

Agenda

PLANNING COMMISSION
 MONROE COUNTY
 HIGHWAY
 September 8, 2010
 FL
 10:00 A.M.

MARATHON GOV'T CENTER
 2798 OVERSEAS

 MARATHON,

 MONROE COUNTY, FL

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

Randy Wall, Chairman
 Denise Werling
 Jeb Hale
 Jim Cameron
 Elizabeth Lustberg

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources
 Susan Grimsley, Ass't County Attorney
 John Wolfe, Planning Commission Counsel
 Mitch Harvey, Comprehensive Plan Manager
 Tiffany Stankiewicz, Development Administrator
 Joe Haberman, Principal Planner
 Debby Tedesco, Planning Commission Coordinator

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 ten (10) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

SWEARING OF COUNTY STAFF

MINUTES FOR APPROVAL

CHANGES TO THE AGENDA

MEETING

Continued Item:

1. Kula Property, 150 Ellis Drive, Tavernier, Mile Marker 92.5: A request for an administrative appeal to the Planning Commission based on a Letter of Understanding by the Senior Director of Planning & Environmental Resources dated December 22, 2009. The subject property is legally described as Part of Tract 1, Plat of Survey of Ellis Property (PB2-99), Key Largo, Monroe County, Florida, having real estate number 00490130.000100.

[2010-012 FILE.pdf](#)

[2010-012 Survey.PDF](#)

[2010-012 SR PC 09.08.10.pdf](#)

New Items:

2. **A public hearing to consider and finalize the ranking of applications in the Dwelling Unit Allocation System** for the April 13, 2010, through July 12, 2010, ROGO quarter (4th Quarter Year 18). Building permits will be allocated for all unincorporated Monroe County.
[29072 SR PC 10.06.10.PDF](#)

3. **A public hearing to consider and finalize the ranking of applications for Non-Residential Floor Area** for all unincorporated Monroe County for the NROGO allocation Period 2 of Year 18 ending July 12, 2010. Building permits will be allocated for all unincorporated Monroe County.
[29073NROGO SRPer 2 Y18.PDF](#)

4. **Newman Trust Property, aka Tropic Palms Trailer Park, 6125 Second Street, Stock Island, Mile Marker 5: A request for approval to amend the land use district designation from Urban Residential Mobile Home - Limited (URM-L) to Urban Residential Mobile Home (URM).** The subject property is legally described as Block 34, Lots 1-10 and 16-20, MacDonald's Plat, PB1-55, Stock Island, Monroe County, Florida, having Real Estate No. 00124560.000000.
[M2010-034 FILE.PDF](#)
[M2010-034 Survey.pdf](#)
[M2010-034 SR PC 9.8.10.PDF](#)

BOARD DISCUSSION

-
GROWTH MANAGEMENT COMMENTS

-
RESOLUTIONS FOR SIGNATURE

ADJOURNMENT



File #: **2010-012**

Owner's Name: Kula, Leon D., Trustee of Leon D.
Kula Living Trust

Applicant: Mull, Patricia – Kula Property

Agent: Andrew M. Tobin

Type of Application: Admin Appeal to PC

Key: Tavernier

RE: 00490130-000100

Additional Information added to File 2010-012

County of Monroe
Growth Management Division

Office of the Director
2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
FAX: (305) 289-2854



Board of County Commissioners
Mayor George Neugent, Dist. 2
Mayor Pro Tem Sylvia J. Murphy, Dist. 5
Kim Wigington, Dist. 1
Heather Carruthers, Dist. 3
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

Date: 1/28/2010

Dear Applicant:

This is to acknowledge submittal of your application for Admin Appeal to the MC Planning Commission
Type of application

KULA Property
Project / Name to the Monroe County Planning Department.

Thank you.

Shil Creech

Planning Staff

End of Additional File 2010-012

ANDREW M. TOBIN, PA
Attorney at Law
Post Office Box 620
Tavernier, Florida 33070
Telephone 305-852-3388

TobinLaw@Terranova.net

Land Use & Zoning Law
Environmental Law
Administrative Law
Appellate Practice
Real Estate Closings

January 21, 2010



Roman Gastesi, Monroe County Administrator
Gato Building
1100 Simonton Street
Key West, Florida 33040

Re: Administrative Appeal of Planning Director's Letter of Understanding
Kula Property – Real Estate # 00490130.000100

Dear Mr. Gastesi;

Please find enclosed our application for an administrative appeal for the above referenced property, and check # 5035 in the amount of \$1,760.00. As required, I am providing a separate copy to Mr. Schwab.

Please schedule this matter before the Planning Commission at your earliest opportunity.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Andrew M. Tobin".

Andrew M. Tobin, Esq.

cc: Townsley Schwab, Planning Director

Received by Monroe County on January 21, 2009

By: _____



APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Administrative Appeal to the Monroe County Planning Commission

Monroe County Code § 102-185

Appeals of administrative actions must be filed with the County Administrator and with the Planning & Environmental Resources Department within thirty (30) days of the date of the decision

Administrative Appeal Application Fee: \$1,500.00

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

Advertising Costs: \$245.00

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

Date of Submittal: 1 / 20 / 10
Month Day Year

Decision being appealed: Letter of Understanding for Kula Property

Date of decision being appealed: 12 / 22 / 09
Month Day Year

Appellant:

Patricia Mull
Name

91760 Overseas Highway, Tavernier
Mailing Address (Street, City, State, Zip Code)

305-852-8025
Daytime Phone

Email Address

Agent (if applicable):

Andrew M Tobin
Name

P.O. Box 620, Tavernier, FL 33070
Mailing Address (Street, City, State, Zip Code)

305-852-3388
Daytime Phone

tobinlaw@terranova.net
Email Address

Property Owner:

Kula, Leon D., Trustee of Leon D. Kula Living Trust 5-6-99
Name

150 Ellis Drive, Tavernier, FL 33070
Mailing Address (Street, City, State, Zip Code)

Daytime Phone

APPLICATION

Legal Description of Property:

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

		Ellis Property Plat of Survey	Tavernier
Block	Lot	Subdivision	Key
	00490130-000100	1605182	
Real Estate (RE) Number		Alternate Key Number	
150 Ellis Drive, Tavernier, FL 33070		92.5 Bayside	
Street Address		Approximate Mile Marker	

Land Use District Designation(s): SC

Present Land Use of the Property: single family/residential

Are there any pending codes violations on the property? Yes: X No:

If yes, please provide case number: CE08040073

A COPY OF THE BASIS FOR THE APPEAL IN THE NATURE OF AN INITIAL BRIEF AND ANY EVIDENCE INCLUDING TESTIMONY, AFFIDAVITS AND THE CURRICULUM VITAE OF ANY EXPERT WITNESS THAT WILL BE CALLED MUST BE ATTACHED TO THIS APPLICATION. The brief must at a minimum state all grounds for the appeal, including but not limited to, the law being appealed and any facts necessary for interpretation of those laws. (Attach additional sheets of paper)

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

- Complete administrative appeal application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- A copy of the document(s), which comprise the administrative decision being appealed;
- Any evidence and record which forms the basis for the appeal must be submitted with this application;
- Names and addresses of all expert witnesses that you propose to call at the hearing;
- Photograph(s) of site from adjacent roadway(s);

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

- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)
- Boundary Survey – ten (10) sets (please contact Monroe County Environmental Resources prior to application submittal to determine if this documentation is necessary)

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

APPLICATION

If new evidence, or the basis for appeal, is submitted at the Planning Commission hearing, Staff shall request that the hearing be continued to the next Planning Commission meeting nearest to the property (approximately six weeks) so that Staff has the opportunity to prepare a response to the new evidence.

If the applicant does not submit the basis for the appeal with the application, Staff will recommend denial of the appeal.

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

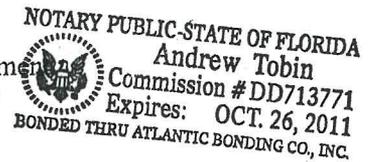
Signature of Applicant: [Handwritten Signature] Date: 1/20/2010

Sworn before me this 20TH day of January 2010

[Handwritten Signature]
Notary Public
My Commission Expires

Please send the complete application package to:

Planning Commissioner Coordinator
Monroe County Planning & Environmental Resources Department
2798 Overseas Highway, Suite 400, Marathon, FL 33050



-AND-

Monroe County Administrator
The Gato Building
1100 Simonton Street, Key West, FL 33040

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, NOTICE IS GIVEN THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING OR MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE THAT PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. SUCH RECORD TO BE AT THE COST OF THE APPELLANT. ALSO, MONROE COUNTY RESOLUTION #131-1992 REQUIRES THAT "IF A PERSON DECIDES TO APPEAL ANY DECISION OF THE PLANNING COMMISSION, HE SHALL PROVIDE A TRANSCRIPT OF THE HEARING BEFORE THE PLANNING COMMISSION, PREPARED BY A COURT REPORTER AT THE APPLICANT'S EXPENSE, WHICH TRANSCRIPT SHALL BE FILED AS PART OF THE RECORD ON APPEAL WITHIN THE TIME PROVIDED IN SECTION 9.5-521(f), MONROE COUNTY CODE.

Please Note: A transcript made from recordings or other secondary means does not provide a sufficiently accurate record of all the speakers. Therefore, such "secondary" transcripts may not be accepted as a valid verbatim transcript.

1/20/10
(Date)

I hereby authorize Andrew M. Tobin be listed as authorized agent
(Name of Agent)

for Patricia Mull for the purpose of conducting all business necessary to
(Name of Owner(s) / Applicant)

process and obtain approval in regard to _____ for _____
(Project Name) (Application Type)

for Real Estate No(s): 00490130-000100 from
the Monroe County Planning and Environmental Resources Department.

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 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.

[Handwritten Signature]
Owner(s) / Applicant Signature

PATRICIA MULL
Printed Name of Owner(s) / Applicant

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 20th day of January, 2010.

Patricia Mull is personally known produced identification

(n/a Type of Identification), did / did not take an oath.

[Handwritten Signature]
Notary

NOTARY PUBLIC-STATE OF FLORIDA
Andrew Tobin
Commission # DD713771
Expires: OCT. 26, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

Mull/Kula Administrative Appeal

Basis of Appeal

Appellant asserts as follows:

A. There is insufficient evidence to support the Planning Director's decision that the subject workshop was "lawfully established" (permitted), for low or medium intensity commercial office or retail purposes. This will be established by testimony from Mrs. Patricia Mull and others. It is also evident because the Monroe County Building and Zoning Department did not require compliance with the commercial office or retail commercial standards such as bulk regulation, floodproofing of below BFE structures, handicap parking requirements, etc.

B. If the Planning Commission determines there is competent substantial evidence to support a finding that the commercial retail or office use was lawfully established, then and in that event, the Planning Commission should find that Mr. Kula abandoned and discontinued the purported "lawful use" by virtue of the conversion of the purported commercial use by construction of a habitable dwelling unit. (Mr. Kula constructed the following: partitioned walls for a living room, bathroom, bedroom, ceramic tiles, new windows and doors, new electrical service, etc.)

In Conclusion, Mr. Kula should be required to demolish the un-permitted habitable dwelling unit and return the structure to its former use as an accessory workshop to a single family residence.

Expert Witness

Paul Turick, 212 Jasmine Street, Tavernier, Florida 33070, will testify as a former assistant building official for Monroe County.

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, Dist. 5
Mayor Pro Tem Heather Carruthers, Dist. 3
Kim Wigington, Dist. 1
George Neugent, Dist. 2
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

December 22, 2009

Don Horton
No Stress Property Management
144 Apache Street
Tavernier, FL 33070

**SUBJECT: LETTER OF UNDERSTANDING FOR THE 'KULA' PROPERTY LOCATED AT
150 ELLIS DRIVE, TAVERNIER, MILE MARKER 92.5 (BAYSIDE) AND
HAVING REAL ESTATE NUMBER 00490130.000100**

Mr. Horton,

Pursuant to §110-3 of the Monroe County Code (MCC), this document shall constitute a Letter of Understanding (LOU). On November 24, 2009, a Pre-Application Conference regarding the above-referenced property was held at the office of the Monroe County Planning & Environmental Resources Department on Key Largo.

Attendees of the meeting included Don Horton, No Stress Property Management, Inc., and John Jabro (hereafter referred to as "the Applicant") and Joseph Haberman, Principal Planner; Steven Biel, Senior Planner; and Barbara Bauman, Senior Planning Technician (hereafter referred to as "Staff").

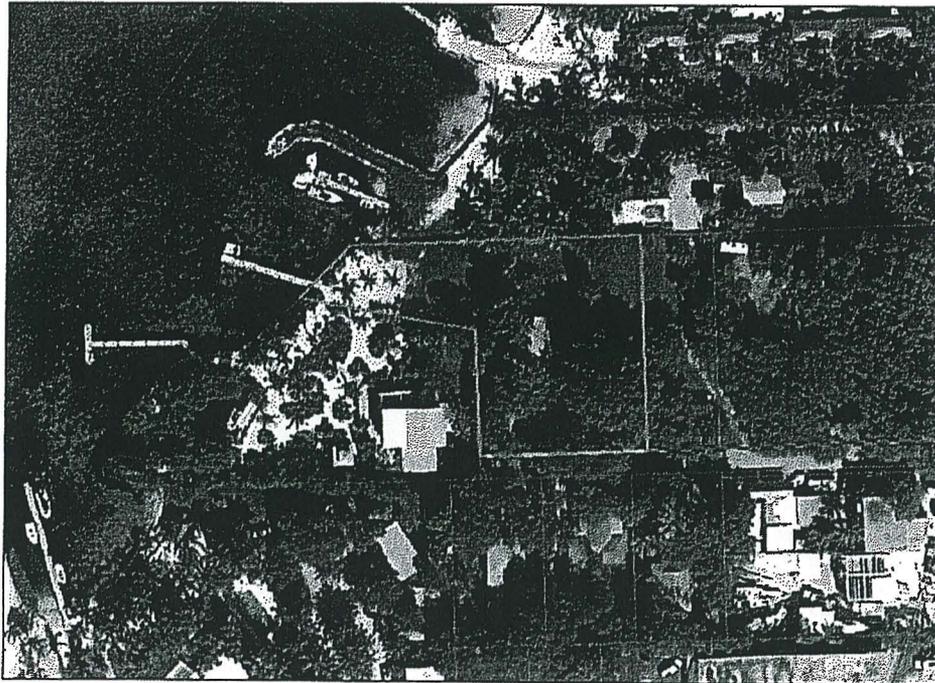
Materials presented for review included:

- (a) Pre-Application Conference Request Form;
- (b) Monroe County Property Record Card; and
- (c) Supporting Documentation (tax records and newspaper articles)

I. APPLICANT PROPOSAL

1. The Applicant is requesting that the Planning & Environmental Resources Department recognize that the existing commercial retail use was lawfully-established on the subject property. The Applicant is also requesting that the Department allow the use of the commercial retail building to be expanded from only a workshop with no visiting customers to a workshop and studio where customers can visit and purchase artwork and other products produced on the site. The Applicant

contends that the property owner has been operating a metal sculpturing business out of a workshop on the site since as early as 1983.



Subject Property (outlined in blue) (2009)

II. SUBJECT PROPERTY DESCRIPTION

1. The subject property is located at 150 Ellis Drive in Tavernier Key Largo, at approximate mile marker 92.5 of US 1. The site consists of approximately 32,810 ft² (0.753 acres).
2. The subject property is currently identified as real estate (RE) number 00490130.000100 and is legally described as part of tract 1, Plat of Survey of Ellis Property (PB2-99), Key Largo, Monroe County, Florida.
3. According to the Monroe County Property Appraiser's records, the parcel is currently owned by Leon D. Kula, Trustee (Leon D. Kula Living Trust).
4. According to the Monroe County Property Appraiser's records, the parcel currently has a property classification (PC) code of 01-Single-Family.

III. RELEVANT PRIOR COUNTY ACTIONS

1. The site is currently developed with a single-family residence and a detached building, currently used by the property owner as a workshop. According to the Monroe County Property Appraiser's records, the 1,940 ft² single-family residence was constructed in 1948 and the 864 ft² building in which the workshop is located was constructed in 1948. The Appraiser's records also imply that the workshop building's floor area was remodeled or expanded in 1993. Staff could

not locate building permits approving either the single-family residence or the building in which the workshop is located. However, this is common for structures built prior to 1950.

IV. REVIEW OF REDEVELOPMENT PROPOSAL

The following land development regulations directly affect the proposal. However, there are other land development regulations not referred to nor described in this letter which may govern future development as well:

1. The property has a Land Use District designation of Suburban Commercial (SC) and a Future Land Use Map (FLUM) designation of Mixed Use/Commercial (MC).
2. Concerning the existing single-family residence on the property, pursuant to MCC §138-22(1), the Rate of Growth Ordinance (ROGO) shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit which 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 (1) unit for each such unit lawfully-established. Administrative Interpretation 03-108 provides the criteria to be used by Staff to determine whether or not a residential unit was lawfully-established.

There is no building permit on file for the construction of the single-family residence. However, several building permits for improvements to the single-family residence were found. In addition, the Monroe County Property Appraiser's records indicate that a residential unit has been on the tax roll from 1982 to 2009, with the year built of the building indicated as 1948, and aerial photographs support the existence of the structure back to 1986.

Based on a review of the records, Staff has determined that the existing single-family residence was lawfully-established.

3. Concerning the existing building in which the workshop is located, pursuant to MCC §138-50, the Non-Residential Rate of Growth Ordinance (NROGO) shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established, non-residential floor area which does not increase the amount of non-residential floor area greater than that which existed on the site prior to the redevelopment, rehabilitation or replacement. Therefore, owners of land containing non-residential floor area shall be entitled to one square foot for each such square foot lawfully-established. Non-residential floor area is the sum of the gross floor area for a non-residential building or structure as defined in MCC §101-1, any areas used for the provision of food and beverage services and seating whether covered or uncovered, and all covered, unenclosed areas. Administrative Interpretation 03-108 provides the criteria to be used by Staff to determine whether or not non-residential floor area was lawfully-established.

There is no building permit on file for the construction of the building. In addition, there is no notation of a commercial workshop or any non-residential use on the parcel in the Monroe County Property Appraiser's records. Therefore, there is no definitive information as to whether or not the structure was initially built to serve as an accessory structure to the single-family residence or to serve an independent building for commercial use.

There is a reference to the workshop in the application submitted for Building Permit #973-3871, which was issued in 1997 for the demolition of a shed and concrete pad and the construction of a new concrete pad in front of a workshop. In addition, aerial photography dating back to 1986 shows the structure in which the workshop is located; the Applicant submitted tax records for the business with 150 Ellis Drive as its address; and the Applicant provided several newspaper articles that imply the workshop was in existence on the site for several years.

Based on a review of the records, Staff has determined that the existing building in which the workshop is located was lawfully-established and its present non-residential use was lawfully-established.

4. Pursuant to MCC §130-93, dwelling units not deed-restricted as employee housing or commercial apartments are not permitted in the SC district. However, since the existing single-family residence was lawfully-established it may continue in accordance with MCC §130-163. Notwithstanding the provisions of MCC §130-157 and §130-158, the owners of land upon which a lawfully established dwelling unit exists shall be entitled to one dwelling unit for each such unit in existence. Such legally-established dwelling unit shall not be considered as a nonconforming use.
5. A workshop and studio for the sale or artwork and other products is a commercial retail use. Depending on trip generation, commercial retail uses are classified as low, medium or high-intensity. This type of business would be either low or medium intensity.

Pursuant to MCC §130-93, in the SC District, low and medium-intensity commercial retail uses of less than 2,500 ft² of floor area may be permitted as-of-right with a building permit.

6. As a note, the Applicant implied that the artwork and other materials made of metal would be produced on the site. Staff has determined that as long as the business does not carry out any of the activities expressly contained within the definition of industrial use, the production of the items shall be a component of the commercial retail use. As defined in MCC §101-1, an industrial use means a use devoted to the manufacture, warehousing, assembly, packaging, processing, fabrication, storage, or storage of goods and materials whether new or used or the substantial refinishing, repair and/or rebuilding of vehicles or boats. Pursuant to §130-93(b)(7), light industrial uses are permitted in the SC district; however a minor conditional use permit shall be required.
7. The allowance of customers into the workshop/studio would trigger the site to be brought into compliance with the off-street parking regulations. Pursuant to MCC §114-67, the following off-street parking would be required:

Specific Use	Multiplier	Proposed	Required Spaces
Single-family dwelling unit	2 spaces / dwelling unit	1 dwelling unit	2 spaces
Commercial Retail	3 spaces / 1,000 ft ² of floor area	864 ft ²	3 spaces
total			5 spaces

V. OTHER ISSUES CONCERNING THE PROPOSAL

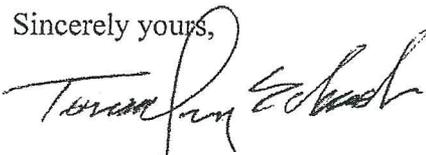
1. The following shall be required in order for Staff to approve the change of intensity of the existing workshop from one-employee only (the self-employed property owner) into the proposed workshop/studio with customers and possibly additional employees:
 - a) The Applicant shall apply for a building permit in order to have the increased intensity to the site approved. An increase in intensity will result from the traffic of customers and patrons visiting the business.
 - b) The Applicant shall bring the site into compliance with the off-street parking regulations. A site plan showing parking shall be submitted as part of the aforementioned building permit application.
 - c) The Applicant shall bring the building and site into compliance with all necessary Americans with Disabilities Act (ADA) regulations. A site plan showing handicap parking and access to the building shall be submitted as part of the aforementioned building permit application.
 - d) The Applicant shall agree that no use that falls within the definition of industrial use shall occur on the site unless a minor conditional use permit is applied for and received.
 - e) The Applicant shall coordinate with the Monroe County Floodplain Coordinator and if determined necessary shall flood-proof the workshop/studio building.
 - f) The Applicant shall coordinate with the Monroe County Office of the Fire Marshal.
 - g) The Applicant shall contact the Monroe County Property Appraiser and determine if the property classification (PC) code should be modified from 01-Single-Family to a classification that properly assesses the single-family and commercial use on the site.

Pursuant to MCC §110-3, you are entitled to rely upon the representations set forth in this letter as accurate under the regulations currently in effect. This letter does not provide any vesting to the existing regulations. If the Monroe County Code or Year 2010 Comprehensive Plan are amended, the project will be required to be consistent with all goals, objectives and standards at the time of development approval. The Planning & Environmental Resources Department acknowledges that all items required as a part of the application for development approval may not have been addressed at the meeting.

You may appeal decisions made in this letter. If you choose to do so, please contact the Planning Commission Coordinator at (305)289-2500 for the necessary forms and information. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Highway, Suite 410, Marathon, FL 33050.

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

Sincerely yours,



Townsley Schwab, Senior Director Planning & Environmental Resources

MONROE COUNTY
OFFICIAL RECORDS

FILE #1138956
BK#1591 PG4592

RCD Aug 11 1999 08:50AM
DANNY L KOLHAGE, CLERK

THIS INSTRUMENT PREPARED BY:
Johns S. Bohatch, Esquire
GUTTENMACHER & BOHATCH, P.A.
2600 Douglas Road, Penthouse 8
Coral Gables, Florida 33134

DEED DOC STAMPS 0.70
08/11/1999 RP DEP CLK

Parcel ID Number:

Warranty Deed

This Indenture, made this 19 day of July, 1999 A.D. Between LEON D. KULA and NORMA A. KULA, husband and wife, of the County of Monroe, State of Florida, grantors, LEON D. KULA, TRUSTEE OF THE LEON D. KULA LIVING TRUST, dated May 6, 1999, whose address is 150 Elis Drive, Tavernier, Florida 33070, of the County of Monroe, State of Florida, grantee.

Witnesseth that the GRANTORS for and in consideration of the sum of TEN & NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs and assigns forever, the following described land, situated, lying and being in the County of Monroe, State of FLORIDA to wit:

See attached legal description - Exhibit A

Subject to restrictions, reservations and easements of record, if any, which are not reimposed hereby, and taxes for the current and subsequent years.

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

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Edna M. Ozegovich Leon D. Kula (seal)
Printed Name: Edna M. OZEGOVICH LEON D. KULA, husband
Witness

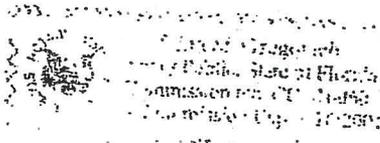
Sharon H. Turner
Printed Name: Sharon H. Turner
Witness

Edna M. Ozegovich Norma A. Kula (seal)
Printed Name: Edna M. OZEGOVICH NORMA A. KULA, wife
Witness

Sharon H. Turner
Printed Name: Sharon H. Turner
Witness

STATE OF FLORIDA)
)SS:
COUNTY OF MONROE)

The foregoing instrument was acknowledged before me this 19 day of July, 1999 by LEON D. KULA and NORMA A. KULA, husband and wife, who are personally known to me or who have produced his FLDLK4005213218-0 as identification and who did take an oath. FLDLK40052140689-0



Edna M. Ozegovich
Notary Public, State of Florida at Large
My Commission Expires:

EXHIBIT A

All that piece or parcel of land situate in NW ¼ of the SE ¼ of Section 27, Township 62 S., Range 38 E., Key Largo, Monroe County, Florida, and being a part of Tract 1, of "PLAT OF SURVEY OF ELLIS PROPERTY", as recorded in Plat Book 2, at Page 99 of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:

Begin at the intersection of the South line of the South 100 ft. of the North 300 ft. of Tract 1 of said Plat of Survey of Ellis Property with the W'y Right-of-way line of state Road No. 5 (U.S. No. 1); thence run Southerly along said Right-of-way line of 117.73 ft. to a point of curvature of a curve, concave to the West and having a radius of 1860.08 ft.; thence continue along said curve and Right-of-way for 66.5 ft. more or less to the Northerly line of a 20 ft. (formerly 15 ft.) street. Thence Westerly along the Northerly boundary of said Street a distance of 395.76 feet to an iron pipe; thence Northerly, at right angles, a distance of 104.95 feet to an iron pipe; thence Westerly at an interior angle of 101 degrees, 49 minutes, 30 seconds measured to the right, a distance of 122.00 ft., thence by the same course, a distance of 3 ft., more or less, to the mean high water line of the Bay of Florida; thence Northeasterly along the mean high water line of the Bay of Florida, a distance of Northeasterly along the mean high water line of the Bay of Florida, a distance of 78.03 ft., more or less, to the Southwest corner of lands previously deeded to Cecil R. Sampson, et ux, as recorded in Official Recorded Book 390, Page 693, Public Records of Monroe County, Florida and adjacent to the lands herein described; thence Easterly along the Southerly boundary of said lands of Cecil R. Sampson, et ux, a distance of 3 feet, more or less, to a concrete monument; thence by the same course, a distance of 495.0 ft., more or less, to the Point of Beginning.

MONROE COUNTY
OFFICIAL RECORDS

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501

Property Record View

Alternate Key: 1605182 Parcel ID: 00490130-000100

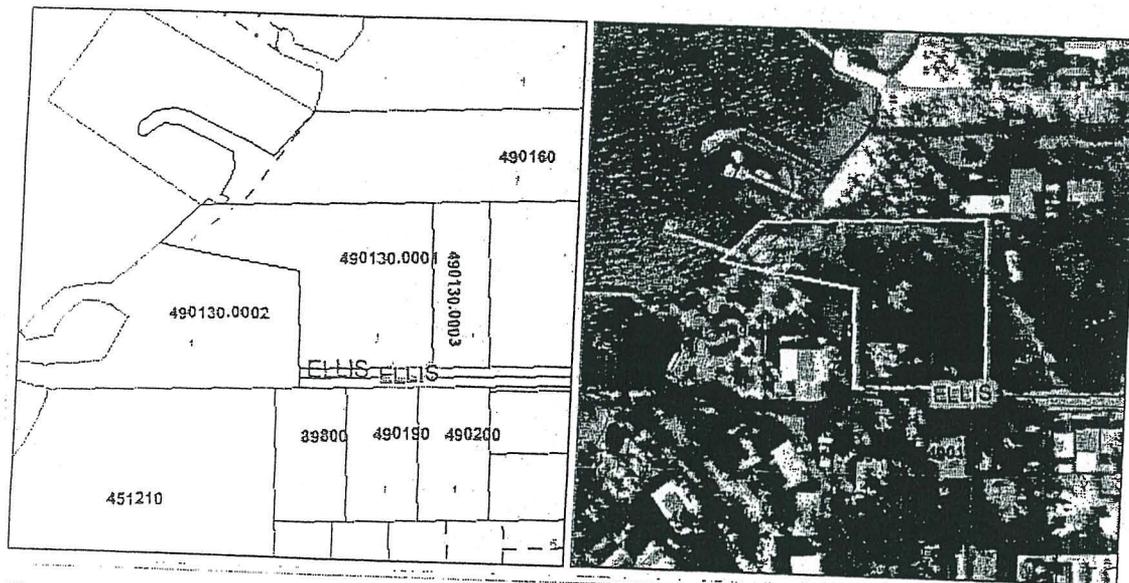
Ownership Details

Mailing Address:
 KULA LEON D TRUSTEE
 (LEON D KULA LIV TR 5-6-99) - % LEON D KULA (Q)
 150 ELLIS DRIVE
 TAVERNIER, FL 33070

Property Details

PC Code: 01 - SINGLE FAMILY
 Millage Group: 500P
 Affordable Housing: No
 Section-Township-Range: 27-62-38
 Property Location: 150 ELLIS DR KEY LARGO
 Subdivision: ELLIS PROPERTY PLAT OF SURVEY
 Legal Description: PLAT OF SURVEY OF ELLIS PROPERTY KEY LARGO PB2-99 PT TRACT 1 OR485-12 OR803-1827 OR1532-100/01CERT OR1591-592/94 (UNR M/T ON FILE-KULA LEON D)

Parcel Map



Exemptions

Exemption	Amount
39 - 25000 HOMESTEAD	25,000.00
44 - ADDL HOMESTEAD	25,000.00

Land Details

Land Use Code	Frontage	Depth	Land Area
010W - RES WATERFRONT	0	0	32,810.00 SF

Building Summary

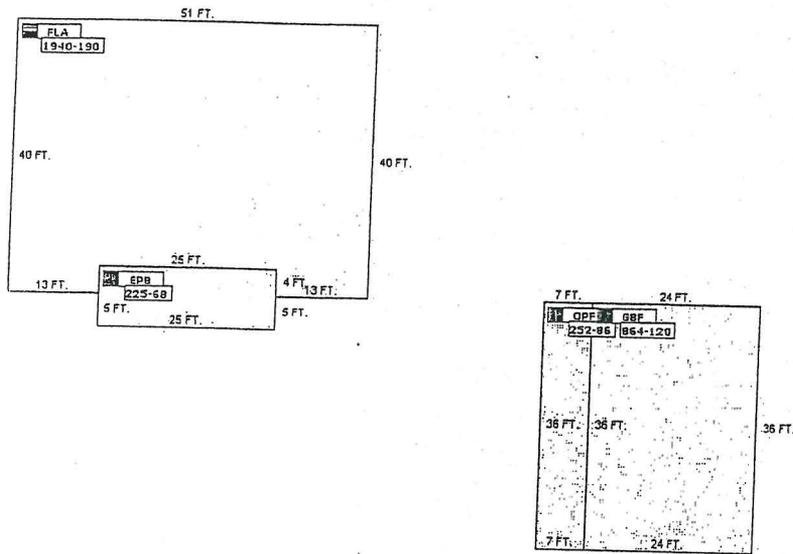
Number of Buildings: 1
 Number of Commercial Buildings: 0
 Total Living Area: 1940
 Year Built: 1948

Building 1 Details

Building Type R1	Condition G	Quality Grade 500
Effective Age 47	Perimeter 190	Depreciation % 47
Year Built 1948	Special Arch 0	Grnd Floor Area 1,940
Functional Obs 0	Economic Obs 0	

Inclusions:	R1 includes 1 3-fixture bath and 1 kitchen.	
Roof Type GABLE/HIP	Roof Cover ASPHALT SHINGL	Foundation CONCR FTR.
Heat 1 NONE	Heat 2 NONE	Bedrooms 3
Heat Src 1 NONE	Heat Src 2 NONE	

Extra Features:	2 Fix Bath 0	Vacuum 0
	3 Fix Bath 1	Garbage Disposal 0
	4 Fix Bath 0	Compactor 0
	5 Fix Bath 0	Security 0
	6 Fix Bath 0	Intercom 0
	7 Fix Bath 0	Fireplaces 0
	Extra Fix 0	Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	10:CUSTOM	1	1993	N	N	0.00	0.00	1,940
2	EPB	10:CUSTOM	1	1993	N	N	0.00	0.00	224
3	OPF	5:C.B.S.	1	1993	N	N	0.00	0.00	252
4	GBF	5:C.B.S.	1	1993	N	N	0.00	0.00	864

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
2	BR2:BOAT RAMP	312 SF	26	12	1980	1981	1	60
3	SW2:SEAWALL	225 SF	75	3	1980	1981	3	60
4	DK4:WOOD DOCKS	618 SF	103	6	1980	1981	3	40

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9733871	12/18/1997	12/31/1999	1		DEMOLISH SHED
	09300409	04/07/2009		1		FENCE - WOOD

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
2008	168,863	11,725	627,491	808,079	259,444	25,000	234,444
2007	203,526	9,277	629,820	842,623	251,887	25,000	226,887
2006	207,810	7,657	629,820	845,287	245,743	25,000	220,743
2005	252,341	7,792	447,872	708,005	238,585	25,000	213,585
2004	235,518	8,207	342,902	586,627	231,636	25,000	206,636
2003	166,248	8,460	342,902	517,610	227,317	25,000	202,317
2002	84,575	8,875	251,928	345,378	221,990	25,000	196,990
2001	94,064	9,195	125,964	229,223	218,495	25,000	193,495
2000	94,064	6,101	111,968	212,132	212,132	25,000	187,132
1999	94,064	6,995	111,968	213,027	213,027	25,000	188,027
1998	91,698	7,120	111,968	210,785	210,785	25,000	185,785
1997	91,698	7,317	111,968	210,983	210,983	25,000	185,983
1996	91,698	7,622	111,968	211,288	211,288	25,000	186,288
1995	91,698	7,851	111,968	211,517	211,517	25,000	186,517
1994	91,698	8,125	111,968	211,790	211,790	25,000	186,790
1993	54,862	7,262	111,968	174,092	174,092	25,000	149,092
1992	54,862	7,527	111,968	174,357	174,357	25,000	149,357
1991	54,862	7,700	111,968	174,530	174,530	25,000	149,530
1990	54,862	7,963	55,984	118,809	118,809	25,000	93,809
1989	54,862	8,162	55,984	119,008	119,008	25,000	94,008
1988	44,775	6,855	55,984	107,614	107,614	25,000	82,614
1987	44,352	7,017	55,984	107,353	107,353	25,000	82,353
1986	44,557	7,232	55,984	107,773	107,773	25,000	82,773
1985	43,127	7,373	55,984	106,484	106,484	25,000	81,484
1984	40,072	7,588	55,984	103,644	103,644	25,000	78,644
1983	40,072	7,749	22,951	70,772	70,772	25,000	45,772
1982	40,896	7,035	22,951	70,882	70,882	0	70,882

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
2/1/1971	803 / 1827	35,000	00	Q

This page has been visited 72,051 times.

Monroe County Property Appraiser
 Ervin A. Higgs, CFA
 P.O. Box 1176
 Key West, FL 33041-1176

MULL

- Legend**
- Selected Features
 - Real Estate Number
 - Parcel Lot Text
 - Dimension Text
 - Block Text
 - Point of Interest Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: January 20, 2010 4:29 PM



Coffin, William & Bonnie M
92510 Overseas Hwy
Tavernier, FL 33070

Mull, Patricia B.
200 Ellis Dr.
Tavernier, FL 33070

Vaughn, LLC
P.O. Box 464
Tavernier, FL 33070

Vaughn, Robert O. & Shirley A.
P.O. Box 64
Tavernier, FL 33070

Murphy, Sylvia
P.O. Box 111
Tavernier, FL 33070

Republic Security Bank, F.S.B., its successors and/or assigns, A.T.I.M.A. Joe Miklas, P.A. Attorney's Title Insurance Fund, Inc.

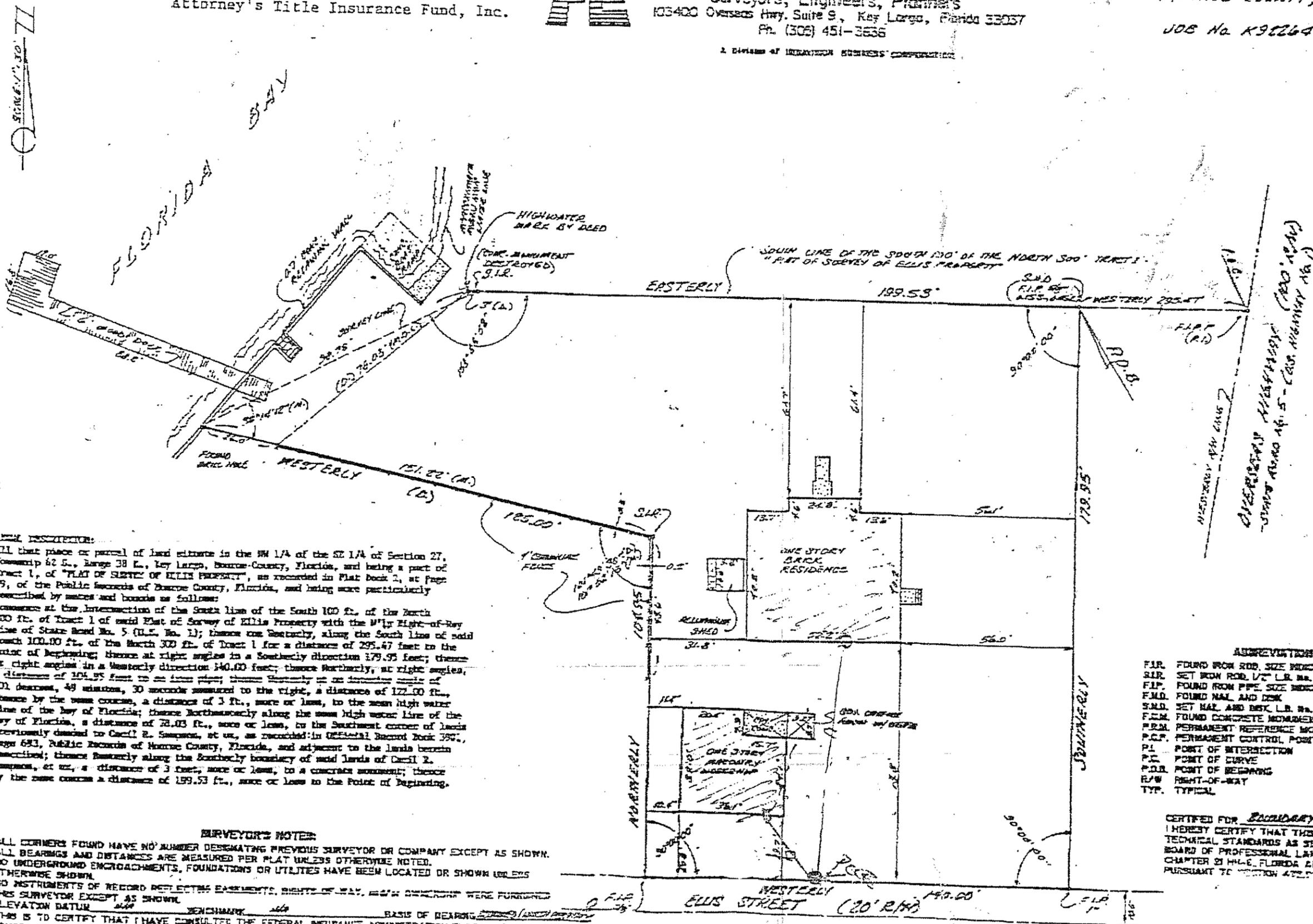


Frank & Elliott
 Surveyors, Engineers, Planners
 103400 Overseas Hwy, Suite 9, Key Largo, Florida 33037
 Ph. (305) 451-3536

A DIVISION OF HERBERTSON BUSINESS CORPORATION

SEC. 27, TWP. 62 S., RGE. 38 E.
 MONROE COUNTY, FLORIDA

JOB No. K92264



LEGAL DESCRIPTION:
 All that piece or parcel of land situate in the SW 1/4 of the SE 1/4 of Section 27, Township 62 S., Range 38 E., Key Largo, Monroe County, Florida, and being a part of Tract 1, of "PLAT OF SURVEY OF ELLIS PROPERTY", as recorded in Plat Book 1, at page 59, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:
 Commence at the intersection of the South line of the South 100 ft. of the North 500 ft. of Tract 1 of said Plat of Survey of Ellis Property with the W'ly Right-of-Way line of State Road No. 5 (H.S. No. 1); thence run Westwesterly, along the South line of said South 100.00 ft. of the North 500 ft. of Tract 1 for a distance of 295.47 feet to the Point of Beginning; thence at right angles in a Southwesterly direction 179.95 feet; thence at right angles in a Westwesterly direction 140.00 feet; thence Northwesterly, at right angles, a distance of 101.95 feet to an iron pipe; thence Westwesterly in an azimuth angle of 101 degrees, 49 minutes, 30 seconds measured to the right, a distance of 122.00 ft., thence by the same course, a distance of 3 ft., more or less, to the mean high water line of the bay of Florida; thence Northwesterly along the mean high water line of the bay of Florida, a distance of 28.03 ft., more or less, to the Southeast corner of lands previously deeded to Cecil R. Simpson, et al., as recorded in Official Record Book 397, Page 693, Public Records of Monroe County, Florida, and adjacent to the lands herein described; thence Westwesterly along the Southeast boundary of said lands of Cecil R. Simpson, et al., a distance of 3 feet, more or less, to a concrete monument; thence by the same course a distance of 199.53 ft., more or less to the Point of Beginning.

SURVEYOR'S NOTES:
 ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
 ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
 NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE SHOWN.
 NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY, EASES OR ENCUMBRANCES WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
 ELEVATION DATUM: SEA LEVEL BENCHMARK: 464 BASIS OF BEARING: TRUE
 THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY MAP NO. 1000, PANEL NO. 1000, EFFECTIVE DATE 10-17-89 AND THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE 2 WITH A BASE ELEVATION OF 9.2.

ABBREVIATION LEGEND

F.P.	FOUND IRON ROD, SIZE INDICATED	SEC.	SECTION
S.I.R.	SET IRON ROD, 1/2" L.B. NO. 5408	TWP.	TOWNSHIP
F.P.P.	FOUND IRON PIPE, SIZE INDICATED	RGE.	RANGE
F.M.D.	FOUND NAIL AND DECK	BN	BEED
S.M.D.	SET NAIL AND DECK, L.B. NO. 5408	PL	PLAT
F.C.M.	FOUND CONCRETE MONUMENT	BN	MEASURED
P.R.M.	PERMANENT REFERENCE MONUMENT	CL	CALCULATED
P.C.P.	PERMANENT CONTROL POINT	CON	CONCRETE
P.I.	POINT OF INTERSECTION	COY.	COVERED
P.C.	POINT OF CURVE	ASPH	ASPHALT
P.O.B.	POINT OF BEGINNING	PVM	PAVEMENT
R/W	RIGHT-OF-WAY	ELEV.	ELEVATION
TYP.	TYPICAL	P.O.C.	POINT OF CORRECTION

CERTIFIED FOR BOUNDARY SURVEY
 I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 21 H.A.C., FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 470.01, STATUTES.

10-17-89

OVERBROOK & ELLIOTT P.O.I.



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission
From: Steven Biel, Sr. Planner
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources
Date: August 4, 2010
Subject: *Administrative Appeal by Patricia Mull concerning property located at 150 Ellis Drive, Tavernier (mile marker 92.5, bayside), having Real Estate No. 00490130.000100*

Meeting: September 8, 2010

1 I DECISION BEING APPEALED:

2
3 The appellant is appealing a decision by Townsley Schwab, Sr. Director of Planning &
4 Environmental Resources, which was set forth in a Letter of Understanding to Leon D. Kula
5 dated December 22, 2009.

6
7 The precise decision being appealed is a determination by the planning director that a
8 workshop was lawfully established for a low to median intensity commercial office or retail
9 use. Furthermore, the appellant contends that if the Planning Commission determines there
10 is evidence to support a finding that the commercial office or retail use was lawfully
11 established, the Planning Commission should find that Mr. Kula abandoned and discontinued
12 the lawful use by the conversion of the commercial use by construction of a purported
13 habitable dwelling unit.

14 Location:

15 Address: 150 Ellis Drive, Tavernier, approximate mile marker 92.5 (bayside)

16
17 Legal Description: Part of Tract 1, Platt of Survey of Ellis Property (PB2-99), Key
18 Largo, Monroe County, Florida

19
20 Real Estate Number: 00490130.000100

21
22 Appellant: Patricia Mull

23 Agent: Andrew M. Tobin, PA

24
25
26
27 II RELEVANT PRIOR COUNTY ACTIONS:

28
29 The site is currently developed with a single-family residence and a detached building,
30 currently used by Mr. Kula as a workshop. According to the Monroe County Property
31 Appraiser's records, both the 1,940 ft² single-family residence and the 864 ft² building in

1 which the workshop is located were constructed in 1948. The Appraiser's records also imply
2 that the workshop's floor area was remodeled or expanded in 1993. Building permits could
3 not be found that permitted either structure, which is not uncommon for structures built prior
4 to 1950.

5
6 **III BACKGROUND INFORMATION:**

- 7
- 8 A. Total Size of Site: 0.753 acres (32,810 ft²)
- 9 B. Land Use District: Suburban Commercial (SC)
- 10 C. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)
- 11 D. Tier Designation: Undesignated
- 12 E. Existing Vegetation / Habitat: Developed
- 13 F. Community Character of Immediate Vicinity: Mix of commercial and residential uses
- 14



35 **Subject Property (outlined in blue) (2009)**

36
37 **IV REVIEW OF APPLICATION:**

38
39 The decision being appealed is a determination that a workshop was lawfully established for
40 a low to median intensity commercial office or retail use. Furthermore, the appellant
41 contends that if the Planning Commission determines there is evidence to support a finding
42 that the commercial office or retail use was lawfully established, the Planning Commission
43 should find that Mr. Kula abandoned and discontinued the lawful use by the conversion of
44 the commercial use by construction of a purported habitable dwelling unit.

45
46 As defined in MCC §101-1, a *dwelling unit* is one (1) or more rooms physically arranged to
47 create a housekeeping establishment for occupancy by one (1) family with separate toilet

1 facilities. Furthermore, as defined in MCC §101-1, a *permanent residential unit* is a
2 dwelling unit that is designed for, and capable of, serving as a residence for a full
3 housekeeping unit which includes a kitchen composed of at least a refrigerator and stove. As
4 defined in MCC §138-19, *lawfully established for ROGO/NROGO exemption* means a unit or
5 floor area that has received a permit or other official approval from the division of growth
6 management for the units and/or floor area.

7
8 Concerning the existing single-family residence on the property, pursuant to MCC §138-
9 22(1), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any
10 lawfully-established residential dwelling unit which does not increase the number of
11 residential dwelling units above that which existed on the site prior to the redevelopment,
12 rehabilitation or replacement. Pursuant to MCC §138-21, the ROGO shall apply to all
13 residential dwelling units for which a building permit is required by [the Land Development
14 Code] and for which building permits have not been issued prior to July 13, 1992, except as
15 otherwise provided.

16
17 No building permits could be located for the construction of the existing single-family
18 dwelling. Staff did find several building permits for improvements to the dwelling. The
19 Property Appraiser's records indicate that a residential unit has been on the tax roll from
20 1982 to 2009 with the year built as 1948. Aerial photography also supports the existence of
21 the structure to at least 1986.

22
23 Although market-rate housing is not permitted in the SC district, Section 130-163 states that
24 owners of land upon which a lawfully established dwelling unit or mobile home, but not
25 including transient residential units exist shall be entitled to one dwelling unit for each such
26 unit in existence. Such legally-established dwelling unit shall not be considered as a
27 nonconforming use.

28
29 Concerning the existing building in which the workshop is located, pursuant to MCC §138-
30 50, the Non-Residential Rate of Growth Ordinance (NROGO) shall not apply to the
31 redevelopment, rehabilitation or replacement of any lawfully-established, non-residential
32 floor area which does not increase the amount of non-residential floor area greater than that
33 which existed on the site prior to the redevelopment, rehabilitation or replacement.
34 Therefore, owners of land containing non-residential floor area shall be entitled to one square
35 foot for each such square foot lawfully-established. Non-residential floor area is the sum of
36 the gross floor area for a non-residential building or structure as defined in MCC §101-1, any
37 areas used for the provision of food and beverage services and seating whether covered or
38 uncovered, and all covered, unenclosed areas. Administrative Interpretation 03-108 provides
39 the criteria to be used by Staff to determine whether or not no-residential floor area was
40 lawfully-established.

41
42 There is no building permit on file for the construction of the building. In addition, there is
43 no notation of a commercial workshop or any non-residential use on the parcel in the Monroe
44 County Property Appraiser's records. Therefore, there is no definitive information as to
45 whether or not the structure was initially built to serve as an accessory structure to the single-
46 family residence or to serve an independent building for commercial use.

1 There is a reference to the workshop in the application submitted for Building Permit
2 #973-3871, which was issued in 1997 for the demolition of a shed and concrete pad and
3 the construction of a new concrete pad in front of a workshop. In addition, aerial
4 photography dating back to 1986 shows the structure in which the workshop is located;
5 the Applicant submitted tax records for the business with 150 Ellis Drive as its address;
6 and the Applicant provided several newspaper articles that imply the workshop was in
7 existence on the site as far back as 1983.
8

9 **V RECOMMENDATION:**

10
11 Support the Director of Planning & Environmental Resources' decision to approve the
12 change of intensity of the existing workshop from one employee (the self-employed property
13 owner) into the proposed workshop/studio with customers and possibly additional employees
14 with the following conditions:
15

- 16 a) The Applicant shall apply for a building permit in order to have the increased
17 intensity to the site approved. An increase in intensity will result from the traffic of
18 customers and patrons visiting the business.
- 19 b) The Applicant shall bring the site into compliance with the off-street parking
20 regulations. A site plan showing parking shall be submitted as part of the
21 aforementioned building permit application.
- 22 c) The Applicant shall bring the building and site into compliance with all necessary
23 Americans with Disabilities Act (ADA) regulations. A site plan showing handicap
24 parking and access to the building shall be submitted as part of the aforementioned
25 building permit application.
- 26 d) The Applicant shall agree that no use that falls within the definition of industrial use
27 shall occur on the site unless a minor conditional use permit is applied for and
28 received.
- 29 e) The Applicant shall coordinate with the Monroe County Floodplain Coordinator and
30 if determined necessary shall flood-proof the workshop/studio building.
- 31 f) The Applicant shall coordinate with the Monroe County Office of the Fire Marshal.
- 32 g) The Applicant shall contact the Monroe County Property Appraiser and determine if
33 the property classification (PC) code should be modified from 01-Single-Family to a
34 classification that properly assesses the single-family and commercial use on the site.
35
36
37
38
39

MEMORANDUM
MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT
We strive to be caring, professional and fair

To: Planning Commission
From: Tiffany Stankiewicz, Development Administrator 
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources 
Date: September 27, 2010
Subject: Residential Dwelling Unit Evaluation Report for Big Pine/No Name Key Subarea Applicants 3 through 44 for Quarter 4, Year 18

Meeting Date: September 8, 2010 continued to September 22, 2010; continued to October 6, 2010

1 This report has been prepared pursuant to Section 138-26 of the Land Development Regulations
2 (LDRs). The proposed residential dwelling unit rankings (Big Pine/No Name Key Subarea) for
3 applicants three (3) through forty-four (44) attached to this report are for the fourth quarter of
4 year eighteen which covers the period April 13, 2010, through July 12, 2010.
5

6 **D) BACKGROUND INFORMATION:**
7

8 The public hearing for the Big Pine/No Name Keys Subarea ROGO allocation and ranking
9 determination was continued by the Planning Commission from September 8, 2010, to let Banks
10 Prevatt present information on behalf of Mr. John Akins regarding flood zone scoring corrections
11 for properties identified by real estate numbers 00310220.000000, 00310240.000000,
12 00310280.000000, 00310260.000000.
13

14 **A. HISTORY OF AKINS APPLICATIONS:**
15

16 On March 30, 2010, the applicant, John K. Akins, filed an appeal to the Board of County
17 Commissioners about the reduction of ROGO points and the rankings approved by the
18 Planning Commission March 10, 2010 under Resolution 04-10 which affected his four
19 ROGO Applications. The subject parcels and applications are under the ownership of John
20 K. Akins, John W. and Glenda Akins. The appeal is based on the original incorrect scoring
21 of the properties as being in an AE flood zone when the properties are, in fact, in a VE flood
22 zone (-4 points).
23

24 Monroe County Code Section 138-1, Appeals states that an appeal from the decision of the
25 Planning Commission on a ROGO allocation shall be made to the Board of County

1 Commissioners within 20 days of the Planning Commission's decision. The filing of an
2 appeal does not stay either the action of the Planning Commission or the action of the
3 Planning Director. This appeal of the approved ROGO Rankings by the Planning
4 Commission from March 10, 2010 was filed in a timely manner. However, the actual point
5 reductions and ranking changes occurred in June 10, 2009 by Planning Commission
6 Resolution P23-09. The Code does not specify that the appeal must follow after any specific
7 quarterly ranking.
8

9 Originally staff was prepared to schedule the appeal at the June 2010 Board of County
10 Commissioners meeting. However, prior to the agenda deadline, Mr. Prevatt requested that
11 the matter be heard at the July 21, 2010, Board meeting, which request was granted. On July
12 20, 2010, Lee Rohe, Esquire, requested the appeal be deferred from being presented before
13 the Board of County Commissioners. The applicants decided to defer the appeal in order to
14 first present their objections to the Planning Commission since applicants may offer
15 testimony about their application at any public hearing concerning ROGO in any quarter (Mr.
16 Rohe no longer represents Mr. Akins in this matter).
17

18 Since the scoring correction, the Planning Commission has reviewed and approved 5
19 quarterly rankings reflecting the scoring corrections. Neither the applicant nor authorized
20 agent where present at these public hearings. The last approved quarterly rankings regarding
21 all applicants for Big Pine/No Name Key subarea were on June 9, 2010.
22

23 B. Applications and Locations

24 Applications and Locations:

- 25 1) Building Permit Application & ROGO Application: #07100486
26 Legal Description: Lots 21 and 22, Block 1, Doctors Arm Subdivision, Big Pine Key,
27 Monroe County, Florida
28 Real Estate Number: 00310220.000000
29
- 30 2) Building Permit Application & ROGO Application: #07100479
31 Legal Description: Lot 23 and SLY 26 ft Lot 24, Block 1, Doctors Arm Subdivision,
32 Big Pine Key, Monroe County, Florida
33 Real Estate Number: 00310240.000000
34
- 35 3) Building Permit Application & ROGO Application: #07100485
36 Legal Description: Lot 27 and NLY 51 ft Lot 26, Block 1, Doctors Arm Subdivision,
37 Big Pine Key, Monroe County, Florida
38 Real Estate Number: 00310280.000000
39
- 40 4) Building Permit Application & ROGO Application: #07100483
41 Legal Description: Lot 25 and SLY 17 ft Lot 26, Block 1, Doctors Arm Subdivision,
42 Big Pine Key, Monroe County, Florida
43 Real Estate Number: 00310260.000000
44
45
46

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Owner: John K. Akins, John W. and Glenda Akins
Agent: Banks Prevatt

Land Use District: Commercial Fishing Special District (CFSD-8)
Future Land Use Map (FLUM) Designation: Mixed Use/Commercial Fishing (MCF)
ROGO Subarea: Big Pine Key/No Name Key
Tier Designation: Tier 2



Subject Properties (outlined in blue) (2009)
White line shows separation of the AE Flood Zone and VE Flood Zone
12087C1328K is the Flood Insurance Rate Map Number

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C. RELEVANT PRIOR COUNTY ACTIONS:

The chart below shows a chronology of application submittal dates (Building Department Applications to ROGO Applications), description of flood zone information provided on Building Application Plan submittals, survey submittals showing flood zone information, approximate date of scoring error discovery, scoring error notification to applicants' address of record, Planning Commission Resolutions indicating scoring error corrections.

Application No.	07100486	07100485	07100483	07100479
Real Estate No.	00310220.000000	00310280.000000	00310260.000000	00310240.000000
Building Application Date	Jan. 31, 2007	Jan. 31, 2007	Jan. 31, 2007	Jan. 31, 2007
As submitted by the applicants the Building Plans indicated flood zone deduction points	Pre Tier System minus 1 for AE Flood Zone	Pre Tier System minus 6 for VE flood zone	Pre Tier System minus 6 for VE flood zone	Pre Tier System minus 6 for VE flood zone
Survey from Lawrence P. Frank dated Dec. 4, 2006 indicated property	Survey indicated majority of property in AE Zone and a small portion in the VE flood	Entire property in VE zone.	Entire property in VE zone.	Entire property in VE zone.

flood zone.	zone (survey error discovered in 2009 proposed residence in the VE Zone).			
Building Department reviewed plans for AE/VE Zone construction.	Reviewed for AE Zone construction.	Reviewed for VE zone construction	Reviewed for VE zone construction	Reviewed for VE zone construction
Building Department forwarded application to Planning to contact applicant to enter ROGO.	May 30, 2007	June 6, 2007	June 6, 2007	June 6, 2007
Date ROGO Application submitted	June 12, 2007	June 12, 2007	June 12, 2007	June 12, 2007
Initial scoring of ROGO Application for Quarter that closed July 2007.	ROGO Application scored as if in AE Zone (as indicated by surveyor)	ROGO Application scored as if in AE Zone (scored in error)	ROGO Application scored as if in AE Zone (scored in error)	ROGO Application scored as if in AE Zone (scored in error)
Scoring Error discovered	Early April 2009, post Tier System should have indicated -4 points	Early April 2009, post Tier System should have indicated -4 points	Early April 2009, post Tier System should have indicated -4 points	Early April 2009, post Tier System should have indicated -4 points
Date certified letter sent regarding scoring error	April 27, 2009	April 27, 2009	April 27, 2009	April 27, 2009
Date return receipt was signed	May 15, 2009	May 15, 2009	May 15, 2009	May 15, 2009
ROGO Rankings Quarter 3 Yr 17 indicated scoring correction	Planning Commission Approved Resolution P23-09, June 10, 2009	Planning Commission Approved Resolution P23-09, June 10, 2009	Planning Commission Approved Resolution P23-09, June 10, 2009	Planning Commission Approved Resolution P23-09, June 10, 2009
ROGO Rankings Quarter 4 Yr 17 still referenced the scoring correction	Planning Commission Approved Resolution P42-09, Sept. 2, 2009	Planning Commission Approved Resolution P42-09, Sept. 2, 2009	Planning Commission Approved Resolution P42-09, Sept. 2, 2009	Planning Commission Approved Resolution P42-09, Sept. 2, 2009
ROGO Rankings Quarter 1 Yr 18 continued with correct points	Planning Commission Approved Resolution P55-09, Dec. 15, 2009	Planning Commission Approved Resolution P55-09, Dec. 15, 2009	Planning Commission Approved Resolution P55-09, Dec. 15, 2009	Planning Commission Approved Resolution P55-09, Dec. 15, 2009
ROGO Rankings Quarter 2 Yr 18 continued with correct points	Planning Commission Approved Resolution P04-10, March 10, 2010	Planning Commission Approved Resolution P04-10, March 10, 2010	Planning Commission Approved Resolution P04-10, March 10, 2010	Planning Commission Approved Resolution P04-10, March 10, 2010
ROGO Rankings Quarter 3 Yr 18 continued with correct points	Planning Commission Approved Resolution P10-10, June 9, 2010	Planning Commission Approved Resolution P10-10, June 9, 2010	Planning Commission Approved Resolution P10-10, June 9, 2010	Planning Commission Approved Resolution P10-10, June 9, 2010
ROGO Rankings Quarter 4 Yr 18 continued with correct points	Planning Commission continued the review of Big Pine/No Name Key Subarea to September 22, 2010. Resolution 24-10 approved allocations for applicants 1-2 and continued applications 3 – 44 to October 6, 2010.	Planning Commission continued the review of Big Pine/No Name Key Subarea to September 22, 2010. Resolution 24-10 approved allocations for applicants 1-2 and continued applications 3 – 44 to October 6, 2010.	Planning Commission continued the review of Big Pine/No Name Key Subarea to September 22, 2010. Resolution 24-10 approved allocations for applicants 1-2 and continued applications 3 – 44 to October 6, 2010.	Planning Commission continued the review of Big Pine/No Name Key Subarea to September 22, 2010. Resolution 24-10 approved allocations for applicants 1-2 and continued applications 3 – 44 to October 6, 2010.

1
2 The above chart shows the pertinent information from the initial submittal of the four
3 applications to the Building Department. Three applications contained information on the
4 building plans and surveys showing the properties located in the VE flood zone, while one
5 set of building plans and the survey incorrectly showed the property located in the AE Flood
6 Zone. When the Applicants subsequently entered ROGO in June 2007, staff incorrectly
7 scored the applications without a VE flood zone deduction of four points pursuant to tier
8 ordinance criteria. The errors were discovered when staff researched the applications based
9 on information from another applicant, received by the Planning Department regarding point
10 deductions for the VE flood zone. One of the four applications was scored in error based on
11 an incorrect survey, which was discovered by staff after examining the Flood Insurance Rate
12 Map (see map in the Section B above which shows the property boundaries and VE and AE
13 Flood Zone line).

14
15 On April 27, 2009, the Applicants were sent a certified letter to the address of record
16 regarding the scoring error. A signed certified receipt dated May 15, 2009 was returned to
17 the Planning Department. Subsequently, the scoring corrections for these applications were
18 identified on the approved ROGO rankings, which are available in the Planning Department
19 and on the County web site. From the information in the foregoing chart the rankings were
20 adjusted and maintained at five quarterly Planning Commission meetings and the applicants
21 did not appear before the Planning Commission.

22 23 D. REVIEW OF APPLICATION:

24
25 Mr. Akins is questioning the reduction of the ROGO points on the four applications stated
26 above. However, the actual VE flood zone point change occurred when the Planning
27 Commission approved quarterly rankings on June 10, 2009 (see Resolution P23-09).

28
29 In April of 2009 the Planning & Environmental Resources Director reviewed the
30 documentation (files, flood zone maps, surveys, plans, etc.) to determine if a scoring error
31 occurred by staff regarding the flood zone points. After the review, the Director determined
32 that scoring errors occurred on the four applications. Therefore, the applicants were sent a
33 certified letter (Certified Mail Return Receipt 7006 2150 0001 0488 1131) dated April 27,
34 2009 regarding the flood zone scoring error, which was signed for on May 15, 2009. The
35 applicants were notified as soon as the error was discovered.

36
37 The Department was compelled to correct the error, in order to preserve the rights of other
38 applicants in the ROGO rankings. The rankings of the applicants' properties moved down
39 approximately 18 places. **The rankings prior to the corrections showed the applicants**
40 **ranked 22, 23, 24, & 25 and the next rankings with the corrections showed them at 40,**
41 **41, 42, & 43.**

42
43 Mr. Banks Prevatt came into the Planning Department in November of 2009, requesting
44 information about these properties, which was prior to being an agent on the ROGO
45 applications. He later asked for information about an appeal. Appeal information was
46 provided. On March 18, 2010, agent authorization was submitted.

1
2 The properties are located in the Big Pine/No Name Key ROGO Subarea. This subarea is
3 limited to 8 market rate allocations per year, allowing for 2 allocations per quarter, provided
4 there is enough mitigation to cover the H-value used for allocations. In the quarterly
5 rankings approved by the Planning Commission March 10, 2010, the two applicants who
6 received allocation awards each had 20 points and the subject applications of this appeal each
7 had 8 points. On June 9, 2010 the Planning Commission reviewed and approved another
8 quarterly ranking on Big Pine/No Name Key Subarea, which reflected the applicants V zone
9 scoring.

10
11 It should be noted that these applications will be eligible for Administrative Relief after the
12 quarter closure of July 2011. From the closure of the 16th quarter, after the ROGO
13 application was made, the applicant will have 180 days to submit four Administrative Relief
14 Applications.

15
16 There is an alternate avenue available for the applicants to investigate regarding the VE flood
17 zone designation. Property owners may seek a Letter of Map Revision (LOMR) requesting a
18 revision showing their property is located in a different flood zone. There has been a
19 property in Doctors Arm that recently obtained a LOMR. The applicants may contact Diane
20 Bair, Special Projects/Floodplain Administrator for additional information regarding this
21 process.

22
23 As an aside, the applicants should contact the surveyor regarding the need for a corrected
24 survey and also, should contact the Monroe County Building Department regarding any
25 building plan corrections that may be required for the property identified with real estate
26 number 00310220.000000.

27
28 Staff concludes the scoring was correctly adjusted to reflect the VE flood point deduction.
29 However, if new evidence is submitted to show the properties are in the AE flood zone and
30 no portion of the structure is located in the VE flood zone, then the points could be positively
31 adjusted accordingly.

32
33 **II) FACTORS FOR THE PLANNING COMMISSION TO CONSIDER:**

34
35 Monroe County Code Section 138-26 (c)(3): The basis for any planning commission changes in
36 the scoring or ranking of market rate applications shall be specified in the form of a motion to
37 adopt the allocation rankings and may include the following:

- 38
39 a. An error in the designation of the applicable subarea.
40 b. A mistake in the calculation of dedicated or aggregated lots/land.
41 c. A mistake in assignment of the tier map designation in the
42 application. Such a mistake in reading the tier designation in
43 applying points for the application, any change to the tier map
44 must go through the procedures for amendment of the tier map.
45 d. Any other administrative error or omission that may cause the
46 application to be incorrectly scored.

1
2 A review of the Akins applications showed a scoring error was made by staff. Subsequently,
3 staff corrected the scoring to maintain the integrity of the ROGO scoring system. The code
4 allows the Planning Commission to adjust a score if the change is to correctly adjust the score.
5 The applicants' ROGO scores are correct; therefore, the scores cannot be adjusted to reflect
6 incorrect information or an inaccuracy in applications or errors by staff to raise an applicant's
7 score at the expense of others in the ROGO competition. It is the Planning Commissions
8 obligation to correct an error or an omission that may cause an incorrect score.
9

10 **IID ALLOCATION FACTORS FOR BIG PINE/NO NAME KEY SUBAREA:**

- 11
12 A. Pursuant to Section 138-24 the number of annual allocations available is 197.
13
14 B. Section 138-24(c) allows any unused portion of affordable housing allocations to be
15 retained and rolled over into the next dwelling unit allocation year.
16
17 C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing
18 proportions during any ROGO quarter.
19
20 D. Section 138-27(g) limits administrative relief allocations per quarter. The number of
21 allocations that may be awarded under administrative relief in any subarea quarter shall
22 be no more than fifty percent (50%) of the total available market rate allocations.
23
24 E. Section 138-24(a)(6) limits on the number of allocation awards in Tier I. The annual
25 number of allocation awards in Tier I shall be limited to no more than three (3) in the
26 Upper Keys and no more than three (3) in the Lower Keys. Big Pine/No Name Key is
27 limited to ten (10) allocations over a twenty year period or $H = .022$ whichever is lower.
28

29 Below is a table tracking the Tier 1 allocations by quarter/year.
30

Key (Island)	Permit Number	Tier Allocation type	Quarter, Year
Subarea Big Pine: Begin Dec. 27, 2004 (Ordinance 029-2004)			
Big Pine	03102303	Adm. Relief	Q 2 Y 16
Big Pine	97101361	Market Rate	Q 1 Y 17

- 31
32 F. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as
33 provided for in this division, an allocation award shall expire when its corresponding
34 building permit is not picked up after sixty (60) days of notification by certified mail of
35 the award or, after issuance of the building permit.
36
37 G. Monroe County Section 138-24 allows a total of 8 market rate allocations per year for the
38 Big Pine/No Name Key Subarea.
39
40 H. Monroe County Code Section 138-26 allows the adjustment of residential ROGO
41 allocations at the end of each quarterly allocation period of additions or subtractions to
42 the basic allocation available by subarea such as the number of dwelling unit allocation
43 awards that expired prior to the issuance of a corresponding building permit.
44

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IV) EVALUATION AND RANKING:

The evaluation of the allocation applications was performed by the Planning & Environmental Resources Department. Positive and negative points were granted in compliance with the evaluation criteria contained in Section 138-28 of the LDRs for the Big Pine/ No Name Key Sub-areas.

If applications received identical scores, they were first ranked by date and time and further ranked based on the applicants with the fewest negative number of points on the same day. Please note that any excess allocations approved must be deducted from the next quarterly allocation period pursuant to Monroe County Code Section 138-26(e).

V) RECOMMENDATIONS:

Staff recommends the Planning Commission approve the Market Rate rankings to applicants ranked 3 through 44 for Quarter 4 Year 18. Applicants ranked 1 through 2 were previously approved by the Planning Commission Resolution 24-10 on September 22, 2010.

**RECOMMENDED RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE PLANNING AN ENVIRONMENTAL RESOURCES DIRECTOR
BIG PINE KEY AND NO NAME KEY - YEAR 18, QUARTER 4 (APRIL 13, 2010 TO JULY 12, 2010)**

Rank	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	REF	Tier	Tier Pts	Located on	Marsh	Rabbit/Deer Corridor	Key	Tier 2 or 3	Land Ded.	Payment	APF/	Central	Flood	First	Each	Total	
												No Name	Butler	Comdor			Acq. Fund	10 up to 2	Emp	Waste	Zone V	Four	Years	Years	
1*	05102823	(Allocated Sept 22, 2010 Reso 24-10)	8-Aug-05	3:15 PM	Big Pine	Topical Bay Estates 3rd Add.	1	4	00313510.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
2*	05102824	(Allocated Sept 22, 2010 Reso 24-10)	8-Aug-05	1:40 PM	Big Pine	Topical Bay Estates 3rd Add.	8	7	00313520.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
3	05102823	Barquin, Juan	8-Sep-05	3:15 PM	Big Pine	Topical Bay 3rd Add.	8	5	00313520.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
4	05102823	Barquin, Juan	22-Dec-05	10:15 AM	Big Pine	Doctors Arm 3rd Add.	10	N/A	00312573.001100	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
5	05103515	Security First Storage	23-Feb-06	2:30 PM	Big Pine	Topical Bay 3rd Add.	5	7	00313290.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
6	06100601	Sabo, Peter	28-Feb-06	9:40 AM	Big Pine	Doctors Arm 1st Add.	30	5	00312571.003100	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
7	06101218	Lu, Hung	25-Jul-06	2:30 PM	Big Pine	Doctors Arm 3rd Add.	28	5	00311840.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
8	06101006	Leon, Ernesto	8-Oct-06	2:30 PM	Big Pine	Doctors Arm 2nd Add.	19	5	00312571.002900	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
9	06101002	Fernandez, Juan	8-Oct-06	9:00 AM	Big Pine	Eden Pines Colony	12	19	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
10	06104544	Cabassa, Edward	13-Oct-06	12:06 PM	Big Pine	Doctors Arm 3rd Add. Sec B	20	19	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
11	06101005	Vassaur, Jorge	11-Jan-07	3:30 PM	Big Pine	JR Matthew Properties Pl 2	19	7	00109350.000500	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
12	06108156	Hahn, David	29-Mar-07	8:38 AM	Big Pine	Eden Pines Colony 1st Add.	10	7	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
13	03105296	Hochstetl, Jan	31-May-07	11:38 AM	Big Pine	Doctors Arm 3rd Add. Sec B	4	7	00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
14	06101001	Onda, Alex	8-Jun-07	9:11 AM	No Name	Gallion Bay, Rev. Phil	2	13	N/A	00319494.001300	2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
15	06101472	Schlu, Vivienne	8-Jun-07	9:13 AM	No Name	Gallion Bay, Rev. Phil	10	N/A	00319494.001300	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
16	06101469	Schlu, Vivienne	8-Jun-07	9:14 AM	No Name	Rev. Phil Gallion Bay	9	N/A	00319494.000900	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
17	06101468	Schlu, Vivienne	8-Jun-07	9:15 AM	No Name	Rev. Phil Gallion Bay	5	N/A	00319494.000500	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
18	06101463	Schlu, Vivienne	8-Jun-07	9:16 AM	No Name	Rev. Phil Gallion Bay	4	N/A	00319494.000400	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
19	06101473	Schlu, Vivienne	8-Jun-07	9:16 AM	No Name	Rev. Phil Gallion Bay	14	N/A	00319494.001400	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
20	06101462	Schlu, Vivienne	8-Jan-97	9:17 AM	No Name	Rev. Phil Gallion Bay	3	N/A	00319494.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
21	06101481	Schlu, Vivienne	8-Jan-97	9:18 AM	No Name	Rev. Phil Gallion Bay	2	N/A	00319494.000200	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
22	06101461	Schlu, Vivienne	8-Jan-97	9:19 AM	No Name	Rev. Phil Gallion Bay	1	N/A	00319494.000100	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
23	06101460	Schlu, Vivienne	8-Jan-97	9:20 AM	No Name	Rev. Phil Gallion Bay	8	N/A	00319494.000800	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
24	06101465	Schlu, Vivienne	8-Jan-97	9:21 AM	No Name	Rev. Phil Gallion Bay	7	N/A	00319494.000700	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
25	06101468	Schlu, Vivienne	8-Jan-97	9:22 AM	No Name	Rev. Phil Gallion Bay	11	N/A	00319494.001100	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
26	06101471	Schlu, Vivienne	8-Jan-97	9:24 AM	No Name	Gallion Bay, Rev. Phil	8	N/A	00319494.000800	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
27	07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	Eden Pines Colony 1st Add.	13	3	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
28	07102237	Ayres, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony 1st Add.	9	1	00286970.000900	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
29	07102237	Ayres, Candace	10-Sep-07	2:45 AM	Big Pine	Eden Pines Colony 1st Add.	3	23	00286970.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
30	07102238	Ayres, Candace	24-Jul-08	9:47 AM	Big Pine	Doctors Arm 3rd Add.	48	1	00310490.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
31	08103911	Sheau, Jerry	24-Jul-08	8:50 AM	Big Pine	Doctors Arm	31	3	00312572.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
32	08101995	Perez, Orlando	14-Oct-08	2:27 PM	Big Pine	Tropical Bay	3	5	00311810.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
33	08102801	Bahn (Rev. Taji)	10-Aug-09	8:55 AM	Big Pine	Doctors Arm 1st Add.	3	5	00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
34	05100259	Vasquez, Jovan	9-Nov-09	1:34 PM	Big Pine	Doctors Arm 3rd Add. Sec B	5	23	00286970.000500	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
35	09102047	Elme, William	31-Jul-06	11:15 AM	Big Pine	Eden Pines Colony 3rd Add.	2	23	00286970.000200	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
36	06100507	Simpson, James	12-Jun-07	10:00 AM	Big Pine	Doctors Arm	4	23	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
37	07100465	Ahna, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm	4	23	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
38	07100463	Ahna, John	12-Jun-07	10:04 AM	Big Pine	Doctors Arm	1	23	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
39	07100479	Ahna, John	12-Jun-07	10:04 AM	Big Pine	Doctors Arm	1	23	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
40	07100468	Ahna, John	12-Jun-07	10:06 AM	Big Pine	Doctors Arm	1	23	00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
41	05105438	Derovestrian, Jack	13-Jan-06	10:14 AM	Big Pine	Whispering Pines	15	7	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
42	05104831	Mengig, Robert	20-Jan-06	11:00 AM	Big Pine	Port Pine Heights 2nd Add.	7	59	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
43	05103835	Stevenson, W P.	23-Sep-05	11:15 AM	Big Pine	Port Pine Heights 2nd Add.	3 & 4	78	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
44	09102784	Perera, Carlos	22-Oct-09	10:44 AM	Big Pine	Port Pine Heights	9	8	00286970.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13

* Indicates an applicant received an allocation award on September 22, 2010 (Resolution 24-10).
 D Indicates the recommendation is deferred to the February 11, 2008.
 P Planning Commission meeting.
 M Meeting held on the 11th day of the month.
 S Indicates a special meeting of the Planning Commission.
 A Indicates an applicant is applying for a special use permit.
 Applications who have a "0000" in the "Block" column are either an applicant for a preliminary permit or are either an applicant for a preliminary permit pursuant to a special use permit.
 A "0000" in the "Block" column indicates that the applicant is a preliminary applicant for a preliminary permit pursuant to a special use permit.
 A "0000" in the "Block" column indicates that the applicant is a preliminary applicant for a preliminary permit pursuant to a special use permit.

County of Monroe
Growth Management Division

Planning Department
2798 Overseas Highway
Suite #410
Marathon, FL 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners
Mayor George Neugent, Dist. 2
Mayor Pro Tem Sylvia J. Murphy, Dist. 5
Kim Wigington, Dist. 1
Heather Carruthers, Dist. 3
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

CERTIFIED MAIL 70062150 0001 0488 1131

April 27, 2009

John Akins
107 First Terrace
Key Largo, FL 33037

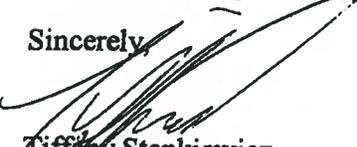
RE: ROGO Applications 07100486; 07100479; 07100485; 07100483

Dear Mr. Akins:

The Planning & Environmental Resources Department has found a scoring error on ROGO applications 07100486; 07100479; 07100485; 07100483. The proposed development in each of these applications is located in the 'V' flood zone. Therefore, each application has been given the -4 point assignment for being located in the 'V' zone special flood hazard area.

If you have any questions please contact me at 305-289-2513.

Sincerely,


Tiffany Stankiewicz
Sr. Planning Tech.

cc: Townsley Schwab, Planning & Environmental Resources Director



SENDER: COMPLETE THIS SECTION!

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John Atkins
107 First Terrace
Key Largo, FL 33037

COMPLETE THIS SECTION ON DELIVERY

A. Signature X Agent

B. Received by (Printed Name) Addressee

C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7006 2150 0001 0488 1131**

(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt

10286-02-01-1640

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Total Post	071004719

Sent To **John Atkins**

Street, Apt. 1 **107 First Terrace**

or PO Box N **Key Largo, FL 33037**

City, State, Z.

7006 2150 0001 0488 1131

LAWRENCE P. FRANK

SURVEYORS • ENGINEERS • LAND PLANNERS

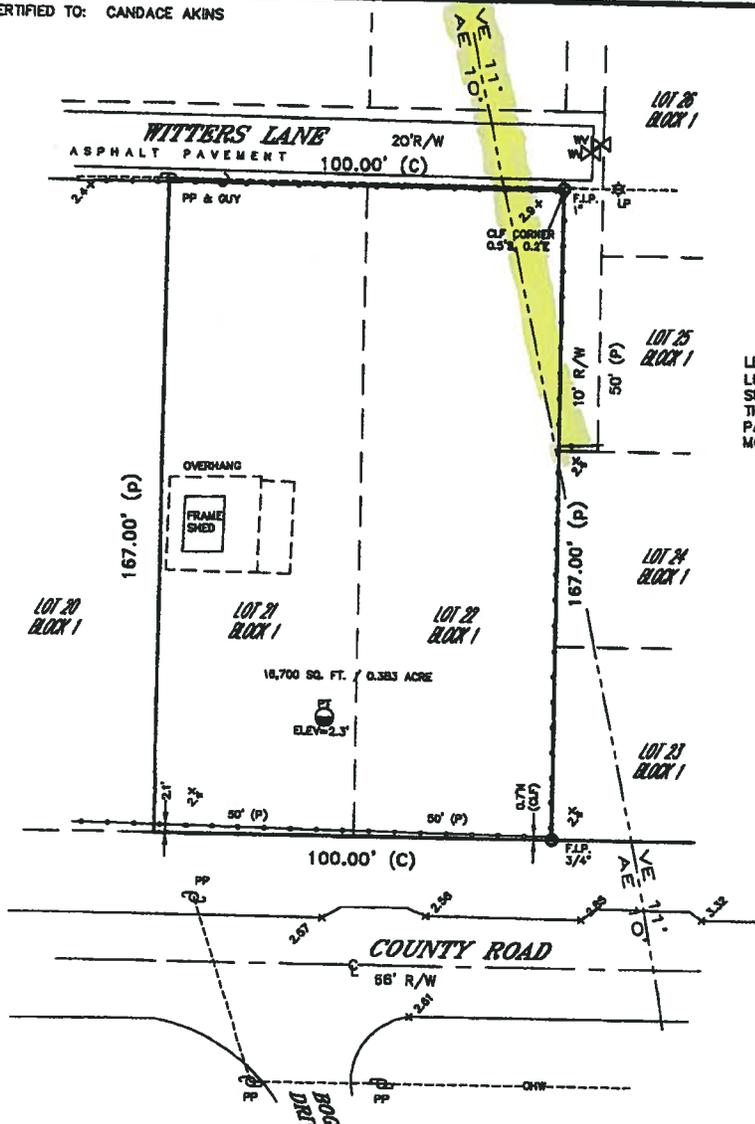
83266 OVERSEAS HIGHWAY, ISLAMORADA, FL 33036

Phone (305) 664-0764 FAX (305) 664-0816

A DIVISION OF MEGAVISION BUSINESS CORPORATION

CERTIFIED TO: CANDACE AKINS

JOB No. k08303
SEC. 14, TWP. 66 S., RGE. 29 E.
MONROE COUNTY, FLORIDA



LEGAL DESCRIPTION:
LOTS 21 and 22, BLOCK 1, DOCTOR'S ARM
SUBDIVISION, ACCORDING TO THE PLAT
THEREOF; AS RECORDED IN PLAT BOOK 3,
PAGE 141 OF THE PUBLIC RECORDS OF
MONROE COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
- 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
- 3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
- 4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
- 5.) ELEVATION DATUM N.G.V.D. 1929, M.S.L. = 0.0, BENCHMARK: FL4103D SRD, ELEV.=10.42
- 6.) BASIS OF BEARING: LOT ANGLES = 90°00'00", NORTH SCALED FROM PLAT.
- 7.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No. 1328 K, EFFECTIVE DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONES AE & VE, WITH A BASE ELEVATIONS OF 10' & 11' M.S.L.

ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.P. SET IRON PIPE, 1/2" P.L.S. #4619	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(D) DEED
S.N.D. SET NAIL AND DISK, P.L.S. #4619	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANENT REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	COV. COVERED
P.C. POINT OF CURVE	ASPH. ASPHALT
P.O.B. POINT OF BEGINNING	PVMT. PAVEMENT
R/W RIGHT-OF-WAY	ELEV. ELEVATION
TYP. TYPICAL	

CERTIFIED FOR BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPING ENGINEERS, CHAPTER 63G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Lawrence P. Frank
revised for perc test 12/4/08

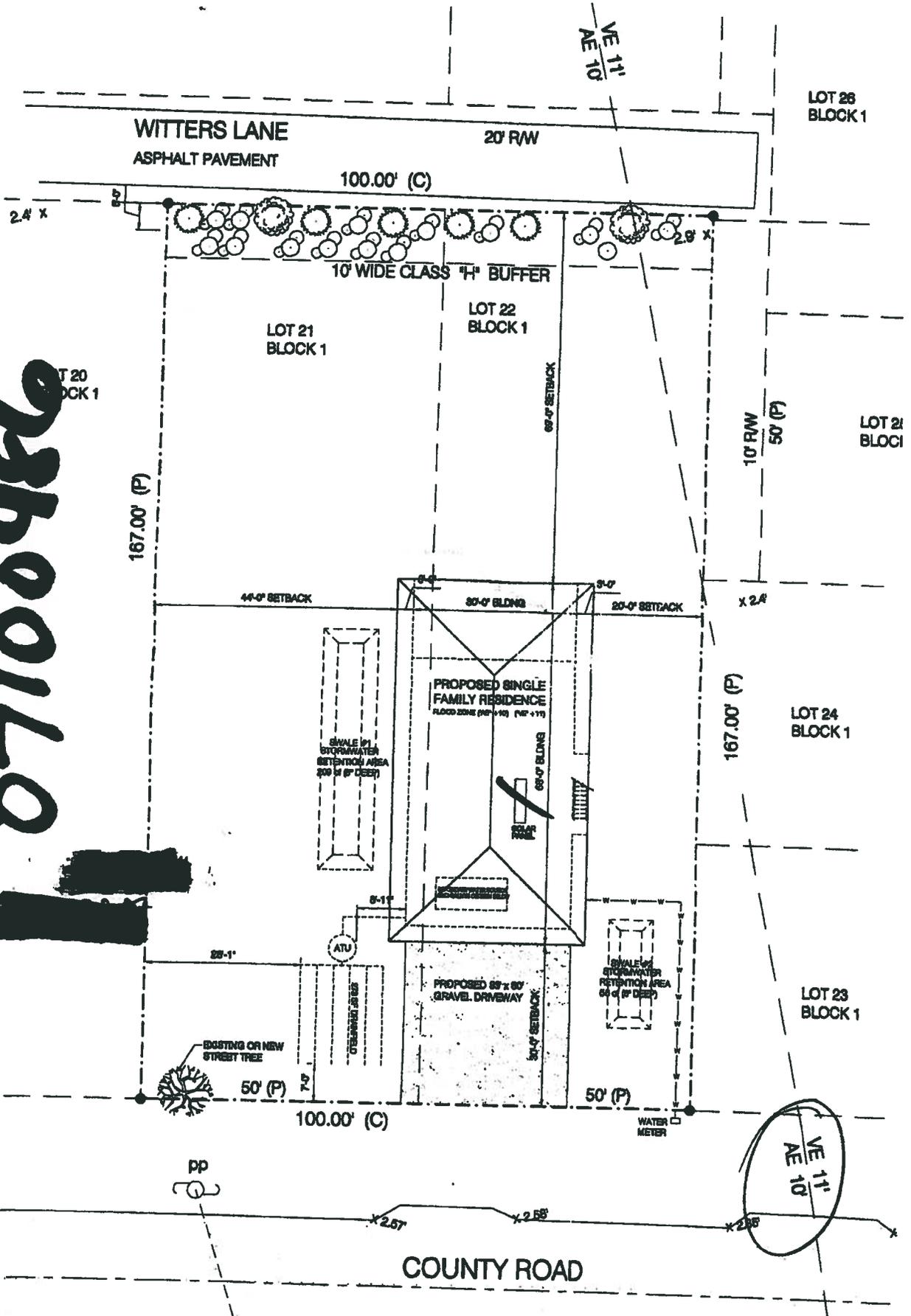
LAWRENCE P. FRANK P.L.S. #4619 DATE 10/21/08

NOT VALID UNLESS SEALED



07100486

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IN THE
CIRCUMSTANCES
BE IN COMPLIANCE
HOLDING THE CONSTRUCTION
LECTURE
OVBMENT
BUILDING COMPONENTS.
DING VALLES
D NUMBER 7.

GENERAL NOTES:

CONCRETE COMPRESSIVE STRENGTH $F_c=4000$ PSI
MINIMUM AT 28 DAYS, SLUMP 3"-5"

2) REINFORCING STEEL ASTM A-615, GRADE 60
COVER:

- FOOTINGS AGAINST EARTH ————— 3"
- FOOTINGS IN FORMS ————— 2"
- BEAMS & COLUMNS ————— 2"
- SLAB-INTERIOR SURFACE ————— 3/4"
- EXTERIOR SURFACE ————— 1 1/2"
- CAST AGAINST EARTH ————— 3"

SPICES: #8 BAR DIAMETER

3) CONCRETE MASONRY UNITS ASTM C-90-88T.
 $F_m=1800$ PSI

4) ALL STRAPS, BRACKETS, CONNECTORS, ETC. TO BE
SUPPLIED BY SOUTHEASTERN METALS OR EQUAL
PHONE NO. (800)348-1279

5) ALL FABRICATED ANCHORS TO BE HOT-DIP
GALVANIZED PER ASTM A625 OR STAINLESS STEEL

6) ALL LUMBER $F_b=1200$ PSI MIN., $E=1.2$ MIL PSI

7) TIE BEAM CORNER BARS SHALL LAP 18" MIN.

OWNER: LOTS 21 & KEY LARG
STRUCTURES: BUILDING
LOT COVERAGE: NET LAND
IMPERVIOUS COVERAGE: RESIDENC
GRAVEL D

TOTAL DISTURBED AREA

OPEN LANDSC.

PROJECT: AKINS RESIDENCE

PROJECT NUMBER: AKINS C

NET LOT AREA = 16,

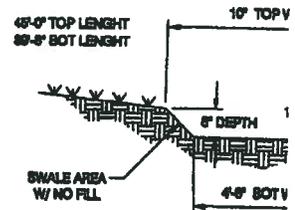
IMPERVIOUS AREA = 2.8

CALCULATION: $2,842/12 = 237$

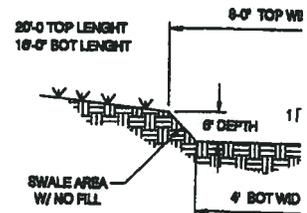
DRAINAGE PROVIDED:

SWALE #	TOP AREA (TA)	BOTT
1	480 SF	168
2	160 SF	84 S

TOTAL PROVIDED



SWALE #1:
N.T.S.



SWALE #2 S:
N.T.S.

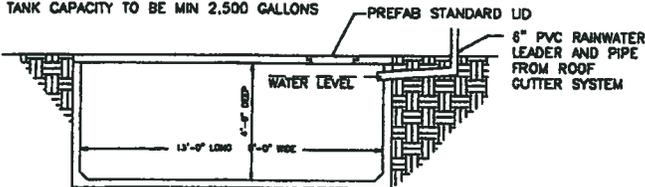
ROGO -

- +10 POINTS - PLATTED SUBDIVISION
- +1 POINTS - GROUP 1 HABITAT
- +2 POINTS - WIND LOAD RATING 175 MPH PER ASCE 7-02
- +1 POINTS - ULTRA LOW VOLUME PLUMBING FIXTURES 1.6 GAL /
- FLUSH TOILETS, 2.0 GPM FAUCETS, 2.5 GPM SHOWER
HEADS
- +1 POINTS - SEER RATING >12
- +1 POINTS - SECONDARY WATER SOURCE 2,500 GALLON CISTERN
- +1 POINTS - HEAT RECOVERY AC - ALTERNATIVE ELECTRICITY
- +1 POINTS - EXCEED FLOOD ELEVATION BY 13 INCHES
- 2 POINTS - AE ZONE

TOTAL : 16 POINTS

NOTES:

TANK AND LID 3500 PSI CONCRETE
TANK REINFORCED WITH 3/8" STEEL 12" O.C. BOTH
WAYS
REGULAR LID REINFORCED WITH 1/2" STEEL BOTHWAYS
TANK WALLS AND BOTTOM 4" MIN
PRE-MANUFACTURED TANK BY FLORIDA ROCK AND
SAND (OR EQUAL)
TANK CAPACITY TO BE MIN 2,500 GALLONS



LAWRENCE P. FRANK

SURVEYORS • ENGINEERS • LAND PLANNERS

83266 OVERSEAS HIGHWAY, ISLAMORADA, FL 33036

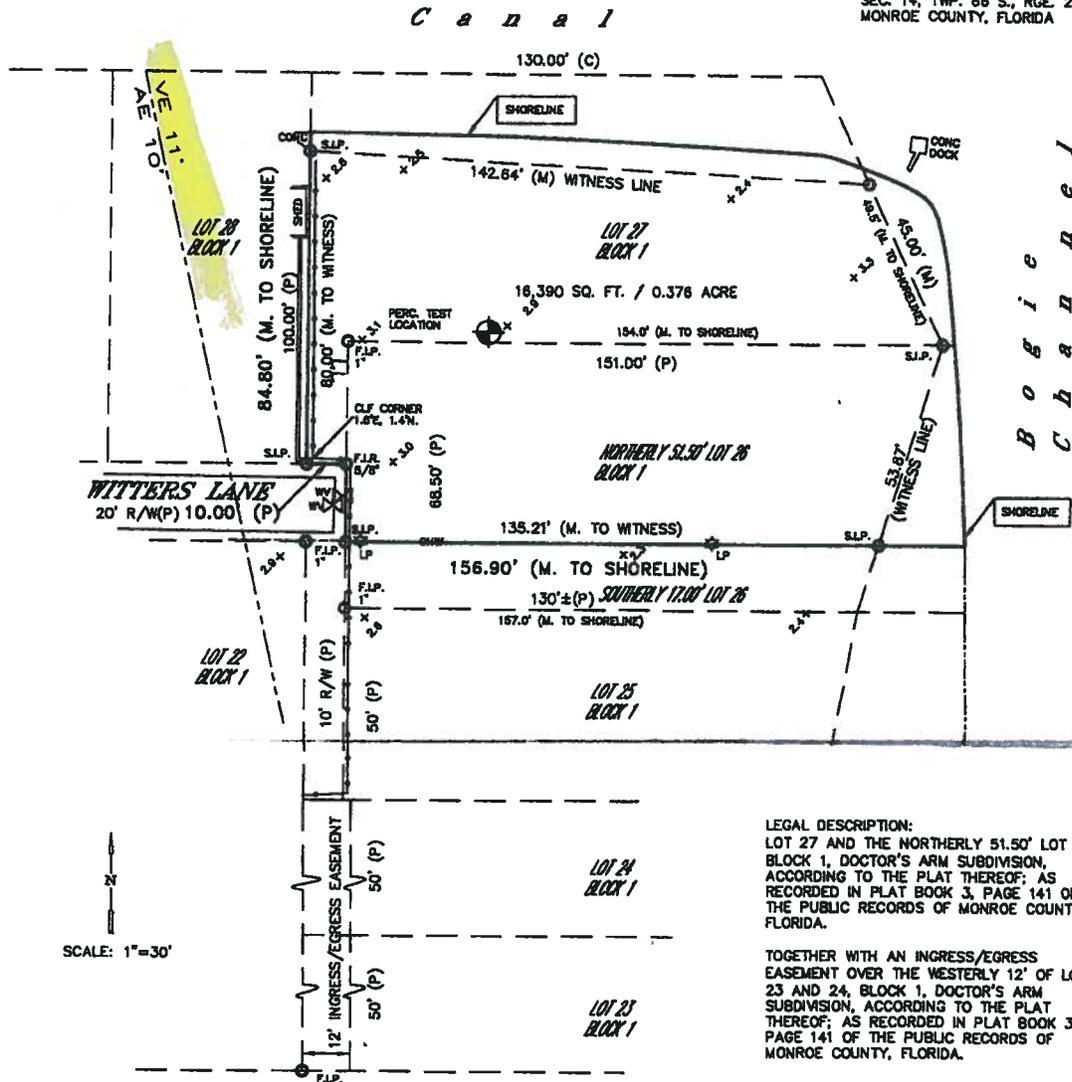
Phone (305) 664-0764 FAX (305) 664-0816

A DIVISION OF MEGAVISION BUSINESS CORPORATION

CERTIFIED TO: CANDACE AKINS

JOB No. K06308
SEC. 14, TWP. 66 S., RGE. 29 E.
MONROE COUNTY, FLORIDA

07100485



SCALE: 1"=30'

LEGAL DESCRIPTION:
LOT 27 AND THE NORTHERLY 51.50' LOT 26, BLOCK 1, DOCTOR'S ARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 141 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

TOGETHER WITH AN INGRESS/EGRESS EASEMENT OVER THE WESTERLY 12' OF LOTS 23 AND 24, BLOCK 1, DOCTOR'S ARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 141 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
 - 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
 - 3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
 - 4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
 - 5.) ELEVATION DATUM: N.G.V.D. 1929, M.S.L. = 0.0, BENCHMARK: FL41930 SRO, ELEV.=-10.42
 - 6.) BASIS OF BEARING: LOT ANGLES = 90°00'00", NORTH SCALED FROM PLAT.
- THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No.1328 K, EFFECTIVE DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONE VE, WITH A BASE ELEVATION 11' M.S.L.

ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.P. SET IRON PIPE, SIZE INDICATED	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(D) DEED
S.N.D. SET NAIL AND DISK, P.L.S. #4619	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANENT REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	COV. COVERED
P.C. POINT OF CURVE	ASPH. ASPHALT
P.O.B. POINT OF BEGINNING	PVMT. PAVEMENT
R/W RIGHT-OF-WAY	ELEV. ELEVATION
TYP. TYPICAL	

CERTIFIED FOR BOUNDARY SURVEY

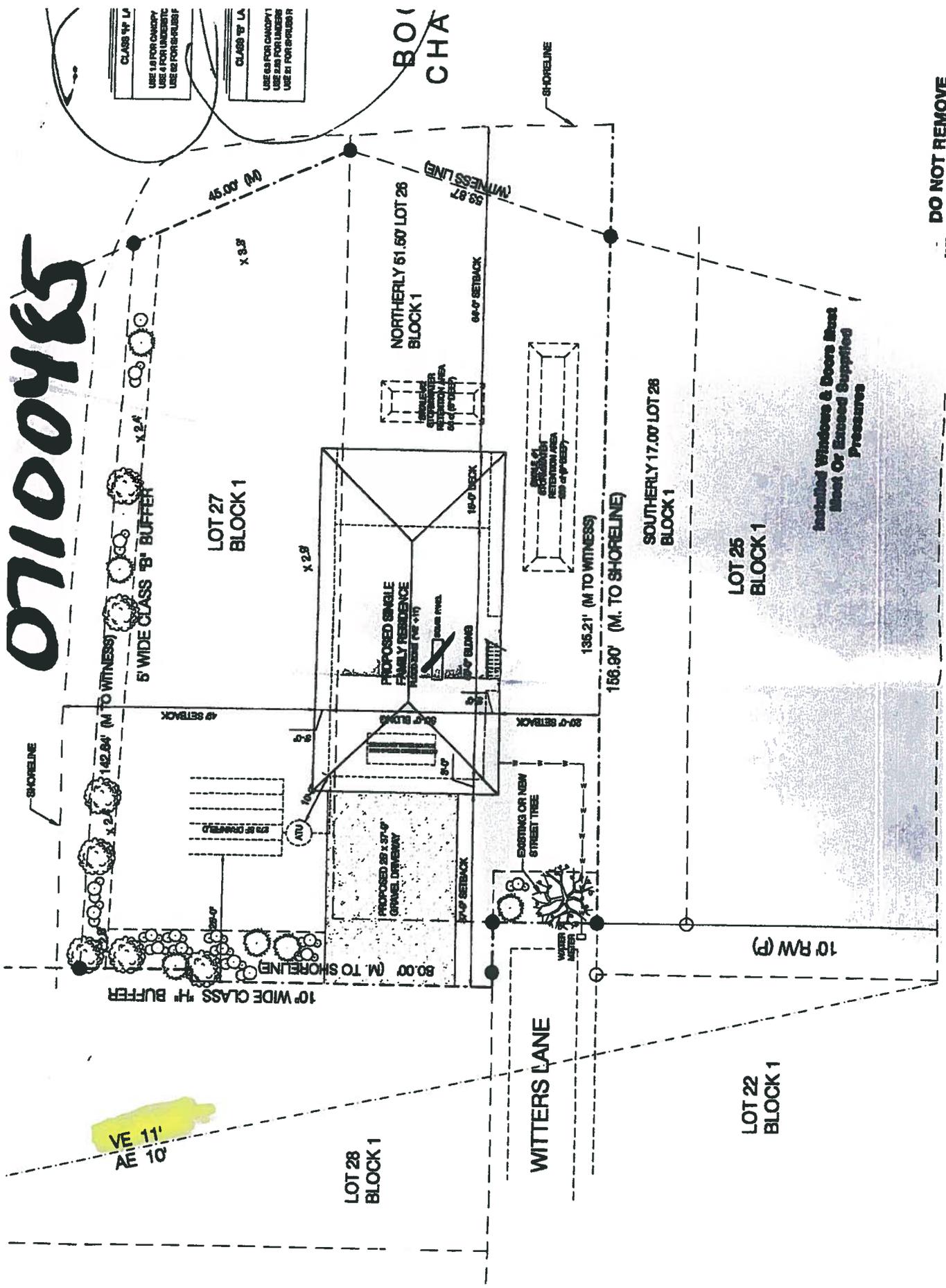
I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G77-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Lawrence P. Frank
revised for perc test only 12/4/06

LAWRENCE P. FRANK P.L.S. #4619 DATE: 10/6/06

NOT VALID UNLESS SEALED

07100485



CLASS H' LA
 USE 1.0 FOR CANOPY
 USE 4.0 FOR UNDERST
 USE 0.2 FOR BUFFER

CLASS B' LA
 USE 0.5 FOR CANOPY
 USE 2.0 FOR UNDERST
 USE 0.1 FOR BUFFER

DO NOT REMOVE

VE 11'
AE 10'

Included Windows & Doors Must Meet Or Exceed Supplied Pressures

ASCE 7-02

WIND VELOCITY = 175 MPH
 EXPOSURE CATEGORY = C
 IMPORTANCE FACTOR = 1.00
 Kzt = 1.00
 INTERNAL PRESSURE COEFFICIENT = .18

LEGAL DESCRIPTION

LOT 27 AND THE NORTHERLY 51.5% DOCTORS ARM SUBDIVISION, ACC PLAT THEREOF; AS RECORDED IN PAGE 141 OF THE PUBLIC RECORD COUNTY, FLORIDA.

OWNER: AKINS RESID
 LOTS 27 & T-
 KEY LARGO ,

STRUCTURES: BUILDING AR

LOT COVERAGE: NET LAND AR

IMPERVIOUS COVERAGE: RESIDENCE/E
 GRAVEL DRIV
 AT/DRAINPIE

TOTAL DISTURBED AREA

OPEN LANDSCAPE

PROJECT: AKINS RESIDENCE

PROJECT NUMBER: AKINS C-1

NET LOT AREA = 14,817

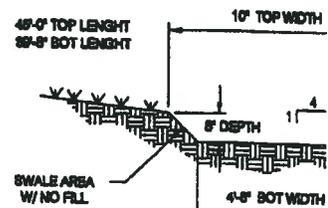
IMPERVIOUS AREA = 3,159

CALCULATION: $3,159/12 = 263 \text{ CF}$

DRAINAGE PROVIDED:

SWALE #	TOP AREA (TA)	BOTTOM AREA (BA)
1	450 SF	180 SF
2	180 SF	84 SF

TOTAL PROVIDED



SWALE #1 SECTION
 N.T.S.

GENERAL NOTES:

CONCRETE COMPRESSIVE STRENGTH $F_c=4000$ PSI
 MINIMUM AT 28 DAYS, SLUMP 3"-6"

2) REINFORCING STEEL ASTM A-616, GRADE 60

COVER:

FOOTINGS AGAINST EARTH ————— 3"
 FOOTINGS IN FORMS ————— 2"
 BEAMS & COLUMNS ————— 2"
 SLAB-INTERIOR SURFACE ————— 3/4"
 EXTERIOR SURFACE ————— 1 1/2"
 CAST AGAINST EARTH ————— 3"

SPLICES: #6 BAR DIAMETER

3) CONCRETE MASONRY UNITS ASTM C-90-88T,
 $F_m=1500$ PSI

4) ALL STRAPS, BRACKETS, CONNECTORS, ETC. TO BE
 SUPPLIED BY SOUTHEASTERN METALS OR EQUAL.
 PHONE NO. (904)48-1279

5) ALL FABRICATED ANCHORS TO BE HOT-DIP
 GALVANIZED PER ASTM A666 OR STAINLESS STEEL

6) ALL LUMBER $F_b=1250$ PSI MIN., E-1.2 MIL. PSI

7) TIE BEAM CORNER BARS SHALL LAP 18" MIN.

07100485

ROGO -

- +10 POINTS - PLATTED SUBDIVISION
- +1 POINTS - GROUP 1 HABITAT
- +2 POINTS - WIND LOAD RATING 175 MPH PER ASCE 7-02
- +1 POINTS - ULTRA LOW VOLUME PLUMBING FIXTURES 1.6 GAL /
 - FLUSH TOILETS, 2.0 GPM FAUCETS, 2.5 GPM SHOWER
 HEADS
- +1 POINTS - SEER RATING >12
- +1 POINTS - SECONDARY WATER SOURCE 2,500 GALLON CISTERN
- +1 POINTS - HEAT RECOVERY AC - ALTERNATIVE ELECTRICITY
- +1 POINTS - EXCEED FLOOD ELEVATION BY 13 INCHES
- 6 POINTS - VE ZONE

TOTAL : 12 POINTS

NOTES:

TANK AND LID 3500 PSI CONCRETE
 TANK REINFORCED WITH 3/8" STEEL 12" O.C. BOTH
 WAYS
 REGULAR LID REINFORCED WITH 1/2" STEEL BOTHWAYS
 TANK WALLS AND BOTTOM 4" MIN
 PRE-MANUFACTURED TANK BY FLORIDA ROCK AND
 SAND (OR EQUAL)
 TANK CAPACITY TO BE MIN 2,500 GALLONS

— PREFAB STANDARD LID

|| — 4" PVC RAINWATER

LAWRENCE P. FRANK

SURVEYORS • ENGINEERS • LAND PLANNERS

83266 OVERSEAS HIGHWAY, ISLAMORADA, FL 33036

Phone (305) 664-0764 FAX (305) 664-0816

A DIVISION OF MEGAVISION BUSINESS CORPORATION

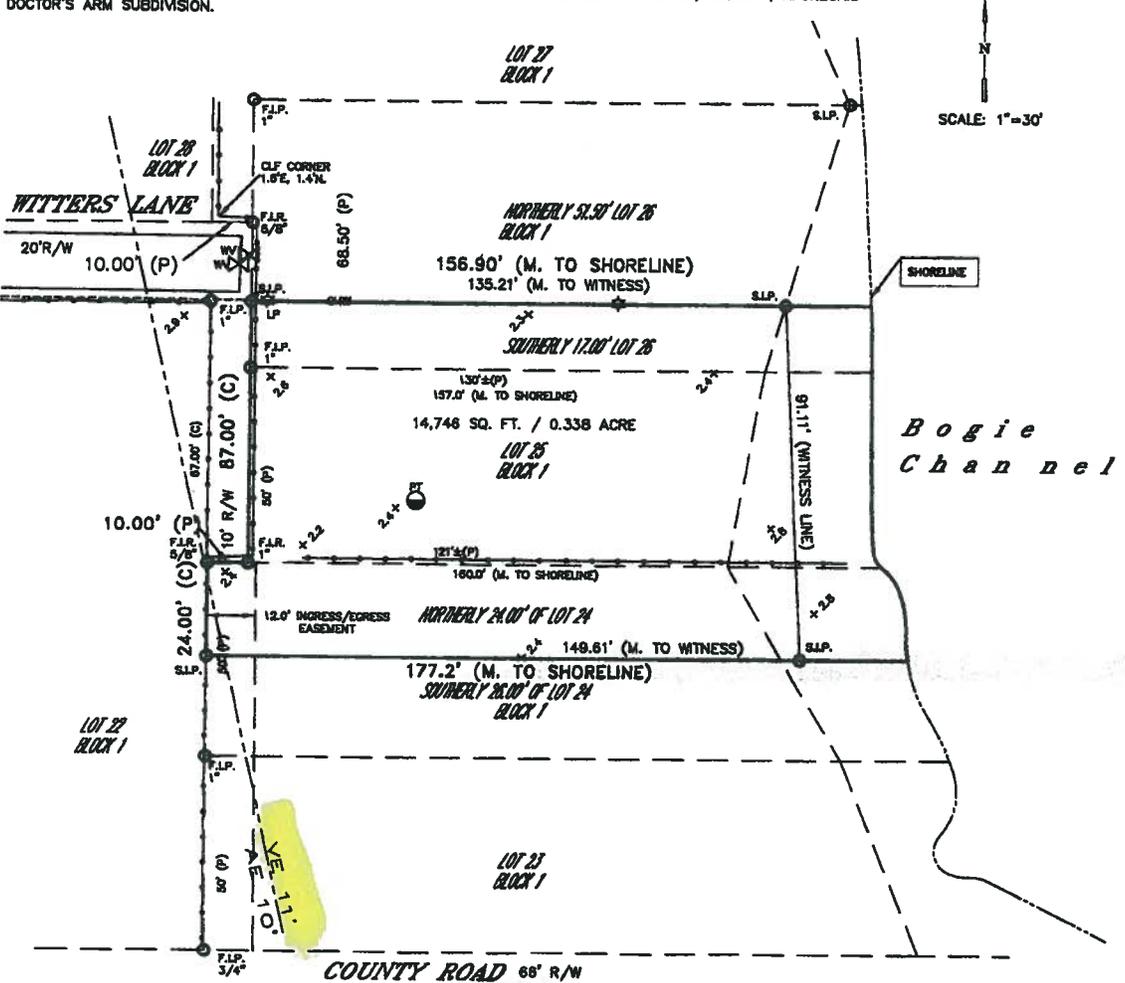
CERTIFIED TO: CANDACE AKINS

LEGAL DESCRIPTION:

ALL OF LOT 25 AND THE NORTHERLY 24.00' LOT 24 AND THE SOUTHERLY 17.00' OF LOT 26, BLOCK 1, DOCTOR'S ARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 141 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

SUBJECT TO AN INGRESS/EGRESS EASEMENT OVER THE WESTERLY 12.00' OF LOTS 23 & 24, BLOCK 1, AFORESAID DOCTOR'S ARM SUBDIVISION.

JOB No. K06305
SEC. 14, TWP. 66 S., RGE. 29 E.
MONROE COUNTY, FLORIDA



SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
- 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
- 3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE NOTED.
- 4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN HEREON.
- 5.) ELEVATION DATUM: N.G.V.D. 1929, M.S.L. = D.O. BENCHMARK: FL41930 SRD, ELEV.=10.42
- 6.) BASIS OF BEARING: LOT ANGLES = 90°00'00", NORTH SCALED FROM PLAT.
- 7.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125128, PANEL No.1328 K, EFFECTIVE DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONES AE & VE, WITH A BASE ELEVATIONS OF 10' & 11' M.S.L.

ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.P. SET IRON PIPE, 1/2" P.L.S. #4619	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(D) DEED
S.N.D. SET NAIL AND DISK, P.L.S. #4619	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANENT REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	COV. COVERED
P.C. POINT OF CURVE	ASPH. ASPHALT
P.O.B. POINT OF BEGINNING	PVMT. PAVEMENT
R/W RIGHT-OF-WAY	ELEV. ELEVATION
TYP. TYPICAL	

CERTIFIED FOR BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 90017-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Lawrence P. Frank
revised for perc test only 12/4/06

LAWRENCE P. FRANK P.L.S. #4619 DATE: 10/6/06

NOT VALID UNLESS SEALED

07100483

WITTERS LANE

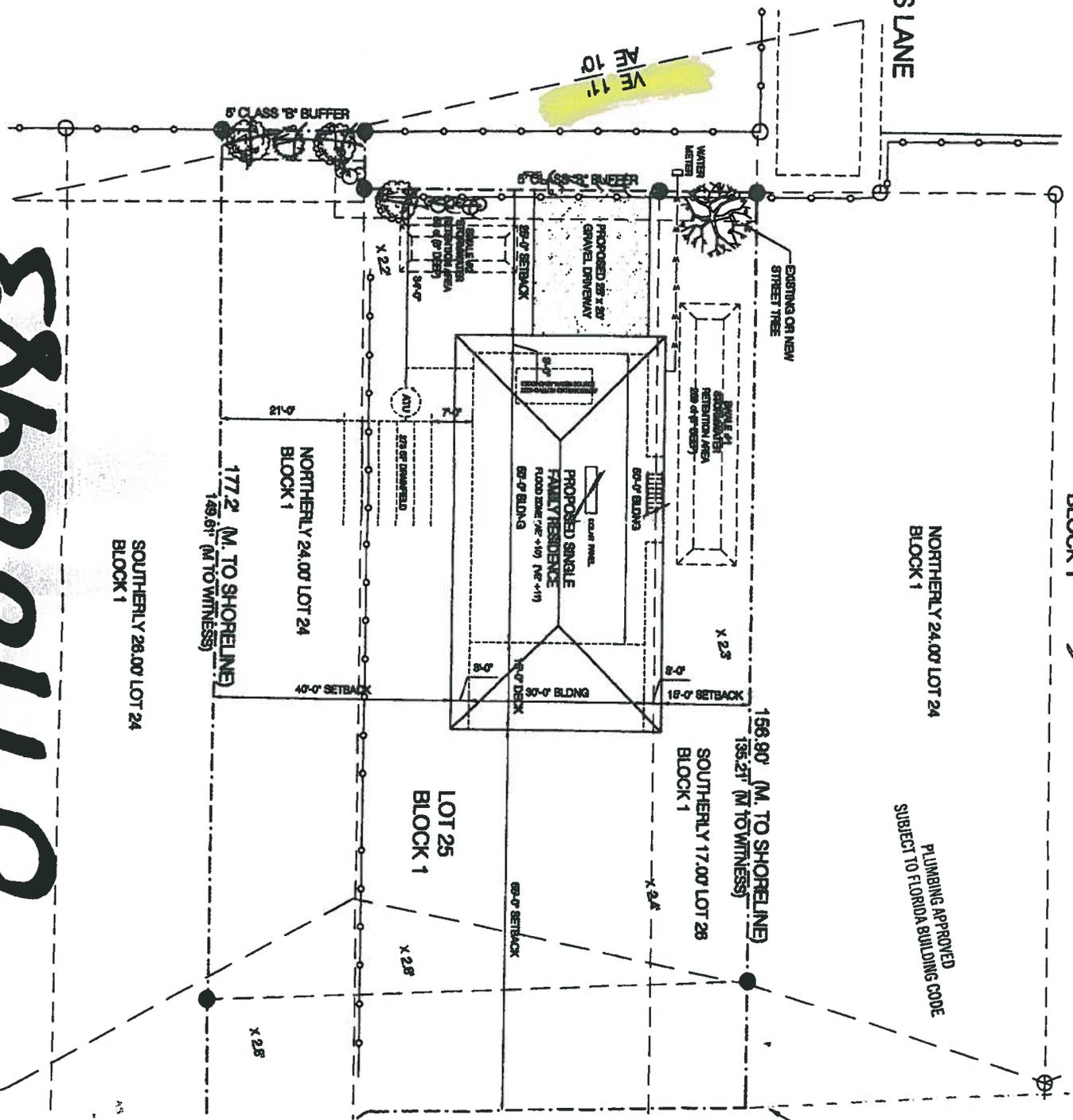
NORTHERLY 24.00' LOT 24
BLOCK 1

PLUMBING APPROVED
SUBJECT TO FLORIDA BUILDING CODE

1/4" = 1' R/L

5' CLASS 'B' BUFFER

584001LO



07100483

ASCE 7-02	
WIND VELOCITY	= 175 MPH
EXPOSURE CATEGORY	= C
IMPORTANCE FACTOR	= 1.00
Kz1	= 1.00
INTERNAL PRESSURE COEFFICIENT	= .18

LEGAL DESCRIPTION

ALL OF LOT 25 AND THE NORTHERLY 2 AND THE SOUTHERLY 17.00' OF LOT 28 DOCTORS ARM SUBDIVISION, ACCORII PLAT THEREOF, AS RECORDED IN PLA PAGE 141 OF THE PUBLIC RECORDS OF COUNTY, FLORIDA.

OWNER: AKINS RESIDENC
LOTS 25 & 24 & 2
KEY LARGO, FLC

STRUCTURES: BUILDING AREA

LOT COVERAGE: NET LAND AREA

IMPERVIOUS COVERAGE RESIDENCE/BLDC
GRAVEL DRIVEWAY/
ATU/DRAINFIELD

TOTAL DISTURBED AREA

OPEN LANDSCAPE ARI

GENERAL NOTES:	
CONCRETE COMPRESSIVE STRENGTH $F_c=4000$ PSI MINIMUM AT 28 DAYS, SLUMP 3"-5"	
2) REINFORCING STEEL ASTM A-615, GRADE 60 COVER:	
FOOTINGS AGAINST EARTH	3"
FOOTINGS IN FORMS	2"
BEAMS & COLUMNS	2"
SLAB-INTERIOR SURFACE	3/4"
EXTERIOR SURFACE	1 1/2"
CAST AGAINST EARTH	3"
SPICES: 3/8 BAR DIAMETER	
3) CONCRETE MASONRY UNITS ASTM C-90-88T, $F_m=1800$ PSI	
4) ALL STRAPS, BRACKETS, CONNECTORS, ETC. TO BE SUPPLIED BY SOUTH-EASTERN METALS OR EQUAL, PHONE NO. (800)342-1279	
5) ALL FABRICATED ANCHORS TO BE HOT-DIP GALVANIZED PER ASTM A826 OR STAINLESS STEEL	
6) ALL LUMBER $F_b=1250$ PSI MIN., $E=1.2$ MIL. PSI	
7) TIE BEAM CORNER BARS SHALL LAP 18" MIN.	

PROJECT: AKINS RESIDENCE

PROJECT NUMBER: AKINS C-1

NET LOT AREA = 14,781

IMPERVIOUS AREA = 2,975

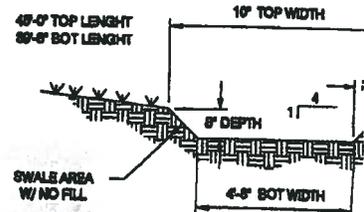
CALCULATION: $2,975/12 = 247$ CF RE

DRAINAGE PROVIDED:

SWALE #	TOP AREA (TA)	BOTTOM AREA
1	463 SF	186 SF
2	160 SF	64 SF

TOTAL PROVIDED

ROGO -	
+10 POINTS	- PLATTED SUBDIVISION
+1 POINTS	- GROUP 1 HABITAT
+2 POINTS	- WIND LOAD RATING 175 MPH PER ASCE 7-02
+1 POINTS	ULTRA LOW VOLUME PLUMBING FIXTURES 1.6 GAL / FLUSH TOILETS, 2.0 GPM FAUCETS, 2.5 GPM SHOWER HEADS
+1 POINTS	- SEER RATING >12
+1 POINTS	- SECONDARY WATER SOURCE 2,500 GALLON CISTERN
+1 POINTS	- HEAT RECOVERY AC - ALTERNATIVE ELECTRICITY
+1 POINTS	- EXCEED FLOOD ELEVATION BY 13 INCHES
-6 POINTS	- VE ZONE
TOTAL : 12 POINTS	



SWALE #1 SECTIC
N.T.S.

NOTES:
TANK AND LID 3500 PSI CONCRETE

Handwritten signature and date: 2/21/07

LAWRENCE P. FRANK

SURVEYORS • ENGINEERS • LAND PLANNERS
 83266 OVERSEAS HIGHWAY, ISLAMORADA, FL 33036
 Phone (305) 664-0764 FAX (305) 664-0816
 A DIVISION OF MEGAVISION BUSINESS CORPORATION

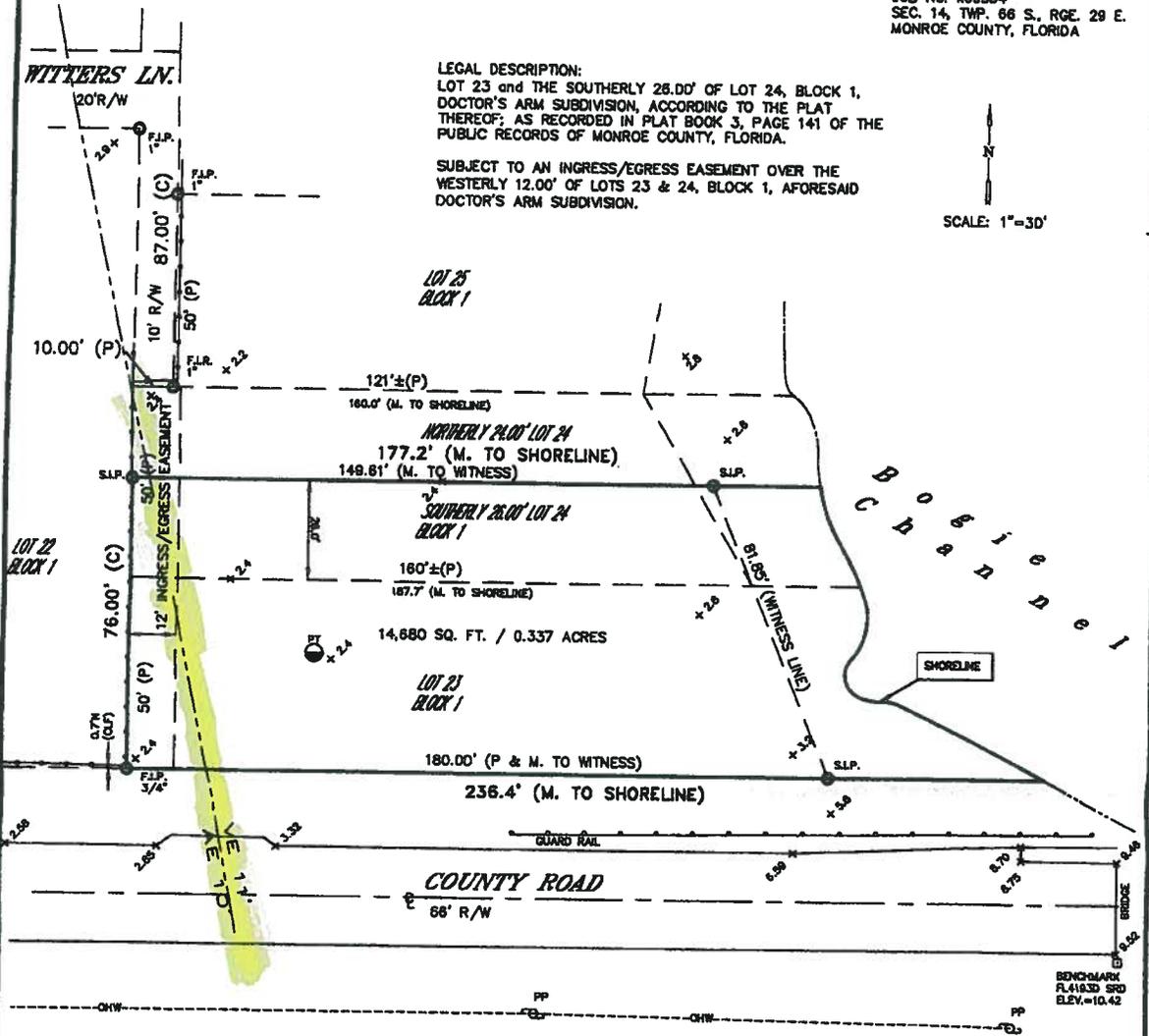
JOB No. K08304
 SEC. 14, TWP. 66 S., RGE. 29 E.
 MONROE COUNTY, FLORIDA

CERTIFIED TO: CANDACE AKINS

LEGAL DESCRIPTION:
 LOT 23 and THE SOUTHERLY 26.00' OF LOT 24, BLOCK 1,
 DOCTOR'S ARM SUBDIVISION, ACCORDING TO THE PLAT
 THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 141 OF THE
 PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

SUBJECT TO AN INGRESS/EGRESS EASEMENT OVER THE
 WESTERLY 12.00' OF LOTS 23 & 24, BLOCK 1, AFORESAID
 DOCTOR'S ARM SUBDIVISION.

SCALE: 1"=30'



SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
- 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
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- 5.) ELEVATION DATUM N.G.V.D. 1929, M.S.L. = O.G. BENCHMARK: FL41930 SRD, ELEV.=10.42
- 6.) BASIS OF BEARING: LOT ANGLES = 90°00'00", NORTH SCALED FROM PLAT.
- 7.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No.1328 K, EFFECTIVE DATE 2/18/05, AND THE HEREON DESCRIBED PROPERTY APPEARS TO BE IN ZONES AE & VE, WITH A BASE ELEVATIONS OF 10' & 11' M.S.L.

ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.P. SET IRON PIPE, 1/2" P.L.S. #4619	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(D) DEED
S.N.D. SET NAIL AND DISK, P.L.S. #4619	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANENT REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	COV. COVERED
P.C. POINT OF CURVE	ASPH. ASPHALT
P.O.B. POINT OF BEGINNING	PVMT. PAVEMENT
R/W RIGHT-OF-WAY	ELEV. ELEVATION
TYP. TYPICAL	

CERTIFIED FOR BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 478.027, FLORIDA STATUTES.

Lawrence P. Frank
 revised for perc test only 12/4/08

LAWRENCE P. FRANK P.L.S. #4619 DATE: 10/6/06

NOT VALID UNLESS SEALED

07100479

07100479

SHOWN ON PLAN
 2'7 NGVD
 4' NGVD
 3' NGVD

ASCE 7-02
 WIND VELOCITY = 175 MPH
 EXPOSURE CATEGORY = C
 IMPORTANCE FACTOR = 1.00
 Kzt = 1.00
 INTERNAL PRESSURE COEFFICIENT = .18

LEGAL DESCRIPTION

LOT 23 AND THE SOUTHERLY 28.00' OF LOT 24, BLOCK 1 DOCTORS ARM SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 141 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

ROGO -

- +10 POINTS - PLATTED SUBDIVISION
- +1 POINTS - GROUP 1 HABITAT
- +2 POINTS - WIND LOAD RATING 175 MPH PER ASCE 7-02
- +1 POINTS - ULTRA LOW VOLUME PLUMBING FIXTURES 1.6 GAL / FLUSH TOILETS, 2.0 GPM FAUCETS, 2.5 GPM SHOWER HEADS
- +1 POINTS - SEER RATING > 12
- +1 POINTS - SECONDARY WATER SOURCE 2,500 GALLON CISTERN
- +1 POINTS - HEAT RECOVERY AC - ALTERNATIVE ELECTRICITY
- +1 POINTS - EXCEED FLOOD ELEVATION BY 13 INCHES
- 6 POINTS - VE ZONE

TOTAL . 12 POINTS

OWNER:

AKINS RESIDENCE
 LOTS 23 & 24 BLOCK 1
 KEY LARGO, FLORIDA

STRUCTURES:

BUILDING AREA = 1,986 sq.ft

LOT COVERAGE:

NET LAND AREA = 14,614 sq.ft

IMPERVIOUS COVERAGE

RESIDENCE/BLDG/OH = 2,446 sq.ft
 GRAVEL DRIVEWAY @ 40% = 260 sq.ft

TOTAL DISTURBED AREA

TOTAL = 2,686 sq.ft

OPEN LANDSCAPE AREA 11,918 sq.ft

PROJECT: AKINS RESIDENCE

PROJECT NUMBER: AKINS C-1 DATE: OCT 2006

NET LOT AREA = 14,614 SQ. FT. (100%)

IMPERVIOUS AREA = 2,686 SQ. FT. (18 %)

CALCULATION: 2,686/12 = 224 CF REQUIRED

DRAINAGE PROVIDED:

RESOLUTION #P23-09

A RESOLUTION BY THE MONROE COUNTY
PLANNING COMMISSION APPROVING THE
RESIDENTIAL DWELLING UNIT ALLOCATION
QUARTER BEGINNING JANUARY 14, 2009, AND
ENDING APRIL 13, 2009, PURSUANT TO SECTION
138-26 OF THE MONROE COUNTY CODE

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated June 3, 2009, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on June 10, 2009, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 3 of Year 17, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated June 3, 2009, and which report's findings of fact and conclusions of law this Commission adopts by reference, as its own; and
2. The sworn testimony by the Monroe County Growth Management Division staff, and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower (Lower/Middle) Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through twenty-five (25); and

2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and
3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through fifteen (15); and
4. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys (Administrative Relief) subarea for Market Rate Dwelling Units to applicants ranked one (1) through fifteen (15); and
5. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
6. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and
7. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
8. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

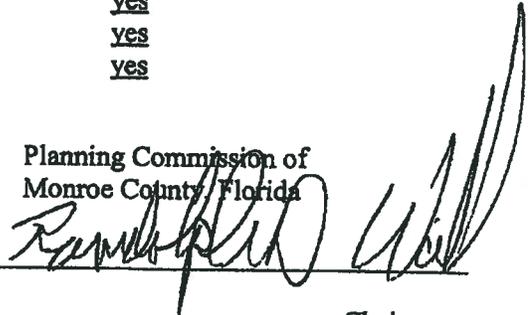
NOW THEREFORE BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Residential Dwelling Unit Allocation Rankings for Quarter 3 Year 17 and as submitted by the Sr. Director of Planning & Environmental Resources.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 10th day of June 2009.

	Market Rate			
	Lower (Lwr/Mdl) Keys	Big Pine/No Name Keys	Upper Keys	Upper (Adm. Relief) Keys
	<u>subarea</u>	<u>subarea</u>	<u>subarea</u>	<u>subarea</u>
<i>Commissioner Wall</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

	Affordable Housing	
	Lower (Lwr/Mdl) & Upper Keys	Big Pine/No Name Keys
	<u>subarea</u>	<u>subarea</u>
<i>Commissioner Wall</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>
<i>Commission Cameron</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>

Planning Commission of
Monroe County, Florida

By , Chairman

Signed this 10th day of June 2009

MONROE COUNTY ATTORNEY
APPROVES AS TO FORM

Date: 

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Bank	Parent #	Name	Date and Time of Application	Key	Station	Lot	Block	REG	Located on No Name	Marsh Puddle	Key Deer Corridor	of Ag Pts Tier 2 or 3	Land Use	Payment to Acct Fund up to 2	AFH Emp	Control Waste water	Food Zone V	Final Four Years	Each Add. Years	Total
									-10	-10	-10	3	2		8	4	4	1	1	2
<p>AFFORDABLE DWELLING UNITS Very Low, Low, Median Income</p> <p>No applicants under Very Low, Low, Median Income</p> <p>AFFORDABLE DWELLING UNITS Moderate Income</p> <p>No applicants under Moderate Income</p> <p>* Indicates a pending applicant to receive an allocation award * Indicates a pending applicant to General Management Division Director approval * Indicates a pending lot to be added to a Building Permit * Applicants who from a 10000 application date of Oct. 28, 2007, or earlier are grandfathered in performance points pursuant to Section 10000.01 of Ordinance 08-0007.</p>																				

RESOLUTION #P42-09

A RESOLUTION BY THE MONROE COUNTY
PLANNING COMMISSION APPROVING THE
RESIDENTIAL DWELLING UNIT ALLOCATION
QUARTER BEGINNING APRIL 14, 2009, AND ENDING
JULY 13, 2009, PURSUANT TO SECTION 138-26 OF
THE MONROE COUNTY CODE

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated August 26, 2009, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on September 2, 2009, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 4 of Year 17, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated August 26, 2009, and which report's findings of fact and conclusions of law this Commission adopts by reference, as its own; and
2. The sworn testimony by the Monroe County Growth Management Division staff; and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower (Lower/Middle) Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through thirty-six (36); and

2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and
3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through twenty (20); and
4. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys (Administrative Relief) subarea for Market Rate Dwelling Units to applicants ranked one (1) through ten (10); and
5. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
6. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and
7. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
8. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

NOW THEREFORE BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Residential Dwelling Unit Allocation Rankings for Quarter 4 Year 17 and as submitted by the Sr. Director of Planning & Environmental Resources.

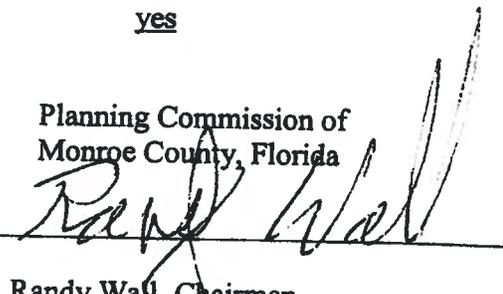
PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 2nd day of September 2009.

	Market Rate			
	Lower (Lwr/Mdl) Keys <u>subarea</u>	Big Pine/No Name Keys <u>subarea</u>	Upper Keys <u>subarea</u>	Upper (Adm. Relief) Keys <u>subarea</u>
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

	Affordable Housing	
	Lower (Lwr/Mdl) & Upper Keys <u>subarea</u>	Big Pine/No Name Keys <u>subarea</u>
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>
<i>Commission Cameron</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>

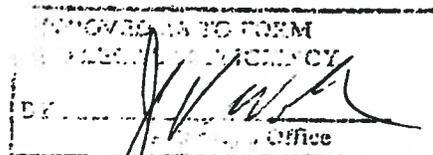
Planning Commission of
Monroe County, Florida

By



Randy Wall, Chairman

Signed this 2nd day of September 2009



**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 17, QUARTER 4 (APRIL 14, 2009 TO JULY 13, 2009)**

Rank	Permit #	Name	Date	Time	Key	Subdivision	Lot	Block	Block Ref	Tier	Tier Pts	Located on No Name Buffer	Marsh/Rabbit/Deer Corridor	Key Deer Corridor	Lot Area	Land Ded.	Payment to Acq. Fund	AFV Emp	Central Waste water	Flood Zone V	First Four Years	Each Year	Total	
1	08101888	Ny Lane LLC	6-Jul-09	11:00 AM	Big Pine	K-Pine Channel Estates			00250410.000000	3	20	0	0	0	0	0	0	0	0	0	0	0	0	20
2	05101327	Henry, James	21-Apr-05	3:10 PM	Big Pine	Tropical Bay 2nd			00108250.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	14
3	05101328	Henry, John	14-Jun-05	3:00 PM	Big Pine	Tropical Bay Estates 3rd Add.			00313370.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	14
4	05102851	Priddy, Henry	8-Aug-05	3:16 PM	Big Pine	Tropical Bay Estates 3rd Add.			00313510.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	14
5	05102824	Peretz, Charles	8-Aug-05	1:40 PM	Big Pine	Tropical Bay Estates 3rd Add.			00313920.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
6	05102823	Peretz, Charles	8-Sep-05	3:15 PM	Big Pine	Tropical Bay 3rd Add.			00313920.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
7	05102820	Bural, Guy	22-Dec-05	10:15 AM	Big Pine	Doctors Arm 3rd Add.			00312573.000100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
8	05102831	Security First Storage	23-Feb-08	2:30 PM	Big Pine	Tropical Bay 3rd Add.			00313750.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
9	05102801	Szabo, Peter	25-Feb-08	6:40 AM	Big Pine	Doctors Arm 3rd Sec. A			00312571.003100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
10	05101712	Shelke, Richard	25-Jul-05	5:40 AM	Big Pine	Doctors Arm			00310720.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	13
11	08101218	Liu, Hung	25-Jul-05	3:40 AM	Big Pine	Doctors Arm 1st Add.			00311840.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
12	08101008	Leon, Ernesto	6-Oct-08	2:30 PM	Big Pine	Doctors Arm 2nd Add.			00312571.000200	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
13	08101002	Fernandez, Juan	6-Oct-08	2:31 PM	Big Pine	Doctors Arm 2nd Add.			00312571.000200	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
14	08100544	Cassessa, Edward	13-Oct-08	8:00 AM	Big Pine	Doctors Arm 3rd Add.			00312571.000200	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
15	08101005	Vasseur, Jorge	3-Nov-08	12:09 PM	Big Pine	Doctors Arm 3rd Add Sec B			00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
16	08106188	Henn, David	11-Jan-07	8:38 AM	Big Pine	JR Matthews Properties Pt 2			00108330.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
17	03100238	Hochstetler, Jan	28-Mar-07	8:38 AM	Big Pine	Doctors Arm 3rd Add. Sec. B			00228870.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
18	08101001	Olga, Alex	31-May-07	8:45 AM	Big Pine	Eden Pines Colony 1st Add.			00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
19	07102535	Whitaker, Scott	24-Aug-07	1:28 AM	Big Pine	Eden Pines Colony 1st Add.			00228870.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
20	07102237	Adins, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony 3rd Add.			00228870.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
21	07102237	Adins, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony 3rd Add.			00228870.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	12
22	08101472	Schlu, Wilhelms	8-Jan-07	8:13 AM	No Name	Gallean Bay, Rev. Plat			00271270.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	11
23	08101470	Schlu, Wilhelms	8-Jan-07	8:13 AM	No Name	Gallean Bay, Rev. Plat			00318484.001000	1	0	0	0	0	0	0	0	0	0	0	0	0	0	11
24	08101469	Schlu, Wilhelms	8-Jan-07	8:14 AM	No Name	Gallean Bay, Rev. Plat			00318484.001000	1	0	0	0	0	0	0	0	0	0	0	0	0	0	11
25	08101468	Schlu, Wilhelms	8-Jan-07	8:15 AM	No Name	Rev. Plat Gallean Bay			00318484.000800	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
26	08101465	Schlu, Wilhelms	8-Jan-07	8:16 AM	No Name	Rev. Plat Gallean Bay			00318484.000500	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
27	08101473	Schlu, Wilhelms	8-Jan-07	8:17 AM	No Name	Rev. Plat Gallean Bay			00318484.000400	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
28	08101463	Schlu, Wilhelms	8-Jan-07	8:18 AM	No Name	Rev. Plat Gallean Bay			00318484.001400	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
29	08101461	Schlu, Wilhelms	8-Jan-07	8:19 AM	No Name	Rev. Plat Gallean Bay			00318484.000200	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
30	08101460	Schlu, Wilhelms	8-Jan-07	8:19 AM	No Name	Rev. Plat Gallean Bay			00318484.000300	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
31	08101465	Schlu, Wilhelms	8-Jan-07	8:20 AM	No Name	Rev. Plat Gallean Bay			00318484.000700	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
32	08101467	Schlu, Wilhelms	8-Jan-07	8:21 AM	No Name	Rev. Plat Gallean Bay			00318484.000800	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
33	08101468	Schlu, Wilhelms	8-Jan-07	8:22 AM	No Name	Rev. Plat Gallean Bay			00318484.000700	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
34	08101471	Schlu, Wilhelms	8-Jan-07	8:23 AM	No Name	Rev. Plat Gallean Bay			00318484.001100	1	0	0	0	0	0	0	0	0	0	0	0	0	0	10
35	07103871	Shenah, Jerry	24-Oct-07	8:30 AM	No Name	Gallean Bay, Rev. Plat			00310460.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
36	08101005	Bahn, Charles	14-Oct-08	8:47 AM	Big Pine	Doctors Arm			00312890.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
37	08102801	Bahn (Rev., Trust)	14-Oct-08	2:27 PM	Big Pine	Doctors Arm 3rd Add.			00312571.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
38	07100485	Adins, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm			00312571.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
39	07100483	Adins, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm			00310260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
40	07100479	Adins, John	12-Jun-07	10:04 AM	Big Pine	Doctors Arm			00310240.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
41	07100488	Adins, John	12-Jun-07	10:05 AM	Big Pine	Doctors Arm			00310240.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
42	07100488	Adins, John	12-Jun-07	10:05 AM	Big Pine	Doctors Arm			00310220.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
43	08105638	Dornowestien, Jack	13-Jan-08	10:14 AM	Big Pine	Whispering Pines			00250560.000000	1	0	0	0	0	0	0	0	0	0	0	0	0	0	3

RESOLUTION P42-08
SEPTEMBER 2, 2009

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 17, QUARTER 4 (APRIL 14, 2009 TO JULY 13, 2009)**

Rank	Permit #	Name	Date and Time of Application		Time	Key	Subdivision	Lol	Block	REG	Tier	Tier Pts	Located on No Name	Marsh Rabbt/ Deer	Key Deer Corridor	Lot Agg Tier 2 or 3	Land Ded.	Payment to Acq. Fund up to 2	AFH Emp	Central Waste water	Flood Zone V	First Four Years	Each Add. Years	Total		
44	05104831	Mango, Robert	20-Jan-06	11:00 AM	11:00 AM	Bg Pine	Port Pine Heights 2nd Add.	7	59	00295360,000000	1	0	0	0	0	3	0	0	0	0	0	0	1	2	3	
45	05105835	Silverstein, W.P.	23-Sep-05	11:15 AM	11:15 AM	Bg Pine	Port Pine Heights 2nd Add.	3 & 4	78	002998980,000000	1	0	0	0	0	3	0	0	0	0	0	0	0	1	2	3

Indicates a finding sufficient to receive an allocation award.
 D Indicates the recommendation is deferred to the February 11, 2008, Planning Commission meeting.
 M Indicates a finding subject to Green's Management Division Director approval.
 R Indicates a finding that is subject to a Building Permit restriction.
 S Indicates a scoring correction.
 A Applicant who has a ROSO application data of Oct. 29, 2007, as either not grandfathered for preference points pursuant to existing provisions of Ordinance 099-2007.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 17, QUARTER 4
(APRIL 14, 2009 TO JULY 13, 2009)**

Rank	Permit #	Name	Date and Time of Application	Key	Subdivision	Lot	Block	RES#	Located on	Marsh	Key Deer	Lot/Agg/Pis	Land	Payment to Acq Fund up to 2	ASH/Errp	Central Water	Flood Zone V	First Four Years	Each Add. Years	Total
									No Name -10	Marsh Buffer -10	Key Deer Candler -10	3	2		0	4	4	1	2	
<p>AFFORDABLE DWELLING UNITS Very Low, Low, Median Income</p> <p>No applicants under Very Low, Low, Median Income</p> <p>AFFORDABLE DWELLING UNITS Moderate Income</p> <p>No applicants under Moderate Income</p>																				
<p>Indicates a existing applicant to include an additional permit. (B) Indicates a existing subject to Council Management Decision Director approval. (C) Indicates a existing that is subject to a Building Permit foundation.</p> <p>Applicants who have a RCOG application date of Oct. 28, 2007, or earlier are grandfathered for preservation points pursuant to existing provision of Ordinance 008-2007.</p>																				

RESOLUTION #P55-09

A RESOLUTION BY THE MONROE COUNTY
PLANNING COMMISSION APPROVING AND
HOLDING SOME ALLOCATIONS IN ABEYANCE FOR
THE RESIDENTIAL DWELLING UNIT ALLOCATION
QUARTER BEGINNING JULY 14, 2009, AND ENDING
OCTOBER 12, 2009, ALL OTHER APPLICANTS
ROLLOVER TO THE NEXT REGULAR QUARTERLY
EVALUATION PURSUANT TO SECTION 138-26 OF
THE MONROE COUNTY CODE

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated December 8, 2009, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on December 15, 2009, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 1 of Year 18, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated December 8, 2009, and which report's findings of fact and conclusions of law this Commission adopts by reference, as its own; and
2. The sworn testimony by the Monroe County Growth Management Division staff; and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower (Lower/Middle) Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through fourteen (14); and
2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and

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3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through six (6) and ranked eleven (11); and
 4. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to hold Upper Keys Market Rate Dwelling Units allocations in abeyance for applicants ranked seven (7) through ten (10) and ranked twelve (12), since the properties do not have tier designations at this time. Once tier designations are finalized, staff will bring the allocations back to the Planning Commission for recommendation of either a sufficient ranking or insufficient ranking for an allocation award for these or other applicants; and
 5. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys (Administrative Relief) subarea for Market Rate Dwelling Units to applicants ranked one (1) and three (3); and
 6. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to hold Upper Keys (Administrative Relief) allocation in abeyance for applicant ranked two (2), since the property does not have a tier designation at this time. Once the tier designation is finalized, staff will bring the allocation back to the Planning Commission for a recommendation of either a sufficient ranking or insufficient ranking for an allocation award.
 7. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
 8. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and
 9. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the

recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and

10. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

NOW THEREFORE BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Residential Dwelling Unit Allocation Rankings for Quarter 1 Year 18 and holding allocations in abeyance to Upper Keys Market rate Applicants ranked seven (7) through ten (10) and ranked twelve (12) and to Upper Keys Administrative Relief Applicant ranked two (2) as submitted by the Sr. Director of Planning & Environmental Resources.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 15th day of December 2009.

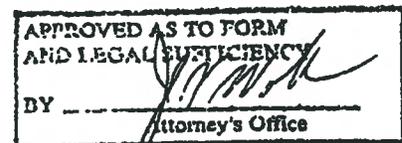
	Market Rate			
	Lower (Lwr/Mdl) Keys subarea	Big Pine/No Name Keys subarea	Upper Keys subarea	Upper (Adm. Relief) Keys subarea
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

	Affordable Housing	
	Lower (Lwr/Mdl) & Upper Keys subarea	Big Pine/No Name Keys subarea
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>

Planning Commission of
Monroe County Florida

By *Randy Wall*
Randy Wall, Chairman

Signed this 15th day of December 2009



**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 18, QUARTER 1 (JULY 14, 2008 TO OCTOBER 12, 2008)**

Rank	Parcel #	Name	Date and Type of Application		Title	Block	Lid	Landed on	Marsh	Key	Lid Key	Land	Payment	Area	Central	Road	First	Each	
			On	Off															Year

Indicates a ranking submitted to require an application award
 Indicates the recommendation is referred to the February 11, 2008
 Planning Commission meeting
 Indicates a ranking submitted to Growth Management Division Director approval
 Applications who have a BODD application date of Oct. 28, 2007
 Indicate are grandfathered for permanent parcel provided to
 Planning Commission of Ordinance 008-2007

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 18, QUARTER 1
(JULY 14, 2009 TO OCTOBER 12, 2009)**

Rank	Project #	Name	Date and Time of Application			Key	Subsection	Lot	Block	RES	Tier	Tier Pt	Location on No Name -18	Month	Rubbly	Key	Dues	Corner	Lot Area	Pct	Land	Ded	Payment to Acq Fund	AFW	Emp	Central	Waste	Zone	Fund	Fisc	Fisc	Add	Each
			Day	Time	Key																												
AFFORDABLE DWELLING UNITS																																	
Very Low, Low, Moderate Income																																	
No applicants under Very Low, Low, Moderate Income																																	
AFFORDABLE DWELLING UNITS																																	
Moderate Income																																	
No applicants under Moderate Income																																	
<p>Indicates a meeting subject to receive an action grant</p> <p>1) Indicates the recommendations as delivered to the February 11, 2009 Planning Commission meeting</p> <p>2) Indicates a meeting subject to Council Management Director's Director approval</p> <p>3) Indicates a meeting subject to a Building Permit Application</p> <p>4) Indicates a meeting subject to a Flood Application date of Oct. 29, 2007 or earlier are grandfathered for permit application pursuant to Section 170.001(4)(b) of the City of Tallahassee Code.</p>																																	

RESOLUTION #P04-10

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING AND HOLDING SOME ALLOCATIONS IN ABEYANCE FOR THE RESIDENTIAL DWELLING UNIT ALLOCATION QUARTER BEGINNING OCTOBER 13, 2009, AND ENDING JANUARY 12, 2010, ALL OTHER APPLICANTS ROLLOVER TO THE NEXT REGULAR QUARTERLY EVALUATION PURSUANT TO SECTION 138-26 OF THE MONROE COUNTY CODE

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated March 1, 2010, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on March 10, 2010, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 2 of Year 18, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated March 1, 2010, and which report's findings of fact and conclusions of law this Commission adopts by reference, as its own; and
2. The sworn testimony by the Monroe County Growth Management Division staff; and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower (Lower/Middle) Keys subarea for Market Rate Dwelling Units to applicants ranked one (1) through ten (10) and thirteen (13) though fourteen (14); and
2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to hold Lower (Lower/Middle) Keys Market Rate Dwelling Units allocations in abeyance for

applicants ranked eleven (11) through twelve (12), since the properties do not have tier designations at this time. Once tier designations are finalized, staff will bring the allocations back to the Planning Commission for recommendation of either a sufficient ranking or insufficient ranking for an allocation award for these or other applicants; and

3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and
4. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys subarea for Market Rate Dwelling Units to applicants ranked four (4) and six (6) through nine (9); and
5. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to hold Upper Keys Market Rate Dwelling Units allocations in abeyance for applicants ranked one (1) through three (3), five (5), and ranked twelve (12) through thirteen (13), since the properties do not have tier designations at this time. Once tier designations are finalized, staff will bring the allocations back to the Planning Commission for recommendation of either a sufficient ranking or insufficient ranking for an allocation award for these or other applicants; and
6. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Upper Keys (Administrative Relief) subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and
7. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
8. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

9. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
10. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

NOW THEREFORE BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Residential Dwelling Unit Allocation Rankings for Quarter 2 Year 18 and holding allocations in abeyance to Lower (Lower/Middle) Keys Market rate Applicants ranked one (1) through ten (10) and thirteen (13) though fourteen (14), and to Upper Keys Market rate Applicants ranked one (1) through three (3), five (5), and ranked twelve (12) through thirteen (13) as submitted by the Sr. Director of Planning & Environmental Resources.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 10th day of March 2010.

	Market Rate			
	Lower (Lwr/Mdl) Keys subarea	Big Pine/No Name Keys subarea	Upper Keys subarea	Upper (Adm. Relief) Keys subarea
Chairman Wall	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
Commissioner Werling	<u>absent</u>	<u>absent</u>	<u>absent</u>	<u>absent</u>
Commissioner Hale	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
Commissioner Cameron	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
Commissioner Lustberg	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

	Affordable Housing	
	Lower (Lwr/Mdl) & Upper Keys subarea	Big Pine/No Name Keys subarea
Chairman Wall	<u>yes</u>	<u>yes</u>
Commissioner Werling	<u>absent</u>	<u>absent</u>
Commissioner Hale	<u>yes</u>	<u>yes</u>
Commission Cameron	<u>yes</u>	<u>yes</u>
Commissioner Lustberg	<u>yes</u>	<u>yes</u>

APPROVED AS TO FORM AND LEGAL EFFECT BY _____
 BY _____
 COUNTY CLERK

Planning Commission of
 Monroe County, Florida

By Randy Wall
 Randy Wall, Chairman

Signed this 10th day of March 2010

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY and NO NAME KEY - YEAR 19, QUARTER 2 (OCTOBER 13, 2009 TO JANUARY 12, 2010)**

Rank	Parent #	Name	Date and Time of Application	Time	Key	Submission	Lot	Block	RS#	Ther	Ther Pts	Located on No Name Butte	Month	Key	Lot Area	Land	Payment	AMU	Central	Food	First	Each	Total	
1	09103490	Poon, Heung	13-Nov-09	1:45 PM	Big Pine	Port Charcoal Estate Sec 2	3	8	00202340 000000	5	20	0	0	0	0	0	0	0	0	0	0	0	20	
2	09103011	Songgag, Shida	13-Jan-10	5:00 PM	Big Pine	Port Charcoal Estate Sec 2	25	4	00216640 000000	4	10	0	0	0	0	0	0	0	0	0	0	0	14	
3	05103051	Pruder, Henry	8-Aug-05	3:15 PM	Big Pine	Typical Bay Estates 3rd Add	1	4	00313510 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	14	
4	05103024	Perez, Orlando	8-Aug-05	1:40 PM	Big Pine	Typical Bay Estates 3rd Add	8	7	00313520 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	14	
5	05103023	Bergquist, Juan	8-Sep-05	3:15 PM	Big Pine	Typical Bay Estates 3rd Add	6	5	00313530 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	14	
6	05103020	Burd, Guy	22-Dec-05	3:40 AM	Big Pine	Duckers Arm 3rd Add	10	4	00313573 001100	2	10	0	0	0	0	0	0	0	0	0	0	0	14	
7	05101712	Susack, Richard	22-Jan-05	3:40 AM	Big Pine	Duckers Arm 3rd Add	23 & 24	7	00313720 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
8	05103315	Security First Storage	23-Feb-05	9:40 AM	Big Pine	Typical Bay 3rd Add	5	5	00313730 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
9	05103001	Sutton, Peter	25-Feb-05	4:40 AM	Big Pine	Duckers Arm 3rd Add	30	7	00313740 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
10	08101216	L.L. Hing	25-Mar-05	2:30 PM	Big Pine	Duckers Arm 3rd Add	28	5	00313840 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
11	08101006	Leop, Ernesto	6-Oct-05	2:30 PM	Big Pine	Duckers Arm 3rd Add	19	5	00313870 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
12	08101002	Fernandez, Alvin	6-Oct-05	2:31 PM	Big Pine	Duckers Arm 3rd Add	12	5	00313871 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
13	08104544	Colasacco, Edward	13-Oct-05	9:00 AM	Big Pine	Duckers Arm 3rd Add	20	19	00202070 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
14	08101005	Vasquez, Jorge	11-Nov-05	12:00 PM	Big Pine	Duckers Arm 3rd Add	5 & 6	20	00313572 000100	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
15	08100156	Hahn, David	8-Jan-07	3:30 PM	Big Pine	28 Eldorado Properties Pt 2	13	10	00102030 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	13	
16	08101472	Schala, Vanessa	8-Jan-07	9:11 AM	No Name	Gullhorn Bay, River Pt	10	9	00313494 001000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
17	08101470	Schala, Vanessa	8-Jan-07	9:14 AM	No Name	Gullhorn Bay, River Pt	9	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
18	08101469	Schala, Vanessa	8-Jan-07	9:15 AM	No Name	Gullhorn Bay, River Pt	5	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
19	08101468	Schala, Vanessa	8-Jan-07	9:16 AM	No Name	Gullhorn Bay, River Pt	4	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
20	08101463	Schala, Vanessa	8-Jan-07	9:18 AM	No Name	Gullhorn Bay, River Pt	14	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
21	08101473	Schala, Vanessa	8-Jan-07	9:17 AM	No Name	Gullhorn Bay, River Pt	3	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
22	08101462	Schala, Vanessa	8-Jan-07	9:17 AM	No Name	Gullhorn Bay, River Pt	2	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
23	08101461	Schala, Vanessa	8-Jan-07	9:18 AM	No Name	Gullhorn Bay, River Pt	1	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
24	08101465	Schala, Vanessa	8-Jan-07	9:20 AM	No Name	Gullhorn Bay, River Pt	6	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
25	08101465	Schala, Vanessa	8-Jan-07	9:21 AM	No Name	Gullhorn Bay, River Pt	7	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
26	08101466	Schala, Vanessa	8-Jan-07	9:22 AM	No Name	Gullhorn Bay, River Pt	8	9	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
27	08101471	Schala, Vanessa	8-Jan-07	9:24 AM	No Name	Gullhorn Bay, River Pt	11	4	00313494 000000	1	10	0	0	0	0	0	0	0	0	0	0	0	12	
28	08103298	Hochstein, Jan	28-Jan-07	6:38 AM	No Name	Duckers Arm 3rd Add	7	2	00202970 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
29	08101001	Oglet, Alex	31-May-07	11:38 AM	Big Pine	Duckers Arm 3rd Add	4	2	00313572 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
30	07102355	Wheeler, Scott	24-May-07	8:49 AM	Big Pine	Duckers Arm 3rd Add	2	1	00202970 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
31	07102327	Ayres, Candace	10-Sep-07	2:49 AM	Big Pine	Duckers Arm 3rd Add	13	3	00202980 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
32	07102328	Ayres, Candace	10-Sep-07	2:49 AM	Big Pine	Duckers Arm 3rd Add	3	3	00271270 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
33	07103811	Shawn, Jerry	24-Oct-07	8:03 AM	Big Pine	Duckers Arm 3rd Add	48	1	00310480 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
34	08101695	Shawn, Jerry	24-Oct-07	8:03 AM	Big Pine	Duckers Arm 3rd Add	31	3	00312880 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	12	
35	05102801	Belen (Rev. Title)	14-Oct-05	9:47 AM	Big Pine	Duckers Arm 1st Add	5	5	00311610 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	11	
36	05102529	Vasquez, Jean	10-Aug-05	2:27 PM	Big Pine	Duckers Arm 1st Add	2	5	00312572 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	11	
37	09102047	Erin, William	9-Mar-08	6:55 AM	Big Pine	Duckers Arm 1st Add	3	5	00311610 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	11	
38	08100807	Surgerson, James	31-Jul-08	11:54 PM	Big Pine	Duckers Arm 3rd Add	25	25	00271280 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	10	
39	07100445	Ayres, John	12-Jan-07	10:09 AM	Big Pine	Duckers Arm 3rd Add	27/8/PLUS	1	00310280 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
40	07100443	Ayres, John	12-Jan-07	10:02 AM	Big Pine	Duckers Arm 3rd Add	25/8/PLUS	1	00310280 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
41	07100478	Ayres, John	12-Jan-07	10:04 AM	Big Pine	Duckers Arm 3rd Add	23/8/PLUS	1	00310280 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
42	07100468	Ayres, John	12-Jan-07	10:08 AM	Big Pine	Duckers Arm 3rd Add	21 & 22	1	00310280 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
43	05103035	Stevenson, W P	23-Sep-04	11:15 AM	Big Pine	Port Pine Heights 3rd Add	3 & 4	78	00202880 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
44	05103038	Doverstein, Jack	13-Jan-05	10:14 AM	Big Pine	Whispering Pines	15	78	00202880 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
45	05104031	Paiva, Robert	28-Jan-05	11:09 AM	Big Pine	Port Pine Heights 3rd Add	7	59	00202880 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	8	
46	08102784	Paiva, Robert	27-Oct-08	10:44 AM	Big Pine	Port Pine Heights 3rd Add	8	59	00202880 000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	8
47																							8	

MEETING MARCH 10, 2010
PC RESOLUTION 04-10

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 18, QUARTER 2 (OCTOBER 13, 2009 TO JANUARY 12, 2010)**

Rank	Permit #	Name	Date and Time of Application			Subdivision	Lot	Block	RES#	Local Month														
			Date	Time	Key					Key	Lot	Land	Payment	APV	General	Road	Front	Each						
										No Name	Butler	Conover	Ter 2 or 3	Det	Acq	Fund	Emp	Water	Zone V	Year	Year	Year	Total	

Indicates a ranking sufficient to receive an allocation award
 0 Indicates the recommendation is deferred to the February, 11, 2010 Planning Commission meeting
 1 Indicates a ranking subject to Growth Management Division Director approval
 2 Indicates a ranking that is subject to a Building Permit Restriction
 3 Indicates who issue a HOSCO application date of Oct. 28, 2007
 4 Indicate any guidelines for permittee points payment to City of Orlando (09-0307)

**RESIDENTIAL DWELL UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 18, QUARTER 2
(OCTOBER 13, 2009 TO JANUARY 12, 2010)**

Units	Form #	Name	Date and Time of Application				Key	Subsection	Lot	Block	REG	Tw	Th	Fr	Sa	Su	Total
			Day	Time	Key	Subsection											
AFFORDABLE DWELLING UNITS																	
Very Low, Low, Median Income																	
No applicants under Very Low, Low, Median Income																	
AFFORDABLE DWELLING UNITS																	
Moderate Income																	
No applicants under Moderate Income																	
<p>Indicates a ranking adjustment to receive an allocation award</p> <p>(1) Indicates the recommendation is withdrawn by the February 11, 2010 Planning Commission meeting</p> <p>(2) Indicates a ranking subject to Council Management Director Director approval</p> <p>(3) Indicates a ranking that is subject to a Standing Permit Resolution Applicant, who have 30000 application date of Oct 28 2007</p> <p>(4) Indicates the applicant for permanent permit pursuant to the provisions of Ordinance 028-2007</p>																	

RESOLUTION #P10-10

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE YEAR 18 QUARTER 3, (JANUARY 13, 2010-APRIL 12, 2010) RESIDENTIAL DWELLING UNIT MARKET RATE ALLOCATIONS FOR THE LOWER KEYS SUB-AREA, BIG PINE AND NO NAME KEYS AND FOR AFFORDABLE HOUSING; HOLDING SOME ALLOCATIONS IN ABEYANCE PENDING TIER DESIGNATIONS; CONTINUING THE UPPER KEYS MARKET RATE ALLOCATIONS UNTIL JUNE 23, 2010.

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated June 2, 2010, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on June 9, 2010, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 3 of Year 18, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated June 2, 2010; and
2. The sworn testimony by the Monroe County Growth Management Division staff, and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower (Lower/Middle) Keys subarea for Market Rate Dwelling Units to applicants ranked one (1), two (2), five (5), through seven (7) and nine (9) through thirteen (13); and
2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission, hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to hold Lower (Lower/Middle) Keys Market Rate Dwelling Units allocations in abeyance for applicants ranked three (3), four (4), and eight (8), since the properties do not have tier

designations at this time. Once tier designations are finalized, staff will bring the allocations back to the Planning Commission for recommendation of either a sufficient ranking or insufficient ranking for an allocation award for these or other applicants; and

3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower Keys (Administrative Relief) subarea for Market Rate Dwelling Units to applicant ranked one (1); and
4. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2); and
5. Based upon the testimony of staff concerning inconsistencies and inaccurate information regarding the availability of central wastewater treatment system availability in the Upper Keys subarea, the Planning Commission, hereby approves the continuance of the Upper Keys subarea market rate applications to June 23, 2010; and
6. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
7. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Lower and Upper Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and
8. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the very low, low, & median income category for Affordable Housing Dwelling Units; and
9. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant zero (0) Allocation Rankings for the Big Pine/No Name Keys subarea in the moderate income category for Affordable Housing Dwelling Units; and

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Residential Dwelling Unit Allocation Rankings for Quarter 3 Year 18 and holding allocations in abeyance for Lower (Lower/Middle) Keys Market rate Applicants ranked three (3), four (4), and eight (8), and continuing the public hearing for the Upper Keys Market Rate Applications to June 23, 2010 at 10:00 am as shown on EXHIBIT 'A' attached.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 9th day of June 2010.

Market Rate

	Lower (Lwr/Mdl) Keys <u>subarea</u>	Lower (Adm. Relief) Keys <u>subarea</u>	Big Pine/No Name Keys <u>subarea</u>	Continue Upper Keys <u>subarea</u>
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>

Affordable Housing

	Lower (Lwr/Mdl) & Upper Keys <u>subarea</u>	Big Pine/No Name Keys <u>subarea</u>
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>
<i>Commission Cameron</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>

Planning Commission of
Monroe County, Florida

By *Randy Wall*
Randy Wall, Chairman

Signed this 9th day of June 2010

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY *[Signature]*
Attorney's Office

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 18, QUARTER 3 (JANUARY 13, 2010 TO APRIL 12, 2010)**

Rank	Permit #	Name	Date and Time of Application	Type	Key	Subdivision	Lot	Block	REI	Ter	Ter/Ps	Located on No Name Buffer	Marsh	Key Deer	Land Tier 2 or 3	Land Tier 3 or 4	Payment to Acq. Fund up to 2	ATV Emp	Central Waste water	Flood Zone V	First Four Years	Each Year	Total
1	08102871	Kobler, Bobbie	12-Apr-10 5:00 PM	Big Pine		NW 1/4 of SW 1/4	23 & 24	00110830.000000		3	20	0	0	0	0	0	0	0	0	0	0	0	0
2	05101712	Stebbins, Richard	23-Jul-05 3:40 AM	Big Pine		Doctors Arm		00310720.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
3	05102831	Pinder, Henry	8-Aug-05 3:15 PM	Big Pine		Tropical Bay Estates 3rd Add.		00310730.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
4	05102824	Perez, Orlando	8-Aug-05 1:40 PM	Big Pine		Tropical Bay Estates 3rd Add.		00310730.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
5	05102823	Burgin, Juan	8-Sep-05 3:15 PM	Big Pine		Tropical Bay 3rd Add.		00310820.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
6	05102800	Burk, Guy	22-Oct-05 10:15 AM	Big Pine		Doctors Arm 3rd Add.		00312573.001100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
7	05102815	Security First Storage	23-Feb-06 2:30 PM	Big Pine		Tropical Bay 3rd Add.		00312573.001100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
8	08100801	Szabo, Peter	28-Feb-06 9:40 AM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
9	08101218	Liu, Hung	25-Jul-06 2:30 PM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
10	08101008	Levi, Ernesto	6-Oct-06 2:30 PM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
11	08101002	Fernandez, Juan	6-Oct-06 2:30 PM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
12	08100544	Caressa, Edward	13-Oct-06 8:00 AM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
13	08101005	Vasseur, Jorge	13-Oct-06 8:00 AM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
14	08108156	Hahn, David	3-Nov-06 12:08 PM	Big Pine		Doctors Arm 3rd Add.		00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
15	03105296	Hochstein, Jan	11-Nov-06 3:20 PM	Big Pine		JR Meadows Properties Pt 2		00312572.002100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
16	98101472	Schlu, Vhienne	29-Jan-07 8:11 AM	Big Pine		Eden Pines Colony 1st Add.		00102830.000500		2	10	0	0	0	0	0	0	0	0	0	0	0	0
17	98101470	Schlu, Vhienne	8-Jan-07 8:13 AM	Big Pine		Eden Pines Colony 1st Add.		00288971.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
18	98101489	Schlu, Vhienne	8-Jan-07 8:13 AM	Big Pine		Eden Pines Colony 1st Add.		00311949.001300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
19	98101470	Schlu, Vhienne	8-Jan-07 8:13 AM	Big Pine		Eden Pines Colony 1st Add.		00311949.001300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
20	98101463	Schlu, Vhienne	8-Jan-07 8:15 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.003800		2	10	0	0	0	0	0	0	0	0	0	0	0	0
21	98101473	Schlu, Vhienne	8-Jan-07 8:15 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.003800		2	10	0	0	0	0	0	0	0	0	0	0	0	0
22	98101462	Schlu, Vhienne	8-Jan-07 8:18 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.004000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
23	98101461	Schlu, Vhienne	8-Jan-07 8:18 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.004000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
24	98101460	Schlu, Vhienne	8-Jan-07 8:18 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.004000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
25	98101465	Schlu, Vhienne	8-Jan-07 9:21 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.000200		2	10	0	0	0	0	0	0	0	0	0	0	0	0
26	98101467	Schlu, Vhienne	8-Jan-07 9:20 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.000200		2	10	0	0	0	0	0	0	0	0	0	0	0	0
27	98101468	Schlu, Vhienne	8-Jan-07 9:21 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.000100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
28	98101471	Schlu, Vhienne	8-Jan-07 9:22 AM	Big Pine		Rev. Pkt Gallean Bay		00311949.000300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
29	08101001	Opda, Alan	8-Jan-07 9:24 AM	Big Pine		Eden Pines Colony 1st Add.		00311949.000700		2	10	0	0	0	0	0	0	0	0	0	0	0	0
30	07102635	Whitner, Scott	31-May-07 11:39 AM	Big Pine		Doctors Arm 3rd Add. Sec. B		00311949.001100		2	10	0	0	0	0	0	0	0	0	0	0	0	0
31	07102237	Adms, Candace	24-Aug-07 8:48 AM	Big Pine		Eden Pines Colony 1st Add.		00312872.000300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
32	07102228	Adms, Candace	10-Sep-07 2:40 AM	Big Pine		Eden Pines Colony 1st Add.		00288150.000300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
33	07102911	Sheath, Jerry	24-Oct-07 8:50 AM	Big Pine		Eden Pines Colony 3rd Add.		00288330.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
34	08101985	Perez, Orlando	24-Oct-07 8:50 AM	Big Pine		Doctors Arm		00271270.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
35	08102601	Behn (Rev. Trust)	14-Oct-08 2:27 PM	Big Pine		Tropical Bay		00310480.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
36	05102629	Vasquez, Jason	10-Aug-08 8:55 AM	Big Pine		Doctors Arm 1st Add.		00312880.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
37	09102647	Eino, William	9-Nov-08 1:34 PM	Big Pine		Doctors Arm 3rd Add. Sec. B		00311910.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
38	08100507	Samson, James	31-Jul-08 11:15 AM	Big Pine		Eden Pines Colony 3rd Add.		00312872.000300		2	10	0	0	0	0	0	0	0	0	0	0	0	0
39	07100463	Adms, John	13-Jan-07 10:00 AM	Big Pine		Doctors Arm		00271281.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
40	07100479	Adms, John	13-Jan-07 10:02 AM	Big Pine		Doctors Arm		00312571.000500		2	10	0	0	0	0	0	0	0	0	0	0	0	0
41	07100468	Adms, John	13-Jan-07 10:04 AM	Big Pine		Doctors Arm		00310280.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
42	07100468	Adms, John	13-Jan-07 10:06 AM	Big Pine		Doctors Arm		00310280.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
43	06105438	Doverstein, Jack	20-Jan-08 10:14 AM	Big Pine		Whispering Pines		00310240.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
44	05104831	Mange, Robert	23-Sep-05 11:00 AM	Big Pine		Port Pine Heights 2nd Add.		00310220.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
45	05102835	Stevenson, W/P	23-Sep-05 11:15 AM	Big Pine		Port Pine Heights 2nd Add.		00288330.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
46	09102784	Pena, Carlos	22-Oct-09 10:04 AM	Big Pine		Port Pine Heights 2nd Add.		00288330.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0
47							3 & 4			2	10	0	0	0	0	0	0	0	0	0	0	0	0
48							7			2	10	0	0	0	0	0	0	0	0	0	0	0	0
49							8			2	10	0	0	0	0	0	0	0	0	0	0	0	0
50							78			2	10	0	0	0	0	0	0	0	0	0	0	0	0

JUNE 8, 2010
RESOLUTION P10-10

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED BY THE PLANNING COMMISSION
BIG PINE KEY AND NO NAME KEY - YEAR 18, QUARTER 3 (JANUARY 13, 2010 TO APRIL 12, 2010)**

Rank	Permit #	Name	Date and Time of Application	Time Key	Subdivision	Lot	Block	RES	Located on Marsh or Rabbit Deer Key	Lot Area	Land Use	Payment to Acq Fund	ATU Emp	Central Waste water	Flood Zone V	Fair Add Years	Each Add Years	Total
									-10 -10 -10	3	2	up to 2	8	4	4	1	2	

Indicates a ranking subject to receive an allocation award.
 * Indicates the recommendation is deferred to the February 11, 2008, Planning Commission meeting.
 * Indicates a ranking subject to Growth Management Decision Director approval.
 * Indicates a ranking subject to a pending Permit Resolution.
 * Applicants who have a RCOD application date of Oct. 28, 2007, or earlier are grandfathered for preservation points pursuant to existing provision of Ordinance 009-2007.

RESOLUTION #P24-10

A RESOLUTION BY THE MONROE COUNTY
PLANNING COMMISSION APPROVING THE BIG
PINE/NO NAME KEY MARKET RATE RESIDENTIAL
DWELLING UNIT ALLOCATIONS AND CONTINUING
OTHER APPLICANTS RANKINGS FOR QUARTER
BEGINNING APRIL 13, 2010, AND ENDING JULY 12,
2010, PURSUANT TO SECTION 138-26 OF THE
MONROE COUNTY CODE

WHEREAS, the Sr. Director of Planning & Environmental Resources submitted to the Planning Commission a Residential Dwelling Unit Allocation Evaluation Report, dated August 23, 2010 and September 17, 2010, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-26; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on September 22, 2010, conducted a public hearing to review, discuss, and make formal motions regarding the Dwelling Unit Allocation Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Residential Dwelling Unit Evaluation Report, Quarter 4 of Year 18, from Townsley Schwab, Sr. Director of Planning & Environmental Resources, to the Monroe County Planning Commission, dated September 17, 2010, and which report's findings of fact and conclusions of law this Commission adopts by reference, as its own; and
2. Staff submitted a continuance request from Mr. Bank Prevetts; and
3. The sworn testimony by the Monroe County Growth Management Division staff; and comments of John Wolfe, Esquire; and

WHEREAS, the Planning Commission makes the following Findings of Fact:

1. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Big Pine/No Name Key subarea for Market Rate Dwelling Units to applicants ranked one (1) through two (2) and continued the remaining rankings to the October 6, 2010, Planning Commission meeting; and

NOW THEREFORE BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law, support the decision to APPROVE the Big Pine/No Name Key Market Rate Residential Dwelling Unit Allocation Rankings for applicants ranked one (1) through two (2) and continued the remaining rankings to the October 6, 2010, Planning Commission meeting for Quarter 4 Year 18.

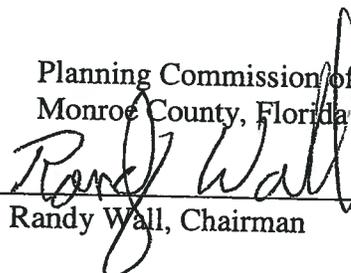
PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 22th day of September 2010.

Market Rate
Big Pine/No Name Keys
subarea

<i>Chairman Wall</i>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>

Planning Commission of
Monroe County, Florida

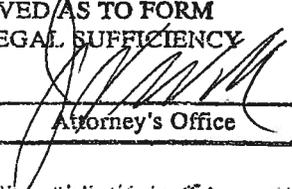
By


Randy Wall, Chairman

Signed this 22th day of September 2010

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY


Attorney's Office

**RECOMMENDED RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS APPROVED AND CONTINUED BY THE PLANNING COMMISSION
BIG PINE KEY and NO NAME KEY - YEAR 18, QUARTER 4 (APRIL 13, 2010 TO JULY 12, 2010)**

Rank	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	RES	Tier	Tier Pts	Located on No Name Buffer	Marsh Rabbit/Deer	Key Deer	Corridor	Lct Agg Tier 2 or 3	Land Ded.	Payment to Acq. Fund up to 2	AFW Emp	Central water	Flood Zone V	First Four Years	Each Add. Years	Total	
1	051009051	Pinder, Henry	8-Aug-05	3:15 PM	Big Pine	Tropical Bay Estates 3rd Add.	1	4	00313510.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
2	051002824	Perez, Orlando	9-Aug-05	1:40 PM	Big Pine	Tropical Bay Estates 3rd Add.	8	7	00313820.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
3	051002823	Barguin, Juan	9-Sep-05	10:00 AM	Big Pine	Tropical Bay 3rd Add.	8	5	00313820.000000	2	10	0	0	0	0	0	0	0	0	0	0	4	0	14	
4	051005680	Buall, Guy	22-Dec-05	10:15 AM	Big Pine	Doctors Arm 3rd Add.	10	7	00312573.001100	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
5	051003315	Security First Storage	23-Feb-08	2:30 PM	Big Pine	Tropical Bay 3rd Add.	5	7	00313790.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
6	051006001	Szabo, Peter	28-Feb-08	9:40 AM	Big Pine	Doctors Arm 3rd Add. A	30	5	00312571.003100	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
7	051012176	Liu, Hung	25-Jul-08	2:30 PM	Big Pine	Doctors Arm 3rd Add.	28	19	00312470.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	4	0	14
8	051010008	Leon, Ernesto	6-Oct-08	2:30 PM	Big Pine	Doctors Arm 2nd Add.	19	19	00312571.002000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
9	051010002	Fernandez, Juan	13-Oct-08	2:31 PM	Big Pine	Doctors Arm 3rd Add.	12	19	00312572.002100	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
10	051046544	Cabassa, Edward	9-Nov-08	8:00 AM	Big Pine	Eden Pines Colony	19	19	00289070.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
11	051010005	Vasseur, Jorge	31-Nov-08	12:06 PM	Big Pine	Doctors Arm 3rd Add. Sec B	12	19	00312572.002100	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
12	051061158	Hahn, David	11-Jan-07	3:30 PM	Big Pine	JR Matthew Properties Pt 2	12	19	00289070.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
13	031052988	Hochstim, Jan	25-Mar-07	8:30 AM	Big Pine	Eden Pines Colony 1st Add.	4	7	00289070.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
14	051010001	Ojeda, Alex	31-May-07	11:35 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	4	7	00312572.000300	2	10	0	0	0	0	0	0	0	0	0	0	0	3	0	13
15	96101472	Schleu, Vivienne	8-Jan-87	8:11 AM	No Name	Galleon Bay, Rev. Plat	13	N/A	00319494.001300	1	0	-10	0	0	0	0	0	0	0	0	0	0	3	0	13
16	96101470	Schleu, Vivienne	8-Jan-87	8:13 AM	No Name	Galleon Bay, Rev. Plat	10	N/A	00319494.001000	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
17	96101469	Schleu, Vivienne	8-Jan-87	8:14 AM	No Name	Rev. Plat Galleon Bay	9	N/A	00319494.000900	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
18	96101468	Schleu, Vivienne	8-Jan-87	8:15 AM	No Name	Rev. Plat Galleon Bay	5	N/A	00319494.000500	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
19	96101463	Schleu, Vivienne	8-Jan-87	8:16 AM	No Name	Rev. Plat Galleon Bay	4	N/A	00319494.000400	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
20	96101473	Schleu, Vivienne	8-Jan-87	8:16 AM	No Name	Rev. Plat Galleon Bay	14	N/A	00319494.001400	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
21	96101462	Schleu, Vivienne	8-Jan-87	8:17 AM	No Name	Rev. Plat Galleon Bay	3	N/A	00319494.000300	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
22	96101461	Schleu, Vivienne	8-Jan-87	8:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
23	96101460	Schleu, Vivienne	8-Jan-87	8:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
24	96101466	Schleu, Vivienne	8-Jan-87	8:20 AM	No Name	Rev. Plat Galleon Bay	1	N/A	00319494.000100	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
25	96101465	Schleu, Vivienne	8-Jan-87	8:20 AM	No Name	Rev. Plat Galleon Bay	6	N/A	00319494.000600	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
26	96101468	Schleu, Vivienne	8-Jan-87	8:22 AM	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
27	96101471	Schleu, Vivienne	8-Jan-87	8:22 AM	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
28	07102935	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	Galleon Bay, Rev. Plat	11	N/A	00319494.001100	1	0	-10	0	0	0	0	0	0	0	0	0	0	4	16	12
29	07102937	Schleu, Vivienne	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony 1st Add.	9	6	00289180.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
30	07102938	Akins, Charles	10-Sep-07	2:45 AM	Big Pine	Eden Pines Colony	13	6	00271270.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
31	07103911	Shearin, Jerry	24-Oct-07	8:50 AM	Big Pine	Eden Pines Colony 3rd Add.	3	23	00271270.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
32	08101985	Perez, Orleny	14-Jul-08	8:47 AM	Big Pine	Doctors Arm	48	1	00312890.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
33	08102901	Bahrn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	Tropical Bay	31	5	00311610.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
34	05100269	Vasquez, Inven	10-Nov-09	5:35 AM	Big Pine	Doctors Arm 1st Add.	3	5	00312890.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
35	09102047	Ellis, William	9-Nov-09	1:34 PM	Big Pine	Doctors Arm 3rd Add. Sec. B	5	5	00312572.000900	2	10	0	0	0	0	0	0	0	0	0	0	0	2	0	12
36	09100507	Simpson, James	31-Jul-06	11:15 AM	Big Pine	Doctors Arm 3rd Add.	2	23	00271260.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	1	N/A	11
37	07100486	Akins, John	12-Jan-07	10:00 AM	Big Pine	Doctors Arm	4	27&PIL28	00312571.000500	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	10
38	07100483	Akins, John	12-Jan-07	10:02 AM	Big Pine	Doctors Arm	26&P24&25	1	00310280.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	3	0	9
39	07100479	Akins, John	12-Jan-07	10:04 AM	Big Pine	Doctors Arm	23&P124	1	00310280.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	3	0	9
40	07100486	Akins, John	12-Jan-07	10:06 AM	Big Pine	Doctors Arm	21 & 22	1	00310244.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	3	0	9
41	05105438	Darrows, John	13-Jan-06	10:14 AM	Big Pine	Doctors Arm	15	N/A	00310220.000000	2	10	0	0	0	0	0	0	0	0	0	0	-4	3	0	9
42	05104831	Darrows, John	20-Jan-06	11:00 AM	Big Pine	Whispering Pines	7	59	00285660.000000	1	0	0	0	0	0	0	0	0	0	0	0	0	4	0	4
43	05103835	Mengo, Robert	23-Sep-05	11:15 AM	Big Pine	Port Pine Heights 2nd Add.	7	78	00285360.000000	1	0	0	0	0	0	0	0	0	0	0	0	0	4	0	4
44	09102734	Pratta, Carlos	22-Oct-09	10:44 AM	Big Pine	Port Pine Heights	9	8	00289190.000000	1	0	0	0	0	0	0	0	0	0	0	0	0	4	0	3

* Indicates a ranking sufficient to receive an allocation permit.
 D Indicates the recommendation is deferred to the February 11, 2008.
 P Planning Commission meeting.
 M Indicates a ranking subject to Growth Management Division Director approval.
 A Indicates a ranking that is subject to a Building Permit Restriction.
 Applicants who have a R/O/SO application date of Oct. 28, 2007, or earlier are grandfathered for permit/rental points pursuant to existing provisions of Ordinance 008-2007.



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Planning Commission
From: Tiffany Stankiewicz, Development Administrator *TS*
Through: Townsley Schwab, Sr Director of Planning & Environmental Resources *TS*
Date: August 23, 2010
Subject: NROGO Year 18.2, Non-Residential Floor Area Evaluation Report

Meeting Date: September 8, 2010

1 I BACKGROUND:
2

3 Monroe County Code, Section 138-52 NROGO establishes the procedure for allocating the non-
4 residential floor area. The "maximum annual allocation", and the distribution between the first and
5 second allocation dates, will be determined by the Board of County Commissioners upon the
6 recommendations of the Planning Director and the Planning Commission. The commercial floor
7 area that is not made available, or that remains unused, in the current year will be carried forward.
8

9 There were 244,971 square feet (208,161 sq. ft. Lower/Upper Keys Subarea + 36,810 Big Pine/No
10 Name Key Subarea sq. ft.) of non-residential floor area available for allocation at the beginning of
11 Year 18 (July 2009-July 2010). At the Planning Commission meeting of September 23, 2009 the
12 Planning Commission recommended 22,500 square feet (20,000 sq. ft. Lower/Upper Keys
13 Subarea and 2,500 Big Pine/No Name Key Subarea) of floor area to be made available for the
14 Year 18 NROGO allocations. The floor area is to be awarded in two allocations. The first
15 allocation of 10,000 square feet to the Lower/Upper Keys Subarea and 2,500 square feet to the Big
16 Pine/No Name Key Subarea is awarded after the close of the period in January 2010, and the
17 second allocation of 10,000 square feet to the Lower/Upper Keys Subarea and 0 square feet to the
18 Big Pine/No Name Key Subarea is awarded after the close of the period in July 2010. No
19 allocation for any one single applicant is to be awarded for greater than 2,500 square feet. The
20 Board of County Commissioners approved Resolution 381-2009 confirming the Planning
21 Commissions recommendation.
22

23 On June 9, 2006, the Federal Fish and Wildlife Permit was issued to 1) Monroe County, Growth
24 Management Division, 2) Florida Department of Transportation, and 3) Florida Department of
25 Community Affairs for the Threatened and Endangered Species Incidental Take Permit (ITP)

1 since the permittees have defined the geographic area covered by their Habitat Conservation Plan
 2 (HCP) on Big Pine/No Name Key. The ITP requires the Permittees to ensure that the take of the
 3 covered species is minimized and mitigated. The Permittees are responsible for meeting the
 4 terms and conditions of the ITP and implementing the HCP. Pursuant to the LCP Action Item
 5 9.2.4 the County will create mitigation fee for new residences, non-residential floor area, and
 6 institutional uses in order to ensure that development bears its fair share of the required
 7 mitigation under the Federal ITP #TE083411-0. Therefore, staff is in the process of formulating
 8 a proposal for the mitigation requirement for Big Pine/No Name Key to present to the Planning
 9 Commission in the near future.

10
 11 On March 15, 2006, the Board of County Commissioners adopted Ordinance 011-2006 to
 12 implement the Tier System, and subsequently, it was challenged by Florida Keys Citizens
 13 Coalition, Inc. and Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G.
 14 Pelham, Secretary, Department of Community Affairs signed the final order deciding the
 15 challenge on September 26, 2007.

16
 17 The Tier System, made changes such as separate districts for allocation distribution, basis of
 18 scoring applications, and administrative relief. The districts are as follows: A) Lower/Upper
 19 Keys and B) Big Pine/No Name Key are the subareas for NROGO.

20
 21 **II AMOUNT OF FLOOR AREA REQUESTED:**

22
 23 There is one applicant requesting commercial floor area for the Year 18.2 July allocation. There is
 24 one applicant in the Lower/Middle/Upper area and zero applicants in the Big Pine/No Name Key
 25 area. The applicant's score is broken down by scoring criteria.
 26

	Lower/Upper Keys Subarea	Big Pine/No Name Keys Subarea
Period 1: Sq. Ft. Allocation Available	10,000	2,500
Period 1: Sq. Ft. requested	<u>4,008</u>	<u>0</u>
Sq. Ft. to rollover to Period 2	5,992	2,500
Period 2: Sq. Ft. Allocation Available	10,000	2,500
Period 1: Sq. Ft. rollover to Period 2	<u>5,992</u>	<u>0</u>
Total Sq. Ft. for Period 2	15,992	2,500
Period 2: Sq. Ft. requested	<u>2,347</u>	<u>0</u>
Total Sq. Ft. Unused for Year 18	13,645	2,500

27
 28 **III EVALUATION AND RANKING:**

29
 30 The evaluation of the allocation applications was performed by the Planning and Environmental
 31 Resources Departments according to the provisions of the Non-Residential Rate of Growth
 32 Ordinance (NROGO). Positive and negative points were granted in compliance with the
 33 evaluation criteria contained in Section 138-55(a) and the Land Development Regulations.
 34

1 Based on the total points scored, each allocation was ranked. If applications received identical
2 scores, they were ranked by date and time first, and further ranked based on the applicants with the
3 fewest negative points on the same day.
4

5 **IV RECOMMENDATION:**
6

7 Based on the proceeding, the Sr. Director Planning & Environmental Resources recommends the
8 following NROGO allocations of Year 18.2 be awarded to the applicant ranked one (1), requesting
9 a total of 2,347 square feet of floor area.
10
11

NON-RESIDENTIAL (NR/OG) ALLOCATION RANKING
 PROPOSED BY SR. DIRECTOR OF PLANNING AND ENVIRONMENTAL RESOURCES
 LOWERUPPER KEY'S EXCLUDING BIG PINE/NO NAME KEY
 YEAR 18.2 (JANUARY 13, 2010 TO JULY 12, 2010)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Intensity	Flood	First Each	200% Native	25% Landscaping	25% Plants	Overall	Key	Subdivision	Lot	Block	RE No.	SF						
							Reduct.	Zone V	4 Add. Years	Hwy Access	w/in bufferyard & native conservation	above water conservation	TI/E	WT	Emp.	fund	Total Score								
1	10103512	DRC Land Development LLC	12-Jul-10	3:00 PM	3	20	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Little Torch	Barry Beach	5	00214990.000000	2,347
2	No Applicant																								
3																									
Total Sq. Footage Requested																			2,347						

Total Sq. Footage available Period 2 is 15,892 sq. ft.
 pursuant to Board of County Commissioners' Resolution 381-2008.

PROPOSED
 SEPTEMBER 8, 2010

NON-RESIDENTIAL (NRROG) ALLOCATION RANKING
 PROPOSED BY SR. DIRECTOR OF PLANNING AND ENVIRONMENTAL RESOURCES
 BIG PINENO NAME KEY
 YEAR 18.2 (JANUARY 13, 2010 TO JULY 12, 2010)

1	No Applicants	
2		
3		
4		
5		
Total Sq. Footage Requested		0

Total Sq. Footage available Period 2 is 2,500 sq. ft.
 pursuant to Board of County Commissioners Resolution 381-2009.

RESOLUTION # P22-10

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE SECOND ALLOCATION OF NON-RESIDENTIAL FLOOR AREA FOR YEAR 18, BEGINNING JANUARY 13, 2010 AND ENDING JULY 12, 2010, PURSUANT TO SECTION 138-53 OF THE MONROE COUNTY CODE.

WHEREAS, Tiffany Stankiewicz, Development Administrator submitted to the Planning Commission a Non-Residential Dwelling Unit Allocation Evaluation Report, dated August 23, 2010, pursuant to the procedures outlined in Monroe County Code, Amended, Section 138-53; and

WHEREAS on September 8, 2010, during a regular public meeting, the Board of County Commissioners, passed and adopted by Resolution Number 381-2009 approving the Year 18 annual allocation available floor area to be 22,500 square feet (20,000 sq. ft. Lower/Upper Keys Subarea and 2,500 Big Pine/No Name Key Subarea), which is to be made available for applicants in a two allocation periods for each subarea; the first in January 2010 and the remainder in July 2010; and

WHEREAS, the Monroe County Planning Commission during a regular public meeting held on September 8, 2010 conducted a public hearing to review, discuss, and make formal motions regarding the Non-Residential Floor Area Ranking Report; and

WHEREAS, the Planning Commission was presented with the following evidence:

1. The memorandum entitled Non-Residential Dwelling Unit Evaluation Report, Year 18.2, from Tiffany Stankiewicz, Development Administrator to the Monroe County Planning Commission, dated August 23, 2010; and
2. The sworn testimony by the Monroe County Growth Management Division staff; and

WHEREAS, the Planning Commission has made the following Findings of Fact:

1. Based on the Monroe County Board of County Commissioners Resolution #381-2009 a total of 22,500 square feet (20,000 sq. ft. Lower/Upper Keys Subarea and 2,500 Big Pine/No Name Key Subarea) of floor area is available

for the Year 18 NROGO allocation; and all awards would be limited to applications of 2,500 square feet or less; and

2. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, the Planning Commission hereby approves the recommendation by the Sr. Director of Planning & Environmental Resources to grant Allocation Rankings in the Lower & Upper Keys subarea for Non-residential square footage to applicants ranked one (1); and
3. Based upon the written testimony of Townsley Schwab, Sr. Director of Planning & Environmental Resources, there were zero (0) applications for Big Pine/No Name Key subarea for Non-Residential square footage; and

NOW THEREFORE, BE IT RESOLVED BY PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the Allocation of Year 18.2 Non-Residential Floor Area Rankings and Allocations as submitted.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 8th day of September 2010.

	Lower (Lwr/Mdl)/Upper Keys <u>subarea</u>	Big Pine/No Name Keys <u>subarea</u>
<i>Chairman Wall</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Werling</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Hale</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Cameron</i>	<u>yes</u>	<u>yes</u>
<i>Commissioner Lustberg</i>	<u>yes</u>	<u>yes</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY _____
Randy Wall, Chairman

Signed this _____ day of _____, 2010

NON-RESIDENTIAL (NR/OG) ALLOCATION RANKING
 APPROVED BY PLANNING COMMISSION
 BIG PINENO NAME KEY
 YEAR 18.2 (JANUARY 13, 2010 TO JULY 12, 2010)

No Applicants	Total Sq. Footage Requested
1	
2	
3	
4	
5	
Total Sq. Footage Requested	
	0

Total Sq. Footage available Period 2 is 2,500 sq. ft
 pursuant to Board of County Commissioners Resolution 381-2009.

NON-RESIDENTIAL (INROGO) ALLOCATION RANKING
 APPROVED BY PLANNING COMMISSION
 LOWERUPPER KEYS EXCLUDING BIG PINE/NO NAME KEY
 YEAR 18.2 (JANUARY 13, 2010 TO JULY 12, 2010)

Rank	Permit No	Name	Date	Time	Ter	Ter Pts	Intensify	Flood	First Each	200'± Native	25% landscaping	25% Plants BAT/A	payment	Overall	Key	Subdivision	Lot	Block	RE No.	Sq. Ft.	
							Reduct.	Zone V	4 Add. Years	with bufferyard & native conservation	above water	T/E WT	Emp. fund	Total Score							
1	10103512	DRC Land Development LLC	12-Jul-10	3:00 PM	3	20	0	0	0	0	0	0	0	20	Little Torch	Barry Beach	5	00214990	0000000	2,147	
2	No Applicant																				
3																					
Total Sq. Footage Requested																			2,347		

Total Sq. Footage available Period 2 is 15,992 sq. ft. pursuant to Board of County Commissioners Resolution 381-2009

File #: **M2010-034**

Owner's Name: Clarence L. Newman Trust
aka Tropic Palms Mobile Home Park

Applicant: Clarence L. Newman Trust
aka Tropic Palms Mobile Home Park

Agent: Adele V. Stones – Stones & Cardenas

Type of Application: LUD – Map Amendment

Key: Stock Island

RE: 00124560-000000

Additional Information added to File M2010-034

County of Monroe
Growth Management Division

Office of the Director
2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
FAX: (305) 289-2854



Board of County Commissioners
Mayor George Neugent, Dist. 2
Mayor Pro Tem Sylvia J. Murphy, Dist. 5
Kim Wigington, Dist. 1
Heather Carruthers, Dist. 3
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

Date: 3/17/2010

Dear Applicant:

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

Clarence L Newman Trust
aka Tropic Palms Mobile Home Park to the Monroe County Planning Department.
Project / Name

Thank you.

Shel Creech

Planning Staff

STONES & CARDENAS

ATTORNEYS AT LAW

221 SIMONTON STREET, KEY WEST, FL 33040
TELEPHONE (305) 294-0252 FAX (305) 292-5442

ADELE VIRGINIA STONES, P.A.

SUSAN M. CARDENAS, P.A.

July 19, 2010

Joe Haberman
Monroe County Planning & Environmental Resources Department
Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Request for Land Use District Map Amendment Application
6125 Second Street, Stock Island, Florida

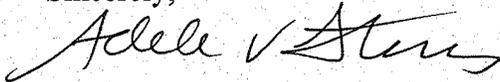
Dear Mr. Haberman:

Enclosed please find the amended application referenced above, to reflect revision to proposed land use designation of URM, rather than UR originally requested.

All prior exhibits remain as originally submitted.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Adele V. Stones
AVS/cms
Enclosures as stated

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

Current Land Use District Designation(s):	<u>URM-L</u>
Proposed Land Use District Designation(s):	<u>URM</u>
Current Future Land Use Map Designation(s):	<u>RH</u>
Tier Designation(s)	<u>Tier 3</u>
Total Land Area Affected in acres:	<u>1.90 +/-</u>

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):
Mobile Home Park with twenty-five (25) residential units.

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:**

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

- 3) **Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan:**

4. **New issues:** The twenty-five (25) mobile homes at this property range in age from thirty (30) to fifty-one (51) years old. They do not meet today's codes and cannot be modified to do so. Because of the restriction (FEMA) on expenditures, the mobile home owners have no ability to improve this substandard housing. Substandard housing creates risk to the health, safety, and welfare of the occupants and poses a threat to adjacent/neighborhood properties and creates the potential for greater demands on governmental assistance. By changing the land use designation Monroe County would gain new housing meeting current codes and building standards, reducing the risk of injury or death from hurricane and other disasters by properly elevated replacement mobile homes or permanent residential dwelling units.

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

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

6) Data updates:

The URM-L designation encourages poor planning practice by allowing mobile home replacement with an elevation below the base flood elevation. The 2005 Wilma flood shows that 32" elevation is inadequate to preserve property.

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):

Statistically, the schools, social services, fire department, sheriff's office, or any other county service should feel no effect by these new affordable or market rate homes as they are replacing existing structures, and additional elevation for new mobile homes and permanent structures meeting current building code will decrease reliance on government assistance for disaster recovery. No additional density (potential) will be created by the proposed change.

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

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)

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

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

- 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); and
- 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 must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)
- Any other Monroe County documents including Letters of Understanding pertaining to the proposed Land Use District Map amendment**

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

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

Signature of Applicant: Alle V. Stones Date: 7/19/10

Sworn before me this 19th day of July, 2010.

Cindy Sawyer
Notary Public
My Commission Expires

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



PROPERTY OWNER:

- 57% Clarence L. Newman and Thomas G. Newman, as Trustees under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Clarence L. Newman
- 3% Thomas G. Newman and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman
- 40% Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

End of Additional File M2010-034

STONES & CARDENAS

ATTORNEYS AT LAW

221 SIMONTON STREET, KEY WEST, FL 33040
TELEPHONE (305) 294-0252 FAX (305) 292-5442

ADELE VIRGINIA STONES, P.A.

SUSAN M. CARDENAS, P.A.

March 16, 2010

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

Re: Request for Land Use District Map Amendment Application
6125 Second Street, Stock Island, Florida

Dear Sir/Madam:

Enclosed please find the following:

- Request for Land Use District Map Amendment Application;
- Check #3096 in the amount of \$4,483.00, payable to Monroe County BOCC;
- Chain of deeds, back to the warranty deed;
- Current Property Record Card;
- Location map from the Monroe County Property Appraiser;
- Copy of the current Land Use District Map from Planning & Environmental Resources;
- Copy of current Future Land Use Map from Planning & Environmental Resources;
- 300 foot radius map from Monroe County Property Appraiser;
- List of surrounding property owners from 300 foot radius map;
- Photographs of sit from adjacent roadways;
- Sixteen signed and sealed boundary surveys;
- Typed name and address mailing labels for all property owners within a 300 foot radius of the property (2 sets);
- Notarized Agent Authorization Letters; and
- Letter of Development Rights Determination from Planning & Environmental Resources.

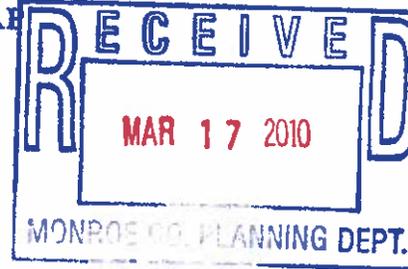
If you have any questions, please do not hesitate to contact this office.

Sincerely,



Adele V. Stones
AVS/cms
Enclosures as stated

REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION



MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

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 Map District (Residential) Application Fee: \$4,131.00
Amendment to Land Use District Map (Non-Residential) Application Fee: \$4,929.00

In addition to the above application fees, the following fees also apply to each application:

Advertising Costs: \$245.00
Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed
Technology Fee: \$20.00

Date: ____/____/____
Month Day Year

Property Owner:

Clarence L. Newman Trust, et. al. (see attached)
Name

6125 Second St. Lot 20, Key West
Mailing Address

Daytime Phone

Email Address

Agent (if applicable):

Adele V. Stones
Name Stones & Cardenas

221 Simonton Street, Key West, FL 33040
Mailing Address

(305) 294-0252
Daytime Phone

ginny@keyslaw.net
Email Address

Legal Description of Property:

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

Block	Lot	Subdivision	Key
<u>34</u>	<u>1-10, 16-20</u>	<u>Maloney</u>	<u>Stock Island</u>
<u>00124560-000000</u>		<u>1158682</u>	
<u>6125 Second Street</u>			

Street Address

Approximate Mile Marker

PROPERTY OWNER:

- 57% Clarence L. Newman and Thomas G. Newman, as Trustees under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Clarence L. Newman
- 3% Thomas G. Newman and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman
- 40% Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

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:

4. **New Issues** – The twenty-five (25) mobile homes at this property range in age from thirty (30) to fifty-one (51) years old. They do not meet today's codes and cannot be modified to do so. Because of the restriction (FEMA) on expenditures, the mobile home owners have no ability to improve this substandard housing. Substandard housing creates risk to the health, safety, and welfare of the occupants and poses a threat to adjacent/neighborhood properties and creates the potential for greater demands on governmental assistance. Additionally, the proposed AICUZ recites that mobile homes are not compatible and should be prohibited in the Noise Z Zone. By changing the land use designation Monroe County would gain new housing meeting current codes and building standards, reducing the risk of injury or death from hurricane and other disasters. The replacement of the mobile homes with permanent residential dwelling units would result in increased property values and add additional ad valorem tax revenue to Monroe County.

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.

Statistically, the schools, social services, fire department, sheriff's office, or any other county service should feel no effect by these new affordable or market rate homes, as they are replacing existing structures.

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

Current Land Use District Designation(s): URM-L (Urban Residential Mobile Home Limited)

Proposed Land Use District Designation(s): RH (Residential High)

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

Tier Designation(s) _____

Total Land Area Affected in acres: 1.90

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):

Mobile Home Park with twenty-five (25) residential dwelling units

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): **SEE ATTACHED**

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

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

3) **Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan:**

4) **New issues:**

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

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

6) Data updates:

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):

SEE ATTACHED

Has a previous Land Use District Map amendment application been submitted for this site within the past two years? Yes _____ Date: _____
No X

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

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

**REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION**

- 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); and**
- 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 must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)**
- Any other Monroe County documents including Letters of Understanding pertaining to the proposed Land Use District Map amendment**

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

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

Signature of Applicant: Thomas G. Newman Date: MARCH 12-2010

Sworn before me this 12th day of March, 2010
by Thomas G. Newman, Trustee*

Cindy Sawyer
Notary Public
My Commission Expires

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



*See attached for trust information

PROPERTY OWNER:

- 57% Clarence L. Newman and Thomas G. Newman, as Trustees under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Clarence L. Newman
- 3% Thomas G. Newman and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman
- 40% Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman

REQUEST FOR A LAND USE DISTRICT (LUD) MAP
AMENDMENT APPLICATION

- 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); and
- 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

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- 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

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

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

Signature of Applicant: Deborah Newman Date: 3-12-10

Sworn before me this 12th day of March, 2010
by Deborah L. Newman, Trustee*

Cindy Sawyer
Notary Public
My Commission Expires

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



*See attached for trust information

PROPERTY OWNER:

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3-12-10

(Date)

I hereby authorize Adele V. Stones, Stones & Cardenas be listed as authorized agent
(Name of Agent)

for Deborah L. Newman, Trustee* for the purpose of conducting all business necessary to
(Name of Owner(s) / Applicant)

process and obtain approval in regard to 6125 Second St. for Land Use Map Amendment
(Project Name) (Application Type)

for Real Estate No(s): 00124560-000000 from
the Monroe County Planning and Environmental Resources Department.

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 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.

Deborah Newman
Owner(s) / Applicant Signature

Deborah L. Newman, Trustee*
Printed Name of Owner(s) / Applicant

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

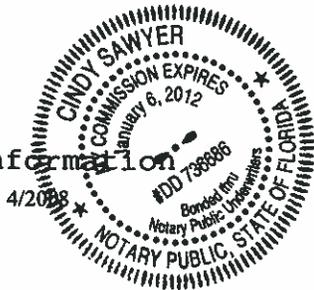
The foregoing instrument was acknowledged before me this 12th day of March, 20 10.

Deborah Newman, Trustee is personally known produced identification

FL DL Type of Identification), did / did not take an oath.

Cindy Sawyer
Notary

*See attached for trust information



PROPERTY OWNER:

- 57% Clarence L. Newman and Thomas G. Newman, as Trustees under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Clarence L. Newman
- 3% Thomas G. Newman and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman
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TRIPOLI PALMS →







10/10/2018 10:00 AM



MAC DONALD AVE West



↑
MACDONALD AVE - WEST



STD MARINE PROP

← 4th AVE →

45 41













PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Julie Ann Garber, Esq.
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040, Tel: (305) 296-8480
Parcel ID No. 00124560-000000, Alt. Key: 1158682

07/09/2008 10:39AM
DEED DOC STAMP CL: PW

\$23.80

Doc# 1702863
Bk# 2370 Pg# 1635

QUIT-CLAIM DEED

The preparer of this instrument makes no representations or warranties concerning the accuracy of the description of the Property contained herein or the title of such Property.

THIS QUIT-CLAIM DEED made this 18th day of June, 2008, by CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the CLARENCE L. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993, for the benefit of Clarence L. Newman, hereinafter called Grantor; and THOMAS G. NEWMAN and DEBORAH L. NEWMAN, TRUSTEES, or their successors in trust, under the THOMAS G. NEWMAN LIVING TRUST, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman, as to an undivided one percent (1%) interest, as a Tenant in Common as to the whole, hereinafter called Grantee, whose address is 6125 Second Street, Lot 20, Key West, Florida 33040.

WHEREAS, for love and affection and as a gift, the Grantor desires to remise, release and quit-claim to the Grantee an undivided one percent (1%) interest in the property described below, as a Tenant in Common as to the whole; and

WHEREAS, by this quit-claim deed, Grantor will hold an undivided fifty-seven percent (57%) interest in the property described below; Grantee will hold an undivided three percent (3%) interest in the property described below; and Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman, will hold an undivided forty percent (40%) interest in the property described below, as Tenants in Common as to the whole.

NOW, THEREFORE WITNESSETH: That said Grantor, for and in consideration of love and affection, hereby remises, releases and quit-claims unto the Grantee, an undivided one percent (1%) right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR THE GRANTEE HEREIN.

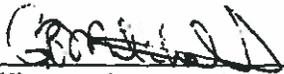
Being the same property described in the quit-claim deeds recorded in Official Records Book 1448 at Page 1748, Official Records Book 2188 at Page 1075, Official Records Book 2188 at Page 1080, Official Records Book 2260 at Page 1370, of the Public Records of Monroe County, Florida, and Official Records Book 2303 at Page 847, of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD as to the undivided one percent (1%) interest the same together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit and behoof of Grantee.

This instrument prepared at the direction of the parties and on information and a description provided by Grantor, without benefit of a title search, neither party requesting any title search. The above description herein is the same as the previous deeds of record, no boundary survey having been made at the time of this conveyance, and the preparer of this deed makes no warranty regarding said description.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:



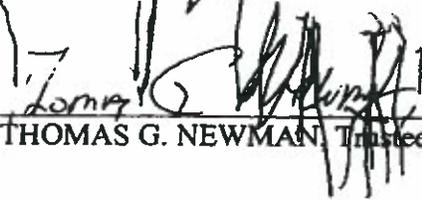
Witness signature 1:
Print name:



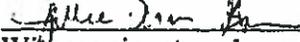
CLARENCE B. NEWMAN, Trustee



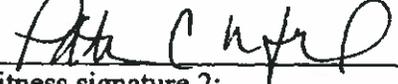
Witness signature 2:
Print name: 
THOMAS G. NEWMAN



THOMAS G. NEWMAN, Trustee



Witness signature 1:
Print name: Julie Ann Garber



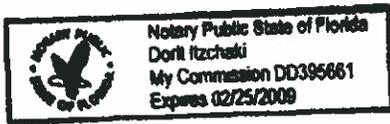
Witness signature 2:
Print name: Patricia C. Unferth

STATE OF FLORIDA
COUNTY OF Broward

Doc# 1702863
Bk# 2370 Pg# 1837

BE IT KNOWN, that on the 18th day of June, 2008, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, CLARENCE L. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me () personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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



Dorit Itzchaki
Notary Public

My Commission Expires: 02/25/2009

STATE OF FLORIDA
COUNTY OF MONROE

BE IT KNOWN, that on the 5th day of April, 2008, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, THOMAS G. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me () personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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



Julie Ann Garber
Commission #DD318537
Expires: May 11, 2008
Bonded Thru
Atlantic Bonding Co., Inc

Julie Ann Garber
Notary Public

My Commission Expires:

6125 Second Street

MONROE COUNTY
OFFICIAL RECORDS

PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Julie Ann Garber, Esq.
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040, Tel: (305) 296-8480
Parcel ID No. 00124560-000000, Alt. Key: 1158682

Doc# 1649247
Bk# 2303 Pg# 847

QUIT-CLAIM DEED

The preparer of this instrument makes no representations or warranties concerning the accuracy of the description of the Property contained herein or the title of such Property.

THIS QUIT-CLAIM DEED made this 24th day of April, 2007, by CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the CLARENCE L. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993, for the benefit of Clarence L. Newman, hereinafter called Grantor; and THOMAS G. NEWMAN and DEBORAH L. NEWMAN, TRUSTEES, or their successors in trust, under the THOMAS G. NEWMAN LIVING TRUST, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman, as to an undivided one percent (1%) interest, as a Tenant in Common as to the whole, hereinafter called Grantee, whose address is 829 West Shore Drive, Summerland Key, Florida 33042.

WHEREAS, for love and affection and as a gift, the Grantor desires to remise, release and quit-claim to the Grantee an undivided one percent (1%) interest in the property described below, as a Tenant in Common as to the whole; and

WHEREAS, by this quit-claim deed, Grantor will hold an undivided fifty-eight percent (58%) interest in the property described below; Grantee will hold an undivided two percent (2%) interest in the property described below; and Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman, will hold an undivided forty percent (40%) interest in the property described below, as Tenants in Common as to the whole.

NOW, THEREFORE WITNESSETH: That said Grantor, for and in consideration of love and affection, hereby remises, releases and quit-claims unto the Grantee, an undivided one percent (1%) right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR THE GRANTEE HEREIN.

Being the same property described in the quit-claim deeds recorded in Official Records Book 1448 at Page 1748, Official Records Book 2188 at Page 1075, Official Records Book 2188 at Page 1080 and Official Records Book 2260 at Page 1370, of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD as to the undivided one percent (1%) interest the same together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit and behoof of Grantee.

This instrument prepared at the direction of the parties and on information and a description provided by Grantor, without benefit of a title search, neither party requesting any title search. The above description herein is the same as the previous deeds of record, no boundary survey having been made at the time of this conveyance, and the preparer of this deed makes no warranty regarding said description.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Doait Itzchan
Witness signature 1:
Print name: *Doait Itzchan*

CLARENCE L. NEWMAN
CLARENCE L. NEWMAN, Trustee

Rachel Wardley
Witness signature 2:
Print name: *Rachel Wardley*

Jake Ann Garber
Witness signature 1:
Print name: *Jake Ann Garber*

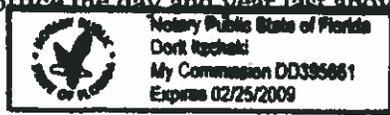
THOMAS G. NEWMAN, Trustee
THOMAS G. NEWMAN, Trustee

Jones W. McQuade
Witness signature 2:
Print name: *Jones W. McQuade*

STATE OF FLORIDA
COUNTY OF Broward

BE IT KNOWN, that on the 24th day of April, 2007, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, CLARENCE L. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me (X) personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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



Dorit Rappaport
Notary Public

My Commission Expires: 02/25/2009

STATE OF FLORIDA
COUNTY OF MONROE

BE IT KNOWN, that on the 11th day of April, 2007, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, THOMAS G. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me (X) personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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

Julie Ann Garber
Notary Public

My Commission Expires:

6125 Second Street



MONROE COUNTY
OFFICIAL RECORDS

PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Julie Ann Garber, Esq.
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040, Tel: (305) 296-8480
Parcel ID No. 00124560-000000, Alt. Key: 1158682

Doc# 1618848
Bk# 2260 Pg# 1370

QUIT-CLAIM DEED

The preparer of this instrument makes no representations or warranties concerning the accuracy of the description of the Property contained herein or the title of such Property.

THIS QUIT-CLAIM DEED made this 8th day of November, 2006, by CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the CLARENCE L. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993, for the benefit of Clarence L. Newman, hereinafter called Grantor; and CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the VIVIAN C. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993, for the benefit of Vivian C. Newman, the wife of Clarence L. Newman, as and to an undivided forty percent (40%) interest, as a Tenant in Common as to the whole, hereinafter called Grantee, whose address is 5770 Stirling Road, Apt. 423, Hollywood, FL 33021.

WHEREAS, by quit-claim deed dated February 28, 1997, and recorded in Official Records Book 1448 at Page 1748 of the Public Records of Monroe County, Florida, the property described below was granted and conveyed to Clarence L. Newman and Vivian Newman, Trustees, under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993 (hereinafter "Clarence's Trust"); and

WHEREAS, by letter dated May 9, 2001, a copy of which is attached hereto as "Exhibit A", Vivian Newman, also known as Vivian C. Newman, resigned from her position as Co-Trustee of Clarence's Trust and the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993 (hereinafter "Vivian's Trust"), thereby making Thomas G. Newman a Co-Trustee of Clarence's Trust and a Co-Trustee of Vivian's Trust pursuant to the terms of said Trusts; and

WHEREAS, for love and affection and as a gift, the Grantor desires to remise, release and quit-claim to Clarence L. Newman and Thomas G. Newman, Trustees of the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1992, for the benefit of Vivian C. Newman, the wife of Clarence L. Newman, an undivided forty percent (40%) interest in the property described below, as a Tenant in Common as to the whole; and

WHEREAS, by this quit-claim deed, Clarence's Trust will hold an undivided fifty-nine percent (59%) interest in the property described below; Thomas G. Newman and Deborah L. Newman, Trustees under the Thomas G. Newman Living Trust, dated November 29, 2005, will hold an undivided one percent (1%) interest in the property described below (see deeds recorded in Official Records Book 2188 at Page 1075 and

Official Records Book 2188 at Page 1080, Public Records of Monroe County, Florida); and Vivian's Trust will hold an undivided forty percent (40%) interest in the property described below, as Tenants in Common as to the whole.

NOW, THEREFORE WITNESSETH: That said Grantor, for and in consideration of love and affection, hereby remises, releases and quit-claims unto the Grantee, an undivided forty percent (40%) right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR THE GRANTEE HEREIN.

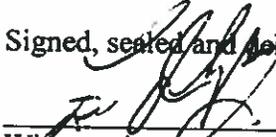
Being the same property described in the quit-claim deed recorded in Official Records Book 1448 at Page 1748, Official Records Book 2188 at Page 1075 and Official Records Book 2188 at Page 1080, of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD as to the undivided forty percent (40%) interest the same together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit and behoof of Grantee.

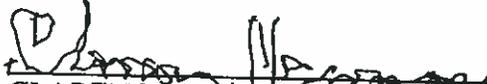
This instrument prepared at the direction of the parties and on information and a description provided by Grantor, without benefit of a title search, neither party requesting any title search. The above description herein is the same as the previous deeds of record, no boundary survey having been made at the time of this conveyance, and the preparer of this deed makes no warranty regarding said description.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:



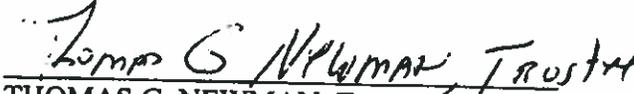
Witness signature 1:
Print name: Zvi Itzchaki



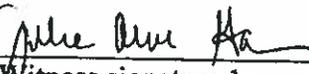
CLARENCE L. NEWMAN, Trustee



Witness signature 2:
Print name: Dorit Itzchaki



THOMAS G. NEWMAN, Trustee



Witness signature 1:
Print name: Julie Ann Garber

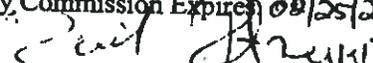


Witness signature 2:
Print name: Patricia C. Unferth

STATE OF FLORIDA
COUNTY OF BROWARD

BE IT KNOWN, that on the 8th day of November, 2006, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, CLARENCE L. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me (X) personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed. In testimony whereof, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.

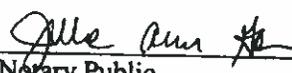


Notary Public
My Commission Expires 02/26/2009


STATE OF FLORIDA
COUNTY OF MONROE

BE IT KNOWN, that on the 7th day of November, 2006, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, THOMAS G. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me (X) personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed. In testimony whereof, I have hereunto subscribed my name and affixed my seal of office the day and year last above written.





Notary Public
My Commission Expires:
Julie Ann Garber
Commission #DD318537
Expires: May 11, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

6125 Second Street

PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Julie Ann Garber, Esq.
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040, Tel: (305) 296-8480
Parcel ID No. 00124560-000000, Alt. Key: 1158682

02/22/2006 1:32PM
DEED DOC STAMP CL: SG

\$0.70

Doc# 1567473
Bk# 2188 Pg# 1080

QUIT-CLAIM DEED

The preparer of this instrument makes no representations or warranties concerning the accuracy of the description of the Property contained herein or the title of such Property.

THIS QUIT-CLAIM DEED made this 9th day of February, 2006, by THOMAS G. NEWMAN, a married man, hereinafter called Grantor; and THOMAS G. NEWMAN and DEBORAH L. NEWMAN, TRUSTEES, or their successors in trust, under the THOMAS G. NEWMAN LIVING TRUST, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman, hereinafter called Grantee, whose address is 829 West Shore Drive, Summerland Key, Florida 33042.

WHEREAS, by quit-claim deed dated February 8, 2006, and intended to be recorded immediately prior hereto, an undivided one percent (1%) interest in the property described below was remised, released and quit-claimed to Thomas G. Newman; and

WHEREAS, by this deed, Grantor desires to remise, release and quit-claim his undivided one percent (1%) interest in the property described below to Thomas G. Newman and Deborah L. Newman, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2006, and any amendments thereto, for the benefit of Thomas G. Newman, as a Tenant in Common as to the whole.

NOW, THEREFORE WITNESSETH: That said Grantor, for and in consideration of \$0.00, hereby remises, releases and quit-claims unto the Grantee, an undivided one percent (1%) right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR THE GRANTEE HEREIN.

Being the same property described in the quit-claim deed recorded in Official Records Book 1448 at Page 1748, of the Public Records of Monroe County, Florida, and in the quit-claim deed dated February 8, 2006, and intended to be recorded immediately prior hereto.

TO HAVE AND TO HOLD as to the undivided one percent (1%) interest the same together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit and behoof of Grantee.

This instrument prepared at the direction of the parties and on information and a description provided by Grantor, without benefit of a title search, neither party requesting any title search. The above description herein is the same as the previous deeds of record, no boundary survey having been made at the time of this conveyance, and the preparer of this deed makes no warranty regarding said description.

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

Signed, sealed and delivered in our presence:

Julie Ann Garber
Witness signature 1:

Print name: Julie Ann Garber

Patricia C. Lambert
Witness signature 2:

Print name: PATRICIA C. LAMBERT

Thomas G. Newman
THOMAS G. NEWMAN

STATE OF FLORIDA
COUNTY OF MONROE

BE IT KNOWN, that on the 9th day of February, 2006, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, THOMAS G. NEWMAN, the same person described in and who executed the foregoing Quit-Claim Deed, to me (X) personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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



Julie Ann Garber
Commission #DD318537
Expires: May 11, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Julie Ann Garber
Notary Public

My Commission Expires:

PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Julie Ann Garber, Esq.
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040, Tel: (305) 296-8480
Parcel ID No. 00124560-000000, Alt. Key: 1158682

02/22/2006 1:32PM
DEED DOC STAMP CL: SG

\$0.70

Doc# 1567472
Bk# 2188 Pg# 1075

QUIT-CLAIM DEED

The preparer of this instrument makes no representations or warranties concerning the accuracy of the description of the Property contained herein or the title of such Property.

THIS QUIT-CLAIM DEED made this 2nd day of February, 2006, by CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the CLARENCE L. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993, for the benefit of Clarence L. Newman, hereinafter called Grantor; and THOMAS G. NEWMAN, a married man and the son of Clarence L. Newman and Vivian C. Newman, as to an undivided one percent (1%) interest, as a Tenant in Common as to the whole, hereinafter called Grantee, whose address is 829 West Shore Drive, Summerland Key, Florida 33042.

WHEREAS, by quit-claim deed dated February 28, 1997, and recorded in Official Records Book 1448 at Page 1748 of the Public Records of Monroe County, Florida, the property described below was granted and conveyed to Clarence L. Newman and Vivian Newman, Trustees, under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993 (hereinafter "Clarence's Trust"); and

WHEREAS, by letter dated May 9, 2001, the original of which is attached hereto as "Exhibit A", Vivian Newman, also known as Vivian C. Newman, resigned from her position as Co-Trustee of Clarence's Trust, thereby making Thomas G. Newman a Co-Trustee of Clarence's Trust pursuant to the terms of said trust; and

WHEREAS, for love and affection and as a gift, the Grantor desires to remise, release and quit-claim to Thomas G. Newman, the son of Clarence L. Newman and Vivian C. Newman, an undivided one percent (1%) interest in the property described below, as a Tenant in Common as to the whole; and

WHEREAS, by this quit-claim deed, Clarence's Trust will hold an undivided ninety-nine percent (99%) interest in the property described below, and Thomas G. Newman will hold an undivided one percent (1%) interest in the property described below, as Tenants in Common as to the whole.

NOW, THEREFORE WITNESSETH: That said Grantor, for and in consideration of love and affection, hereby remises, releases and quit-claims unto the Grantee, an undivided one percent (1%) right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, McDonald's Plat of STOCK ISLAND, according to the Plat thereof, recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, said lands situate, lying and being in Monroe County, Florida.

PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR THE GRANTEE HEREIN.

Being the same property described in the quit-claim deed recorded in Official Records Book 1448 at Page 1748, of the Public Records of Monroe County, Florida.

TO HAVE AND TO HOLD as to the undivided one percent (1%) interest the same together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the Grantor, either in law or in equity, to the only proper use, benefit and behoof of Grantee.

This instrument prepared at the direction of the parties and on information and a description provided by Grantor, without benefit of a title search, neither party requesting any title search. The above description herein is the same as the previous deeds of record, no boundary survey having been made at the time of this conveyance, and the preparer of this deed makes no warranty regarding said description.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Deid Stueck
Witness signature 1:
Print name: *Deid Stueck*

Clarence L. Newman
CLARENCE L. NEWMAN, Trustee

Kathy W. Butler
Witness signature 2:
Print name: *Kathy W. Butler*

Julie Ann Garber
Witness signature 1:
Print name: *Julie Ann Garber*

Thomas G. Newman
THOMAS G. NEWMAN, Trustee

Patricia C. Unferth
Witness signature 2:
Print name: *Patricia C. Unferth*

STATE OF FLORIDA
COUNTY OF Broward

BE IT KNOWN, that on the 8th day of February, 2006, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, CLARENCE L. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me () personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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



Dorit Itzhaki
Notary Public

My Commission Expires: 02/25/2009

STATE OF FLORIDA
COUNTY OF MONROE

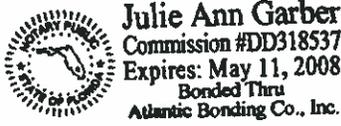
BE IT KNOWN, that on the 6th day of February, 2006, before me, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally came and appeared, THOMAS G. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, the same person described in and who executed the foregoing Quit-Claim Deed, to me () personally known or () who has produced _____, as identification and who did take an oath acknowledging the execution thereof to be his act and deed.

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

Julie Ann Garber
Notary Public

My Commission Expires:

6125 Second Street



Vivian C. Newman
301 SE 3rd Street
Building H, Apt. 202
Dania Beach, FL 33004



Doc# 1567472
BKN 2188 Pgn 1078

May 9, 2001

Clarence L. Newman
301 SE 3rd Street
Building H, Apt. 202
Dania Beach, FL 33004

Thomas G. Newman
828 West Shore Drive
Summerland Key, FL 330402

Re: The Vivian C. Newman Restated Revokeable Trust
And The Clarence L. Newman Restated Revokeable Trust

Dear Boots and Tommy:

By way of this letter, I am hereby resigning from my position as co-trustee of the Vivian C. Newman Restated Revokeable Trust and The Clarence L. Newman Restated Revokeable Trust, both of which were executed on or about August 24, 1993. I am taking this action pursuant to paragraph 1.2 "Appointment of Fiduciaries in Said Trusts." Therefore, by operation of said Trusts, my son, Thomas G. Newman becomes my successor as Trustee. It is my intent that said resignation take place as of the date of this letter.

Respectfully submitted with love,

A handwritten signature in cursive script that reads "Vivian C. Newman". The signature is written in black ink and is positioned above the typed name.

Vivian C. Newman

This Instrument Prepared By:
Julie Ann Garber
THE ANDERSEN FIRM, A Professional Corporation
1010 Kennedy Drive, Suite 201
Key West, FL 33040

TRUSTEE AFFIDAVIT

STATE OF FLORIDA
MONROE COUNTY

BEFORE ME, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared this 8th day of February, 2006, CLARENCE L. NEWMAN and THOMAS G. NEWMAN, as TRUSTEES under the CLARENCE L. NEWMAN RESTATED REVOCABLE TRUST AGREEMENT dated August 24, 1993 (hereinafter "Trust"), who, after being duly sworn, depose and say as follows:

1. That Clarence L. Newman and Thomas G. Newman are the current Co-Trustees of the Trust.
2. That the Trustees have full power and authority to transfer the undivided one percent (1%) interest in the property described in the attached Quit-Claim Deed to the Grantee therein, as a Tenant in Common as to the whole.
3. That Clarence L. Newman is the only beneficiary of the Trust.

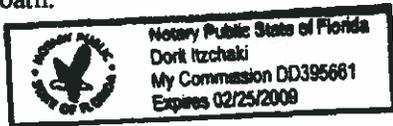
FURTHER AFFIANTS SAITH NAUGHT.

Clarence L. Newman
CLARENCE L. NEWMAN, Trustee

Thomas G. Newman
THOMAS G. NEWMAN, Trustee

STATE OF FLORIDA
COUNTY OF Howard

Sworn to and subscribed before me this 8th day of February, 2006, by CLARENCE L. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, who is personally known to me or has produced a driver's license as identification and who did take an oath.



Dorit Itzchaki
Notary Public
My Commission Expires: 02/25/2009

STATE OF FLORIDA
COUNTY OF MONROE

Sworn to and subscribed before me this 6th day of February, 2006, by THOMAS G. NEWMAN, as Trustee of the Clarence L. Newman Restated Revocable Trust dated August 24, 1993, who is personally known to me or has produced a driver's license as identification and who did take an oath.



Julie Ann Garber
Notary Public
My Commission Expires:

**MONROE COUNTY
OFFICIAL RECORDS**

605

WARRANTY DEED
REVISED TO INCLUDE

RAMCO FORM 01

This Warranty Deed Made the 26th day of May A. D. 19 89 by
CLARENCE L. NEWMAN

hereinafter called the grantor, to CLARENCE L. NEWMAN AND VIVIAN C. NEWMAN, TRUSTEES
OF THE CLARENCE L. NEWMAN REVOCABLE TRUST DATED MAY 11, 1989.

whose postoffice address is 215 S.E. 1st Terrace, Dania, Florida 33004

hereinafter called the grantee:

(Whoever uses herein the terms "grantor" and "grantee" include all the parties in 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 \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alieno, re-
mits, releases, conveys and confirms unto the grantee, all that certain land situate in Monroe
County, Florida, etc:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, and 20, Block 34,
McDonald's Plat of STOCK ISLAND, according to the Plat
thereof, recorded in Plat Book 1, Page 55 of the Public
Records of Monroe County, Florida, said lands situate
lying and being in Monroe County, Florida.

Subject to all conditions, limitations, restrictions, reservations
and easements of record and all liens, assessments and encumbrances
on said property.

The subject property is not homestead property of the Grantor.

Either of the Trustees shall have the power to protect, conserve,
sell, lease, encumber or otherwise to manage and dispose of the
real property described herein.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-
wise appertaining.

I. **Give and to Hold,** the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawful
owner of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the
grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of
all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent
to December 31, 19 89

FILED
MONROE COUNTY
FLORIDA
MAY 26 1989
P 121

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

Signed, sealed and delivered in our presence:

[Signature]

[Signature]
CLARENCE L. NEWMAN

STATE OF Florida
COUNTY OF Broward

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

Clarence L. Newman

to me known to be the person described in and who executed the
 foregoing instrument and he acknowledged before me that he
 executed the same.

WITNESS my hand and official seal in the County and
 State last aforesaid this 26th day of
 May 19 89

Notary Public State of Florida
My Commission Expires March 5, 1990

This instrument prepared by:

Adon

[Signature]
1920 EAST HALLANDALE BEACH BOULEVARD
SUITE C-10
HALLANDALE, FLORIDA 33009

SPACE BELOW FOR RECORDS USE
TS Paid 5.54 - 4-22-89
By *[Signature]*

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501

Monday January 18, 2010, the Monroe County Property Appraiser
Property Record View

Alternate Key: 1158682 Parcel ID: 00124560-000000

Ownership Details

Mailing Address:
 NEWMAN CLARENCE L RESTATED REV TR AGR 8/24/1993
 C/O NEWMAN THOMAS G AND CLARENCE L TRUSTEES
 6125 SECOND ST
 LOT 20
 KEY WEST, FL 33040

All Owners:
 NEWMAN VIVIAN C RESTATED REV TR AGR 8/24/1993 ,
 NEWMAN THOMAS G LIV TR 11/29/05 T/C , NEWMAN
 CLARENCE L RESTATED REV TR AGR 8/24/1993

Property Details

PC Code: 28 - PARKING LOTS, MOBILE HOME PARKS
Milage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 6125 SECOND ST SOUTH STOCK ISLAND
Subdivision: MALONEY SUBD

Legal Description: BLK 34 LOTS 1 THRU 10 AND 16 THRU 20 STOCK ISLAND MALONEY SUB PB1-55 OR394-1038E OR433-300 OR500-564E OR954-1630Q/C OR1096-715 OR1448-1748 OR2188-1075/79QC OR2188-1080/81 OR2260-1370/72Q/C OR2303-847/49 OR2303-850AFF OR2370-1635/1637Q/C OR2438-1635D/C OR2438-1636D/C

[Show Parcel Map](#)

Land Details

Land Use Code	Frontage	Depth	Land Area
02RV - REC VEHICLE PARK	0	0	1.90 AC

Building Summary

Number of Buildings: 0
Number of Commercial Buildings: 0
Total Living Area: 0
Year Built: 0

Misc Improvement Details

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

1	FN2:FENCES	560 SF	140	4	2002	2003	2	30
2	FN2:FENCES	3,000 SF	500	6	2000	2001	5	30
3	FN2:FENCES	920 SF	230	4	1999	2000	2	30
4	UB2:UTILITY BLDG	192 SF	16	12	1982	1983	2	50
6	PT3:PATIO	200 SF	20	10	2001	2002	1	50
7	PT3:PATIO	300 SF	30	10	2002	2003	1	50
8	PT3:PATIO	200 SF	20	10	2002	2003	1	50

Appraiser Notes

2006-1-12-BC- NO MOBILE HOMES IN THIS PARK BELONG TO THE OWNERS OF THE PARK, THEY ARE ALL PRIVATELY OWNED, AS OF THE DATE OF THIS NOTE. TROPIC PALMS MOBILE HOME PARK F/K/A ROLF'S TRAILER PARK 25 SITES 2000-12-28 REMOVED THE ARCH CODE "Y" AND CHANGED THE WALL FROM 12 T008 FOR THE 2001 TAX ROLL. DUG. 12/18/2002 ADDED MISC. D.M.J. TPP 8537361 - TROPIC PALMS MOBILE HOME PARK

RE: 12465 & 12471 THRU 12475 COMBINED FOR ASSESSING PURPOSES 4-27-87JMH

PARCEL HAS MANY MOBILE HOMES & RV'S; INTERVIEW WITH TOM NEWMAN: HE OWNS ALL MH'S (BUT THE ONE ON THE PRC) AND THE TRUST OWNS THE LAND. HE TOLD ME HE HAS MH STICKERS FOR ALL UNITS. ALSO CLAIMS TO BE ASSESSED USING THE INCOME METHOD.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	05100728	03/08/2005	12/14/2006	2,000		FENCE
	05100330	01/21/2005	02/25/2005	2,400		Demo MH on Lot 32
	95-0591	04/01/1995	10/01/1995	3,630		INTERIOR RENOVATIONS
2	00/0503	02/08/2000	01/01/2001	3,225		REROOF #22 ROLFES
3	00/3049	07/06/2000	01/01/2001	2,300		REPLACE METER CANS
	07100245	01/16/2007		2,800	Residential	DEMO MH #4.
	06105152	08/24/2006	12/14/2006	1,900	Residential	DEMO MH #7.

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
2009	0	30,822	760,000	1,234,343	1,234,343	0	1,234,343
2008	0	32,322	2,484,750	1,380,227	1,380,227	0	1,380,227
2007	0	33,572	662,600	1,380,227	1,380,227	0	1,380,227
2006	0	34,771	662,600	862,064	862,064	0	862,064
2005	74,805	25,601	414,125	749,621	749,621	0	749,621
2004	59,056	25,964	414,125	749,621	749,621	0	749,621
2003	59,056	26,432	372,713	749,621	749,621	0	749,621
2002	39,109	21,519	372,713	547,620	547,620	0	547,620
2001	39,109	23,074	372,713	547,620	547,620	0	547,620

2000	35,133	7,193	372,713	340,746	340,746	0	340,746
1999	35,133	7,544	372,713	340,746	340,746	0	340,746
1998	35,133	7,971	372,713	340,746	340,746	0	340,746
1997	35,133	8,333	372,713	340,746	340,746	0	340,746
1996	35,133	8,684	372,713	340,746	340,746	0	340,746
1995	35,133	9,109	372,713	340,746	340,746	0	340,746
1994	35,133	9,198	372,713	340,746	340,746	0	340,746
1993	37,492	6,963	372,713	337,376	337,376	0	337,376
1992	34,223	8,222	372,713	337,376	337,376	0	337,376
1991	34,223	8,447	372,713	337,376	337,376	0	337,376
1990	34,223	8,672	372,713	337,376	337,376	0	337,376
1989	34,223	8,972	372,713	337,321	337,321	0	337,321
1988	28,072	7,172	372,713	330,633	330,633	0	330,633
1987	27,720	7,330	305,947	340,997	340,997	0	340,997
1986	0	2,447	21,117	23,564	23,564	0	23,564
1985	0	2,447	16,329	18,776	18,776	0	18,776
1984	0	2,447	16,329	18,776	18,776	0	18,776
1983	0	2,447	16,329	18,776	18,776	0	18,776
1982	0	2,447	8,340	10,787	10,787	0	10,787

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
6/18/2008	2370 / 1635	3,400	QC	P
4/24/2007	2303 / 847	3,000	WD	P
11/8/2006	2260 / 1370	83,200	QC	P

This page has been visited 227,306 times.

Monroe County Property Appraiser
Ervin A. Higgs, CFA
P.O. Box 1176
Key West, FL 33041-1176

INC
OVERSEAS HWY

1

UC

URM

MACDONALD AVE

MACDONALD AVE

3RD ST

2ND ST

1ST AVE

1ST ST

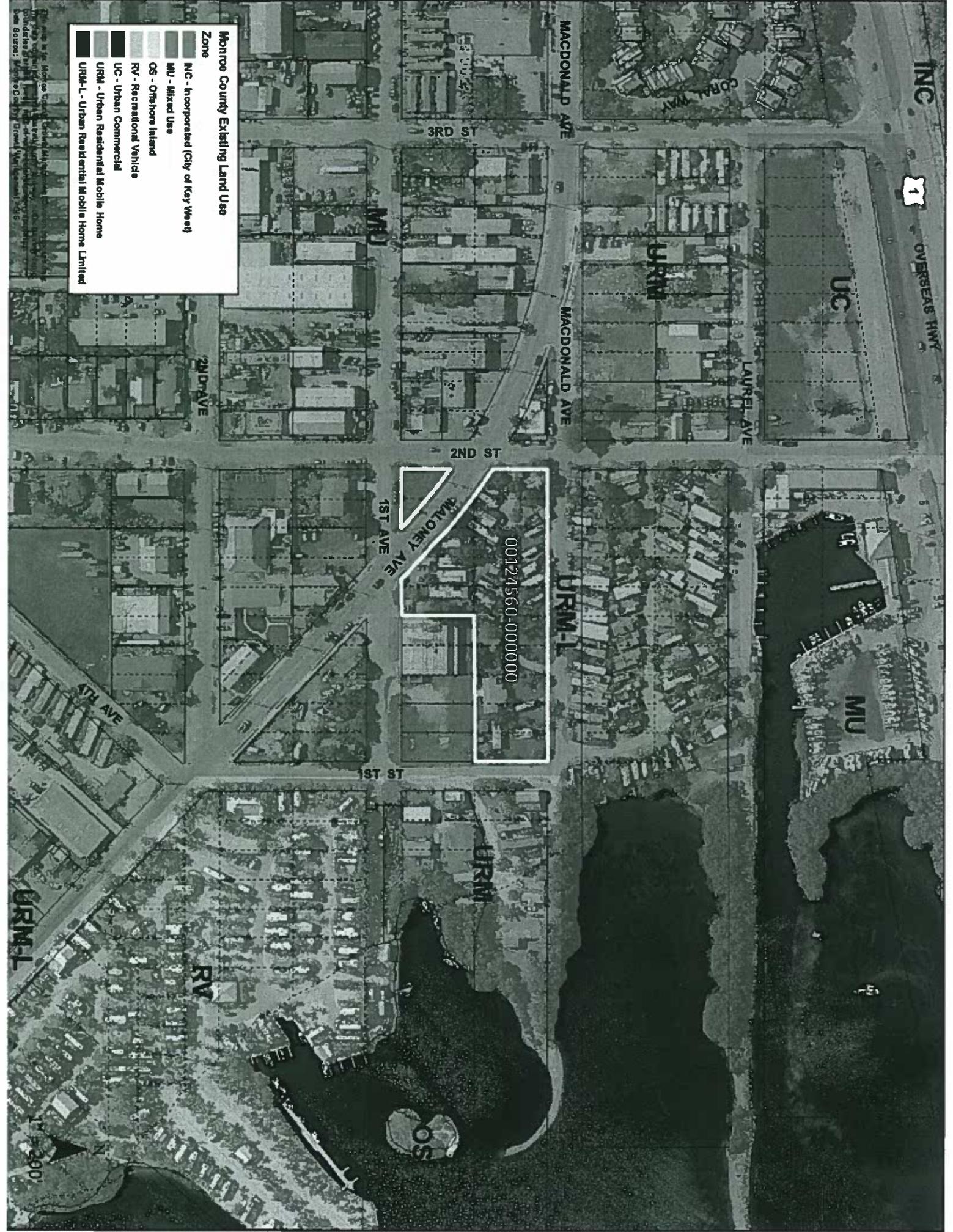
URM-L

MU

URM

RV

OS

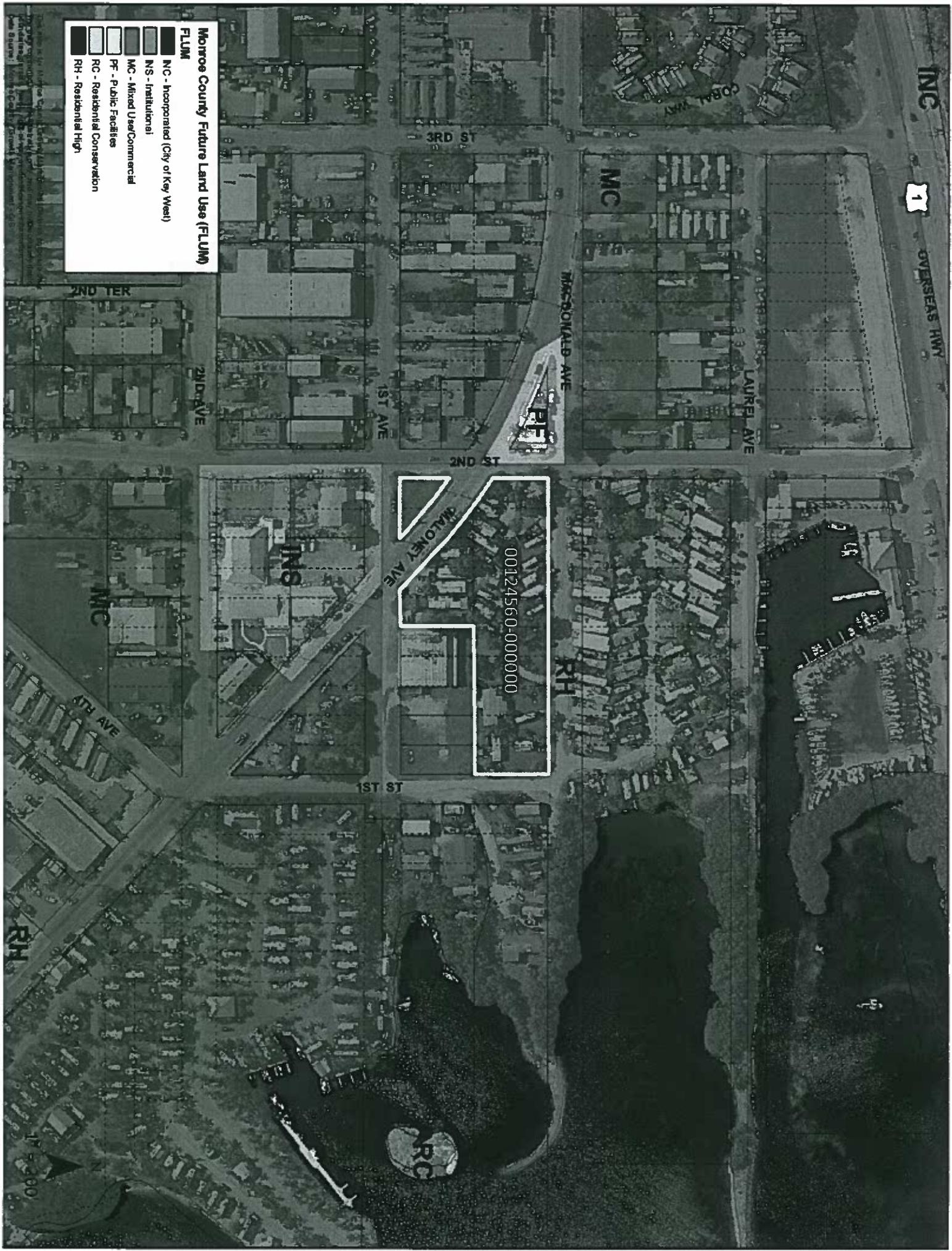


Monroe County Existing Land Use Zone

- NC - Incorporated (City of Key West)
- MU - Mixed Use
- OS - Offshore Island
- RV - Recreational Vehicle
- URM - Urban Commercial
- URM-L - Urban Residential Mobile Home
- URM-L - Urban Residential Mobile Home Limited

Map data by Google Earth, Imagery by GeoEye, Inc. 2006. All rights reserved. This map is not for use in navigation. Data source: Aerial, GeoEye, Inc. 2006.

1:200'



Monroe County Future Land Use (FLUM)

- FLUM
- NC - Incorporated (City of Key West)
- NS - Institutional
- MC - Mixed User/Commercial
- PF - Public Facilities
- RC - Residential Conservation
- RH - Residential High

00124560-0000000

1

INC

OVERSEAS HWY

MC

THOMPSON AVE

LAUREL AVE

3RD ST

1ST AVE

2ND ST

2ND AVE

2ND TER

INS

DIALONEY AVE

RH

1ST ST

MC

4TH AVE

RH

RC

N 300

Monroe County Property Appraiser - Realism Report

Table with columns: Parcel ID, Physical Location, and Legal Description. Rows include parcels 1159542 through 1159841, all located in South Stock Island.

Table with columns: Parcel ID, Physical Location, and Legal Description. Rows include parcels 650R-31 through 8 LOT 14, covering various lots and subdivisions.

Table with columns: Owners Name, Address, and Owners Name. Rows include owners like CMT PROPERTY MANAGEMENT LLC, R AND S OF KEY WEST INC, and various individuals and companies.

Monroe County Property Appraiser - Radius Report

AK: 1158542	Parcel ID: 00124410-000000	Physical Location: 5670 LAUREL AVE	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LOT 7 SQR 31 & LOT		8 SQR 31 OR624-88 OR624-89 OR52
Owners Name:	CMT PROPERTY MANAGEMENT LLC		
Address::	2911 STAPLES AVE	KEY WEST, FL 33040	
AK: 1158593	Parcel ID: 00124470-000000	Physical Location: 5671 MACDONALD AVE	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LOTS 13 THRU 16 BL		K 31 G74-504/505 OR325-316/317 OR
Owners Name:	R AND S OF KEY WEST INC		
Address::	PO BOX 6032	KEY WEST, FL 33041	
AK: 1158551	Parcel ID: 00124430-000000	Physical Location: 5671 MACDONALD AVE	SOUTH STOCK ISLAND
Legal Description:	BK 31 LT 9 STOCK ISLAND MALONEY SUB PB1-55 OR16-50		-51 OR416-121 OR734-730 OR750-86
Owners Name:	R AND S OF KEY WEST INC		
Address::	PO BOX 6032	KEY WEST, FL 33041-6032	
AK: 1158585	Parcel ID: 00124460-000000	Physical Location: 5671 MACDONALD AVE	SOUTH STOCK ISLAND
Legal Description:	BK 31 LT 12 STOCK ISLAND MALONEY SUB PB1-55 G57-44		6/447 OR560-244/45 OR1253-1788/91
Owners Name:	EID STEVEN ALLEN REV TR DTD 4/24/1992		
Address::	20 DRIFTWOOD DR	KEY WEST, FL 33040	
AK: 1158569	Parcel ID: 00124440-000000	Physical Location: 8150 SECOND ST	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LOTS 10 & 11 BLK 3		1 OR454-810 OR849-1155 RE 12445 (
Owners Name:	BURRIN FRED R DVM		
Address::	6150 SECOND STREET	KEY WEST, FL 33040-5997	
AK: 1158666	Parcel ID: 00124540-000000	Physical Location: 5700 LAUREL AVE	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LOTS 1 THRU 7 & AD		J BAY BTM LOTS 11 TO 21 INC SQR
Owners Name:	WATERS EDGE COLONY INC		
Address::	2625 GULFVIEW DR	KEY WEST, FL 33040	
AK: 1158968	Parcel ID: 00124830-000000	Physical Location: 8180 SECOND ST	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PT LOTS 8-9-10 SQR 35 PB1		-55 OR205-242-243 DOCKET 9-52 OF
Owners Name:	MONROE COUNTY FIRE DEPT		
Address::	PO BOX 21111 FLAGLER STA	KEY WEST, FL 33040	
AK: 1159000	Parcel ID: 00124880-000000	Physical Location: 8200 2ND ST	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT LOT		11 AND PT 12 SQR 35 OR382-1000
Owners Name:	MACLAUGHLIN MARK J AND ELIZABETH		
Address::	18 ALLAMANDA AVE	KEY WEST, FL 33040	
AK: 1158984	Parcel ID: 00124840-000100	Physical Location: 5690 MALONEY AVE	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT LOTS 8 9 10 11		12 & 13 SQR 35 OR575-205 OR840-4
Owners Name:	TOM THUMB FOOD STORES INC		
Address::	97 W OKEECHOBEE ROAD	HIALEAH, FL 33010	
AK: 1158682	Parcel ID: 00124560-000000	Physical Location: 6125 SECOND ST	SOUTH STOCK ISLAND
Legal Description:	BLK 34 LOTS 1 THRU 10 AND 16 THRU 20 STOCK ISLAND		MALONEY SUB PB1-55 OR394-1038E
Owners Name:	NEWMAN CLARENCE L RESTATED REV TR AGR 8/24/1993 C/O NEWMAN THOMAS G AND CLARENCE L TRUSTEE		
Address::	6125 SECOND ST LOT 20	KEY WEST, FL 33040	
AK: 1158828	Parcel ID: 00124700-000000	Physical Location: 5713 FIRST AVE	SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LOTS 13 14 & 15 BL		K 34 OR206-528/529 OR333-201/202
Owners Name:	STANDARD MARINE SUPPLY CORP		
Address::	PO BOX 75284	TAMPA, FL 33875-0284	
AK: 1158798	Parcel ID: 00124670-000000	Physical Location: VACANT LAND	SOUTH STOCK ISLAND
Legal Description:	BK 34 LT 12 STOCK ISLAND MALONEY SUB PB1-55 OR411-		1075/1076 OR545-15 OR743-966 OR7
Owners Name:	STANDARD MARINE SUPPLY CORP		
Address::	PO DRAWER 75284	TAMPA, FL 33675-0284	
AK: 1158780	Parcel ID: 00124660-000000	Physical Location: 5413 FIRST ST	SOUTH STOCK ISLAND
Legal Description:	BK 34 LT 11 STOCK ISLAND MALONEY SUB PB1-55 OR411-		1075/1076 OR743-966 OR545-195 OF
Owners Name:	STANDARD MARINE SUPPLY CORP		
Address::	P O DRAWER 75284	TAMPA, FL 33675	

AK: 1159646	Parcel ID: 00125450-000200	Physical Location: 6310 2ND ST SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PART SQR 42 OR460-	644/645 OR647-54-Q/C OR798-2362 (
Owners Name:	JG RENTALS LLC	
Address::	212 KEY HAVEN RD	KEY WEST, FL 33040
AK: 1159689	Parcel ID: 00125450-000500	Physical Location: 6336 2ND ST SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PART SQR 42 OR501-	145 OR746-13 OR1379-1843/45C OR
Owners Name:	SIMONS BRUCE	
Address::	23 SAPPHIRE DR	KEY WEST, FL 33040
AK: 1159727	Parcel ID: 00125450-000900	Physical Location: 5650 FIRST AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT SQR 42 OR495-83	4 OR503-734 OR512-718 OR524-332
Owners Name:	CONDELLA STEVE J	
Address::	P O BOX 2658	KEY WEST, FL 33045
AK: 1159854	Parcel ID: 00125450-000300	Physical Location: 5625 SECOND AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PART SQR 42 OR462-	995/996 OR1167-1493/94(JMH) RE 12
Owners Name:	GIL ANTONIO SR & CATHERINE L/E (GIL ANTONIO JR & GIL EMIGDIO A)	
Address::	1511 18TH ST (REAR)	KEY WEST, FL 33040
AK: 1159743	Parcel ID: 00125450-001100	Physical Location: 5680 FIRST AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT SQR 42 OR555-49	4 OR647-732/749 OR751-1008 PROB.
Owners Name:	CONDELLA STEVE J	
Address::	16 WEST CYPRESS TERRACE	KEY WEST, FL 33040
AK: 1159760	Parcel ID: 00125470-000000	Physical Location: 5707 1ST AVE SOUTH STOCK ISLAND
Legal Description:	BK 43 LT 1&2 STOCK ISLAND MALONEY SUB PB1-55 OR231	-210 OR801-1387D/C RE:125460-0001
Owners Name:	KEY WEST BAPTIST TEMPLE INC	
Address::	P O BOX 2298	KEY WEST, FL 33045
AK: 1159883	Parcel ID: 00125600-000000	Physical Location: 5790 MALONEY AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT LOT 12 & PT LOT	13 & PT LOTS 14 & 15 BLK 43 OR48:
Owners Name:	CALABRO DANIEL J	
Address::	PO BOX 3017	SHELTER ISLAND HGTS, NY 11965-3017
AK: 1159891	Parcel ID: 00125610-000000	Physical Location: 5727 2ND AVE SOUTH STOCK ISLAND
Legal Description:	SQR 43 PT LTS 14-15 AND ALL LTS 16 THRU 20 STOCK	ISLAND MALONEY SUB PB1-55 OR:
Owners Name:	KEY WEST BAPTIST TEMPLE INC	
Address::	P O BOX 2298	KEY WEST, FL 33045
AK: 1159778	Parcel ID: 00125480-000000	Physical Location: 5704 MALONEY AVE SOUTH STOCK ISLAND
Legal Description:	SQR 43 LTS 3-4 AND PT LTS 5-6 STOCK ISLAND MALON	EY SUB PB1-55 STOCK ISLAND OR:
Owners Name:	KEY WEST BAPTIST TEMPLE INC	
Address::	PO BOX 2298	KEY WEST, FL 33045
AK: 1159808	Parcel ID: 00125520-000000	Physical Location: 6301 MALONEY AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 PT LOT	S 6 7 & 8 & ALL 9-10 & PT 11 12 & 13
Owners Name:	HENNUM CHRISTINE W	
Address::	4044 LOCH MEADE DRIVE	LAKELAND, TN 38002
AK: 1158674	Parcel ID: 00124550-000000	Physical Location: 6325 FIRST ST 6 SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT LOTS 1 & 2 & PT	20 BLK 33 & ADJ BAY BTM II DEED :
Owners Name:	EADH BUSH COMPANY LLC	
Address::	12 DRIFTWOOD DR	KEY WEST, FL 33040
AK: 8849427	Parcel ID: 00124550-000100	Physical Location: 6325 FIRST ST 14 SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 PT LTS 1 AND 2 AND	ALL LTS 18 AND 19 AND PT LT 20 BI
Owners Name:	EADH BUSH COMPANY LLC	
Address::	12 DRIFTWOOD DR	KEY WEST, FL 33040
AK: 1159956	Parcel ID: 00125670-000000	Physical Location: 6401 MALONEY AVE SOUTH STOCK ISLAND
Legal Description:	STOCK ISLAND MALONEY SUB PB1-55 LTS 1 THRU 6 AND L	TS 14 THRU 20 SQR 44 AND LTS 2 T
Owners Name:	BOYDS CAMPGROUND LTD	
Address::	6401 MALONEY AVE	KEY WEST, FL 33040
AK: 1158925	Parcel ID: 00124800-000000	Physical Location: 5640 MALONEY AVE SOUTH STOCK ISLAND
Legal Description:	BK 35 LTS 5 AND 16 STOCK ISLAND MALONEY SUB SUBDI	VISION PB1-55 OR390-383/384 OR1:
Owners Name:	STAR OF THE SEA FOUNDATION INC	
Address::	5640 MACDONALD AVE	KEY WEST, FL 33040

AK: 1158933 Parcel ID: 00124810-000000 Physical Location: 5650 MALONEY AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB PB1-55 LOTS 6 & 15 & WLY 18' 7 & 14 SQR 35 OR542-128 OR991
Owners Name: CONSOLIDATED ELECTRICAL DISTRIBUTORS INC
Address:: 31356 VIA COLINAS WESTLAKE VILLAGE, CA 91362

AK: 1158941 Parcel ID: 00124820-000000 Physical Location: 5684-5686 MACDONALD AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB SUBDIVISION PB1-55 E'LY 3 6' LOTS 7 & 14 & PT LOTS 8 & 13 SQ
Owners Name: SCARDINA VINCENT A
Address:: 1107 KEY PLAZA STE 317 KEY WEST, FL 33040

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 Charles "Sonny" McCoy, Dist. 3
Mayor Pro Tem Mario Di Gennaro, Dist. 4
Dixie Spehar, Dist. 1
George Neugent, Dist. 2
Sylvia J. Murphy, Dist. 5

We strive to be caring, professional and fair

February 21, 2008

Adele V. Stones
Stones & Cardenas
221 Simonton Street
Key West, FL 33040

**RE: LETTER OF DEVELOPMENT RIGHTS DETERMINATION FOR THE
CLARENCE NEWMAN RESTATED REVOCABLE TRUST PROPERTY,
LOCATED AT 6125 SECOND STREET, STOCK ISLAND, MILE MARKER 5
(OCEANSIDE) AND HAVING REAL ESTATE NUMBER 00124560.000000**

Ms. Stones:

This letter is in response to your request for a determination as to the number of dwelling units that may be rebuilt and exempt from the Residential Rate of Growth Ordinance (ROGO) on the above-described premises.

I. Background Information

The subject property, commonly known as Tropic Palms Mobile Home Park and previously known as Rolf's Trailer Park, is located at 6125 Second Street on Stock Island. It is comprised of one (1) parcel, having Real Estate (RE) number 00124560.000000 and legally described as Block 34, Lots 1-10 & 16-20, Maloney Sub, Stock Island (PB1-55). The aerial photograph to the right shows the boundaries of the subject property (outlined in blue).



Subject Property, Clarence Newman
Restated Revocable Trust Property

The property is within an Urban Residential Mobile Home Limited (URM-L) Land Use District and has a Future Land Use Map (FLUM) designation of Residential High (RH).

A site visit was conducted by Planning & Environmental Resources Department Staff on December 14, 2007. Staff observed fifteen (15) mobile homes, ten (10) recreational vehicles (RVs) and several accessory structures.

II. Residential Dwelling Units

In the application, it is asserted that 25 to 26 dwelling units, in the forms of mobile homes and RVs, are lawfully-established and thereby exempt from the Residential Rate of Growth Ordinance (ROGO) permit allocation system.

As set forth in §9.5-4 of the Monroe County Code (MCC), a *mobile home* is a structure transportable in one or more sections which structure is 8 body feet or more in width and over 35 feet in length, which structure is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein, including expandable recreational vehicles, known as "park models" designed and built as a permanent residence, the structure for which is 35 feet or less in length and in excess of 8 feet in width.

As set forth in MCC §9.5-4, a *recreational vehicle* is a vehicle or portable structure built on a chassis and designed as a dwelling for travel, recreation or vacation for tenancies or less than six months; which has a transportable body width not exceeding 8 feet and a length not exceeding 35 feet; and which does not qualify as mobile home; and 1) the travel trailer or park trailer has been placed in a travel trailer park, campground or a storage yard; 2) the travel trailer or park trailer has current licenses required for highway travel; and 3) the travel trailer or park trailer is highway ready. This means that the travel trailer or park trailer is on its wheels or internal jacking system and attached to this site only by the quick disconnect-type utilities commonly used in campgrounds and trailer parks or by security devices.

A mobile home and some types of RVs are considered types of dwelling units. As defined in MCC §9.5-4 (D-31), a *dwelling unit* is one (1) or more rooms physically arranged to create a housekeeping establishment for occupancy by one (1) family with separate toilet facilities.

Mobile homes are also considered permanent residential units. In addition, "park model" RVs and RVs that meet the criteria set forth in Administrative Interpretation No. 01-115, are considered permanent residential units. As defined in MCC §9.5-4 (P-4), a *permanent residential unit* is 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.

Pursuant to MCC §9.5-120.4(a), the ROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established residential dwelling unit which 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. Administrative Interpretation 03-108 provides the criteria to be used by Staff to determine whether or not a residential unit was lawfully-established:

- (a) A permit or other official approval from the Division of Growth Management for the dwelling units:

Original building permits for the existing mobile homes and RV spaces were not located for review. However, the building permit history for the property supports the existence of a mobile home/RV park on the property from the late 1970s to present. In order to view all of the building permits found for the property, with corresponding descriptions and dates of issuance, please refer to Attachment A.

Five (5) building permits were found which authorized the replacements of mobile homes. However, no building permit clearly indicates the number of mobile homes on the property at any given time.

- (b) If a permit or other official approval from the Division of Growth Management is not available, the following information may be used to establish that a residential unit was lawfully-established:

- a. *Aerial photos showing the structure in existence prior to 1986:*

Aerial photography from 1982 to 2006 confirms the continuous existence of a mobile home/RV park on the property. Aerial photography from 2006 indicates the presence of 25 mobile homes and/or RVs. However, due to a lack of clarity in the aerial photography prior to 2006 and the dense site layout of the mobile home/RV park, Staff could not use the available photography to accurately determine the number of mobile homes or RVs in existence at any given time prior to 2006.

- b. *Monroe County property record card showing the existence of the unit prior to 1986:*

The Monroe County Property Appraiser assessed the property identified as RE 00124560.000000 from 1982 to 1983 under a property classification (PC) code of PC 02 (Mobile Home). In 1984, the PC code was changed to PC 00 (Vacant Residential) and the property was assessed as PC 00 until 1986. In 1987, the PC code was changed to PC 01 (Single Family Residential). In 1988, the PC code was changed to PC 36 (Mobile Home Parks, Private Camping, Rec. Parks) and the property has been assessed as PC 36 until present.

The 2007 Monroe County property record card for RE 00124560.000000 shows a building value on the parcel from 1987 to 2005; however it currently attributes no buildings to the property. The 2007 property record card includes the appraiser notes: "no mobile homes in this park belong to the owners of the park, they are all privately owned, as of the date of this note [2006-1-12]. Tropic Palms Mobile Home Park f/k/a

Rolf's Trailer Park [has] 25 sites" and "parcel has many mobile homes & RVs; interview with Tom Newman: he owns all [mobile homes] (but the one on the [property record card]) and the trust owns the land. He told me he has [mobile home] stickers for all units."

Mobile homes and RVs under separate ownership or not assessed as property by the Property Appraiser are not reflected as structures on the property record card.

The 2006 property record card shows a building value on the parcel from 1987 to 2005 and currently attributed one (1) building to the property. The building is specified as "R1" and the year built was indicated as 1981.

In addition to the 2007 and 2006 property record cards, property record cards from 1966 to 1978 indicate that there was a mobile home development on the property at those times. A written comment, dated December 16, 1966, states that 25 concrete slabs (9ft x 20ft) were in existence at that time.

c. Utility records that show the residential use being served prior to 1986:

The Applicant submitted a facsimile correspondence between Stones & Cardenas and City Electric System, dated January 24, 2007, which indicates that there are 25 meters for electric service on the property. The accounts were initiated between 1981 and 2001. However, no clarification is provided as to if multiple accounts are attributable to one "unit" and as to whether the dates provided are service initiation dates for a specific customer or initial installation dates for the meters.

The Applicant submitted a facsimile correspondence between Stones & Cardenas and the Florida Keys Aqueduct Authority, dated January 24, 2007, which indicates that there is one (1) meter for water service on the property.

d. Whether the residential use could have been a permitted use under the pre-1986 zoning of the property:

Prior to 1986, the property was partially within a RU-3 district (Multiple Family Residence) and a BU-2 (Medium Business District). Mobile homes and RVS were prohibited in the RU-3 and BU-2 districts. However, according to the records reviewed, the mobile home/RV park appears to have been established at a time that would pre-date the adoption of the pre-1986 zoning ordinances.

e. Occupational Licenses showing the use being served prior to 1986:

Tropic Palms Mobile Home Park has a valid Monroe County occupational license for 2007 (Account Number 47144-0085103). The total number of mobile homes or lots is not specified.

A State of Florida Department of Business and Professional Regulation annual fee statement, dated October 1, 2007, states that there are 25 units/lots on the property.

f. Other Supporting Information:

The 1988 mobile home study indicates that ten (10) mobile homes, two (2) “permanent” RVs and two (2) RVs were observed on the property at that time.

A boundary survey by R.E. Reese, P.A., dated March 31, 2001, shows 24 mobile home / RVs. The survey only shows structures and does not differentiate between mobile homes and RVs. The boundary survey was submitted with the development rights determination application and the building permit application for Building Permit 051-0330. A 25th mobile home/RV identified as “10” is drawn in by hand over the boundary survey in both applications.

A copy of an application from 1999 to the State of Florida Department of Health for a mobile home park (identified as Rolfe’s Trailer Park) indicates a total 26 mobile home/RV spaces.

A State of Florida Department of Health mobile home, lodging, recreational vehicle park and recreational camp inspection report for Rolfe’s Trailer Park, dated September 14, 1998, indicates that there were 26 mobile home park permitted spaces and “N/A” RV permitted spaces on the property at that time. All 26 spaces were described as occupied.

A 1980 Key West City Directory suggests that Rolfe’s Trailer Park on Second Street consisted of 26 spaces at that time—lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 20, 21, 22, 24, 25, 32, 33, 34, 35 & 36. A 1987 Key West City Directory suggests that Rolfe’s Trailer Park on Second Street consisted of 26 spaces at that time—lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 24, 25, 32, 33, 35 & 36. However, lots 11, 24 and 25 were described as vacant.

A State of Florida Department of Health operating permit (44-54-00026) for Tropic Palms Mobile Home Park, dated September 18, 2006, states that the property consisted of 25 mobile home spaces and 0 RV spaces.

III. Lawful Determination

Based on a review of the records, the Planning Department has determined **twenty-five (25) permanent residential dwelling units** are lawfully-established on the subject property.

In the application, it is asserted that 25 or 26 mobile homes/RVs are lawful. Currently, there are 15 mobile homes and 10 RVs in existence. It appears that 26 mobile homes/RVs may have existed on the property at some time; however information contained within building permit applications and other records suggest the presence of no more than 25 mobile homes/RVs on the

property since at least 1990. As a result, only 25 mobile homes/RVs were included in the hurricane evacuation model (which is based on the 1990 census) and thereby exempt from the ROGO permit allocation system.

Staff has found that the 15 mobile homes and 10 RVs are permanent residential units. Mobile homes, "park model" RVs, and RVs that meet the criteria set forth Administrative Interpretation No. 01-115 are considered permanent residential units.

IV. Future Redevelopment On-Site

For each residential unit replaced, the equivalent amount of existing dwelling units must be demolished or removed with a valid Monroe County Building Permit.

Any redevelopment of the mobile home/RV park would be subject to the inclusionary housing provisions set forth in MCC §9.5-266(b). In general, if the mobile home park is redeveloped, 30 percent of the 25 lawfully-established dwelling units would have be redeveloped as deed-restricted affordable housing units, as provided for in MCC §9.5-266 and §9.5-4 (A-5).

Future Redevelopment On-Site

As provided in MCC §9.5-268, notwithstanding the provisions of MCC §9.5-262 and §9.5-263, the owners of land upon which a lawfully-established dwelling unit or a mobile home, but not including transient residential units, exists shall be entitled to one (1) dwelling unit for each such unit in existence. Therefore, all of the lawfully-established mobile homes may be replaced on-site.

Land Use Intensity:

					
Residential (Permanent)	1 unit / lot	15 platted lots	15 units	25 units	167 %

Pursuant to MCC §9.5-235.1, in the URM-L District, mobile homes and recreational vehicles as provided in Florida Statutes Chapter 513 are permitted use. Conventional dwelling units and transient use of recreational vehicles is not permitted in the URM & URM-L Districts. Therefore, the mobile homes may only be replaced with mobile homes or RVs as provided in Florida Statutes Chapter 513. The mobile homes and RVs spaces may not be used transiently.

Future Redevelopment Off-Site

The property owner may transfer existing, lawfully-established residential dwelling units to eligible receiver sites following a pre-application conference and the granting of conditional use approval:

- a. *Permanent Residential Dwelling Units:* Pursuant to MCC §9.5-120.4(b), one (1) to 25 of the lawfully-established permanent residential dwelling units may be transferred off-site to an eligible receiver site as affordable housing. The sender and receiver sites must meet the criteria set forth in MCC §9.5-120.4(b). The new affordable housing dwelling unit must meet the requirements set forth in MCC §9.5-4(A-5).

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.

You may appeal decisions set forth in this letter. If you choose to do so, please contact the Planning Commission Coordinator, Ms. Nicole Petrick, at (305) 289-2500 for the necessary forms and information. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) working days from the date of this letter. In addition, please submit a copy of your application to Ms. Petrick, Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Hwy, Suite 410, Marathon, FL 33050.

Sincerely,



Townsley Schwab

Acting Sr. Director of Planning & Environmental Resources

Cc: Kathy Grasser, Planner
Joseph Haberman, Principal Planner

Attachment A: Monroe County Building Permit History:

21616	10/02/1970	Construct utility room	7
A598	09/12/1975	Rebuild meter center	--
A729	11/05/1975	Extend service	15-18
A1331	06/02/1976	Trailer tie down	18
A4477	12/11/1978	Trailer tie-down & blocking	1
A5058	04/02/1979	Replace mobile home	8-10
A5099	04/10/1979	Replace mobile home	3
A5427	06/14/1979	Trailer tie-down	10
A9904	11/16/1982	Trailer tie-down & electric meter box	14
A10139	1/27/1983	Construct addition to mobile home	34
A10395	03/31/1983	Construct screened wood deck	3
A10601	06/03/1983	Trailer tie-downs	23
A10948	09/29/1983	Relocate electric service	9 & 10
A12132	08/08/1984	Install wood fence	8-10
A12648	12/12/1984	Construct storage shed & install slab and wood fence	9
A16652	12/17/1986	Replace existing wooden deck	8 & 9
941-0478	04/15/1994	Demolish carport	35
981-0345	04/14/1998	Repairs to mobile home	--
001-0083	10/16/2001	Replace mobile home	36
001-0503	02/08/2002	Re-roof mobile home	22
001-3049	07/06/2000	Replace 6 gang meter center	--
011-1021	06/13/2001	A-T-F construct covered porch	21
011-1381	05/11/2001	Re-roof mobile home	--
011-3768	10/05/2001	Install wood fence	1 & 35
011-3949	11/13/2001	Replace mobile home	20
021-0978	03/26/2002	Install wood fence	--
021-1862	05/16/2002	Demolish mobile home	6
021-2029	05/16/2002	Demolish mobile home	9
021-2555	07/12/2002	Construct slab	6
021-2556	07/12/2002	Construct slab	9
021-2557	07/12/2002	Upgrade existing slab	15
021-3884	09/03/2002	Install 100 amp sub feed to new RV pedestal	6
021-4176	09/19/2002	Renew permit 001-0083	36
041-2995	06/25/2004	Miscellaneous electric improvements	--
051-0330	01/21/2005	Demolish mobile home	32
051-0727	02/17/2005	Upgrade existing 60 amp service to 100 amp	32
051-0728	03/08/2005	Construct wood fence	1 & 8-10
051-6847	01/05/2006	Remove fig tree	--
061-0152	08/24/2006	Demolish mobile home	7
061-5598	09/25/2006	Sewer tie in	--
071-0245	01/16/2007	Demolish all structures	4
071-1900	04/26/2007	Replace two 200 amp service	--

R AND S OF KEY WEST INC
PO BOX 6032
KEY WEST, FL 33041

R AND S OF KEY WEST INC
PO BOX 6032
KEY WEST, FL 33041-6032

EID STEVEN ALLEN REV TR
DTD 4/24/1992
20 DRIFTWOOD DR
KEY WEST, FL 33040

BURRIN FRED R DVM
6150 SECOND STREET
KEY WEST, FL 33040-5997

WATERS EDGE COLONY INC
2625 GULFVIEW DR
KEY WEST, FL 33040

MONROE COUNTY FIRE DEPT
PO BOX 21111 FLAGLER STA
KEY WEST, FL 33040

MACLAUGHLIN MARK J AND
ELIZABETH
18 ALLAMANDA AVE
KEY WEST, FL 33040

TOM THUMB FOOD STORES
INC
97 W OKEECHOBEE ROAD
HIALEAH, FL 33010

NEWMAN CLARENCE L
RESTATED REV TR AGR 6125
SECOND ST LOT 20
KEY WEST, FL 33040

STANDARD MARINE SUPPLY
CORP
PO BOX 75284
TAMPA, FL 33675-0284

STANDARD MARINE SUPPLY
CORP
PO DRAWER 75284
TAMPA, FL 33675-0284

STANDARD MARINE SUPPLY
CORP
P O DRAWER 75284
TAMPA, FL 33675

JG RENTALS LLC
212 KEY HAVEN RD
KEY WEST, FL 33040

SIMONS BRUCE
23 SAPPHIRE DR
KEY WEST, FL 33040

CONDELLA STEVE J
P O BOX 2658
KEY WEST, FL 33045

GIL ANTONIO SR &
CATHERINE L/E
1511 18TH ST (REAR)
KEY WEST, FL 33040

CONDELLA STEVE J
16 WEST CYPRESS TERRACE
KEY WEST, FL 33040

KEY WEST BAPTIST TEMPLE
INC
P O BOX 2298
KEY WEST, FL 33045

CALABRO DANIEL J
PO BOX 3017
SHELTER ISLAND HGTS, NY
11965-3017

KEY WEST BAPTIST TEMPLE
INC
P O BOX 2298
KEY WEST, FL 33045

KEY WEST BAPTIST TEMPLE
INC
PO BOX 2298
KEY WEST, FL 33045

HENNUM CHRISTINE W
4044 LOCH MEADE DRIVE
LAKELAND, TN 38002

EADEH BUSH COMPANY LLC
12 DRIFTWOOD DR
KEY WEST, FL 33040

EADEH BUSH COMPANY LLC
12 DRIFTWOOD DR
KEY WEST, FL 33040

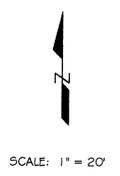
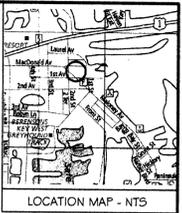
BOYDS CAMPGROUND LTD
6401 MALONEY AVE
KEY WEST, FL 33040

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

CONSOLIDATED ELECTRICAL
DISTRIBUTORS INC
31356 VIA COLINAS
WESTLAKE VILLAGE, CA 91362

SCARDINA VINCENT A
1107 KEY PLAZA STE 317
KEY WEST, FL 33040

CMT PROPERTY MGMT. LLC
2911 Staples Avenue
Key West, FL 33040



SURVEYOR'S NOTES:

BEARING BASE:
DERIVED FROM PLAT

ALL ANGLES DEPICTED ARE 90 DEGREES
UNLESS OTHERWISE INDICATED

ADDRESS:
6125 SECOND STREET
STOCK ISLAND, FL
33040

ELEVATIONS SHOWN AS X.XX REFER
TO NGVD29 VERTICAL DATUM

BENCHMARK USED: PID AA 1656
NGS DISK STAMPING: R 397 1988
ELEV.: , NGVD29

COMMUNITY NO.: 120168
MAP NO.: 12087C-1528K
MAP DATE: 02-18-05
FLOOD ZONE: AE
BASE ELEVATION: 9' ± 10'

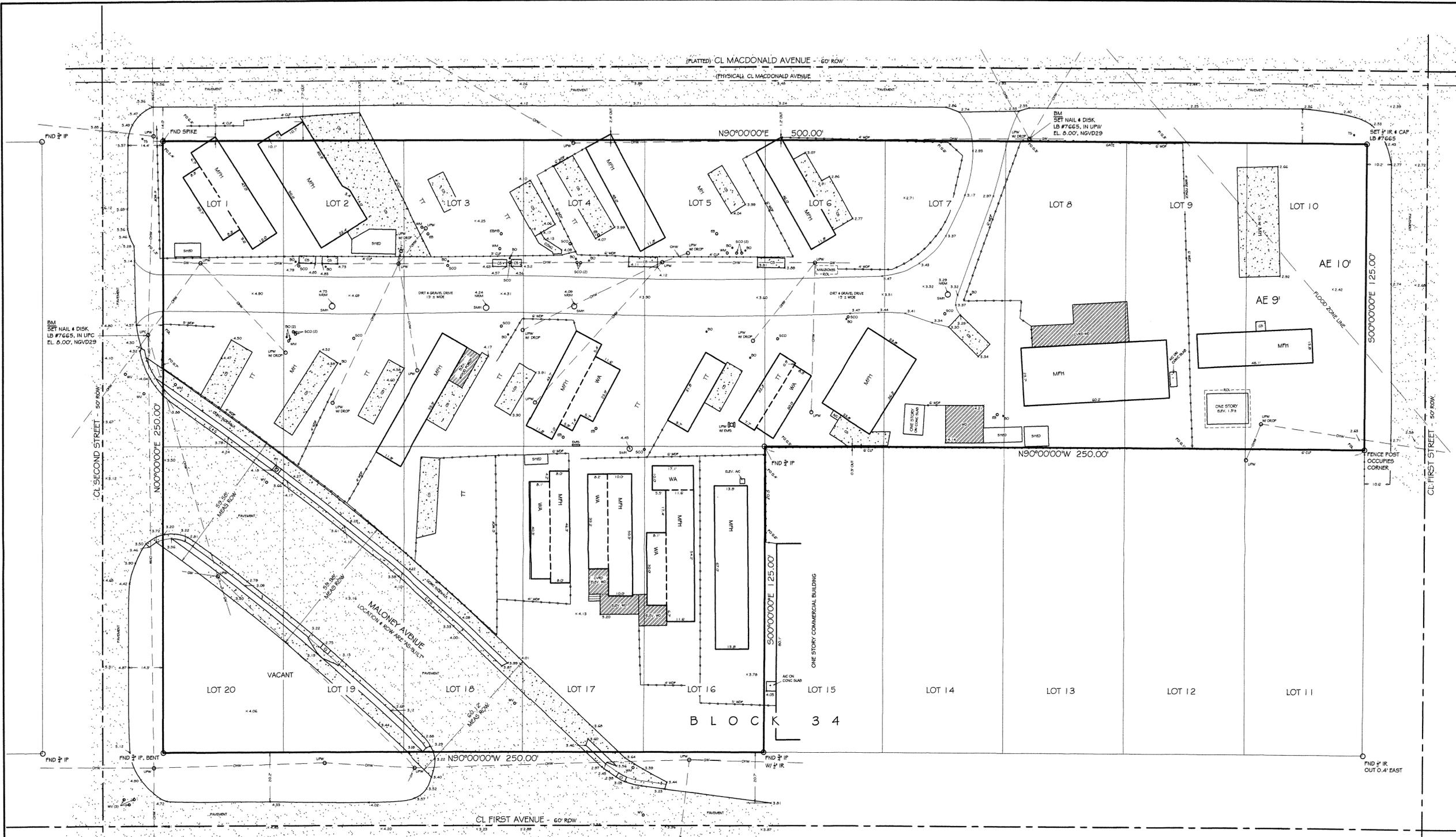
HORIZONTAL & VERTICAL MEASUREMENTS WERE
OBTAINED USING A TOTAL STATION & TDS RANGER
DATA COLLECTOR AND A DUAL FREQUENCY TOPCON
HYPER LITE II. THIS REAL TIME POSITIONING
EQUIPMENT DELIVERS ELEVATION ACCURATE TO
WITHIN ± 0.10 OF A FOOT.

LINEAR CLOSURE ACCURACY IS GREATER
THAN ONE FOOT IN 10,000 FEET.

A TITLE SEARCH WAS PERFORMED BY STONES &
CARDENAS, ATTORNEY AT LAW (221 SIMONTON
STREET, KEY WEST, FL 33040), TO OBTAIN ANY
OFFICIAL RECORDED DOCUMENTS DESCRIBING
THE RIGHT-OF-WAY OF MALONEY AVENUE.
MALONEY AVENUE ENCROACHES UPON LOTS
1, 17, 18, 19 & 20 AS SHOWN ON THIS MAP.
THE ONLY DOCUMENT FURNISHED THAT SHOWS
EVIDENCE OF MALONEY AVENUE IS A STATE OF
FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-
WAY MAP, SECTION 90550-2608.

EACH INDIVIDUAL TRAILER SITE HAS UTILITIES
CONNECTIONS. NOT ALL OF THESE CONNECTIONS
HAVE BEEN SHOWN ON THIS MAP.

SOME SITES HAVE STEPS OR SMALL DECKS FOR
ENTRY TO TRAILERS. NOT ALL HAVE BEEN SHOWN
ON THIS MAP.



REVISED
MAR 17 2010
BY: 2010-034

**MAP OF BOUNDARY & TOPOGRAPHIC SURVEY
TROPICAL PALMS TRAILER PARK
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34
MacDonald's Plat of Stock Island**

LEGAL DESCRIPTION -

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19 and 20, Block 34, MacDonald's Plat of Stock Island, according to the Plat thereof as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

SCALE: 1" = 20'

FIELD WORK DATE: 02/08/10

REVISION: --

DATE: --

SHEET: 1 OF 1

DRAWN BY: JIM

CHECKED BY: RW

INVOICE NO.: 10012703

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE 5 HAS BEEN PROVIDED, MEETS THE PROVISIONS OF FLORIDA ENFORCEMENT FORM 3, SUBPARAGRAPH 1(B) (SETBACKS), 1 (BULK/ENCROACHMENTS), 4 (REMARKS/MENTS), SCHEDULE 10 HAS NOT BEEN PROVIDED.

NOT VALID WITHOUT THE SIGNATURE AND THE BOARD SEAL OF FLORIDA SURVEYOR AND MAPPER

R.E. Reece

ROBERT E. REECE, P.A. REGISTERED PROFESSIONAL SURVEYOR AND MAPPER, LICENSE # 17400

CERTIFIED TO -

Clarence L. Newman and Thomas G. Newman, as Trustees under the Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Clarence L. Newman
Thomas G. Newman and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G. Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the benefit of Thomas G. Newman
Clarence L. Newman and Thomas G. Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement dated August 24, 1993, for the benefit of Vivian C. Newman
Stones & Cardenas

R.E. REECE, P.A.
PROFESSIONAL SURVEYOR AND MAPPER

30364 QUAIL ROOST TRAIL, BIG PINE KEY, FL 33043
OFFICE (805) 872 - 1348
FAX (305) 872 - 5622

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

NOTE: MEASURED DIMENSIONS EQUAL PLATTED OR OBSERVED DIMENSIONS UNLESS INDICATED OTHERWISE. FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

<ul style="list-style-type: none"> BM = BENCH MARK CD = CONCRETE DRIVE CI = CONCRETE CURB CL = CONCRETE CURB & GUTTER CM = CONCRETE MASONRY CP = CONCRETE PAVEMENT CS = CONCRETE SLAB CSB = CONCRETE SIDEWALK CSG = CONCRETE SIDEWALK CSM = CONCRETE SIDEWALK CSN = CONCRETE SIDEWALK CSO = CONCRETE SIDEWALK CSR = CONCRETE SIDEWALK CSU = CONCRETE SIDEWALK CSV = CONCRETE SIDEWALK CSW = CONCRETE SIDEWALK CSX = CONCRETE SIDEWALK CSY = CONCRETE SIDEWALK CSZ = CONCRETE SIDEWALK 	<ul style="list-style-type: none"> FD = FENCE DRIVE FS = FENCE SIDE FSB = FENCE SIDE BOUNDARY FSI = FENCE SIDE INTERSECTION FSL = FENCE SIDE LINE FSM = FENCE SIDE MARK FSN = FENCE SIDE NAIL FSO = FENCE SIDE OFFSET FSR = FENCE SIDE RAIL FSU = FENCE SIDE UTILITY FSV = FENCE SIDE VALVE FSW = FENCE SIDE WALL FSX = FENCE SIDE X FSY = FENCE SIDE Y FSZ = FENCE SIDE Z 	<ul style="list-style-type: none"> PC = POINT OF COMPOUND CURVE PE = POINT OF ENTRY PI = POINT OF INTERSECTION PT = POINT OF TANGENT RA = RADIUS RC = RIGHT OF CURVE RL = RIGHT OF LINE RM = RIGHT OF MILE RO = RIGHT OF WAY RS = RIGHT OF SIDE RT = RIGHT OF TRAIL RU = RIGHT OF UTILITY RV = RIGHT OF VALVE RW = RIGHT OF WAY RY = RIGHT OF YARD RZ = RIGHT OF ZONE 	<ul style="list-style-type: none"> TP = TYPICAL UL = UTILITY LINE UP = UTILITY POINT UR = UTILITY RADIUS US = UTILITY SIDE UT = UTILITY TANGENT UV = UTILITY VALVE UW = UTILITY WALL UX = UTILITY X UY = UTILITY Y UZ = UTILITY Z
--	---	---	--



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: The Monroe County Planning Commission

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

From: Joseph Haberman, AICP, Principal Planner *L.*

Date: August 31, 2010

Subject: *Request for an Amendment to the Land Use District Map from Urban Residential Mobile Home-Limited (URM-L) to Urban Residential Mobile Home (URM), Newman Trust Property, aka Tropic Palms Trailer Park, 6125 Second Street, Stock Island, having real estate no. 00124560.000000*

Meeting: September 8, 2010

1
2 I REQUEST
3

4 A request for approval to amend the land use district designation from Urban Residential
5 Mobile Home- Limited (URM-L) to Urban Residential Mobile Home (URM).
6



Subject Property (outlined in blue) (2009)

1 Note: The applicant originally requested approval to amend the land use district designation
2 from URM-L to Urban Residential (UR). Upon review of this initial request, staff was
3 concerned that approval of such an application would result in the creation of several
4 nonconforming uses, as there are existing mobile homes on the site and mobile homes are not
5 permitted in the UR district. In addition, staff was concerned that the maximum net density
6 allowances for the UR district are higher than that allowed in the existing URM-L district.
7 Thus an amendment to UR could result in future applications for additional dwelling units on
8 the site; thereby increasing density on a property within NAS Key West's Air Installation
9 Compatible Use Zone (AICUZ). After discussing the application with the staff at the DRC
10 meeting on June 8, 2010, the applicant decided to modify the application to request a new
11 land use district designation of URM instead of UR. The amended application was
12 considered by staff at the DRC meeting on July 27, 2010.

13
14 Location:

15 Address: 6125 Second Street, Stock Island, mile marker 5 (ocean side)

16 Legal Description: Block 34, Lots 1-10 and 16-20, MacDonald's Plat, PB1-55

17 Real Estate (RE) Number: 00124560.000000

18
19
20 Applicant:

21 Owner: 57%-Clarence L. Newman and Thomas G. Newman, as Trustees under the
22 Clarence L. Newman Restated Revocable Trust Agreement dated August 24, 1993, for
23 the benefit of Clarence L. Newman / 40%-Clarence L. Newman and Thomas G.
24 Newman, as Trustees under the Vivian C. Newman Restated Revocable Trust Agreement
25 dates August 24, 1993, for the benefit of Vivian C. Newman / 3%-Thomas G. Newman
26 and Deborah L. Newman, Trustees, or their successors in trust, under the Thomas G.
27 Newman Living Trust, dated November 29, 2005, and any amendments thereto, for the
28 benefit of Thomas G. Newman

29 Agent: Adele V. Stones, Stones & Cardenas

30
31
32
33
34
35 **II RELEVANT PRIOR COUNTY ACTIONS**

36 The subject property was platted as part of the Maloney subdivision, recorded in plat book 1,
37 page 55.

38 Prior to the 1986 adoption of the county's current land development regulations and their
39 associated land use district maps, Lots 1-10 were within a RU-3 district (Multiple Family
40 Residence) and Lot 16-20 were within a BU-2 district (Medium Business).

41 In 1986, as part of a county-wide rezoning, the land use district designation of the subject
42 property was amended to Urban Residential Mobile Home (URM).

43 In 1996, the land use district of the subject property was amended to URM-L. This
44 amendment was memorialized in Ordinance No. 009-1996.

45 In 1997, the subject property was given a Future Land Use Map (FLUM) designation of
46 Residential High (RH) with the adoption of the future land use maps.

1
2 On February 21, 2008, Townsley Schwab, then Acting Senior Director of Planning &
3 Environmental Resources, provided a letter of development rights determination to the
4 applicant. The letter stated that 25 permanent residential units, in the form of mobile homes
5 and RVs, were lawfully established on the property and thereby may be rebuilt and exempt
6 from the Residential Rate of Growth Ordinance (ROGO) permit allocation system.
7

8 The application was heard at the DRC meeting on July 27, 2010.
9

10 **III BACKGROUND INFORMATION**
11

- 12 A. Size of Site: approx. 82,764 SF (1.90 acres)
- 13 B. Land Use District: URM-L
- 14 C. FLUM Designation: RH
- 15 D. Tier Designation: Tier 3
- 16 E. Flood Zone: Part AE – EL 9 and Part AE – EL 10
- 17 F. Existing Use: Mobile Home Park
- 18 G. Existing Vegetation / Habitat: Scarified, developed land
- 19 H. Community Character of Immediate Vicinity: Mixed Use: Commercial businesses along
20 the US 1 corridor and single-family residences and mobile homes along Maloney Avenue
- 21 I. 1977 AICUZ (recognized by county ordinance): Noise Zone 2
- 22 J. 2007 AICUZ: Noise Zone 2
23

24 **IV REVIEW OF APPLICATION**
25

- 26 A. *Consistency of the proposed amendment with the provisions and intent of the Monroe County*
27 *Year 2010 Comprehensive Plan:*
28

29 Staff has determined that the proposed map amendment is not inconsistent with the
30 provisions and intent of the Year 2010 Comprehensive Plan.
31

32 The applicant is not proposing an amendment to the FLUM designation of RH.
33

34 Policies from the 2010 Comprehensive Plan that directly pertain to the proposed amendment
35 include:
36

37 *Policy 101.4.4:* The principal purpose of the Residential High category is to provide for
38 high density single-family, multi-family, and institutional residential development,
39 including mobile homes and manufactured housing, located near employment centers. In
40 addition, Monroe County shall adopt Land Development Regulations which allow
41 nonresidential uses that were listed as a permitted use in the Land Development
42 Regulations that were in effect immediately prior to the institution of the 2010
43 Comprehensive Plan, and that lawfully existed on such lands on January 4, 1996 to
44 develop, redevelop, reestablish and/or substantially improve provided that the use is
45 limited in intensity, floor area, density and to the type of use that existed on January 4,
46 1996 or limited to what the pre-2010 LDR's allowed, whichever is more restricted.

1
2 *Policy 101.4.21:* Monroe County hereby adopts the following density and intensity
3 standards for the future land use categories, which are shown on the Future Land Use
4 Map and described in Policies 101.4.1 - 101.4.17:
5

Future Land Use Densities and Intensities			
Future Land Use Category And Corresponding Zoning	Allocated Density (per acre)	Maximum Net Density (per buildable acre)	Maximum Intensity (floor area ratio)
...			
Residential High (RH) (IS-D ^(e) , URM ^(e) , and UR ^(f) zoning)	approx. 3-16 du (1-2 du/lot) 10 rooms/spaces	12 du 20 rooms/spaces	0
Notes:			
...			
(b) The allocated densities for submerged lands, salt ponds, freshwater ponds, and mangroves shall be 0 and the maximum net densities bonuses shall not be available.			
...			
(e) The allocated density for IS-D and URM zoning shall be 2 and 1 dwelling units per lot, respectively and the maximum net density bonuses shall not be available.			
(f) The maximum net density for the UR district shall be 25 for units where all units are designated as affordable housing.			
...			
(i) The Maximum Net Density is the maximum density allowable with the use of TDRs.			

6
7 *Policy 101.7.2:* By January 4, 1998, Monroe County shall complete a community plan
8 for Stock Island which shall address redevelopment needs identified by the needs
9 assessment of potential redevelopment areas. Preparation and funding of this plan shall
10 be coordinated with the City of Key West.
11

12 *Policy 101.14.2:* Monroe County shall prohibit the placement of mobile homes within
13 the Coastal High Hazard Area (CHHA) except on an approved lot within an existing
14 mobile home park or subdivision zoned for such use.
15

16 *Policy 217.3.2:* Monroe County shall prohibit the construction of mobile homes within
17 the CHHA except on an approved lot within an existing mobile home park or subdivision
18 zoned for such use as of the effective date of this plan.
19

20 Staff has determined that the proposed map amendment is not inconsistent with the
21 provisions and intent of the Master Plan for the Future Development of Stock Island and Key
22 Haven.
23

24 Action Items from the Master Plan for the Future Development of Stock Island and Key
25 Haven that directly pertain to the proposed amendment include:
26

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

1
2 *Action Item 3.4.4: Identify and secure funding for the relocation of mobile home owners*
3 *and renters that may be displaced by mobile home park conversions.*
4

5 B. *Consistency of the proposed amendment with the provisions and intent of the Monroe County*
6 *Code, Land Development Code:*
7

8 In accordance with MCC §102-158(d)(5)b., the BOCC may consider the adoption of an
9 ordinance enacting the proposed change based on one or more of the following factors:
10

11 1. *Changed projections (e.g., regarding public service needs) from those on which the text*
12 *or boundary was based:*
13

14 Staff has not identified any changed projections from those on which the boundary was
15 based that would necessitate the amendment of the subject property's land use district
16 from URM-L to URM, nor has the applicant presented any information justifying this as
17 a factor for the proposed amendment.
18

19 2. *Changed assumptions (e.g., regarding demographic trends):*
20

21 Staff has not identified any changed assumptions that would necessitate the amendment
22 of the subject property's land use district from URM-L to URM, nor has the applicant
23 presented any information justifying this as a factor for the proposed amendment.
24

25 3. *Data errors, including errors in mapping, vegetative types and natural features described*
26 *in Volume 1 of the Year 2010 Comprehensive Plan:*
27

28 Staff has not identified any data errors that would necessitate the amendment of the
29 subject property's land use district from URM-L to URM, nor has the applicant presented
30 any information justifying this as a factor for the proposed amendment.
31

32 4. *New issues:*
33

34 In the application, the applicant asserts that there are several new issues that should be
35 considered to justify an amendment from URM-L. These issues relate to mobile home
36 construction being substandard and AICUZ noise zone considerations.
37

38 Staff has reviewed the applicant's justification. Mobile homes can be constructed in a
39 manner that is not substandard. The existing mobile homes on the subject property may
40 be of substandard or unsafe construction; however each lawful dwelling unit may be
41 replaced with a new mobile home that meets current codes.
42

43 In any event, staff does concur that a new issue has emerged since the subject property
44 was assigned the URM-L designation in 1996.
45

1 The URM-L district was created in 1996 in order to balance the needs of having both safe
2 and affordable housing. As mobile homes are generally sources of affordable housing,
3 the county sought to alleviate financial burdens imposed on mobile home owners having
4 to elevate in accordance with Federal Emergency Management Agency (FEMA)
5 requirements in order to receive federally-backed flood insurance. The need for the
6 creation and application of the URM-L district was explained in a letter from Diane Bair,
7 FEMA Coordinator, dated January 25, 1995 (see attached) that was sent to all property
8 owners who would be affected by a change from URM to URM-L (including the then
9 property owner of the subject property). The assignment of URM-L districts in 1996 was
10 sponsored by the county, not individual property owners.
11

12 Described in further detail in the aforementioned letter, in order to rectify a problem that
13 exists in the URM district, which allows both mobile homes and single-family homes of
14 conventional/modular construction, the URM-L district was established to allow “pure
15 mobile home parks and subdivisions” to replace mobile homes at 36” above grade or base
16 flood elevation, whichever is lower. However, in order to safely allow structures of 36”
17 elevation, single-family homes of conventional/modular construction were not included
18 as permitted uses in the URM-L district, as the lowest floors of these structures must be
19 elevated at or above the base flood elevation level.
20

21 Since 1996, there have been several storm events that have resulted in flooding, such as
22 Hurricane Wilma in 2005, that have led property owners to reconsider the advantages and
23 disadvantages of maintaining the URM-L designation. As such, several property owners
24 have applied for and received amendments to amend their land use district designation to
25 URM or other designations in order to regain the ability to build structures other than
26 mobile homes and/or construct above base flood elevation level.
27

28 In addition, since 1996, there have been changes in the cost of modular homes. As
29 modular homes have become more affordable, there is less financial benefit restricting
30 property owners to construct mobile homes elevated to only 36” as they can construct a
31 modular home elevated at or above base flood elevation at a reasonable cost.
32

33 5. *Recognition of a need for additional detail or comprehensiveness:*
34

35 Staff has not identified any recognition of a need for additional detail or
36 comprehensiveness that would necessitate the amendment of the subject property’s land
37 use district from URM-L to URM, nor has the applicant presented any information
38 justifying this as a factor for the proposed amendment.
39

40 6. *Data updates:*
41

42 In the application, the applicant asserts that the URM-L designation encourages poor
43 planning practice by allowing mobile homes to be replaced with an elevation below the
44 base flood elevation.
45

1 Although the URM-L district allows mobile homes at a lower elevation, staff has found
2 that this does not constitute poor planning in a comprehensive sense. The URM-L
3 district was established in order to allow and facilitate the continued existence of mobile
4 home parks, which serve as sources of affordable housing. In order to do so, allowing a
5 lower elevation was required as a compromise. Therefore, staff has not identified any
6 data updates that would necessitate the amendment of the subject property's land use
7 district from URM-L to URM.

8
9 ***Impact on Community Character:***

10
11 MCC §102-158 maintains that map amendments are not intended to relieve particular
12 hardships, nor to confer special privileges or rights on any person, nor to permit a change in
13 community character, as analyzed in the Year 2010 Comprehensive Plan, but only to make
14 necessary adjustments in light of changed conditions.

15
16 The community character of the area is derived of a mixture of uses, primarily residential and
17 commercial. As a result, the area is composed of several land use districts. Concerning the
18 immediate vicinity, to the north, across MacDonald Avenue is a UR district. To the
19 northwest, west, southwest and south, across 2nd Street, 1st Avenue and Maloney Avenue, is a
20 Mixed Use (MU) district. To the southeast, across 1st Street, is a Recreational Vehicle (RV)
21 district. To the east, across 1st Street, is a URM district.

22
23 A mobile home park existed on the site during its 1986 designation to URM and its 1996
24 designation to URM-L. The mobile home park continues to exist.

25
26 No "existing use" was changed in 1997 with the adoption of the future land use maps. The
27 future land use maps are associated with the Year 2010 Comprehensive Plan and are intended
28 to regulate future development and redevelopment to maintain the character of the
29 community and protect the natural resources by providing for the compatible distribution of
30 land uses. As a component of the comprehensive plan, which supersedes the land
31 development regulations, the FLUM designation of RH serves as a superseding map and does
32 not replace the land use district designation of URM-L.

33
34 There are several URM districts located in the immediate vicinity and throughout Stock
35 Island. Further, no existing use would be deemed a nonconforming use be virtue of an
36 amendment from URM-L to URM. Mobile homes are permitted uses in both districts.

37
38 ***Land Use District Purposes:***

39
40 MCC §130-50: The purpose of the URM-L district is to recognize the existence of parks and
41 subdivisions which consist exclusively, or almost exclusively, of mobile homes, but not to
42 create new such areas, in order to permit property owners in such areas to replace or establish
43 mobile homes below base flood elevation as authorized by certified federal regulations.

1 MCC §130-49: The purpose of the URM district is to recognize the existence of established
2 mobile home parks and subdivisions, but not to create new such areas, and to provide for
3 such areas to serve as a reservoir of affordable and moderate-cost housing in the county.
4

5 The existing development of the site would be consistent with the purpose of the URM
6 district. Further, the purpose of the URM district is consistent with the immediate vicinity.
7 As a note, although MCC §130-49 states that new URM areas should not be created, staff has
8 determined that the proposed map amendment would not create a new URM area. The area
9 is currently designated as a URM-L area, which is a form of URM area.
10

11 ***Land Use District Permitted Uses:***
12

13 (Different Uses between the URM-L and URM districts are in **bold**.)
14

15 §130-100. URM-L district

16 (a) The following uses are permitted as of right in the URM-L district:

- 17 (1) Mobile homes;
- 18 (2) Recreational vehicles, as provided in F.S. ch. 513;
- 19 (3) Home occupations (special use permit required);
- 20 (4) Accessory uses;
- 21 (5) Tourist housing uses, including vacation rental uses, are prohibited except in
22 gated communities that have: a) controlled access; and b) a homeowner's or
23 property owner's association that expressly regulates or manages vacation rental
24 uses;
- 25 (6) Collocations on existing antenna-supporting structures, pursuant to §146-5(3);
- 26 (7) Satellite earth stations less than two meters in diameter, as accessory uses,
27 pursuant to §146-5(6); and
- 28 (8) Wastewater nutrient reduction cluster systems that serve less than 10
29 residences.

30 (b) The following uses are permitted as minor conditional uses in the URM-L district,
31 subject to the standards and procedures set forth in chapter 110, article III:

- 32 (1) Replacement of an existing antenna-supporting structure pursuant to §146-
33 5(2);
- 34 (2) Stealth wireless communications facilities, as accessory uses, pursuant to
35 §146-5(5); and
- 36 (3) Satellite earth stations greater than or equal to two meters in diameter, as
37 accessory uses, pursuant to §146-5(6).

38 (c) The following uses are permitted as major conditional uses in the URM-L district
39 subject to the standards and procedures set forth in chapter 110, article III:

- 40 (1) Marinas, provided that: **a) the marina is primarily intended and designed to**
41 **serve the residents of the district in which it is located;** b) the parcel proposed
42 for development has access to water of at least 4' below mean sea level at mean
43 low tide; c) the sale of goods and services is limited to fuel, food, boating, diving
44 and sport fishing products; d) vessels docked or stored shall not be used for live-
45 aboard purposes; and e) all outside storage areas are screened from adjacent uses
46 by a solid fence, wall or hedge at least 6' in height;

1 (2) Commercial retail of low intensity of less than 2,500 SF of floor area,
2 provided that: a) the parcel of land on which the commercial retail use is to
3 be located abuts the right-of-way of US 1; b) the primary structure must be
4 located within 200' of the centerline of US 1; c) the commercial retail use
5 does not involve the sale of petroleum products; d) the commercial retail use
6 does not involve the outside storage of merchandise; e) there is no direct
7 access to US 1 from the parcel of land on which the commercial retail use is
8 to be located; f) the structure in which the commercial retail use is to be
9 located is separated from the US 1 right-of-way by a class-C bufferyard; g)
10 the structure in which the commercial retail use is to be located is separated
11 from any existing residential structure by a class-C bufferyard; and h) no
12 signage other than one identification sign of no more than 4 SF shall be
13 placed in any yard or on the wall of the structure in which the commercial
14 retail use is to be located except for the yard or wall that abuts the right-of-
15 way of US 1;

16 (3) Land use overlays A, E, INS, PF, BP, subject to the provisions of article
17 IV of this chapter.
18

19 §130-99. URM district.

20 (a) The following uses are permitted as of right in the URM district:

21 (1) Mobile homes;

22 (2) **Detached residential dwellings;**

23 (3) Recreational vehicles as provided in F.S. ch. 513;

24 (4) Home occupations (special use permit required);

25 (5) Accessory uses;

26 (6) Tourist housing uses, including vacation rental uses, are prohibited except in
27 gated communities that have: a) controlled access; and b) a homeowner's or
28 property owner's association that expressly regulates or manages vacation rental
29 uses;

30 (7) Collocations on existing antenna-supporting structures, pursuant to §146-5(3);

31 (8) Satellite earth stations less than two meters in diameter, as accessory uses,
32 pursuant to §146-5(6); and

33 (9) Wastewater nutrient reduction cluster systems that serve less than 10
34 residences.

35 (b) The following uses are permitted as minor conditional uses in the URM district,
36 subject to the standards and procedures set forth in chapter 110, article III:

37 (1) Replacement of an existing antenna-supporting structure pursuant to §146-
38 5(2);

39 (2) Stealth wireless communications facilities, as accessory uses, pursuant to
40 §146-5(5); and

41 (3) Satellite earth stations greater than or equal to two meters in diameter, as
42 accessory uses, pursuant to §146-5(6).

43 (c) The following uses are permitted as major conditional uses in the URM district,
44 subject to the standards and procedures set forth in chapter 110, article III:

45 (1) Marinas, provided that: a) the parcel proposed for development has access to
46 water at least 4' below mean sea level at mean low tide; b) the sale of goods and

1 services is limited to fuel, food, boating, diving and sport fishing products; c)
2 vessels docked or stored shall not be used for live-aboard purposes; and d) all
3 outside storage areas are screened from adjacent uses by a solid fence, wall or
4 hedge at least 6' in height; e) **each non-waterside perimeter setback of the**
5 **parcel proposed for development must have a class-C bufferyard within a**
6 **side yard setback of 10';**

7 **(2) Commercial retail of low and medium intensity and office uses or any**
8 **combination thereof of less than 2,500 SF of floor area, provided that: a) the**
9 **parcel of land on which the commercial retail use is to be located abuts the**
10 **right-of-way of US 1; b) the structure must be located within 200' of the**
11 **centerline of US 1; c) the commercial retail use does not involve the sale of**
12 **petroleum products; d) the commercial retail use does not involve the outside**
13 **storage or display of goods or merchandise; e) there is no direct access to US**
14 **1 from the parcel of land on which the commercial retail use is to be located;**
15 **f) the structure in which the commercial retail use is to be located is**
16 **separated from the US 1 right-of-way by a class-C bufferyard; g) the**
17 **structure in which the commercial retail use is to be located is separated**
18 **from any existing residential structure by a class-C bufferyard; and h) no**
19 **signage other than one identification sign of no more than 4 SF shall be**
20 **placed in any yard or on the wall of the structure in which the commercial**
21 **retail use is to be located except for the yard or wall that abuts the right-of-**
22 **way for US 1;**

23 **(3) Parks and community parks; and**

24 **(4) Land use overlays A, E, PF, subject to the provisions of article IV of this**
25 **chapter.**

26 **(d) The following lawfully established nonresidential uses in the URM district,**
27 **which were rendered nonconforming by the 2010 Comprehensive Plan, but listed as**
28 **permitted uses in the land development regulations that were in effect immediately**
29 **prior to the institution of the 2010 Comprehensive Plan (pre-2010 LDR's) and**
30 **lawfully existed on such lands on January 4, 1996, which are damaged or destroyed**
31 **may be permitted to be redeveloped, make substantial improvements, or be**
32 **reestablished as an amendment to a major conditional use, subject to the standards**
33 **and procedures set forth in chapter 110, article III:**

34 **(1) Marinas, provided that: a) the parcel has access to water at least 4' below**
35 **mean sea level at mean low tide; b) the sale of goods and services is limited to**
36 **fuel, food, boating, diving, and sport fishing producers; c) vessels docked or**
37 **stored shall not be used for live-aboard purposes; d) all outside storage areas**
38 **are screened from adjacent uses by a solid fence, wall or hedge at least 6' in**
39 **height; and e) the use is limited in intensity, floor area, density and to the**
40 **type of use that existed on January 4, 1996, or limited to the permitted uses**
41 **and/or the provisions for minor or major conditional uses allowed in the pre-**
42 **1996 LDR's for this district, whichever is more restrictive;**

43 **(2) Commercial retail of low and medium intensity or office uses or any**
44 **combination thereof of less than 2,500 SF of floor area, provided that: a) the**
45 **parcel of land on which the commercial retail use is to be located abuts the**
46 **right-of-way of US 1, or a dedicated right-of-way to serve as a frontage road**

for US 1; b) the commercial retail use does not involve the sale of petroleum products; c) the commercial retail use does not involve the outside storage or display of goods or merchandise with the exception that outside sales and display for nurseries may be permitted with the stipulation that required open space and required bufferyards may not be used for display and sales; d) the structure in which the commercial retail use is to be located is separated from the US 1 right-of-way by a class-C bufferyard; e) the structure in which the commercial retail use is to be located is separated from any existing residential structure by a class-C bufferyard; f) no signage other than one identification sign of no more than 4 SF shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way for US 1; and g) the use is limited in intensity, floor area, density and to the type of use that existed on January 4, 1996, or limited to the permitted uses and/or the provisions for minor or major conditional uses allowed in the pre-1996 LDR's for this district, whichever is more restrictive.

Land Use Intensities:

Although both URM-L and URM have the same RH future land use category, the districts allow for different uses at different land use intensities. These different uses and intensities both fall under the umbrella of the RH allowances.

As a note, Policy 101.4.23 states that notwithstanding the density limitations set forth in Policy 101.4.21, land upon which a legally-established residential dwelling unit exists shall be entitled to a density of one dwelling unit per each such unit. Such legally-established dwelling unit shall not be considered as non-conforming as to the density provisions of policy 101.4.21 and the Monroe County Code. Therefore, the density of the existing 25 lawfully established mobile homes is considered conforming regardless of the following calculations.

MCC §130-157. Maximum residential density and district open space			
Land Use District	Allocated Density (units/acre)	Maximum Net Density (units/buildable acre)	Open Space Ratio
URM-L (platted)	1/lot	0	0.2
URM-L (mobile home park per 101-1)	5	7	0.2
URM (platted)	1/lot	0	0.2
URM (mobile home park per §101-1)	5	7	0.2

The total land area was not provided on the boundary survey. Due to the fact that Lots 1, 17, 18, 19, 20 is transected by the right of way of Maloney Avenue, it results in a small non-contiguous area of parts of Lots 19 and 20. This affects the land use intensity calculations.

Preliminarily, staff determined the following:

URM-L Land Use	Max Net Density (units/buildable acre)	Size of Site (upland)	Max Allowed	Existing	Potential Used
Mobile homes	7	1.90 acres (1.52 buildable acres)	10.6 units	25 units	235 %
URM-L Land Use	Max Net Density	Size of Site (upland)	Max Allowed	Existing	Potential Used
Mobile homes	7	1.52 buildable acres	10.6 units	25 units	235 %

1
2 The residential density allowances of MCC §130-157 yield the same density; therefore the
3 amendment would not result in any change in the maximum number of permanent dwelling
4 units allowed.
5

MCC §130-162. Maximum Hotel-Motel, Recreational Vehicle and Institutional Residential Densities			
Land Use District	Allocated Density (units/acre)	Maximum Net Density (units/buildable acre)	Open Space Ratio
URM-L (recreational rental)	5	7	0.2
URM-L (hotel)	10	15	0.0
URM-L (institutional residential)	5	20	0.0
URM-L (recreational rental)	10	10	0.0
URM (recreational rental)	5	7	0.2

6
7 As a note, there are hotel and institutional residential density allowances in the URM-L
8 district. Staff has found this is an error in that hotel and institutional uses are not permitted
9 uses in the URM-L district. Residential density allowances for unpermitted uses are moot.
10 In addition, there are two differing density provisions for recreational rental. The most
11 restrictive generally applies.
12

13 Again, the total land area was not provided on the boundary survey. This affects the land use
14 intensity calculations.
15

16 Preliminarily, staff determined the following:
17

URM-L Land Use	Max Net Density (units/buildable acre)	Size of Site (upland)	Max Allowed	Existing	Potential Used
Recreational rental	7	1.52 buildable acres	10.6 spaces	0	0%
Hotel	15	1.52 buildable acres	22.8 rooms	0	0%
Institutional residential	20	1.52 buildable acres	30.4 units	0	0%
Recreational rental	10	1.52 buildable acres	15.2 spaces	0	0%
URM Land Use	Max Net Density	Size of Site (upland)	Max Allowed	Existing	Potential Used
Recreational rental	7	1.52 buildable acres	10.6 spaces	0	0%
Hotel	Not permitted	1.52 buildable acres	0	0	0%
Institutional residential	Not permitted	1.52 buildable acres	0	0	0%
Recreational rental	Not permitted	1.52 buildable acres	0	0	0%

1
2 In terms of recreational rentals (RV spaces), the residential density allowances of §130-162
3 yield the same density; therefore the amendment would not result in any change in the
4 maximum number of transient dwelling units allowed. Note: the URM-L district has
5 duplicative recreational rental density allowances; however staff applied the most restrictive.
6

7 It should be noted that the URM-L district has density allowances for hotel and institutional
8 uses. Staff has determined these density allowances are in error as they conflict with the
9 permitted uses provisions. However, if the permitted uses provisions of the URM-L district
10 are amended to allow these uses, this amendment would reduce the maximum number of
11 transient dwelling units permitted as there are no density provisions for such uses in the
12 URM district.
13

14 Pursuant to MCC §130-164, there are no floor area ratios assigned to nonresidential uses in
15 either the URM-L or URM districts. Where commercial uses are allowed as permitted uses,
16 and no FAR is given, the maximum per lot states in MCC Chapter 130, Article III shall
17 prevail. As such, the nonresidential land use intensity allowances of §130-164 yield the same
18 density; therefore the amendment would not result in any change in the maximum amount of
19 nonresidential floor area allowed.
20

21 ***Impact on Public Facilities:***
22

23 The site is currently developed with 25 lawfully established mobile homes. Since such
24 legally-established dwelling units shall not be considered as non-conforming to the density
25 provisions, the site may be redeveloped with up to 25 dwelling units. These 25 dwelling
26 units already impact public facilities and their replacement should not result in any
27 significant further impact. In addition, additional dwelling units would not be permitted due
28 to the density and land use intensity provisions of the URM district. As nonresidential floor
29 area has never existed on the site and the site does meet the criteria for new nonresidential
30 floor area in URM district, nonresidential floor area would not be permitted. Therefore, the
31 amendment would not further impact public facilities.
32

33 **V RECOMMENDATION**
34

35 Staff recommends APPROVAL to the Planning Commission and Board of County
36 Commissioners.
37

38 **VI PLANS REVIEWED:**
39

40 A. Boundary Survey by R.E. Reece, P.A., dated February 9, 2010



BOARD OF COUNTY COMMISSIONERS

MAYOR, Jack London, District 2
Mayor Pro Tem, A Earl Cheal, District 4
Wilhelmina Harvey, District 1
Shirley Freeman, District 3
Mary Kay Reich, District 5



January 25, 1995

Clarence L. & Vivian C. Newman
Trustees
The Clarence Newman Rev Trust
215 SE 1st Terrace
Dania, FL 33004

RE: Rolf's Trailer Park

SUBJECT: Map Amendment from (URM) Urban Residential Mobile Home
to (URM-L) Urban Residential Mobile Home Limited

Gentlemen:

On October 1, 1986 The Federal Emergency Management Agency printed a final rule in the Federal Register which amended 44 CFR provision 60.3(c)(6) and required that all manufactured homes be placed or substantially improved in accordance with the elevation requirements of the zone. This rule was suspended by a notice published in the Federal Register on June 30, 1987 and this suspension extended through October 31, 1989. On May 19, 1989 FEMA published for comment a proposed rule which would revise NFIP Floodplain Management criteria on placement and substantial improvements of manufactured homes on sites in existing manufactured home parks and subdivision.

Prior to developing this proposed rule, FEMA reviewed the comments submitted, and conducted further research into the impacts of flooding on existing manufactured home parks and subdivisions, and developed a report for Congress entitled "National Flood Insurance Program: Report on Existing Manufactured Home Parks and Subdivisions". The report concluded that there were alternatives to the October 1986 rule revision that would reduce the economic impacts on the owners and residents of existing manufactured home parks and subdivisions, yet still achieve the NFIP objectives of reducing flood damages and threats to public safety.

The rule represented a compromise that was intended to minimize adverse economic impacts on the manufactured home community while at the same time substantially achieving the NFIP objectives of reducing loss of life and property. The rule which was developed was basically "grandfathering" in existing pure mo-



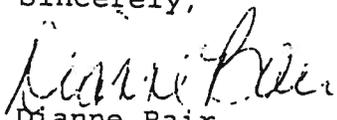
bile home parks and subdivisions. It allows for the placement and replacement of mobile homes within pure parks at 36 inches above grade or base flood elevation, whichever is lower.

Monroe County encountered a problem in that the (URM) Urban Residential Mobile Home District provides for the placement of mobile homes or the construction of single family homes. This was directly in conflict with the FEMA rule on pure manufactured home parks and the 36" provision. If the intrusion of single family homes is to be allowed in manufactured home parks, then manufactured homes as well as single family homes will be required to be built to or above the base flood elevation. One of Monroe County's commitments to FEMA was to do a study identifying all manufactured home parks, and to begin land use designation changes that would prohibit single family home intrusion into "substantially pure" manufactured home parks.

In order to utilize the 36" provision for existing manufactured home parks and promote continued affordability within mobile home districts, and in keeping with the County's commitment to FEMA, a text amendment providing for (URM-L) Urban Residential Mobile Home Limited was added to the Monroe County Code. This designation limits the district to Mobile Homes and Recreational Vehicles only, and allows replacement without meeting the base flood elevation. In districts remaining URM, where single family residences could replace a mobile home, all structures including mobile homes must meet or exceed base flood elevation.

The mobile home park you own has been identified as being a substantially pure park. This letter is to notify you that Monroe County is preparing a map amendment for your park changing the land use district from URM (Urban Residential Mobile Home) to URM-L (Urban Residential Mobile Home Limited) to protect your right to place and replace mobile homes within the park at 36" which is below the required base flood elevation. If you object to this change and want to maintain the right to replace mobile homes with single family homes, please notify me within 30 days of receipt of this letter. If you do not object in writing, we will continue to process this change and you will be notified as to the date of the hearing.

Sincerely,


Dianne Bair,
FEMA Coordinator