

## Agenda

PLANNING COMMISSION  
MARATHON GOV'T CENTER  
MONROE COUNTY  
2798 OVERSEAS HIGHWAY  
MARATHON, FL  
June 10, 2009  
10:00 A.M.

### 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, Comp Plan Manager  
Kathy Grasser, Comprehensive Planner  
Joe Haberman, Principal Planner  
Steven Biel, Sr. Planner  
Debby Tedesco, Planning Commission Coordinator

### COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

### - SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

### - SWEARING OF COUNTY STAFF

### CHANGES TO THE AGENDA

-  
-

## MEETING

New Items:

### 1. A public hearing to consider and finalize Dwelling Unit Allocations

-  
A public hearing to consider and finalize the ranking of applications in the Dwelling Unit Allocation System for the January 14, 2009 through April 13, 2009 ROGO quarter. Building permits will be allocated for all unincorporated Monroe County.

[28083 SR PC 06.10.09.pdf](#)

2. Overseas Redevelopment Company, LLC, 5302 MacDonald Avenue, Stock Island, MM 5: A request for a one (1) year time extension to Minor Conditional Use Permit Development Order No. 02-07. The property is legally described as lots 1 through 20, Square 38, Maloney Subdivision (PB1-55), Stock Island, Monroe County, Florida having real estate numbers 00125350.000000 and 00125360.000000.

[29054 SR PC 06.10.09.PDF](#)

3. Ciudadmar Investments Inc. Property, 97800 Overseas Highway, Tavernier, MM 97.8: A request for a one (1) year time extension to Minor Conditional Use Permit Resolution P17-07. The property is legally described as part lots 8 and 15, Island of Key Largo (PB1-59), Section 6, Township 62 South, Range 39 East, Monroe County, Florida having real estate numbers 00090810.000000, 00090820.000000, 00090840.000000, 00090840.000100 and 00090860.000000.

[29043 FILE.pdf](#)

[29043 SR PC 06.10.09.pdf](#)

4. Fisherman's Cove LLC, 104000 Overseas Highway (US 1), Key Largo, Mile Marker 104: A request for approval of a Sign Variance in order to have two (2) ground-mounted signs along the frontage on US 1. The subject property is legally described as a parcel of land lying in Section 11, Township 61 South, Range 39 East and part Lot 15, Baywood subdivision (PB1-102), Key Largo, Monroe County, Florida, having real estate number 00439720.000000.

[29030 File.pdf](#)

[29030 SR PC 06.10.09.pdf](#)

5. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE DEFINITION OF "ACCESSORY USES OR ACCESSORY STRUCTURES"; DEFINING "ADJACENT LAND" AND ELIMINATING "ADJACENT LANDOWNER" IN SECTION 101-1 OF THE MONROE COUNTY CODE; PERMITTING SOME ACCESSORY USES OR STRUCTURES ON ADJACENT NON-CONTIGUOUS LAND; PERMITTING DOCKING FACILITIES ON ADJACENT LAND UNDER CERTAIN CONDITIONS AND CREATING AN APPROVAL PROCESS; PROVIDING FOR A VARIANCE PROCESS TO DETERMINE ADJACENCY FOR CERTAIN ACCESSORY USES AND STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

[29010 SR PC 06.10.09.pdf](#)

6. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.6.6 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; AMENDING THE ROGO AND NROGO ADMINISTRATIVE RELIEF PROCEDURES BY PROHIBITING ALLOCATION AWARDS FOR LANDS LOCATED IN FLORIDA FOREVER ACQUISITION AREAS OR TIER 1 DESIGNATIONS UNDER CERTAIN CIRCUMSTANCES; REQUIRING MONROE COUNTY TO NOTIFY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF UPCOMING ADMINISTRATIVE RELIEF REQUESTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; DIRECTING THE PLANNING DIRECTOR TO FORWARD A COPY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; PROVIDING FOR THE INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE

[29038 Ordinance Draft 2008.pdf](#)

7. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.4.20 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; DISCOURAGING FUTURE LAND USE MAP CHANGES WHICH INCREASE DENSITY/INTENSITY; REQUIRING MONROE COUNTY TO COMPLETE A YEAR 2020 NEEDS ANALYSIS BASED ON PROJECTED GROWTH AND OTHER CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; DIRECTING THE PLANNING DIRECTOR TO FORWARD A COPY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; PROVIDING FOR THE INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

[29039 Ordinance Draft 2009.PDF](#)

8. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING POLICY 101.2.6 OF THE MONROE COUNTY 2010 COMPREHENSIVE PLAN REGARDING THE MORATORIUM FOR TRANSIENT UNIT ALLOCATIONS; PROVIDING FOR A SET ASIDE FOR TRANSIENT UNIT ALLOCATIONS WHEN CERTAIN OCCUPANCY RATES ARE EXCEEDED; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; DIRECTING THE PLANNING DIRECTOR TO FORWARD A COPY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR FILING WITH THE

SECRETARY OF STATE; PROVIDING FOR THE INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

[29040 SR PC 06.10.09.PDF](#)

BOARD DISCUSSION

-  
GROWTH MANAGEMENT COMMENTS

-  
RESOLUTIONS FOR SIGNATURE

ADJOURNMENT





## 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: June 3, 2009  
Subject: Residential Dwelling Unit Evaluation Report for Quarter 3, Year 17

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#### **Meeting Date: June 10, 2009**

1 This report has been prepared pursuant to Section 138.26 of the Land Development Regulations  
2 (LDRs). The proposed residential dwelling unit rankings attached to this report are for the first  
3 quarter of year seventeen which covers the period January 14, 2009, through April 13, 2009.  
4

#### **1) BACKGROUND INFORMATION:**

5  
6  
7 On June 23, 1992, the Monroe County Board of County Commissioners adopted Ordinance  
8 #016-92, thereby implementing the Residential Dwelling Unit Allocation System. The  
9 Ordinance became effective on July 13, 1992, and has been amended from time to time. On  
10 March 15, 2006, the Board of County Commissioners adopted Ordinance 009-2006 to implement  
11 the Tier System, and subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and  
12 Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary,  
13 Department of Community Affairs signed the final order deciding the challenge on September  
14 26, 2007.  
15

16 The Tier System, still a Rate of Growth Ordinance (ROGO), made changes such as sub-area  
17 boundary districts for allocation distribution, basis of scoring applications, and administrative  
18 relief.

19 Sub-districts are as follows: A) Lower Keys Sub-area (Lower and Middle Keys combined) and  
20 Upper Keys sub-area and B) Big Pine/No Name Key subareas remain the same.  
21

22 Therefore, background information is divided into the following categories of applications  
23 reviewed this quarter.  
24

1  
2  
3 **A. Lower & Upper Keys Sub-areas:**  
4

5

	<i>Market Rate</i>	<i>Affordable Housing</i>
* Lower Keys (Lower & Middle Keys)	145	0
**Upper Keys	270	0
***Upper Keys (Adm. Relief)	21	0
<u>Total:</u>	436	0

6  
7  
8  
9

10  
11  
12 \* 136 applications are rollovers or reapplications from previous quarters.

13 \*\* 261 applications are rollovers or reapplications from previous quarters.

14 \*\*\* 14 applications are rollovers or reapplications from previous quarters.  
15

16 **B. Big Pine/No Name Key Sub-area:**  
17

18 1) On June 23, 1992, the Monroe County Board of Commissioners adopted  
19 Ordinance 016-1992, thereby implementing the Residential Dwelling Unit  
20 Allocation System. The ordinance became effective on July 13, 1992 and has  
21 been amended from time to time.  
22

23 2) In 1998, the Florida Department of Transportation, Monroe County, the Florida  
24 Department of Community Affairs, the U.S. Fish and Wildlife Service and the  
25 Florida Fish and Wildlife Conservation Commission signed a Memorandum of  
26 Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and  
27 other protected species in the project area.  
28

29 3) The Livable Communikeys Program (LCP), Master Plan for Future Development  
30 of Big Pine Key and No Name Key was adopted on August 18, 2004 under  
31 Ordinance 029-2004. The LCP envisioned the issuance of 200 residential  
32 dwelling units over 20 year horizon at a rate of roughly 10 per year. A minimum  
33 of twenty percent of the 10 units per year are to be set aside for affordable housing  
34 development.  
35

36 4) On September 22, 2005, the Monroe County Board of Commissioners adopted  
37 Ordinance 025-2005 which revised the ROGO to utilize the Tier overlay as the  
38 basis for the competitive point system to implement goal 105 of the 2010  
39 Comprehensive Plan. The ordinance became effective on February 5, 2006.  
40

41 5) On June 9, 2006, the Federal Fish and Wildlife Permit was issued to 1) Monroe  
42 County, Growth Management Division, 2) Florida Department of Transportation,  
43 and 3) Florida Department of Community Affairs for Threatened and Endangered  
44 Species Incidental Take Permit (ITP) since the permittees have defined the  
45 geographic area covered by their HCP.  
46

1 6) Based on the revised 2010 Comprehensive Plan and the adopted Maps as part of  
2 the Master Plan for Big Pine Key and No Name Key, they are now evaluated as  
3 their own sub-area.

4  
5 7) Applications reviewed in this quarter:

	<i>Market Rate</i>	<i>Affordable Housing</i>
*Big Pine/No Name Key	46	0

6  
7  
8  
9 \* 46 applications are rollovers or reapplications from previous quarters.

10  
11  
12 8) The ITP requires the Permittees [1. Monroe County, Growth Management Division, 2.  
13 Florida Department of Transportation, and 3. Florida Department of Community Affairs] to  
14 ensure that the take of the covered species is minimized and mitigated. The  
15 Permittees are responsible for meeting the terms and conditions of the ITP and  
16 implementing the HCP. Pursuant to the LCP Action Item 9.2.4 the County will  
17 create a mitigation fee for new residences, non-residential floor area, and  
18 institutional uses in order to ensure that development bears its fair share of the  
19 required mitigation under the Federal ITP #TE083411-0. Therefore, staff is in the  
20 process of proposing a mitigation ordinance on Big Pine/No Name Key to present  
21 to the Planning Commission in the near future.

22  
23 9) On November 14, 2007, the Board of County Commissioners adopted Ordinance  
24 044-2007 deferring residential and non-residential allocations on Big Pine/No  
25 Name Key until a mitigation ordinance is adopted or for two months from  
26 December 1, 2007. Ordinance 044-2007 has expired.

27  
28 10) On May 6, 2008, the Planning Commission made a recommendation not to  
29 approve the Big Pine/No Name Key Mitigation Ordinance and forwarded their  
30 recommendation to the Board of County Commissioners for review.

31  
32 11) On August 20, 2008, the Growth Management Division withdrew the proposed  
33 Big Pine / No Name Key Mitigation Ordinance from the Board of County  
34 Commissioners' agenda. The Growth Management Division is exploring the  
35 concept of regulatory conservation to meet or exceed the 3:1 mitigation required  
36 by the Incidental Take Permit.

37  
38 **II) ALLOCATION AWARDS AVAILABLE IN THE FOLLOWING QUARTERS:**

- 39  
40 A. Pursuant to Section 138-24 the number of annual allocations available is 197.  
41  
42 B. Section 138-24(c) allows any unused portion of affordable housing allocations to be  
43 retained and rolled over into the next dwelling unit allocation year.  
44

- 1 C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing  
 2 proportions during any ROGO quarter.  
 3  
 4 D. Section 138-27(g) limits administrative relief allocations per quarter. The number of  
 5 allocations that may be awarded under administrative relief in any subarea quarter shall  
 6 be no more than fifty percent (50%) of the total available market rate allocations.  
 7  
 8 E. Section 138-24(a)(6) limits on the number of allocation awards in Tier I are established.  
 9 Except on Big Pine Key and No Name Key, the annual number of allocation awards in  
 10 Tier I shall be limited to no more than three (3) in the Upper Keys and three (3) in the  
 11 Lower Keys.  
 12  
 13 F. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as  
 14 provided for in this division, an allocation award shall expire when its corresponding  
 15 building permit is not picked up after sixty (60) days of notification by certified mail of  
 16 the award or, after issuance of the building permit.

17  
 18 Monroe County Code Section 138.26(a) adjustment of residential ROGO allocations  
 19 allows for the additions of expired allocations and permits.  
 20

21 Monroe County has received Market Rate allocations from several Development  
 22 Agreements which are specified below. The table below reflects the allocations received  
 23 by the County.  
 24

Document Title	Recorded Bk Pg	additional notes	Market Rate Exemption Transfer	Transient Exemption Transfer	Area
Assignment, Transfer and Donation (Ocean Sunrise)	BK 2384, Pg 400	Reso 493-2007	2	8	Upper
Development Agreement Between BOCC & Northstar Resorts Enterprises	BK 2352, Pg 2310		47	0	Upper
Development Order 02-07 (Flaggler aka Overseas) (380 Agreement)	Bk 2300, Pg 700		31	0	Lower
			80	8	

25  
 26 All the Development Agreements were sent to the Department of Community of Affairs  
 27 (DCA) and no objection was received from DCA regarding the market rate allocations  
 28 given to Monroe County.  
 29

30 Monroe County Section 138-24 allows a total of 197 allocations per year (126 Market  
 31 Rate and 71 Affordable Housing). Therefore, based on allotted allocations per year,  
 32 expired allocation awards/permits, and Development Agreements there is an overall total  
 33 of 227 Market Rate allocations available in ROGO Year 17 (see table below).  
 34

## Year 17 Allocation Allotment Breakdown

Area	M CC allotment by subarea	Expired Allocations ***	Expired Permits ***	Allocations from Agreements	New Allocation Total for Year 17	Qtr 1	Qtr 2	Qtr 3	Qtr 4
<b>Market Rate:</b>									
<u>Lower Keys (Lower/Middle) Keys</u>	57	10	6	31	104	26	27	25	26
<u>Big Pine/No Name Keys</u>	8	0	0	0	8	2	2	2	2
<u>Upper Keys</u>	61	3	2	49	115	30	30	30	25
<u>Total:</u>	126	13	8	80	227	58	59	57	53
<b>Affordable Housing:</b>									
<u>Big Pine/No NameKeys</u>	0*	0	0	0	0*				
<u>Lower (Lower/Middle), Upper Keys</u>	32**	0	0	0	32**				

- \* The BOCC Resolution 0077-2008 reserved Affordable Housing allocations, therefore zero affordable allocations available this year.
- \*\* Under Development Agreement with Northstar 35 moderate affordable allocations were reserved leaving 32 affordable housing allocations.
- \*\*\* Expired allocation awards/permits are reclaimed allocations, because they were previously issued but now expired.

Therefore, the following allocations are available for the 3rd Quarter of Year 17.

Area	Total Rankings beginning of ROGO Year 17	Rollover Allocations	Rankings for Quarter 3 Year 17	Administrative Relief (Limited to 50% of available allocations in each quarter)
<b>Market Rate:</b>				
<u>Lower/Middle Keys</u>	104	0	25	0
<u>Big Pine/No Name Keys</u>	8	0	2	0
<u>Upper Keys</u>	115	0	30	21*
<u>Total:</u>	227	0	57	21*
<b>Affordable Housing:</b>				
<u>Big Pine/No NameKeys</u>	0			
<u>Lower, Middle, Upper Keys</u>	32**			

- Notes: \* Total Number Administrative Relief on list  
 \*\* The remaining affordable housing units are in the very low, low, & median category.

### III) 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 Lower (Lower/Middle), Upper Keys, and Big Pine/ No Name Key Sub-areas.

1 Based on the total points scored, each allocation was ranked by sub-area. If applications received  
2 identical scores, they were first ranked by date and time and further ranked based on the  
3 applicants with the fewest negative number of points on the same day. Please note that any  
4 excess allocations approved must be deducted from the next quarterly allocation period pursuant  
5 to Monroe County Code Section 138.26(e).  
6

7 **IV) RECOMMENDATIONS:**  
8

9 A. Market Rate Allocations Quarter 3 Year 17:  
10

11 The number of applications in the Lower Keys (Lower/Middle), Big Pine/No Name Keys, Upper  
12 Keys sub-areas was greater than the quarterly allocation awards available. Per Section  
13 138.26(b)(7) of the LDRs, the rankings that indicate which applications received sufficient points  
14 receive an allocation award. An additional page is attached which identifies the location of each  
15 proposed allocation by island and subdivision.  
16

17 The Market Rate applications that are within the quarterly allocations recommended for Quarter  
18 3 Year 17 approval are as follows:  
19

20 Lower (Lower/Middle) Keys: Applicants ranked 1 through 25;

21 Big Pine/No Name Keys: Applicants ranked 1 through 2 are recommended for approval based  
22 on mitigation available from Monroe County;

23 Upper Keys: Applicants ranked 1 through 15; and

24 Upper Keys Administrative Relief: Applicants ranked 1 through 15.  
25

26 B. Affordable Housing Allocations for the Lower (Lower/Middle) & Upper Keys Quarter 3  
27 Year 17:  
28

29 There are two affordable housing allocation categories: 1) very low, low, & median income and  
30 2) moderate income. Total affordable housing allocations available are thirty-two (32).  
31

32 There was zero (0) affordable housing applications submitted this quarter in the moderate income  
33 category and there were zero (0) affordable housing applications submitted this quarter in the  
34 very low, low & median income category.  
35

36 C. Affordable Housing Allocations for the Big Pine/No Name Keys Quarter 3 Year 17:  
37

38 There are two affordable housing allocation categories: 1) very low, low, & median income and  
39 2) moderate income. There are zero (0) affordable housing allocations due to reservations made  
40 by the Board of County Commissioners.  
41

42  
43 There were zero (0) affordable housing applications submitted this quarter in the moderate  
44 income category and there were zero (0) affordable housing applications submitted this quarter in  
45 the very low, low & median income category.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
LOWER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Tier	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	REF	Tier	Tier Pts	Lot Agg Pts Tier 2 or 3 ONLY Yr 14 & Pts	Land Use Pr 4 per lot	Flood Zone	BAT	First Four Years	Each Add Years	Total	
1	•	09201276	Boucher, Barton	13-Apr-09	12:10 PM	Duck	Duck Key Arnd. & Ext. Sec. A	3	00376490	000000	3	30	0	8	0	0	0	0	N/A	36
2	•	04105439	del Valle, Marcus	26-Feb-06	2:26 PM	Saddlebunch	Saddlebunch Shores	4	00159510	000000	3	30	0	0	0	0	0	0	N/A	34
3	•	05100478	Lowe, Ed	13-Feb-06	10:25 AM	Ramrod	Ramrod Shores Marina Sec	5	00210811	007100	3	30	0	0	0	0	0	0	0	33
4	•	08100286	German, Todd	13-Feb-06	1:56 PM	Cudjoe	Arnd. Cudjoe Ocean Shores Sec. 2A	9	00188884	001500	3	30	0	0	0	0	0	0	0	33
5	•	05106501	Amburs, et al	14-Feb-06	8:45 AM	Sugarloaf	Indian Mound Estates	13	00170630	000000	3	30	0	0	0	0	0	0	0	33
6	•	05109642	Amburs, et al	14-Feb-06	8:50 AM	Sugarloaf	Indian Mound Estates	38	00170640	000000	3	30	0	0	0	0	0	0	0	33
7	•	05102214	Junclaus, David	15-Mar-06	10:43 AM	Ramrod	Breezeswept Beach Est.	6	00204170	000000	3	30	0	0	0	0	0	0	0	33
8	•	05105290	Sportswood, William	15-Mar-06	11:35 AM	Ramrod	Breezeswept Beach Est.	77	00201690	000000	3	30	0	0	0	0	0	0	0	33
9	•	04100195	Vasallo, Tiffany	15-Mar-04	12:35 PM	Cudjoe	Cuthroal Harbor Estates 1st Add.	2	00201690	000000	3	30	0	0	0	0	0	0	0	33
10	•	04100194	Devayo, Ritzero	15-Mar-04	12:40 PM	Cudjoe	Cuthroal Harbor Estates 1st Add.	4	00186270	000000	3	30	0	0	0	0	0	0	0	33
11	•	04105576	Lanave, Michael	20-Jul-06	11:00 AM	Little Torch	Cuthroal Harbor Est. 1st Add.	12	00185020	000000	3	30	0	0	0	0	0	0	0	32
12	•	06100672	Blue Water Cove LLC	20-Jul-06	11:00 AM	Little Torch	Cuthroal Harbor Est. 1st Add.	14	00185020	000000	3	30	0	0	0	0	0	0	0	32
13	•	82008886	A Weekend at Barnes	20-Jul-06	2:48 PM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	12	00220530	000000	3	30	0	0	0	0	0	0	0	32
14	•	06100775	Piscopink, Dennis	21-Jul-06	1:40 PM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	4	00379640	000000	3	30	0	0	0	0	0	0	0	32
15	•	06101377	Cisneros, Ed	24-Jul-06	9:00 AM	Sugarloaf	Center Island Sec. 2 Pl. 1 Toms Harbor	58	00164500	000000	3	30	0	0	0	0	0	0	0	32
16	•	06201131	Boca East Realty Inc.	24-Jul-06	11:20 AM	Duck	Sumnerland Key Cove Arnd.	3	00189530	000000	3	30	0	0	0	0	0	0	0	32
17	•	06201647	Boca East Realty Inc.	24-Jul-06	11:30 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	14	00382020	000000	3	30	0	0	0	0	0	0	0	32
18	•	06201646	Damiecki, Marcel	24-Jul-06	11:50 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	6	00381040	000000	3	30	0	0	0	0	0	0	0	32
19	•	06201643	Damiecki, Marcel	24-Jul-06	11:55 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	19	00382070	000000	3	30	0	0	0	0	0	0	0	32
20	•	06201642	Damiecki, Marcel	24-Jul-06	12:10 PM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	15	00382030	000000	3	30	0	0	0	0	0	0	0	32
21	•	05105277	Hock, David	25-Jul-06	8:30 AM	Ramrod	Breezeswept Beach Estates	7	00204180	000000	3	30	0	0	0	0	0	0	0	32
22	•	06200690	Kersh, Dan	25-Jul-06	11:45 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	35	00379610	000000	3	30	0	0	0	0	0	0	0	32
23	•	06100674	Harrison, Erik	25-Jul-06	12:44 PM	Sugarloaf	Center Island Sec. 2 Pl. 1 Toms Harbor	11	00169570	000000	3	30	0	0	0	0	0	0	0	32
24	•	06101955	Kruzick, George	28-Jul-06	1:22 PM	Big Coppitt	Indian Mounds Estates	28	00159870	000100	3	30	0	0	0	0	0	0	0	32
25	•	05202855	Llorante, Carlos	28-Jul-06	2:49 PM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	1	00081890	000000	3	30	0	0	0	0	0	0	0	32
26	•	06204574	Boca East Realty Inc	12-Sep-06	10:06 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	17	00380940	000000	3	30	0	0	0	0	0	0	0	32
27	•	06204521	Boca East Realty Inc	12-Sep-06	10:09 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	20	00380410	000000	3	30	0	0	0	0	0	0	0	32
28	•	06204555	Damiecki, Marcel	12-Sep-06	10:11 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	9	00379910	000000	3	30	0	0	0	0	0	0	0	32
29	•	06204557	Damiecki, James	12-Sep-06	10:43 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	17	00379630	000000	3	30	0	0	0	0	0	0	0	32
30	•	06100994	Gasser, Len	19-Sep-06	1:14 PM	Sumnerland	Sumnerland Key Garden	8	00300460	000000	3	30	0	0	0	0	0	0	0	32
31	•	06204571	Boca East Realty Inc.	21-Sep-06	11:02 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	11	00379920	000000	3	30	0	0	0	0	0	0	0	32
32	•	05106503	Brown, Ted	22-Sep-06	11:05 AM	Sugarloaf	Sugarloaf Shores Sec. F	42	00186978	004200	3	30	0	0	0	0	0	0	0	32
33	•	03102576	Pricton, Kimberly	22-Sep-06	2:31 PM	Ramrod	Breezeswept Beach Est.	23	00205820	000000	3	30	0	0	0	0	0	0	0	32
34	•	06105811	Schroeder, Doug	5-Oct-06	10:00 AM	Ramrod	Breezeswept Beach Est.	82	00201740	000000	3	30	0	0	0	0	0	0	0	32
35	•	05105820	Fingjan, Dale	6-Oct-06	10:20 AM	Ramrod	Ramrod Shores Marina Sec	24	00210811	007000	3	30	0	0	0	0	0	0	0	32
36	•	06204573	Boca East Realty	16-Oct-06	10:24 AM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	19	00380210	000000	3	30	0	0	0	0	0	0	0	32
37	•	05101967	Gerran, Andrew	9-Nov-06	12:30 PM	Ramrod	Breezeswept Beach Estates	31	00203070	000000	3	30	0	0	0	0	0	0	0	32
38	•	06105652	Gasser, Todd	28-Dec-06	3:45 PM	Sumnerland	Sumnerland Key Garden	9	002000470	000000	3	30	0	0	0	0	0	0	0	32
39	•	06106064	Rawls, Paul	29-Dec-06	10:17 AM	Cudjoe	Cudjoe Gardens	3	00172290	000000	3	30	0	0	0	0	0	0	0	32
40	•	06105774	Thompson, Barbara	4-Jan-07	10:05 AM	Cudjoe	Breezeswept Beach Estates	6	00205850	000000	3	30	0	0	0	0	0	0	0	32
41	•	06105353	Baker, Franklin	8-Jan-07	9:50 AM	Big Coppitt	Cudjoe Gardens 1st Add.	13	00174490	000000	3	30	0	0	0	0	0	0	0	32
42	•	06106229	Hernandez George	10-Jan-07	11:29 AM	Ramrod	Breezeswept Beach Estates	4	00151970	000000	3	30	0	0	0	0	0	0	0	32
43	•	05106627	Impallomeni, Steven	11-Jan-07	2:53 PM	Cudjoe	Cudjoe Gardens 4th Add.	9	00201860	000000	3	30	0	0	0	0	0	0	0	32
44	•	06105166	Eon, David	11-Jan-07	2:54 PM	Cudjoe	Cudjoe Gardens 4th Add.	4	00174631	000400	3	30	0	0	0	0	0	0	0	32
45	•	06105167	Toili, Lisa	12-Jan-07	9:23 AM	Little Torch	Jolly Roger Estates	15	00218050	000000	3	30	0	0	0	0	0	0	0	32
46	•	06101671	Weiler, William	12-Jan-07	10:46 AM	Ramrod	Breezeswept Beach Estates	19	00203420	000000	3	30	0	0	0	0	0	0	0	32
47	•	06105504	Shopek, Jeff	12-Jan-07	12:15 PM	Duck	Center Island Sec. 2 Pl. 1 Toms Harbor	11	00379920	000000	3	30	0	0	0	0	0	0	0	32
48	•	03200999	Herrig, Jean	12-Jan-07	10:39 AM	Ramrod	Breezeswept Beach Estates	10	00202850	000000	3	30	0	0	0	0	0	0	0	32
49	•	06105232	Moyart, John	16-Jan-07	10:39 AM	Ramrod	Breezeswept Beach Estates	9	00202850	000000	3	30	0	0	0	0	0	0	0	32

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
LOWER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Tier	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	Block #	Tier	Tier Pts	Lot Avg Pts Tier 2 or 3 ONLY	Land Ded P4 per lot	Flood Zone	BAT V	AWT	First Four Years	Each Add Years	Total	
50		051020257	Mullica, Scott	16-Jan-07	2:05 PM	Ramrod	Breezeswept Beach Estates	8	8	002030440 000000	3	30	0	0	0	0	0	1	0	32	
51		051041799	Showell, Paul	17-Jan-07	4:08 PM	Ramrod	Breezeswept Beach Estates	7	17	002050660 000000	3	30	0	0	0	0	0	2	0	32	
52		061098008	Hillpool, Ralph	1-Feb-07	2:06 PM	Ramrod	Ramrod Shores Marina Sec.	3	7	002108110 004900	3	30	0	0	0	0	0	2	0	32	
53		062026503	Bernmaza, Michael	2-Feb-07	9:05 AM	Duck	Center Island Sec 2 Pl 1 Toms Harbor	15	10	00381350 000000	3	30	0	0	0	0	0	2	0	32	
54		061096225	Almquist, Mark	2-Apr-07	8:46 AM	Cudjoe	Cuthroal Harbor Estates	26	21	00181140 000100	3	30	0	0	0	0	0	0	2	0	32
55		07100454	Sarna, Michael	11-Apr-07	9:00 AM	Cudjoe	Cudjoe Gardens	11	4	001172500 000000	3	30	0	0	0	0	0	0	2	0	32
56		06101467	Garcia, Tina	13-Apr-07	9:40 AM	Cudjoe	Johnsonville	2	2	00151410 000000	3	30	0	0	0	0	0	0	2	0	32
57		07100607	Goff, James	13-Apr-07	9:43 AM	Big Coppitt	Cuthroal Harbor Estates	13 & Pt 12	22	00181390 000000	3	30	0	0	0	0	0	0	2	0	32
58		062089871	Smyrnson, Jeff	23-May-07	10:30 AM	Duck	Center Island Sec 2 Pl 1 Toms Harbor	32	6	00379780 000000	3	30	0	0	0	0	0	1	0	32	
59		09104807	Cunningham, Michael	1-Jun-07	3:21 AM	Ramrod	Breezeswept Beach Estates	10	6	00202860 000000	3	30	0	0	0	0	0	0	1	0	31
60		05104648	Cunningham, Michael	1-Jun-07	3:20 PM	Ramrod	Breezeswept Beach Estates	11	6	00202870 000000	3	30	0	0	0	0	0	0	1	0	31
61		07101320	Meko, Ronald	20-Jun-07	2:28 PM	Ramrod	Breezeswept Beach Estates	12	8	00203480 000000	3	30	0	0	0	0	0	0	1	0	31
62		07201803	Porter, William	20-Jun-07	2:30 PM	Ramrod	Yacht Club Island Sec 4 Toms Harbor	131	1	00365440 000000	3	30	0	0	0	0	0	0	1	0	31
63		07101893	Garrido, Javier	22-Jun-07	9:14 AM	Duck	Yacht Club Island Sec 4 Toms Harbor	4	3	00156950 000000	3	30	0	0	0	0	0	0	1	0	31
64		07100619	Pirates Cove Properties	26-Jun-07	11:30 AM	Big Coppitt	Guilfest Park	4	3	00174550 000000	3	30	0	0	0	0	0	0	1	0	31
65		07101362	Jungblaus, David	26-Jun-07	11:30 AM	Cudjoe	Gardens 3rd Add.	3	14	00174550 000000	3	30	0	0	0	0	0	0	1	0	31
66		07101928	Flores, (Tristee)	19-Jul-07	3:40 PM	Ramrod	Breezeswept Beach Estates	60	2	00201520 000000	3	30	0	0	0	0	0	0	1	0	31
67		06205993	Vastano, Frank	31-Jul-07	2:30 PM	Duck	Center Island Sec 2 Toms Harbor	22	2	0020750 000000	3	30	0	0	0	0	0	0	1	0	31
68		07102635	Glub, Scott	14-Sep-07	9:00 AM	Ramrod	Mates Beach Plat #6	15	4	00376580 000000	3	30	0	0	0	0	0	0	1	0	31
69		07202399	Bar, David	2-Oct-07	10:00 AM	Duck	Breezeswept Beach Estates	1	2	00385530 000000	3	30	0	0	0	0	0	0	1	0	31
70		07101127	Salerno, Fred	9-Oct-07	9:15 AM	Shark Key	Yacht Club Island Sec. 4 Toms Harbor	1	5	00159252 007100	3	30	0	0	0	0	0	0	1	0	31
71		07100622	Pirates Cove Properties LLC	12-Oct-07	12:30 PM	Cudjoe	Shark Key Amd. & Rev.	1	14	00174550 000000	3	30	0	0	0	0	0	0	1	0	31
72		07102366	Gaster, Craig	19-Oct-07	2:17 PM	Summerland Key	Cudjoe Gardens 3rd Add.	1	14	00174550 000000	3	30	0	0	0	0	0	0	1	0	31
73		07104450	Cates, Craig	19-Oct-07	9:45 AM	Big Coppitt	Summerland Key Cove Amd.	1	6	00151720 000000	3	30	0	0	0	0	0	0	1	0	31
74		07104632	Rudolph, Douglas	14-Jan-08	12:20 PM	Ramrod Key	Johnsonville	7	9	002108110 005200	3	30	0	0	0	0	0	0	1	0	31
75		07104920	Hernandez, George	14-Jan-08	4:09 PM	Big Coppitt	Johnsonville	6	5	00152070 000000	3	30	0	0	0	0	0	0	1	0	31
76		05101778	Hay, Terry	7-Mar-08	10:50 AM	Little Torch	Jolly Roger Estates	12	15	00217170 000000	3	30	0	0	0	0	0	0	1	0	31
77		07101590	Lindholm, Einar	20-Mar-08	09:30 AM	Cudjoe	Cuthroal Harbor Estates 1st Add.	16	6	00184630 000000	3	30	0	0	0	0	0	0	1	0	31
78		04101353	Olsen, Brent	12-Jul-04	9:30 AM	Cudjoe	Cuthroal Harbor Estates #1	15	17	00186580 000000	3	30	0	0	0	0	0	0	1	0	31
79		04103405	Thommes, Brooks	25-Aug-04	2:09 PM	Cudjoe	Ramrod Shores 3rd Add.	22	17	00158400 000207	3	30	0	0	0	0	0	0	1	0	30
80		05100100	Guerez, Oreste	15-Mar-05	2:25 PM	Cudjoe Key	Ramrod Shores 3rd Add.	23	3	00209971 002300	3	30	0	0	0	0	0	0	1	0	30
81		04105282	Natek, Wolfgang	8-Apr-05	1:51 PM	Ramrod	Jolly Rogers Estates	8	18	00186977 002000	3	30	0	0	0	0	0	0	1	0	30
82		05104647	Gardner, Larry	12-Jun-08	9:15 AM	Ramrod	Orcid Park	20	4	00187980 000000	3	30	0	0	0	0	0	0	1	0	30
83		07103449	Grooms, Todd	23-Jun-08	12:01 PM	Sugarloaf	Breezeswept Beach Estates	11	8	00203470 000000	3	30	0	0	0	0	0	0	1	0	30
84		08101784	Brookhart Properties	29-Jul-08	11:23 AM	Ramrod	Cudjoe Ocean Shores	15	4	00187980 000000	3	30	0	0	0	0	0	0	1	0	30
85		05100215	Lombard, Mike	13-Aug-08	9:10 AM	Sugarloaf	Breezeswept Beach Estates	30	8	00166120 000000	3	30	0	0	0	0	0	0	1	0	30
86		05104806	Gamboni, Richard	27-Aug-08	8:29 AM	Ramrod	Breezeswept Beach Estates	31	3	00202680 000000	3	30	0	0	0	0	0	0	1	0	30
87		08102415	Bowden, Michael	18-Sep-08	2:56 PM	Ramrod	Breezeswept Beach Estates	7	3	00205977 001900	3	30	0	0	0	0	0	0	1	0	30
88		04105782	Rohdeusch, Judy	28-Sep-08	9:50 AM	Ramrod	Breezeswept Beach Estates	3	3	00210440 000000	3	30	0	0	0	0	0	0	1	0	30
89		04104632	Zydek, Frederick	18-Sep-08	11:15 AM	Ramrod	Breezeswept Beach Estates	19	1	00203450 000000	3	30	0	0	0	0	0	0	1	0	30
90		08103032	Parkinson, Dean	4-Nov-08	11:20 AM	Ramrod	Breezeswept Beach Estates	3	3	00203450 000000	3	30	0	0	0	0	0	0	1	0	30
91		08103031	Parkinson, Dean	5-Nov-08	9:19 AM	Ramrod	Breezeswept Beach Estates	8	8	00196640 000000	3	30	0	0	0	0	0	0	1	0	30
92		08103981	Gauldy, Ralph	15-Dec-08	3:05 PM	Summerland	Snug Harbor Add. #1	21	6	00161130 000000	3	30	0	0	0	0	0	0	1	0	30
93		08103503	DeMarrto, Brian	18-Dec-08	1:45 PM	Sugarloaf	Bay Point Amd.	34	3	00164700 000000	3	30	0	0	0	0	0	0	1	0	30
94		08100579	Meikul, Shomo	18-Dec-08	3:10 PM	Sugarloaf	Ramrod Shores Sec. D	78	3	00209810 000000	3	30	0	0	0	0	0	0	1	0	30
95		08102694	First St. Bank of Ft Keys	22-Dec-08	12:20 PM	Little Torch	Ramrod Shores 2nd Add.	69	3	00214481 003800	3	30	0	0	0	0	0	0	1	0	30
96		08101298	Vallieo, Arturo	22-Dec-08	10:49 AM	Big Coppitt	Coal Shores Est. Mobile Homes Sec. 1	16	4	00150000 000000	3	30	0	0	0	0	0	0	1	0	30
97		08103049	Hernandez, Nestor	5-Feb-09	10:49 AM	Big Coppitt	Coppitt Sub. Amd.	16	4	00150000 000000	3	30	0	0	0	0	0	0	1	0	30
98		08103049	Hernandez, Nestor	5-Feb-09	10:49 AM	Big Coppitt	Coppitt Sub. Amd.	16	4	00150000 000000	3	30	0	0	0	0	0	0	1	0	30
99		08103049	Hernandez, Nestor	5-Feb-09	10:49 AM	Big Coppitt	Coppitt Sub. Amd.	16	4	00150000 000000	3	30	0	0	0	0	0	0	1	0	30
100		08103049	Hernandez, Nestor	5-Feb-09	10:49 AM	Big Coppitt	Coppitt Sub. Amd.	16	4	00150000 000000	3	30	0	0	0	0	0	0	1	0	30

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
LOWER KEYS -YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Permit #	Name	Date and Time of Application	Time Key	Subdivision	Lot	Block REF	Tier	Tier Pts	Lot Agg Pts Tier 2 of 3 ONLV ea. 4 Pts	Land Ded Pl 4 per lot	Flood Zone V	BAT/ AWT	First Four Years	Each Add Years	Total
101	08103414	Pedra, Alex	19-Feb-09	9:12 AM	Ramrod	7	00208620.000000	3	30	0	0	0	0	1	0	30
102	05102417	Sneed Jr., Robert	25-Feb-09	10:20 AM	Big Coppitt	13	10 00153230.000000	3	30	0	0	0	0	0	0	N/A
103	05102416	Sneed Jr., Robert	26-Feb-09	2:44 PM	Big Coppitt	13	10 00153230.000000	3	30	0	0	0	0	0	0	N/A
104	05102418	Sneed Jr., Robert	26-Feb-09	3:11 PM	Big Coppitt	14	10 00152300.000000	3	30	0	0	0	0	0	0	N/A
105	05101181	Davis, Priscilla	18-Apr-05	2:45 PM	Cudjoe	16	2 00173550.000000	3	30	0	0	0	0	0	0	N/A
106	05101373	Blak, Gary	10-Jun-05	1:45 PM	Cudjoe	5	16 00186280.000000	3	30	0	0	0	0	0	0	0
107	05101447	Burns, John	1-Jul-05	10:55 AM	Cudjoe	4 & 5	3 00188970.000100	3	30	0	0	0	0	0	0	0
108	05101969	Smith, Robert	7-Jul-05	10:00 AM	Shark Key	14	3 00159252.002900	3	30	0	0	0	0	0	0	0
109	05104656	Garcia Antonio	7-Jul-05	8:50 AM	Shark Key	18	10 00178920.000000	3	30	0	0	0	0	0	0	0
110	04103864	Haistand, Mark	18-Nov-05	12:27 PM	Cudjoe	1	16 00186810.000000	3	30	0	0	0	0	0	0	0
111	04103851	Smith, Lynn	13-Dec-05	11:30 AM	Cudjoe	1	11 00185330.000000	3	30	0	0	0	0	0	0	0
112	05106718	Hondru, Susan	26-Jun-06	1:53 PM	Cudjoe	1	10 00174310.000000	3	30	0	0	0	0	0	0	0
113	05103014	Wesson, Donald	8-Sep-06	10:45 AM	Cudjoe	5	12 00166440.000000	3	30	0	0	0	0	0	0	0
114	05100097	Martinez, Ignacio	2-Mar-06	10:20 AM	Ramrod	12	00185290.001200	3	30	0	0	0	0	0	0	0
115	06105708	Von Holzen, Jeffrey	2-Mar-06	3:00 AM	Shark Key	2	2 00159252.000900	3	30	0	0	0	0	0	0	0
116	06105484	Jacquette, Anthony	6-Mar-06	10:20 AM	Ramrod	12	00210110.000000	3	30	0	0	0	0	0	0	0
117	05104650	Hook, David	2-Mar-07	3:00 AM	Shark Key	1	00210110.000000	3	30	0	0	0	0	0	0	0
118	07100620	Phares Cove Properties	26-Jun-07	11:35 AM	Cudjoe	13	00174350.000000	3	30	0	0	0	0	0	0	0
119	04100624	Arnold, Aaron	9-Oct-07	12:00 PM	Sugarloaf	10	00185290.001200	3	30	0	0	0	0	0	0	0
120	05105291	Orlando, John	16-Jan-08	10:09 AM	Cudjoe	20	00172261.001902	3	30	0	0	0	0	0	0	0
121	07104678	Lantz, Edward	26-Feb-08	11:40 AM	Cudjoe	2	00174540.000000	3	30	0	0	0	0	0	0	0
122	03102598	Phares Cove Properties LLC	11-Jul-03	8:30 AM	Sugarloaf	1	00186890.000000	3	30	0	0	0	0	0	0	0
123	07102199	Cadden, James	13-Jun-08	9:45 AM	Cudjoe	2	00185800.000000	3	30	0	0	0	0	0	0	0
124	08106013	Gual, Enri	27-Oct-08	1:25 PM	Cudjoe	14	00186570.000400	3	30	0	0	0	0	0	0	0
125	07104219	Wardon, Donald	5-Nov-08	11:52 AM	Sugarloaf	64	4 00185540.000000	3	30	0	0	0	0	0	0	0
126	08102987	Hankel, Robert	5-Feb-09	2:42 PM	Sugarloaf	12	13 00185850.000000	3	30	0	0	0	0	0	0	0
127	07104153	Knoll, David	6-Apr-09	11:50 AM	Cudjoe	9	00185970.000000	3	30	0	0	0	0	0	0	0
128	08101596	Ed Lewis, LLC	29-Dec-05	11:40 AM	Ramrod	10	00210811.005600	3	30	0	0	0	0	0	0	0
129	04105722	Haney, Norman	15-Mar-06	1:40 AM	Ramrod	5	00210590.000000	3	30	0	0	0	0	0	0	0
130	05100427	Parkinson, Dean	6-Mar-07	12:10 PM	Sugarloaf	31	9 00171070.000000	3	30	0	0	0	0	0	0	0
131	08104835	Russell Jr., Harry	14-Oct-03	10:00 AM	Ramrod	32	N/A 00117080.000000	3-4	20	0	0	0	0	0	0	0
132	06104834	Russell Jr., Harry	28-Feb-04	11:10 AM	Ramrod	N/A	00114150.000000	10	10	0	0	0	0	0	0	0
133	03103861	Krause, Rudolph	28-Feb-04	11:15 AM	Ramrod	N/A	00114100.000200	10	10	0	0	0	0	0	0	0
134	03102388	Boundry, Ltd	15-Mar-05	11:45 AM	Big Torch Key	14	N/A 00114100.000300	1	10	0	0	0	0	0	0	0
135	05100528	Rotheubusch, Thomas	24-Feb-06	3:30 PM	Sumnerland	6	00243621.001400	1	10	0	0	0	0	0	0	0
136	05103901	Bargna, Fausto	26-Feb-04	11:05 AM	Ramrod	12	00243621.001200	1	10	0	0	0	0	0	0	0
137	06100465	Bargna, Joseph	12-Sep-06	2:00 PM	Big Torch	N/A	00114090.000000	1	10	0	0	0	0	0	0	0
138	03102384	Boundry, Ltd	4-Jan-07	10:57 AM	Big Torch	15	00243621.001500	1	10	0	0	0	0	0	0	0
139	06101084	Schwartz, John	19-Jun-07	11:09 AM	Ramrod	4	00210811.009500	1	10	0	0	0	0	0	0	0
140	06106183	Gais, David	9-Apr-08	2:39 PM	Sumnerland	12	00197520.000000	1	10	0	0	0	0	0	0	0
141	07101251	Parkinson, Dean	10-Jul-07	3:19 PM	Sugarloaf	2	00119450.000000	1	10	0	0	0	0	0	0	0
142	07101117	Barkoso, Sandra														
143	06100873	O'Brien, Christopher														
144																
145																

● Indicates a ranking subject to receive an annotation award  
 ● Indicates a ranking subject to Growth Management Division  
 ● Indicates a ranking that is subject to Building Permit Restriction  
 ● Applicants who have a PROCO application date of Oct. 29, 2007  
 for earlier are grandfathered for preferential points pursuant to zoning provision

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Tier	Permit #	Name	Date of Application	Date	Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agg Pts Tier 2 of 3 Pl 4 per lot	Land Dead Zone V	Flood Zone V	BAT/ AWT	First Years	Each Add Years	Total	
1		04304458	Mannix, John		25-Jan-06	12:40 PM	Largo	Key Largo Beach	22 & 23	3	00502010.000000	3	30	4	0	0	0	3	0	37	
2		05306287	CAS Group Inc.		8-Feb-06	10:50 AM	Largo	Key Largo Trailer Village 1st A/c	29	17	00462010.000000	3	30	0	0	0	0	3	0	37	
3		03305491	Giordano, Joseph		11-Feb-04	10:30 AM	Largo	Largo Sound Village	18	11	00476300.000000	3	30	0	0	0	0	4	0	37	
4		03305438	Giordano, Joseph		24-Feb-04	11:20 AM	Largo	South Creek Village	7	1	00466460.000000	3	30	0	0	0	0	4	0	36	
5		03304015	Burke, Joseph		16-Mar-04	11:20 AM	Largo	Sunset Point	14, Pt. L13	1	00490480.000000	3	30	0	0	0	0	4	0	36	
6		03309588	Piccoli, Frank		17-Mar-04	11:25 AM	Largo	Key Largo Sound Park	12	7	00471560.000000	3	30	0	0	0	0	4	0	36	
7		02301247	ADWMA Holdings		23-Mar-04	8:30 AM	Largo	Key Largo Ocean Shores Amd.	13	3	00486040.000000	3	30	0	0	0	0	4	0	36	
8		02301248	Schmitz, Theodore		6-Apr-04	11:45 AM	Largo	Largo Sound Village	9	17	00476210.000000	3	30	0	0	0	0	4	0	36	
9		04300582	Casolari, Bruno		12-Apr-04	12:25 PM	Largo	Pirates Cove 1st Add.	5	11	00496330.000000	3	30	0	0	0	0	4	0	36	
10		03305641	Marreno, Paul		13-Apr-04	2:30 PM	Largo	Buccanear Point Subdivision	16	5	00496131.013400	3	30	0	0	0	0	4	0	36	
11		04300089	Samar, Harriet		13-Apr-04	8:30 AM	Largo	Winston Waterways Amd.	2	2	00546390.000000	3	30	0	0	0	0	4	0	36	
12		04300270	Valet, Paul		13-Apr-04	8:40 AM	Largo	Sexton Cove Estates Resubd.	3	11	00532701.028800	3	30	0	0	0	0	4	0	36	
13		06300509	Miller, John		24-Jul-06	9:42 AM	Largo	Lake Surprise II	Units 29	N/A	00083740.000129	3	30	0	0	0	0	4	0	36	
14		06301181	Gonzalez, Roberto		25-Jul-06	11:30 AM	Largo	Key Largo Ocean Shores Amd	15	4	00496280.000000	3	30	0	0	0	0	4	0	36	
15		05306432	Durham, Keith		15-Aug-06	2:20 PM	Largo	Angiers Park	1 & 2	11	00552690.000000	3	30	0	0	0	0	2	0	36	
16		08306426	Wright, William		12-Apr-07	02:20 PM	Largo	Pamela Villa	9 & 10	3	00464630.000000	3	30	0	0	0	0	2	0	36	
17		07300573	Native Rental Properties		10-Jul-07	01:35 AM	Largo	South Creek Village	7 & 8	11	00468420.000000	3	30	0	0	0	0	2	0	36	
18		07300575	Native Rental Properties		10-Jul-07	01:50 AM	Largo	Key Largo Park Amd.	18	23	00526380.000000	3	30	0	0	0	0	4	0	35	
19		06300842	Essinger, John		13-Jul-07	12:35 PM	Largo	Key Largo Park Amd.	6	15	00526820.000000	3	30	0	0	0	0	4	0	35	
20		07301153	Bayview Development		15-Aug-07	11:13 AM	Largo	Lady Langson	15 & 17	1	00496660.000000	3	30	0	0	0	0	4	0	35	
21		07301662	Hunter, William		6-Sep-07	8:44 AM	Largo	Southcreek Village	16 & 17	10	00468530.000100	3	30	0	0	0	0	4	0	35	
22		07303722	Eon, David		21-Dec-07	10:07 AM	Largo	Holiday Homesites	6 & 7	7	00500660.000000	3	30	0	0	0	0	4	0	35	
23		02306407	Zell, Gerard		21-Mar-03	10:25 AM	Largo	Key Largo Ocean Shores Addit	3 & 4	14	00500690.000000	3	30	0	0	0	0	4	0	35	
24		03300360	Arboretum Co. Ltd		14-Apr-03	10:20 AM	Largo	Twin Lakes 2nd Addition	26	N/A	00551005.000200	3	30	0	0	0	0	4	0	34	
25		03301648	Moran, Mike		13-May-04	1:57 PM	Largo	Harris Ocean Park Estates 1st	543	N/A	00453475.015900	3	30	0	0	0	0	4	0	34	
26		04300085	Barnal, Clara		19-May-04	10:00 AM	Largo	Key Largo Ocean Shores Add	16	4	00474620.000000	3	30	0	0	0	0	4	0	34	
27		04301083	VonSeppem, III William		16-Jun-04	2:00 PM	Largo	Key Largo Beach	11	3	00500230.000000	3	30	0	0	0	0	4	0	34	
28		04302104	Cash, Jennifer		24-Jun-04	2:12 PM	Largo	Ocean Park Village	14	3	00445920.000000	3	30	0	0	0	0	4	0	34	
29		03305725	Eiras, Migeul		29-Jun-04	11:00 AM	Largo	Sunset Waterways	8	2	00529650.000000	3	30	0	0	0	0	4	0	34	
30		04302120	Serra, Jorge		9-Jul-04	1:30 PM	Largo	Raas Cude Canal	11	N/A	00463570.000000	3	30	0	0	0	0	4	0	34	
31		04302011	Harbour 99 Properties		13-Jul-04	11:30 AM	Largo	South Creek Village	5	13	00467360.000000	3	30	0	0	0	0	4	0	34	
32		04302546	Campbell, Craig		27-Jul-04	2:50 PM	Largo	Lake Surprise II A Condo	11	11	00083740.000111	3	30	0	0	0	0	4	0	34	
33		04303578	Norva, Leandro		7-Sep-04	9:30 AM	Largo	Cross Key Waterway Estates S	31	2	00466473.003900	3	30	0	0	0	0	4	0	34	
34		04300418	Parkinson, Dwan		8-Sep-04	9:25 AM	Largo	Harris Ocean Park Estates	3	3	00469136.009100	3	30	0	0	0	0	4	0	34	
35		04302176	Costa, Luis		22-Sep-04	11:20 AM	Largo	Key Largo Beach Addition	10	6	00507610.000000	3	30	0	0	0	0	4	0	34	
36		03305721	Nunez, Lazaro		7-Oct-04	9:00 AM	Largo	Lake Surprise Estates	11	6	00635180.000000	3	30	0	0	0	0	4	0	34	
37		04301640	McQuaid, Thomas		8-Oct-04	11:50 AM	Largo	Bluewater Trailer Village Sec. 4	41	1	00475890.000000	3	30	0	0	0	0	4	0	34	
38		04304335	Knudsen, Linda		26-Oct-04	10:25 AM	Largo	Largo Sound Village	10	2	00489136.009100	3	30	0	0	0	0	4	0	34	
39		04304336	Jelesma, Jack		26-Oct-04	12:10 AM	Largo	Ocean Isle Estates	8	00540370.000000	3	30	0	0	0	0	0	4	0	34	
40		04304463	Jelesma, Jack		26-Oct-04	12:15 AM	Largo	Pirates Cove 1st Addition	20	20	00495920.000000	3	30	0	0	0	0	4	0	34	
41		04304463	Fleming, Jarlene		3-Nov-04	02:05 PM	Largo	Pirates Cove 1st Addition	10	4	00467170.000000	3	30	0	0	0	0	4	0	34	
42		04304167	Ancheba, Dornia		7-Nov-04	12:00 PM	Largo	South Creek Village	16	2	00496750.000000	3	30	0	0	0	0	4	0	34	
43																					
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PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Tier	Rank	Permit #	Name	Date and Time		Key	Subdivision	Lot	Block	RI#	Tier	Tier Pts	Lot Agg Pts		Land Ded	Flood Zone V	BAT/AVT	First		Each		Total	
				Date	Time								Tier 2 or 3	Pt 4 per lot				Years	Add	Years	Add		
	46	04303855	Key Venture, LLC	14-Nov-04	09:35 AM	Largo	Twin Lakes	7	8	00549000 0000000	3	30	0	0	0	0	0	4	1	0	0	34	
	47	04303854	Key Venture, LLC	24-Nov-04	09:30 AM	Largo	Twin Lakes	24	6	00456560 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	48	04303853	Key Venture, LLC	1-Dec-04	09:30 AM	Largo	Twin Lakes	15	15	00550120 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	49	04303530	Callwell, Charles	5-Jan-05	09:00 AM	Largo	Ocean Park Village	6	9	00446820 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	50	04303527	Eglund, Leland	7-Jan-05	11:55 AM	Largo	Buccaneer Point	15	2	00496131 003401	3	30	0	0	0	0	0	0	4	0	0	0	34
	51	04303490	McGraw, L & J	7-Jan-05	12:20 PM	Largo	Bahia Mar Estates	9	7	00544510 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	52	04304897	Sheffri, Jeffrey	7-Jan-05	12:25 PM	Largo	South Creek Village	5	8	00467770 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	53	04304837	Parkinson, Dean	7-Jan-05	12:30 PM	Largo	Ocean Park Village	20	3	00445980 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	54	04304521	Gutierrez, Salvador	7-Jan-05	01:10 PM	Largo	Sunset Point	24	1	00490550 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	55	04304708	Rodriguez, Elisabdo	13-Jan-05	02:30 PM	Largo	Lake Surprise Estates	19	10	00536710 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	56	04305106	Hits, Mark	13-Jan-05	02:45 PM	Largo	Sunset Point Amd. Addition	5	8	00484200 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	57	04305502	Parkinson, Dean	13-Jan-05	02:50 PM	Largo	Panama Villa	18	2	00463980 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	58	04306268	Raskob, Peter	13-Jan-05	03:00 PM	Largo	Largo Sound Park	4	9	00471910 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	59	04306509	Ortiz, H. Duplex Unit 'A'	15-Jan-05	12:30 PM	Largo	Key Largo Beach Add.	11	13	00503420 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	60	04306040	Ortiz, H. Duplex Unit 'B'	15-Jan-05	12:35 PM	Largo	Key Largo Beach Add.	11	13	00503420 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	61	05300105	Hamilton, Shane	15-Feb-05	12:00 PM	Largo	Sunset Point Rev.	9	4	00484610 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	62	04306577	Marione, David	16-Feb-05	02:45 PM	Largo	Largo Sound Park	20	14	00473360 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	63	04304334	Rodriguez, Ernesto	28-Feb-05	02:00 PM	Largo	Largo Sound Village	8	11	00476200 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	64	04306788	Rodriguez, Miriam	31-Mar-05	12:50 PM	Largo	Twin Lakes	3	14	00549810 000220	3	30	0	0	0	0	0	0	4	0	0	0	34
	65	05301194	Hoelert, James	13-Apr-05	03:40 PM	Largo	Tavernier Cove #1	18	N/A	00506550 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	66	05301527	Hoelert, James	13-Apr-05	03:41 PM	Largo	Tavernier Cove #1	17	N/A	00506540 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	67	08302544	High Street Investments Inc	16-Jan-09	11:46 AM	Largo	Buccaneer Point	17	5	00496131 012660	3	30	0	0	0	0	0	0	4	0	0	0	34
	68	05303120	Schoemagel, Ralph	18-Feb-09	02:20 PM	Largo	Sunset Waterways	7	3	00530030 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	69	05300064	Navarro, Ray	15-Apr-05	08:00 AM	Largo	Sunset Waterways	8	3	00495920 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	70	05300800	Parkinson, Dean	5-May-05	11:35 AM	Largo	Ocean Park Village	19	1	00484660 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	71	04304890	Nelson (Trustee)	19-May-05	08:40 AM	Largo	Hans Ocean Park Est. 1st Add	5	8	00445970 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	72	05301325	Born, Harley	31-May-05	11:45 AM	Largo	Buccaneer Point	2	1	00496131 000220	3	30	0	0	0	0	0	0	4	0	0	0	34
	73	05302053	Rowland, David	9-Jun-05	11:45 AM	Largo	Bahia Mar Estates	6	8	00544680 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	74	05302034	Hixon, Charles	27-Jun-05	11:40 AM	Largo	South Creek Village	2	1	00466420 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	75	05301677	Violette, Robert	5-Jul-05	10:00 AM	Largo	Largo Sound Village	24	8	00475640 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	76	05300922	Rodriguez, Miriam	7-Jul-05	11:00 AM	Largo	Largo Sound Village	22	7	00471660 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	77	05301919	Diaz, Hernan	11-Jul-05	10:40 AM	Largo	Harbor Shores	7	1	00521590 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	78	05301986	Bernard, Winifred	12-Jul-05	11:35 AM	Largo	Tavernier Harbor	24	2	00482020 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	79	05301887	Navarro, Ray	12-Jul-05	02:00 PM	Largo	Sunset Point Revised	7	1	00484450 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	80	05300933	Montequido, Jesus	13-Jul-05	02:10 PM	Largo	Port Largo	172	N/A	00453030 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	81	05302116	Aza, Jorge	13-Jul-05	02:45 PM	Largo	Twin Lakes	3	3	00550780 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	82	04304723	Cappiello, Steven	14-Jul-05	10:00 AM	Largo	Bermuda Shores	149	N/A	00550780 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	83	05302033	Condor Construction	8-Aug-05	11:35 AM	Largo	Key Largo Beach Add.	5	15	00551006 014900	3	30	0	0	0	0	0	0	4	0	0	0	34
	84	05303153	Slivky, Robert	10-Aug-05	10:35 AM	Largo	Largo Sound Village	13	11	00476250 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	85	05300200	R. Venture Corp	1-Sep-05	10:25 AM	Largo	Winston Waterways Amd.	9	8	00547211 002700	3	30	0	0	0	0	0	0	4	0	0	0	34
	86	05304158	JEMA Investment	7-Sep-05	10:45 AM	Largo	Ocean Isle Estates	18	2	00539480 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	87	04305420	Pandolfi, Jose & Delia	8-Sep-05	10:56 AM	Largo	Twin Lakes	6	3	00530980 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	88	05301351	Noem, Danyl	15-Sep-05	10:05 AM	Largo	Port Largo	9	N/A	00451400 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	89	05304185	Dunn, James	16-Sep-05	12:25 PM	Largo	Sunset Waterways	12	2	00550790 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	90	05302158	Lee, Johanna	3-Oct-05	09:45 AM	Largo	Twin Lakes 1st Add.	4	N/A	00550790 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	91	05301444	DeSantis, Robert	4-Oct-05	09:40 AM	Largo	Sunset Waterways	6	3	00530020 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	92	05302379	Garner, Colleen	5-Oct-05	09:35 AM	Largo	Riviera Village Rev. Amd.	17	2	00510390 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34
	93	05303973	Casas, Jose	7-Oct-05	08:35 AM	Largo	Seaside Addition #1	10	2	00492620 0000000	3	30	0	0	0	0	0	0	4	0	0	0	34

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Tier	Rank	Parroll #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	RE #	Tier	Tier Pts	Lot Agg Pts				First Years	Each Add Years	Total
													Tier 2 or 3	Pt 4 per lot	Flood Zone V	BAT/AVT			
	94	05303493	Chin, Jimmy	13-Oct-05	11:45 AM	Largo	Key Largo Mobile Homesites #	1	10	00564107/000100	3	30	0	0	0	0	3	0	33
	95	05303729	Llerena, Olga	13-Oct-05	12:05 PM	Largo	Twin Lakes	4	14	00549830/000000	3	30	0	0	0	0	3	0	33
	96	05304689	Riviero, Pedro	13-Oct-05	12:55 PM	Largo	Lake Surprise Estates	23	6	00535300/000000	3	30	0	0	0	0	3	0	33
	97	05305314	Santos, Rolando	15-Nov-05	02:35 PM	Largo	Ocean Isle Estates	11	11	00538410/000000	3	30	0	0	0	0	3	0	33
	98	05304497	Pariz, Orlando	21-Nov-05	02:45 PM	Largo	Cross Key Waterways Sec. 3	5	7	00468473/011500	3	30	0	0	0	0	3	0	33
	99	05305660	Burkhead, Gordon	7-Dec-05	10:25 AM	Largo	Winston Waterways Amd	2	4	00546550/000000	3	30	0	0	0	0	3	0	33
	100	05304731	Les, Terence	8-Dec-05	12:55 PM	Largo	Buccaneer Point	1	8	00496131/000950	3	30	0	0	0	0	3	0	33
	101	05302100	Harper, Linda	12-Dec-05	12:05 PM	Largo	Harris Ocean Park Est. 1 Add	10	10	00449970/000000	3	30	0	0	0	0	3	0	33
	102	05305609	McHugh, Bernie	20-Dec-05	10:45 AM	Largo	Winston Waterways Amd	6	3	00548510/000000	3	30	0	0	0	0	3	0	33
	103	05305002	Sanchez, Remberto	29-Dec-05	02:00 PM	Largo	Key Largo Beach Add	5	14	00503560/000000	3	30	0	0	0	0	3	0	33
	104	05305117	Monteagudo, Jesus	30-Dec-05	08:30 AM	Largo	Port Largo	43	N/A	00451740/000000	3	30	0	0	0	0	3	0	33
	105	05305344	Burkhead, Gordon	3-Jan-06	11:30 AM	Largo	Winston Waterways Amd	1	4	00546540/000000	3	30	0	0	0	0	3	0	33
	106	05305600	Cario, Maria	3-Jan-06	12:05 PM	Largo	Largo Sound Park	22	14	00473380/000000	3	30	0	0	0	0	3	0	33
	107	05305799	Diaz, Estela & Luis	3-Jan-06	12:10 PM	Largo	Largo Sound Park	21	14	00473370/000000	3	30	0	0	0	0	3	0	33
	108	05305412	Hoelert, Jim	4-Jan-06	10:15 AM	Largo	Pirates Cove 1st Add	5	18	00495620/000000	3	30	0	0	0	0	3	0	33
	109	05303454	Miller/Stiedd	4-Jan-06	03:00 PM	Largo	Bay Harbor Amd	15	3	00489970/000000	3	30	0	0	0	0	3	0	33
	110	05304099	Restrepo, Henry & Lourdes	6-Jan-06	09:10 AM	Largo	Buccaneer Point	3	5	00496131/012100	3	30	0	0	0	0	3	0	33
	111	05305313	Gumbel, David	9-Jan-06	02:28 PM	Largo	Lake Surprise Estates	1	6	00496131/000100	3	30	0	0	0	0	3	0	33
	112	05305928	Torregrossa, John	10-Jan-06	10:00 AM	Largo	Lime Grove Estates	9	2	00535160/000000	3	30	0	0	0	0	3	0	33
	113	02303052	Castillo, Rene & Frady's	11-Jan-06	11:30 AM	Largo	Winston Waterways Amd	6	1	00546380/000000	3	30	0	0	0	0	3	0	33
	114	01304086	Dean, Peter	12-Jan-06	11:45 AM	Largo	Winston Waterways Amd	1	2	00545750/000000	3	30	0	0	0	0	3	0	33
	115	05305849	Pender, Henry	13-Jan-06	10:40 AM	Largo	Winston Waterways Amd	1	2	00546380/000000	3	30	0	0	0	0	3	0	33
	116	05306184	Powell, Frankie	13-Jan-06	10:55 AM	Largo	Winston Point Rev.	9	1	00484470/000000	3	30	0	0	0	0	3	0	33
	117	05305189	Welch, Patrick	13-Jan-06	11:10 AM	Largo	Sunrise Acres Resub.	63	N/A	00490321/006300	3	30	0	0	0	0	3	0	33
	118	05301107	Bankers Mortgage Corp	13-Jan-06	11:20 AM	Largo	Key Largo Beach	14	3	00501930/000000	3	30	0	0	0	0	3	0	33
	119	05305965	Pinder, Henry	13-Jan-06	02:35 PM	Largo	Sunrise Point Rev.	10	1	00484480/000000	3	30	0	0	0	0	3	0	33
	120	05300833	White, Richard	20-Jan-06	02:20 PM	Largo	Pamela Villa	12	2	00510290/000000	3	30	0	0	0	0	3	0	33
	121	043004977	Zalesky, Ana	24-Jan-06	12:50 PM	Largo	Saxton Cove Est.	28	6	00465010/000000	3	30	0	0	0	0	3	0	33
	122	05306120	Richardson, Richard	16-Feb-06	12:15 PM	Largo	Winston Waterways Amd	9	4	00532701/015900	3	30	0	0	0	0	3	0	33
	123	05306352	Avarez, Jose	21-Feb-06	10:50 AM	Largo	Buccaneer Point	1	19	00555011/002800	3	30	0	0	0	0	3	0	33
	124	05306300	Paraz, George	23-Feb-06	01:20 PM	Largo	Winston Waterways Amd	7	4	00546520/000000	3	30	0	0	0	0	3	0	33
	125	06300499	Wheaton, Bryan	1-Mar-06	09:00 AM	Largo	Pirates Cove	8	2	00494120/000000	3	30	0	0	0	0	3	0	33
	126	05306843	Conroy, Keith	1-Mar-06	02:20 PM	Largo	Ocean Isle Estates	9	9	00494280/000000	3	30	0	0	0	0	3	0	33
	127	05306841	Dahm, Jonathan	3-Mar-06	03:05 PM	Largo	Pirates Cove	8	10	00551006/015300	3	30	0	0	0	0	3	0	33
	128	06300908	Bayview Marketing	8-Mar-06	11:30 AM	Largo	Bermuda Shores	153	19	00495290/000000	3	30	0	0	0	0	3	0	33
	129	06301019	Silgan, Douglas	8-Mar-06	11:40 AM	Largo	The Harborage	14	1	00473790/000000	3	30	0	0	0	0	3	0	33
	130	06301075	Wu Chung & Li Hung	9-Mar-06	08:45 AM	Largo	Pirates Cove 1st Add	1	N/A	00550950/000000	3	30	0	0	0	0	3	0	33
	131	06300863	Burke, James	9-Mar-06	10:00 AM	Largo	Largo Sound Village	3	3	00547050/000000	3	30	0	0	0	0	3	0	33
	132	03305353	Roebling, Thomas	13-Apr-04	10:45 AM	Largo	Twin Lakes 1st Add.	20	6	00497790/000000	3	30	0	0	0	0	3	0	33
	133	06300446	Hall, Michael	24-Jul-06	2:15 PM	Largo	Winston Waterways #2	34	4	00448290/000000	3	30	0	0	0	0	3	0	33
	134	06301628	Hale, Kenneth	25-Jul-06	9:50 AM	Largo	Key Largo Ocean Shores Amd	20	4	00489135/000800	3	30	0	0	0	0	3	0	33
	135	06300540	Peters, William	25-Jul-06	12:05 PM	Largo	Ocean Park Village	13	4	00547211/000500	3	30	0	0	0	0	3	0	33
	136	05306357	Rodriguez, Luis	25-Jul-06	12:15 PM	Largo	Bluewater Trailer Village Sec. 3	8	10	00496131/011300	3	30	0	0	0	0	3	0	33
	137	06301554	Mesa, Deanilis	25-Jul-06	12:25 PM	Largo	Winston Waterways Amd	1	4	00552020/000000	3	30	0	0	0	0	3	0	33
	138	06301652	Dillon, Thomas	27-Jul-06	9:00 AM	Largo	Buccaneer Point	8	4	00546540/000000	3	30	0	0	0	0	3	0	33
	139	06300483	Candalko, Jose	31-Jul-06	3:30 PM	Largo	Rock Harbor Estates	4	2	00487560/000000	3	30	0	0	0	0	3	0	33
	140	01304085	Winston, Daniel	2-Aug-06	2:55 PM	Largo	Winston Waterways Amd	10	6	00487560/000000	3	30	0	0	0	0	3	0	33
	141	04304811	Walters, Joseph	2-Aug-06	2:55 PM	Largo	South Creek Village	10	6	00487560/000000	3	30	0	0	0	0	3	0	33

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Parcel #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Agr Pts	Tier 2 or 3	Land Ded	Flood Zone V	BAT/	AWT	First Years	Each Add Years	Total
142	06302619	Florez, Marina	8-Aug-06	12:30 PM	Largo	Bowens Add To Riviera Village	17	9	00512410.000100	3	30	0	0	0	0	0	0	2	0	32
143	06300228	Gorman, Gary	9-Aug-06	9:50 AM	Largo	Twin Lakes	5	1	00546980.000000	3	30	0	0	0	0	0	0	2	0	32
144	05306723	Diez, Marcos	28-Aug-06	5:00 PM	Largo	Winston Waterways Amd	5	8	00546060.000000	3	30	0	0	0	0	0	0	2	0	32
145	06304482	Bayview Marketing	6-Sep-06	10:50 AM	Largo	Lake Surprise Estates	20	10	00476680.000000	3	30	0	0	0	0	0	0	2	0	32
146	06304483	Delgado, Reinado	3-Oct-06	10:49 AM	Largo	Lake Surprise Estates	35	10	00536870.000000	3	30	0	0	0	0	0	0	2	0	32
147	06304480	Ritz, David	12-Oct-06	9:28 AM	Largo	Winston Waterways #2	47	6	00547190.000000	3	30	0	0	0	0	0	0	2	0	32
148	06301478	Perez, Angel	12-Oct-06	2:49 PM	Largo	Bay Harbor Amd	43	1	00489520.000000	3	30	0	0	0	0	0	0	2	0	32
149	06305168	Acton, Stephen	2-Nov-06	01:38 PM	Largo	Bermuda Shores Amd	112	1	00551007.004600	3	30	0	0	0	0	0	0	2	0	32
150	06305803	Reyes, Albert	6-Nov-06	10:08 AM	Largo	Bermuda Shores	46	3	00551006.004600	3	30	0	0	0	0	0	0	2	0	32
151	06305334	McMan, Larry	16-Nov-06	11:34 AM	Largo	Largo Sound Park	17	3	00470900.000000	3	30	0	0	0	0	0	0	2	0	32
152	06304728	Dyer, William	20-Nov-06	11:35 AM	Largo	Key Largo Beach	12	1	00501180.000000	3	30	0	0	0	0	0	0	2	0	32
153	06305238	McDaniel, Ganger	27-Nov-06	02:54 PM	Largo	Tavernier Heights	8	2	00555380.000000	3	30	0	0	0	0	0	0	2	0	32
154	06305736	Thompson, David	29-Dec-06	02:55 PM	Largo	Largo Sound Park	15	15	00470560.000000	3	30	0	0	0	0	0	0	2	0	32
155	06305736	Wright, Penelope	29-Dec-06	09:12 AM	Largo	Largo Sound Park	16	4	00470570.000000	3	30	0	0	0	0	0	0	2	0	32
156	06305561	Taylor, Mark	2-Jan-07	02:56 PM	Largo	Ocean Park Village	4	2	00445820.000000	3	30	0	0	0	0	0	0	2	0	32
157	06305164	Peters, Patrick	2-Jan-07	02:56 PM	Largo	Twin Lakes 1st Add	4	1	00551000.002200	3	30	0	0	0	0	0	0	2	0	32
158	06304819	Ferguson, Gary	3-Jan-07	11:15 AM	Largo	Key Largo Beach	8	1	00501140.000000	3	30	0	0	0	0	0	0	2	0	32
159	06304643	Saunders, James	11-Jan-07	10:05 AM	Largo	Winston Waterways #2	45	6	00547170.000000	3	30	0	0	0	0	0	0	2	0	32
160	06304738	Holland, Mark	12-Jan-07	10:10 AM	Largo	Tavernier #2	7	B	00556010.000000	3	30	0	0	0	0	0	0	2	0	32
161	06304736	Holland, Mark	12-Jan-07	10:12 AM	Largo	Tavernier #2	12	B	00556010.000000	3	30	0	0	0	0	0	0	2	0	32
162	06306533	Davis, Sarah	16-Jan-07	02:22 PM	Largo	Ocean Park Village	10	10	00445610.000000	3	30	0	0	0	0	0	0	2	0	32
163	06305165	Peters, Patrick	16-Jan-07	02:46 PM	Largo	Twin Lakes 1st Add	474	8	00551000.002100	3	30	0	0	0	0	0	0	2	0	32
164	06305590	Heinn, Alan	16-Jan-07	03:01 PM	Largo	Port Largo 3rd Add	267	8	00453473.001000	3	30	0	0	0	0	0	0	2	0	32
165	06301385	Diaz, Juan & Canto, Maria	17-Jan-07	11:03 AM	Largo	Hans Ocean Park Est	38	1	00470250.000000	3	30	0	0	0	0	0	0	2	0	32
166	05300838	Diaz, Pedro	30-Jan-07	11:07 AM	Largo	Port Largo 3rd Add	267	8	00453473.001000	3	30	0	0	0	0	0	0	2	0	32
167	06305582	Harper, Linda	16-Feb-07	08:39 AM	Largo	Hans Ocean Park Est	38	1	00470250.000000	3	30	0	0	0	0	0	0	2	0	32
168	05300936	Diaz, Pedro L	21-Feb-07	01:45 AM	Largo	Largo Sound Park 1st Add	39	1	00446940.000000	3	30	0	0	0	0	0	0	2	0	32
169	06304584	Hernandez, Agustin & Celia	28-Feb-07	11:47 AM	Largo	Largo Sound Park 1st Add	39	1	00446940.000000	3	30	0	0	0	0	0	0	2	0	32
170	06304625	Perritt, John & Gail	28-Feb-07	02:49 PM	Largo	Amd, Ext Plat Key Largo Ocean	8	1	00467670.000000	3	30	0	0	0	0	0	0	2	0	32
171	06306639	Allen, Dave	9-Mar-07	01:54 PM	Largo	Pirates Cove 1st Add	14	16	00495200.000000	3	30	0	0	0	0	0	0	2	0	32
172	06305344	Watkins, Andrew	15-Mar-07	01:54 PM	Largo	Rock Harbor Yacht Haven	22	4	00556190.000100	3	30	0	0	0	0	0	0	2	0	32
173	06306813	Kropp, Hubert	13-Apr-07	01:30 PM	Largo	Sunrise Point Rev	11	7	00484740.000000	3	30	0	0	0	0	0	0	2	0	32
174	06306814	Kropp, Janice & Hubert	13-Apr-07	01:32 PM	Largo	Hans Ocean Park Estates	10	10	00449510.000000	3	30	0	0	0	0	0	0	2	0	32
175	05306212	Mannik, John	25-Jan-06	12:45 PM	Largo	Hans Ocean Park Estates	10	10	00449500.000000	3	30	0	0	0	0	0	0	2	0	32
176	06306548	Rhee, Andrew	7-May-07	11:17 AM	Largo	Twin Lakes	5 & 6	18	00550480.000000	3-A	20	0	0	0	0	0	0	0	0	31
177	07300030	Parkinson, Dean	9-May-07	10:48 AM	Largo	Buccaneer Point	10	1	00490131.001000	3	30	0	0	0	0	0	0	1	0	31
178	06306650	Rhee, Andrew	9-May-07	11:25 AM	Largo	Largo Sound Park	15	6	00471390.000000	3	30	0	0	0	0	0	0	1	0	31
179	07301588	Fried, Harold	11-Jul-07	02:51 PM	Largo	Buccaneer Point	9	1	00496131.000900	3	30	0	0	0	0	0	0	1	0	31
180	06306023	Esslinger, John	13-Jul-07	12:16 PM	Largo	Pamala Villa	31	6	00465070.000000	3	30	0	0	0	0	0	0	1	0	31
181	07301089	Platt, Charles	20-Jul-07	02:30 PM	Largo	South Creek Village	26	9	00468180.000000	3	30	0	0	0	0	0	0	1	0	31
182	07301988	Newkum, Steven	16-Aug-07	02:47 PM	Largo	Lake Surprise Estates	8	5	00535010.000000	3	30	0	0	0	0	0	0	1	0	31
183	07301522	Snagovskiy, Mario	9-Oct-07	12:10 PM	Largo	Pirates Cove 1st Add	2	20	00498050.000000	3	30	0	0	0	0	0	0	1	0	31
184	07301291	Alkin, Dean	15-Oct-07	11:53 AM	Largo	Winston Waterways Amd Plat	5	4	00547211.004100	3	30	0	0	0	0	0	0	1	0	31
185	07302208	Alkins, John	18-Oct-07	12:54 PM	Largo	Harbor Shores	9	9	00529210.000000	3	30	0	0	0	0	0	0	1	0	31
186	07302181	Barron, Salvador	7-Jan-08	10:57 AM	Largo	Largo Gardens	23	13	00545730.000000	3	30	0	0	0	0	0	0	1	0	31
187	07304789	West Family Trust	8-Feb-08	02:38 PM	Largo	Ocean Isle Estates	23	2	00458060.000000	3	30	0	0	0	0	0	0	1	0	31
188	07304058	Stewart, Patrick	3-Mar-08	10:11 AM	Largo	South Creek Village	7	2	00465680.000000	3	30	0	0	0	0	0	0	1	0	31
189	07305178	Jema Investments Inc	18-Mar-08	11:15 AM	Largo	Port Largo	32	2	00451830.000000	3	30	0	0	0	0	0	0	1	0	31

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
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UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Tier	Permit #	Name	Date of Application	Time	Key	Subdivision	Lot	Block	BE#	Tier	Tier Pts	Land Dsd	Flood	BAT	First	Each	Total	
												Ter Pts	Ter 2 or 3	P14 Period	Zone V	AWT	Years	Years	
190		07305170	Jerna Investments Inc.	18-Mar-08	11:23 AM	Largo	Port Largo	33		00451630.000100	3	30	0	0	0	1	N/A	31	
191		07303481	Barker, Joseph	9-Apr-08	10:37 AM	Largo	Buccaneer Point	34	3	00496131.007800	3	30	0	0	0	1	N/A	31	
192		07300600	Gomez, Justo	11-Apr-08	12:05 PM	Largo	Key Largo Beach	23	4	00502280.000000	3	30	0	0	0	1	N/A	31	
193		07300401	Gomez, Jay	11-Apr-08	12:06 PM	Largo	Key Largo Beach	21	4	00502280.000000	3	30	0	0	0	1	N/A	31	
194		02304021	Island Escapes LLC	2-May-03	2:05 PM	Largo	Tevener Cove No. 1	32, 33	N/A	00506200.000000	3-A	20	0	0	0	4	2	30	
195		03302717	Keegan, Christina	13-Jan-04	11:55 AM	Largo	Angiers Park	5 & 6	8	00555390.000000	3-A	20	0	0	0	4	2	30	
196		07303309	Ucker, Dieter	23-Apr-08	11:08 AM	Largo	Sound Park	9	10	00471970.000000	3	30	0	0	0	0	0	30	
197		07300082	Ramsdorf, Nancy	27-May-08	2:50 PM	Largo	Lime Grove Estates Sec 1	3	2	00485250.000000	3	30	0	0	0	0	0	30	
198		07300588	Ann, John	12-Jun-08	11:12 AM	Largo	Winston Waterways No. 2	17	1	00479980.000100	3	30	0	0	0	0	0	30	
199		08300027	Lam, Sara	8-Jul-08	2:57 PM	Largo	Winston Waterways No. 2	10	6	00647140.000000	3	30	0	0	0	0	0	30	
200		07302883	Feliciano, Elizabeth	15-Jul-08	08:55 AM	Largo	Bahia Mar Estates	42	8	00544720.000000	3	30	0	0	0	0	0	30	
201		07302883	Feliciano, Elizabeth	15-Jul-08	08:55 AM	Largo	Bahia Mar Estates	40	8	00544720.000000	3	30	0	0	0	0	0	30	
202		08302027	Sykes, Charles	14-Aug-08	02:48 PM	Largo	Key Largo Ocean Shores Add.	9	7	00498930.000000	3	30	0	0	0	0	0	30	
203		06303548	Concepcion, Hermilio	22-Aug-08	10:19 AM	Largo	Winston Waterways #2	21	6	00546820.000000	3	30	0	0	0	0	0	30	
204		07301322	Garcia, Rafael	29-Aug-08	08:45 AM	Largo	Port Largo	153	9	00452840.000000	3	30	0	0	0	0	0	30	
205		08302440	Holm, David	29-Sep-08	09:23 AM	Largo	South Creek Village	5	9	00467950.000100	3	30	0	0	0	0	0	30	
206		08302439	Holm, David	29-Sep-08	09:23 AM	Largo	South Creek Village	5	9	00467950.000200	3	30	0	0	0	0	0	30	
207		06301183	Chen, Pei	9-Oct-08	11:15 AM	Largo	Twin Lakes 1st Add	14	5	00551000.001400	3	30	0	0	0	0	0	30	
208		07303055	Concept Invest. Group	14-Oct-08	02:15 PM	Largo	Pamela Villa	26	5	00464740.000000	3	30	0	0	0	0	0	30	
209		08305074	Almeida, Osvaldo	30-Oct-08	02:42 PM	Largo	Hams Ocean Park Estates	2	4	00470950.000000	3	30	0	0	0	0	0	30	
210		08303474	D'Anella, Robert	13-Jan-09	11:05 AM	Largo	Port Largo 3rd Add.	282	2	00447280.000100	3	30	0	0	0	0	0	30	
211		08303981	Igarovich, Amelia	10-Feb-09	12:17 PM	Largo	Buccaneer Point	6	5	00498131.012400	3	30	0	0	0	0	0	30	
212		08302540	High Street Investments	11-Feb-09	12:48 PM	Largo	Hibiscus Park	17	3	00507920.000000	3	30	0	0	0	0	0	30	
213		08301753	DD Largo, LLC	11-Feb-09	02:32 PM	Largo	Paradise Point Cove	12	3	00451430.000000	3	30	0	0	0	0	0	30	
214		07303058	Zupan, Michael	19-Feb-09	02:32 PM	Largo	Port Largo	12	3	00451430.000000	3	30	0	0	0	0	0	30	
215		08301469	McKinn, Larry	20-Feb-09	01:05 PM	Largo	Key Largo Sound Park	18	3	00470910.000000	3	30	0	0	0	0	0	30	
216		08304120	Jerna Investments Inc.	3-Mar-09	10:45 AM	Largo	Key Largo Park Amend.	4	15	00528680.000000	3	30	0	0	0	0	0	30	
217		08304119	Jerna Investments Inc.	3-Mar-09	10:45 AM	Largo	Key Largo Park Amend.	5	15	00528680.000000	3	30	0	0	0	0	0	30	
218		08303352	Jerna Investments Inc.	3-Mar-09	10:50 AM	Largo	Blue Harbor Club Inc. Condo	21	15	00528770.000000	3	30	0	0	0	0	0	30	
219		05303451	Marsh, Kerry & Michelle	2-Sep-05	10:55 AM	Largo	Key Largo Park Amend.	20	3	00489136.018721	3	30	0	0	0	0	0	30	
220		05303819	Security First Storage	13-Jan-06	02:25 PM	Largo	Buccaneer Point	12	N/A	004844290.000600	3	30	0	0	0	0	0	30	
221		05306819	Delucca, Michelle	9-Jan-06	11:35 AM	Largo	Sunrise Point Add. Amend.	16	8	004844290.000300	3	30	0	0	0	0	0	30	
222		05304995	Otero, Rafael	13-Jan-06	11:20 AM	Largo	Cross Key Waterways Est. Sec	30	1	00448050.000000	3-A	20	0	0	0	0	0	29	
223		05303049	Dominguez, Mariana	2-Mar-08	12:55 PM	Largo	Ocean Park Village	27	3	00448050.000000	3-A	20	0	0	0	0	0	28	
224		06300968	Lam, Sara	8-Sep-04	11:20 AM	Largo	Rivera Village Revised Amend	42	4	00511590.000000	3	30	0	0	0	0	0	28	
225		06300968	Lam, Sara	8-Sep-04	11:20 AM	Largo	Rivera Village Revised Amend	42	4	00511590.000000	3	30	0	0	0	0	0	28	
226		06300968	Lam, Sara	8-Sep-04	11:20 AM	Largo	Rivera Village Revised Amend	42	4	00511590.000000	3	30	0	0	0	0	0	28	
227		05306901	Los Soles Properties	4-Aug-06	8:52 AM	Largo	Amid Sunrise Point Add.	15	8	00446390.000200	3	30	0	0	0	0	0	28	
228		05306901	Young, Dennis	11-Aug-06	8:52 AM	Largo	Ocean Park Village	1	7	00446390.000000	3	30	0	0	0	0	0	28	
229		04305854	GCC, LLC	13-Oct-05	12:35 PM	Largo	Baywood	9	N/A	00439670.000000	3-A	20	0	0	0	0	0	28	
230		05302329	Mata, Hector & Vivian	9-Jan-06	11:10 AM	Largo	Twin Lakes	7	19	00555660.000000	3-A	20	0	0	0	0	0	27	
231		05305015	Leitz, Terry	8-Mar-06	11:35 AM	Largo	Bowens Addition to Riviera Vill.	4 & 5	6	00512200.000000	3-A	20	0	0	0	0	0	27	
232		04304081	Castellanos, Lydia	7-Sep-04	09:40 AM	Largo	Twin Lakes	22	15	00550080.000000	3-A	20	0	0	0	0	0	24	
233		04304081	Castellanos, Lydia	5-Nov-04	09:45 AM	Largo	Twin Lakes	11	15	00550070.000000	3-A	20	0	0	0	0	0	24	
234		04303609	Gonzales, Jose	3-Jan-05	09:30 AM	Largo	Key Largo Beach	24	3	00502030.000000	3-A	20	0	0	0	0	0	24	
235		04305501	Harmond, Louis G.	21-Jan-05	12:55 PM	Largo	Ocean Park Village	3	9	00446790.000000	3-A	20	0	0	0	0	0	24	
236		04305516	Rodriguez, Miriam	29-Mar-05	04:00 PM	Largo	Rivera Village	28	4	00511480.000000	3-A	20	0	0	0	0	0	24	

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Lot Avg Pts Tier 2 or 3	Land Ded Pt 4 per lot	Flood Zone V	BAT/ AWT	First Years	Each Addl Years	Total	
236	04300517	Rodriguez, Miriam	29-Mar-05	04:01 PM	Large	Riviera Village	27	4	00511450 0000000	3-A	20	0	0	0	0	4	0	24	
239	043005101	Gonzalez, Jose	8-Apr-05	10:40 AM	Large	Key Largo Beach	29	3	00501820 0000000	3-A	20	0	0	0	0	4	0	24	
240	053000225	Rodriguez, Miriam	13-Apr-05	01:00 PM	Large	Riviera Village	3	4	00511470 0000000	3-A	20	0	0	0	0	4	0	24	
241	07304070	Jenna Investments Inc.	17-Jun-05	12:01 PM	Large	Key Largo Park Amd.	7	14	00526320 0000000	3-A	20	0	0	0	4	0	24		
242	04300636	Sunshine Framing Inc.	26-Apr-05	11:00 AM	Large	Harris Ocean Park 1st Add.	1	12	005450910 0000000	3-A	20	0	0	0	0	3	0	23	
243	05300206	Diaz/Rodriguez	26-Apr-05	03:00 PM	Large	Rock Harbor Estates	2	3	00519700 0000000	3-A	20	0	0	0	0	0	0	23	
244	05300206	Triple J Investment	5-Jul-05	10:50 AM	Large	Ocean Park Village	23	3	00448010 0000000	3-A	20	0	0	0	0	0	0	23	
245	053002669	Trieh, Richard	13-Jul-05	03:30 PM	Large	Sunrise Point Revised	3	1	00484410 0000000	3-A	20	0	0	0	0	0	0	23	
246	053003730	Herli, Olga	27-Sep-05	11:25 AM	Large	Twin Lakes	4	10	00548950 0000000	3-A	20	0	0	0	0	0	0	23	
247	053002101	Worth, George	13-Oct-05	12:30 PM	Large	Harris Ocean Park Estates	9	3	00447890 0000000	3-A	20	0	0	0	0	0	0	23	
248	053020298	Worth, George	13-Oct-05	09:50 AM	Large	Harris Ocean Park Estates	10	3	00447700 0000000	3-A	20	0	0	0	0	0	0	23	
249	053020263	Rodriguez, Miriam	11-Jan-06	09:50 AM	Large	Harris Ocean Park Estates	26	3	00502050 0000000	3-A	20	0	0	0	0	0	0	23	
250	05306558	M&M Enterprises	12-Jan-06	09:25 AM	Large	Twin Lakes	6	19	00505050 0000000	3-A	20	0	0	0	0	0	0	23	
251	05300222	Trieh, William	12-Jan-06	01:05 PM	Large	Sunrise Point Rev.	5	1	00484430 0000000	3-A	20	0	0	0	0	0	0	23	
252	053006425	Hodes, Michael	13-Jan-06	11:12 AM	Large	Seaside Beach	8	8	00492200 0000000	3-A	20	0	0	0	0	0	0	23	
253	053004652	Lewis, Ed	21-Feb-06	10:25 AM	Large	Harris Ocean Park Est. 1st Add.	20	8	00450070 0000000	3-A	20	0	0	0	0	0	0	23	
254	063007159	Ed Lewis LLC	11-Jul-07	11:00 AM	Large	Twin Lakes	6	10	00549380 0000000	3-A	20	0	0	0	0	0	0	23	
255	073005188	Crawdaddy Inc.	6-May-08	12:11 PM	Large	Bahia Mar Estates	1	2	00544910 0000000	3-A	20	0	0	0	0	0	0	23	
256	07301529	Bauer, Sally	14-Jul-08	1:53 PM	Large	Holiday Homesites	7	9	00544910 0000000	3-A	20	0	0	0	0	0	0	23	
257	01300383	Jess Jenn Corp	19-May-04	12:20 PM	Large	Gulfstream Shores	14	6	00565770 0000000	3-A	20	0	0	0	0	0	0	23	
258	01300384	Jess Jenn Corp	19-May-04	12:21 PM	Large	Gulfstream Shores	4	5	00565360 0000000	1	10	0	0	0	0	0	0	14	
259	043002533	Hindelang, David	13-Jul-04	1:40 PM	Large	Ocean Park Village	18	8	00446750 0000000	1	10	0	0	0	0	0	0	14	
260	043003590	Parkinson, Dean	7-Sep-04	11:20 AM	Large	Harris Ocean Park Estates	40	4	00448460 0000000	1	10	0	0	0	0	0	0	14	
261	043003859	Parkinson, Dean	7-Oct-04	12:05 PM	Large	Ocean Park Village	10	4	00445710 0000000	1	10	0	0	0	0	0	0	14	
262	01300385	Jess Jenn Corp	14-Oct-04	08:30 AM	Large	Gulfstream Shores	3	5	00565350 0000000	1	10	0	0	0	0	0	0	14	
263	043004866	Schweiner, Robert	3-Jan-05	12:45 PM	Large	Dove Creek Estates	3	2	00480560 0000000	1	10	0	0	0	0	0	0	14	
264	043005020	Pinder, Henry & Barbara	10-Jan-05	09:00 AM	Large	Harris Ocean Park Estates	1	7	00449410 0000000	1	10	0	0	0	0	0	0	14	
265	05300263	Pyrris, George	4-Mar-05	11:00 AM	Large	Harris Ocean Park Estates	24	3	00447840 0000000	1	10	0	0	0	0	0	0	14	
266	05300261	Pyrris, George	4-Mar-05	12:00 PM	Large	Harris Ocean Park Estates	25	3	00447850 0000000	1	10	0	0	0	0	0	0	14	
267	05300846	Rodriguez, Eusebio	30-Mar-05	10:45 AM	Large	Harris Ocean Park Estates 1st	8	9	00450150 0000000	1	10	0	0	0	0	0	0	14	
268	05306810	Nannin, Steven	13-Feb-06	11:25 AM	Large	Gulfstream Shores	7	5	00565390 0000000	1	10	0	0	0	0	0	0	14	
269	04300944	McGraw, Dave	13-Apr-04	3:25PM	Large	Key Largo Beach Add.	12	15	00503800 0002200	1	10	0	0	0	0	0	0	13	
270	043000845	McGraw, Dave	13-Apr-04	3:30PM	Large	Key Largo Beach Add.	10	15	00503800 0001100	no designation on property	0	0	0	0	4	0	4	2	2

\* Indicates a ranking sufficient to receive an allocation award  
 ● Indicates a ranking subject to Growth Management Division Director approval.  
 ■■ Indicates a ranking that is subject to Building Permit Restriction approval.  
 z Indicates a tier designation corrected.  
 Applicants who have a PNOO application date of Oct. 29, 2007, or earlier are grandfathered for preference points pursuant to existing provision of Ordinance 099-2007.

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
UPPER KEYS (ADMINISTRATIVE RELIEF) - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Tier	Rank	Permit #	BOCC Resolution	Name	Date of Application		Time	Key	Subdivision	Lot	Block	RE #	Tier	Tier Pts	Lot App Pts		Land Ded	Zone V	BAT/	First	Each	Total
					1	2									3	4						
	<b>MARKET RATE DWELLING UNITS</b>																					
1	•	04302209	Adm. Relief Reso 256-2008	Dress, Bernard	18-Jun-04	9:35 AM	Largo	Baha Mar Estates	18	9	00545020 0000000	3	30	0	0	0	0	0	4	0	34	
2	•	03305207	Adm. Relief Reso 255-2008	Concept Invest Group	9-Jul-04	1:30 PM	Largo	Amd. & Ext. Plat Key Largo Oc	17	1	00497760 0000000	3	30	0	0	0	0	0	4	0	34	
3	•	03305209	Adm. Relief Reso 254-2008	Avila, Manuel	13-Jul-04	11:30 AM	Largo	Amd. & Ext. Key Largo Ocean	13	9	00497720 0000000	3	30	0	0	0	0	0	4	0	34	
4	•	04301319	Adm. Relief Reso 257-2008	Neudorff, John	13-Jul-04	11:35 AM	Largo	Manton Park	9	8	00621190 0000000	3	30	0	0	0	0	0	4	0	34	
5	•	04300503	Adm. Relief Reso 253-2008	Lombardi, John	13-Apr-04	3:20 PM	Largo	Buccaneer Point Subdivision	46	3	00498131 0090000	3	30	0	0	0	0	0	4	0	30	
6	•	04301710	Adm. Relief Reso 292-2008	Hoelert, James	16-Jun-04	2:08 PM	Largo	Ocean Park Village	26	7	00446040 0000000	3-A	20	0	0	4	0	0	4	0	28	
7	•	03302479	Adm. Relief Reso 479-2008	Tobin, Andrew	14-Jul-03	12:00 PM	Largo	Ocean Park	8	8	00477860 0000000	3	30	0	0	0	0	0	4	0	36	
8	•	03304565	Adm. Relief Reso 481-2008	Martin Holding Inc.	5-Nov-03	11:40 AM	Largo	Largo Sound Park	6	4	00502530 0000000	3	30	0	0	0	0	0	4	0	36	
9	•	03304140	Adm. Relief Reso 478-2008	Gonzalez, Jose	20-Nov-03	11:40 AM	Largo	Key Largo Beach	7	7	00502530 0000000	3	30	0	0	0	0	0	4	0	36	
10	•	03304584	Adm. Relief Reso 480-2008	Bequer, Ralael & Grigna	8-Dec-03	8:55 AM	Largo	Ocean Park Village	14	1	00548130 0000000	3	30	0	0	0	0	0	4	0	34	
11	•	04302564	Adm. Relief Reso 482-2008	Gomez-Jesus	6-Apr-04	2:00 PM	Largo	Twin Lakes	17	2	00470430 0000000	3	30	0	0	0	0	0	4	0	36	
12	•	04302564	Adm. Relief Reso 483-2008	Vandelaar, Jack	12-Jul-04	11:00 AM	Largo	Sunset Waterways	1	1	00528700 0000000	3	30	0	0	0	0	0	4	0	34	
13	•	04303593	Adm. Relief Reso 484-2008	Noll, Thomas	7-Sep-04	3:00 PM	Largo	Winston Park	22	2	00545830 0000000	3	30	0	0	0	0	0	4	0	34	
14	•	04303887	Adm. Relief Reso 485-2008	Zalesky, Ann	6-Oct-04	10:00 AM	Largo	Pamela Villa	14	2	00545830 0000000	3	30	0	0	0	0	0	4	0	34	
15	•	03304011	Adm. Relief Reso 094-2009	Brunke, Joseph	17-Mar-04	11:30 AM	Largo	Largo Sound Park	2	2	00470430 0000000	3	30	0	0	0	0	0	4	0	36	
16	•	03300815	Adm. Relief Reso 095-2009	Barbosa, Rodolfo	3-Jun-04	11:00 AM	Largo	Winston Waterways #2	16	11	00548130 0000000	3	30	0	0	0	0	0	4	0	34	
17	•	04301574	Adm. Relief Reso 091-2009	Doyle, Mike	19-Mar-04	2:20 PM	Largo	Port Largo	12	2	00448830 0000000	3	30	0	0	0	0	0	4	0	36	
18	•	03305074	Adm. Relief Reso 093-2009	Collazo, Roberto	4-Jun-04	9:50 AM	Largo	Blue Harbor Club Inc. a Condo	11	N/A	00451470 0000000	3	30	0	0	0	0	0	4	0	34	
19	•	04302132	Adm. Relief Reso 091-2009	Monteagudo, Alexander	15-Jul-04	1:45 PM	Largo	Port Largo	33	N/A	00489126 018712	3	30	0	0	0	0	0	4	0	34	
20	•	04303056	Adm. Relief Reso 090-2009	Candor Construction	13-Jul-04	10:20 AM	Largo	Ocean Isle Estates	33	3	00452980 0000000	3	30	0	0	0	0	0	4	0	34	
21	•	04304131	Adm. Relief Reso 089-2009	Nelson, Mary	23-Oct-04	2:45 PM	Largo	Ocean Isle Estates	16	3	00538780 0000000	3	30	0	0	0	0	0	4	0	34	

• Indicates a ranking sufficient to receive an allocation award  
 ● Indicates a ranking subject to Growth Management Division Director approval  
 M Indicates a ranking that is subject to Building Permit Restriction approval

Applicants who have a RCOG application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to existing Division of Ordinance 009, 2007.

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING, AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
AFFORDABLE HOUSING - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Permit #	Name	Date and Time of Application	Key	Subdivision	Lot	Block	RE#	Lot Agr Pts		Land	Dead	Flood	Zone V	BAT/ AWI	First Four Years	Each Add. Years	Total
									Tier 1	Tier 2 or 3								
<b>AFFORDABLE DWELLING UNITS</b>																		
Very Low, Low, Median Income																		
No applicants under Very Low, Low, Median Income																		
<b>AFFORDABLE DWELLING UNITS</b>																		
Moderate Income																		
No applicants under Moderate Income																		

Indicates a ranking sufficient to receive an allocation award  
 2 Indicates a ranking subject to Growth Management Division Director approval  
 3 Indicates a ranking that is subject to a Building Permit restriction  
 Applicants who have a ROGCO application date of Oct. 29, 2007, or earlier are grandfathered for preservation points pursuant to zoning provision of Ordinance 098-2007.

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
BIG PINE KEY AND NO NAME KEY - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Permit #	Name	Date and Time of		Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Located on	Marsh	Key	Lot Agg	Land Ded	Payment to	AFU	Central	Food	First	Each	Total	
			Application	Date																					Key
1	08103005	Zuepfer, Ill, Louis	13-Jan-09	3:05 PM	Big Pine	Pine Channel Estates Sec. 1	14	2	00247820.000000	3	20	0	0	0	0	0	0	0	0	0	0	0	0	N/A	20
2	04106552	Barnett, John	14-Mar-05	3:03 PM	Big Pine	Tropical Bay	30	N/A	00312880.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	14
3	05101327	Holtz, James	21-Apr-05	3:00 PM	Big Pine	Tropical Bay 2nd	1	N/A	00109250.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	14
4	05101328	Barnett, John	14-Jun-05	3:00 PM	Big Pine	Tropical Bay 2nd	1	N/A	00313370.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
5	05103051	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	0	0	0	13
6	05102824	Perez, Orlando	9-Aug-05	1:40 PM	Big Pine	Tropical Bay Estates 3rd Add.	8	5	00313820.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
7	05102823	Barnett, John	9-Sep-05	3:15 PM	Big Pine	Tropical Bay 3rd Add.	10	8	00313820.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
8	05105880	Bennett, Guy	22-Dec-05	10:15 AM	Big Pine	Doctors Arm 3rd Add.	8	5	00313820.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
9	05105315	Security First Storage	23-Feb-06	2:30 PM	Big Pine	Doctors Arm 3rd Add.	5	7	00312573.001100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
10	08100691	Szabo, Peter	28-Feb-06	9:40 AM	Big Pine	Tropical Bay 3rd Add.	5	7	00312571.0003100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
11	05101712	Steisel, Richard	26-Jul-05	3:40 AM	Big Pine	Doctors Arm	23 & 24	N/A	00310720.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	13
12	06101218	Liu, Hung	22-Jul-05	2:39 PM	Big Pine	Doctors Arm 1st Add.	26	5	00311640.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
13	06101006	Fernandez, Juan	6-Oct-06	2:31 PM	Big Pine	Doctors Arm 2nd Add.	19	5	00312470.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
14	06104544	Cabassa, Edward	13-Oct-06	9:00 AM	Big Pine	Eden Pines Colony	12	19	00289670.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
15	06104544	Cabassa, Edward	3-Nov-06	12:06 PM	Big Pine	Doctors Arm 3rd Add Sec B	20	19	00289670.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
16	06106156	Hahn, David	11-Jan-07	3:30 PM	Big Pine	JH Matthew Properties Pt 2	pi 5 & 6	7	00312572.002100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
17	03109296	Hoodstun, Jan	29-Mar-07	8:38 AM	Big Pine	Eden Pines Colony 1st Add.	4	7	002896910.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
18	06101001	Oyeda, Alex	31-May-07	11:38 AM	Big Pine	Eden Pines Colony 1st Add.	2	9	00312572.0003900	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	12
19	07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	Eden Pines Colony 1st Add.	2	1	002896910.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	11
20	07102237	Akins, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony 1st Add.	13	1	002896910.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	11
21	07102237	Akins, Candace	10-Sep-07	2:45 AM	Big Pine	Eden Pines Colony 3rd Add.	13	3	00289690.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	11
22	07102237	Akins, Candace	10-Sep-07	9:11 AM	Big Pine	Eden Pines Colony 3rd Add.	13	3	00271270.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	11
23	06101472	Schleu, Vivienne	8-Jan-97	9:13 AM	No Name	Galleon Bay, Rev. Plat	10	N/A	00319494.001300	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
24	06101469	Schleu, Vivienne	8-Jan-97	9:14 AM	No Name	Galleon Bay, Rev. Plat	10	N/A	00319494.001300	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
25	06101469	Schleu, Vivienne	8-Jan-97	9:15 AM	No Name	Rev. Plat Galleon Bay	9	N/A	00319494.000900	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
26	06101464	Schleu, Vivienne	8-Jan-97	9:16 AM	No Name	Rev. Plat Galleon Bay	5	N/A	00319494.000500	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
27	06101463	Schleu, Vivienne	8-Jan-97	9:16 AM	No Name	Rev. Plat Galleon Bay	4	N/A	00319494.000400	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
28	06101473	Schleu, Vivienne	8-Jan-97	9:16 AM	No Name	Rev. Plat Galleon Bay	14	N/A	00319494.001400	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
29	06101462	Schleu, Vivienne	8-Jan-97	9:17 AM	No Name	Rev. Plat Galleon Bay	3	N/A	00319494.000300	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
30	06101481	Schleu, Vivienne	8-Jan-97	9:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
31	06101465	Schleu, Vivienne	8-Jan-97	9:19 AM	No Name	Rev. Plat Galleon Bay	1	N/A	00319494.000100	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
32	06101465	Schleu, Vivienne	8-Jan-97	9:20 AM	No Name	Rev. Plat Galleon Bay	6	N/A	00319494.000600	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
33	06101468	Schleu, Vivienne	8-Jan-97	9:21 AM	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
34	06101468	Schleu, Vivienne	8-Jan-97	9:22 AM	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
35	06101471	Schleu, Vivienne	8-Jan-97	9:24 AM	No Name	Rev. Plat Galleon Bay	11	N/A	00319494.001100	1	0	0	-10	0	0	0	0	0	0	0	0	0	0	0	10
36	07103911	Shearn, Jerry	24-Oct-07	8:50 AM	Big Pine	Doctors Arm	48	1	00310490.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	10
37	08101995	Perez, Orlando	24-Jul-08	9:47 AM	Big Pine	Tropical Bay	31	5	00312890.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	10
38	08102601	Bahn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	Doctors Arm 1st Add.	3	5	00312571.0003100	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	10
39	08102607	Sampson, James	31-Jul-06	11:15 AM	Big Pine	Doctors Arm 3rd Add	4	5	00312571.0005000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	10
40	07100485	Akins, John	12-Jun-07	10:00 AM	Big Pine	Doctors Arm	27&P1L26	1	00310280.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	8
41	07100483	Akins, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm	25&P124&26	1	00310280.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	0	7
42	07100479	Akins, John	12-Jun-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	0	0	0	7
43	05105438	Devovansian, Jack	13-Jan-06	10:06 AM	Big Pine	Whispering Pines	21 & 22	15	N/A	00310220.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	7
44	05105438	Devovansian, Jack	13-Jan-06	10:14 AM	Big Pine	Whispering Pines	7	15	N/A	00289580.000000	2	10	0	0	0	0	0	0	0	0	0	0	0	0	7
45	05104931	Menge, Robert	20-Sep-05	11:00 AM	Big Pine	Port Pine Heights 2nd Add	7	59	00289580.000000	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	3
46	05103835	Silverman, W.P.	23-Sep-05	11:15 AM	Big Pine	Port Pine Heights 2nd Add	3 & 4	76	00289580.000000	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	3

PROPOSED

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,  
AS PROPOSED BY THE PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR  
BIG PINE KEY and NO NAME KEY - YEAR 17, QUARTER 3 (JANUARY 14, 2009 TO APRIL 13, 2009)**

Rank	Permit #	Name	Date and Time of Application	Time Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Located On	Marsh Buffer	Key Deer Corridor	Lot Agg Tier 2 or 3	Land Ded	Payment to Acq Fund	AFH/ Emp	Central Waste water	Flood Zone V	First Four Years	Each Add Years	Total
											-10	-10	-10	3	2	up to 2	6	4	4	1	2	

1. Indicate a ranking sufficient to receive an allocation award  
 2. Indicates the recommendation is deferred to the February 11, 2009  
 3. Planning Commission meeting  
 4. Indicates a ranking subject to Storm Management Division Director approval  
 5. Indicates a ranking that is subject to a Building Permit restriction  
 6. Indicates a scoring correction  
 7. Applicants who have a FIDCO application date of Oct. 29, 2007, or earlier are grandfathered for preference points pursuant to existing provision of Ordinance 009-2007.

PROPOSED

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

Rank	Permit #	Name	Date and Time of Application	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Located on No Name	Marsh Rabbit/ Buffer	Key Deer Corridor	-or Agg Pts Tier 2 or 3	Land Ded	Payment to Agg Fund up to 2	AFH Emp	Central Waste water	Flood Zone V	First Four Years	Each Add Years	Total
<b>AFFORDABLE DWELLING UNITS</b>																						
<b>Very Low, Low, Median Income</b>																						
<b>No applicants under Very Low, Low, Median Income</b>																						
<b>AFFORDABLE DWELLING UNITS</b>																						
<b>Moderate Income</b>																						
<b>No applicants under Moderate Income</b>																						

Indicates a ranking sufficient to receive an allocation award  
 Indicates a ranking subject to Growth Management Division Director approval  
 Indicates a ranking that is subject to a Building Permit Restriction  
 Applicants who have a ROGGO application date of Oct. 29, 2007, or earlier are grandfathered for performance points pursuant to existing provisions of Ordinance 009-2007.

PROPOSED



# MEMORANDUM

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

To: Monroe County Planning Commission  
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources  
From: Joseph Haberman, Principal Planner *JH*  
Date: May 27, 2009  
Subject: *Request for a Time Extension to a Minor Conditional Use Permit, approved under Development Order No. 02-07, Flager's Village, LLC, 5302 MacDonald Avenue, Stock Island, Mile Marker 5*

**Meeting: June 10, 2009**

I REQUEST:

The applicant is requesting a one (1) year extension to D.O. 02-07 (see attached).



Subject Property (outlined in blue) (2006)

Location:

Address: 5302 MacDonald Avenue, Stock Island, mile marker 5 (oceanside)

Legal Description: Lots 1-20, Square 38, Maloney Subdivision (PB1-55), Stock Island

Real Estate (RE) Numbers: 00125350.000000 & 00125360.000100

1  
2 Applicant:

3  
4 Owner: Monroe County

5  
6 Lessee/Developer: Overseas Redevelopment Company, LLC

7  
8 Agent: Timothy J. Koenig  
9

10 II RELEVANT PRIOR COUNTY ACTIONS:  
11

12 On March 17, 2005, the Director of Planning & Environmental Resources issued a letter of  
13 understanding stating that 56 residential units were lawfully established on the property,  
14 thereby providing for 56 exemptions from the Rate of Growth Ordinance (ROGO) permit  
15 allocation system.  
16

17 On April 20, 2005, the Board of County Commissioners passed and adopted Ordinance 006-  
18 2005, which amended the property's land use district designation from Urban Residential  
19 Mobile Home – Limited (URM-L) to Urban Residential (UR).  
20

21 On May 3, 2006 (effective August 9, 2006), the Florida Department of Community Affairs  
22 (DCA), Overseas Redevelopment Company, LLC and Monroe County entered into a  
23 development agreement in accordance with §380.032(3), Florida Statutes (see attached). The  
24 agreement provided the property owner with the right to construct a workforce housing  
25 community of 49 deed-restricted affordable housing units. Per the agreement, the County  
26 amended the lawful determination to provide for 63 market-rate ROGO exemptions, the  
27 County agreed to allocate 18 affordable ROGO allocations from its inventory for the project,  
28 Overseas Redevelopment Company agreed to provide 31 of its market-rate ROGO  
29 exemptions for the project (however, the agreement allows for the County to substitute 31 of  
30 its affordable ROGO allocations for the 31 market-rate ROGO exemptions), and the County  
31 and DCA agreed to allow the remaining 32 market-rate ROGO exemptions retained by  
32 Overseas Redevelopment Company to be transferred off-site as market-rate units (with  
33 restrictions). In addition, pursuant to the agreement, the County agreed to purchase the  
34 property and lease it back to Overseas Redevelopment Company for a term of 99-years.  
35

36 D.O. 02-07 was reviewed by the Development Review Committee on March 6, 2007,  
37 approved and signed by the Senior Director of Planning & Environmental Resources April  
38 18, 2007 and recorded in the official records of the Monroe County Clerk on June 8, 2007.  
39 D.O. 02-07, an amendment to a minor conditional use permit, approved the redevelopment of  
40 the 63 market-rate unit mobile home park into the workforce housing community of 49 deed-  
41 restricted affordable units. In addition, D.O. 02-07 established the 32 market-rate ROGO  
42 exemptions as eligible for transfer off-site.  
43

44 A minor deviation modifying the site plan to provide an emergency access drive on  
45 MacDonald Drive was approved by the Senior Director of Planning & Environmental  
46 Resources on January 23, 2008.  
47

1 Since the June 8, 2007 recording of D.O. 02-07, the property owner has applied for and  
 2 received 50 building permits, including a building permit for each of the 49 deed-restricted  
 3 affordable housing units, in order to carry out the scope of work approved under the minor  
 4 conditional use permit. However, not all of work under the issued building permits was  
 5 carried out. The site remains under construction.  
 6

7 The following table organizes building permit applications (since June 8, 2007):  
 8

<i>Permit No.</i>	<i>Date Applied</i>	<i>Date Issued</i>	<i>Description</i>
071-3634	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#49)
071-3633	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#48)
071-3632	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#47)
071-3631	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#46)
071-3630	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#45)
071-3629	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#44)
071-3628	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#43)
071-3626	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#42)
071-3624	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#41)
071-3622	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#40)
071-3621	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#28)
071-3620	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#27)
071-3619	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#26)
071-3618	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#25)
071-3617	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#24)
071-3616	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#23)
071-3615	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#22)
071-3614	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#21)
071-3613	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#20)
071-3612	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#19)
071-3611	08/20/2007	08/20/2007	Construct Affordable Housing Unit (#18)
071-3605	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#39)
071-3604	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#38)
071-3603	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#37)
071-3602	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#36)
071-3601	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#35)
071-3600	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#34)
071-3598	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#33)
071-3597	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#32)
071-3596	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#31)
071-3595	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#30)
071-3594	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#16)
071-3593	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#15)
071-3591	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#14)
071-3590	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#13)
071-3589	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#12)
071-3588	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#11)
071-3587	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#10)
071-3585	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#9)
071-3584	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#8)
071-3583	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#7)
071-3582	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#6)

071-3581	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#5)
071-3580	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#4)
071-3578	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#3)
071-3577	08/17/2007	08/17/2007	Construct Affordable Housing Unit (#2)
071-2805	06/28/2007	08/20/2007	Construct Affordable Housing Unit (#17)
071-2804	06/28/2007	08/17/2007	Construct Affordable Housing Unit (#1)
071-2803	06/28/2007	08/17/2007	Construct Affordable Housing Unit (#29)
071-2801	06/28/2007	08/17/2007	Site Work

1  
2 **III BACKGROUND INFORMATION:**

- 3  
4 A. Size of Site: 154,810 ft<sup>2</sup> (3.5 acres)  
5 B. Land Use District: Urban Residential (UR)  
6 C. Future Land Use Map (FLUM) Designation: Residential High (RH)  
7 D. Tier Designation: Tier 3  
8 E. Existing Use: Multi-Family Residential (under construction)  
9 F. Existing Vegetation / Habitat: Developed with small area of mangrove  
10 G. Community Character of Immediate Vicinity: Mixed Use – Residential and Commercial  
11

12 **IV REVIEW OF APPLICATION:**

13  
14 Pursuant to MCC §110-73(a)(1), unless otherwise specified in the approved conditional use  
15 approval, application for a building permit(s) shall be made within six (6) months of the date  
16 of the approval of the conditional use, and all required certificates of occupancy shall be  
17 procured within two (2) years of the date of issuance of the initial building permit, or the  
18 conditional use approval shall become null and void with no further action required by the  
19 county. Approval time frames do not change with successive owners. An extension of time  
20 may be granted only by the Planning Commission for a period not to exceed one (1) year and  
21 only within the original period of validity. When a hearing officer has ordered a conditional  
22 use approval initially denied by the Planning Commission, the commission shall nonetheless  
23 have the authority to grant or deny a time extension.  
24

25 D.O. 02-07 was recorded on June 8, 2007. An application for a building permit was required  
26 by December 8, 2007. The property owner applied for several building permits on June 28,  
27 2007. The first building permits, not all of which were applied for on June 28, were issued  
28 on August 17, 2007.  
29

30 The property owner has two (2) years to acquire all certificates of occupancy from the date  
31 of the initial building permit's issuance. Consequently, all required certificates of occupancy  
32 are required by August 17, 2009.  
33

34 The applicant is requesting a one year extension. Staff has found that the request does not  
35 exceed one (1) year and D.O. 02-07 is within its original period of validity. Therefore, the  
36 required criteria have been met.  
37

1 Regarding rationale for a time extension, the applicant asserts that unexpected delays in the  
2 permitting and approval processes have led to an overall delay in the project's completion.  
3 The specific issues leading to delays are outlined in the application. In addition, the  
4 applicant asserts the project was commenced with construction funds provided by  
5 conventional construction financing, which was conditioned on a certain number of presales  
6 of units. However, when the economy took a downturn and the housing market was affected,  
7 the presales fell apart and the construction funding stopped, which interfered with the  
8 developer's ability to proceed under the development order.  
9

10 Staff has determined that the property owner has exhibited progress in carrying out the  
11 development. Permits to demolish existing structures have been issued and the work carried  
12 out. Permits to construct new structures have been submitted; however work has stalled  
13 presumably due to reasons provided by the applicant.  
14

15 **V RECOMMENDATION:**

16 Staff recommends APPROVAL to the Planning Commission with the following conditions:  
17

18 A. Development Order No. 02-07 is hereby extended for one (1) year, to provide a new  
19 expiration date of August 17, 2010.  
20

21 B. All other provisions and conditions of Development Order No. 02-07 shall be met.

File #: 29043

Owner's Name: Ciudadmar Investments Inc.

Applicant: Ciudadmar Investments Inc.

Agent: Pete Bacheler

Type of Application: PC Time Extension

Key: Tavernier

RE #: 00090810-000000 (see file for additional #'s)

**Additional Information added to File 29043**

**End of Additional Information For File 29043**

Law Offices  
**Hershoff, Lupino & Yagel, L.L.P.**

90130 OLD HIGHWAY  
TAVERNIER, FLORIDA 33070  
(305) 852-8440 • (305) 852-8848 FAX

LAND USE COORDINATOR  
PETER D. BACHELER

**ATTORNEYS AT LAW**

JAY A. HERSHOFF  
JAMES S. LUPINO  
RUSSELL A. YAGEL  
JESSICA ROTHENBERG  
ROBERT C. STOBER  
JESSICA B. REILLY

April 6, 2009

Barbara Bauman, Planning Technician  
Monroe County Planning Department  
Murray Nelson Center  
102050 Overseas Highway  
Key Largo, FL 33037

RE: Conditional Use Extension

Barbara,

Attached please find the application for Ciudadmar Investments Inc., request for conditional use extension for DO P17-07. Extenuating circumstances have occurred resulting in a law suit, cessation in construction and a change in the schedule. The application explains further details and while the situation will be resolved to satisfaction shortly the tight construction schedule is behind. Thank you.

Sincerely,



Peter D. Bachelier  
Land Use Coordinator

Attachments:



APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Request for a Time Extension to a Conditional Use Permit

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

Minor Conditional Use Permit Application Fee: \$986.00

In addition to the application fee, the following fees also apply:  
Advertising Costs: \$245.00

Date of Submittal: 04 / 07 / 09  
Month Day Year

Property Owner:

Ciudadmar Investments Inc.  
Name

14024 NW 82nd Ave Miami Lakes  
Mailing Address (Street, City, State, Zip Code) 33016

305-821-4461  
Daytime Phone

\_\_\_\_\_  
Email Address

Agent (if applicable):

JIM LUPINO, ESQ.  
Name

HERSHOFF LUPINO & YAGEL LLC  
Mailing Address (Street, City, State, Zip Code)

90130 OLD HWY, TAVERNIER  
Daytime Phone

305-852-8440  
jlupino@TROPICALAW.COM  
Email Address

Development Order / Resolution Number: P17-07

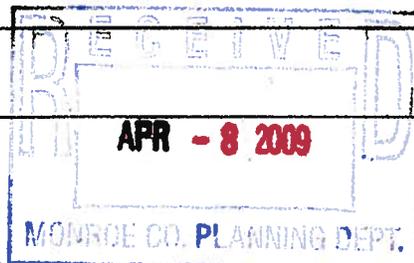
Applicant on Conditional Use Application:

SAME AS PROPERTY OWNER  
Name

\_\_\_\_\_  
Mailing Address (Street, City, State, Zip Code)

\_\_\_\_\_  
Daytime Phone

\_\_\_\_\_  
Email Address



APPLICATION

Legal Description of Property:

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

1 3-8 PB1-102 SUB PTLTS 1-5,7, KEY LARGO  
 Block Lots Subdivision Key  
 00090810-000000 00090820-000000 00090840-000000 00090840-000100  
 Real Estate (RE) Number  $\neq$  00090860-000000 Alternate Key Number  
 9701 OVERSEAS HWY, KEY LARGO MM98.5 BAY  
 Street Address (Street, City, State, Zip Code) Approximate Mile Marker

Unless otherwise specified in the approved conditional use approval, application for a building permit(s) shall be made within six (6) months of the date of the approval of the conditional use, and all required certificates of occupancy shall be procured within two (2) years of the date of issuance of the initial building permit, or the conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. An extension of time may be granted only by the planning commission for a period not to exceed one (1) year and only within the original period of validity. When a hearing officer has ordered a conditional use approval initially denied by the planning commission, the planning commission shall nonetheless have the authority to grant or deny a time extension under this section. If the planning commission denies a time extension, the holder of the conditional use may request an appeal of that decision under the hearing officer appellate article of these regulations by filing the notice required by that article within thirty (30) days of the written denial of the planning commission.

Has a documented, government-caused delay occurred which affected the time required to meet the conditions of the subject development order? If yes, please explain. (If necessary, attach additional sheets)

NO

Please describe any actions of other parties that may have precluded compliance with the conditions of the subject development order within the time requirement. (If necessary, attach additional sheets)

THE LENDER DID NOT FUND A DRAW REQUEST, RESULTING IN A LIEN BY THE GENERAL CONTRACTOR WHICH RESULTED IN A DISPUTE BETWEEN THE OWNER AND THE LENDER.

Please describe all attempts by the applicant to complete the conditions of the subject development order within the time requirement. (If necessary, attach additional sheets)

UNTIL THE DISPUTE BETWEEN OWNER AND LENDER CONSTRUCTION WAS PROCEEDING.

APPLICATION

Please provide any changed circumstances that have interfered with the ability of the applicant to complete the conditions of the subject development order within the time requirement. (If necessary, attach additional sheets)

SEE PAGE 2

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 conditional use permit time extension application (unaltered and unbound);
Correct fee (check or money order to Monroe County Planning & Environmental Resources);
Copy of Signed Development Order or Resolution;
Proof of ownership (i.e. Warranty Deed);
Current Property Record Card(s) from the Monroe County Property Appraiser

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

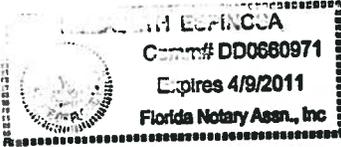
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)

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: [Signature] Jorge Ramos Date: 4/3/09

Sworn before me this 3rd day of April, 2009



Elizabeth Espinosa Notary Public My Commission Expires

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

(Date)

I hereby authorize **Hershoff, Lupino & Yagel** be listed as authorized agent for Request for a Time Extension to a Conditional Use Permit for:

**Cuidadmar Investment Inc., P17-07**

for property described as Lot: 3-8 PB1-102 and 1-5, 7, Block 1, Subdivision: Key Largo Key: Key Largo and Real Estate number: 00090810-000000, 00090820-000000, 00090840-000000, 00090840-000100 and 00090860-000000.

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

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility (thus holding Monroe County harmless) for any and all of the actions of the agent named, related to the acquisition of 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.

Owner(s) / Applicant Signature

Jorge Ramos  
Printed Name of Owner(s) / Applicant

NOTARY:

STATE OF FLORIDA

COUNTY OF ~~MONROE~~ Dade

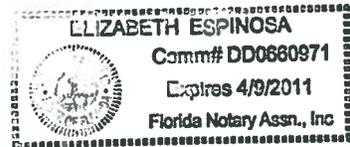
The foregoing instrument was acknowledged before me this 3rd day of April, 2009.

\_\_\_\_\_ is  personally known \_\_\_\_\_ produced identification

(\_\_\_\_\_ Type of Identification), did / did not take an oath.

Elizabeth Espinosa  
Notary Elizabeth Espinosa

Administrative Relief Agent Authorization Form Page 1 of 1 9/2007



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

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

Due to technical difficulties, the GIS/Maps functionality of our website is unavailable

**Property Record View**

Alternate Key: 1103730 Parcel ID: 00090810-000000

**Ownership Details**

Mailing Address:  
 CIUDADMAR INVESTMENT INC  
 14024 NW 82 AVE  
 MIAMI LAKES, FL 33016

**Property Details**

PC Code: 00 - VACANT RESIDENTIAL  
 Millage Group: 600K  
 Affordable Housing: No  
 Section-Township-Range: 06-62-39  
 Property Location: 97801 OVERSEAS HWY KEY LARGO  
 Legal Description: 6-62-39 ISLAND OF KEY LARGO FT LOT 8 CHANCERY 16-606 OR242-4345 CASE#61-233-CP-12 OR974-84348P/R OR1346-1620/21PET(CW) OR1346-1533/34(CW) OR1346-1536DC(CW) OR1353-1B20(CW) OR1353-44A5C(CW) OR1765-40M1(CW)

**Land Details**

Land Use Code	Frontage	Depth	Land Area
P10W - PERMITTED SFR WATER	0	0	9,000.00 SF

**Building Summary**

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

**Appraiser Notes**

2001/04/25 ROCK HARBOR PARK INC. 1 UNIT ON THIS PARCEL, BA

**Building Permits**

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
06300904	08/01/2006		1		CLUBHOUSE
04303195	01/03/2005	11/18/2005	1		DEMO MOBILE HOME
06302491	02/21/2006		1		REPLACE MH WSFR, UNIT #13, MODEL C
06302496	02/21/2006		1		REPLACE MH WSFR, UNIT 3 MODEL B
06302498	02/21/2006		1		REPLACE MH WSFR, UNIT #2, MODEL D
06302502	02/21/2006		1		REPLACE MH WSFR UNIT #1 MODEL A
06300902	03/27/2006		1		GUARDHOUSE
06300545	03/27/2006		1		GAZABEO
04305031	11/23/2004		1		FENCE & GATES

**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	0	0	135,000	135,000	135,000	0	135,000
2007	0	0	135,000	135,000	135,000	0	135,000

2006	21,289	2,462	78,750	102,491	102,491	0	102,491
2005	175,484	2,538	78,750	258,770	258,770	0	258,770
2004	199,265	2,828	78,750	280,883	280,883	0	280,883
2003	104,887	2,712	78,750	188,349	188,349	0	188,349
2002	51,705	2,196	47,250	101,150	101,150	0	101,150
2001	43,968	2,288	30,057	76,211	76,211	0	76,211
2000	34,198	1,087	11,500	46,783	46,783	0	46,783
1999	34,198	1,108	11,500	46,804	46,804	0	46,804
1998	34,198	1,149	11,500	46,845	46,845	0	46,845
1997	34,198	1,190	11,500	46,886	46,886	0	46,886
1996	34,198	1,231	11,500	46,927	46,927	0	46,927
1995	34,198	1,272	11,500	46,968	46,968	0	46,968
1994	34,198	1,313	11,500	47,009	47,009	0	47,009
1993	34,198	1,354	11,500	47,050	47,050	0	47,050
1992	34,198	650	11,500	46,346	46,346	0	46,346
1991	34,198	650	11,500	46,346	46,346	0	46,346
1990	34,198	650	11,500	46,346	46,346	0	46,346
1989	33,170	650	11,500	45,320	45,320	0	45,320
1988	27,144	650	11,500	39,294	39,294	0	39,294
1987	28,809	650	11,500	38,859	38,859	0	38,859
1986	28,852	650	1,940	28,542	28,542	0	28,542
1985	26,131	650	1,940	28,721	28,721	0	28,721
1984	24,160	650	1,940	26,750	26,750	0	26,750
1983	24,160	650	1,940	26,750	26,750	0	26,750
1982	24,751	650	1,940	27,341	27,341	0	27,341

**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
2/18/2002	1765 / 40	1,890,000	WD	M
8/1/1985	1353 / 0019	700,000	WD	M

This page has been visited 189,276 times.

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



**PLANNING COMMISSION RESOLUTION NO. P17-07**

**A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY CUIDADMAR INVESTMENTS INC FOR AN AMENDMENT TO A MINOR CONDITIONAL USE PERMIT TO DEVELOP TWENTY (20) ROGO EXEMPT SINGLE FAMILY HOMES AND ASSOCIATED PRIVATE FACILITIES FOR RESIDENTS AT PROPERTY LEGALLY DESCRIBED AS KEY LARGO PT LOTS 3-8 & PB 1-102 SUB OF PT LOTS 1-5 & 7, 11-61-39, KEY LARGO, MONROE COUNTY, FLORIDA HAVING REAL ESTATE NUMBERS 00090810.000000; 00090820.000000; 00090840.000000; 00090840.000100 AND 00090860.000000.**

**WHEREAS, during a regularly scheduled public hearing held on April 25, 2007, the Monroe County Planning Commission conducted a review and consideration of a request filed by Ciudadmar, Inc., for an amendment to a minor conditional use pursuant to MCC Sec 9.5-68; and**

**WHEREAS, the applicant obtained a minor conditional use for this property, pursuant to P54-03 signed on November 18, 2003; and**

**WHEREAS, this amendment is to complete the redevelopment of nineteen (19) residential mobile homes and one (1) single-family residence into twenty (20) ROGO exempt single family homes and associated private facilities for residents; and**

**WHEREAS, the subject property is located at 97800 Overseas Highway and is legally described as lots 3-8 & PB1-102 Sub of Pt Lots 1-5 & Lot 7, 11-61-39, Key Largo, Monroe County, Florida having the following Real Estate numbers; 00090810.000000, 00090820.000000, 00090840.000000, 00090840.000100 and 00090860.000000; and**

**WHEREAS, the Monroe County Planning Commission was presented with the following information, which by reference is hereby incorporated as part of the record of said hearing:**

- 1. The amendment to a minor conditional use application received by the Monroe County Planning and Environmental Resources Department, including the plans and surveys, received by planning on March 19, 2007, listed in attachment A; and**

2. The staff report prepared by Alexander Adams, Principal Planner dated April 19, 2007; and
3. Site Plan (SP-3) prepared by In-Site Design Group, Inc. signed and sealed dated 3/14/07; and
4. Layout Plans & Notes Sheet (C-1), Paving-Grading-Drainage Plan & Notes (C-2), Site/Drainage Details (C-3), Water Distribution Plan (W-1), Water Profiles Notes and Details (W-2), Sanitary Sewer Plan & Notes (SS-1), Sanitary Sewer Profiles and Details (SS-2), Lift Station Plan & Details (SS-3), Lift Station Electrical Detail & Notes (SS-4), Sewage Treatment Plant Specifications (SS-5), Sewage Treatment Plant Plan & Details (SS-6) Sewage Treatment Plant Misc. Details (SS-7) and Sewage Treatment Plant Plan Misc Details & Electrical Diagram (SS-8) prepared by Consulting Engineering & Science, Inc. (CES) all plans signed and sealed dated 3/16/07; and
5. As built site plan by surveyor Gary B. Castel signed and sealed dated March 5, 2007; and
6. Traffic Study by Transport Analysis Professionals, Inc. (TAP) dated June 21, 2004.
7. The sworn testimony of the Growth Management Division Staff; and
8. The sworn testimony of the public; and
9. The comments of John Wolfe, Planning Commission Counsel and Susan Grimsley, Assistant County Attorney; and
10. The comments by Timothy Thomes, attorney for the applicant.

WHEREAS, based upon the information and evidence submitted, the Monroe County Planning Commission adopted the following Findings of Fact and Conclusions of Law:

1. Prior to the Resolution, a revised landscape plan shall be submitted that meets the requirements of MCC 9.5- 361, 378, 379 as well as 9.5-326.
2. Prior to the Resolution, the issue of the shoreline setback shall be resolved by either approval from the Commission as proposed or as a revision to site plan that shows no impacts to the shoreline setbacks.
3. Prior to a Resolution, a revised site plan shall be submitted with a concrete wall or a wooden six (6) foot fence be added along the property boundary to mitigate the impact of the access driveway to meet the minimum yards pursuant to MCC Sec. 9.5-281. Further, the access way shall be constructed of permeable material to maximize stormwater run off control.
4. Prior to the Resolution, the applicant shall provide a phasing plan indicating the amount of units to be developed over a given period of time and the phasing plan shall be approved by Staff.
5. Prior to the Resolution, the County traffic consultant will provide comments on the US 1 access and based on his comments, a right turn lane may need to be added to the site plan. A revised site plan indicating his comments and any concerns shall be submitted prior to the issuance of a resolution. DOT approval may be required pursuant to the request of the County's traffic consultant.

6. Prior to applying for a building permit for any work, all existing fire marshal requirements shall be met and any code violations resolved.
7. Prior to the issuance of a Building Permit, the site plans shall be determined to be in compliance by the South Florida Water Management District, County Engineer, Florida Keys Electric Co-op, Building Department, and the Florida Department of Health.

**WHEREAS**, staff has received the following revisions, therefore meeting several of the Planning Commission conditions as outlined below:

1. A revised landscape plan (L-1) by In-Site Design Group signed and sealed, last revised June 13, 2007 meeting the requirements of MCC 9.5- 361, 378, 379 as required by the Planning Commission satisfying Condition #1; and
2. A revised site plan (SP-3) by In-Site Design Group last revised May 29, 2007, and signed and sealed dated 6/14/07 meeting the requirements of MCC 9.5-349 showing a 20' shoreline setback as required by the Planning Commission satisfying Condition #2; and
3. A revised site plan (SP-3) by In-Site Design Group last revised May 29, 2007, and signed and sealed dated 6/14/07 showing a (6) foot fence/ berm permeable paving materials to be utilized on the driveway adjacent to lots 11 & 12 as required by the Planning Commission satisfying Condition #3; and
4. A phasing plan was submitted to staff on June 15, 2007 showing the number of units, unit types, and locations of each as required by the Planning Commission satisfying Condition #4.
5. A response from the County's traffic consultant was provided on July 27, 2007 in regards to the need for a right turn lane. The consultant concluded that the site will have little or no additional traffic impact on the surrounding roadway. Further, the consultant agreed with the findings presented in the traffic letter prepared by TAP, dated June 21, 2004 thus satisfying Condition #5.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Ciudadmar, L.L.C., for Ciudadmar for an Amendment to a Minor Conditional Use Permit to develop twenty (20) ROGO exempt residential units, a private neighborhood center, pool, plaza, boat parking, exiting docks and boat ramp subject to the following conditions:

1. Prior to applying for a building permit for any work, all existing fire marshal requirements shall be met and any code violations resolved; and

- 2. Prior to the issuance of a Building Permit, the site plans shall be determined to be in compliance by the South Florida Water Management District, County Engineer, Florida Keys Electric Co-op, Building Department, and the Florida Department of Health.

**PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 25<sup>th</sup> day of April, 2007.**

Chair Cameron	<u>YES</u>
Vice-Chair Wall	<u>ABSENT</u>
Commissioner Cates Deal	<u>ABSENT</u>
Commissioner Windle	<u>YES</u>
Commissioner Popham	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY *James D. Cameron*  
James D. Cameron, Chair

Signed this 14<sup>TH</sup> day of AUGUST, 2007.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *J. D. Cameron*  
Cameron's Office

This Document Prepared By:  
KIM DAISE

RCD Mar 04 2002 11:03AM  
DANNY L KOLBAGE, CLERK

DEED DOC STAMPS 11830.00  
03/04/2002 PP DEP CLR

Parcel ID Number:  
Grantee #1 TIN:  
Grantee #2 TIN:

# Warranty Deed

This Indenture, Made this 15th day of February, 2002 A.D., Between  
ROCK HARBOR PARK, INC. a corporation existing under the laws  
of the State of Florida, grantors, and  
of the County of \_\_\_\_\_, State of \_\_\_\_\_, grantors, and  
CIUDADMAR INVESTMENT, INC.

whose address is: 97801 OVERSEAS HIGHWAY, KEY LARGO, FL 33037

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

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

Subject to restrictions, reservations and easements of record, if  
any, and taxes subsequent to 2001.

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:

ROCK HARBOR PARK, INC.

Kimberly S. Daise  
Printed Name: Kimberly S. Daise  
Witness

By: Edward J. Mertens (Seal)  
EDWARD J. MERTENS, PRESIDENT  
P.O. Address:

Angel M. Garcia-Oliver  
Printed Name: Angel M. Garcia-Oliver  
Witness

(Corporate Seal)

STATE OF Florida  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 15th day of February, 2002 by  
EDWARD J. MERTENS, PRESIDENT of ROCK HARBOR PARK, INC.  
on behalf of the corporation  
he is personally known to me or he has produced his Florida driver's license as identification.



Angel M. Garcia-Oliver  
Commission # FD038449  
Expires July 2, 2005  
Became Notary  
Atlantic Bonding Co., Inc.

Angel M. Garcia-Oliver  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

## Exhibit A

A portion of Lots 8 and 15, according to the Plat of Government Lots 5 & 6 and the NW ¼ of the NW ¼ of Section 5 and Lots 1 & 2 of Section 6, Township 62 South, Range 39 East, made by George L. MacDonald and recorded in Plat Book 1 at Page 59, Public Records of Monroe County, Florida, more particularly described as follows:

Begin at the intersection of the Southeasterly right-of-way line of Old State Road 4A and the Southwesterly side of said Lot 8, thence run Northeasterly along the said Southeasterly right-of-way line, a distance of 356.40 feet to the Northeasterly side of the J.B. Albury property; thence Southeasterly along the said Northeasterly side of the J.B. Albury property, a distance of 710 feet, more or less, to the shoreline of the Atlantic Ocean as described in Official Records Book 242, Page 44 of the Public Records of Monroe County, Florida; thence Southwesterly along said shoreline a distance of 149 feet, more or less, to the Northeasterly line of the Doris Reese property, as described in said Official Record Book 242, Page 44; thence Northwesterly along said Northeasterly line, a distance of 400.86 feet; thence proceed at right angles to the last described course and parallel with the said Southeasterly right-of-way line, a distance of 100.00 feet; thence proceed Northwesterly at right angles to the last described course, a distance of 50.40 feet; thence proceed Southwesterly at right angles to the last described course, a distance of 110.00 feet to the Southwesterly line of said Lot 8; thence proceed Northwesterly along said Southwesterly line of Lot 8, a distance of 248.97 feet to the Point of Beginning. Said parcel contains 3.69 acres, more or less

Together with that certain parcel of submerged land, described in T.I.L.F. Deed No. 24410 (1906-44), recorded in Official Records Book 383, Page 745 of the Public Records of Monroe County, Florida and described verbatim hereinafter:

A parcel of submerged land in the Straits of Florida, in Section 6, Township 62 South, Range 39 East, Key Largo, Monroe County, Florida, fronting a portion of Lots 8 and 15 (PB 1, PG 59) more particularly described as follows:

From the intersection of the Southeasterly side of the right-of-way of Old State Road 4-A and the Southwesterly side of said Lot 8, George L. MacDonald's Plat recorded in Plat book 1 at Page 59, Public Records of Monroe County, Florida, run North 45°38' East along the said Southeasterly side of Old State Road 4-A, a distance of 160 feet; thence continue North 45°38' East along the said Southeasterly side of Old State Road 4-A, for a distance of 198.6 feet to a point (said point being 335.0 feet Southwesterly from the Northeasterly line of said Lot 8); thence run South 44°22' East along a line parallel with and 335.0 feet Southwesterly from the Northeasterly line of said Lot 8, a distance of 710 feet, more or less, to the mean high tide line on the shore of the Straits of Florida and the Point of Beginning of the parcel hereinafter described; thence continue South 44°22' East a distance of 269.7 feet; thence South 40°22'30" West a distance of 148.6 feet, thence North 44°22' West, a distance of 277.7 feet to the said mean high tide line; thence Northeasterly meandering said mean high tide line, a distance of 150 feet, more or less, to the Point of Beginning. Said parcel contains 0.93 acres, more or less.

MONROE COUNTY  
OFFICIAL RECORDS

This Document Prepared By:  
KIM DAISE

RCD Mar 04 2002 11:03AM  
DANNY L KOLHAGE, CLERK

Parcel ID Number:  
Grantee #1 TIN:  
Grantee #2 TIN:

# Warranty Deed

This Indenture, Made this 15th day of February, 2002 A.D. Between  
1996 MERTENS CORPORATION, a corporation existing under the laws  
of the State of Florida  
of the County of \_\_\_\_\_, State of \_\_\_\_\_, grantors, and  
CIUDADMAR INVESTMENT, INC.

whose address is: 97801 OVERSEAS HIGHWAY, KEY LARGO, FL 33037

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

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

Subject to restrictions, reservations and easements of record, if  
any, and taxes subsequent to 2001.

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:

1996 MERTENS CORPORATION

Kimberly S. Daise  
Printed Name: Kimberly S. Daise  
Witness

By: Edward J. Mertens Pres. (Seal)  
EDWARD J. MERTENS, PRESIDENT  
P.O. Address:

Angel M. Garcia Oliver  
Printed Name: Angel M. Garcia Oliver  
Witness

(Corporate Seal)

STATE OF Florida  
COUNTY OF

The foregoing instrument was acknowledged before me this 15th day of February, 2002 by  
EDWARD J. MERTENS, PRESIDENT of 1996 MERTENS CORPORATION,  
on behalf of the corporation  
he is personally known to me or he has produced his Florida driver's license as identification.



Angel M. Garcia Oliver  
Commission # DD 000100  
Expires July 2, 2005  
Bonded Thru  
Atlantic Bonding Co. Inc.

Angel M. Garcia Oliver  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires:

FILE #1285610  
BK#1765 PG#43

## Exhibit A

A portion of Lot 8, according to the Plat of Government Lots 5 and 6 and the NW 1/4 of the NW 1/4 of Sections 5 and Lots 1 and 2 of Section 6, TWP. 62 S, Rge. 39 E made by George L. MacDonald and recorded in Plat Book 1 at Page 59 of the Public Records of Monroe County, Florida, more particularly described as follows: Commence at the A Point of intersection of the Southeasterly Right-of-Way line of Old State Road 4-A and the Southwesterly line of said Lot 8, and run Southeasterly along said Southwesterly line of Lot 8 for 248.97 feet; thence deflect 90° right and run South easterly for 50.4 feet along the line common to the J.B. Albury and the Richard C. Albury properties to the Point of Beginning of the hereinafter described parcel; thence continue Southeasterly along the last described course for 100.00 feet; thence deflect 90° left and run Northeasterly along the Northwesterly line of the now or formerly Doris Reese property for 100.00 feet; thence deflect 90° left and run Northwesterly for 100.00 feet; thence deflect 90° left and run Southwesterly for 100.00 feet to the Point of Beginning. Subject to conditions, restrictions and reservations of record; easements for public utilities, if any; zoning ordinances; and taxes for the current and subsequent years.

MONROE COUNTY  
OFFICIAL RECORDS



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

*We strive to be caring, professional and fair*

To: Monroe County Planning Commission  
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources *TS*  
From: Joseph Haberman, Principal Planner *JH.*  
Date: May 27, 2009  
Subject: *Request for a Time Extension to a Minor Conditional Use Permit, approved under Planning Commission Resolution No. P17-07, Ciudadmar Investments Inc., 97800 Overseas Highway, Tavernier, mile marker 97.8*

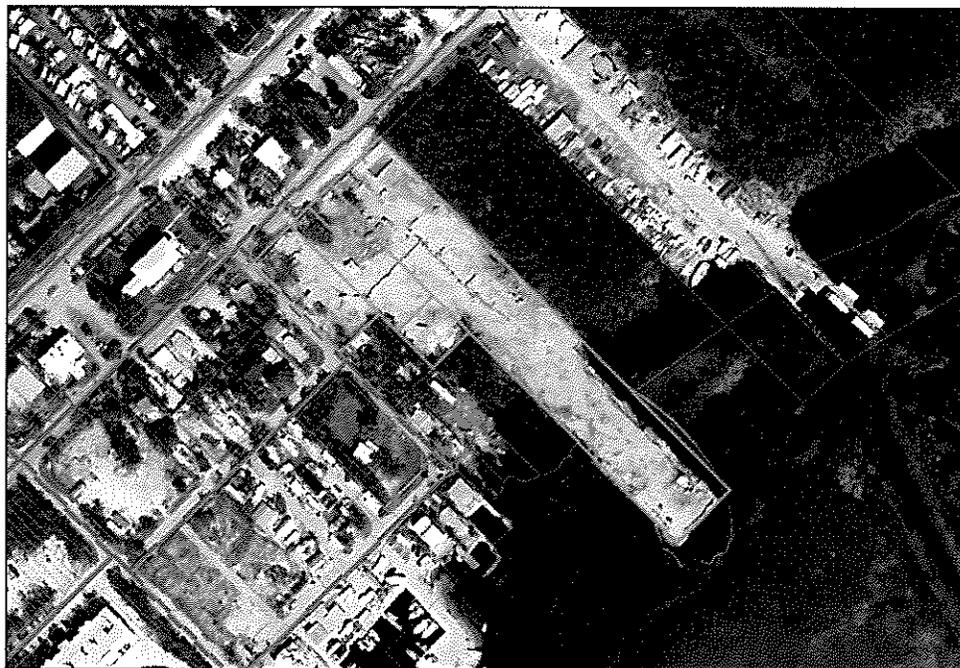
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**Meeting: June 10, 2009**

---

1 I REQUEST:

2  
3 The applicant is requesting a one (1) year extension to Planning Commission Resolution No.  
4 P17-07 (see attached).  
5



24 **Subject Property (outlined in blue) (2006)**

25 Location:

26 Address: 97800 Overseas Highway (US1), Tavernier, mile marker 97.8 (bayside)

27 Legal Description (*as incorrectly indicated on P17-07*): Lots 3-8 & PB1-102 Sub of Pt  
28 Lots 1-5 & Lot 7, 11-61-39, Key Largo  
29  
30

Page 1 of 3

1  
2 Legal Description (*corrected*): Part lots 8 and 15, Island of Key Largo (PB1-59), Section  
3 6, Township 62 South, Range 39 East

4  
5 Real Estate (RE) Numbers: 00090810.000000, 00090820.000000, 00090840.000000,  
6 00090840.000100 & 00090860.000000

7  
8 Applicant:

9  
10 Owner (*as incorrectly spelled on P17-07*): Ciudadmar Investments Inc.

11  
12 Owner (*corrected*): Ciudadmar Investments Inc.

13  
14 Agent: Jim Lupino, Esq., Hershoff, Lupino & Yagel LLC

15  
16 **II RELEVANT PRIOR COUNTY ACTIONS:**

17  
18 P54-03, was approved by the Planning Commission at a public hearing on September 24,  
19 2003, signed by the Planning Commission Chair on November 18, 2003 and recorded in the  
20 official records of the Monroe County Clerk on December 24, 2003. P54-03 approved the  
21 redevelopment of 19 mobile homes and one (1) single-family residence with 20 single-family  
22 condominium townhouses and associated improvements. However, the redevelopment was  
23 never completed and on March 12, 2007, the County issued a letter stating P54-03 was an  
24 expired development order.

25  
26 P17-07, the resolution currently in effect, was approved by the Planning Commission at a  
27 public hearing on April 25, 2007, signed by the Planning Commission Chair on August 14,  
28 2007 and recorded in the official records of the Monroe County Clerk on November 2, 2007.  
29 P17-07, a minor conditional use permit, approved the redevelopment of 20 single-family  
30 dwelling units and associated improvements.

31  
32 Since November 2, 2007, the property owner has applied for only one (1) building permit in  
33 order to carry out the scope of work approved under the minor conditional use permit  
34 (application 073-2895). However, prior to November 2007, several building permit  
35 applications relating to the development were submitted (some of which were in 2004  
36 following the issuance of P54-03). Some of those buildings permit applications were not  
37 issued. Others were issued; however not all of the work under the issued building permits  
38 was carried out. The site remains under construction.

39  
40 **III BACKGROUND INFORMATION:**

41  
42 A. Size of Site: 4.33 acres

43 B. Land Use District: Urban Residential Mobile Home (URM)

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

45 D. Tier Designation: Tier 3

46 E. Existing Use: Residential (under construction)

47 F. Existing Vegetation / Habitat: Developed with areas of mangrove, scrub mangrove,  
48 buttonwood and hammock

49 G. Community Character of Immediate Vicinity: Mixed Use – Residential and Commercial

1 IV REVIEW OF APPLICATION:

2  
3 Pursuant to MCC §110-73(a)(1), unless otherwise specified in the approved conditional use  
4 approval, application for a building permit(s) shall be made within six (6) months of the date  
5 of the approval of the conditional use, and all required certificates of occupancy shall be  
6 procured within two (2) years of the date of issuance of the initial building permit, or the  
7 conditional use approval shall become null and void with no further action required by the  
8 county. Approval time frames do not change with successive owners. An extension of time  
9 may be granted only by the Planning Commission for a period not to exceed one (1) year and  
10 only within the original period of validity. When a hearing officer has ordered a conditional  
11 use approval initially denied by the Planning Commission, the commission shall nonetheless  
12 have the authority to grant or deny a time extension.

13  
14 P17-07 was recorded on November 2, 2007. An application for a building permit was  
15 required by May 2, 2008. The property owner applied for Building Permit 073-2895 (for the  
16 removal of a trailer) on July 5, 2007. The building permit was issued on November 27, 2007.

17  
18 Note: several other building permits were applied for relating to the scope of work, but not  
19 issued prior to the conditional use permit application submittal. Building Permit 073-2895  
20 was the only building permit issued after P17-07 became effective.

21  
22 The property owner has two (2) years to acquire all certificates of occupancy from the date  
23 of the initial building permit's issuance. Consequently, all required certificates of occupancy  
24 are required by November 27, 2009.

25  
26 The applicant is requesting a one year extension. Staff has found that the request does not  
27 exceed one (1) year and P17-07 is within its original period of validity. Therefore, the  
28 required criteria have been met.

29  
30 Regarding rationale for a time extension, the applicant asserts that the lender did not fund a  
31 draw request, which resulted in a lien by the general contractor and a dispute between the  
32 owner and lender. Until the dispute is settled, construction cannot proceed.

33  
34 Staff has determined that the property owner has exhibited progress in carrying out the  
35 development. Permits to demolish existing structures have been issued and the work carried  
36 out. Permits to construct new structures have been submitted; however work has stalled  
37 presumably due to the dispute between owner and lender.

38  
39 V RECOMMENDATION:

40  
41 Staff recommends APPROVAL to the Planning Commission with the following conditions:

- 42  
43 A. Planning Commission Resolution No. P17-07 is hereby extended for one (1) year, to  
44 provide a new expiration date of November 27, 2010.  
45 B. All other provisions and conditions of Planning Commission Resolution No. P17-07 shall  
46 be met.



Doc# 1669223 11/02/2007 10:50AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1669223  
Bk# 2329 Pg# 1083

**PLANNING COMMISSION RESOLUTION NO. P17-07**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION **APPROVING** THE REQUEST BY CUIDADMAR INVESTMENTS INC FOR AN AMENDMENT TO A MINOR CONDITIONAL USE PERMIT TO DEVELOP TWENTY (20) ROGO EXEMPT SINGLE FAMILY HOMES AND ASSOCIATED PRIVATE FACILTIES FOR RESIDENTS AT PROPERTY LEGALLY DESCRIBED AS KEY LARGO PT LOTS 3-8 & PB 1-102 SUB OF PT LOTS 1-5 & 7, 11-61-39, KEY LARGO, MONROE COUNTY, FLORIDA HAVING REAL ESTATE NUMBERS 00090810.000000; 00090820.000000; 00090840.000000; 00090840.000100 AND 00090860.000000.

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**WHEREAS**, during a regularly scheduled public hearing held on April 25, 2007, the Monroe County Planning Commission conducted a review and consideration of a request filed by Cuidadmar, Inc., for an amendment to a minor conditional use pursuant to MCC Sec 9.5-68; and

**WHEREAS**, the applicant obtained a minor conditional use for this property, pursuant to P54-03 signed on November 18, 2003; and

**WHEREAS**, this amendment is to complete the redevelopment of nineteen (19) residential mobile homes and one (1) single-family residence into twenty (20) ROGO exempt single family homes and associated private facilities for residents; and

**WHEREAS**, the subject property is located at 97800 Overseas Highway and is legally described as lots 3-8 & PB1-102 Sub of Pt Lots 1-5 & Lot 7, 11-61-39, Key Largo, Monroe County, Florida having the following Real Estate numbers; 00090810.000000, 00090820.000000, 00090840.000000, 00090840.000100 and 00090860.000000; and

**WHEREAS**, the Monroe County Planning Commission was presented with the following information, which by reference is hereby incorporated as part of the record of said hearing:

1. The amendment to a minor conditional use application received by the Monroe County Planning and Environmental Resources Department, including the plans and surveys, received by planning on March 19, 2007, listed in attachment A; and

2. The staff report prepared by Alexander Adams, Principal Planner dated April 19, 2007; and
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5. As built site plan by surveyor Gary B. Castel signed and sealed dated March 5, 2007; and
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7. The sworn testimony of the Growth Management Division Staff; and
8. The sworn testimony of the public; and
9. The comments of John Wolfe, Planning Commission Counsel and Susan Grimsley, Assistant County Attorney; and
10. The comments by Timothy Thomes, attorney for the applicant.

**WHEREAS**, based upon the information and evidence submitted, the Monroe County Planning Commission adopted the following Findings of Fact and Conclusions of Law:

1. Prior to the Resolution, a revised landscape plan shall be submitted that meets the requirements of MCC 9.5- 361, 378, 379 as well as 9.5-326.
2. Prior to the Resolution, the issue of the shoreline setback shall be resolved by either approval from the Commission as proposed or as a revision to site plan that shows no impacts to the shoreline setbacks.
3. Prior to a Resolution, a revised site plan shall be submitted with a concrete wall or a wooden six (6) foot fence be added along the property boundary to mitigate the impact of the access driveway to meet the minimum yards pursuant to MCC Sec. 9.5-281. Further, the access way shall be constructed of permeable material to maximize stormwater run off control.
4. Prior to the Resolution, the applicant shall provide a phasing plan indicating the amount of units to be developed over a given period of time and the phasing plan shall be approved by Staff.
5. Prior to the Resolution, the County traffic consultant will provide comments on the US 1 access and based on his comments, a right turn lane may need to be added to the site plan. A revised site plan indicating his comments and any concerns shall be submitted prior to the issuance of a resolution. DOT approval may be required pursuant to the request of the County's traffic consultant.

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**WHEREAS**, staff has received the following revisions, therefore meeting several of the Planning Commission conditions as outlined below:

1. A revised landscape plan (L-1) by In-Site Design Group signed and sealed, last revised June 13, 2007 meeting the requirements of MCC 9.5- 361, 378, 379 as required by the Planning Commission satisfying Condition #1; and
2. A revised site plan (SP-3) by In-Site Design Group last revised May 29, 2007, and signed and sealed dated 6/14/07 meeting the requirements of MCC 9.5-349 showing a 20' shoreline setback as required by the Planning Commission satisfying Condition #2; and
3. A revised site plan (SP-3) by In-Site Design Group last revised May 29, 2007, and signed and sealed dated 6/14/07 showing a (6) foot fence/ berm permeable paving materials to be utilized on the driveway adjacent to lots 11 & 12 as required by the Planning Commission satisfying Condition #3; and
4. A phasing plan was submitted to staff on June 15, 2007 showing the number of units, unit types, and locations of each as required by the Planning Commission satisfying Condition #4.
5. A response from the County's traffic consultant was provided on July 27, 2007 in regards to the need for a right turn lane. The consultant concluded that the site will have little or no additional traffic impact on the surrounding roadway. Further, the consultant agreed with the findings presented in the traffic letter prepared by TAP, dated June 21, 2004 thus satisfying Condition #5.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Cuidadmar, L.L.C., for Cuidadmar for an Amendment to a Minor Conditional Use Permit to develop twenty (20) ROGO exempt residential units, a private neighborhood center, pool, plaza, boat parking, exiting docks and boat ramp subject to the following conditions:

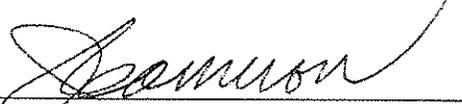
1. Prior to applying for a building permit for any work, all existing fire marshal requirements shall be met and any code violations resolved; and

2. Prior to the issuance of a Building Permit, the site plans shall be determined to be in compliance by the South Florida Water Management District, County Engineer, Florida Keys Electric Co-op, Building Department, and the Florida Department of Health.

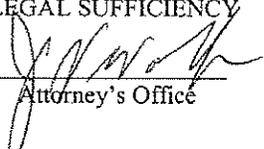
**PASSED AND ADOPTED BY THE PLANNING COMMISSION** of Monroe County, Florida, at a regular meeting held on the 25<sup>th</sup> day of April, 2007.

Chair Cameron	<u>YES</u>
Vice-Chair Wall	<u>ABSENT</u>
Commissioner Cates Deal	<u>ABSENT</u>
Commissioner Windle	<u>YES</u>
Commissioner Popham	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY   
James D. Cameron, Chair

Signed this 14<sup>TH</sup> day of AUGUST, 2007.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY   
Attorney's Office

MONROE COUNTY  
OFFICIAL RECORDS

File #: 29030

Owner's Name: Fisherman's Cove LLC

Applicant: same

Agent James @ Marlin Holding Inc.

Type of Application: PC Sign Variance

Key: Key Largo

RE #: 00432970-000000

**Additional Information added to File 29030**

**End of Additional File 29030**

APPLICATION  
**MONROE COUNTY**  
**PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT**



**Sign Variance Application to the Monroe County Planning Commission**

**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**

Planning Commission Variance Application Fee: \$1,076.00

*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: 3 / 123 / 09  
Month Day Year

**Property Owner:**

FISHERMAN'S CREEK LLC  
Name

104000 OVERSEAS HWY Key Largo  
Mailing Address (Street, City, State, Zip Code)

(305) 451-4500  
Daytime Phone

BENCOINVESTMENTS@BELL SOUTH.NET  
Email Address

**Agent (if applicable):**

MARLIN HOLDING INC.  
Name

102920 OVERSEAS HIGHWAY Key Largo  
Mailing Address (Street, City, State, Zip Code)

(305) 453-4644  
Daytime Phone

james@marlinholdinginc.com  
Email Address

**Legal Description of Property:**

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

15, 7, 11                      BAYWOOD                      LARGO  
Block                      Lot                      Subdivision                      Key

00432970-000000                      1593414  
Real Estate (RE) Number                      Alternate Key Number

104000 OVERSEAS HIGHWAY                      104  
Street Address (Street, City, State, Zip Code)                      Approximate Mile Marker

**REVISION RECEIVED**

**MAR 23 2009**

**MONROE CO. PLANNING DEPT.**

APPLICATION

Land Use District Designation(s): Commercial / Highway / Waterfront

Present Land Use of the Property: Resort and Restaurant

Please describe why a variance to the sign regulations set forth in the Monroe County Code is required:

Due to the size of the property an additional small monument sign is required to indicate Fisherman's Cove entrance.

Pursuant to Monroe County Code Section 9.5-406, a variance shall be granted only where all of the following criteria are met. Please describe how each standard shall be met.

- 1) The literal interpretation and strict application of the provision and requirements of this division would cause undue and unnecessary hardship to the sign owner because of unique or unusual conditions pertaining to the specific building or parcel or property in question:

The sign already permitted is for the Restaurant portion of the property. An additional sign is needed to indicate the location of the resort portion of the property.

- 2) The granting of the requested variance would not be materially detrimental to the property owners in the vicinity:

The size and position of the sign in no way inhibits view to adjacent businesses and is located at a distance from US 1.

- 3) The unusual conditions applying to the specific property do not apply generally to other properties in the county:

Most businesses are the sole operation on most properties. Due to the dual function of this property we feel a second ground mounted sign is necessary.

- 4) The granting of the variance will not be contrary to the general objective of this division of moderating the size, number and obtrusive placement of signs and the reduction of clutter:

The monument sign was built in such a style as to compliment the building and be pleasing to the eye.

- 5) The variance is not requested on the basis of economic hardship of the sign user:

All fees associated with the approval process have been and will be promptly paid.

APPLICATION

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 sign variance application (unaltered and unbound); and
- Correct fee (check or money order to Monroe County Planning & Environmental Resources); and
- Proof of property ownership (i.e. Warranty Deed); and
- Current Property Record Card(s) from the Monroe County Property Appraiser; and
- Location map; and
- Photograph(s) of site from adjacent roadway(s); and
- Photograph(s) of all existing signage; and
- Site Plan (drawn to a scale of one (1) inch equals twenty (20) feet, except where impractical and the Director of Planning authorizes a different scale); and
- Detail of Sign(s), including dimensional measurements of sign area (length, width and height); total height of structure (the vertical distance measured from the top of the structure to the finished ground elevation of the site at the base of the sign); location of sign (distance from property lines/drives for ground-mounted and position on building for wall-mounted); and all text and images to be shown on sign; and
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included; and

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

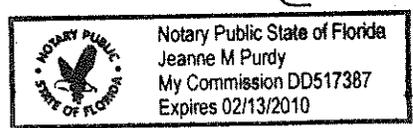
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)

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.

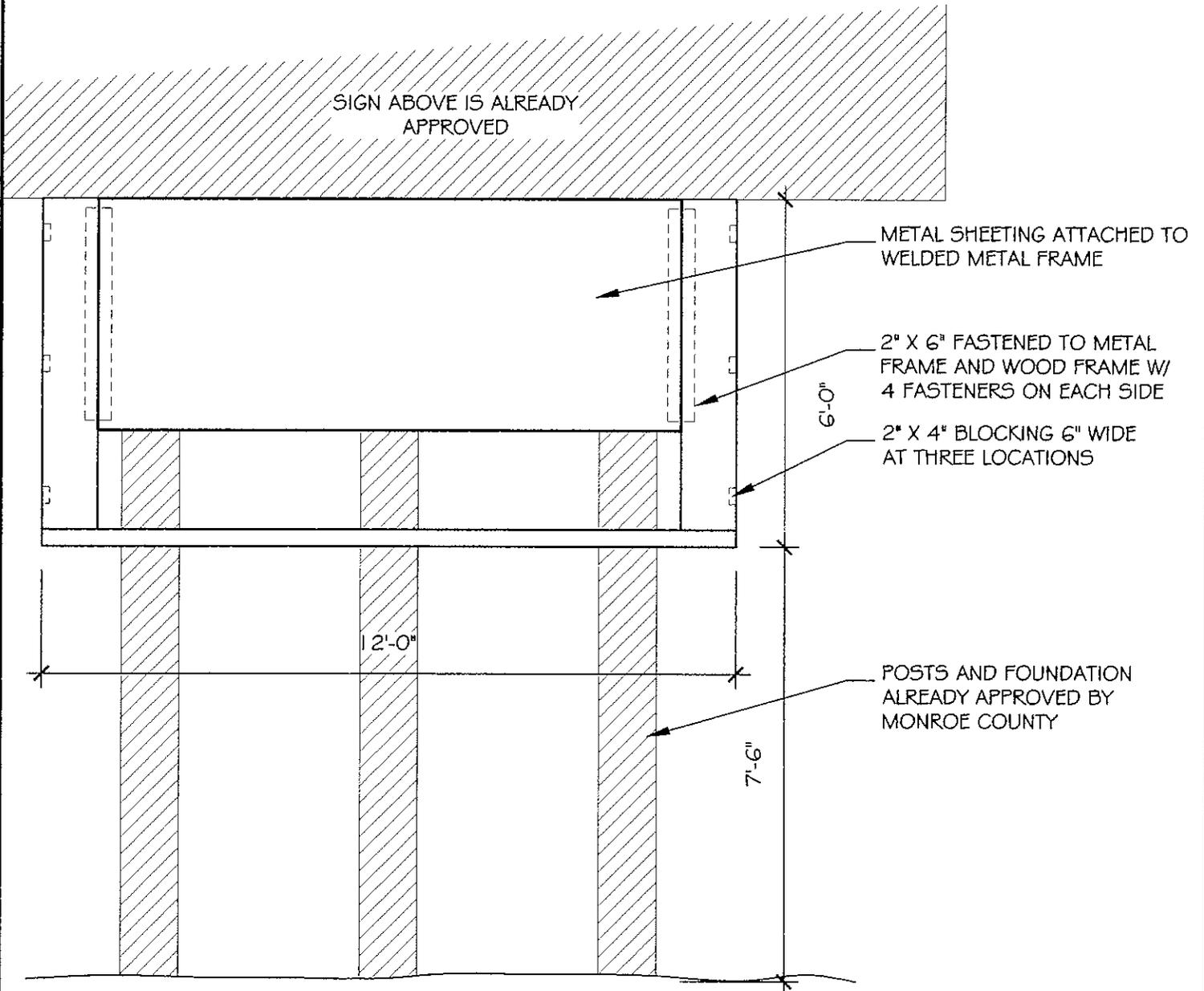
Signature of Applicant: [Signature] Date: February 26, 2009

Sworn before me this 26<sup>th</sup> day of February

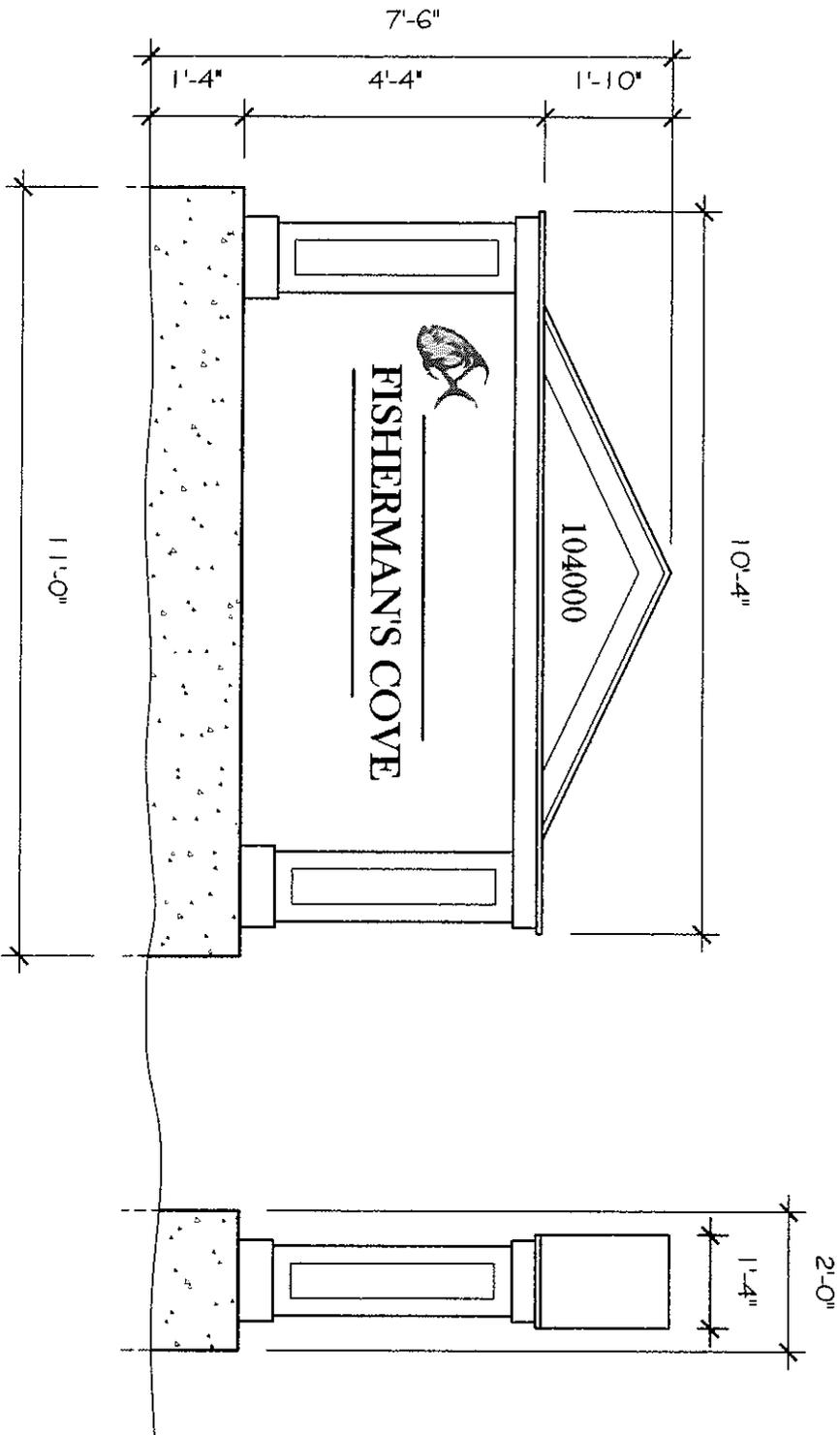
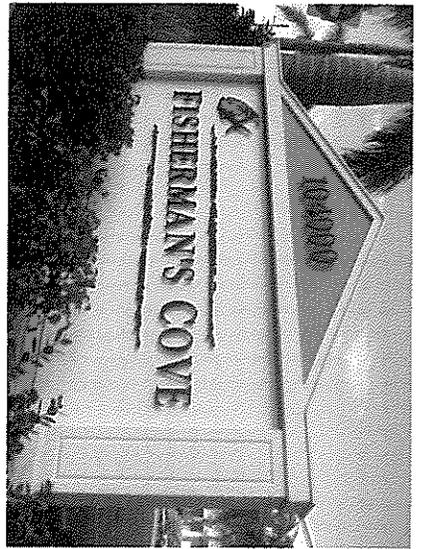


[Signature]  
Notary Public  
My Commission Expires

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



**FISHERMAN'S COVE STREET SIGN**  
**104000 OVERSEAS HWY**  
**KEY LARGO, FL 33037**



**FISHERMAN'S COVE MONUMENT SIGN**  
**104000 OVERSEAS HWY**  
**KEY LARGO, FL 33037**

**SEÑOR FRIJOLES LLC**  
103900 B OVERSEAS HWY  
KEY LARGO, FL 33037

**BLACKWATER SOUND MARINA LLC**  
103950 OVERSEAS HWY  
KEY LARGO, FL 33037

**WHITEHURST FAMILY  
PARTNERSHIP**  
P O BOX 1637  
KEY LARGO, FL 33037

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ALTERNATE KEY NUMBER	ESCROW CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
1539414		3,390,656	0	3,390,656	500K

R



5 - 5137

FISHERMAN'S RESTAURANT & CONFE  
C/O THIES WILLIAM  
104000 OVERSEAS HWY  
KEY LARGO FL 33037-2906



00439720000000116139  
104000 OVERSEAS HWY KEY LARGO  
BAYWOOD KEY LARGO PB1-102 SUB OF  
PT LOTS 1-5 & LOT 7 11 TWP-61S  
R-39E (PT LOT 15) & ADJ BAY BTM  
AND PT LTS 3-8 & BAY BTM ADJ PT  
See Additional Legal on Tax Roll

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
------------------	--------------	------------------	---------------	--------------

001	SCHOOL STATE LAW	1.3940		4,726.57
002	SCHOOL LOCAL BOARD	1.5280		5,180.92
003	GENERAL REVENUE FUND	1.1297		3,830.42
004	F&F LAW ENFORCE JAIL JUDICIAL	1.5394		5,219.58
005	HEALTH CLINIC	.0192		65.10
007	GENERAL PURPOSE MSTU	.1409		477.74
008	FLORIDA KEYS MOSQUITO CONTROL	.3798		1,287.77
009	M C LOCAL ROAD PATROL LAW ENF	.2076		703.90
025	SO FL WATER MANAGEMENT DIST	.2549		864.28
028	OKEECHOBEE BASIN	.2797		948.37
049	EVERGLADES CONSTRUCTION PRJT	.0894		303.12
066	K L FIRE RESC & EMERG MEDICAL	.7768		2,633.86

*paid at closing*

TOTAL MILLAGE 7.7394 AD VALOREM TAXES \$26,241.63

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
-------------------	------	--------

060	K L WASTEWATER UNINCORPORATED	5,850.18
-----	-------------------------------	----------

RETAIN THIS PORTION FOR YOUR RECORDS

PAY ONLY ONE AMOUNT IN YELLOW SHADED AREA

NON-AD VALOREM ASSESSMENTS \$5,850.18

COMBINED TAXES AND ASSESSMENTS \$32,091.81 See reverse side for important information.

NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	TAX + PEN
30,808.14	31,129.06	31,449.97	31,770.89	32,091.81	

IF PAID BY

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ALTERNATE KEY NUMBER	ESCROW CD	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE	MILLAGE CODE
1539414		3,390,656	0	3,390,656	500K

R

FISHERMAN'S RESTAURANT & CONFE  
C/O THIES WILLIAM  
104000 OVERSEAS HWY  
KEY LARGO, FL 33037

00439720000000116139  
104000 OVERSEAS HWY KEY LARGO  
BAYWOOD KEY LARGO PB1-102 SUB OF  
PT LOTS 1-5 & LOT 7 11 TWP-61S  
R-39E (PT LOT 15) & ADJ BAY BTM  
AND PT LTS 3-8 & BAY BTM ADJ PT  
See Additional Legal on Tax Roll

CHECKS ON U.S. BANKS ONLY TO DANISE D. HENRIQUEZ, C.F.C. • P.O. BOX 1129 • KEY WEST, FL 33041-1129

NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	TAX + PEN
30,808.14	31,129.06	31,449.97	31,770.89	32,091.81	

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FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS



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[Events](#)

[Name History](#)

Entity Name Search

## Detail by Entity Name

### Florida Limited Liability Company

FISHERMAN'S COVE AT KEY LARGO, LLC

### Filing Information

**Document Number** L03000040800  
**FEI Number** 200605779  
**Date Filed** 10/23/2003  
**State** FL  
**Status** ACTIVE  
**Last Event** REINSTATEMENT  
**Event Date Filed** 10/30/2007  
**Event Effective Date** NONE

### Principal Address

11431 NW 18TH STREET  
PLANTATION FL 33323

Changed 03/15/2007

### Mailing Address

11431 NW 18TH STREET  
PLANTATION FL 33323

Changed 03/15/2007

### Registered Agent Name & Address

COKER, JR., RICHARD G  
1404 S. ANDREWS AVENUE  
FT. LAUDERDALE FL 33316 US

Name Changed: 03/15/2007

Address Changed: 03/15/2007

### Manager/Member Detail

#### **Name & Address**

Title MGR

FILLICHIO, BENEDICT J  
11431 NW 18TH STREET  
PLANTATION FL 33323

Title MGR

THIES, JR., WILLIAM  
68 FIESTA WAY  
FT. LAUDERDALE FL 33301

### Annual Reports

**Report Year Filed Date**

<b>2006</b>	04/27/2006
<b>2007</b>	10/30/2007
<b>2008</b>	05/05/2008

### Document Images

<a href="#">05/05/2008 -- ANNUAL REPORT</a>	<input type="button" value="View image in PDF format"/>
<a href="#">10/30/2007 -- REINSTATEMENT</a>	<input type="button" value="View image in PDF format"/>
<a href="#">04/02/2007 -- LC Amendment</a>	<input type="button" value="View image in PDF format"/>
<a href="#">03/15/2007 -- LC Amendment and Name Change</a>	<input type="button" value="View image in PDF format"/>
<a href="#">04/27/2006 -- ANNUAL REPORT</a>	<input type="button" value="View image in PDF format"/>
<a href="#">02/07/2005 -- ANNUAL REPORT</a>	<input type="button" value="View image in PDF format"/>
<a href="#">11/24/2004 -- Reg. Agent Change</a>	<input type="button" value="View image in PDF format"/>
<a href="#">03/05/2004 -- ANNUAL REPORT</a>	<input type="button" value="View image in PDF format"/>
<a href="#">10/24/2003 -- Florida Limited Liability</a>	<input type="button" value="View image in PDF format"/>

**Note:** This is not official record. See documents if question or conflict.

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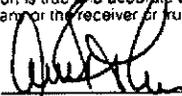
[Events](#)

[Name History](#)

**2008 LIMITED LIABILITY COMPANY  
ANNUAL REPORT**

**FILED**  
**May 05, 2008 8:00 am**  
**Secretary of State**

05-05-2008 90026 050 \*\*\*143.75

<b>DOCUMENT # L03000040800</b>					
1. Entity Name FISHERMAN'S COVE AT KEY LARGO, LLC					
Principal Place of Business 11431 NW 18TH STREET PLANTATION, FL 33323			Mailing Address 11431 NW 18TH STREET PLANTATION, FL 33323		
2. Principal Place of Business - No P.O. Box #		3. Mailing Address			
Suite, Apt. #, etc.		Suite, Apt. #, etc.			
City & State		City & State		04172008 Chg-LLC CR2E083 (12/06)	
Zip		Country		4. FEI Number 20-0605779	
				Applied For Not Applicable	
				5. Certificate of Status Desired <input type="checkbox"/> \$5.00 Additional Fee Required	
6. Name and Address of Current Registered Agent			7. Name and Address of New Registered Agent		
COKER, JR., RICHARD G 1404 S. ANDREWS AVENUE FT. LAUDERDALE, FL 33316			Name		
			Street Address (P.O. Box Number is Not Acceptable)		
			City		
			FL		Zip Code
8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.					
SIGNATURE _____ (NOTE: Registered Agent signature required when reinstating) DATE _____					
<b>FILE NOW!!! FEE IS \$138.75 After May 1, 2008 Fee will be \$538.75</b>				Make check payable to Florida Department of State	
9. MANAGING MEMBERS/MANAGERS			10. ADDITIONS/CHANGES		
TITLE	MGR	<input type="checkbox"/> Delete	TITLE	<input type="checkbox"/> Change	<input type="checkbox"/> Addition
NAME	FILICCHIO, BENEDICT J		NAME		
STREET ADDRESS	11431 NW 18TH STREET		STREET ADDRESS		
CITY-ST-ZIP	PLANTATION, FL 33323		CITY-ST-ZIP		
TITLE	MGR	<input type="checkbox"/> Delete	TITLE	<input type="checkbox"/> Change	<input type="checkbox"/> Addition
NAME	THIES, JR., WILLIAM		NAME		
STREET ADDRESS	68 FIESTA WAY		STREET ADDRESS		
CITY-ST-ZIP	FT. LAUDERDALE, FL 33301		CITY-ST-ZIP		
TITLE		<input type="checkbox"/> Delete	TITLE	<input type="checkbox"/> Change	<input type="checkbox"/> Addition
NAME			NAME		
STREET ADDRESS			STREET ADDRESS		
CITY-ST-ZIP			CITY-ST-ZIP		
TITLE		<input type="checkbox"/> Delete	TITLE	<input type="checkbox"/> Change	<input type="checkbox"/> Addition
NAME			NAME		
STREET ADDRESS			STREET ADDRESS		
CITY-ST-ZIP			CITY-ST-ZIP		
TITLE		<input type="checkbox"/> Delete	TITLE	<input type="checkbox"/> Change	<input type="checkbox"/> Addition
NAME			NAME		
STREET ADDRESS			STREET ADDRESS		
CITY-ST-ZIP			CITY-ST-ZIP		
11. I hereby certify that the information supplied with this filing does not qualify for the exemptions contained in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.					
SIGNATURE: 				Date _____ Daytime Phone # _____	
SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING MANAGING MEMBER, MANAGER, OR AUTHORIZED REPRESENTATIVE					

**60038551**



**MEMBERSHIP INTEREST TRANSFER CLOSING STATEMENT**  
**FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**

Closing Date: January 3, 2007

Sellers: Carl E. Lindback III, Cheryl A. Lindback, Carl E. Lindback, Jr. and Marlene Lindback

Buyers: Benco Investments, LLC (as to a 50% interest) and Leeward Investment Company, LLC (as to a 50%)

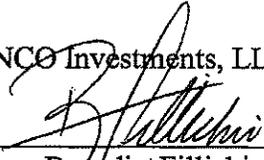
Interest being conveyed: 100% of the Outstanding Membership Interest in Fisherman's Restaurant & Conference Center, LLC ("Company")

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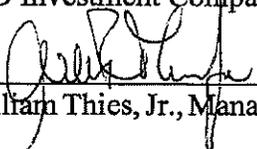
**PURCHASE PRICE:** Payoff or assumption of the following debts and obligations:

1. First Mortgage in favor of Community Bank of Florida in the original, principal amount of \$3,600,000.00.
2. Release payment in the amount of \$2,000,000.00 to U.S. Funding Group for release of second mortgage lien.
3. Payment of approximately \$700,000.00 for payoff of obligations listed in Exhibit "A" to the Agreement for Purchase and Sale.

BENCO Investments, LLC

By:   
Benedict Fillichio, Managing Member

LEEWARD Investment Company, LLC

By:   
William Thies, Jr., Managing Member

By: \_\_\_\_\_  
Carl E. Lindback III

By: \_\_\_\_\_  
Cheryl A. Lindback

By: \_\_\_\_\_  
Carl E. Lindback, Jr.

By: \_\_\_\_\_  
Marlene Lindback

**MEMBERSHIP INTEREST TRANSFER CLOSING STATEMENT**  
**FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**

Closing Date: January 3, 2007

Sellers: Carl E. Lindback III, Cheryl A. Lindback, Carl E. Lindback, Jr. and Marlene Lindback

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3. Payment of approximately \$700,000.00 for payoff of obligations listed in Exhibit "A" to the Agreement for Purchase and Sale

BENCO Investments, LLC

By: Benedict Fillichio  
Benedict Fillichio, Managing Member

LEEWARD Investment Company, LLC

By: William Thies, Jr.  
William Thies, Jr., Managing Member

By: Carl E. Lindback III  
Carl E. Lindback III

By: Cheryl A. Lindback  
Cheryl A. Lindback

By: Carl E. Lindback, Jr.  
Carl E. Lindback, Jr.

By: Marlene Lindback  
Marlene Lindback

**TRANSFER OF MEMBERSHIP INTEREST IN  
FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**

Effective this 3 day of January, 2007, we Carl E. Lindback, III., Cheryl Lindback, Carl E. Lindback, Jr. and Marlene Lindback, ("Sellers") collectively the owners and holders of 100% (One Hundred Percent) of the Membership Interest in **FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**, a Florida limited liability, ("Membership Interest"), for good and valuable consideration, the receipt and sufficiency is hereby acknowledged, hereby transfer, convey and assign 50% (Fifty Percent) of said Membership Interest, to Benco Investments, LLC, a Florida limited liability company ("Buyer").

The Sellers hereby warrant, represent and covenant to the Buyer that:

- (a) The Membership Interest are validly issued and fully paid and non-assessable;
- (b) The Membership Interest represent 100% of the issued and outstanding membership interests in the Company;
- (c) That, except as disclosed in the Agreement for Purchase and Sale of Limited Liability Interest of Fisherman's Restaurant & Conference Center, LLC dated December 15, 2006, the Sellers have good and marketable title in and to the Membership Interest free and clear of all liens, claims, options, warrants, security interests, encumbrances, or transfer restrictions, have the good right and lawful authority to sell, assign and transfer said Membership Interest to the Buyer, and will defend the same against the claims of all persons claiming by, through or under the Sellers; and
- (d) Except as disclosed to the Buyer in connection with that certain Agreement for Purchase and Sale of Limited Liability Interest of Fisherman's Restaurant & Conference Center, LLC dated December 15, 2006, the Company has not (i) entered into any agreements or contracts of any kind, either written or verbal, express or implied; (ii) borrowed any money or committed to borrow any money; (iii) incurred any financial obligations or liabilities, either voluntarily or otherwise; or (iv) engaged in any business enterprise or venture.

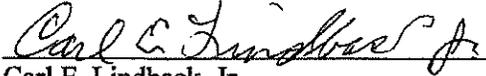
The Sellers hereby agree to indemnify, defend by counsel acceptable to Buyer, and hold Buyer and the Company harmless from and against any and all claims, suits, causes of action, costs, expenses (including, but not limited to, attorneys' fees and costs of litigation and appeals), damage, fees, penalties, and other liabilities, excluding all consequential or exemplary damages, directly or indirectly arising out of any breach of the foregoing warranties.



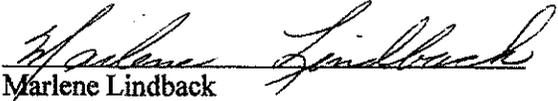
Carl E. Lindback, III



Cheryl Lindback



Carl E. Lindback, Jr.



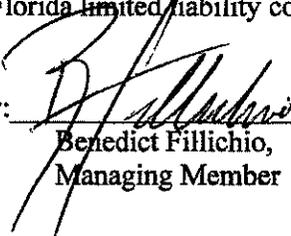
Marlene Lindback

**ACCEPTANCE OF INTEREST**

I, Benedict Fillichio, as Managing Member of Benco Investments, LLC, a Florida limited liability company, do hereby accept assignment of the aforementioned 50% interest in **FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC.**

BENCO INVESTMENTS, LLC,  
a Florida limited liability company

By:



Benedict Fillichio,  
Managing Member

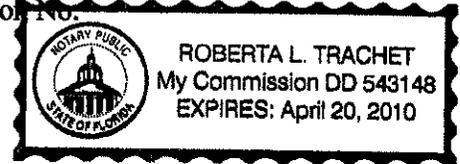
STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CARL E. LINDBACK, III, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L Trachet  
Signature of Notary Public

Roberta L Trachet  
Print, type or stamp name of Notary &  
Commission No.



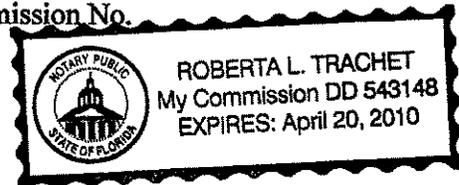
STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CHERYL LINDBACK, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L Trachet  
Signature of Notary Public

Roberta L Trachet  
Print, type or stamp name of Notary &  
Commission No.



*cu*

STATE OF FLORIDA :  
 : SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CARL E. LINDBACK, JR., who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L. Trachet  
Signature of Notary Public

Roberta L. Trachet  
Print, type or stamp name of Notary &  
Commission No.



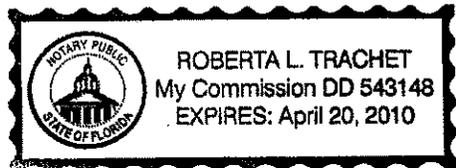
STATE OF FLORIDA :  
 : SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared MARLENE LINDBACK, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L. Trachet  
Signature of Notary Public

Roberta L. Trachet  
Print, type or stamp name of Notary &  
Commission No.



*a*

**TRANSFER OF INTEREST IN  
FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**

Effective this 3 day of January, 2007, we, Carl E. Lindback, III., Cheryl Lindback, Carl E. Lindback, Jr. and Marlene Lindback, ("Sellers") collectively the owners and holders of 100% (One Hundred Percent) of the Membership Interest in **FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**, a Florida limited liability, ("Membership Interest"), for good and valuable consideration, the receipt and sufficiency is hereby acknowledged, hereby transfer, convey and assign 50% (Fifty Percent) of said Membership Interest, to Leeward Investment Company, LLC, a Florida limited liability company. ("Buyer").

The Sellers hereby warrant, represent and covenant to the Buyer that:

- (a) The Membership Interest are validly issued and fully paid and non-assessable;
- (b) The Membership Interest represent 100% of the issued and outstanding membership interests in the Company;
- (c) That, except as disclosed in the Agreement for Purchase and Sale of Limited Liability Interest of Fisherman's Restaurant & Conference Center, LLC dated December 15, 2006, the Sellers have good and marketable title in and to the Membership Interest free and clear of all liens, claims, options, warrants, security interests, encumbrances, or transfer restrictions, have the good right and lawful authority to sell, assign and transfer said Membership Interest to the Buyer, and will defend the same against the claims of all persons claiming by, through or under the Sellers; and
- (d) Except as disclosed to the Buyer in connection with that certain Agreement for Purchase and Sale of Limited Liability Interest of Fisherman's Restaurant & Conference Center, LLC dated December 15, 2006, the Company has not (i) entered into any agreements or contracts of any kind, either written or verbal, express or implied; (ii) borrowed any money or committed to borrow any money; (iii) incurred any financial obligations or liabilities, either voluntarily or otherwise; or (iv) engaged in any business enterprise or venture.

The Sellers hereby agree to indemnify, defend by counsel acceptable to Buyer, and hold Buyer and the Company harmless from and against any and all claims, suits, causes of action, costs, expenses (including, but not limited to, attorneys' fees and costs of litigation and appeals), damage, fees, penalties, and other liabilities, excluding all consequential or exemplary damages, directly or indirectly arising out of any breach of the foregoing warranties.

*a*

\_\_\_\_\_  
Carl E. Lindback, III

\_\_\_\_\_  
Cheryl Lindback

\_\_\_\_\_  
Carl E. Lindback, Jr.

\_\_\_\_\_  
Marlene Lindback

**ACCEPTANCE OF INTEREST**

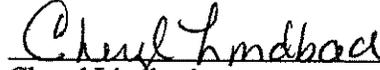
I, William Thies, Jr., as Managing Member of Leeward Investment, LLC, a Florida limited liability company, do hereby accept assignment of the aforementioned **50%** of the Membership Interest in **FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC**.

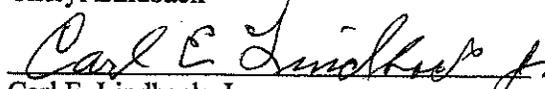
LEEWARD INVESTMENT, LLC,  
a Florida limited liability company

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

  
William Thies, Jr.,  
Managing Member

  
Carl E. Lindback, III

  
Cheryl Lindback

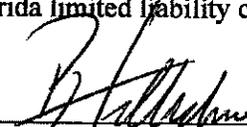
  
Carl E. Lindback, Jr.

  
Marlene Lindback

**ACCEPTANCE OF INTEREST**

I, Benedict Fillichio, as Managing Member of Benco Investments, LLC, a Florida limited liability company, do hereby accept assignment of the aforementioned 50% interest in **FISHERMAN'S RESTAURANT & CONFERENCE CENTER, LLC.**

BENCO INVESTMENTS, LLC,  
a Florida limited liability company

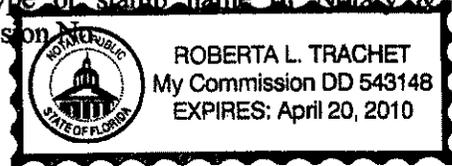
By:   
Benedict Fillichio,  
Managing Member

STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CARL E. LINDBACK, III, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L. Trachet  
Signature of Notary Public  
Roberta L. Trachet  
Print, type or stamp name of Notary &  
Commission No.

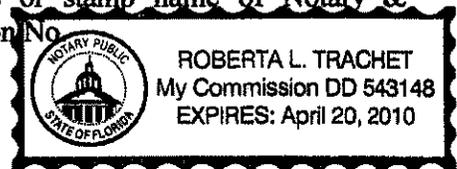


STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CHERYL LINDBACK, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

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Signature of Notary Public  
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Commission No.



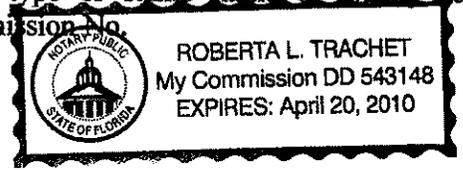
STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CARL E. LINDBACK, JR., who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

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Commission No.



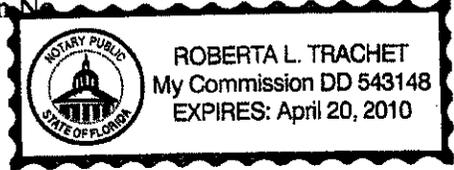
STATE OF FLORIDA :  
: SS.  
COUNTY OF Monroe :

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared MARLENE LINDBACK, who is known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 2nd day of January, 2007.

Roberta L. Trachet  
Signature of Notary Public

Roberta L. Trachet  
Print, type or stamp name of Notary &  
Commission No.



*a*







## MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

*We strive to be caring, professional and fair*

To: Monroe County Planning Commission  
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources *TS*  
From: Steven Biel, Senior Planner  
Date: May 27, 2009  
Subject: *Request for a Sign Variance, Fisherman's Cove  
Section 11, Township 61 South, Range 39 East and part of Lot 15, Baywood  
subdivision (PB1-102), Key Largo, Mile Marker 104*

---

**Meeting: June 10, 2009**

---

1 I REQUEST:

2  
3 The applicant is requesting a sign variance in order to maintain two (2) existing, ground-  
4 mounted signs. Of the existing signs, one has been permitted (Jimmy Johnson's Big Chill)  
5 and the other has not been permitted (Fisherman's Cove). The variance would allow the  
6 property owner to abate a code violation and have the second sign structure along the US 1  
7 frontage erected without the benefit of a building permit approved.  
8



27  
28 Subject Property (outlined in blue) (2006)

1 Location:

2  
3 Address: 104000 Overseas Highway (US 1), Key Largo, MM 104, bayside

4  
5 Legal Description: Section 11, Township 61 South, Range 39 East and part of Lot 15,  
6 Baywood subdivision (PB1-102), Key Largo

7  
8 Real Estate Number: 00439720.000000  
9

10 Applicant:

11  
12 Owner: Fisherman's Cove, LLC  
13

14 II PRIOR COUNTY ACTIONS:  
15

16 On December 9, 2008, the Code Enforcement Department notified the property owner of  
17 several violations pertaining to existing signs on the property. Two unlawful permanent  
18 signs were observed, both erected without the benefit of building permits. One of the  
19 unlawful signs was attached below the permitted Big Chill ground-mounted sign and the  
20 other was the second ground-mounted sign for Fisherman's Cove. In addition, a portable  
21 sign was located in the Florida Department of Transportation right-of-way. The violations  
22 were recorded in Case No. CE08120084. The property owner was advised to either remove  
23 the un-permitted signs or obtain after-the-fact building permits. The attached and portable  
24 signs were removed; however the Fisherman's Cove sign remains. As a second ground-  
25 mounted sign along a single frontage is not permitted, a variance request for this sign was  
26 submitted on March 23, 2009 and is the subject of this memorandum.  
27

28 On March 23, 2009, the property owner agreed to a sign stipulation agreement with a  
29 compliance date of June 18, 2009 and an administrative hearing before the Special  
30 Magistrate on June 25, 2009.  
31

32 III BACKGROUND INFORMATION:  
33

- 34 A. Size of Site: 106,722 ft<sup>2</sup> (2.45 acres)  
35 B. Land Use District: Mixed Use (MU)  
36 C. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)  
37 D. Tier Designation: Tier 3  
38 E. Existing Use: Commercial Retail (Restaurant/Bar) & Transient Residential (Resort)  
39 F. Existing Vegetation / Habitat: Developed  
40 G. Community Character of Immediate Vicinity: Mixed Use – Commercial Retail/Transient  
41 Residential/Marina on bayside of US 1 and Single-Family Residential on oceanside of  
42 US 1  
43 H. Flood Zone: VE-EL 13, VE-EL 12, AE-EL 11, AE-EL 9, & Zone X (where sign is  
44 located)  
45

46 IV REVIEW OF APPLICATION:  
47

1 As set forth in MCC §142-4(3)(a)(1), one (1) illuminated, ground-mounted sign of a height  
2 not more than 24 feet shall be allowed for each non-residential frontage.  
3

4 The property is situated on the northwestern side of US 1 at mile marker 104. The  
5 property has approximately 370 feet of frontage along US 1 and is bordered by a mix of  
6 restaurant, hotel and marina uses.  
7

8 There are currently two (2) ground-mounted signs on the property. However, only one (1)  
9 of the ground-mounted signs was approved with a building permit. Furthermore, only one  
10 (1) ground-mounted sign may be permitted along a single frontage. Therefore, the Big  
11 Chill ground-mounted sign located on the northern portion of the property, which was  
12 recently changed to "Jimmy Johnson's Big Chill" (Building Permit 093-1226, approved  
13 05/19/09), is considered conforming while the second ground-mounted sign, Fisherman's  
14 Cove, is not only unlawful, but nonconforming.  
15

16 It should be noted that after the variance application was submitted, the applicant added  
17 new copy to the Fisherman's Cove sign (Jimmy Johnson's was added above Fisherman's  
18 Cove). The applicant is requesting that the property be allowed to maintain the second  
19 Fisherman's Cove ground-mounted sign.  
20

21 Pursuant to MCC §142-6, a variance from the provision or requirements shall be granted  
22 only where the following standards are met:  
23

24 a. *The literal interpretation and strict application of the provision and requirements of*  
25 *this chapter would cause undue and unnecessary hardship to the sign owner because of*  
26 *unique or unusual conditions pertaining to the specific building or parcel or property*  
27 *in question:*  
28

29 The property is owned by one entity but has two (2) businesses on the premises.  
30 Fisherman's Cove, LLC owns the property and operates the resort. The Big Chill  
31 restaurant and bar, a stand alone structure, is leased to another entity, thus the need for  
32 an additional sign.  
33

34 b. *The granting of the requested variance would not be materially detrimental to the*  
35 *property owners in the vicinity:*  
36

37 The sign is constructed on the ground and does not inhibit the view of other signs on  
38 adjacent properties. In addition, the property has a larger than average amount of  
39 frontage along US 1. Therefore, two (2) ground-mounted signs along the frontage  
40 would not negatively affect the community character.  
41

42 c. *The unusual conditions applying to the specific property do not apply generally to*  
43 *other properties in the county:*  
44

45 Generally, most properties have only a single, large business operating on the property  
46 or several small businesses. In the case of the smaller businesses, they often utilize a

1 single ground-mounted sign that advertises all of the businesses. However, in this  
2 case, there are two stand-alone structures with relatively-large businesses operating on  
3 the subject property.  
4

5 d. *The granting of the variance will not be contrary to the general objective of this*  
6 *chapter of moderating the size, number, and obtrusive placement of signs and the*  
7 *reduction of clutter:*  
8

9 The sign being requested for the variance is 7 feet, 6 inches high on top of a 1 foot, 4  
10 inch base, 10 feet, 4 inches wide, and a depth of 1 foot, 4 inches with landscaping  
11 planted around the base of the sign. The sign directs visitors to and compliments the  
12 Fisherman's Cove resort.  
13

14 e. *The variance is not requested on the basis of economic hardship of the sign user:*  
15

16 Staff has no knowledge that the variance request is based on economic hardship. All  
17 fees associated with the sign variance application have been paid.  
18

19 **V RECOMMENDATION:**  
20

21 Staff recommends APPROVAL to the Planning Commission for a sign variance to permit  
22 a second ground-mounted sign on the property identified as real estate number  
23 00439720.000000 with the following conditions:  
24

- 25 A. This variance is to allow for the existing ground-mounted "Jimmy Johnson's /  
26 Fisherman's Cove" sign only. No expansion or other changes in copy shall be permitted  
27 without additional Planning & Environmental Resources Department approval.  
28
- 29 B. The applicant shall apply for and receive an after-the-fact building permit for the  
30 "Fisherman's Cove" ground-mounted sign.  
31

32 **VI PLANS REVIEWED:**  
33

- 34 A. Administrative Variance Application with an elevation of the Jimmy Johnson's  
35 Fisherman's Cove sign

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26  
27



View of sign from US 1 entrance



**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 *SB*  
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources *TS*  
Date: June 8, 2009  
Subject: *Request for an amendment to Sections 101-1; 102-187; & 118-12 of the Monroe County Code, amending the definition of "accessory uses and structures", and defining adjacent land*

**Meeting: June 10, 2009**

**REQUEST**

The Planning Commission is requesting to amend the Land Development Code in order to amend the definition of "accessory uses or accessory structures", define "adjacent land", and eliminate "adjacent landowner" in Section 101-1 of the Monroe County Code. In addition, this request proposes the permitting of certain accessory uses or structures on adjacent non-contiguous land, the permitting of docking facilities on adjacent land under certain conditions and creates an approval process, and provides for a variance process to determine adjacency for certain accessory uses and structures.

**PROCESS**

In accordance with the provisions set forth in Sec. 102-158 of the Monroe County Code (MCC), amendments may be proposed by the Board of County Commissioners (BOCC), the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process the text and map amendment applications as they are received and pass them on to the Development Review Committee and the Planning Commission for recommendation and final approval by the BOCC.

The Planning Commission and the BOCC shall each hold at least one public hearing on a proposed amendment to the text or to the land use district map. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning &

1 Environmental Resources and the Development Review Committee, and the testimony given at  
2 the public hearing, and shall submit its recommendations and findings to the BOCC. The BOCC  
3 shall consider the report and recommendation of and the testimony given at the public hearings  
4 and may either deny the application or adopt an ordinance approving the proposed amendment.  
5 Ordinances are then reviewed by the Florida Department of Community Affairs.

6  
7 In no event shall an amendment be approved which will result in an adverse community change  
8 of the planning area in which the proposed development is located. In the event of a written  
9 protest against such amendment signed by the owners of twenty (20) percent or more either of  
10 the area of the lots or land included in the proposed amendment or of the lots or land  
11 immediately adjoining the property to be affected and extending two hundred (200) feet there  
12 from, such amendment shall not become effective except by the favorable vote of four (4)  
13 members of the BOCC.

#### 14 15 RELEVANT PRIOR COUNTY ACTIONS

16  
17 Ordinance 036-2006 was approved by the Board of County Commissioners (BOCC) on  
18 September 20, 2006. Ordinance 036-2006 amended the Land Development Code to allow water  
19 service to a dock on an adjacent (non-contiguous) lot under the same ownership and allowed  
20 docks as an accessory use on lots under the same ownership within 500 feet of the lot with the  
21 principal use processed as a variance to be granted by the planning director, and allowed adjacent  
22 non-contiguous lands to be aggregated for purposes of development if they shared a border of  
23 50% of the smaller lot or at least 50 feet, thus allowing development and accessory structures  
24 and uses to be made by combining the area of lots across streets.

25  
26 Ordinance 036-2006 was rejected by the Final Order of the Department of Community Affairs  
27 primarily on the basis that the 500 feet was too far a distance from the principal use, and the  
28 ordinance was inconsistent regarding development on Tier 1 lands.

29  
30 Staff was directed by the Planning Commission to take another look at docking facilities on  
31 adjacent properties. Staff prepared a draft ordinance which was tailored after Ordinance 036-  
32 2006 and presented at a public hearing held by the Planning Commission on March 25, 2009.  
33 The Planning Commission directed staff to expand the accessory uses on adjacent lots and  
34 provide a variance procedure to allow properties within 25 feet of a common point to be  
35 considered adjacent.

#### 36 37 REVIEW OF APPLICATION

38  
39 Consistency of the proposed amendment with the provisions and intent of the Monroe County  
40 Year 2010 Comprehensive Plan:

41  
42 The proposed amendments to the Monroe County Code are generally consistent with the Monroe  
43 County Year 2010 Comprehensive Plan.

44  
45 Consistency of the proposed amendment with the provisions and intent of the Monroe County  
46 Land Development Code:

1 In accordance with MCC Sec. 102-58(d)(5)b., the BOCC may consider the adoption of an  
2 ordinance enacting the proposed change based on one (1) or more of the following factors:  
3  
4 Changed projections (e.g., regarding public service needs) from those on which the text or  
5 boundary was based;  
6  
7 None  
8  
9 Changed assumptions (e.g., regarding demographic trends);  
10  
11 None  
12  
13 Data errors, including errors in mapping, vegetative types and natural features described in  
14 Volume 1 of the Monroe County Year 2010 Comprehensive Plan;  
15  
16 None  
17  
18 New issues;  
19  
20 Ordinance 036-2006 was rejected by the Florida Department of Community Affairs who  
21 determined that 500 feet was too far a distance from the principal use, and the ordinance was  
22 inconsistent regarding development on Tier 1 lands. The proposed ordinance recommends a  
23 variance procedure to allow properties within 25 feet of a common point to be considered  
24 adjacent. This proposed ordinance removes Tier I properties from the definition of accessory  
25 uses or structures.  
26  
27 Recognition of a need for additional detail or comprehensiveness; or  
28  
29 Staff recognized the need for the proposed ordinance to be more consistent with the  
30 Comprehensive Plan, Land Development Code, and the Principals for Guiding Development in  
31 the Florida Keys of Critical State Concern.  
32  
33 Data updates;  
34  
35 None  
36  
37 Consistency with the Principles for Guiding Development in the Florida Keys Area of Critical  
38 State Concern:  
39  
40 For the purposes of reviewing consistency of the adopted plan or any amendments to that plan  
41 with principles for guiding development and any amendments to the principles, the principles  
42 shall be construed as a whole and no specific provision shall be construed or applied in isolation  
43 from the other provisions.  
44  
45 (a) To strengthen local government capabilities for managing land use and development so  
46 that local government is able to achieve these objectives without the continuation of the

- 1 area of critical state concern designation.
- 2 (b) To protect shoreline and marine resources, including mangroves, coral reef
- 3 formations, seagrass beds, wetland, fish and wildlife, and their habitat.
- 4 (c) To protect upland resources, tropical biological communities, freshwater wetlands,
- 5 native tropical vegetation (for example, hardwood hammocks and pinelands), dune
- 6 ridges and beaches, wildlife, and their habitat.
- 7 (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound
- 8 economic development.
- 9 (e) To limit the adverse impacts of development on the quality of water throughout the
- 10 Florida Keys.
- 11 (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural
- 12 character of the Florida Keys.
- 13 (g) To protect the historical heritage of the Florida Keys.
- 14 (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and
- 15 proposed major public investments, including:
- 16
- 17 1. The Florida Keys Aqueduct and water supply facilities;
- 18 2. Sewage collection and disposal facilities;
- 19 3. Solid waste collection and disposal facilities;
- 20 4. Key West Naval Air Station and other military facilities;
- 21 5. Transportation facilities;
- 22 6. Federal Parks, wildlife refuges, and marine sanctuaries;
- 23 7. State parks, recreation facilities, aquatic preserves, and other publicly owned
- 24 properties;
- 25 8. City electric service and the Florida Keys Electric Co-op; and
- 26 9. Other utilities, as appropriate.
- 27
- 28 (i) To limit the adverse impacts of public investments on the environmental resources of the
- 29 Florida Keys.
- 30 (j) To make available adequate affordable housing for all sectors of the population of the
- 31 Florida Keys.
- 32 (k) To provide adequate alternatives for the protection of public safety and welfare in the
- 33 event of a natural or manmade disaster and for a post disaster reconstruction plan.
- 34 (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and
- 35 Maintain the Florida Keys as a unique Florida resource.
- 36

37 Staff finds the proposed amendment consistent with the Principals for Guiding Development as a  
 38 whole and is not inconsistent with any one principle.

39  
 40 **Impact on Community Character:**

41  
 42 There may be community impacts if the proposed ordinance is approved. By allowing docking  
 43 facilities on adjacent lots with no principal use, the possibility exists that over time, owners of  
 44 these docking facilities may start letting other boat owners use the docking facility. Furthermore,  
 45 by allowing other accessory structures and uses such as garages, vehicle and boat storage, the  
 46 possibility exists for unintended consequences such as the development of outdoor storage areas.

1 Although there is a provision for a required Class C bufferyard associated with dry boat storage,  
2 staff has concerns with the loss of bufferyards over time, thus creating code compliance issues.

3  
4 FINDINGS OF FACT AND CONCLUSIONS OF LAW

5  
6 1. Docks with no water or electric service are currently allowed on adjacent, non-contiguous  
7 lots under the same ownership as an exception to the requirement that accessory uses must be on  
8 a contiguous lot under the same ownership.

9  
10 2. Ordinance 036-2006 was passed by the Board of County Commissioners on September  
11 20, 2006, which ordinance amended the Monroe County Code to allow water service to a dock  
12 on an adjacent (non-contiguous) lot under the same ownership and allowed docks as an  
13 accessory use on lots under the same ownership within 500 feet of the lot with the principal use  
14 processed as a variance to be granted by the planning director, and allowed adjacent non-  
15 contiguous lands to be aggregated for purposes of development if they shared a border of 50% of  
16 the smaller lot or at least 50 feet, thus allowing development and accessory structures and uses to  
17 be made by combining the area of lots across streets.

18  
19 3. Ordinance 036-2006 was rejected by Final Order of the Department of Community  
20 Affairs seemingly on the basis that 500 feet was too far a distance from the principal use, and  
21 that the ordinance encouraged development on Tier 1 lands.

22  
23 4. The use of adjacent lands for accessory uses is in the best interests of the public and  
24 provides a use for properties which may face lengthy permitting processes for residential use.

25  
26 5. Adjacent and contiguous lands need to be better defined in the definitions of the Monroe  
27 County Land Development Code.

28  
29 6. Federal and State law grants power to Monroe County to regulate and restrict the use of  
30 land and buildings in order to promote the safety and general welfare of its citizens.

31  
32 7. Monroe County has adopted land use goals, policies, and objectives in a comprehensive  
33 plan to guide policy on building and land use regulations, and to promote health, safety, and  
34 general welfare.

35  
36 8. The provision of this ordinance is consistent with the Monroe County Comprehensive  
37 Plan and the Principles for Guiding Development in the Florida Keys Area of Critical State  
38 Concern.

39  
40 9. The Monroe County Planning Commission held a duly advertised public hearing on  
41 March 25, 2009 and June 10, 2009 and recommended \_\_\_\_\_ to the Board of  
42 County Commissioners.

1 RECOMMENDATION

2

3 Staff recommends denial to the Monroe County Planning Commission for the following reasons:

4

5 • Negative visual impact on community character

6

7 • Influx of accessory uses or structures on contiguous and non-contiguous lots that do not  
8 have a principal structure

9

10 • Creation of accessory storage lots in residential subdivisions

11

12 • Creation of potential code compliance issues

13

14

15

16



1 Program in Rule 28-20.110, F.A.C Year 6, Task C states “Implement the carrying capacity study  
2 by, among other things, the adoption of all necessary plan amendments to establish a rate of  
3 growth and a set of development standards that ensure that any and all new development does  
4 not exceed the capacity of the county’s environment and marine system to accommodate  
5 additional impacts;” and  
6

7 **WHEREAS**, Monroe County Year 2010 Comprehensive Plan Policy 101.2.13 and Work  
8 Program in Rule 28-20.110, F.A.C. Year Eight (8), Task F states “Adopt amendments to the  
9 comprehensive plan and land development regulations to enact overlay designations, and  
10 eliminate or revise the Habitat Evaluation Index, and modify the ROGO/NROGO system to  
11 guide development away from environmentally sensitive lands;” and  
12

13 **WHEREAS**, To accomplish these two tasks, a new policy must be created to preclude  
14 the granting of administrative relief in the form of the issuance of a building permit for lands  
15 within the Florida Forever targeted acquisition or Tier I lands areas unless, after 60 days from the  
16 receipt of a complete application for administrative relief, it has been determined the parcel  
17 cannot be purchased for conservation purposes by any county, state or federal agency or any  
18 private entity. The County shall routinely notify Department of Environmental Protection of  
19 upcoming administrative relief requests at least 6 months prior to the deadline for administrative  
20 relief.  
21

22 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
23 **COMMISSIONERS OF MONROE COUNTY:**  
24

25 **Section 1. POLICY 101.6.6 is created as follows:**

26 Monroe County will preclude the granting of administrative relief in the form of the issuance of  
27 a building permit for lands within the Florida Forever targeted acquisition or Tier I lands areas  
28 unless, after 60 days from the receipt of a complete application for administrative relief, it has  
29 been determined the parcel can not be purchased for conservation purposes by any county, state  
30 or federal agency or any private entity. The County shall routinely notify Department of

1 Environmental Protection of upcoming administrative relief requests at least 6 months prior to  
2 the deadline for administrative relief.

3

4 **Section 2.** Sections 138-27 and 138-54 are amended as follows:

5

6 **Sec. 138.27 Administrative Relief**

7 (d) Monroe County shall preclude the granting of administrative relief in the form of the issuance  
8 of a building permit for lands within the Florida Forever targeted acquisition or Tier I lands areas  
9 unless, after 60 days from the receipt of a complete application for administrative relief, it has  
10 been determined the parcel can not be purchased for conservation purposes by any county, state  
11 or federal agency or any private entity. The County shall routinely notify Department of  
12 Environmental Protection of upcoming administrative relief requests at least 6 months prior to  
13 the deadline for administrative relief.

14 ~~(d)~~ (e) Forwarding application to board. Upon the filing of an application for administrative  
15 relief, the director of planning shall forward to the board all relevant files and records relating to  
16 the subject applications. Failure to file an application shall constitute a waiver of any rights under  
17 this section to assert that the subject property has been taken by the county without payment of  
18 just compensation as a result of the dwelling unit allocation system.

19 ~~(e)~~ (f) Public hearing. Upon receipt of an application for administrative relief, the board shall  
20 notice and hold a public hearing at which the applicant will be given an opportunity to be heard.  
21 The board may review the relevant applications and applicable evaluation ranking, taking  
22 testimony from county staff and others as may be necessary and hear testimony and review  
23 documentary evidence submitted by the applicant.

24 ~~(f)~~ (g) Board's action. At the conclusion of the public hearing, the board may take any or a  
25 combination of the following actions:

26 (1) Offer to purchase the property at its fair market value as its preferred action if the  
27 property is located within:

- 28 a. A designated tier I area;
- 29 b. A designated tier II area (Big Pine Key and No Name Key);
- 30 c. A designated tier III-A area (special protection area); or

1 d. A designated tier III area on a nonwaterfront lot suitable for affordable  
2 housing.

3 (2) Grant the applicant an allocation award for all or a number of dwelling units  
4 requested in the next succeeding quarterly allocation period or extended pro rata over  
5 several succeeding quarterly allocation periods as the preferred action for buildable  
6 properties not meeting any of the criteria in subsection (f)(1) of this section.

7 (3) Suggest or provide such other relief as may be necessary and appropriate.

8 ~~(g)~~ (h) Limits on administrative allocations per quarter. The number of allocations that may be  
9 awarded under administrative relief in any one quarter shall be no more than 50 percent of the  
10 total available market rate allocations available in a quarter for that subarea. Any allocations in  
11 excess of 50 percent shall be extended into the succeeding quarter or quarters until the number of  
12 such allocations is 50 percent or less of the total number of market rate allocations available to  
13 be awarded.

14  
15 **Sec. 138.54 Administrative Relief**

16 (d) Monroe County shall preclude the granting of administrative relief in the form of the  
17 issuance of a building permit for lands within the Florida Forever targeted acquisition or Tier I  
18 lands areas unless, after 60 days from the receipt of a complete application for administrative  
19 relief, it has been determined the parcel can not be purchased for conservation purposes by any  
20 county, state or federal agency or any private entity. The County shall routinely notify  
21 Department of Environmental Protection of upcoming administrative relief requests at least 6  
22 months prior to the deadline for administrative relief.

23 ~~(d)~~ (e) Processing and review by planning director. Upon the filing of an application for  
24 administrative relief, the director of planning shall prepare a written report with recommendation  
25 and forward the report to the board of county commissioners along with all relevant files and  
26 records relating to the subject application. The planning director shall advertise and schedule a  
27 public hearing for consideration of the application by the board of county commissioners.

28 ~~(e)~~ (f) Public hearing. At a public hearing, the board of county commissioners may review the  
29 relevant application and application evaluation ranking, taking testimony from county staff and  
30 others as may be necessary and review documentary evidence submitted by the applicant.

1 ~~(f)~~ (g) Board action. At the conclusion of the public hearing, the board may take any or a  
2 combination of the following actions:

3 (1) Offer to purchase the property at fair market value as the preferred action if the  
4 property is location within:

5 a. A designated tier I area;

6 b. A designated tier II area (Big Pine Key and No Name Key);

7 c. A designated tier III-A area (special protection area); or

8 d. A designated tier III area on a nonwaterfront lot suitable for affordable  
9 housing.

10 (2) Grant the applicant an allocation award for all or part of the nonresidential floor area  
11 requested in the next allocation award as the preferred option for buildable properties not  
12 meeting the criteria in subsection (f)(1) of this section.

13 (3) Suggest such other relief as may be necessary and appropriate.  
14

15 **Section 3. Severability.**

16 If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be  
17 adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect,  
18 impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be  
19 confined to the section, paragraph, subdivision, clause, sentence, or provision immediately  
20 involved in the controversy in which such judgment or decree shall be rendered.  
21

22 **Section 4. Conflicting Provisions.**

23 In the case of direct conflict between any provision of this ordinance and a portion or provision  
24 of any appropriate federal, state, or County law, rule code or regulation, the more restrictive shall  
25 apply.  
26

27 **Section 5. Transmittal.**

28 This ordinance shall be transmitted by the Planning and Environmental Resources Department to  
29 the Florida Department of Community Affairs to determine the consistency of this ordinance  
30 with the Florida Statutes and as required by F.S. 380.05(6) and (11).  
31

1 **Section 6. Filing.**

2 This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not  
3 become effective until a notice is issued by the Department of Community Affairs or  
4 Administration Commission approving the ordinance.

5  
6 **Section 7. Effective Date.**

7 This ordinance shall become effective as provided by law and stated above.

8  
9 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,  
10 Florida, at a special meeting held on the 13th day of July A.D., 2009.

11  
12 Mayor George Neugent \_\_\_\_\_  
13 Mayor Pro Tem Sylvia Murphy \_\_\_\_\_  
14 Commissioner Kim Wigington \_\_\_\_\_  
15 Commissioner Heather Carruthers \_\_\_\_\_  
16 Commissioner Mario Di Gennaro \_\_\_\_\_

17  
18 BOARD OF COUNTY COMMISSIONERS OF  
19 MONROE COUNTY, FLORIDA

20  
21 BY \_\_\_\_\_  
22 Mayor George Neugent

23  
24  
25 (SEAL)

26  
27 ATTEST: DANNY L. KOLHAGE, CLERK

28  
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30 \_\_\_\_\_  
31 DEPUTY CLERK

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**MONROE COUNTY, FLORIDA  
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS  
ORDINANCE - 2009**

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.4.20 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; DISCOURAGING FUTURE LAND USE MAP CHANGES WHICH INCREASE DENSITY/INTENSITY; REQUIRING MONROE COUNTY TO COMPLETE A YEAR 2020 NEEDS ANALYSIS BASED ON PROJECTED GROWTH AND OTHER CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; DIRECTING THE DIRECTOR OF PLANNING TO FORWARD A COPY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; PROVIDING FOR THE INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE

---

21       **WHEREAS**, during a regularly scheduled public hearing held on June 10, 2009 and June  
22 24, 2009, Monroe County Planning Commission conducted a review and consideration of a  
23 resolution to transmit an ordinance by the Monroe County Board of County Commissioners to  
24 the Florida Department of Community Affairs creating Policy 101.4.20 of the Monroe County  
25 Year 2010 Comprehensive Plan.

26  
27       **WHEREAS**, The Florida Administration Commission (F.A.C.) is proposing new Rule  
28 28-20.130 implementing Section 380.0552(4) of the Florida Statutes. The proposed rule requires  
29 Monroe County to report annually to the Administration Commission, describing its progress in  
30 completing the remaining Work Program tasks as depicted in the Monroe County Year 2010  
31 Comprehensive Plan Policy 101.2.13 and Rule 28-20.110 Florida Administrative Code; and  
32

33       **WHEREAS**, to assist in completing work program tasks Year 6, Task C and Year 8,  
34 Task F, a new policy regarding carrying capacity and habitat protection must be transmitted to  
35 the Department of Community Affairs (DCA) prior to July 31, 2009; and  
36

37       **WHEREAS**, Monroe County Year 2010 Comprehensive Plan Policy 101.2.13 and Work  
38 Program in Rule 28-20.110, F.A.C Year 6, Task C states "Implement the carrying capacity study  
39 by, among other things, the adoption of all necessary plan amendments to establish a rate of  
40 growth and a set of development standards that ensure that any and all new development does  
41 not exceed the capacity of the county's environment and marine system to accommodate  
42 additional impacts;" and  
43

1           **WHEREAS**, Monroe County Year 2010 Comprehensive Plan Policy 101.2.13 and Work  
2 Program in Rule 28-20.110, F.A.C. Year Eight (8), Task F states “Adopt amendments to the  
3 comprehensive plan and land development regulations to enact overlay designations, and  
4 eliminate or revise the Habitat Evaluation Index, and modify the ROGO/NROGO system to  
5 guide development away from environmentally sensitive lands;” and  
6

7           **WHEREAS**, based upon the information and documentation submitted, the Planning  
8 Commission makes the Findings of Fact and Conclusions of Law:  
9

- 10           1. The purpose of new Policy 101.4.20 is to discourage future land use changes which  
11 increase density/intensity and requiring Monroe County to complete a year 2020  
12 needs analysis based on projected growth and other criteria.  
13

14           **WHEREAS**, the proposed amendment is consistent with the Florida Statutes, Section  
15 163. Specifically, the amendment furthers:  
16

- 17           1. Section 163.3177(6)(a), bases the future land use plan on surveys, studies and data in  
18 and surrounding the area. The data includes the amount of land needed for  
19 anticipated growth, projected population and availability of public facilities,  
20 compatibility of adjacent lands and the discouragement of urban sprawl, among other  
21 items.  
22
- 23           2. Section 163.3178(2)(b), Florida Statutes requires environmental, socioeconomic, and  
24 fiscal impact of development and redevelopment to support infrastructures as well as  
25 having plans and principles to defer development from environmentally sensitive  
26 areas.  
27

28           **WHEREAS**, the proposed amendment is consistent with the Florida Administration  
29 Commission (F.A.C.), Chapter 9J-5. Specifically, the amendment furthers:  
30

- 31           1. 9J-5.006(3)(b)4 F.A.C. ensures the protection of natural resources and historic  
32 resources.  
33
- 34           2. 9J-5.0012(3)(b)1 F.A.C. protects, conserve, or enhance remaining coastal wetlands,  
35 living marine resources, coastal barriers, and wildlife habitat.  
36
- 37           3. 9J-5.0013(2)(c)3 F.A.C. protects native vegetative communities from destruction by  
38 development activities.  
39
- 40           4. 9J-5.0013(2)(c)5 F.A.C. restricts activities known to adversely affect the survival of  
41 endangered and threatened wildlife.  
42
- 43           5. 9J-5.0013(2)(c)6 F.A.C. protects conservation of the natural functions of existing  
44 soils, fisheries, wildlife habitats, rivers, bays, lakes, floodplains, harbors, wetlands  
45 including estuarine marshes, freshwater beaches and shores, and marine habitats.

- 1  
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5
6. 9J-5.0013(3)(b) F.A.C. directs development away from wetlands by using land use factors such as type, intensity or density, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions and locations of wetlands.

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8

**WHEREAS**, the proposed amendment is consistent with the Monroe County Year 2010 Comprehensive Plan. Specifically, the amendment furthers:

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37
1. Goal 101 of the Monroe County Year 2010 Comprehensive Plan enhances the quality of life, ensures safety of people and protection of natural resources.
  2. Goal 105 of the Monroe County Year 2010 Comprehensive Plan provides a framework for future development and land acquisition for the next 20 years.
  3. Policy 105.1.5 of the Monroe County Year 2010 Comprehensive Plan directs Monroe County to direct future residential development to Tier III lands in accordance with Policy 105.2.2.
  4. Policy 105.1.6 of the Monroe County Year 2010 Comprehensive Plan directs the county to revise NROGO in accordance with Policies 105.2.1 and 105.2.15.
  5. Goal 105.2.1 of the Monroe County Year 2010 Comprehensive Plan defines Tier I as environmentally sensitive, development severely restricted and the retirement of privately owned vacant lands should be used for resource conservation and passive recreation purposes.
  6. Policy 105.2.2 of the Monroe County Year 2010 Comprehensive Plan directs the county to create an overlay map for the Tier system.
  7. Policy 105.2.15 of the Monroe County Year 2010 Comprehensive Plan directs the county to refer development to community centers which are located in the Tier III designations.
  8. Section 4.2 of the Monroe County Year 2010 Comprehensive Plan requires availability of public facilities and ability to meet the level of service standards to be concurrent with the impact of new development.

38  
39  
40

**WHEREAS**, the proposed amendment is consistent with the Key Largo Livable CommuniKeys Plan. Specifically, the amendment furthers:

- 41  
42  
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44  
45
1. On May 21, 2007, The BOCC adopted The Key Largo Livable CommuniKeys Plan.
  2. Strategy 1.3 of the Key Largo Livable CommuniKeys Master Plan supports the utilization of the FLUM to regulate density and intensity of individual parcels.

- 1           3. Action Item 1.3.1 of the Key Largo Livable CommuniKeys Master Plan continues to  
2           utilize the FLUM to protect the density and intensity and to regulate and promote  
3           orderly development.  
4

5           **WHEREAS**, the proposed amendment is consistent with the Big Pine Key / No  
6           Name Key Livable CommuniKeys Plan. Specifically, the amendment furthers:  
7

- 8           1. On December 27, 2004, the BOCC adopted the Big Pine Key / No Name Key Livable  
9           CommuniKeys Plan.  
10  
11           2. Strategy 2.1 of the Big Pine and No Name Key Livable CommuniKeys Master Plan  
12           regulates development with respect to density and intensity by using the tier map  
13           overlay to guide future development.  
14

15           **WHEREAS**, the proposed amendment is consistent with the Monroe County Code.  
16           Specifically, the amendment furthers:  
17

- 18           1. Section 114-2 of the Monroe County Code requires all development to be served by  
19           adequate public facilities.  
20

21           **WHEREAS**, Pursuant to Chapter 380-0552(7) Florida Statutes, the proposed  
22           amendment is consistent with the Principles for Guiding Development as a whole and is not  
23           inconsistent with any Principle.  
24

25           **WHEREAS**, On June 10, 2009, the Monroe County Planning Commission held a  
26           public hearing on the proposed comprehensive plan amendment and in due consideration of  
27           public comment recommended passing a resolution to the Board of County Commissioners  
28           approving the transmittal to the Florida Department Community Affairs of an ordinance to  
29           amend the Monroe County Comprehensive Plan; and  
30

31           **WHEREAS**, the Monroe County Planning and Environmental Resources Department  
32           staff has found that all of the required standards are met and recommends approval;  
33

34           **NOW THEREFORE, BE IT RESOLVED BY THE PLANNING**  
35           **COMMISSION OF MONROE COUNTY, FLORIDA**, that the preceding Findings of Fact  
36           and Conclusions of Law support its decision to **RECOMMEND APPROVAL** to the  
37           Monroe County Board of County Commissions to create Policy 101.4.20 of the Monroe  
38           County Year 2010 Comprehensive Plan:  
39

40           [Amendments are presented in ~~striketrough~~ to indicate deletions and underline to indicate  
41           additions to text. All other words, characters, and language of this subsection remain  
42           unamended.]  
43

1 **Section 1.** Policy 101.4.20 of the Monroe County Year 2010 Comprehensive Plan is hereby  
2 amended to include the following:  
3

4 Discourage future land use changes, throughout unincorporated Monroe County,  
5 including Ocean Reef, which increase allowable density/intensity. Monroe County  
6 shall complete a needs analysis through 2020 based upon the amount of vacant lands,  
7 the adopted density of the future land use designations and their existing yields, the  
8 projected population, the projected rate of growth allocations and the availability of  
9 public facilities and services. The needs analysis will be considered when reviewing  
10 proposed FLUM amendments.

11  
12 This policy discourages development where it is not appropriate and directs  
13 development where it is appropriate through the implementation of the following  
14 Monroe County regulatory documents:

- 15
- 16 1. Adopted Level of Service Standards
- 17 2. Big Pine Key/No Name Key Incidental Take Permit and Habitat  
18 Conservation Plan
- 19 3. Carrying Capacity Study
- 20 4. Livable CommuniKeys Plans
- 21 5. Monroe County Land Development Code
- 22 6. Public Facilities
- 23 7. Rate of Growth Ordinance
- 24 8. Tier System
- 25 9. Monroe County Comprehensive Plan Goals, Objectives and Policies
- 26

27 **Section 2.** If any section, subsection, sentence, clause, item, change, or provision of this  
28 ordinance is held invalid, the remainder of this ordinance shall not be affected by such  
29 validity.  
30

31 **Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are hereby  
32 repealed to the extent of said conflict.  
33

34 **Section 4.** This ordinance shall be transmitted by the Planning Department to the  
35 Department of Community Affairs to determine the consistency of this ordinance with the  
36 Florida Statutes.  
37

38 **Section 5.** This ordinance shall be filed in the Office of the Secretary of State of Florida, but  
39 shall not become effective until a notice is issued by the Department of Community Affairs  
40 or Administration Commission approving this ordinance.  
41

42 **Section 6.** When effective, this amendment shall be incorporated into the Monroe County  
43 Year 2010 Comprehensive Plan.  
44  
45



**MEMORANDUM**  
**MONROE COUNTY PLANNING DEPARTMENT**

*We strive to be caring, professional and fair*



To: Monroe County Planning Commission

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

From: Mitchell N. Harvey, AICP, Comprehensive Planning Manager *MNH*

Date: June 3, 2009

RE: Extension of Moratorium for Transient Residential Units

Meeting Date: June 10, 2009

---

**I. BACKGROUND**

Policy 101.2.6 of the Monroe County Comprehensive Plan currently states:

*By January 4, 1996, Monroe County shall adopt Land Development Regulations which prohibit new transient residential units including hotel or motel rooms, campground spaces, or spaces for parking a recreational vehicle or travel trailer until December 31, 2001, Monroe County shall either extend this prohibition until December 2006 or revise the Permit Allocation System to allocate a percentage of residential growth to transient units.*

For purposes of this staff report hotel or motel rooms, campground spaces, and spaces for parking a recreational vehicle or travel trailer will be referred to as Transient Residential Units (TRUs).

The Monroe County Planning and Environmental Resources Department is proposing to amend Policy 101.2.6 of the Monroe County 2010 Comprehensive Plan to extend the moratorium of new TRUs until the annual occupancy rate exceeds 90%, as determined by the Monroe County Tourist Development Council (TDC). When the annual occupancy rate exceeds 90%, then 10% of the annual residential Rate of Growth (ROGO) allocations for unincorporated Monroe County will become available for new transient unit allocations. When the annual occupancy rate falls below 90%, then the annual allocation for new transient units will cease and a moratorium for new transient unit allocations will become effective.

W:\Planning\Working Folders\Harvey-Mitch\Transient Uses\PC 6.10.09\Transient Moritorium GOP PC Staff Report (3).doc

1  
2  
3 Following final approval of the proposed Comprehensive Plan Amendment, an  
4 associated amendment to Section 138-23 of the Monroe County Land  
5 Development Code will be developed that implements the proposed  
6 comprehensive plan amendment. The present transient use moratorium will  
7 remain in effect until both the Comprehensive Plan and Land Development Code  
8 are amended.

9  
10 **II. PROCESS**

11  
12 Amendments to the Goals, Objectives, and Policies of the Comprehensive Plan  
13 may be proposed by the Board of County Commissioners (BOCC), the Planning  
14 Commission or the Director of Planning. The Director of Planning shall review  
15 and process amendments and pass them on to the Development Review  
16 Committee and the Planning Commission for recommendation and final approval  
17 by the BOCC.

18  
19 The Planning Commission and the BOCC shall each hold at least one public  
20 hearing on a proposed amendment. The Planning Commission shall review the  
21 amendment, the reports and recommendations of the Department of Planning &  
22 Environmental Resources and the Development Review Committee, and the  
23 testimony given at the public hearing, and shall submit its recommendations and  
24 findings to the BOCC. The BOCC shall consider the staff report,  
25 recommendation, and testimony given at the public hearings and may either deny  
26 the application or adopt or not adopt a resolution transmitting the proposed  
27 amendment to the DCA. Amendments are then reviewed by the Florida  
28 Department of Community Affairs and returned to the County with objections,  
29 rejections and comments to be considered prior to adoption of the ordinance.  
30 Then, an adoption hearing is scheduled for the BOCC.

31  
32  
33 **III. ISSUES**

34  
35 The development of new TRUs will have an impact on a number of health, safety  
36 and quality of life issues such as: hurricane evacuation, workforce/employee  
37 housing, wastewater treatment (water quality), traffic volumes and increased  
38 demand on the natural environment through increase use of the reefs, and the  
39 waters off the Florida Keys. One of the main objectives of creating an ordinance  
40 to promote redevelopment and/or permit new TRUs is to mitigate and if possible  
41 eliminate the negative impacts of new TRUs.

42  
43 **Employee\Workforce Housing**

44  
45 The current costs of housing (for rent or sale) in the Florida Keys have led  
46 hotels/motels and other service employers to hire workers who have to commute

1 anywhere from 1 to 3 hours from the mainland. With the creation of new TRUs,  
2 this demand for more affordable employee\workforce housing will increase.

3  
4 It should be the goal of any ordinance that allows new TRUs to also mitigate the  
5 demand for affordable employee\workforce housing. This is be accomplished by  
6 requiring the redevelopment/development of new TRUs to provide  
7 employee\workforce housing by providing the units as part of their project (on-  
8 site or off-site) or by payment into an affordable housing fund. All existing  
9 inclusionary zoning requirements for affordable housing associated with transient  
10 residential units will continue to apply and be enforced thorough the Monroe  
11 County Code.

### 12 13 **Wastewater Treatment**

14  
15 Monroe County is under a state mandate to have a central wastewater system by  
16 2010. The development of new TRUs should not be permitted unless the  
17 development can meet the standards and requirement of the Year 2010 mandate.  
18 Therefore, new development of TRUs should be directed and only encouraged in  
19 those areas with central wastewater systems or to areas that will have central  
20 wastewater systems in operation when the TRU project is completed.

### 21 22 **Traffic Volumes**

23  
24 The addition of new TRUs may result in the addition of new traffic impacts.  
25 New TRU developments should be designed to minimize traffic impacts by  
26 including onsite amenities that would limit the need to drive to restaurants, retail  
27 stores, or other attractions. Furthermore, new TRU developments should be  
28 encouraged to locate adjacent to existing amenities such as restaurants, or retail  
29 stores.

30  
31 Another strategy would be to encourage visitors to use other modes of  
32 transportation such as walking, bicycling, or bus service. New TRUs are  
33 encouraged to include bicycle and pedestrian facilities that provide a connection  
34 to surrounding amenities, provide bus service for guests, or provide transit  
35 amenities such as bus shelters.

### 36 37 **Hotel Occupancy Rates**

38  
39 Occupancy rates are a travel industry standard for assessing the ability of  
40 available beds to meet existing and anticipated demands. The Monroe County  
41 Tourist Development Council (TDC) maintains a database for occupancy rates  
42 which is prepared by Smith Travel Research. Between 1999 and 2008, the  
43 average annual county-wide occupancy rate for Monroe County has varied from  
44 66.4% (2001) to 72.2% (2003) (See attached).

1 The Study of Economic Impact of Conversion of Commercial Lodging Properties  
2 to Condominiums, prepared for the Pinellas County Board of County  
3 Commissioners by Wilbur Smith Associates (February 2005), cites 90% as the  
4 threshold where visitors to an area may be lost after 90% occupancy is reached.  
5 This would therefore be an acceptable standard that could be used to justify  
6 maintaining a transient use moratorium until this threshold is reached in Monroe  
7 County.

### 8 9 **Hurricane Evacuation**

10  
11 Policy 216.1.8 of the Monroe County 2010 Comprehensive Plan states:

12  
13 *Approximately 48 hours in advance of tropical storm winds, a*  
14 *mandatory evacuation of non-residents, visitors, recreational*  
15 *vehicles (RV's), travel trailers, live-aboards (transient and non-*  
16 *transient) and military personnel from the Keys shall be initiated.*

17  
18 The occupants of TRUs would therefore evacuate far ahead of the permanent  
19 resident population, who require evacuation 24 hours prior to landfall of a major  
20 hurricane.

### 21 22 **Rate of Growth Ordinance (ROGO)**

23  
24 New residential development is restricted through Monroe County's Permit  
25 Allocation System known as the Rate of Growth Ordinance (ROGO). At the  
26 present time, the Florida Department of Community Affairs requires total annual  
27 cap of 197 units, with a minimum of 71 units allocated for affordable housing and  
28 market rate allocations not to exceed 126. The creation of new ROGO unit  
29 allocations for transient uses would therefore result in the reduction of available  
30 market rate units. A 10% allocation of the annual cap of 197 units for transient  
31 uses would result the creation of 19 transient units, reducing the annual market  
32 rate units to 107. Unused transient units would be placed in a pool that can be  
33 allocated on a first come first served basis. Implementation of a transient unit  
34 pool would only occur following the determination that there exists a 90% or  
35 more hotel occupancy rate. The transient unit pool would then be frozen once the  
36 hotel occupancy rate is determined to be less than 90%.

### 37 38 **Other Florida Keys Communities**

- 39  
40 • The Islamorada Comprehensive Plan Policy 1-2.1.10 caps the number of  
41 transient units to those that were in existence as of December 6, 2001.  
42 Section 30-32 of the Islamorada LDR defines room as:

43  
44 *Room, hotel or motel, means a unit in a public lodging establishment as*  
45 *defined by F.S. § 509.013(4)(a) intended for transient lodging only for*  
46 *periods not exceeding 30 days. Transient occupancy shall conform to the*

1 *definition contained in F.S. § 509.013(8) as to transient occupancy. For*  
2 *the purposes of density restriction under this chapter:*

3 *(1) A hotel or motel room may be a single room or a suite and may*  
4 *include a kitchen but no more than 1 1/2 bathrooms;*

5 *(2) All entrances to a hotel or motel room shall share the same key or*  
6 *means of controlling access so that the hotel or motel room as defined*  
7 *herein is not divisible into separately rentable units; and*

8 *(3) Suites containing more than one bedroom and 1 1/2 baths may be*  
9 *constructed; however, each bedroom/full bath combination shall be*  
10 *considered a hotel/motel unit.*

- 11  
12 • Marathon has no effective transient unit moratorium and no specific  
13 transient unit allocations associated with its Permit Allocation System.  
14 Marathon presently implements the redevelopment and transfer of  
15 lawfully established transient units through Section 104.25.B. of the  
16 Marathon LDRs, which state:

17  
18 *1. An existing hotel or motel room may be redeveloped to a unit not*  
19 *exceeding 1,500 square feet consisting of no more than two and one-half*  
20 *(2 1/2) bathrooms, three (3) bedrooms and one (1) other living area,*  
21 *subject to the following rates of redevelopment:*

22 *a) A one (1) bedroom unit may redevelop as a one (1) bedroom unit,*  
23 *without a reduction in the number of units;*

24 *(b) A one (1) bedroom unit may redevelop as a two (2) bedroom unit at*  
25 *the rate of 90 percent of the one (1) bedroom units being redeveloped as*  
26 *two (2) bedroom units; and*

27 *(c) A one (1) bedroom unit may redevelop as a three (3) bedroom unit at*  
28 *the rate of 85 percent of the one (1) bedroom units being redeveloped as*  
29 *three (3) bedroom units.*

- 30  
31 • Key West implements transient units within its Land Development  
32 Regulations. Transient units are counted as residential units for purposes  
33 of calculating evacuation time as part of its Permit Allocation System.  
34 Policy 1-2.12.3 states that the transient unit allocation shall not exceed  
35 25% of the total equivalent single family units. Sections 108-987 and 108-  
36 1057 of the LDRs states that one transient unit is equal to 0.58 Equivalent  
37 Single Family Unit.

- 38  
39 • Layton and Key Colony Beach do not have transient unit restrictions or  
40 limitations within their LDRs.

41  
42 **IV. Amendment to the Monroe County 2010 Comprehensive Plan:**

43  
44 Staff recommends that new transient unit ROGO allocations be linked to the  
45 average occupancy rate in the following manner:

1 **Policy 101.2.6:**

2 ~~By January 4, 1996, Monroe County shall adopt Land Development Regulations~~  
3 ~~which prohibit new transient residential units including hotel or motel rooms,~~  
4 ~~campground spaces, or spaces for parking a recreational vehicle or travel trailer~~  
5 ~~until December 31, 2001, Monroe County shall either extend this prohibition until~~  
6 ~~December 2006~~ the average annual occupancy rate exceeds 90%, as evidenced  
7 by the Tourist Development Council annual trend report of Monroe County  
8 occupancy rates, at which time ~~or revise~~ the Permit Allocation System shall to  
9 allocate a ~~percentage~~ ten percent of annual residential growth to transient units.  
10 This percentage allocation of transient units will terminate when the Tourist  
11 Development Council annual trend report of Monroe County average occupancy  
12 rates fall below 90%.

13  
14  
15 **V. Consistency with the Principles for Guiding Development in the Florida**  
16 **Keys Area of Critical State Concern pursuant to F.S. Chapter 380.0552(7).**

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

- 22  
23 (a) To strengthen local government capabilities for managing land use  
24 and development so that local government is able to achieve these  
25 objectives without the continuation of the area of critical state concern  
26 designation.
- 27 (b) To protect shoreline and marine resources, including mangroves,  
28 coral reef formations, seagrass beds, wetlands, fish and wildlife, and  
29 their habitat.
- 30 (c) To protect upland resources, tropical biological communities,  
31 freshwater wetlands, native tropical vegetation (for example,  
32 hardwood hammocks and pinelands), dune ridges and beaches,  
33 wildlife, and their habitat.
- 34 (d) To ensure the maximum well-being of the Florida Keys and its  
35 citizens through sound economic development.
- 36 (e) To limit the adverse impacts of development on the quality of  
37 water throughout the Florida Keys.
- 38 (f) To enhance natural scenic resources, promote the aesthetic benefits  
39 of the natural environment, and ensure that development is compatible  
40 with the unique historic character of the Florida Keys.
- 41 (g) To protect the historical heritage of the Florida Keys.
- 42 (h) To protect the value, efficiency, cost-effectiveness, and amortized  
43 life of existing and proposed major public investments, including:

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

11 (i) To limit the adverse impacts of public investments on the  
12 environmental resources of the Florida Keys.

13 (j) To make available adequate affordable housing for all sectors of the  
14 population of the Florida Keys.

15 (k) To provide adequate alternatives for the protection of public safety  
16 and welfare in the event of a natural or manmade disaster and for a  
17 post disaster reconstruction plan.

18 (l) To protect the public health, safety, and welfare of the citizens of  
19 the Florida Keys and maintain the Florida Keys as a unique Florida  
20 resource.

21 Staff finds the proposed amendment consistent with the Principles for Guiding  
22 Development as a whole and is not inconsistent with any one principle.

#### 23 24 **VI. Implementation Strategy:**

25  
26 Following final approval of the proposed Comprehensive Plan Amendment, an  
27 associated amendment to Section 138-23 of the Monroe County Land  
28 Development Code (LDC) will be developed. The present transient residential use  
29 moratorium, as described within Section 138-23 of the LDC, will remain in effect  
30 until both the Comprehensive Plan and LDC are amended.

31  
32 These development regulations will apply to new transient residential units that  
33 become available through the annual residential ROGO allocation process. When  
34 the annual average occupancy rate exceeds 90%, 10% of the annual allocation for  
35 residential units will be placed in a transient unit pool to be allocated on a first  
36 come, first served, basis. The transient residential unit pool will continue to  
37 accumulate until the annual average occupancy rate falls below 90%. When the  
38 annual average occupancy rate falls below 90%, the moratorium for new transient  
39 residential units will be enforced by freezing the annual ROGO allocation for new  
40 transient residential units.

#### 41 42 **VI. Staff Recommendation:**

43  
44 Staff recommends **approval** to the Monroe County Planning Commission.

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**VII. Attachments**

- 1. Smith Travel Research Trend Report
- 2. Data and Analysis
- 3. Proposed Ordinance
- 4. Proposed Resolution