEAS UNIT C1 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO & 8.3% COMMON ELEMENTS OR664-649/650 OR1-
 Owners Name: BESADA MARCIA
 Address: 521 MAJORCA AVE CORAL GABLES FL 33134-4221

AK: 1104361 Parcel ID: 00090964-000700 Physical Location 97652 OVERSEAS UNIT C7 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR687-592 OR789-763
 Owners Name: TUCKER ROBERT J AND CHARLENE A
 Address: 401 CLOVER MILL RD EXTON PA 19341-2502

AK: 1104213 Parcel ID: 00090963-000500 Physical Location 97652 OVERSEAS UNIT S5 KEY LARGO
 Legal Description: APT 5 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO -835 OR1096-1281/82 OR1096-1284 OR1243-1005/061
 Owners Name: GOLDSTEIN AMBER E L/E
 Address: 97652 OVERSEAS HWY APT S5 KEY LARGO FL 33037-2203

AK: 1104221 Parcel ID: 00090963-000600 Physical Location 97652 OVERSEAS UNIT S6 KEY LARGO
 Legal Description: APT NO 6 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 600-486 OR785-1214/1216 OR814-348 OR925-388/388
 Owners Name: GAC MARIA U
 Address: 573 SHERIDAN RD GLENCOE IL 60022-1764

AK: 1680311 Parcel ID: 00554820-000000 Physical Location 34 E SECOND ST KEY LARGO
 Legal Description: BK 4 LT 9 MANDALAY PB1-194 KEY LARGO E2-434 G40-73 -74 OR587-959D/C OR1086-1681PET(PROBATE# 89
 Owners Name: LAMB WILLIAM R AND CHERYL L
 Address: 34 E 2ND ST KEY LARGO FL 33037

AK: 1104205 Parcel ID: 00090963-000400 Physical Location 97652 OVERSEAS UNIT S4 KEY LARGO
 Legal Description: APT NO 4 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO OR601-508 OR808-2105 OR820-297 OR844-183 OR1
 Owners Name: FAGGIONI RONALD A AND CAROLYN I
 Address: 2073 HENDRICKS AVE BELLMORE NY 11710-3058

AK: 1104272 Parcel ID: 00090963-001100 Physical Location 97652 OVERSEAS UNIT S11 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 8.5% COMMON ELEMENTS OR682-773 OR798-246
 Owners Name: HEELLY CATHERINE G
 Address: 9 NOCTURNE ROAD MONROE TOWNSHIP NJ 08831-7971

AK: 1679976 Parcel ID: 00554480-000000 Physical Location 97675 OVERSEAS KEY LARGO
 Legal Description: BK 2 LTS 13 & 14 MANDALAY PB1-194 KEY LARGO OR502- 995 OR806-955Q/C OR1324-1799Q/C OR2096-704Q/C
 Owners Name: VALDES CARLOS AND ELOINA
 Address: 97675 OVERSEAS HWY KEY LARGO FL 33037

AK: 1680044 Parcel ID: 00554550-000000 Physical Location 97685 OVERSEAS KEY LARGO
 Legal Description: BK 2 LOT 21 MANDALAY PB1-194 KEY LARGO OR422-845 O R579-317Q OR1275-887R/S
 Owners Name: ADAMS JAMES HARVEY
 Address: 18404 SW 87TH CT CUTLER BAY FL 33157-7226

AK: 1680192 Parcel ID: 00554700-000000 Physical Location 30 E SECOND ST KEY LARGO
 Legal Description: NE 50FT OF THE SW 225FT OF SQR 3 (5-A) MANDALAY K EY LARGO OR411-278 OR1413-229 OR1413-231D/C
 Owners Name: KEY MARINA DEVELOPMENT LLC
 Address: 52 RILEY RD KISSIMMEE FL 34747-5420

AK: 1104256 Parcel ID: 00090963-000900 Physical Location 97652 OVERSEAS UNIT S9 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 9 8.5% COMMON ELEMENTS OR600-479 OR764-125:
 Owners Name: SCULL PROPERTIES LLC C/O SCULL DAVID
 Address: 7960 OLD GEORGETOWN RD STE 8C BETHESDA MD 20814-2418

AK: 1680079 Parcel ID: 00554580-000000 Physical Location 24 E FIRST ST KEY LARGO
 Legal Description: BLK 2 LOTS 24-25 MANDALAY PB1-194 KEY LARGO OR5 50-742 OR805-278 OR805-1078Q/C OR857-1306Q/C
 Owners Name: LANDRY BONNIE LAVONNE
 Address: 24 E FIRST ST KEY LARGO FL 33037-4013

AK: 1680087 Parcel ID: 00554590-000000 Physical Location 28 E FIRST ST KEY LARGO
 Legal Description: BK 2 LT 26 MANDALAY PB1-194 KEY LARGO OR524-447 OR 847-230 OR1748-2003 OR2603-2462/64
 Owners Name: MY FAMILY TRUST 12/4/2012 C/O STOIA SAMUEL C TRUSTEE
 Address: PO BOX 370888 KEY LARGO FL 33037-0888

AK: 1104248 Parcel ID: 00090963-000800 Physical Location 97652 OVERSEAS UNIT S8 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 8 8.5% COMMON ELEMENTS OR630-580 OR785-373
 Owners Name: SEVERSON DONALD R AND LOUANNE DEC TRUST 11/12/1996
 Address: PO BOX 886 ELKHORN WI 53121-0886

AK: 1680117 Parcel ID: 00554620-000000 Physical Location 34 E FIRST ST KEY LARGO
 Legal Description: BK 2 LT 29 MANDALAY PB1-194 KEY LARGO OR389-130/13 1 OR940-1735 OR1943-2052(LG)
 Owners Name: CAPUTO MARNI
 Address: 237 LA PALOMA RD KEY LARGO FL 33037-4652

AK: 1680168	Parcel ID: 00554670-000000	Physical Location VACANT LAND	KEY LARGO
Legal Description: PT SQR 3 MANDALAY KEY LARGO OR411-278 OR1413-229 O R1413-231D/C OR1994-526/27 OR2477-2491/93C/T O			
Owners Name: KEY MARINA DEVELOPMENT LLC			
Address: 52 RILEY RD		KISSIMMEE	FL 34747-5420
AK: 1679925	Parcel ID: 00554430-000000	Physical Location 97625 OVERSEAS	KEY LARGO
Legal Description: BK 2 LOTS 9 AND 10 MANDALAY PB1-194 KEY LARGO G71- 398-399 OR321-248-249 OR535-460E OR799-1053 OI			
Owners Name: BUSMAN-MORIARTY CLAUDIA			
Address: 97625 OVERSEAS HWY		KEY LARGO	FL 33037-4029
AK: 1679950	Parcel ID: 00554460-000000	Physical Location 97645 OVERSEAS	KEY LARGO
Legal Description: MANDALAY PB1-194 KEY LARGO LOTS 11-12 BK 2 OR506-3 92 OR900-2AFF OR900-3D/C OR1293-1979 (RE 5544			
Owners Name: SANTE CHRIS D			
Address: PO BOX 373006		KEY LARGO	FL 33037-3006
AK: 1680109	Parcel ID: 00554610-000000	Physical Location VACANT LAND	KEY LARGO
Legal Description: BK 2 LT 28 MANDALAY PB1-194 KEY LARGO OR244-50 OR8 00-897 OR800-898 OR1413-725 OR2603-2456/58			
Owners Name: MY FAMILY TRUST 12/4/2012 C/O STOIA SAMUEL C TRUSTEE			
Address: PO BOX 370888		KEY LARGO	FL 33037-0888
AK: 1680257	Parcel ID: 00554760-000000	Physical Location 81 E SECOND ST	KEY LARGO
Legal Description: MANDALAY PB1-194 KEY LARGO LT 3 AND 4 BK 4 AND BAY BTM SELY OF AND ADJ LT 3 AND 4 THIF DEED 2			
Owners Name: STOIA FAMILY TRUST 12/4/2012			
Address: PO BOX 370888		KEY LARGO	FL 33037-0888
AK: 1679984	Parcel ID: 00554490-000000	Physical Location 97665 OVERSEAS	KEY LARGO
Legal Description: BK 2 LT 15 MANDALAY PB1-194 KEY LARGO OR543-997 OR 802-2420D/C OR802-2418 OR1166-620 OR1642-2424.			
Owners Name: CARMEL ASSETS LLC			
Address: 9045 S DADELAND BLVD		MIAMI	FL 33156-2955
AK: 1680095	Parcel ID: 00554600-000000	Physical Location 30 E FIRST ST	KEY LARGO
Legal Description: BK 2 LT 27 MANDALAY PB1-194 KEY LARGO OR82-59 OR97 5-1099D/C OR1119-2357L/E (UNRECORDED D/C OI			
Owners Name: HARRINGTON GERALD I			
Address: 30 EAST 1ST STREET		KEY LARGO	FL 33037
AK: 1679992	Parcel ID: 00554500-000000	Physical Location VACANT LAND	KEY LARGO
Legal Description: BK 2 LT 16 MANDALAY PB1-194 KEY LARGO OR543-997 OR 802-2420D/C OR802-2418 OR1166-620 OR1642-2424.			
Owners Name: CARMEL ASSETS LLC			
Address: 9045 S DADELAND BLVD		MIAMI	FL 33156-2955
AK: 1104345	Parcel ID: 00090964-000500	Physical Location 97652 OVERSEAS UNIT C5	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 5 OR717-362 OR1487-302 OR2001-1701			
Owners Name: MCCASSEY EVERETT A AND MICHELLE M			
Address: 117 AKIOHALA PL		KAILUA	HI 96734-3902
AK: 1104329	Parcel ID: 00090964-000300	Physical Location 97652 OVERSEAS UNIT C3	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO APT NO 3 8.3% COMMON ELEMENTS OR641-215/16 OR764-5			
Owners Name: CORRADINI CAROL ANN LIV TR 06/06/2006			
Address: 7744 SW 193RD ST		CUTLER BAY	FL 33157-7389
AK: 1104850	Parcel ID: 00090966-003000	Physical Location 97652 OVERSEAS UNIT PH6	KEY LARGO
Legal Description: UNIT P-6 ROCK HARBOR CONDOMINIUM OR781-1566 2107 OR2612-1154			
Owners Name: MCGEE LAWRENCE U			
Address: 5110 PALMERSTON LN		WINSTON SALEM	NC 27104-1431
AK: 1104159	Parcel ID: 00090962-001200	Physical Location 97652 OVERSEAS UNIT T12	KEY LARGO
Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO 1-658 OR1145-2385/87 OR1558-325 OR1775-1979/79.			
Owners Name: CHILDREE RONALD M			
Address: 97652 OVERSEAS HWY APT T12		KEY LARGO	FL 33037-2226

AK: 1104183 Parcel ID: 00090963-000200 Physical Location 97652 OVERSEAS UNIT S2 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO APT NO 2 8.3% COMMON ELEMENTS OR621-822 OR807-949
 Owners Name: KATZMAN HOWARD E AND SHIRLEY R
 Address: 7255 SW 140TH TER PALMETTO BAY FL 33158-1265

AK: 1104701 Parcel ID: 00090966-001500 Physical Location 97652 OVERSEAS UNIT HH34 KEY LARGO
 Legal Description: APT 34 ROCK HARBOR CONDOMINIUM NO 6 OR778-203 3-2023 OR864-1526 OR1531-599/600
 Owners Name: BERNAT DOLORES P TRUST AGR 4/23/1998
 Address: 12832 QUAIL CT PALOS HEIGHTS IL 60463-2282

AK: 1104281 Parcel ID: 00090963-001200 Physical Location 97652 OVERSEAS UNIT S12 KEY LARGO
 Legal Description: APT 12 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 3-588 OR845-227 OR1117-316/317 OR1475-963/67
 Owners Name: FIRST MIDWEST TRUST COMPANY C/O FIRST MIDWEST BANK TRUST
 Address: PO BOX 990 MOLINE IL 61266-0990

AK: 1104671 Parcel ID: 00090966-001200 Physical Location 97652 OVERSEAS UNIT HH27 KEY LARGO
 Legal Description: APT 27 ROCK HARBOR CONDOMINIUM NO 6 OR778-690 3-1625 OR1115-1803 OR1571-1092/93 OR2695-2272/
 Owners Name: MAJOY CHRISTOPHER O AND MARLENE M
 Address: 1149 SHELTERED BROOK DR HURON OH 44839-2824

AK: 1104728 Parcel ID: 00090966-001700 Physical Location 97652 OVERSEAS UNIT HH36 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NUMBER 6 APT 36 OR2356-1470(PROB44-2008-CP-43-P) OR2385-1067/
 Owners Name: CLARK JAMES C AND DIANA
 Address: 1673 SOUTH ST NEW HAVEN VT 05472-4051

AK: 1104833 Parcel ID: 00090966-002800 Physical Location 97652 OVERSEAS UNIT PH4 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM #6 APT P4 OR780-28 OR799-7 46 OR832-1933OR919-2188Q/C OR978-1621 OR1093
 Owners Name: STELRI LLC C/O LEROY
 Address: 3532 E HIGGINS DR MOUNT PLEASANT SC 29466-6890

AK: 1104116 Parcel ID: 00090962-000800 Physical Location 97652 OVERSEAS UNIT T8 KEY LARGO
 Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -119 OR687-883 OR696-646C OR781-788 OR781-789
 Owners Name: FAMILY TRUST U/W/O CAROLINE P BRUMBAUGH 7/27/1998 C/O BRUMBAUGH JOHN M TRUSTEE
 Address: 6479 SUNSET DR MIAMI FL 33143-4676

AK: 1104582 Parcel ID: 00090966-000300 Physical Location 97652 OVERSEAS UNIT HH4 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 4 & 4.65% COMMON ELEMENTS OR778-247
 Owners Name: TILEN GISELA B
 Address: 97652 OVERSEAS HWY APT HH4 KEY LARGO FL 33037-2207

AK: 1104311 Parcel ID: 00090964-000200 Physical Location 97652 OVERSEAS UNIT C2 KEY LARGO
 Legal Description: APT 2 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO -607 OR789-1598 OR857-1931/32 OR957-2367/68 OR
 Owners Name: BOCA MARINA COURT LLC
 Address: 31 SENECA RD SEA RANCH LAKES FL 33308-2325

AK: 1104779 Parcel ID: 00090966-002200 Physical Location 97652 OVERSEAS UNIT HH45 KEY LARGO
 Legal Description: APT 45 & 3.07% COMMON ELEMENTS ROCK HARBOR CONDOMINIUM #6 OR778-884 OR901-1425 OR949-1272
 Owners Name: FRANZ P AND L FAMILY TRUST 1/12/1990
 Address: 97652 OVERSEAS HWY APT HH45 KEY LARGO FL 33037-2220

AK: 1104744 Parcel ID: 00090966-001900 Physical Location 97652 OVERSEAS UNIT HH41 KEY LARGO
 Legal Description: ROCK HARBOR CONDOMINIUM NO 6 APT 41 OR781-1567 932-333 OR1001-2499Q/C OR2337-79/92F/J OR2411-
 Owners Name: HOLTON TIMOTHY R AND JENNIFER A
 Address: 296 WASHINGTON AVE MEMPHIS TN 38103

AK: 1104817 Parcel ID: 00090966-002600 Physical Location 97652 OVERSEAS UNIT PH2 KEY LARGO
 Legal Description: APT P2 ROCK HARBOR CONDOMINIUM NO 6 OR783-1853 820-2384 OR1076-544 OR1224-2417/18 OR1241-2493
 Owners Name: HEINRICH LAURA J
 Address: 97652 OVERSEAS HWY PH 2 KEY LARGO FL 33037-2220

AK: 1104787 **Parcel ID:** 00090966-002300 **Physical Location** 97652 OVERSEAS UNIT HH46 KEY LARGO
Legal Description: APT 46 ROCK HARBOR CONDOMINIUM NO 6 OR781-723 6-359/368 OR856-1231 OR905-1919/1920 OR2005-19
Owners Name: ELIADES STEVEN AND JEANNE
Address: 31 STARLIGHT DR HOPEWELL JUNCTIONNY 12533-5524

AK: 1104639 **Parcel ID:** 00090966-000800 **Physical Location** 97652 OVERSEAS UNIT HH23 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM #6 APT 23 OR778-890 OR820 -1742 OR994-317 OR1248-2330/2331 OR1682-1837/31
Owners Name: CAMMAROTA ARMAND A JR
Address: 305 BAY TREE CIR VERNON HILLS IL 60061-1234

AK: 9085120 **Parcel ID:** 00554895-000315 **Physical Location** 97501 OVERSEAS UNIT 315 KEY LARGO
Legal Description: UNIT 315 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2175-186/188 OR2210-242/44Q/C OR2536-1
Owners Name: MARINERS CLUB US INVESTMENTS LLC
Address: PO BOX 566478 MIAMI FL 33256-6478

AK: 9085128 **Parcel ID:** 00554895-000331 **Physical Location** 97501 OVERSEAS UNIT 331 KEY LARGO
Legal Description: UNIT 331 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2351-1445/47
Owners Name: CHUNDURU RAVI
Address: PO BOX 9507 TAVERNIER FL 33070-9507

AK: 9085129 **Parcel ID:** 00554895-000332 **Physical Location** 97501 OVERSEAS UNIT 332 KEY LARGO
Legal Description: UNIT 332 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2358-475/77
Owners Name: SAILFISH 332 LLC
Address: 290 NE 68TH ST MIAMI FL 33138

AK: 9085127 **Parcel ID:** 00554895-000326 **Physical Location** 97501 OVERSEAS UNIT 326 KEY LARGO
Legal Description: UNIT 326 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2404-1640/42REL/L
Owners Name: ROSE ERIC CELLU
Address: 101425 OVERSEAS HWY UNIT 366 KEY LARGO FL 33037-4505

AK: 9085124 **Parcel ID:** 00554895-000323 **Physical Location** 97501 OVERSEAS UNIT 323 KEY LARGO
Legal Description: UNIT 323 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2350-1484/86 OR27
Owners Name: STANNARD BRADLEY J ESTATE C/O STANNARD PENNY P/R
Address: 97501 OVERSEAS HWY UNIT 323 KEY LARGO FL 33037-4041

AK: 9085117 **Parcel ID:** 00554895-000312 **Physical Location** 97501 OVERSEAS UNIT 312 KEY LARGO
Legal Description: UNIT 312 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2174-424/426 OR2174-469 OR2547-764/66
Owners Name: BALDWIN SHARON C
Address: 12 GROVE AVE FLOURTOWN PA 19031-1907

AK: 9085119 **Parcel ID:** 00554895-000314 **Physical Location** 97501 OVERSEAS UNIT 314 KEY LARGO
Legal Description: UNIT 314 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2181-175759 OR2553-2080/82 OR2725-133
Owners Name: SANFORD M ANN SANFORD TRUST 5-20-1997
Address: 2549 MIDLAND AVE TOLEDO OH 43614-5543

AK: 9085126 **Parcel ID:** 00554895-000325 **Physical Location** 97501 OVERSEAS UNIT 325 KEY LARGO
Legal Description: UNIT 325 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2350-1481/83
Owners Name: BARKER ROBERT AND MARDELL
Address: 157 PHEASANTWOOD TRL BATTLE CREEK MI 49017-3139

AK: 1104086 **Parcel ID:** 00090962-000500 **Physical Location** 97652 OVERSEAS UNIT T5 KEY LARGO
Legal Description: APT 5 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO 691-480 OR1295-646
Owners Name: SMITH BRIAN R T AND PENELOPE J
Address: 97652 OVERSEAS HWY APT T5 KEY LARGO FL 33037-2205

AK: 1104825 **Parcel ID:** 00090966-002700 **Physical Location** 97652 OVERSEAS UNIT PH3 KEY LARGO
Legal Description: UNIT P3 ROCK HARBOR CONDOMINIUM 6 OR779-320 2188Q/C OR964-702 OR1169-880/82 OR2465-2406/07
Owners Name: ESPY ALEXANDRA BEATON
Address: PO BOX 123 DILLON CO 80435-0123

AK: 9085121 **Parcel ID:** 00554895-000316 **Physical Location** 97501 OVERSEAS UNIT 316 KEY LARGO
Legal Description: UNIT 316 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2348-2452/54
Owners Name: ✓ SMITH FAMILY HOLDINGS LLC
Address: PO BOX 25 MEDFORD NJ 08055-0025

AK: 1104264 **Parcel ID:** 00090963-001000 **Physical Location** 97652 OVERSEAS UNIT S10 KEY LARGO
Legal Description: APT 10 ROCK HARBOR CONDOMINIUM NO 3 KEY LARGO 4-706 OR917-871 OR1035-2355 OR1282-2394 OR272
Owners Name: ✓ HARRIS MARGARET M
Address: 424 SPRUCE AVE WEST ISLIP NY 11795-2712

AK: 1104108 **Parcel ID:** 00090962-000700 **Physical Location** 97652 OVERSEAS UNIT T7 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO APT NO 7 8.5% COMMON ELEMENTS OR677-110 OR788-946
Owners Name: ✓ BOBKOWSKI RICHARD V AND CATHERINE M
Address: 5 GREENWICH CT SHOREHAM NY 11786-2017

AK: 1104761 **Parcel ID:** 00090966-002100 **Physical Location** 97652 OVERSEAS UNIT HH44 KEY LARGO
Legal Description: APT 44 ROCK HARBOR CONDOMINIUM 6 OR778-1710 OR855- 2477 OR1003-2340 OR1151-2443 OR1276-28AFF OR
Owners Name: ✓ BENNARDO MARIANNE DECLARATION OF TRUST 7/10/2013
Address: 1009 AZALEA RD DELRAY BEACH FL 33483-6601

AK: 1104795 **Parcel ID:** 00090966-002400 **Physical Location** 97652 OVERSEAS UNIT HH47 KEY LARGO
Legal Description: APT 47 ROCK HARBOR CONDOMINIUM 6 OR778-698 OR864-2 329/2330 OR1366-2375/77TR/MT OR1543-2033 OR27
Owners Name: DALOIA KATHERINE
Address: 1469 OXFORD DR BUFFALO GROVE IL 60089-1011

AK: 1104078 **Parcel ID:** 00090962-000400 **Physical Location** 97652 OVERSEAS UNIT T4 KEY LARGO
Legal Description: APT 4 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -699 OR692-638 OR789-1698 OR1131-961 OR1250-40
Owners Name: ✓ MILANESE GARY
Address: 97652 OVERSEAS HWY APT T4 KEY LARGO FL 33037-2205

AK: 1104370 **Parcel ID:** 00090964-000800 **Physical Location** 97652 OVERSEAS UNIT C8 KEY LARGO
Legal Description: APT 8 ROCK HARBOR CONDOMINIUM NO 4 KEY LARGO -551 OR820-1090 OR820-1091/92 OR1030-1367/68 OI
Owners Name: ✓ COLAN JANET SUE TRUST 4/30/2014
Address: 97652 OVERSEAS HWY APT C8 KEY LARGO FL 33037-2223

AK: 1104621 **Parcel ID:** 00090966-000700 **Physical Location** 97652 OVERSEAS UNIT HH21 KEY LARGO
Legal Description: APT 21 ROCK HARBOR CONDOMINIUM 6 OR778-196 OR1070- 2029 OR1190-395/408FJ OR1430-420/21C OR1430-4
Owners Name: ✓ PEREZ ROBERT L AND VIOLET M
Address: 1919 DRISCOLL ST HOUSTON TX 77019-6101

AK: 9085122 **Parcel ID:** 00554895-000321 **Physical Location** 97501 OVERSEAS UNIT 321 KEY LARGO
Legal Description: UNIT 321 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2352-402/04 OR2611-
Owners Name: ✓ WHITE STEPHEN PAUL AND ANNE LOUISE
Address: 97501 OVERSEAS HWY UNIT 321 KEY LARGO FL 33037-4041

AK: 1104736 **Parcel ID:** 00090966-001800 **Physical Location** 97652 OVERSEAS UNIT HH37 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NUMBER 6 APT 37 0 OR812-1221 OR905-1921/1922 OR2356-1470(PROE
Owners Name: ✓ CLARK JAMES C AND DIANA
Address: 1673 SOUTH ST NEW HAVEN VT 05472-4051

AK: 1104477 **Parcel ID:** 00090965-000500 **Physical Location** 97652 OVERSEAS UNIT M5 KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 5 8.5% COMMON ELEMENTS OR718-69 OR888-1086
Owners Name: ✓ KERCKAERT MICHAEL AND SHANNON
Address: 5825 HEMPSTEAD RD OXFORD MI 48371-1233

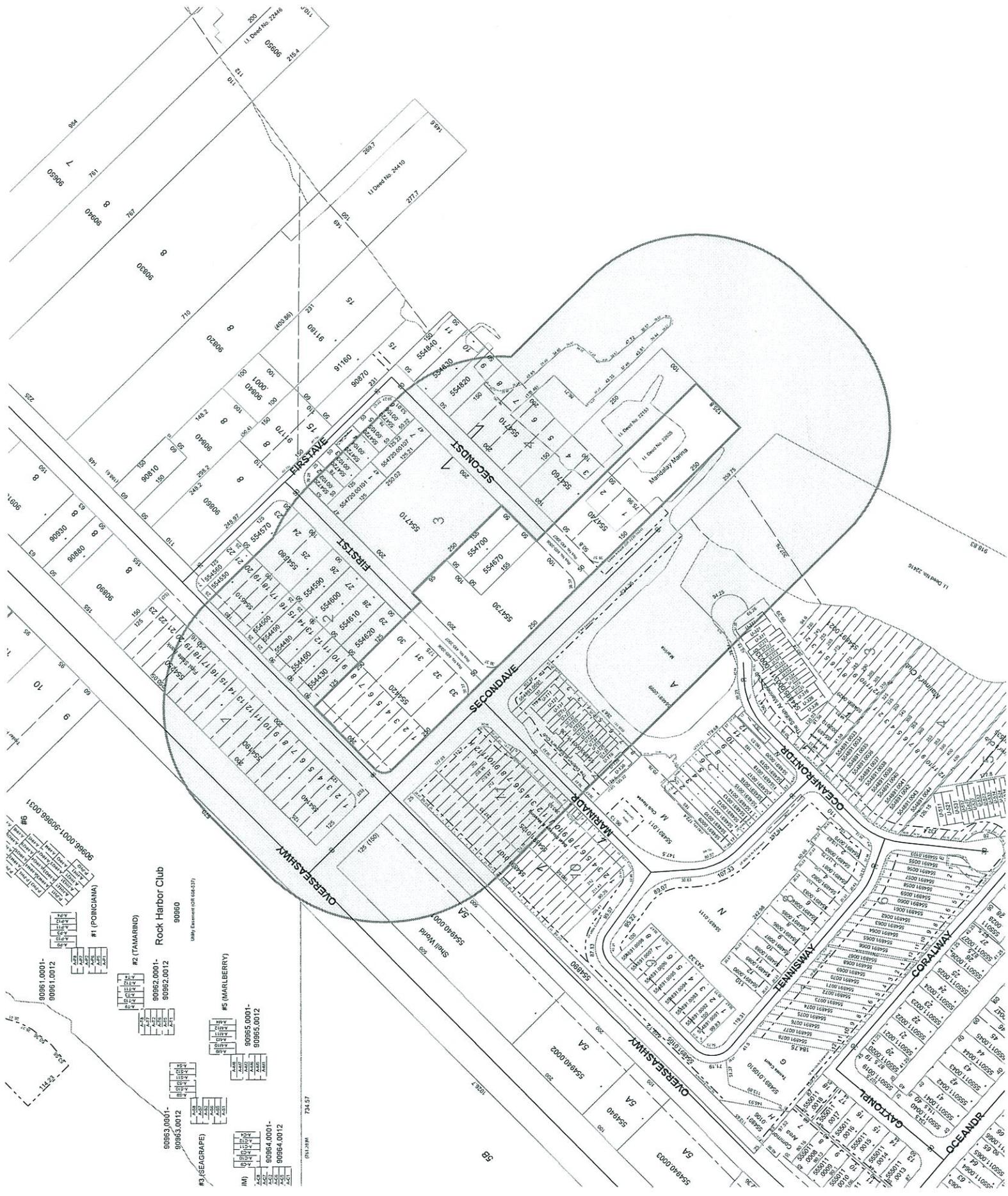
AK: 9085123 **Parcel ID:** 00554895-000322 **Physical Location** 97501 OVERSEAS UNIT 322 KEY LARGO
Legal Description: UNIT 322 THE SAILFISH AT MARINER'S CLUB A CONDOMINIUM OR2169-942/1050DEC OR2354-1392/94 OR239
Owners Name: ✓ SMITH BRUCE W AND VICKY S
Address: PO BOX 35 OKOBOJI IA 51355-0035

AK: 9085130	Parcel ID: 00554895-000333	Physical Location 97501 OVERSEAS UNIT 333	KEY LARGO
Legal Description: UNIT 333 THE SAILFISH AT MARINER'S CLUB A CONDOMI NIUM OR2169-942/1050DEC OR2307-1222/24			
Owners Name: RASKIND STEVEN L			
Address: 25 ARGYLE DR		EATONS NECK	NY 11768
AK: 9085116	Parcel ID: 00554895-000311	Physical Location 97501 OVERSEAS UNIT 311	KEY LARGO
Legal Description: UNIT 311 THE SAILFISH AT MARINER'S CLUB A IUM OR2169-942/1050DEC OR2350-1487/89			
Owners Name: MILLER MICHAEL			
Address: 97501 OVERSEAS HWY		UNIT 311 KEY LARGO	FL 33037-4040
AK: 9085132	Parcel ID: 00554895-000335	Physical Location 97501 OVERSEAS UNIT 335	KEY LARGO
Legal Description: UNIT 335 THE SAILFISH AT MARINERS CLUB A IUM OR2345-1451/52 OR2628-1548/50			
Owners Name: BEAUDETTE BRUCE M			
Address: 236 WOODIN RD		CLIFTON PARK	NY 12065-5507
AK: 9085133	Parcel ID: 00554895-000336	Physical Location 97501 OVERSEAS UNIT 336	KEY LARGO
Legal Description: UNIT 336 THE SAILFISH AT MARINER'S CLUB A CONDOMI NIUM OR2173-1848/1850			
Owners Name: FERNANDEZ WILLIAM AND SONIA			
Address: 208 KEELER LN		NORTH SALEM	NY 10560-2207
AK: 9085131	Parcel ID: 00554895-000334	Physical Location 97501 OVERSEAS UNIT 334	KEY LARGO
Legal Description: UNIT 334 THE SAILFISH AT MARINER'S CLUB A CONDOMI NIUM OR2174-1239/41 OR2387-14/15CT OR2393-54			
Owners Name: HEALEY PAUL J AND DEBRA L			
Address: 6 PLEASANT RIDGE RUN RD		GOSHEN	NY 10924-5324
AK: 1680362	Parcel ID: 00554890-000000	Physical Location VACANT LAND	KEY LARGO
Legal Description: AMD PLAT OF MANDALAY KEY LARGO PB2-25 PT TR 5 (NW 25' TR 5) OR539-409E OR566-255 OR764-23/24 (REM			
Owners Name: DOT/ST.OF FL			
Address: FDOT		TALLAHASSEE	FL 32399
AK: 1680001	Parcel ID: 00554510-000000	Physical Location 97671 OVERSEAS	KEY LARGO
Legal Description: BK 2 LTS 17-20 MANDALAY PB1-194 KEY LARGO OR543-9 97 OR802-2420D/C OR802-2418Q/C OR1214-332 OR			
Owners Name: GO FOR IT ADVENTURES LLC			
Address: P O BOX 282		TAVERNIER	FL 33070
AK: 1104400	Parcel ID: 00090964-001100	Physical Location 97652 OVERSEAS UNIT C11	KEY LARGO
Legal Description: APT NO 11 ROCK HARBOR CONDOMINIUM NO 4 KEY R700-574 OR1653-2488 OR2232-2213TR OR2635-18C			
Owners Name: HILLEND DAVID V			
Address: 97652 OVERSEAS HWY APT C11		KEY LARGO	FL 33037-2223
AK: 1104485	Parcel ID: 00090965-000600	Physical Location 97652 OVERSEAS UNIT M6	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM NO 5 KEY LARGO APT NO 6 8.5% COMMON ELEMENTS OR704-422 OR877-242:			
Owners Name: KLUMPENAAR BRAM			
Address: 296 CLAUDE AVE		DORVAL	QUI H95 3B2 CANADA
AK: 1104094	Parcel ID: 00090962-000600	Physical Location 97652 OVERSEAS UNIT T6	KEY LARGO
Legal Description: APT 6 ROCK HARBOR CONDOMINIUM NO 2 KEY LARGO -105 OR792-1342 OR1187-66 OR1238-1631/40 OR124			
Owners Name: HAAS DENNIS			
Address: 97652 OVERSEAS HWY APT T6		KEY LARGO	FL 33037-2205
AK: 1104566	Parcel ID: 00090966-000100	Physical Location 97652 OVERSEAS UNIT HH1	KEY LARGO
Legal Description: ROCK HARBOR CONDOMINIUM 6 APT 1 OR781-1581 OR873-1 041 OR1215-2248 OR1547-1851 OR2420-116/18 OR2'			
Owners Name: JACKERMANN DONALD W AND MARILYN			
Address: 97652 OVERSEAS HWY APT HH1		KEY LARGO	FL 33037-2207
AK: 1680320	Parcel ID: 00554830-000000	Physical Location 85 E SECOND ST	KEY LARGO
Legal Description: BK 4 LT 10 MANDALAY PB1-194 KEY LARGO OR141-78/79 OR1063-732D/C OR1070-143D/C OR1072-481/82 OR			
Owners Name: HART LAUREN			
Address: 2811 KIRK ST		MIAMI	FL 33133-3916

AK: 9080428	Parcel ID: 00554893-000124	Physical Location 97501 OVERSEAS UNIT 124	KEY LARGO
Legal Description: UNIT 124 THE DOLPHIN AT MARINER'S CLUB A CONDO 084-2392/94 OR2543-263/65			
Owners Name: APORTELA LLLP			
Address: 17792 FIELDBROOK CIR W		BOCA RATON	FL 33496-1568
AK: 9080400	Parcel ID: 00554893-000113	Physical Location 97501 OVERSEAS UNIT 113	KEY LARGO
Legal Description: UNIT 113 THE DOLPHIN AT MARINERS CLUB A CONDO 70-2495/97 OR2689-512/13			
Owners Name: WHITE STEPHEN P AND ANNE L			
Address: 97501 OVERSEAS HWY UNIT 321		KEY LARGO	FL 33037-4041
AK: 9080456	Parcel ID: 00554893-000135	Physical Location 97501 OVERSEAS UNIT 135	KEY LARGO
Legal Description: UNIT 135 THE DOLPHIN AT MARINERS CLUB A CONDO 71-236/38 OR2627-1290/91			
Owners Name: PROPERTY 135 LLC			
Address: 9182 GRAYTRAX RD		GRAND BLANC	MI 48439-8033
AK: 9080412	Parcel ID: 00554893-000116	Physical Location 97501 OVERSEAS UNIT 116	KEY LARGO
Legal Description: UNIT 116 THE DOLPHIN AT MARINER'S CLUB A CONDO 494-1837/39			
Owners Name: MASK PARTNERS LLC			
Address: PO BOX 7250		FORT MYERS	FL 33919-0250
AK: 9080424	Parcel ID: 00554893-000123	Physical Location 97501 OVERSEAS UNIT 123	KEY LARGO
Legal Description: UNIT 123 THE DOLPHIN AT MARINER'S CLUB A CONDO 082-1648/50 OR2339-138/39 OR2535-1084/85 OR2562			
Owners Name: PLEASANT WILLIAM R AND KIMBERLY E			
Address: 330 MAGOTHY RD		SEVERNA PARK	MD 21146-4203
AK: 9080440	Parcel ID: 00554893-000131	Physical Location 97501 OVERSEAS UNIT 131	KEY LARGO
Legal Description: UNIT 131 THE DOLPHIN AT MARINERS CLUB A CONDO 96-8/10 OR2352-138/40 OR2382-2290/91 OR2595-586			
Owners Name: MARINERS PARADISE RESORT INC			
Address: 97501 OVERSEAS HWY UNIT 131		KEY LARGO	FL 33037-4015
AK: 9080416	Parcel ID: 00554893-000121	Physical Location 97501 OVERSEAS UNIT 121	KEY LARGO
Legal Description: UNIT 121 THE DOLPHIN AT MARINER'S CLUB A CONDO 079-200/02 OR2492-570/71 OR2566-1554			
Owners Name: WEPPLER CHARLES H AND RITA			
Address: 3-396 ASSINIBOINE AVE		WINNIPEG	MB R3C 0Y1 CANADA
AK: 9080444	Parcel ID: 00554893-000132	Physical Location 97501 OVERSEAS UNIT 132	KEY LARGO
Legal Description: UNIT 132 THE DOLPHIN AT MARINER'S CLUB A CONDO OR2072-2008/2010 OR2343-2304/05 OR2343-2308Q/			
Owners Name: DIVINE PROPERTIES NUMBER 1 LLC			
Address: 8586 POTTER PARK DR		SARASOTA	FL 34238-5439
AK: 9080408	Parcel ID: 00554893-000115	Physical Location 97501 OVERSEAS UNIT 115	KEY LARGO
Legal Description: UNIT 115 THE DOLPHIN AT MARINER'S CLUB A CONDO 074-2055/2057 OR2117-931Q/C OR2198-712			
Owners Name: PUHST KLAUS J AND SIGRID			
Address: AM LOHOF 27		21266 JESTEBURG	GERMANY
AK: 9080460	Parcel ID: 00554893-000136	Physical Location 97501 OVERSEAS UNIT 136	KEY LARGO
Legal Description: UNIT 136 THE DOLPHIN AT MARINER'S CLUB A CONDO 535-642 OR2665-1046C/T OR2691-903/04			
Owners Name: NESS DONALD			
Address: 97501 OVERSEAS HWY UNIT 136		KEY LARGO	FL 33037-4016
AK: 9080452	Parcel ID: 00554893-000134	Physical Location 97501 OVERSEAS UNIT 134	KEY LARGO
Legal Description: UNIT 134 & 4.93% COMMON ELEMENTS THE DOLPHIN AT ARINER'S CLUB A CONDO OR2072-1108/1110			
Owners Name: GSPARK LLC			
Address: 6205 BLUE LAGOON DR		STE 300 MIAMI	FL 33126-6017
AK: 9080432	Parcel ID: 00554893-000125	Physical Location 97501 OVERSEAS UNIT 125	KEY LARGO
Legal Description: UNIT 125 THE DOLPHIN AT MARINER'S CLUB A CONDO O R2119-165/67 OR2701-2096/97			
Owners Name: GONZALEZ LEANDRO JAVIER			
Address: 9200 SW 117TH TER		MIAMI	FL 33176-4234

AK: 9080448	Parcel ID: 00554893-000133	Physical Location	97501 OVERSEAS	UNIT 133	KEY LARGO
Legal Description: UNIT 133 THE DOLPHIN AT MARINER'S CLUB A CONDO 074-394/96 OR2657-1343/44C/T					
Owners Name: MARINERS CLUB HOMEOWNERS ASSOCIATION INC C/O PERSAUD LAW GROUP					
Address: 9100 S DADELAND BLVD STE 400 MIAMI FL 33156-7819					
AK: 9080396	Parcel ID: 00554893-000112	Physical Location	97501 OVERSEAS	UNIT 112	KEY LARGO
Legal Description: UNIT 112 THE DOLPHIN AT MARINER'S CLUB A CONDO 116-1765/67 OR2449-381C/T OR2490-2373/74					
Owners Name: EDWARDS ALAN B					
Address: 6304 SARATOGA CIR DAVIE FL 33331-2105					
AK: 9080436	Parcel ID: 00554893-000126	Physical Location	97501 OVERSEAS	UNIT 126	KEY LARGO
Legal Description: UNIT 126 & 6.81% COMMON ELEMENTS THE DOLPHIN AT ARINER'S CLUB A CONDO OR2071-986/988 OR2					
Owners Name: ALEXANDRES INVESTMENTS LLC					
Address: 2655 S LE JEUNE RD PH 2 MIAMI FL 33134-5827					
AK: 9080404	Parcel ID: 00554893-000114	Physical Location	97501 OVERSEAS	UNIT 114	KEY LARGO
Legal Description: UNIT 114 THE DOLPHIN AT MARINER'S CLUB A CONDO 067-364/66 OR2521-1470/72 OR2552-1699/701					
Owners Name: BROWN MARY A					
Address: 1323 TAMARIND WAY BOCA RATON FL 33486-6905					
AK: 9080420	Parcel ID: 00554893-000122	Physical Location	97501 OVERSEAS	UNIT 122	KEY LARGO
Legal Description: UNIT 122 THE DOLPHIN AT MARINER'S CLUB A CONDO 098-737/39 OR2633-573/74C/T OR2650-1926/28C/T O					
Owners Name: WHITE PAUL C AND NORMA S					
Address: 97501 OVERSEAS HWY UNIT 122 KEY LARGO FL 33037-4015					
AK: 9080392	Parcel ID: 00554893-000111	Physical Location	97501 OVERSEAS	UNIT 111	KEY LARGO
Legal Description: UNIT 111 THE DOLPHIN AT MARINER'S CLUB A CONDO 072-1970/72 OR2087-1538 OR2262-2211 OR2486-107					
Owners Name: ORIHUELA PEDRO E					
Address: 17911 NW 9TH CT PEMBROKE PINES FL 33029-3114					
AK: 9085125	Parcel ID: 00554895-000324	Physical Location	97501 OVERSEAS	UNIT 324	KEY LARGO
Legal Description: UNIT 324 THE SAILFISH AT MARINER'S CLUB A IUM OR2174-1711/13 OR2482-308 OR2488-257/58					
Owners Name: BAGBY ROBERT E TRUST 8/9/2002					
Address: 811 KINGS RDG LIBERTY MO 64068-3524					
AK: 9085118	Parcel ID: 00554895-000313	Physical Location	97501 OVERSEAS	UNIT 313	KEY LARGO
Legal Description: UNIT 313 THE SAILFISH AT MARINER'S CLUB A CONDOMI NIUM OR2169-942/1050DEC OR2375-1272/73					
Owners Name: JUNQUERA ANGEL T DR AND PATRICIA C					
Address: 4801 ORDUNA DR CORAL GABLES FL 33146					
AK: 9102763	Parcel ID: 00554720-001020	Physical Location	110 1ST AVE		KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 2 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR24					
Owners Name: HABITAT FOR HUMANITY OF THE UPPER KEYS INC					
Address: PO BOX 372151 KEY LARGO FL 33037-7151					
AK: 9101990	Parcel ID: 00554720-001010	Physical Location	23 E FIRST ST		KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 1 HABITAT AT MANDALAY 7-81 OR2414-484/89 OR2414-490/537(LEASE) OR24					
Owners Name: DELGADO SANTOS AND CYNTHIA					
Address: 23 E FIRST ST KEY LARGO FL 33037-4036					
AK: 9102765	Parcel ID: 00554720-001040	Physical Location	114 FIRST AVE		KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 4 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR24					
Owners Name: HERNANDEZ-CASTRO NOYDE					
Address: 114 FIRST AVE KEY LARGO FL 33037-4003					
AK: 9102767	Parcel ID: 00554720-001060	Physical Location	118 1ST AVE		KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 6 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR24					
Owners Name: HABITAT FOR HUMANITY OF THE UPPER KEYS INC					
Address: PO BOX 372151 KEY LARGO FL 33037-7151					

AK: 9102769	Parcel ID: 00554720-001070	Physical Location 31 E SECOND ST	KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 7 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR2414-490/537			
Owners Name: HERNANDEZ MAYKE			
Address: PO BOX 372394		KEY LARGO	FL 33037-7394
AK: 9102766	Parcel ID: 00554720-001050	Physical Location 116 FIRST AVE	KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 5 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR2414-490/537			
Owners Name: MEYERS PATRICK JEFFREY			
Address: 116 FIRST AVE		KEY LARGO	FL 33037-4003
AK: 9102764	Parcel ID: 00554720-001030	Physical Location 112 1ST AVE	KEY LARGO
Legal Description: (LEASEHOLD INTEREST) LOT 3 HABITAT AT MANDALAY 7-81 OR2414-484/489 OR2414-490/537(LEASE) OR2414-490/537			
Owners Name: VASQUEZ KARLA			
Address: 112 FIRST AVE		KEY LARGO	FL 33037-4003
AK: 1679682	Parcel ID: 00554190-000000	Physical Location 97630 OVERSEAS	KEY LARGO
Legal Description: BK 1 LTS 6-13 MANDALAY PB1-194 KEY LARGO OR34-258 OR534-802E OR600-654 OR618-417 OR718-243 OR818-243			
Owners Name: CAMILLE'S FOODS INC			
Address: PO BOX 371532		KEY LARGO	FL 33037-1532
AK: 1679747	Parcel ID: 00554250-000000	Physical Location 97670 OVERSEAS	KEY LARGO
Legal Description: BK 1 LT MANDALAY PB1-194 KEY LARGO LOTS 14, 15, 16, 17, 18, 19, 20, 21, 22 & 23 (RE'S:55426 THRU 55426)			
Owners Name: FIRST STATE BANK OF THE FLORIDA KEYS C/O ACCOUNT PAYABLE			
Address: 3406 N ROOSEVELT BLVD		KEY WEST	FL 33040-4266
AK: 1679631	Parcel ID: 00554140-000000	Physical Location 97610 OVERSEAS	KEY LARGO
Legal Description: BK 1 LOTS 2-5 MANDALAY PB1-194 KEY LARGO OR171-548 OR49-534-800E OR777-938 OR846-190D/C OR1007-1008			
Owners Name: WATERMAN JAMES HENRY TRUST AGR 3/19/1997			
Address: 193 ATLANTIC BLVD		KEY LARGO	FL 33037-4339
AK: 8632797	Parcel ID: 00554891-009900	Physical Location 97511 OVERSEAS	KEY LARGO
Legal Description: PT TRACT A KEY LARGO NORTH PB7-22 (MARINA) 2.92 AC OR838-285/87 OR915-69/70 OR971-814C/T OR1007-1008			
Owners Name: MARINERS CLUB KEY LARGO INC			
Address: 97501 OVERSEAS HWY STE 1		KEY LARGO	FL 33037-4017
AK: 1680222	Parcel ID: 00554730-000000	Physical Location 43 E SECOND ST 28	KEY LARGO
Legal Description: BK 3 SWLY 125FT X 250FT AND NWLY 95 FT OF NELY 100 FT OF SWLY 225 FT AND PT 1ST ST AND PT 2ND ST			
Owners Name: KEY MARINA DEVELOPMENT LLC			
Address: 52 RILEY RD		KISSIMMEE	FL 34747-5420
AK: 1680231	Parcel ID: 00554740-000000	Physical Location 80 E SECOND ST	KEY LARGO
Legal Description: BLK 4 LTS 1 AND 2 AND PT 2ND ST AND ADJ BAY BTM MANDALAY PB1-194 KEY LARGO THIF DEED 22605 C			
Owners Name: KEY MARINA DEVELOPMENT LLC			
Address: 52 RILEY RD UNIT 155		KISSIMMEE	FL 34747-5420
AK: 1679917	Parcel ID: 00554420-000000	Physical Location VACANT LAND	KEY LARGO
Legal Description: BK 2 LOTS 1 THRU 8 AND LOTS 30 THRU 33 AND PT 1ST ST MANDALAY PB1-194 KEY LARGO OR534-798E			
Owners Name: KEY MARINA DEVELOPMENT LLC			
Address: 52 RILEY RD		KISSIMMEE	FL 34747-5420



90961.0001-
90961.0012

#1 (POINCIANA)

90961.0001	90961.0002	90961.0003	90961.0004	90961.0005	90961.0006	90961.0007	90961.0008	90961.0009	90961.0010	90961.0011	90961.0012
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90962.0001-
90962.0012

Rock Harbor Club
90960

90963.0001-
90963.0012

#3 (SEAGRAPE)

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90964.0001-
90964.0012

#4 (MARLBERRY)

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90965.0012

#5 (TAMARIND)

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90966.0001-
90966.0031

#6 (MARLBERRY)

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90967.0001-
90967.0031

#7 (TAMARIND)

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90968.0001-
90968.0031

#8 (SEAGRAPE)

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90969.0001-
90969.0031

#9 (MARLBERRY)

90969.0001	90969.0002	90969.0003	90969.0004	90969.0005	90969.0006	90969.0007	90969.0008	90969.0009	90969.0010	90969.0011	90969.0012	90969.0013	90969.0014	90969.0015	90969.0016	90969.0017	90969.0018	90969.0019	90969.0020	90969.0021	90969.0022	90969.0023	90969.0024	90969.0025	90969.0026	90969.0027	90969.0028	90969.0029	90969.0030	90969.0031
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90970.0001-
90970.0031

#10 (TAMARIND)

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Monroe County - Growth Management - Web Map Application

Print Find RE Number Find AK Number Search Owner Name

Monroe County Download GIS Data

1:2,167



Results

- 1660231 (1)
- Parcels (1)
- 00554740-000000

Map Contents

- MonroeCountySDE_Environmental_Lay
- Overview
- MCPA
- Habitat 2009
- Tier Overlay District
- Zoning
- Future Land Use Map (FLUM)
- 2006 Orthophotography
- 2009 Orthophotography
- 2012 image catalog
- 2015 Orthophotography

SC

County of Monroe

Growth Management Division

Planning & Environmental Resources

Department

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



Board of County Commissioners

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

July 29, 2014

Island Construction Management, Inc.
Attn: Don Horton
144 Apache Street
Tavernier, FL 33070

SUBJECT: LETTER OF UNDERSTANDING CONCERNING THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT SOUTHEAST OF THE INTERSECTION OF THE OVERSEAS HIGHWAY (US 1) AND SECOND AVENUE ON KEY LARGO, APPROXIMATE MILE MARKER 97.6, ON PARCELS HAVING REAL ESTATE NUMBERS 00554420.000000, 00554670.000000, 00554700.000000, 00554730.000000 & 00554740.000000

Mr. Horton,

Pursuant to §110-3 of the Monroe County Code (MCC), this document shall constitute a Letter of Understanding (LOU). On April 24, 2014, a Pre-Application Conference regarding the above-referenced property was held at the office of the Monroe County Planning & Environmental Resources Department in Marathon. Attendees of the meeting included Don Horton and Mark Gerenger (hereafter referred to as "the Applicant") and Joseph Haberman, Planning & Development Review Manager, Matthew Coyle, Senior Planner, and Michael Roberts, Senior Administrative of Environmental Resources (hereafter referred to as "Staff").

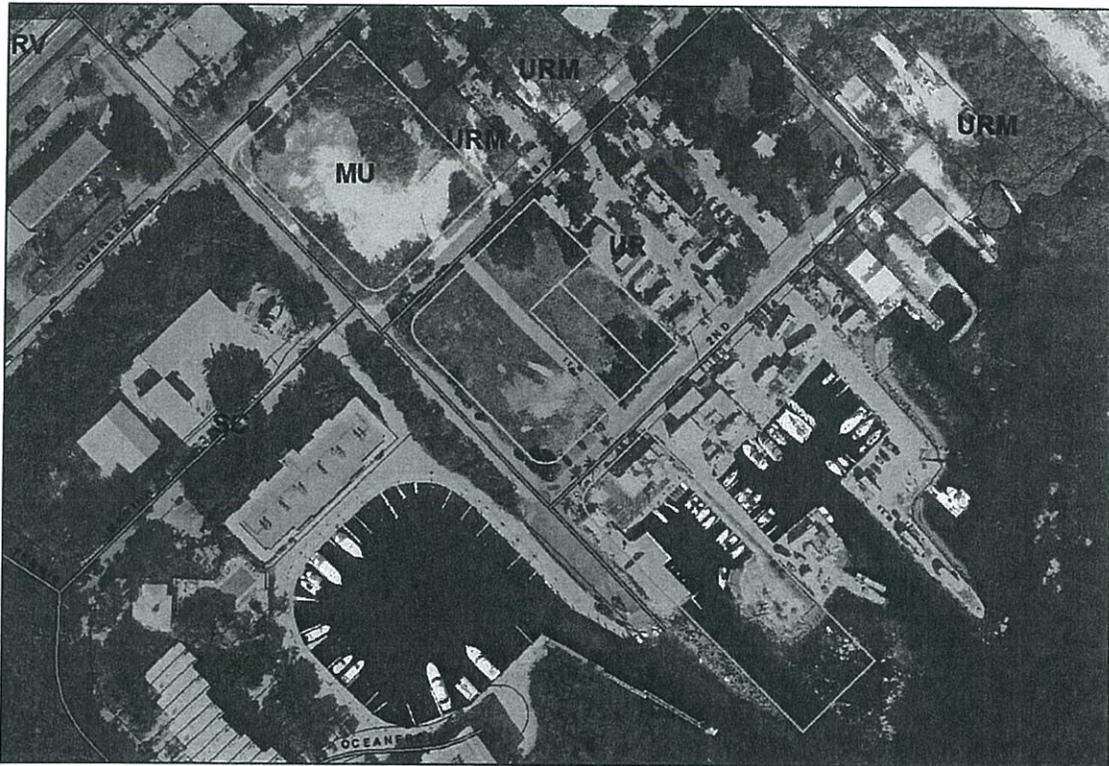
Materials presented for review included:

- (a) Pre-Application Conference Request Form;
- (b) Monroe County Property Record Card;
- (c) Approved site plan, memorialized by Resolution #P69-07, prepared by Earth Mark Companies, ULA, Professional Design Associates, EA and Hill Glazier Architects, dated October 29, 2007 and signed by the Planning Commission Chair on March 4, 2008 (Planning Department File #27138); and
- (d) Monroe County Land Use District Map and Future Land Use Map.

I. APPLICANT PROPOSAL

The Applicant is proposing to develop the subject property with a new affordable housing development. A proposed site plan was not submitted with the application. Further, the proposed number of dwelling units, the proposed type of dwelling unit (attached and/or detached) and a proposed income type of affordable housing (low, very low, median and/or moderate) were not provided. In addition, no detail was provided as to whether or not existing nonresidential development would remain. As a detailed scope of work was not provided, this LOU provides a basic analysis of how the subject property could be developed with an affordable housing development.

Note: As part of the application, the Applicant submitted plans for a hotel development. However, after discussing the proposal for a hotel with Staff at the pre-application conference, the Applicant revised the proposal to be for an affordable housing development.



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

II. SUBJECT PROPERTY DESCRIPTION

1. The subject property is located southwest of the intersection of the Overseas Highway (US 1) and Second Avenue on Key Largo, at mile marker 97.6 on the Atlantic Ocean side of US 1. It is northeast of Second Avenue and currently bisected by First Street and Second Street.

2. The subject property is comprised of five parcels, assessed under real estate (RE) #00554420.000000, #00554670.000000, #00554700.000000, #00554730.000000 and #00554740.000000.

The parcel identified as RE #00554420.000000 is legally described as Block 2, Lots 1-8 and 30-33, Mandalay subdivision (Plat Book 1, Page 194).

The parcels identified as RE #00554670.000000, RE #00554700.000000 and RE #00554730.000000 are legally described as a portion of Block 3, Mandalay subdivision (Plat Book 1, Page 194).

The parcel identified as RE #00554740.000000 is legally described as Block 4, Lots 1 and 2, Mandalay subdivision (Plat Book 1, Page 194) and submerged land adjacent to Block 4, Lots 1 and 2.

Note: A development agreement approved in 2007 allowed a previously proposed project to include area of a portion of the First Street right-of-way between Blocks 2 and 3 and a portion of the Second Street right-of-way between Blocks 3 and 4.

3. There is an existing business in operation on the subject property. The business, currently known as Island Grill at Mandalay, is a restaurant located at 80 East Second Street on the waterfront parcel identified as RE #00554740.000000. In addition, there is a second building on the property, approved for accessory use to the forthcoming residential use.

In addition to the restaurant, the subject property was previously developed with 11 recreational vehicles, 17 mobile homes, and 5 dwelling units (which were demolished in 2004 and 2005).

4. According to the Monroe County GIS database, including abandoned rights-of-way and submerged land, in total the subject property consists of 3.96 acres (172,363 SF). The parcel identified as RE #00554420.000000 consists of 1.14 acres (49,728 SF) of area, the parcel identified as RE #00554670.000000 consists of 0.18 acres (7,750 SF) of area, the parcel identified as RE #00554700.000000 consists of 0.18 acres (7,750 SF) of area, the parcel identified as RE #00554730.000000 consists of 0.93 acres (40,477 SF) of area and the parcel identified as RE #00554740.000000 consists of 1.14 acres (49,863 SF) of area.

Portions of the subject property are submerged land. According to the staff report prepared for the major conditional use permit application, the property consists of approximately 3.29 acres (143,312 SF) of upland (including abandoned rights-of-way).

All calculations included in this letter are based on the aforementioned figures. A sealed boundary survey, providing the exact amount of upland land situated above mean high water, shall be required at the time of application submittal for any development approval for new development adversely affecting open space or land use intensity. This survey shall show mean high water lines drawn in accordance with Florida Statutes. Based on more

accurate information provided on a survey, calculations provided in this letter are subject to change.

III. RELEVANT PRIOR COUNTY ACTIONS

1. In 2006, a Letter of Understanding and Development Rights Determination established that 22 permanent market-rate residential units, 11 transient residential units, 5,138 SF of non-residential floor area and 12 boat slips had been lawfully-established on the property.
2. In 2006, the BOCC approved abandonment of 10,270 SF of First Street and 6,556 SF of Second Street. These approvals were memorialized in BOCC Resolutions #603-2006 and #604-2006.

Note: As explained on the aforementioned resolutions, both abandonments were granted following the execution of Reverter Agreements and Public Access Easements. Pursuant to the Reverter Agreements, as a condition of each abandonment, the petitioner (a former property owner of the subject property) agreed to the following provision: "if the [subject property, also known as the Mandalay Property] is not approved for development within 2 years from the date of this agreement (which time will be extended for a reasonable period provided [Ocean Sunrise Associates, LLC] is substantially moving forward with the development), then the property which has been abandoned...will revert back to and be transferred back to ownership by Monroe County."

3. In 2007, Monroe County entered into a development agreement with Ocean Sunrise Associates LLC which, in part, provided conceptual approval of a site plan to redevelop the site (*with a previously proposed and substantially different development plan that is the subject of this letter, as described in paragraph 4*). The development agreement approved a conceptual plan to develop the subject property into a resort area, consisting of permanent market-rate dwelling units, transient dwelling units, commercial retail non-residential floor area, boat slips and associated amenities. Approval of the development agreement was further documented in BOCC Resolution #493-2007 (Planning Department File #27091). BOCC Resolution #493-2007 was passed and adopted on November 14, 2007. The resolution and corresponding development agreement were filed and recorded on January 18, 2008.

Per the development agreement, the effective date was 30 days after the recorded agreement was received by the state land-planning agency. The Florida Department of Community Affairs (now known as the Florida Department of Economic Opportunity) received the recorded document on February 5, 2008; therefore the effective date is March 6, 2008. Per item 2 of page 7 of the development agreement, the agreement shall remain in effect for an initial period of 10 years, commencing on the effective date, and per item 12 of pages 17-18, the owner shall have up to 4 years to obtain the first building permit and up to 10 years to obtain the first Certificate of Occupancy.

4. In 2008, consistent with the conceptual site plan approved by the 2007 development agreement, the Planning Commission approved a request by Ocean Sunrise Associates LLC

for a major conditional use permit in order to develop the subject property into a resort area, consisting of 22 permanent market-rate dwelling units, 3 transient dwelling units, 3,782 SF of commercial retail non-residential floor area, 12 boat slips and associated amenities. The approval and conditions were memorialized in Resolution #P69-07 (Planning Department File #27138). This approval applied to the redevelopment of the entire subject property and was reliant on the additional approval of the 2007 development agreement and a concurrently filed variance application.

5. In 2011, the Planning Commission approved an alcoholic beverage special use permit which would allow the lessee of the restaurant to submit an application to the State of Florida Department of Business and Professional Regulation for a 5SRX license. The approval was memorialized in Resolution #P17-11 (Planning Department File #2011-045). This approval was appealed to the Florida Division of Administrative Hearings and was affirmed by a Final Order to Case #11-4994, dated May 4, 2012.
6. In 2012, minor deviation to the major conditional use permit approved by Resolution #P69-07 was approved (Planning Department File #2011-083). The minor deviation allowed revisions to the approved site plan and an interim phase to the redevelopment process.

IV. REVIEW

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

1. As of the date this letter, the redevelopment plan approved under the 2007 development agreement and Resolution #P69-07 has not been completed. Much of the property remains vacant.
2. The subject property consists of five parcels. Pursuant to MCC §130-166, any development that has or is a part of a common plan or theme of development or use, including, but not limited to, an overall plan of development, common or shared amenities, utilities or facilities, may be aggregated for the purpose of determining permitted or authorized development and compliance with each and every standard of the Monroe County Land Development Code and for the purpose of determining the appropriate form of development review.

The parcels are currently aggregated for the purposes of development. All five parcels are contiguous if the abandoned road segments are included. In addition, the currently approved development of the subject property follows a common plan, as approved by the County in the 2007 development agreement and 2008 major conditional use permit.

As of the date of this letter, the development, as approved in 2007 and 2008, has not been completed. As previously explained, both road abandonments were granted following the execution of Reverter Agreements. As a condition of each abandonment, if the subject property is not approved for development within 2 years from the date of this agreement (which time will be extended for a reasonable period provided the development is moving

forward), then the abandoned road segments will revert back to the County. Further, the current proposal is not consistent with the 2007 and 2008 approvals.

A site plan was not provided for the current proposal. In order to assure that the development follows a common plan or theme (as recognized by the County) and to maintain the abandoned road segments, the development agreement should be amended to reflect the new proposal and its corresponding new site plan. Otherwise, as determined by the Monroe County Attorney's Office, the abandoned road segments may revert back to the County and the parcels on each block of the subject property may have to be developed independently as they would no longer be contiguous.

3. The subject property is currently located partially within a Mixed Use (MU) Land Use (Zoning) District (RE #00554420.000000), partially within an Urban Residential (UR) Land Use (Zoning) District (RE #00554670.000000, #00554700.000000 and #00554730.000000) and partially within a Suburban Commercial (SC) Land Use (Zoning) District (RE 00554740.000000).

Consistent with the Land Use (Zoning) District boundaries, the subject property is currently located partially within a Mixed Use/Commercial (MC) Future Land Use Map (FLUM) category (RE #00554420.000000 and #00554740.000000) and partially within a Residential High (RH) FLUM category (RE #00554670.000000, #00554700.000000 and #00554730.000000).

4. The subject property has a tier designation of Tier III.
5. The proposed multi-family affordable housing use would be consistent with the purpose of the MU district, which is to establish or conserve areas of mixed uses, including commercial fishing, resorts, residential, institutional and commercial uses, and preserve these as areas representative of the character, economy and cultural history of the Florida Keys.

The proposed multi-family affordable housing use would be consistent with the purpose of the UR district, which is to provide areas appropriate for high-density residential uses designed and intended for occupancy by persons gainfully employed in the Florida Keys and to create areas to provide for vacation rental use of detached dwellings, duplexes, and multifamily dwellings. This district should be established at or near employment centers.

The proposed multi-family affordable housing use would be consistent with the purpose of the SC district, which is to establish areas for commercial uses designed and intended primarily to serve the needs of the immediate planning area in which they are located.

Note: A site plan was not provided. Therefore, it is not known if the multi-family affordable housing use would be located throughout the site in areas designated MU, UR and SC or only on part of the site.

6. The proposed multi-family affordable housing use would be consistent with the purpose of the MC future land use category as set forth in Monroe County Comprehensive Plan (MCCP) Policy 101.4.5, which is to provide for the establishment of commercial land use (zoning) districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. In addition, Mixed Use/Commercial land use districts are to establish and conserve areas of mixed uses, which may include maritime industry, light industrial uses, commercial fishing, transient and permanent residential, institutional, public, and commercial retail uses. This land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and non-residential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited. The County shall continue to take a proactive role in encouraging the maintenance and enhancement of community character and recreational and commercial working waterfronts.

The proposed multi-family affordable housing use would be consistent with the purpose of the RH future land use category as set forth in MCCP Policy 101.4.4, which is to provide for high-density single-family, multi-family, and institutional residential development, including mobile homes and manufactured housing, located near employment centers.

Note: A site plan was not provided. Therefore, it is not known if the multi-family affordable housing use would be located throughout the site in areas designated MC and RH or only on part of the site.

7. The Applicant is proposing a new affordable housing development.

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

- (1) Affordable housing means residential dwelling units that meet the following requirements: a) Meet all applicable requirements of the U.S. Department of Housing and Urban Development minimum property standards as to room sizes, fixtures, landscaping and building materials, when not in conflict with applicable laws of the county and b) a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of that amount which represents either 50% (very low income) or 80% (low income) or 100% (median income) or 120% (moderate income) of the monthly median adjusted household income for the county.
- (2) *Affordable housing owner occupied, low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 80% of the median monthly household income for the county.
- (3) *Affordable housing owner occupied, median income*, means a dwelling unit occupied only by a household whose total household income does not exceed 100% of the median monthly household income for the county.
- (4) *Affordable housing owner occupied, moderate income*, means a dwelling unit occupied only by a household whose total household income does not exceed 160% of the median monthly household income for the county.

- (5) *Affordable housing owner occupied, very low income*, means a dwelling unit occupied only by a household whose total household income does not exceed 50% of the median monthly household income for the county.
- (6) *Affordable housing trust fund* means a trust fund established and maintained by the county for the purpose of preserving existing and promoting creation of new affordable and employee housing. Funds collected for and deposited in the trust fund shall be used exclusively for purposes of creating, preserving or maintaining affordable and employee housing in the Florida Keys.
- (7) *Affordable rental housing, low income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 80% of the monthly median adjusted household income for the county.
- (8) *Affordable rental housing, median income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 100% of the monthly adjusted median household income for the county.
- (9) *Affordable rental housing, moderate income*, means a dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 120% of the monthly median adjusted household income for the county.
- (10) *Affordable rental housing, very low income*, means a rental dwelling unit whose monthly rent, not including utilities, does not exceed 30% of the amount that represents 50% of the monthly median adjusted household income for the county.
- (11) *Employee housing* means an attached or detached dwelling unit that is intended to serve as affordable, permanent housing for working households, which derive at least 70% of their household income from gainful employment in the county and meet the requirements for affordable housing as defined in MCC §101-1 and as per MCC §130-161.
- (12) *Employer-owned rental housing* means an attached or detached dwelling unit owned by a firm, business, educational institution, non-governmental or governmental agency, corporation or other entity that is intended to serve as affordable, permanent housing for its employees. This category of employee housing shall be located on the same parcel of land as the nonresidential use.
- (13) *Inclusionary housing* means the resulting affordable and/or employee housing created or preserved with the development and/or redevelopment of a parcel where provisions of approved development agreements or orders implement and promote affordable and/or employee housing goals, objectives and policies contained in the plan by requiring set-asides for affordable and/or employee housing units.
- (14) *Median income, rental rates and qualifying incomes table*, means eligibility requirements compiled each year by the planning department based upon the median annual household income published for the county on an annual basis by the U.S. Department of Housing and Urban Development and similar information for median and moderate income levels from the Florida Housing Finance Corporation. Affordable housing eligibility requirements for each household will be based upon median annual household income adjusted by family size, as set forth by the U.S. Department of Housing and Urban Development and the Florida Housing Finance Corporation. The county shall rely upon this information to determine maximum rental rates and maximum household incomes eligible for affordable housing rental or purchase.

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

There are several requirements and incentives related to the development of employee housing/affordable housing. MCC §130-161, which provides most of these provisions, is attached to this letter.

8. Mixed Use (MU) Permitted Uses: The proposed number of dwelling units and the proposed type of dwelling unit (attached or detached) were not provided. In addition, a site plan was not provided (therefore, it is not known if the affordable housing use would be located in the MU portion of the site).

Pursuant to MCC §130-88(a)(1), density-permitting, detached residential dwellings, which may or may not be restricted as affordable housing, may be permitted as of right.

Pursuant to MCC §130-88(a)(19), density-permitting, attached and unattached residential dwellings involving 5 units or less, designated as employee housing as provided for in MCC §130-161, may be permitted as of right. [Note: *Employee housing* is a type of affordable housing with additional restrictions. Employee housing means an attached or detached dwelling unit that is intended to serve as affordable, permanent housing for working households, which derive at least 70% of their household income from gainful employment in the county and meet the requirements for affordable housing as defined in MCC §101-1 and as per MCC §130-161.]

Pursuant to MCC §130-88(b)(1), density-permitting, attached residential dwellings, which may or may not be restricted as affordable housing, may be permitted with a minor conditional use permit provided: a) the total number of units does not exceed four and b) the structures are designed and located so that they are visually compatible with established residential development within 250' of the parcel proposed for development.

Pursuant to MCC §130-88(b)(12), density-permitting, attached and unattached residential dwellings involving 6 to 18 units, designated as employee housing as provided for in MCC §130-161, may be permitted with a minor conditional use permit.

Pursuant to MCC §130-88(c)(3), density-permitting, attached residential dwellings, which may or may not be restricted as affordable housing, may be permitted with a major conditional use permit provided: a) the structures are designed and located so that they are visually compatible with established residential development within 250' of the parcel proposed for development and b) the parcel proposed for development is separated from any established residential use by a class "C" bufferyard.

Pursuant to MCC §130-88(c)(12), density-permitting, attached and unattached residential dwellings involving 19 units or more, designated as employee housing as provided for in MCC §130-161, may be permitted with a major conditional use permit.

9. Urban Residential (UR) Permitted Uses: The proposed number of dwelling units and the proposed type of dwelling unit (attached or detached) were not provided. In addition, a site plan was not provided (therefore, it is not known if the affordable housing use would be located in the UR portion of the site).

Pursuant to MCC §130-98(a)(1), density-permitting, detached residential dwellings, which may or may not be restricted as affordable housing, may be permitted as of right.

Pursuant to MCC §130-98(b)(1), density-permitting, attached residential dwellings, which may or may not be restricted as affordable housing, may be permitted with a minor conditional use permit provided: a) sufficient common areas for recreation are provided to serve the number of dwelling units proposed to be developed; b) all entryways are designed and lighted to allow safe and secure access to all structures from walks and parking areas; and c) access to US 1 is by way of 1) an existing curb cut; 2) a signalized intersection or 3) curb cut that is separated from any other curb cut on the same side of US 1 by at least 400'.

10. Suburban Commercial (SC) Permitted Uses: The proposed number of dwelling units and the proposed type of dwelling unit (attached or detached) were not provided. In addition, a site plan was not provided (therefore, it is not known if the affordable housing use would be located in the SC portion of the site).

Affordable housing not further distinguished as employee housing is not permitted in the SC district. Employee housing is a type of affordable housing with additional restrictions. *Employee housing* means an attached or detached dwelling unit that is intended to serve as affordable, permanent housing for working households, which derive at least 70% of their household income from gainful employment in the county and meet the requirements for affordable housing as defined in MCC §101-1 and as per MCC §130-161.

Pursuant to MCC §130-93(a)(15), density-permitting, attached and unattached residential dwellings involving 5 units or less, designated as employee housing as provided for in MCC §130-161, may be permitted as of right.

Pursuant to MCC §130-93(b)(9), density-permitting, attached and unattached residential dwellings involving 6 to 18 units, designated as employee housing as provided for in MCC §130-161, may be permitted with a minor conditional use permit.

Pursuant to MCC §130-93(c)(10), density-permitting, attached and unattached residential dwellings involving 19 units or more, designated as employee housing as provided for in MCC §130-161, may be permitted with a major conditional use permit.

11. Minor conditional use permit applications are approved, approved with conditions or denied by the Director of Planning following a public meeting of the Development Review Committee. Major conditional use permit applications are approved, approved with conditions or denied by the Planning Commission following a public meeting of the Development Review Committee and a public hearing of the Planning Commission.

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

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

As set forth in MCC §138-22(1), the ROGO permit allocation system shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established dwelling unit that does not increase the number of dwelling units that existed on the site. Therefore, the Applicant is entitled to one dwelling unit allocation, exempt from the ROGO permit allocation system, for the dwelling unit that was lawfully-established. In 2006, a Letter of Understanding and Development Rights Determination established that 22 permanent market-rate residential units and 11 transient residential units had been lawfully-established on the property and thereby their replacement would be exempt from the ROGO permit allocation system.

Any additional units would require ROGO allocations.

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

Nonresidential floor area means the sum of the total floor area for a nonresidential building or structure, as defined in MCC §101-1. Additionally, covered and unenclosed boat racks with three or fewer sides not associated with retail sales of boats are not considered nonresidential floor area. Further, the term "nonresidential floor area" does not include space occupied by residential uses, including spaces occupied by a transient residential unit and an institutional-residential use as defined in MCC §101-1.

Pursuant to MCC §138-50, the NROGO permit allocation system shall not apply to the redevelopment, rehabilitation or replacement of any lawfully established nonresidential floor area which does not increase the amount of nonresidential floor area greater than that which existed on the site prior to the redevelopment, rehabilitation or replacement. The planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about September 19, 2001, the effective date of the original NROGO. In 2006, a Letter of Understanding and Development Rights Determination established that 5,138 SF of non-residential floor area had been lawfully-established on the property and thereby its replacement would be exempt from the NROGO permit allocation system.

The Applicant did not specify whether or not the existing restaurant would remain. As a note, as set forth in the development agreement and Resolution #P69-07, the existing approval permitted the redevelopment of the subject property with 3,782 SF of commercial retail non-residential floor area (1,718 SF of covered, enclosed floor area and 2,064 SF of covered, unenclosed area for outdoor seating).

The applicant later requested a minor deviation to the footprint and size of the canopy that in part covers the outdoor seating area (although not all of the area beneath the canopy is utilized for outdoor seating).

At the time of the development agreement and major conditional use permit applications, the property owner only intended to utilize 3,782 SF of the 5,183 SF (to cover the 2,064 SF outdoor seating area and for the 1,718 SF of covered, enclosed space within the restaurant building). The development agreement permitted the applicant to transfer the remaining 1,401 SF balance of excess nonresidential floor area off-site. However, neither the development agreement nor Resolution #P69-07 prohibited the on-site use of the excess floor area in the future for a structure(s) that is subject to NROGO, but not subject to density.

As part of the minor deviation application, the property owner requested to enlarge the size of the canopy/awning from 2,064 SF to 3,559 SF (an increase of 1,495 SF). The property owner requested to utilize the 1,401 SF balance of excess nonresidential floor area documented in the development agreement and 94 SF of the property's one-time de minimis expansion of nonresidential floor area permitted in MCC §138-50. The minor deviation allowed the increase the square footage of the canopy (2064 SF to 3,559 SF); however not the square footage of the outdoor seating area (2,064 SF).

14. According to the staff report prepared for the major conditional use permit application, the property consists of approximately 3.29 acres (143,312 SF) of upland (including abandoned rights-of-way). However, the property is divided within three land use districts. Maximum land use intensities are assigned per land use district and therefore land use intensity for the subject property must be calculated per the areas of each district in the subject property, not overall.

Per the GIS database, RE #00554420.000000 is MU and consists of 1.14 acres; RE #00554670.000000, RE #00554700.000000 and RE #00554730.000000 are UR and consist of 1.29 acres; and RE #00554740.000000 is SC and consists of 1.14 acres (however per the site plan associated with the major conditional use permit, only approximately 0.48 acres / 20,812 SF of RE #00554740.000000 is above mean high water).

Per BOCC Resolutions #603-2006 and #604-2006, 10,270 SF of First Street was abandoned (5,135 SF / 0.12 acres of which is MU and 5,135 SF / 0.12 acres of which is UR) and 6,556 SF of Second Street was abandoned (3,278 SF / 0.08 acres of which is UR and 3,278 SF / 0.08 acres of which is SC). [Note: if the abandoned road segments are reverted back to the County, the property owner can no longer utilize their areas for land use intensity purposes.]

As defined in MCC §101-1, *density, maximum net*, means the maximum density permitted to be developed per unit of land on the net buildable area of a site, as measured in dwelling units or rooms per acre. *Net buildable area* means that portion of a parcel of land that is developable and is not open space required by MCC §130-157 or required minimum bufferyard under MCC chapter 114, article V or required setbacks under MCC §130-186.

The following land use intensities apply:

Mixed Use (MU) (Currently vacant)					
Land Use	Max Net Density	Size of Site (upland acres)	Size of Site (buildable acres)	Max Allowed	Proposed
Affordable Housing	18 units / buildable acre ¹	1.26 acres	1.01 buildable acres	18 units	Not provided

Note 1: Pursuant to MCC §130-161(a), a MU parcel may be developed with affordable employee housing up to a maximum net residential density of 18 dwelling units per buildable acre. Further, for employee housing, the maximum net residential density allowed per district shall not require transferable development rights (TDRs).

Urban Residential (UR) (Currently vacant)					
Land Use	Max Net Density	Size of Site (upland acres)	Size of Site (buildable acres)	Max Allowed	Proposed
Employee Housing	25 units / buildable acre*	1.49 acres	1.19 buildable acres	29 units	Not provided

Note 1: Pursuant to MCC §130-161(a), a UR parcel may be developed with affordable housing up to a maximum net residential density of 25 dwelling units per buildable acre. Further, for employee

housing, the maximum net residential density allowed per district shall not require transferable development rights (TDRs).

Suburban Commercial (SC) (Currently developed with a 1,718 SF restaurant)					
Land Use	Max Net Density / FAR	Size of Site (upland acres)	Size of Site (buildable acres)	Max Allowed	Proposed
Affordable Housing	18 units / buildable acre ¹	0.56 acres	0.45 buildable acres	8 units	Not provided
Commercial Retail	0.25 FAR	24,090 SF	n/a	6,022 SF	1,718 SF (28.5%)
Cumulative total (cannot exceed 100%) ²					To be determined

Note 1: Pursuant to MCC §130-161(a), a SC parcel may be developed with employee housing up to a maximum net residential density of 18 dwelling units per buildable acre. Further, for employee housing, the maximum net residential density allowed per district shall not require transferable development rights (TDRs).

Note 2: Pursuant to MCC §130-161(a), when calculating density, any affordable or employee housing on a parcel and the floor area thereof shall be excluded from the calculation of the total gross nonresidential floor area development that may be lawfully established on the parcel, provided, however, that the total residential density allowed on the site shall not exceed the maximum net density for affordable and employee housing.

In general, a development on the subject property could be approved with up to 55 affordable housing units. However, it should be noted that the aforementioned figures are based in part on GIS data, which may be inaccurate. In the event of any new application submittal, a sealed site plan, prepared by an engineer or architect, shall be required showing the precise amount of land areas.

15. In the MU, UR and SC districts, there is a required open space ratio of 0.20 or 20%. In addition, in the shoreline setback area adjacent to the waterfront, there is a required open space ratio of 0.40 or 40%. As defined in MCC §101-1, *open space* means that portion of any parcel or area of land or water that is required to be maintained such that the area within its boundaries is open and unobstructed from the ground to the sky.
16. The required non-shoreline setbacks in the MU district are as follows: Front yard – 25' (for residential uses); Rear yard – 20'; and Side yard – 10'/15' (where 10' is required for one side and 15' is the minimum combined total of both sides).

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

The required non-shoreline setbacks in the SC district are as follows: Front yard – 25'; Rear yard – 10'; and Side yard – 10'/15' (where 10' is required for one side and 15' is the minimum combined total of both sides).

There are required front yard setbacks of 25' along the rights-of-way of Second Avenue and US 1 and required side/rear yard setbacks of 10' along the property lines to the northeast. Since East First Street and East Second Street were abandoned, currently there are no required setbacks from these roadways as they are now considered part of the subject property (however, if the abandoned roads are reverted back to the County as provided for in the development agreement, setbacks would again be required along the rights-of-way).

The applicant has not indicated if the existing two existing buildings would be maintained, demolished or modified. The restaurant building is not in compliance with the non-shoreline setback regulations; however it is lawfully non-conforming and may continue to exist in accordance with the nonconforming structure provisions of the MCC and M CCP.

17. Pursuant to MCC §118-12, the required shoreline setback along the shoreline is 20' for principal structures. Accessory structures at a foundation height of 18" or less may be constructed within the shoreline setback; however in no event shall the total, combined area of all structures occupy more than 60% of the upland area of the shoreline setback.

The applicant has not indicated if the existing two existing buildings would be maintained, demolished or modified. The restaurant building is not in compliance with the shoreline setback regulations; however it is lawfully non-conforming and may continue to exist in accordance with the nonconforming structure provisions of the MCC and M CCP.

The canopy and outdoor seating area for the restaurant, as well as the previously approved building, are also located within the shoreline setback. There are no variances to the shoreline setback regulations. However, in accordance with MCC §118-12(o), for structures serving commercial uses, the Director of Planning & Environmental Resources or the Planning Commission may approve deviations from the requirements as part of a minor or major conditional use permit. Such approval may include additional structures or uses, provided that such approval is consistent with any permitted uses, densities, and intensities of the land use district, furthers the purposes of this section, is consistent with the general standards applicable to all uses, and the proposed structures are located in a disturbed area of an altered shoreline. Such additional uses are limited to waterfront dining areas, pedestrian walkways, public monuments or statues, informational kiosks, fuel or septic facilities, and water-dependent marina uses. Any such development shall make adequate provision for a water quality monitoring program for a period of five years after the completion of the development.

The previous approval by the Planning Commission, as well as the subsequent minor deviation thereto, approved an unclosed canopy and an outdoor seating area within the shoreline setback. [Note: The minor deviation required the development to be related to a waterfront dining area and a water monitoring program is in place for a period of five years.]

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

<i>Specific Use</i>	<i>Multiplier</i>	<i>Proposed</i>	<i>Required Spaces</i>
Multi-family residential developments	2 spaces / each 1 or 2 bedroom unit	To be determined	To be determined
	3 spaces / each 3 or more bedroom unit		
Eating and drinking establishments, such as restaurants and bars	For areas devoted to food/beverage service, 1 space / 3 seats or 3 spaces per 1,000 SF of floor area, whichever total amount is higher.	To be determined	To be determined
	For other areas, 3 spaces / 1,000 SF of floor area within the building separate from the seating area and devoted to activities other than food/beverage service (including, but not limited to, kitchen, office, retail sales not related to food or beverage and storage).		
Total			To be determined

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

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

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

19. If a parking lot/area is provided in the MU and/or UR portion of the subject property and it contains 6 or more spaces, a class "C" landscaping standard is required. If a parking lot/area is provided in the SC portion of the subject property and it contains 6 or more spaces, a class "A" landscaping standard is required. Landscaping is described/illustrated in MCC §114-100. No site plan was provided to determine compliance with landscaping requirements.
20. A major street bufferyard is required along the US 1 right-of-way (which is adjacent to the MU portion of the subject property). In the MU district, the required major street bufferyard is a class "B" bufferyard. The minimum class "B" bufferyard is 5' in width. Widths of 10', 15' and 20' are also optional with reduced planting requirements. Bufferyard standards are described/illustrated in MCC §114-128. No site plan was provided to determine compliance with landscaping requirements.
21. Land use district bufferyards are required.

Along the northeastern property line, there is a URM district adjacent to the MU portion of the site. Along a MU/URM boundary line, a class "C" district boundary bufferyard is required.

Along the southwestern property line, there is a SC district adjacent to the UR portion of the site. Along a UR/SC boundary line, a class "C" district boundary bufferyard is required.

Internally, along the MU/UR and SC/UR boundary lined, class "C" district boundary bufferyards are required.

Note: A variance was concurrently granted with the major conditional use permit to allow the property owner to disperse the vegetation associated with the required "internal" bufferyards throughout the site rather than along the internal district boundary lines. No site plan was provided to determine compliance with landscaping requirements. If a new site plan is submitted, compliance with the current requirements or an additional variance approval may be required.

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

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

A landscape plan was not submitted for review.

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

A surface water management plan was not submitted for review.

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

Building plans were not submitted for review.

25. A traffic study shall be required as a part of conditional use permit and building permit applications that involve modifications to the site. The projected trip generation and level of service of US 1 directly affect whether or not the redevelopment may be permitted or prohibited. The County's traffic consultant shall review the traffic impact analysis as part of a development approval application to determine to what extent the redevelopment will affect the level of service along US 1. According to the 2013 US 1 Arterial Travel Time and Delay Study, Segment 22 of US 1 had a "A" level of service.

A traffic study was not submitted for review.

26. No building permit shall be issued by the county for impact-producing development unless the applicant has paid the applicable impact fees. Therefore, for redevelopment that increases the amount of dwelling units and/or non-residential floor area above that existing on the site prior to redevelopment, an impact fee(s) will be assessed.

V. OTHER ISSUES CONCERNING THE PROPOSAL

1. In the event the property owner's lease of Second Avenue with the County expires, any improvements located in the right-of-way of Second Avenue may have to be removed or modified to be located completely on-site.
2. If the restaurant is to remain, conditions related to its approval continue to remain in effect, including but not limited to the following conditions from the 2012 minor deviation to the major conditional use permit approved by Resolution #P69-07:

10) Tables shall be set back at least five (5) feet from the shoreline. The property owner shall install and maintain netting or another form of barrier deemed acceptable to the Planning & Environmental Resources Department to limit litter and debris associated with the outdoor seating from entering the water.

11) A water monitoring program is required for five years from the date in which this minor deviation is recorded in the official records of Monroe County. Based on this type of use, only an observational program is required. Over the five years, a County Biologist shall inspect the property at least two times in a year to ensure that the activities related to the outdoor seating are not degrading the quality of the water in the canal. If the County Biologist of Director of Planning & Environmental Resources determines that such degradation is occurring, the County reserves the right to suspend use of the outdoor seating area until the degradation issue is resolved.

3. Any development on Key Largo shall be consistent with all goals, strategies and action items of the *Key Largo Community Master Plan*, commonly known as the Key Largo Livable CommuniKeys Plan. A copy of this plan will be provided upon request.
4. Prior to the issuance of any building permit, if such review is required, all proposed development shall be found in compliance by the Monroe County Building Department and the Monroe County Office of the Fire Marshal. Staff recommends that the Applicant coordinate with these offices prior to application submittal. The Planning & Environmental Resources Department does not review for compliance with the Florida Building Code.
5. The subject property is within flood zones. All new structures must be built to floodplain management standards that meet those for flood protection.
6. All development shall be required to meet all standards and requirements of the Americans with Disabilities Act (ADA).

* * * * *

Pursuant to MCC §110-3, you are entitled to rely upon the representations set forth in this letter as accurate under the regulations currently in effect. This letter does not provide any vesting to the existing regulations. If the Monroe County Code or Comprehensive Plan is amended, the project will be required to be consistent with all regulations and policies at the time of development approval. The Department acknowledges that all items required as a part of the application for development approval may not have been addressed, and consequently reserves the right for additional comment.

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

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

Sincerely yours,



Townsley Schwab,
Senior Director Planning & Environmental Resources

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

**Storm Water Management Plan
For**

KEY MARINA DEVELOPMENT, LLC.
At Mandalay



Project Description: Project is a redevelopment of a Resort, with Vacation Rentals and Motels Suites together with an existing Restaurant and Amenities the project has two Major Buildings, and a Reception Building. The subject property extends from U.S. Highway One / Overseas Hwy. to the Atlantic Ocean

Project Location: Project is located at 39 and 43 E. 2nd. Ave., Key Largo, Fl. 33037, Mile Marker 97.5

Existing Site Conditions:

Vegetation: The development site was developed, and previously cleared. It is now scarified.

Soils: The area is top soil and sand over pervious oolite rock. The water table is at 3.1' below existing grade.

Flood Plan & Elevations: The property is in multiple Flood Zones from AE-8' to VE-11' zone. The site elevation is from 1.8' MSL to 6.2' MSL.

Engineering By:

Keys Engineering Services

Daryle L. Osborn • PE #27428
91700 Overseas Highway, Suite #1
Tavernier, Florida 33070 • 305-852-0262

Storm Water Management Plan CURRENT CRITERIA

Site Data:

Total Upland Site Area = 139,012 square feet

Impervious Areas

Buildings, Walkways, HC Parking = 37,812 square feet

Gravel w/ parking = 41,699 square feet

Total = 79,511 square feet

Note: French Drains factored in Cals.

As Open Space w/ 25 yr runoff = -12,163 square feet

Adjusted Total = 67,348 square feet

Percent Impervious = 57.2 %

Open /Pervious = 59,501 square feet

Percent Pervious = 42.8%

Pre / Post Development Runoff:

Total Runoff $Q = (P-0.2S)^2 / (P+.8S)$

Where

S = Potential Maximum Retention (in)

P = 25 year 72 Hour Storm Rainfall (in)

Q = Runoff (in)

Potential Maximum Retention (S) is related to Curve Number (CN) based on the following expression:

$$S = (1000/CN)-10$$

$$CN (\text{Open Space}) = 49$$

$$CN = (\text{Sand/Gravel}) = 76$$

$$CN (\text{Urban Commercial}) = 95$$

Pre – Development Runoff

$$CN = \frac{49(116,826) + 95(15,736) + 76(6,450)}{139,012}$$

$$CN = 54.61$$

$$S = 1000/CN - 10$$

$$S = 8.31$$

$$P = 12$$

$$Q = (P - .2S)^2 / (P + .8S)$$

$$Q = 5.73$$

Post Development Runoff

$$CN = \frac{49(71,664) + 95(37,812) + 76(29,536)}{139,012}$$

$$CN = 67.24$$

$$S = 1000 / CN - 10$$

$$S = 4.87$$

$$P = 12$$

$$Q = (P - .2S)^2 / (P + .8S)$$

$$Q = 7.65$$

Pre-Development vs Post Development Calculations

$$7.65 - 5.73 = 1.92$$

$$1.92(139,012) / 12 = 22,241 \text{ cf}$$

Volume of Water to be Treated:

The storm water runoff should be maintained on site by dry retention. The gravel parking areas shall be excavated to a depth of 15" below existing grade and filled to create a 50% voids French Drain.

Water Quality:

The volume of water to be treated and controlled is ½ inch initial runoff:

$$0.5 \times 139,012 / 12 = 5,792 \text{ cubic feet}$$

The proposed site condition shall have granite chip surface in parking area, filter cloth under 6" sand, together with a 6" concrete curb at the water's/ boat basin edge, which shall filter and retain any surface water runoff not retained by French Drains.

25 Year Storm:

A 25 year storm over a 24 hour period in South Florida will average 1.05 inches of rainfall per hour. The initial wash calculations used a rate of 0.51 inches per hour.

$$1.05 \times 139,012 / 12 = 12,163.55 \text{ cubic feet}$$

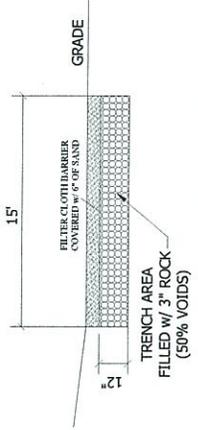
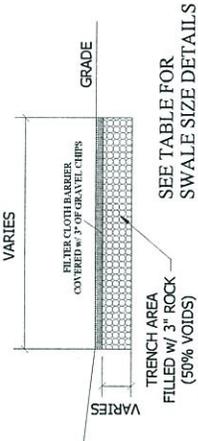
The Pre and Post Development calculations are worst case and will govern.

Please refer to attached site plan for location of swales, French drains, and existing direction of grading / land contour.

KEY MARINA DEVELOPMENT, LLC.
 MAJOR CONDITIONAL USE at MANDALAY

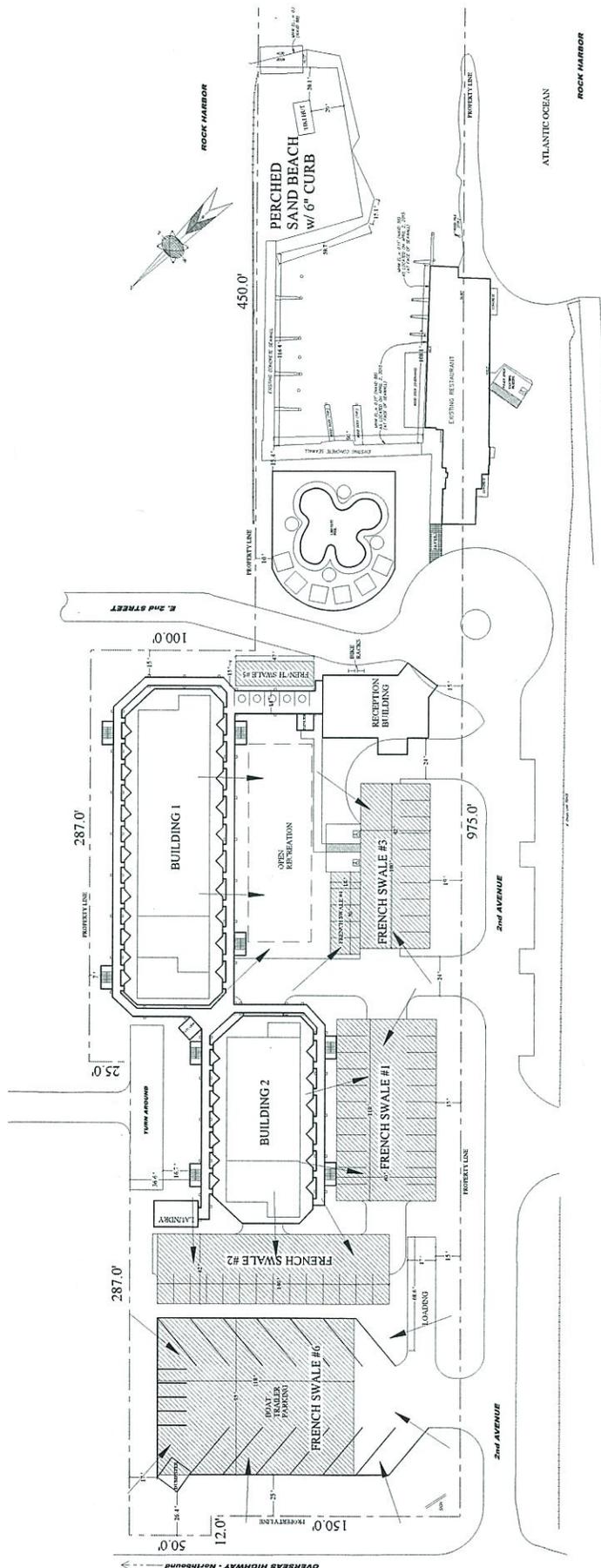
SWALE SIZE INFORMATION TABLE

SWALE #	LENGTH	WIDTH	DEPTH	VOLUME	COVER
SWALE #1	110	60	2	6600 ft ³	GRAVEL
SWALE #2	140	42	2	5880 ft ³	GRAVEL
SWALE #3	100	42	2	4200 ft ³	GRAVEL
SWALE #4	50	18	2	900 ft ³	GRAVEL
SWALE #5	47	15	1	352.5 ft ³	SAND
SWALE #6	118	95	1	5605 ft ³	GRAVEL
TOTAL VOLUME				23537.5 ft³	



SEE TABLE FOR
 SWALE SIZE DETAILS

SEE TABLE FOR
 SWALE SIZE DETAILS



CONCEPTUAL STORMWATER MANAGEMENT PLAN
 SCALE: 1" = 30'

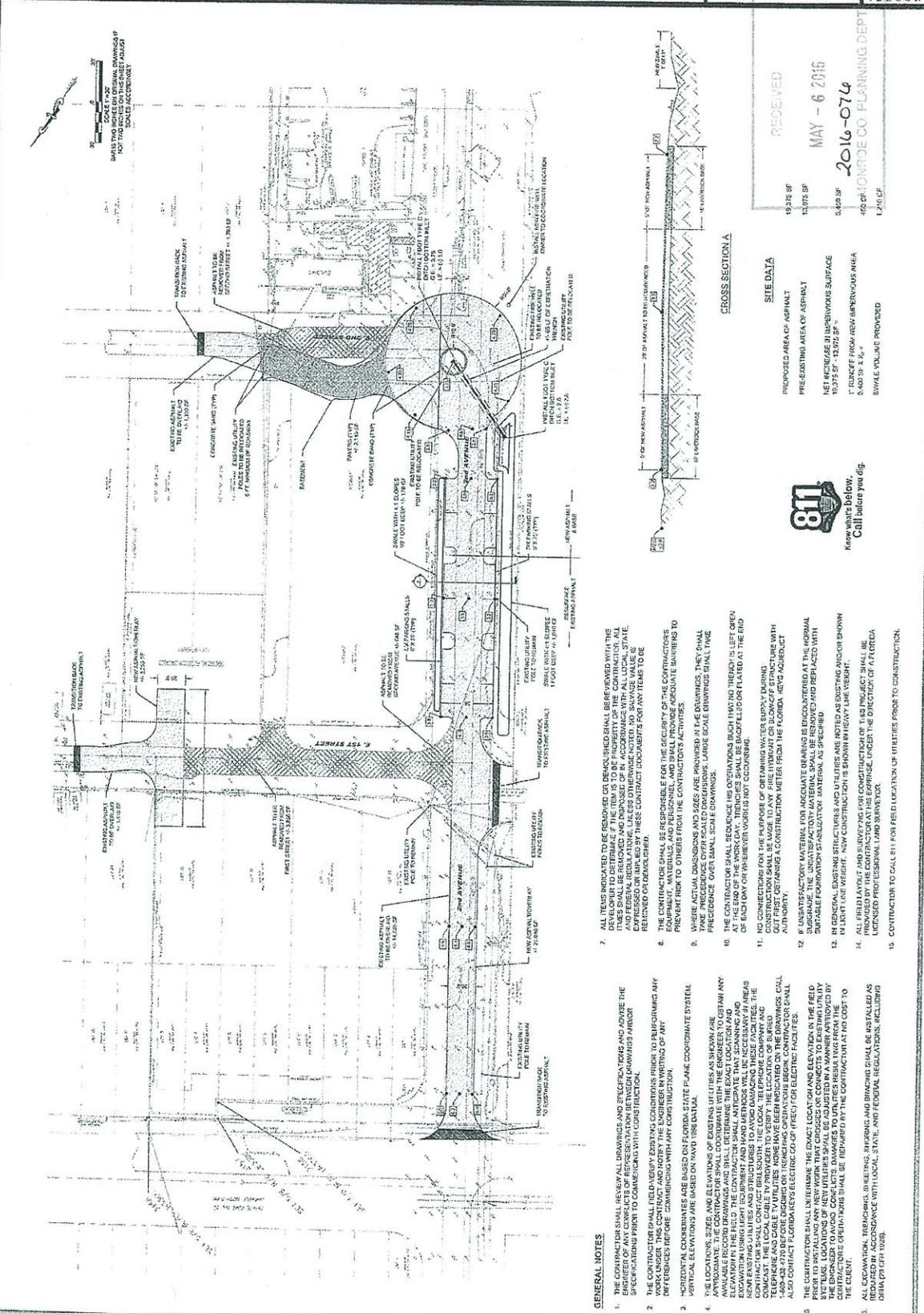
REVISIONS	BY

detaHaas
 Consulting & Design
 305.492.9091 fax: 305.492.4198

KEYS ENGINEERING SERVICES
 9170A W. UNIVERSITY BLVD. SUITE 101
 TAMPA, FL 33628
 TEL: 813.973.8888
 FAX: 813.973.8889

KEY MARINA DEVELOPMENT
 CONCEPTUAL STORMWATER MANAGEMENT PLAN

SW
 SHEET
 DATE: _____
 CHECKED BY: _____
 DESIGNED BY: _____
 DRAWN BY: _____



GENERAL NOTES

1. THE CONTRACTOR SHALL REVIEW ALL DRAWINGS AND SPECIFICATIONS AND ADVISE THE ENGINEER OF ANY CONFLICTS OR AMBIGUITIES PRIOR TO COMMENCING WORK.
2. THE CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS PRIOR TO BEGINNING ANY WORK UNDER THIS CONTRACT AND NOTIFY THE ENGINEER IN WRITING OF ANY DIFFERENCES BEFORE COMMENCING WITH ANY CONSTRUCTION.
3. HORIZONTAL COORDINATES ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM. HORIZONTAL ELEVATIONS ARE BASED ON NAVD 83 DATUM.
4. THE LOCATION, SIZE AND ELEVATIONS OF EXISTING UTILITIES AS SHOWN ARE AVAILABLE RECORD DRAWINGS AND SHALL DETERMINE THE EXACT LOCATION OF ANY UTILITY IN THE FIELD. THE CONTRACTOR SHALL ANTICIPATE THAT SPANNING AND EXISTING UTILITIES AND STRUCTURES TO AVOID DAMAGING THESE FACILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL TELEPHONE COMPANY AND CABLE TV UTILITIES. NONE HAVE BEEN INDICATED ON THE DRAWINGS. CALL ALSO CONTACT FLORIDA POWER AND LIGHTS FOR RECORD DRAWINGS.
5. THE CONTRACTOR SHALL INTERFERE WITH ALL EXISTING UTILITIES PRIOR TO BEGINNING ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL TELEPHONE COMPANY AND CABLE TV UTILITIES. NONE HAVE BEEN INDICATED ON THE DRAWINGS. CALL ALSO CONTACT FLORIDA POWER AND LIGHTS FOR RECORD DRAWINGS.
6. ALL EXCAVATION, TRENCHING, SHEETING, SHIPING AND BRACING SHALL BE INSTALLED AS SHOWN IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS, INCLUDING OSHA (29 CFR 1926).

7. ALL TRENCHES TO BE OPEN FOR EXCESSIVE PERIODS SHALL BE REVIEWED WITH THE DEVELOPER TO DETERMINE IF THE TRENCHES SHALL BE REPAIRED WITH ALL LOCAL STATE, FEDERAL AND FEDERAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIRS EXPRESSED OR IMPLIED BY THESE CONTRACT DOCUMENTS FOR ANY TRENCHES TO BE REPAIRED OR RECONSTRUCTED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SECURITY OF THE CONTRACTORS PERSONNEL, MATERIALS, AND PERSONNEL, AND SHALL PROVIDE ADEQUATE WARNING TO THE PUBLIC TO OTHERS FROM THE CONTRACTORS ACTIVITIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL TRENCHES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL TRENCHES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL TRENCHES.
10. THE CONTRACTOR SHALL REINFORCE HIS OBTAINATIONS SUCH THAT HIS TRENCHES, SET ASKS AT THE END OF THE WORKDAY, TRENCHES SHALL BE BACKFILLED OR FLATTED AT THE END OF THE DAY FOR THE BENEFIT OF THE PUBLIC.
11. NO CONNECTIONS FOR THE PURPOSE OF OBTAINING WATER SUPPLY DURING CONSTRUCTION SHALL BE MADE WITHOUT THE APPROVAL OF THE LOCAL WATER AUTHORITY FIRST OBTAINING A CONSTRUCTION METEER FROM THE FLORIDA WATER SUPPLY AUTHORITY.
12. IF UNSATISFACTORY MATERIAL FOR ADEQUATE DRAINAGE IS ENCOUNTERED AT THE NORMAL SURFACE OF THE CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE UNSATISFACTORY MATERIAL. MATERIAL AS SPECIFIED IN THE DRAWINGS SHALL BE USED FOR THE REMOVAL OF THE UNSATISFACTORY MATERIAL.
13. ALL EXCAVATION SHALL BE PROTECTED WITH CURBS AND BARRIERS TO PREVENT THE PUBLIC FROM ENTERING THE EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL EXCAVATIONS.
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15. CONTRACTOR TO CALL 811 FOR FIELD LOCATION OF UTILITIES PRIOR TO CONSTRUCTION.



CROSS SECTION A

SITE DATA	
PROPOSED AREA OF ASPHALT	19,275 SF
PRE-EXISTING AREA OF ASPHALT	13,275 SF
NET INCREASE IN IMPERVIOUS SURFACE	6,000 SF
T RAINOFF FROM NEW IMPERVIOUS AREA	5,400 SF X 0.46
SWALE VOLUME PROVIDED	1.27% OF

KEY MARINA DEVELOPMENT, LLC. MAJOR CONDITIONAL USE at MANDALAY

GENERAL PARKING NOTES

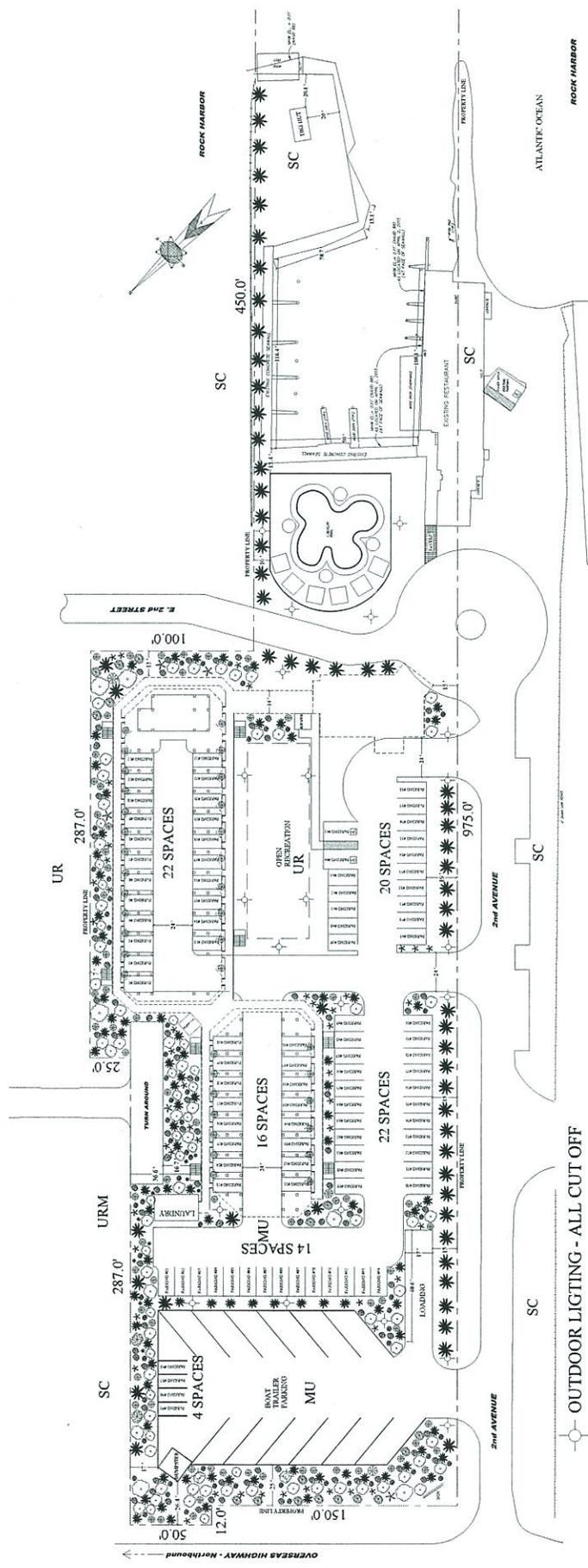
Wheel stop requirements:
All maneuvering surfaces, including spaces shall be clearly marked by signage or other means. All maneuvering surfaces shall be clearly marked by signage or other means. All maneuvering surfaces shall be clearly marked by signage or other means. All maneuvering surfaces shall be clearly marked by signage or other means.

Handicapped spaces:
A bicycle rack, for parking bicycles shall be provided by all residential development within 200 feet of an existing or programmed state or county bikeway. This minimum requirement shall be provided by all residential development within 200 feet of an existing or programmed state or county bikeway. This minimum requirement shall be provided by all residential development within 200 feet of an existing or programmed state or county bikeway.

Parking Landscaping requirements: Please refer to landscaping plan sheet

OFF-STREET PARKING		
SPECIFIC USE CATEGORY	REQUIREMENTS	SPACES PROVIDED
RESIDENT (RESIDENTIAL)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
RESIDENT (HOTEL/RESORT)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
RESIDENT (MOTOR HOTEL)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
PARKING (HOTEL/RESORT)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
PARKING (MOTOR HOTEL)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
PARKING (RESTAURANT/CLUB)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
PARKING (RESTAURANT/CLUB)	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
UNASSIGNED SPACES	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
LOADING ZONE	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES
BIKE RACKS PROVIDED	1.5 SPACES PER 700 SQ. FT. UNIT	33 SPACES

Please Note: ON-STREET PARKING NOT SHOWN



PROPOSED PARKING PLAN
SCALE: 1" = 30'

OUTDOOR LIGHTING - ALL CUT OFF

REVISIONS	BY

detaas
Consulting & Design
David detahas, P.E.
305.892.9051 fax 305.892.4198

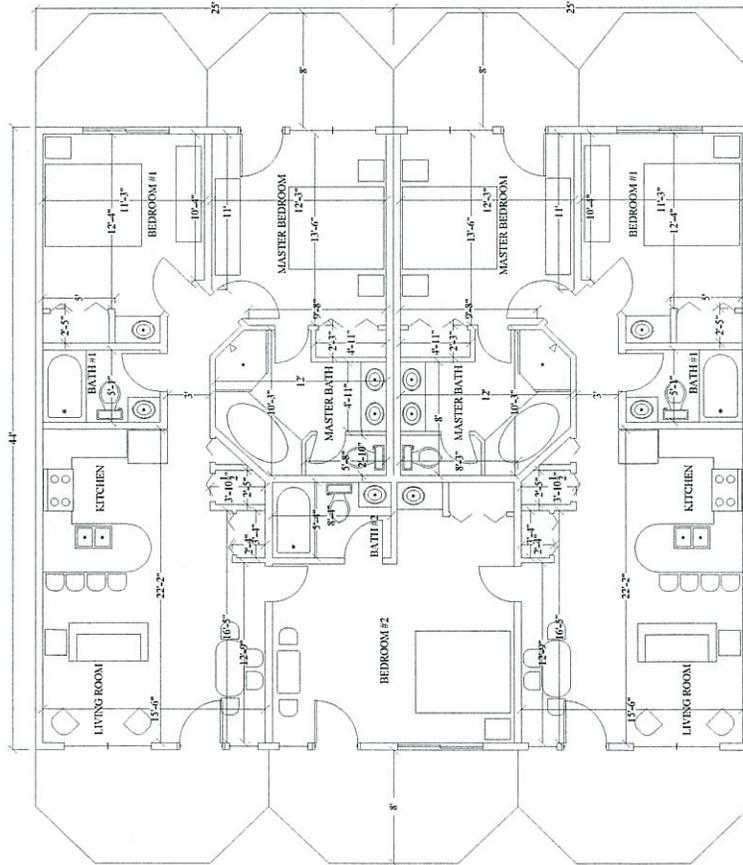
KEYS ENGINEERING SERVICES
9170 W. BAYVIEW AVENUE, SUITE 100
MIAMI, FL 33148
TEL: 305.442.1100
FAX: 305.442.1101

KEY MARINA DEVELOPMENT
PARKING PLAN

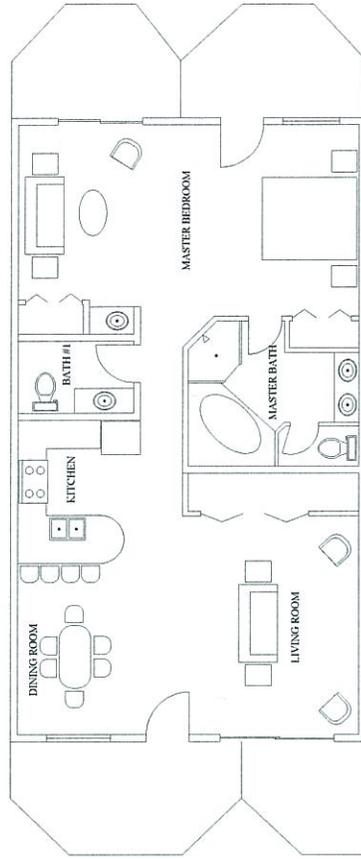
PROJECT: KEY MARINA DEVELOPMENT
DESIGNED BY: D. DETAHAS
DATE: 01/14/14
SHEET: C-3
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KEY MARINA DEVELOPMENT, LLC.
 MAJOR CONDITIONAL USE at MANDALAY



FLOOR LAYOUT - SHARED 3rd BEDROOM
 SCALE: 1/4" = 1'



FLOOR PLAN - MOTEL SUITE SECOND LEVEL - BLDG 2
 SCALE: 1/4" = 1'

REVISIONS	BY

dethaas
 Consulting & Design
 David deHaas, P.E. (Lic. No. 305,052,419A)
 David deHaas, P.E. (Lic. No. 305,052,419A)

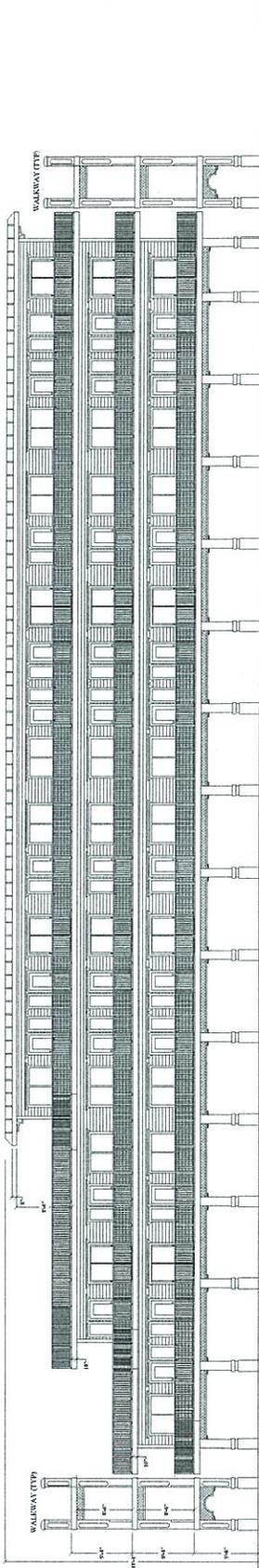
KEYS ENGINEERING SERVICES
 17170 W. UNIVERSITY BLVD., SUITE 111
 TAMPA, FL 33613
 TEL: 813.242.8888
 FAX: 813.242.8889
 WWW.KEYSENG.COM

KEY MARINA DEVELOPMENT
 PLAN VIEW
 ENGINEERING BY

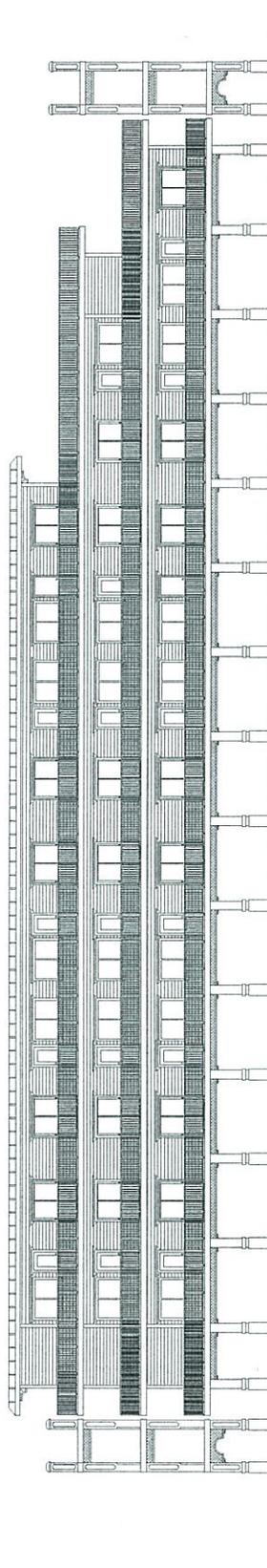
DATE: 01/14/2014
 DRAWN BY: JEFF FOX/MBG
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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



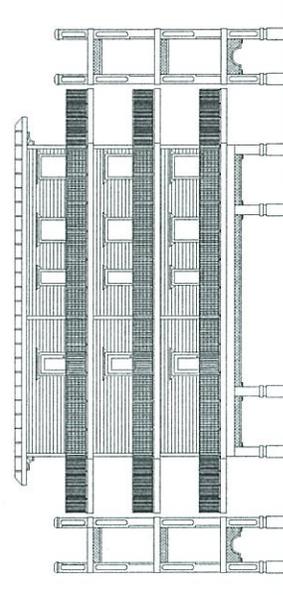
ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 1 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY

deHaas
 Consulting & Design
 David deHaas, Crosscheck
 305.892.0991 Fax: 305.892.4138

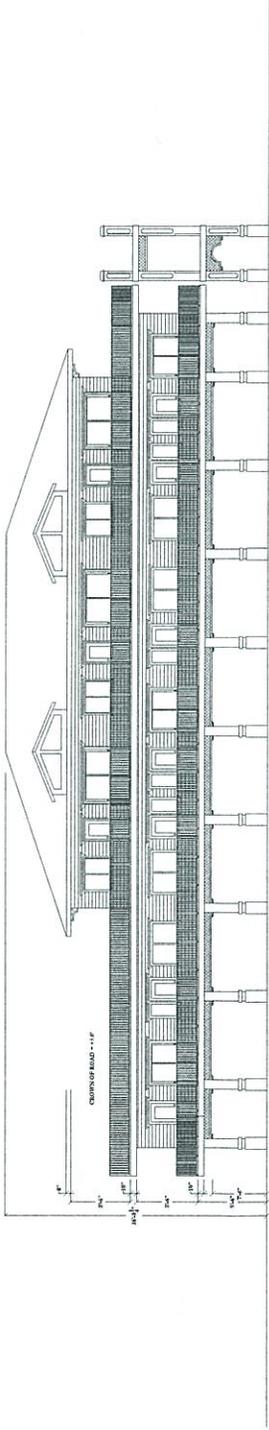
KEYS ENGINEERING SERVICES
 ENGINEERING BY
 David M. L. Cannon
 9175 W. BAYVIEW AVENUE, SUITE 1
 TAMPA, FL 33628
 813-852-0202

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 1

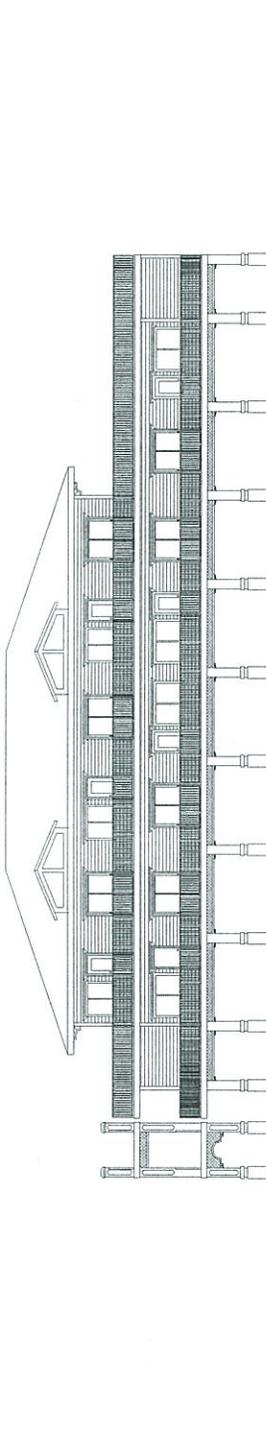
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 CHECKED BY: **JEFF FRANKLIN**
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KEY MARINA DEVELOPMENT, LLC.
 MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE

ELEVATION - RIGHT SIDE

BUILDING 2 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 2

ENGINEERING BY:

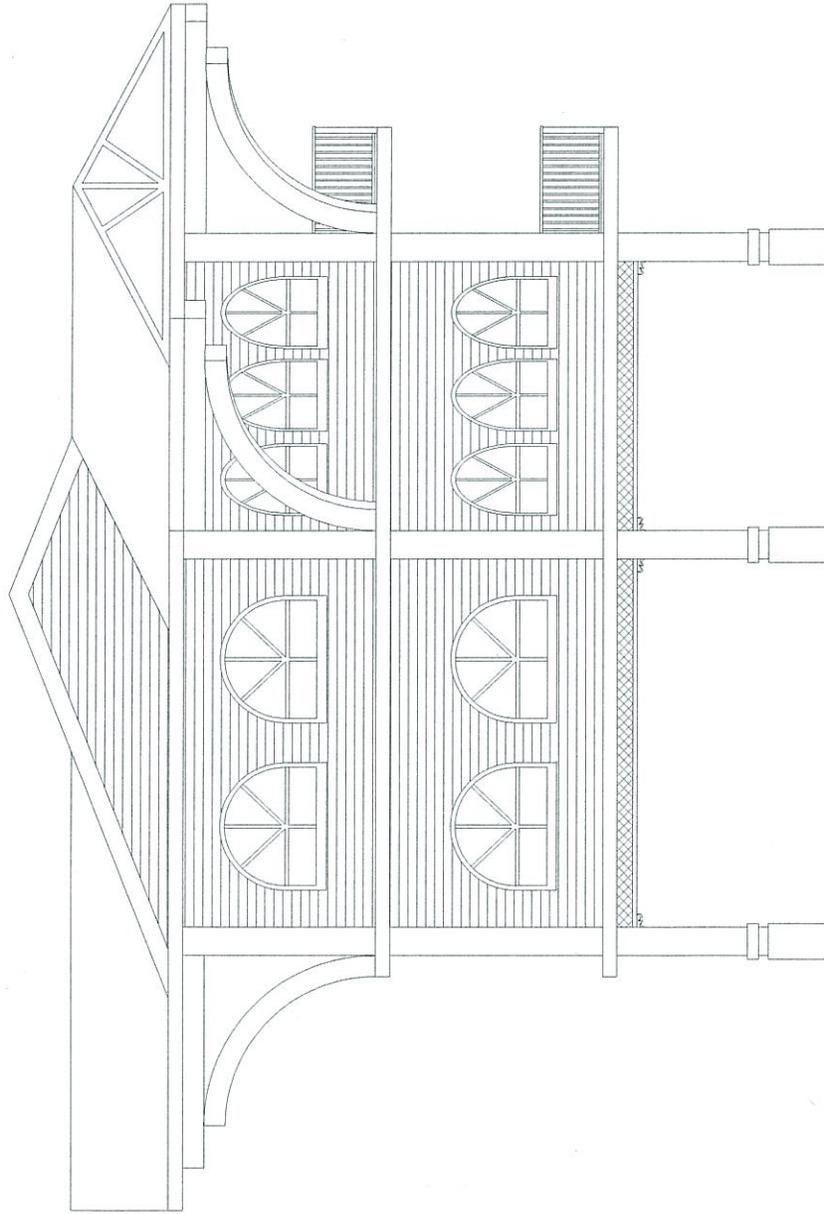
deHaas
 Consulting & Design
 David deHaas, P.E.
 305.952.9091 fax: 305.952.4198

KEYS ENGINEERING SERVICES
 Frank L. Gibson, P.E.
 917 MARINE BLVD. SUITE 111
 TAMPA, FL 33604
 813.555.5200

DESIGNED BY	DATE
CHECKED BY	DATE
DATE	DATE
SHEET	
A-4	
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KEY MARINA DEVELOPMENT, LLC.
 MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - STREET SIDE

RECEPTION BUILDING ELEVATIONS

SCALE: 3/8" = 1'

REVISIONS	BY

KEY MARINA DEVELOPMENT
RECEPTION BUILDING ELEVATION

ENGINEERING BY:

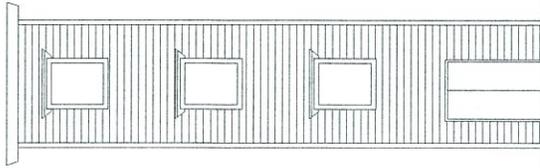
delHaas
 Consulting & Design
 David delHaas Crosbeck
 305.892.9091 fax: 305.892.4194

KEYS ENGINEERING SERVICES
 Dwight L. Okonko
 P.E. No. FL 22428
 9170 WOODBURN DR. SUITE 11
 TAMPA, FLORIDA 33611
 813.553.0262

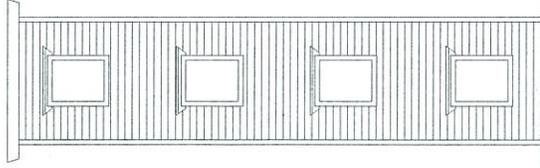
DATE: 01/11/2017	PROJECT: KEY MARINA DEVELOPMENT
DESIGNER: JEFF KILBING	CHECKER: D. DELHAAS
DRAWN: J. KILBING	DATE: 01/11/2017
SHEET A-6	
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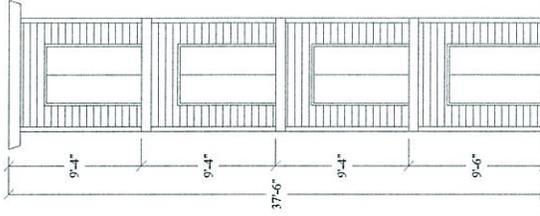
KEY MARINA DEVELOPMENT, LLC.
 MAJOR CONDITIONAL USE at MANDALAY



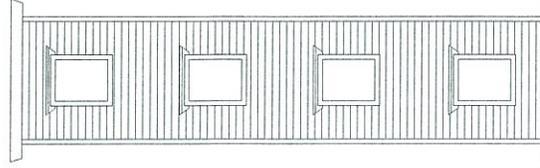
REAR ELEVATION



RIGHT SIDE ELEVATION



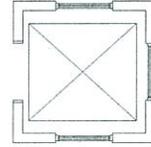
FRONT ELEVATION



LEFT SIDE ELEVATION

ELEVATOR ELEVATIONS

SCALE: 1/4" = 1'



TYPICAL ELEVATOR PLAN VIEW

SCALE: 1/4" = 1'

REVISIONS	BY

dethas
 Consulting & Design
 David dethas, P.E. License No. 305-0528-4176

KEYS ENGINEERING SERVICES
 ENGINEERING BY
 David L. O'Shea
 P.E. No. FL 22428
 9170 W. GREENHURST AVENUE, SUITE 11
 TAMPA, FLORIDA 33618
 (813) 973-5325

KEY MARINA DEVELOPMENT
 ELEVATOR ELEVATIONS

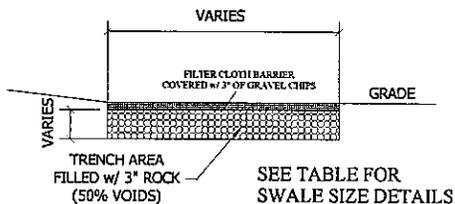
DATE: 08/11/14
 DRAWN BY: JEFF KENNEDY
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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY

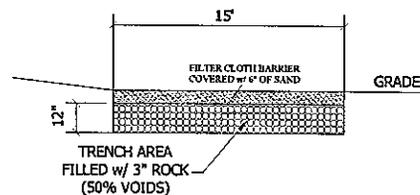
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TOTAL VOLUME				23537.5 ft³	



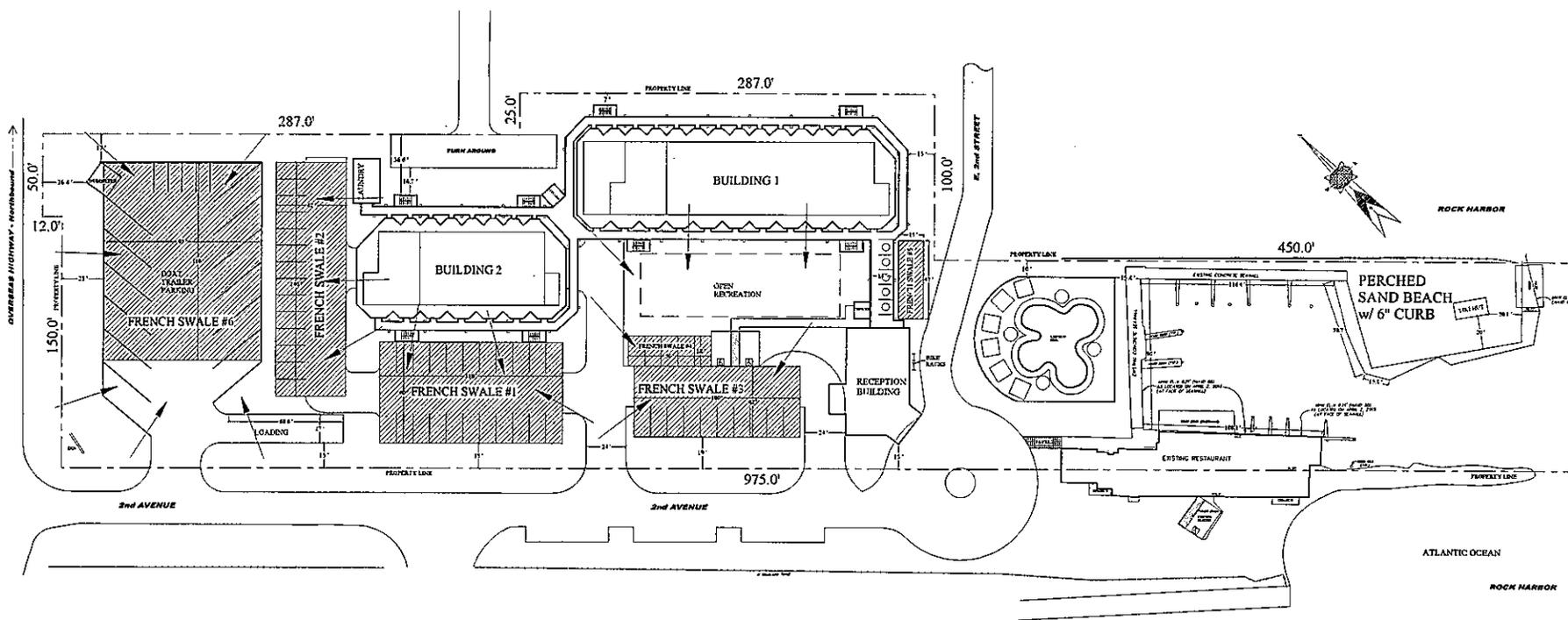
Trench Section - GRAVEL

N.T.S.



Trench Section - SAND

N.T.S.



CONCEPTUAL STORMWATER MANAGEMENT PLAN

SCALE: 1" = 30'



REVISIONS	BY

detlaas
 Consulting & Design
 Dev
 2004
 Lucas Grossnick
 (904) 242-4434

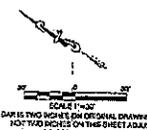
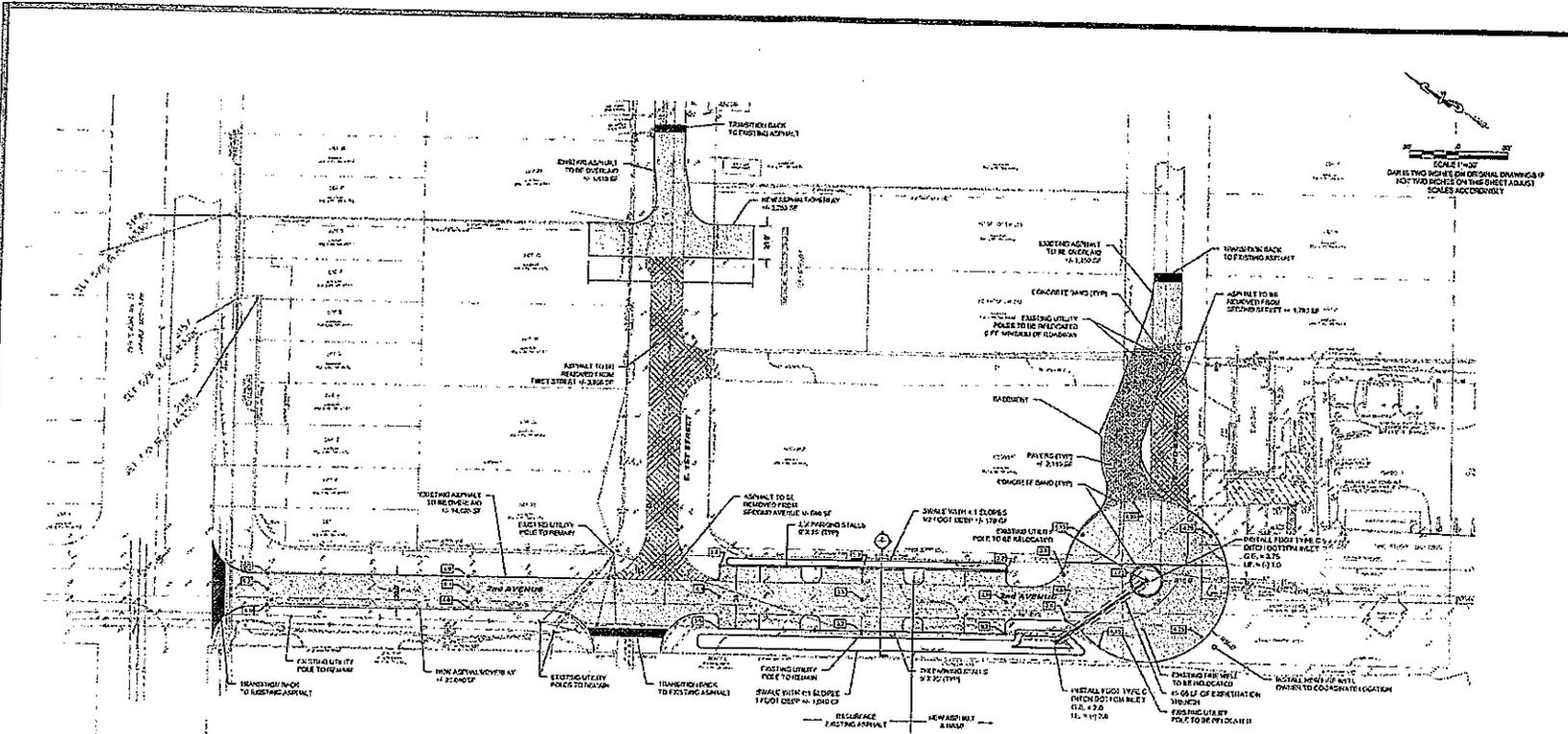
ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 P. L. O'NEILL
 9100 W. BAYVIEW BLVD., SUITE 101
 MIAMI, FL 33156
 (305) 551-5000

**KEYS MARINA DEVELOPMENT
 CONCEPTUAL STORMWATER MANAGEMENT PLAN**

DATE: **July 2008**
 DRAWN BY: **D. DEHAAS**
 DATE: **07/01**

SW

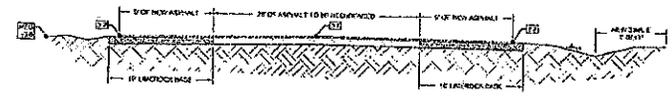
ALL KEYS, LOGS, SPECIFICATIONS, & PLANS SUBJECT TO REVISIONS BY THE ENGINEER. THIS DRAWING IS THE PROPERTY OF KEYS ENGINEERING SERVICES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF KEYS ENGINEERING SERVICES. © 2008 KEYS ENGINEERING SERVICES.



GENERAL NOTES

1. THE CONTRACTOR SHALL REVIEW ALL DRAWINGS AND SPECIFICATIONS AND ADVISE THE ENGINEER OF ANY CONFLICTS OR REPRESENTATION BETWEEN DRAWINGS AND/OR SPECIFICATIONS PRIOR TO COMMENCING WITH CONSTRUCTION.
2. THE CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS PRIOR TO PERFORMING ANY WORK UNDER THIS CONTRACT AND NOTIFY THE ENGINEER IN WRITING OF ANY DIFFERENCES BEFORE COMMENCING WITH ANY CONSTRUCTION.
3. HORIZONTAL COORDINATES ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM. VERTICAL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
4. THE LOCATIONS, SIZES, AND ELEVATIONS OF EXISTING UTILITIES AS SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL COOPERATE WITH THE ENGINEER TO OBTAIN ANY AVAILABLE RECORD DRAWINGS AND SHALL DETERMINE THE EXACT LOCATION AND ELEVATION IN THE FIELD. THE CONTRACTOR SHALL ANTICIPATE THAT SPACING AND EXCAVATION USING LIGHT EQUIPMENT AND HAND METHODS WILL BE NECESSARY IN AREAS NEAR EXISTING UTILITIES AND STRUCTURES TO AVOID DAMAGING THESE FACILITIES. THE CONTRACTOR SHALL CONTACT BEEBEEBOTH, THE LOCAL TELEPHONE COMPANY AND COMCAST, THE LOCAL CABLE TV PROVIDER TO VERIFY THE LOCATION OF BURIED TELEPHONE AND CABLE TV UTILITIES. NONE HAVE BEEN INDICATED ON THE DRAWINGS. CALL 449-424778 BEFORE DECIDING ON TRENCHING OPERATIONS BEGIN. CONTRACTOR SHALL ALSO CONTACT FLORIDA POWER & LIGHTING COMPANY FOR ELECTRIC FACILITIES.
5. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND ELEVATION IN THE FIELD PRIOR TO INSTALLING ANY NEW WORK THAT CONNECTS OR CONNECTS TO EXISTING UTILITY SYSTEMS. LOCATIONS OF NEW UTILITIES SHALL BE ADJUSTED IN A MANNER APPROVED BY THE ENGINEER TO AVOID CONFLICTS. DAMAGES TO UTILITIES RESULTING FROM THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE CLIENT.
6. ALL EXCAVATION, TRENCHING, SHEETING, SHORING AND BRACING SHALL BE INSTALLED AS REQUIRED BY ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS, INCLUDING OSHA 1926.654.

7. ALL ITEMS INDICATED TO BE REMOVED OR DEMOLISHED SHALL BE REMOVED WITH THE DEVELOPER TO DETERMINE IF THE ITEM IS TO BE PROPERTY OF THE CONTRACTOR. ALL ITEMS SHALL BE REMOVED AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS. UNLESS OTHERWISE NOTED, NO SALVAGE VALUE IS EXPRESSED OR IMPLIED BY THESE CONTRACT DOCUMENTS FOR ANY ITEMS TO BE REMOVED OR DEMOLISHED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SECURITY OF THE CONTRACTOR'S EQUIPMENT, MATERIALS, AND PERSONNEL, AND SHALL PROVIDE ADEQUATE BARRIERS TO PREVENT RISK TO OTHERS FROM THE CONTRACTOR'S ACTIVITIES.
9. WHERE ACTUAL DIMENSIONS AND SIZES ARE PROVIDED IN THE DRAWINGS, THEY SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. LARGE SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER SMALL SCALE DRAWINGS.
10. THE CONTRACTOR SHALL SEQUENCE HIS OPERATIONS SUCH THAT NO TRENCH IS LEFT OPEN AT THE END OF THE WORK DAY. TRENCHES SHALL BE BACKFILLED OR PLATED AT THE END OF EACH DAY OR WHENEVER WORK IS NOT OCCURRING.
11. NO CONNECTIONS FOR THE PURPOSE OF OBTAINING WATER SUPPLY DURING CONSTRUCTION SHALL BE MADE TO ANY FIRE HYDRANT OR BLOWOFF STRUCTURE WITH SUITABLE FOUNDATION STABILIZATION MATERIAL AS SPECIFIED.
12. IF UNSATISFACTORY MATERIAL FOR ADEQUATE DRAINAGE IS ENCOUNTERED AT THE NORMAL SUBGRADE, THE UNSATISFACTORY MATERIAL SHALL BE REMOVED AND REPLACED WITH SUITABLE FOUNDATION STABILIZATION MATERIAL AS SPECIFIED.
13. IN EXISTING EXISTING STRUCTURES AND UTILITIES ARE NOTED AS EXISTING AND/OR SHOWN IN LIGHT LINE WEIGHT. NEW CONSTRUCTION IS SHOWN IN HEAVY LINE WEIGHT.
14. ALL FIELD LAYOUT AND SURVEYING FOR CONSTRUCTION OF THIS PROJECT SHALL BE PROVIDED BY THE CONTRACTOR AT HIS EXPENSE UNDER THE SUPERVISION OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
15. CONTRACTOR TO CALL 811 FOR FIELD LOCATION OF UTILITIES PRIOR TO CONSTRUCTION.



CROSS SECTION A



SITE DATA	
PROPOSED AREA OF ASPHALT	15,876 SF
PRE-EXISTING AREA OF ASPHALT	12,078 SF
NET INCREASE IN IMPERVIOUS SURFACE	3,798 SF
1" RUNOFF FROM NEW IMPERVIOUS AREA	5,400 SF x 0.4" =
SWALE VOLUME PROVIDED	1,210 CF

REUSE DED
 MAY - 6 2016
 2016-076
 459 OF MONROE CO PLANNING DEPT

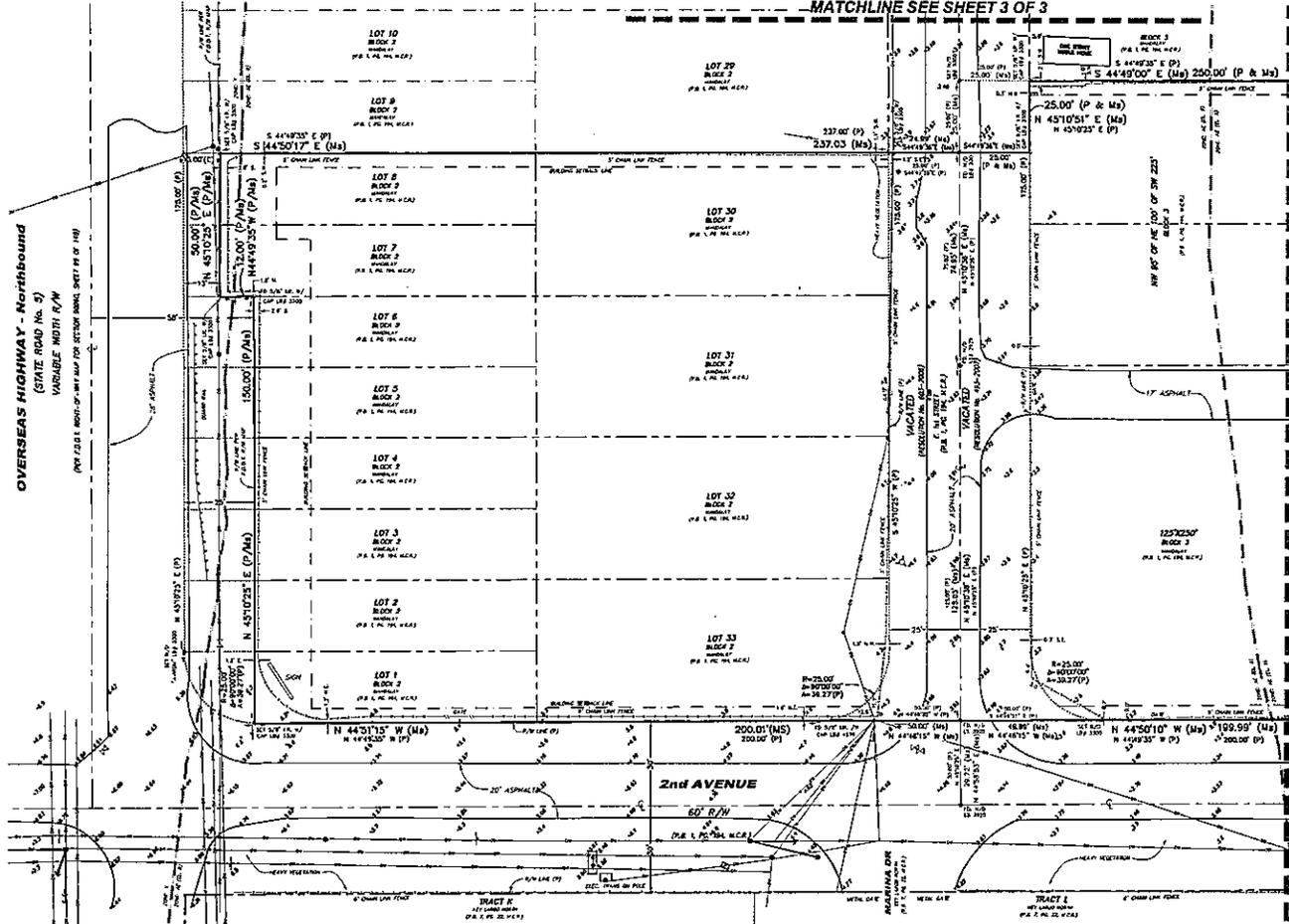
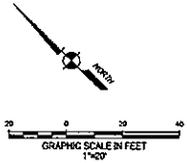
CIVIL ENGINEERING
FERRY ENGINEERING & DEVELOPMENT, INC.
 10101 W. STATE STREET
 SUITE 100
 TAMPA, FLORIDA 33613
 TEL: 813.833.8888
 FAX: 813.833.8889
 WWW.FERRYENGINEERING.COM

ALBERTO B. LAZARUS
 REGISTERED PROFESSIONAL ENGINEER
 No. 12513
 EXPIRES 12/31/16

MANDALAY
 SECOND AVENUE IMPROVEMENTS
 KEY LARGO, FL
 SITE PLAN

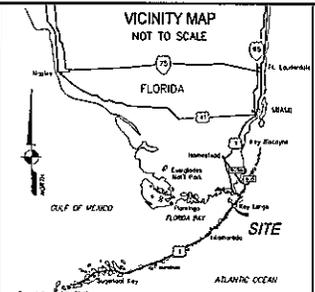
GSP DEVELOPMENT, LLC
 JOB NO. 15003
 SHEET NO. 200
 REVISION NO. 452
 CHECKED BY: 452
 DATE: 5/6/16
 SHEET

BOUNDARY SURVEY, MEAN HIGH WATER LINE SURVEY and TOPOGRAPHIC SURVEY OF:
MANDALAY
 (PLAT BOOK 1, PAGE 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA)
 SITE
 IN SECTION 8, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA



SYMBOL LEGEND:

- CUI ANCHOR
- FIRE HYDRANT
- WATER SPOUT
- WOOD UTILITY POLE
- METAL UTILITY POLE
- WATER METER
- ⊕ ELECTRIC SERVICE BOX ON WOOD POLE
- ⊕ GATE VALVE
- ⊕ UNMANNED UTILITY
- CLEANOUT
- ⊕ SANITARY SENDER MAINHOLE
- ⊕ ELECTRIC METER
- ⊕ SIGN
- ⊕ TYPICAL ELEVATION
- ⊕ GUARD RAIL
- ⊕ MAIL BOX



AVIRON & ASSOCIATES, INC.
 SURVEYING & MAPPING
 205 W. ANDERSON AVENUE, SUITE 101
 KEY LARGO, FLORIDA 33137
 TEL: (305) 852-2200 FAX: (305) 852-1719
 www.aviron.com

LAND DESCRIPTION

PARCEL 1:
 Lots 1 and 2, Block 4, MANDALAY, according to the plat thereof as recorded in Plat Book 1, Page 194, of the Public Records of Monroe County, Florida, being more particularly described as follows:
 Together with a parcel of submerged land in Section 8, Township 62 South, Range 39 East, Key Largo, Florida, Monroe County, Florida, being more particularly described as follows:
 From the intersection of the diving line between Lots 2 and 3, Block 4 with the southeasterly side of East Second Street, or as shown on plat of MANDALAY, recorded in Plat Book 1, Page 194, of the Public Records of Monroe County, Florida, thence run southeasterly along said diving line, a distance of 150 feet to the most easterly corner of Lot 2 and the most westerly corner of a parcel hereinafter conveyed to AF, thence continue southeasterly along the last described course and along the southeasterly side of the above parcel, a distance of 250 feet; thence southeasterly and parallel to the said southeasterly side of East Second Street, a distance of 225 feet to the prolongation of the diving line between Lot 1, Block 4 and Second Avenue, according to said Plat Book 1, Page 194; thence northeasterly along said prolongation a distance of 250 feet to the most southerly corner of said Lot 1, Block 4, thence northeasterly along the southeasterly side of Lots 1 and 2, a distance of 125 feet to the Point of Beginning.

PARCEL 2:
 Leasehold estate in favor of Canals Holding Corp. created in that certain Lease Agreement dated November 12, 1997 between Board of County Commissioners Monroe County, Florida, Lessor and Canals Holding Corp. Lessee defining the following described lands:
 The easterly ten feet of Second Avenue adjacent to Lot 1, Block 4, MANDALAY, according to the plat thereof as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

AND
 A strip of land 125 feet wide and 250 feet in depth off the southeasterly side of Block 3, said strip being 125 feet on East First Street and East Second Street and 250 feet on Second Avenue, MANDALAY, according to the plat thereof, as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida. Also described as: A strip of land 125 feet wide and 250 feet in depth off the southeasterly side of Block 3, said strip being 125 feet on East First Street on East Second and East Avenue 250.00 feet on Second Avenue, MANDALAY, according to the plat thereof as recorded in Plat Book 1, Page 194, of the Public Records of Monroe County, Florida.

AND
 A tract of land in Block 3 of MANDALAY, a subdivision of Key Largo, according to the plat thereof, recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida, said tract being a strip of 100 feet on East First Street, according to the Plat of MANDALAY, a subdivision of Key Largo, and a depth of 95 feet and further described as the northeasterly 95 feet of the northeasterly 100.00 feet of the southeasterly 225 feet of said Block 3.
AND
 The northeasterly 50 feet of the southeasterly 175 feet and the northeasterly 50 feet of the southeasterly 225 feet of Block 3, MANDALAY, a subdivision of Key Largo, according to the plat thereof, as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida, LESS the northeasterly 55 feet of the northeasterly 100 feet of the southeasterly 225 feet thereof of said Block 3.

AND
 Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 31, 32 and 33, Block 2, MANDALAY, according to the plat thereof, as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

TOGETHER WITH
 Portions of the rights-of-way of First Street and Second Street, MANDALAY, according to the plat thereof, as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida, rights obtained and vacated by Resolution Number 603-2006 and Resolution Number 453-2007 by Monroe County Board of County Commissioners.

- SURVEYOR'S REPORT:**
1. Reproductions of this sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
 2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the surveyor.
 3. The land description shown hereon is based on the instruments of record as provided by the client.
 4. Elevations shown hereon are in feet and are based on the North American Vertical Datum of 1988 (NAVD 1988).
 5. Benchmark Description: National Geospatial Control Point "v 275", P.I.D. AA1007 [Elevation=8.53 feet, NAVD 1988].
 6. This map is intended to be displayed at a scale of 1:240 (1"=20').
 7. Symbols shown hereon and in the legend may have been entered for clarity. These symbols have been plotted at the center of the field location and may not represent the actual shape or size of the feature.
 8. Units of measurement are in U.S. Survey Feet and decimal parts thereof. Well identified features in this survey were field measured to a horizontal positional accuracy of 0.07'. The elevations on impermanent surfaces were field measured to 0.05' and on ground surfaces to 0.1'.
 9. Elevations and coordinates shown hereon are referenced to GDA 83 North, based on the North American Datum of 1983 (2011) Epoch 2010.00, of the Florida State Plane coordinate system (Transverse Mercator Projection), East Zone, based on a Virtual Reference Station (VRS) G.P.S. survey which is certified to 2 centimeters local accuracy.
 10. Right-of-way lines of Overseas Highway are referenced to the Florida Department of Transportation Right-of-Way Map Section 3006, Sheet 89 of 148, dated March 2002.
- Abbreviation Legend:** AM= Area Distance; AMEND= Amendment; BM= Benchmark; C= Contour; CONC= Concrete; CA= Central Angle; EL= Elevation; FB= Field Book; FD= Found; F.D.O.T.= Florida Department of Transportation; G= Identification; LG= Lot; LID= Lot Line; LID= Lot Line; R/W= Right-of-Way; L.B.= Licensed Business; (M)= Measured; M.C.R.= Monroe County Records; MHW= Mean High Water Line; NAVD= North American Vertical Datum; N/D= not at Disk; O/W= Overseas Way; (P)= Plat; P.B.= Plat Book; P.L.W. Page; P.C.W.= Point of Commencement; P.C.= Page; P.L.S.= Professional Land Surveyor; P.L.= Plat of Tangency; R= Radius; R/W= Record; R/W= Right-of-Way; W/CAP= With Surveyor's Copy; R/W= Right-of-Way; T.I.L.L.= Trustees of the Internal Improvement Fund; TYP.= Typical.

CERTIFICATION:
 I HEREBY CERTIFY THAT THE ATTACHED BOUNDARY, MEAN HIGH WATER LINE AND TOPOGRAPHIC SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS BOUNDARY, MEAN HIGH WATER LINE AND TOPOGRAPHIC SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 317-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.007, FLORIDA STATUTES AND IT COMPLIES WITH CHAPTER 173, PART II, FLORIDA STATUTES AND IS RECORDED IN THE PUBLIC REPOSITORY OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF SURVEYING AND MAPPING AS MEAN HIGH WATER SURVEY FILE NO. 5706.

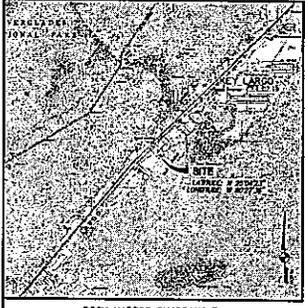
DATE: _____
 NORTH M. ONE-A-TON, D.L.S.
 FLORIDA REGISTRATION NO. 5339
 AVIRON & ASSOCIATES, INC.
 L.S. No. 3300

AREA TABULATION

BLOCK 2:	50,598 square feet (1.16 acres)
BLOCK 3:	64,365 square feet (1.48 acres)
PARCEL 1 (Upfront):	23,555 square feet (0.54 acres)
NET AREA:	138,548 square feet (3.16 acres)

BUILDING SETBACKS:
 The Building Setback Lines as shown hereon was provided by the client.
ROAD FRONTAGE = 20'
SIDE STREETS AND SIDE LOTS = 5'

BOUNDARY, MEAN HIGH WATER LINE & TOPOGRAPHIC SURVEY
MANDALAY
 SEC. 8, TWP. 62 S., R. 39 E., S. 16 E.
 MONROE COUNTY, FLORIDA
 DATE: 04-22-2015
 BY: NSB
 CHECKED: KALC
 P.L.S. 1005 PLS 44
 SHEET 1 OF 2



BOUNDARY SURVEY, MEAN HIGH WATER LINE SURVEY and TOPOGRAPHIC SURVEY OF:
MANDALAY
 (PLAT BOOK 1, PAGE 194, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA)
 IN SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA

SYMBOL LEGEND:

○	GUY ANCHOR
●	FIRE HYDRANT
○	WATER SPOUT
○	WOOD UTILITY POLE
○	METAL UTILITY POLE
○	WATER METER
○	ELECTRIC SERVICE BOX ON WOOD POLE
○	UNKNOWN UTILITY
○	CLEANOUT
○	SANITARY SEWER MANHOLE
○	OVERHEAD WIRE
○	ELECTRIC METER
○	SIEN
○	TYPICAL ELEVATION
○	GRAPD RAIL
○	MAIL BOX

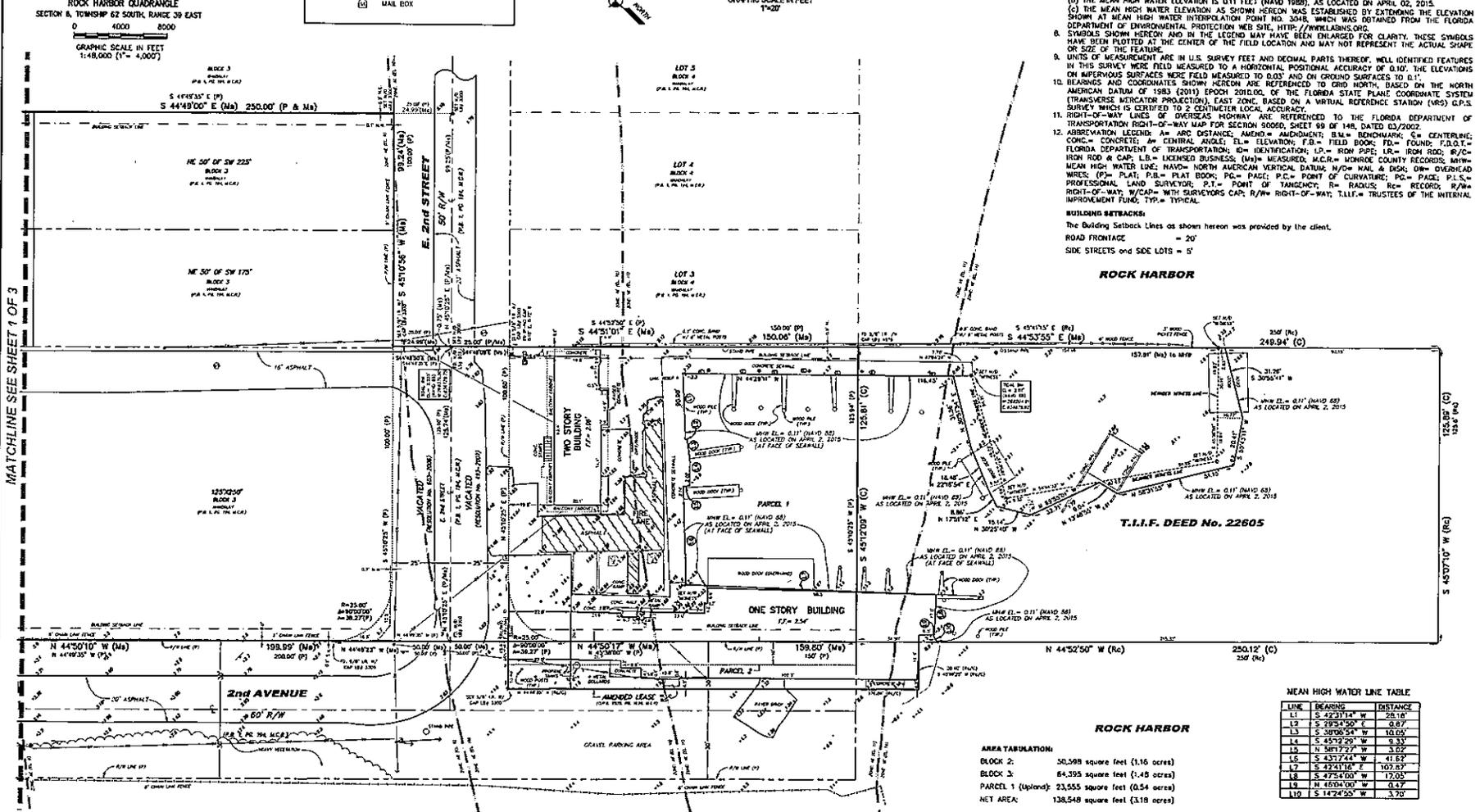
NAVD 1988 ELEVATIONS



SURVEYOR'S REPORT:

- REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, ENCUMBRANCES OR OTHER INSTRUMENTS (RECORDED OR UNRECORDED) WHICH MAY AFFECT THE SUBJECT PROPERTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SURVEYOR. THE RECORD DESCRIPTION OF THE LANDS DIFFER FROM THE ACTUAL OCCUPATION IN THAT PRIMA FACIE EVIDENCE SUGGESTS THAT THERE IS A RIGHT-OF-WAY TAKING ALONG OVERSEAS HIGHWAY (SR. 35). SURVEYOR WAS NOT PROVIDED WITH DOCUMENTS PERTAINING TO THE TAKING AS DELINEATED ON THE F.D.O.T. RIGHT-OF-WAY MAP.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988). TO CONVERT NAVD 1988 ELEVATIONS TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 1929) FOR THIS PROPERTY, THE MODEL VALUE OF (+) 1.58 MUST BE ADDED ALGEBRAICALLY TO THE NAVD 1988 HEIGHT.
- BENCHMARK DESCRIPTION: NATIONAL GEODETIC CONTROL POINT "Y 275", P.L.D. A11007 (ELEVATION=8.53 FEET, NAVD 1988).
- THE ENTIRE PROPERTY DESCRIBED HEREON LIES WITHIN FLOOD ZONES X, AE (EL. 8), AS (EL. 9), AS (EL. 10), VE (EL. 11) AND VE (EL. 14), AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 120129 0205 K, DATED FEBRUARY 18, 2005.
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1:240 (1"=20').
- (a) THE MEAN HIGH WATER SURVEY DEPICTED HEREON COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES AND IS RECORDED IN THE PUBLIC REPOSITORY OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF SURVEYING AND MAPPING AS MEAN HIGH WATER SURVEY FILE 5758.
 (b) THE MEAN HIGH WATER ELEVATION IS 0.11 FEET (NAVD 1988), AS LOCATED ON APRIL 02, 2015.
 (c) THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 3048, WHICH WAS OBTAINED FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WEB SITE, HTTP://WWW.LAMS.GOV.
- SYMBOLS SHOWN HEREON AND IN THE LEGEND MAY HAVE BEEN ENLARGED FOR CLARITY. THESE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
- UNITS OF MEASUREMENT ARE IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF. WELL IDENTIFIED FEATURES IN THIS SURVEY WERE FIELD MEASURED TO A HORIZONTAL POSITIONAL ACCURACY OF 0.10'. THE ELEVATIONS ON IMPERVIOUS SURFACES WERE FIELD MEASURED TO 0.05' AND ON GROUND SURFACES TO 0.1'.
- BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO GRID NORTH, BASED ON THE NORTH AMERICAN DATUM OF 1983 (2011) EPOCH EPOCH, OF THE FLORIDA STATE PLANE COORDINATE SYSTEM (TRANSVERSE MERCATOR PROJECTION), EAST ZONE, BASED ON A VERTICAL REFERENCE STATION (VRS) C.P.S. WHICH IS CERTIFIED TO 2 CENTIMETER LOCAL ACCURACY.
- RIGHT-OF-WAY LINES OF OVERSEAS HIGHWAY ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 9000, SHEET 99 OF 148, DATED 03/2002.
- ABBREVIATION LEGEND: AM= ARC DISTANCE; AMEND= AMENDMENT; B.M.= BENCHMARK; C.= CENTERLINE; CONC.= CONCRETE; AN= CENTRAL ANGLE; EL.= ELEVATION; F.B.= FIELD BOOK; FD.= FOUND; F.D.O.T.= FLORIDA DEPARTMENT OF TRANSPORTATION; ID= IDENTIFICATION; LP.= IRON PIPE; LR.= IRON ROD; R/C.= IRON ROD & CAP; LB.= LICENSED BUSINESS; (M)= MEASURED; M.C.R.= MONROE COUNTY RECORDS; M.H.W.= MEAN HIGH WATER LINE; NAVD.= NORTH AMERICAN VERTICAL DATUM; N/O= NOT A BORN; O.W.= OVERHEAD WIRE; (P)= PLAT; P.B.= PLAT BOOK; PG.= PAGE; P.C.= POINT OF CURVATURE; PG.= PAGE; P.L.S.= PROFESSIONAL LAND SURVEYOR; P.T.= POINT OF TANGENCY; R.= RADIUS; R.C.= RECORD; R/W= RIGHT-OF-WAY; W/CAP.= WITH SURVEYORS CAP; R/W= RIGHT-OF-WAY; TRUSTEE= TRUSTEES OF THE INTERNAL IMPROVEMENT FUND; TYP.= TYPICAL.

BUILDING SETBACKS:
 The Building Setback Lines as shown hereon was provided by the client.
 ROAD FRONTAGE = 20'
 SIDE STREETS and SIDE LOTS = 5'



MEAN HIGH WATER LINE TABLE

LINE	BEARING	DISTANCE
L1	S 42°31'14" W	281.18'
L2	S 28°54'50" E	8.87'
L3	S 30°06'54" W	10.05'
L4	S 11°11'10" W	3.33'
L5	N 88°17'27" W	3.02'
L6	S 45°17'44" W	41.89'
L7	S 1°11'10" W	102.87'
L8	S 47°54'00" W	12.05'
L9	N 48°04'00" W	0.47'
L10	S 17°24'55" W	3.70'

AREA TABULATION:

BLOCK 2:	50,998 square feet (1.16 acres)
BLOCK 3:	64,395 square feet (1.48 acres)
PARCEL 1 (UPLOD):	23,555 square feet (0.54 acres)
NET AREA:	138,548 square feet (3.18 acres)

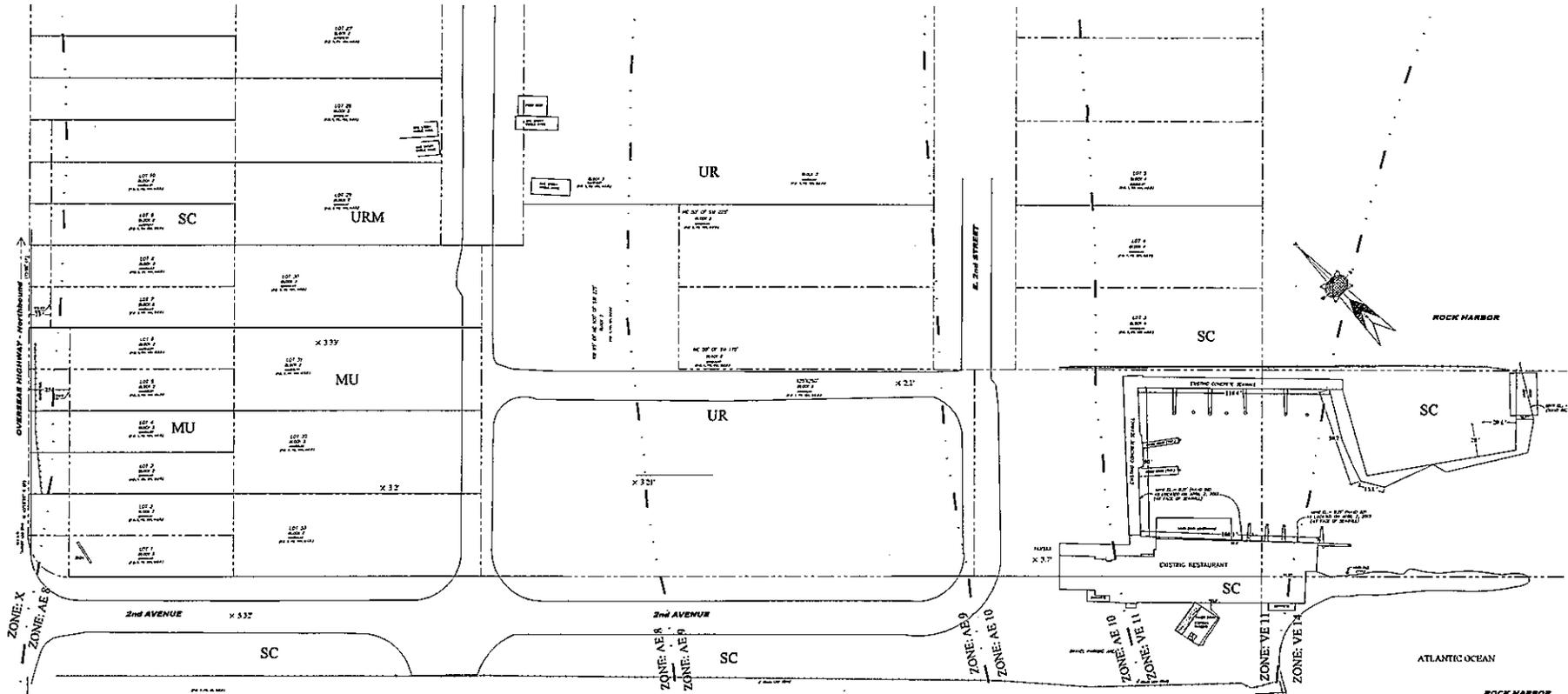
MATCHLINE SEE SHEET 1 OF 3

ROCK HARBOR



BOUNDARY, MEAN HIGH WATER LINE & TOPOGRAPHIC SURVEY
MANDALAY
 SECTION 6, TOWNSHIP 62 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA
 PORTIONS OF PLATS 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



PROPERTY INFORMATION KEY MARINA DEVELOPMENT LLC.		
PARCEL ID	ALTERNATIVE KEY	LEGAL DISCRIPTION
00554420-000000	1679917	BLK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO
00554670-000000	1680168	PART OF SQUARE 3 MANDALAY KEY LARGO
00554700-000000	1680192	NE 50 FT OF THE SW 225 FT OF SQR 3 (S-A) MANDALAY KEY LARGO
00554730-000000	1680222	BLK 3, SWLY 125 FT X 125 FT & NWLY 95 FT OF NELY 100 FT OF SW 225 FT MANDALAY PB 1- PAGE 194 KEY LARGO
00554740-000000	1680231	BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1- PAGE 194 KEY LARGO TRF DEED 22605

EXISTING SITE PLAN
 SCALE: 1" = 30'



REVISIONS	BY

KEY MARINA DEVELOPMENT
BUILDING 1 & 2 FLOOR LAYOUT

delHaas
 Consulting & Design
 Don Jobst
 Lucas Grossbeck
 Joe Staudenmann

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 Charles L. Oberlin
 9195 BAYVIEW BOULEVARD, SUITE 101
 MIAMI BEACH, FLORIDA 33154
 305-531-1000

DATE: 08/14/2014
 DRAWN BY: J. KNOX
 CHECKED BY: D. DEHAAS
 DATE: 08/14/2014

SHEET NO. **C-1**
 OF 14 SHEETS

ALL LEGAL, SURVEY, AND ENGINEERING INFORMATION IS TO BE USED IN ACCORDANCE WITH THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL ENGINEERING BOARD OF FLORIDA. CONSULTING AND DESIGN: 30 001 SCALE: 1"=30'

KEY MARINA DEVELOPMENT, LLC. MAJOR CONDITONAL USE at MANDALAY

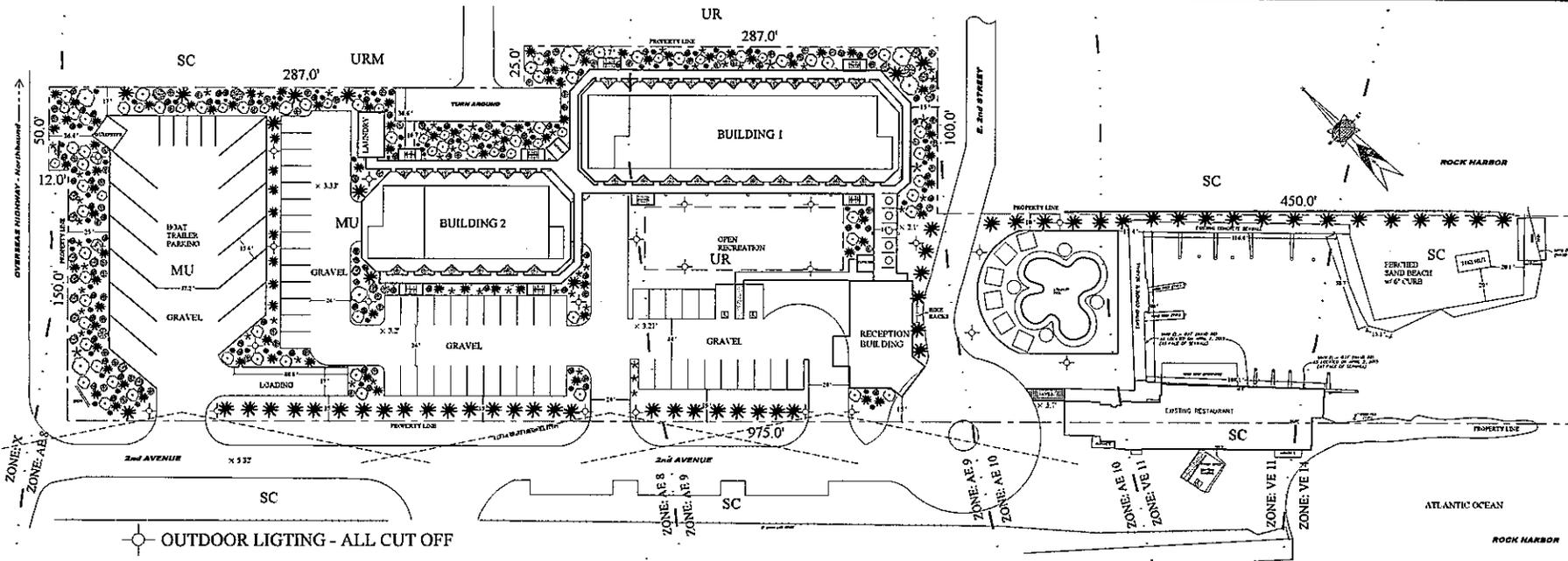
LAND USE DISTRICT	AREA SQ. FT.		UNIT TYPE	DENSITY / INTENSITY CALCULATIONS		TOTAL DWELLINGS	TOTAL DWELLINGS
	GROSS	MAX NET		AREA W/ SQ. FT. REQUIRED	ALLOWED		
MU MIX USE	57,400	46,600	TRANSIENT	10 = 4 156/ 35 MAX NET = 2,900	11 UNITS / 36 MAX	11	11
MU MIX USE	57,400	46,600	MARKET RATE V. RENTAL	1 = 43,650 / 32 MAX NET = 3,300	1.3 UNITS / 12.8 MAX	1	1
UR URBAN RESIDENTIAL	64,575	57,335	MARKET RATE V. RENTAL	6 = 47,280 / 32 MAX NET = 3,630	6.8 UNITS / 15.7 MAX	6	6
SC SUBURBAN COMMERCIAL	17,037	for hotels 17,037	RESTAURANT	MED INTENSITY = .35 PER A.	TOTAL MARKET 29.5	5,962 SQ. FT. ALLOWED	24 TOTAL MARKET UNITS
TOTALS	136,012	121,632				4,975 SQ. FT. EXISTING	

PROPERTY INFORMATION KEY MARINA DEVELOPMENT LLC.		
PARCEL ID	ALTERNATIVE KEY	LEGAL DISCRIPTION
00554420-000000	1679917	BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO
00554670-000000	1680168	PART OF SQUARE 3 MANDALAY, KEY LARGO
00554700-000000	1680192	NE 50 FT OF THE SW 225 FT OF SOB 3 (5-A) MANDALAY KEY LARGO
00554730-000000	1680222	BLK 8, SWLY 125 FT X 125 FT & NWLY 95 FT OF NRY 100 FT OF SW 225 FT MANDALAY PB 1, PAGE 194 KEY LARGO
00554740-000000	1680231	BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1- PAGE 194 KEY LARGO TIFF DEED 22605

INFORMATION AND GENERAL CALCULATIONS

REFERENCE AREA	SPECIFICS
PROPERTY ADDRESS	30 E. 42 E. SECOND ST., KEY LARGO, FL 33037
LEGAL DESCRIPTION	
PROPOSED DEVELOPMENT	VACATION RENTALS, MOTEL, RESTAURANT & AMENITIES
LAND USE DISTRICT(S)	SC, MU, UR
ADJOINING PROPERTY	SC, UR, MU
FUTURE LAND USE ZONING	MU
FLOOD ZONE(S)	FEWA P.1 125129 AE-5-9-10 & VE-11-14
DEVELOPMENT AREA AND CALCULATIONS	
TOTAL SITE AREA	187,763 SQ. FT. = 3.85 ACRES
TOTAL UPLAND AREA	139,012 SQ. FT. = 3.19 ACRES
TOTAL PERVIOUS AREA	301,200 SQ. FT. = .7% (PERCENTAGE OF SITE)
TOTAL IMPERVIOUS AREA	37,812 SQ. FT. = .2% (PERCENTAGE OF SITE)
TOTAL GRAVEL AREAS	41,689 SQ. FT. = .2% (PERCENTAGE OF SITE)
TOTAL AREA W/GRAVEL OCCUPIED	78,511 SQ. FT. = .5% (PERCENTAGE OF SITE)
DENSITY	
VACATION RENTALS	22 UNITS
MOTEL ROOMS / SUITES	3 UNITS
RESTAURANT	4,976 SQ. FT.
GUEST AMENITIES NON-COMMERCIAL	3,726 SQ. FT.
OPEN SPACE REQUIRED (for all districts)	
OPEN SPACE PROVIDED (total unoccupied)	0.43 CSR
SOIL TYPE	
	DEVELOPED / DISTURBED / SCARPED
PARKING	
	REFER TO PARKING PLAN SEPARATE SHEET
BUFFERYARDS	
	REFER TO LANDSCAPE PLAN SEPARATE SHEET
LIGHTING	
	REFER TO LANDSCAPE PLAN SEPARATE SHEET

REVISIONS	BY



PROPOSED SITE PLAN
SCALE: 1" = 30'



deHaas
Consulting & Design
Dr. Jean Grouseck
for 304.610.6100

KEY MARINA DEVELOPMENT
PROPOSED SITF PLAN

KEY MARINA DEVELOPMENT
PROPOSED SITF PLAN

DATE: **1/14/2010**
DRAWN BY: **J. KELLY**
CHECKED BY: **D. DEHAAS**
SCALE: **1" = 30'**
C-2
14

ALL SCALE, DESIGN, DIMENSIONS, & THIS RESULTS OF REVISIONS BY THIS DRAWING ARE OWNED BY THE PROPERTY OF THE CLIENT. USE OF THIS INFORMATION SHALL BE VOID IN ANY PERSON, FIRM, OR BUSINESS THAT IS COMPROMISED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF DEHAAS CONSULTING AND DESIGN. DO NOT SCALE DRAWING.

GENERAL PARKING NOTES

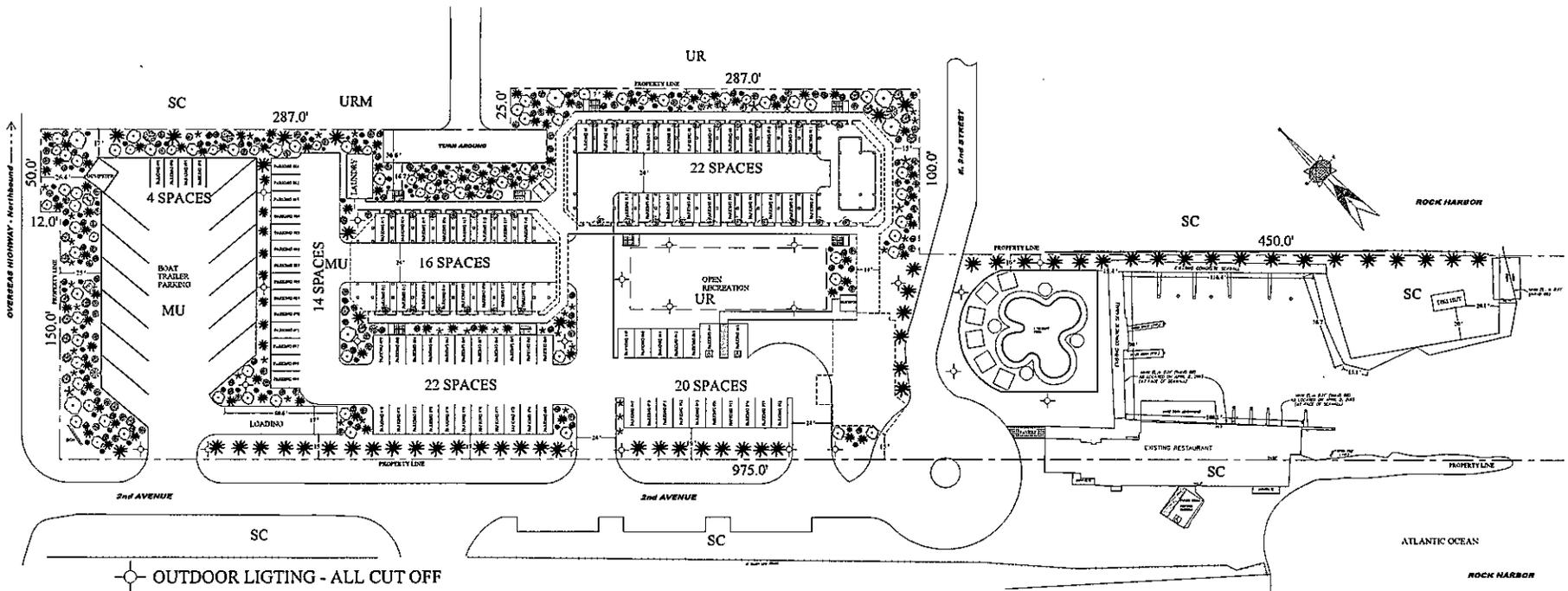
Wheelstop requirements:
 All in-service surface parking spaces shall be clearly marked by striping or other markings accessible to the planning director. All porous and impervious surface parking spaces shall have a wheel stop, bumper blocks or similar barriers where the front of the parking spaces is adjacent to a building, required yard or required landscaping, to designate each parking space.
 Bicycle spaces:
 A bicycle rack for parking bicycles shall be provided by all nonresidential development within 200 feet of an existing or programmed state or county bikeway. The minimum layout for a bicycle parking area shall consist of a two-foot-wide by six-foot-long area with a minimum side width of two feet. The bicycle parking area shall be located within 50 feet of a public entrance to the principal structure and shall not interfere with pedestrian or vehicle traffic.
 Parking Landscaping requirements: Please refer to Landscaping plan sheet

KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY

OFF-STREET PARKING			
SPECIFIC USE CATEGORY	REQUIREMENTS	SPACES REQUIRED	SPACES PROVIDED
RESORT (VACATION RENTAL) 21 - 2 BEDROOM	1.5 SPACES PER 2 BED UNIT	33 SPACES	
RESORT (VACATION RENTAL) 14 3RD BEDROOM	0.5 SPACES PER BEDROOM	7 SPACES	
PARKING MOTEL ROOM	1 SPACE PER UNIT	5 SPACES	
PARKING RESTAURANT (or 150 SEATS)	1 SPACE PER 3 SEATS	50 SPACES	50 SPACES
TOTAL PARKING SPACES			
HANDICAPPED SPACES			
LOADING ZONE	11' x 55'		PROVIDED
BICYCLE RACKS PROVIDED			2 RACKS

Please note: ON-STREET PARKING NOT SHOWN

REVISIONS	BY



OUTDOOR LIGHTING - ALL CUT OFF

PROPOSED PARKING PLAN

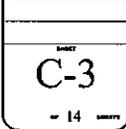
SCALE: 1" = 30'
 GRAPHIC SCALE



ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 9170 W. PARKWAY, SUITE 100
 FORT WORTH, TEXAS 76133
 817-338-5500

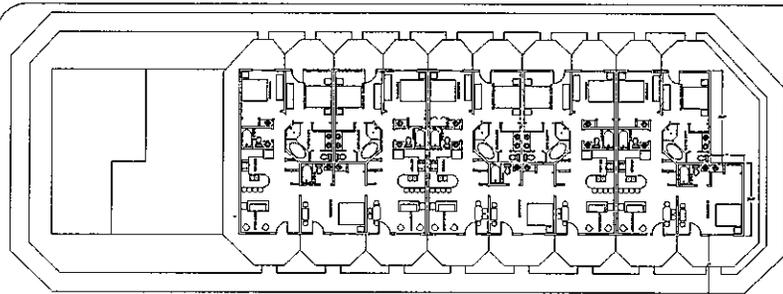
**KEYS MARINA DEVELOPMENT
 PARKING PLAN**

DATE: 01/15/14
 DRAWN BY: JEFF KEESLING
 CHECKED BY: D. DEHAAS
 TITLE: SITE

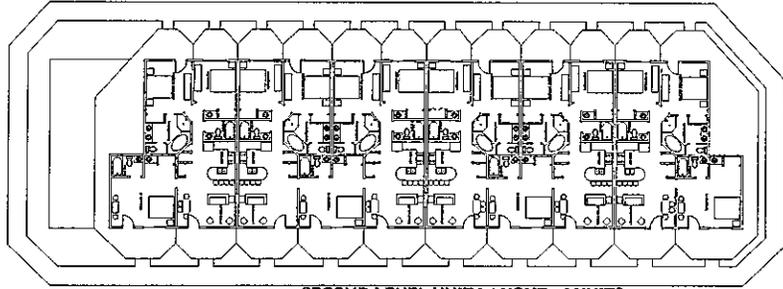


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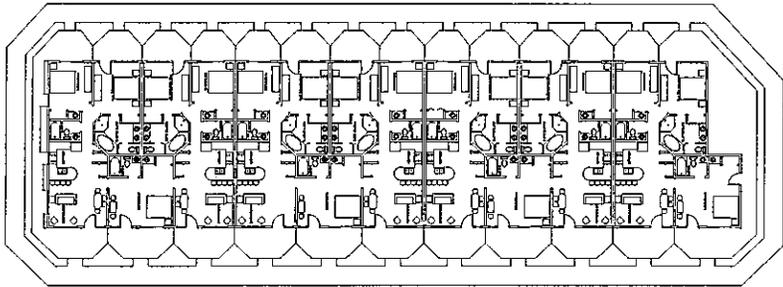
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



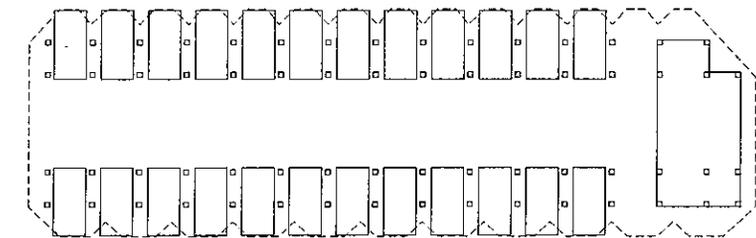
THIRD LEVEL UNIT LAYOUT - 5 UNITS



SECOND LEVEL UNIT LAYOUT - 6 UNITS

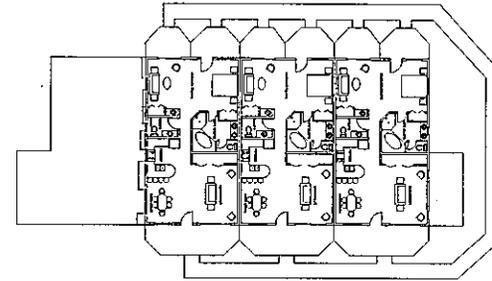


FIRST LEVEL UNIT LAYOUT - 7 UNITS

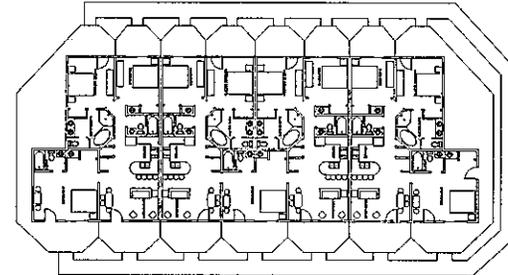


GROUND LEVEL BLDG LAYOUT

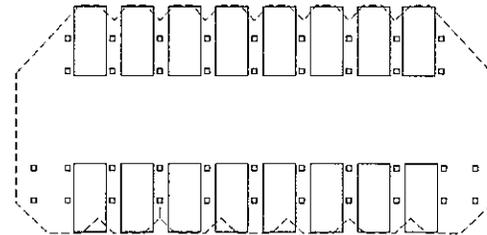
BUILDING 1 UNIT LAYOUT
 SCALE: 1" = 15'



SECOND LEVEL UNIT LAYOUT - 3 HOTEL SUITES



FIRST LEVEL LAYOUT - 7 UNITS



GROUND LEVEL LAYOUT

BUILDING 2 UNIT LAYOUT
 SCALE: 1" = 15'

ALL SCALE, DESIGN, DIMENSIONS, & PLANS SUBJECT TO REVISIONS BY THE ENGINEER AND OWNER BY THE PROPERTY OF THE OFFICE. USE OF THE INFORMATION SHALL BE THE USER'S RESPONSIBILITY. THE ENGINEER AND OWNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THE ENGINEER AND OWNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THE ENGINEER AND OWNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION.

REVISIONS	BY

detlaas
 Consulting & Design
 Dev
 Job
 Texas Grossarchit
 for 201002010101

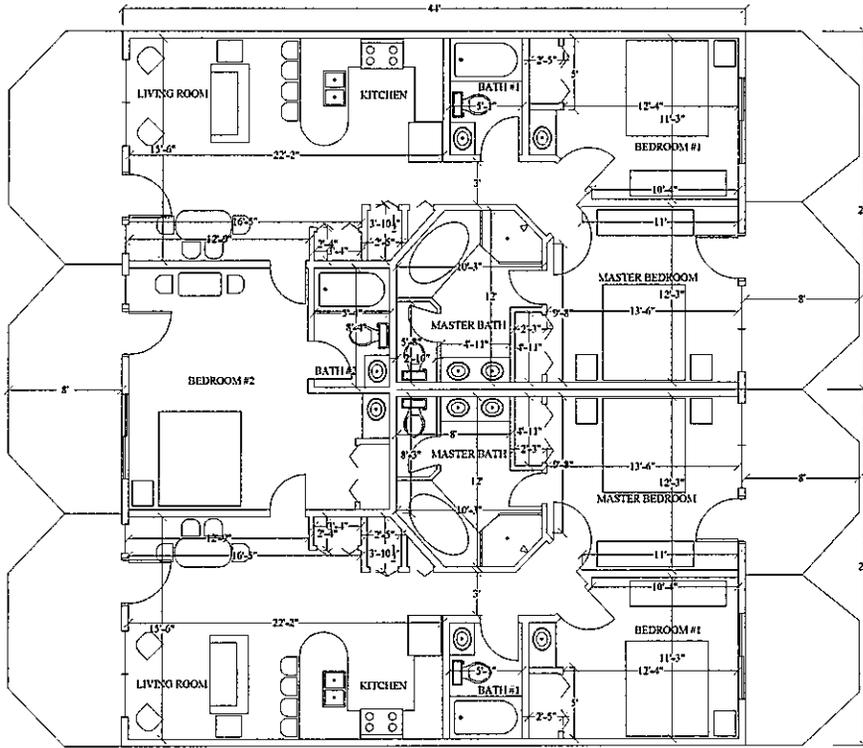
ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 P. JAMES L. KEYS
 9100 W. BOULEVARD, SUITE 100
 DALLAS, TEXAS 75243
 214-343-0000

KEY MARINA DEVELOPMENT
BUILDING 1 & 2 FLOOR LAYOUT

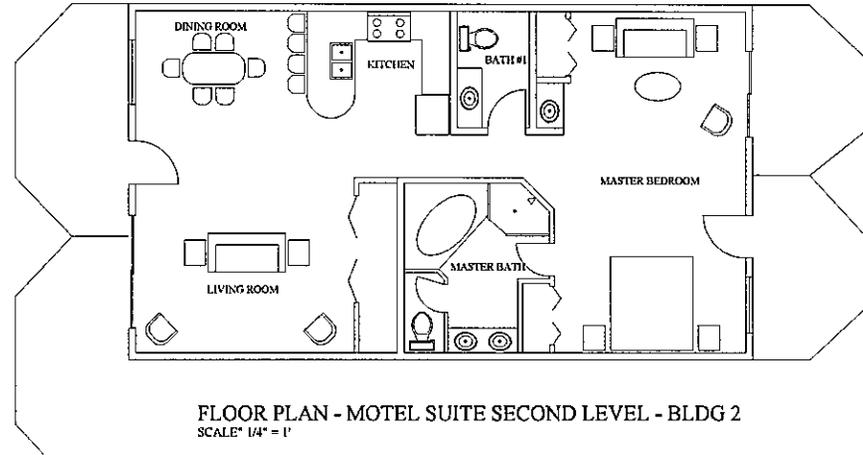
Drawn
 Jeff Keating
 Checked
 D. DELHAAS
 DATE

A-1
 - 14 -

KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



FLOOR LAYOUT - SHARED 3rd BEDROOM
 SCALE: 1/4" = 1'



FLOOR PLAN - MOTEL SUITE SECOND LEVEL - BLDG 2
 SCALE: 1/4" = 1'

REVISIONS	BY

delhaas
 Consulting & Design
 Dr. Hrus Grossack
 P.E.
 919.485.0929

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 Dr. Jay Keating
 P.E.
 919.485.0929

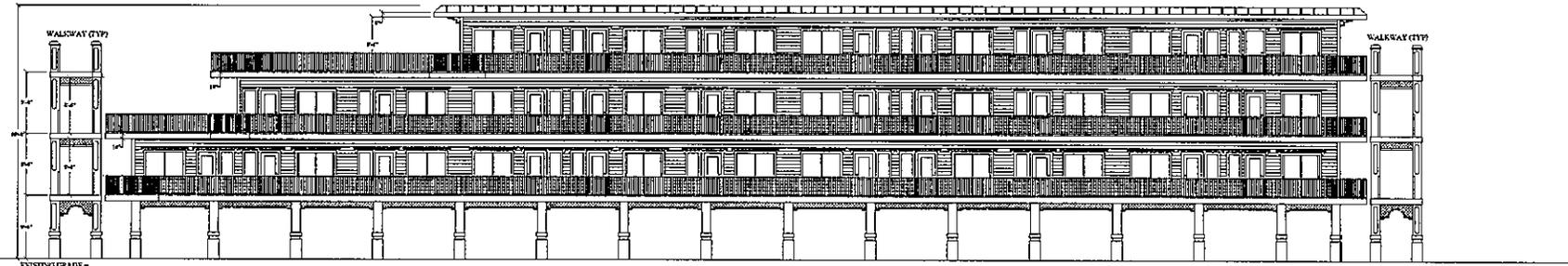
KEY MARINA DEVELOPMENT
PLAN VIEW

Drawn
 JAY KEATING
 Check
 D. DELHAAS
 Date

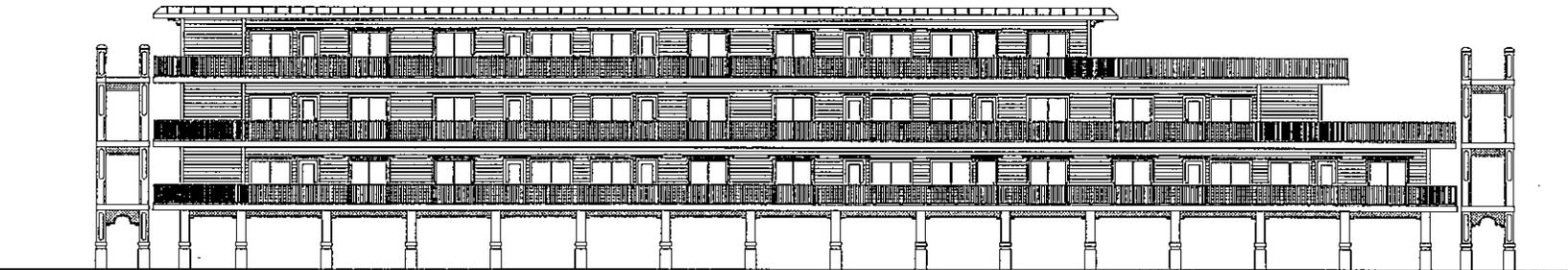
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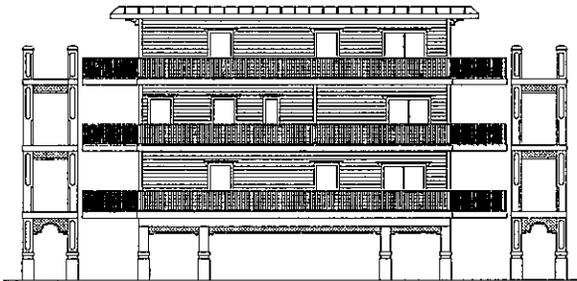
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



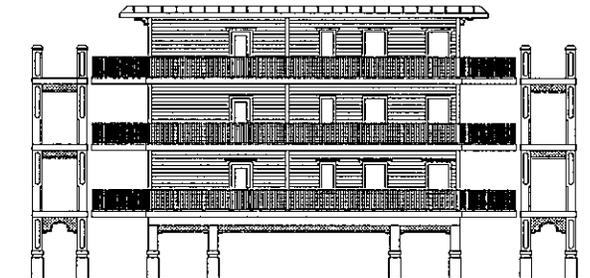
ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 1 ELEVATIONS

SCALE: 1/8" = 1'

ALL DIMENSIONS UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.

REVISIONS	BY

deliaas
 Consulting & Design
 Dan Haas, Principal
 705
 304.988.4336

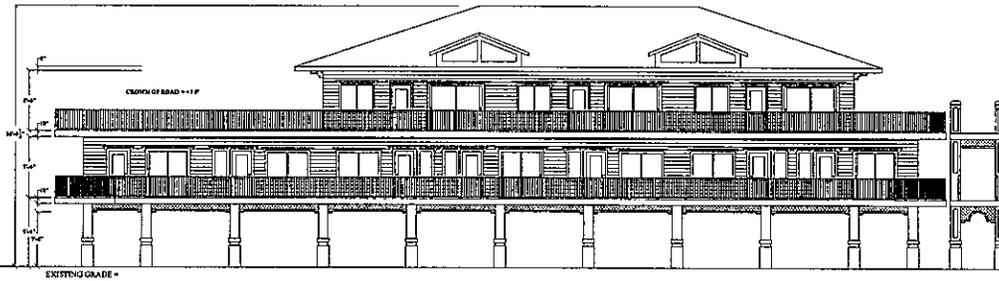
KEY ENGINEERING SERVICES
 Dan Haas, Principal
 915
 304.988.4336

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 1

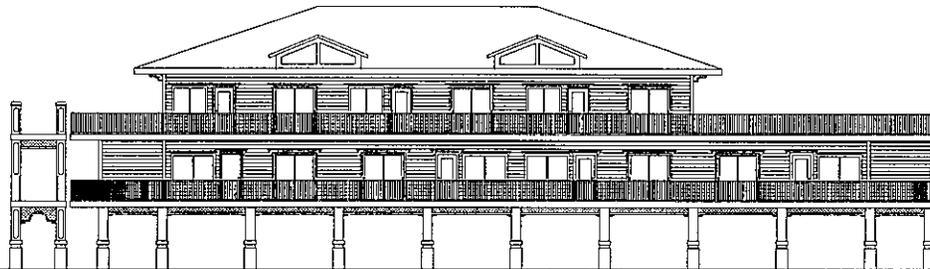
DATE:
 DRAWN BY:
 CHECKED BY:
 DATE:

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 OF 14

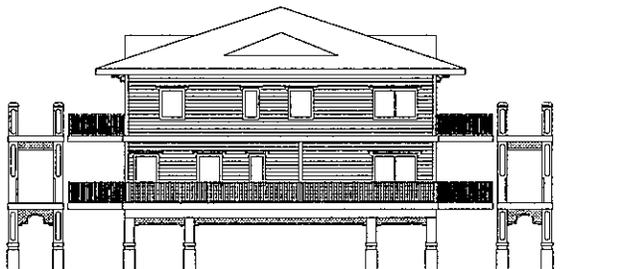
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITONAL USE at MANDALAY



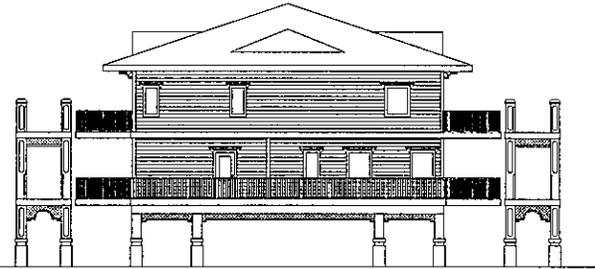
ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 2 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY

delLaas
 Consulting & Design
 Dan DeLaas
 3057
 904.962.4328

ENGINEERING BY:
 KEY ENGINEERING SERVICES
 Duane L. Coburn
 91 PARKWAY, SUITE 100
 TAMPA, FLORIDA 33604

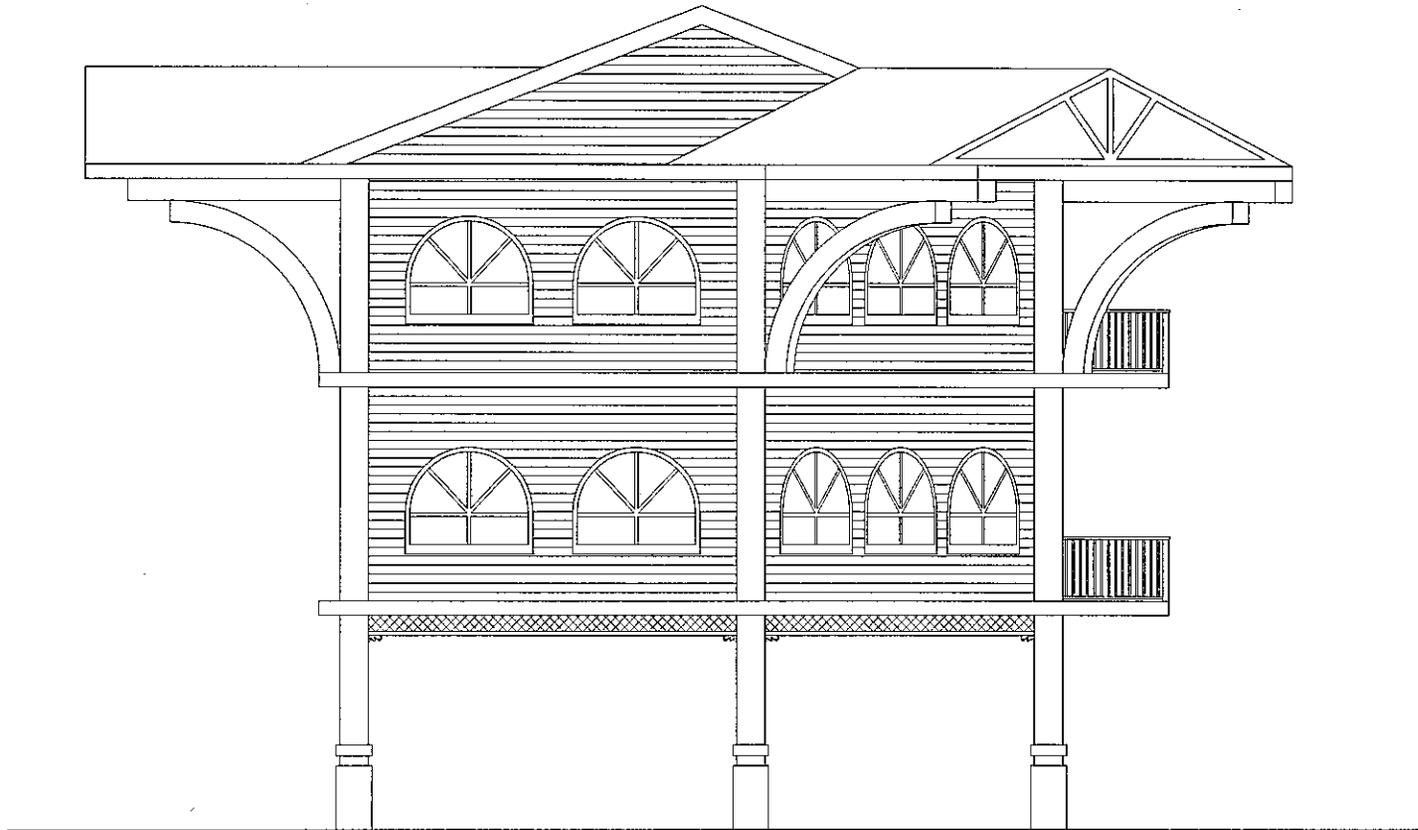
KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 2

DESIGNER
 JAH KENNEDY
 CHECKER
 D. DEHAAS
 DATE

A-4
 - 14 -

ALL LOCAL, FEDERAL, STATEMENTS, & PLANS SUBJECT TO REVISIONS BY THE PROJECT ARCHITECT. THIS SET OF DRAWINGS IS THE PROPERTY OF KEY ENGINEERING SERVICES AND SHALL BE KEPT IN CONFIDENTIALITY AND NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF KEY ENGINEERING SERVICES.

KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - STREET SIDE

RECEPTION BUILDING ELEVATIONS
 SCALE: 3/8" = 1'

REVISIONS	BY

delHaas
 Consulting & Design
 Dev
 JWR
 Texas Grousecock
 per 2018/2019/20

KEY'S ENGINEERING SERVICES
 PUBLIC ENGINEER
 9110 W. UNIVERSITY BLVD., SUITE 101
 DALLAS, TEXAS 75243
 (214) 343-8888

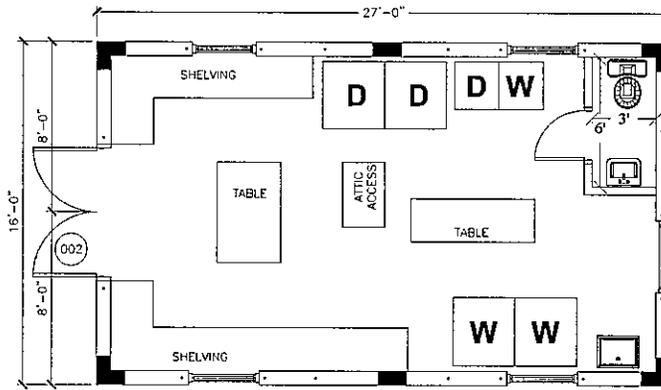
ENGINEERING BY:
KEY MARINA DEVELOPMENT
RECEPTION BUILDING ELEVATION

Project:
Jeff Keating
 Engineer:
D. DELHAAS
 DATE:

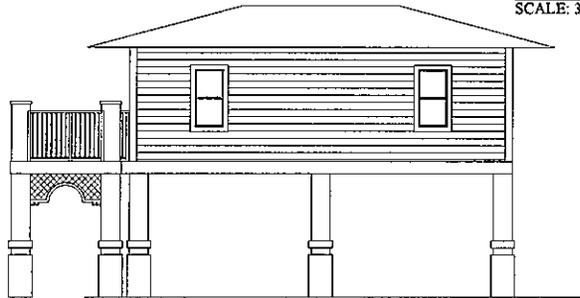
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 of 14

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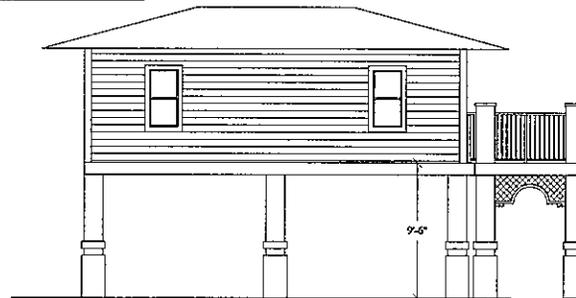
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



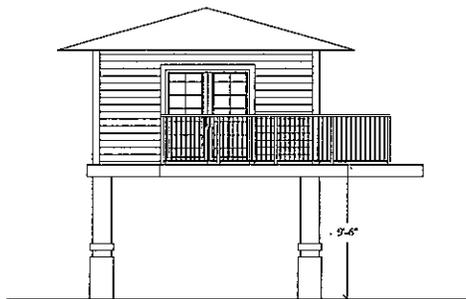
LAUNDRY BUILDING
 SCALE: 3/16" = 1'



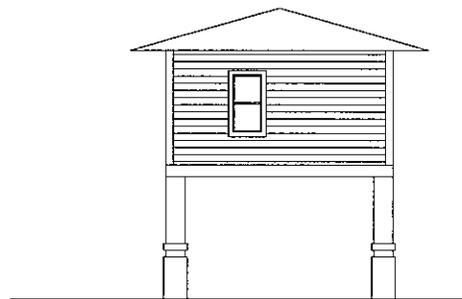
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

LAUNDRY BUILDING ELEVATIONS
 SCALE: 1/4" = 1'

REVISIONS	BY

delHaas
 Consulting & Design
 3034
 Dr. W. W. Rouse
 Fort Worth, TX 76104
 (817) 336-4444

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 9100 W. L. BRYAN
 FORT WORTH, TEXAS 76116
 (817) 336-4444

KEY MARINA DEVELOPMENT
LAUNDRY BUILDING

DESIGNED BY
 JEFF HOADING
 CHECKED BY
 P. DELHAAS
 DATE

NO. 1
A-7
 OF 14 SHEETS

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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



REAR ELEVATION

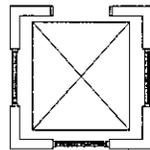
RIGHT SIDE ELEVATION

FRONT ELEVATION

LEFT SIDE ELEVATION

ELEVATOR ELEVATIONS

SCALE: 1/4" = 1'



TYPICAL ELEVATOR PLAN VIEW

SCALE: 1/4" = 1'

REVISIONS	BY

delHaas
 Consulting & Design
 Dr. Jason Grosebeck
 Job # 20140212.0101

ENGINEERING BY:
 KANSAS ENGINEERING SERVICES
 Dr. Jeff Kneeling
 914-945-1111
 1000 W. 12th St., Suite 101
 Lawrence, KS 66044

KEY MARINA DEVELOPMENT
ELEVATOR ELEVATIONS

DESIGN: Jeff Kneeling
 CHECK: D. DELHAAS
 DATE:

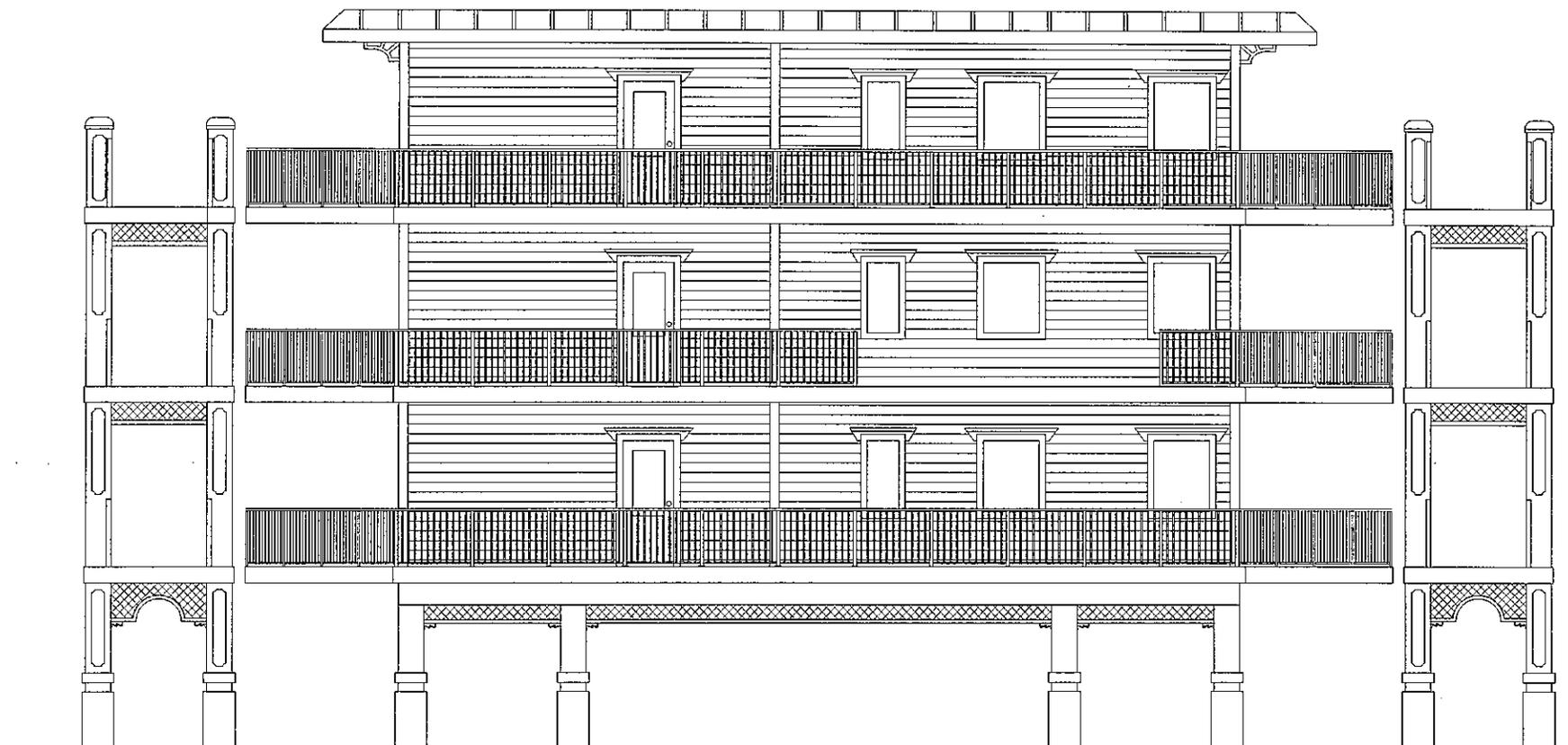
NO.

A-8

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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



ARCHITECTURAL DETAILS
 SCALE: 3/8" = 1'

REVISIONS	BY

delHaas
 Consulting & Design
 Dr. Haas Grossbeck
 305

ENGINEERING BY:
 KEY ENGINEERING SERVICES
 Kyle L. Conroy
 3100 N. W. 10th St., Suite 101
 Ft. Lauderdale, FL 33309

**KEY MARINA DEVELOPMENT
 ARCHITECTURE - DETAILS SHEET**

Drawn
 Jeff Keating
 Checked
 D. DEVALAS
 DATE
 11/14/14
A-9
 14

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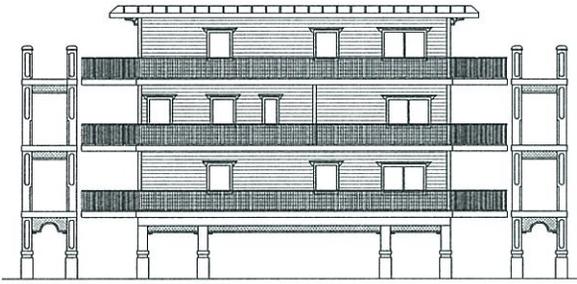
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



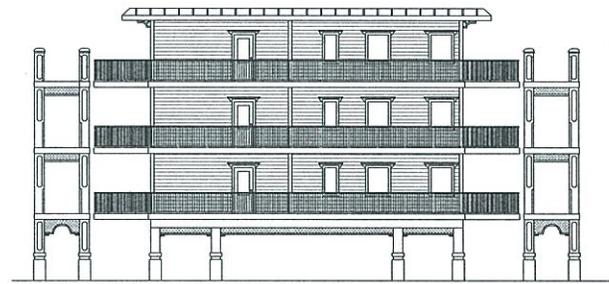
ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 1 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY
ELEVATIONS 06-15-16	JSK

deHaas
 Consulting & Design
 Dr. Hacer Crousseck
 P.E.
 300
 714.303.0244

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 DWANE L. KEYS
 6130 WATSON BLVD., SUITE 110
 MANDALAY, MISSISSIPPI 39232
 601.855.5252

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 1

DATE	
DRW	Jeff Keating
CHKD	D. DEHAAS
DATE	
SHEET	A-3
OF	14 SHEETS

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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



ELEVATION - FRONT



ELEVATION - REAR



ELEVATION - LEFT SIDE



ELEVATION - RIGHT SIDE

BUILDING 2 ELEVATIONS

SCALE: 1/8" = 1'

REVISIONS	BY
ELEVATIONS 06-15-16	JSK

deHaas
 Consulting & Design
 Dr. Haas Crosscheck
 300
 305.326.4700

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 DANIEL L. KEYS
 9100 W. UNIVERSITY BLVD. SUITE 1
 TAMPA, FL 33615
 813.885.5225

KEY MARINA DEVELOPMENT
ELEVATIONS - BUILDING 2

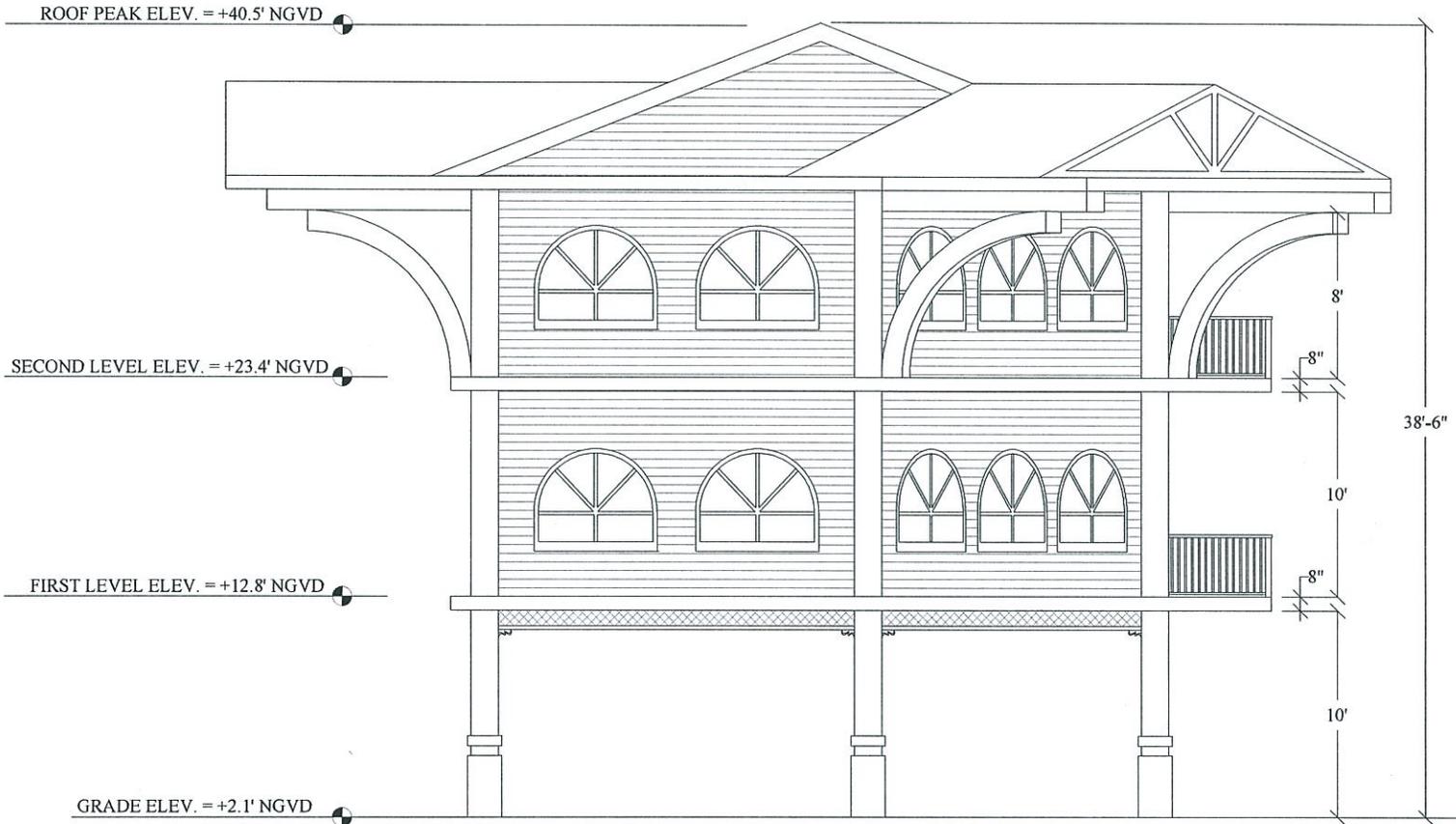
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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITONAL USE at MANDALAY



ELEVATION - STREET SIDE

RECEPTION BUILDING ELEVATIONS

SCALE: 3/8" = 1"

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REVISIONS	BY
ELEVATIONS 06-15-16	JSK

deHlaas
 Consulting & Design
 Dr. DeHlaas
 3100
 1 Fax: 305.952.4130

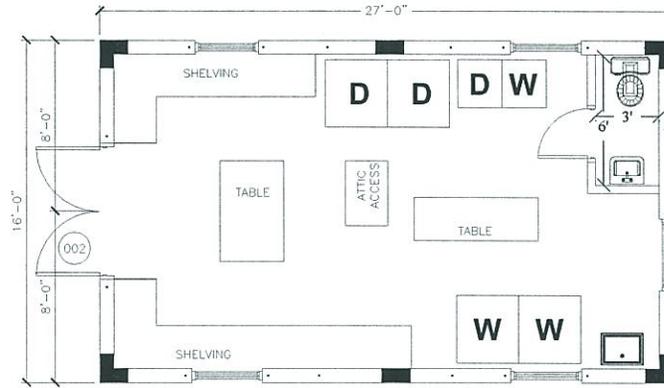
ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 9125 MANDALAY AVENUE, SUITE 111
 MIAMI BEACH, FL 33154
 TEL: 305.556.2222

KEY MARINA DEVELOPMENT
RECEPTION BUILDING ELEVATION

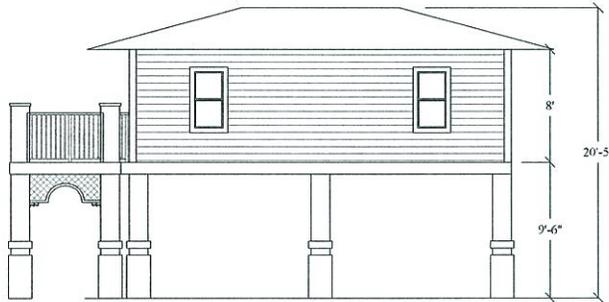
DRW	Jeff Keating
CHKD	D. DEHLAAS
DATE	
SHEET	A-6
	14 SHEETS

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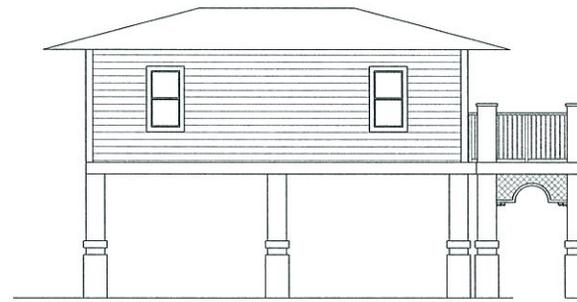
KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITIONAL USE at MANDALAY



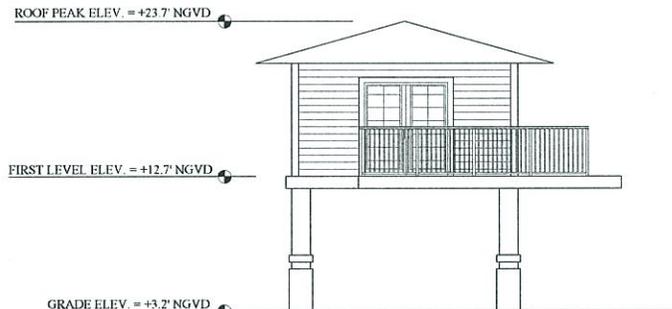
LAUNDRY BUILDING
 SCALE: 3/16" = 1'



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

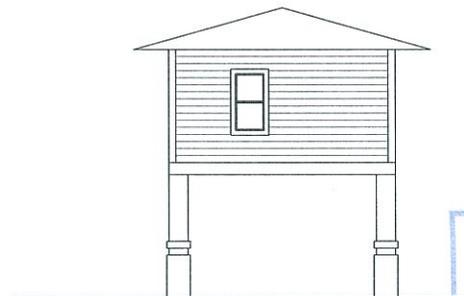


FRONT ELEVATION

ROOF PEAK ELEV. = +23.7' NGVD

FIRST LEVEL ELEV. = +12.7' NGVD

GRADE ELEV. = +3.2' NGVD



REAR ELEVATION

LAUNDRY BUILDING ELEVATIONS
 SCALE: 1/4" = 1'

REVISIONS	BY
ELEVATIONS 06-15-16	JSK

deHaas
 Consulting & Design
 Dr. Hoos Grossack
 3105
 (Fax) 309.552.4130

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 9170 OXLEY LANE, SUITE 101
 MANASSAS, VIRGINIA 20108

KEY MARINA DEVELOPMENT
LAUNDRY BUILDING

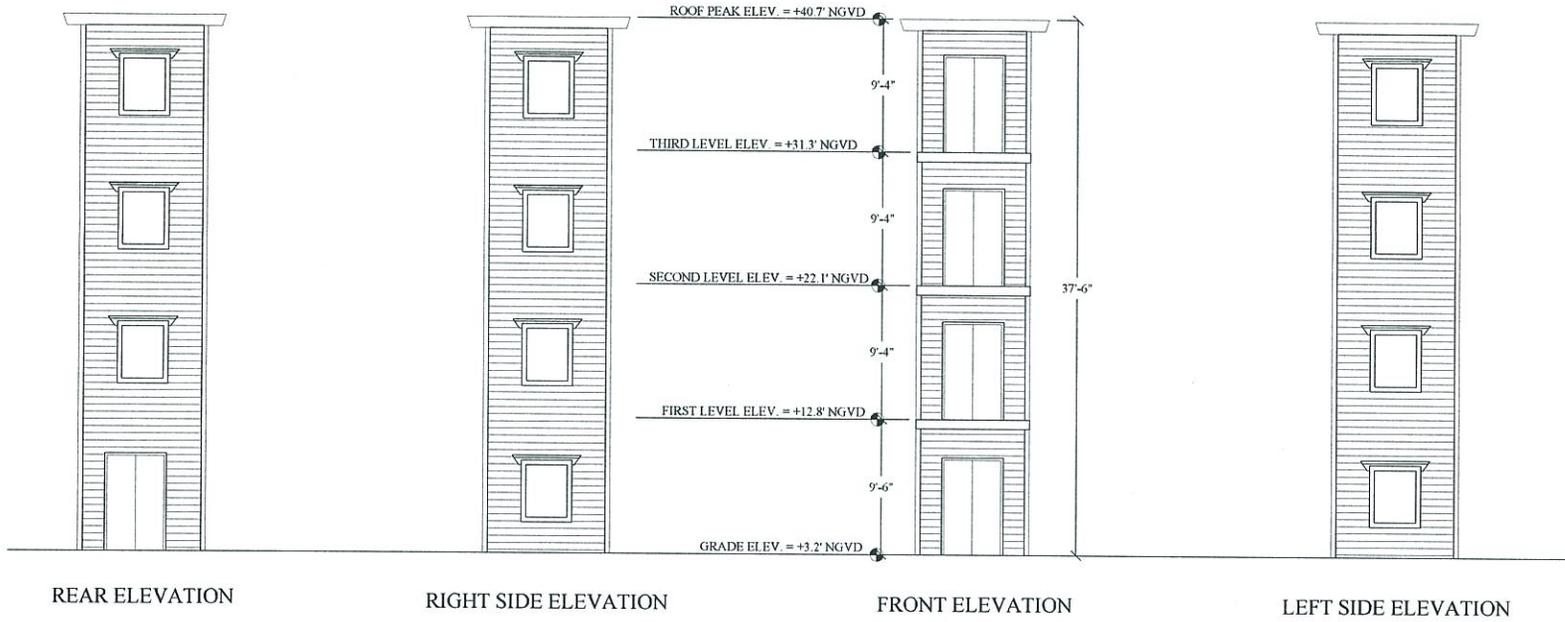
DRAWN
 Jeff Keating
 CHECKED
 D. DEHAAS
 DATE

SHEET
A-7
 OF 14 SHEETS

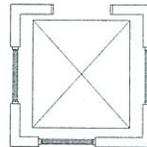
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KEY MARINA DEVELOPMENT, LLC.
MAJOR CONDITONAL USE at MANDALAY



ELEVATOR ELEVATIONS
 SCALE: 1/4" = 1'



TYPICAL ELEVATOR PLAN VIEW
 SCALE: 1/4" = 1'



REVISIONS	BY
ELEVATIONS 06-13-16	JSK

deHaas
 Consulting & Design
 D. de Haas
 P. de Haas
 1100 W. 12th St. Suite 100
 Vancouver, WA 98660
 Tel: 509.532.4100

ENGINEERING BY:
 KEYS ENGINEERING SERVICES
 Jeff Keating
 D. de Haas
 9100 NE 12th St. Suite 100
 Vancouver, WA 98660
 Tel: 509.532.4100

**KEY MARINA DEVELOPMENT
 ELEVATOR ELEVATIONS**

DRAWN
 Jeff Keating
 CHECKED
 D. de Haas
 DATE

SHEET
A-8
 OF 14 SHEETS

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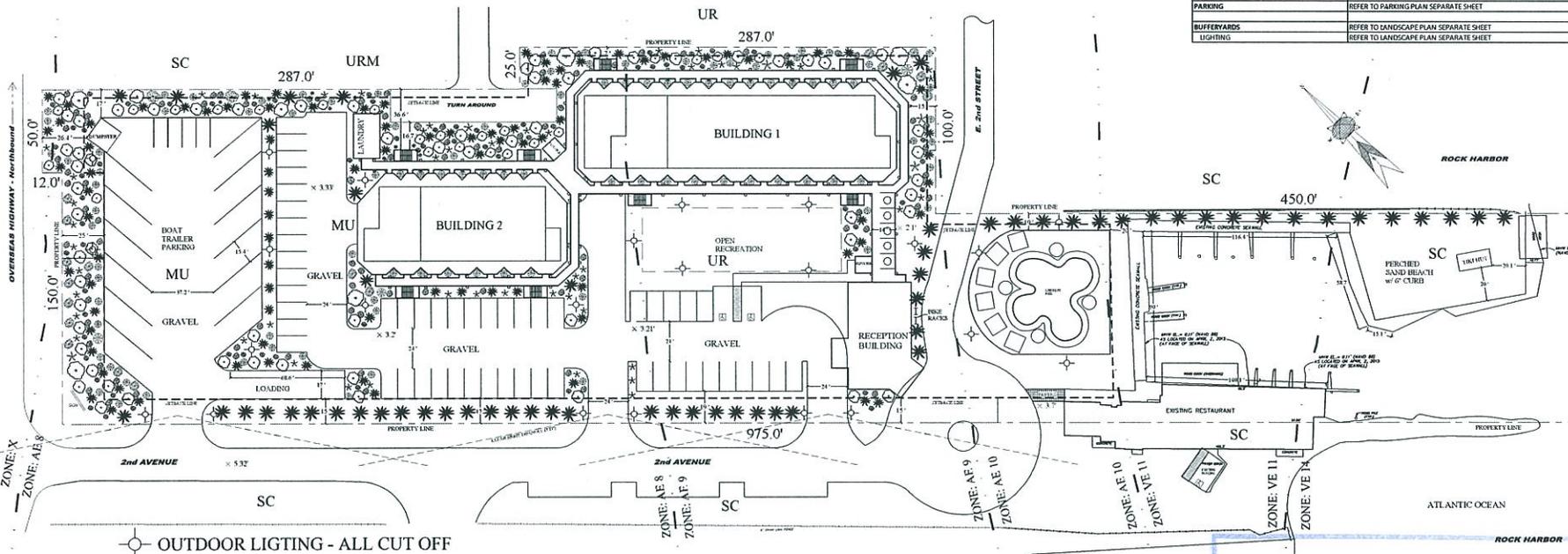
KEY MARINA DEVELOPMENT, LLC. MAJOR CONDITIONAL USE at MANDALAY

DENSITY / INTENSITY CALCULATIONS						
LAND USE DISTRICT	AREA SQ. FT.	AREA SQ. FT. MAX NET	UNIT TYPE	DWELLING PER AREA W/ SQ. FT. REQUIRED	TOTAL DWELLINGS	TOTAL DWELLINGS
					ALLOWED	PROPOSED/ PER DEV. AGREEMENT
MU MIX USE	57,400	46,660	TRANSIENT	10 = 4.356 / 15 MAX NET = 2,904	13 UNITS / 16 MAX	3 TRANSIENT UNITS
MU MIX USE	57,400	46,660	MARKET RATE V. RENTAL	1 = 43,650 / 12 MAX NET = 3,630	1.3 UNITS / 13.8 MAX	11 UNITS
UR URBAN RESIDENTIAL	64,575	57,335	MARKET RATE V. RENTAL	6 = 47,200 / 12 MAX NET = 3,630	8.8 UNITS / 15.7 MAX	11 UNITS
SC SUBURBAN COMMERCIAL	17,037	17,037	RESTAURANT	MED INTENSITY = .35 PER A.	5,962 SQ. FT. ALLOWED	22 TOTAL MARKET UNITS
TOTALS	139,012	121,032			4,975 SQ. FT. EXISTING	

PROPERTY INFORMATION KEY MARINA DEVELOPMENT LLC.		
PARCEL ID	ALTERNATIVE KEY	LEGAL DISCRPTION
00554420-000000	1679917	BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO
00554670-000000	1680168	PART OF SQUARE 3 MANDALAY, KEY LARGO
00554700-000000	1680192	NE 50 FT. OF THE SW 225 FT. OF SCR 3 (5-A) MANDALAY KEY LARGO
00554730-000000	1680222	BLK 3, SW 125 FT X 125 FT & NW 125 FT OF NELLY 100 FT OF SW 225 FT MANDALAY PB 1 - PAGE 194 KEY LARGO
00554740-000000	1680231	BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1 - PAGE 194 KEY LARGO TIFF DEED 22605

INFORMATION AND GENERAL CALCULATIONS

REFERENCE AREA	SPECIFICS
PROPERTY ADDRESS	30 & 42 E. SECOND ST., KEY LARGO, FL 33037
LEGAL DESCRIPTION	00554420-000000 BK 2 LOTS 1 THRU 8 & 30 THRU 33 MANDALAY KEY LARGO 00554670-000000 PART OF SQUARE 3 MANDALAY, KEY LARGO 00554700-000000 NE 50 FT. OF THE SW 225 FT. OF SCR 3 (5-A) MANDALAY KEY LARGO 00554730-000000 BLK 3, SW 125 FT X 125 FT & NW 125 FT OF NELLY 100 FT OF SW 225 FT MANDALAY PB 1 - PAGE 194 KEY LARGO 00554740-000000 BLK 4, LOTS 1 & 2 & ADJ. BAY BOTTOM, MANDALAY PB1 - PAGE 194 KEY LARGO TIFF DEED 22605
PROPOSED DEVELOPMENT	VACATION RENTALS, MOTEL, RESTAURANT & AMENITIES
LAND USE (DISTRICTS) zoning	SC, MU, UR
ADJOINING PROPERTY	SC, URM, UR
FUTURE LAND USE ZONING	MU
TIER DESIGNATION (FLOOD ZONES)	TIER III FEMA P.# 125129 AE-8-9-10 & VE-11-14
DEVELOPMENT AREA AND CALCULATIONS	
TOTAL SITE AREA	367,261.2 SQ. FT. = 8.35 ACRES
TOTAL URBAN AREA	13,903.2 SQ. FT. = 3.19 ACRES
TOTAL PERVIOUS AREA	301,200.2 SQ. FT. = 73 PERCENTAGE OF SITE
TOTAL IMPERVIOUS AREA	37,812 SQ. FT. = 37 PERCENTAGE OF SITE
TOTAL GRAVEL AREAS	43,699 SQ. FT. = 299 PERCENTAGE OF SITE
TOTAL AREA W/ GRAVEL OCCUPIED	78,511 SQ. FT. = 57 PERCENTAGE OF SITE
DENSITY	
VACATION RENTALS	22 UNITS
MOTEL ROOMS / SUITES	1 UNITS
RESTAURANT	4,976 SQ. FT.
GUEST AMENITIES NON-COMMERCIAL	3,776 SQ. FT.
SETBACKS	PRIMARY FRONT YARD 25 FT., SECONDARY FRONT YARD 15 FT., REAR 20 FT. M.H.W. LINE, SECONDARY SIDE 5'
OPEN SPACE REQUIRED ALL DISTRICTS	0.20 CSR
OPEN SPACE PROVIDED (total unoccupied)	0.43 CSR
HABITAT TYPE	DEVELOPED/DISTURBED/SCARIFIED
PARKING	REFER TO PARKING PLAN SEPARATE SHEET
BUFFERYARDS	REFER TO LANDSCAPE PLAN SEPARATE SHEET
LIGHTING	REFER TO LANDSCAPE PLAN SEPARATE SHEET



PROPOSED SITE PLAN
SCALE: 1" = 30'



REVISIONS	BY
SETBACK LINE 06-15-16	JSK

deflaas
Consulting & Design

Dorcas Greenebeck
Professional Engineer
No. 12729
FLORIDA
165-0522

ENGINEERING BY:
KEYS ENGINEERING SERVICES
1200 N. 127th Ave.
MANTALAY KEY LARGO, FL 33032

**KEY MARINA DEVELOPMENT
PROPOSED SITE PLAN**

DRAWN
Jeff Keating
CHECKED
D. DENNIS
DATE

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C-2
OF 14 SHEETS

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2016-076
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MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

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

From: Ed Koconis, AICP Administrative Manager

Date: August 8, 2016

Subject: *AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS REPEALING SECTION 138-56 "EMPLOYEE HOUSING FAIR SHARE IMPACT FEE" OF THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (FILE #2016-117)*

Meeting: August 30, 2016

I. REQUEST

This is a request from the Planning & Environmental Resources Department, per the direction of the Monroe County Board of County Commissioners (BOCC), to repeal Monroe County Code (MCC) Section 138-56 – Employee Housing Fair Share Impact Fee.

II. BACKGROUND INFORMATION

On September 19, 2001, at a regularly scheduled meeting, the BOCC passed and adopted Ordinance 032-2001 "Non-residential Rate of Growth Ordinance" which included an employee housing fair share impact fee and the establishment of its fee schedule.

On December 17, 2003, at a regularly scheduled meeting, the BOCC passed and adopted Ordinance 046-2003 which included an amendment to the fee schedule creating a new fee category, increasing fees for non-residential structures of 3,000 square feet or greater.

On May 24, 2016, at a regularly scheduled meeting, the BOCC directed staff to eliminate Employee Fair Share Housing, Police Facilities, Solid Waste, and Libraries Impact fees, and direct staff to commence the hiring process for a consultant to conduct thorough projections for amending the impact fees for Roadways, Parks and Recreation, and Fire & EMS.

III. ANALYSIS OF PROPOSED AMENDMENT

MCC Section 138-56 currently reads as follows:

Sec. 138-56. Employee housing fair share impact fee.

- (a) *Purpose.* All new nonresidential floor area, including commercial/business, institutional, and industrial development, creates a direct or indirect requirement for employee housing. The availability and stability of employee housing stock is essential for the economic health of the county. Therefore, all applicants for new or transferred nonresidential floor area shall be assessed a fee to be used by the county to address employee housing issues.
- (b) *Type of development affected.* The following types of development are affected by the impact fee:
- (1) All new nonresidential floor area under section 138-49(a); and
 - (2) The following development activities exempted under section 138-50 are subject to the employee housing fair share impact fee:
 - a. Nonresidential development in areas exempted from residential ROGO, per section 138-50(2);
 - b. Development activity for certain not-for-profit organizations, per section 138-50(4);
 - c. Vested rights, per section 138-50(5);
 - d. De minimis expansion of nonresidential floor area, per section 138-50(6);
 - e. Industrial uses, per section 138-50(7); and
 - f. Transfer and redevelopment off site of lawfully established nonresidential floor area which has not operated commercially for three years or more, per section 138-50(10).
- (c) *Establishment of fee schedule.* An applicant for any new nonresidential floor area identified in subsection (b) of this section shall pay, prior to the issuance of a building permit, a fair share employee housing fee as established by the following schedule:

Structures for nonresidential uses of one to 1,999 square feet	\$1.00 per square foot
Structures for nonresidential uses of 2,000 to 2,999 square feet*	\$2.00 per square foot
Structures for nonresidential uses of 3,000 square feet or greater*	\$3.00 per square foot
*The fee is calculated on the total new or transferred nonresidential floor area subject to subsection (a)(2)f. of this section.	

- (d) *Proceeds.* Proceeds from the impact fees collected shall be deposited in the employee housing fair share impact fee account and used exclusively to offset the cost of required permitting and connection fees related to the development of new employee housing, in accordance with a schedule and procedures recommended by the planning commission and approved by the board of county commissioners.

The current provisions of Section 138-56 include a fee schedule that levies a per square amount to new nonresidential floor area which are deposited in an account used exclusively to offset the cost of required permitting and connection fees related to the development of new employee housing. The proposed amendment would repeal this section in its entirety, however Sections 30-161 and 30-161.1 address the administration of affordable and employee housing, including inclusionary housing requirements and the affordable housing trust fund, as well as affordable housing incentive programs.

IV. PROPOSED AMENDMENT (Deletions are ~~stricken through~~ and additions are underlined.)

~~Sec. 138-56. Employee housing fair share impact fee.~~

- (a) ~~*Purpose.* All new nonresidential floor area, including commercial/business, institutional, and industrial development, creates a direct or indirect requirement for employee housing. The availability and stability of employee housing stock is essential for the economic health of the county. Therefore, all applicants for new or transferred nonresidential floor area shall be assessed a fee to be used by the county to address employee housing issues.~~
- (b) ~~*Type of development affected.* The following types of development are affected by the impact fee:~~
- ~~(1) All new nonresidential floor area under section 138-49(a); and~~
 - ~~(2) The following development activities exempted under section 138-50 are subject to the employee housing fair share impact fee:~~
 - ~~a. Nonresidential development in areas exempted from residential ROGO, per section 138-50(2);~~
 - ~~b. Development activity for certain not for profit organizations, per section 138-50(4);~~
 - ~~c. Vested rights, per section 138-50(5);~~
 - ~~d. De minimis expansion of nonresidential floor area, per section 138-50(6);~~
 - ~~e. Industrial uses, per section 138-50(7); and~~
 - ~~f. Transfer and redevelopment off site of lawfully established nonresidential floor area which has not operated commercially for three years or more, per section 138-50(10).~~

~~(c) *Establishment of fee schedule.* An applicant for any new nonresidential floor area identified in subsection (b) of this section shall pay, prior to the issuance of a building permit, a fair share employee housing fee as established by the following schedule:~~

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Structures for nonresidential uses of 3,000 square feet or greater*	\$3.00 per square foot
*The fee is calculated on the total new or transferred nonresidential floor area subject to subsection (a)(2)f. of this section.	

~~(d) *Proceeds.* Proceeds from the impact fees collected shall be deposited in the employee housing fair share impact fee account and used exclusively to offset the cost of required permitting and connection fees related to the development of new employee housing, in accordance with a schedule and procedures recommended by the planning commission and approved by the board of county commissioners.~~

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan. Specifically, it furthers:

GOAL 601

Monroe County shall adopt programs and policies to facilitate access by residents to adequate and affordable housing that is safe, decent, and structurally sound, and that meets the needs of the population based on type, tenure characteristics, unit size and individual preferences. [§163.3177(6)(f)1. and 3., F.S.]

Objective 601.1

Monroe County shall implement the following defined policies to reduce estimated affordable housing need for households in the very low, low, median and moderate income classifications. [§163.3177(6)(f)1., F.S.]

Policy 601.1.9

Monroe County shall maintain land development regulations which may include density bonuses, impact fee waiver programs, and other possible regulations to encourage affordable housing.

Policy 601.1.13

Monroe County shall maintain land development regulations on inclusionary housing and shall evaluate expanding the inclusionary housing requirements to include or address nonresidential and transient development and redevelopment based on specific data and analysis.

B. The amendment is not inconsistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statutes.

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and benthic resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 - i. The Florida Keys Aqueduct and water supply facilities;
 - ii. Sewage collection, treatment, and disposal facilities;
 - iii. Solid waste treatment, collection, and disposal facilities;
 - iv. Key West Naval Air Station and other military facilities;
 - v. Transportation facilities;
 - vi. Federal parks, wildlife refuges, and marine sanctuaries;
 - vii. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 - viii. City electric service and the Florida Keys Electric Co-op; and
 - ix. Other utilities, as appropriate.
- (i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.

- (j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of F.S. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
- (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
- (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
- (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is not inconsistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

C. The amendment is consistent with one or more of the required provisions of Monroe County Code Section 102-158(d)(7)(b):

1. Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; N/A
2. Changed assumptions (e.g., regarding demographic trends); N/A
3. Data errors, including errors in mapping, vegetative types and natural features described in volume I of the plan; N/A
4. New issues; **At the May, 24, 2016 BOCC meeting, the BOCC directed staff to eliminate the Employee Fair Share Housing Impact Fee.**
5. Recognition of a need for additional detail or comprehensiveness; N/A
6. Data updates. N/A

VI. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed amendment.

Staff has found that the proposed text amendment would be consistent with one or more of the required provisions of Monroe County Code Section 102-158(d)(7)(b). Specifically, staff has found that the proposed text amendments are necessary due to new issues.

Staff has also found that the proposed text amendment would be consistent with the Monroe County Year 2010 Comprehensive Plan, the Florida Keys Principles for Guiding Development, and Sections 163.3194, 163.3201 and 163.3202, Florida Statutes.