

AGENDA

DEVELOPMENT REVIEW COMMITTEE

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on January 20, 2009 beginning at 1:00 PM at the Marathon Government Center, 2nd Floor, 2798 Overseas Highway, Marathon, Florida.

-
CALL TO ORDER

ROLL CALL

DRC MEMBERS:

Townsley Schwab, Acting Director of Planning and Environmental Resources
Ralph Gouldy, Sr. Administrator Environmental Resources
Patricia A. Ivey, DOT Representative
Steve Zalvaney, Fire Marshall
Dave Koppel, Engineering

STAFF MEMBERS PRESENTING THE FOLLOWING AGENDA ITEMS:

Mitch Harvey, Comprehensive Plan Manager

CHANGES TO THE AGENDA

-
CONTINUED ITEM:

-
Transferable Development Rights, Section 9.5-265

-
1. Ed Lewis LLC Property, Sugarloaf Key, Mile Marker 19 & Ed Lewis LLC Properties, Key Largo, Mile Marker 95: A request for minor conditional use permit approval for a transfer of development rights from a sender site on Sugarloaf Key to a receiver site on Key Largo. The sender site parcel is legally described as Block 2, Lot 2, Gulf Shores, Sugarloaf Key, Monroe County, Florida, having real estate number 00168220.000000. The receiver site parcels are legally described as Block 17, Lots 11-14, Bay Haven Section 4, Key Largo, Monroe County, Florida, having real estate numbers 00519340.000000, 00519350.000000, 00519360.000000 and 00519370.000000.

[27119 FILE.pdf](#)

[27119 SR DRC 1.20.09 Revised.pdf](#)

ADJOURNMENT

File #: **27119**

Project Name: **SAL GUTERREZ**

Common Name: **SAL GUTERREZ Sender**
ED LEWIS,LLC
owner/Receiver

Type of Application: **Minor Conditional Use (TDR)**

Key: **Key Largo to Key Largo**

RE #: **00519370;00519360;00519350;00519340-000000**

**Additional Information added to File
27119**



BOARD OF COUNTY

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

Suzanne A. Hutton, County Attorney**
Robert B. Shillinger, Chief Assistant County Attorney *
Pedro J. Mercado, Assistant County Attorney
Susan M. Grimsley, Assistant County Attorney **
Natileene W. Cassel, Assistant County Attorney
Cynthia Hall, Assistant County Attorney



Office of the County Attorney
PO Box 1026
Key West, FL 33041-1026
(305) 292-3470 – Phone
(305) 292-3516 – Fax

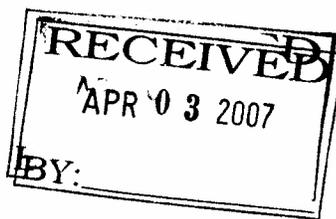
** Board Certified in City, County & Local Govt. Law

March 30, 2007

Sal Gutierrez
272 Normandy Drive
Tavernier, FL 33070

And

c/o Ed Lewis, LLC
P.O. Box 368
Key Largo, FL 33037



And

25B Rose Place
Key Largo, FL 33037

RE: Bay Haven Lots

Dear Mr. Gutierrez:

I have reviewed the letter sent to you regarding the above lots dated October 3, 2006, from Mr. Ty Symroski, former Director of Growth Management. I have discussed the issues you raised at the March 8, 2007, meeting with Acting Director of Growth Management Andrew Trivette concerning the following:

1. Transferring development rights from lots zoned IS to inaccessible parcels zoned SR prior to applying for ROGO allocations for those lots.
2. Clearing County habitat to access your land because no road was built by the developer of the subdivision.

Sal Gutierrez
March 30, 2007
Page Two

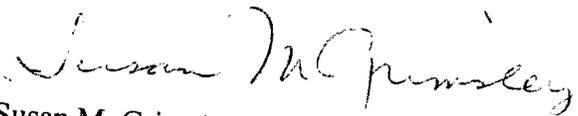
Mr. Trivette advised you to begin proceeding with the TDR application. I do not know what action will be taken because generally the ordinance requires that development go from a lesser to a higher density area, which is not the case here. However, that is the first step, and nothing can be done without that determination.

Mr. Symroski's letter stated that the survey, percolation test, and HRS coordination required to obtain a building permit would be deferred. The County cannot waive Health Department requirements. However, my most recent information is that a percolation test is not required because the systems are totally enclosed. The coordination letters from the Electric Cooperative, Aqueduct, and Fish and Wildlife Service will be required. The County has established procedures for all property owners for applying for ROGO allocations, and these must all be followed, contrary to anything stated or implied in the letter of October 3, 2006, from Mr. Symroski.

Regarding your desire to clear a road or path back to your property, such clearing is prohibited. It was apparent when you purchased your lots that there were no roads, and that development might never occur. The County has neither the intention nor obligation to construct a road at this location. If you need to, perhaps you could access your lots from the neighbors' to the rear.

I hope that this has been of some assistance and has clarified and corrected some points in Mr. Symroski's letter. I know you have been in touch with the State about the sale of the lots. You should continue to explore those avenues, and perhaps you can yet agree on a price.

Sincerely,



Susan M. Grimsley
Assistant County Attorney
SMG/dlr

County of Monroe
Growth Management Division

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



Board of County Commissioners
Mayor Charles "Sonny" McCoy, Dist. 3
Mayor Pro Tem Mario DiGennaro, Dist. 4
George Neugent, Dist. 2
Dixie Spehar, Dist. 1
Sylvia J. Murphy, Dist. 5

We strive to be caring, professional and fair

March 27, 2008

Mr. John Jabro, Attorney at Law
90311 Overseas Highway
Suite B
Tavernier, Florida 33070

Re: Bayhaven Lots RE# 00519354.000000, 00519350.000000, 00519360.000000, 00519370.000000

Dear Mr. Jabro:

Your client, Sal Gutierrez, has applied for a transfer of development rights from the Planning Department from Lot 2, Block 2, Gulfshores Subdivision, RE# 00168220.000000 to the above properties.

Prior to my conversation with you approximately 10 days ago, Mr. Gutierrez had called the Growth Management Director with concerns that no road existed in front of the lots, which prevented access, and questioned whether he should proceed with the TDR application.

Lack of access to his lots would prevent your client from using the TDRs on the lots and developing the property, thus making the expense of the TDR process unnecessary, and the use of the right to be transferred moot. As you know, the County is under no obligation, by statute, to construct such a road, and the County has no plans currently to put a road in that location. Your client has no rights to construct a road on dedicated right of way to his properties.

I would appreciate it if you would please convey this to your client. I am not optimistic that the TDR process will work in this case, but I believe it to be an unnecessary process if there is no access. Some or all of the application fee for the conditional use for transfer of the development rights may be refunded if your client withdraws his application.

Thank you very much.

Sincerely,

Susan M Grimsley
Assistant County Attorney

County of Monroe

Growth Management Division

2798 Overseas Highway Suite 400
Marathon, Florida 33050
Voice: (305) 289-2500
FAX: (305) 289-2536



Board of County Commissioners

Mayor Charles "Sonny" McCoy, Dist. 3
Mayor Pro Tem, Dixie Spehar, Dist. 1
Comm. George Neugent, Dist. 2
Comm. Mario DiGennaro, Dist. 4
Comm. Glenn Patton, Dist. 5

We strive to be caring, professional and fair

October 3, 2006

Sal Gutierrez
c/o Ed Lewis LLC
P.O. Box 368
Key Largo, FL 33037

RE: Block 18, Lots 4, 5, 6, 7 (RE Nos. 00519510, -520, -530, -540) and Block 17, Lots 11, 12, 13, 14 (RE Nos. 00519340, -350, -360, -370), Bay Haven Sec 4, Key Largo

Dear Mr. Gutierrez;

We are in receipt of your applications to clear for access and percolation tests for the above referenced parcels in preparation for submittal of building permit applications. As you are aware, these parcels are 'embedded' in and are a part of an undisturbed, contiguous hammock of approximately twenty acres in size, which qualifies under Monroe County Code (MCC) Section 9.5-339.2 as automatic high quality hammock. In addition, the County Protected Species Maps designate this hammock as known or potential habitat to six species of animals. No cleared roadways provide access to these parcels, nor are they served by electric or potable water infrastructure. The proposed clearing would remove approximately 11,000 square feet of vegetation, partially fragmenting the hammock for about 1200 linear feet.

Goal 105 of the Year 2010 Comprehensive Plan directs Monroe County to promote development processes that preserve the natural environment and direct future growth to appropriate infill areas. As a component of this effort, the hammock of which these parcels are a part has been designated as a Natural Area (Tier 1), defined as an area where all or a significant portion of the land is characterized as environmentally sensitive and where new development is to be severely restricted. Additionally, Monroe County is directed, in coordination with federal and state agencies, to implement a land acquisition program to acquire all remaining privately-owned vacant lands within areas designated as Natural Area (Tier 1). Towards this end, this undeveloped hammock area has been included within the acquisition boundaries of the Florida Forever Program.

Due to these factors and in consultation with the Director of Growth Management, it has been determined that application for development of these parcels should proceed in a manner that preserves the intact condition of the hammock and prevents fragmentation until development

activities are more eminent. In order to present a reasonable expectation of development, the parcels must first demonstrate compliance with the density requirements of the Suburban Residential (SR) Land Use District, which, per Monroe County Code Section 9.5-262, has an Allocated Density of one dwelling unit per two acres (.5 du/acre). Individually, each of the referenced .115 acre lots does not meet the minimum density (1 du) for development. However, under the Maximum Net Density provisions, these lots, if combined in contiguous groups of four (.46 acres), would then be eligible to receive Transferable Development Rights (TDRs) in order to increase density to one dwelling unit (1 du) per combined parcel. The use of TDRs is accomplished through a specific minor conditional use process. Information about that process may be obtained from the Planning and Environmental Resources Department.

Once density has been met through the TDR process, application for development of the two (combined lot) parcels shall proceed with certain submittal requirements deferred, per the discretionary authority of the Director of Growth Management, until a Rate of Growth (ROGO) allocation is obtained. Specifically, the survey, percolation test, HRS coordination, and vegetation mitigation requirements of the building application will be deferred. Coordination letters from the Electric Cooperative, Aqueduct, and Fish and Wildlife Service may still be required. The design of the site plan shall reflect the (HEI or Tier based) clearing limits and evaluation criteria of the allocation system in place at the time of application.

I trust that this correspondence is of assistance. Should you need further assistance, please contact the Planning and Environmental Resources Department at (305) 289-2500.

Sincerely,

Ty Symroski, Director
Growth Management Division

cc: Ralph Goulty, Senior Administrator, Environmental Resources
Joe Paskalik, Building Official
Tiffany Stankiewicz, Planning Technician

Petrick-Nicole

From: angela eaton [aeaton33@hotmail.com]
Sent: Tuesday, April 08, 2008 11:44 AM
To: Petrick-Nicole
Subject: Guitierrez TDR application
Importance: High

Nicole, We respectfully request a continuance in the Guitierrez case. We would like it reset for June 24, 2008.
Thank you.
Angela Eaton
Assistant to Mr. Jabro

More immediate than e-mail? [Get instant access with Windows Live Messenger.](#)

Petrick-Nicole

From: John A. Jabro, Esquire [jjabro@aol.com]
Sent: Wednesday, February 27, 2008 10:34 AM
To: Petrick-Nicole
Subject: Sal Gutierrez to Lewis, transfer of development rights application-request to continue to April 8, 2008

Hello Nicole:

As per our discussion today, the e-mail constitutes my request to continue the hearing in the aforecaptioned cast to the April 8, 2008 agenda of the Development Review Committee. As I mentioned, Susan Grimsly and I have been in discussion re a possible change to Monroe County policy concerning the definition of density on IS lots. This change will, I believe, alleviate the last impediments to my client's application.

John A. Jabro, Esquire

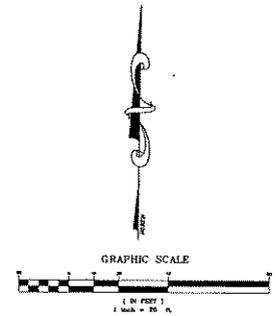
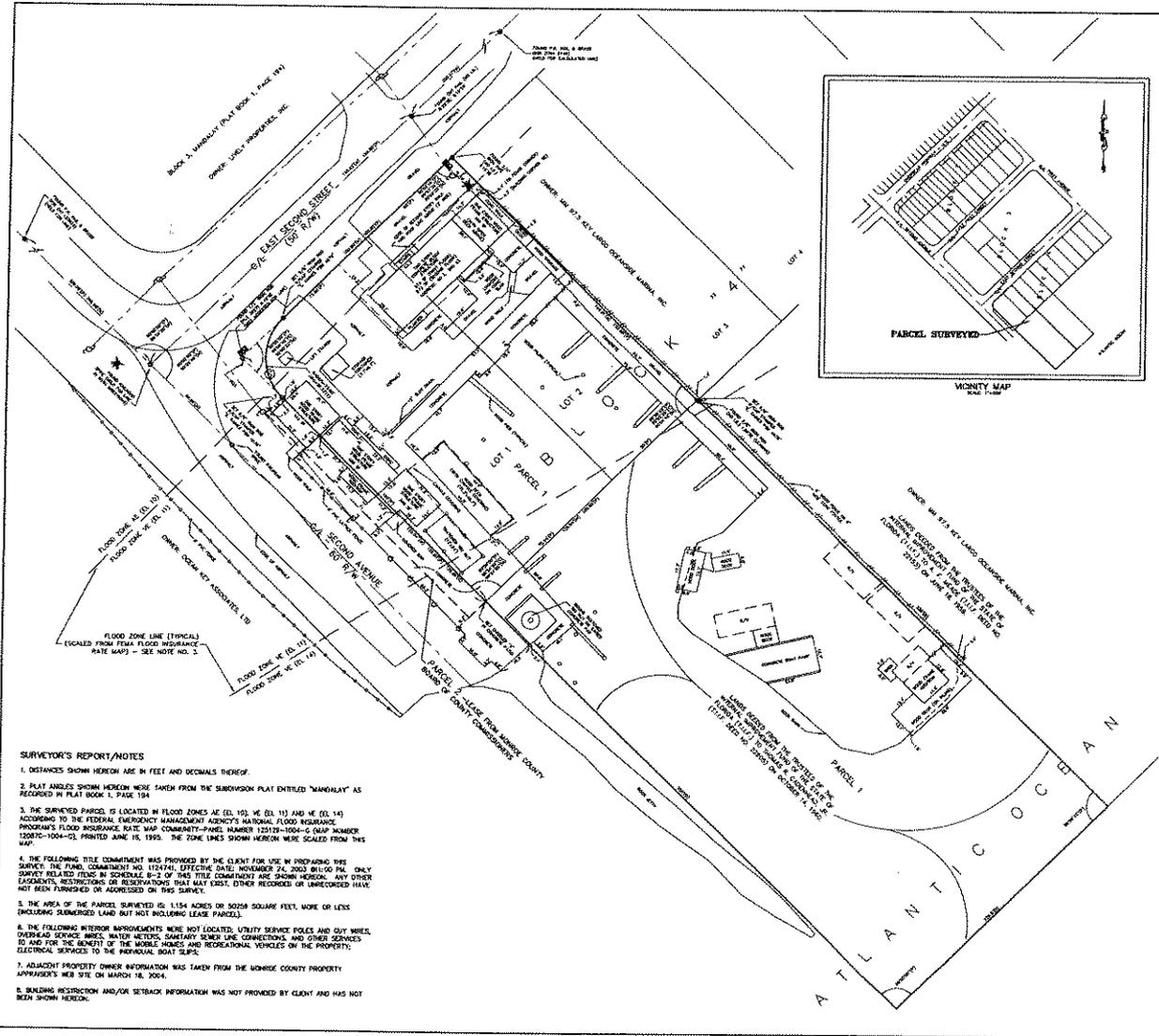
90311 Overseas Highway, Suite B
Tavernier, FL 33070

tele: 305.852.9233
fax: 305.852.0686

This electronic communication, including any authorized attachments, contains information from John A. Jabro, Esquire, that may be legally privileged, protected, confidential, and/or exempt from disclosure or certain types of use under applicable law. This information is for the sole use of the intended recipient(s). If you are not the intended recipient(s) or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any review, use, disclosure, copying, distribution, or the taking of any action in reliance on the contents of this e-mail or any attachments is strictly prohibited. You are further advised that review by an individual other than the intended recipient shall not constitute a waiver of any attorney/client privilege which may apply to this communication.

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RECEIVED
 OCT 31 2007
 MONROE CO. PLANNING DEPT.



- LEGEND**
- = SANITARY MANHOLE
 - = WATER VALVE
 - = WATER METER
 - = FIRE HYDRANT
 - = CONCRETE POWER POLE
 - = WOOD UTILITY POLE
 - = GUY WIRE ANCHOR
 - = SIZE
 - = NAIL & DISK (AS NOTED)
 - = IRON ROD OR PIPE (AS NOTED)
 - = OVERHEAD WIRES
 - = CENTERLINE
 - = CONCRETE
 - = ELEVATION
 - = ORIGINAL RECORD BOOK
 - R/W = RIGHT-OF-WAY
>PVC = PEEK VARY, GALVANIC
>R/V = RECREATIONAL VEHICLE
○ = CALCULATED USING EXISTING RECORD GENERALIZATION
○ = PLAT
○ = MEASURED
○ = TRAMP = TRAMSHIP
○ = OR ROE = RAILROAD
○ = SOLAR FEET

DESCRIPTION OF LANDS SURVEYED
 (See Fund Commitment No. 112474)

Parcel 1
 Lots 1 & 2, Block 4, MANDALAY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 194, among the Public Records of Monroe County, Florida.

Together with a parcel of submerged land in Sec. 6, Twp. 62 South, Rge. 35 East, Key Largo, Florida, Monroe County, Florida, more particularly described as:

From the intersection of the dividing line between Lots 1 and 2, Block 4 with the Southeastern side of East Second Street, all as shown on Plat of MANDALAY, recorded in Plat Book 1, Page 194, thence: Rightly of Monroe County, Florida, run Southeastern along said dividing line, a distance of 150 feet to the most Eastern corner of Lot 2 and the most Western corner of a parcel hereinafter described; thence continue Southeastern along said described course and along the Southeastern side of the same parcel, a distance of 250 feet; thence Southeastern and parallel to the said Southeastern side of East Second Street, a distance of 125.0 feet to the origin of the dividing line between Lot 1, Block 4, and Second Avenue, according to said Plat Book 1, Page 194; thence Northwesterly along said projection a distance of 225 feet to the most Southern corner of said Lot 1, Block 4, thence Northwesterly along the Southeastern side of Lots 1 and 2, a distance of 125.0 feet to the Point of Beginning.

Parcel 2
 Leasehold estate in favor of Conalty Holding Corp., created in that certain Lease Agreement dated November 12, 1997 between Board of County Commissioners Monroe County, Florida, Lessor and Conalty Holding Corp., Lessee, defining the following described parcel:
 The Eastern ten feet of Second Avenue adjacent to Lot 1, Block 4, MANDALAY SUBDIVISION, according to the Plat thereof as recorded in Plat Book 1, Page 194 of the Public Records of Monroe County, Florida.

SURVEYOR'S CERTIFICATION

To: Earthlink Corporation, LLC
 5200 State
 Attorney's Title Insurance Fund, Inc.
 Law Offices of Dennis R. Haber, P.A.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA, ACSM and NSPS, and includes therein 1, 2, 3, 4, 6, 7(a), 7(b), 8, 9, 10, 11(a), 13, 14, 15, and 16 in Table A thereof. Pursuant to the Accuracy Standards set adopted by ALTA, NSPS, and ACSM and in effect on the date of the certification, the undersigned further certifies that proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those required in the Minimum Accuracy Standards and Requirements for Survey Measurements which Control Land Boundaries for ALTA/ACSM Land Title Surveys.

Date: _____

By: _____
 (Seal of F. Gaines, Florida License No. 12,626)

Not valid without the original signatures and seal and of the above named surveyor.

- SURVEYOR'S REPORT/NOTES**
1. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
 2. PLAT ANGLES SHOWN HEREON WERE TAKEN FROM THE SUBDIVISION PLAT ENTITLED "MANDALAY" AS RECORDED IN PLAT BOOK 1, PAGE 194.
 3. THE SURVEYED PARCELS IS LOCATED IN FLOOD ZONES AE (EL. 10), VE (EL. 11) AND VE (EL. 14) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 125129-1004-G (MAP NUMBER 125129-1004-G), PRINTED JUNE 16, 1995. THE ZONE LINES SHOWN HEREON WERE SCALED FROM THIS MAP.
 4. THE FOLLOWING TITLE COMMITMENT WAS PROVIDED BY THE CLIENT FOR USE IN PREPARING THIS SURVEY. THE PLAT COMMITMENT NO. 125141, EFFECTIVE DATE: NOVEMBER 24, 2003 09:00 P.M. ONLY SURVEY RELATED FEES IN SCHEDULE B-2 OF THIS TITLE COMMITMENT ARE SHOWN HEREON. ANY OTHER EASEMENTS, RESTRICTIONS OR RESERVATIONS THAT MAY EXIST, OTHER RECORDS OR UNRECORDED HAVE NOT BEEN FURNISHED OR ACKNOWLEDGED ON THIS SURVEY.
 5. THE AREA OF THE PARCELS SURVEYED IS 1,154 ACRES OR 50,258 SQUARE FEET, MORE OR LESS (INCLUDING SUBMERGED LAND BUT NOT INCLUDING LEASE PARCELS).
 6. THE FOLLOWING UTILITY IMPROVEMENTS WERE NOT LOCATED: UTILITY SERVICE POLES AND GUY WIRES, OVERHEAD SERVICE WIRES, WATER METERS, SANITARY SEWER LINE CONNECTIONS, AND OTHER SERVICES ELECTRICAL SERVICES TO THE INDIVIDUAL PLOT SURFS.
 7. ADJACENT PROPERTY OWNER INFORMATION WAS TAKEN FROM THE MONROE COUNTY PROPERTY APPRAISER'S WEB SITE ON MARCH 16, 2004.
 8. BUILDING RESTRICTION AND/OR SETBACK INFORMATION WAS NOT PROVIDED BY CLIENT AND HAS NOT BEEN SHOWN HEREON.

E. F. Gaines Surveying Services, Inc.	DATE: _____	PROJECT: _____	COUNTY: MONROE	SECTION: 4, T-62-S, R-35-E	SCALE: 1" = 30'
6848 Youngblood Lane, Jacksonville, FL 32217 Phone: (321) 418-1224 Fax: (321) 418-1227 EMAIL: EFGAINES@GAINES.COM	FIELD DATE: 02/12/2004	LIBRARY: BPT	MONROE	SECTION 4, T-62-S, R-35-E	SCALE: 1" = 30'
	DRAWN BY: _____	CHECKED BY: _____	MONROE	SECTION 4, T-62-S, R-35-E	SCALE: 1" = 30'
	DATE: _____	DATE: _____	MONROE	SECTION 4, T-62-S, R-35-E	SCALE: 1" = 30'

End of Additional Information
File # 27119

County of Monroe
Growth Management Division

Planning & Environmental Resources

Department

88800 Overseas Highway
Tavernier, Florida 33070
Voice (305) 852-7100
FAX: (305) 852-7103



Board of County Commissioners

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

We strive to be caring, professional and fair

Date: 10/22/07
Time: 1:25 pm

Dear Applicant:

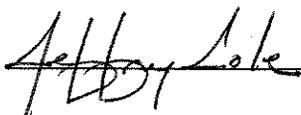
This is to acknowledge submittal of your application for TRANSFER OF DEVELOPMENT
Type of application RIGHTS

SAL GUITERREZ to the Monroe County Planning Department.
Project / Name

We are unable at this time to issue a receipt of your application, as it will take our staff two working days to determine that all required materials related to your application have been submitted. All applications received after 12:00 Noon will be considered as submitted the following working day.

Also, as required by Monroe County Code, planning staff will review your application after acceptance, to deem it complete within an additional fifteen working days.

Thank you.



Planning Staff



MONROE COUNTY PLANNING DEPARTMENT
APPLICATION FOR TRANSFER OF DEVELOPMENT RIGHTS
MINOR CONDITIONAL USE
Application Fee: \$ 420.00
MCC Section 9.5-265

Affidavits of ownership and of intent to transfer development rights must be files with the Director of Planning thirty days prior to submission of this application.

1) Applicant Name: Sal Guitierrez

Mailing Address: 125 Harbor Drive, Key Largo FL 33037

Phone Number: (Work) 305-896-5930

2) Agent Name/Title: John A. Jabro, Esquire

Mailing Address: 90311 Overseas Highway, Suite B, Tavernier, FL 33070

Phone Number: (Work) 305-852-9233, (Fax) 305-852-0686

SITE TO WHICH TDR WILL BE TRANSFERRED (RECEIVER SITE):

3) Property Owner(s): Ed Lewis, LLC

Mailing Address: P.O. Box 1608, Tavernier, FL., 33070

Phone Number: (Work) 305-896-5930

4) Legal Description of the receiver sites: Lots 11, 12, 13, 14, Block 17, Bay Haven, Section 4 corrected, according to the Plat thereof; as recorded in Plat Book 3, Page 14 of the Public Records of Monroe County, Florida.

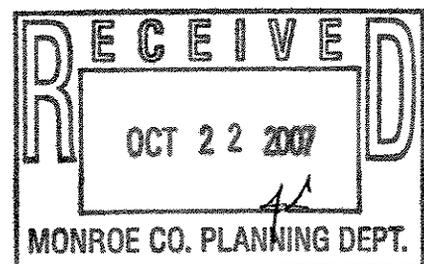
Street Address: Not Applicable

Lots: 11,12,13,14 Block: 17 Subdivision: Bay Haven

Key: Key Largo MM: 95

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

5) Real Estate (RE) Number(s):00519370-000000, 00519360-000000
00519350-000000, 00519340-000000



- 6) Current use of the property (# of dwelling units, hotels, commercial floor area, vacant, ect.): Vacant, not cleared.
- 7) Street Address of property, if applicable: Not Applicable
- 8) Land Use District: SR
- 9) Habitat: High Quality Hammock, 25 Acres plus.
- 10) Size of Site: 200' x 100'
- 11) How many development rights are allocated? One (1).
- 10) How many development rights are being transferred?: One (1).
- 11) Have any development rights been previously transferred to or from this property?
Please explain: None.
-

SITE FROM WHICH TDR WILL BE SERVED (SENDER SITE):

- 12) Name of owner of sender site: Ed Lewis, LLC
- Mailing Address: P.O. Box 1608, Tavernier, FL., 33070
- Phone Number: (Work) 305-896-5930
- 13) Legal Description of the sender site: BK 2, LT 2, Gulf Shores PB3-74 Sugarloaf Key, OR102-375-377, OR766-693, OR805-949-O/C, OR805-950-O/C, OR805-2500, Case #81-267-CP-12, OR853-1592/1595-Will, OR2200-1217.
- Street Address: Not Applicable
- Lot: 2 Block: 2 Subdivision: Gulfshores.
- Key: Sugarloaf MM: Approximately 27
- If in metes and bounds, attach legal description on separate sheet.
- 14) Real Estate (RE) Number: 00168220-000000.
- 15) Current use of the property (# of dwelling units, hotels, commercial floor area, vacant, ect.): Vacant
- 16) Street Address of property, if applicable: Not Applicable
- 17) Land Use District: IS
- 18) Habitat: Freshwater Wetlands

19) Size of Site: 100' x 150'

20) How many development rights are allocated?: One (1)

21) How many development rights are being transferred from this property? One (1)

If development rights have previously been transferred: Not Applicable

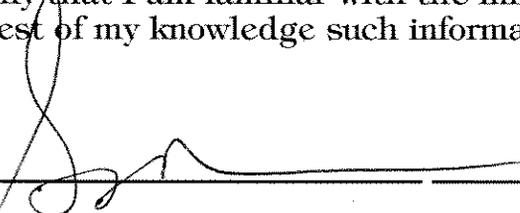
When were they transferred? Not Applicable

Development Order(s) which approved this transfer?: Not Applicable

The following must be submitted with the application:

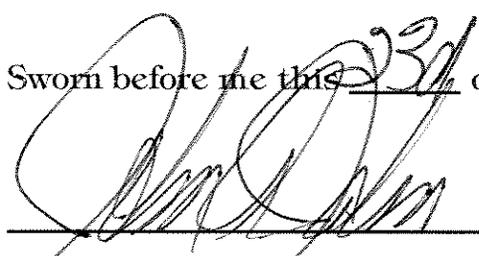
- a) Copy of Deed of Ownership or contract to purchase the receiver site;
- b) Affidavit of TDR ownership from the current owner;
- c) Sealed Survey of receiver site. If survey is larger than 8 x 1/2 x 14, sixteen(16) copies must be submitted;
- d) Vegetative Study (or HEI if required) of sender and receiver sites;
- e) Typed name and address mailing labels of property owners within a 300 feet radius of the subject property. This list should be compiled from the current tax rolls located in the Property Appraiser's Office. Also, please provide the listing of the names, subdivision name, lot and block # and the RE #'s for each address and note those that are adjoining the property. Adjoining lots are not disrupted by a canal or street. When a condominium is adjoining the property within the three hundred (300) feet, each unit owner must be included.
- f) Copies of Land Use District Maps with sender and receiver sites highlighted and labeled.

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.

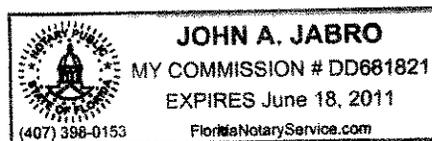


Signature of Applicant or Agent Date

Sworn before me this 31 day of September, 2007 A.D.



Notary Public



My Commission Expires

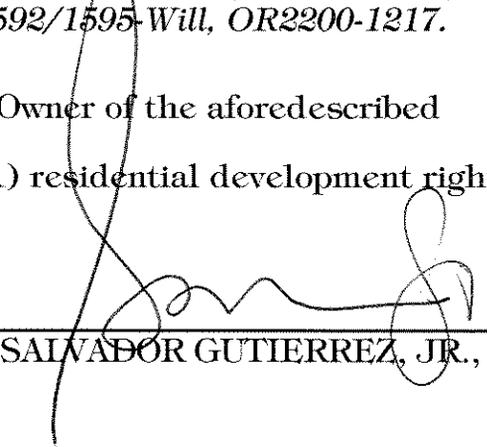
**AFFIDAVIT OF TRANSFERABLE DEVELOPMENT RIGHT
OWNERSHIP**

STATE OF FLORIDA
COUNTY OF Polk

BEFORE ME, the undersigned authority, personally appeared,
SALVADOR GUTIERREZ, JR., as Managing Member of Ed Lewis LLC, a
Florida limited liability company, who, being first duly sworn by me, a
Notary Public within and for the County and State aforesaid, deposes
and says that Ed Lewis LLC is the owner of the following described
sender site property:

*BK 2, LT 2, Gulf Shores PB3-74 Sugarloaf Key, OR102-375-377,
OR766-693, OR805-949-Q/C, OR805-950-O/C, OR805-2500,
Case #81-267-CP-12, OR853-1592/1595-Will, OR2200-1217.*

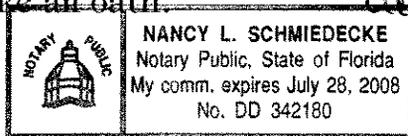
Affiant further states that, as Owner of the aforescribed
property, Affiant is entitled to one (1) residential development right for
said real property.



SALVADOR GUTIERREZ, JR.,

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 18
day of October, 2007, by SALVADOR GUTIERREZ, JR., as Managing
Member of Ed Lewis LLC, () who is personally known to me or (✓)
who has produced Florida Drivers License as identification, and who did
take an oath.



[seal]



Notary Public
My Commission Expires:

MONROE COUNTY ***LIVE***

MISCELLANEOUS RECEIPT

RECEIPT # : 106414 PRINT DATE : 11/19/2007
 RECEIPT DATE : 11/19/2007 PRINT TIME : 09:36:03
 OPERATOR : tedescod
 COPY # : 1

RECEIVED BY : tedescod CASH DRAWER: 2
 REC'D. FROM : ED LEWIS, LLC
 JDF 106.1 :
 JDF 106.2 :

NOTES : RE:00519370;00519360;00519350; 00519340-000000

FEE ID	AMOUNT	THIS RCPT	BALANCE
ZONING-017	420.00	420.00	0.00
TOTALS:	420.00	420.00	0.00

METHOD OF PAYMENT	AMOUNT	NUMBER
CHECK	420.00	1341
TOTAL RECEIPT :	420.00	

ED LEWIS, LLC 07-04
GENERAL ACCOUNT
 P.O. BOX 1608
 TAVERNIER, FL 33070

Date 11-23-07 1341
 63-4/630 FL 1289

Pay to the Order of Monroe County
from Hundred and twenty \$ 420.00
 Bank of America Dollars

ACH R/T 063100277
 For BAY HAVEN LOTS

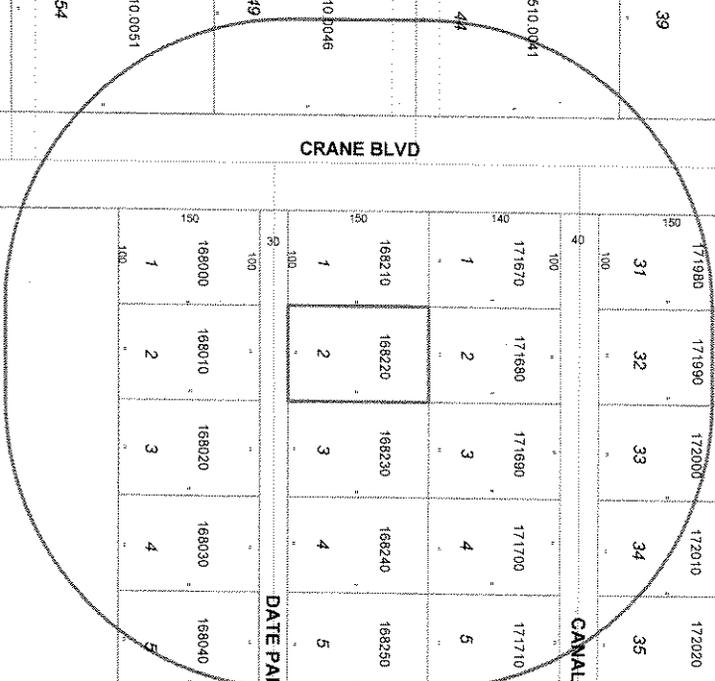
⑆063000047⑆ 003443682804⑆ 1341

Sender

32	ACOSTA TRL	33	34
4	117510.0034	117510.0035	117510.0036
37		38	39
42	117510.0039	117510.004	117510.0041
5	HANSON TRL	43	44
47	117510.0044	117510.0045	117510.0046
52	117510.0049	117510.005	117510.0051
6	PELLICO RD	53	54
57	117510.0054	117510.0055	215

CRANE BLVD

117770



171980	171990	172000	172010	172020	172030	172040	172050	172060
31	32	33	34	35	36	37	38	39
171670	171680	171690	171700	171710	171720	171730	171740	171750
1	2	3	4	5	6	7	8	9
168210	168220	168230	168240	168250	168260	168270	168280	168290
1	2	3	4	5	6	7	8	9
168000	168010	168020	168030	168040	168050	168060	168070	168080
1	2	3	4	5	6	7	8	9

CANAL DR

DATE PALM DR

AK	1220973	Parcel ID:	00172010-00	Physical Loc:	19481 CANA Legal	Descr: BK LT 34 PE
AK	1220974	Parcel ID:	00171990-00	Physical Loc:	19401 CANA Legal	Descr: BK LT 31 PE
AK	1220975	Parcel ID:	00171990-00	Physical Loc:	19421 CANA Legal	Descr: LOT 32 PER
AK	1220976	Parcel ID:	00172000-00	Physical Loc:	LOT 33 CAN Legal	Descr: BK LT 35 PE
AK	1220981	Parcel ID:	00172020-00	Physical Loc:	19481 CANA Legal	Descr: LOT 35 PER
AK	1220977	Parcel ID:	00171770-00	Physical Loc:	19482 CANA Legal	Descr: BK LT 5 PER
AK	1220983	Parcel ID:	00171770-00	Physical Loc:	19482 CANA Legal	Descr: LOT 4 PERE
AK	1220985	Parcel ID:	00171690-00	Physical Loc:	19442 CANA Legal	Descr: LT 3 PEREZ
AK	1220939	Parcel ID:	00171680-00	Physical Loc:	411 CRANE Legal	Descr: BK LT 2 PER
AK	1220947	Parcel ID:	00171680-00	Physical Loc:	PEREZ SUB Legal	Descr: BK LT 2 PER
AK	1217263	Parcel ID:	00168250-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 4 GI
AK	1217265	Parcel ID:	00168240-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 3 GI
AK	1217247	Parcel ID:	00168230-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 3 GI
AK	1217239	Parcel ID:	00168220-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 2 GI
AK	1217221	Parcel ID:	00168210-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 1 GI
AK	1217018	Parcel ID:	00168200-00	Physical Loc:	SUGARLC Legal	Descr: BK 2 LT 6 GI
AK	1217026	Parcel ID:	00168000-00	Physical Loc:	SUGARLC Legal	Descr: BK 1 LT 1 GI
AK	1217034	Parcel ID:	00168010-00	Physical Loc:	SUGARLC Legal	Descr: BK 1 LT 2 GI
AK	1217051	Parcel ID:	00168020-00	Physical Loc:	GULF SHC Legal	Descr: BK 1 LT 3 GI
AK	1150827	Parcel ID:	00168030-00	Physical Loc:	SUGARLC Legal	Descr: BK 1 LT 4 GI
AK	1150864	Parcel ID:	00168040-00	Physical Loc:	SUGARLC Legal	Descr: BK 1 LT 5 GI
AK	1150868	Parcel ID:	00168050-00	Physical Loc:	VACANT LA Legal	Descr: 25 66 27 3
AK	1150871	Parcel ID:	00117510-00	Physical Loc:	SUGARLC Legal	Descr: 25 66 27 SU
AK	1150874	Parcel ID:	00117510-00	Physical Loc:	SUGARLC Legal	Descr: 25 66 27 SU
AK	1150877	Parcel ID:	00117510-00	Physical Loc:	SUGARLC Legal	Descr: 25 66 27 SU
AK	1150959	Parcel ID:	00117770-00	Physical Loc:	SUGARLC Legal	Descr: 25 66 27 79F

Page -1 of 1

OR312-4418:	Owners Nam	PALLNER MA	Address:	19461 CANA SUGARLOAF SHORES, FL 33042-3118
R145-484/48:	Owners Nam	RAMOS THE	Address:	26 KEY HAV KEY WEST, FL 33040-6220
478-26/27:	Owners Nam	REA THOMA	Address:	P O BOX 200 NEW CASTLE, NH 03854
OR395-748:	Owners Nam	MONGELLI I	Address:	908 TRINITY KEY WEST, FL 33040
60-384-385:	Owners Nam	TECHMER I	Address:	19481 CANA SUMMERLAND KEY, FL 33042
R488-1097:	Owners Nam	CLEAVER RI	Address:	19482 CANA SUMMERLAND KEY, FL 33042
5-845 OR92:	Owners Nam	CLOCK VIKI	Address:	19462 CANA SUMMERLAND KEY, FL 33042-3113
78-445E OR:	Owners Nam	OURADA RC	Address:	647 40TH ST SUMMERLAND KEY, FL 33042
440E OR54:	Owners Nam	DIKZ LINDA	Address:	411 CRANE SUGARLOAF KEY, FL 33042
R378-439E:	Owners Nam	AMBLER ED	Address:	19642 TEQU SUGARLOAF KEY, FL 33042-3120
4 OR760-18:	Owners Nam	GUESS DON	Address:	1621 FLAGL KEY WEST, FL 33040
49 OR776-8F:	Owners Nam	GUTIERREZ	Address:	602 W 35TH HIALEAH, FL 33012
7/8/72 OR8:	Owners Nam	ED LEWIS L	Address:	PO BOX 160 TAVERNIER, FL 33070
75-377 OR7E:	Owners Nam	CATES JAMI	Address:	9 COCONUT KEY WEST, FL 33040
0/131 OR9E:	Owners Nam	EMERSON J	Address:	1397 NE CEJENSEN BEACH, FL 34957
530 OR851-:	Owners Nam	TITF C/O D	Address:	3900 COMM TALLAHASSEE, FL 32399-3003
980-E OR12:	Owners Nam	TITF C/O D	Address:	3900 COMM TALLAHASSEE, FL 32399-3003
270DC OR2:	Owners Nam	TITF C/O D	Address:	3900 COMM TALLAHASSEE, FL 32399-3003
270DC OR2:	Owners Nam	TITF C/O D	Address:	3900 COMM TALLAHASSEE, FL 32399-3000
270DC OR2:	Owners Nam	TITF C/O D	Address:	3900 COMM TALLAHASSEE, FL 32399-3000
TS 6 & 7 SE:	Owners Nam	NATURE CO	Address:	223 S WEST ALTAMONTE SPRINGS, FL 32714
K 6 NO SUG:	Owners Nam	VOLLGER E	Address:	14521 HARF MIAMI LAKES, FL 33014
K 5 NO SUG:	Owners Nam	VOLLGER E	Address:	202 MAGELL MINNEOLA, FL 34715
K 4 NO SUG:	Owners Nam	TITF C/O D	Address:	MLSTN 115 ,
26 OR370-1:	Owners Nam	COUNTY OF	Address:	3900 COMM TALLAHASSEE, FL
				500 WHITEH-KEY WEST, FL 33040

Page -1 of 1

Sender

Monroe County Property Appraiser - Radius Report

AK: 1220973	Parcel ID: 00172010-000000	Physical Location: 19461 CANAL DR	SUGARLOAF KEY		
Legal Description:	BK LT 34 PEREZ SUBDIVISION SUGARLOAF KEY PB-3-147	OR312-84/85	OR826-2162	OR917-196	
Owners Name:	PALMER MARK R				
Address::	19461 CANAL DRIVE	SUGARLOAF SHORES, FL 33042-3118			
AK: 1220949	Parcel ID: 00171980-000000	Physical Location: 19401 CANAL DR	SUGARLOAF KEY		
Legal Description:	BK LT 31 PEREZ SUBDIVISION SUGARLOAF KEY PB3-147 O	R145-494/495	OR847-1521	OR930-49	
Owners Name:	RAMOS THERESA				
Address::	26 KEY HAVEN ROAD	KEY WEST, FL 33040-6220			
AK: 1220957	Parcel ID: 00171990-000000	Physical Location: 19421 CANAL DR	SUGARLOAF KEY		
Legal Description:	LOT 32 PEREZ SUBDIVISION SUGARLOAF KEY PB-3-147 OR	478-26/27	OR1261-447/49AFF	OR126	
Owners Name:	REA THOMAS LEON				
Address::	P O BOX 2004	NEW CASTLE, NH 03854			
AK: 1220965	Parcel ID: 00172000-000000	Physical Location: LOT 33 CANAL DR	SUGARLOAF KEY		
Legal Description:	BK LT 33 PEREZ SUBDIVISION SUGARLOAF KEY PB-3-147	OR395-749-750	OR1072-1832	JB OR:	
Owners Name:	MONGELLI ROBERT CHARLES TR DTD 01/15/02				
Address::	908 TRINITY DR #3	KEY WEST, FL 33040			
AK: 1220981	Parcel ID: 00172020-000000	Physical Location: 19481 CANAL DR	SUGARLOAF KEY		
Legal Description:	LOT 35 PEREZ SUBDIVISION SUGARLOAF KEY PB3-147 OR2	60-384-385	OR841-2473	OR938-1302	
Owners Name:	TECHMER CHRISTINE A				
Address::	19481 CANAL RD	SUMMERLAND KEY, FL 33042			
AK: 1220671	Parcel ID: 00171710-000000	Physical Location: 19482 CANAL DR	SUGARLOAF KEY		
Legal Description:	BK LT 5 PEREZ SUBDIVISION SUGARLOAF KEY PB-3-147 O	R488-1097-1098	OR1118-2475	(JB) OI	
Owners Name:	CLEAVER RICHARD C & JENNIFER				
Address::	19482 CANAL ROAD	SUMMERLAND KEY, FL 33042			
AK: 1220663	Parcel ID: 00171700-000000	Physical Location: 19462 CANAL DR	SUGARLOAF KEY		
Legal Description:	LOT 4 PEREZ SUBDIVISION SUGARLOAF KEY PB3-147 OR45	5-845	OR920-1838Q/C	OR1041-2067	
Owners Name:	CLOCK VIKKI (Q)				
Address::	19462 CANAL DR	SUMMERLAND KEY, FL 33042-3113			
AK: 1220655	Parcel ID: 00171690-000000	Physical Location: 19442 CANAL DR	SUGARLOAF KEY		
Legal Description:	LT 3 PEREZ SUBDIVISION SUGARLOAF KEY PB3-147 OR3	78-445E	OR542-81	OR569-142	OR58:
Owners Name:	OURADA ROBERT				
Address::	647 40TH ST	SUMMERLAND KEY, FL 33042			
AK: 1220639	Parcel ID: 00171670-000000	Physical Location: 411 CRANE BLVD	SUGARLOAF KEY		
Legal Description:	LT 1 PEREZ SUBDIVISION SUGARLOAF KEY PB3-147 OR378	-440E	OR541-624	OR689-813-Q/C	OF
Owners Name:	DIAZ LINDA CAPRICE AND MARCOS LUIS				
Address::	411 CRANE BLVD	SUGARLOAF KEY, FL 33042			
AK: 1220647	Parcel ID: 00171680-000000	Physical Location: PEREZ SUB	SUGARLOAF KEY		
Legal Description:	BK LT 2 PEREZ SUBDIVISION SUGARLOAF KEY PB-3-147 O	R378-439E	OR550-370		
Owners Name:	MASSINGILL CLETIS				
Address::	19642 TEQUESTA STREET	SUGARLOAF KEY, FL 33042-3120			
AK: 1217263	Parcel ID: 00168250-000000	Physical Location: SUGARLOAF KEY			
Legal Description:	BK 2 LT 5 GULF SHORES PB3-74 SUGARLOAF KEY OR110-9	4	OR760-1846D/C	OR908-1783	
Owners Name:	AMBLER EDWARD A AND ROWENA E				
Address::	20143 RALSTON ST	ORLANDO, FL 32833			
AK: 1217255	Parcel ID: 00168240-000000	Physical Location: SUGARLOAF KEY			
Legal Description:	BK 2 LT 4 GULF SHORES PB3-74 SUGARLOAF KEY OR517-3	49	OR776-864/866	OR776-867	OR801
Owners Name:	GUESS DONNIE M & NANCY ANN				
Address::	1621 FLAGLER AVENUE	KEY WEST, FL 33040			
AK: 1217247	Parcel ID: 00168230-000000	Physical Location: SUGARLOAF KEY			
Legal Description:	BK 2 LT 3 GULF SHORES PB3-74 SUGARLOAF KEY OR418-6	71/672	OR696-369	OR1200-746	OR14
Owners Name:	GUTIERREZ PEDRO RICARDO TR (FOR AMANDA AGUIAR)				
Address::	602 W 35TH STREET	HIALEAH, FL 33012			

Sender

AK: 1217239	Parcel ID: 00168220-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 2 LT 2 GULF SHORES PB3-74 SUGARLOAF KEY OR102-3		75-377 OR766-693 OR805-949-Q/C O
Owners Name:	ED LEWIS LLC		
Address::	PO BOX 1608	TAVERNIER, FL 33070	
AK: 1217221	Parcel ID: 00168210-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 2 LT 1 GULF SHORES PB3-74 SUGARLOAF KEY OR72-13		0/131 OR986-1243 OR986-1244L/E-R,
Owners Name:	CATES JAMIE THIEL		
Address::	9 COCONUT DR	KEY WEST, FL 33040	
AK: 1217271	Parcel ID: 00168260-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 2 LT 6 GULF SHORES PB3-74 SUGARLOAF KEY OR483-3		53Q OR851-2207 OR1118-92(VC) OR
Owners Name:	EMERSON JAY MOTLEY		
Address::	1397 NE CEDAR ST	JENSEN BEACH, FL 34957	
AK: 1217018	Parcel ID: 00168000-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 1 LT 1 GULF SHORES PB3-74 SUGARLOAF KEY OR768-1		950-E OR1208-270DC OR2247-2078/1
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1217026	Parcel ID: 00168010-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 1 LT 2 GULF SHORES PB3-74 SUGARLOAF KEY OR1208-		270DC OR2247-2078/80
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1217034	Parcel ID: 00168020-000000	Physical Location: GULF SHORE SUGARLOAF KEY	
Legal Description:	BK 1 LT 3 GULF SHORES PB3-74 SUGARLOAF KEY OR1208-		270DC OR2247-2078/80
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1217042	Parcel ID: 00168030-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 1 LT 4 GULF SHORES PB3-74 SUGARLOAF KEY OR1208-		270DC OR2247-2078/80
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1217051	Parcel ID: 00168040-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	BK 1 LT 5 GULF SHORES PB3-74 SUGARLOAF KEY OR1208-		270DC OR2247-2078/80
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1150827	Parcel ID: 00117640-000000	Physical Location: VACANT LAND SUGARLOAF KEY	
Legal Description:	25 66 27 & 30-66-28 Y66725-26 SUGAR LOAF KEY PT LO		TS 6 & 7 SEC 25 & PT LOT 4 SEC 30
Owners Name:	NATURE CONSERVANCY THE		
Address::	222 S WESTMONTE DR STE 300	ALTAMONTE SPRINGS, FL 32714	
AK: 1150614	Parcel ID: 00117510-005100	Physical Location: SUGARLOAF KEY	
Legal Description:	25 66 27 SUGARLOAF KEY PT GOVT LOT 5 AKA LOT 54 BL		K 6 NO SUGARLOAF ACRES SEC 01
Owners Name:	VOLLGER ERNEST & ALICE		
Address::	14521 HARRIS PLACE	MIAMI LAKES, FL 33014	
AK: 1150568	Parcel ID: 00117510-004600	Physical Location: SUGARLOAF KEY	
Legal Description:	25 66 27 SUGARLOAF KEY PT GOVT LOT 5 AKA LOT 49 BL		K 5 NO SUGARLOAF ACRES SEC 01
Owners Name:	VOLLGER ERNEST AND ALICE		
Address::	202 MAGELLAN CIR	MINNEOLA, FL 34715	
AK: 1150517	Parcel ID: 00117510-004100	Physical Location: SUGARLOAF KEY	
Legal Description:	25 66 27 SUGARLOAF KEY PT GOVT LOT 5 AKA LOT 44 BL		K 5 NO SUGARLOAF ACRES SEC 01
Owners Name:	TIITF C/O DEP		
Address::	MLSTN 115		
AK: 1150461	Parcel ID: 00117510-003600	Physical Location: SUGARLOAF KEY	
Legal Description:	25 66 27 SUGARLOAF KEY PT GOVT LOT 5 AKA LOT 39 BL		K 4 NO SUGARLOAF ACRES SEC 01
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD MLSTN 115	TALLAHASSEE, FL	
AK: 1150959	Parcel ID: 00117770-000000	Physical Location: SUGARLOAF KEY	
Legal Description:	26 66 27 Y66726-12 SUGARLOAF KEY PT SECS 22,23,25,		26 OR370-122-123
Owners Name:	COUNTY OF MONROE H W		
Address::	500 WHITEHEAD STREET	KEY WEST, FL 33040	

Receiver

Monroe County Property Appraiser - Radius Report

AK: 1638404	Parcel ID: 00519160-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 23 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-70
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635120	Parcel ID: 00515860-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 3 BAY HAVEN SEC 1 PB2-28 KEY LARGO OR141-2		51 (U/R DC ON FILE-LEDER I)JB OR1
Owners Name:	WILLIAMS RHONDA		
Address::	267 LAFITTE RD	LITTLE TORCH KEY, FL 33042	
AK: 1635162	Parcel ID: 00515900-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 7 BAY HAVEN SEC 1 PB2-28 KEY LARGO G22-289		OR479-903 OR1024-521/526WILL OF
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1638676	Parcel ID: 00519430-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 20 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR417-215/217 OR1547-1401/021
Owners Name:	WILSON GEORGE F		
Address::	100460 OVERSEAS HWY	KEY LARGO, FL 33037	
AK: 1604712	Parcel ID: 00489670-000000	Physical Location: 149 N HARBOR DR KEY LARGO	
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91 KEY LARGO LOTS 2		4-26 BLK 1-B OR86-255 OR474-556 C
Owners Name:	DANNELS MARK D		
Address::	149 NORTH BAY HARBOR DRIVE	KEY LARGO, FL 33037	
AK: 1604771	Parcel ID: 00489730-000000	Physical Location: 159 N BAY HARBOR DR KEY LARGO	
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91 KEY LARGO LOTS		29-30 BK 1B OR369-686 OR510-9151
Owners Name:	DE LA TORRE HOMERO & ILEANA		
Address::	10814 NW 33RD ST SUITE 115	MIAMI, FL 33172	
AK: 1604780	Parcel ID: 00489740-000000	Physical Location: 156 S BAY HARBOR DR KEY LARGO	
Legal Description:	AMENDED PLAT OF BAY HARBR KEY LARGO PB2-91 LOTS 31		& 33 BK 1B OR377-431 OR905-4801
Owners Name:	ASDOURIAN DAVID M & ANNE MARIE		
Address::	156 SOUTH BAY HARBOR DRIVE	KEY LARGO, FL 33037	
AK: 1604801	Parcel ID: 00489760-000000	Physical Location: KEY LARGO	
Legal Description:	BK B-1 LT 34 AMENDED PLAT OF BAY HARBR PB2-91 KEY		LARGO PROBATE FILE SERIES 3 B-1
Owners Name:	BENTZ DANIEL J		
Address::	5316 S E MATOUSEK STREET	STUART, FL 34997-3401	
AK: 1638285	Parcel ID: 00519040-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 11 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-70
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638307	Parcel ID: 00519060-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 13 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-70
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638323	Parcel ID: 00519080-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 15 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-70
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635146	Parcel ID: 00515880-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 5 BAY HAVEN SEC 1 PB2-28 KEY LARGO E6-250		OR2197-1846/1870DEC OR2312-128
Owners Name:	BRADWELL THOMAS A		
Address::	12150 SW 45TH STREET	MIAMI, FL 33175	
AK: 1635197	Parcel ID: 00515930-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 10 BAY HAVEN SEC 1 PB2-28 KEY LARGO E6-163		OR2197-1846/1870DEC OR2312-128
Owners Name:	SEMES L C ET UX		
Address::	201 CHADBOURNE AVENUE APT 122	MILLBRAE, CA 94030-2571	

Receiver

AK: 1604798	Parcel ID: 00489750-000000	Physical Location: 160 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 1B LT 32 AMENDED PLAT OF BAY HARBR	KEY LARGO PB	2-91 OR114-579 OR403-786L/E OR75
Owners Name:	PRAHL H WILLIAM AND CECILIA J		
Address::	12940 SW 69TH AVE	MIAMI, FL 33156	
AK: 1604585	Parcel ID: 00489540-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 45 AMENDED PLAT OF BAY HARBR	KEY LARGO PB2	-91 OR170-407-408 OR604-578 OR17
Owners Name:	LUND LESLIE L & DOROTHY M L/E (JOYCE MARIE LUND)		
Address::	1488 SW 18TH AVENUE	MIAMI, FL 33145	
AK: 1604861	Parcel ID: 00489820-000000	Physical Location: KEY LARGO	
Legal Description:	BK B-1 LT 40 AMENDED PLAT OF BAY HARBR	KEY LARGO P	B2-91 OR231-190/191 OR1156-1971 (
Owners Name:	CHEWNING MAE K TRUST DTD 12/14/1990		
Address::	6390 SW 125 AVE	MIAMI, FL 33183	
AK: 1638536	Parcel ID: 00519290-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 6 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-1	4 OR471-76-77 OR672-447 OR1221-5
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1605158	Parcel ID: 00490110-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 30 AMENDED PLAT OF BAY HARBOR	KEY LARGO PB	2-91 OR375-23 OR752-850D/C OR10:
Owners Name:	BAY HARBOR 30 LLC		
Address::	10067 PINES BLVD STE A	PEMBROKE PINES, FL 33024	
AK: 1635219	Parcel ID: 00515950-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 12 BAY HAVEN SEC 1 PB2-28	KEY LARGO E6-70	G66-286 OR1910-1078 OR2197-1846/
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1605115	Parcel ID: 00490070-000000	Physical Location: 251 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 3 LT 26 AMENDED PLAT OF BAY HARBR	KEY LARGO PB2	-91 OR291-120
Owners Name:	WALL FRED B AND ADELAIDE		
Address::	902 RT 100	STOCKBRIDGE, VT 05772	
AK: 1638382	Parcel ID: 00519140-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 21 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-7:
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635111	Parcel ID: 00515850-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 2 BAY HAVEN SEC 1 PB2-28	KEY LARGO OR141-2	51 (U/R DC ON FILE-LEDER I) OR132
Owners Name:	WILLIAMS RHONDA		
Address::	267 LAFITTE RD	LITTLE TORCH KEY, FL 33042	
AK: 1604810	Parcel ID: 00489770-000000	Physical Location: KEY LARGO	
Legal Description:	BK B-1 LT 35 AMENDED PLAT OF BAY HARBR	PB2-91 KEY	LARGO PROBATE FILE SERIES 3 B-I
Owners Name:	BENTZ DANIEL J		
Address::	5316 S E MATOUSEK ST	STUART, FL 34997-3401	
AK: 1605042	Parcel ID: 00490000-000000	Physical Location: 233 S BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91	KEY LARGO W1/2 L	OT 17 & ALL LOT 18 BK 3 OR517-978
Owners Name:	DAGGETT JAMIE HYDE TRUSTEE (BETTY R HYDE TR 11-19-96)		
Address::	233 S BAY HARBOR	KEY LARGO, FL 33037	
AK: 1638641	Parcel ID: 00519400-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 17 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR417-215/217 OR820-1285 OR9:
Owners Name:	GRIFFIN ROLFE		
Address::	9 N BOUNTY LN	KEY LARGO, FL 33037	
AK: 1605123	Parcel ID: 00490080-000000	Physical Location: 251 S BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT OF BAY HARBR PB2-91	KEY LARGO LOT 27	& E'LY 15' LOT 28 BLK 3 OR246-165-
Owners Name:	FERGUSON THOMAS A AND CHERYL LEE		
Address::	251 SOUTH BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1638421	Parcel ID: 00519180-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 25 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-7:
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	

Receiver

AK: 1605085	Parcel ID: 00490040-000000	Physical Location: 241 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 3 LT 22 AMENDED PLAT OF BAY HARBR	KEY LARGO PB2	-91 OR83-299 OR596-395 OR821-136
Owners Name:	MORRIS STEPHEN L AND JUDITH ANN GULLETT		
Address::	241 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1638293	Parcel ID: 00519050-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 12 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-73
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635171	Parcel ID: 00515910-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 8 BAY HAVEN SEC 1 PB2-28	KEY LARGO E6-69 O	R479-903 OR873-1527/28 OR1415-10
Owners Name:	ED LEWIS LLC		
Address::	P O BOX 1608	TAVERNIER, FL 33070	
AK: 1635201	Parcel ID: 00515940-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 11 BAY HAVEN SEC 1 PB2-28	KEY LARGO E6-70	G66-286 OR1910-1078 OR2197-1846/
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1635227	Parcel ID: 00515960-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 13 BAY HAVEN SEC 1 PB2-28	KEY LARGO E6-201	OR543-397 OR2197-1846/1870DEC (
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1604577	Parcel ID: 00489530-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 44 AMENDED PLAT OF BAY HARBR	KEY LARGO PB2	-91 OR547-125 OR1765-1637QC-L/E(
Owners Name:	LUND LESLIE L & DOROTHY M L/E (JOYCE MARIE LUND)		
Address::	1488 SW 18 AVENUE	MIAMI, FL 33145	
AK: 1604852	Parcel ID: 00489810-000000	Physical Location: 144 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 1-B LT 39 AMENDED PLAT OF BAY HARBR	KEY LARGO P	B2-91 G61-380/381 OR818-1472 OR8
Owners Name:	METZGER TANIA		
Address::	144 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1638625	Parcel ID: 00519380-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 15 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR482-37/38 OR836-2108D/C OR(
Owners Name:	ED LEWIS LLC		
Address::	P O BOX 1608	TAVERNIER, FL 33070	
AK: 1638391	Parcel ID: 00519150-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 22 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-73
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638439	Parcel ID: 00519190-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 26 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-73
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1604755	Parcel ID: 00489710-000000	Physical Location: KEY LARGO	
Legal Description:	BK B-1 LT 28 AMENDED PLAT OF BAY HARBR	KEY LARGO P	B2-91 OR456-994 OR782-182 OR783-
Owners Name:	DANNELS MARK D		
Address::	149 NORTH BAY HARBOR DRIVE	KEY LARGO, FL 33037	
AK: 1638340	Parcel ID: 00519100-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 17 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR471-37 OR865-2002 OR1209-73
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638579	Parcel ID: 00519330-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 10 BAY HAVEN SEC 4 PB 2-79	KEY LARGO PB3-	14 OR417-215/217 OR723-367-368 OI
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1605093	Parcel ID: 00490050-000000	Physical Location: 245 S BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT OF BAY HARBR	KEY LARGO PB2-91 LOT-23&	24 BLK-3 OR87-1 OR15-286-287 OR2
Owners Name:	MC MULLEN LAWRENCE K SR ESTATE		
Address::	245 SO BAY HARBOR DRIVE RR 2	KEY LARGO, FL 33037	

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Gwyenne Kiffney
Island Acquisition Title Company
d/b/a Florida Title of the Keys
99101 Overseas Highway
Key Largo, Florida 33037

04/12/2006 1:51PM
DEED DOC STAMP CL: RS \$70.00

Property Appraisers Parcel Identification (Folio) Number: 00168220-000000
Grantee SS #:

Doc# 1575870
Bk# 2200 Pg# 1217

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 10th day of April, 2006 by GERALD SCHNAEDELBACH, a single man , herein called the grantor, to ED LEWIS, LLC,, a Florida limited liability company, whose post office address is P.O. Box 368, Key Largo, Florida 33037, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MONROE County, State of Florida, viz.:

Lot 2, Block 2, GULF SHORES, according to the Plat thereof as recorded in Plat Book 3, Page 74 of the Public Records of Monroe County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2006 and thereafter.

The property described herein does not constitute the homestead of the Grantor as the Grantor resides at: 1140 Tal Lewis Road, White Plains, GA 30678.

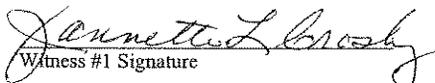
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

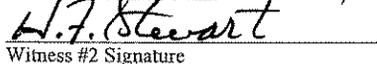
AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:


Witness #1 Signature

Jannette L. Crosby
Witness #1 Printed Name


Witness #2 Signature

H.F. STEWART
Witness #2 Printed Name


GERALD SCHNAEDELBACH
1140 Tal Lewis Road, White Plains, GA 30678

MONROE COUNTY
OFFICIAL RECORDS

STATE OF GEORGIA
COUNTY OF GREENE

The foregoing instrument was acknowledged before me this 6TH day of April, 2006 by GERALD

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Gwyenne Kiffney
Florida Title of the Keys, Inc.
99101 Overseas Highway
Key Largo, Florida 33037
Property Appraisers Parcel Identification (Folio) Number: 0051950-000000, 00519520-000000, 00519340-000000,
00519350-000000, 00519360-000000
Grantee SS #:

Doc# 1473798
Bk# 2050 Pg# 1262

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 30th day of September, 2004 by WILLIAM W. HERRING, a married man, herein called the grantor, to ED LEWIS, LLC, a Florida Limited Liability Company, whose post office address is 99611 Overseas Highway, #213, Key Largo, Florida 33037, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MONROE County, State of Florida, viz.:

Lots 4 and 5, Block 18, and Lots 11, 12, and 13, Block 17, Corrected Plat of BAY HAVEN, Section 4, as recorded in Plat Book 3, Page 14, of the Public Records of Monroe County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2004 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2003.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature
[Printed Name]
Witness #1 Printed Name

[Signature]
WILLIAM W. HERRING
620 NE 9th Avenue, #3, Ft. Lauderdale, Florida 33304

Witness #2 Signature

Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF BROWARD

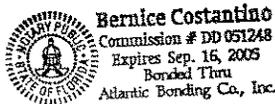
The foregoing instrument was acknowledged before me this 24 day of September, 2004 by WILLIAM W. HERRING, a married man, who is personally known to me or has produced _____ as identification.

SEAL

[Signature]
Notary Public

Printed Notary Name

My Commission Expires:



MONROE COUNTY
OFFICIAL RECORDS

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Doc# 1473797
Bk# 2050 Pg# 1261

Gwyenne Kiffney
Florida Title of the Keys, Inc.
99101 Overseas Highway
Key Largo, Florida 33037
Property Appraisers Parcel Identification (Folio) Number: 00519370-000000, 00519390-000000, 00519380-000000,
00519530-000000, 00519450-000000
Grantee SS #:

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 30th day of September, 2004 by GENE PAUL HERRING, a married man, herein called the grantor, to ED LEWIS, LLC, a Florida Limited Liability Company, whose post office address is 99611 Overseas Highway, Key Largo, Florida 33037, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MONROE County, State of Florida, viz.:

Lots 14, 15, and 16, Block 17, and Lots 6 and 7, Block 18, Corrected Plat of BAY HAVEN, Section 4, as recorded in Plat Book 3, Page 14, of the Public Records of Monroe County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2004 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2003.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 Signature
Gwyenne Kiffney
Witness #1 Printed Name
[Signature]
Witness #2 Signature
Liseik Gonzalez
Witness #2 Printed Name

[Signature]
GENE PAUL HERRING
18301 SW 57th Street, SW Ranches, Florida 33331

STATE OF FLORIDA
COUNTY OF Monroe

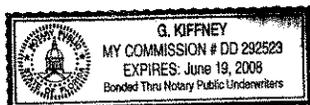
The foregoing instrument was acknowledged before me this 24 day of September, 2004 by GENE PAUL HERRING, a married man, who is personally known to me or has produced _____ as identification.

SEAL

[Signature]
Notary Public

Printed Notary Name

My Commission Expires:



MONROE COUNTY
OFFICIAL RECORDS

AK: 1638684 Parcel ID: 00519440-00 Physical Loc: KEY LARCLegal Descrip BK 17 LT 21
 AK: 1604704 Parcel ID: 00489660-00 Physical Loc: 62 N BAY H/Legal Descrip BK B-1 LT 23
 AK: 1605107 Parcel ID: 00490060-00 Physical Loc: KEY LARCLegal Descrip BK 3 LT 25 A
 AK: 1605069 Parcel ID: 00490020-00 Physical Loc: 237 S BAY H/Legal Descrip BK 3 LT 20 A
 AK: 1638366 Parcel ID: 00519120-00 Physical Loc: KEY LARCLegal Descrip BK 16 LT 19
 AK: 1635103 Parcel ID: 00515840-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 1 B
 AK: 1605018 Parcel ID: 00489970-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 15 A
 AK: 1638688 Parcel ID: 00519420-00 Physical Loc: KEY LARCLegal Descrip BK 17 LT 19
 AK: 1635154 Parcel ID: 00515890-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 6 B
 AK: 1604828 Parcel ID: 00489780-00 Physical Loc: KEY LARCLegal Descrip AMENDED F
 AK: 1638375 Parcel ID: 00519070-00 Physical Loc: KEY LARCLegal Descrip BK 16 LT 14
 AK: 1638358 Parcel ID: 00519110-00 Physical Loc: KEY LARCLegal Descrip BK 16 LT 18
 AK: 1638374 Parcel ID: 00519130-00 Physical Loc: KEY LARCLegal Descrip BK 16 LT 20
 AK: 1638235 Parcel ID: 00515970-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 14 B
 AK: 1604593 Parcel ID: 00489830-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 46 A
 AK: 1604879 Parcel ID: 00489830-00 Physical Loc: 140 S BAY H/Legal Descrip BK 18 LT 41
 AK: 1605140 Parcel ID: 00480100-00 Physical Loc: KEY LARCLegal Descrip BK 3 LT 29 A
 AK: 1638528 Parcel ID: 00519280-00 Physical Loc: KEY LARCLegal Descrip BK 17 LT 5 B
 AK: 1638561 Parcel ID: 00519320-00 Physical Loc: KEY LARCLegal Descrip BK 17 LT 9 B
 AK: 1638633 Parcel ID: 00519380-00 Physical Loc: KEY LARCLegal Descrip BK 17 LT 16
 AK: 1635189 Parcel ID: 00515920-00 Physical Loc: KEY LARCLegal Descrip BK 1 LT 9 B
 AK: 1604534 Parcel ID: 00489490-00 Physical Loc: 141 N BAY H/Legal Descrip AMENDED F

Page -1 of 1

14 OR417-2: Owners Nam WILSON GE Address: 100460 OVE KEY LARGO, FL 33037
 B2-91 OR411: Owners Nam KWALLICK M Address: 62 NORTH EKEY LARGO, FL 33037
 -91 G72-496: Owners Nam MC MULLEN Address: 245 S BAY H KEY LARGO, FL 33037
 -91 OR620: Owners Nam BOALS LINJ Address: 237 S BAY H KEY LARGO, FL 33037
 14 OR471-3: Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 51 (U/R DC (Owners Nam WILLIAMS R Address: 267 LAFFITE LITTLE TORCH KEY, FL 33042
 2-91 OR483: Owners Nam MILLER STE Address: 62 SUNSET KEY LARGO, FL 33037
 14 OR417-2: Owners Nam GRIFFIN RO Address: 9 N BOUNTY KEY LARGO, FL 33037
 OR2197-184: Owners Nam BRADWELL Address: 12150 SW 41 MIAMI, FL 33175
 & WLY 1/2: Owners Nam CANAVAN W Address: 150 S BAY H KEY LARGO, FL 33037
 14 OR471-3: Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 14 OR471-3: Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 14 OR471-3: Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 2/03 OR801- Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 -91 G57-164: Owners Nam LUND LESLJ Address: 1488 SW 18 MIAMI, FL 33145
 2-91 OR48: Owners Nam KRAFT CATJ Address: 140 S BAY H KEY LARGO, FL 33037
 2-91 OR375: Owners Nam BAY HARBO Address: 10067 PINES PEMBROKE PINES, FL 33024
 4 OR471-76: Owners Nam MONROE C Address: 3706 N ROO KEY WEST, FL 33040
 4 OR417-21: Owners Nam MONROE C Address: 500 WHITEH KEY WEST, FL 33040
 14 OR482-4: Owners Nam GRIFFIN RO Address: 9 N BOUNTY KEY LARGO, FL 33037
 24 OR758-4: Owners Nam TITTE C/O DI Address: 3900 COMM TALLAHASSEE, FL 32399-3000
 1, 22, 42 ANI: Owners Nam PEREZ ANG Address: 8310 FLOWE TAMPA, FL 33615

Receiver

AK: 1638544	Parcel ID: 00519300-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 7 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-1		4 OR471-76-77 OR672-447 OR1221-5
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1605131	Parcel ID: 00490090-000000	Physical Location: KEY LARGO	
Legal Description:	AMENDED PLAT OF BAY HARBR KEY LARGO PB2-91 WLY 35		FT LOT 28 BLK 3 OR403-783/785 OR
Owners Name:	BAY HARBOR 29 LLC		
Address::	10067 PINES BLVD STE A	PEMBROKE PINES, FL 33024	
AK: 1605051	Parcel ID: 00490010-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 19 AMENDED PLAT OF BAY HARBOR KEY LARGO PB		2-91 OR517-978 OR653-686 OR1098-
Owners Name:	BOALS GARY L		
Address::	PO BOX 823	ISLAMORADA, FL 33036-0823	
AK: 1638331	Parcel ID: 00519090-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 16 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635138	Parcel ID: 00515870-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 4 BAY HAVEN SEC 1 PB2-28 KEY LARGO OR141-2		51 (U/R DC ON FILE-LEDER I)JB OR1
Owners Name:	WILLIAMS RHONDA		
Address::	267 LAFITTE RD	LITTLE TORCH KEY, FL 33042	
AK: 1635243	Parcel ID: 00515980-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 15 BAY HAVEN SEC 1 PB2-28 KEY LARGO G23-20		2/03 OR801-517D/C OR1224-502/03 C
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1605000	Parcel ID: 00489960-000000	Physical Location: 225 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 3 LT 14 AMENDED PLAT OF BAY HARBR KEY LARGO PB2		-91 OR21-47 OR474-556 OR1098-218
Owners Name:	HALPNER PATRICIA G		
Address::	PO BOX 1352	ISLAMORADA, FL 33036	
AK: 1605026	Parcel ID: 00489980-000000	Physical Location: 229 S BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91 KEY LARGO LOT 16		& E 1/2 LOT 17 OR517-978 OR784-11
Owners Name:	ROY CARL F AND MEDINA		
Address::	229 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1604526	Parcel ID: 00489480-000000	Physical Location: 139 N BAY HARBOR DR	KEY LARGO
Legal Description:	BK 1 LT 20 AMENDED PLAT OF BAY HARBOR KEY LARGO PB		2-91 OR558-305 OR690-320 OR855-2
Owners Name:	CAPOTE ALICIA		
Address::	4543 SW 127 PL	MIAMI, FL 33175	
AK: 1604747	Parcel ID: 00489700-000000	Physical Location: KEY LARGO	
Legal Description:	BK B-1 LT 27 AMENDED PLAT OF BAY HARBR KEY LARGO P		B2-91 OR456-994 OR782-182 OR783-
Owners Name:	DANNELS MARK D		
Address::	149 NORTH BAY HARBOR DRIVE	KEY LARGO, FL 33037	
AK: 1604844	Parcel ID: 00489800-000000	Physical Location: 146 S BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT BAY HARBOR PB2-91 KEY LARGO E'LY 1/		2 LOT 37 & ALL LOT 38 BK B-1 OR61
Owners Name:	ROUSE THOMAS H & JOANNE F		
Address::	313 KNOLLWOOD DR	DEKALB, IL 60115	
AK: 1638650	Parcel ID: 00519410-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 18 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR417-215/217 OR820-1285 OR90
Owners Name:	GRIFFIN ROLFE		
Address::	9 N BOUNTY LN	KEY LARGO, FL 33037	
AK: 1638412	Parcel ID: 00519170-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 24 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1605077	Parcel ID: 00490030-000000	Physical Location: 239 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 3 LT 21 AMENDED PLAT OF BAY HARBR KEY LARGO PB2		-91 OR477-819-820 OR1258-192/94A1
Owners Name:	DELGADO JUAN E & GAIL WHEELER (H/W)		
Address::	239 SOUTH BAY HARBOR	KEY LARGO, FL 33037	

Receiver

AK: 1638552	Parcel ID: 00519310-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 8 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-1		4 OR482-31/32 OR1197-763Q/C OR11
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1638684	Parcel ID: 00519440-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 21 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR417-215/217 OR1547-1401/021
Owners Name:	WILSON GEORGE F		
Address::	100460 OVERSEAS HWY	KEY LARGO, FL 33037	
AK: 1604704	Parcel ID: 00489660-000000	Physical Location: 62 N BAY HARBOR DR KEY LARGO	
Legal Description:	BK B-1 LT 23 AMENDED PLAT OF BAY HARBR KEY LARGO P		B2-91 OR419-624 OR612-840 OR761-
Owners Name:	KWALICK M TERESA		
Address::	62 NORTH BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1605107	Parcel ID: 00490060-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 25 AMENDED PLAT OF BAY HARBR KEY LARGO PB2		-91 G72-496-497 OR741-190
Owners Name:	MC MULLEN LAWRENCE K & JULIA T		
Address::	245 S BAYHARBOR DRIVE RR 2	KEY LARGO, FL 33037	
AK: 1605069	Parcel ID: 00490020-000000	Physical Location: 237 S BAY HARBOR DR KEY LARGO	
Legal Description:	BK 3 LT 20 AMENDED PLAT OF BAY HARBR KEY LARGO PB2		-91 OR620-264 OR2293-2469Q/C
Owners Name:	BOALS LINDA JEAN		
Address::	237 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1638366	Parcel ID: 00519120-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 19 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1635103	Parcel ID: 00515840-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 1 BAY HAVEN SEC 1 PB2-28 KEY LARGO OR141-2		51 (U/R DC ON FILE-LEDER I)JB OR1
Owners Name:	WILLIAMS RHONDA		
Address::	267 LAFITTE RD	LITTLE TORCH KEY, FL 33042	
AK: 1605018	Parcel ID: 00489970-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 15 AMENDED PLAT OF BAY HARBOR KEY LARGO PB		2-91 OR483-537 OR614-725Q OR731
Owners Name:	MILLER STEVEN & SLEDD TONIA (WIFE)		
Address::	62 SUNSET ROAD	KEY LARGO, FL 33037	
AK: 1638668	Parcel ID: 00519420-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 19 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR417-215/217 OR820-1285 OR91
Owners Name:	GRIFFIN ROLFE		
Address::	9 N BOUNTY LN	KEY LARGO, FL 33037	
AK: 1635154	Parcel ID: 00515890-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 6 BAY HAVEN SEC 1 PB2-28 KEY LARGO E6-250		OR2197-1846/1870DEC OR2312-1281
Owners Name:	BRADWELL THOMAS A ET UX		
Address::	12150 SW 45TH STREET	MIAMI, FL 33175	
AK: 1604828	Parcel ID: 00489780-000000	Physical Location: 150 S BAY HARBOR DR KEY LARGO	
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91 KEY LARGO LOT 36		& WLY 1/2 LOT 37 BK B-1 OR153-27
Owners Name:	CANAVAN WENDY W		
Address::	150 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1638315	Parcel ID: 00519070-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 14 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638358	Parcel ID: 00519110-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 18 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638374	Parcel ID: 00519130-000000	Physical Location: KEY LARGO	
Legal Description:	BK 16 LT 20 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR471-37 OR865-2002 OR1209-71
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	

Receiver

AK: 1635235	Parcel ID: 00515970-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 14 BAY HAVEN SEC 1 PB2-28 KEY LARGO G23-20		2/03 OR801-517D/C OR1224-502/03 C
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1604593	Parcel ID: 00489550-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 46 AMENDED PLAT OF BAY HARBR KEY LARGO PB2		-91 G57-164-165 OR604-578 OR1765
Owners Name:	LUND LESLIE L & DOROTHY M L/E (JOYCE MARIE LUND)		
Address::	1488 SW 18TH AVENUE	MIAMI, FL 33145	
AK: 1604879	Parcel ID: 00489830-000000	Physical Location: 140 S BAY HARBOR DR	KEY LARGO
Legal Description:	BK 1B LT 41 AMENDED PLAT OF BAY HARBR KEY LARGO PB		2-91 OR491-713 (U/R D/C- M M LIC)
Owners Name:	KRAFT CATHERINE ESTATE		
Address::	140 S BAY HARBOR DR	KEY LARGO, FL 33037	
AK: 1605140	Parcel ID: 00490100-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 29 AMENDED PLAT OF BAY HARBOR KEY LARGO PB		2-91 OR375-23 OR752-850D/C OR10
Owners Name:	BAY HARBOR 29 LLC		
Address::	10067 PINES BLVD STE A	PEMBROKE PINES, FL 33024	
AK: 1638528	Parcel ID: 00519280-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 5 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-1		4 OR471-76-77 OR672-447 OR1221-5
Owners Name:	MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY		
Address::	3706 N ROOSEVELT BLVD SUITE 1	KEY WEST, FL 33040	
AK: 1638561	Parcel ID: 00519320-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 9 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-1		4 OR417-215/217 OR680-371 OR1407
Owners Name:	MONROE COUNTY BOARD OF COUNTY COMMISSIONERS		
Address::	500 WHITEHEAD STREET	KEY WEST, FL 33040	
AK: 1638633	Parcel ID: 00519390-000000	Physical Location: KEY LARGO	
Legal Description:	BK 17 LT 16 BAY HAVEN SEC 4 PB 2-79 KEY LARGO PB3-		14 OR482-37/38 OR836-2108D/C OF
Owners Name:	GRIFFIN ROLFE		
Address::	9 N BOUNTY LANE	KEY LARGO, FL 33037	
AK: 1635189	Parcel ID: 00515920-000000	Physical Location: KEY LARGO	
Legal Description:	BK 1 LT 9 BAY HAVEN SEC 1 PB2-28 KEY LARGO OR533-6		24 OR758-489 OR781-259 OR1077-77
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD	TALLAHASSEE, FL 32399-3000	
AK: 1604534	Parcel ID: 00489490-000000	Physical Location: 141 N BAY HARBOR DR	KEY LARGO
Legal Description:	AMENDED PLAT OF BAY HARBOR PB2-91 KEY LARGO LOTS 2		1, 22, 42 AND 43 BLK 1 G45-116 G47-
Owners Name:	PEREZ ANGEL & TOMASA		
Address::	8310 FLOWERFIELD DRIVE	TAMPA, FL 33615	



1. CERTAIN ZONING MAPS ARE NOT SUBJECT TO A REVIEW BY THE CITY ENGINEER. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE ZONING MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION THEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE ZONING MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION THEREON.

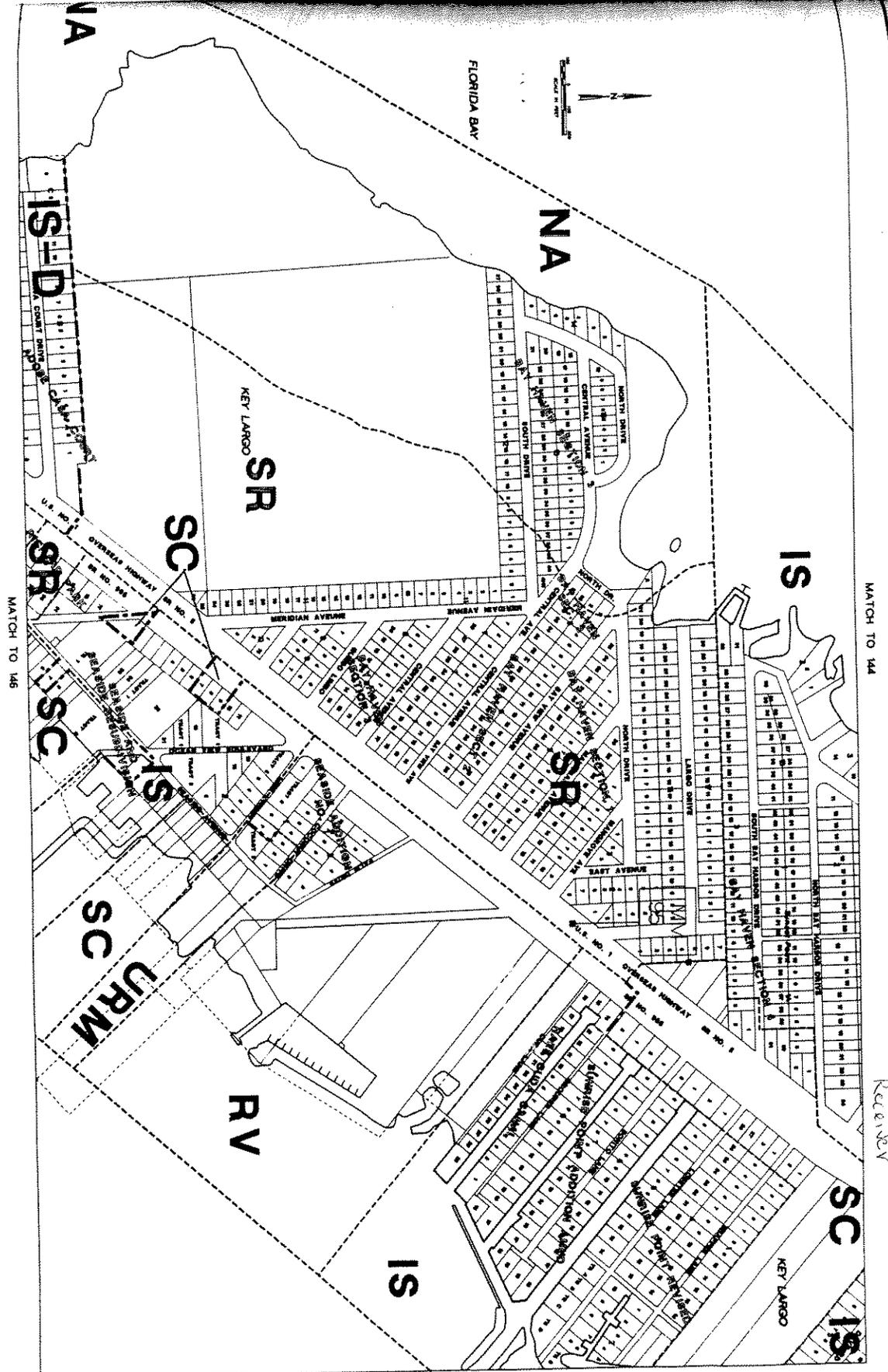
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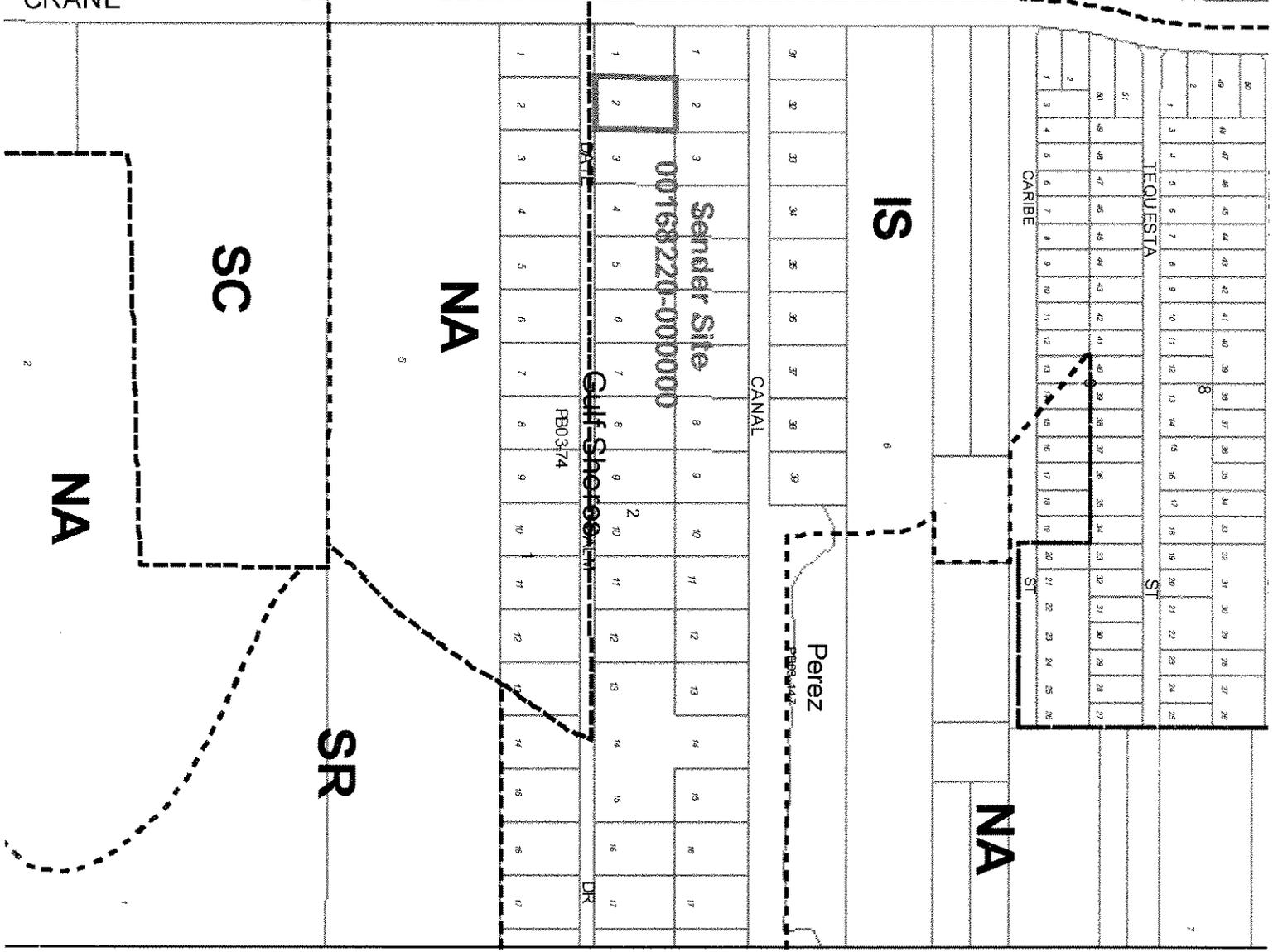
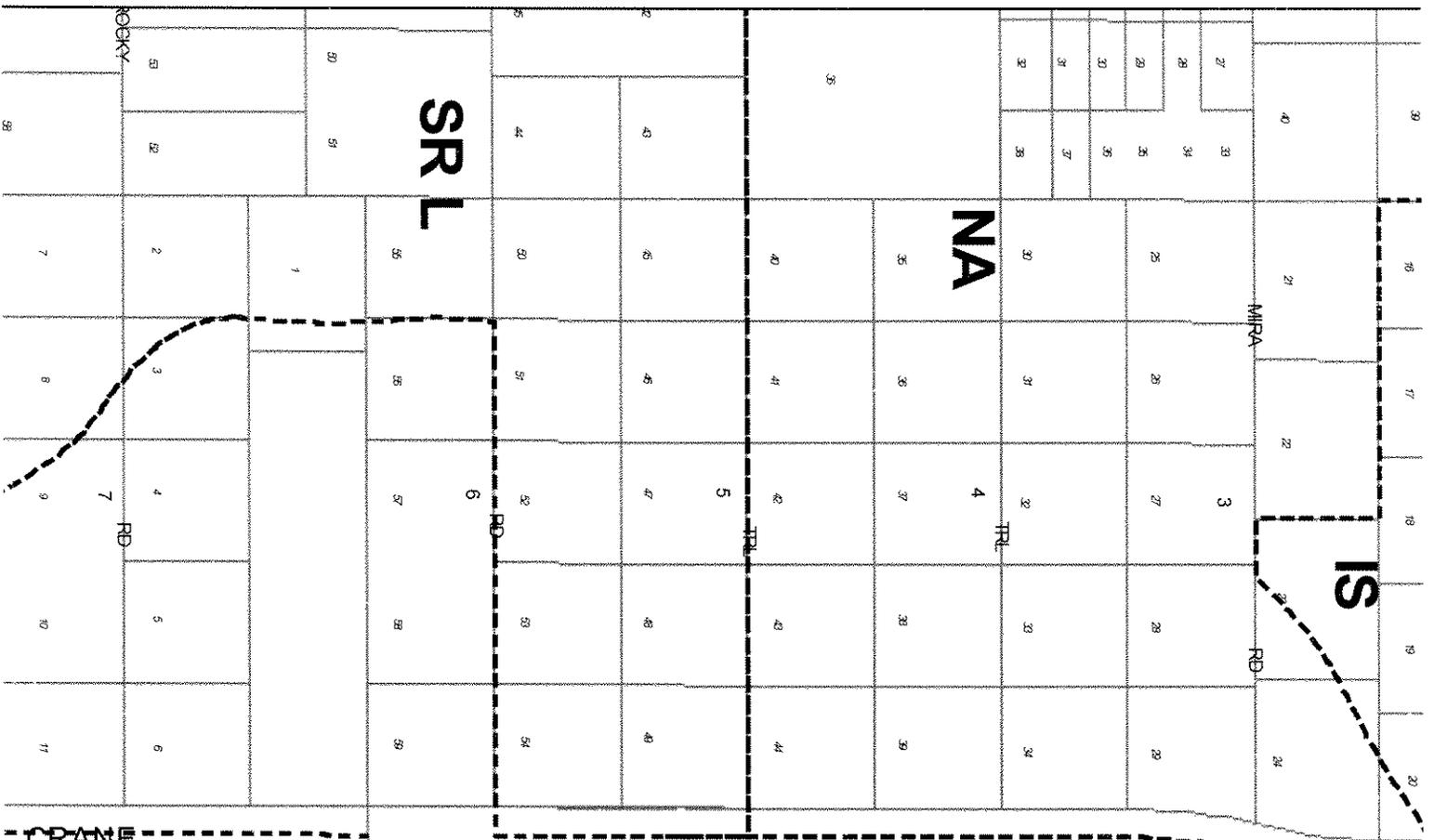
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MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Development Review Committee and Senior Director of Planning & Environmental Resources

From: Ralph Gouldy, Senior Administrator, Environmental Resources

Date: October 15, 2008 (Revised January 15, 2009)

Subject: *Request for Transfer of Development Rights from RE No. 00168220.000000 on Sugarloaf Key to RE Nos. 00519340.000000, 00519350.000000, 00519360.000000, and 00519370.000000 in Key Largo at Approximate Mile Marker 95*

Meeting: November 3, 2008

1 I REQUEST:

2

3 A. Proposal: Applicant is requesting to transfer development rights from RE No

4 00168220.000000 on Sugarloaf Key to RE Nos. 00519340.000000, 00519350.000000,

5 00519360.000000, 00519370.000000 in Key Largo at approximate mile marker 95. The

6 applicant is requesting this transfer in order to establish sufficient density on the receiver

7 site to allow one single family home.

8

9 B. Applicant:

10 Owner: Ed Lewis, LLC – Salvador Gutierrez, Registered Agent

11 Applicant's Agent: John A. Jabro, Esq.

12

13

14 II RELEVANT PRIOR COUNTY ACTIONS:

15

16 On October 22, 2007, an Application for Transfer of Development Rights (TDR) was received

17 by the Monroe County Planning Department. The item was scheduled and advertised to be heard

18 by the Development Review Committee (DRC) at the December 4, 2007 meeting. At the request

19 of the applicant's agent, the item was continued to the March 3, 2008 meeting, then to the April

20 8, 2008 meeting, then to the June 24, 2008 meeting, then to the July 8, 2008 meeting, at which

21 time it was again continued. Subsequent to the July meeting, the applicant's agent requested a

22 meeting with Growth Management Staff to discuss the matter. A meeting was held in the

23 Marathon office on July 30, 2008, attended by Salvador Gutierrez and John Jabro for the

24 applicant, and by Growth Management Director Andrew Trivette, Assistant County Attorney

25 Susan Grimsley, Acting Planning and Environmental Resources Director Townsley Schwab, and

1 Senior Administrator Ralph Gouddy for the County. The County explained problems with details
2 of the application which did not meet the requirements of the Land Development Regulations
3 (LDRs), and which would result in a recommendation of denial of the TDR transfer. The County
4 also suggested modifications to the submitted application which would remedy the deficiencies
5 and result in a recommendation of approval of the application. In addition, the lack of access to
6 the parcels proposed for development and the absence of potable water and electric service was
7 discussed. Subsequent to that meeting, the applicant's attorney requested that the County
8 proceed with hearing the submitted application at the Development Review Committee (DRC).
9 The item was then scheduled for the November 3, 2008 DRC meeting.

10
11
12 **III BACKGROUND INFORMATION:**
13



14
15 **SENDER SITE**
16

17 **Sender Site:**

18 **A. Location:**

- 19 1. Island & Mile Marker: Sugarloaf Key, MM 18
20 2. Legal Description: Block 2, Lot 2, Gulf Shores Subdivision
21 3. Real Estate No. 00168220.000000

22 **B. Size of Site:** 15,000 SF (0.34 acres)

23 **C. Land Use District:** Improved Subdivision (IS)

24 **D. Future Land Use Map (FLUM) Designation:** Residential Medium (RM)

25 **E. Tier Designation:** Tier 3

26 **F. Existing Vegetation / Habitat:** Buttonwood, Mangrove, Sawgrass / Freshwater Marsh

27 **G. Community Character of Immediate Vicinity:** Developed Residential to the North,
28 Freshwater Marsh to the South, East, & West
29



RECEIVER SITE

Receiver Site:

A. Location:

1. Island & Mile Marker: Key Largo, MM 95
2. Legal Description: Block 17, Lots 11, 12, 13, & 14, Bay Haven Amd Plat
3. Real Estate Nos, 00519340, 00519350, 00519360, & 00519370

B. Size of Site: 20,000 SF (0.46 acres)

C. Land Use District: Suburban Residential (SR)

D. Future Land Use Map (FLUM) Designation: Residential Low (RL)

E. Tier Designation: Tier 1

F. Existing Vegetation / Habitat: The property is high quality hammock embedded in a contiguous hammock of more than twenty (20) acres. County Protected Species Maps designate this area as known or potential habitat to six endangered or threatened species. No cleared roadways provide access to the property, nor are they served by electric or potable water infrastructure.

G. Community Character of Immediate Vicinity: The subject properties are a portion of the Bay Haven Subdivision consisting of contiguous, undisturbed hammock where roads, electric service, and potable water were never installed. A developed portion of Bay Haven exists to the south of this hammock, while the developed Bay Harbor Subdivision exists to the north.

IV REVIEW OF APPLICATION:

Pursuant to Section 9.5-265(a) of the Monroe County Code (MCC), all residential rights allocated or established in MCC Section 9.5-262, 263, and 264 shall be transferable in whole or in part from one parcel of land to any other provided that the following conditions are met:

- (1) *The development of the receiver site is approved as part of a conditional use permit;*
COMPLIANCE TO BE DETERMINED

1
2 Were the submitted TDR Minor Conditional Use application to be approved,
3 development of the receiver site would be in compliance with this provision. However,
4 Staff is recommending denial of the application.
5

- 6 (2) *The development of the receiver site does not exceed the maximum net densities set out in*
7 *Sections 9.5-262 and 9.5-267;*

8 NOT IN COMPLIANCE
9

10 Section 9.5-262 provides a Maximum Net Density in the SR Land Use District of five (5)
11 Development Units (DUs) per *buildable* acre. The buildable acreage is the area
12 remaining after any required open space, bufferyards, and / or setbacks are subtracted.
13 The receiver site is part of a larger, high quality hammock with a Tier 3 **1 (Revised**
14 **January 15, 2009)** designation, with a required open space of 80%, leaving 20% as
15 buildable area. Therefore the 0.46 acre receiver site contains 0.092 acres of buildable
16 area (0.46 acre X .20). The Maximum Net Density of the site is 0.46 DU (0.092 acres X
17 5 DU / acre).
18

19 Since the applicant is proposing to build one (1) DU, that density exceeds the 0.46 DU of
20 maximum net density allowed on the property.
21

- 22 (3) *If the receiver site is located in a IS or IS-M district, no more than one (1) dwelling unit*
23 *shall be developed on a platted lot;*

24 NOT APPLICABLE
25

26 The receiver site is located in a Suburban Residential (SR) district.
27

- 28 (4) *If the receiver site is located in an IS-D district, no more than two (2) dwelling units shall*
29 *be developed on a platted lot;*

30 NOT APPLICABLE
31

32 The receiver site is located in a Suburban Residential (SR) district.
33

- 34 (5) *The development of the receiver site complies with each and every requirement of this*
35 *chapter;*

36 COMPLIANCE CANNOT BE DETERMINED
37

38 Staff has not been provided with a site plan for development of the site. Approval of any
39 development on the receiver site would require compliance with each and every
40 requirement of Monroe County Code (MCC) Chapter 9.5.
41

- 42 (6) *Prior to issuance of a building permit authorizing the development of a dwelling unit, all*
43 *or part of which is derived from a transferred development right, a deed of transfer shall*
44 *be recorded in the chain of title of the transferor parcel containing a covenant prohibiting*
45 *the further use of the transferor parcel for residential purposes other than as excess open*

1 *space or yard appurtenant to a residential use that is located on a parcel of land that*
2 *meets the density requirements of the comprehensive plan and this chapter;*
3 COMPLIANCE TO BE DETERMINED
4

5 Were the submitted TDR Minor Conditional Use application to be approved, Staff would
6 include this as a condition for approval prior to issuance of a building permit.
7

8 (7) *The allocated density of the receiver site is greater than or equal to the allocated density*
9 *of the parcel from which the TDR is severed and the sensitivity of the receiver site as*
10 *shown in Section 9.5-345(f), 'Clustering', is less than or equal to the sensitivity of the*
11 *parcel from which the TDR is severed.*
12 NOT IN COMPLIANCE
13

14 The allocated density of the Suburban Residential (SR) district receiver site is 0.5 DU per
15 acre, while the Improved Subdivision (IS) district sender site does not have an allocated
16 density per acre, but rather an allocated density of one (1) DU per lot. Existing improved
17 subdivisions exhibit densities far in excess of 0.5 units per acre.
18

19 In addition, the receiver site Suburban Residential (SR) district is included in the
20 Residential Low (RL) Future Land Use Map (FLUM) category of the Year 2010
21 Comprehensive Plan, while the sender site Improved Subdivision (IS) district is included in
22 the Residential Medium (RM) FLUM category, further establishing a lower density
23 category for the receiver site than the sender site, in contradiction to this provision.
24

25 Land use districts with equal or lower allocated densities that could qualify for TDR
26 transfers to the SR district include:
27

<u>Land Use District</u>	<u>Allocated Density</u>	<u>FLUM Category</u>
Suburban Residential (SR)	0.5 DU/acre	Residential Low (RL)
Suburban Residential Ltd (SR-L)	0.5 DU/acre	Residential Low (RL)
Sparsely Settled (SS)	0.5 DU/acre	Residential Low (RL)
Native Area (NA)	0.25 DU/acre	Residential Conservation (RC)
Park & Refuge (PR)	0.25 DU/acre	Recreation (R)
Offshore Island (OI)	0.1 DU/acre	Residential Conservation (RC)
Mainland Native (MN)	0.01 DU/acre	Mainland Native (MN)

37
38
39 With regard to the sensitivity of the sites, the freshwater wetland sender site is more
40 sensitive than the hardwood hammock receiver site, per Section 9.5-345(f)(1), and thus is
41 in compliance with this provision, were it to otherwise qualify.
42
43

44 V RECOMMENDATION:
45

1 Based on the above analysis, Staff recommends **DENIAL** to the Acting Director of Planning
2 & Environmental Resources of approval of the Minor Conditional Use Application for
3 Transfer of Development Rights submitted by Ed Lewis, LLC.