DEVELOPMENT REVIEW COMMITTEE

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Tuesday, September 27, 2016

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AGENDA

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The Monroe County Development Review Committee will conduct a meeting on Tuesday, September 27, 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, Principal Planner
Thomas Broadrick, Sr. Planner
Barbara Bauman, Planner
Janene Sclafani, Planner
Gail Creech, Sr. Planning Commission Coordinator
Ilze Aguila, Sr. Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL:

MEETING

New Items:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY COMPREHENSIVE PLAN AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, CREATING POLICY 107.1.6 SHRIMP FARM AFFORDABLE HOUSING SUBAREA; ESTABLISHING THE BOUNDARY OF THE SHRIMP FARM AFFORDABLE HOUSING SUBAREA; LIMITING THE PERMITTED USES OF THE SUBAREA TO DEED RESTRICTED AFFORDABLE HOUSING DWELLING UNITS; ELIMINATING ALLOCATED DENSITY AND FLOOR AREA RATIO; ADDRESSING WETLAND AND SHORELINE SETBACKS AND HEIGHT WITHIN THE SUBAREA; REDUCING PARKING REQUIREMENTS WITHIN THE SUBAREA; AND REQUIRING BICYCLE PARKING, A MULTI-MODAL TRANSIT STOP, AND ELECTRIC CAR CHARGING SYSTEM WITHIN THE SUBAREA; FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION

27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; TO ACCOMPANY A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) FROM AGRICULTURE/AQUACULTURE (A) TO RESIDENTIAL HIGH (RH); 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 2016-136)
2016-136 SR DRC 09.27.16-Website.pdf
2016-136 FILE.PDF
2016-136 Policy 107 Proposed Language Revised for DRC2.pdf
2016-136 Traffic Statement 09.07.16-3.pdf
2016-136 Recvd 09.07.16 Survey-3.pdf

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY FUTURE LAND USE MAP AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FROM AGRICULTURE/AQUACULTURE (A) TO RESIDENTIAL HIGH (RH), FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF PROPOSED SUBAREA POLICY 107.1.5 OF THE COMPREHENSIVE PLAN TO PROVIDE LIMITATIONS ON DEVELOPMENT AND SPECIFIC RESTRICTIONS ON THE SUBJECT PROPERTY; 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 AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2016-137)
2016-137 SR DRC 09.27.16.pdf
2016-137 FILE.PDF

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM NATIVE AREA (NA) TO URBAN RESIDENTIAL (UR), FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF A CORRESPONDING FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.
(File 2016-138)
2016-138 SR DRC 09.27.16.pdf
2016-138 FILE.PDF

4. 201 COUNTY ROAD, BIG PINE KEY, MILE MARKER 31 (SENDER SITE): A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE TRANSFER OF 25 TRANSFERABLE ROGO EXEMPTIONS (TRES) FROM THE SENDER SITE TO A RECEIVER SITE TO BE DETERMINED. THE SENDER SITE IS DESCRIBED AS LOTS 1, 2, 3, 4 AND 5, BLOCK 1, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, BLOCK 2, SAM-N-JOE SUBDIVISION (PLAT BOOK 3, PAGE 76) AND LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 3, DARIO'S SUBDIVISION (PLAT BOOK 3, PAGE 92), BIG PINE KEY, MONROE COUNTY, FLORIDA HAVING REAL ESTATE #'S 00300090.000000, 00300180.000000, 00300590.000000 AND 00300670.000000. THE RECEIVER SITE IS TO BE DETERMINED AT A LATER TIME.
(File 2016-113)

2016-113 SR DRC 09.27.16.PDF
2016-113 FILE.PDF
2016-113 Recvd 08.24.16 Survey.pdf

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

ADJOURNMENT

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

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: September 19, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY COMPREHENSIVE PLAN AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, CREATING POLICY 107.1.6 SHRIMP FARM AFFORDABLE HOUSING SUBAREA; ESTABLISHING THE BOUNDARY OF THE SHRIMP FARM AFFORDABLE HOUSING SUBAREA; LIMITING THE PERMITTED USES OF THE SUBAREA TO DEED RESTRICTED AFFORDABLE HOUSING DWELLING UNITS; ELIMINATING ALLOCATED DENSITY AND FLOOR AREA RATIO; ADDRESSING WETLAND AND SHORELINE SETBACKS AND HEIGHT WITHIN THE SUBAREA; REDUCING PARKING REQUIREMENTS WITHIN THE SUBAREA; AND REQUIRING BICYCLE PARKING, A MULTI-MODAL TRANSIT STOP, AND ELECTRIC CAR CHARGING SYSTEM WITHIN THE SUBAREA; FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; TO ACCOMPANY A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) FROM AGRICULTURE/AQUACULTURE (A) TO RESIDENTIAL HIGH (RH); 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 #2016-136)

Meeting: September 27, 2016

I. REQUEST

On August 11, 2016, the Planning and Environmental Resources Department received an application from Summerland Key Property Corp. ("the Applicant") to amend the Monroe County Year 2030

Comprehensive Plan to create Policy 107.1.6 "Shrimp Farm Affordable Housing Subarea" to accompany a proposed Future Land Use Map (FLUM) amendment from Agriculture/Aquaculture (A) to Residential High (RH) for property located at 23801 Overseas Highway on Summerland Key. The proposed subarea policy would provide additional development restrictions on the subject parcel, including a limitation that the only permitted use on the property would be affordable housing. The proposed subarea policy and FLUM amendment would be processed as "small-scale comprehensive plan amendments" pursuant to Section 163.3187, Florida Statutes, based on the size of the site and the limitation of development to affordable housing. The Applicant has also requested a corresponding Land Use District (Zoning) map amendment for the subject property from Native Area (NA) to Urban Residential (UR). *The subject of this staff report is the proposed comprehensive plan subarea policy.*

II. BACKGROUND INFORMATION

Site Information:

Location: MM 24, Summerland Key
Address: 23801 Overseas Highway
Description: a parcel of land in Section 27, Township 66 South, Range 28 East, Summerland Key, Monroe County, Florida
Real Estate Numbers: 00114840.000000
Owner/Applicant: Summerland Key Property Corp.
Size of Site: 356,910.48 sf (8.19 acres) per survey by Reece & Associates, dated 4/23/2015; per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site will be 9.0 acres. Data from a survey confirming this figure was not provided.
FLUM Designation: Agriculture/Aquaculture (A)
Land Use District: Native Area (NA)
Tier Designation: III
Flood Zones: AE (EL 9); AE (EL 10); AE (EL 11); VE (EL 11); VE (EL 13)
CBRS: portions of property along shoreline may be within CBRS System Unit
Existing Use: Vacant
Existing Vegetation/Habitat: Mangrove, Salt Marsh, Undeveloped Land, Developed Land, Submerged Land
Community Character of Immediate Vicinity: Adjacent land uses include vacant land to the east, open water to the north and west, institutional to the south across US1 (Boy Scouts of America Camp – Florida Sea Base), and single family residential to the southeast across US1.

The subject property currently has a Land Use District (Zoning) designation of Native Area (NA) and a Future Land Use Map (FLUM) designation of Agriculture/Aquaculture (A). The property was partially within a BU-2 district (Medium Business) prior to September 15, 1986, when it was re-designated as NA (the final adoption of the LUD map was in 1992). With the adoption of the Comprehensive Plan's FLUM in 1997, the subject parcels were given their current FLUM designation of A.

The subject property was historically used as a shrimp hatchery/sea food business dating back to at least 1980. According to the Monroe County Property Appraiser's records, all buildings on the site were demolished in 2011. The property is currently vacant, mostly scarified land, with several man-

made water bodies remaining from its former use. In the shoreline area of the property and in the eastern part of the property there are mangrove habitat areas (based on GIS habitat data, shown below). The Applicant's submission indicates that the in shoreline area and in the eastern part of the property there are mangrove habitat areas and salt marsh and buttonwood habitat areas. A vegetation survey/existing conditions report was not submitted with the application to confirm the habitats.

The Applicant is requesting a text amendment to the Monroe County Comprehensive Plan to establish a site specific subarea policy to accompany a concurrently proposed Future Land Use Map amendment for the site from A to Residential High (RH) and a proposed Land Use District (Zoning) Map amendment for the site from NA to Urban Residential (UR). ***The subject of this staff report is the proposed amendment to the Comprehensive Plan.***

The Applicant states that the reason for the proposed amendments is "to allow the abandoned Shrimp Farm to be adaptively reused for affordable housing purposes" and "to further promote incentives for affordable housing in the Monroe County Comprehensive Plan to alleviate the ongoing and worsening affordable housing crisis…" The applicant cites population projections produced by Keith & Schnars, P.A. and Fishkind & Associates in 2011, as well as the United Way's ALICE Study of Financial Hardship for Florida dated Fall, 2014, as supporting evidence of the need for affordable housing within Monroe County. This data indicates that more than half of the County renters are cost burdened (8,350 of 14,002) and that the County is mainly a tourism economy with a prevalence of lower paying service-sector employment. The ALICE report indicates that renters in the lower keys areas are significantly housing burdened over 35%, as follows: by 68% in Key West, by 69% in Stock Island, by 72% in Big Coppitt, by 56% in the Lower Keys and by 42% in Big Pine Key.

KEY FACTS AND ALICE STATISTICS FOR MONROE COUNTY

(From the ALICE Florida Report: Study of Financial Hardship, Fall, 2014, Appendix H)

Big Coppitt Key /Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
2016	833	12%	35%	53%	9%	55%	72%
Big Pine Key/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3777	1619	10%	35%	56%	4%	44%	42%
Key West							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
24870	9322	9%	35%	56%	4%	44%	68%
Lower Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
10394	4314	8%	23%	62%	5%	42%	56%
Stock Island/ Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3736	1111	14%	62%	24%	8%	53%	69%

Monroe County, 2012

Town	Total HH	% ALICE & Poverty
Big Coppitt Key CDP	833	47%
Big Pine Key CDP	1,619	44%
Key Largo CDP	4,517	53%
Key West	9,322	52%
Lower Keys CCD	4,314	38%
Marathon	3,371	55%
Middle Keys CCD	4,068	53%
North Key Largo CDP	510	31%
Stock Island CDP	1,111	76%
Tavernier CDP	953	52%
Upper Keys CCD	8,633	50%

ALICE IN MONROE COUNTY

Population: 74,809 | **Number of Households:** 29,241
Median Household Income: $53,637 (state average: $45,040)
Florida Underemployment Rate for 2012: 16%
Gini Coefficient (zero = equality; one = inequality): 0.53 (state average: 0.48)

How many households are struggling?

ALICE, an acronym for **A**sset **L**imited, **I**ncome **C**onstrained, **E**mployed, are households that earn more than the U.S. poverty level, but less than the basic cost of living for the county. Combined, the number of poverty and ALICE households equals the total population struggling to afford basic needs.

Poverty	ALICE		Above ALICE
3,557 HH	10,664 HH	STRUGGLING	15,020 HH
12%	36%		51%

What are the economic conditions?

The **Economic Viability Dashboard** evaluates community conditions for ALICE in three core areas. Each is an index with a scale of 1 (worst) to 100 (best).

Housing Affordability	Job Opportunities	Community Support
poor (14)	good (67)	poor (48)

The Applicant's full explanation and justification of the proposed amendments is included in the file for the application (File #2016-136).

Staff has reviewed the Applicant's position and supporting documentation, and agrees with the position that inadequate availability of affordable housing is currently a primary issue facing

permanent residents of unincorporated Monroe County. In 2015, the BOCC acknowledged the County's workforce housing issues and adopted Resolution 189-2015, assigning additional duties to the Affordable Housing Advisory Committee directing the committee to make recommendations for steps the County may take to address the need for more workforce housing options. The committee presented their recommendations to the BOCC at their regular meeting on August 17, 2016. The BOCC will be scheduling a special meeting to discuss the recommendations and provide direction to staff in the future.

As noted, this amendment is being proposed as a small scale amendment. Section 163.3187, F.S., establishes the process for adoption of a small-scale comprehensive plan amendment and provides the limitations and requirements (see below).

> (1) A small scale development amendment may be adopted under the following conditions:
>
> (a) **The proposed amendment involves a use of *10 acres or fewer*** and:
>
> (b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.
>
> (c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but **only proposes a *land use change to the future land use map for a site-specific small scale development activity***. However, ***text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible*** under this section.
>
> (d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, **unless the project subject to the proposed amendment involves the *construction of affordable housing units* meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).**
>
> (2) Small scale development amendments adopted pursuant to this section require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(11).
>
> * * *
>
> (4) **Comprehensive plans may only be amended in such a way as to *preserve the internal consistency of the plan* pursuant to s. 163.3177**. Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

While staff agrees with the position that inadequate availability of affordable housing is currently a primary issue facing unincorporated Monroe County, staff is also reviewing the proposed amendment for consistency with State Statutes (including 163.3187, F.S., above), Rules, internal consistency with the Comprehensive Plan and balancing all the requirements and policy issues.

III. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENTS

The following amendment is proposed by the Applicant (deletions are ~~stricken through~~; additions are shown in green and <u>underlined</u>):

GOAL 107

Monroe County shall regulate land use and development activities of scarified portions of property with 50 percent or more environmentally sensitive land that contains an existing nonconforming use by the enactment of area-specific regulations that allow development to occur subject to limitations and conditions designed to protect natural resources. For this Goal to be used, scarified portions of property shall not have been created purposefully without benefit of permit(s) as evidenced by pictorial aerial examination and/or other means available to the Growth Management Division.

Objective 107.1

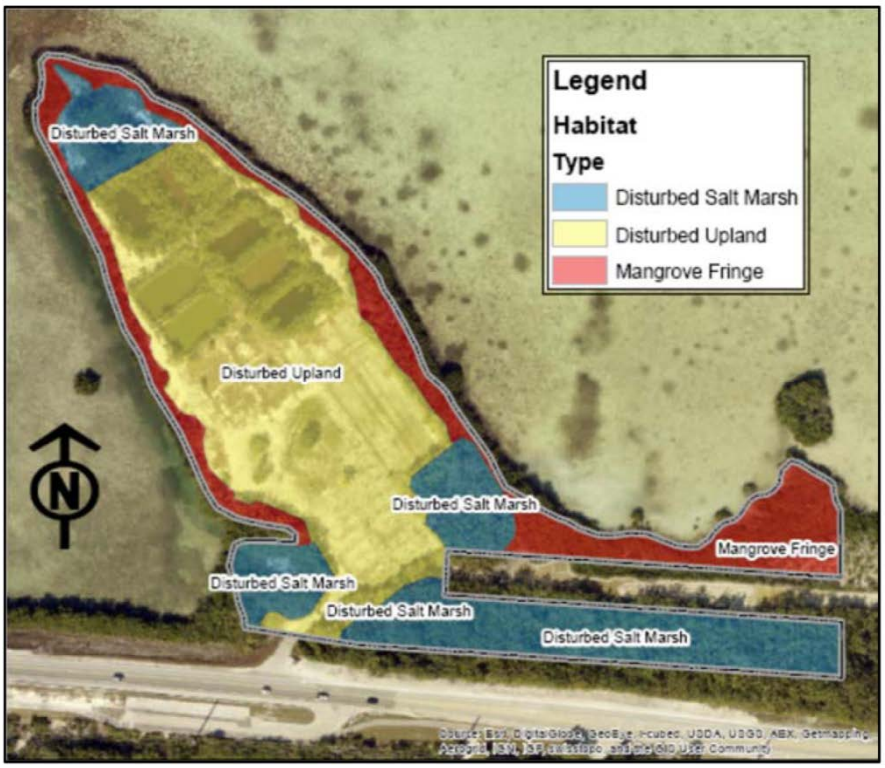
Monroe County shall coordinate land use with the elements of the Comprehensive Plan through Future Land Use Element subarea policies solely applicable to a specific geographic area. These subarea policies identify parcels of land that require narrowly-tailored regulation in order to confine development potential to an area or extent less than the maximum development potential allowed by its underlying Future Land Use Map category. The development parameters established for each subarea shall be based either on an inventory of uses and facilities established on the parcel or by data and analysis supporting the specific subarea limitations. Environmentally sensitive areas shall be preserved through the application of such methods as conservation easements that require mandatory eradication of exotic invasive vegetation.

* * *

Policy 107.1.6 Shrimp Farm Affordable Housing Subarea

The purpose of Shrimp Farm Affordable Housing Subarea is to implement applicable goals, objectives, and policies of the Comprehensive Plan to promote and facilitate development of affordable housing in the context of transit oriented and multi-modal development policies and environmental resource protection.

1. Boundary. The Shrimp Farm Affordable Housing Subarea shall be shown on the Official Land Use District Map.



2. Density Provisions

   a. Notwithstanding Policy 101.5.25 of the Comprehensive Plan and in accordance with Policy 101.5.26, the following density and intensity standards shall apply to the Shrimp Farm subarea.

Habitat Type	Square feet	Acres	Allocated Density	Maximum Net Density	Max Intensity (FAR)	Environmentally Sensitive/ Open Space
Mangrove fringe	79,777	1.9	0.0	0	0	21%
Disturbed Salt Marsh Wetland	109,002	2.6	0.0	65	0	29%
Disturbed Upland	203,995	4.6	0.0	114	0	
Totals	392,774	9.0	0.0	180	0	50%

3. Only the land uses listed below shall be allowed within the Shrimp Farm Affordable Housing Subarea

   a. Permitted as of right:

      i. Deed restricted affordable dwelling units.

      ii. Home occupations—Special use permit required

      iii. Passive and active recreation not to exceed 0.10 FAR.

   b. Permitted use limitations

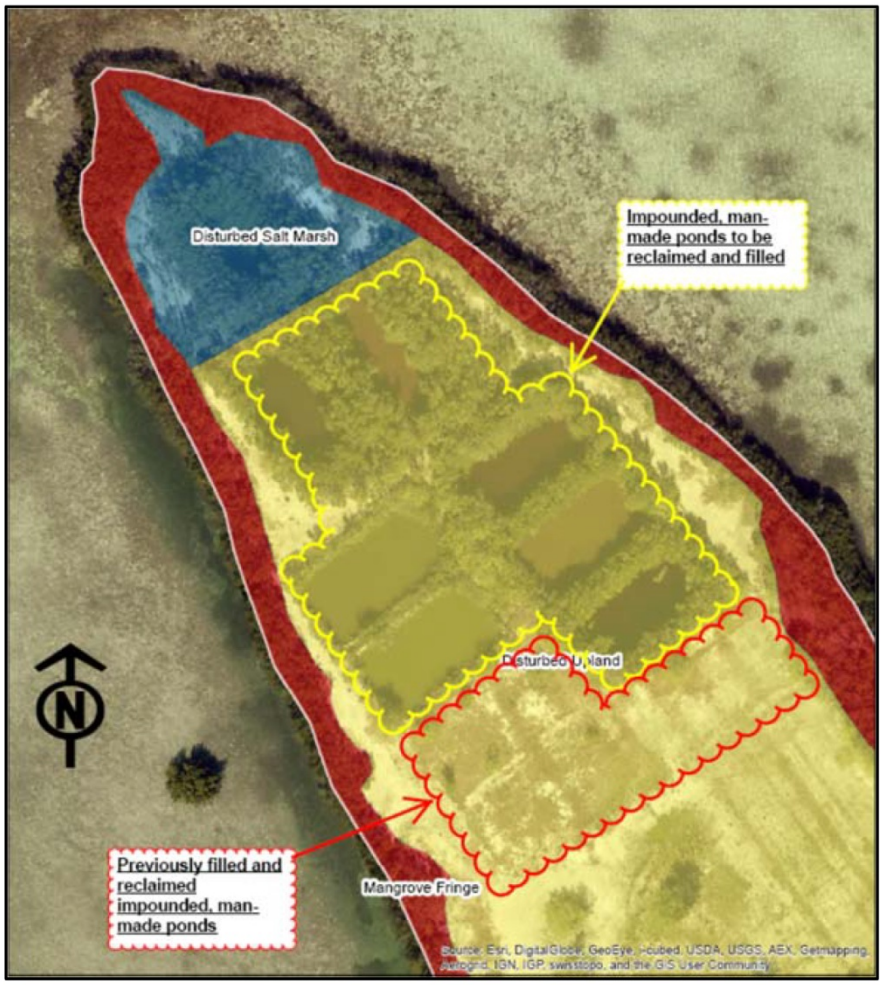
      i. All residential units constructed within the subarea shall be deed restricted, affordable housing in accordance with Policy 601.1.4

      ii. No market rate housing shall be allocated, assigned or transferred into the subarea.

      iii. No affordable units shall be transferred off-site; ie. properties within the subarea shall not be used as sender sites for affordable housing allocations.

4. Environmental Design criteria

   a. With the exception of the most northwestern impounded manmade waterbody and its surrounding native vegetation, any existing manmade water bodies, previously utilized as Shrimp hatcheries, shall be reclaimed to pre-excavation conditions and the same areas shall be designated 'Disturbed upland' on the habitat map for purposes of assigning maximum net density.



b. In accordance with Policy 203.1.2 and Policy 212.2.4.5 of the Comprehensive Plan, wetland and shoreline setbacks shall be 20 feet in width and shall be designed as follows:

   i. All native trees with a diameter at breast height (DBH) of greater than two and one-half (2-1/2) inches shall be preserved, relocated or replaced with nursery stock of the same species or equally rare species suitable to the site at a ratio of two (2) replacements for every one (1) tree removed pursuant to a transplantation program approved in accordance with Section118-8.

   ii. A raised boardwalk not to exceed 8 feet in width, nor 6 feet in overall height from existing grade may be constructed within the setback.

   iii. Parking and driveways shall be permitted within setbacks as an accessory use such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained.

c. Identified mangrove habitat located on the property will be placed under a perpetual conservation easement to be recorded in the Public Records of Monroe County. The conservation areas within the conservation easement may in no way be altered from their permitted state (excluding restoration activities).

d. A fully-compliant SFWMD-approved stormwater management system that prevents adverse impacts to the on-site wetland restoration and preservation/conservation area shall be implemented as part of any redevelopment process.

5. Multi-modal and transit-oriented design criteria

   a. Parking and transportation facilities shall be designed as follows:

      i. Residential parking shall be provided as follows:

         (a) Minimum of 1.0 space per each 1-bedroom dwelling unit;

         (b) Minimum of 1.5 spaces per each 2-bedroom dwelling unit; and

         (c) Minimum of 2.5 spaces per each 3 or more bedroom dwelling unit

      ii. Residential bicycle parking shall be required at a rate of at least 1 space per residential unit.

      iii. Development within the subarea shall provide bicycle/pedestrian paths complimentary to the county trail system along the US 1 corridor.

      iv. Development within the subarea shall provide a multi-modal transit stop for mass transit, which shall include designated areas for bicycle and motorcycle parking. The mass transit stop shall include a covered and secure area for passengers waiting for transportation

      v. Development within the subarea shall provide an electric car charging system within the boundaries of the development.

6. In accordance with Section 130-187 and Section 101-1, building height shall be measured from crown of the nearest road (US-1) to the highest part of the structure.

(the remainder of this page intentionally left blank)

IV. ANALYSIS OF PROPOSED AMENDMENT

The following table itemizes the individual components of the Applicant's proposed subarea policy and provides staff's analysis and recommendation for each item:

Applicant's Proposed Language	Analysis	Staff Recommendation
The purpose of Shrimp Farm Affordable Housing Subarea is to implement applicable goals, objectives, and policies of the Comprehensive Plan to promote and facilitate development of affordable housing in the context of transit oriented and multi-modal development policies and environmental resource protection.	The proposed purpose is consistent with the requirement that a small scale amendment be for the construction of affordable housing. The Comp Plan establishes the subarea policies to protect natural resources and provide for narrowly-tailored regulation in order to confine development potential to an area or extent less than the maximum development potential allowed by its underlying Future Land Use Map category.	Approval
1. Boundary. The Shrimp Farm Affordable Housing Subarea shall be shown on the Official Land Use District Map.	Subarea policies under Goal 107 are not overlay zones shown on the Land Use District Map. The legal description of the property and of the property needs to be included within the subarea policy instead.	Include legal description and a simple map showing the boundary of the property within the subarea policy. This section, or an additional section, should also include that the property is Residential High (RH) and Urban Residential (UR).
2. Density Provisions a. Notwithstanding Policy 101.5.25 of the Comprehensive Plan and in accordance with Policy 101.5.26, the following density and intensity standards shall apply to the Shrimp Farm subarea.	The table provided by the applicant does not list "density" – it lists absolute numbers of dwelling units. It is not clear why the text includes "Notwithstanding Policy 101.5.25," as this policy establishes the density & intensity standards for the RH FLUM designation, including the existing adopted density bonus/maximum net density of 25 du/buildable acre for the UR zoning district. It is not clear why the text includes "in accordance with Policy 101.5.26." It appears the applicant is attempting to address Policy 101.5.26 by eliminating the allocated density of the site. As such, the text could include clearer language, such as: *Consistent with Policy 101.5.26, in order to implement the Florida Keys Carrying Capacity Study, maintain the overall County density and the preservation of native habitat, the allocated density for this property shall be eliminated.*	Revise table to show proposed maximum density and intensity standards for the site. Specify based on the RH FLUM that the property is subject to: 0du =allocated density 25du = maximum net density 0 SF = FAR Updated boundary survey will be required to identify total upland acreage with the filling of the existing manmade water bodies.
3. Only the land uses listed below shall be allowed within the Shrimp Farm Affordable Housing Subarea		
a. Permitted as of right:		Add "Accessory Uses" to the list of permitted uses.
i. Deed restricted affordable dwelling units.	Affordable dwelling units are consistent with the purpose of the amendment and the requirements of small-scale comprehensive plan amendments pursuant to Section 163.3187, F.S.	Approval
ii. Home occupations—Special use permit required	Home occupations are a specific use, but function as accessory to residential uses.	Approval
iii. Passive and active recreation not to exceed 0.10 FAR.	Small-scale comprehensive plan amendments pursuant to Section 163.3187, F.S. only allow affordable housing.	Remove from proposed language.

b. Permitted use limitations		Add clarification that no other residential uses and no nonresidential uses shall be permitted within the subarea. Staff is also recommending the proposed percentage of each affordable housing income category to be provided with the project be included in the amendment to reflect and respond to the supporting data.
i. All residential units constructed within the subarea shall be deed restricted, affordable housing in accordance with Policy 601.1.4	Affordable dwelling units are consistent with the purpose of the amendment and the requirements of small-scale comprehensive plan amendments pursuant to Section 163.3187, F.S. Staff is suggesting editorial changes.	Approval
ii. No market rate housing shall be allocated, assigned or transferred into the subarea.	This is consistent with the purpose of the amendment.	Approval
iii. No affordable units shall be transferred off-site; i.e. properties within the subarea shall not be used as sender sites for affordable housing allocations.	Although the current policies regarding TREs would not allow the transfer of an affordable ROGO allocation away from this site, this is important to include in order to be absolutely clear that any allocations awarded to this property pursuant to the subarea shall remain there.	Approval
4. Environmental Design criteria	The map provided by the applicant delineating habitat types is not based on a habitat survey. The map should either be eliminated or updated based on a habitat survey.	Remove or update map showing habitat types based on vegetation survey/existing conditions report.
a. With the exception of the most northwestern impounded manmade waterbody and its surrounding native vegetation, any existing manmade water bodies, previously utilized as Shrimp hatcheries, shall be reclaimed to pre-excavation conditions and the same areas shall be designated 'Disturbed upland' on the habitat map for purposes of assigning maximum net density.	Staff is suggesting editorial changes.	Approval
b. In accordance with Policy 203.1.2 and Policy 212.2.4.5 of the Comprehensive Plan, wetland and shoreline setbacks shall be 20 feet in width and shall be designed as follows:	Per Policy 212.2.3, the Shrimp Farm shoreline appears to be an unaltered open water shoreline. No data or analysis has been submitted to establish that the shoreline of the property is altered. As such, per Policy 212.2.4, the shoreline setback for an unaltered open water shoreline is required to be 50 feet from the landward extent of mangroves. It should be noted that the requirements of small-scale comprehensive plan amendments pursuant to Section 163.3187(4), F.S.; include that "Comprehensive plans may only be amended in such a way as to preserve the internal consistency." Reduction to 20 feet is inconsistent with the Comprehensive Plan and the Land Development Code. Per Policy 212.2.2, setbacks may be relaxed only through the Special Approval process in Policy 212.2.4. ***Policy 212.2.2*** *Within one (1) year after completion of the evaluation in Policy 212.2.1, the existing setbacks in the Land Development Code may be revised as deemed appropriate based upon findings of this review. The setbacks currently in use may be relaxed only through the Special Approval process in Policy*	Submit data to support the shoreline classification or amend the proposal to eliminate the shoreline setback reductions. The Applicant has mentioned that they may have data indicating an altered shoreline. With the appropriate data, the property may qualify as follows: on altered, open water shorelines, where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further inland.

	212.2.4. Existing setbacks are as follows: *1. twenty (20) feet from the mean high water (MHW) line of manmade water bodies and/or lawfully altered shorelines of natural water bodies;* *2. fifty (50) feet from natural water bodies with unaltered shorelines or unlawfully altered shorelines, measured from the landward limit of mangroves, if any, and where mangroves do not exist, from the mean high water (MHW) line; and* *3. fifty (50) feet from any shoreline area which is known to serve as an active nesting or resting area for marine turtles, crocodiles, terns, gulls and other birds.* ***Policy 212.2.3*** *The definitions for the terms "altered shoreline" and "unaltered shoreline" are as follows:* *1. altered shorelines are generally located directly along dredged canals, basins and channels and/or have been filled or vertically bulkheaded to such a degree that the original natural slope landward of the water is no longer present.* *2. unaltered shorelines are generally located along natural non-dredged waterways and open water and have a sloping profile typical of the original natural conditions of the shoreline even though fill or riprap may be present.* ***Policy 212.2.4:*** * * * *3. Along open water shorelines not adjacent to manmade canals, channels, or basins, and which have been altered by the legal placement of fill:* *a. Where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further inland.* * * * *4. Along unaltered and unlawfully altered shorelines, principal structures shall be set back fifty (50) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;*	
i. All native trees with a diameter at breast height (DBH) of greater than two and one-half (2-1/2) inches shall be preserved, relocated or replaced with nursery stock of the same species or equally rare species suitable to the site at a ratio of two (2) replacements for every one (1) tree removed pursuant to a transplantation program approved in accordance with Section118-8.	Current Comp Plan only provides for transplantation or mitigation (2:1). LDC Section 118-8 does not provide for transplantation or relocation. Mitigation must be provided in accordance with the Comp Plan. ***Policy 205.2.9*** * * * *(1) Successful transplantation of affected plants/individuals ("successful transplantation" shall be defined as one-hundred (100) percent survival after a period of one (1) year; or* *(2) Where the probability of survivability of transplanted plants is low or when there is no suitable planting area on the subject site (as determined in writing by the County Biologist), then the applicant shall be required to make a payment into the Monroe County Land Management*	Amend the proposal to be internally consistent or remove from proposed language.

	and Restoration Fund (See Goal 209 and related objectives and policies). Payments into this Fund for this purpose shall be calculated as follows: Payments shall be equal to the replacement cost at a rate of 2:1 for all native trees over four inches dbh; all listed species of any size; and all locally rare native species.	
ii. A raised boardwalk not to exceed 8 feet in width, nor 6 feet in overall height from existing grade may be constructed within the setback.	Per Policy 212.2.4, along unaltered shorelines, accessory structures shall be set back a minimum of 25 feet from the landward extent of the mangroves, and structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff.	Amend the proposal to be internally consistent or remove from proposed language.
iii. Parking and driveways shall be permitted within setbacks as an accessory use such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained.	Per Policy 212.2.4, accessory structures shall be set back a minimum of 25 feet from the landward extent of the mangroves, and structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff.	Amend the proposal to be internally consistent with adopted open space requirements of the shoreline setback for accessory uses or remove from proposed language.
c. Identified mangrove habitat located on the property will be placed under a perpetual conservation easement to be recorded in the Public Records of Monroe County. The conservation areas within the conservation easement may in no way be altered from their permitted state (excluding restoration activities).	Staff is suggesting editorial changes.	Approval
d. A fully-compliant SFWMD-approved stormwater management system that prevents adverse impacts to the on-site wetland restoration and preservation/conservation area shall be implemented as part of any redevelopment process.	This is an existing requirement.	Approval but not necessary as already required.
5. Multi-modal and transit-oriented design criteria		
a. Parking and transportation facilities shall be designed as follows:	Staff is suggesting editorial changes.	Submit data to support the reduced parking standards. Submit data on the proposed multi-modal stop/mass transit and how this supports the reduced parking.
i. Residential parking shall be provided as follows:		
(a) Minimum of 1.0 space per each 1-bedroom dwelling unit;	Per Section 114-67, for multifamily residential uses, the parking requirements are 2.0 spaces per each 1-bedroom dwelling unit; 2.0 spaces per each 2-bedroom dwelling unit; and 3.0 spaces per each 3 or more bedroom dwelling unit	
(b) Minimum of 1.5 spaces per each 2-bedroom dwelling unit; and		
(c) Minimum of 2.5 spaces per each 3 or more bedroom dwelling unit		
ii. Residential bicycle parking shall be required at a rate of at least 1 space per residential unit.	Staff is suggesting editorial changes.	Approval

iii. Development within the subarea shall provide bicycle/pedestrian paths complimentary to the county trail system along the US 1 corridor.	Staff is suggesting editorial changes, consistent with the adopted Policy 301.3.2 ***Policy 301.3.2*** *The County shall require that any development, occurring on or adjacent to the location of a planned bicycle or pedestrian facility as identified by the County, provide for the construction of that portion of the facility occurring within or adjacent to the development. If the facility has already been built, or if it will be constructed by an external agency, the development shall be connected to the facility in a safe and convenient manner to ensure that it is part of the development's overall transportation system. For state owned bicycle or pedestrian facilities a connection permit shall be required.*	Approval
iv. Development within the subarea shall provide a multi-modal transit stop for mass transit, which shall include designated areas for bicycle and motorcycle parking. The mass transit stop shall include a covered and secure area for passengers waiting for transportation	While the County is supportive of alternative modes such as mass transit, it is unclear (no information was provided) what service is anticipated or what entity would be responsible for the mass transit. It is not clear if the transit stop will be limited to the residents of the affordable housing. If it is anticipated that the transit stop would be available to non-residents, then the proposal needs to be clarified where the non-residents will access the stop and park their bicycles, motorcycles and vehicles. The submitted traffic study does not evaluate this use of the transit stop.	Provide additional information regarding what service is anticipated, what entity would be responsible for the mass transit, the anticipated users of the transit stop, parking, and traffic generation based on the proposal.
v. Development within the subarea shall provide an electric car charging system within the boundaries of the development.	It is not clear if the electric charging system will be limited to the residents of the affordable housing. If it is anticipated that the charging station(s) would be available to non-residents, then the use would not be considered as accessory to the affordable units. Additionally, if the charging station(s) would be available to non-residents, it may be considered a commercial retail use. Commercial retail uses are not permitted based on the requirements of small-scale comprehensive plan amendments pursuant to Section 163.3187, F.S. Further, the submitted traffic study does not evaluate this as a separate use.	Remove from proposed language or amend to limit the use to the residents of the affordable housing located within the property.
6. In accordance with Section 130-187 and Section 101-1, building height shall be measured from crown of the nearest road (US-1) to the highest part of the structure.	This is an existing requirement; staff is suggesting editorial changes.	Approval

V. STAFF-RECOMMENDED CHANGES TO PROPOSED AMENDMENT

Based on the analysis provided in the table on the previous pages, staff's recommended changes to the proposed text amendment creating Policy 107.1.6 are as follows (staff recommendations are shown with deletions in purple with a ~~double stikethrough~~, and additions in purple with a double underline):

Policy 107.1.6 Shrimp Farm Affordable Housing Subarea

The purpose of Shrimp Farm Affordable Housing Subarea is to implement applicable goals, objectives, and policies of the Comprehensive Plan to promote and facilitate development of affordable housing in the context of transit oriented and multi-modal development policies and environmental resource protection.

1. Boundary. The Shrimp Farm Affordable Housing Subarea shall ~~be shown on the Official Land Use District Map~~ include the property having Real Estate Number 00114840.000000, which is approximately 8.19 acres, and legally described as:

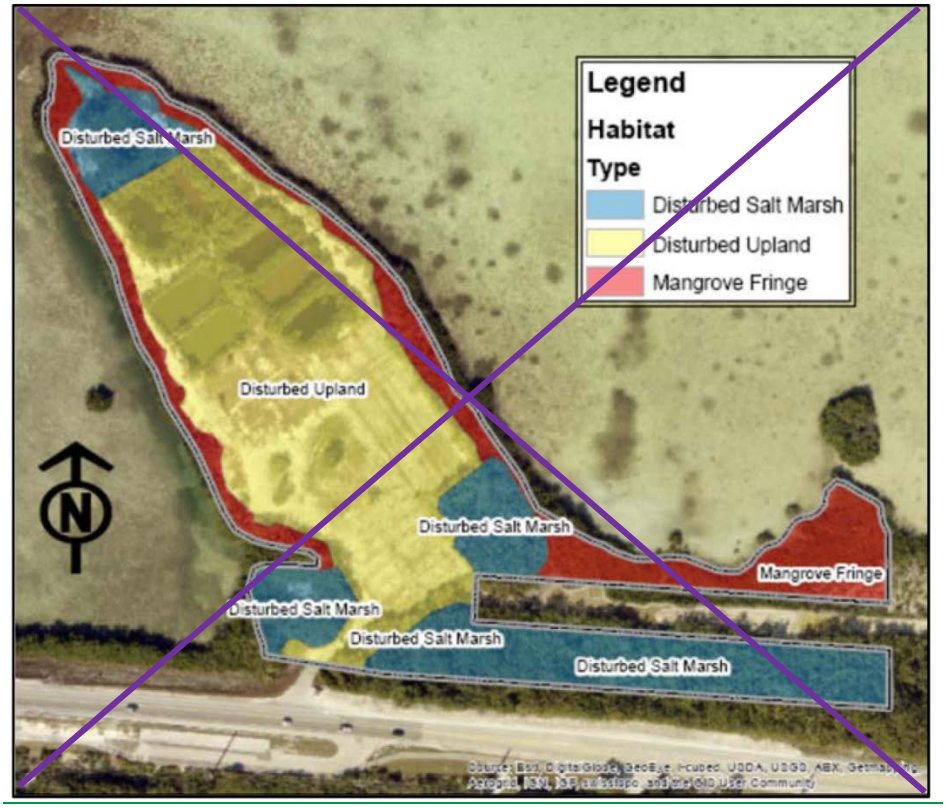
All of Government Lot 4, Section 27, Township 66 South, Range 28 East, lying North of U.S. Highway No. 1, except those portions of said Lot used for Old 4-A State Road Right-of-Way and HUDGINS SUBDIVISION, recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida.

AND ALSO:

Lying in the County of Monroe, State of Florida, and known as being a portion of the Right-of-Way of Old State Road No. 4-A in Government Lot 4, Section 27, Township 66 South, Range 28 East, and more particularly described as follows:

Commencing at a point on the East end of Kemp Channel Bridge No. 10-A designated as Station 777 + 34.79 on the Baseline of the survey of State Road No. 5 also as U.S. Highway No. 1, Section 90020-2529; thence bear South 86°08'46" East along the said Baseline of survey, a distance of 1,396.18 feet to a point thereon designated Station 791 + 30.97; thence bear North 00°27'46" West for 200.56 feet to a point on the most Southerly Right-of-Way line of Old State Road No. 4-A at its intersection with the Westerly line of Hudgins Subdivision as shown by plat recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida; thence bear 86°08'46" West along the said Southerly Right-of-Way line of Old State Road No. 4-A for 587.09 feet to the Point of Beginning of that portion of Old State Road No. 4-A herein intended to be described; from said Point of Beginning continue bearing North 86°08'46" West along the most Southerly Right-of-Way line of Old State Road No. 4-A for 182.85 feet to a point on the mean high water line within the Kemp Channel Shore of Government Lot 4, Section 27, Township 66 South, Range 28 East; thence meander said mean high water line on the following described courses, bearing first North 29°50'10" West for 4.81 feet; thence North 83°08'00" West, for 38.05 feet; thence North 55°44'06" West for 53.34 feet; thence North 73°34'17" East for 49.04 feet; thence North 54°02'42" East for 17.20 feet; thence North 05°48'32" East for 4.99 feet to the intersection of said mean high water line with the most Northerly Right-of-Way line of said Old State Road No. 4-A; thence bear South 86°08'46" East along the said most Northerly Right-of-Way line of Old State Road No. 4-A for 210.14 feet; thence bear South 03°51'14" West for 66.00 feet back to the Point of Beginning.

<insert basic map>



2. Land Use Designations. The Shrimp Farm Affordable Housing Subarea shall be subject to all regulations applicable to the Residential High (RH) Future Land Use Map designation and the Urban Residential (UR) Land Use District (Zoning) category, as well as the additional restrictions set out in this policy.

3. Density Provisions

   a. For consistency with Policy 101.5.26, in order to implement the Florida Keys Carrying Capacity Study and maintain the overall County allocated density and the preservation of native habitat, the allocated density for this property shall be zero.

   b. ~~Notwithstanding~~ In accordance with the density table in Policy 101.5.25, the maximum net density for affordable housing dwelling units within the subarea shall be 25 dwelling units per buildable acre. There shall be no maximum net density standard available for market rate dwelling units. ~~of the Comprehensive Plan and in accordance with Policy 101.5.26, the following density and intensity standards shall apply to the Shrimp Farm subarea.~~

   c. The maximum floor area ratio (F.A.R.) for all nonresidential uses within the subarea shall be zero.

Estimated Maximum Development Potential						
Land Use	**Allocated Density/ Intensity**	**Maximum Net Density**	**Gross Upland Area of Site**	**Open Space Ratio**	**Buildable Area of Site**	**Development Potential**
Market Rate Dwelling Units	0 du/acre	N/A	N/A	N/A	N/A	0 du
Affordable Dwelling Units	0 du/acre	25 du/ buildable acre	8.19 acres*	0.20	6.552 buildable acres*	163 du*
	0 du/acre	*25 du/ buildable acre*	*9.0 acres***	*0.20*	*7.2 buildable acres***	*180 du***
All Nonresidential Uses	0.0 F.A.R.	N/A	N/A	N/A	N/A	0 sf

*356,910.48 sf (8.19 acres) per survey by Reece & Associates, dated 4/23/2015.

**If the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development.

Habitat Type	Square feet	Acres	Allocated Density	Maximum Net Density	Max Intensity (FAR)	Environmentally Sensitive/ Open Space
Mangrove fringe	79,777	1.9	0.0	0	0	21%
Disturbed Salt Marsh Wetland	109,002	2.6	0.0	65	0	29%
Disturbed Upland	203,995	4.6	0.0	114	0	
Totals	392,774	9.0	0.0	180	0	50%

4. Land Uses. Only the land uses listed below shall be allowed within the Shrimp Farm Affordable Housing Subarea:

   a. Permitted as of right:

      i. Deed restricted affordable dwelling units~~.~~;

         (a) X percent of the total units shall be in the very low income category
         (b) X percent of the total units shall be in the low income category
         (c) X percent of the total units shall be in the median income category
         (d) X percent of the total units shall be in the moderate income category

      ii. Accessory uses; and

iii. Home occupations—Special use permit required.

~~iv. Passive and active recreation not to exceed 0.10 FAR.~~

b. Permitted use limitations:

i. All residential units constructed within the subarea shall be deed restricted, affordable housing in accordance with Policy 601.1.4;

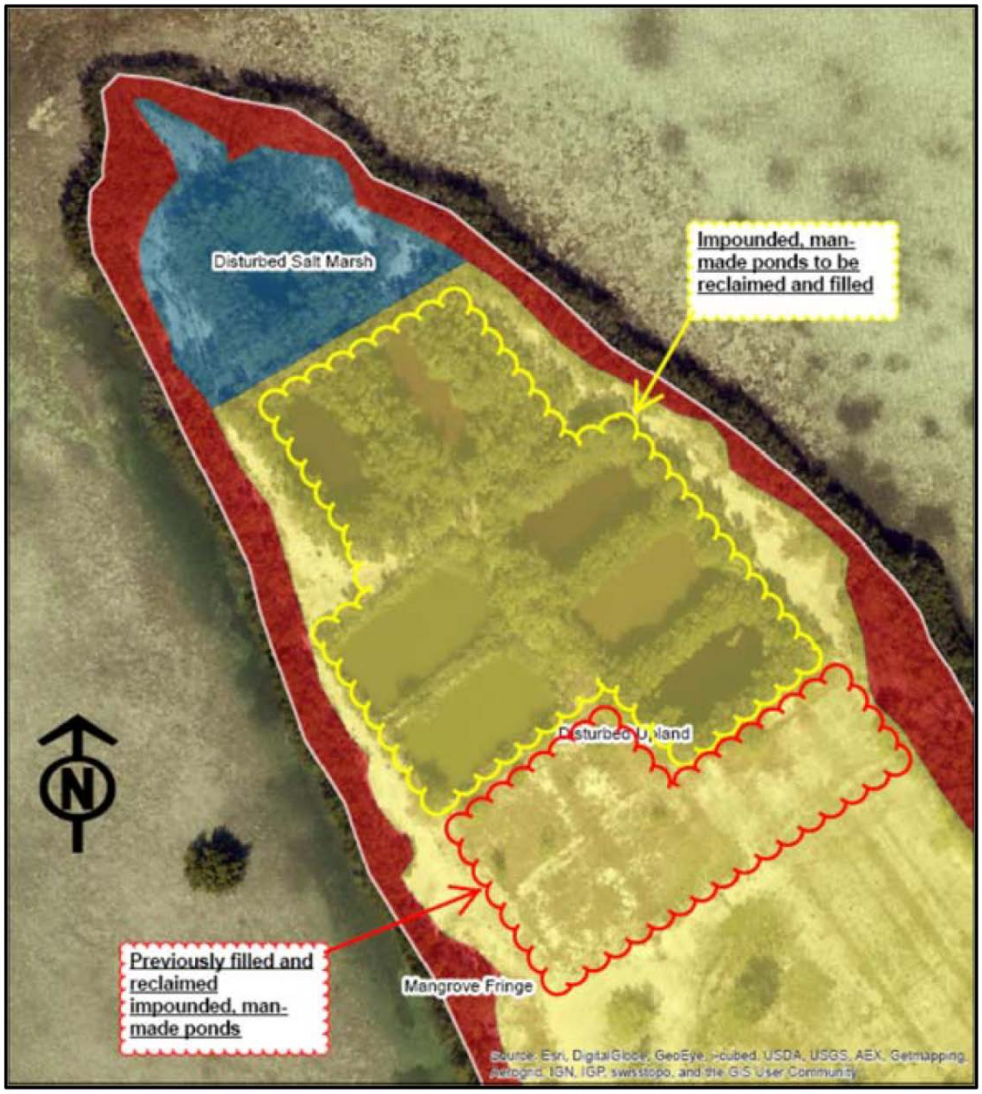
ii. No market rate housing shall be allocated, assigned or transferred into the subarea;

iii. No other residential uses shall be permitted within the subarea;

iv. No affordable units shall be transferred off-site; i.e., properties within the subarea shall not be used as sender sites for affordable housing ROGO allocations or TREs; and

v. No nonresidential uses shall be permitted within the subarea.

5. Environmental Design Criteria



a. With the exception of the most northwestern impounded manmade waterbody and its surrounding native vegetation, any existing manmade water bodies~~, previously utilized as shrimp hatcheries, shall~~ may be reclaimed to pre-excavation conditions and the same areas shall be ~~designated~~ considered "disturbed upland" ~~on the habitat map~~ for the purposes of assigning maximum net density.

b. In accordance with Policy 203.1.2, wetland setbacks shall be 25 feet from the edge of the wetland and the setback area shall be placed under a conservation easement.

c. In accordance with ~~Policy 203.1.2 and~~ Policy 212.2.4,~~.5 of the Comprehensive Plan, wetland and~~ the shoreline setback shall be 30 ~~20~~ feet in width, as measured from the mean high water (MHW) line, and shall be designed as follows:

   i. All native trees with a diameter at breast height (DBH) of greater than two and one-half (2-1/2) inches shall be preserved, relocated (transplanted) ~~or replaced with nursery stock of the same species or equally rare species suitable to the site~~ or mitigated with a payment into the Monroe County Land Management and Restoration Fund at a ratio of two (2) replacements for every one (1) tree removed, pursuant to a transplantation or mitigation program approved in accordance with Policy 205.2.9~~Section118-8~~.

   ii. A raised boardwalk not to exceed 4~~8~~ feet in width, nor 6 feet in overall height from existing grade may be constructed within the shoreline setback pursuant to Policy212.2.4

   ~~iii.~~ Parking and driveways shall be permitted within the shoreline setback as an accessory use pursuant to Policy212.2.4 ~~such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained.~~

d. Identified mangrove habitat located on the property ~~will~~ shall be placed under a perpetual conservation easement to be recorded in the Public Records of Monroe County. The ~~conservation~~ area~~s~~ within the conservation easement may in no way be altered from its natural ~~their permitted~~ state ~~(excluding restoration activities)~~.

~~e. A fully-compliant SFWMD-approved stormwater management system that prevents adverse impacts to the on-site wetland restoration and preservation/conservation area shall be implemented as part of any redevelopment process.~~

6. Multi-modal and transit-oriented design criteria

   a. Parking and transportation facilities shall be provided as accessory to the residential uses on the site, and shall be designed as follows:

      ~~i. Residential parking shall be provided as follows:~~

      (a) Minimum of 1.0 space per each 1-bedroom dwelling unit;

      (b) Minimum of 1.5 spaces per each 2-bedroom dwelling unit; and

      (c) Minimum of 2.5 spaces per each 3 or more bedroom dwelling unit

ii. Residential bicycle parking shall be provided ~~required~~ at a rate of at least 1 space per residential dwelling unit.

iii. Development within the subarea shall provide for the construction of that portion of any planned bicycle or pedestrian facility within or adjacent to the subarea along US 1. The development shall provide bicycle/pedestrian paths within the site that are connected to the facility in a safe and convenient manner to ensure that it is part of the development's overall transportation system. ~~complimentary to the county trail system along the US 1 corridor.~~

iv. Development within the subarea shall provide a multi-modal transit stop for mass transit, which shall include designated areas for bicycle and motorcycle/scooter parking. The mass transit stop shall include a covered and secure area for passengers waiting for transportation.

v. Development within the subarea shall provide an electric car charging system, provided as accessory to the residential uses, accommodating at least __*x*__ vehicles, within the boundaries of the development.

7. In accordance with the definitions of *height* and *grade* in the Glossary of the Comprehensive Plan, ~~Section 130-187 and Section 101-1,~~ building height within the subarea shall be measured from the crown of ~~the nearest road (~~US-1~~)~~ adjacent to the subarea to the highest part of the structure.

VI. 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.

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.

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

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.

Future Land Use Densities and Intensities				Minimum Open Space Ratio [c]
Future Land Use Category And Corresponding Zoning	Residential [l]		Nonresidential	
	Allocated Density [a] (per upland acre)	Maximum Net Density [a] [b] (per buildable acre)	Maximum Intensity (floor area ratio)	
* * *				
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.
(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.

Policy 101.5.26

In order to continue to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County residential density and the preservation of Monroe County's native habitat by enacting legislation which implements the following policy statements for private applications for future land use map amendments which increase allowable residential allocated density. Private application(s) means those applications from private entities with ownership of the upland development and parcel(s) of land or includes private upland development on County-owned land.

Private applications requesting future land use map designation amendments received after the effective date of this ordinance (Nov. 20, 2012), which propose increases in allocated residential density shall be required, upon amendment approval, to comply with either option (1) or (2) below:…

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. These three categories are: Natural Area (Tier 1); 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:

* * *

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.

Policy 105.2.2
Monroe County shall maintain overlay map(s) designating geographic areas of the County as one of the Tiers in accordance with the guidance in Policy 105.2.1, which shall be incorporated as an overlay on the zoning map(s) with supporting text amendments in the Land Development Regulations. These maps are to be used to guide the Land Acquisition Program and the smart growth initiatives in conjunction with the Livable CommuniKeys Program (Policy 101.19.1).

GOAL 203
The health and integrity of living marine resources and marine habitat, including mangroves, seagrasses, coral reefs, other hard bottom communities and fisheries, shall be protected and, where possible, restored and enhanced. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Objective 203.1
Monroe County shall protect its mangrove wetlands by continuing to implement regulations which will further reduce disturbances to mangroves and which will mitigate the direct and indirect impacts of development upon mangroves. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.1
The open space requirement for mangrove wetlands shall be one hundred (100) percent. No fill or structures shall be permitted in mangrove wetlands except for elevated, pile-supported walkways, docks, piers and utility pilings. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.2
Monroe County shall require minimum vegetated setbacks of fifty (50) feet to be maintained as an open space buffer for development occurring adjacent to all types of wetlands except for tidally inundated mangrove fringes and as provided for in Policy 204.2.3, 204.2.4 and 204.2.5. If

a 50-foot setback results in less than 2,000 square feet of principal structure footprint of reasonable configuration, then the setback may be reduced to allow for 2,000 square feet of principal structure footprint of reasonable configuration, provided that the setback is not reduced to less than twenty-five (25) feet. On properties classified as scarified adjacent to wetlands, the wetland setback may be reduced to twenty-five (25) feet, without regard to buildable area, if the entire setback is managed in accordance with County regulations approved by the County Biologist and is placed under conservation easement. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

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

Policy 212.2.4
Permitted uses and performance standards within the shoreline setback shall be as follows:

Except as provided herein, principal structures shall be set back as follows:

1. Along lawfully altered shorelines including manmade canals, channels, and basins, principal structures shall be set back at least twenty (20) feet as measured from the mean high water (MHW) line;

2. Along lawfully altered shorelines including manmade canals, channels, and basins, for parcels less than 4,000 square feet that are developed with a lawfully established principal use, the required setback may be reduced to a minimum of ten (10) feet provided that the structure is sited so as to protect community character and minimize environmental impacts by maintaining open space and protecting shoreline vegetation.

3. Along open water shorelines not adjacent to manmade canals, channels, or basins, and which have been altered by the legal placement of fill:

    a. Where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further inland.

    b. Where no mangrove fringe exists, principal structures shall be set back at least thirty (30) feet from the mean high water (MHW) line, provided that native vegetation exists or is planted and maintained in a ten (10) foot width across the entire shoreline as approved by the County Biologist, and is placed under conservation easement; otherwise the setback shall be fifty (50) feet as measured from the mean high water (MHW) line.

    c. On infill lots surrounded by significant development where principal structures are set back less than fifty (50) feet from mean high water (MHW) or the landward extent of mangroves, the Director of Planning and Environmental

Resources may evaluate the community character, the presence or absence of environmental features, and the setbacks on adjacent developed properties within two parcels on either side of proposed development, and may allow principal structures to be set back as far as practicable or in line with adjacent principal structures. In no event shall the setback be less than twenty (20) feet. On shorelines where the existing pattern of setback is greater than thirty (30) feet, the greater setback shall apply.

4. Along unaltered and unlawfully altered shorelines, principal structures shall be set back fifty (50) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

Accessory structures within the shoreline setback shall be designed to meet the following 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 sixty (60) percent of the upland area of the shoreline setback;

    b. Accessory structures, including, pools and spas shall be set back a minimum of ten (10) feet, as measured from the mean high water (MHW) line;

2. Along open water shorelines which have been altered by the legal placement of fill, and where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property:

    a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

    b. Accessory structures other than docks and erosion control structures shall be set back a minimum of fifteen (15) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

3. Along unaltered shorelines:

    a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

    b. Accessory structures other than docks and erosion control structures shall be set back a minimum of twenty-five (25) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

4. Any proposed development within the shoreline setback shall include a site-suitable stormwater management plan for the entire developed parcel which meets the requirements of the land development regulations;

5. All structures within the shoreline setback shall be located such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained;

6. Structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff;

7. Side yard setbacks must be maintained for all structures in the shoreline setback except for docks, sea walls, fences, retaining walls, and boat shelters over existing boat ramps;

8. No enclosed structures, other than a dock box of five (5) feet in height or less, a screened gazebo, and a screen enclosure over a pool or spa, shall be allowed within the shoreline setback. Gazebos must be detached from any principal structure on the parcel. No decks or habitable spaces may be constructed on the roof of any gazebo in the shoreline setback;

9. Pools, spas, fish cleaning tables, and similar pollutant sources may not discharge directly into surface waters. Where no runoff control structures are present, berms and vegetation shall be used to control runoff. Native vegetation shall not be removed to install berms or runoff control structures;

10. All boat ramps shall be confined to existing scarified shoreline areas of manmade canals, channels, and basins with little or no native vegetation, and shall be located and designed so as not to create a nonconformity for other structures set back from the new mean high water (MHW) line created by the boat ramp; and

11. The roof and supporting members of a boat shelter constructed in compliance with Section 118-10 of the Land Development Code, as amended (hereby incorporated by reference), may extend two (2) feet into the shoreline setback around the perimeter of a boat basin or ramp. This area shall be subtracted from the total area allowed for all structures within the shoreline setback.

12. Shoreline structures shall be designed to protect tidal flushing and circulation patterns. Any project that may produce changes in circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project. Previously existing manmade alterations shall be evaluated so as to determine whether more hydrological benefits will accrue through their removal as part of the project.

13. No development other than pile supported docks and walkways designed to minimize adverse impacts on marine turtles shall be allowed within fifty (50) feet of

any portion of any beach berm complex which is known to serve as a nesting area for marine turtles:

a. The fifty (50) foot setback shall be measured from either the landward toe of the most landward beach berm or from fifty (50) feet landward of MHW, whichever is less. The maximum total setback will be one hundred (100) feet from MHW.

b. Structures designed to minimize adverse impacts on marine turtles shall have a minimum horizontal distance of four (4) feet between pilings or other upright members and a minimum clearance of two (2) feet above grade. The entire structure must be designed to allow crawling turtles to pass underneath it moving only in a forward direction. Stairs or ramps with less than the minimum two (2) feet clearance above grade are discouraged. If built, these portions of the structure shall be enclosed with vertical or horizontal barriers no more than two (2) inches apart, to prevent the entrapment of crawling turtles.

c. Beaches known to serve as nesting areas for marine turtles are those areas documented as such on the County's threatened and endangered species maps and any areas for which nesting or nesting attempts ("crawls") have been otherwise documented. Within mapped nesting areas, the Director of Planning and Environmental Resources may, in cooperation with FDEP, determine that specific segments of shoreline have been previously, lawfully altered to such a degree that suitable nesting habitat for marine turtles is no longer present. In such cases, the Director may recommend reasonable measures to restore the nesting habitat. If such measures are not feasible, the Director will waive the setback requirements of this paragraph. Restoration of suitable nesting habitat may be required for unlawfully altered beaches.

14. Special Approvals:

a. For structures serving commercial uses, public uses, or more than three dwelling units, the Planning Commission may approve deviations from the above standards as a major or minor conditional use. 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 (5) years after the completion of the development.

b. For structures serving three or fewer dwelling units, the Director of Planning and Environmental Resources may approve designs that address unique circumstances such as odd shaped lots, even if such designs are inconsistent with the above

standards. Such approval may be granted only upon the Director's written concurrence with the applicant's written finding that the proposed design furthers the purpose of this section and the goals of the Monroe County Comprehensive Plan. Only the minimum possible deviation from the above standards will be allowed in order to address the unique circumstances. No such special approval will be available for after-the-fact permits submitted to remedy a Code Enforcement violation.

c. All structures lawfully existing within the shoreline setback along manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be rebuilt in the same footprint provided that there will be no adverse impacts on stormwater runoff or navigation.

Docks or docking facilities lawfully existing along the shoreline of manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be expanded or extended beyond the size limitations contained in this section in order to reach the water depths specified for docking facilities in Policy 212.4.2. Any dock or docking facility so enlarged must comply with each and every other requirement of this Policy and Section 118-12 of the Land Development Code, as amended (hereby incorporated by reference). [§163.3178(2)(g), F.S.]

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.

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.

Policy 601.1.8
Monroe County shall allocate at least 20% of the annual ROGO allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units, as specified in Policy 101.3.3. Affordable housing eligible for this separate allocation must meet the criteria established in the Land Development Code.

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.

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.

163.3187, F.S. – Process for adoption of small-scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(a) The proposed amendment involves a use of 10 acres or fewer and:

(b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

(c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

(d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).

(2) Small scale development amendments adopted pursuant to this section require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(11).

(3) If the small scale development amendment involves a site within a rural area of opportunity as defined under s. 288.0656(2)(d) for the duration of such designation, the 10-acre limit listed in subsection (1) shall be increased by 100 percent to 20 acres. The local government approving the small scale plan amendment shall certify to the state land planning agency that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

(4) Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177. Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

(5)(a) Any affected person may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57 to request a hearing to challenge the compliance of a small scale development amendment with this act within 30 days following the local government's adoption of the amendment and shall serve a copy of the petition on the local government. An administrative law judge shall hold a hearing in the affected jurisdiction not less than 30 days nor more than 60 days following the filing of a petition and the assignment of an administrative law judge. The parties to a hearing held pursuant to this subsection shall be the petitioner, the local government, and any intervenor. In the proceeding, the plan amendment shall be determined to be in compliance if the local government's determination that the small scale development amendment is in compliance is fairly debatable. The state land planning agency may not intervene in any proceeding initiated pursuant to this section.

(b) 1. If the administrative law judge recommends that the small scale development amendment be found not in compliance, the administrative law judge shall submit the recommended order to the Administration Commission for final agency action. If the administrative law judge recommends that the small scale development amendment be

found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.

2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

(d) In all challenges under this subsection, when a determination of compliance as defined in s. 163.3184(1)(b) is made, consideration shall be given to the plan amendment as a whole and whether the plan amendment furthers the intent of this part.

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.

VII. 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). For a small-scale comprehensive plan amendment, pursuant to Section 163.3187, F.S., the BOCC holds one public hearing to consider the adoption of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing.

VIII. STAFF RECOMMENDATION

Staff is requesting additional data and analysis and/or edits to comply with the requirements of the small scale amendment requirements and internal consistency with the Comprehensive Plan. With the changes as stated in this staff report, staff recommends approval of the proposed amendment creating Policy 107.1.6, pending updated data and analysis is provided by the applicant, as discussed in this staff report.

IX. EXHIBITS

1. Application for Comprehensive Plan text amendment, submitted by Summerland Key Property Corp., including applicant's analysis and supporting data for proposed amendments.
2. Corresponding proposed FLUM amendment.
3. Corresponding proposed LUD map amendment.

File #: **2016-136**

Owner's Name: Summerland Key Property Corp
Aka Shrimp Farm

Applicant: Trepanier & Associates, Inc.

Agent: Trepanier & Associates, Inc.

Type of Application: Text Amendment (CP)

Key: Summerland Key

RE: 00114840.000000

Additional Information added to File 2016-136

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Deere & Company	8.33%
Bank of America	8.33%
The Goodyear Tire and rubber Company	8.33%
Cargill, Inc	8.33%
International Finance Corporation	8.33%
DEG- Deutche Investitions und Entwicklungsgesellschaft mbH	8.33%
Rabo[illegible] Development BV	8.33%
JP Morgan	8.33%
Unilver Latin America	8.33%
Monsanto Company	8.33%
Dole Food Company	8.33%
Gerber Products Company	8.33%

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____

Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____

Notary Public

My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

Disclosure of Interest

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- 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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Juan Carlos Gamboa	—

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____
Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____
Notary Public
My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

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: 8.11.16
Time: _____

Dear Applicant:

This is to acknowledge submittal of your application for Text Amendment (CP)
Type of application

Shrimp Farm to the Monroe County Planning Department.
Project / Name

Thank you.

Gail Creech

Planning Staff

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

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

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

Alternate Key: 1145572 **Parcel ID:** 00114840-000000

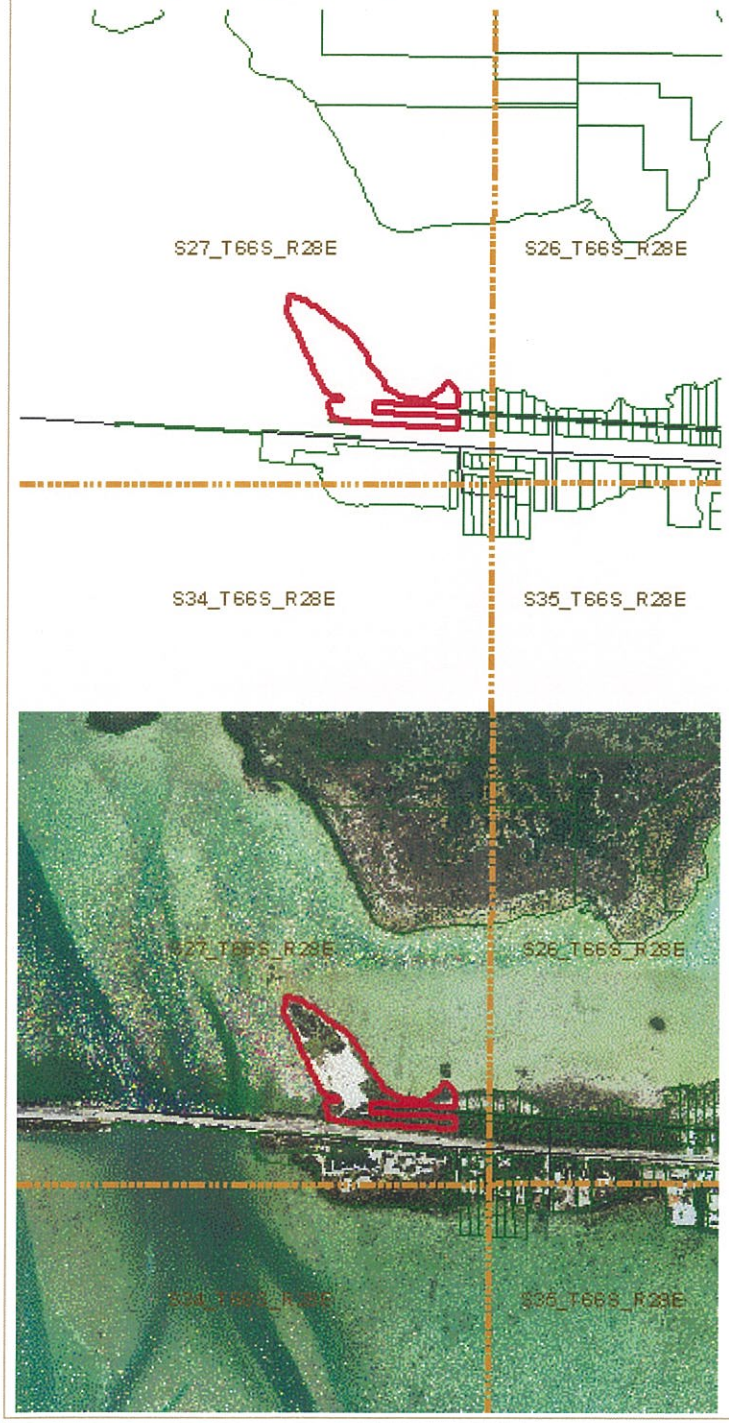
Ownership Details

Mailing Address:
SUMMERLAND KEY PROPERTY CORP
2800 PONCE DE LEON BLVD STE 1200
CORAL GABLES, FL 33134-6919

Property Details

PC Code:	40 - VACANT INDUSTRIAL
Millage Group:	120C
Affordable Housing:	No
Section-Township-Range:	27-66-28
Property Location:	23801 OVERSEAS HWY SUMMERLAND KEY
Legal Description:	27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	188,615.00 SF
000X - ENVIRONMENTALLY SENS	0	0	4.74 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
4	AP2:ASPHALT PAVING	2,400 SF	0	0	1998	1999	2	25

Appraiser Notes

BLDG #1 ORIGINAL BLDG/LAB & OFFICE BLDG #2 WATER TREATMENT PLANT BLDG #3 GENERATOR BUILDING MATURATION BLDG & HATCHERY BLDG GIVEN TO PERSONAL PROP ALONGWITH TANKS, RO PLANT & ELEC. GENERATOR PCW/CPC TPP - 8599587

ALL BUILDINGS REMOVED DUE TO DEMOLITION 11/21/2011

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	11102942	06/15/2011	11/21/2011	49,500	Commercial	DEMO ALL STRUCTURES
1	A-5692	08/01/1979	04/01/1980	100,800	Commercial	COMMERICAL/LAB
	A-6921	06/01/1980	06/01/1981	5,000	Commercial	ENCLOSURE/2000SF
	981-767	05/01/1998	08/24/1998	2,400	Commercial	PAVING
4	981749	10/23/1998	12/29/2006	5,100	Commercial	COMMERCIAL ROOFING
5	981860	11/13/1998	12/29/2006	78,200	Commercial	BLDG MISCELLANEOUS

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	2,112	2,829,699	2,831,811	1,443,930	0	2,831,811
2014	0	13,190	1,299,474	1,312,664	1,312,664	0	1,312,664
2013	0	13,820	1,299,474	1,313,294	1,313,294	0	1,313,294
2012	0	14,450	767,575	782,025	782,025	0	782,025
2011	363,098	15,080	767,575	1,145,753	1,145,753	0	1,145,753
2010	363,098	15,710	895,475	1,274,283	1,274,283	0	1,274,283
2009	364,654	16,340	1,023,375	1,404,369	1,404,369	0	1,404,369
2008	379,878	16,970	1,279,175	1,676,023	1,676,023	0	1,676,023
2007	281,853	17,600	1,279,175	1,578,628	1,578,628	0	1,578,628
2006	293,115	18,230	1,279,175	1,590,520	1,590,520	0	1,590,520
2005	294,247	18,860	1,279,175	1,592,282	1,592,282	0	1,592,282
2004	294,245	19,490	385,675	699,410	699,410	0	699,410
2003	294,245	20,120	385,675	700,040	700,040	0	700,040
2002	294,245	20,750	385,675	700,670	700,670	0	700,670
2001	294,245	21,380	385,675	701,300	701,300	0	701,300
2000	294,245	7,768	290,175	592,188	592,188	0	592,188
1999	294,245	8,000	290,175	592,420	592,420	0	592,420
1998	205,193	5,486	290,175	500,854	500,854	0	500,854

1997	205,193	5,612	290,175	500,980	500,980	0	500,980
1996	172,608	5,738	290,175	468,521	468,521	0	468,521
1995	172,608	5,864	290,175	468,647	468,647	0	468,647
1994	172,608	5,990	290,175	468,773	468,773	0	468,773
1993	175,762	5,796	290,175	471,733	471,733	0	471,733
1992	175,762	5,922	290,175	471,859	471,859	0	471,859
1991	175,762	6,048	290,175	471,985	471,985	0	471,985
1990	405,629	342,098	290,175	1,037,902	1,037,902	0	1,037,902
1989	83,467	0	290,210	373,677	373,677	0	373,677
1988	123,063	3,889	145,210	272,162	272,162	0	272,162
1987	121,437	3,889	36,728	162,054	162,054	0	162,054
1986	121,862	3,889	36,728	162,479	162,479	0	162,479
1985	120,109	3,889	36,728	160,726	160,726	0	160,726
1984	118,780	3,889	36,728	159,397	159,397	0	159,397
1983	120,015	3,889	36,728	160,632	160,632	0	160,632
1982	116,608	3,889	36,728	157,225	157,225	0	157,225

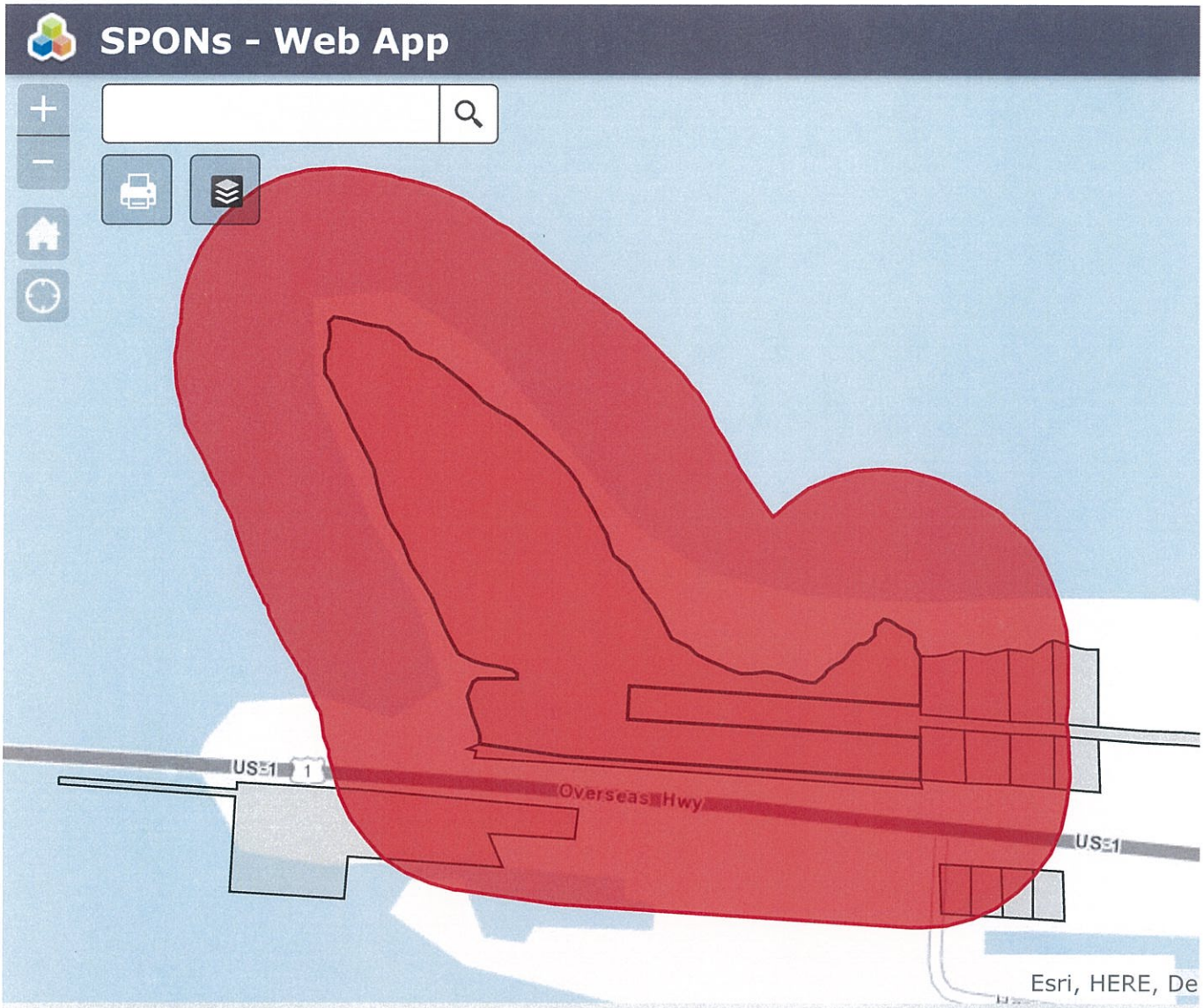
Parcel Sales History

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
5/17/2012	2574 / 308	1,060,000	WD	12
5/31/2011	2520 / 2240	100	QC	11
1/19/2001	1674 / 2350	471,800	WD	K
2/1/1970	708 / 142	8,500	00	Q

This page has been visited 197,935 times.

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



Verified GC

400ft

24.664 -81.460 Degrees

ALPERT MYRON
3115 S OCEAN BLVD APT 904
HIGHLAND BEACH, FL 33487-2575

BD OF TRUSTEES OF THE INT IMP
3900 COMMONWEALTH BLVD MAIL STA 115
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL (DEPARTMENT OF
DOUGLAS BLDG
TALLAHASSEE, FL 32399-3000

ROSE ELLEN M
23910 OVERSEAS HWY
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
818 BAY DR
SUMMERLAND KEY, FL 33042

Labels 1 of 1

End of Additional File 2016-136

TREPANIER & ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

August 10, 2016

Ms. Mayte Santamaria, Senior Director
Monroe County Planning and Environmental Resources
2798 Overseas Hwy., Suite 400
Marathon, FL 33050

RECEIVED
AUG 11 2016
MONROE CO. PLANNING DEPT.

RE: Shrimp Farm small scale amendments
Sub-Area Affordable Housing Development

Dear Ms. Santamaria:

Please accept the three (3) applications submitted herein as pertaining to the 'Shrimp Farm' property on Summerland Key.

You will find the following applications herein:

1. Comprehensive Plan text amendment for a new sub-area policy under Goal 107.
2. Future Land Use map amendment from A to RH.
3. Land Use district map amendment from NA to UR.

We propose the attached amendments to the Comprehensive Plan and the Land Development Code for affordable housing; therefore, pursuant to MCC Sec. 102-158 we are including Notice and Advertising fees for each application, made payable to the Monroe County.

Further, we submit these applications with the understanding that they will be processed as applicable, in accordance with Florida Statute 163.3187.

Thank you for your consideration.

We look forward to continued collaboration to solve the affordable housing crisis in the Florida Keys.

Sincerely,

Owen Trepanier

1424 First Street • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: Owen@owentrepanier.com

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
AUG 11 2016
MONROE CO. PLANNING DEPT

Comprehensive Plan (CP) Text Amendment Application

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

Application Fee: $5,531.00

The base fee includes two internal staff meetings with applicants; one Development Review Committee meeting, one Planning Commission public hearing; and one Board of County Commission public hearing. If this minimum number of meetings/hearings is exceeded, additional fees shall be charged pursuant to Fee Schedule Resolution and paid prior to the private application proceeding through public hearings.

Advertisement Fee: $245.00

Surrounding Property Owner Notification Fee: $3.00 per each property owner (only applicable if amendment affects specific and defined area)

Transportation Study Review: $5,000.00 Deposit (any unused funds will be returned upon approval)

Submittal Date: 8/10/16

Applicant/Agent Authorized to Act for Applicant:

TREPANIER & ASSOCIATES, INC. — Kevin Sullivan

Applicant (Name of Person, Business or Organization) — Name of Contact Person/Agent

1421 FIRST ST. KEY WEST, FL 33042

Contact Person/Agent Mailing Address (Street, City, State and Zip Code)

305-293-8983 — Kevin@OWENTREPANIER.COM

Contact Person/Agent Phone # — Contact Person/Agent Email Address

Goal(s), Objective(s) and/or Policy(s) of the Comprehensive Plan Affected:

Goal 107- 2030 Comprehensive Plan, Objective 107.1
Application proposes creation of (new) sub-area Policy 107.1.5 for Shrimp Farm property on Summerland Key. This is one of three applications working synergistically to allow the abandoned Shrimp Farm to be adaptively reused for affordable housing purposes.

Please describe the reason for the proposed text amendment (attach additional sheets if necessary):

The reason for the proposed text amendment is to further promote incentives for affordable housing in the Monroe County Comprehensive Plan to alleviate the ongoing and worsening affordable housing crisis as evidenced by Keith & Schnars, nearly 70% of all new SFRs built since 1999 are non-homesteaded and the United Way's Alice Report stating that 54% of Monroe County renters and 37% of Monroe County homeowners cannot consistently afford the basic necessities of housing, food, health care, child care, and transportation.

This amendment works synergistically with associated FLUM and land use map changes to create a new sub-area under Goal 107 of the 2030 Comprehensive plan. The new sub-area is necessary for development of narrowly tailored regulations to permit development of 100% affordable housing on the abandoned 'Shrimp Farm' property. Further, the specific sub-area policies provide extinguishment of all allocated density, provide conservation easements for environmentally sensitive land and provide narrowly tailored transportation regulations supportive of transit and multimodal alternatives.

Pursuant Chapters 163 and 380, Florida Statutes, an amendment to the Comprehensive Plan must be consistent with Florida Statute, with the Monroe County Comprehensive Plan, and with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute. Please describe how the proposed text amendment is consistent with each of the following (attach additional sheets if necessary):

1) **The proposed amendment is consistent with Part II of Chapter 163, Florida Statute.** ***(At a minimum, please review and address Sections 163.3177, 163.3178, 163.3180, and 163.3184, F.S.)*** **Specifically the amendment furthers:**

163.3177: The amendment refines principles, guidelines, standards, and strategies to implement the plan and its elements. The plan amendment refines meaningful standards for the use and development of land and provides predictable guidelines for the content of more detailed land development and use regulations. Data used to support the proposed amendment comes from professionally accepted sources. The supporting data and analysis justifies the proposed amendment.
163.3178: Coastal management - the amendment is consistent with the Coastal Management element of the Monroe County Comprehensive Plan.
163.3180: Concurrency - The amendment is consistent with the concurrency and levels of service provisions of the Monroe County Comprehensive Plan for sanitary sewer, solid waste, drainage and potable water.
163.3184: The amendment qualifies as a small-scale development amendment and may follow the small-scale review process in F.S. 163.3187.

2) **The proposed amendment implements and is consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan:**

Goal 101
Goal 102
Goal 105
Goal 107
Goal 601

3) **The proposed amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute:**

The proposed text amendment is consistent with the Principles for Guiding Development for the Florida Keys Area. Most importantly the amendment furthers the principles through expansion of Comprehensive Plan capabilities and removes existing barriers to meet goals, objectives and policies related to the supply of affordable housing.

The Board of County Commissioners may consider an ordinance to transmit to the State Land Planning Agency an amendment if the change is based on one or more of the following factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary)**:**

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

The property was cleared and significantly altered in the 1960's for development of a commercial shrimp farm; therefore, projections for the property's historical and existing FLUM designation were based on this property's prior and currently defunct, aquiculture use. Current projections for any similar use on this property have decreased while projected demand for affordable housing has increased; therefore, a text change is appropriate.

2) **Changed assumptions (e.g. regarding demographic trends):**

Demographic trends are such that an affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

3) **Data errors, including errors in mapping, vegetative types and natural features described in the Comprehensive Plan Technical Document:**

No specific data errors, per se, form the basis of this application.

4) **New issues:**

The issue of affordable housing is not new; however, it is constantly evolving and worsening. New stakeholder context, opportunities and perspectives for addressing workforce housing issues have arisen since the initiation of the 2030 Comprehensive Plan update. Further, affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

5) **Recognition of a need for additional detail or comprehensiveness:**

The need to assimilate new context, opportunities and perspectives is vital for the County to maintain a proactive approach for the public benefit. This application is intended to address the need through relief of existing barriers to affordable housing development via redevelopment opportunities. The proposed amendment will help to address a critical issues in favor of the public welfare.

6) **Data updates:**

Florida State Statutes require the Comprehensive Plan to be updated every 7 years and allows additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process. Goal 107 contemplates site specific amendments to address specific goals,objectives and policies to alleviate data limitations in the Plan. Therefore, this text amendment application provides a unique opportunity to provide acute relief of existing barriers to affordable housing development while working within the conventional, long range government planning periods.

In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located. Please describe how the text amendment would not result in an adverse community change (attach additional sheets if necessary)**:**

The proposed amendment will result in no adverse community change in the land use planning area affected by the proposed map amendment; increased potential for affordable housing is beneficial to the public good and is a positive community change within the planning area while maintaining hurricane evacuation and carrying capacity.

* * * * * * *

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

- [X] Completed application form
- [X] Applicable fees (check or money order to Monroe County Planning & Environmental Resources)
- [X] Existing text of Comprehensive Plan Goal(s), Objective(s), and/or Policy(s) affected
- [X] Proposed amendment(s) to text of Comprehensive Plan Goal(s), Objective(s), and/or Policy(s). Must be provided in strikethrough and underline format.

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

- [X] Agent Authorization form (*required if application is submitted on behalf of another party*)
- [X] Proof of Ownership & Ownership Disclosure Form (*required if application affects specific and defined area*)
- [X] Sealed Boundary Survey, prepared by a Florida registered surveyor – five (5) sets (*required if application affects specific and defined area*)
- [X] Location map (*required if application affects specific and defined area*)
- [X] Copy of current Future Land Use Map (*required if application affects specific and defined area)*
- [X] Typed mailing labels (name and address) of all property owners within a 300' of the boundaries of the affected property (*required if application affects specific and defined area*)
- [X] 300' Radius report, prepared by the Monroe County Property Appraiser's Office (*required if application affects specific and defined area*)
- [ ] Traffic Study, prepared by a licensed traffic engineer (*required if application affects specific and defined area*)
- [ ] 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 approval (*required if application affects specific and defined area*)

If deemed necessary to complete a full review of the application, within reason, the Planning & Environmental Resources Department reserves the right to request additional information. Additional fees may apply pursuant to the approved fee schedule.

* * * * * * *

By signing this application, the Applicant certifies themselves as a person who is familiar with the information contained in application, and that to the best of their knowledge such information is true, complete and accurate.

Signature of Applicant: _____

State of Florida, County of Monroe County

The foregoing instrument was acknowledged before me this 10th day of August, 2016, by Kevin K Sullivan. He/she is personally known to me or has produced _____ as identification.

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

_____
Notary Public
My Commission Expires

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

GOAL 107

Monroe County shall regulate land use and development activities of scarified portions of property with 50 percent or more environmentally sensitive land that contains an existing nonconforming use by the enactment of area-specific regulations that allow development to occur subject to limitations and conditions designed to protect natural resources. For this Goal to be used, scarified portions of property shall not have been created purposefully without benefit of permit(s) as evidenced by pictorial aerial examination and/or other means available to the Growth Management Division. (Ordinance 023-2011)

Objective 107.1

Monroe County shall coordinate land use with the elements of the Comprehensive Plan through Future Land Use Element subarea policies solely applicable to a specific geographic area. These subarea policies identify parcels of land that require narrowly-tailored regulation in order to confine development potential to an area or extent less than the maximum development potential allowed by its underlying Future Land Use Map category. The development parameters established for each subarea shall be based either on an inventory of uses and facilities established on the parcel or by data and analysis supporting the specific subarea limitations. Environmentally sensitive areas shall be preserved through the application of such methods as conservation easements that require mandatory eradication of exotic invasive vegetation. (Ordinance 023-2011)

Policy 107.1.1 Reserved

Policy 107.1.2 Ramrod Key Mixed Use Area 1

Only the land uses listed in paragraphs 1-4 below shall be allowed on the parcels shown in the table following as Ramrod Key Mixed Use Area 1:

REAL ESTATE NUMBER	TOTAL ACREAGE	ACRES	FLUM DESIGNATION	CONSERVATION EASEMENT ACREAGE	BERM TO BE LOCATED ON PARCEL
00114150-000000	18.12	0.79	N/A	N/A	
		8.46	Ramrod Key Mixed Use Area 1	N/A	x
		8.87	RC	8.87	
00114150-000400	2.6	2.6	Ramrod Key Mixed Use Area 1	0	

And on which a concentration of non-residential uses exists, including approximately 15,325 square feet of commercial floor area devoted to the uses listed below.

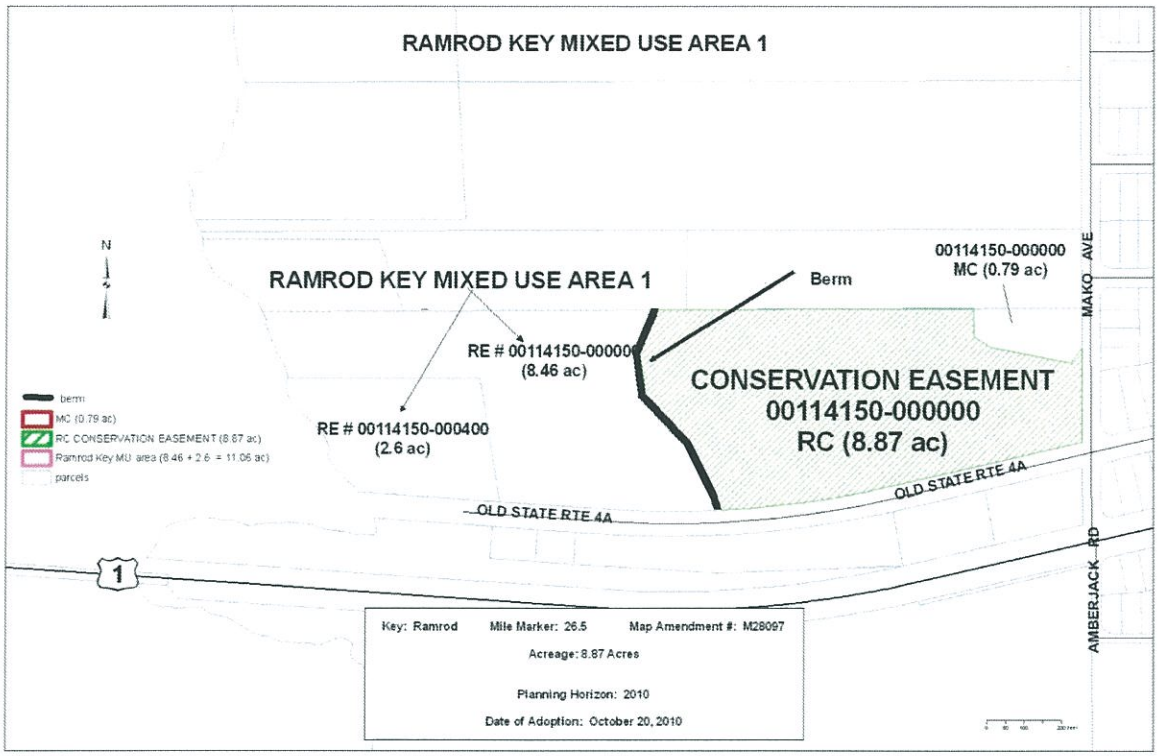
1. Storage, warehousing, and processing of equipment and materials utilized or generated in construction, demolition and land clearing, together with ancillary activities, including, but not limited to:
   a. Administrative offices.
   b. Workshops and equipment maintenance areas, outdoors and within structures.
   c. Garages and outdoor parking for construction and demolition equipment and machinery.
   d. Outdoor and covered storage and processing of demolition debris and construction materials.
   e. Storage buildings.
   f. Above-ground fuel tanks.
2. An antenna supporting structure with accessory building.
3. Residential uses consistent with the former RL future land use map designation and with SS zoning. Single family residences shall be limited to the existing (including any replacement thereof) and no more than four (4) additional single family residences.
4. Outdoor storage, refinishing, repair and/or rebuilding of vehicles, boats and trailers that do not constitute a heavy industrial use.

Development of the Ramrod Key Mixed Use Area 1 shall be subject to the restrictions set out below:

1. Wetlands and hammock areas adjacent to outdoor storage shall be protected by:

   a. Recordation of a conservation easement prohibiting all development activities on the approximately 8.87 acres of wetlands within the Easterly portion of parcel 00114150-000000. The area to be conserved is delineated on the map below.

   b. Construction and maintenance of a berm, no less than 3 feet in height, on scarified land along the Westerly edge of the wetlands portion of parcel 00114150-000000 as depicted on the map below, to protect the wetlands from stormwater runoff. Prior to issuing any permit for berm construction, Monroe County shall require submission of a stormwater management plan adequate to protect the wetlands portion of the parcel from degradation attributable to stormwater runoff from the adjacent scarified portion utilized for outdoor storage, construction, and demolition activities.



2. Development shall be contingent on any required coordination and/or approval from the United States Fish & Wildlife Service. (Ord. 028-2010).

Policy 107.1.3 Specific Limitations on Key Largo Mixed Use Area 1
The Key Largo Mixed Use Area 1 has a concentration of nonresidential uses currently existing, including approximately 2,968ft^2 of commercial floor area. The current Real Estate Parcel number is 00440100.000000, contains 0.62 acres and is legally described as:

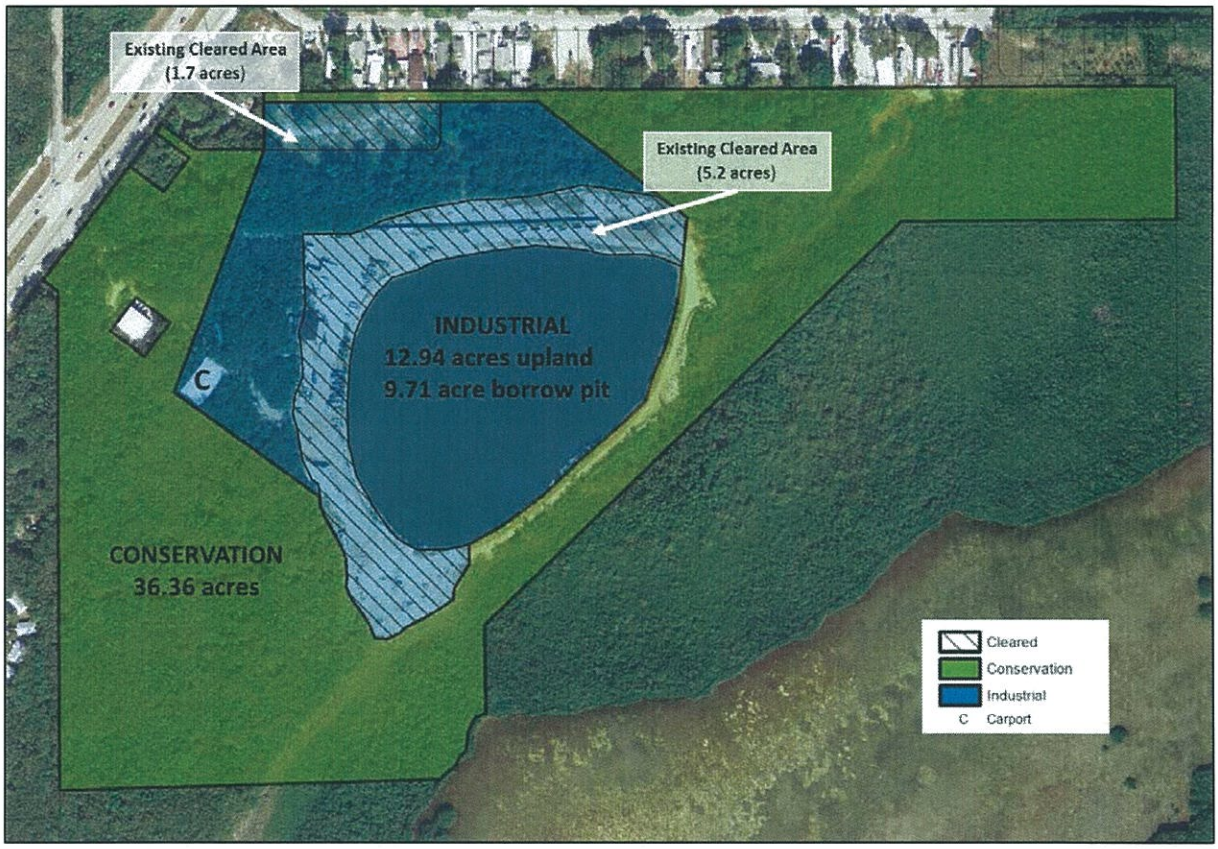
Lots 13, 14, 15, 16, 17 and 18, , Block 2, THOMPSONS SUBDIVISION, Section "A", according to the plat thereof, as recorded in Plat Book 1, at Page 147, of the Public Records of Monroe County, Florida; and the East 10 feet of that portion of Fisherman's Trail, adjacent and contiguous to the West boundary line of Lots 15 and 16, Block 2, lying between the North Line of Sailfish Trail and the Southeasterly Right-of-Way line of Old State Road 4A, in Thompsons Subdivision, Section "A", according to the plat thereof, as recorded in Plat Book 1, at Page 147, of the Public Records of Monroe County, Florida.

Development in the Key Largo Mixed Use Area 1 shall be subject to regulations applicable to the Mixed Use/Commercial (MC) Future Land Use Designation as well as the additional restrictions set out below:

1. The maximum commercial floor area ratio of 0.30.
2. There shall be no residential units. (Ord. 021-2010).

Policy 107.1.4 Paradise Pit Subarea 1 - Specific Limitations on the Industrial and Conservation Area in Key Largo

The Paradise Pit Industrial and Conservation Area in Key Largo has a concentration of nonresidential uses currently existing, including a lawful light industrial use. The parcel's current real estate number is 00087100.000500. The parcel has a Tier Designation of Tier I and the parcel is 59.01 acres, including a 9.71 acre borrow pit (water). Pursuant to this subarea policy, the parcel shall have Future Land Use Map (FLUM) designations as follows:



In order to balance the protection of environmental resources, historical resources and support a sound and diverse economic base, development shall be subject to the Industrial Future Land Use Map Designation and the Conservation Future Land Use Map Designation as well as the additional site-specific regulations and restrictions set out below:

Industrial FLUM Area	Conservation FLUM Area
Residential development shall not be permitted.	Residential development shall not be permitted.
Any proposed nonresidential development shall be limited to the existing cleared area adjacent to the borrow pit (5.2 acres of scarified area) and the existing cleared area in the NW corner of the parcel (1.7 acres of scarified area). -Existing cleared areas are identified on the map above.	Archeological/Historical resource shall be fenced.
Both the Industrial FLUM Area and the Conservation FLUM Area	
Wetland and Upland vegetative communities shall be protected by: -No industrial activities shall be expanded into the native vegetation. -The creation and maintenance of a 20ft buffer vegetated with native vegetation around the perimeter of the borrow pit. -The maintenance of signage every 100 feet along the perimeter of the scarified areas to ensure no further encroachment into the adjacent native vegetation.	
The existing carport structure (labeled with the letter "C" on the map above) shall be allowed to continue only for the use of parking vehicles associated with lawful uses on the site. No further clearing around the carport structure shall be permitted.	
Reasonable ingress and egress to the industrial area shall be permitted, including the maintenance of the "road" around the borrow pit provided there are no impacts to the required vegetated buffer or cause further encroachment into the native habitat. Clearing for an access drive of reasonable configuration up to 18 feet in width is permitted to provide reasonable access to the cleared (scarified) portion in the NW corner of the property and shall be exempt from the maximum clearing limit. The access drive shall be configured to follow the previously cleared drive as closely as possible.	

(Ordinance 007-2014)

Policy 107.1.5 Shrimp Farm Affordable Housing Sub Area

The purpose of Shrimp Farm Affordable Housing Sub Area is to implement applicable goals, objectives, and policies of the Comprehensive Plan to promote and facilitate development of affordable housing in the context of transit oriented and multi-modal development policies and environmental resource protection.

(a) Boundary. The Shrimp Farm Affordable Housing Sub Area shall be shown on the Official Land Use District Map.

(b) Density Provisions

1. Notwithstanding Policy 101.5.25 of the Comprehensive Plan and in accordance with Policy 101.5.26, allocated density shall be zero (0);
2. In accordance with Goal 601 of the Comprehensive Plan, a 100% increase in maximum net density of the underlying land use district shall be permitted where all units are deed restricted affordable in accordance with Policy 601.1.4;

(c) Only the land uses listed below shall be allowed within the Shrimp Farm Affordable Housing Sub Area

1. Permitted as of right:
   - (a) Deed restricted affordable dwelling units.
   - (b) Home occupations—Special use permit required
   - (c) Accessory Uses, including neighborhood-oriented low-med intensity commercial retail not to exceed 0.05 FAR.
   - (d) Passive and active recreation not to exceed 0.10 FAR.
2. Permitted use limitations
   - (a) All residential units constructed within the subarea shall be deed restricted, affordable housing in accordance with Policy 601.1.4
   - (b) No market rate housing shall be allocated, assigned or transferred into the sub-area.
   - (c) No affordable units shall be transferred off-site; ie. properties within the subarea shall not be used as sender sites for affordable housing allocations.

(d) Environmental Design criteria

1. In accordance with Policy 203.1.2 and Policy 212.2.4.5 of the Comprehensive Plan, wetland and shoreline setbacks shall be 15 feet in width and shall be designed as follows:
   - (a) All native trees with a diameter at breast height (DBH) of greater than two and one-half (2-1/2) inches shall be preserved, relocated or replaced with nursery stock of the same species or equally rare species suitable to the site at a ratio of two (2) replacements for every one (1) tree removed pursuant to a transplantation program approved in accordance with Section118-8.

(b) A raised boardwalk not to exceed 8 feet in width, nor 6 feet in overall height from natural elevation of the ground surface may be constructed within the setback.

2. Identified mangrove wetlands located on the property will be placed under a perpetual conservation easement to be recorded in the Public Records of Monroe County. The conservation areas within the conservation easement may in no way be altered from their permitted state (excluding restoration activities).

3. A wetland restoration and preservation component that involves planting of the transitional buffer area with 100 percent native vegetation, removal of all invasive exotic vegetation, and fencing and signage at the limits of the conservation easement will be implemented in conformance with South Florida Water Management District ("SFWMD") permit requirements.

4. A fully-compliant SFWMD-approved stormwater management system that prevents adverse impacts to the on-site wetland restoration and preservation/conservation area shall be implemented as part of any re-development process.

(e) Multi-modal and transit-oriented design criteria

1. Notwithstanding Policy 301.1.1 & 301.1.2, the Shrimp Farm subarea shall be exempt from traffic concurrency (LOS). [§163.3180(5) F.S.]

2. Parking and transportation facilities shall be designed as follows:

(a) Residential parking shall be provided as follows:

1. Minimum of 1.0 space per each 1-bedroom dwelling unit;

2. Minimum of 1.5 spaces per each 2-bedroom dwelling unit; and

3. Minimum of 2.5 spaces per each 3 or more bedroom dwelling unit

(b) Residential bicycle parking shall be required at a rate of at least 1 space per residential unit.

(c) Development within the subarea shall provide bicycle/pedestrian paths complimentary to the county trail system along the US 1 corridor.

(d) Development within the subarea shall provide a multi-modal transit stop for mass transit, which shall include designated areas for bicycle and motorcycle parking. The mass transit stop shall include a covered and secure area for passengers waiting for transportation

(e) Development within the subarea shall provide an electric car charging system within the boundaries of the development.

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
LAAD de Centroamerica, S.A.	100%

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____

Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 23 day of June, 2016, by Juan Carlos Gamboa. He/she is personally known to me or has produced (personally known). as identification.

NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

Natalia Betancur.

Notary Public

My Commission Expires: September 28, 2018

Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2019
WWW.AARONNOTARY.COM

I Certify that this is a True Copy of the Original

Alvina Covington

_____
(Date)

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

for Summerland Key Property Corp. for Comprehensive Plan Text Amendment application submittal for
(Name of Property Owner(s) the Applicant(s))

Legal Description: 27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Subdivision: Summerland Keys, Key (island): Summerland

and Real Estate number: 00114840-000000.

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

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

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

in representation of LAAD de Centroamerica, S.A.
Property Owner(s) Signature

Juan Carlos Gamboa in representation of LAAD de Centroamerica, S.A
Printed Name of Owner(s)

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 5th **day of** July**, 20**16**.**

Juan Carlos Gamboa **is** X **personally known** _____ **produced identification**

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

Natalia Betancur
Notary Commission# FF163759 Expires September 28, 2018

NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

EXHIBIT "A"
LEGAL DESCRIPTION

All of Government Lot 4, Section 27, Township 66 South, Range 28 East, lying North of U.S. Highway No. 1, except those portions of said Lot used for Old 4-A State Road Right-of-Way and HUDGINS SUBDIVISION, recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida.

AND ALSO:

Lying in the County of Monroe, State of Florida, and known as being a portion of the Right-of-Way of Old State Road No. 4-A in Government Lot 4, Section 27, Township 66 South, Range 28 East, and more particularly described as follows:

Commencing at a point on the East end of Kemp Channel Bridge No. 10-A designated as Station 777 + 34.79 on the Baseline of the survey of State Road No. 5 also as U.S. Highway No. 1, Section 90020-2529; thence bear South 86°08'46" East along the said Baseline of survey, a distance of 1,396.18 feet to a point thereon designated Station 791 + 30.97; thence bear North 00°27'46" West for 200.56 feet to a point on the most Southerly Right-of-Way line of Old State Road No. 4-A at its intersection with the Westerly line of Hudgins Subdivision as shown by plat recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida; thence bear 86°08'46" West along the said Southerly Right-of-Way line of Old State Road No. 4-A for 587.09 feet to the Point of Beginning of that portion of Old State Road No. 4-A herein intended to be described; from said Point of Beginning continue bearing North 86°08'46" West along the most Southerly Right-of-Way line of Old State Road No. 4-A for 182.85 feet to a point on the mean high water line within the Kemp Channel Shore of Government Lot 4, Section 27, Township 66 South, Range 28 East; thence meander said mean high water line on the following described courses, bearing first North 29°50'10" West for 4.81 feet; thence North 83°08'00" West, for 38.05 feet; thence North 55°44'06" West for 53.34 feet; thence North 73°34'17" East for 49.04 feet; thence North 54°02'42" East for 17.20 feet; thence North 05°48'32" East for 4.99 feet to the intersection of said mean high water line with the most Northerly Right-of-Way line of said Old State Road No. 4-A; thence bear South 86°08'46" East along the said most Northerly Right-of-Way line of Old State Road No. 4-A for 210.14 feet; thence bear South 03°51'14" West for 66.00 feet back to the Point of Beginning.

MONROE COUNTY
OFFICIAL RECORDS

Location Map

Parcel: 00114840-000000

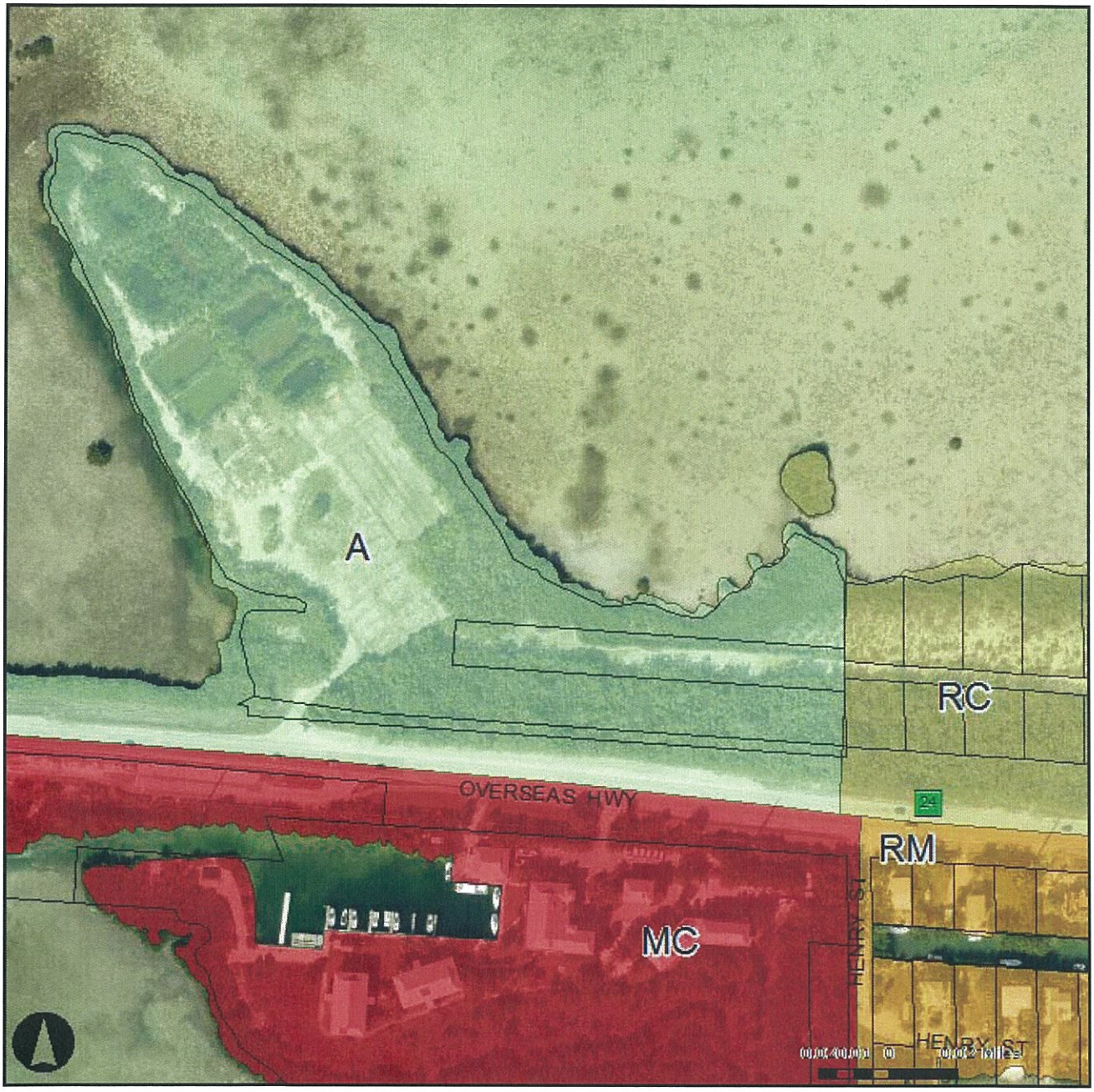
MONROE COUNTY PROPERTY
APPRAISER OFFICE

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:4,756

Date: 6/15/2016

Map



MileMarker

Roads

Parcels

Future Land Use Map (FLUM)

- A - Agriculture
- AD - Airport District
- C - Conservation

Future Land Use Map (FLUM) (continued)

- E - Education
- I - Industrial
- INS - Institutional
- M - Military
- MC - Mixed Use/Commercial
- MCF - Mixed Use/Commercial Fishing
- MN - Mainland Native
- PB - Public Buildings/Grounds

Future Land Use Map (FLUM) (continued)

- R - Recreation
- RC - Residential Conservation
- RH - Residential High
- RL - Residential Low
- RM - Residential Medium
- UNDS -Undesginated

2015 Orthophotography

- Red: Band_1
- Green: Band_2

SUMMERLAND KEY PROPERTY CORP
CORAL GABLES, FL 33134-6919

BOY SCOUTS OF AMERICA
IRVING, TX 75038-3096

ROSE ELLEN M
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

BD OF TRUSTEES OF THE INT IMP
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL
TALLAHASSEE, FL 32399-3000

TITF
TALLAHASSEE, FL 32399-3000

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
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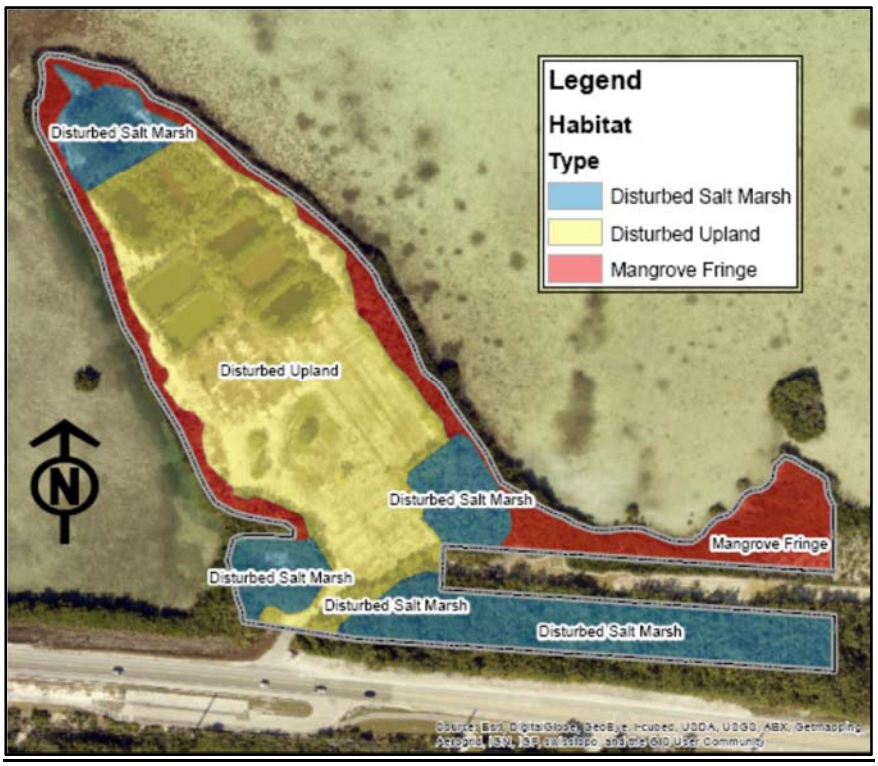
ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

Policy 107.1.5 Shrimp Farm Affordable Housing Sub Area

The purpose of Shrimp Farm Affordable Housing Sub Area is to implement applicable goals, objectives, and policies of the Comprehensive Plan to promote and facilitate development of affordable housing in the context of transit oriented and multi-modal development policies and environmental resource protection.

(a) Boundary. The Shrimp Farm Affordable Housing Sub Area shall be shown on the Official Land Use District Map.



(b) Density Provisions

1. Notwithstanding Policy 101.5.25 of the Comprehensive Plan and in accordance with Policy 101.5.26, the following density and intensity standards shall apply to the Shrimp Farm sub area.

Habitat Type	Square feet	Acres	Allocated Density	Maximum Net Density	Max Intensity (FAR)	Environmentally Sensitive/ Open Space
Mangrove fringe	79,777	1.9	0.0	0	0	21%
Disturbed Salt Marsh Wetland	109,002	2.6	0.0	65	0	29%
Disturbed Upland	203,995	4.6	0.0	114	0	
Totals	392,774	9.0	0.0	180	0	50%

(c) Only the land uses listed below shall be allowed within the Shrimp Farm Affordable Housing Sub Area

1. Permitted as of right:

(a) Deed restricted affordable dwelling units.

(b) Home occupations—Special use permit required

(c) Passive and active recreation not to exceed 0.10 FAR.

2. Permitted use limitations

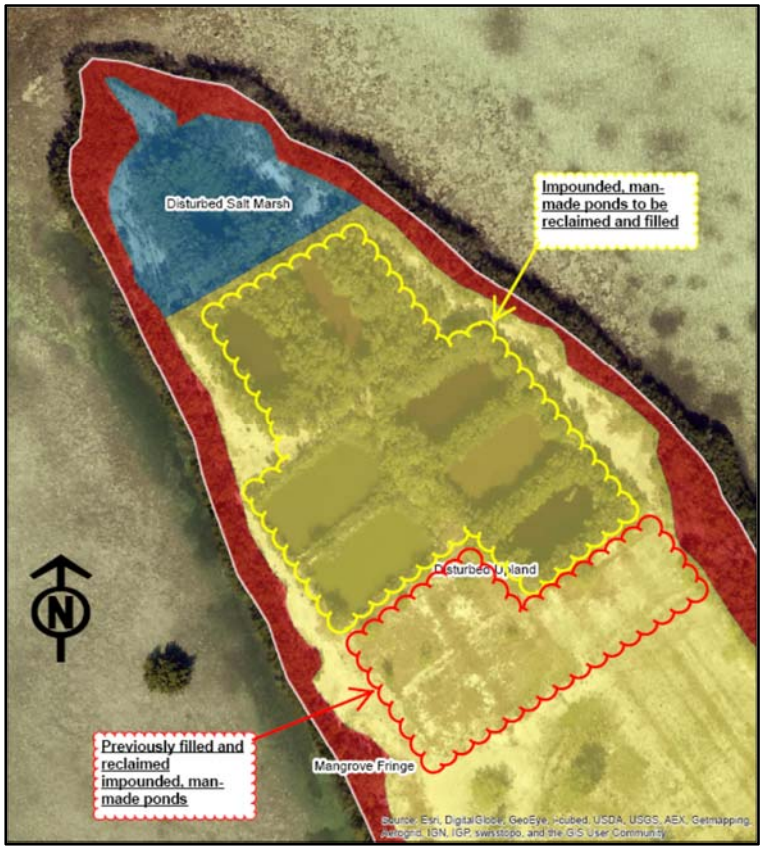
(a) All residential units constructed within the subarea shall be deed restricted, affordable housing in accordance with Policy 601.1.4

(b) No market rate housing shall be allocated, assigned or transferred into the sub-area.

(c) No affordable units shall be transferred off-site; ie. properties within the subarea shall not be used as sender sites for affordable housing allocations.

(d) Environmental Design criteria

1. With the exception of the most northwestern impounded man-made waterbody and its surrounding native vegetation, any existing man-made water bodies, previously utilized as Shrimp hatcheries, shall be reclaimed to pre-excavation conditions and the same areas shall be designated 'Disturbed upland' on the habitat map for purposes of assigning maximum net density.



2. In accordance with Policy 203.1.2 and Policy 212.2.4.5 of the Comprehensive Plan, wetland and shoreline setbacks shall be 20 feet in width and shall be designed as follows:

(a) All native trees with a diameter at breast height (DBH) of greater than two and one-half (2-1/2) inches shall be preserved, relocated or replaced with nursery stock of the same species or equally rare species suitable to the site at a ratio of two (2) replacements for every one (1) tree removed pursuant to a transplantation program approved in accordance with Section118-8.

(b) A raised boardwalk not to exceed 8 feet in width, nor 6 feet in overall height from existing grade may be constructed within the setback.

(c) Parking and driveways shall be permitted within setbacks as an accessory use such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained.

3. Identified mangrove habitat located on the property will be placed under a perpetual conservation easement to be recorded in the Public Records of Monroe County. The conservation areas within the conservation easement may in no way be altered from their permitted state (excluding restoration activities).

4. A fully-compliant SFWMD-approved stormwater management system that prevents adverse impacts to the on-site wetland restoration and preservation/conservation area shall be implemented as part of any re-development process.

(e) Multi-modal and transit-oriented design criteria

1. Parking and transportation facilities shall be designed as follows:

(a) Residential parking shall be provided as follows:

1. Minimum of 1.0 space per each 1-bedroom dwelling unit;

2. Minimum of 1.5 spaces per each 2-bedroom dwelling unit; and

3. Minimum of 2.5 spaces per each 3 or more bedroom dwelling unit

(b) Residential bicycle parking shall be required at a rate of at least 1 space per residential unit.

(c) Development within the subarea shall provide bicycle/pedestrian paths complimentary to the county trail system along the US 1 corridor.

(d) Development within the subarea shall provide a multi-modal transit stop for mass transit, which shall include designated areas for bicycle and motorcycle parking. The mass transit stop shall include a covered and secure area for passengers waiting for transportation

(e) Development within the subarea shall provide an electric car charging system within the boundaries of the development.

(f) In accordance with Section 130-187 and Section 101-1, building height shall be measured from crown of the nearest road (US-1) to the highest part of the structure.

KBP CONSULTING, INC.

September 7, 2016

Mr. Kevin Sullivan, AICP
Trepanier & Associates, Inc.
1421 First Street
Key West, FL 33045

Re: Shrimp Farm Affordable Housing – Summerland Key, Florida
Trip Generation Statement

Dear Kevin:

The Shrimp Farm Affordable Housing development is a proposed residential apartment community to be located on the north side of Overseas Highway / US 1 at the west end of Summerland Key, Monroe County, Florida. The total number of proposed residential dwelling units at this site will be 180. The purpose of this memorandum is to document the trip generation characteristics of the proposed development.

Trip Generation Analysis

A trip generation analysis for the proposed use has been conducted utilizing the trip generation information published by the Institute of Transportation Engineers (ITE) in their *Trip Generation Manual (9th Edition)*. According to the subject documentation, the most appropriate land use category for this development is Land Use #220 – Apartment. The trip generation rates and equations used to determine the vehicle trips associated with this analysis are presented below.

Apartment – ITE Land Use #220

- Daily (wt. avg.) Trip Generation Rate: T = 6.50 (X)
  where T = number of trips and X = number of dwelling units
- AM Peak Hour Trip Generation Rate: T = 0.51 (X) (20% in / 80% out)
- PM Peak Hour Trip Generation Rate: T = 0.62 (X) (65% in / 35% out)

Table 1 below summarizes the trip generation characteristics associated with the proposed Shrimp Farm Affordable Housing development on Summerland Key.

Table 1
Shrimp Farm Affordable Housing
Trip Generation Analysis
US 1 - Summerland Key, Florida

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Proposed								
Apartments	180 DU	1,170	18	74	92	73	39	112

Compiled by: KBP Consulting, Inc. (September 2016).
Source: ITE Trip Generation Manual (9th Edition).

8400 North University Drive, Suite 309, Tamarac, Florida 33321
Tel: (954) 560-7103 Fax: (954) 582-0989

As indicated in Table 1 on the previous page, the proposed apartment community is anticipated to generate 1,170 daily vehicle trips, 92 AM peak hour vehicle trips (18 inbound and 74 outbound), and 112 PM peak hour vehicle trips (73 inbound and 39 outbound).

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KBP CONSULTING, INC.

KARL B. PETERSON
LICENSE
No. 49897
STATE OF
FLORIDA
PROFESSIONAL ENGINEER
9/7/16

Karl B. Peterson, P.E.
Florida Registration Number 49897
KBP Consulting, Inc.
8400 N. University Drive, Suite 309
Tamarac, Florida 33321
CA # 29939

MAP OF BOUNDARY & MEAN HIGH WATER LINE SURVEY

LOCATED IN SECTION 27, TOWNSHIP 66 S, RANGE 28 E

MONROE COUNTY, FLORIDA

REECE & ASSOCIATES
PROFESSIONAL SURVEYOR AND MAPPER
127 INDUSTRIAL ROAD, SUITE B, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
FAX (305) 872 - 5622

LEGAL DESCRIPTION:

ALL OF GOVERNMENT LOT 4, SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, LYING NORTH OF U.S. HIGHWAY NO. 1, EXCEPT THOSE PORTIONS OF SAID LOT USED FOR OLD 4–A STATE ROAD RIGHT–OF–WAY AND HUDGINS SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 143, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.
AND ALSO:
LYING IN THE COUNTY OF MONROE, STATE OF FLORIDA, AND KNOWN AS BEING A PORTION OF THE RIGHT–OF–WAY OF OLD STATE ROAD NO. 4–A IN GOVERNMENT LOT 4, SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE EAST END OF KEMP CHANNEL BRIDGE NO. 10–A DESIGNATED AS STATION 777+34.79 ON THE BASELINE OF THE SURVEY OF STATE ROAD NO. 5 ALSO U.S. HIGHWAY NO. 1, SECTION 90020–2529; THENCE BEAR SOUTH 86°08'46" EAST ALONG THE SAID BASELINE OF SURVEY, A DISTANCE OF 1,396.18 FEET TO A POINT THEREON DESIGNATED STATION 791+30.97; THENCE BEAR NORTH 00°27'46" WEST FOR 200.56 FEET TO A POINT ON THE MOST SOUTHERLY RIGHT–OF–WAY LINE OF OLD STATE ROAD NO. 4–A AT ITS INTERSECTION WITH THE WESTERLY LINE OF HUDGINS SUBDIVISION AS SHOWN BY PLAT RECORDED IN PLAT BOOK 2, PAGE 143, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE BEAR NORTH 86°08'46" WEST ALONG THE SAID SOUTHERLY RIGHT–OF–WAY LINE OF OLD STATE ROAD NO. 4–A FOR 587.09 FEET TO THE POINT OF BEGINNING OF THAT PORTION OF OLD STATE ROAD NO. 4–A HEREIN INTENDED TO BE DESCRIBED; FROM SAID POINT OF BEGINNING CONTINUE BEARING NORTH 86°08'46" WEST ALONG THE MOST SOUTHERLY RIGHT–OF–WAY LINE OF OLD STATE ROAD NO. 4–A FOR 182.85 FEET TO A POINT ON THE MEAN HIGH WATER LINE WITHIN THE KEMP CHANNEL SHORE OF GOVERNMENT LOT 4, SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST; THENCE MEANDER SAID MEAN HIGH WATER LINE ON THE FOLLOWING DESCRIBED COURSES, BEARING FIRST NORTH 29°50'10" WEST FOR 4.81 FEET; THENCE NORTH 83°08'00" WEST, FOR 38.05 FEET; THENCE NORTH 55°44'06" WEST FOR 53.34 FEET; THENCE NORTH 73°34'17" EAST FOR 49.04 FEET; THENCE NORTH 54°02'42" EAST FOR 17.20 FEET; THENCE NORTH 05°48'32" EAST FOR 4.99 FEET TO THE INTERSECTION OF SAID MEAN HIGH WATER LINE WITH THE MOST NORTHERLY RIGHT–OF–WAY LINE OF SAID OLD STATE ROAD NO. 4–A; THENCE BEAR SOUTH 86°08'46" EAST ALONG THE SAID MOST NORTHERLY RIGHT–OF–WAY LINE OF OLD STATE ROAD NO.4A FOR 210.14 FEET; THENCE BEAR SOUTH 03°51'14" WEST FOR 66.00 FEET BACK TO THE POINT OF BEGINNING.

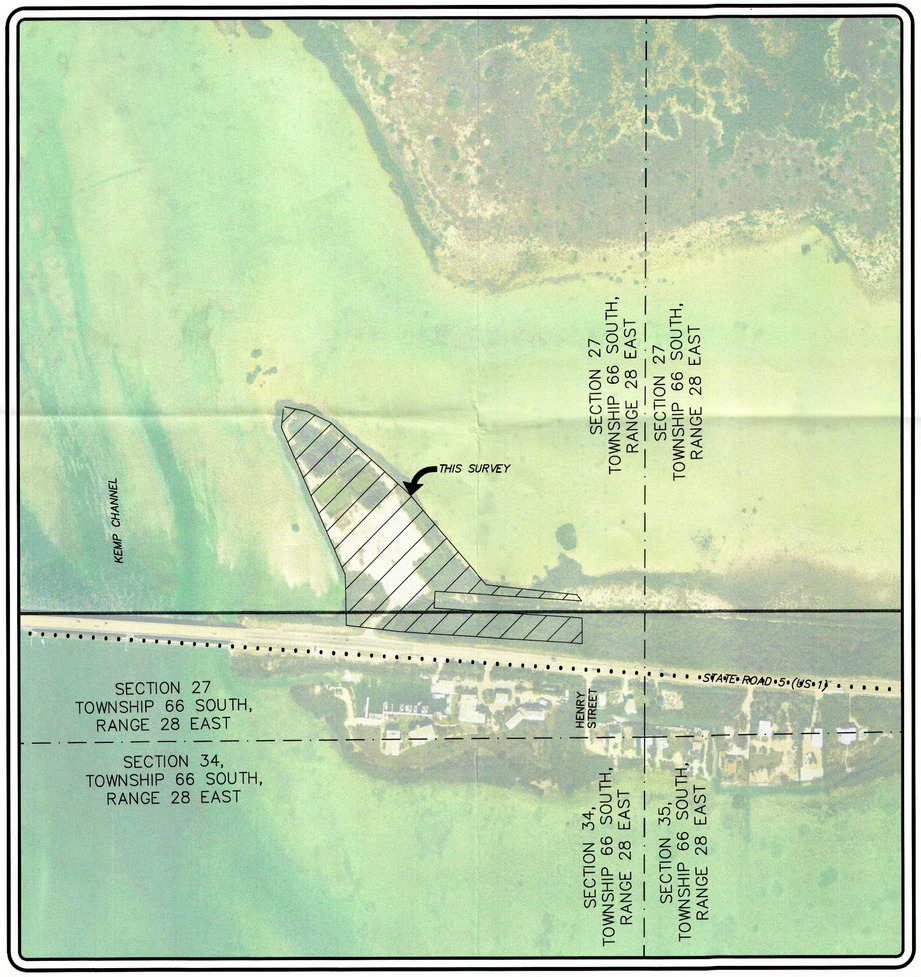
GROSS LAND AREA ABOVE MEAN HIGH WATER LINE:
356,910.48 SQUARE FEET OR 8.19 ACRES +/–

LEGEND:

(C)	= Calculated Dimension from field measurements
CB	= Catch Basin
℄	= Center Line
CO	= Cleanout
Conc.	= Concrete
CMP	= Corrugated Metal Pipe
	= Concrete Power Pole/CPP
C&G	= Curb & Gutter
CI	= Curb Inlet
Δ	= Delta (Central Angle)
(D)	= Deed Dimension
Ⓓ	= Drainage Manhole
DIP	= Ductile Iron Pipe
E	= Electrical Junction Box
x 0.00	= Existing Elevation
FH	= Fire Hydrant
FP&L	= Florida Power & Light
FND	= Found
	= Gate Valve (WV=Water Valve) (SV=Sewer Valve)(IV=Irrigation Valve)
GPS	= Global Positioning System
	= Guy Wire Anchor
Inv.	= Invert
L	= Length of Arc
LB	= Licensed Surveying Business
	= Light Pole
MHW	= Mean High Water
NAD	= North American Datum
NAVD	= North American Vertical Datum
O.R.B.	= Official Records Book
— OHU —	= Overhead Utility Wires
PG.	= Page
PK	= Parker Kaylon Nail
PLS	= Professional Land Surveyor
PRM	= Permanent Reference Monument
PSM	= Professional Surveyor & Mapper
P.B.	= Plat Book
PVC	= Polyvinyl Chloride Pipe (Plastic)
R	= Radius
RCP	= Reinforced Concrete Pipe
R/W	= Right–of–Way
Ⓢ	= Sanitary Sewer Manhole
	= Information Signs
TOS	= Toe of Slope
TOB	= Top of Bank
UE	= Utility Easement
w/	= With
	= Wood Power Pole/WPP

INDEX OF SHEETS:

Sheet 1	Cover
Sheet 2	Sketch of Survey



LOCATION MAP
(NOT TO SCALE)

N

ELEVATIONS SHOWN HEREON ARE ON NORTH AMERICAN VERTICAL DATUM 1988.

SURVEYORS NOTES:

1. The survey date is April 18, 2015
2. This is a BOUNDARY, TOPO AND MEAN HIGH WATER LINE SURVEY, as defined in Chapter 5J–17.050(10)(a)–(k) of the Florida Administrative Code.
3. This survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
4. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
5. Copyright © 2015 by Reece & Associates, Inc.
6. Bearings shown hereon are based on Grid North, and are referenced to the Florida State Plane Coordinate System, East Zone, North American Datum of 1983, 2007 adjustment. The bearing base for this survey is the baseline of Survey of State Road 5 (US 1), said baseline bears S 86°08'53" E and all other bearings are relative thereto.
7. The coordinates shown hereon are referenced to the Florida State Plane Coordinate System, East Zone, North American Datum of 1983, 2007 adjustment (NAD83/2007), as established using Real–Time Kinematic Global Positioning System (RTK GPS) survey methodS. The corrected positions computed were verified through a redundancy of measurements to meet or exceed closure for Rural: Linear 1 foot in 5,000 feet. All distances shown hereon are in grid U.S. Survey Feet.
8. Elevations shown hereon are referenced to the North American Vertical Datum of 1988 (NAVD 88), as established by National Geodetic Survey (NGS) control point "872 4292 G Tidal" having a published elevation of 15.42' (NAVD88). Elevation depicted on this survey were obtained using Real Time Kinematic (RTK) GPS methods with an expected accuracy of +/– 0.2'. The conversion from NAVD 88 to NGVD 29 is as follows: NAVD Elevation +1.36' = NGVD Elevation.
9. The mean high water elevation as shown hereon was established by extending the elevation shown at mean high water interpolation point no. 4292.
10. This mean high water line survey complies with Chapter 177, Part II, Florida Statues. The mean high water filing number is #5752
11. This survey does not have the benefit of a current title commitment, opinion, or abstract. During the course of the survey some searches of the public records were made, but these searches were not exhaustive and should not be considered a substitute for a proper title commitment, opinion, or abstract obtained from a title agency or other title professional.
12. The legal description of the land contained in this boundary survey is based on the description recorded in Official Records Book 2574, Page 308, as recorded in the public records of Monroe County, Florida.
13. This survey delineates the locations of the legal descriptions on the ground, but does not determine ownership or property rights.
14. Underground improvements, if any, were not located except as shown.
15. Interior improvements were not located except as shown.
16. Adjoining property information was obtained from Monroe County Property Appraiser Office.
17. Aerial imagery shown hereon was obtained from the Land Boundary Information System (LABINS) dated 2012 and is shown for informational purposes only.

RECEIVED
SEP - 7 2016
2016-136, 137+138
MONROE CO. PLANNING DEPT

CERTIFICATION

I HEREBY CERTIFY That the attached survey is true and correct to the best of my knowledge and belief and that it meets the standards of practice set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J–17, Florida administrative code.

For the Firm:
Reece & Associates

Robert E. Reece — Date 4-23-15

Professional Surveyor and Mapper
State of Florida License No. 5632

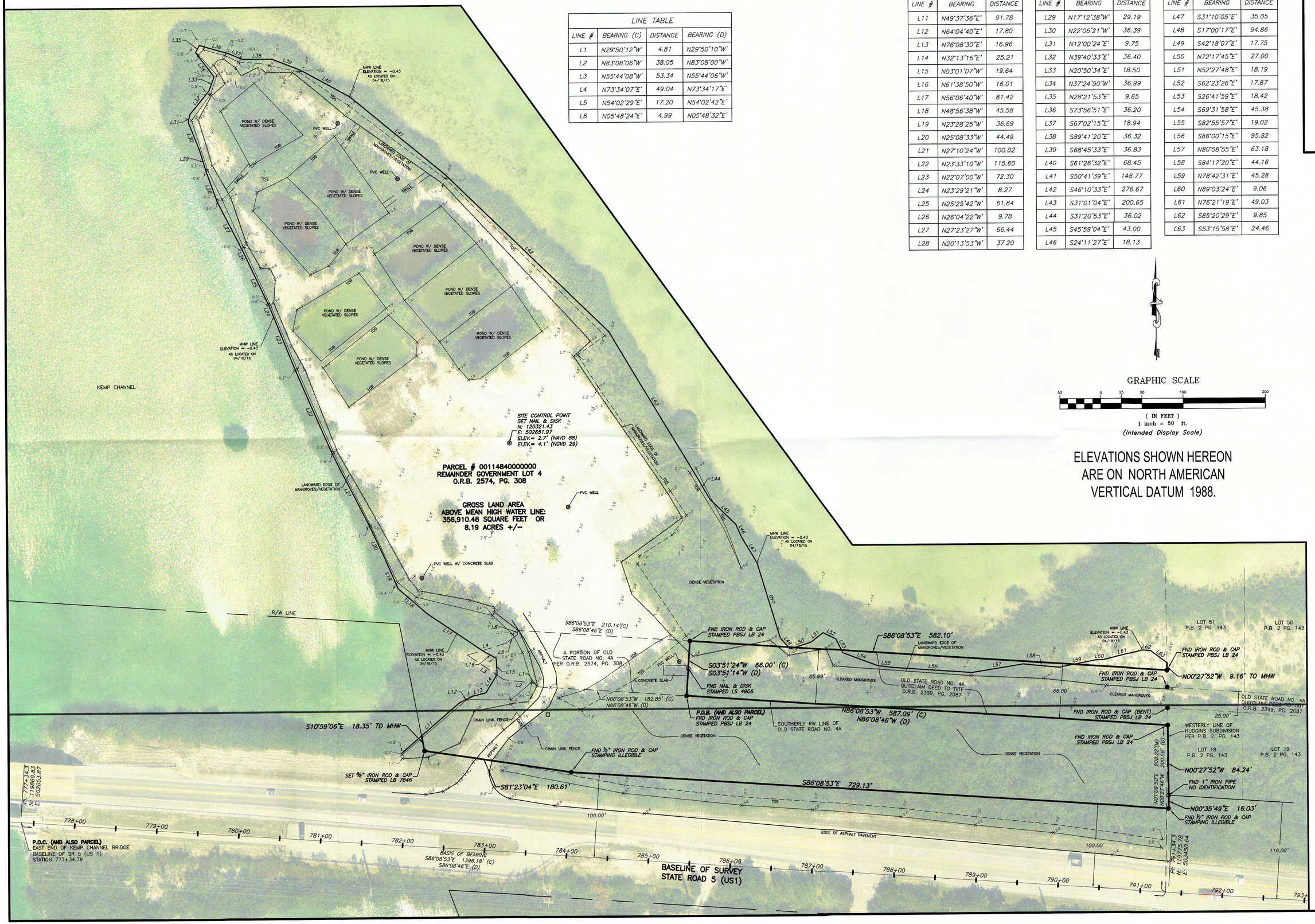
ROBERT EDWARD REECE
LICENSED
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA

DWG	Survey Reece & Associates_15032506		
REF			
FLD	RB	FB./PG. RJ #1/8–9	DATE 4/23/2015
OFF	RB		
CKD	RR	SHEET 1 OF 2	DATE:

REVISIONS: BY:

BOUNDARY SURVEY
SHRIMP FARM
23801 OVERSEAS HWY.
SUMMERLAND KEY FL, 33042

BOUNDARY SURVEY



LINE TABLE			
LINE #	BEARING (C)	DISTANCE	BEARING (D)
L1	N29°50'12"W	4.81	N29°50'10"W
L2	N83°08'06"W	38.05	N83°08'00"W
L3	N55°44'08"W	53.34	N55°44'06"W
L4	N73°34'07"E	49.04	N73°34'17"E
L5	N54°02'29"E	17.20	N54°02'42"E
L6	N05°48'24"E	4.99	N05°48'32"E

MHW LINE TABLE		
LINE #	BEARING	DISTANCE
L11	N49°37'36"E	91.78
L12	N64°04'40"E	17.80
L13	N76°08'30"E	16.96
L14	N32°13'16"E	25.21
L15	N03°01'07"W	19.64
L16	N61°38'50"W	16.01
L17	N56°06'40"W	81.42
L18	N48°56'38"W	45.58
L19	N23°28'25"W	36.69
L20	N25°08'33"W	44.49
L21	N27°10'24"W	100.02
L22	N23°33'10"W	115.60
L23	N22°07'00"W	72.30
L24	N23°29'21"W	8.27
L25	N25°25'42"W	61.84
L26	N26°04'22"W	9.78
L27	N27°23'27"W	66.44
L28	N20°13'53"W	37.20

MHW LINE TABLE		
LINE #	BEARING	DISTANCE
L29	N17°12'38"W	29.19
L30	N22°06'21"W	36.39
L31	N12°00'24"E	9.75
L32	N39°40'33"E	36.40
L33	N20°50'34"E	18.50
L34	N37°24'50"W	36.99
L35	N28°21'53"E	9.65
L36	S73°56'51"E	36.20
L37	S67°02'15"E	18.94
L38	S89°41'20"E	36.32
L39	S68°45'33"E	36.83
L40	S61°26'32"E	68.45
L41	S50°41'39"E	148.77
L42	S46°10'33"E	276.67
L43	S31°01'04"E	200.65
L44	S31°20'53"E	36.02
L45	S45°59'04"E	43.00
L46	S24°11'27"E	18.13

MHW LINE TABLE		
LINE #	BEARING	DISTANCE
L47	S31°10'05"E	35.05
L48	S17°00'17"E	94.86
L49	S42°18'07"E	17.75
L50	N72°17'45"E	27.00
L51	N52°27'48"E	18.19
L52	S62°23'26"E	17.87
L53	S26°41'59"E	18.42
L54	S69°31'58"E	45.38
L55	S82°55'57"E	19.02
L56	S86°00'15"E	95.82
L57	N80°58'55"E	63.18
L58	S84°17'20"E	44.16
L59	N78°42'31"E	45.28
L60	N89°03'24"E	9.06
L61	N76°21'19"E	49.03
L62	S85°20'29"E	9.85
L63	S53°15'58"E	24.46

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.
(Intended Display Scale)

ELEVATIONS SHOWN HEREON ARE ON NORTH AMERICAN VERTICAL DATUM 1988.

REECE & ASSOCIATES
PROFESSIONAL SURVEYOR AND MAPPER
127 INDUSTRIAL ROAD, SUITE B, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
FAX (305) 872 - 5622

	BY:
	REVISIONS:
	DATE:
DATE 4/23/2015	

DWG Survey Reece & Associates_15032506
REF
FLD RB FB./PG. RJ #1/8-9
OFF RB
CKD RR
SHEET 2 OF 2

BOUNDARY SURVEY
SHRIMP FARM
23801 OVERSEAS HWY.
SUMMERLAND KEY FL. 33042

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

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

From: Emily Schemper, AICP, Comprehensive Planning Manager

Date: September 19, 2016

Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY FUTURE LAND USE MAP AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FROM AGRICULTURE/AQUACULTURE (A) TO RESIDENTIAL HIGH (RH), FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF PROPOSED SUBAREA POLICY 107.1.5 OF THE COMPREHENSIVE PLAN TO PROVIDE LIMITATIONS ON DEVELOPMENT AND SPECIFIC RESTRICTIONS ON THE SUBJECT PROPERTY; 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 AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE. (Planning File #2016-137)

Meeting: September 28, 2016

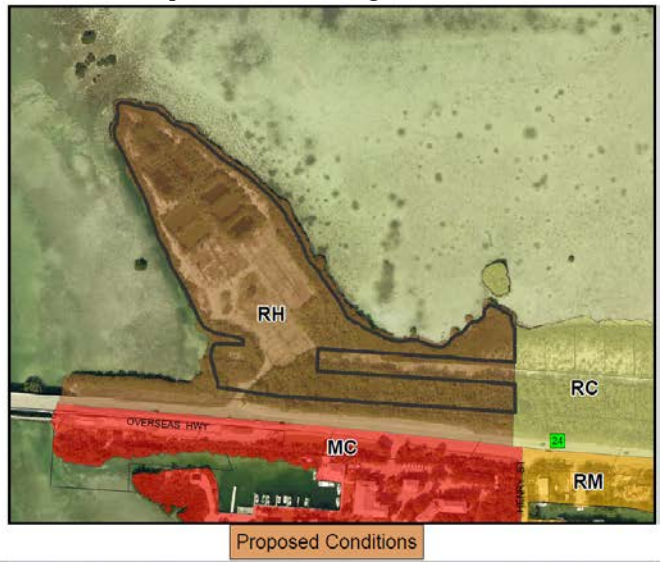
I. REQUEST

On August 11, 2016, the Planning and Environmental Resources Department received an application from Summerland Key Property Corp. ("the Applicant") to amend the Monroe County Future Land Use Map (FLUM) from Agriculture/Aquaculture (A) to Residential High (RH) for property located at 23801 Overseas Highway on Summerland Key. The Applicant has also requested a corresponding Land Use District (Zoning) map amendment for the subject property from Native Area (NA) to Urban Residential (UR) (see Exhibit 1), and a Comprehensive Plan text amendment to create a subarea policy that would provide additional development restrictions on the subject parcel,

including a limitation that the only permitted use on the property would be affordable housing (see Exhibit 2). The proposed subarea policy and FLUM amendment would be processed as "small-scale comprehensive plan amendments" pursuant to Section 163.3187, Florida Statutes, based on the size of the site and the limitation of development to affordable housing. *The subject of this staff report is the proposed FLUM amendment.*

Existing FLUM Designation

Proposed FLUM Designation



II. BACKGROUND INFORMATION

Site Information:

Location: MM 24, Summerland Key
Address: 23801 Overseas Highway
Description: a parcel of land in Section 27, Township 66 South, Range 28 East, Summerland Key, Monroe County, Florida
Real Estate Numbers: 00114840.000000
Owner/Applicant: Summerland Key Property Corp.
Size of Site: 356,910.48 sf (8.19 acres) upland, per survey by Reece & Associates, dated 4/23/2015; per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site will be 9.0 acres. Data from a survey confirming this figure was not provided.
FLUM Designation: Agriculture/Aquaculture (A)
Land Use District: Native Area (NA)
Tier Designation: III
Flood Zones: AE (EL 9); AE (EL 10); AE (EL 11); VE (EL 11); VE (EL 13)
CBRS: portions of property along shoreline may be within CBRS System Unit
Existing Use: Vacant
Existing Vegetation/Habitat: Mangrove, Salt Marsh, Undeveloped Land, Developed Land, Submerged Land

Community Character of Immediate Vicinity: Adjacent land uses include vacant land to the east, open water to the north and west, institutional to the south across US1 (Boy Scouts of America Camp – Florida Sea Base), and single family residential to the southeast across US1.

The subject property currently has a Land Use District (Zoning) designation of Native Area (NA) and a Future Land Use Map (FLUM) designation of Agriculture/Aquaculture (A). The property was partially within a BU-2 district (Medium Business) prior to September 15, 1986, when it was re-designated as NA (the final adoption of the LUD map was in 1992). With the adoption of the Comprehensive Plan's FLUM in 1997, the subject parcels were given their current FLUM designation of A.

The subject property was historically used as a shrimp hatchery/sea food business dating back to at least 1980. According to the Monroe County Property Appraiser's records, all buildings on the site were demolished in 2011. The property is currently vacant, mostly scarified land, with several man-made water bodies remaining from its former use. In the shoreline area of the property and in the eastern part of the property there are mangrove habitat areas (based on GIS habitat data, shown below). The Applicant's submission indicates that the in shoreline area and in the eastern part of the property there are mangrove habitat areas and salt marsh and buttonwood habitat areas. A vegetation survey/existing conditions report was not submitted with the application to confirm the habitats.

The Applicant is also requesting a text amendment to the Monroe County Comprehensive Plan to establish a site specific subarea policy to accompany the proposed FLUM amendment and a proposed Land Use District (Zoning) Map amendment for the site from NA to Urban Residential (UR). ***The subject of this staff report is the proposed FLUM amendment.***

The Applicant states that the reason for the proposed amendments is "to allow the abandoned Shrimp Farm to be adaptively reused for affordable housing purposes" and "to further promote

incentives for affordable housing in the Monroe County Comprehensive Plan to alleviate the ongoing and worsening affordable housing crisis…" The applicant cites population projections produced by Keith & Schnars, P.A. and Fishkind & Associates in 2011, as well as the United Way's ALICE Study of Financial Hardship for Florida dated Fall, 2014, as supporting evidence of the need for affordable housing within Monroe County. This data indicates that more than half of the County renters are cost burdened (8,350 of 14,002) and that the County is mainly a tourism economy with a prevalence of lower paying service-sector employment. The ALICE report indicates that renters in the lower keys areas are significantly housing burdened over 35%, as follows: by 68% in Key West, by 69% in Stock Island, by 72% in Big Coppitt, by 56% in the Lower Keys and by 42% in Big Pine Key.

KEY FACTS AND ALICE STATISTICS FOR MONROE COUNTY

(From the ALICE Florida Report: Study of Financial Hardship, Fall, 2014, Appendix H)

Big Coppitt Key /Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
2016	833	12%	35%	53%	9%	55%	72%
Big Pine Key/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3777	1619	10%	35%	56%	4%	44%	42%
Key West							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
24870	9322	9%	35%	56%	4%	44%	68%
Lower Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
10394	4314	8%	23%	62%	5%	42%	56%
Stock Island/ Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3736	1111	14%	62%	24%	8%	53%	69%

Monroe County, 2012

Town	Total HH	% ALICE & Poverty
Big Coppitt Key CDP	833	47%
Big Pine Key CDP	1,619	44%
Key Largo CDP	4,517	53%
Key West	9,322	52%
Lower Keys CCD	4,314	38%
Marathon	3,371	55%
Middle Keys CCD	4,068	53%
North Key Largo CDP	510	31%
Stock Island CDP	1,111	76%
Tavernier CDP	953	52%
Upper Keys CCD	8,633	50%

ALICE IN MONROE COUNTY

Population: 74,809 | **Number of Households:** 29,241
Median Household Income: $53,637 (state average: $45,040)
Florida Underemployment Rate for 2012: 16%
Gini Coefficient (zero = equality; one = inequality): 0.53 (state average: 0.48)

How many households are struggling?

ALICE, an acronym for **A**sset **L**imited, **I**ncome **C**onstrained, **E**mployed, are households that earn more than the U.S. poverty level, but less than the basic cost of living for the county. Combined, the number of poverty and ALICE households equals the total population struggling to afford basic needs.

Poverty	ALICE	STRUGGLING	Above ALICE
3,557 HH	10,664 HH		15,020 HH
12%	36%		51%

What are the economic conditions?

The **Economic Viability Dashboard** evaluates community conditions for ALICE in three core areas. Each is an index with a scale of 1 (worst) to 100 (best).

Housing Affordability	Job Opportunities	Community Support
poor (14)	good (67)	poor (48)

The Applicant's full explanation and justification of the proposed amendments is included in the file for the application (File #2016-137).

Staff has reviewed the Applicant's position and supporting documentation, and agrees with the position that inadequate availability of affordable housing is currently a primary issue facing permanent residents of unincorporated Monroe County. In 2015, the BOCC acknowledged the County's workforce housing issues and adopted Resolution 189-2015, assigning additional duties to the Affordable Housing Advisory Committee directing the committee to make recommendations for steps the County may take to address the need for more workforce housing options. The committee presented their recommendations to the BOCC at their regular meeting on August 17, 2016. The BOCC will be scheduling a special meeting to discuss the recommendations and provide direction to staff in the future.

As noted, this amendment is being proposed as a small scale amendment. Section 163.3187, F.S., establishes the process for adoption of a small-scale comprehensive plan amendment and provides the limitations and requirements (see below).

(1) A small scale development amendment may be adopted under the following conditions:

(a) **The proposed amendment involves a use of 10 acres or fewer** and:

(b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

(c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but **only proposes a land use change to the future land use map for a site-specific small scale development activity**. However, **text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible** under this section.

(d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, **unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).**

(2) Small scale development amendments adopted pursuant to this section require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(11).

* * *

(4) **Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177**. Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

While staff agrees with the position that inadequate availability of affordable housing is currently a primary issue facing unincorporated Monroe County, staff is also reviewing the proposed amendment for consistency with State Statutes, Rules, internal consistency with the Comprehensive Plan and balancing all the requirements and policy issues.

III. AMENDMENT REVIEW

Maximum Allocated Density and Intensity by Future Land Use Map Designation

Existing FLUM	Type	Adopted Standards	Development potential based upon density
Agriculture (A) **Total site: 8.19 acres* (356,910.48 sf)** **6.552 buildable acres (8.19 ac – 0.20 open space ratio)**	Residential Allocated Density	0.0 du/acre	0 units
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units
	Affordable Residential Max Net Density	N/A	0 units
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0.25 FAR	89,227 sf
Proposed FLUM	**Type**	**Adopted Standards**	**Development potential based upon density**
Residential High (RH) **Total site: 8.19 acres* (356,910.48 sf)** **6.552 buildable acres (8.19 ac – 0.20 open space ratio)**	Residential Allocated Density	6 du/acre**	49 units market rate**
	TDR/Market Rate Residential Max Net Density	12 du/buildable acre**	78 units market rate**
	Affordable Residential Max Net Density	25 du/buildable acre	163 units affordable
	Transient Allocated Density	0-10 rooms or spaces / acre**	0-81 rooms/spaces**
	Nonresidential Maximum Intensity	0 FAR	0 sf
Proposed FLUM with Proposed Subarea Policy	**Type**	**Per Proposed Subarea Policy**	**Development potential based upon Subarea Policy Density**
Residential High (RH) **Total site: 8.19 acres* (356,910.48 sf)**	Residential Allocated Density	0 du/acre	0 units market rate
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units market rate

6.552 buildable acres (8.19 ac – 0.20 open space ratio)	Affordable Residential Max Net Density	25 du/buildable acre	163 units affordable
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0 FAR	0 sf
Net Change in Development Potential Based on FLUM	**Residential Market Rate Allocated: +49 units**		
	TDR/Market Rate Residential Max Net: +78 units		
	Affordable Residential Max Net: +163 units affordable		
	Transient Allocated: +81 rooms/spaces		
	Nonresidential: -89,227 sf		
Net Change in Development Potential Based on FLUM with Proposed Subarea Policy	**Residential Market Rate Allocated: +0 units**		
	TDR/Market Rate Residential Max Net: +0 units		
	Affordable Residential Max Net: +163 units affordable		
	Transient Allocated: +0 rooms/spaces		
	Nonresidential: -89,227 sf		

*Per the submitted survey by Reece & Associates, dated 4/23/2015, the site has 8.19 acres (356,910.48 sf) of upland. Per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development. (See Exhibit 3 for estimated development potential based on 9.0 acres of upland.)

**The proposed subarea policy to accompany this proposed FLUM amendment would eliminate all permanent and transient allocated density and all nonresidential intensity on the site. Per the proposed subarea policy, the only density on the site would be a maximum net density of 25 dwelling units per buildable acre for affordable housing units only, which would bring the maximum development potential for the site to 163 deed restricted affordable dwelling units.

The above table provides an approximation of the development potential for residential, transient and commercial development. Section 130-156(b) of the Land Development Code states: "The density and intensity provisions set out in this section are intended to be applied cumulatively so that no development shall exceed the total density limits of this article. For example, if a development includes both residential and commercial development, the total gross amount of development shall not exceed the cumulated permitted intensity of the parcel proposed for development."

As shown in the blue portion of the table, the proposed FLUM amendment *without* the proposed Subarea Policy would result in an increase of 49 units in permanent allocated residential

development potential; an increase of 78 units in max net density residential potential for market rate units with the use of TDRs; a maximum increase in affordable residential development potential of 163 dwelling units; an increase of 81 rooms or spaces for transient units; and a decrease in nonresidential development potential of 89,227 square feet.

As shown in the orange portion of the table, the proposed FLUM amendment *with* the proposed Subarea Policy would result in zero (0) increase in residential development potential for market rate units and/or transient units; a maximum increase in affordable residential development potential of 163 dwelling units; and a decrease in nonresidential development potential of 89,227 square feet.

Any proposed new residential use would be subject to the requirements of Chapter 138 of the Land Development Code related to the Residential Rate of Growth Ordinance (ROGO/NROGO) permit process. Any proposed affordable dwelling units would need to obtain a ROGO allocation (affordable ROGO allocations may be available) prior to issuance of a building permit.

Compliance with Comprehensive Plan Policy 101.5.26

Policy 101.5.26 (discouragement policy) of the Comprehensive Plan was adopted by the BOCC on September 21, 2012, with an effective date of November 20, 2012, and applies to this application. Private applications which propose increases in allocated density must comply with the Policy requirements. Based on the density/intensity analysis, and in order to mitigate for the impacts of approval, one of the following options would be required (subject to all detailed requirements of Policy 101.5.26):

a. Donation of 18 acres of non-scarified land within the Lower Keys Subarea with a density/development potential of at least 54 permanent dwelling units;
b. Donation of 49 non-scarified IS Lots designated Tier I, Tier II, or Tier III-A within the Lower Keys Subarea; or
c. Donation of 49 IS lots designated Tier III for affordable housing within the Lower Keys Subarea.

As stated earlier, the applicant's proposed Subarea Policy would eliminate any increase in residential allocated density and development potential and therefore eliminate the need to mitigate under Policy 101.5.26.

Compatibility with the Surrounding Area

a. Existing Vegetation/Habitat: Developed land; Mangrove habitat
b. Existing Tier Designation: III
c. Number of Listed Endangered or Threatened Species: seven
d. Existing Use: Vacant
e. Community Character of Immediate Vicinity: Adjacent land consists of vacant land to the east; open water to the north and west; and an institutional use to the south across US1 (Boy Scouts of America – "Florida Sea Base" Camp).

The proposed FLUM is not anticipated to adversely impact the community character of the surrounding area.

Concurrency Analysis (Comprehensive Plan Policy 101.1.1)

Traffic Circulation (Comprehensive Plan Policy 301.1.1)

The subject property is located on US 1 on Summerland Key at approximate mile marker 24. The property is only accessible by US 1. Pursuant to the Comprehensive Plan, the level of service standard for US 1 is LOS of "C." According to the 2015 US 1 Arterial Travel Time and Delay Study, US 1 overall is operating at a LOS of "B" and Segment 7 on Summerland Key (MM 23 to MM 25) is operating at a LOS of "B."

A trip generation analysis submitted by the Applicant states that a development of 180 residential units on the site would generate 1,170 daily trips. According to the 2015 US 1 Arterial Travel Time and Delay Study, the maximum reserve volume for Segment 7 is 1,312 trips. The maximum reserve volume for US 1 as a whole is 1,855 trips.

A Level 3 traffic study is required; as the trip generation analysis shows a total of 1,170 daily trips (anything over 500 trips requires a Level 3 traffic study). The proposed FLUM and Level 3 traffic study will be reviewed to determine if there are any anticipated adverse impacts to the Traffic Circulation LOS.

Potable Water (Comprehensive Plan Policy 701.1.1)

Florida Keys Aqueduct Authority's water treatment facility in Florida City has a maximum water treatment design capacity of 29.8 million gallons per day (MGD) and is capable of treating up to 23.8 MGD. There are also two saltwater Reserve Osmosis (RO) plants, located on Stock Island and Marathon, which are able to produce potable water under emergency conditions. The RO desalination plants have design capacities of 2.0 and 1.0 MGD of water, respectively. The annual average daily demand in Monroe County is 17.76 MGD.

The proposed FLUM amendment could result in a net increase in demand from this site of up to 36,512 gallons per day if developed to its maximum residential intensity. Currently there is sufficient capacity for such an increase.

FLUM	Potable Water Residential LOS Standard (Policy 701.1.1)	Max Potential Residential Development (dwelling units)	Persons/ Household	Total Persons	Total LOS Demand	Net Change
Current: A	100 gal/cap/day (224 gal/du/day)	0	2.24	0	**0 gal/day**	**+36,512 gal/day**
Proposed: RH with Subarea Policy	100 gal/cap/day (224 gal/du/day)	163 affordable	2.24	403	**36,512 gal/day**	

The proposed FLUM is not anticipated to adversely impact the Potable Water LOS.

Solid Waste (Comprehensive Plan Policy 801.1.1)

Monroe County has a contract with Waste Management authorizing the use of in-state facilities through September 30, 2024; thereby, providing the County with approximately eight (8) more years

of guaranteed capacity for solid waste. Currently, there is adequate capacity for solid waste generation. All commercial solid waste is handled by private contract.

The proposed FLUM is not anticipated to adversely impact the Solid Waste LOS.

Sanitary Sewer (Comprehensive Plan Policy 901.1.1

The County has adopted water quality treatment standards for wastewater facilities and within the Sanitary Wastewater Treatment Master Plan, Exhibit 3-8, has stated the LOS standard for residential and nonresidential flow is 145 gallons per day per equivalent dwelling unit (EDU). The proposed FLUM amendment with the proposed subarea policy would increase the maximum net residential density for affordable housing on the site by 163 dwelling units, which would increase the required flow by 23,635 gallons per day. The subject property is not currently included in the Cudjoe Regional Wastewater Service Area, but is adjacent to Basin E of the service area. Any proposed development on the site will either need to connect to the Cudjoe Regional Wastewater system, or provide on-site sewage treatment and disposal that meets the LOS standards in Policy 901.1.1.

The proposed FLUM is not anticipated to adversely impact the Sanitary Sewer LOS.

V. CONSISTENCY WITH THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, THE KEY LARGO COMMUNIKEYS PLAN, THE FLORIDA STATUTES, AND PRINCIPLES FOR GUIDING DEVELOPMENT

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County Year 2030 Comprehensive Plan (Note: compliance with Policy 101.5.26 must be established prior to BOCC adoption of the proposed FLUM amendment). 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.

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.

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

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.

Future Land Use Densities and Intensities				Minimum Open Space Ratio [c]
Future Land Use Category And Corresponding Zoning	Residential [l]		Nonresidential	
	Allocated Density [a] (per upland acre)	Maximum Net Density [a] [b] (per buildable acre)	Maximum Intensity (floor area ratio)	
* * *				
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.
(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.

Policy 101.5.26

In order to continue to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County residential density and the preservation of Monroe County's native habitat by enacting legislation which implements the following policy statements for private applications for future land use map amendments which increase allowable residential allocated density. Private application(s) means those applications from private entities with ownership of the upland development and parcel(s) of land or includes private upland development on County-owned land.

Private applications requesting future land use map designation amendments received after the effective date of this ordinance (Nov. 20, 2012), which propose increases in allocated residential density shall be required, upon amendment approval, to comply with either option (1) or (2) below:…

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. These three categories are: Natural Area (Tier 1); 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:

* * *

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.

Policy 105.2.2
Monroe County shall maintain overlay map(s) designating geographic areas of the County as one of the Tiers in accordance with the guidance in Policy 105.2.1, which shall be incorporated as an overlay on the zoning map(s) with supporting text amendments in the Land Development Regulations. These maps are to be used to guide the Land Acquisition Program and the smart growth initiatives in conjunction with the Livable CommuniKeys Program (Policy 101.19.1).

GOAL 203
The health and integrity of living marine resources and marine habitat, including mangroves, seagrasses, coral reefs, other hard bottom communities and fisheries, shall be protected and, where possible, restored and enhanced. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Objective 203.1
Monroe County shall protect its mangrove wetlands by continuing to implement regulations which will further reduce disturbances to mangroves and which will mitigate the direct and indirect impacts of development upon mangroves. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.1
The open space requirement for mangrove wetlands shall be one hundred (100) percent. No fill or structures shall be permitted in mangrove wetlands except for elevated, pile-supported walkways, docks, piers and utility pilings. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.2
Monroe County shall require minimum vegetated setbacks of fifty (50) feet to be maintained as an open space buffer for development occurring adjacent to all types of wetlands except for tidally inundated mangrove fringes and as provided for in Policy 204.2.3, 204.2.4 and 204.2.5. If a 50-foot setback results in less than 2,000 square feet of principal structure footprint of reasonable configuration, then the setback may be reduced to allow for 2,000 square feet of principal structure footprint of reasonable configuration, provided that the setback is not reduced to less than twenty-five (25) feet. On properties classified as scarified adjacent to wetlands, the wetland setback may be reduced to twenty-five (25) feet, without regard to buildable area, if the

entire setback is managed in accordance with County regulations approved by the County Biologist and is placed under conservation easement. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

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

Policy 212.2.4
Permitted uses and performance standards within the shoreline setback shall be as follows:

Except as provided herein, principal structures shall be set back as follows:

1. Along lawfully altered shorelines including manmade canals, channels, and basins, principal structures shall be set back at least twenty (20) feet as measured from the mean high water (MHW) line;

2. Along lawfully altered shorelines including manmade canals, channels, and basins, for parcels less than 4,000 square feet that are developed with a lawfully established principal use, the required setback may be reduced to a minimum of ten (10) feet provided that the structure is sited so as to protect community character and minimize environmental impacts by maintaining open space and protecting shoreline vegetation.

3. Along open water shorelines not adjacent to manmade canals, channels, or basins, and which have been altered by the legal placement of fill:

    a. Where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further inland.

    b. Where no mangrove fringe exists, principal structures shall be set back at least thirty (30) feet from the mean high water (MHW) line, provided that native vegetation exists or is planted and maintained in a ten (10) foot width across the entire shoreline as approved by the County Biologist, and is placed under conservation easement; otherwise the setback shall be fifty (50) feet as measured from the mean high water (MHW) line.

    c. On infill lots surrounded by significant development where principal structures are set back less than fifty (50) feet from mean high water (MHW) or the landward extent of mangroves, the Director of Planning and Environmental Resources may evaluate the community character, the presence or absence of environmental features, and the setbacks on adjacent developed properties within two parcels on either side of proposed development, and may allow principal structures to be set back as far as practicable or in line with adjacent principal structures. In no event shall the setback be less than twenty (20) feet. On

shorelines where the existing pattern of setback is greater than thirty (30) feet, the greater setback shall apply.

3. Along unaltered and unlawfully altered shorelines, principal structures shall be set back fifty (50) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

Accessory structures within the shoreline setback shall be designed to meet the following 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 sixty (60) percent of the upland area of the shoreline setback;

    b. Accessory structures, including, pools and spas shall be set back a minimum of ten (10) feet, as measured from the mean high water (MHW) line;

2. Along open water shorelines which have been altered by the legal placement of fill, and where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property:

    a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

    b. Accessory structures other than docks and erosion control structures shall be set back a minimum of fifteen (15) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

3. Along unaltered shorelines:

    a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

    b. Accessory structures other than docks and erosion control structures shall be set back a minimum of twenty-five (25) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

4. Any proposed development within the shoreline setback shall include a site-suitable stormwater management plan for the entire developed parcel which meets the requirements of the land development regulations;

5. All structures within the shoreline setback shall be located such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained;

6. Structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff;

7. Side yard setbacks must be maintained for all structures in the shoreline setback except for docks, sea walls, fences, retaining walls, and boat shelters over existing boat ramps;

8. No enclosed structures, other than a dock box of five (5) feet in height or less, a screened gazebo, and a screen enclosure over a pool or spa, shall be allowed within the shoreline setback. Gazebos must be detached from any principal structure on the parcel. No decks or habitable spaces may be constructed on the roof of any gazebo in the shoreline setback;

9. Pools, spas, fish cleaning tables, and similar pollutant sources may not discharge directly into surface waters. Where no runoff control structures are present, berms and vegetation shall be used to control runoff. Native vegetation shall not be removed to install berms or runoff control structures;

10. All boat ramps shall be confined to existing scarified shoreline areas of manmade canals, channels, and basins with little or no native vegetation, and shall be located and designed so as not to create a nonconformity for other structures set back from the new mean high water (MHW) line created by the boat ramp; and

11. The roof and supporting members of a boat shelter constructed in compliance with Section 118-10 of the Land Development Code, as amended (hereby incorporated by reference), may extend two (2) feet into the shoreline setback around the perimeter of a boat basin or ramp. This area shall be subtracted from the total area allowed for all structures within the shoreline setback.

12. Shoreline structures shall be designed to protect tidal flushing and circulation patterns. Any project that may produce changes in circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project. Previously existing manmade alterations shall be evaluated so as to determine whether more hydrological benefits will accrue through their removal as part of the project.

13. No development other than pile supported docks and walkways designed to minimize adverse impacts on marine turtles shall be allowed within fifty (50) feet of any portion of any beach berm complex which is known to serve as a nesting area for marine turtles:

    a. The fifty (50) foot setback shall be measured from either the landward toe of the most landward beach berm or from fifty (50) feet landward of MHW, whichever is less. The maximum total setback will be one hundred (100) feet from MHW.

b. Structures designed to minimize adverse impacts on marine turtles shall have a minimum horizontal distance of four (4) feet between pilings or other upright members and a minimum clearance of two (2) feet above grade. The entire structure must be designed to allow crawling turtles to pass underneath it moving only in a forward direction. Stairs or ramps with less than the minimum two (2) feet clearance above grade are discouraged. If built, these portions of the structure shall be enclosed with vertical or horizontal barriers no more than two (2) inches apart, to prevent the entrapment of crawling turtles.

c. Beaches known to serve as nesting areas for marine turtles are those areas documented as such on the County's threatened and endangered species maps and any areas for which nesting or nesting attempts ("crawls") have been otherwise documented. Within mapped nesting areas, the Director of Planning and Environmental Resources may, in cooperation with FDEP, determine that specific segments of shoreline have been previously, lawfully altered to such a degree that suitable nesting habitat for marine turtles is no longer present. In such cases, the Director may recommend reasonable measures to restore the nesting habitat. If such measures are not feasible, the Director will waive the setback requirements of this paragraph. Restoration of suitable nesting habitat may be required for unlawfully altered beaches.

14. Special Approvals:

a. For structures serving commercial uses, public uses, or more than three dwelling units, the Planning Commission may approve deviations from the above standards as a major or minor conditional use. 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 (5) years after the completion of the development.

b. For structures serving three or fewer dwelling units, the Director of Planning and Environmental Resources may approve designs that address unique circumstances such as odd shaped lots, even if such designs are inconsistent with the above standards. Such approval may be granted only upon the Director's written concurrence with the applicant's written finding that the proposed design furthers the purpose of this section and the goals of the Monroe County Comprehensive Plan. Only the minimum possible deviation from the above standards will be allowed in order to address the unique circumstances. No such special approval

will be available for after-the-fact permits submitted to remedy a Code Enforcement violation.

c. All structures lawfully existing within the shoreline setback along manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be rebuilt in the same footprint provided that there will be no adverse impacts on stormwater runoff or navigation.

Docks or docking facilities lawfully existing along the shoreline of manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be expanded or extended beyond the size limitations contained in this section in order to reach the water depths specified for docking facilities in Policy 212.4.2. Any dock or docking facility so enlarged must comply with each and every other requirement of this Policy and Section 118-12 of the Land Development Code, as amended (hereby incorporated by reference). [§163.3178(2)(g), F.S.]

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.

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.

Policy 601.1.8
Monroe County shall allocate at least 20% of the annual ROGO allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units, as specified in Policy 101.3.3. Affordable housing eligible for this separate allocation must meet the criteria established in the Land Development Code.

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.

B. The proposed 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 marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
(g) Protecting the historical heritage of the Florida Keys.
(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and the Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage 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 consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

D. The proposed amendment is consistent with Part II of Chapter 163, Florida Statutes (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.

163.3187, F.S. – Process for adoption of small-scale comprehensive plan amendment.—

(1) A small scale development amendment may be adopted under the following conditions:

(a) The proposed amendment involves a use of 10 acres or fewer and:

(b) The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.

(c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.

(d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).

(2) Small scale development amendments adopted pursuant to this section require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(11).

(3) If the small scale development amendment involves a site within a rural area of opportunity as defined under s. 288.0656(2)(d) for the duration of such designation, the 10-acre limit listed in subsection (1) shall be increased by 100 percent to 20 acres. The local government approving the small scale plan amendment shall certify to the state land planning agency that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

(4) Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177. Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

(5)(a) Any affected person may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57 to request a hearing to challenge the compliance of a small scale development amendment with this act within 30 days following the local government's adoption of the amendment and shall serve a copy of the petition on the local government. An administrative law judge shall hold a hearing in the affected jurisdiction not less than 30 days nor more than 60 days following the filing of a petition and the assignment of an administrative law judge. The parties to a hearing held pursuant to this subsection shall be the petitioner, the local government, and any intervenor. In the proceeding, the plan amendment shall be determined to be in compliance if the local government's determination that the small scale development amendment is in compliance is fairly debatable. The state land planning agency may not intervene in any proceeding initiated pursuant to this section.

(b) 1. If the administrative law judge recommends that the small scale development amendment be found not in compliance, the administrative law judge shall submit the recommended order to the Administration Commission for final agency action. If the administrative law judge recommends that the small scale development amendment be

found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.

2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.

(c) Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

(d) In all challenges under this subsection, when a determination of compliance as defined in s. 163.3184(1)(b) is made, consideration shall be given to the plan amendment as a whole and whether the plan amendment furthers the intent of this part.

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). For a small-scale comprehensive plan amendment, pursuant to Section 163.3187, F.S., the BOCC holds one public hearing to consider the adoption of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing.

VII. STAFF RECOMMENDATION

Staff recommends approval of the proposed FLUM amendment from A to RH, contingent on adoption and effectiveness of the proposed corresponding subarea policy restricting development on the site to affordable housing dwelling units at a maximum of 163 units.

VIII. EXHIBITS

1. Proposed corresponding LUD map amendment.
2. DRC Staff Report regarding proposed corresponding Comprehensive Plan Subarea Policy.
3. Estimated max development potential, based on applicant info, with the filling of the existing manmade waterbodies.

Exhibit 3
Estimated max development potential,
based on applicant info, with the filling of the existing manmade waterbodies

If the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development.

Existing FLUM	Type	Adopted Standards	Development potential based upon density
Agriculture (A) **Total site: 9.0 acres*** **(392,040 sf)**	Residential Allocated Density	0.0 du/acre	0 units
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units
	Affordable Residential Max Net Density	N/A	0 units
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0.25 FAR	98,010 sf
Proposed FLUM	**Type**	**Adopted Standards**	**Development potential based upon density**
Residential High (RH) **Total site: 9.0 acres*** **(392,040 sf)** **7.2 buildable acres** **(9.0 ac – 0.20 open space ratio)**	Residential Allocated Density	6 du/acre**	54 units market rate**
	TDR/Market Rate Residential Max Net Density	12 du/acre**	86 units market rate**
	Affordable Residential Max Net Density	25 du/buildable acre	180 units affordable
	Transient Allocated Density	0-10 rooms or spaces / acre**	0-90 rooms/spaces**
	Nonresidential Maximum Intensity	0 FAR	0 sf

Proposed FLUM with Proposed Subarea Policy	Type	Per Proposed Subarea Policy	Development potential based upon Subarea Policy Density
Residential High (RH) **Total site: 9.0 acres*** **(392,040 sf)** **7.2 buildable acres** **(9.0 ac – 0.20 open space ratio)**	Residential Allocated Density	0 du/acre	0 units market rate
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units market rate
	Affordable Residential Max Net Density	25 du/buildable acre	180 units affordable
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0 FAR	0 sf
Net Change in Development Potential Based on FLUM	**Residential Market Rate Allocated: +54 units**		
	TDR/Market Rate Residential Max Net: +86 units		
	Affordable Residential Max Net: +180 units affordable		
	Transient Allocated: +90 rooms/spaces		
	Nonresidential: -98,010 sf		
Net Change in Development Potential Based on FLUM with Proposed Subarea Policy	**Residential Market Rate Allocated: +0 units**		
	TDR/Market Rate Residential Max Net: +0 units		
	Affordable Residential Max Net: +180 units affordable		
	Transient Allocated: +0 rooms/spaces		
	Nonresidential: -98,010 sf		

*Per the submitted survey by Reece & Associates, dated 4/23/2015, the site has 8.19 acres (356,910.48 sf) of upland. Per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development.

**The proposed subarea policy to accompany this proposed FLUM amendment would eliminate all permanent and transient allocated density and all nonresidential intensity on the site. Per the proposed subarea policy, the only density on the site would be a maximum net density of 25 dwelling units per buildable acre for affordable housing units only, which would bring the maximum development potential for the site to 180 deed restricted affordable dwelling units.

File #: **2016-137**

Owner's Name: Summerland Key Property Corp
Aka Shrimp Farm

Applicant: Trepanier & Associates, Inc.

Agent: Trepanier & Associates, Inc.

Type of Application: FLUM

Key: Summerland Key

RE: 00114840.000000

Additional Information added to File 2016-137

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Deere & Company	8.33%
Bank of America	8.33%
The Goodyear Tire and rubber Company	8.33%
Cargill, Inc	8.33%
International Finance Corporation	8.33%
DEG- Deutche Investitions und Entwicklungsgesellschaft mbH	8.33%
Rabo[illegible] Development BV	8.33%
JP Morgan	8.33%
Unilver Latin America	8.33%
Monsanto Company	8.33%
Dole Food Company	8.33%
Gerber Products Company	8.33%

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____

Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____

Notary Public

My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

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Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Juan Carlos Gamboa	—

- 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*
N/A	

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Name and Address	*% of Ownership*
N/A	

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Name and Address	*% of Ownership*
N/A	

* 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
N/A

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: _____
Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____
Notary Public
My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

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: 8.11.16
Time: _____

Dear Applicant:

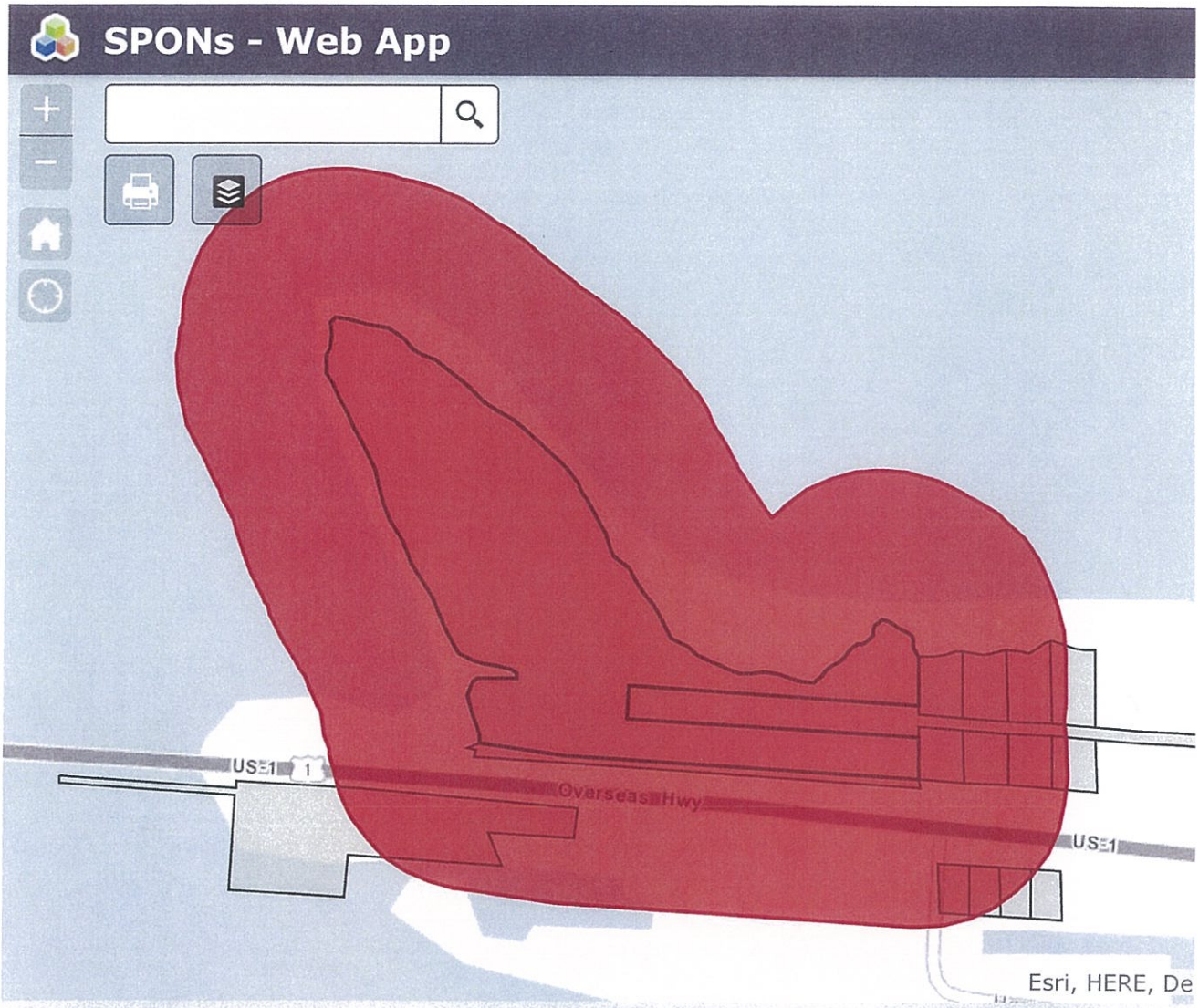
This is to acknowledge submittal of your application for FLUM
Type of application

Shrimp Farm to the Monroe County Planning Department.
Project Name

Thank you.

Gail Creech

Planning Staff



Verified GC

400ft

24.664 -81.460 Degrees

ALPERT MYRON
3115 S OCEAN BLVD APT 904
HIGHLAND BEACH, FL 33487-2575

BD OF TRUSTEES OF THE INT IMP
3900 COMMONWEALTH BLVD MAIL STA 115
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL (DEPARTMENT OF
DOUGLAS BLDG
TALLAHASSEE, FL 32399-3000

ROSE ELLEN M
23910 OVERSEAS HWY
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
818 BAY DR
SUMMERLAND KEY, FL 33042

Labels 1 of 1

End of Additional File 2016-137

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
AUG 11 2016
MONROE CO. PLANNING DEPT

Future Land Use Map (FLUM) Amendment Application

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

Application Fee: $5,531.00
The base fee includes two internal staff meetings with applicants; one Development Review Committee meeting, one Planning Commission public hearing; and one Board of County Commission public hearing. If this minimum number of meetings/hearings is exceeded, additional fees shall be charged pursuant to Fee Schedule Resolution and paid prior to the private application proceeding through public hearings.

Advertisement Fee: $245.00
Surrounding Property Owner Notification Fee: $3.00 per each property owner
Transportation Study Review: $5,000.00 Deposit (any unused funds will be returned upon approval)

Submittal Date: 8/10/16

Applicant/Agent Authorized to Act for Applicant:

TREPANIER & ASSOCIATES, INC.
Applicant (Name of Person, Business or Organization)

Kevin Sullivan
Name of Contact Person/Agent

1421 FIRST ST. KEY WEST, FL 33042
Contact Person/Agent Mailing Address (Street, City, State and Zip Code)

305-293-8983
Contact Person/Agent Phone #

Kevin@OWENTREPANIER.COM
Contact Person/Agent Email Address

Property Owner:

SUMMERLAND KEY PROPERTY CORP
Owner Name (Name of Person, Business or Organization)

Name of Contact Person

2800 PONCE DE LEON BLVD SUITE 1200. CORAL GABLES, FL 33134-6919
Owner Mailing Address (Street, City, State and Zip Code)

C/O 305-293-8983
Owner Phone #

C/O OWEN@OWENTREPANIER.COM
Owner Email Address

Legal Description of Property (if in metes and bounds, please attach separate sheet):

27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A

Block	Lot	Subdivision	Key Name
00114840-000000		1145572	

Real Estate (RE) Number — Alternate Key Number

23801 OVERSEAS HIGHWAY — SUMMERLAND KEY

Street Address — Approximate Mile Marker

Current Future Land Use Map Designation(s): Agriculture/ Aquiculture (A)

Proposed Future Land Use Map Designation(s): Residential High (RH)

Current Land Use District Designation(s): Native Area (NA)

Total Land Area Affected by Proposed FLUM (in acres): 9.07 (according to MCPA PRC)

Tier Designation(s): III

Is the property located within the Military Installation Area of Impact (MIAI): ☐ **Yes** ☒ **No**

Existing Use of the Property (If the property is developed, please describe the existing use of the property, including the number and type of any residential units and the amount and type of any nonresidential development):

Defunct, scarified, abandoned shrimp farm.
Currently vacant; however, per 2007 LDRD: zero (0) residential units, 38,820 sq.ft. non-residnetial floor area and 18,000 sq.ft. unenclosed canopy floor area.

Please describe the reason for the proposed FLUM amendment (attach additional sheets if necessary):

Allow the development of affordable housing. The current FLUM designation does not permit affordable housing development; the reason for the proposed FLUM amendment is to allow the property to be eligible for development of a 100% deed-restricted affordable housing sub-area via 2030 Comprehensive Plan Goal 107 (see accompanying text amendment application).

3) **Does the proposed amendment meet adopted level of service standards of the Monroe County Year 2010 Comprehensive Plan (see Policy 101.1.1)? Provide an analysis of the availability of facilities and services corresponding to the proposed amendment. Please attach any Letters of Coordination from utility providers as well:**

The amendments are consistent with the concurrency and levels of service provisions of the Monroe County Comprehensive Plan for sanitary sewer, solid waste, drainage and potable water. Solid waste is handled via private provider, potable water and sewer are available to the site via FKAA, electricity is available via Keys Energy Services.

4) **The proposed amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute:**

The proposed text amendment is consistent with the Principles for Guiding Development for the Florida Keys Area. Most importantly the amendment furthers the principles through expansion of Comprehensive Plan capabilities and removes existing barriers to meet goals, objectives and policies related to the supply of affordable housing.

Pursuant Section 102-158 of the Land Development Code, the Board of County Commissioners may consider an ordinance to transmit to the State Land Planning Agency an amendment to the FLUM if the change is based on one or more of the following factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary)**:**

1) **Changed projections (e.g. regarding public service needs) from those on which the text was based:**

The property was cleared and significantly altered in the 1960's for development of a commercial shrimp farm; therefore, projections for the property's historical and existing FLUM designation were based on this property's prior and currently defunct, use as aquiculture. Current projections for any similar use on this property have decreased while projected demand for affordable housing has increased; therefore, a map change is appropriate.

2) **Changed assumptions (e.g. regarding demographic trends):**

Demographic trends are such that an affordable housing use is of higher demand (and greater public service)than those uses permitted under the current FLUM designation.

The Board of County Commissioners adopted Policy 101.4.20 (Ordinance 028-2012) with an effective date of November 20, 2012. Pursuant to Policy 101.4.20, any private application requesting a future land use map amendment after this effective date which proposes an increase in allocated density and intensity, must be designated as Tier III and have existing public facilities and services, including central wastewater facilities. Additionally, any private application requesting a future land use map amendment after this effective date which proposes an increase in allocated density and intensity shall be required to purchase and donate land to offset the proposed increase (includes the requirement to donate acreage or Improved Subdivision lots).

Provide the net change in density and intensity for the proposed FLUM amendment. Is there a proposed increase? What steps would be taken to comply with Policy 101.4.20? (attach additional sheets if necessary):

The net change in allocated density is zero (0) dwelling units per acre because this FLUM change is coupled with narrowly tailored sub-area policy eliminating all allocated density, thereby insuring compliance with Policy 101.5.26, (aka discouragement policy). The proposed sub-area policy restricts permitted uses to 100% deed restricted affordable housing only, via maximum net density.

Pursuant Chapters 163 and 380, Florida Statutes, an amendment to the Comprehensive Plan must be consistent with the Florida Statutes, with the Monroe County Comprehensive Plan, and with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statute. Please describe how the proposed text amendment is consistent with each of the following (attach additional sheets if necessary):

1) **The proposed amendment is consistent with Part II of Chapter 163, Florida Statute.** ***(At a minimum, please review and address Sections 163.3177, 163.3178, 163.3180, and 163.3184, F.S.)*** **Specifically the amendment furthers:**

   163.3177: The amendment refines principles, guidelines, standards, and strategies to implement the plan and its elements. The plan amendment refines meaningful standards for the use and development of land and provides predictable guidelines for the content of more detailed land development and use regulations. Data used to support the proposed amendment comes from professionally accepted sources. The supporting data and analysis justifies the proposed amendment.

   163.3178: Coastal management - the amendment is consistent with the Coastal Management element of the Monroe County Comprehensive Plan.

   163.3180: Concurrency - the amendment is consistent with the concurrency and levels of service provisions of the Monroe County Comprehensive Plan for sanitary sewer, solid waste, drainage and potable water.

   163.3184: The amendment qualifies as a small-scale development amendment and may follow the small-scale review process in F.S. 163.3187.

2) **The proposed amendment is internally consistent with the following Goals, Objectives and Policies of the Monroe County Year 2010 Comprehensive Plan:**

   Goal 101
   Goal 102
   Goal 105
   Goal 107
   Goal 601

3) **Data errors, including errors in mapping, vegetative types and natural features described in the Comprehensive Plan Technical Document:**

No specific data errors form the basis of this application.

4) **New issues:**

The issue of affordable housing is not new; however, it is constantly evolving and worsening. New stakeholder context, opportunities and perspectives for addressing workforce housing issues have arisen since the initiation of the 2030 Comprehensive Plan update. Further, affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

5) **Recognition of a need for additional detail or comprehensiveness:**

The need to assimilate new context, opportunities and perspectives is vital for the County to maintain a proactive approach for the public benefit. This application is intended to address the need through relief of existing barriers to affordable housing development via redevelopment opportunities. The proposed amendment will help to address a critical issues in favor of the public welfare.

6) **Data updates:**

Florida State Statutes require the Comprehensive Plan to be updated every 7 years and allows additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process. Goal 107 contemplates site specific amendments to address specific goals,objectives and policies to alleviate data limitations in the Plan. Therefore, this text amendment application provides a unique opportunity to provide acute relief of existing barriers to affordable housing development while working within the conventional, long range government planning periods.

In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located. Please describe how the amendment would not result in an adverse community change (attach additional sheets if necessary)**:**

The proposed amendment will result in no adverse community change in the land use planning area affected by the proposed map amendment; increased potential for affordable housing is beneficial to the public good and is a positive community change within the planning area while maintaining hurricane evacuation and carrying capacity.

Has a previous application for a FLUM amendment been submitted for this site within the past 2 years?

☐ **Yes** **If yes, Date:** _____

☒ **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

☒ Applicable fees (check or money order to Monroe County Planning & Environmental Resources)

☒ Proof of Ownership & Ownership Disclosure Form

☒ Current Property Record Card

☒ Location map

☒ Photograph(s) of site from adjacent roadway(s)

☒ Copy of current Future Land Use Map

☒ Copy of current Land Use District Map

☒ Disclosure of Interest form

☒ Sealed Boundary Survey, prepared by a Florida registered surveyor, depicting proposed Future Land Use Map changes with acreage – five (5) sets

☒ 300' Radius report, prepared by the Monroe County Property Appraiser's Office

☒ Typed mailing labels (name and address) of all property owners within 300' of the boundaries of the affected property

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

☒ Agent Authorization form (*required if application is submitted on behalf of another party*)

☐ 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 approval)

If deemed necessary to complete a full review of the application, within reason, the Planning & Environmental Resources Department reserves the right to request additional information. Additional fees may apply pursuant to the approved fee schedule.

* * * * * * *

By signing this application, the Applicant certifies themselves as a person who is familiar with the information contained in application, and that to the best of their knowledge such information is true, complete and accurate.

Signature of Applicant: _____

State of Florida, County of Monroe County

The foregoing instrument was acknowledged before me this 10th day of August, 2016, by Kevin Sullivan. He/she is personally known to me or has produced _____ as identification.

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

Richard Puente
Notary Public
My Commission Expires

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

Prepared by and return to:
M. Barreto Tercilla, Esq.
Avila Rodriguez Hernandez Mena & Ferri LLP
2525 Ponce De León Blvd, Suite 1225
Coral Gables, FL 33134

Property Appraiser's Identification Numbers:

00114840-000000

Doc# 1886498 06/08/2012 3:28PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

06/08/2012 3:28PM
DEED DOC STAMP CL: NW $7,420.00

Doc# 1886498
Bk# 2574 Pg# 308

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 17th day of May, 2012 by, **Sea Farms International, Inc., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation** ("Grantor"), whose mailing address is 27332 Saint Martin Street, Summerland Key, Florida 33042, to **Summerland Key Property Corp., a Florida corporation** ("Grantee"), whose mailing address is 2800 Ponce de Leon Blvd., Suite 1200, Coral Gables, Florida 33134.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS ($10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, and sell to Grantee, and Grantee's successors and assigns the following described real property (the "Property") located in Monroe County, Florida to-wit:

See Exhibit "A" attached hereto

SUBJECT TO:

1. All easements, conditions, covenants, restrictions, reservations, limitations, agreements and other matters of record, provided that this instrument shall not reimpose same.

2. Real estate taxes for the year 2012 and all subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining to the Property.

This Deed is in lieu of foreclosure and is intended to be an absolute conveyance of the title to the real property described herein, and not as additional security, in consideration for various forbearances of personal liability of the Grantor from the debt secured by (i) that certain Second Mortgage in favor of LAAD de Centroamerica, S.A. dated April 27, 2004, recorded in Official Records Book 2001, Page 869, Official Records of Monroe County, Florida, and (ii) that certain Mortgage in favor of LAAD de Centroamerica, S.A. dated December 19, 2005, recorded in Official Records Book 2182, Page 1612, Official Records of Monroe County, Florida (collectively, the "Mortgage"), but it is the intention of the parties that there shall not be a merger of the fee with the lien of the Mortgage.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Grace Marquez

Witness Name: Adriana Ricardo

GRANTOR:

SEA FARMS INTERNATIONAL, INC., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation

By _____

Name: Jacobo Paz

Title: Director

Doc# 1886498
Bk# 2574 Pg# 309

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 17th day of May, 2012 by Jacobo Paz as Director of Sea Farms International, Inc., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation, on behalf of said corporation. He/She is [ ] personally known to me or [X] has produced a Honduran Passport as identification, and did not take an oath.

[Notary Stamp]

Signature of Notary

Printed Name: _____

Notary Public, State of _____

Commission No.: _____

My Commission Expires: _____

GRACE MARQUEZ
Commission # DD 803766
Expires July 8, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

EXHIBIT "A"
LEGAL DESCRIPTION

All of Government Lot 4, Section 27, Township 66 South, Range 28 East, lying North of U.S. Highway No. 1, except those portions of said Lot used for Old 4-A State Road Right-of-Way and HUDGINS SUBDIVISION, recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida.

AND ALSO:

Lying in the County of Monroe, State of Florida, and known as being a portion of the Right-of-Way of Old State Road No. 4-A in Government Lot 4, Section 27, Township 66 South, Range 28 East, and more particularly described as follows:

Commencing at a point on the East end of Kemp Channel Bridge No. 10-A designated as Station 777 + 34.79 on the Baseline of the survey of State Road No. 5 also as U.S. Highway No. 1, Section 90020-2529; thence bear South 86°08'46" East along the said Baseline of survey, a distance of 1,396.18 feet to a point thereon designated Station 791 + 30.97; thence bear North 00°27'46" West for 200.56 feet to a point on the most Southerly Right-of-Way line of Old State Road No. 4-A at its intersection with the Westerly line of Hudgins Subdivision as shown by plat recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida; thence bear 86°08'46" West along the said Southerly Right-of-Way line of Old State Road No. 4-A for 587.09 feet to the Point of Beginning of that portion of Old State Road No. 4-A herein intended to be described; from said Point of Beginning continue bearing North 86°08'46" West along the most Southerly Right-of-Way line of Old State Road No. 4-A for 182.85 feet to a point on the mean high water line within the Kemp Channel Shore of Government Lot 4, Section 27, Township 66 South, Range 28 East; thence meander said mean high water line on the following described courses, bearing first North 29°50'10" West for 4.81 feet; thence North 83°08'00" West, for 38.05 feet; thence North 55°44'06" West for 53.34 feet; thence North 73°34'17" East for 49.04 feet; thence North 54°02'42" East for 17.20 feet; thence North 05°48'32" East for 4.99 feet to the intersection of said mean high water line with the most Northerly Right-of-Way line of said Old State Road No. 4-A; thence bear South 86°08'46" East along the said most Northerly Right-of-Way line of Old State Road No. 4-A for 210.14 feet; thence bear South 03°51'14" West for 66.00 feet back to the Point of Beginning.

MONROE COUNTY
OFFICIAL RECORDS

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
LAAD de Centroamerica, S.A.	100%

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 23 day of June, 2016, by Juan Carlos Gamboa. He/she is personally known to me or has produced (personally known). as identification.

NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

Natalia Betancur
Notary Public
My Commission Expires September 28, 2018

I Certify that this is a True Copy of the original

Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2019
WWW.AARONNOTARY.COM

Alvina Covington

_____
(Date)

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

for Summerland Key Property Corp. for Land Use Map Amendment application submittal for
(Name of Property Owner(s) the Applicant(s))

Legal Description: 27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Subdivision: Summerland Keys, Key (island): Summerland

and Real Estate number: 00114840-000000.

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

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

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

-In representation of LAAD de Centroamerica, S.A.
Property Owner(s) Signature

Juan Carlos Gamboa in representation of LAAD de Centroamerica S.A.
Printed Name of Owner(s)

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 23 **day of** June**, 20**16**.**

Juan Carlos Gamboa **is** X **personally known** _____ **produced identification**

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

Natalia Betancur
Notary
Commission # FF 163759
Expires: September 28, 2018

NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

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

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

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

Alternate Key: 1145572 Parcel ID: 00114840-000000

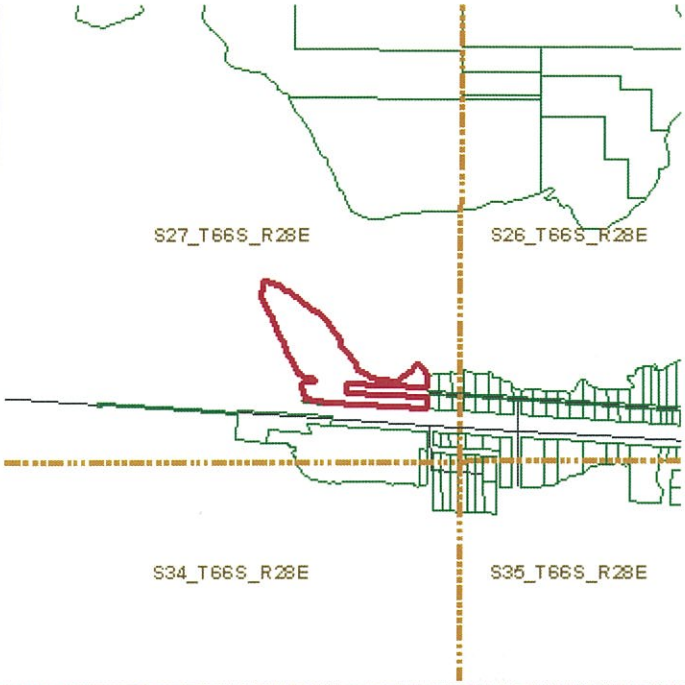
Ownership Details

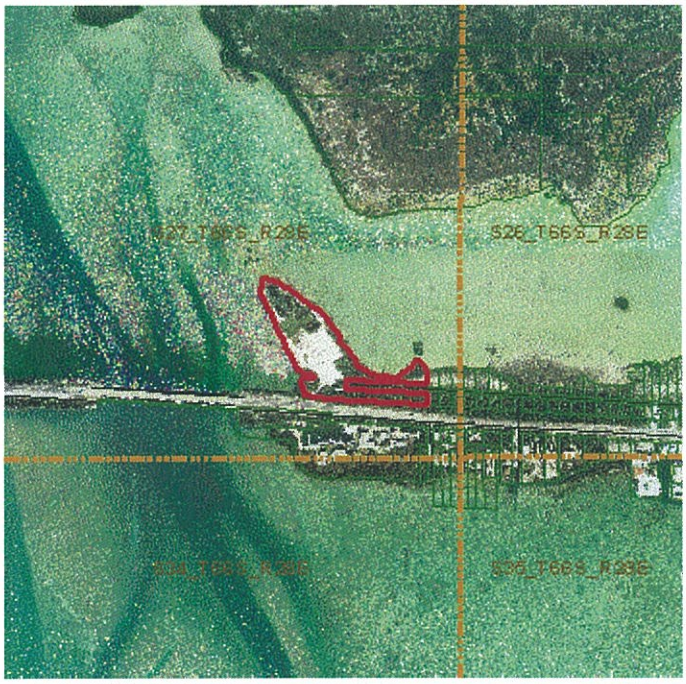
Mailing Address:
SUMMERLAND KEY PROPERTY CORP
2800 PONCE DE LEON BLVD STE 1200
CORAL GABLES, FL 33134-6919

Property Details

PC Code: 40 - VACANT INDUSTRIAL
Millage Group: 120C
Affordable Housing: No
Section-Township-Range: 27-66-28
Property Location: 23801 OVERSEAS HWY SUMMERLAND KEY
Legal Description: 27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Click Map Image to open interactive viewer





Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	188,615.00 SF
000X - ENVIRONMENTALLY SENS	0	0	4.74 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
4	AP2:ASPHALT PAVING	2,400 SF	0	0	1998	1999	2	25

Appraiser Notes

BLDG #1 ORIGINAL BLDG/LAB & OFFICE BLDG #2 WATER TREATMENT PLANT BLDG #3 GENERATOR BUILDING MATURATION BLDG & HATCHERY BLDG GIVEN TO PERSONAL PROP ALONGWITH TANKS, RO PLANT & ELEC. GENERATOR PCW/CPC TPP - 8599587
ALL BUILDINGS REMOVED DUE TO DEMOLITION 11/21/2011

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	A-5692	08/01/1979	04/01/1980	100,800	Commercial	COMMERICAL/LAB
	A-6921	06/01/1980	06/01/1981	5,000	Commercial	ENCLOSURE/2000SF
	981-767	05/01/1998	08/24/1998	2,400	Commercial	PAVING
4	981749	10/23/1998	12/29/2006	5,100	Commercial	COMMERCIAL ROOFING
5	981860	11/13/1998	12/29/2006	78,200	Commercial	BLDG MISCELLANEOUS
	11102942	06/15/2011	11/21/2011	49,500	Commercial	DEMO ALL STRUCTURES

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	2,112	2,829,699	2,831,811	1,443,930	0	2,831,811
2014	0	13,190	1,299,474	1,312,664	1,312,664	0	1,312,664
2013	0	13,820	1,299,474	1,313,294	1,313,294	0	1,313,294
2012	0	14,450	767,575	782,025	782,025	0	782,025
2011	363,098	15,080	767,575	1,145,753	1,145,753	0	1,145,753
2010	363,098	15,710	895,475	1,274,283	1,274,283	0	1,274,283
2009	364,654	16,340	1,023,375	1,404,369	1,404,369	0	1,404,369
2008	379,878	16,970	1,279,175	1,676,023	1,676,023	0	1,676,023
2007	281,853	17,600	1,279,175	1,578,628	1,578,628	0	1,578,628
2006	293,115	18,230	1,279,175	1,590,520	1,590,520	0	1,590,520
2005	294,247	18,860	1,279,175	1,592,282	1,592,282	0	1,592,282
2004	294,245	19,490	385,675	699,410	699,410	0	699,410
2003	294,245	20,120	385,675	700,040	700,040	0	700,040
2002	294,245	20,750	385,675	700,670	700,670	0	700,670
2001	294,245	21,380	385,675	701,300	701,300	0	701,300
2000	294,245	7,768	290,175	592,188	592,188	0	592,188
1999	294,245	8,000	290,175	592,420	592,420	0	592,420
1998	205,193	5,486	290,175	500,854	500,854	0	500,854
1997	205,193	5,612	290,175	500,980	500,980	0	500,980
1996	172,608	5,738	290,175	468,521	468,521	0	468,521
1995	172,608	5,864	290,175	468,647	468,647	0	468,647

1994	172,608	5,990	290,175	468,773	468,773	0	468,773
1993	175,762	5,796	290,175	471,733	471,733	0	471,733
1992	175,762	5,922	290,175	471,859	471,859	0	471,859
1991	175,762	6,048	290,175	471,985	471,985	0	471,985
1990	405,629	342,098	290,175	1,037,902	1,037,902	0	1,037,902
1989	83,467	0	290,210	373,677	373,677	0	373,677
1988	123,063	3,889	145,210	272,162	272,162	0	272,162
1987	121,437	3,889	36,728	162,054	162,054	0	162,054
1986	121,862	3,889	36,728	162,479	162,479	0	162,479
1985	120,109	3,889	36,728	160,726	160,726	0	160,726
1984	118,780	3,889	36,728	159,397	159,397	0	159,397
1983	120,015	3,889	36,728	160,632	160,632	0	160,632
1982	116,608	3,889	36,728	157,225	157,225	0	157,225

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
5/17/2012	2574 / 308	1,060,000	WD	12
5/31/2011	2520 / 2240	100	QC	11
1/19/2001	1674 / 2350	471,800	WD	K
2/1/1970	708 / 142	8,500	00	Q

This page has been visited 98,543 times.

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

Location Map

Parcel: 00114840-000000

MONROE COUNTY PROPERTY
APPRAISER OFFICE

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:4,756

Date: 6/15/2016

Map

MileMarker

Roads

Parcels

Future Land Use Map (FLUM)

- A - Agriculture
- AD - Airport District
- C - Conservation

Future Land Use Map (FLUM) (continued)

- E - Education
- I - Industrial
- INS - Institutional
- M - Military
- MC - Mixed Use/Commercial
- MCF - Mixed Use/Commercial Fishing
- MN - Mainland Native
- PB - Public Buildings/Grounds

Future Land Use Map (FLUM) (continued)

- R - Recreation
- RC - Residential Conservation
- RH - Residential High
- RL - Residential Low
- RM - Residential Medium
- UNDS -Undesginated

2015 Orthophotography

- Red: Band_1
- Green: Band_2

Map

MileMarker

Roads

Parcels

Zoning

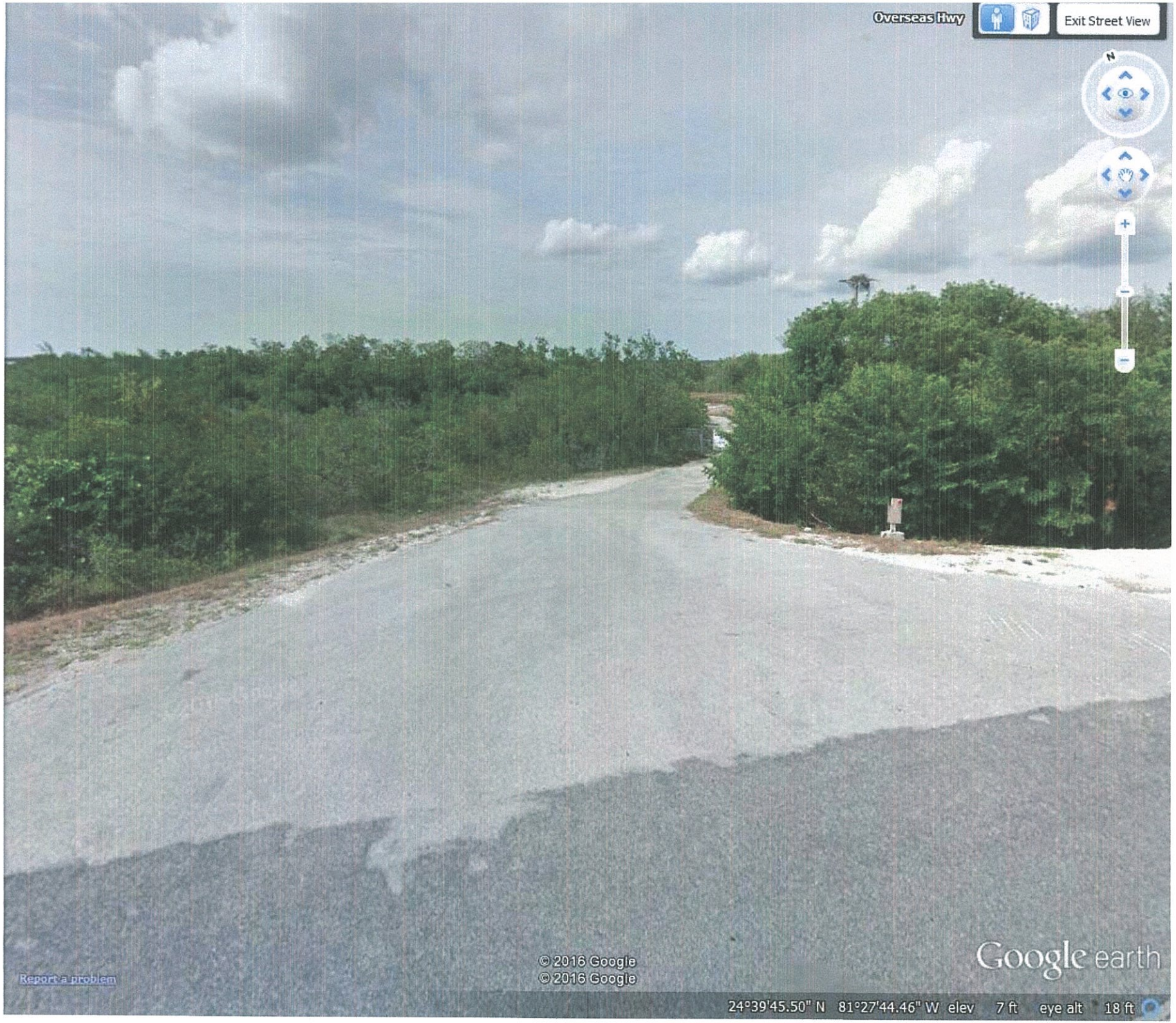
- Airport
- Area of County Critical Concern
- Commercial Fish Areas

Zoning (continued)

- Destination Resort
- Incorporated
- Industrial
- Improved Subdivision -/Duplex /Masonry
- Maritime Industries
- Military Facilities
- Mainland Native
- Mixed Use

Zoning (continued)

- Research Park
- Recreational Vehicle
- Sparsely Settled
- Suburban Commercial
- Suburban Residential -/Limited
- Urban Commercial
- Urban Residential
- Urban Residential Mobile Home


Overseas Hwy
Exit Street View
N
© 2016 Google
© 2016 Google
Google earth
Report a problem
24°39'45.50" N 81°27'44.46" W elev 7 ft eye alt 18 ft

SUMMERLAND KEY PROPERTY CORP
CORAL GABLES, FL 33134-6919

BOY SCOUTS OF AMERICA
IRVING, TX 75038-3096

ROSE ELLEN M
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

BD OF TRUSTEES OF THE INT IMP
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL
TALLAHASSEE, FL 32399-3000

TIITF
TALLAHASSEE, FL 32399-3000

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

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ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

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

From: Emily Schemper, AICP, Comprehensive Planning Manager

Date: September 19, 2016

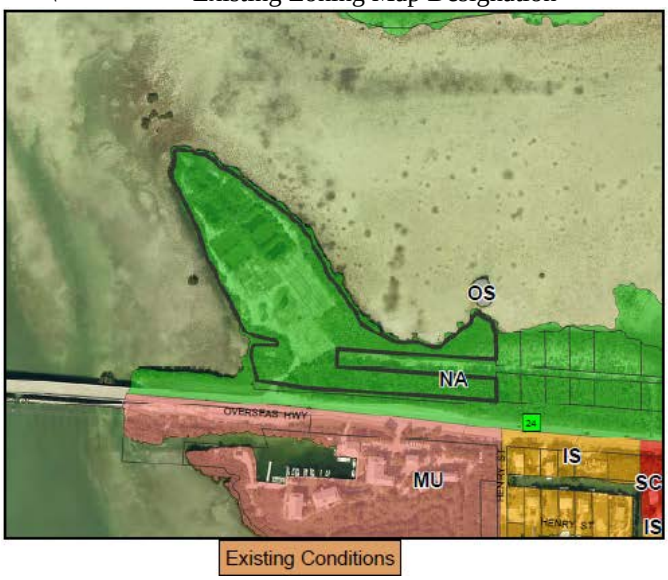
Subject: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM NATIVE AREA (NA) TO URBAN RESIDENTIAL (UR), FOR PROPERTY LOCATED AT 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24, DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00114840-000000, AS PROPOSED BY SUMMERLAND KEY PROPERTY CORP.; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF A CORRESPONDING FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (Planning File #2016-138)

Meeting: September 28, 2016

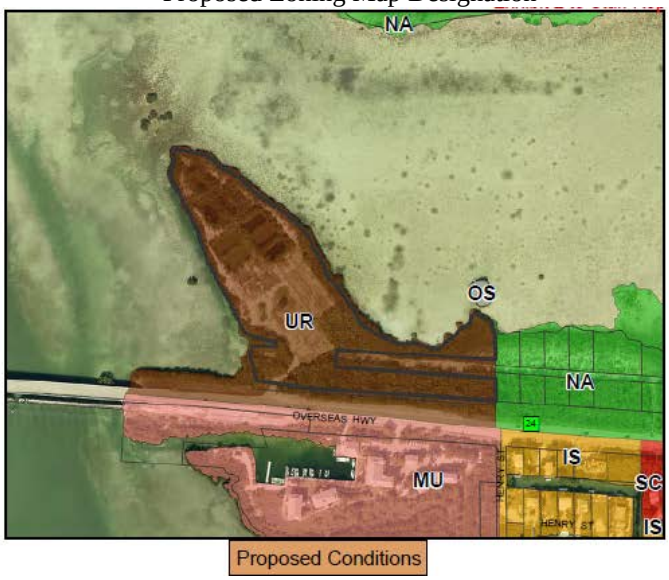
I REQUEST

On August 11, 2016, the Planning and Environmental Resources Department received an application from Summerland Key Property Corp. ("the Applicant") to amend the Monroe County Land Use District (Zoning) map from Native Area (NA) to Urban Residential (UR) for property located at 23801 Overseas Highway on Summerland Key. The Applicant has also requested a corresponding Future Land Use Map (FLUM) amendment for the subject property from Agriculture/Aquaculture (A) to Residential High (RH) (see Exhibit 1) and a Comprehensive Plan text amendment to create a subarea policy that would provide additional development restrictions on the subject parcel, including a limitation that the only permitted use on the property would be affordable housing (see Exhibit 2). The proposed subarea policy and FLUM amendment would be processed as "small-scale comprehensive plan amendments" pursuant to Section 163.3187, Florida Statutes, based on the size of the site and the limitation of development to affordable housing. *The subject of this staff report is the proposed Zoning amendment.*

\ Existing Zoning Map Designation



Proposed Zoning Map Designation



II BACKGROUND INFORMATION

Site Information:

Location: MM 24, Summerland Key
Address: 23801 Overseas Highway
Description: a parcel of land in Section 27, Township 66 South, Range 28 East, Summerland Key, Monroe County, Florida
Real Estate Numbers: 00114840.000000
Owner/Applicant: Summerland Key Property Corp.
Size of Site: 356,910.48 sf (8.19 acres) upland, per survey by Reece & Associates, dated 4/23/2015; per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site will be 9.0 acres. Data from a survey confirming this figure was not provided.
FLUM Designation: Agriculture/Aquaculture (A)
Land Use District: Native Area (NA)
Tier Designation: III
Flood Zones: AE (EL 9); AE (EL 10); AE (EL 11); VE (EL 11); VE (EL 13)
CBRS: portions of property along shoreline may be within CBRS System Unit
Existing Use: Vacant
Existing Vegetation/Habitat: Mangrove, Salt Marsh, Undeveloped Land, Developed Land, Submerged Land
Community Character of Immediate Vicinity: Adjacent land uses include vacant land to the east, open water to the north and west, institutional to the south across US1 (Boy Scouts of America Camp – Florida Sea Base), and single family residential to the southeast across US1.

The subject property currently has a Land Use District (Zoning) designation of Native Area (NA) and a Future Land Use Map (FLUM) designation of Agriculture/Aquaculture (A). The property was partially within a BU-2 district (Medium Business) prior to September 15, 1986, when it was re-designated as NA (the final adoption of the LUD map was in 1992). With the adoption of the

Comprehensive Plan's FLUM in 1997, the subject parcels were given their current FLUM designation of A.

The subject property was historically used as a shrimp hatchery/sea food business dating back to at least 1980. According to the Monroe County Property Appraiser's records, all buildings on the site were demolished in 2011. The property is currently vacant, mostly scarified land, with several man-made water bodies remaining from its former use. In the shoreline area of the property and in the eastern part of the property there are mangrove habitat areas (based on GIS habitat data, shown below). The Applicant's submission indicates that the in shoreline area and in the eastern part of the property there are mangrove habitat areas and salt marsh and buttonwood habitat areas. A vegetation survey/existing conditions report was not submitted with the application to confirm the habitats.

The Applicant is also requesting a text amendment to the Monroe County Comprehensive Plan to establish a site specific subarea policy to accompany the proposed FLUM amendment and a proposed FLUM amendment for the site from A to RH. ***The subject of this staff report is the proposed Zoning amendment.***

The Applicant states that the reason for the proposed amendments is "to allow the abandoned Shrimp Farm to be adaptively reused for affordable housing purposes" and "to further promote incentives for affordable housing in the Monroe County Comprehensive Plan to alleviate the ongoing and worsening affordable housing crisis…" The applicant cites population projections produced by Keith & Schnars, P.A. and Fishkind & Associates in 2011, as well as the United Way's ALICE Study of Financial Hardship for Florida dated Fall, 2014, as supporting evidence of the need for affordable housing within Monroe County. This data indicates that more than half of the County renters are cost burdened (8,350 of 14,002) and that the County is mainly a tourism economy with a prevalence of lower paying service-sector employment. The ALICE report indicates that renters in

the lower keys areas are significantly housing burdened over 35%: by 68% in Key West, by 69% in Stock Island, by 72% in Big Coppitt, by 56% in the Lower Keys and by 42% in Big Pine Key.

KEY FACTS AND ALICE STATISTICS FOR MONROE COUNTY

(From the ALICE Florida Report: Study of Financial Hardship, Fall, 2014, Appendix H)

Big Coppitt Key /Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
2016	833	12%	35%	53%	9%	55%	72%
Big Pine Key/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3777	1619	10%	35%	56%	4%	44%	42%
Key West							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
24870	9322	9%	35%	56%	4%	44%	68%
Lower Keys/Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
10394	4314	8%	23%	62%	5%	42%	56%
Stock Island/ Monroe County							
Population	*Households*	*Poverty %*	*ALICE %*	*Above ALICE Threshold %*	*Unemployment Rate*	*Housing Burden over 35% Owner*	*Housing Burden over 35% Renter*
3736	1111	14%	62%	24%	8%	53%	69%

Monroe County, 2012

Town	Total HH	% ALICE & Poverty
Big Coppitt Key CDP	833	47%
Big Pine Key CDP	1,619	44%
Key Largo CDP	4,517	53%
Key West	9,322	52%
Lower Keys CCD	4,314	38%
Marathon	3,371	55%
Middle Keys CCD	4,068	53%
North Key Largo CDP	510	31%
Stock Island CDP	1,111	76%
Tavernier CDP	953	52%
Upper Keys CCD	8,633	50%

ALICE IN MONROE COUNTY

Population: 74,809 | **Number of Households:** 29,241
Median Household Income: $53,637 (state average: $45,040)
Florida Underemployment Rate for 2012: 16%
Gini Coefficient (zero = equality; one = inequality): 0.53 (state average: 0.48)

How many households are struggling?

ALICE, an acronym for **A**sset **L**imited, **I**ncome **C**onstrained, **E**mployed, are households that earn more than the U.S. poverty level, but less than the basic cost of living for the county. Combined, the number of poverty and ALICE households equals the total population struggling to afford basic needs.

Poverty	ALICE		Above ALICE
3,557 HH	10,664 HH	STRUGGLING	15,020 HH
12%	36%		51%

What are the economic conditions?

The **Economic Viability Dashboard** evaluates community conditions for ALICE in three core areas. Each is an index with a scale of 1 (worst) to 100 (best).

Housing Affordability	Job Opportunities	Community Support
poor (14)	good (67)	poor (48)

The Applicant's full explanation and justification of the proposed amendments is included in the file for the application (File #2016-137).

Staff has reviewed the Applicant's position and supporting documentation, and agrees with the position that inadequate availability of affordable housing is currently a primary issue facing permanent residents of unincorporated Monroe County. In 2015, the BOCC acknowledged the County's workforce housing issues and adopted Resolution 189-2015, assigning additional duties to the Affordable Housing Advisory Committee directing the committee to make recommendations for steps the County may take to address the need for more workforce housing options. The committee presented their recommendations to the BOCC at their regular meeting on August 17, 2016. The BOCC will be scheduling a special meeting to discuss the recommendations and provide direction to staff in the future.

While staff agrees with the position that inadequate availability of affordable housing is currently a primary issue facing unincorporated Monroe County, staff is also reviewing the proposed amendment for consistency with State Statutes, Rules, internal consistency with the Comprehensive Plan and balancing all these items and policy issues.

III. AMENDMENT REVIEW

Maximum Allocated Density and Intensity by Land Use District (Zoning) Map Designation

Existing Zoning	Type	Adopted Standards	Development potential based upon density
Native Area (NA) **Total site: 8.19 acres* (356,910.48 sf)** **6.552 buildable acres (8.19 ac – 0.20 open space ratio)**	Residential Allocated Density	0.25 du/acre	2 units
	TDR/Market Rate Residential Max Net Density	N/A	0 units
	Affordable Residential Max Net Density	N/A	0 units
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0.20 FAR	71,382 sf
Proposed Zoning	**Type**	**Adopted Standards**	**Development potential based upon density**
Urban Residential (UR) **Total site: 8.19 acres* (356,910.48 sf)** **6.552 buildable acres (8.19 ac – 0.20 open space ratio)**	Residential Allocated Density	6 du/acre**	49 units market rate**
	TDR/Market Rate Residential Max Net Density	12 du/acre**	78 units market rate**
	Affordable Residential Max Net Density	25 du/buildable acre	163 units affordable

	Transient Allocated Density	10 rooms or spaces / acre**	81 rooms/spaces**
	Nonresidential Maximum Intensity	0.30 FAR	107,073 sf
Proposed Zoning with Proposed Subarea Policy	**Type**	**Per Proposed Subarea Policy**	**Development potential based upon Subarea Policy Density**
Urban Residential (UR) **Total site: 8.19 acres* (356,910.48 sf)** **6.552 buildable acres (8.19 ac – 0.20 open space ratio)**	Residential Allocated Density	0 du/acre	0 units market rate
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units market rate
	Affordable Residential Max Net Density	25 du/buildable acre	163 units affordable
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0 FAR	0 sf
Net Change in Development Potential Based on Zoning	**Residential Market Rate Allocated: +47 units**		
	TDR/Market Rate Residential Max Net: +78 units		
	Affordable Residential Max Net: +163 units affordable		
	Transient Allocated: +81 rooms/spaces		
	Nonresidential: +35,691 sf		
Net Change in Development Potential Based on Zoning with Proposed Subarea Policy	**Residential Market Rate Allocated: -2 units**		
	TDR/Market Rate Residential Max Net: +0 units		
	Affordable Residential Max Net: +163 units affordable		
	Transient Allocated: +0 rooms/spaces		
	Nonresidential: -71,382 sf		

*Per the submitted survey by Reece & Associates, dated 4/23/2015, the site has 8.19 acres (356,910.48 sf) of upland. Per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development. (See Exhibit 3 for estimated development potential based on 9.0 acres of upland.)

**The proposed subarea policy would eliminate all permanent and transient allocated density and all nonresidential intensity on the site. Per the proposed subarea policy, the only density on the site would be a maximum net density of 25 dwelling units per buildable acre for affordable housing units only, which would bring the maximum development potential for the site to 163 deed restricted affordable dwelling units.

The above table provides an approximation of the development potential for residential, transient and commercial development. Section 130-156(b) of the Land Development Code states: "The density and intensity provisions set out in this section are intended to be applied cumulatively so that no development shall exceed the total density limits of this article. For example, if a development includes both residential and commercial development, the total gross amount of development shall not exceed the cumulated permitted intensity of the parcel proposed for development."

As shown in the blue portion of the table, the proposed Zoning amendment *without* the proposed Subarea Policy would result in an increase of 47 units in permanent allocated residential development potential; an increase of 78 units in max net density residential potential for market rate units with the use of TDRs; a maximum increase in affordable residential development potential of 163 dwelling units; an increase of 81 rooms or spaces for transient units; and an increase in nonresidential development potential of 35,691 square feet.

As shown in the orange portion of the table, the proposed Zoning amendment *with* the proposed Subarea Policy would result in a decrease of two (2) units in residential development potential for market rate units; an increase of zero (0) units in development potential for transient units; a maximum increase in affordable residential development potential of 163 dwelling units; and a decrease in development potential of 71,382 square feet.

Any proposed new residential use would be subject to the requirements of Chapter 138 of the Land Development Code related to the Residential Rate of Growth Ordinance (ROGO/NROGO) permit process. Any proposed affordable dwelling units would need to obtain a ROGO allocation (affordable ROGO allocations may be available) prior to issuance of a building permit.

Compatibility with the Surrounding Area

a. Existing Vegetation/Habitat: Developed land; Mangrove habitat
b. Existing Tier Designation: III
c. Number of Listed Endangered or Threatened Species: seven
d. Existing Use: Vacant
e. Community Character of Immediate Vicinity: Adjacent land consists of vacant land to the east; open water to the north and west; and an institutional use to the south across US1 (Boy Scouts of America – "Florida Sea Base" Camp).

The proposed Zoning amendment is not anticipated to adversely impact the community character of the surrounding area.

IV. CONSISTENCY WITH THE MONROE COUNTY YEAR 2030 COMPREHENSIVE PLAN AND THE MONROE COUNTY LAND DEVELOPMENT CODE

A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County Year 2030 Comprehensive Plan, assuming the corresponding FLUM and Subarea Policy are adopted and become effective. 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.

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.

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

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.

Future Land Use Densities and Intensities				Minimum Open Space Ratio [c]
Future Land Use Category And Corresponding Zoning	Residential [l]		Nonresidential	
	Allocated Density [a] (per upland acre)	Maximum Net Density [a] [b] (per buildable acre)	Maximum Intensity (floor area ratio)	
* * *				
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.

(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.

Policy 101.5.26

In order to continue to implement the Florida Keys Carrying Capacity Study, Monroe County shall promote the reduction in overall County residential density and the preservation of Monroe County's native habitat by enacting legislation which implements the following policy statements for private applications for future land use map amendments which increase allowable residential allocated density. Private application(s) means those applications from private entities with ownership of the upland development and parcel(s) of land or includes private upland development on County-owned land.

Private applications requesting future land use map designation amendments received after the effective date of this ordinance (Nov. 20, 2012), which propose increases in allocated residential density shall be required, upon amendment approval, to comply with either option (1) or (2) below:…

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. These three categories are: Natural Area (Tier 1); 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:

* * *

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.

Policy 105.2.2
Monroe County shall maintain overlay map(s) designating geographic areas of the County as one of the Tiers in accordance with the guidance in Policy 105.2.1, which shall be incorporated as an overlay on the zoning map(s) with supporting text amendments in the Land Development Regulations. These maps are to be used to guide the Land Acquisition Program and the smart growth initiatives in conjunction with the Livable CommuniKeys Program (Policy 101.19.1).

GOAL 203
The health and integrity of living marine resources and marine habitat, including mangroves, seagrasses, coral reefs, other hard bottom communities and fisheries, shall be protected and, where possible, restored and enhanced. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Objective 203.1
Monroe County shall protect its mangrove wetlands by continuing to implement regulations which will further reduce disturbances to mangroves and which will mitigate the direct and

indirect impacts of development upon mangroves. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.1
The open space requirement for mangrove wetlands shall be one hundred (100) percent. No fill or structures shall be permitted in mangrove wetlands except for elevated, pile-supported walkways, docks, piers and utility pilings. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

Policy 203.1.2
Monroe County shall require minimum vegetated setbacks of fifty (50) feet to be maintained as an open space buffer for development occurring adjacent to all types of wetlands except for tidally inundated mangrove fringes and as provided for in Policy 204.2.3, 204.2.4 and 204.2.5. If a 50-foot setback results in less than 2,000 square feet of principal structure footprint of reasonable configuration, then the setback may be reduced to allow for 2,000 square feet of principal structure footprint of reasonable configuration, provided that the setback is not reduced to less than twenty-five (25) feet. On properties classified as scarified adjacent to wetlands, the wetland setback may be reduced to twenty-five (25) feet, without regard to buildable area, if the entire setback is managed in accordance with County regulations approved by the County Biologist and is placed under conservation easement. [§163.3177(6)d.2.d., F.S.; §163.3177(6)d.2.e., F.S.; §163.3177(6)d.2.j., F.S.]

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

Policy 212.2.4
Permitted uses and performance standards within the shoreline setback shall be as follows:

Except as provided herein, principal structures shall be set back as follows:

1. Along lawfully altered shorelines including manmade canals, channels, and basins, principal structures shall be set back at least twenty (20) feet as measured from the mean high water (MHW) line;

2. Along lawfully altered shorelines including manmade canals, channels, and basins, for parcels less than 4,000 square feet that are developed with a lawfully established principal use, the required setback may be reduced to a minimum of ten (10) feet provided that the structure is sited so as to protect community character and minimize environmental impacts by maintaining open space and protecting shoreline vegetation.

3. Along open water shorelines not adjacent to manmade canals, channels, or basins, and which have been altered by the legal placement of fill:

    a. Where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property, principal structures shall be set back at least thirty (30)

feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further inland.

b. Where no mangrove fringe exists, principal structures shall be set back at least thirty (30) feet from the mean high water (MHW) line, provided that native vegetation exists or is planted and maintained in a ten (10) foot width across the entire shoreline as approved by the County Biologist, and is placed under conservation easement; otherwise the setback shall be fifty (50) feet as measured from the mean high water (MHW) line.

c. On infill lots surrounded by significant development where principal structures are set back less than fifty (50) feet from mean high water (MHW) or the landward extent of mangroves, the Director of Planning and Environmental Resources may evaluate the community character, the presence or absence of environmental features, and the setbacks on adjacent developed properties within two parcels on either side of proposed development, and may allow principal structures to be set back as far as practicable or in line with adjacent principal structures. In no event shall the setback be less than twenty (20) feet. On shorelines where the existing pattern of setback is greater than thirty (30) feet, the greater setback shall apply.

3. Along unaltered and unlawfully altered shorelines, principal structures shall be set back fifty (50) feet as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

Accessory structures within the shoreline setback shall be designed to meet the following 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 sixty (60) percent of the upland area of the shoreline setback;

   b. Accessory structures, including, pools and spas shall be set back a minimum of ten (10) feet, as measured from the mean high water (MHW) line;

2. Along open water shorelines which have been altered by the legal placement of fill, and where a mangrove fringe of at least ten (10) feet in width occurs across the entire shoreline of the property:

   a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

   b. Accessory structures other than docks and erosion control structures shall be set back a minimum of fifteen (15) feet, as measured from the mean high water

(MHW) line or the landward extent of the mangroves, whichever is further landward;

3. Along unaltered shorelines:

   a. In no event shall the total, combined area of all structures occupy more than thirty (30) percent of the upland area of the shoreline setback;

   b. Accessory structures other than docks and erosion control structures shall be set back a minimum of twenty-five (25) feet, as measured from the mean high water (MHW) line or the landward extent of the mangroves, whichever is further landward;

4. Any proposed development within the shoreline setback shall include a site-suitable stormwater management plan for the entire developed parcel which meets the requirements of the land development regulations;

5. All structures within the shoreline setback shall be located such that the open space ratios for the entire parcel and all scenic corridors and bufferyards are maintained;

6. Structures shall be located in existing cleared areas before encroaching into native vegetation. The remaining upland area of the shoreline setback shall be maintained as native vegetation or landscaped areas that allow infiltration of stormwater runoff;

7. Side yard setbacks must be maintained for all structures in the shoreline setback except for docks, sea walls, fences, retaining walls, and boat shelters over existing boat ramps;

8. No enclosed structures, other than a dock box of five (5) feet in height or less, a screened gazebo, and a screen enclosure over a pool or spa, shall be allowed within the shoreline setback. Gazebos must be detached from any principal structure on the parcel. No decks or habitable spaces may be constructed on the roof of any gazebo in the shoreline setback;

9. Pools, spas, fish cleaning tables, and similar pollutant sources may not discharge directly into surface waters. Where no runoff control structures are present, berms and vegetation shall be used to control runoff. Native vegetation shall not be removed to install berms or runoff control structures;

10. All boat ramps shall be confined to existing scarified shoreline areas of manmade canals, channels, and basins with little or no native vegetation, and shall be located and designed so as not to create a nonconformity for other structures set back from the new mean high water (MHW) line created by the boat ramp; and

11. The roof and supporting members of a boat shelter constructed in compliance with Section 118-10 of the Land Development Code, as amended (hereby incorporated by

reference), may extend two (2) feet into the shoreline setback around the perimeter of a boat basin or ramp. This area shall be subtracted from the total area allowed for all structures within the shoreline setback.

12. Shoreline structures shall be designed to protect tidal flushing and circulation patterns. Any project that may produce changes in circulation patterns shall be approved only after sufficient hydrographic information is available to allow an accurate evaluation of the possible impacts of the project. Previously existing manmade alterations shall be evaluated so as to determine whether more hydrological benefits will accrue through their removal as part of the project.

13. No development other than pile supported docks and walkways designed to minimize adverse impacts on marine turtles shall be allowed within fifty (50) feet of any portion of any beach berm complex which is known to serve as a nesting area for marine turtles:

    a. The fifty (50) foot setback shall be measured from either the landward toe of the most landward beach berm or from fifty (50) feet landward of MHW, whichever is less. The maximum total setback will be one hundred (100) feet from MHW.

    b. Structures designed to minimize adverse impacts on marine turtles shall have a minimum horizontal distance of four (4) feet between pilings or other upright members and a minimum clearance of two (2) feet above grade. The entire structure must be designed to allow crawling turtles to pass underneath it moving only in a forward direction. Stairs or ramps with less than the minimum two (2) feet clearance above grade are discouraged. If built, these portions of the structure shall be enclosed with vertical or horizontal barriers no more than two (2) inches apart, to prevent the entrapment of crawling turtles.

    c. Beaches known to serve as nesting areas for marine turtles are those areas documented as such on the County's threatened and endangered species maps and any areas for which nesting or nesting attempts ("crawls") have been otherwise documented. Within mapped nesting areas, the Director of Planning and Environmental Resources may, in cooperation with FDEP, determine that specific segments of shoreline have been previously, lawfully altered to such a degree that suitable nesting habitat for marine turtles is no longer present. In such cases, the Director may recommend reasonable measures to restore the nesting habitat. If such measures are not feasible, the Director will waive the setback requirements of this paragraph. Restoration of suitable nesting habitat may be required for unlawfully altered beaches.

14. Special Approvals:

    a. For structures serving commercial uses, public uses, or more than three dwelling units, the Planning Commission may approve deviations from the above standards as a major or minor conditional use. 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 (5) years after the completion of the development.

b. For structures serving three or fewer dwelling units, the Director of Planning and Environmental Resources may approve designs that address unique circumstances such as odd shaped lots, even if such designs are inconsistent with the above standards. Such approval may be granted only upon the Director's written concurrence with the applicant's written finding that the proposed design furthers the purpose of this section and the goals of the Monroe County Comprehensive Plan. Only the minimum possible deviation from the above standards will be allowed in order to address the unique circumstances. No such special approval will be available for after-the-fact permits submitted to remedy a Code Enforcement violation.

c. All structures lawfully existing within the shoreline setback along manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be rebuilt in the same footprint provided that there will be no adverse impacts on stormwater runoff or navigation.

Docks or docking facilities lawfully existing along the shoreline of manmade canals, channels, or basins, or serving three or fewer dwelling units on any shoreline, may be expanded or extended beyond the size limitations contained in this section in order to reach the water depths specified for docking facilities in Policy 212.4.2. Any dock or docking facility so enlarged must comply with each and every other requirement of this Policy and Section 118-12 of the Land Development Code, as amended (hereby incorporated by reference). [§163.3178(2)(g), F.S.]

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.

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.

Policy 601.1.8
Monroe County shall allocate at least 20% of the annual ROGO allocation, or as may be established by the State of Florida, pursuant to Administration Commission Rules, to affordable housing units, as specified in Policy 101.3.3. Affordable housing eligible for this separate allocation must meet the criteria established in the Land Development Code.

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.

B. The proposed amendment is consistent with the provisions and intent of the Monroe County Code Land Development Code.

In accordance with MCC §102-158(d)(5)b., the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of the following factors:

1. Changed projections (e.g., regarding public service needs) from those on which the text of boundary was based;
Per the Applicant: ***The property was cleared and significantly altered in the 1960's for development of a commercial shrimp farm; therefore, projections for the property's historical and existing FLUM designation [Agriculture/Aquaculture] were based on this property's prior and current projections for any similar use on this property have decreased while projected demand for affordable housing has increased; therefore, a map change is appropriate.***

Staff points out that the subject of this amendment is the Zoning district designation, not the FLUM designation. The property's current Zoning designation of Native Area (NA) may or may not have been based on the property's use as a shrimp farm.

2. Changed assumptions (e.g., regarding demographic trends);
Per the Applicant, ***Demographic trends are such that an affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.***

Again, staff points out that the subject of this amendment is the Zoning designation, not the FLUM designation.

3. Data errors, including errors in mapping, vegetative types and natural features described in Volume I of the plan;
N/A

4. New issues;
Per the Applicant: ***The issue of affordable housing is not new; however, it is constantly evolving and worsening. New stakeholder context, opportunities and perspectives for addressing workforce housing issues have arisen since the initiation of the 2030***

Comprehensive Plan update. Further, affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

The applicant has proposed a corresponding FLUM amendment changing the FLUM designation on the site from Agriculture/Aquaculture (A) to Residential High (RH). The proposed Zoning map amendment is necessary to be consistent with the proposed FLUM 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
Per the Applicant: ***The need to assimilate new context, opportunities and perspectives is vital for the County to maintain a proactive approach for the public benefit. This application is intended to address this need through relief of existing barriers to affordable housing development via redevelopment opportunities. The proposed amendment will help to address a critical issues in favor of the public welfare.***

6. Data updates.
Per the Applicant: ***Florida State Statutes require the Comprehensive Plan to be updated every 7 years and allows additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process. Goal 107 contemplates site specific amendments to address specific goals, objectives and policies to alleviate data limitations in the Plan. Therefore, this text amendment application provides a unique opportunity to provide acute relief of existing barriers to affordable housing development while working within the conventional, long range government planning periods.***

Staff points out that the subject of this amendment is the Zoning designation, not a text amendment.

In accordance with MCC §102-158(d)(5)c., 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 communikeys master plan pursuant to findings of the board of county commissioners.

Per the Applicant: ***the proposed amendment will result in no adverse community change in the land use planning area affected by the proposed map amendment; increased potential for affordable housing is beneficial to the public good and is submitted herein as a positive community change of the planning area, resulting in economic stimulus while maintaining hurricane evacuation and carrying capacity.***

V. RECOMMENDATION

Staff recommends approval of the proposed Zoning amendment from NA to UR, contingent on adoption and effectiveness of the proposed corresponding FLUM amendment from A to RH.

VI. EXHIBITS

1. Proposed corresponding FLUM amendment.
2. DRC Staff Report regarding proposed corresponding Comprehensive Plan Subarea Policy.
3. Estimated max development potential, based on applicant info, with the filling of the existing manmade waterbodies.

Exhibit 3
Estimated max development potential,
based on applicant info, with the filling of the existing manmade waterbodies

If the remaining manmade ponds on the site are filled, the total upland area of the site is projected to be 9.0 acres. Data from a survey confirming this figure was not provided. A sealed boundary survey shall be required to confirm total upland acreage at the time of application submittal for any development approval for new development.

Existing Zoning	Type	Adopted Standards	Development potential based upon density
Native Area (NA) **Total site: 9.0 acres*** **(392,040 sf)**	Residential Allocated Density	0.25 du/acre	2 units
	TDR/Market Rate Residential Max Net Density	N/A	0 units
	Affordable Residential Max Net Density	N/A	0 units
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0.20 FAR	78,408 sf
Proposed Zoning	**Type**	**Adopted Standards**	**Development potential based upon density**
Urban Residential (UR) **Total site: 9.0 acres*** **(392,040 sf)** **7.2 buildable acres** **(9.0 ac – 0.20 open space ratio)**	Residential Allocated Density	6 du/acre**	54 units market rate**
	TDR/Market Rate Residential Max Net Density	12 du/acre**	86 units market rate**
	Affordable Residential Max Net Density	25 du/buildable acre	180 units affordable
	Transient Allocated Density	10 rooms or spaces / acre**	90 rooms/spaces**
	Nonresidential Maximum Intensity	0.30 FAR	117,612 sf
Proposed Zoning with Proposed Subarea Policy	**Type**	**Per Proposed Subarea Policy**	**Development potential based upon Subarea Policy Density**

Urban Residential (UR) **Total site: 9.0 acres*** **(392,040 sf)** **7.2 buildable acres** **(9.0 ac – 0.20 open space ratio)**	Residential Allocated Density	0 du/acre	0 units market rate
	TDR/Market Rate Residential Max Net Density	0 du/acre	0 units market rate
	Affordable Residential Max Net Density	25 du/buildable acre	180 units affordable
	Transient Allocated Density	0 rooms or spaces /acre	0 rooms/spaces
	Nonresidential Maximum Intensity	0 FAR	0 sf
Net Change in Development Potential Based on Zoning	**Residential Market Rate Allocated: +52 units**		
	TDR/Market Rate Residential Max Net: +86 units		
	Affordable Residential Max Net: +180 units affordable		
	Transient Allocated: +90 rooms/spaces		
	Nonresidential: +39,204 sf		
Net Change in Development Potential Based on Zoning with Proposed Subarea Policy	**Residential Market Rate Allocated: -2 units**		
	TDR/Market Rate Residential Max Net: +0 units		
	Affordable Residential Max Net: +180 units affordable		
	Transient Allocated: +0 rooms/spaces		
	Nonresidential: -78,408 sf		

*Per the submitted survey by Reece & Associates, dated 4/23/2015, the site has 8.19 acres (356,910.48 sf) of upland; however, per the Applicant, if the remaining manmade ponds on the site are filled, the total upland area of the site will be 9.0 acres. Data from a survey confirming this figure was not provided. All calculations in this report assume 9.0 acres of upland. This figure will need verification per a survey prior to any development approval.

**The proposed subarea policy would eliminate all permanent and transient allocated density and all nonresidential intensity on the site. Per the proposed subarea policy, the only density on the site would be a maximum net density of 25 dwelling units per buildable acre for affordable housing units only, which would bring the maximum development potential for the site to 180 deed restricted affordable dwelling units.

File #: **2016-138**

Owner's Name: Summerland Key Property Corp
Aka Shrimp Farm

Applicant: Trepanier & Associates, Inc.

Agent: Trepanier & Associates, Inc.

Type of Application: Map Amendment - LUD

Key: Summerland Key

RE: 00114840.000000

Additional Information added to File 2016-138

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Deere & Company	8.33%
Bank of America	8.33%
The Goodyear Tire and rubber Company	8.33%
Cargill, Inc	8.33%
International Finance Corporation	8.33%
DEG- Deutche Investitions und Entwicklungsgesellschaft mbH	8.33%
Rabo[illegible] Development BV	8.33%
JP Morgan	8.33%
Unilver Latin America	8.33%
Monsanto Company	8.33%
Dole Food Company	8.33%
Gerber Products Company	8.33%

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____

Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____

Notary Public

My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
SEP 1 2 2016
MONROE CO. PLANNING DEPT

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):

Name and Address	*% of Ownership*
N/A	

- 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):

Name and Address	*% of Ownership*
Juan Carlos Gamboa	—

- 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*
N/A	

* 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*
N/A	

- 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*
N/A	

* 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
N/A

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: _____
Juan Carlos Gamboa

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 8 day of September, by Juan Carlos Gamboa. He/she is personally known to me or has produced _____ as identification.

_____
Notary Public
My Commission Expires September 28, 2018

CLAUDIA MENDOZA
MY COMMISSION #FF163777
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

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: 8.11.16
Time: _____

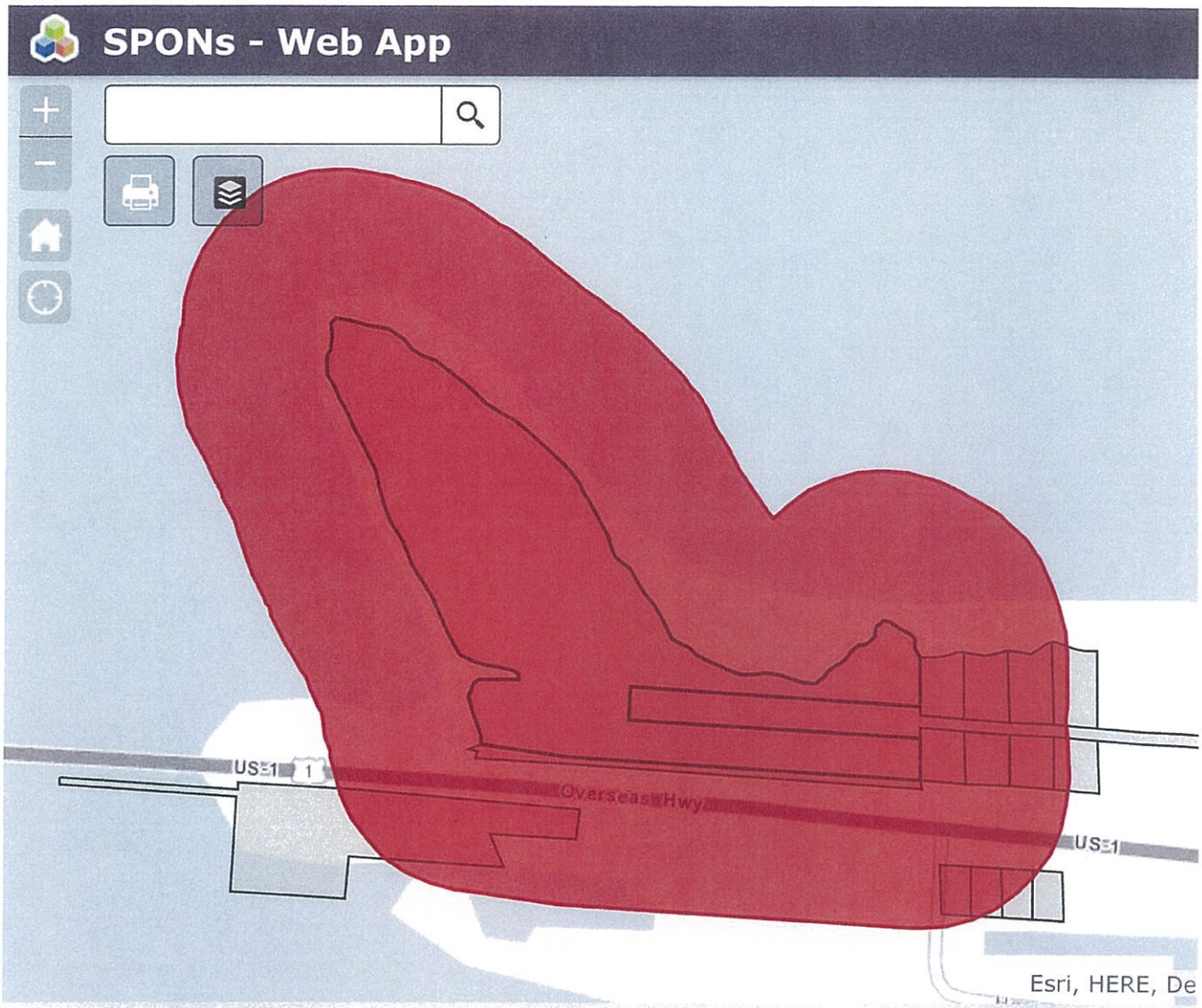
Dear Applicant:

This is to acknowledge submittal of your application for Map Amendment-LUDS
Type of application

Shrimp Farm to the Monroe County Planning Department.
Project / Name

Thank you.

Planning Staff



Verified GC

400ft

24.664 -81.460 Degrees

ALPERT MYRON
3115 S OCEAN BLVD APT 904
HIGHLAND BEACH, FL 33487-2575

BD OF TRUSTEES OF THE INT IMP
3900 COMMONWEALTH BLVD MAIL STA 115
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL (DEPARTMENT OF
DOUGLAS BLDG
TALLAHASSEE, FL 32399-3000

ROSE ELLEN M
23910 OVERSEAS HWY
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
818 BAY DR
SUMMERLAND KEY, FL 33042

Labels 1 of 1

End of Additional File 2016-138

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
AUG 11 2016
MONROE CO. PLANNING DEPT

Land Use District Map (LUD) Amendment Application

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

Amendment to Land Use District Map Application Fee: $4,929.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed

Date of Application: 8 / 10 / 16
Month Day Year

Applicant / Agent Authorized to Act for Property Owner: **(Agents must provide notarized authorization from all property owners.)**

TREPANIER & ASSOCIATES, INC. — Kevin Sullivan
Applicant (Name of Person, Business or Organization) — Name of Person Submitting this Application

1421 FIRST ST. KEY WEST, FL 33042
Mailing Address (Street, City, State and Zip Code)

305-293-8983 — Kevin@OWENTREPANIER.COM
Work Phone Home Phone Cell Phone Email Address

Property Owner: **(Business/Corp must include documents showing who has legal authorized to sign.)**

SUMMERLAND KEY PROPERTY CORP
(Name/Entity) — Contact Person

2800 PONCE DE LEON BLVD SUITE 1200. CORAL GABLES, FL 33134-6919
Mailing Address (Street, City, State and Zip Code)

C/O 305-293-8983 — C/O OWEN@OWENTREPANIER.COM
Work Phone Home Phone Cell Phone Email Address

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

27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A
Block Lot Subdivision Key

00114840-000000
Real Estate (RE) Number — Alternate Key Number

23801 OVERSEAS HIGHWAY — SUMMERLAND KEY
Street Address (Street, City, State & Zip Code) — Approximate Mile Marker

APPLICATION

Current Future Land Use Map Designation(s): Agriculture/ Aquiculture (A)

Proposed Land use district **Map Designation(s):** Urban Residential (UR)

Current Land Use District Designation(s): Native Area (NA)

Total Land Area Affected by Proposed FLUM (in acres): 9.07 (according to MCPA PRC)

Tier Designation(s): III

Existing Use of the Property (If the property is developed, please describe the existing use of the property, including the number and type of any residential units and the amount and type of any commercial development):

Defunct, scarified, abandoned shrimp farm.
Currently vacant; however, per 2007 LDRD: zero (0) residential units, 38,820 sq.ft. non-residnetial floor area and 18,000 sq.ft. unenclosed canopy floor area.

In accordance with Sec. 102-158, the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of six factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary):

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

The property was cleared and significantly altered in the 1960's for development of a commercial shrimp farm; therefore, projections for the property's historical and existing FLUM designation were based on this property's prior and currently defunct, use as aquiculture. Current projections for any similar use on this property have decreased while projected demand for affordable housing has increased; therefore, a map change is appropriate.

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

Demographic trends are such that an affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

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

No specific data errors form the basis of this application.

APPLICATION

4. New issues:

The issue of affordable housing is not new; however, it is constantly evolving and worsening. New stakeholder context, opportunities and perspectives for addressing workforce housing issues have arisen since the initiation of the 2030 Comprehensive Plan update. Further, affordable housing use is of higher demand (and greater public service) than those uses permitted under the current FLUM designation.

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

The need to assimilate new context, opportunities and perspectives is vital for the County to maintain a proactive approach for the public benefit. This application is intended to address the need through relief of existing barriers to affordable housing development via redevelopment opportunities. The proposed amendment will help to address a critical issues in favor of the public welfare.

6. Data updates:

Florida State Statutes require the Comprehensive Plan to be updated every 7 years and allows additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process. Goal 107 contemplates site specific amendments to address specific goals,objectives and policies to alleviate data limitations in the Plan. Therefore, this text amendment application provides a unique opportunity to provide acute relief of existing barriers to affordable housing development while working within the conventional, long range government planning periods.

In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located. Please describe how the map amendment would **not** result in an adverse community change (attach additional sheets if necessary):

The proposed amendment will result in no adverse community change in the land use planning area affected by the proposed map amendment; increased potential for affordable housing is beneficial to the public good and is submitted herein as a positive community change of the planning area, resulting in an economic stimulus while maintaining hurricane evacuation and carrying capacity.

Has a previous Land Use District Map amendment application submitted for this site within the past two years?

☐ Yes ☒ No If yes, date the application was submitted: _____/_____/_____
Month Day Year

All of the following items must be included in order to have a complete application submission:
(Please check the box as each required item is attached to the application.)

- [X] Complete Land Use District Map amendment application (unaltered and unbound)
- [X] Correct fee (check or money order to Monroe County Planning & Environmental Resources)
- [X] Proof of ownership (i.e., Warranty Deed)
- [X] Current Property Record Card(s) from the Monroe County Property Appraiser
- [X] Location map from Monroe County Property Appraiser
- [X] Copy of current Land Use District Map (request from the Planning & Environmental Resources Department prior to application submittal)
- [X] Copy of current Future Land Use Map (request from the Planning & Environmental Resources Department prior to application submittal)
- [X] 300 foot radius map from Monroe County Property Appraiser Office
- [X] List of surrounding property owners from 300 foot radius map

APPLICATION

☒ Photograph(s) of site from adjacent roadway(s)

☒ Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor- sixteen (16) sets (at a minimum). Survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage marked with land use district; and total acreage shown with vegetative habitat)

☒ Typed name and address mailing labels of all property owners within a 300 foot radius of the property (two (2) sets). This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included

If applicable, the following items must be included in order to have a complete application submission:
(Please check the box as each required item is attached to the application.)

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

☒ Any other Monroe County documents including Letters of Understanding pertaining to the proposed Land Use District Map amendment

Is there a pending code enforcement proceeding involving all or a portion of the parcel proposed for development:

☐ Yes ☒ No Code Case file #_____ Describe the enforcement proceedings and if this application is being submitted to correct the violation: _____

_____.

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

* * * * * * *

The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

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

Signature of Applicant: _____ **Date:** 8/10/15

See Page 5 for Notary Acknowledgement

APPLICATION

STATE OF Florida

COUNTY OF Monroe

Sworn to and subscribed before me this 10th day of August, 20 16,

by Kevin K Sullivan, who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

_____ as identification.
(TYPE OF ID PRODUCED)

Richard Puente
Signature of Notary Public

Richard Puente
Print, Type or Stamp Commissioned Name of Notary Public
My commission expires:

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

Send complete application package to:

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

_____
(Date)

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

for Summerland Key Property Corp. for FLUM Map Amendment application submittal for
(Name of Property Owner(s) the Applicant(s))

Legal Description: 27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Subdivision: Summerland Keys, Key (island): Summerland

and Real Estate number: 00114840-000000.

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

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

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

in representation of LAAD de Centroamerica, SA.
Property Owner(s) Signature

Juan Carlos Gamboa in representation of LAAD de Centroamerica S.A.
Printed Name of Owner(s)

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 23 **day of** June**, 20**16**.**

Juan Carlos Gamboa **is** X **personally known** _____ **produced identification**

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

Natalia Betancur
Notary
Commission # FF 163759
Expires: September 28, 2018

NOTARY PUBLIC STATE OF FLORIDA
NATALIA BETANCUR
MY COMMISSION #FF163759
EXPIRES September 28, 2018
(407) 398-0153 FloridaNotaryService.com

Prepared by and return to:
M. Barreto Tercilla, Esq.
Avila Rodriguez Hernandez Mena & Ferri LLP
2525 Ponce De León Blvd, Suite 1225
Coral Gables, FL 33134

Property Appraiser's Identification Numbers:

00114840-000000

Doc# 1886498 06/08/2012 3:28PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

06/08/2012 3:28PM
DEED DOC STAMP CL: NW $7,420.00

Doc# 1886498
Bk# 2574 Pg# 308

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 17th day of May, 2012 by, **Sea Farms International, Inc., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation** ("Grantor"), whose mailing address is 27332 Saint Martin Street, Summerland Key, Florida 33042, to **Summerland Key Property Corp., a Florida corporation** ("Grantee"), whose mailing address is 2800 Ponce de Leon Blvd., Suite 1200, Coral Gables, Florida 33134.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS ($10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, and sell to Grantee, and Grantee's successors and assigns the following described real property (the "Property") located in Monroe County, Florida to-wit:

See Exhibit "A" attached hereto

SUBJECT TO:

1. All easements, conditions, covenants, restrictions, reservations, limitations, agreements and other matters of record, provided that this instrument shall not reimpose same.

2. Real estate taxes for the year 2012 and all subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining to the Property.

This Deed is in lieu of foreclosure and is intended to be an absolute conveyance of the title to the real property described herein, and not as additional security, in consideration for various forbearances of personal liability of the Grantor from the debt secured by (i) that certain Second Mortgage in favor of LAAD de Centroamerica, S.A. dated April 27, 2004, recorded in Official Records Book 2001, Page 869, Official Records of Monroe County, Florida, and (ii) that certain Mortgage in favor of LAAD de Centroamerica, S.A. dated December 19, 2005, recorded in Official Records Book 2182, Page 1612, Official Records of Monroe County, Florida (collectively, the "Mortgage"), but it is the intention of the parties that there shall not be a merger of the fee with the lien of the Mortgage.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that the Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Grace Marquez

Witness Name: Andrina Ricardo

GRANTOR:

SEA FARMS INTERNATIONAL, INC., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation

By _____

Name: Jacobo Paz

Title: Director

Doc# 1886498
Bk# 2574 Pg# 309

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 17th day of May, 2012 by Jacobo Paz as Director of Sea Farms International, Inc., a Florida corporation, formerly known as Shrimp Culture II, Inc., a Florida corporation, on behalf of said corporation. He/She is [ ] personally known to me or [X] has produced a Honduran Passport as identification, and did not take an oath.

[Notary Stamp]

Signature of Notary

Printed Name: _____

Notary Public, State of _____

Commission No.: _____

My Commission Expires: _____

GRACE MARQUEZ
Commission # DD 803766
Expires July 8, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

EXHIBIT "A"
LEGAL DESCRIPTION

All of Government Lot 4, Section 27, Township 66 South, Range 28 East, lying North of U.S. Highway No. 1, except those portions of said Lot used for Old 4-A State Road Right-of-Way and HUDGINS SUBDIVISION, recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida.

AND ALSO:

Lying in the County of Monroe, State of Florida, and known as being a portion of the Right-of-Way of Old State Road No. 4-A in Government Lot 4, Section 27, Township 66 South, Range 28 East, and more particularly described as follows:

Commencing at a point on the East end of Kemp Channel Bridge No. 10-A designated as Station 777 + 34.79 on the Baseline of the survey of State Road No. 5 also as U.S. Highway No. 1, Section 90020-2529; thence bear South 86°08'46" East along the said Baseline of survey, a distance of 1,396.18 feet to a point thereon designated Station 791 + 30.97; thence bear North 00°27'46" West for 200.56 feet to a point on the most Southerly Right-of-Way line of Old State Road No. 4-A at its intersection with the Westerly line of Hudgins Subdivision as shown by plat recorded in Plat Book 2, Page 143, of the Public Records of Monroe County, Florida; thence bear 86°08'46" West along the said Southerly Right-of-Way line of Old State Road No. 4-A for 587.09 feet to the Point of Beginning of that portion of Old State Road No. 4-A herein intended to be described; from said Point of Beginning continue bearing North 86°08'46" West along the most Southerly Right-of-Way line of Old State Road No. 4-A for 182.85 feet to a point on the mean high water line within the Kemp Channel Shore of Government Lot 4, Section 27, Township 66 South, Range 28 East; thence meander said mean high water line on the following described courses, bearing first North 29°50'10" West for 4.81 feet; thence North 83°08'00" West, for 38.05 feet; thence North 55°44'06" West for 53.34 feet; thence North 73°34'17" East for 49.04 feet; thence North 54°02'42" East for 17.20 feet; thence North 05°48'32" East for 4.99 feet to the intersection of said mean high water line with the most Northerly Right-of-Way line of said Old State Road No. 4-A; thence bear South 86°08'46" East along the said most Northerly Right-of-Way line of Old State Road No. 4-A for 210.14 feet; thence bear South 03°51'14" West for 66.00 feet back to the Point of Beginning.

MONROE COUNTY
OFFICIAL RECORDS

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

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

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

Alternate Key: 1145572 Parcel ID: 00114840-000000

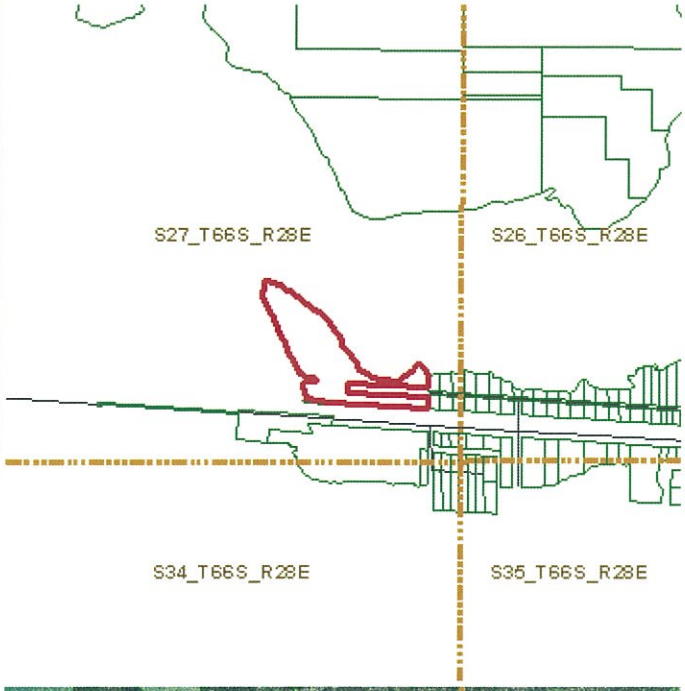
Ownership Details

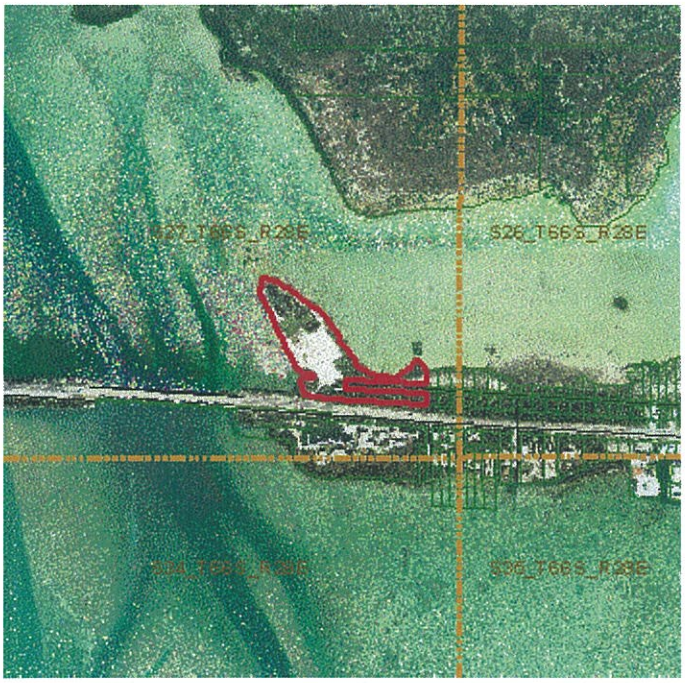
Mailing Address:
SUMMERLAND KEY PROPERTY CORP
2800 PONCE DE LEON BLVD STE 1200
CORAL GABLES, FL 33134-6919

Property Details

PC Code: 40 - VACANT INDUSTRIAL
Millage Group: 120C
Affordable Housing: No
Section-Township-Range: 27-66-28
Property Location: 23801 OVERSEAS HWY SUMMERLAND KEY
Legal Description: 27 66 28 SUMMERLAND KEYS PT LT 4 AND PT OF R-O-W OF OLD ST RD NO 4-A OR453-968/69 OR482-472 OR708-142/43 OR901-2406 OR1082-1105/07 OR1674-2350 OR1696-853/54C OR2520-2240/44 OR2574-308/10

Click Map Image to open interactive viewer





Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	188,615.00 SF
000X - ENVIRONMENTALLY SENS	0	0	4.74 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
4	AP2:ASPHALT PAVING	2,400 SF	0	0	1998	1999	2	25

Appraiser Notes

BLDG #1 ORIGINAL BLDG/LAB & OFFICE BLDG #2 WATER TREATMENT PLANT BLDG #3 GENERATOR BUILDING MATURATION BLDG & HATCHERY BLDG GIVEN TO PERSONAL PROP ALONGWITH TANKS, RO PLANT & ELEC. GENERATOR PCW/CPC TPP - 8599587
ALL BUILDINGS REMOVED DUE TO DEMOLITION 11/21/2011

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	A-5692	08/01/1979	04/01/1980	100,800	Commercial	COMMERICAL/LAB
	A-6921	06/01/1980	06/01/1981	5,000	Commercial	ENCLOSURE/2000SF
	981-767	05/01/1998	08/24/1998	2,400	Commercial	PAVING
4	981749	10/23/1998	12/29/2006	5,100	Commercial	COMMERCIAL ROOFING
5	981860	11/13/1998	12/29/2006	78,200	Commercial	BLDG MISCELLANEOUS
	11102942	06/15/2011	11/21/2011	49,500	Commercial	DEMO ALL STRUCTURES

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	2,112	2,829,699	2,831,811	1,443,930	0	2,831,811
2014	0	13,190	1,299,474	1,312,664	1,312,664	0	1,312,664
2013	0	13,820	1,299,474	1,313,294	1,313,294	0	1,313,294
2012	0	14,450	767,575	782,025	782,025	0	782,025
2011	363,098	15,080	767,575	1,145,753	1,145,753	0	1,145,753
2010	363,098	15,710	895,475	1,274,283	1,274,283	0	1,274,283
2009	364,654	16,340	1,023,375	1,404,369	1,404,369	0	1,404,369
2008	379,878	16,970	1,279,175	1,676,023	1,676,023	0	1,676,023
2007	281,853	17,600	1,279,175	1,578,628	1,578,628	0	1,578,628
2006	293,115	18,230	1,279,175	1,590,520	1,590,520	0	1,590,520
2005	294,247	18,860	1,279,175	1,592,282	1,592,282	0	1,592,282
2004	294,245	19,490	385,675	699,410	699,410	0	699,410
2003	294,245	20,120	385,675	700,040	700,040	0	700,040
2002	294,245	20,750	385,675	700,670	700,670	0	700,670
2001	294,245	21,380	385,675	701,300	701,300	0	701,300
2000	294,245	7,768	290,175	592,188	592,188	0	592,188
1999	294,245	8,000	290,175	592,420	592,420	0	592,420
1998	205,193	5,486	290,175	500,854	500,854	0	500,854
1997	205,193	5,612	290,175	500,980	500,980	0	500,980
1996	172,608	5,738	290,175	468,521	468,521	0	468,521
1995	172,608	5,864	290,175	468,647	468,647	0	468,647

1994	172,608	5,990	290,175	468,773	468,773	0	468,773
1993	175,762	5,796	290,175	471,733	471,733	0	471,733
1992	175,762	5,922	290,175	471,859	471,859	0	471,859
1991	175,762	6,048	290,175	471,985	471,985	0	471,985
1990	405,629	342,098	290,175	1,037,902	1,037,902	0	1,037,902
1989	83,467	0	290,210	373,677	373,677	0	373,677
1988	123,063	3,889	145,210	272,162	272,162	0	272,162
1987	121,437	3,889	36,728	162,054	162,054	0	162,054
1986	121,862	3,889	36,728	162,479	162,479	0	162,479
1985	120,109	3,889	36,728	160,726	160,726	0	160,726
1984	118,780	3,889	36,728	159,397	159,397	0	159,397
1983	120,015	3,889	36,728	160,632	160,632	0	160,632
1982	116,608	3,889	36,728	157,225	157,225	0	157,225

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
5/17/2012	2574 / 308	1,060,000	WD	12
5/31/2011	2520 / 2240	100	QC	11
1/19/2001	1674 / 2350	471,800	WD	K
2/1/1970	708 / 142	8,500	00	Q

This page has been visited 98,543 times.

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

Location Map

Parcel: 00114840-000000

MONROE COUNTY PROPERTY
APPRAISER OFFICE

THIS PROPERTY LOCATION MAP HAS BEEN COMPILED FOR INTERNAL OFFICE USE AS AN AID IN THE PREPARATION OF THE MONROE COUNTY TAX ROLL. IT IS NOT A SURVEY AND THE OWNERSHIP INFORMATION DEPICTED THEREON SHOULD NOT BE RELIED UPON FOR TITLE PURPOSES. NEITHER MONROE COUNTY NOR THE OFFICE OF THE PROPERTY APPRAISER ASSUMES RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.

1:4,756

Date: 6/15/2016

Map

MileMarker

Roads

Parcels

Future Land Use Map (FLUM)

- A - Agriculture
- AD - Airport District
- C - Conservation

Future Land Use Map (FLUM) (continued)

- E - Education
- I - Industrial
- INS - Institutional
- M - Military
- MC - Mixed Use/Commercial
- MCF - Mixed Use/Commercial Fishing
- MN - Mainland Native
- PB - Public Buildings/Grounds

Future Land Use Map (FLUM) (continued)

- R - Recreation
- RC - Residential Conservation
- RH - Residential High
- RL - Residential Low
- RM - Residential Medium
- UNDS -Undesginated

2015 Orthophotography

- Red: Band_1
- Green: Band_2

Map

MileMarker

Roads

Parcels

Zoning

- Airport
- Area of County Critical Concern
- Commercial Fish Areas

Zoning (continued)

- Destination Resort
- Incorporated
- Industrial
- Improved Subdivision -/Duplex /Masonry
- Maritime Industries
- Military Facilities
- Mainland Native
- Mixed Use

Zoning (continued)

- Research Park
- Recreational Vehicle
- Sparsely Settled
- Suburban Commercial
- Suburban Residential -/Limited
- Urban Commercial
- Urban Residential
- Urban Residential Mobile Home

Overseas Hwy
Exit Street View
N
© 2016 Google
© 2016 Google
Google earth
Report a problem
24°39'45.50" N 81°27'44.46" W elev 7 ft eye alt 18 ft

SUMMERLAND KEY PROPERTY CORP
CORAL GABLES, FL 33134-6919

BOY SCOUTS OF AMERICA
IRVING, TX 75038-3096

ROSE ELLEN M
SUMMERLAND KEY, FL 33042-4801

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

WELLS KENNETH G
SUMMERLAND KEY, FL 33042

BD OF TRUSTEES OF THE INT IMP
TALLAHASSEE, FL 32399-3000

DOT/ST.OF FL
TALLAHASSEE, FL 32399-3000

TIITF
TALLAHASSEE, FL 32399-3000

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

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COMMERCE TOWNSHIP, MI 48382-1958

ALPERT MYRON I NON-EXEMPT MARITAL TRUST 9/10/2012
COMMERCE TOWNSHIP, MI 48382-1958

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

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

From: Emily Schemper, AICP, Comprehensive Planning Manager

Date: September 9, 2016

Subject: *Request for a Minor Conditional Use Permit to transfer twenty-five (25) Transferrable ROGO Exemptions (TREs) from a sender site at 201 County Road, Big Pine Key (a receiver site has not been proposed). A separate minor conditional use permit will be required for the TREs to be approved at a future receiver site. (File #2016-113)*

Meeting: September 27, 2016

I REQUEST:

The applicant is requesting approval of a minor conditional use permit in order to transfer twenty-five (25) transient Residential Rate of Growth Ordinance (ROGO) exemptions – known as TREs – from a sender site at 201 County Road, Big Pine Key, to a receiver site to be determined at a later time. A separate minor conditional use permit will be required for the TREs to be approved at a future receiver site.

Owner/Applicant: Longstock II, LLC
Agent: Bart Smith, Smith Oropeza Hawks, P.L.

II BACKGROUND INFORMATION AND RELEVANT PRIOR COUNTY ACTIONS:

Sender Site: Seahorse RV Park, 201 County Road, Big Pine Key:

Location: MM 30, Big Pine Key, Oceanside

Address: 201 County Road, Big Pine Key

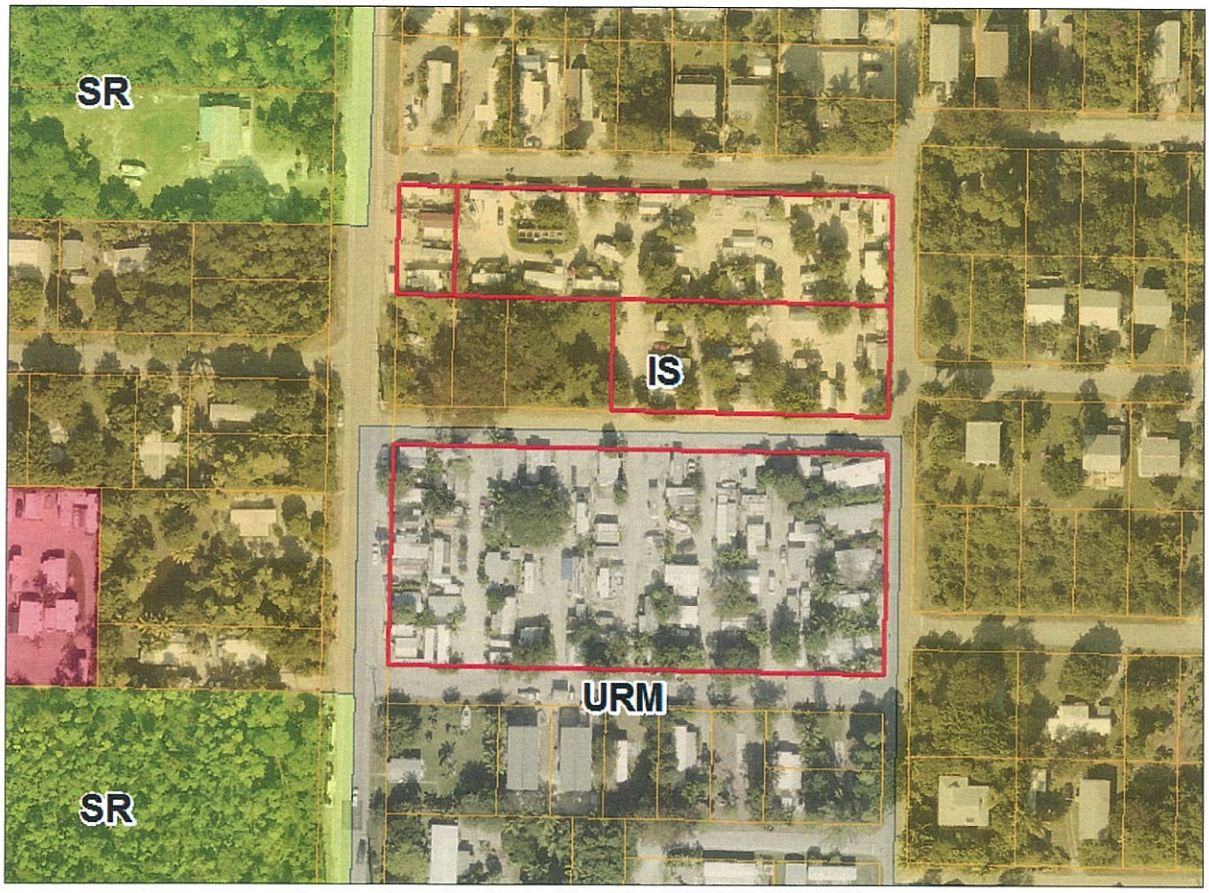
Description: Lots 1, 2, 3, 4 and 5, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, Sam-N-Joe Subdivision (Plat Book 3, Page 76) and Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key, Monroe County, Florida

Real Estate Numbers: 00300090.000000, 00300180.000000, 00300590.000000 and 00300670.000000

Size of Site: 3.93 acres, per survey by Avirom & Associates, Inc., dated 1/16/2016

Land Use District (LUD): Improved Subdivision (IS) and Urban Residential-Mobile Home (URM)

Future Land Use Map (FLUM) Designation: Residential Medium (RM) and Residential High (RH)
Tier Designation: Tier I
Flood Zone: AE-EL 8
Existing Use: Mobile Homes and RVs
Existing Vegetation / Habitat: Predominantly scarified with landscaping
Owner/Applicant: Longstock II, LLC
Agent: Bart Smith, Smith Oropeza Hawks, P.L.



Proposed sender site, outlined (aerial 2015, MC GIS)

On March 6, 2007, a Letter of Development rights Determination was issued for the property. The letter states that there are one hundred and thirty (130) ROGO exemptions on the property associated with the lawful existence of eighty-five (85) permanent dwelling units and forty-five (45) transient dwelling units (Planning File #26127).

The Planning & Environmental Resources Department issued a revised Letter of Development Rights Determination for the subject property on September 29, 2014. The letter states that there are one hundred and thirty (130) ROGO exemptions associated with the site, in the form of one hundred and twenty-five (125) transient residential dwelling units and 5 permanent residential units (File #2014-076).

On July 7, 2015, Development Order No. 03-15 was approved, allowing the transfer of one hundred (100) transient TREs from the subject property to a receiver site located at 700 and 7009 Shrimp Road, Stock Island. The remaining twenty-five (25) transient ROGO exemptions associated with the subject property are the subject of the current request for TRE approval.

III REVIEW OF APPLICATION:

Pursuant to MCC §138-22(2), the following criteria must be met to transfer ROGO exemptions to a hotel, motel, or RV park:

> **MCC §138-22.** ***Type of Development Not Affected***
> * * *
>
> ***(2) Transfer off-site.*** *Transfer off-site shall consist of either the demolition of a dwelling unit on a sender site or a change of use of the floor area of dwelling unit on a sender site to another permitted use in the applicable land use (zoning) district that does not require the ROGO exemption and the development of a new transient residential unit or affordable housing unit on a receiver site as follows:*
>
> ***a. Eligibility of sender unit or space.*** *In order to be an eligible sender unit or space, the unit or space shall be a hotel room, motel room, campground space, recreational vehicle space, mobile home, or dwelling unit found to have been lawfully established.*

In Compliance. The applicant is requesting approval allowing the transfer of twenty-five (25) transient TREs from the sender site. On September 29, 2014, the County issued a Letter of Development Rights Determination (Exhibit 1) recognizing one hundred and twenty-five (125) transient residential dwelling units as lawfully established on the subject property and thereby exempt from the ROGO permit allocation system. Development Order No. 03-15 approved the transfer of one hundred (100) transient TREs from the subject property; twenty-five (25) transient TREs remain as eligible sender units on the site at the time of this report.

> ***b. Criteria for redevelopment off-site:***
>
> ***1. Transfer to a hotel, motel, or recreational vehicle park.*** *A lawfully established hotel room, motel room, campground space, or recreational vehicle space may be transferred offsite to another hotel, motel or recreational vehicle park if the:*
>
> *(i) Sender site is an eligible ROGO exemption and was used as a transient residential unit in accordance with section 101-1*

In Compliance. Per Section 101-1, *Transient residential unit means a dwelling unit used for transient housing such as hotel or motel room, seasonal residential unit, or space for parking a recreational vehicle or travel trailer.* The LDRD dated September 29, 2014 (Exhibit 1), confirms that the County recognizes one hundred and twenty-five (125) transient residential dwelling units as lawfully established on the subject property and thereby exempt from the

ROGO permit allocation system. Development Order No. 03-15 approved the transfer of one hundred (100) transient TREs from the subject property; twenty-five (25) transient TREs remain as eligible sender units on the site at the time of this report.

(ii) Receiver site/unit meets all of the following criteria:

(AA) The receiver site is located in the same ROGO subarea as the sender site, with the exception that ROGO exemptions associated with transient residential dwelling units may be transferred from the Big Pine and No Name Key ROGO subarea to the Lower Keys ROGO subarea.

(BB) The receiver unit shall only be constructed within a) a tier III designated area or b) a tier III-A (special protection area) designated area where the development does not involve the clearing of any native habitat.

(CC) Receiver unit shall not be constructed within a velocity (V) zone.

Not Applicable At This Time. The applicant is only requesting approval to establish the subject property as the sender site for the transfer of twenty-five (25) transient ROGO exemptions. No receiver site has been proposed at this time. Under current regulations, a new minor conditional use permit application and development order will be required for each receiver site proposed in the future. Receiver site(s) shall be reviewed for eligibility and compliance with the Monroe County Comprehensive Plan and Land Development Code at that time.

IV RECOMMENDATION:

Staff recommends APPROVAL to the Director of Planning & Environmental Resources of a minor conditional use permit allowing the transfer of twenty-five (25) transient Transferable ROGO Exemptions from a sender site at 201 County Road, Big Pine Key, having Real Estate Numbers 00300090.000000, 00300180.000000, 00300590.000000 and 00300670.000000, to one or more receiver site(s) to be determined and approved at a later date, subject to the following condition:

1. This development order only establishes the subject parcel as an eligible sender site for twenty-five (25) transient Transferable ROGO Exemptions. Under current regulations, a new minor conditional use permit application and development order shall be required for each receiver site proposed. Receiver site(s) shall be reviewed for eligibility and compliance with the Monroe County Comprehensive Plan and Land Development Code at that time.

V EXHIBITS:

1. LDRD, dated September 29, 2014.

Exhibit 1 to Staff Report

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

September 29, 2014

Smith | Oropeza, P.L.
Attn: Barton W. Smith, Esq.
138-142 Simonton Street
Key West, FL 33040

RE: LETTER OF DEVELOPMENT RIGHTS DETERMINATION FOR SEAHORSE RV PARK, BIG PINE KEY, ON PROPERTY CURRENTLY HAVING REAL ESTATE NUMBERS 00300090.000000, 00300180.000000, 00300590.000000 AND 00300670.000000

Mr. Smith

This letter is in response to your request for a determination as to the number of dwelling units that were lawfully established and thereby exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system on the above-described premises.

Background Information:

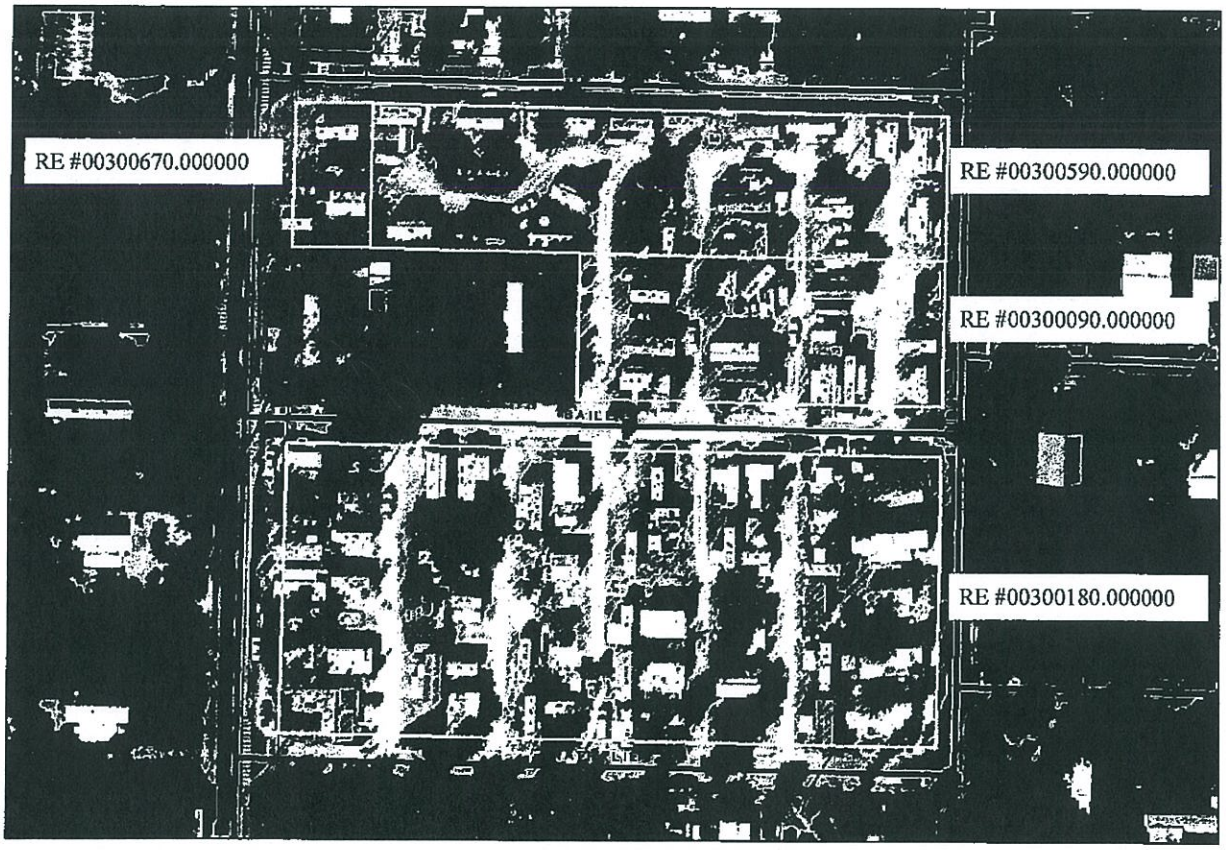
The property is comprised of four parcels of land, currently assessed under real estate (RE) #00300090.000000, #00300180.000000, #00300590.000000 and #00300670.000000. The parcel identified as RE #00300090.000000 is legally described as Block 1, Lots 1 through 5, Sam-N-Joe Subdivision (Plat Book 3, Page 76), Big Pine Key. The parcel identified as RE #00300180.000000 is legally described as Block 2, Lots 1 through 18, Sam-N-Joe Subdivision (Plat Book 3, Page 76), Big Pine Key. The parcel identified as RE #00300590.000000 is legally described as Block 3, Lots 1 through 8, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key. The parcel identified as RE #00300670.000000 is legally described as Block 3, Lot 9, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key.

Note: 13 former RE #'s associated with property were retired and aggregated with the existing RE #'s in 1985. RE #00300100.000000, RE #00300110.000000, RE #00300120.000000 and RE #00300130.000000 were combined with RE #00300090.000000. RE #00300190.000000 and RE #00300200.000000 were combined with RE #00300180.000000. RE #00300600.000000, RE #00300610.000000, RE #00300620.000000, RE #00300630.000000, RE #00300640.000000, RE #00300650.000000 and RE #00300660.000000 were combined with RE #00300590.000000.

The property is located on Big Pine Key, at approximate mile marker 30 on the Gulf of Mexico side of US 1. It is bordered to the north by Mercedes Road, to the east by Sands Road, to the south by Nathalie Road and to the west by County Road. It is intersected by Bailey Road. The existing development consists of mobile homes and RV spaces and is commonly known as Seahorse RV Park (also known as Seahorse Campground and Seahorse Trailer Park). It has a physical address of 201 County Road.

Note: Three parcels located at the northeast corner of the County Road/Bailey Road intersection (legally described as Block 1, Lots 6 through 9, Sam-N-Joe) are not part of the subject property.

The following aerial photograph shows the boundaries of the property and the immediate area:



Subject Property (Aerial dated 2012)

The property is located partially within an Improved Subdivision (IS) Land Use (Zoning) District (RE #00300090.000000, 00300590.000000 and #00300670.000000) and partially within an Urban Residential Mobile Home (URM) Land Use (Zoning) District (RE #00300180.000000) on the Land Use District Map. Consistent with the boundaries of the IS and URM districts, the property is partially designated within the Residential Medium (RM) category (RE #00300090.000000, 00300590.000000 and #00300670.000000) and partially designated within the Residential High (RH) category (RE #00300180.000000) on the Future Land Use Map (FLUM). The entire property is designated as Tier I on the Tier Overlay Map.

An undated site map of the development was provided by 'Seahorse Campground' to Planning Department staff to use for the county's 1988 mobile home and RV study (attachment 1). The site map shows the development as having 142 numbered lots/spaces, identified as lots I-V (aka Lots 1-5); spaces 1-11, 14, 14A, 15-22, 22A, 23-26, 26A, 27-29, 29A, 30-32, 32A, 33-35, 35A, 36-38, 38A, 39-41, 41A, 42-44, 44A, 45-47, 47A, 48-53, 53A, 54-56, 56A, 57-60, 60A, 61-63, 63A and 64-124; and a manager's space (aka 12). Please note that the compass orientation of the site map has south to the top (reversed from standard north to the top).

A second undated site map of 'Seahorse Campground' and a consistent site plan (dated 1991) of the development was included in building permit applications in 1991: #911-2298, #911-2299 and #911-2381 (attachment 2). The site map/site plan show the development as having 127 numbered lots/spaces, identified as lots I-V (aka Lots 1-5); spaces 1-9, 11-12, 14-72 and 85-124; and showers (aka lots 83 and 84). Please note that the compass orientation of the site map has south to the top.

A third undated site map of 'Seahorse RV Park' was included in a building permit application in 2003: #031-5414 (attachment 3). The site map shows the development as having 121 numbered lots/spaces, identified as 'MH' lots 1-5; spaces 1-12, 14, 16-59, 62-83, 85-94, 96-120 and 122; an office (aka 15); and showers (aka lots 84 and 95). Please note that the compass orientation of the site map has south to the top.

Residential Dwelling Units:

As defined in Monroe County Code (MCC) §101-1:

> *Dwelling unit* means one (1) or more rooms physically arranged to create a housekeeping establishment for occupancy by one (1) family with separate toilet facilities.
>
> *Permanent residential unit* means a dwelling unit that is designed for, and capable of, serving as a residence for a full housekeeping unit which includes a kitchen composed of at least a refrigerator and stove.
>
> *Transient residential unit* means a dwelling unit used for transient housing such as hotel or motel room, seasonal residential unit, or space for parking a recreational vehicle or travel trailer.

Based on the aforementioned definitions, a mobile home is a type of permanent residential unit and a recreational vehicle (RV) is a type of transient residential unit.

Pursuant to MCC §138-22(1), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit that does not increase the number of residential dwelling units above that which existed on the site prior to the redevelopment, rehabilitation or replacement. Therefore, owners of land containing residential dwelling units shall be entitled to one unit for each such unit lawfully-established. The planning director shall review available documents to determine if a body of evidence exists to support the

existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the following documents supporting the lawful existence of the residential dwelling unit or space must be found:

Any issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about July 13, 1992:

The following issued building permits are on file in the Building Department's records (with lot/space numbers based on the site map provided in attachment 3):

Permit #	*Year Issued*	*Description*
RE #00300090.000000 (Central parcel, north of Bailey Road) / Block 1, Lots 1-5, Sam-N-Joe		
A-5670	1979	Trailer tie down (MH lot 1) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
A-5741	1979	Trailer tie down (lot/space # not provided)
A-6270	1980	Cabana room - attached to 'trailer' / 'mobile home' (MH lot 1) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
A-6632	1980	Trailer tie down (space 6) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
901-1333	1990	Sewage treatment plant [Based on the site map, this permit should also be filed under RE #00300180.000000, RE #00300590.000000 and RE #00300670.000000]
911-2287	1991	Demolition – trailer tie downs and blocking (spaces 89 and 101)
911-2298	1991	'RV trailer' replacement (space 101) [Based on the site plan, the RV would also be located partially on space 102]
911-2299	1991	'RV trailer' replacement (space 89) [Based on the site plan, the RV would also be located partially on space 90]
941-0695	1994	Roof repair to 'trailer' (MH lot 4) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
001-0240	2000	Roof repair to 'mobile home' (MH lot 4) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
RE #00300100.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300110.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300120.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300130.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300180.000000 (Southern parcel, south of Bailey Road) / Block 2, Lots 1-18, Sam-N-Joe		
31952	1973	100 amp service (space 11)
A-7095	1980	Trailer tie down (space 59)
A-10036	1982	Mobile home replacement (MH lot 1) [MH lot 1 was not specified, but based on the site map, it is in the same location/configuration as platted Lot 18]

911-2381	1991	16 decks – not attached, for 'RV units' (spaces 15, 20, 21, 28, 29, 30, 31, 33, 45, 46, 47, 52, 55, 56, 57 and 62)
981-1123	1998	Demolition – 'commercial' building (lot/space # not provided)
991-2161	2000	Porch – attached to 'mobile home' (MH lot 4)
031-2072	2003	Clearing and tree trimming (spaces 1, 2, 3, 8, 12, 34, 47, 51, 82, 95 and 115) [Based on the site map, this permit should also be filed under RE #00300590.000000 and RE #00300670.000000]
031-5414	2003	75 portable fences [Based on the site map, this permit should also be filed under RE #00300090.000000, RE #00300590.000000 and RE #00300670.000000]
041-3381	2004	Clearing and tree trimming (spaces 1, 2, 3, 8, 12, 34, 47, 51, 82, 95 and 115) [Based on the site map, this permit should also be filed under RE #00300590.000000 and RE #00300670.000000]
081-3645	2008	Demolition – deck and porch roof (lot/space # not provided)
101-5683	2010	Electric service replacement (lot/space # not provided)
RE #00300190.000000 (retired - combined with RE #00300180.000000 in 1985)		
None on file	--	--
RE # 00300200.000000 (retired - combined with RE #00300180.000000 in 1985)		
None on file	--	--
RE #00300590.000000 (Northeastern parcel, north of Bailey Road) / Block 3, Lots 1-8, Dario's		
901-1598	1990	6 electric services (200 amp) and 21 outlets (lot/space # not provided)
RE #00300600.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300610.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300620.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300630.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300640.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300650.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300660.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300670.000000 (Northwestern parcel, north of Bailey Road) / Block 3, Lot 9, Dario's		
081-0866	2008	Demolition – fence and canopies (space 113)

Documentation from the Monroe County Property Appraiser's Office indicating residential use on or about July 13, 1992:

Staff examined the 2014 Monroe County property record cards for all parcels (by RE#) and compiled the following table with the findings. For each parcel, the table includes the current

property classification (PC) code, the current number of buildings (as classified by the Property Appraiser), and the years built of buildings.

RE #	Property Classification (PC) Code	# of Buildings	Type of Building (if applicable)	Year Built of Building (if applicable)
00300090.000000	28 - Parking lots, mobile home lots	0	n/a	n/a
00300180.000000	28 - Parking lots, mobile home lots	3	1-'East Bathhouse' 2-'West Bathhouse' 3-'Laundry'	1-1953 2-1953 3-1953
00300590.000000	28 - Parking lots, mobile home lots	0	n/a	n/a
00300670.000000	28 - Parking lots, mobile home lots	0	n/a	n/a

According to the Property Appraiser's documentation, there are only three buildings on the property: two bathhouses and a laundry. RVs are not assessed as buildings by the Property Appraiser. Mobile homes may be assessed as buildings by the Property Appraiser, but it is not a requirement.

Concerning the total number of dwelling units on the property, an 'Appraiser Note' associated with RE #00300090.000000 states "TR PK IS LICENSED FOR 130 SITES" and an 'Appraiser Note' associated with RE #00300590.000000 states "TOTAL LICENSED SITES=130".

According to the Property Appraiser's records, between 1982 and 2014, the property has been assessed under several different PC codes: 28 – 'Parking lot (Commercial)'; 36 – '[Mobile Home] parks, [Private] Camping, [Recreational Vehicle] Parks'; 00 – 'Vacant Residential' and 02 – 'Mobile Home'. The following table shows the PC codes for each year between 1982 and 2014:

RE #00300090.000000 (Central parcel, north of Bailey Road) / Block 1, Lots 1-5, Sam-N-Joe									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	--	--
1988	36	1995	36	2002	36	2009	28	--	--
RE #00300180.000000 (Southern parcel, south of Bailey Road) / Block 2, Lots 1-18, Sam-N-Joe									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	--	--

1988	36	1995	36	2002	36	2009	28	--	--
RE #00300590.000000 (Northeastern parcel, north of Bailey Road) / Block 3, Lots 1-8, Dario's									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	--	--
1988	36	1995	36	2002	36	2009	28	--	--
RE #00300670.000000 (Northwestern parcel, north of Bailey Road) / Block 3, Lot 9, Dario's									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	00	1996	00	2003	00	2010	28
1983	02	1990	00	1997	00	2004	00	2011	28
1984	00	1991	00	1998	00	2005	00	2012	28
1985	00	1992	00	1999	00	2006	00	2013	28
1986	00	1993	00	2000	00	2007	00	2014	28
1987	00	1994	00	2001	00	2008	36	--	--
1988	00	1995	00	2002	00	2009	28	--	--

Archived Property Appraiser records prior to 1982 support mobile homes and RV spaces as existing on the property dating back to 1964.

Aerial photographs and original dated photographs showing the structure(s) existed on or about July 13, 1992:

Aerial photography from 1984 to 2012 confirms the continuous existence of a RV/mobile home development on the property. Aerial photography can only confirm the number of structures, not the use or number of dwelling units, in existence at any given time. Further, from the aerial photography, it cannot be determined with certainty a) if a given structure was a RV, mobile home or another type of structure or vehicle and b) if a given RV is being inhabited or stored.

Aerial photography from 1992 to 2009 confirms the continuous existence of a RV/mobile home park on the property.

Residential county directory entries on or about July 13, 1992:

Residential county directory entries were not provided for review.

Rental, occupancy or lease records, on or about September 19, 2001, indicating the number, type and term of the rental or occupancy:

Residential rental, occupancy or lease records were not provided for review.

State and/or County licenses, on or about July 13, 1992, indicating the number and types of rental units:

A complete occupational license history was not submitted for review.

Big Pine Seahorse RV Park had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Vending Machines / Laundry Machines with a 'business start date' of November 21, 1972 and a 'business close date' of July 1, 2014.

Sea Horse RV Park Lively Enterprises had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Vending Machines / Merchandise w/ License with a 'business start date' of September 1, 1964 and a 'business close date' of August 4, 2010.

Sea Horse RV Park Lively Enterprises had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Retail Sales with a 'business start date' of July 1, 1967 and a 'business close date' of March 4, 2008.

Big Pine Seahorse RV Park had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Trailer Park & Campgrounds with a 'business start date' of September 1, 1962 and a 'business close date' of July 1, 2014. The local business tax stated the presence of 5 units.

Documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about July 13, 1992:

No documentation from the utility providers was provided for review.

Similar supporting documentation not listed above as determined suitable by the planning director (as found in Growth Management Division files and provided by the applicant):

> (1992) Memorandum by Patti Becker, (former) Monroe County Assistant Building Official: The memorandum, dated February 19, 1992, states that Joe Paskalik of the Building Department inspected the property and observed 125 RVs and 5 mobile homes.
>
> (1988) Monroe County Mobile Home / RV Study: The 1988 mobile home study indicates that 6 "mobile homes" and 124 "RVs" were present on the site at that time.
>
> (1990) Florida Department of Environmental Regulation (DER) Permit: In 1990, DER issued Permit #DC44-182565 allowing the construction of a sewage treatment plant (approved by the Building Department by Building Permit #901-1333). The total number of dwelling units is not provided on the permit.
>
> (1997) Florida Department of Environmental Protection (DEP) Permit: In 1997, DEP issued Permit #FLA014917 for a domestic wastewater facility for 'Seahorse RV Park'. The total number of dwelling units is not provided on the permit.
>
> (1998) Florida Department of Health (DOH) Inspection Report: A DOH inspection report, dated October 28, 1998, states 125 RVs and 5 mobile homes were in existence.

(2000) Florida Department of Health (DOH) Inspection Report: A DOH inspection report, dated September 18, 2000, states 125 RVs and 5 mobile homes were in existence.

(2002) Florida Department of Environmental Protection (DEP) Permit: In 2002, DEP issued Permit #FLA014917 for a domestic wastewater facility for 'Seahorse RV Park'. The total number of dwelling units is not provided on the permit.

(2006) Florida Department of Health (DOH) Permit: In 2006, DOH accepted an application related to Permit #44-54-00091 for 'Seahorse Campground'. The application, dated September 12, 2006, states 125 RVs and 5 mobile homes were in existence.

(2006) Monroe County Planning Department Site Inspection: Staff conducted a site inspection on December 8, 2006. During the course of the inspection, staff noted 25 mobile homes, 65 RVs and 40 vacant RV spaces.

(2007) Letter of Development Rights Determination by Aref Joulani, (former) Senior Director of Planning & Environmental Resources (Planning Department File #26127): The letter, dated March 6, 2007, states that the property is entitled to 130 ROGO exemptions, 85 of which were derived from permanent residential units and 45 of which were derived from transient residential units. The determination was based on records reviewed at that time and the application of Administrative Interpretations #03-108 and #01-115.

(2014) Boundary Survey: A boundary survey by Avirom & Associates, Inc., dated January 16, 2014 shows approximately 130 mobile homes, RVs, and RV spaces on the property.

Lawful Determination:

Based on a review of the records, the Planning & Environmental Resources Department has determined that 130 dwelling units, in the form of 125 transient residential dwelling units and 5 permanent residential units were lawfully established on the subject property and their replacement would thereby be exempt from the ROGO permit allocation system.

As shown on the site map in attachment 3, the 5 lawful permanent residential units (in the form of mobile homes) are located on MH Lots 1-5; and 118 of the 125 lawful transient residential units (in the form of RV spaces) are located on spaces 1-12, 14-59, 62-120 and 122. Seven of the 125 lawful transient residential units (in the form of RV spaces) are not identified on the site map.

Pursuant to MCC §138-22(1), the planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the noted documents supporting the lawful existence of the residential dwelling unit or space must be found. There is not a building permit on file initially approving the RV/mobile home

park or otherwise recognizing a total number of dwelling units. However, staff found several building permits supporting the lawful existence of a RV/mobile home park.

Other than building permits, staff found several documents supporting the existence of 125 RV spaces and 5 mobile homes circa 1992. Of note is the 1992 memorandum by Patti Becker, (former) Monroe County Assistant Building Official, the 1998 and 2000 Florida Department of Health (DOH) Inspection Reports, the 2006 Florida Department of Health (DOH) Permit, and the 2014 Monroe County Property Record Cards for RE #00300090.000000 and RE #00300590.000000. In addition, the 1988 mobile home study closely recognizes 124 RV spaces and 6 mobile homes.

The Letter of Development Rights Determination by Aref Joulani and dated March 6, 2007 states that the property is entitled to 130 ROGO exemptions, 85 of which were derived from permanent residential units and 45 of which were derived from transient residential units. While the determination in this letter does not conflict with the total number of ROGO exemptions acknowledged in the 2007 letter (130), it modifies the recognized breakdown on transient residential units (125 v. 45) and permanent residential units (5 v. 85).

The 2007 determination was based on records reviewed at that time and the application of Administrative Interpretations #03-108 and #01-115. It is important to note the following:

- In 2007, Administrative Interpretation #03-108 provided the criteria to be used by staff to determine whether or not a residential unit was lawfully-established. In 2011, the County modified and codified the criteria for ROGO exemption determinations with the adoption of Ordinance #015-2011. Administrative Interpretation #03-108 became null and void at that time. Therefore, the criteria for ROGO exemption determinations are now different. Currently, in order to approve an exemption, at least two of the specified documents supporting the lawful existence of the residential dwelling unit or space must be found.

- Administrative Interpretation #01-115 was misapplied in the 2007 letter. Administrative Interpretation #01-115 is intended to "provide guidance to staff in the permitting of recreational vehicles in the Recreation Vehicle (RV), Urban Residential Mobile Home (URM) and, Urban Residential Mobile Home - Limited (URM-L) Zoning Districts." The interpretation states "Recreation vehicles may be treated as mobile homes and be considered permanent structures if they are tied down and elevated to meet FEMA requirements. Size has no bearing on whether a recreation vehicle may be treated as a permanent dwelling."

  Firstly, the interpretation does not state that RVs may be considered *permanent residential units*, only *permanent structures*. Secondly, the interpretation is intended to assist in the *permitting* of RVs. The 2007 determination provided no documentation supporting that the RVs were permitted in accordance with the interpretation. Thirdly, there is no documentation on file supporting that the 'permanent' RVs recognized in the 2007 determination were tied down or elevated as required by the interpretation. Photographs on file indicate that most of the RVs are not elevated. Fourthly, the 'permanent' RVs have been recognized as RVs, not mobile homes, in county and state documentation up to 2006. There are not any building permits on file permitting the RVs to be made permanent in nature. Fifthly, a large part of the

property is zoned IS. The interpretation only applied to properties zoned RV, URM and URM-L.

- The 2007 letter states that during the site inspection in 2006, which was the primary basis for the breakdown in the 2007 determination, staff observed 25 mobile homes. It should be noted that the Planning Department staff only observed the mobile homes and RVs from roadways and did not perform detailed inspections to ascertain whether or not each noted mobile home met codified and statutory definitions. In 1992, Joe Paskalik of the Building Department inspected the property and observed 125 RVs and 5 mobile homes. There are not any building permits on file for mobile homes between 1992 and 2007.

* * * * * * *

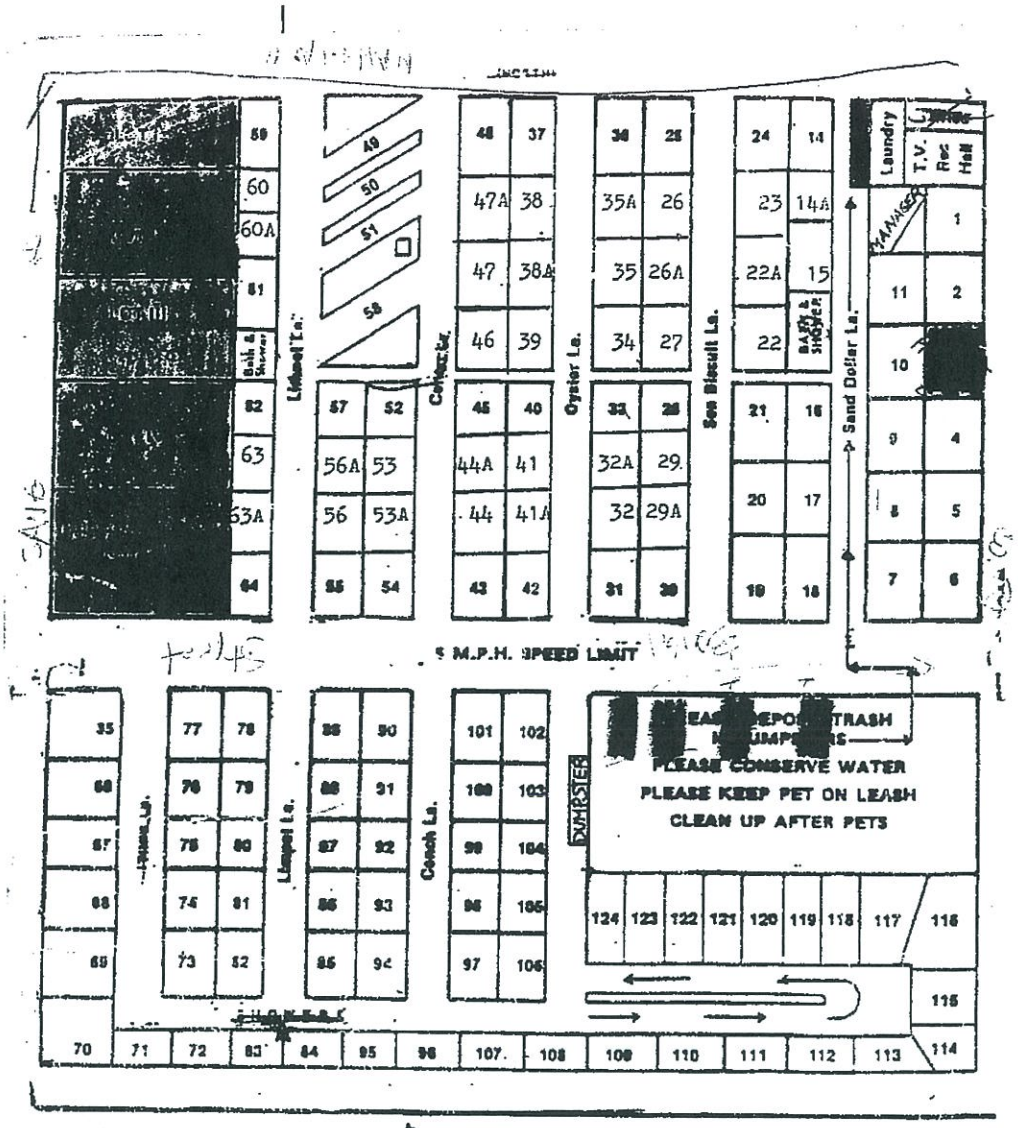
This letter replaces any previous decisions by the Monroe County Planning & Environmental Resources Department related to the number and type of ROGO exemptions on the property. Specifically, please consider the Letter of Development Rights Determination by Aref Joulani, (former) Senior Director of Planning & Environmental Resources, and dated March 6, 2007 null and void. This letter does not provide any vesting to existing regulations and the replacement dwelling units and any new accessory structures must be built in compliance with all applicable regulations of the Monroe County Code and Comprehensive Plan at the time of development approval. Furthermore, if the exempted development is not replaced, but substantially improved as defined in the Monroe County Code, such development must be brought into compliance with all applicable regulations.

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

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

Sincerely,

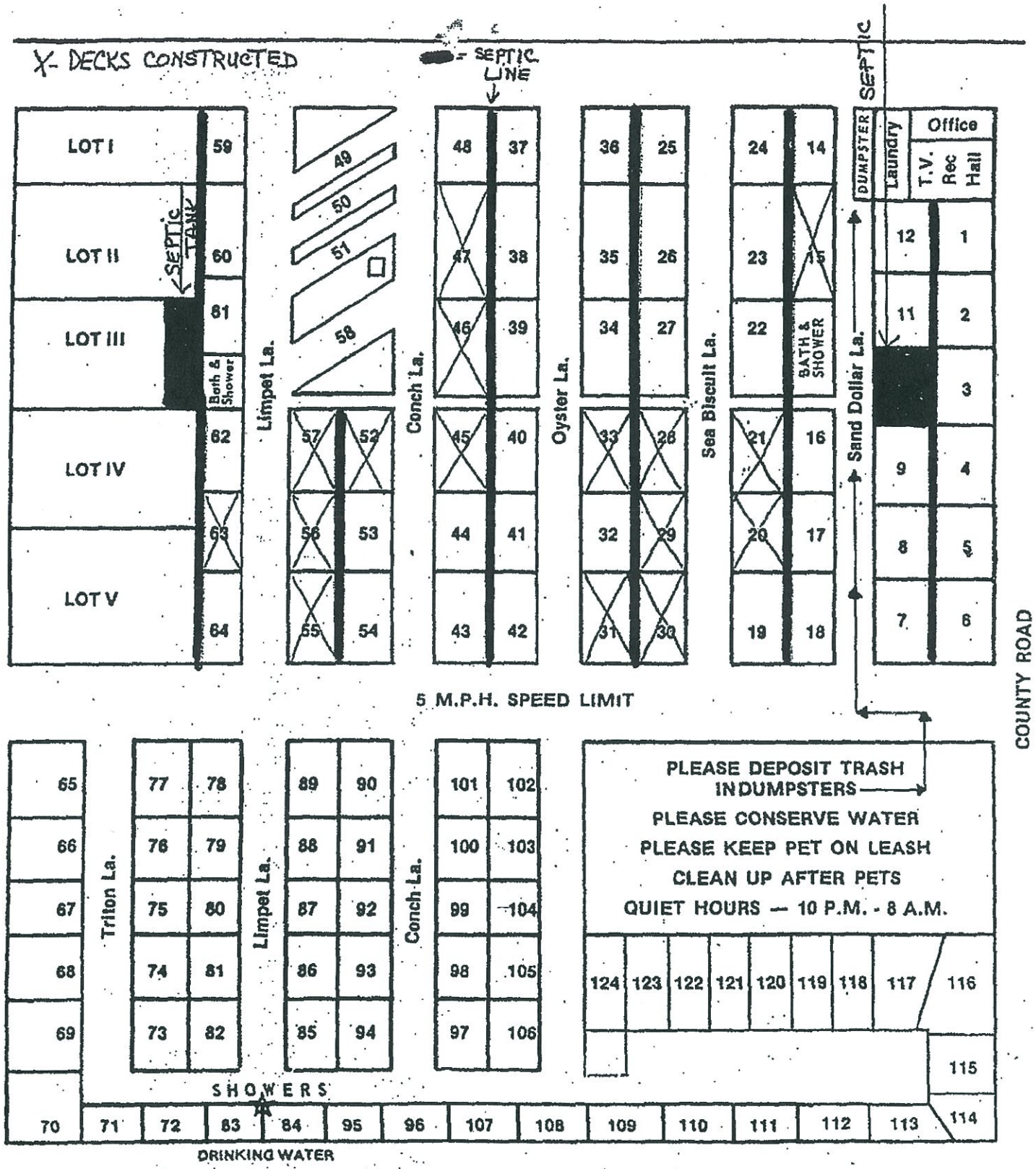
Townsley Schwab, Senior Director of Planning & Environmental Resources



SEA HORSE CAMPGROUND

Rt. 1, Box 533, Big Pine Key, FL 33043
Phone: (305) 872-2443

ATTACHMENT #1



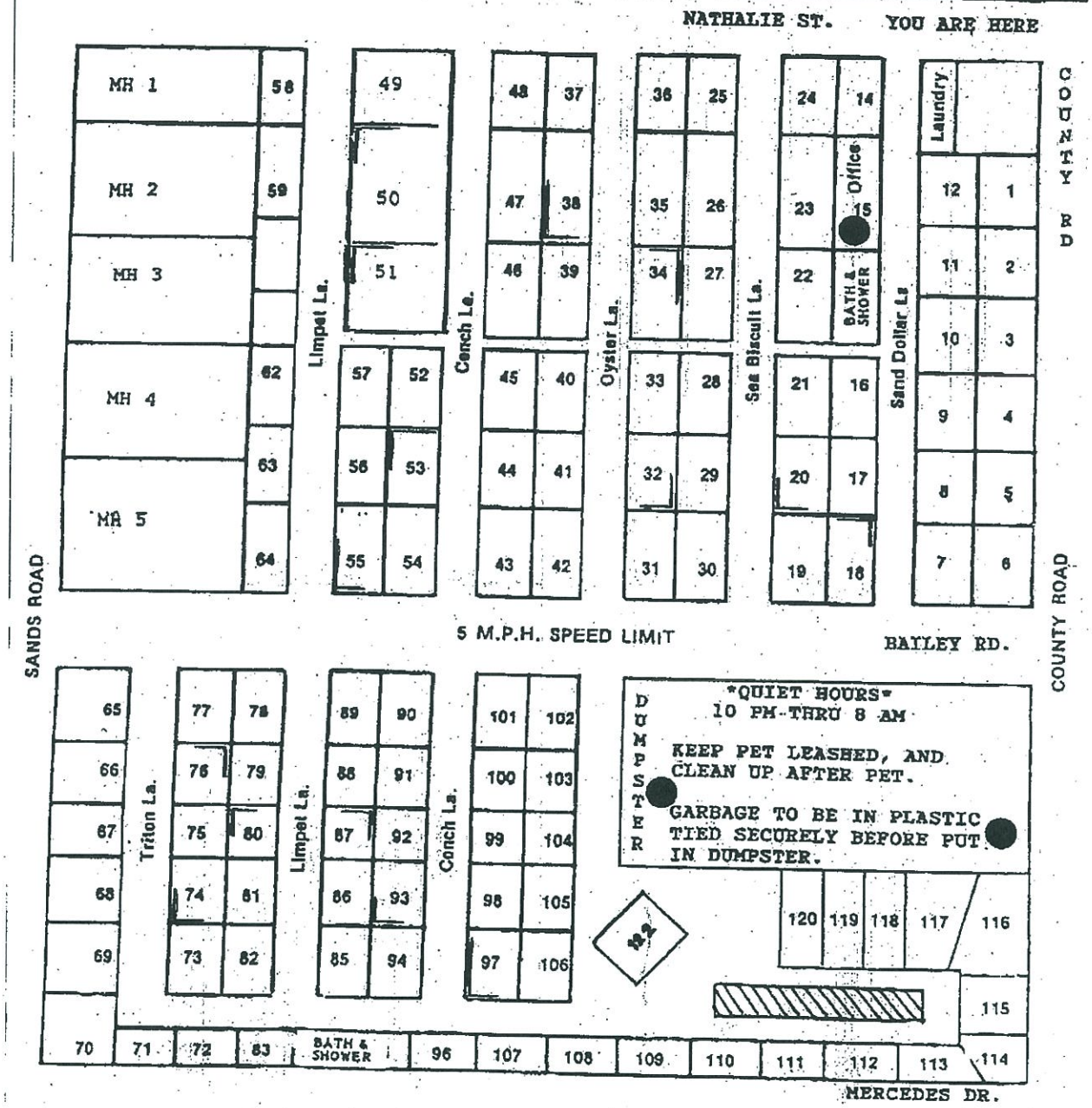
SEA HORSE CAMPGROUND

Rt. 1, Box 533, Big Pine Key, FL 33043
Phone: (305) 872-2443

ATTACHMENT #2

SEAHORSE RV PARK

201 COUNTY RD.
BIG PINE KEY, FL 33043
305/872-2443
MM 31-COUNTY RD.



ATTACHMENT #3

File #: **2016-113**

Owner's Name: Longstock II, LLC

Applicant: Longstock II, LLC

Agent: Barton W. Smith, Esq.

Type of Application: Minor - TRE

Key: Big Pine Key

RE: **Sender Site:**
00300090.000000, 00300180.000000
00300590.000000, 00300670.000000

Receiver Site:

Additional Information added to File 2016-113

MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED
AUG 25 2016
2016-113
MONROE CO. PLANNING DEPT

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.

FORM

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):

Name and Address	*% of Ownership*

- 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): LIMITED LIABILITY COMPANY

Name and Address	*% of Ownership*
Manager & Member- Donald A. Foss, Trustee of the Donald A. Foss Revocable	99%
Living Trust dated 1/26/1984	
Member- DAF Venture Corp.	1%

- 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*

- 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*

FORM

* 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: Barton W. Smith / _____

State of Florida, County of Monroe

The foregoing instrument was acknowledged before me this 24th day of August 2016 by Barton W. Smith. He/she is personally known to me or has produced _____ as identification.

TIFFANY NICOLE GARCIA
MY COMMISSION # FF 033623
EXPIRES: July 7, 2017
Bonded Thru Notary Public Underwriters

_____
Notary Public
My Commission Expires

ALTA / ACSM LAND TITLE SURVEY OF:

SEAHORSE RV PARK

SECTION 26, TOWNSHIP 66 SOUTH, RANGE 29 EAST, BIG PINE KEY, MONROE COUNTY, FLORIDA

30 0 30 60

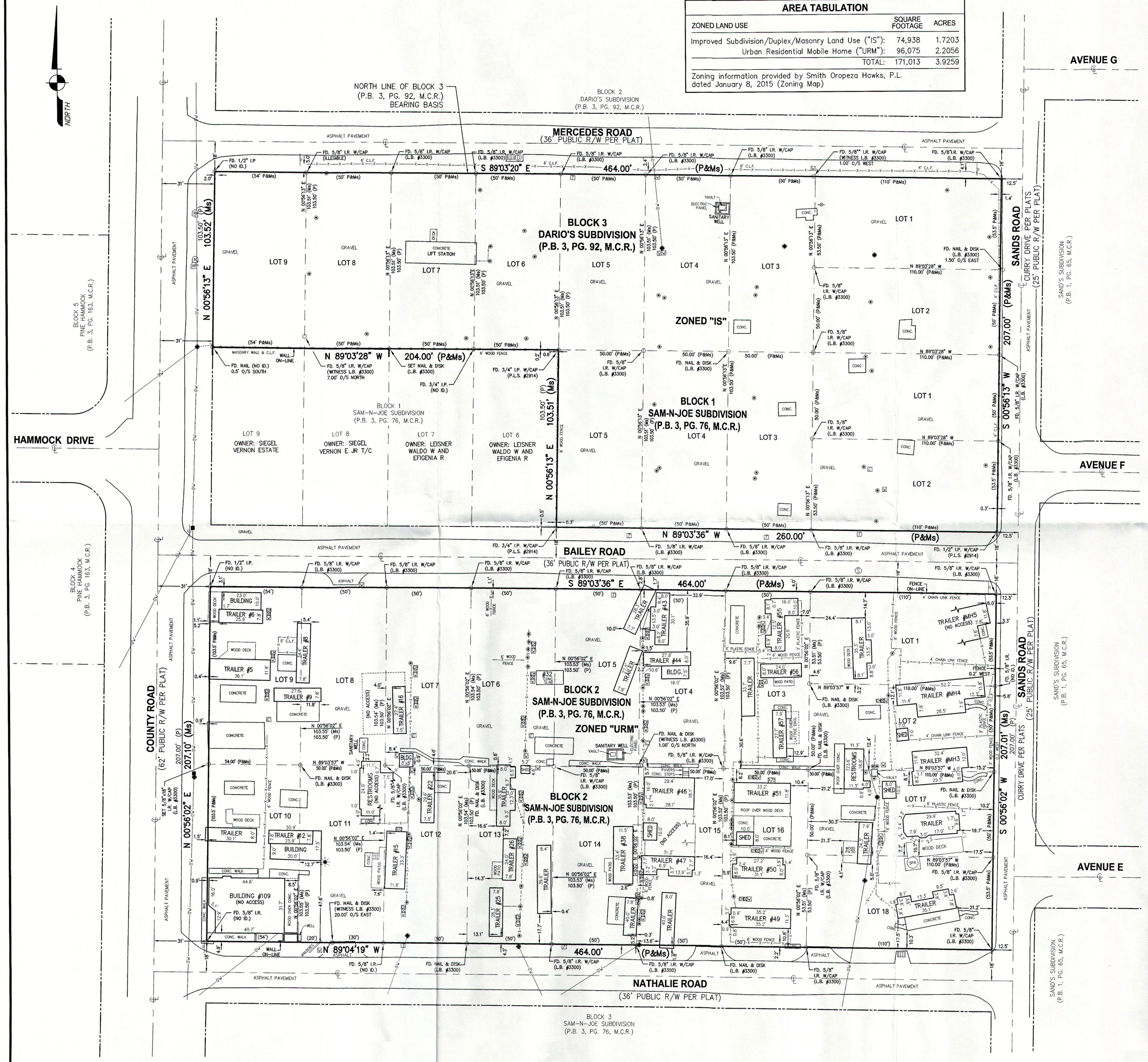
GRAPHIC SCALE IN FEET
1" = 30'

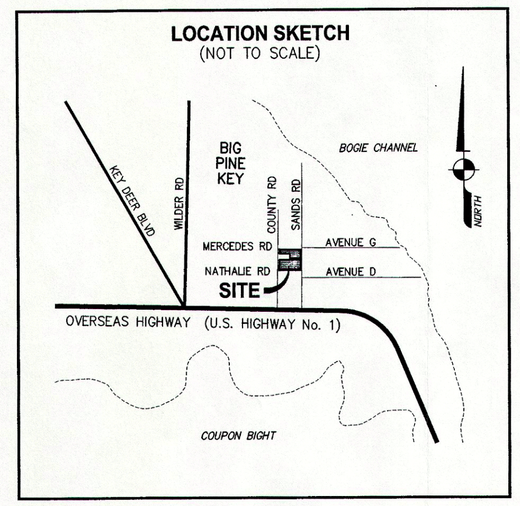
NORTH

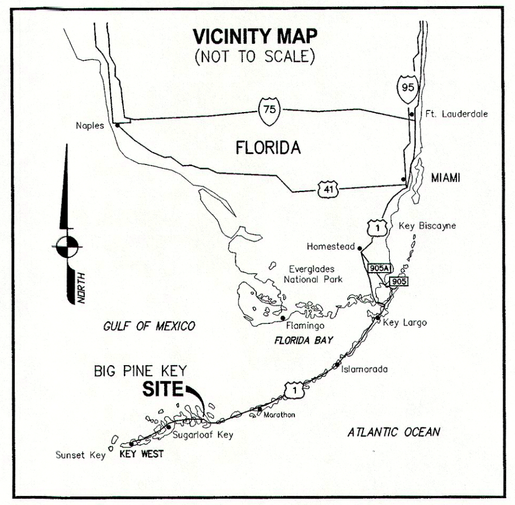
AREA TABULATION

ZONED LAND USE	SQUARE FOOTAGE	ACRES
Improved Subdivision/Duplex/Masonry Land Use ("IS"):	74,938	1.7203
Urban Residential Mobile Home ("URM"):	96,075	2.2056
TOTAL:	171,013	3.9259

Zoning information provided by Smith Oropeza Hawks, P.L. dated January 8, 2015 (Zoning Map)







SYMBOL LEGEND:

- CABLE TELEVISION RISER
- CATCH BASIN
- DRAINAGE MANHOLE
- ELECTRIC METER
- IRRIGATION CONTROL VALVE
- MAILBOX
- OVERHEAD WIRES
- SANITARY CLEANOUT
- SANITARY LINE (ABOVE GROUND)
- SANITARY MANHOLE
- TELEPHONE RISER
- UTILITIES HOOK-UP COLUMN
- WOOD LIGHT POLE
- WOOD UTILITY POLE
- WATER METER

SUMMARY TABLE FOR:

SCHEDULE B-II EXCEPTIONS
TITLE COMMITMENT NO. 5011612-1062-3477270
(SEE SURVEYOR'S REPORT #2)

EXCEPTION NUMBER AND RECORDING INFORMATION	AFFECTS SUBJECT PROPERTY	DOCUMENT TYPE & AFFECTED AREA
No. 12 O.R.B. 668 / 43	Yes	State Law (all of subject property)
No. 13 O.R.B. 1136 / 218	Yes	Water Restrictions (all of subject property)
No. 15 O.R.B. 2588 / 683	Yes	Wastewater Resolution (all of subject property)
No. 16 O.R.B. 2762 / 754	Yes	Development Order (all of subject property)
O.R.B. 2762 / 759	Yes	Development Order (all of subject property)

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. The property shown hereon is subject to agreements, covenants, easements, restrictions and other matters contained in the Title Commitment issued by First American Title Insurance Company, Title Commitment No. 5011612–1062–3477270, effective date November 30, 2015 @ 8:00 AM, as prepared by Smith Oropeza Hawks, P.L.. Where applicable, these instruments are shown on the survey (see SUMMARY TABLE). Avirom & Associates, Inc. did not research the public records for easements, rights–of–way, ownership or other instruments of record.
3. The land description shown hereon is in accord with the Title Commitment.
4. No underground improvements were located.
5. Bearings shown hereon are assumed based on the north line of Block 3, DARIO'S SUBDIVISION having a bearing of S 89°03'20" E.
6. The entire property described hereon lies within Flood Zone AE (EL 8), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Community Panel No. 125129 1336 K, dated February 18, 2005.
7. 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.
8. This map is intended to be displayed at a scale of 1"=30' (1:360).
9. 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'.
10. There are no paved areas on the subject property.
11. There is no striping designating parking on the subject property.
12. There are no evidence of bodies of water on the subject property and the adjacent property.
13. The Surveyor observed evidence of current earth moving work with the site being used to store temporary fill for the installation of sanitary sewer lines within the right–of–way. There are no building construction or building additions observed on site.
14. The Surveyor has no knowledge of changes in right–of–way lines but there is observed evidence of recent street construction of the installation of sanitary sewer lines within the right–of–way.
15. There is no evidence of the site being used as a solid waste dump, sump or sanitary landfill.
16. Adjacent property owner information shown heron was obtained from the Monroe County Property Appraiser's website
17. Abbreviation Legend: A/C = Air conditioner; BLDG. = Building; ℄ = Centerline; C.L.F. = Chain link Fence; CONC. = Concrete; ACSM = American Congress on Surveying and Mapping; ALTA = American Land Title Association; ELEC. = Electric; F.B. = Field Book; FD. = Found; ID. = Identification; I.P. = Iron Pipe; I.R. = Iron Rod; L.B. = Licensed Business; M.C.R. = Monroe County Records; NSPS = National Society of Professional Surveyors; O/S = Offset; OW = Overhead Wires; P = Per Record Plat; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; R/W = Right–of–Way; W/CAP = With Surveyors Cap.

RECEIVED
AUG 25 2016
2016-113
MONROE CO. PLANNING DEPT

LAND DESCRIPTION:

Parcel 2:

Lots 1, 2, 3, 4 and 5, Block 1; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, of SAM–N–JOE SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, at Page 76, of the Public Records of Monroe County, Florida.

And

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, of DARIO'S SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, at Page 92, of the Public Records of Monroe County, Florida.

Said lands lying and situate in Big Pine Key, Monroe County, Florida, containing 171,013 square feet (3.9259 acres), more or less.

CERTIFICATION:

To: Smith Oropeza Hawks, P.L.; Longstock II, LLC, a Florida limited liability company; First American Title Insurance Company; Branch Banking and Trust Company, a North Carolina banking corporation, its successors and/or assigns as their interests may appear.

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 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11(a), 13, 14, 16, 17 and 18 of Table A thereof. The field work was completed on April 29, 2015. I FURTHER CERTIFY that this Boundary Survey meets the Standards of Practice set forth in Chapter 5J–17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date of Map: 12-18-2015

KEITH M. CHEE-A-TOW, P.L.S.
Florida Registration No. 5328
AVIROM & ASSOCIATES, INC.
L.B. No. 3300
EMAIL: keith@aviromsurvey.com

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL (561) 394-7500 FAX (561) 394-7125
WWW.AVIROMSURVEY.COM

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DATE	F.B. / PG.	BY	CK'D	REVISIONS
01/16/2014	1620 / 42-78	S.A.M.	K.M.C.	TITLE COMMITMENT RECEIVED; ZONING
12/18/2015	1675 / 55	S.A.M.	K.M.C.	FIELD UPDATE BOUNDARY, REVISE PER TITLE COMM.
12/18/2015	NONE	S.A.M.	K.M.C.	UPDATE TO ALTA/ACSM STANDARDS

ALTA / ACSM LAND TITLE SURVEY
Lots 1–5, Block 1 and Lots 1–18, Block 2 / Lots 1–9, Block 3
SAM-N-JOE SUBDIVISION and DARIO'S SUBDIVISION
(P.B. 3, PG. 76 and P.B. 3, PG. 92 M.C.R.)
BIG PINE KEY
MONROE COUNTY, FLORIDA

SCALE:	1" = 30'
DATE:	01/16/2014
BY:	S.A.M.
CHECKED:	K.M.C.
F.B.	1620 PG. 42 - 78
SHEET:	1 OF 1
JOB #:	9524

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: 7.14.16
Time: _____

Dear Applicant:

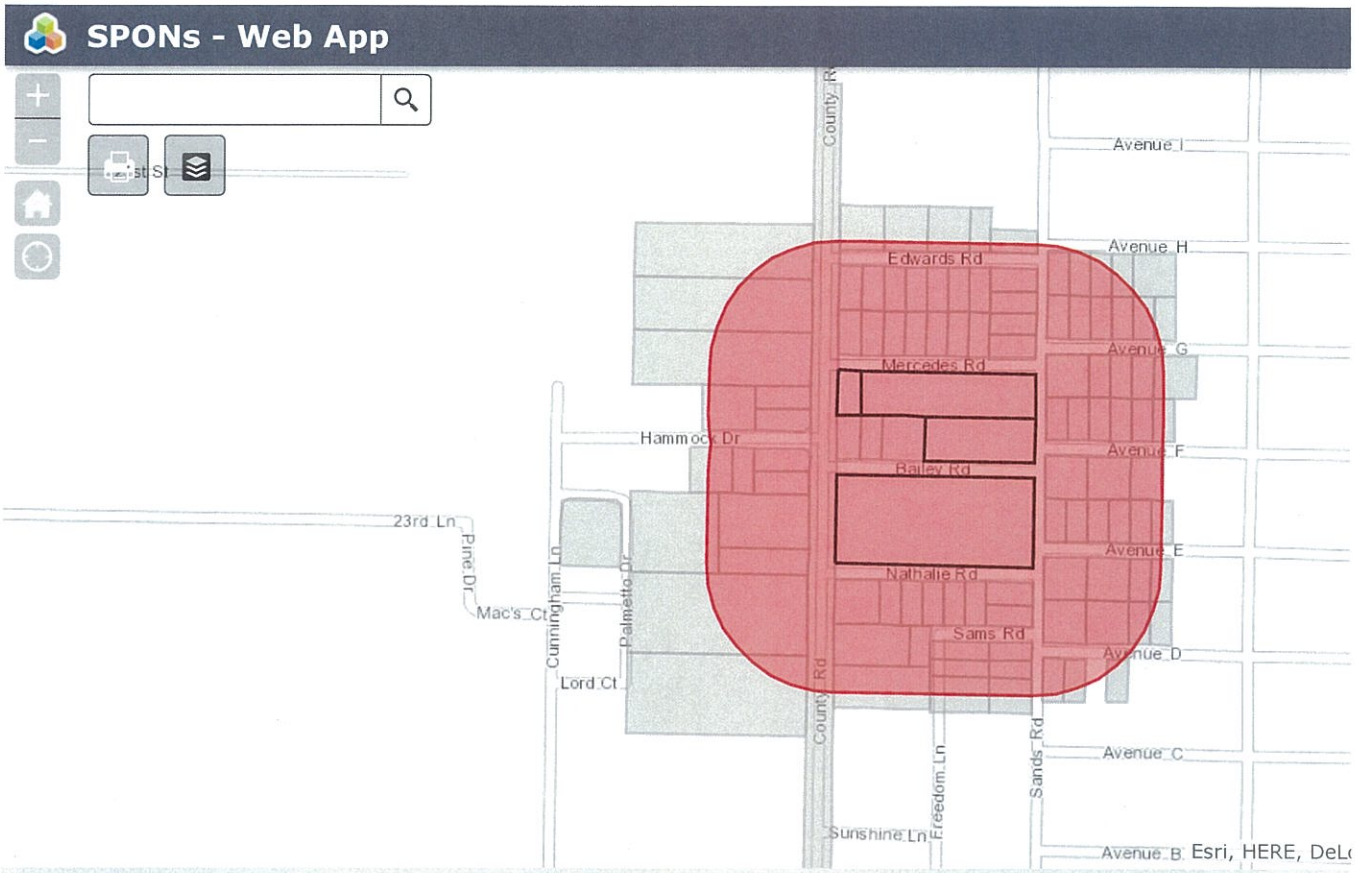
This is to acknowledge submittal of your application for Minor - TRE
Type of application

Longstock II, LLC to the Monroe County Planning Department.
Project / Name

Thank you.

Gail Creech

Planning Staff



Verified GC

400ft

24.673 -81.349 Degrees

AMBLARD YANIC ROSE-MARIE
280 SANDS RD
BIG PINE KEY, FL 33043-4569

BAGINSKI BETTEANN
1472 LONG BEACH DR
BIG PINE KEY, FL 33043-3504

BALTUFF BRADLEY D
PO BOX 431470
BIG PINE KEY, FL 33043-1470

BARROWS ROBERT
30894 HAMMOCK DR
BIG PINE KEY, FL 33043-4821

BEIS JOHN A AND CASEY D
1014 MONTCLAIR DR
POPLAR BLUFF, MO 63901-2139

BIG PINE CHRISTIAN CENTER INC
100 COUNTY RD
BIG PINE KEY, FL 33043-4823

BLAIR REA
185 COUNTY RD
BIG PINE KEY, FL 33043-4808

CAMPBELL DIANE
17570 KENTARA WAY
FORT MYERS, FL 33913-7422

CARNAHAN JOHN A
16294 JANINE DR
WHITTIER, CA 90603-1530

CASEY MINORI
31049 AVE F
BIG PINE KEY, FL 33043

CHRISTENSON RICHARD M
175 FREEDOM LN
BIG PINE KEY, FL 33043

COFFMAN ROBERT A AND MARGARETE
16544 SPIELMAN RD
WILLIAMSPORT, MD 21795-4111

COPPOLA MICHAEL C JR
PO BOX 430437
BIG PINE KEY, FL 33043-0437

COUNTY OF MONROE
500 WHITEHEAD ST
KEY WEST, FL 33040
email

COURSEN LANE
30886 HAMMOCK DR
BIG PINE KEY, FL 33043-4821

CRABB GERALDINE RAE
31052 AVENUE H
BIG PINE KEY, FL 33043-4643

DEMAURO ROBERT T/C
17195 KINGFISH LN W
SUGARLOAF KEY, FL 33042

DETWEILER PATRICIA M
915 N SUMMIT ST
IOWA CITY, IA 52245-5936

DILLON GARY
30477 COCONUT HWY
BIG PINE KEY, FL 33043-4726

DOT/ST. OF FL
TALLAHASSEE, FL 32399

DUNWELL JOYCE ANN
31024 AVE F
BIG PINE KEY, FL 33043

DZURNAK JOHN
31059 AVENUE G
BIG PINE KEY, FL 33043

★ FORD DUSTIN S
31012 AVENUE D
BIG PINE KEY, FL 33043-4524

FRIIS-PETTITT DEBRA AND GORDON I
284 COUNTY RD
BIG PINE KEY, FL 33043-4817

GRUHN MILTON D
2718 FRANK ST
LANSING, MI 48911-6403

HASKINS THOMAS J
17088 FLYING FISH LN
SUGARLOAF KEY, FL 33042

HEATON RICKY D
PO BOX 604
KETCHUM, OK 74349-0604

HEEKE BERNARD ALLEN
406 IRIS ST
KISSIMMEE, FL 34747-4623

HERBST JACQUELINE
10511 SW 108TH AVE APT F183
MIAMI, FL 33176-8147

Labels GC 1 of 3

★ = not on applicant list

HERNANDEZ JOSE M ARGUELLES
30925 MERCEDES RD
BIG PINE KEY, FL 33043-4812

HOWARTH WALTER A AND SUSAN
30858 PALM DR
BIG PINE KEY, FL 33043-4622

JENSEN STACEY S
31040 AVE F
BIG PINE KEY, FL 33043

KNIGHT TIMOTHY M JR
31019 AVENUE G
BIG PINE KEY, FL 33043-4559

KOLTES ELOISE
6500 ASBURY RD
ASBURY, IA 52002-2345

KUHN DENNIS P AND KIMBERLY
62 CUTTHROAT DR
SUMMERLAND KEY, FL 33042

LADD ANNE MARIE
PO BOX 13054
HAYWARD, WI 54843-3054

LAFFERTY CHARLES D
13130 PONDVIEW DR
SOUTH LYON, MI 48178-8703

LEGARE ROBERT
40 RUE MAURICE
ST REMI, QUEBEC J0L 2L0

LEISNER WALDO W AND EFIGENIA R
1716 CATHERINE ST
KEY WEST, FL 33040

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

LUKRYTZ WILLIAM L
PO BOX 430591
BIG PINE KEY, FL 33043-0591

MARTINEZ HECTOR
3941 NW 59TH AVE
VIRGINIA GARDENS, FL 33166-5739

MAURENE FREEDMAN HOLDINGS LLC
2612 ARNOLD ST
SARASOTA, FL 34231-2900

MCALEAR LARRY M
252 SANDS RD
BIG PINE KEY, FL 33043

MCNALLEY PAUL M AND MEAGAN R
30928 NATHALIE RD
BIG PINE KEY, FL 33043-4809

MOORE WILLIAM C AND NONDUS C L/E
PO BOX 430549
BIG PINE KEY, FL 33043-0549

OROPEZA SCOTT
2 DRIFTWOOD DRIVE
KEY WEST, FL 33040

PALMER CHARLOTTE A
350 COUNTY RD
BIG PINE KEY, FL 33043

PEACOCK JEFFREY AND VILMA
8224 BERNARD DR N
MILLERSVILLE, MD 21108-1109

PEDRO FALCON ELECTRICAL
CONTRACTORS INC
31160 AVENUE C
BIG PINE KEY, FL 33043-4516

PEREZ MANUEL M
181 LOMA LN
BIG PINE KEY, FL 33043-3113

PHILLIPS AYDEN
31044 AVE H
BIG PINE KEY, FL 33043

PRICE THOMAS L AND MARY JANE
31041 AVE F
BIG PINE KEY, FL 33043

REECE ROBERT E AND JUDITH A
6720 W 126TH PL
LEAWOOD, KS 66209-3231

REID SEWARD K JR
138 SANDS RD
BIG PINE KEY, FL 33043-4570

RICHARD PIERRETTE
1063 ST PAUL
ANCUNNE LORETTE, QUEBEC G2E 1Y4

ROBERTS AMANDA M
30957 MERCEDES RD
BIG PINE KEY, FL 33043-4812

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

ROBERTS TODD S
PO BOX 432103
BIG PINE KEY, FL 33043-2103

ROSENTHAL BYRON
PO BOX 128
DOVER, OH 44622

ROYAL PALM R V PARK INC
163 CUNNINGHAM LN OFC 38
BIG PINE KEY, FL 33043-4842

RUSINIAK PATRICIA M
45 INDIAN RD
BUFFALO, NY 14227-1635

SCHINDLER ROSS
373 STIRRUP KEY BLVD
MARATHON, FL 33050

SCHULZ HENRY C AND DONNA M
1545 NEPTUNE AVE
BEACHWOOD, NJ 08722-4216

SIEGEL VERNON E JR T/C
30915 BAILEY RD
BIG PINE KEY, FL 33043-4811

SIEGEL VERNON ESTATE
30915 BAILEY RD
BIG PINE KEY, FL 33043-4811

SMITH PAUL HENRY
1892 NEW ELAM CHURCH RD
NEW HILL, NC 27562-8926

SNELL BILL AND LINDA LIVING TRUST
5/11/2012
3800 DONALD AVE
KEY WEST, FL 33040-4511

SOUTHERNMOST HOMES INC
3720 N ROOSEVELT BLVD
KEY WEST, FL 33040-4533

TAYLOR MICHAEL WAYNE
30933 MERCEDES RD
BIG PINE KEY, FL 33043-4812

THIEDE PETER P AND MILDRED C
210 COUNTY RD
BIG PINE KEY, FL 33043

TIITF
3900 COMMONWEALTH BLVD MAIL
STATION 115
TALLAHASSEE, FL 32399-3000

TIRADO ALVARO A AND TERESA E
4430 SW 97TH AVE
MIAMI, FL 33165-5865

TRAMMELL HARLAN MCKINNEY III
30926 EDWARD RD
BIG PINE KEY, FL 33043

TURNER CHRISTINA MILDRED
29119 HIBISCUS LN
BIG PINE KEY, FL 33043-6023

US FISH AND WILDLIFE SERVICE DEPT OF
REALTY
1875 CENTURY BLVD NE STE 420
ATLANTA, GA 30345-3390

VANMETER CHARLES N III AND PAMELA L
30918 EDWARD RD
BIG PINE KEY, FL 33043-4813

WAR PATH FAMILY FARM INC
PO BOX 53
NEW CASTLE, NH 03854-0053

WAR PATH FAMILY FARM INC
PO BOX 1570
HOPKINSVILLE, KY 42241-1570

WELLS FARGO BANK
500 S AUSTRALIAN AVE STE 730
WEST PALM BEACH, FL 33401-6237

WELLS FARGO BANK NATIONAL
ASSOCIATION
1661 WORTHINGTON RD
WEST PALM BEACH, FL 33409-6488

WILFONG JOYCE ELAINE
31028 AVENUE H
BIG PINE KEY, FL 33043-4643

WITTERSTAETER STEVE E AND ELLEN M
PO BOX 3854
OCALA, FL 34478-3854

End of Additional File 2016-113

APPLICATION

MONROE COUNTY

PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED

JUL 1 4 2016

MONROE CO. PLANNING DEPT

Request for a Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE)

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

Conditional Use, Transfer of ROGO Exemption Fee: $1,740.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed

Date of Application: 07/ 13 / 2016

Applicant/Agent Authorized to Act for Property Owner: (Agents must provide notarized authorization from all property owners.)

Longstock II, LLC, a Florida Limited Liability company c/o Smith Oropeza Hawks, P.L. — Barton W. Smith, Esq.
Applicant (Name of Person. Business or Organization) — Name of Person Submitting this .Application

138-142 Simonton Street, Key West, Florida 33040
Mailing Address (Street. City, State and Zip Code)

(305)-296-7227 — bart@smithoropeza.com
Work Phone — Home Phone — Cell Phone — Email Address

Sender Site Property Owner: (Business/Corp must include documents showing who has legal authority to sign.)

Longstock II LLC — Matthew Strunk
(Name/Entity) — Contact Person

7009 Shrimp Road, Suite 2, Key West, Florida 33040 Attention: Matthew Strunk
Mailing Address (Street, City, State and Zip Code)

305-292-2917
Work Phone — Home Phone — Cell Phone — Email Address

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

SEE LEGAL DESCRIPTION IN WARRANTY DEEDS
Block — Lot — Subdivision — Key

RE: 00300090-000000, 00300180-000000, 00300590-000000, and 00300670-000000 — AK: 1372196, 1372285, 1372684 and 1372765
Real Estate (RE) Number — Alternate Key Number

201 County Road/Bailey Road on Big Pine Key, Florida — MM 32
Street Address (Street, City, State, Zip Code) — Approximate Mile Marker

APPLICATION

Receiver Site Property Owner: **(Business/Corp must include documents showing who has legal authority to sign.)**

TBD

(Name/Entity) Contact Person

Mailing Address (Street, City, State and Zip Code)

Work Phone Home Phone Cell Phone Email Address

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

TBD

Block Lot Subdivision Key

Real Estate (RE) Number Alternate Key Number

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

Sender Site Future Land Use Map Designation: Northern Half –Residential Medium (RM) and Southern Half—Residential High(RH)

Receiver Future Land Use Map Designation: TBD

Sender Site Land Use District Designation: Northern half of Sender Site- Improved Subdivision (IS) Southern half of Sender Site- Urban Residential Mobile Home (URM)

Receiver Site Land Use District Designation: TBD

Sender Site Existing Land Use: Northern Half of Sender Site-Residential Medium (RM) Southern Half of Sender Site-Residential High (RH)

Receiver Site Existing Land Use: TBD

Sender Site Tier Designation: Tier III

Receiver Site Tier Designation: TBD

Number of dwelling units lawfully established on Sender Site: 25+5 (MR)

Number of dwelling units to be transferred from Sender Site: 25

Number of dwelling units to be transferred to Receiver Site: 25 when determined

Date of pre-application conference regarding the transfer of units: TBD

Has a previous TRE application been submitted for this site within the past two years? ■ Yes ☐ No

APPLICATION

All of the following items must be included in order to have a complete application submission:
(Please check the box as each required item is attached to the application.)

- [x] Complete application (unaltered and unbound)
- [x] Correct fee (check or money order payable to *Monroe County Planning & Environmental Resources)*
- [x] Proof of ownership for sender & receiver (i.e., Warranty Deed)
- [x] Current Property Record Cards from the Monroe County Property Appraiser for sender and receiver sites*
- [x] Location map of sender & receiver sites*
- [x] Photographs of sender & receiver sites from adjacent roadway(s)*
- [ ] Signed and Sealed Boundary Survey of sender and receiver sites*, prepared by a Florida registered surveyor –two (2) sets each (at a minimum survey should include elevations, location and dimensions of all existing structures, paved areas and utility structures, all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat) **PREVIOUSLY PROVIDED**
- [x] Typed name and address mailing labels of all property owners within a 300-foot radius of the sender & receiver sites*. 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. **AS PREVIOUSLY REQUESTED, LIST OF NAMES AND ADDRESSES HAS BEEN PROVIDED; NOT MAILING LABELS**

If applicable, the following items must be included in order to have a complete application submission:
(Please check the box as each required item is attached to the application.)

- [x] Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the sender site and receiver site properties) **SENDER SITE AUTHORIZATION ENCLOSED**
- [ ] Any Letters of Development Rights Determination pertaining to the sender or receiver sites **SEE LETTER**
- [ ] Any Letters of Understanding pertaining to the proposed transfer **N/A**
- [ ] Disclosure of Interest Forms for the sender and receiver sites **PREVIOUSLY PROVIDED**

Is there any pending code enforcement proceeding involving all or a portion of the sender or receiver site parcels?

☐ Yes ☒ No Code Case file # _ _ _ _ _ _ _ _ _ _ Describe the enforcement proceedings and if this application is being submitted to correct the violation:_____

_____

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

If for any reason the minor conditional use permit application requires review and consideration by the Monroe County Planning Commission, additional fees, mailing labels and copies of plans shall be required prior to item being scheduled for commission review.

***Receiver Site information to be provided when specific location chosen**

APPLICATION

The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

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

Signature of Applicant: _____ **Date:** 7/13/16

STATE OF Florida

COUNTY OF Monroe

Sworn to and subscribed before me this 13th day of July, 2016

By Barton W. Smith., who is personally known to me OR produced
(PRINT NAME OF PERSON MAKING STATEMENT)

as identification.

(TYPE OF ID PRODUCED)

Signature of Notary Public, State of Florida

TIFFANY NICOLE GARCIA
MY COMMISSION # FF 033623
EXPIRES: July 7, 2017
Bonded Thru Notary Public Underwriters

Tiffany Garcia
Print, Type or Stamp Commissioned Name of Notary Public
My commission expires:

Send complete application package to:

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

June 9, 2014

I hereby authorize Barton W. Smith, Esq. be listed as authorized agent
(Name of Agent)

for Longstock II, LLC for the application submittal for
(Name of Property Owner(s) the Applicant(s))

Lots 1, 2, 3, 4 and 5, Block 1; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2; of SAM-N-JOE SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, Page 76, of the Public Records of Monroe County, Florida.

and

Lots, 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, of DARIO'S SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, Page 92, of the Public Records of Monroe County, Florida.
Key (island): Big Pine Key

and Real Estate number: 00300090-000000, 00300180-000000, 00300590-000000, 00300670-000000.

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

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility (thus holding Monroe County harmless) for any and all of the actions of the agent named, related to the acquisition of approvals/permits for the aforementioned applicant.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

Matthew Strunk, Manager

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 8th **day of** June, **20** 14.

Matthew Strunk **is** _____ **personally known** _____ **produced identification**

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

Notary

MARIE CERULLI
NOTARY PUBLIC, State of New York
No. 01CE5015137
Qualified in Nassau County
Commission Expires July 12, 2015

SMITH | OROPEZA | HAWKS
ATTORNEYS AT LAW

RECEIVED
JUL 1 4 2016
MONROE CO. PLANNING DEPT

Barton W. Smith, Esq.
Tel: 305-296-7227
Fax: 305-296-8448
bart@smithoropeza.com

July 13, 2016

VIA FEDEX:

Ms. Mayte Santamaria
Monroe County Planning & Environmental Resources Department
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Longstock II, LLC's Application for Minor Conditional Use Permit

Dear Mayte,

Please allow this letter to clarify, and serve as additional support for the Longstock II, LLC, a Florida limited liability company ("Longstock") application for Request for Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE) ("Application") for the transfer of twenty-five (25) Transferrable Rate of Growth Ordinance Exemptions ("TREs") from the sender site owned by Longstock to a receiver site to be determined at a later date. In connection with the Application, I have enclosed a check in amount of $2,237.00 to Monroe County Planning & Environmental Resources. I have also enclosed a copy package of the Application and this letter, and I request that you please date stamp said copy package and return in the enclosed self-addressed FedEx envelope.

This application seeks to remove a total of twenty-five (25) transient TREs from Longstock's property located at 201 County Road/Bailey Road on Big Pine Key, Florida mile marker 32 ("Sender Property") to transfer to an eligible receiver site in the future. The legal description for the Sender Property is found within the deed to Longstock, attached to the Application at Tab 1. The Sender Property is identified by the Monroe County Property Appraiser as real estate numbers: 00300090-000000, 00300180-000000, 00300590-000000, and 00300670-000000. Historically and currently, the Sender Property was and is used as a RV and mobile home park. The Sender Property is located within an Improved Subdivision ("IS") Land Use (Zoning) District for the Northern half and Urban Residential Mobile Home ("URM") for the Southern half of the Sender Property Land Use (Zoning) District. Consistent with its Zoning Maps, the Northern half of the Sender Property is within the Residential Medium (RM) Future Land Use Map (FLUM) category and the Southern Half of the Sender Property is within the Residential High (RH) Future Land Use Map (FLUM). The Sender Property is designated as Tier III on the Tier Overlay Map. A copy of the September 29, 2014 Letter of Development

Rights Determination ("LDRD"), stating that the Sender Property is entitled to one hundred twenty-five (125) TRE ROGO exemptions, is attached to this letter as Exhibit A.

As you know, Longstock previously transferred one hundred (100) TREs pursuant to Development Order No. 03-15, attached as Exhibit B and now seeks to remove the remaining twenty-five (25) TREs, for transfer to an eligible receiver site to be determined.

Thank you for your consideration of the Application and attached documents. Please contact me with any questions.

Very Truly Yours,

Barton W. Smith, Esq.

EXHIBIT A

County of Monroe
Growth Management Division

Planning & Environmental Resources Department
2798 Overseas Highway, Suite 410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536

Board of County Commissioners
Mayor 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

September 29, 2014

Smith | Oropeza, P.L.
Attn: Barton W. Smith, Esq.
138-142 Simonton Street
Key West, FL 33040

RE: LETTER OF DEVELOPMENT RIGHTS DETERMINATION FOR SEAHORSE RV PARK, BIG PINE KEY, ON PROPERTY CURRENTLY HAVING REAL ESTATE NUMBERS 00300090.000000, 00300180.000000, 00300590.000000 AND 00300670.000000

Mr. Smith

This letter is in response to your request for a determination as to the number of dwelling units that were lawfully established and thereby exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system on the above-described premises.

Background Information:

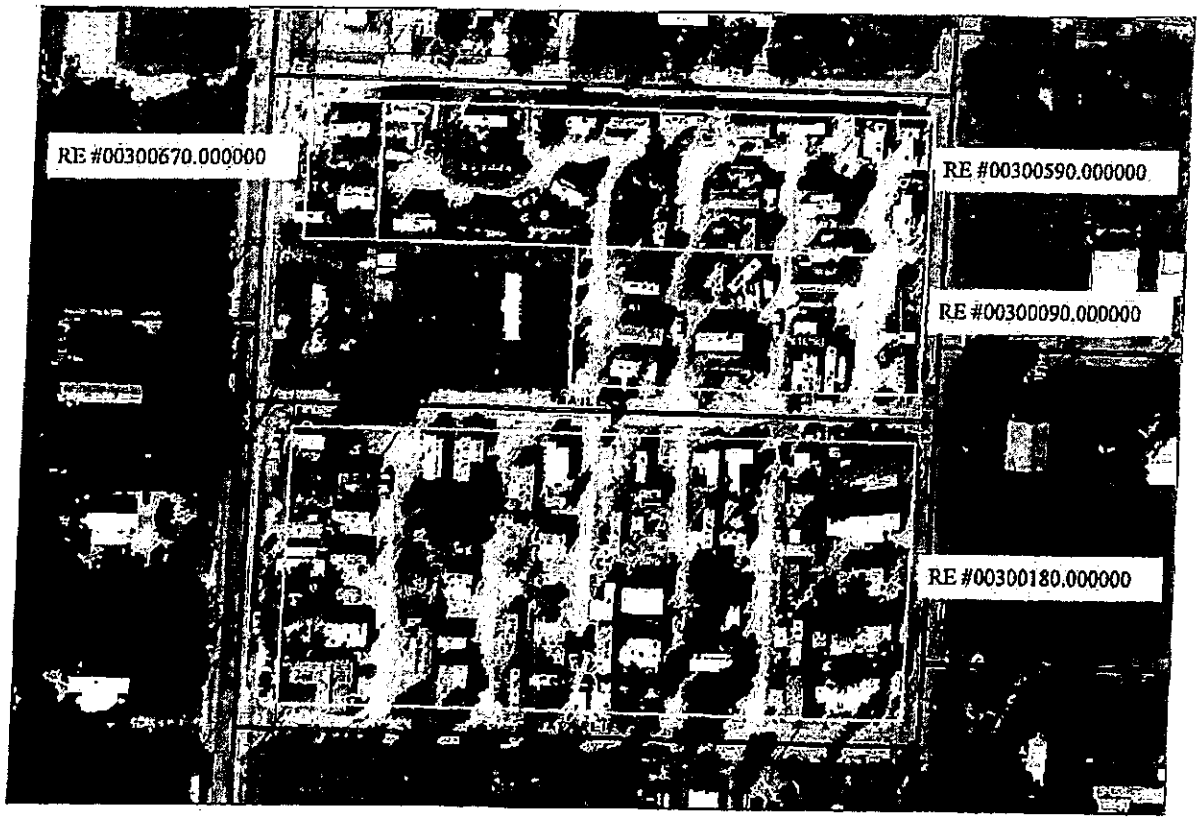
The property is comprised of four parcels of land, currently assessed under real estate (RE) #00300090.000000, #00300180.000000, #00300590.000000 and #00300670.000000. The parcel identified as RE #00300090.000000 is legally described as Block 1, Lots 1 through 5, Sam-N-Joe Subdivision (Plat Book 3, Page 76), Big Pine Key. The parcel identified as RE #00300180.000000 is legally described as Block 2, Lots 1 through 18, Sam-N-Joe Subdivision (Plat Book 3, Page 76), Big Pine Key. The parcel identified as RE #00300590.000000 is legally described as Block 3, Lots 1 through 8, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key. The parcel identified as RE #00300670.000000 is legally described as Block 3, Lot 9, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key.

Note: 13 former RE #'s associated with property were retired and aggregated with the existing RE #'s in 1985. RE #00300100.000000, RE #00300110.000000, RE #00300120.000000 and RE #00300130.000000 were combined with RE #00300090.000000. RE #00300190.000000 and RE #00300200.000000 were combined with RE #00300180.000000. RE #00300600.000000, RE #00300610.000000, RE #00300620.000000, RE #00300630.000000, RE #00300640.000000, RE #00300650.000000 and RE #00300660.000000 were combined with RE #00300590.000000.

The property is located on Big Pine Key, at approximate mile marker 30 on the Gulf of Mexico side of US 1. It is bordered to the north by Mercedes Road, to the east by Sands Road, to the south by Nathalie Road and to the west by County Road. It is intersected by Bailey Road. The existing development consists of mobile homes and RV spaces and is commonly known as Seahorse RV Park (also known as Seahorse Campground and Seahorse Trailer Park). It has a physical address of 201 County Road.

Note: Three parcels located at the northeast corner of the County Road/Bailey Road intersection (legally described as Block 1, Lots 6 through 9, Sam-N-Joe) are not part of the subject property.

The following aerial photograph shows the boundaries of the property and the immediate area:



Subject Property (Aerial dated 2012)

The property is located partially within an Improved Subdivision (IS) Land Use (Zoning) District (RE #00300090.000000, 00300590.000000 and #00300670.000000) and partially within an Urban Residential Mobile Home (URM) Land Use (Zoning) District (RE #00300180.000000) on the Land Use District Map. Consistent with the boundaries of the IS and URM districts, the property is partially designated within the Residential Medium (RM) category (RE #00300090.000000, 00300590.000000 and #00300670.000000) and partially designated within the Residential High (RH) category (RE #00300180.000000) on the Future Land Use Map (FLUM). The entire property is designated as Tier I on the Tier Overlay Map.

An undated site map of the development was provided by 'Seahorse Campground' to Planning Department staff to use for the county's 1988 mobile home and RV study (attachment 1). The site map shows the development as having 142 numbered lots/spaces, identified as lots I-V (aka Lots 1-5); spaces 1-11, 14, 14A, 15-22, 22A, 23-26, 26A, 27-29, 29A, 30-32, 32A, 33-35, 35A, 36-38, 38A, 39-41, 41A, 42-44, 44A, 45-47, 47A, 48-53, 53A, 54-56, 56A, 57-60, 60A, 61-63, 63A and 64-124; and a manager's space (aka 12). Please note that the compass orientation of the site map has south to the top (reversed from standard north to the top).

A second undated site map of 'Seahorse Campground' and a consistent site plan (dated 1991) of the development was included in building permit applications in 1991: #911-2298, #911-2299 and #911-2381 (attachment 2). The site map/site plan show the development as having 127 numbered lots/spaces, identified as lots I-V (aka Lots 1-5); spaces 1-9, 11-12, 14-72 and 85-124; and showers (aka lots 83 and 84). Please note that the compass orientation of the site map has south to the top.

A third undated site map of 'Seahorse RV Park' was included in a building permit application in 2003: #031-5414 (attachment 3). The site map shows the development as having 121 numbered lots/spaces, identified as 'MH' lots 1-5; spaces 1-12, 14, 16-59, 62-83, 85-94, 96-120 and 122; an office (aka 15); and showers (aka lots 84 and 95). Please note that the compass orientation of the site map has south to the top.

Residential Dwelling Units:

As defined in Monroe County Code (MCC) §101-1:

> *Dwelling unit* means one (1) or more rooms physically arranged to create a housekeeping establishment for occupancy by one (1) family with separate toilet facilities.
>
> *Permanent residential unit* means a dwelling unit that is designed for, and capable of, serving as a residence for a full housekeeping unit which includes a kitchen composed of at least a refrigerator and stove.
>
> *Transient residential unit* means a dwelling unit used for transient housing such as hotel or motel room, seasonal residential unit, or space for parking a recreational vehicle or travel trailer.

Based on the aforementioned definitions, a mobile home is a type of permanent residential unit and a recreational vehicle (RV) is a type of transient residential unit.

Pursuant to MCC §138-22(1), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit that does not increase the number of residential dwelling units above that which existed on the site prior to the redevelopment, rehabilitation or replacement. Therefore, owners of land containing residential dwelling units shall be entitled to one unit for each such unit lawfully-established. The planning director shall review available documents to determine if a body of evidence exists to support the

existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the following documents supporting the lawful existence of the residential dwelling unit or space must be found:

Any issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about July 13, 1992:

The following issued building permits are on file in the Building Department's records (with lot/space numbers based on the site map provided in attachment 3):

Permit #	*Year Issued*	*Description*
RE #00300090.000000 (Central parcel, north of Bailey Road) / Block 1, Lots 1-5, Sam-N-Joe		
A-5670	1979	Trailer tie down (MH lot 1) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
A-5741	1979	Trailer tie down (lot/space # not provided)
A-6270	1980	Cabana room - attached to 'trailer' / 'mobile home' (MH lot 1) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
A-6632	1980	Trailer tie down (space 6) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
901-1333	1990	Sewage treatment plant [Based on the site map, this permit should also be filed under RE #00300180.000000, RE #00300590.000000 and RE #00300670.000000]
911-2287	1991	Demolition – trailer tie downs and blocking (spaces 89 and 101)
911-2298	1991	'RV trailer' replacement (space 101) [Based on the site plan, the RV would also be located partially on space 102]
911-2299	1991	'RV trailer' replacement (space 89) [Based on the site plan, the RV would also be located partially on space 90]
941-0695	1994	Roof repair to 'trailer' (MH lot 4) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
001-0240	2000	Roof repair to 'mobile home' (MH lot 4) [Based on the site map, this permit should be filed under RE #00300180.000000, not RE #00300090.000000]
RE #00300100.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300110.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300120.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300130.000000 (retired - combined with RE #00300090.000000 in 1985)		
None on file	--	--
RE #00300180.000000 (Southern parcel, south of Bailey Road) / Block 2, Lots 1-18, Sam-N-Joe		
31952	1973	100 amp service (space 11)
A-7095	1980	Trailer tie down (space 59)
A-10036	1982	Mobile home replacement (MH lot 1) [MH lot 1 was not specified, but based on the site map, it is in the same location/configuration as platted Lot 18]

911-2381	1991	16 decks – not attached, for 'RV units' (spaces 15, 20, 21, 28, 29, 30, 31, 33, 45, 46, 47, 52, 55, 56, 57 and 62)
981-1123	1998	Demolition – 'commercial' building (lot/space # not provided)
991-2161	2000	Porch – attached to 'mobile home' (MH lot 4)
031-2072	2003	Clearing and tree trimming (spaces 1, 2, 3, 8, 12, 34, 47, 51, 82, 95 and 115) [Based on the site map, this permit should also be filed under RE #00300590.000000 and RE #00300670.000000]
031-5414	2003	75 portable fences [Based on the site map, this permit should also be filed under RE #00300090.000000, RE #00300590.000000 and RE #00300670.000000]
041-3381	2004	Clearing and tree trimming (spaces 1, 2, 3, 8, 12, 34, 47, 51, 82, 95 and 115) [Based on the site map, this permit should also be filed under RE #00300590.000000 and RE #00300670.000000]
081-3645	2008	Demolition – deck and porch roof (lot/space # not provided)
101-5683	2010	Electric service replacement (lot/space # not provided)
RE #00300190.000000 (retired - combined with RE #00300180.000000 in 1985)		
None on file	--	--
RE # 00300200.000000 (retired - combined with RE #00300180.000000 in 1985)		
None on file	--	--
RE #00300590.000000 (Northeastern parcel, north of Bailey Road) / Block 3, Lots 1-8, Dario's		
901-1598	1990	6 electric services (200 amp) and 21 outlets (lot/space # not provided)
RE #00300600.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300610.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300620.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300630.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300640.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300650.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300660.000000 (retired - combined with RE #00300590.000000 in 1985)		
None on file	--	--
RE #00300670.000000 (Northwestern parcel, north of Bailey Road) / Block 3, Lot 9, Dario's		
081-0866	2008	Demolition – fence and canopies (space 113)

Documentation from the Monroe County Property Appraiser's Office indicating residential use on or about July 13, 1992:

Staff examined the 2014 Monroe County property record cards for all parcels (by RE#) and compiled the following table with the findings. For each parcel, the table includes the current

property classification (PC) code, the current number of buildings (as classified by the Property Appraiser), and the years built of buildings.

RE #	*Property Classification (PC) Code*	*# of Buildings*	*Type of Building (if applicable)*	*Year Built of Building (if applicable)*
00300090.000000	28 - Parking lots, mobile home lots	0	n/a	n/a
00300180.000000	28 - Parking lots, mobile home lots	3	1-'East Bathhouse' 2-'West Bathhouse' 3-'Laundry'	1-1953 2-1953 3-1953
00300590.000000	28 - Parking lots, mobile home lots	0	n/a	n/a
00300670.000000	28 - Parking lots, mobile home lots	0	n/a	n/a

According to the Property Appraiser's documentation, there are only three buildings on the property: two bathhouses and a laundry. RVs are not assessed as buildings by the Property Appraiser. Mobile homes may be assessed as buildings by the Property Appraiser, but it is not a requirement.

Concerning the total number of dwelling units on the property, an 'Appraiser Note' associated with RE #00300090.000000 states "TR PK IS LICENSED FOR 130 SITES" and an 'Appraiser Note' associated with RE #00300590.000000 states "TOTAL LICENSED SITES=130".

According to the Property Appraiser's records, between 1982 and 2014, the property has been assessed under several different PC codes: 28 – 'Parking lot (Commercial)'; 36 – '[Mobile Home] parks, [Private] Camping, [Recreational Vehicle] Parks'; 00 – 'Vacant Residential' and 02 – 'Mobile Home'. The following table shows the PC codes for each year between 1982 and 2014:

RE #00300090.000000 (Central parcel, north of Bailey Road) / Block 1, Lots 1-5, Sam-N-Joe									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	–	–
1988	36	1995	36	2002	36	2009	28	–	–
RE #00300180.000000 (Southern parcel, south of Bailey Road) / Block 2, Lots 1-8, Sam-N-Joe									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	–	–

1988	36	1995	36	2002	36	2009	28	--	--
RE #00300590.000000 (Northeastern parcel, north of Bailey Road) / Block 3, Lots 1-8, Dario's									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	36	1996	36	2003	36	2010	28
1983	02	1990	36	1997	36	2004	36	2011	28
1984	00	1991	36	1998	36	2005	36	2012	28
1985	00	1992	36	1999	36	2006	36	2013	28
1986	00	1993	36	2000	36	2007	36	2014	28
1987	00	1994	36	2001	36	2008	36	--	--
1988	36	1995	36	2002	36	2009	28	--	--
RE #00300670.000000 (Northwestern parcel, north of Bailey Road) / Block 3, Lot 9, Dario's									
Year	PC	Year	PC	Year	PC	Year	PC	Year	PC
1982	02	1989	00	1996	00	2003	00	2010	28
1983	02	1990	00	1997	00	2004	00	2011	28
1984	00	1991	00	1998	00	2005	00	2012	28
1985	00	1992	00	1999	00	2006	00	2013	28
1986	00	1993	00	2000	00	2007	00	2014	28
1987	00	1994	00	2001	00	2008	36	--	--
1988	00	1995	00	2002	00	2009	28	--	--

Archived Property Appraiser records prior to 1982 support mobile homes and RV spaces as existing on the property dating back to 1964.

Aerial photographs and original dated photographs showing the structure(s) existed on or about July 13, 1992:

Aerial photography from 1984 to 2012 confirms the continuous existence of a RV/mobile home development on the property. Aerial photography can only confirm the number of structures, not the use or number of dwelling units, in existence at any given time. Further, from the aerial photography, it cannot be determined with certainty a) if a given structure was a RV, mobile home or another type of structure or vehicle and b) if a given RV is being inhabited or stored.

Aerial photography from 1992 to 2009 confirms the continuous existence of a RV/mobile home park on the property.

Residential county directory entries on or about July 13, 1992:

Residential county directory entries were not provided for review.

Rental, occupancy or lease records, on or about September 19, 2001, indicating the number, type and term of the rental or occupancy:

Residential rental, occupancy or lease records were not provided for review.

State and/or County licenses, on or about July 13, 1992, indicating the number and types of rental units:

A complete occupational license history was not submitted for review.

Big Pine Seahorse RV Park had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Vending Machines / Laundry Machines with a 'business start date' of November 21, 1972 and a 'business close date' of July 1, 2014.

Sea Horse RV Park Lively Enterprises had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Vending Machines / Merchandise w/ License with a 'business start date' of September 1, 1964 and a 'business close date' of August 4, 2010.

Sea Horse RV Park Lively Enterprises had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Retail Sales with a 'business start date' of July 1, 1967 and a 'business close date' of March 4, 2008.

Big Pine Seahorse RV Park had a valid local business tax (aka occupational license) issued by the Monroe County Tax Collector for Trailer Park & Campgrounds with a 'business start date' of September 1, 1962 and a 'business close date' of July 1, 2014. The local business tax stated the presence of 5 units.

Documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about July 13, 1992:

No documentation from the utility providers was provided for review.

Similar supporting documentation not listed above as determined suitable by the planning director (as found in Growth Management Division files and provided by the applicant):

(1992) Memorandum by Patti Becker, (former) Monroe County Assistant Building Official: The memorandum, dated February 19, 1992, states that Joe Paskalik of the Building Department inspected the property and observed 125 RVs and 5 mobile homes.

(1988) Monroe County Mobile Home / RV Study: The 1988 mobile home study indicates that 6 "mobile homes" and 124 "RVs" were present on the site at that time.

(1990) Florida Department of Environmental Regulation (DER) Permit: In 1990, DER issued Permit #DC44-182565 allowing the construction of a sewage treatment plant (approved by the Building Department by Building Permit #901-1333). The total number of dwelling units is not provided on the permit.

(1997) Florida Department of Environmental Protection (DEP) Permit: In 1997, DEP issued Permit #FLA014917 for a domestic wastewater facility for 'Seahorse RV Park'. The total number of dwelling units is not provided on the permit.

(1998) Florida Department of Health (DOH) Inspection Report: A DOH inspection report, dated October 28, 1998, states 125 RVs and 5 mobile homes were in existence.

(2000) Florida Department of Health (DOH) Inspection Report: A DOH inspection report, dated September 18, 2000, states 125 RVs and 5 mobile homes were in existence.

(2002) Florida Department of Environmental Protection (DEP) Permit: In 2002, DEP issued Permit #FLA014917 for a domestic wastewater facility for 'Seahorse RV Park'. The total number of dwelling units is not provided on the permit.

(2006) Florida Department of Health (DOH) Permit: In 2006, DOH accepted an application related to Permit #44-54-00091 for 'Seahorse Campground'. The application, dated September 12, 2006, states 125 RVs and 5 mobile homes were in existence.

(2006) Monroe County Planning Department Site Inspection: Staff conducted a site inspection on December 8, 2006. During the course of the inspection, staff noted 25 mobile homes, 65 RVs and 40 vacant RV spaces.

(2007) Letter of Development Rights Determination by Aref Joulani, (former) Senior Director of Planning & Environmental Resources (Planning Department File #26127): The letter, dated March 6, 2007, states that the property is entitled to 130 ROGO exemptions, 85 of which were derived from permanent residential units and 45 of which were derived from transient residential units. The determination was based on records reviewed at that time and the application of Administrative Interpretations #03-108 and #01-115.

(2014) Boundary Survey: A boundary survey by Avirom & Associates, Inc., dated January 16, 2014 shows approximately 130 mobile homes, RVs, and RV spaces on the property.

Lawful Determination:

Based on a review of the records, the Planning & Environmental Resources Department has determined that 130 dwelling units, in the form of 125 transient residential dwelling units and 5 permanent residential units were lawfully established on the subject property and their replacement would thereby be exempt from the ROGO permit allocation system.

As shown on the site map in attachment 3, the 5 lawful permanent residential units (in the form of mobile homes) are located on MH Lots 1-5; and 118 of the 125 lawful transient residential units (in the form of RV spaces) are located on spaces 1-12, 14-59, 62-120 and 122. Seven of the 125 lawful transient residential units (in the form of RV spaces) are not identified on the site map.

Pursuant to MCC §138-22(1), the planning director shall review available documents to determine if a body of evidence exists to support the existence of units on or about July 13, 1992, the effective date of the original ROGO ordinance. In order to approve an exemption, at least two of the noted documents supporting the lawful existence of the residential dwelling unit or space must be found. There is not a building permit on file initially approving the RV/mobile home

park or otherwise recognizing a total number of dwelling units. However, staff found several building permits supporting the lawful existence of a RV/mobile home park.

Other than building permits, staff found several documents supporting the existence of 125 RV spaces and 5 mobile homes circa 1992. Of note is the 1992 memorandum by Patti Becker, (former) Monroe County Assistant Building Official, the 1998 and 2000 Florida Department of Health (DOH) Inspection Reports, the 2006 Florida Department of Health (DOH) Permit, and the 2014 Monroe County Property Record Cards for RE #00300090.000000 and RE #00300590.000000. In addition, the 1988 mobile home study closely recognizes 124 RV spaces and 6 mobile homes.

The Letter of Development Rights Determination by Aref Joulani and dated March 6, 2007 states that the property is entitled to 130 ROGO exemptions, 85 of which were derived from permanent residential units and 45 of which were derived from transient residential units. While the determination in this letter does not conflict with the total number of ROGO exemptions acknowledged in the 2007 letter (130), it modifies the recognized breakdown on transient residential units (125 v. 45) and permanent residential units (5 v. 85).

The 2007 determination was based on records reviewed at that time and the application of Administrative Interpretations #03-108 and #01-115. It is important to note the following:

- In 2007, Administrative Interpretation #03-108 provided the criteria to be used by staff to determine whether or not a residential unit was lawfully-established. In 2011, the County modified and codified the criteria for ROGO exemption determinations with the adoption of Ordinance #015-2011. Administrative Interpretation #03-108 became null and void at that time. Therefore, the criteria for ROGO exemption determinations are now different. Currently, in order to approve an exemption, at least two of the specified documents supporting the lawful existence of the residential dwelling unit or space must be found.

- Administrative Interpretation #01-115 was misapplied in the 2007 letter. Administrative Interpretation #01-115 is intended to "provide guidance to staff in the permitting of recreational vehicles in the Recreation Vehicle (RV), Urban Residential Mobile Home (URM) and, Urban Residential Mobile Home - Limited (URM-L) Zoning Districts." The interpretation states "Recreation vehicles may be treated as mobile homes and be considered permanent structures if they are tied down and elevated to meet FEMA requirements. Size has no bearing on whether a recreation vehicle may be treated as a permanent dwelling."

  Firstly, the interpretation does not state that RVs may be considered *permanent residential units*, only *permanent structures*. Secondly, the interpretation is intended to assist in the *permitting* of RVs. The 2007 determination provided no documentation supporting that the RVs were permitted in accordance with the interpretation. Thirdly, there is no documentation on file supporting that the 'permanent' RVs recognized in the 2007 determination were tied down or elevated as required by the interpretation. Photographs on file indicate that most of the RVs are not elevated. Fourthly, the 'permanent' RVs have been recognized as RVs, not mobile homes, in county and state documentation up to 2006. There are not any building permits on file permitting the RVs to be made permanent in nature. Fifthly, a large part of the

property is zoned IS. The interpretation only applied to properties zoned RV, URM and URM-L.

- The 2007 letter states that during the site inspection in 2006, which was the primary basis for the breakdown in the 2007 determination, staff observed 25 mobile homes. It should be noted that the Planning Department staff only observed the mobile homes and RVs from roadways and did not perform detailed inspections to ascertain whether or not each noted mobile home met codified and statutory definitions. In 1992, Joe Paskalik of the Building Department inspected the property and observed 125 RVs and 5 mobile homes. There are not any building permits on file for mobile homes between 1992 and 2007.

* * * * * * *

This letter replaces any previous decisions by the Monroe County Planning & Environmental Resources Department related to the number and type of ROGO exemptions on the property. Specifically, please consider the Letter of Development Rights Determination by Aref Joulani, (former) Senior Director of Planning & Environmental Resources, and dated March 6, 2007 null and void. This letter does not provide any vesting to existing regulations and the replacement dwelling units and any new accessory structures must be built in compliance with all applicable regulations of the Monroe County Code and Comprehensive Plan at the time of development approval. Furthermore, if the exempted development is not replaced, but substantially improved as defined in the Monroe County Code, such development must be brought into compliance with all applicable regulations.

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

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

Sincerely,

Townsley Schwab, Senior Director of Planning & Environmental Resources

EXHIBIT B

EXHIBIT B

Doc# 2046920 09/25/2015 12:05PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

Doc# 2046920
Bk# 2762 Pg# 759

MONROE COUNTY, FLORIDA
MINOR CONDITIONAL USE PERMIT
DEVELOPMENT ORDER NO. 03-15

A DEVELOPMENT ORDER APPROVING A REQUEST BY LONGSTOCK II, LLC FOR A MINOR CONDITIONAL USE PERMIT ALLOWING THE TRANSFER OF 100 ROGO EXEMPTIONS FROM A SENDER SITE ON BIG PINE KEY TO A RECEIVER SITE ON STOCK ISLAND. THE SENDER SITE IS DESCRIBED AS LOTS 1, 2, 3, 4 AND 5, BLOCK 1, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 AND 18, BLOCK 2, SAM-N-JOE SUBDIVISION (PLAT BOOK 3, PAGE 76) AND LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 3, DARIO'S SUBDIVISION (PLAT BOOK 3, PAGE 92), BIG PINE KEY, MONROE COUNTY, FLORIDA HAVING REAL ESTATE NUMBERS 00300090.000000, 00300180.000000, 00300590.000000 AND 00300670.000000. THE RECEIVER SITE IS DESCRIBED AS A PARCEL OF LAND IN SECTION 35, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00123720.000100, 00123720.000200 AND 00123760.000200.

WHEREAS, during a regularly scheduled meeting held on April 28, 2015, the Development Review Committee of Monroe County conducted a review and consideration of the request by Longstock II, LLC for a minor conditional use permit pursuant to §138-22(2) of the Monroe County Code; and

WHEREAS, the sender site is located at 201 County Road, Big Pine Key, approximate mile marker 30, and is legally described as Lots 1, 2, 3, 4 and 5, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, Sam-n-Joe Subdivision (Plat Book 3, Page 76) and Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key, Monroe County, Florida having real estate numbers 00300090.000000, 00300180.000000, 00300590.000000 and 00300670.000000; and

WHEREAS, the receiver site is located at 700 and 7009 Shrimp Road, Stock Island, approximate mile marker 5, and is described as a parcel of land in Section 35, Township 67

Doc# 2046920
Bk# 2762 Pg# 760

South, Range 25 East, Stock Island, Monroe County, Florida, having real estate numbers 00123720.000100, 00123720.000200 and 00123760.000200; and

WHEREAS, the Development Review Committee and Director of Planning & Environmental Resources reviewed the following documents and other information relevant to the request:

1. Minor Conditional Use Permit for the Transfer of a ROGO Exemptions (TRE) application received by the Monroe County Planning & Environmental Resources Department on February 27, 2015; and
2. Staff report prepared by Matthew Coyle, Principal Planner, dated April 12, 2015; and

WHEREAS, based upon the information and documentation submitted, the Senior Director of Planning & Environmental Resources and Development Review Committee Chair made the following Findings of Fact:

1. Concerning the sender site, on March 6, 2007, the Director of Planning & Environmental Resources issued a Letter of Development Rights Determination, which recognized 130 ROGO Exemptions, associated with the lawful existence of 85 permanent dwelling units and 45 transient dwelling units (Planning Department File #26127);

2. Concerning the sender site, on September 29, 2014, the Director of Planning & Environmental Resources issued a revised Letter of Development Rights determination which recognized 130 ROGO Exemptions, in the form of 125 transient residential dwelling units and 5 permanent residential units (Planning Department File #2014-076);

3. Concerning the receiver site, on July 16, 2014, the Monroe County Board of County Commissioners approved a Development Agreement allowing the redevelopment of Stock Island Marina Village and the transfer of up to 100 market-rate transient residential TREs (Planning Department File #2014-026);

4. Concerning the receiver site, on October 29, 2014, an amendment to the major conditional use permit was approved by the Monroe County Planning Commission. The amendment allowed the redevelopment of the existing mixed use marina, to include marina, commercial retail, office, commercial fishing, industrial and hotel uses (Planning Department File #2014-027);

5. The sender site is partially within an Improved Subdivision (IS) land use (zoning) district and partially within a Urban Residential Mobile-Home (URM) land use (zoning) district;

6. The sender site is partially within a Residential Medium (RM) Future Land Use Map (FLUM) category and partially within a Residential High (RH) FLUM category;

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7. The sender site has a tier designation of Tier I;

8. The receiver site is within a Maritime Industries (MI) land use (zoning) district;

9. The receiver site is within a Mixed Use / Commercial (MC) FLUM category;

10. The receiver site has a tier designation of Tier III;

11. Applications shall be consistent with the provisions and intent of the Monroe County Comprehensive Plan; and

12. Pursuant to §138-22(2) of the Monroe County Code, the following criteria must be met to transfer to a hotel, motel, or RV park:

    a. *Eligibility of sender unit or space*. In order to be an eligible sender unit or space, the unit or space shall be a hotel room motel room, campground space, recreational vehicle space, mobile home, or dwelling unit found to have been lawfully established.

    b. Criteria for redevelopment off-site.
       1. *Transfer to a hotel, motel, or recreational vehicle park.* A lawfully established hotel Room, motel room, campground space, or recreational vehicle space may be transferred off-site to another hotel, motel, or recreational vehicle park if the:
          (i) Sender unit is an eligible ROGO exemption and was used as a transient residential unit in accordance with section 101-1; and
          (ii) Receiver site/unit meets all of the following criteria:
             (AA) The receiver site is located in the same ROGO subarea as the sender site, with the exception that ROGO exemptions associated with transient residential dwelling units may be transferred from the Big Pine and No Name Key ROGO subarea to the Lower Keys ROGO subarea;
             (BB) The receiver unit shall only be constructed within a) a tier III designated area or b) a tier III-A (special protection area) designated area where the development does not involve the clearing of any native habitat; and
             (CC) Receiver unit shall not be constructed within a velocity (V) zone.

13. Pursuant to §110-69 of the Monroe County Code, the Director of Planning & Environmental Resources is authorized to approve applications for minor conditional use permits; and

14. Developments requiring a minor conditional use permit shall be consistent with the Principals for Guiding Development in the Florida Keys Area of Critical State Concern; and

Doc# 2046920
Bk# 2762 Pg# 762

15. Planning & Environmental Resources Department staff has found that the applicant has demonstrated that all of the required standards shall be met and recommended approval of the minor conditional use permit application with conditions; and

WHEREAS, the Senior Director of Planning & Environmental Resources made the following Conclusions of Law:

1. The application is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan; and

2. The application is consistent with the provisions, intent, and policies of the Monroe County Code; and

3. The application is consistent with the Principals for Guiding Development in the Florida Keys Area of Critical State Concern; and

WHEREAS, at the DRC meeting on April 28, 2015, staff requested that the following Condition be met prior to minor conditional use permit approval: As required by MCC §138-22(2)d, prior to the issuance of any development order formally approving the transfer, with a building permit, the applicant shall remove all development associated with transient RV spaces at the sender site (i.e. electric pedestals, plumbing fixtures, etc.). A final inspection to confirm the removal shall be carried out by Planning & Environmental Resources Department staff;

WHEREAS, the Monroe County Building Department issued Building Permit #151-1634 on April 14, 2015 to demolish electric power pedestals. The Building Department inspected the work on June 22, 2015. Planning Department staff inspected the property on April 22, 2015 and found that all the electric pedestals had been removed;

WHEREAS, the record established, the testimonies offered, and the evidence submitted, support the Findings of Fact and Conclusions of Law adopted; and

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DocH 2046920
BkH 2762 PgH 763

NOW THEREFORE, BE IT RESOLVED BY THE DIRECTOR OF PLANNING & ENVIRONMENTAL RESOURCES OF MONROE COUNTY, FLORIDA that the request for a Minor Conditional Use Permit is hereby APPROVED.

Date 7/7/15

Mayté Santamaria,
Senior Director of Planning & Environmental Resources

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared Mayté Santamaria, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me the she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 7th day of July, 2015.

NOTARY PUBLIC, STATE OF FLORIDA

ANDREA GAIL CREECH
Notary Public - State of Florida
My Comm. Expires Dec 18, 2018
Commission # FF 174433
Bonded through National Notary Assn

MONROE COUNTY
OFFICIAL RECORDS

TRS:cmo
January 31, 2014
u:\DEEDS\statwd.BigPineSeahorse-Longstock

PREPARED BY:
Theodore R. Stotzer, Esq.
c/o 550 S.W. 12th Street, Suite 550
Deerfield Beach, Florida 33442

RECORD AND RETURN TO:
Gregory S. Oropeza, Esq.
Smith | Oropeza, P.L.
138-142 Simonton Street
Key West, Florida 33040

Doc# 1971203 03/04/2014 3:23PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

03/04/2014 3:23PM
DEED DOC STAMP CL: Krys $26,250.00

Doc# 1971203
Bk# 2673 Pg# 1749

$3,750.00

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is made as of the 24th day of February, 2014, by **BIG PINE SEAHORSE ACQUISITION CO., LLC**, a Florida limited liability company, having its principal place of business at 550 S.W. 12th Street, Suite 550, Deerfield Beach, Florida, 33442, hereinafter called the GRANTOR, to **LONGSTOCK II, LLC**, a Florida limited liability company, whose address is 7009 Shrimp Road, Unit 2, Key West, Florida, 33040, hereinafter called the GRANTEE:

> (Wherever used herein the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the GRANTOR, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS and other valuable considerations paid, receipt of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE, all that certain land situate in Monroe County, Florida, and legally described in Exhibit "A" attached hereto and made a part hereof for all purposes.

> Property Alternate Key Nos.: 8509561; 1372765; 1372684; 1372196; 1372285.

This conveyance is subject to taxes for the year 2014 and all subsequent years; matters appearing on the Plats or otherwise common to the subdivisions; covenants, conditions, restrictions, limitations, easements and agreements of record provided, however, that the foregoing shall not operate to reimpose the same.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD, the same unto the said GRANTEE in fee simple.

AND the GRANTOR hereby covenants with said GRANTEE that the GRANTOR is lawfully seized of said land in fee simple and that the GRANTOR has good right and lawful authority to sell and convey said land and that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Except for the warranties of title expressly provided for herein, the conveyance of the property by GRANTOR to GRANTEE hereby is in its AS-IS, WHERE-IS condition, WITH ALL FAULTS, IF ANY, AND WITHOUT ANY OTHER WARRANTIES, EXPRESS OR IMPLIED.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Name: Vera Day Rizer

Name: Joseph W Francis

BIG PINE SEAHORSE ACQUISITION CO., LLC
By: SVMG KEYS ACQUISITION CO., LLC,
its sole member

By: _____
Mark A. Papak, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was sworn to and subscribed and acknowledged before me this 24 day of February, 2014, by MARK A. PAPAK, President of SVMG KEYS ACQUISITION CO., LLC, sole member of BIG PINE SEAHORSE ACQUISITION CO., LLC, on behalf of said limited liability company. He is personally known to me or has produced _____ as identification.

NOTARY PUBLIC
Name:

KIMBERLY A. PAPAK
Notary Public - Michigan
Oakland County
My Comm. Expires August 19, 2017

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1:

Lots 1, 2, 3, 4 and 5, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, SAM-N-JOE SUBDIVISION, according to the Plat thereof, recorded in Plat Book 3, Page 76, Public Records of Monroe County, Florida.

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, DARIO'S SUBDIVISION, according to the Plat thereof, recorded in Plat Book 3, Page 92, Public Records of Monroe County, Florida.

MONROE COUNTY
OFFICIAL RECORDS

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

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

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

Alternate Key: 1372196 Parcel ID: 00300090-000000

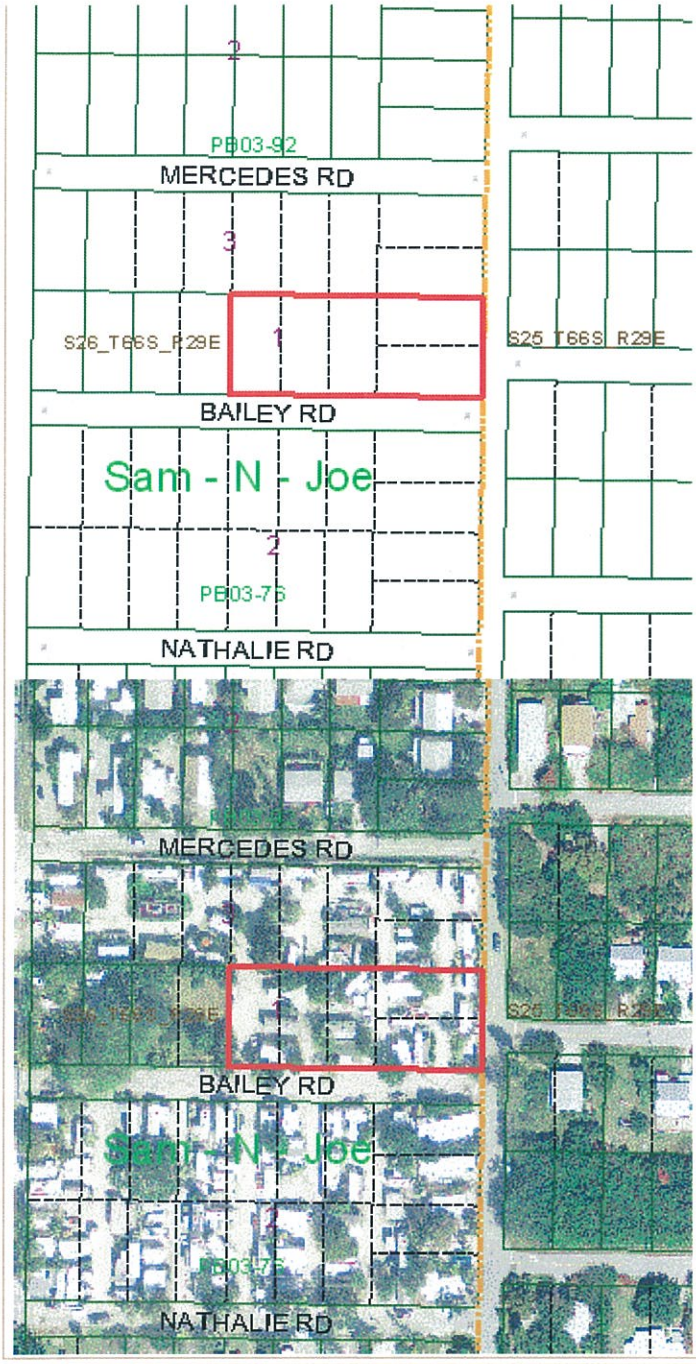
Ownership Details

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

Property Details

PC Code:	10 - VACANT COMMERCIAL
Millage Group:	100H
Affordable Housing:	No
Section-Township-Range:	26-66-29
Property Location:	201 COUNTY RD BIG PINE KEY
Subdivision:	SAM-N-JOE SUBD
Legal Description:	BK 1 LTS 1 THRU 5 SAM N JOE SUB PB 3-76 BIG PINE KEY OR335-279 OR484-851-852 OR484-729/34 OR615-584 OR645-781 OR660-414 OR674-497 OR674-732 OR774-1131 OR790-126 OR977-788/89 OR994-888/90 OR1130-2034/37 OR2192-341/42 OR2406-379/82C/T OR2409-582/84 OR2673-1749/51

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
1M0D - COMMERCIAL DRY	0	0	0.62 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	1,200 SF	200	6	1989	1990	1	30

Appraiser Notes

MANAGER'S MOBILE HOME BELONGS TO HIM. 2003 #083 TR PK IS LICENSED FOR 130 SITES SEE AK# 1372285 & 1372684

2007/05/29 ADJUSTED CL FOR THE 2007TR (JDC)
RE: 30010, 30011, 30012 & 30013 COMBINED PER INCOME 7-25-85 JMH
3/21/2014 BEN. SALE REVIEW WITH 1372285, 1372684, AND 1372765.
11/24/2015 BEN. PERMIT REVIEW FOR ELECTRIC DEMO.
(SENDER SITE)OR2762-754 MONROE COUNTY MINOR CONDITIONAL USE PERMIT DEVEOPMENT ORDER 03-15 - ALLOWING THE TRANSFER OF 100 ROGO EXEMPTIONS FROM BIG PINE KEY SITE AKS 1372196, 1372285, 1372684, 1372765 TO RECEIVER SITE STOCK ISLAND AKS 9080464, 9080468,1157899

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	15101634	04/14/2015	11/24/2015	600		ELECTRIC DEMO

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	926	248,000	154,799	154,799	0	154,799
2014	0	840	248,000	416,000	416,000	0	416,000
2013	0	840	248,000	420,252	420,252	0	420,252
2012	0	840	248,000	395,940	395,940	0	395,940
2011	0	840	248,000	466,202	449,245	0	466,202
2010	0	840	248,000	408,405	408,405	0	408,405
2009	0	840	248,000	579,062	579,062	0	579,062
2008	0	840	403,650	720,508	720,508	0	720,508
2007	0	805	370,013	941,006	941,006	0	941,006
2006	0	866	464,198	465,064	465,064	0	465,064
2005	0	866	309,465	310,331	310,331	0	310,331
2004	0	890	94,185	95,075	95,075	0	95,075
2003	0	914	94,185	95,099	95,099	0	95,099
2002	0	938	94,185	95,123	95,123	0	95,123
2001	0	962	94,185	95,147	95,147	0	95,147
2000	0	423	53,820	54,243	54,243	0	54,243
1999	0	430	53,820	54,250	54,250	0	54,250
1998	0	438	53,820	54,258	54,258	0	54,258
1997	0	462	53,820	54,282	54,282	0	54,282
1996	0	0	94,185	94,185	94,185	0	94,185
1995	0	0	94,185	94,185	94,185	0	94,185
1994	0	0	94,185	94,185	94,185	0	94,185
1993	0	0	94,185	94,185	94,185	0	94,185
1992	0	0	94,185	94,185	94,185	0	94,185
1991	0	0	94,185	94,185	94,185	0	94,185
1990	0	0	94,185	94,185	94,185	0	94,185
1989	0	0	94,185	94,185	94,185	0	94,185
1988	0	0	80,730	80,730	80,730	0	80,730

1987	0	0	77,232	77,232	77,232	0	77,232
1986	0	0	77,232	77,232	77,232	0	77,232
1985	0	0	35,657	35,657	35,657	0	35,657
1984	0	0	7,128	7,128	7,128	0	7,128
1983	0	0	7,128	7,128	7,128	0	7,128
1982	0	0	5,766	5,766	5,766	0	5,766

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
3/24/2014	2673 / 1749	3,750,000	WD	05
4/17/2009	2409 / 582	100	QC	11
3/30/2009	2406 / 379	1,000	CT	12
3/6/2006	2192 / 341	1	WD	M
5/1/1990	1130 / 2034	1	WD	M
5/1/1986	977 / 788	1	WD	M
8/1/1982	862 / 2174	322,500	WD	M

This page has been visited 13,250 times.

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

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

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

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

Alternate Key: 1372285 Parcel ID: 00300180-000000

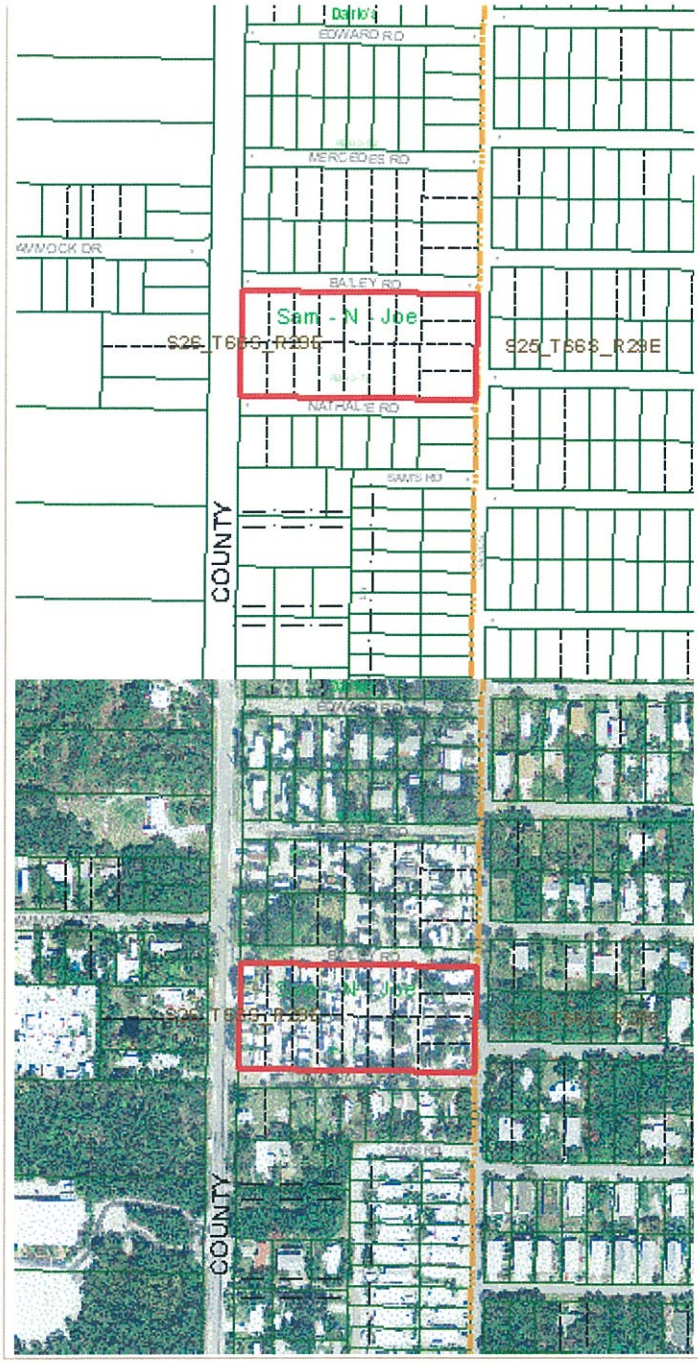
Ownership Details

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

Property Details

PC Code: 28 - PARKING LOTS, MOBILE HOME PARKS
Millage Group: 100H
Affordable Housing: No
Section-Township-Range: 26-66-29
Property Location: 201 COUNTY RD BIG PINE KEY
Subdivision: SAM-N-JOE SUBD
Legal Description: BK 2 LTS 1 THRU 18 SAM-N-JOE SUB PB3-76 BIG PINE KEY OR335-279 OR484-851-852 OR484-729/34 OR615-584 OR645-781 OR660-414 OR674-497 OR674-732 OR774-1131 OR790-126 OR862-2174 OR977-788/89 OR994-888/90 OR1130-2034/37 OR2192-341/42 OR2406-379/82C/T OR2409-582/84 OR2673-1749/51

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
02RV - REC VEHICLE PARK	464	207	2.20 AC

Building Summary

Number of Buildings: 3
Number of Commercial Buildings: 3
Total Living Area: 989
Year Built: 1953

Building 1 Details

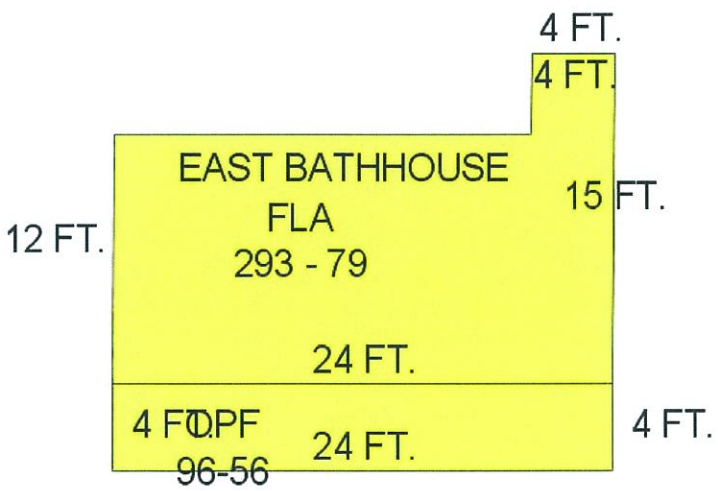
Building Type		**Condition**	F	**Quality Grade**	250
Effective Age	45	**Perimeter**	79	**Depreciation %**	55
Year Built	1953	**Special Arch**	0	**Grnd Floor Area**	293
Functional Obs	0	**Economic Obs**	0		

Inclusions:

Roof Type		**Roof Cover**		**Foundation**	CONCRETE SLAB
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	9	**Dishwasher**	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1993					293
2	OUF		1	1993					96

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10646	CAMP BLDG	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
3512	CONC BLOCK	100

Building 2 Details

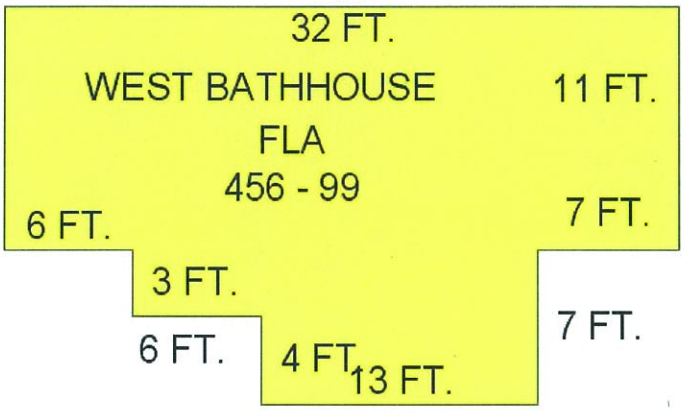
Building Type		**Condition**	F	**Quality Grade**	250
Effective Age	33	**Perimeter**	99	**Depreciation %**	40
Year Built	1953	**Special Arch**	0	**Grnd Floor Area**	456
Functional Obs	0	**Economic Obs**	0		

Inclusions:

Roof Type		**Roof Cover**		**Foundation**	CONCRETE SLAB
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	9	**Dishwasher**	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1953	N	N			456

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	10648	CAMP BLDG	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
3513	CONC BLOCK	100

Building 3 Details

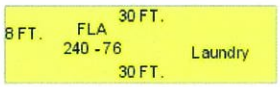
Building Type		**Condition**	F	**Quality Grade**	50
Effective Age	58	**Perimeter**	76	**Depreciation %**	60
Year Built	1953	**Special Arch**	0	**Grnd Floor Area**	240
Functional Obs	0	**Economic Obs**	0		

Inclusions:

Roof Type		**Roof Cover**		**Foundation**	CONCRETE SLAB
Heat 1		**Heat 2**		**Bedrooms**	0
Heat Src 1		**Heat Src 2**			

Extra Features:

2 Fix Bath	0	**Vacuum**	0
3 Fix Bath	0	**Garbage Disposal**	0
4 Fix Bath	0	**Compactor**	0
5 Fix Bath	0	**Security**	0
6 Fix Bath	0	**Intercom**	0
7 Fix Bath	0	**Fireplaces**	0
Extra Fix	8	**Dishwasher**	0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	FLA		1	1953	N	N			240

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		CAMP BLDG	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
	NO VALUE	50
3514	C.B.S.	50

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	2,107 SF	0	0	1977	1978	2	50
2	UB2:UTILITY BLDG	20 SF	5	4	1952	1953	4	50
3	UB2:UTILITY BLDG	64 SF	8	8	1952	1953	4	50
4	UB2:UTILITY BLDG	25 SF	5	5	1952	1953	4	50
5	FN2:FENCES	300 SF	60	5	1977	1978	2	30
6	FN2:FENCES	90 SF	30	3	1977	1978	2	30
7	CL2:CH LINK FENCE	240 SF	60	4	1984	1985	1	30
8	PT2:BRICK PATIO	308 SF	0	0	1977	1978	3	50
9	PT2:BRICK PATIO	113 SF	0	0	1984	1985	2	50
10	PT3:PATIO	1,340 SF	0	0	1953	1954	2	50
11	FN2:FENCES	1,260 SF	140	9	1953	1954	3	30

Appraiser Notes

RE: 30019 & 30020 COMBINED PER INCOME 7-25-85 JMH
(SENDER SITE)OR2762-754 MONROE COUNTY MINOR CONDITIONAL USE PERMIT DEVEOPMENT ORDER 03-15 - ALLOWING THE TRANSFER OF 100 ROGO EXEMPTIONS FROM BIG PINE KEY SITE AKS 1372196, 1372285, 1372684, 1372765 TO RECEIVER SITE STOCK ISLAND AKS 9080464, 9080468,1157899
2007/05/29 FIELD INSPECTED BY THIS OFFICE - WEST BATHHOUSE USED AS STORAGE, REMOVED PART OF BLDG 3 FLA & GBF SECTIONS(NO LONGER THERE) ONLY LAUNDRY STILL THERE, CHANGED SOME PT AND FLA WALL HEIGHT FOR THE 2007TR (JDC & NL)
SEA HORSE TRAILER PARK, FIELD INSPECTED BY THIS OFFICE ON JANUARY 19, 1994 (006/035)RE#'S 0030090 & 00300590 SUBSTRACTED FROM INCOME & KEYED AS SPECIA. MANAGER'S MOBILE HOME IS NOT OWNED BY THE PARK. 5-1-97 BUILDING # 3 IS MAIN BUILDING WHICH WAS BURNED IN 1998 ONLY THE FOUR WALLS & SBU WHICH IS A LAUNDRY ROOM. BUILDING # 2 IS BATHROOMS, CLOSE TO MAIN BUILDING. BUILDING # 1 IS ALSO BATHROOM & IS LOCATED TO THE EAST OF THE PARK, THIS PROPERTY IS ON INCOME, THEREFORE IT HAS AN OVERRIDE. TPP 8918232 - LIVELY SERVICES INC TPP 8509561 - SEAHORSE CAMPGROUND TPP 8862342 - LIVELY COVE INC
3/21/2014 BEN. SALE REVIEW WITH 1372684, 1372196, AND 1372765.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	03105414	08/05/2005		1,700		CANCEL THIS PERMIT PER PARK MANAGER, OLD OWNERS, PARK SOON TO BE DEMOED (108 NL)
	08103645	10/10/2008	12/21/2009	1		Demo deck & porch roof
	10105683	09/23/2010	03/24/2014	1,750		REPLACE EXISTING SERVICE PER KEYS ENERGY
	15101631	04/14/2015	11/24/2015	600		ELECTRIC DEMO.
	A-18552	08/01/1987	12/01/1987	6,500		ELECTRICAL
	98-0123	02/09/1998	12/03/1999	10,000		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	48,173	20,894	880,000	1,754,393	1,754,393	0	1,754,393

2014	48,173	19,010	880,000	1,482,000	1,482,000	0	1,482,000
2013	37,940	19,267	880,000	1,523,415	1,523,415	0	1,523,415
2012	37,940	19,284	880,000	1,435,282	1,435,282	0	1,435,282
2011	39,241	19,301	880,000	1,689,984	1,628,512	0	1,689,984
2010	39,241	19,318	880,000	1,480,466	1,480,466	0	1,480,466
2009	40,108	19,335	880,000	2,099,100	2,099,100	0	2,099,100
2008	40,108	19,352	1,440,720	2,571,659	2,571,659	0	2,571,659
2007	28,973	19,748	1,320,660	3,764,022	3,764,022	0	3,764,022
2006	39,098	8,358	1,656,828	2,313,399	2,313,399	0	2,313,399
2005	40,355	8,611	1,104,552	2,011,651	2,011,651	0	2,011,651
2004	40,353	8,864	336,168	2,011,651	2,011,651	0	2,011,651
2003	40,353	9,117	336,168	2,011,651	2,011,651	0	2,011,651
2002	40,353	9,391	336,168	872,150	872,150	0	872,150
2001	40,353	9,672	336,168	872,150	872,150	0	872,150
2000	40,353	3,286	192,096	872,150	872,150	0	872,150
1999	40,353	3,379	192,096	872,150	872,150	0	872,150
1998	72,950	3,474	192,096	872,150	872,150	0	872,150
1997	54,698	3,568	192,096	872,150	872,150	0	872,150
1996	49,725	1,454	336,168	713,352	713,352	0	713,352
1995	49,725	1,479	336,168	713,352	713,352	0	713,352
1994	70,748	1,504	336,168	713,352	713,352	0	713,352
1993	75,980	875	336,168	684,830	684,830	0	684,830
1992	75,980	900	336,168	684,830	684,830	0	684,830
1991	75,980	925	336,168	684,830	684,830	0	684,830
1990	75,980	950	336,168	684,830	684,830	0	684,830
1989	75,980	975	336,168	684,830	684,830	0	684,830
1988	70,747	760	288,144	306,924	306,924	0	306,924
1987	40,771	8,770	275,658	303,400	303,400	0	303,400
1986	40,949	8,770	275,658	302,397	302,397	0	302,397
1985	39,006	8,770	128,340	370,450	370,450	0	370,450
1984	37,146	8,770	114,358	160,274	160,274	0	160,274
1983	37,148	8,770	114,358	160,276	160,276	0	160,276
1982	37,642	8,770	92,523	138,935	138,935	0	138,935

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
2/24/2014	2673 / 1749	3,750,000	WD	05
4/17/2009	2409 / 582	100	QC	11
3/30/2009	2406 / 379	1,000	CT	12
3/6/2006	2192 / 341	1	WD	M
4/1/1990	1130 / 2034	1	WD	M
5/1/1986	977 / 788	1	WD	M
8/1/1982	862 / 2174	45	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

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

Alternate Key: 1372765 Parcel ID: 00300670-000000

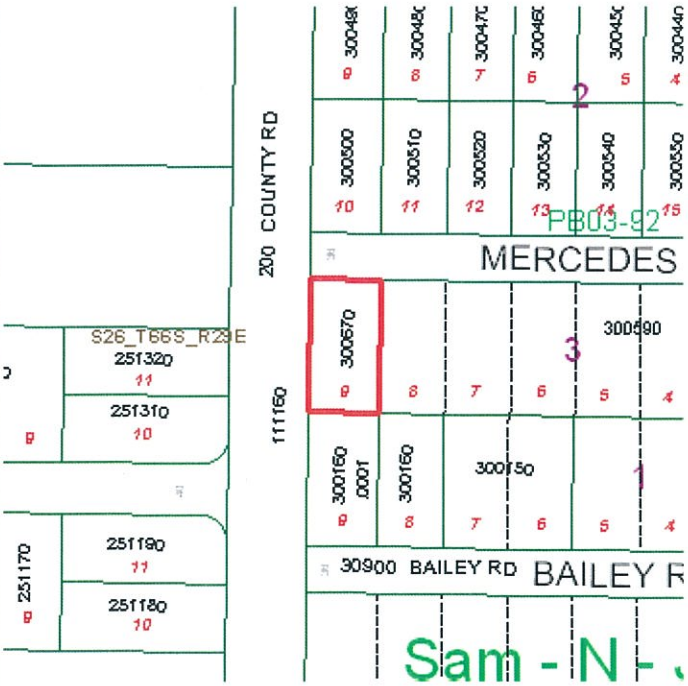
Ownership Details

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

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 100H
Affordable Housing: No
Section-Township-Range: 26-66-29
Property Location: 201 COUNTY RD BIG PINE KEY
Subdivision: DARIO'S SUBD
Legal Description: BK 3 LT 9 DARIOS SUB PB3-92 BIG PINE KEY OR176-330/31 OR1362-1978/79ORD OR1375-823/24 OR2192-341/42 OR2406-379/82C/T OR2409-582/84 OR2673-1749/51

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
1M0D - COMMERCIAL DRY	0	0	0.13 AC

Appraiser Notes

PART OF THE SEA HORSE MH PARK
(SENDER SITE)OR2762-754 MONROE COUNTY MINOR CONDITIONAL USE PERMIT DEVEOPMENT ORDER 03-15 - ALLOWING THE TRANSFER OF 100 ROGO EXEMPTIONS FROM BIG PINE KEY SITE AKS 1372196, 1372285, 1372684, 1372765 TO RECEIVER SITE STOCK ISLAND AKS 9080464, 9080468,1157899
3/21/2014 BEN. SALE REVIEW WITH 1372285, 1372196, AND 1372684.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	15101633	04/14/2015	11/24/2015	600		ELECTRIC DEMO

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	51,320	257,999	257,999	0	257,999
2014	0	0	51,320	52,000	52,000	0	52,000
2013	0	0	52,000	52,000	52,000	0	52,000
2012	0	0	52,000	52,000	52,000	0	52,000
2011	0	0	52,000	52,000	52,000	0	52,000
2010	0	0	52,000	52,000	52,000	0	52,000

2009	0	0	52,000	52,000	52,000	0	52,000
2008	0	0	83,835	83,835	83,835	0	83,835
2007	0	0	76,849	76,849	76,849	0	76,849
2006	0	0	33,534	33,534	33,534	0	33,534
2005	0	0	20,120	20,120	20,120	0	20,120
2004	0	0	13,973	8,383	8,383	0	8,383
2003	0	0	13,973	8,383	8,383	0	8,383
2002	0	0	9,781	5,868	5,868	0	5,868
2001	0	0	22,356	13,413	13,413	0	13,413
2000	0	0	9,781	5,868	5,868	0	5,868
1999	0	0	9,781	5,868	5,868	0	5,868
1998	0	0	9,781	5,869	5,869	0	5,869
1997	0	0	9,781	5,869	5,869	0	5,869
1996	0	0	9,781	5,869	5,869	0	5,869
1995	0	0	9,781	9,781	9,781	0	9,781
1994	0	0	9,781	9,781	9,781	0	9,781
1993	0	0	9,781	9,781	9,781	0	9,781
1992	0	0	9,781	9,781	9,781	0	9,781
1991	0	0	9,781	9,781	9,781	0	9,781
1990	0	0	11,178	11,178	11,178	0	11,178
1989	0	0	11,178	11,178	11,178	0	11,178
1988	0	0	6,260	6,260	6,260	0	6,260
1987	0	0	6,260	6,260	6,260	0	6,260
1986	0	0	6,260	6,260	6,260	0	6,260
1985	0	0	6,107	6,107	6,107	0	6,107
1984	0	0	6,107	6,107	6,107	0	6,107
1983	0	0	6,107	6,107	6,107	0	6,107
1982	0	0	6,107	6,107	6,107	0	6,107

Parcel Sales History

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Sale Date	Official Records Book/Page	Price	Instrument	Qualification
2/24/2014	2673 / 1749	3,750,000	WD	05
4/17/2009	2409 / 582	100	QC	11
3/30/2009	2406 / 379	1,000	CT	12
3/6/2006	2192 / 341	1	WD	M
9/1/1995	1375 / 0823	10,000	WD	Y

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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

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

Alternate Key: 1372684 Parcel ID: 00300590-000000

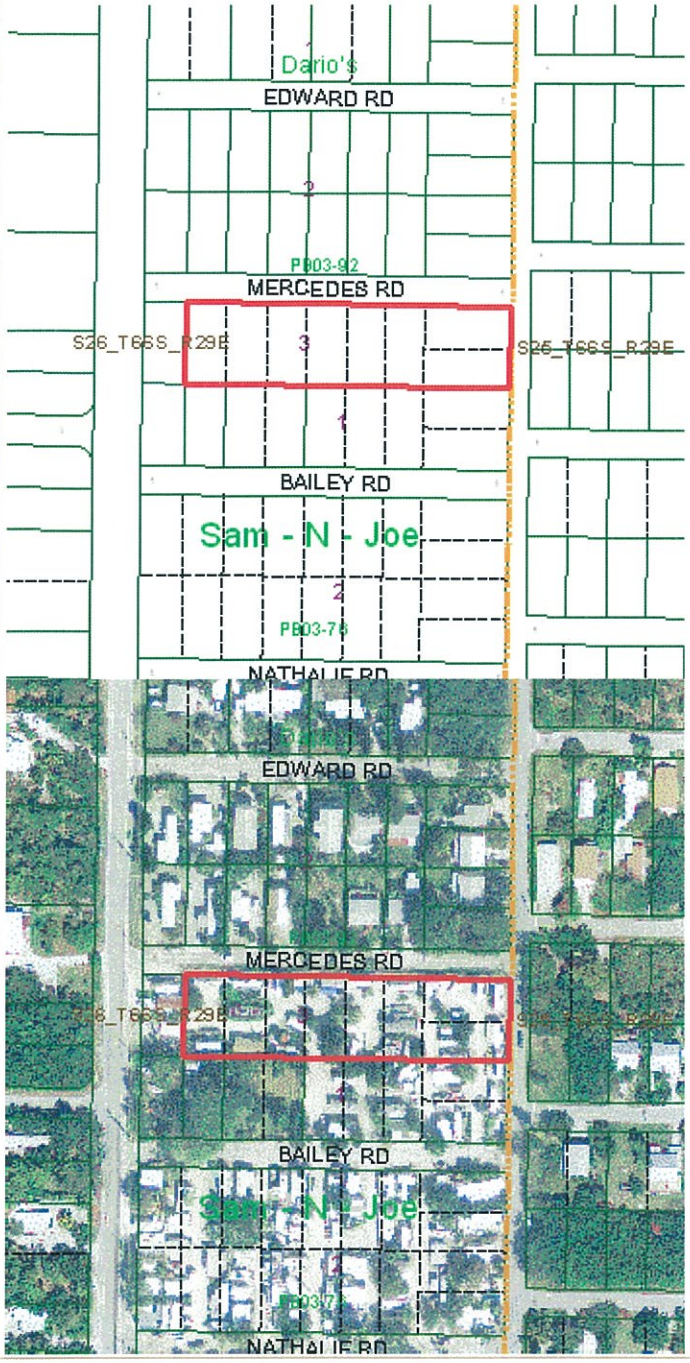
Ownership Details

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

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 100H
Affordable Housing: No
Section-Township-Range: 26-66-29
Property Location: 201 COUNTY RD BIG PINE KEY
Subdivision: DARIO'S SUBD
Legal Description: BK 3 LTS 1 THRU 8 DARIOS SUB PB3-92 BIG PINE KEY OR484-851/52 OR484-729/34 OR615-584 OR645-781 OR660-414 OR674-497 OR674-732 OR774-1131 OR790-126 OR862-2174 OR977-788/89 OR994-888/90 OR1130-2034/37 OR2192-341/42 OR2406-379/82C/T OR2409-582/84 OR2673-1749/51

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
1M0D - COMMERCIAL DRY	0	0	0.97 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	3,018 SF	503	6	1979	1980	1	30
2	PT2:BRICK PATIO	100 SF	10	10	1974	1975	1	50
3	FN2:FENCES	660 SF	110	6	1990	1991	2	30

Appraiser Notes

SEE OTHER AK# 1372196 & # 1372285 TOTAL LICENSED SITES=130 #083
2006/05/31 FIELD INSPECTED - REMOVED BLDG & PT'S THAT ARE NO LONGER THERE FOR THE 2007 TR (JDC & NL)
3/21/2014 BEN. SALE REVIEW WITH 1372285, 1372196, AND 1372765.
(SENDER SITE)OR2762-754 MONROE COUNTY MINOR CONDITIONAL USE PERMIT DEVEOPMENT ORDER 03-15 - ALLOWING THE TRANSFER OF 100 ROGO EXEMPTIONS FROM BIG PINE KEY SITE AKS 1372196, 1372285, 1372684, 1372765 TO RECEIVER SITE STOCK ISLAND AKS 9080464, 9080468,1157899
11/24/2015 BEN. PERMIT REVIEW FOR ELECTRIC DEMO.
RE: 30060, 30061, 30062, 30063, 30064, 30065 & 30066 COMBINED PER INCOME 7-26-85 JMH

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	15101632	04/14/2015	11/24/2015	600		ELECTRIC DEMO

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	3,632	389,600	412,798	412,798	0	412,798
2014	0	3,297	389,600	650,000	650,000	0	650,000
2013	0	2,373	388,000	682,910	682,910	0	682,910
2012	0	2,373	388,000	643,402	643,402	0	643,402
2011	0	2,373	388,000	757,579	730,022	0	757,579
2010	0	2,373	388,000	663,657	663,657	0	663,657
2009	0	2,373	388,000	940,976	940,976	0	940,976
2008	0	2,373	445,568	1,136,186	1,136,186	0	1,136,186
2007	0	2,143	408,437	1,568,343	1,568,343	0	1,568,343
2006	11,150	4,487	512,403	528,040	528,040	0	528,040
2005	11,150	4,487	415,863	431,500	431,500	0	431,500
2004	11,148	4,532	169,740	185,420	185,420	0	185,420
2003	11,148	4,577	169,740	185,465	185,465	0	185,465
2002	11,148	4,750	169,740	185,638	185,638	0	185,638
2001	11,148	4,965	169,740	185,853	185,853	0	185,853
2000	11,148	2,221	74,261	87,630	87,630	0	87,630
1999	11,148	2,279	74,261	87,688	87,688	0	87,688
1998	7,457	2,350	74,261	84,068	84,068	0	84,068
1997	7,457	2,495	74,261	84,213	84,213	0	84,213
1996	0	0	148,523	148,523	148,523	0	148,523
1995	0	0	148,523	148,523	148,523	0	148,523
1994	0	0	148,523	148,523	148,523	0	148,523
1993	0	0	148,523	148,523	148,523	0	148,523
1992	0	0	148,523	148,523	148,523	0	148,523
1991	0	0	148,523	148,523	148,523	0	148,523

1990	0	0	148,523	148,523	148,523	0	148,523
1989	0	0	148,523	148,523	148,523	0	148,523
1988	0	0	127,305	127,305	127,305	0	127,305
1987	0	0	121,788	121,788	121,788	0	121,788
1986	0	0	121,788	121,788	121,788	0	121,788
1985	0	0	56,630	56,630	56,630	0	56,630
1984	0	0	7,556	7,556	7,556	0	7,556
1983	0	0	7,556	7,556	7,556	0	7,556
1982	0	0	6,112	6,112	6,112	0	6,112

Parcel Sales History

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4/17/2009	2409 / 582	100	QC	11
3/30/2009	2406 / 379	1,000	CT	12
3/6/2006	2192 / 341	7,850,000	WD	M
5/1/1990	1130 / 2034	980,000	WD	M
5/1/1986	977 / 788	640,000	WD	M
8/1/1982	862 / 2174	455	WD	M

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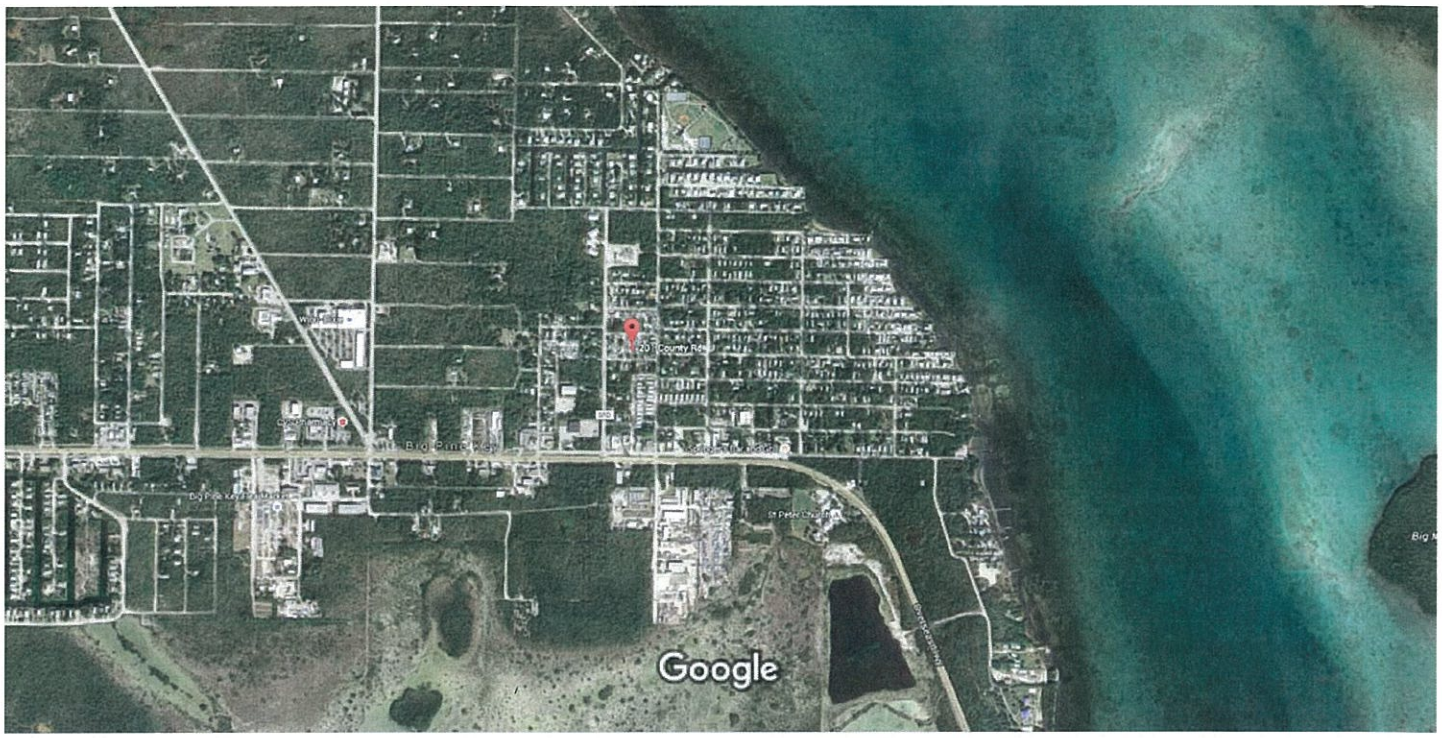
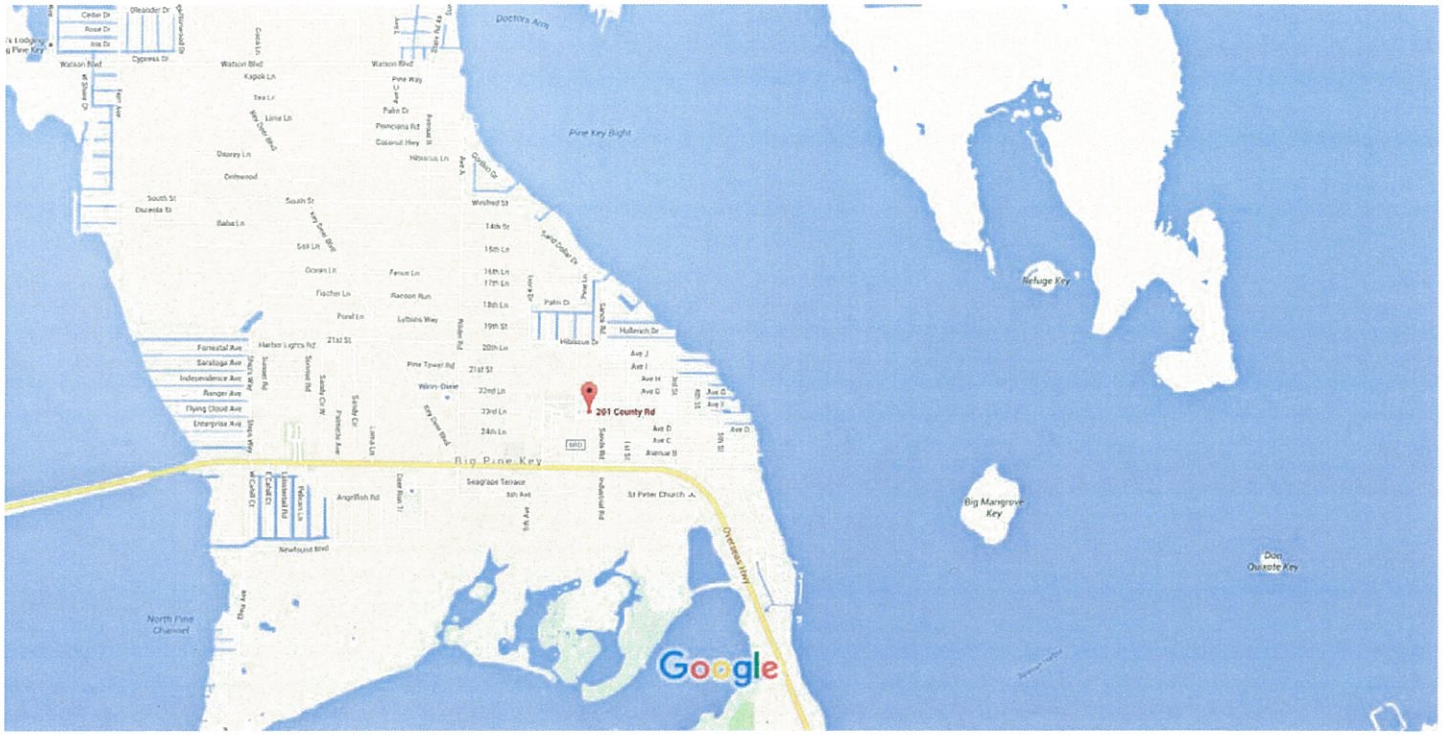
Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176

Google Maps 201 County Rd



Imagery ©2016 Google, Map data ©2016 Google 500 ft

201 County Rd



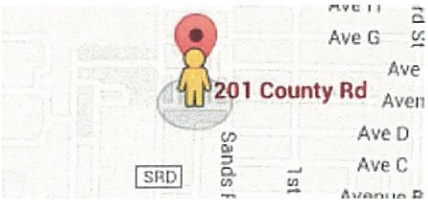
Map data ©2016 Google 1000 ft

Google Maps Nathalie Rd

Image capture: Apr 2011 © 2016 Google

Big Pine Key, Florida

Street View - Apr 2011

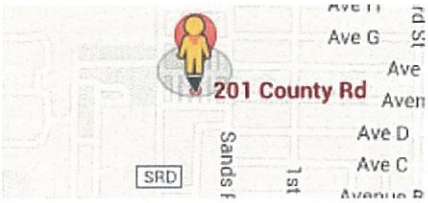


Google Maps Bailey Rd

Image capture: Apr 2011 © 2016 Google

Big Pine Key, Florida

Street View - Apr 2011



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NAME	ADD2	CITY	STATE	ZIP	COUNTRY
AMBLARD YANIC ROSE-MARIE	280 SANDS RD	BIG PINE KEY	FL	33043-4569	
BAGINSKI BETTEANN	1472 LONG BEACH DR	BIG PINE KEY	FL	33043-3504	
BALTUFF BRADLEY D	PO BOX 431470	BIG PINE KEY	FL	33043-1470	
BARROWS ROBERT	30894 HAMMOCK DR	BIG PINE KEY	FL	33043-4821	
BEIS JOHN A AND CASEY D	1014 MONTCLAIR DR	POPLAR BLUFF	MO	63901-2139	
BIG PINE CHRISTIAN CENTER INC C/O LAWES STEVE	100 COUNTY RD	BIG PINE KEY	FL	33043-4823	
BLAIR REA	185 COUNTY RD	BIG PINE KEY	FL	33043-4808	
CAMPBELL DIANE	17570 KENTARA WAY	FORT MYERS	FL	33913-7422	
CARNAHAN JOHN A	16294 JANINE DR	WHITTIER	CA	90603-1530	
CASEY MINORI	31049 AVENUE F	BIG PINE KEY	FL	33043-4557	
CHRISTENSON RICHARD M	175 FREEDOM LN	BIG PINE KEY	FL	33043-4803	
COFFMAN ROBERT A AND MARGARETE	16544 SPIELMAN RD	WILLIAMSPORT	MD	21795-4111	
COPPOLA MICHAEL C JR	PO BOX 430437	BIG PINE KEY	FL	33043-0437	
COUNTY OF MONROE	1100 SIMONTON ST	KEY WEST	FL	33040-3110	
COURSEN LANE	30886 HAMMOCK DR	BIG PINE KEY	FL	33043-4821	
CRABB GERALDINE RAE	31052 AVENUE H	BIG PINE KEY	FL	33043-4643	
DEMAURO ROBERT	17195 KINGFISH LN W	SUMMERLAND KEY	FL	33042-3613	
DETWEILER PATRICIA M	915 N SUMMIT ST	IOWA CITY	IA	52245-5936	
DILLON GARY	30477 COCONUT HWY	BIG PINE KEY	FL	33043-4726	
DOT/ST. OF FL	FDOT	TALLAHASSEE	FL	32399	
DUNWELL JOYCE ANN	31024 AVE F	BIG PINE KEY	FL	33043	
DZURNAK JOHN	31059 AVENUE G	BIG PINE KEY	FL	33043	
FRIIS-PETTITT DEBRA AND GORDON I	284 COUNTY RD	BIG PINE KEY	FL	33043-4817	
GONGRE MARK A AND JENNIFER L	30950 NATHALIE RD	BIG PINE KEY	FL	33043-4809	
GRUHN MILTON D	2718 FRANK ST	LANSING	MI	48911-6403	
HASKINS THOMAS J	17088 FLYING FISH LN	SUGARLOAF KEY	FL	33042	
HEATON RICKY D	PO BOX 604	KETCHUM	OK	74349-0604	
HEEKE BERNARD ALLEN	406 IRIS ST	KISSIMMEE	FL	34747-4623	
HERBST JACQUELINE	10511 SW 108TH AVE APT F183	MIAMI	FL	33176-8147	
HERNANDEZ JOSE M ARGUELLES	30925 MERCEDES RD	BIG PINE KEY	FL	33043-4812	
HOWARTH WALTER A AND SUSAN	30858 PALM DR	BIG PINE KEY	FL	33043-4622	
JENSEN STACEY S	31040 AVE F	BIG PINE KEY	FL	33043	
KUHN DENNIS P AND KIMBERLY	62 CUTTHROAT DR	SUMMERLAND KEY	FL	33042	

✓	LADD ANNE MARIE	PO BOX 13054	HAYWARD	WI	54843-3054	
✓	LAFFERTY CHARLES D	13130 PONDVIEW DR	SOUTH LYON	MI	48178-8703	
✓	LEGARE ROBERT	40 RUE MAURICE	ST REMI	QUEBEC	J0L 2L0	CANADA
✓	LEISNER EFIGENIA R	1716 CATHERINE ST	KEY WEST	FL	33040-3534	
✓	LONGSTOCK II LLC	7009 SHRIMP RD STE 2	KEY WEST	FL	33040-6067	
✓	LUKRYTZ WILLIAM L	PO BOX 430591	BIG PINE KEY	FL	33043-0591	
✓	MARTINEZ HECTOR	3941 NW 59TH AVE	VIRGINIA GARDENS	FL	33166-5739	
✓	MAURENE FREEDMAN HOLDINGS LLC	2612 ARNOLD ST	SARASOTA	FL	34231-2900	
✓	MCALEAR LARRY M	252 SANDS RD	BIG PINE KEY	FL	33043	
✓	MCNALLEY PAUL M AND MEAGAN R	30928 NATHALIE RD	BIG PINE KEY	FL	33043-4809	
	~~MONRO~~E COUNTY BOCC	500 WHITEDHEAD ST	KEY WEST	FL	33040	
	~~MONRO~~E COUNTY COMPREHENSIVE PLAN LAND AUTHORITY	1200 TRUMAN AVE STE 207	KEY WEST	FL	33040-7270	
✓	MOORE WILLIAM C AND NONDUS C L/E	PO BOX 430549	BIG PINE KEY	FL	33043-0549	
✓	PALMER CHARLOTTE A	350 COUNTY RD	BIG PINE KEY	FL	33043	
	PAULSON ALEXANDER	PO BOX 511305	KEY COLONY BEACH	FL	33051-1305	
✓	PEACOCK JEFFREY AND VILMA	8224 BERNARD DR N	MILLERSVILLE	MD	21108-1109	
	PEARSON MONIKA ANNA AND JASON M	31036 AVENUE D	BIG PINE KEY	FL	33043-4524	
✓	PEDRO FALCON ELECTRICAL CONTRACTORS INC	31160 AVENUE C	BIG PINE KEY	FL	33043-4516	
✓	PEREZ MANUEL M	181 LOMA LN	BIG PINE KEY	FL	33043-3113	
✓	PHILLIPS AYDEN	31044 AVE H	BIG PINE KEY	FL	33043	
	PISANO SUZANNE L	30951 WITTERS LN	BIG PINE KEY	FL	33043-5024	
✓	PRICE THOMAS L AND MARY JANE	31041 AVE F	BIG PINE KEY	FL	33043	
✓	REECE ROBERT E AND JUDITH A	6720 W 126TH PL	LEAWOOD	KS	66209-3231	
✓	REID SEWARD K JR	138 SANDS RD	BIG PINE KEY	FL	33043-4570	
✓	RICHARD PIERRETTE	1063 ST PAUL	ANCUNNE LORETTE	QUEBEC	G2E 1Y4	CANADA
✓	ROBERTS AMANDA M	30957 MERCEDES RD	BIG PINE KEY	FL	33043-4812	
✓	ROBERTS CHARLES F	5585 2ND AVE	KEY WEST	FL	33040-5932	
✓	ROBERTS TODD S	PO BOX 432103	BIG PINE KEY	FL	33043-2103	
✓	ROSENTHAL BYRON	PO BOX 128	DOVER	OH	44622	
✓	ROYAL PALM R V PARK INC	163 CUNNINGHAM LN OFC 38	BIG PINE KEY	FL	33043-4842	
✓	RUSINIAK PATRICIA M	11 DANFORTH ST	CHEEKTOWAGA	NY	14227-1609	
	SANCHEZ MARIELLA M AND GABRIEL	31019 AVENUE G	BIG PINE KEY	FL	33043-4559	
	SCARPELLI JOSEPH F	31028 AVENUE D	BIG PINE KEY	FL	33043-4524	
✓	SCHINDLER ROSS	373 STIRRUP KEY BLVD	MARATHON	FL	33050	

SCHULZ HENRY C AND DONNA M	1545 NEPTUNE AVE	BEACHWOOD	NJ	08722-4216	
SIEGEL VERNON E JR T/C	30915 BAILEY RD	BIG PINE KEY	FL	33043-4811	
SMITH PAUL HENRY	1892 NEW ELAM CHURCH RD	NEW HILL	NC	27562-8926	
SNELL BILL AND LINDA LIVING TRUST 5/11/2012	3800 DONALD AVE	KEY WEST	FL	33040-4511	
SOUTHERNMOST HOMES INC	3720 N ROOSEVELT BLVD	KEY WEST	FL	33040-4533	
TAYLOR MICHAEL WAYNE	30933 MERCEDES RD	BIG PINE KEY	FL	33043-4812	
THIEDE PETER P AND MILDRED C	210 COUNTY RD	BIG PINE KEY	FL	33043	
TIITF C/O DEP	3900 COMMONWEALTH BLVD MAIL STATION 115	TALLAHASSEE	FL	32399-3000	
TIRADO ALVARO A AND TERESA E	4430 SW 97TH AVE	MIAMI	FL	33165-5865	
TODD BRIAN	31275 AVENUE E	BIG PINE KEY	FL	33043-4545	
TRAMMELL HARLAN MCKINNEY III	30926 EDWARD RD	BIG PINE KEY	FL	33043	
TURNER CHRISTINA MILDRED	30932 NATHALIE RD	BIG PINE KEY	FL	33043-4809	
US FISH AND WILDLIFE SERVICE DEPT OF REALTY	1875 CENTURY BLVD NE STE 420	ATLANTA	GA	30345-3390	
VANMETER CHARLES N III AND PAMELA L	30918 EDWARD RD	BIG PINE KEY	FL	33043-4813	
WAR PATH FAMILY FARM INC	PO BOX 1570	HOPKINSVILLE	KY	42241-1570	
WILFONG JOYCE ELAINE	31028 AVENUE H	BIG PINE KEY	FL	33043-4643	
WITTERSTAETER STEVE E AND ELLEN M	PO BOX 3854	OCALA	FL	34478-3854	

ALTA / ACSM LAND TITLE SURVEY OF:

SEAHORSE RV PARK

SECTION 26, TOWNSHIP 66 SOUTH, RANGE 29 EAST, BIG PINE KEY, MONROE COUNTY, FLORIDA

30 0 30 60

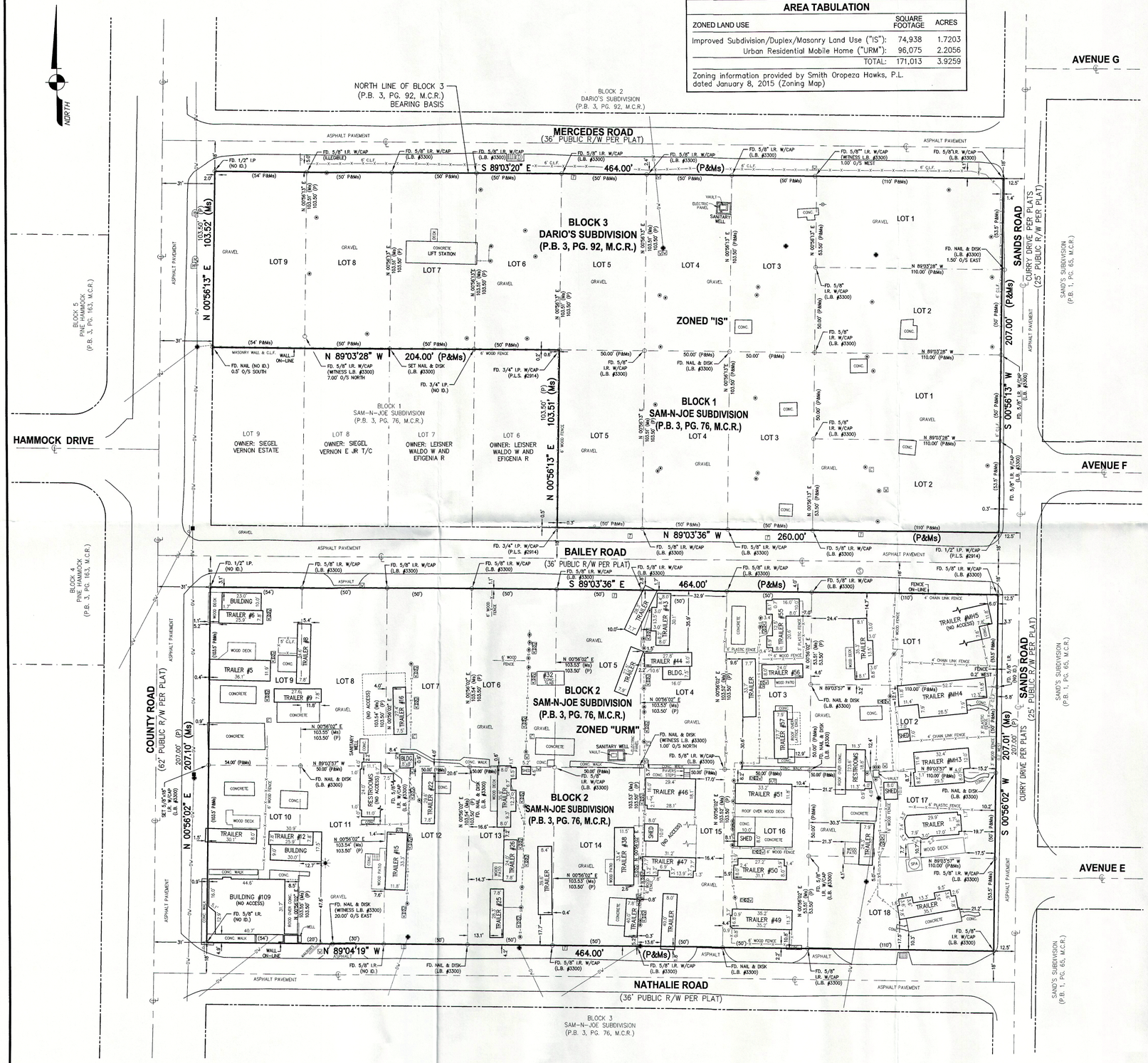
GRAPHIC SCALE IN FEET
1" = 30'

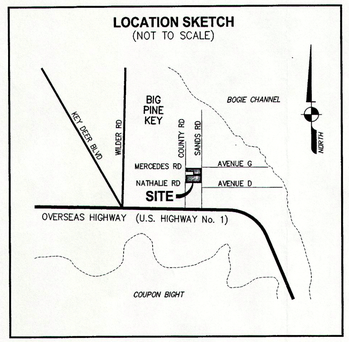
NORTH

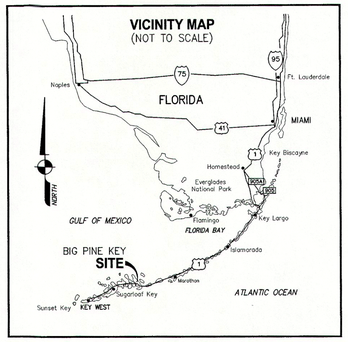
AREA TABULATION

ZONED LAND USE	SQUARE FOOTAGE	ACRES
Improved Subdivision/Duplex/Masonry Land Use ("IS"):	74,938	1.7203
Urban Residential Mobile Home ("URM"):	96,075	2.2056
TOTAL:	171,013	3.9259

Zoning information provided by Smith Oropeza Hawks, P.L. dated January 8, 2015 (Zoning Map)







SYMBOL LEGEND:

- CABLE TELEVISION RISER
- CATCH BASIN
- DRAINAGE MANHOLE
- ELECTRIC METER
- IRRIGATION CONTROL VALVE
- MAILBOX
- OW — OVERHEAD WIRES
- SANITARY CLEANOUT
- SANITARY LINE (ABOVE GROUND)
- SANITARY MANHOLE
- TELEPHONE RISER
- UTILITIES HOOK-UP COLUMN
- WOOD LIGHT POLE
- WOOD UTILITY POLE
- WATER METER

SUMMARY TABLE FOR:

SCHEDULE B-II EXCEPTIONS
TITLE COMMITMENT NO. 5011612-1062-3477270
(SEE SURVEYOR'S REPORT #2)

EXCEPTION NUMBER AND RECORDING INFORMATION	AFFECTS SUBJECT PROPERTY	DOCUMENT TYPE & AFFECTED AREA
No. 12 O.R.B. 668 / 43	Yes	State Law (all of subject property)
No. 13 O.R.B. 1136 / 218	Yes	Water Restrictions (all of subject property)
No. 15 O.R.B. 2588 / 683	Yes	Wastewater Resolution (all of subject property)
No. 16 O.R.B. 2762 / 754	Yes	Development Order (all of subject property)
O.R.B. 2762 / 759	Yes	Development Order (all of subject property)

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. The property shown hereon is subject to agreements, covenants, easements, restrictions and other matters contained in the Title Commitment issued by First American Title Insurance Company, Title Commitment No. 5011612–1062–3477270, effective date November 30, 2015 @ 8:00 AM, as prepared by Smith Oropeza Hawks, P.L.. Where applicable, these instruments are shown on the survey (see SUMMARY TABLE). Avirom & Associates, Inc. did not research the public records for easements, rights–of–way, ownership or other instruments of record.
3. The land description shown hereon is in accord with the Title Commitment.
4. No underground improvements were located.
5. Bearings shown hereon are assumed based on the north line of Block 3, DARIO'S SUBDIVISION having a bearing of S 89°03'20" E.
6. The entire property described hereon lies within Flood Zone AE (EL 8), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Community Panel No. 125129 1336 K, dated February 18, 2005.
7. 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.
8. This map is intended to be displayed at a scale of 1"=30' (1:360).
9. 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'.
10. There are no paved areas on the subject property.
11. There is no striping designating parking on the subject property.
12. There are no evidence of bodies of water on the subject property and the adjacent property.
13. The Surveyor observed evidence of current earth moving work with the site being used to store temporary fill for the installation of sanitary sewer lines within the right–of–way. There are no building construction or building additions observed on site.
14. The Surveyor has no knowledge of changes in right–of–way lines but there is observed evidence of recent street construction of the installation of sanitary sewer lines within the right–of–way.
15. There is no evidence of the site being used as a solid waste dump, sump or sanitary landfill.
16. Adjacent property owner information shown heron was obtained from the Monroe County Property Appraiser's website
17. Abbreviation Legend: A/C = Air conditioner; BLDG. = Building; ℄ = Centerline; C.L.F. = Chain link Fence; CONC. = Concrete; ACSM = American Congress on Surveying and Mapping; ALTA = American Land Title Association; ELEC. = Electric; F.B. = Field Book; FD. = Found; ID. = Identification; I.P. = Iron Pipe; I.R. = Iron Rod; L.B. = Licensed Business; M.C.R. = Monroe County Records; NSPS = National Society of Professional Surveyors; O/S = Offset; OW = Overhead Wires; P = Per Record Plat; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; R/W = Right–of–Way; W/CAP = With Surveyors Cap.

RECEIVED
AUG 25 2016
2016-113
MONROE CO. PLANNING DEPT

LAND DESCRIPTION:

Parcel 2:

Lots 1, 2, 3, 4 and 5, Block 1; and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, of SAM–N–JOE SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, at Page 76, of the Public Records of Monroe County, Florida.

And

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, of DARIO'S SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, at Page 92, of the Public Records of Monroe County, Florida.

Said lands lying and situate in Big Pine Key, Monroe County, Florida, containing 171,013 square feet (3.9259 acres), more or less.

CERTIFICATION:

To: Smith Oropeza Hawks, P.L.; Longstock II, LLC, a Florida limited liability company; First American Title Insurance Company; Branch Banking and Trust Company, a North Carolina banking corporation, its successors and/or assigns as their interests may appear.

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 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11(a), 13, 14, 16, 17 and 18 of Table A thereof. The field work was completed on April 29, 2015. I FURTHER CERTIFY that this Boundary Survey meets the Standards of Practice set forth in Chapter 5J–17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date of Map: 12-18-2015

KEITH M. CHEE-A-TOW, P.L.S.
Florida Registration No. 5328
AVIROM & ASSOCIATES, INC.
L.B. No. 3300
EMAIL: keith@aviromsurvey.com

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F.B. / PG.	BY	CK'D	REVISIONS	DATE	F.B. / PG.	BY	CK'D
1620 / 42-78	S.A.M.	K.M.C.	TITLE COMMITMENT BASED ON LAND USE ZONING	01/15/2015	1620 / 42-78	S.A.M.	K.M.C.
1675 / 55	S.A.M.	K.M.C.	FIELD UPDATE BOUNDARY, REVISE PER TITLE COMM.	12/18/2015	1675 / 55	S.A.M.	K.M.C.
NONE	S.A.M.	K.M.C.	UPDATE TO ALTA/ACSM STANDARDS	12/18/2015	NONE	S.A.M.	K.M.C.

ALTA / ACSM LAND TITLE SURVEY
Lots 1–5, Block 1 and Lots 1–18, Block 2/ Lots 1–9, Block 3
SAM-N-JOE SUBDIVISION and DARIO'S SUBDIVISION
(P.B. 3, PG. 76 and P.B. 3, PG. 92 M.C.R.)
BIG PINE KEY
MONROE COUNTY, FLORIDA

SCALE:	1" = 30'		
DATE:	01/16/2014		
BY:	S.A.M.		
CHECKED:	K.M.C.		
F.B.	1620	PG. 42 - 78	
SHEET:	1 OF 1		
JOB #:	9524		