AGENDA

DEVELOPMENT REVIEW COMMITTEE

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on April 7, 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, Senior Director of Planning and Environmental Resources
Janis Vaseris, Biologist
Patricia A. Ivey, DOT Representative
Wally Romero, Fire Marshall
Judith Clarke, Director of Engineering Services

STAFF MEMBERS PRESENTING THE FOLLOWING AGENDA ITEMS:
Mitch Harvey, Comprehensive Plan Manager
Joe Haberman, Principal Current Planner
Steven Biel, Sr. Planner

CHANGES TO THE AGENDA

MEETING

NEW ITEMS:

1. 1125 Greenbriar Road, Duck Key: A request by Fausto Diaz and Maria Del Carmen to amend the land use district designation from Improved Subdivision – Duplex (IS-D) to Improved Subdivision – Vacation Rental (IS-V), in accordance with Section 130-83 of the Monroe County Code. The property is legally described as Block 8, Lot 2, Duck Key Indies Island Section 1, Part 1, PB5-82 Toms Harbor, Monroe County, Florida, having Real Estate Number 00377880-000000.
M29016 FILE.PDF
M29016 Land Use Map.pdf
M29016 Diaz Draft Ordinance.pdf
M29016 DRC SR 04.07.09.pdf

2. Tom Thumb Food Store, 104701 Overseas Highway (US 1), Key Largo, Mile Marker 104.7:
A request for approval of an amendment to a major conditional use permit in order to redevelop the existing gas station and convenience store by relocating the two (2) existing fuel pumps with two (2) dispensers per pump, constructing four (4) new fuel pumps with two (2) dispensers per pump, demolishing the existing canopy, constructing two (2) new canopies and carrying out associated improvements. The subject parcel is legally described as Block 1, Lots 1-5 and 36-39 of Largo City subdivision (PB4-142), Key Largo, Monroe County, Florida, having real estate number 00508260.000000.
29013 FILE.PDF
29013 Recv'd 02.03.10 COMBINED Plans.pdf
29013 SR DRC 4.07.09.PDF

3. Tom Thumb Food Store, 97950 Overseas Highway (US 1), Key Largo, Mile Marker 98:
A request for approval of an amendment to a major conditional use permit in order to redevelop the existing gas station and convenience store by relocating the two (2) existing fuel pumps with two (2) dispensers per pump, constructing six (6) additional fuel pumps with two (2) dispensers per pump, demolishing the existing canopy, constructing one (1) new canopy and carrying out associated improvements. The subject parcel is legally described as part Lot 7 of Island of Key Largo subdivision (PB1-59), Key Largo, Monroe County, Florida,

having real estate number 00090630.000000.
29014 FILE.pdf
29014 Recv'd 02.03.10 COMBINED Plans.pdf
29014 SR DRC 4.07.09.PDF

ADJOURNMENT

File #: **M29016**

Owner's Name: Diaz, Fausto & Maria Del Carmen

Agent: Donna Bosold, The Craig Company

Type of Application: Map Amendment

Key: Duck Key; 1125 Greenbriar Rd.

RE #: 00377880-000000

Additional Information added to File M29016

End of Additional File M29016

County of Monroe
Growth Management Division

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

We strive to be caring, professional and fair

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

Date: 2/5/09

Time: 232

Dear Applicant:

This is to acknowledge submittal of your application for Map amendment
Type of application

Fausto + Carmen Diaz 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.

Julie Thomson
Planning Staff

RECEIVED
FEB 10 2009
MONROE CO. PLANNING

TRANSMITTAL

The Craig Company
Comprehensive Planning
Resort/Tourism Planning
Land Use Regulation
Development Feasibility
Site Design
Expert Witness
Landscape Design

Mailing address: P. O. Box 970
Key West, FL 33041-0970

Office Loc ation: 610 White Street
Key West, FL 33040

Phone: 305 294-1515
Fax: 305 292-1525
Email: donna@craigcompany.com

- ☐ VIA FAX
- ☐ VIA MAIL
- ■ VIA HAND DELIVERY
- ☐ VIA FEDERAL EXPRESS

Date: 02.05.09

To: Townsley Schwab
Acting Sr. Director of Planning & Environmental Resources,
Monroe County

From: Donna Bosold, AICP, Senior Associate

Subject: Map Amendment Application for Block 8, Lot 2, Duck Key Indies Island

Please review the enclosed application for map amendment and schedule for hearing at your earliest convenience. Included for your review is a completed application with supporting documentation, radius report with mailing labels, and a check for $5,033.00, which includes the application fee, advertising costs, technology fee, and surrounding property owners notification.

Please contact us immediately if any additional material would be helpful for your review.

Transmitting

- ■ Correspondence
- ☐ Prints
- ☐ Other

Reply Immediately

- ☐ By fax
- ☐ By phone
- ☐ By letter

The Craig Company

Comprehensive Planning
Resort/Tourism Planning
Land Use Regulation
Development Feasibility
Site Design
Expert Witness
Landscape Design

Mailing Address: P. O. Box 970
Key West Florida 33041

Office location: 610 White St.
Key West, Florida 33040

Phone: 305/294-1515
Fax: 305/292-1525
Email: donna@craigcompany.com

February 3, 2009

Mr. Townsley Schwab
Acting Sr. Director,
Monroe County Planning & Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Re: Map Amendment Application for Block 8, Lot 2,
Duck Key Indies Island

Dear Townsley:

The Craig Company is pleased to submit the attached application for map amendment to assist our client with approval for a change to the land use district map from Improved Subdivision-Duplex (IS-D) to Improved Subdivision-Vacation Rental (IS-V).

In 1986 the property was zoned Destination Resort (DR) as a part of the overall approval for the Development of Regional Impact for the resort community commonly known as "Hawks Cay". In 1987, the previous property owner gained approval for a land use district map change to Improved Subdivision- Duplex (IS-D) in order to retain a semblance of the multi-family status in effect prior to 1986 of RU-3. The existing lawfully permitted duplex was completed in 1994, and is located on the Greenbriar Road cul-de-sac. The community character of the Greenbriar Road cul-de-sac can best be described as built out and consisting of predominantly duplex construction, with vacation rental uses already in effect.

For reviewing convenience, we have included both the standard format of the map amendment application and attachments with requisite fees as well as a format that responds to the specific criteria that must be met by Section 9.5-242.5 of the Monroe County Code.

Please let us know at your earliest convenience when we will be scheduled for hearing, and if there is any additional material that you would find helpful.

Sincerely,

Donna M.Bosold, AICP
Senior Associate
The Craig Company

Cc: M. Diaz
D.L. Craig

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

Request for a Land Use District and/or Future Land Use Map (FLUM) Amendment

Monroe County Code § 9.5-511

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

Amendment to Land Use District Only (Residential) Application Fee: $4,131.00
Amendment to Land Use District Only (Non-Residential) Application Fee: $4,929.00
Amendment to Future Land Use Map Only Application Fee: $5,531.00
Amendment to Land Use District and Future Land Use Map Application Fee: $6,000.00

In addition to the above application fees, the following fees also apply to each application:
Advertising Costs: $735.00 $245
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed
Technology Fee: $20.00

Date of Submittal: 02 / 05 / 09
Month Day Year

Property Owner:
Fausto Diaz & Maria del Carmen Diaz
Name
10510 SW 142nd Av
Mailing Address
Miami, FL 33186
Daytime Phone
Email Address

Agent (if applicable):
The Craig Company - Donna Bosold
Name
P.O. Box 970, Key West, FL 33041
Mailing Address
305.294.1515
Daytime Phone
donna@craigcompany.com
Email Address

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

Block	Lot	Subdivision	Key
8	2	Duck Key Indies Island Section 1, Part 1	Duck Key

Real Estate (RE) Number	Alternate Key Number
00377880-000000	1461491

Street Address	Approximate Mile Marker
1125 Greenbriar Rd, Duck Key, FL	MM 61

APPLICATION

Current Land Use District Designation(s): Improved Subdivision-Duplex (IS-D)

Proposed Land Use District Designation(s): Improved Subdivision-Vacation Rental (IS-V)

Current Future Land Use Map Designation(s): Residential Medium (RM)

Proposed Future Land Use Map Designation(s): No change proposed

Total Land Area Affected: 9,664 Square feet ±

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

The property is developed with a lawfully permitted duplex completed in 1994.

In accordance with the provisions set forth in Sec. 9.5-511 of the Monroe County Code, amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, owner or other person having a contractual interest in property to be affected by a proposed amendment.

In accordance with Sec. 9.5-511, the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of six factors. Please describe how one or more of the following factors shall be met (attach additional sheets if necessary):

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

   Please see attachments A & B

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

   Please see attachments A & B

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

   Please see attachments A & B

4) **New issues:**

Please see attachments A & B

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

Please see attachments A & B

6) **Data updates:**

Please see attachments A & B

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

Please see attachments A & B

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

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

- ☑ **Complete map amendment application** (unaltered and unbound); and
- ☑ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources); and
- ☑ **Proof of ownership (i.e. Warranty Deed)**; and
- ☑ **Current Property Record Card(s) from the Monroe County Property Appraiser**; and
- ☑ **Location map**; and
- ☑ **Copy of Land Use District Map** (please request from the Planning & Environmental Resources Department prior to application submittal); and
- ☑ **Copy of Future Land Use Map** (please request from the Planning & Environmental Resources Department prior to application submittal); and
- ☑ **Photograph(s) of site from adjacent roadway(s)**; and
- ☑ **Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets** (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat); and

APPLICATION

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

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

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

☐ **Any Letters of Understanding pertaining to the proposed map amendment**

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

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

Signature of Applicant: _____ **Date:** 020909

Sworn before me this 4 day of February 2009

JODELL ROBERTS
Commission DD 741679
Expires January 31, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

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.

APPENDIX

DIAZ MAP AMENDMENT

ATTACHMENT A	**RESPONSES TO APPLICATION**
ATTACHMENT B	**RESPONSES TO SECTION 9.5-242.5, MONROE COUNTY CODE**
ATTACHMENT C	**BOCC RESOLUTION 365-1986**
ATTACHMENT D	**BOCC ORDINANCE 039-1987**
ATTACHMENT E	**BOCC ORDINANCES 004-1997, 030-1999, 044-2000**
ATTACHMENT F	**MONROE COUNTY CODE SECTION9.5-534**
ATTACHMENT G	**WARRANTY DEED**
ATTACHMENT H	**PROERTY RECORD CARD**
ATTACHMENT I	**LOCATION MAP**
ATTACHMENT J	**LAND USE DISTRICT MAP**
ATTACHMENT K	**FUTURE LAND USE MAP**
ATTACHMENT L	**PROPERTY PHOTOS**
ATTACHMENT M	**SURVEY**
ATTACHMENT N	**RADIUS REPORT & MAILING LABELS**
ATTACHMENT O	**LETTER OF AUTHORIZATION**

ATTACHMENT A

RESPONSES TO APPLICATION

ATTACHMENT A

"In accordance with the provisions set forth in Sec. 9.5-511 of the Monroe County Code, amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, owner, or other person having a contractual interest in property to be affected by a proposed amendment."

In accordance with Sec. 9.5-511, the BOCC may consider the adoption of an ordinance enacting the proposed change based on one or more of six factors.

1) Changed Projections (e.g., public service needs) from those on which boundary was based:

None.

Prior to 1986, the subject property was zoned RU-3, suitable for multi-family use (Attachment C). The property is located within the boundaries of the Development of Regional Impact (DRI) commonly known as "Hawks Cay", by Monroe County Board of County Commissioners Resolution No. 365-1986 (Attachment C) Originally zoned Destination Resort (DR) as a part of the DRI, the property owner at the time successfully petitioned to retain multi-family status for the then vacant lot pursuant to Ordinance 039-1987 (Attachment D)

The property currently supports a legally permitted duplex completed in 1994. The property is located on the Greenbriar Road cul-de-sac, which is built out and consists primarily of duplex construction (both pre- and post- 1986) with vacation rentals in place.

The requested change to Improved Subdivision-Vacation Rental (IS-V) is not anticipated to cause a change in the public service needs of either the subdivision, or Hawks Cay as a whole – the sole purpose of the IS-V designation is to permit the property owner to enjoy the same vacation rental rights as the neighboring and immediately adjoining properties zoned DR.

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

BOCC Ordinances No. 004-1997, 030-1999, and 044-2000 amended the Code to provide criteria to establish vacation rental uses in existing land use districts and included the creation of the IS-V land use district (Attachment E). These changes occurred to provide a regulatory framework for control of vacation rental uses while providing some flexibility for property owners in residential areas to legally use their property for short term rentals of up to 28 days in response to market trending that included longer stays by vacationers.

3) Data errors, including errors in mapping, vegetative types and natural features described in Volume I of the Plan:

There have been no errors noted in mapping, vegetative types, or natural features. The subject property was rezoned from DR to IS-D by map amendment in 1987 and is developed with a duplex and no significant vegetation. While the scale of the Monroe County Future Land Use Maps is such that it is difficult to identify a single lot, Monroe County Planning Department Staff has determined that the FLUM for the property is Residential Medium (RM) – an overlay category that does not include DR.

4) New issues:

Ordinance 004-1997, as adopted by the BOCC, created Section 9.5-242.5 of the MCC to permit tourist housing in the IS-T land use district. The language of the Code was subsequently amended by Ordinance 044-2000, which further refined the criteria applicable to the establishment of tourist housing in the Improved Subdivision land use district, renamed with the sub-indicator of IS-V. The land use district IS-T/IS-V was not contemplated or available at the time that the property was rezoned to IS-D.

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

The Greenbriar Road cul-de-sac is built out and consists of primarily duplex uses – most of which are used for vacation rental purposes, and all of which are zoned DR. Vacation rentals are a permitted use as of right in the DR land use district, subject to the criteria in MCC Section 9.5-534 (Attachment F)

Monroe County Planning Department Staff is unable to provide support for a land use district map change to DR based on two criteria:

1. Recognition of the FLUM as RM – which is not compatible with DR zoning;
2. The inability of a "single lot" to meet the criteria of DR zoning, regardless of the initial inclusion in the DRI.

The requirements of 9.5-242.5 of the MCC provide the stringent criteria that the property must meet in order to qualify for a land use district change to IS-V. These requirements are listed with responses in Attachment B. MCC Section 9.5-534 provides the criteria that the owner or agent of the property must meet ***after*** the property has been rezoned.

6) Data updates:

None.

"In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located. "

The proposed map amendment will not result in an adverse community change of the planning area in which the proposed development is located. No FLUM change is required, and the property complies with the standards of MCC as set forth in Section 9.5-242.5 as further outlined in Attachment B.

ATTACHMENT B

RESPONSES TO SECTION 9.5-242.5, MONROE COUNNTY CODE

Attachment B

The following criteria as outlined in Section 9.5-242.5 of the MCC must be met in order to successfully request a change of zoning to IS-V.

Sec. 9.5-242.5. states that: "Vacation rental uses are allowed as of right (subject to the regulations established in Code section 9.5-534) in those Improved Subdivision--Vacation Rental Districts with the sub-indicator V (vacation rental).
A map amendment designating a contiguous parcel as IS-V may be approved, provided that the map amendment application (and subsequent building permit applications and special vacation rental permit applications) meet the following standards, criteria and conditions:

(a) The IS-V designation is consistent with the 2010 Comprehensive Plan and there is no legitimate public purpose for maintaining the existing designation;

The subject property was rezoned Improved Subdivision-D (IS-D) from Destination Resort (DR) by Ordinance 039-1987. The current correlating Future Land Use Map overlay as interpreted by Monroe County Planning Staff is Residential High (RH). The property currently supports a legally permitted duplex, constructed in 1994.

Section 9.5-213. of the MCC states that the purpose of the IS district "to accommodate the legally vested residential development rights of the owners of lots in subdivisions that were lawfully established and improved prior to the adoption of this chapter. For the purpose of this section, improved lots are those which are served by a dedicated and accepted existing road of porous or nonporous material, that have a Florida Keys Aqueduct Authority approved potable water supply, and that have sufficient uplands to accommodate the proposed use in accordance with the required setbacks. This district is not intended to be used for new land use districts of this classification within the county." No purpose is cited for the IS-D sub-indicator.

Policy 101.4.4 of the 2010 Comprehensive Plan states that
"The principal purpose of the Residential High category is to provide for high density single-family, multi-family, and institutional residential development, including mobile homes and manufactured housing, located near employment centers…". The RH FLUM does not support DR zoning.

The IS-D land use district does not permit vacation rentals. The vacation rental ordinance was not contemplated at the time the property was rezoned to IS-D. The subject property is the *only* property not zoned DR within the former DRI known as Hawks Cay, and serves no legitimate purpose within the context of the uses enjoyed by neighboring property owners within the resort community. Greenbriar Road is a built-out cul-de-sac primarily consisting of existing duplex residences used for vacation rental uses. MCC Section 9.5-243 (2) permits vacation rentals as of right in DR subject to the criteria outlined in Section 9.5-534. The property cannot meet the criteria of DR zoning on its own, nor will the Staff interpretation of a FLUM of RM support it. The only viable

option then, for the current property owner to enjoy the same vacation rental rights as neighboring property owners zoned DR, is to request a zoning change to IS-V.

(b) The IS-V designation allowing vacation rental use does not create additional trips or other adverse traffic impacts within the remainder of the subdivision or within any adjacent IS District;

According to the 2008 U.S. 1 Arterial Travel Time and Delay Study prepared by URS for Monroe County, the Duck Key Segment at MM 60.5-63.0 currently maintains a Level of Service (LOS) B, with a maximum reserve volume of 1,744 trips over the 2007 reserve volume of 1,073. The subject property is separated from the IS-M subdivisions of Center Island, Yacht Club Island, Plantation Island, and Harbor Island, Amended, by the canal that bifurcates the resort and residential sections of Hawks Cay, and runs under the bridge on Duck Key/Bimini Drive. As the property is already built, and has functioned as a duplex within a developed resort since 1994, no additional traffic impact is anticipated.

(c) The parcel to be designated IS-V must contain sufficient area to prevent spot-zoning of individual parcels (i.e., rezonings should not result in spot-zoned IS-V Districts or result in spot-zoned IS Districts that are surrounded by IS-V Districts). Unless the parcel to be rezoned contains the entire subdivision there will be a rebuttable presumption that spot-zoning exists, but the board of county commissioners may rebut this presumption by making specific findings supported by competent, substantial evidence that:

i) The designation preserves, promotes and maintains the integrity of surrounding residential districts and overall zoning scheme or comprehensive plan for the future use of surrounding lands;

The subject property is located within an existing resort community. Residentially zoned communities designated Improved Subdivision-Masonry (IS-M) are separated from the property by canal and bridge.

ii) Does not result in a small area of IS-V within a district that prohibits vacation rentals;

Approving the change to IS-V will not create a small area within a district that prohibits vacation rentals. The property is located in the DR zoning district, which permits vacation rentals as of right, subject to the criteria established in Section 9.5-534 of the MCC.

iii) The lots or parcels to be designated IS-V are all physically contiguous and adjacent to one (1) another and do not result in a narrow strip or isolate pockets or spots of land that are not designated IS-V, or which prohibit vacation rentals; and

There is only one lot requesting the change to IS-V. All other properties are zoned DR and permit vacation rentals.

iv) The IS-V designation is not placed in a vacuum or a spot on a lot-by-lot basis without regard to neighboring properties, but is a part of an overall area that allows vacation rentals or similar compatible uses.

The existing property designation is IS-D. It is a sole zoning designation contained within the resort properties known collectively as "Hawks Cay", that was the subject of a Development of Regional Impact (DRI) in 1986, with a zoning overlay of DR. DR permits vacation rental uses as of right, subject to the criteria established in Section 9.5-534 of the MCC. The property owner of record at the time of the DRI successfully requested a map amendment for the IS-D designation that would permit the construction of a duplex, not unlike those found along the rest of Greenbriar Road that had been constructed prior to 1986. IS-V zoning was not contemplated by Monroe County at the time that the property was rezoned. Due to the size of the property, and FLUM overlay of RM, Planning Staff is unable to support a change back to DR. Approval of the change to IS-V will protect the residential status of the property, and permit the owners to enjoy the same vacation rental rights as neighboring property owners.

(d) In addition to the requirements contained in Code section 9.5-377 (district boundaries), an IS-V District shall be separated from any established residential district that does not allow tourist housing or vacation rental uses by no less than a class C buffer-yard;

No buffer-yard requirement is applicable. The neighboring residential uses are zoned Destination Resort (DR), and vacation rental uses are permitted as-of-right, subject to the criteria established in Section 9.5-534 of the Monroe County Code.

(e) Vacation rental use is compatible with established land uses in the immediate vicinity of the parcel to be designated IS-V; and

The surrounding properties are zoned Destination Resort (DR) and permit vacation rentals as an as-of-right use, subject to the criteria established in Section 9.5-534 of the Monroe County Code. The majority of the neighboring properties on Greenbriar Road are used as vacation rentals.

(f) Unless a map amendment is staff generated (i.e., initiated by Monroe County), an application for a map amendment to IS-V shall be authorized by the property owner(s) of all lots (or parcels) included within the area of the proposed map amendment.

The applicant is the owner of the subject lot, and has authorized the request for the map amendment.

ATTACHMENT C

BOCC RESOLUTION 365-1986

RESOLUTION NO. 365 -1986

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, APPROVING THE APPLICATION FOR DEVELOPMENT APPROVAL OF HAWK'S CAY INVESTORS LIMITED AND GRANTING DEVELOPMENT OF REGIONAL IMPACT AND FINAL DEVELOPMENT APPROVAL FOR HAWK'S CAY EXPANSION DRI, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, on August 12, 1986, Hawk's Cay Investors Limited, hereinafter referred to as "Applicant", submitted to Monroe County an Application for Development Approval (ADA) for a development of regional impact (DRI) known as "Hawk's Cay Resort", in accordance with Sections 380.05 and 380.06, Florida Statutes; and

WHEREAS, on September 22, 1986, the South Florida Regional Planning Council (RPC) found the Application sufficient; and

WHEREAS, Hawk's Cay Resort as proposed in the ADA when completed will be a hotel type destination resort consisting of 622 hotel suites, conference facilities, retail areas, restaurants and recreational facilities on approximately 61 acres of land located in unincorporated Monroe County, Florida, on Indies Islands at Duck Key; and

WHEREAS, on May 15, 1986, the applicant and the Florida Department of Community Affairs entered into a Section 380.06(8), F.S., preliminary development agreement for Hawk's Cay Resort which authorized the applicant to undertake preliminary development of 87 additional guest rooms and development and redevelopment of commercial facilities not to exceed 7,400 square feet prior to the issuance of a final DRI development order; and

WHEREAS, the RPC after reviewing the ADA for Hawk's Cay Resort issued its report and recommendations on October 7, 1986, in which it recommended that the DRI be approved subject to certain conditions; and

WHEREAS, pursuant to Sections 380.05 and 380.06, F.S., the Board of County Commissioners of Monroe County, hereinafter referred to as either the "Board" or the "County", as the local government having jurisdiction, is authorized and required by law to consider the Hawk's Cay Resort DRI ADA; and

WHEREAS, the Board has received and reviewed the report and recommendations of the RPC; and

WHEREAS, the Board on December 5, 1986, held a public hearing on the ADA and the final development plan at which all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination and submit rebuttal evidence, and any member of the general public requesting to do so was given an opportunity to present written or oral communication; and

WHEREAS, pursuant to Section 380.06, F.S., public notice of said hearing was duly published on October 5, 1986, in the "Key West Citizen" and way duly provided to the Florida Department of Community Affairs (DCA), the RPC, and other persons designated by DCA rules; and

WHEREAS, the Board at its December 5, 1986, public hearing fully considered the ADA, the report of the RPC, and the evidence of record presented at the public hearing, and was otherwise fully advised in the premises; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that said Board makes the following

Findings of Fact:

1. The name of the development is Hawk's Cay Resort. The authorized agents of the developer are Michael Halpern, Key West, Florida, and Wade L. Hopping, Tallahassee, Florida. The name of the developer is Hawk's Cay Investors Limited, 150 East Sample Road, Pompano Beach, Florida, 33064.

2. The legal description of the property comprising the proposed Hawk's Cay Resort DRI is set forth in the ADA and is incorporated herein by reference.

3. On December 3, 1985, the Monroe County Zoning Board recommended approval of the Hawk's Cay Resort with rezoning classifications compatible with the DRI uses proposed in the ADA. On September 24, 1986, the Zoning Board adopted the final major development approval for Hawk's Cay Resort, which included adoption of a RU-7 zoning designation for the entire site. Nevertheless, a Monroe County land use map related to the County's Comprehensive Land Use Plan, which was being

contemporaneously developed, did not reflect the recommended rezoning in its entirety. The map designated a portion of the Hawk's Cay Resort as being in the Suburban Residential (SR) and Suburban Commercial (SC) zoning categories rather than in the Zoning Board approved RU-7 category.

4. When developed in accordance with the conditions imposed by this development order, the Hawk's Cay Resort DRI:

(a) will not have a significant negative impact on the environment and natural and historical resources of the region;

(b) will have a favorable economic impact on the economy of the region by providing new employment and net positive regional impacts on the economy of the region;

(c) will efficiently use water, sewer, solid waste disposal, and other necessary public facilities;

(d) will efficiently use public transportation facilities;

(e) will not adversely affect the ability of people to find adequate housing reasonably accessible to their places of employment; and

(f) will not create an unreasonable additional demand for, or additional use of, energy; and

(g) will make adequate provisions for the public facilities needed to accommodate the impacts of the development.

BE IT FURTHER RESOLVED THAT THE BOARD ENTERS THE FOLLOWING CONCLUSIONS OF Law:

1. The proceedings herein have been conducted in compliance with the provisions of Chapter 380. Florida Statutes; and all conditions precedent to the granting of development approval required by Chapter 380, F.S., have occurred.

2. The proposed Hawk's Cay Resort DRI is located within an Area of Critical State Concern designated pursuant to the provisions of Section 380.05, F.S. and, as approved herein, the DRI complies with the land development regulations of such Area and with the provisions of Section 380.06.

3. The proposed Hawk's Cay Resort does not unreasonably interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

4. The proposed Hawk's Cay Resort DRI and final development plan, when developed subject to the conditions imposed by this development order, are consistent with the Monroe County Comprehensive Plan, and all other local land development regulations.

5. The proposed Hawk's Cay Resort DRI is in all material aspects consistent with the report and recommendations of the RPC submitted pursuant to Section 380.06(12), F.S.

6. The DRI ADA and final development plan for all phases of the Hawk's Cay Resort, as described in the ADA and Exhibit 2 attached to this development order, are hereby approved, subject to the general and special conditions of development contained in Attachment A which is made a part hereof by reference.

7. Unless otherwise specifically provided in Attachment A, any changes proposed by the Applicant to the ADA, as amended herein, which exceed the limits established in Section 380.06(19), F.S., which limits are presumed not to be substantial deviations, shall be submitted to the Board, the RPC, and the DCA for a determination if such changes constitute a substantial deviation and, therefore, requiring further review pursuant to Section 380.06, F.S.

8. Definitions contained in Chapter 380, Florida Statutes, shall control in the construction of this development order. Hawk's Cay Investors Limited, is the present owner of the property which is the subject of this ADA. Hawk's Cay Investors Limited, is bound by the terms of this development order so long as it owns such property. This development order shall be binding upon and inure to the benefit of the Applicant and its assignees or successors in interest.

9. To affect the equivalent RU-7 zoning granted in the Preliminary Major Development Approval of the Monroe County Zoning Board on December 5, 1985, and in the final Major Development granted September 24, 1986. The Monroe County Board of Commissioners will by this resolution correct as errors and omissions such SC and SR Land Use Districts so as to conform to the DR district in context of this DRI.

10. In the event that any portion or section of this development order is determined to be invalid by a court of competent jurisdiction, the remaining portions or sections of this development order shall remain in full force and effect.

11. Notice of the adoption of this resolution and a certified copy of this resolution shall be recorded by the Applicant pursuant to Section 380.06(15)(f), Florida Statutes.

12. The County shall transmit a certified copy of this development order by certified mail to the DCA, the RPC, and the Applicant.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a Special meeting of said Board held on the 5th day of December, A.D., 1986.

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

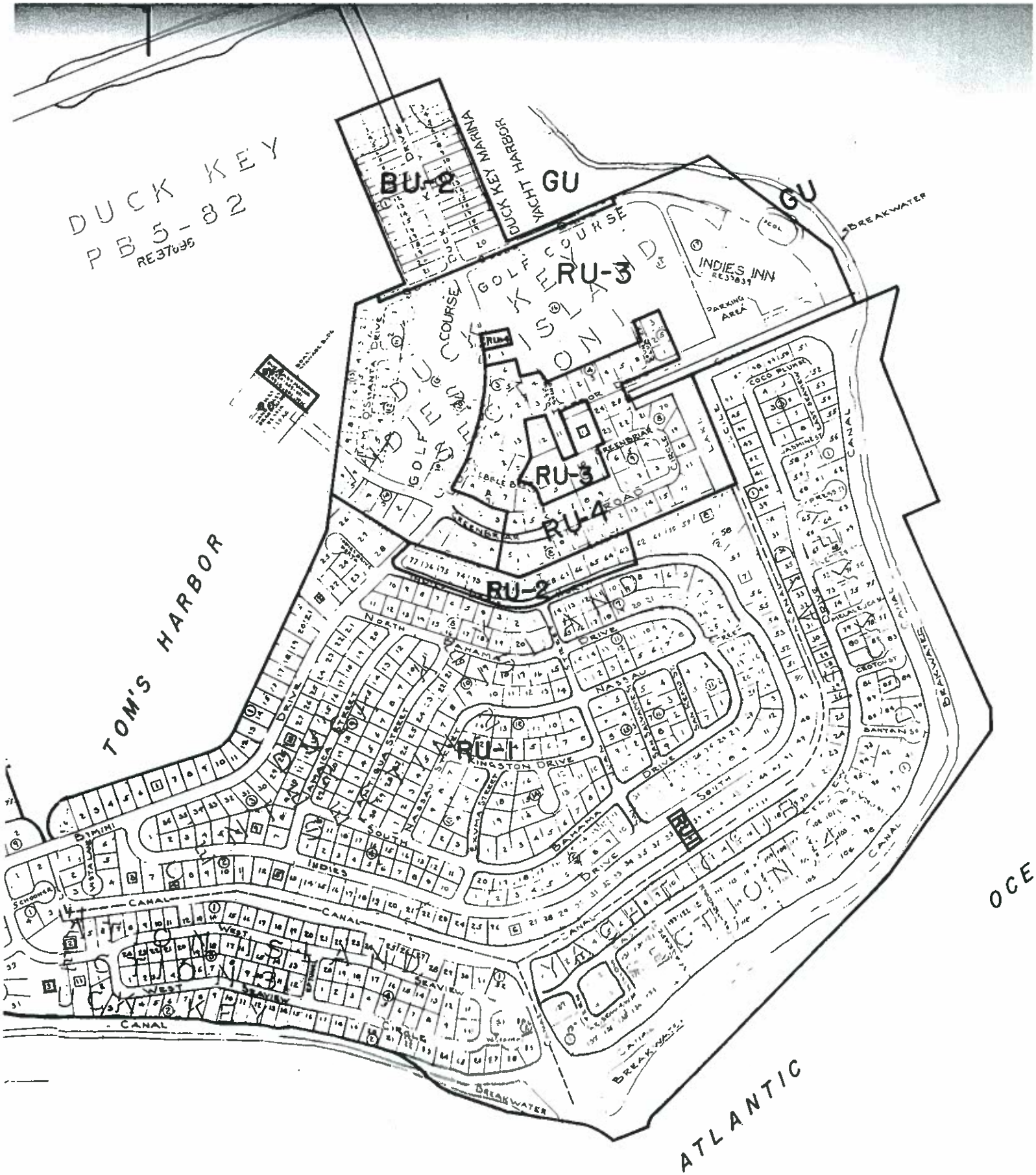
By Jerry Hernandez Jr.
Mayor/Chairman

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

Leslie L. Connally, D.C.
Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.
BY [illegible]
Attorney's Office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PB 5-82
RE37696
BU-2
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YACHT HARBOR
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BREAKWATER
GOLF COURSE
RU-3
INDIES INN
PARKING AREA
COURSE
RU-3
RU-4
RU-2
RU-1
TOM'S HARBOR
NORTH
BAHAMA
DRIVE
NASSAU
KINGSTON DRIVE
SOUTH
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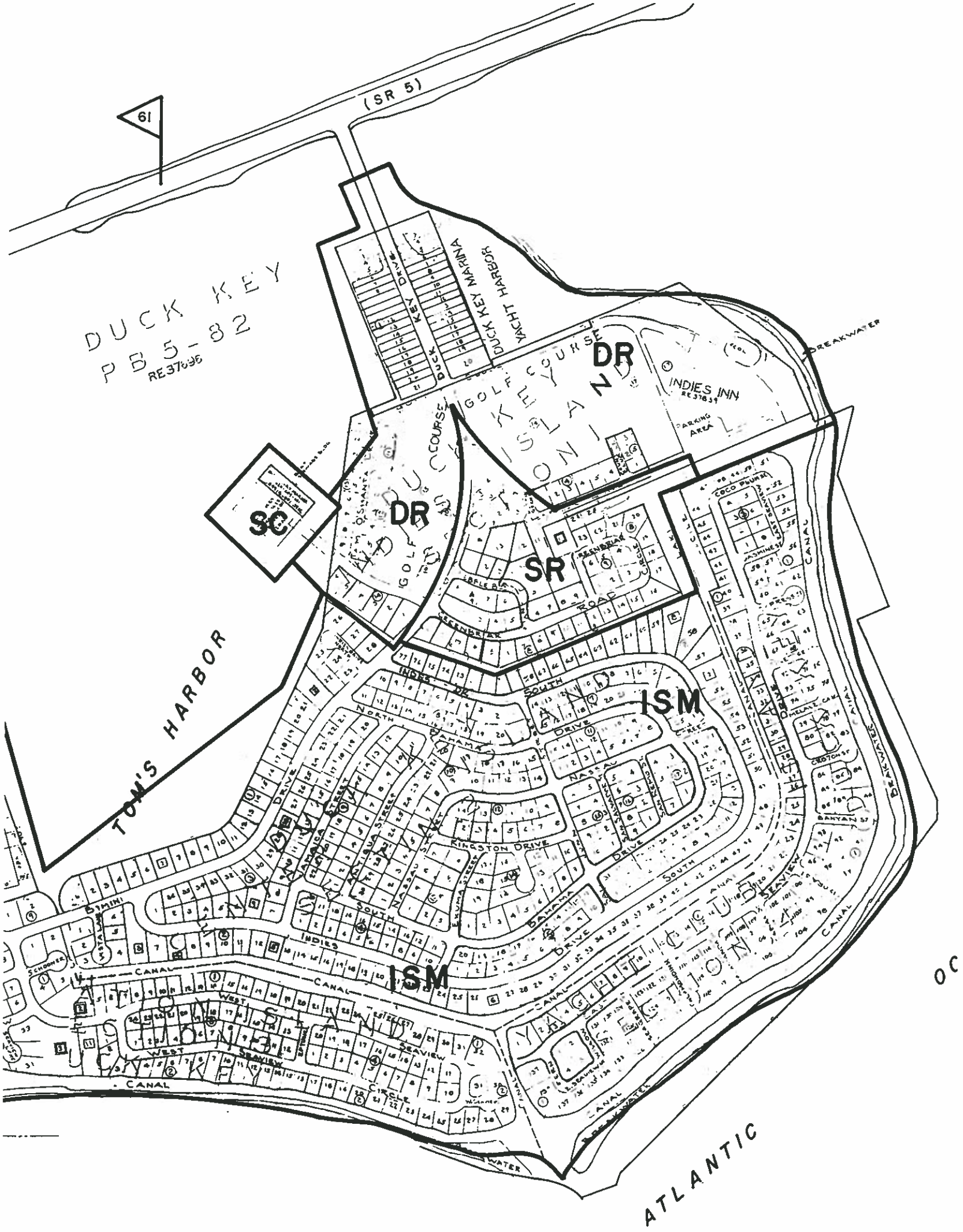

(SR 5)
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DUCK KEY
PB 5-82
RE37696
DUCK KEY MARINA
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DUCK KEY DRIVE
GOLF COURSE
DUCK KEY ISLAND
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ATTACHMENT D

BOCC ORDINANCE 039-1987

ORDINANCE NO. 039-1987

AN ORDINANCE ADOPTING AND RATIFYING CERTAIN LAND USE DISTRICT MAP AMENDMENTS ATTACHED AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE; TRANSMITTING THE AMENDMENTS TO THE STATE LAND PLANNING AGENCY FOR APPROVAL; PROVIDING THAT, IF ANY AMENDMENTS ARE DISAPPROVED BY THAT AGENCY, THAT DISAPPROVAL SHALL NOT AFFECT THE REMAINING AMENDMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, due to the designation contained in Chapter 28-20, F.A.C., all regulations, including the land use district maps, contained in Volume 3, Chapter 1 through 15 and appendix "A", are "land development regulations" as that phrase is defined in F.S. 163.3164(22) (1985); and

WHEREAS, Section 13-101(c), Monroe County Land Development Regulations, provides that the regulations, including the land use district maps, may be amended or changed in a process commencing six months after the date the the regulations first became effective; and

WHEREAS, during such process, the Planning Commission, sitting as the local planning agency, after due notice and public participation in the hearing process reviewed all proposed land use district map changes and found such changes consistent with the Monroe County Comprehensive Land Use Plan and made recommendations concerning such changes to the Board of County Commissioners; and

WHEREAS, during such process, the Board of County Commissioners, after due notice and public participation in the hearing process, reviewed such recommendations and legislatively acted thereon;

WHEREAS, F.S. 380.0552(9), 1986, requires that the state land planning agency approve all proposed land use district map changes before such changes may become effective; and

WHEREAS, the land use district map change process is now complete; and

WHEREAS, it is desired that the Board of County Commissioners should approve, adopt and transmit the land use district map

changes to the state land planning agency for approval; now, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Monroe County Board of County Commissioners on this 20th day of October, 1987, does hereby adopt and ratify those land use district map changes, heretofore properly approved pursuant to general law, which are attached to this Ordinance, and are incorporated therein and made a part by reference, and such land use district map changes are hereby transmitted to the state land planning agency for approval or disapproval pursuant to F.S. 380.0552(9).

Section 2. If the state land planning agency shall disapprove any land use district map change attached hereto, such disapproval shall in no way affect the validity of any other land use district map change.

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 4. This Ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this Ordinance has been filed with said Office. Except, however, no land use district map amendment to the Monroe County Land Development Regulations shall be deemed effective until approved the state land planning agency.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 20th day of October, A.D. 1987.

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY Eugene Ritter, Jr.
MAYOR Pro-Tem

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

Dalia L. Connolly, D.C.
CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY
Attorney's Office

NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Tuesday, October 20, 1987 at 3:00 P.M. at the Elk's Club, Tavernier, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

ORDINANCE NO. -1987

AN ORDINANCE ADOPTING AND RATIFYING CERTAIN LAND USE DISTRICT MAP AMENDMENTS ATTACHED AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE; TRANSMITTING THE AMENDMENTS TO THE STATE LAND PLANNING AGENCY FOR APPROVAL; PROVIDING THAT, IF ANY AMENDMENTS ARE DISAPPROVED BY THAT AGENCY, THAT DISAPPROVAL SHALL NOT AFFECT THE REMAINING AMENDMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, Florida, this 23rd day of September, A.D. 1987.

DANNY L. KOLHAGE
Clerk of the Circuit Court
of Monroe County, Florida
and ex officio Clerk of the
Board of County Commissioners
of Monroe County, Florida

(SEAL)

PROOF OF PUBLICATION

The Reporter

SERVING THE UPPER KEYS

BOX 1197, TAVERNIER, FL. 33070

STATE OF FLORIDA)

COUNTY OF MONROE)

Before the undersigned authority personally appeared DAGNY WOLFF, who on oath, says that he is EDITOR & PUBLISHER of THE REPORTER, a weekly newspaper published at Tavernier, Monroe County, Florida; that the attached copy of advertisement, being a LEGAL NOTICE

IN THE MATTER OF NOTICE OF INTENTION TO CONSIDER

in the _____ Court, was published in said newspaper in the issues of 10-1 & 10-8-8

Affiant further says that the said REPORTER is newspaper published at Tavernier, in said Monroe Cour Florida, and that the said newspaper has heretofore b continuously published in the said Monroe County, Flc each week (on Thursday), and has been entered as secc class mail matter at the Post Office in Tavernier, in County of Monroe, Florida, for a period of one year n preceding the first publication of the attached copy advertisement; and affiant further says that he has n paid nor promised any firm, person, or corporation an discount, rebate, commission or refund for the purpos securing this said advertisement for publication in t said newspaper.

Dagny Wolff

SEAL

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8TH DAY OF OCTOBER A.D., 19 87.

Helen Carver

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN tht on Tuesday, October 20, 1987 at 3:00 p.m. at the Elk's Club, Tavernier, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

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Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure tht a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, Florida, this 23rd day of September, A.D. 1987.

DANNY L. KOLHAGE
Clerk of the Circuit Court
of Monroe County, Florida
and ex officio Clerk of the
Board of County Commissioners
of Monroe County, Florida

Published: 10/1 & 10/8/87
The Reporter
Tavernier, FL 33070

PROOF OF PUBLICATION

THE FLORIDA KEYS KEYNOTER

Published Weekly

MARATHON, MONROE COUNTY, FLORIDA

STATE OF FLORIDA)

COUNTY OF MONROE)

Before the undersigned authority personally appeared CHARLOTTE SIKORA, who on oath, says that he is SALES MANAGER of The FLORIDA KEYS KEYNOTER, a weekly newspaper published at Marathon, in Monroe County, Florida; that the attached copy of advertisement, being a NOTICE OF ORDINANCE IN THE MATTER OF MAP AMENDMENTS in the _____ Court, was published in said newspaper in the issues of Sept. 30, Oct. 7, 1987

Affiant further says that the said FLORIDA KEYS KEYNOTER is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, each week (on Thursday) and has been entered as second class mail matter at the post office in Marathon, in said Monroe County, Finrida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Charlotte Sikora

(SEAL)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 7th DAY OF October A.D. 1987

Paul E. Heinen

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. AUG 28,1990
BONDED THRU GENERAL INS. UND.

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Tuesday, October 20, 1987 at [illegible] P.M. at the Elk's Club, Tavernier, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

ORDINANCE NO. -1987

AN ORDINANCE ADOPTING AND RATIFYING CERTAIN LAND USE DISTRICT MAP AMENDMENTS ATTACHED AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE, TRANSMITTING THE AMENDMENTS TO THE STATE LAND PLANNING AGENCY FOR APPROVAL PROVIDING THAT IF ANY AMENDMENTS ARE DISAPPROVED BY THAT AGENCY, THAT DISAPPROVAL SHALL NOT AFFECT THE REMAINING AMENDMENTS; PROVIDING FOR REVERSIBILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the affiliate public libraries in Monroe County, Florida.

DATED at Key West, Florida, this 23rd day of September, A.D. 1987.

DANNY L. KOLHAGE
Clerk of the Circuit Court of Monroe County, Florida
an ex officio Clerk of the Board, County Commissioners of Monroe County, Florida

Publish: Sept. 30, Oct. 7, 1987
Florida Keys Keynoter

THE KEY WEST CITIZEN

Published Daily

Key West, Monroe County, Florida 33040

STATE OF FLORIDA)
ss.
COUNTY OF MONROE)

Before the undersiged authority personally appeared.....

R.E.Harrison, who on oath says that he is .....

Advertising Manager of the Key West Citizen, a daily newspaper published at Key West in Monroe County, Florida; that the attached copy of advertisement, being a

LEGAL NOTICE

in the matter of

Bd of Cty Comm's.
map Amendments

was published in said newspaper in the issues of

Sept 28, Oct 5 1987

Affiant further says that the said The Key We
a newspaper published at Key West, in said Monroe
and that the said newspaper has heretofore been co
lished in said Monroe County, Florida, each day (e
and has been entered as second class mail matter a
in Key West, in said Monroe County, Florida, for a
year next preceeding the first publication of the
of advertisement; and affiant further says that he
nor promised any person, firm or corporation any d
commission or refund for the purpose of securing t
for publication in the said newspaper.

R E Har

(SEAL)

SWORN AND SUBSCRIBED before me this 15 day of

Bette J Rush
NOTARY PUBLIC

COMMISSION E

[redacted]
TO CONS[redacted]N
OF COUNTY ORD[redacted]E

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Tuesday, October 20, 1987 at 3:00 p.m. at the Elk's Club, Tavernier, Monroe County, Florida, the Board of County Commissioner's of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE ADOPTING AND RATIFYING CERTAIN LAND USE DISTRICT MAP AMENDMENTS ATTACHED AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE; TRANSMITTING THE AMENDMENTS TO THE STATE LAND PLANNING AGENCY FOR APPROVAL; PROVIDIKG THAT, IF ANY AMENDMENTS ARE DISAPPROVED BY THAT AGENCY, THAT DISAPPROVAL SHALL NOT AFFECT THE REMAINING AMENDMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, Florida, this 23rd day of September, A.D. 1987.

DANNY L. KOLHAGE
Clerk of the Circuit Court
of Monroe County, Florida
and ex officio Clerk of the
Board of County Commissioners
of Monroe County, Florida

Sept. 28, Oct. 5, 1987

Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 743-9036

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 294-4641

BRANCH OFFICE
P.O. BOX 379
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-9253

October 26, 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
Department of State
The Capitol
Tallahassee, Florida 32301

Dear Mrs. Cloud:

Enclosed please find a certified copy of Ordinance No. 039-1987 adopting and ratifying certain Land Use District Map Amendments attached and incorporated by reference into this Ordinance; transmitting the Amendments to the State Land Planning Agency for approval; providing that, if any Amendments are disapproved by that Agency, that disapproval shall not affect the remaining Amendments; etc.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Regular Meeting in formal session on October 20, 1987.

Please file for record.

Very truly yours,

Danny L. Kolhage
Clerk of the Circuit Court and
ex officio Clerk to the Board
of County Commissioners

By: Rosalie L. Connolly
Rosalie L. Connolly
Deputy Clerk

cc: Commissioner E. Lytton
County Attorney
County Administrator
Planning Director - 3
File

P-5930851/68

P-593 085 168

RECEIPT FOR CERTIFIED MAIL

Department of State

The Capitol

Tallahassee, Fl. 32301

22

75

70

167

KEY WEST, FL

OCT 1987

USPO

ATTENTION: SHELLEY BROWN

PS Form 3800 June 1985

USGPO 153-606

Complete items 1, 2, 3 and 4.

[illegible] "RETURN TO" [illegible]

1. ☒ Show to whom, date and address of delivery.

2. ☐ Restricted Delivery.

3. Article Addressed to:

Mrs. Liz Cloud, Chief

Bureau of Administrative Code

Department of State

The Capitol

Tallahassee, Fl. 32301

4. Type of Service:

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail

Article Number

P-593 085 168

[illegible]

5. [illegible]

X

6. [illegible]

X

7. Date of Delivery

OCT 29 1987

8. Addressee's Address (ONLY [illegible])

TALLAHASSEE, FL

OCT 29 1987

USPO

SEC

CERTIFIED RETURN RECEIPT

FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State

Dorothy W. Joyce
Division Director

October 29, 1987

Honorable Danny L. Kolhage
Clerk of the Circuit Court
& Ex-Officio Clerk to the BCC
Monroe County Courthouse
500 Whitehead St.
Key West, Florida 33040

Attention: Rosalie L. Connolly, Deputy Clerk

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of October 26, 1987 and certified copy/ies of Monroe County Ordinance(s) #87-38, #87-39 and #87-40

2. Receipt of _____ County Ordinance(s) relative to:
   (a) _____
   which we have numbered _____
   (b) _____
   which we have numbered _____

3. We have filed ~~this~~/these ordinances in this office on October 29, 1987.

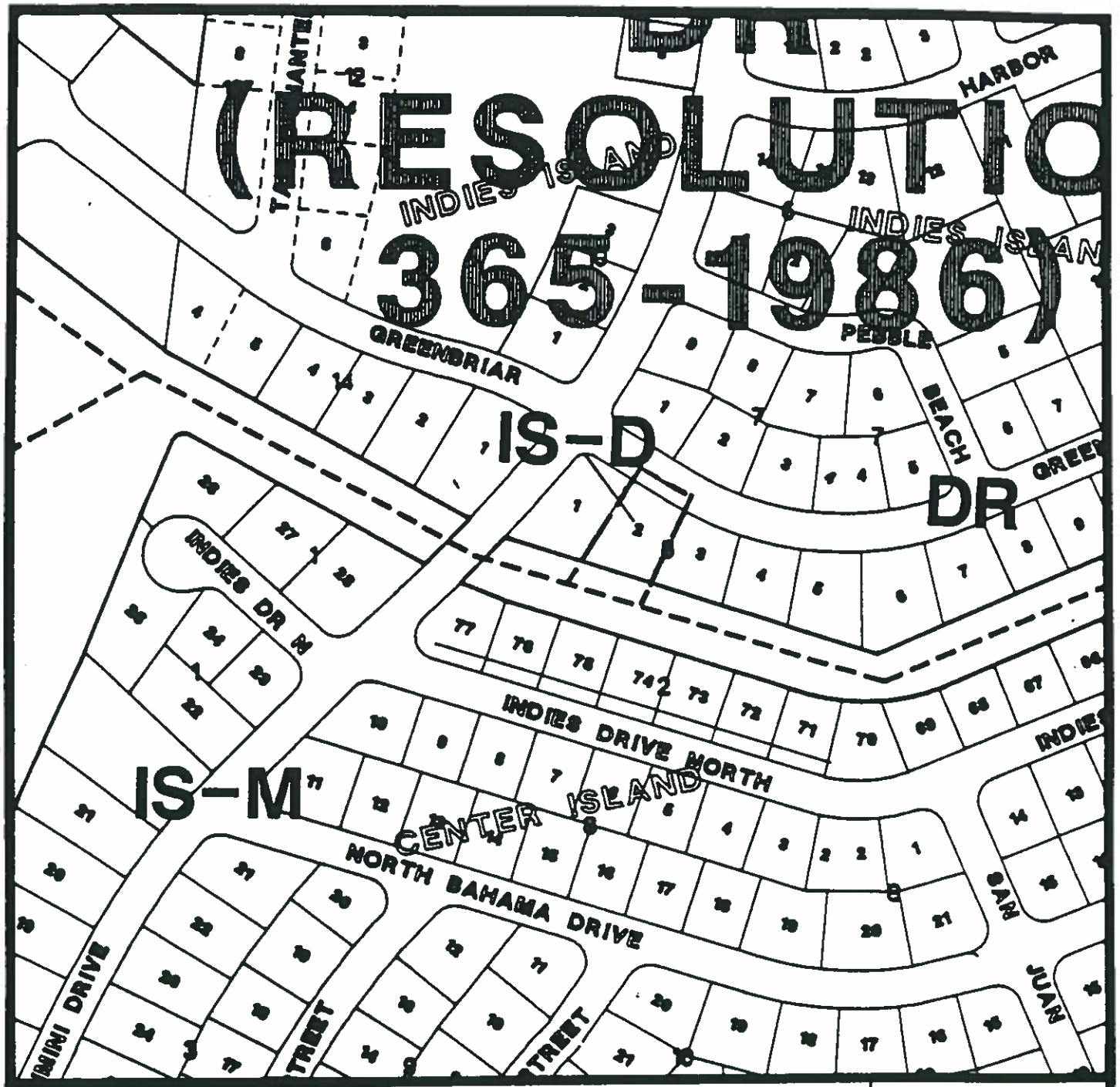
4. The original/duplicate copy/ies showing the filing date is/are being returned for your records.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb



Pursuant to Ordinance 039—1987 and Rule 9J—15.006 F.A.C., the Monroe County Land Use District Map is amended as of June 27th, 1988 and indicated above and briefly described as:

Add boundary around lot 2 Blk 8 as shown. Designate lot IS-D.

Director, Growth Management

August 8 1988
Date

Sheet # 210

Amendment # 133

N

1"=200'

Regular Meeting
Board of County Commissioners
Tuesday, October 20, 1987
Tavernier

A Regular Meeting of the Monroe County Board of County Commissioners convened at 9:00 a.m. on the above date at the Elks' Club in Tavernier. Present and answering to roll call were Commissioner William Freeman, Commissioner Michael Puto, Commissioner John Stormont, and Mayor Pro Tem Eugene Lytton. Absent from the meeting was Mayor Jerry Hernandez, Jr. Also present were Danny L. Kolhage, Clerk; Lucien Proby, County Attorney; Tom Brown, County Administrator; County Staff; members of the Press and Radio; and the general public.

All stood for the Invocation and Pledge of Allegiance to the Flag.

Mayor Pro Tem Lytton advised the public that Mayor Hernandez was out of the County on County business.

The Board proceeded to make additions, deletions and corrections to the Agenda.

COMMISSIONERS' ITEMS

Commissioner Puto presented the Employee of the Month Award for August to Dale (Butch) Wilson.

Mayor Pro Tem Lytton and Commissioner Stormont presented reports concerning the Tourist Development Council and Monroe County Fine Arts Council. This matter was referred to the Commissioners for their study. No further action was taken.

Mayor Pro Tem Lytton discussed the use of barbed wire in residential areas. Motion was made by Mayor Pro Tem Lytton and seconded by Commissioner Freeman to review the County Code for the purpose of eliminating and prohibiting the use of barbed wire in residential areas. Motion carried unanimously.

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to adopt the following Resolution requesting the Department of Transportation to complete the new widening and improvements on U.S. 1 in Marathon as quickly as possible; setting forth the reasons why such work should be accomplished quickly; instructing that copies of this Resolution be sent to the Governor and Cabinet, the Department of Transportation and members of the Florida Legislature. Motion carried unanimously.

RESOLUTION NO. 393-1987
See Res. Book No. 62 which is incorporated herein by reference.

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to adopt a Proclamation proclaiming October 19 - 24, 1987 as NATIONAL BUSINESS WOMEN'S WEEK in Monroe County. Motion carried unanimously.

Commissioner Stormont discussed the need to establish a procedure to provide an analysis of economic

impacts of actions of the Board of County Commissioners. This matter was referred to the County Administrator and he was requested to provide the Commission with recommendations regarding this matter.

Mayor Pro Tem Lytton discussed proposed alternatives to the Services Tax to be considered by the Governor. Motion was made by Mayor Pro Tem Lytton and seconded by Commissioner Freeman to adopt the following Resolution calling on the Legislature, Governor and Cabinet of the State of Florida to aid the Counties, if a One Cent additional sales tax is imposed, so as to provide a division of such tax and make available to Counties one-half thereof; instructing the Clerk to provide a copy of this Resolution to all Legislators, the Governor, the Cabinet and the State Association of County Commissioners. Motion carried unanimously.

RESOLUTION NO. 394-1987

See Res. Book No. 62 which is incorporated herein by reference.

Motion was made by Mayor Pro Tem Lytton and seconded by Commissioner Freeman to amend the appointment of Michelle Keevan to the Planning Commission to reflect a term of two years. Motion carried unanimously.

BULK APPROVALS

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to approve the following items by unanimous consent:

Board approved the removal of one 1970 Remington Typewriter (Number 267-440, Mfg. ID Number 643657) from the inventory of the Library.

Board approved, per staff conditions and recommendations, the Application for Variance to the Flood Hazard Ordinance of Apostolic Lighthouse Mission, Inc. for a 3600 square foot enclosure of break-away construction (for storage and parking only) below the existing building on a Tract of Land within Section 26/66/29 of Big Pine Key; Zoned SC - Suburban Commercial; Coastal Flood Zone V-12, Panel 1536C.

Board approved, per staff conditions and recommendations, the Application for Variance to the Flood Hazard Ordinance of Delton Leigh/Amedeo DeSanctis for rehabilitation of a low-income housing project as more fully described in the Application dated October 8, 1987 on Lot 7, Block 1, Marathon Beach, 41st Street, Key Vaca; Zoned MU - Mixed Use; Coastal Flood Zone A-13, Panel 1579C.

Board approved, per staff conditions and recommendations, the Application for Variance to the Flood Hazard Ordinance of Luis S. and Sara A. Puga for the placement of a mobile home below the 100-Year Flood Elevation on Lot 3, Block 7, Key Largo Mobile Home Sites, King Avenue, Key Largo; Zoned URM - Urban Residential Mobile Homes; Coastal Flood Zone A-16, Panel 0844C.

Board approved, per staff conditions and recommendations, the Application for Variance to the Flood Hazard Ordinance of Summerland Seafood, Inc. for the placement of two freezers - 37 x 16 and cooking shed and ice maker below the 100-Year Flood Elevation on Lots 1, 2, 3, 4, 5, 6 and 34, Summerland Yacht Harbor, US #1 North Side, MM 25.2,

Summerland Key; Zoned CSFD-13 - Commercial Fishing Special District No. 13; Coastal Flood Zone V-12, Panel 1513D.

COUNTY ATTORNEY

Board adopted the following Resolution approving the correction of scrivener's errors in certain proposed amendments and recommendations thereto to Monroe County's Land Development Regulations.

RESOLUTION NO. 395-1987

See Res. Book No. 62 which is incorporated herein by reference.

AIRPORTS

Board approved and authorized execution of Florida Department of Transportation Joint Participation Agreement for the FAR Part 150 Noise Study at Key West International Airport (WPI 6826653).

Board approved and authorized execution of Florida Department of Transportation Joint Participation Agreement for the FAR Part 150 Noise Study at Marathon Airport (WPI 6826652).

Board adopted the following Resolution authorizing the Chairman of the Board to execute a Sign Lease by and between the County Monroe and C.S.M.C. of Key West d/b/a The Pier House, concerning a sign located at the Key West International Airport.

RESOLUTION NO. 396-1987

See Res. Book No. 62 which is incorporated herein by reference.

Board adopted the following Resolution authorizing the Chairman of the Board to execute a Sign Lease by and between the County of Monroe and Island Car Rentals, Inc. d/b/a Thrifty Rent A Car, concerning a sign located at the Key West International Airport.

RESOLUTION NO. 397-1987

See Res. Book No. 62 which is incorporated herein by reference.

Board adopted the following Resolution authorizing the Mayor/Chairman of the Board to execute a Sign Lease by and between the County of Monroe and The Key Ambassador Company, concerning a sign located at the Key West International Airport.

RESOLUTION NO. 398-1987

See Res. Book No. 62 which is incorporated herein by reference.

EMERGENCY SERVICES

Board authorized acceptance of a bid from Ken Lohlein for $101.00 for the sale of a 1975 Dodge Type II Ambulance, Serial No. B35BF5X005770, County I.D. #1410-20.

Board authorized execution of the amended Class A Emergency Medical Services Certificate of Public Convenience and Necessity issued to the Monroe County Board of County Commissioners, Emergency Services Department (Certificate 86-02 amended) to include the areas generally known as: Cow

Key Channel east to Boca Chica Channel; and Boca Chica Channel east to Shark Channel.

Board authorized execution of the amended Class A Emergency Medical Services Certificate of Public Convenience and Necessity issued to Atlantic/Key West Ambulance Service, Inc. (Certificate 86-08 amended) to show their zone to include the City of Key West only.

Board approved negotiations held with the lowest bidder regarding the purchase of Rescue/Pumper Vehicle for Municipal Services Taxing District No. 5 and authorized the purchase of this vehicle from 3 Alarm Fire Equipment, Inc. at a total cost of $181,145.00.

Board adopted the following Resolution providing that Monroe County apply for State funds for an Emergency Medical Services Training program and authorizing the Mayor of the Board of County Commissioners to execute a State of Florida Department of Health and Rehabilitative Services Grant Application and all applicable documentation.

RESOLUTION NO. 399-1987

See Res. Book No. 62 which is incorporated herein by reference.

PUBLIC WORKS

Board granted permission to advertise a Call For Bids for the following:

Dump Truck	-	Roads Department
Tractor Mower	-	Roads Department
3/4 Step Van	-	Engineering Department
3/4 Step Van	-	OAB Marathon
3/4 Pickup	-	Animal Shelter, Marathon

Board granted permission to advertise a Call For Bids for uniforms.

Board waived the Administrative Procedures and approved payment of the following bills:

General Electric	$ 5,540.00
Biscayne Chemical	$11,079.32
Carpet & Casuals	$ 6,655.00

SOCIAL SERVICES

Board approved and authorized execution of an amendment to USDA Contract #87-4-878 by and between Monroe County Board of County Commissioners - Nutrition Program and the Area Agency on Aging for Dade and Monroe Counties of United Way.

Board approved and authorized execution of General Revenue/ Federal Funds USDA Contract #88-4-878 by and between the Area Agency on Aging for Dade and Monroe Counties/United Way of Dade County and the Monroe County Board of County Commissioners - Nutrition Program.

COUNTY CLERK

Board accepted the Annual Reports of the Clerk and the Property Appraiser.

Board adopted the following Resolution concerning receipt of unanticipated funds for the year 1987-88.

RESOLUTION NO. 400-1987
See Res. Book No. 62 which is incorporated herein by reference.

Board adopted the following Resolutions concerning receipt of unanticipated funds for the year 1987.

RESOLUTION NO. 401-1987
RESOLUTION NO. 402-1987
RESOLUTION NO. 403-1987
RESOLUTION NO. 404-1987
RESOLUTION NO. 405-1987
RESOLUTION NO. 406-1987
See Res. Book No. 62 which is incorporated herein by reference.

Board adopted the following Resolution transferring funds for the year 1986-87.

RESOLUTION NO. 407-1987
See Res. Book No. 62 which is incorporated herein by reference.

Board approved the following Fine and Forfeiture Expenditures:

COMPETENCY & PSYCHOLOGICAL EVALUATIONS, Richard Hellmann, Ph.D., in the amount of $150.00; Guillermo Marcovici, M.D., P.A., in the amount of $1,050.00; Mental Health Care Center of the Lower Keys, in the amount of $250.00.

COURT-APPOINTED ATTORNEYS, Beckmeyer, Mulick & Wolkowsky, in the amount of $838.85; Raymond O. Bodiford, in the amount of $1,263.75; John M. Davis, in the amount of $2,364.50; Roberta Fine, in the amount of $1,569.75; William Kuypers, in the amount of $350.00; Charles M. Milligan, in the amount of $107.00; Francis H. Muldoon, Jr., in the amount of $350.00; John P. Rotolo, in the amount of $1,273.75.

OTHER EXPENSES & COSTS, Ozaukee County Sheriff's Department, in the amount of $13.20; State of Florida, in the amount of $255.22.

COURT REPORTER SERVICES, Associated Court Reporters, in the amount of $2,072.70; Christensen Reporting, in the amount of $90.00; Florida Keys Reporting Service, in the amount of $994.20; Nancy J. Maleske, in the amount of $950.30; Terry Moran, in the amount of $37.10; Nichols and Hardy Court Reporters, in the amount of $255.60.

COURT INTERPRETER SERVICES, Juli Barish, in the amount of $50.00; Juan Borges, in the amount of $385.00; Serafin Calero, in the amount of $45.00.

EXPERT WITNESS FEES, Richard Hellmann, Ph.D., in the amount of $30.00.

EXTRADITION COSTS, William A. Freeman, Jr., in the amount of $4,344.66.

WITNESS PAYROLL, Auto Allowance and Travel, in the amount of $4,398.80; Regular Witness Fees, in the amount of $160.00.

Board approved the following Warrants for the year 1986-87:

GENERAL REVENUE FUND, #76544-#77373, in the amount of $1,759,830.55.

GENERAL REVENUE FUND, Barnett Bank, FRS, #164, in the amount of $4,975.64.

SUPPLEMENT TO GENERAL REVENUE FUND, #204-#205, in the amount of $29,133.11.

FINE & FORFEITURE FUND, #633-#643, in the amount of $45,735.68.

AIRPORT OPERATION & MAINTENANCE FUND, #419-#422, in the amount of $31,561.90.

ROAD & BRIDGE FUND, #468-#471, in the amount of $321,958.84.

ROAD & BRIDGE FUND (SPECIAL PROJECTS), #00005, in the amount of $26,954.30.

MSD TAX DISTRICT, #1004-#1008, in the amount of $82,872.69.

MSD, Marine Bank, Marathon, #393-#394, in the amount of $40,001.29.

MSD, PLEDGED FUNDS, #98, in the amount of $300,000.00.

LAW LIBRARY FUND, #212-#213, in the amount of $1,658.55.

CARD SOUND BRIDGE FUND, #191-#192, in the amount of $9,717.79.

WORKERS COMPENSATION, #2313-#2327, in the amount of $13,148.12.

TOURIST DEVELOPMENT COUNCIL, #438-#439, in the amount of $145,286.95.

MONROE COUNTY SELF-INSURED GROUP INSURANCE, #203-#205, in the amount of $201,700.79.

TRANSLATOR FUND, #150-#151, in the amount of $5,112.62.

CROSS KEY WATERWAY, #47, in the amount of $122,100.00.

610 LAND AUTHORITY, #01-#02, in the amount of $1,698.75.

715 MARINERS HOSPITAL, #24, in the amount of $50,000.00.

716-717 SPECIAL TAX DISTRICT, PLANNING, BUILDING & CODE ENFORCEMENT, in the amount of $90,543.86.

Board approved the following Warrants for the year 1987-88:

GENERAL REVENUE FUND, #77374-#77565, in the amount of $2,921,746.20.

SUPPLEMENT TO GENERAL REVENUE FUND, #206, in the amount of $10,293.20.

FINE & FORFEITURE FUND, #644, in the amount of $43,096.80.

AIRPORT OPERATION & MAINTENANCE FUND, #423, in the amount of $6,835.81.

ROAD & BRIDGE FUND, #472, in the amount of $28,088.21.

MSD TAX DISTRICT, #1009, in the amount of $70,820.10.

MSD, Marine Bank, Marathon, #395, in the amount of $34,088.73.

MSD, PLEDGED FUNDS, #99-#100, in the amount of $1,399,367.50.

LAW LIBRARY FUND, #214, in the amount of $51.75.

CARD SOUND BRIDGE FUND, #193, in the amount of $3,115.54.

WORKERS COMPENSATION, #2328-#2336, in the amount of $10,111.46.

TOURIST DEVELOPMENT COUNCIL, #440-#441, in the amount of $15,012.00.

MONROE COUNTY SELF-INSURED GROUP INSURANCE, #206-#207, in the amount of $12,829.76.

TRANSLATOR FUND, #152, in the amount of $3,074.86.

610 LAND AUTHORITY TRUST ACCOUNT, #03-#07, in the amount of $2,090.29.

716-717 SPECIAL TAX DISTRICT, PLANNING, BUILDING & CODE ENFORCEMENT, #92, in the amount of $47,129.24.

Board approved Minutes of the following meetings of the Commission: 8/4, 8/5 (2), 8/6, 8/7, 8/10, 8/14 (2), 8/17, 8/18, 8/26 (2), 8/27, 8/28, 9/1, 9/9, 9/10, 9/15, 9/16, 9/17, 9/18 (3), 9/24 (3), 9/25, 9/28 (2).

MISCELLANEOUS
Card Sound Toll and Bridge Authority

Board granted permission to advertise a Call For Bids for one 3/4-ton Pickup Truck.

Motion carried unanimously.

COUNTY ATTORNEY

Lucien Proby, County Attorney, discussed the New Port Largo Suit.

The County Attorney discussed the proposed use of the Translator Towers for the placement of receiving antennas for use by the Sheriff.

Mr. Proby discussed negotiations with the Department of Natural Resources for additional land at the Long Key Landfill and informed the Board that the County had received a report from DNR advising they could grant an additional one and one-half acres to the County.

Commissioner Stormont discussed the need for financial information concerning the impacts of a proposed Joint Participation Agreement regarding the Marathon Aviation Boulevard Arterial Access Road. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to adopt the following Resolution approving and authorizing the Mayor/Chairman of the Board to execute a Joint Participation Agreement by and between the State of Florida Department of Transportation and Monroe County for Marathon Aviation Boulevard Arterial Access Road. Motion carried unanimously.

RESOLUTION NO. 408-1987

See Res. Book No. 62 which is incorporated herein by reference.

MUNICIPAL SERVICES (WASTE)

Charles Aguero, MSD Manager, discussed the experimental opening of landfills to 6:00 p.m. He indicated that the District experienced very little activity during the extended hours and incurred considerable expense in keeping the landfills open. He requested authority to resume the hours of 8:00 a.m. to 4:00 p.m. for the landfills. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to approve the request of the MSD Manager to resume the hours of 8:00 a.m. to 4:00 p.m. for the landfills. Motion carried unanimously.

Mr. Aguero discussed the report concerning additional land at the Long Key Landfill for expansion. He requested authority for the County Attorney to prepare a Resolution which would indicate the Board's intent to cease the collection of trash from State parks until some cooperation was received concerning the expansion of the Long Key Landfill. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to refer this matter to the County Attorney.

Motion was made by Commissioner Freeman and seconded by Commissioner Puto to grant permission to advertise a Call For Bids on three front-end loaders. Motion carried unanimously.

Consideration of authorization to lease/purchase one sedan was postponed until after the Rates Hearing.

No action was taken on a request for permission to Call For Bids on a crusher.

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to adopt the following Resolution amending Resolution No. 348-1987 by the changing of the rents due under that certain Agreement by and between the Municipal Service District of Monroe County and John E. Carter and Edward D. Carter, in making said payments retroactive to June 15, 1987. Motion carried unanimously.

RESOLUTION NO. 409-1987

See Res. Book No. 62 which is incorporated herein by reference.

AIRPORTS

The Board continued to the next meeting consideration of a Lease Agreement by and between the County and Five 66666 Cab Company, Inc. concerning a gazebo at the Key West International Airport.

ENGINEERING

Bob Harris of Post, Buckley, Schuh & Jernigan discussed the Key Vaca Roads IV Roadway Improvements Project. He discussed Change Order No. 2 Revised which would add $435.00 for additional paving and Change Order No. 3 which would be a penalty of $2,200.00 for exceeding the completion date. Motion was made by Commissioner Stormont and seconded by Commissioner Puto to approve and authorize execution of Change Order No. 2 Revised and Change Order No. 3 to General Asphalt Company, Inc. for the Key Vaca Roads IV Roadway Improvements Project, and also to approve Final Payment in the amount of $7,187.81. Motion carried unanimously.

Mr. Harris discussed the Key Largo Roads IV Roadway Improvements Project and Change Order No. 3 which would be a penalty of $7,000.00 as liquidated damages for exceeding the completion date. Motion was made by Commissioner Stormont and seconded by Commissioner Puto to approve and authorize execution of Change Order No. 3 to General Asphalt Company, Inc. for the Key Largo Roads IV Roadway Improvements Project, and also to approve Final Payment in the amount of $53,057.23 and also confirming the ten-day suspension of the tolling of time by the County Staff for the purpose of conducting the necessary inspection. Motion carried unanimously.

PLANNING, BUILDING & ZONING

Donald Craig, Director, discussed the pending North Key Largo Habitat Conservation Plan proposals and also travel that he would be making to Tallahassee for the purpose of discussing grant funding with DCA.

A proposed Planning Commission Text Amendment to Section 13-101(c) of the Monroe County Land Development Regulations (regarding the time period for accepting and processing Map and Text Amendment applications) was referred to the County Attorney and continued to the next meeting.

A discussion took place regarding a Marathon Hurricane Shelter for vessel storage.

COUNTY ADMINISTRATOR

Tom Brown, County Administrator, discussed a letter from Post, Buckley, Schuh & Jernigan concerning the problem with the flooring at the J. Lancelot Lester Building in Key West. He advised the Board that he would be making a full report and recommendation in the near future.

Mr. Brown also discussed the Jail Expansion Project and the final pay-off figure to Monroe Construction Corporation.

Motion was made by Commissioner Freeman and seconded by Commissioner Puto to authorize payment of the following invoices:

1. Public Financial Management, Inc., in the amount of $2,586.93, for payment of professional services from August 16 through September 15.

2. Fly, Shuebruk, Gaguine, Boros and Braun, in the amount of $378.54, for payment of

professional services through August 31 in re Translator.

3. Siemon, Larsen, Mattlin & Purdy, in the amount of $1,348.40, for professional services through September in re Hopping v. Monroe County (Port Bougainville appeal).

4. General Asphalt Company, Inc., in the amount of $53,057.23, for Final Payment of Key Largo Roads IV Roadway Improvements Project.

5. General Asphalt Company, Inc., in the amount of $7,187.81, for Final Payment of Key Vaca Roads IV Roadway Improvements Project.

6. General Asphalt Company, Inc., in the amount of $40,315.68, for Final Payment of Middle Keys Roads I Roadway Improvements Project.

7. David W. Tuttle, in the amount of $12,400.00, for Final Payment of Building Department Office Space Remodeling.

8. Monroe Construction Corporation, in the amount of $25,587.00, for Final Payment of Monroe County Jail Expansion.

Paul Wick, Grants Management Specialist, addressed the Board concerning the Florida Recreation Development Assistance Program administered by the Florida Department of Natural Resources. Motion was made by Commissioner Puto and seconded by Commissioner Stormont to adopt the following Resolution authorizing the Administration to prepare and submit a Grant Application to the Florida Department of Natural Resources for funds to develop a park on Stock Island. Motion carried unanimously.

RESOLUTION NO. 410-1987

See Res. Book No. 62 which is incorporated herein by reference.

The County Administrator discussed the inactivity of the former Capital Improvements Committee created by the Board. No action was taken. The County Administrator is to recommend proposed changes to the Ordinance which created the Capital Improvements Committee.

Mr. Brown then discussed Board appointments and recommended that they all come due in January.

The County Administrator also discussed permit fees and fines for building without permits.

AWARDING BIDS

The Board discussed bids received for the sale of Surplus Property. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to award the bid for the sale of two Magnesium Delivery Truck Ramps as follows:

Richard Ott Box 4625 Key West, Fl.	0702-1 0702-2	$29.50 $28.52

Motion carried unanimously. Motion was then made by Commissioner Puto and seconded by Commissioner Freeman to award the bid for the sale of one IBM Electric Typewriter as follows:

Joyce Griffin 2816 Seidenberg Avenue Key West, Fl.	2440-132	$15.00

Motion carried unanimously. Motion was then made by Commissioner Freeman and seconded by Commissioner Puto to award the bid for the sale of twenty Shutter Doors as follows:

Shirley Willer 5A 12th Avenue Stock Island, Key West, Fl.	$100.00

Motion carried unanimously. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to authorize the disposition of the remaining Surplus Property by junking the items or otherwise dispose of same in accordance with Florida Law. Motion carried unanimously.

The Board was advised of the following bid received for the sale of Lots 5, 12 and 14, Block 23, Cudjoe Gardens 8th Addition, Cudjoe Key:

Jeff K. Lile P. O. Box 1661 Key West, Fl.	$4,100 for package of all three lots

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to reject the bid and to re-advertise. Motion carried unanimously.

COUNTY CLERK

The Clerk discussed the delivery of the Deed from Arthur Lujan for certain lots in Key Haven to be used for park purposes in accordance with the action at a recent Map Change Hearing. Motion was made by Commissioner Freeman and seconded by Commissioner Stormont to accept the conveyance to the County. During discussion, motion was withdrawn. The Board agreed that this matter would be considered following DCA's action concerning the Map Amendments.

COUNTY ADMINISTRATOR

Motion was made by Commissioner Puto and seconded by Commissioner Freeman to reconsider the Board's previous action regarding the adoption of Resolution No. 410-1987 concerning the Florida Recreation Development Assistance Program. Motion carried unanimously. The County Attorney then advised the Board of an amended Paragraph 3 to the Resolution. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to approve the adoption of Resolution No. 410-1987 with the amended Paragraph 3 therein. Motion carried unanimously.

The Board recessed for lunch.

* * * * *

The Board reconvened at 2:00 p.m. with all members present.

SOUNDING BOARD FOR PUBLIC INPUT

John Taylor and Gus Pego of the Florida Department of Transportation addressed the Board concerning lobster traps stored on the right-of-way of US #1. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to refer this matter to the County Administrator for a report to be prepared after meeting with FDOT, O.F.F. and the County Staff, said report to be presented at the second meeting in November. Motion carried unanimously.

Ervin Higgs, Property Appraiser, addressed the Board concerning his Annual Report which was approved earlier in the meeting. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to authorize use of the excess fees from the Property Appraiser from last fiscal year to be carried forward for his participation in the computerized mapping system. Motion carried unanimously.

Harry F. Knight, Tax Collector, addressed the Board and presented his Annual Report for 1986-87. He indicated that his total excess fees were in the amount of $720,675.00 and presented checks to the Clerk for Monroe County's portion: one check in the amount of $610,412.00 and another check in the amount of $52,465.00. Motion was made by Commissioner Stormont and seconded by Commissioner Freeman to accept the Annual Report of the Tax Collector and the excess fees and to authorize and direct that all excess fees in excess of the amounts budgeted in the current fiscal year be transferred to the Capital Projects Fund. Motion carried unanimously.

Vern Pokorski discussed the problem on Big Pine Key with the speed limit and the Key Deer kills on US #1. Mr. Taylor addressed the Board. No action was taken.

Joe Bell addressed the Board concerning the slow down of the clean-up campaign in the Upper Keys. Charles Aguero, MSD Manager, discussed this matter. David Parker of the Probation Department of the Florida Department of Corrections addressed the Board. No action was taken.

PUBLIC WORKS

Dent Pierce, Public Works Director, addressed the Board and made a report concerning the Upper Keys Animal Shelter. He requested authority for the Public Works Director to give notice to the Humane Society of the Upper Keys to vacate the premises and have the Public Works Department assume full operation of the Animal Shelter. Marty Ingersoll of the Upper Keys Humane Society addressed the Board. Motion was made by Mayor Pro Tem Lytton and seconded by Commissioner Stormont to continue this matter to the next Plantation Key meeting and to consider an amendment to the Animal Control Ordinance to provide for the similar operation of all County Animal Shelters. Motion carried unanimously. Gayle Bean and Karen Reeb addressed the Board concerning Animal Control.

PUBLIC HEARINGS

A Public Hearing was held on a proposed Ordinance providing for the creation of a Beach and Shore Preservation

Authority. Proof of publication was entered into the record. Motion was made by Commissioner Stormont and seconded by Commissioner Freeman to read by title only. Motion carried unanimously. There was no public input. Motion was made by Commissioner Stormont and seconded by Commissioner Freeman to continue to the next Public Hearing. Motion carried unanimously.

A Public Hearing was then held on a proposed Ordinance providing for the adoption of the 1985 Edition for the Standard Fire Prevention Code, as adopted by the Florida Legislature; providing for severability; providing for the repeal of all Ordinances or parts of Ordinances in conflict with this Ordinance; providing for inclusion in the Code; and providing for an effective date. Proof of publication was entered into the record. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to read by title only. Motion carried unanimously. Joe London, County Fire Marshal, addressed the Board concerning the proposed Ordinance. There was no public input. Motion was then made by Commissioner Puto and seconded by Commissioner Freeman to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 038-1987

See Ord. Book No. 15 which is incorporated herein by reference.

A Public Hearing was then held adopting and ratifying certain Land Use District Map Amendments attached and incorporated by reference into this Ordinance; transmitting the Amendments to the State Land Planning Agency for approval; providing that, if any Amendments are disapproved by that Agency, that disapproval shall not affect the remaining Amendments; providing for severability; and providing for an effective date. Proof of publication was entered into the record. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to read by title only. Motion carried unanimously. There was no public input. Donald Craig, Planning Director, addressed the Board. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 039-1987

See Ord. Book No. 15 which is incorporated herein by reference.

A Public Hearing was held adopting and ratifying certain Text Amendments attached and incorporated by reference into the body of the Text of the Ordinance; transmitting the Amendments to the State Land Planning Agency for approval; providing that, if any Amendments are disapproved by that Agency, that disapproval shall not affect the remaining Amendments; providing for severability; and providing for an effective date. Proof of publication was entered into the record. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to read by title only. Motion carried unanimously. There was no public input. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to adopt the following Ordinance. Motion carried unanimously.

ORDINANCE NO. 040-1987

See Ord. Book No. 15 which is incorporated herein by reference.

A Public Hearing was held on an Ordinance amending Sections 1-101 and 102, Monroe County Land Development Regulations, in order to provide that Chapter 12, Impact Fees, apply in the Cities of Key Colony Beach and Layton to the extent authorized by Article 8, Section 1(f), Florida Constitution; and providing for an effective date. Proof of publication was entered into the record. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to read by title only. Motion carried unanimously. Mayor Feiner of Key Colony Beach addressed the Board. Motion was made by Commissioner Puto and seconded by Commissioner Freeman to continue to the next meeting. Motion carried unanimously.

PLANNING, BUILDING & ZONING

Mr. and Mrs. Roger Holmes addressed the Board concerning their request for a sign permit for a proposed Mr. Donut operation in Marathon. Donald Craig, Planning Director, addressed the Board and recommended that the request be denied since it did not comply with existing regulations. Motion was made by Mayor Pro Tem Lytton and seconded by Commissioner Freeman to deny the request for a sign permit for the Mr. Donut in Marathon due to lack of authority to ratify under the existing regulations. Motion carried unanimously.

The Board then discussed a sign application by Rodeway Inn. Frank Greenman, attorney representing Rodeway Inn, addressed the Board. Mr. Craig discussed the request. This matter was referred to Staff for review and report back to the Board.

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BOARD OF APPEALS

The Board of County Commissioners sat as the Board of Appeals with all members present except Mayor Hernandez.

Carl Schmitt of Martin Luther Chapel, Inc. addressed the Board. Motion was made by Commissioner Freeman and seconded by Commissioner Puto to continue to the meeting on November 3rd.

The meeting of the Board of Appeals adjourned.

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The Board recognized Senator Larry Plummer who was in the audience.

The Board recessed for a meeting of the Land Authority.

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The Regular Meeting of the Board of County Commissioners reconvened.

PLANNING, BUILDING & ZONING
Sign Ordinance Committee

Donald Craig, Planning Director, addressed the Board concerning the Staff report and presented a proposed Ordinance. Brad Cooper presented a minority report to the Board and Earl Cheal also presented a minority report to the

Board. The following individuals addressed the Board: Vern Pokorski of the Big Pine Civic Association, Franklin Gray, Arlene Reiser who presented a petition of signatures from the Izaak Walton League, Jerry Walker, Charles Holes, Lester Neiman, Brad Cooper, Betty Wilson, and Agnes Spence. Motion was made by Commissioner Stormont and seconded by Commissioner Freeman to accept the proposed Ordinance with the following amendments: delete Section 1(a); replace Replace Items A through D beginning on Page 80 with the non-conforming sections of the Land Use Plan (Section 9.5, Nos. 141 through 146); delete Section E; and to submit this proposed Ordinance as an amendment to the Land Use Plan under the current series of amendments. Motion carried unanimously.

There being no further business, the meeting was adjourned.

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ATTACHMENT E

BOCC ORDINANCES 004-1997, 030-1999, 044-2000

ORDINANCE NO. 004-1997

AN ORDINANCE MODIFYING THE EXISTING PROHIBITION ON TOURIST HOUSING USE, INCLUDING VACATION RENTAL USE IN RESIDENTIAL DISTRICTS; AMENDING CODE SECTION 9.5-4 (T-3) TO DEFINE TOURIST HOUSING USE OR UNIT TO INCLUDE PUBLIC LODGING ESTABLISHMENTS, ROOMING HOUSES AND DWELLING UNITS COMMONLY KNOWN AS VACATION RENTALS WHICH ARE RENTED FOR TENANCIES OF LESS THAN 28 DAYS; AND CREATING 9.5-4(V-.5) DEFINING VACATION RENTAL USE AS AN ATTACHED OR DETACHED DWELLING UNIT RENTED FOR TENANCIES OF LESS THAN TWENTY-EIGHT (28) DAYS; AMENDING 9.5-4 (C-11) TO CLARIFY THAT COMMERCIAL APARTMENTS MUST MEET AFFORDABLE HOUSING CRITERIA AND EXPRESSLY PROHIBITING THE TOURIST HOUSING USE OF COMMERCIAL APARTMENTS AND INSTITUTIONAL RESIDENTIAL DWELLING UNITS; AMENDING 9.5-4(D-8) TO DEFINE DEVELOPMENT TO INCLUDE TOURIST HOUSING USE AND VACATION RENTAL USE; AMENDING 9.5-204 TO ADD VACATION RENTAL USE TO THE PURPOSE OF THE URBAN RESIDENTIAL DISTRICT; AMENDING THE FOLLOWING CODE SECTIONS TO EXPRESSLY PROHIBIT ALL TOURIST HOUSING USES INCLUDING VACATION RENTALS: 9.5-234 (URBAN RESIDENTIAL - MOBILE HOME DISTRICT), 9.5-235.1 (URBAN RESIDENTIAL MOBILE HOME- LIMITED), 9.5-238 (SPARSELY SETTLED RESIDENTIAL DISTRICT), 9.5-239 (NATIVE AREA DISTRICT), 9.5-240 (MAINLAND NATIVE AREA), 9.5-255 (COMMERCIAL FISHING RESIDENTIAL); AND 9.5-242 (IMPROVED SUBDIVISION DISTRICT), EXCEPT IN GATED COMMUNITIES WITHIN IS, URM AND URM-L THAT HAVE CONTROLLED ACCESS AND HOMEOWNER'S OR PROPERTY OWNER'S ASSOCIATIONS THAT REGULATE VACATION RENTAL USES; AMENDING THE FOLLOWING CODE SECTIONS TO ALLOW VACATION RENTAL USE AS OF RIGHT SUBJECT TO CERTAIN CONDITIONS: 9.5-236 (SUB URBAN RESIDENTIAL DISTRICT), 9.5-237 (SUB URBAN RESIDENTIAL DISTRICT [LIMITED]), SECTION 9.5-250 (MARITIME INDUSTRIES), SECTION 9.5-243 (DESTINATION RESORT), SECTION 9.5-248 (MIXED USE), SECTION 9.5-235 (SUBURBAN COMMERCIAL) SECTION 9.5-232 (URBAN COMMERCIAL); 9.5-233 (URBAN RESIDENTIAL DISTRICT); CLARIFYING OCCUPANCY TERMS FOR RENTAL OF RECREATIONAL VEHICLE SPACES IN SECTION 9.5-244 (RECREATIONAL VEHICLES); AMENDING CHAPTER 9.5 TO CREATE A NEW CODE SECTION 9.5-242.5 (IMPROVED SUBDIVISION TOURIST HOUSING SUBINDICATOR DISTRICT) ALLOWING VACATION RENTAL USES AND CREATING REQUIREMENTS FOR APPROVAL OF IS-T REZONINGS, INCLUDING TRAFFIC IMPACTS AND COMPATIBILITY WITH THE SURROUNDING AREA, REBUTTABLE PRESUMPTIONS CONCERNING SPOT ZONING AND BUFFERYARDS; AMENDING SECTION 9.5-241 (OFFSHORE ISLAND DISTRICT); GRANDFATHERING EXISTING VACATION RENTAL USES AND PROHIBITING MARINAS AND CAMPGROUNDS ON OFFSHORE ISLANDS; CREATING NEW SECTION 9.5-534 ESTABLISHING A SPECIAL VACATION RENTAL PERMIT AND ESTABLISHING ANNUAL PERMIT FEE BY SEPARATE RESOLUTION; CREATING REGULATIONS FOR VACATION RENTALS AND ISSUANCE OF A SPECIAL

VACATION RENTAL PERMIT INCLUDING MINIMUM BUFFERYARDS, MAXIMUM NUMBER OF WATERCRAFT, OFF-STREET VEHICLE AND BOAT TRAILER PARKING, MAINTENANCE OF GUEST AND VEHICLES REGISTER, OBTAINING STATE LICENSES, COMPLIANCE WITH SANITARY WASTEWATER REGULATIONS CONTAINED IN DOH AND DEP REGULATIONS, COMPLIANCE WITH NFPA LIFE SAFETY CODE 101; PROHIBITING TRANSFER OF SPECIAL PERMITS; PROHIBITING LIVE-ABOARDS; RESTRICTING AMPLIFIED SOUND TO PROPERTY BOUNDARIES; REQUIRING TRASH CONTAINERS AND NOTICE OF TRASH AND RECYCLING COLLECTION; NAME AND PHONE NUMBER OF CONTACT PERSON AUTHORIZING INSPECTION BY CODE ENFORCEMENT; OCCUPANCY LIMITS; INCORPORATION IN LEASE TERMS; AND PROOF OF NOTICE OF THE APPLICATION AND RESTRICTIVE COVENANT DISCLAIMER; REQUIRING FEDERAL AND STATE TAX ID; PROVIDING FOR REVOCATION; PROHIBITING TOURIST HOUSING USE OF DWELLING UNITS BY LANDOWNERS OR AGENTS IN ANY DISTRICT(S) WHERE TOURIST HOUSING USE IS PROHIBITED, PROHIBITING THE ADVERTISING OF DWELLING UNITS FOR TOURIST HOUSING USE IF THE DWELLING UNITS ARE LOCATED IN A DISTRICT(S) WHERE TOURIST HOUSING USE IS PROHIBITED, PROVIDING THAT EACH LEASE OF LESS THAN 28 DAYS SHALL CONSTITUTE A NEW VIOLATION, PROVIDING THAT VACATION RENTAL LEASES IN DISTRICTS WHICH PROHIBIT VACATION RENTAL USES SHALL NOT BE ENTERED INTO OR RENEWED AFTER THE EFFECTIVE DATE OF THE ORDINANCE, PROVIDING THAT NON-CONFORMING USE PROVISIONS SET FORTH IN SECTIONS 9.5-141 THROUGH 9.5-146 SHALL NOT APPLY TO ANY PARTICULAR TOURIST HOUSING OR VACATION RENTAL USES, PROVIDING THAT PRE-EXISTING USES THAT WERE ESTABLISHED UNDER ANY CODE PROVISION EXPRESSLY ALLOWING VACATION RENTAL USES THAT WERE IN EFFECT PRIOR TO SEPTEMBER 15, 1986 MAY REMAIN SUBJECT TO NON-CONFORMING USE PROVISIONS, PROVIDING THAT THE PROVISIONS OF SECTION 9.5-2(c) ("DEEMER PROVISION") SHALL NOT APPLY TO TOURIST HOUSING OR VACATION RENTAL USE, PROVIDING THAT THE CODE ENFORCEMENT FOUR-YEAR STATUTE OF LIMITATIONS SET FORTH IN SECTION 6.3-13 SHALL NOT APPLY TO NEW VACATION RENTAL LEASES OR VIOLATIONS OF THE PROHIBITION ON VACATION RENTAL USES; PROVIDING PENALTIES FOR VIOLATION OF THE PROHIBITION ON VACATION RENTAL USE; ENABLING CITIZENS TO SEEK INJUNCTIVE JUDICIAL RELIEF AND PROVIDING FOR AN AWARD OF DISCRETIONARY ATTORNEY'S FEES; AMENDING CODE SECTIONS 6.3-13 (STATUTE OF LIMITATIONS), 9.5-2 (DEEMER PROVISION), 9.5-143 (NON-CONFORMING USES) AND 9.5-184 (VESTED RIGHTS) TO PROHIBIT RENEWAL OF LEASES, SUBLEASES OR ASSIGNMENTS OF LESS THAN 28 DAYS IN DISTRICTS THAT PROHIBIT VACATION RENTAL USES OR LEASES, SUBLEASES AND ASSIGNMENTS OF RV SPACES FOR GREATER THAN 6 MONTHS; AMENDING 9.5-490.1 TO INCLUDE TOURIST HOUSING UNITS AS DEFINED IN 9.5-4(T-3); PROVIDING FOR SEVERABILITY, CONFLICT, INCORPORATION IN THE CODE, AN EFFECTIVE DATE, TRANSMITTAL TO DCA AND THE SECRETARY OF STATE.

WHEREAS, Monroe County desires to amend the Land Development Regulation to expressly clarify the existing prohibition on short term rental (less than 28 days) of single family homes within Improved Subdivisions and other residential districts; and

WHEREAS, Monroe County proposes that such vacation rental uses be allowed in all land use districts except Mobile Home (URM), Mobile Home Limited (URM-L), Native Area (NA), Mainland Native (MN), and Improved Subdivisions, unless IS districts obtain a rezoning to a tourist housing subindicator district (IS-T):

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

Section 1. Purpose. The purpose of this ordinance is to further and expressly clarify the existing prohibition on short-term transient rental of dwelling units for less than twenty-eight (28) days in duration in Improved Subdivisions, mobile home districts (which provide affordable housing) and native areas, and to allow tourist housing uses in all other districts and in improved subdivision districts with a newly-created tourist housing subindicator (IS-T).

Section 2. Monroe County Code §9.5-4 is hereby amended to read as follows:

Sec. 9.5-4 - Definitions

(D-8) *Development* means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land or water, or the subdividing of land into two (2) or more parcels.

(a) Except as provided in subsection (c) hereof, for the purposes of this chapter, the following activities or uses shall be taken to involve "development":

(1) A reconstruction, alteration of the size, or material change in the external appearance of a structure on land or water.

(2) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure or on land.

(3) Alteration of a shore or bank of a seacoast, lake, pond or canal, including any work or activity which is likely to have a material physical effect on

existing coastal conditions or natural shore and inlet processes.

(4) Commencement of drilling (except to obtain soil samples), mining or excavation on a parcel of land.

(5) Demolition of a structure.

(6) Clearing of land, including clearing or removal of vegetation and, including significant disturbance of vegetation or substrate (soil) manipulation, including the trimming of mangroves to the extent allowed by law. (Ord. No. 19-1989, § 1(PD11))

(7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

(b) "Development" includes all other activity customarily associated with it. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this definition.

(c) For the purpose of this chapter, the following operations or uses shall not be taken to involve "development:"

(1) Work involving the maintenance, renewal, improvement or alteration of any structure, if the work affects only the color or decoration of the exterior of the structure or interior alterations that do not change the use for which the structure was constructed.

(2) Work involving the maintenance of existing landscaped areas and existing rights-of-way such as yards and other non-natural planting areas.

(3) A change in use of land or structure from a use within a specified category of use to another use in the same category unless the change involves a change from a use permitted as of right to one permitted as a minor or major conditional use or from a minor to a major conditional use.

(4) A change in the ownership or form of ownership of any parcel or structure.

(5) The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land unless otherwise specifically required by law.

(6) The clearing of survey cuts or other paths of less than four (4) feet in width and the mowing of vacant lots in improved subdivisions and areas that have been continuously maintained in a mowed state prior to the effective date of the plan, the trimming of trees and shrubs and gardening in areas of developed parcels that are not required open space and the maintenance of public rights-of-way and private accessways existing on the effective date of this chapter or approved private rights-or-way.

(d) Development also means the tourist housing use or vacation rental use of a dwelling unit, or a change to such a use (i.e., conversion of existing dwelling units to vacation rental use). Vacation rental use of a dwelling unit requires building permits, inspection(s) and a certificate of occupancy.

(T-3) Tourist housing use or unit means a dwelling unit used as transient housing for tenancies of less than twenty-eight (28) days duration, such as a hotel or motel, public lodging establishment, rooming house, vacation rental, room, or space for parking a recreational vehicle or travel trailer or units that are advertised and held out to the public for such use. Tourist housing use shall include the rental, lease, sublease, or assignment of existing dwelling units for tenancies of less than 28 days duration.

(V-.5) Vacation rental use or unit means an attached or detached dwelling unit that is rented, leased or assigned for tenancies of less than twenty-eight (28) days duration and is not within a multifamily building with 24 hour on-site management supervision. Vacation rental use does not include hotels, motels, and RV spaces, which are specifically addressed in each district.

(C-11) Commercial apartment means a residential dwelling unit that is developed in conjunction with a non-residential use and is intended to serve the housing needs of persons who are gainfully employed in Monroe County. All commercial apartments must comply with the affordable housing criteria set forth in Section 9.5-4(A-5) and Section 9.5-266. Tourist housing use or vacation rental use of commercial apartments is prohibited.

Section 3. Monroe County Code §9.5-204 is hereby amended to read as follows:

Sec. 9.5-204 Purpose of Urban Residential District

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

Section 4. Monroe County Code §9.5-232 is hereby amended to read as follows:

Sec. 9.5-232. Urban Commercial District.

(a) The following uses are permitted as of right in the Urban Commercial District:

(1) Commercial retail of low- and medium-intensity and office uses or any combination thereof of less than five thousand (5,000) square feet of floor area;

(2) Commercial retail uses of high intensity of less than twenty-five

hundred (2,500) square feet of floor area;

(3) Institutional residential uses involving less than twenty (20) dwelling units or rooms;

(4) Commercial apartments involving less than six (6) dwelling units in conjunction with a permitted commercial use;

(5) Commercial recreational uses limited to:

a. Bowling alleys;
b. Tennis and racquet ball courts;
c. Miniature golf and driving ranges;
d. Theaters;
e. Health clubs;
f. Swimming pools;

(6) Institutional uses;

(7) Public buildings and uses;

(8) Accessory uses.

(9) Vacation rental use of non-conforming detached and attached dwelling units if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Urban Commercial District, subject to the standards and procedures set forth in article III, division 3:

(1) Commercial retail of low- and medium-intensity and office uses or any combination thereof of greater than five thousand (5,000) but less than twenty thousand (20,000) square feet of floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Commercial retail uses of high intensity of greater than twenty-five hundred (2,500) but less than ten thousand (10,000) square feet of floor

area, provided that [access to U.S. 1 is by way of]:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(3) Institutional residential uses involving twenty (20) or more dwelling units or rooms, provided that:

a. The use is compatible with land use established in the immediate vicinity of the parcel proposed for development;
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(4) Commercial apartments involving more than six (6) dwelling units in conjunction with a permitted commercial use, provided that:

a. The hours of operation of the commercial uses proposed in conjunction with the apartments are compatible with residential uses; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

<u>c. Tourist housing uses, including vacation rental use, of commercial apartments is prohibited.</u>

(5) Hotels of fewer than fifty (50) rooms, provided that:

a. The use is compatible with established land uses in the immediate vicinity;
b. One (1) or more of the following amenities are available to guests:

(i) Swimming pools;
(ii) Marina; or
(iii) Tennis courts;

c. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(6) Parks and community parks.

(c) The following uses are permitted as major conditional uses in the Urban Commercial District, subject to the standards and procedures set forth in article III, division 3:

(1) Commercial retail of medium- and low-intensity and office uses, or any combination thereof, of greater than twenty thousand (20,000) square feet in floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Commercial retail uses of high intensity of greater than ten thousand (10,000) square feet in floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on

the same side of U.S. 1 by at least four hundred (400) feet;

(3) Hotels providing fifty (50) or more rooms, provided that:

a. The hotel has restaurant facilities on or adjacent to the premises; and

b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(4) Marinas, provided that:

a. The parcel proposed for development has access to water of at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products; and
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height.
d. Any commercial fishing activities are limited to the landing of catch, mooring and docking of boats and storage of traps and other fishing equipment;

(5) Amusement or sea life parks and drive-in theaters, provided that:

a. The parcel of land has an area of at least two (2) acres;
b. The parcel is separated from any residential district or established residential use by at least a class E buffer; and
c. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(6) Heliports or seaplane ports, provided that:

a. The heliport is associated with a governmental services facility, a law enforcement element or a medical services facility;
b. The heliport or seaplane port is a Federal Aviation Administration certified landing facility.
c. The landing and departure approaches do not pass over established residential uses or known bird rookeries;
d. If there are established uses within five hundred (500) feet of the parcel proposed for development, the hours of operation

shall be limited to daylight; and

e. The use is fenced or otherwise secured from any entry by unauthorized persons.

Section 5. Monroe County Code §9.5-233 is hereby amended to read as follows:

Sec. 9.5-233. Urban Residential District.

(a) The following uses are permitted as of right in the Urban Residential District:

(1) Detached residential dwellings;

(2) Public buildings and uses;

(3) Home occupations-Special use permit requiring a public hearing;

(4) Accessory uses;

(5) Vacation rental use if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Urban Residential District, subject to the standards and procedures set forth in article III, division 3:

(1) Attached residential dwelling units, provided that:

a. Sufficient common areas for recreation are provided to serve the number of dwelling units proposed to be developed;

b. All entryways are designed and lighted to allow safe and secure access to all structures from walks and parking areas; and

c. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Institutional and institutional-residential uses, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(3) Parks and community parks.

(c) The following uses are permitted as major conditional uses in the Urban Residential District, subject to the standards and procedures set forth in article III, division 3:

(1) Marinas, provided that:

a. The parcel provided for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
d. Vessels docked or stored shall not be used for live-aboard purposes;

(2) Time-share estates, including uses accessory thereto, provided that:

a. The use is compatible with established land uses in the immediate vicinity;
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

c. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

d. Time-share units shall have a minimum living area of nine hundred fifty (950) square feet;

e. The parcel proposed for development shall have a minimum size of four (4) acres;

f. The density does not exceed four (4) dwelling units per acre; and

g. The time share units comply with the requirements of the Florida Real Estate Time-Sharing Act [F.S. § 721.01 et seq.].

Section 6. Monroe County Code §9.5-234 is hereby amended to read as follows:

Sec. 9.5-234. Urban Residential- Mobile Home District.

(a) The following uses are permitted, as of right in the Urban Residential - Mobile Home District:

(1) Mobile homes;

(2) Detached residential dwellings;

(3) Recreational vehicles as provided in chapter 513, Florida Statutes;

(4) Home occupations—Special use permit requiring a public hearing;

(5) Accessory uses; and

(6) Tourist housing uses, including vacation rental uses, are prohibited except in gated communities which have (a) controlled access and (b) a homeowner's or property owner's association that expressly regulates or manages vacation rental uses.

(b) The following uses are permitted as major conditional uses in the Urban Residential Mobile Home District, subject to the standards and procedures set forth in article III, division 3:

(1) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;
c. Vessels docked or stored shall not be used for live-aboard purposes; and
d. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(2) Commercial retail of low- and medium-intensity and office uses or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area, provided that:

a. The parcel of land on which the commercial retail use is to be

located abuts the right-of-way of U.S. 1;

b. The structure must be located within two hundred (200) feet of the centerline of U.S. 1;

c. The commercial retail use does not involve the sale of petroleum products;

d. The commercial retail use does not involve the outside storage or display of goods or merchandise;

e. There is no direct access to U.S. 1 from the parcel of land on which the commercial retail use is to be located;

f. The structure in which the commercial retail use is to be located is separated from the U.S. 1 right-of-way by a class C bufferyard;

g. The structure in which the commercial retail use is to be located is separated from any existing residential structure by a class C bufferyard; and

h. No signage other than one (1) identification sign of no more than four (4) square feet shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way for U.S. 1;

(3) Parks and community parks.

Section 7. Monroe County Code §9.5-235 is hereby amended to read as follows:

Sec. 9.5-235. Sub Urban Commercial District.

(a) The following uses are permitted as of right in the Sub Urban Commercial District:

(1) Commercial retail, low and medium intensity and office uses or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area;

(2) Institutional residential uses, involving less than ten (10) dwelling units or rooms;

(3) Commercial apartments involving less than six (6) dwelling units in conjunction with a permitted commercial use;

(4) Commercial recreational uses limited to:

a. Bowling alleys;
b. Tennis and racquet ball courts;
c. Miniature golf and driving ranges;
d. Theaters;
e. Health clubs;
f. Swimming pools;

(5) Institutional uses;

(6) Public buildings and uses;

(7) Accessory uses;

(8) Storage areas, provided that the area does not exceed twenty-five (25) percent of the gross area of the parcel proposed for development; if such areas exceed twenty-five (25) percent, than approval must be obtained pursuant to subsection (b)(8).

(9) Vacation rental use of non-conforming detached and attached dwelling units, if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Sub Urban Commercial District, subject to the standards and procedures set forth in article III, division 3:

(1) Commercial retail of low and medium intensity and office uses or any combination thereof of greater than twenty-five hundred (2,500) but less than ten thousand (10,000) square feet of floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Commercial retail uses of high intensity of less than twenty-five hundred (2,500) square feet in floor area; provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same

side of U.S. 1 by at least four hundred (400) feet;

(3) Institutional residential uses involving ten (10) to twenty (20) dwelling units or rooms, provided that:

a. The use is compatible with land use established in the immediate vicinity of the parcel proposed for development;

b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from another curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(4) Commercial apartments involving more than six (6) dwelling units in conjunction with a permitted commercial use, provided that:

a. The hours of operation of the commercial uses proposed in conjunction with the apartments are compatible with residential uses; and

b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

c. Tourist housing uses, including vacation rental uses, of commercial apartments are prohibited.

(5) Hotels of fewer than twenty-five (25) rooms, provided that:

a. The use is compatible with established land uses in the immediate vicinity; and

b. One (1) or more of the following amenities are available to guests:

(i) Swimming pool;
(ii) Marina; or
(iii) Tennis courts;

(6) Campgrounds, provided that:

a. The parcel proposed for development has an area of at least five (5) acres;
b. The operator of the campground is the holder of a valid Monroe County occupational license;
c. If the use involves the sale of goods and services, other than the rental of camping sites or recreational vehicle parking spaces, such use does not exceed one thousand (1,000) square feet and is designed to serve the needs of the campground; and
d. The parcel proposed for development is separated from all adjacent parcels of land by at least a class C bufferyard;

(7) Light industrial uses, provided that:

a. The parcel proposed for development does not have an area of greater than two (2) acres;
b. The parcel proposed for development is separated from any established residential use by at least a class C bufferyard; and
c. All outside storage areas are screened from adjacent use by a solid fence, wall or hedge at least six (6) feet in height;

(8) Parks and community parks.

(c) The following uses are permitted as major conditional uses in the Sub Urban Commercial District subject to the standards and procedures set forth in Article III, division 3:

(1) Commercial retail of low- and medium-intensity and office uses or any combination thereof greater than ten thousand (10,000) square feet in floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Commercial retail uses of high intensity greater than twenty-five hundred (2,500) square feet in floor area provided that access to U.S. 1 is by way of:

a. An existing curt cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(3) Institutional residential uses involving twenty (20) or more dwelling units or rooms; provided that:

a. The use is compatible with land use established in the immediate vicinity of the parcel proposed for development; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

c. Tourist housing uses, including vacation rental uses, of institutional residential units are prohibited.

(4) Hotels providing twenty-five (25) or more rooms, provided that:

a. The hotel has restaurant facilities on or adjacent to the premises; and
b. Access to U.S. 1 is by way of:
(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet.

(5) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products; and
c. All outside storage areas are screened from adjacent uses by a fence, wall or hedge of at least six (6) feet in height;
d. Any commercial fishing activities are limited to the landing of catch, mooring and docking of boats and storage of traps and other fishing equipment;

(6) Mariculture, provided that:

a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any

established residential use by at least a class C bufferyard; and

c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(7) Heliports or seaplane ports, provided that:

a. The helicopter is associated with a government service facility, a law enforcement element or a medical services facility;

b. The heliport or seaplane port is a Federal Aviation Administration certified landing facility;

c. The landing and departure approaches do not pass over established residential uses or known bird rookeries;

d. If there are established residential uses within five hundred (500) feet of the parcel proposed for development, the hours of operation and nonemergency aircraft shall be limited to daylight; and

e. The use is fenced or otherwise secured from entry by unauthorized persons.

Section 8. Monroe County §9.5-235.1 is hereby amended to read as follows:

Sec. 9.5-235.1. URM-L District.

(a) The following uses are permitted as of right in the URM-L district:

(1) Mobile homes;

(2) Recreational vehicles, as provided in Florida Statutes chapter 513;

(3) Home occupations by special use permit requiring a public hearing;

(4) Accessory uses; and

(5) Tourist housing uses, including vacation rental uses, are prohibited except in gated communities which have (a) controlled access and (b) a homeowner's or property owner's association that expressly regulates or manages vacation rental uses.

(b) The following uses are permitted as major conditional uses in the URM-L district subject to the standards and procedures set forth in article VII, division 4:

(1) Marinas, provided that:

a. The marina is primarily intended and designed to serve the residents of the district in which it is located;
b. The parcel proposed for development has access to water of at least four (4) feet below mean sea level at mean low tide;
c. The sale of goods and services is limited to fuel, food, boating and diving and sport fishing products;
d. Vessels docked or stored shall not be used for live-aboard purposes; and
e. All outside storage area are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(2) Commercial retail of low intensity of less than twenty-five hundred (2,500) square feet of floor area, provided that:

a. The parcel of land on which the commercial retail use is to be located abuts the right-of-way of U.S. 1;
b. The primary structure must be located within two hundred (200) feet of the center line of U.S. 1;
c. The commercial retail use does not involve the sale of petroleum products;
d. The commercial retail use does not involve the outside storage of merchandise;
e. There is no direct access to U.S. 1 from the parcel of land on which the commercial retail use is to be located;
f. The structure in which the commercial retail use is to be located is separated from the U.S. 1 right-of-way by a class C bufferyard;
g. The structure in which the commercial retail use is to be located is separated from any existing residential structure by a class C bufferyard; and
h. No signage other than one (1) identification sign of no more than four (4) square feet shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way of U.S. 1.

Section 9. Monroe County Code §9.5-236 is hereby amended to read as follows:

Sec. 9.5-236. Sub Urban Residential District.

(a) The following uses are permitted as of right in the Sub Urban Residential District:

(1) Detached residential dwellings;

(2) Community parks;

(3) Beekeeping;

(4) Home occupations—Special use permit requiring a public hearing;

(5) Accessory uses; and

(6) Vacation rental use if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Sub Urban Residential District, subject to the standards and procedures set forth in article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The total number of units does not exceed four (4) per building;
b. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development; and
c. The parcel proposed for development is separated from any established detached residential use by a class C bufferyard.

(2) Public or private community tennis courts and swimming pools, provided that:

a. The parcel of land proposed for development does not exceed five (5) acres;
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
c. All outside lighting is designed and located so that light does not shine directly on any established residential use;

(3) Public buildings and uses, provided that:

a. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(4) Commercial retail of low- and medium-intensity or office uses or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area, provided that:

a. The parcel of land on which the commercial retail use is to be located abuts the right-of-way of U.S. 1, or a dedicated right-of-way to serve as a frontage road for U.S. 1;
b. The structure must be located within two hundred (200) feet of the centerline of U.S. 1;
c. The commercial retail use does not involve the sale of petroleum products;
d. The commercial retail use does not involve the outside storage or display of goods or merchandise with the exception that outside sales and display for nurseries may be permitted with the stipulation that required open space and required bufferyards may not be used for display and sales;
e. There is no direct access to U.S. 1 from the parcel of land on which the commercial retail use is to be located;
f. The structure in which the commercial retail use is to be located is separated from the U.S. 1 right-of-way by a class C bufferyard;
g. The structure in which the commercial retail use is to be located is separated from any existing residential structure by a class C bufferyard; and
h. No signage other than one (1) identification sign of no more than four (4) square feet shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way for U.S. 1;

(5) Parks and community parks;

(6) Institutional uses provided that:

a. The parcel proposed for development is separated from any established residential uses by a class C buffer-yard; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(7) Churches, synagogues, and houses of worships provided that:

a. The parcel proposed for development is separated from any established residential uses by a class C buffer-yard; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut; or
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet.

(c) The following uses are permitted as major conditional uses in the Sub Urban Residential District, subject to the standards and procedures set forth in article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development; and
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard.

(2) Institutional residential uses, provided that:

a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
c. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on

the same side of U.S. 1 by at least four hundred (400) feet;

(3) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The use does not involve the sale of goods and services other than private clubs, sport fishing charters, boat dockage and storage;
c. All boat storage is limited to surface storage on trailers or skids and no boats or other equipment is stored on any elevated rack, frame or structure;
d. Vessels docked or stored shall not be used for live-aboard purposes;
e. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
f. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(4) Agricultural uses, provided that:

a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any established residential use by at least a class C bufferyard; and
c. All outside storage areas are screened from adjacent uses by solid fence, wall or hedge at least six (6) feet in height;

(5) Campgrounds, provided that:

a. The parcel proposed for development has an area of at least five (5) acres;
b. The operator of the campground is the holder of a valid Monroe County occupational license;
c. If the use involves the sale of goods and services, other than the rental of camping sites or recreational vehicle parking spaces, such use does not exceed one thousand (1,000) square feet and is designed to serve the needs of the campground; and
d. The parcel proposed for development is separated from all adjacent parcels of land by at least a class C bufferyard;

(6) Hotels of fewer than twelve (12) rooms, provided that:

a. The parcel proposed for development has an area of at least two (2) acres;
b. All signage is limited to that permitted for a residential use;
c. The parcel proposed for development is separated from any established residential use by at least a class C bufferyard; and
d. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;

(7) Clubhouse or meeting facilities for educational and public interest purposes, provided that:

a. The use does not exceed five thousand (5,000) square feet of floor area; and
b. The parcel proposed for development is separated from all adjacent residential uses by a class C bufferyard;

(8) Communication towers, provided that:

a. The parcel proposed is at least one (1) acre; and
b. The tower is set back from the property line a distance equal to the height of the tower and any guy supports are set back twenty (20) feet from any property line.

Section 10. Monroe County Code §9.5-237 is hereby amended to read as follows:

Sec. 9.5-237. Sub Urban Residential District (Limited).

The following uses are permitted as of right in the Sub Urban Residential District (Limited):

(1) Detached residential dwellings;

(2) Community parks;

(3) Beekeeping;

(4) Home occupations—Special use permit requiring a public hearing;

(5) Accessory uses; and

(6) Vacation rental use if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

Section 11. Monroe County Code §9.5-238 is hereby amended to read as follows:

Sec. 9.5-238. Sparsely Settled Residential District.

(a) The following uses are permitted as of right in the Sparsely Settled Residential District:

(1) Detached residential dwellings;

(2) Beekeeping;

(3) Home occupations—Special use permit requiring a public hearing;

(4) Accessory uses; and

(5) Tourist housing uses, including vacation rental uses are prohibited.

(b) The following uses are permitted as minor conditional uses in the Sparsely Settled Residential District, subject to the standards and procedures set forth in Article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The total number of units does not exceed four (4); and
b. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development.

(2) Public or private community tennis courts and swimming pools, provided that:

a. The parcel of land proposed for development does not exceed five (5) acres;
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
c. All outside lighting is designed and located so that light does not shine directly on any established residential use;

(3) Public buildings and uses, provided that:

a. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and

b. The parcel of land proposed for development is at least two (2) acres;

(4) Parks and community parks.

(c) The following uses are permitted as major conditional uses in the Sparsely Settled Residential District, subject to the standards and procedures set forth in Article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development; and
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard.

(2) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The use does not involve the sale of goods or services other than sport fishing charters, boat dockage and storage;
c. All boat storage is limited to surface storage on trailers or skids and no boats or other equipment is stored on any elevated rack, frame or structure;
d. Vessels docked or stored shall not be used for live-aboard purposes;
e. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
f. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(3) Agricultural uses, provided that:

a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any established residential uses by at least a class C bufferyard; and
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(4) Solid waste facility, provided that:

a. The parcel of land proposed for development is at least forty (40) acres;
b. All landfill activity occurs no closer than one hundred fifty (150) feet to any property line and at least a class F buffer is provided within this setback;
c. No fill shall exceed -five (35) feet in height from the original grade of the property;
d. Such operations comply with section 403.701 et seq., Florida Statutes;
e. A future reclamation plan for the landfill site is presented;
f. The incinerator is located so that its operations do not adversely affect surrounding properties;
g. Road access to the site from U.S. 1 is limited to traffic serving the landfill; and
h. Three (3) alternative feasible sites are presented as part of the conditional use application;

(5) Communications towers, provided that the parcel proposed is at least one (1) acre.

Section 12. Monroe County Code §9.5-239 is hereby amended to read as follows:

Sec. 9.5-239. Native Area District.

(a) The following uses are permitted as a right in the Native Area District:

(1) Detached residential dwellings;

(2) Beekeeping;

(3) Home occupations - Special use permit requiring a public hearing;

(4) Accessory uses; and

(5) Tourist housing uses, including vacation rental uses, are prohibited.

(b) The following uses are permitted as minor conditional uses in the Native Area District, subject to the Standards and procedures set forth in article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The total number of units does not exceed four (4); and
b. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development;

(2) Public buildings and uses, provided that:

a. The parcel proposed for development is separated from any established residential use by a class bufferyard; and
b. The parcel proposed for development is at least two (2) acres;

(3) Agricultural uses, provided that:

a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any established residential uses by at least a class C bufferyard;
c. All outside storage areas are screened from adjacent uses by a solid fence, wall of hedge of at least sex (6) feet in height; and

(4) Radio, television and telephone communication systems, provided that the applicant demonstrates compliance with the standards in section 9.5-345:

(c) The following uses are permitted as major conditional uses in the Native Area District, subject to the standards and procedures set forth in article III, division 3:

(1) Attached residential dwelling units, provided that:

a. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development.
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard.

(2) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The use does not involve the sale of goods or services other than boat dockage and storage;

c. All boat storage is limited to surface storage on trailers or skids and no boats or other equipment is stored on any elevated rack, frame or structure;
d. Vessels docked or stored shall not be used for live-aboard purposes;
e. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
f. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(3) Solid waste facility, provided that:

a. The parcel of land proposed for development is at least forty (40) acres;
b. All landfill activity occurs no closer than one hundred fifty (150) feet to any property line and at least a class F buffer is provided within this setback;
c. No fill shall exceed -five (35) feet in height from the original grade of the property;
d. Such operations fully comply with section 403.701 et seq., Florida Statutes;
e. A future reclamation plan for the landfill site is presented;
f. The incinerator is located so that its operations do not adversely affect surrounding properties; and
g. Road access to the side from U.S. 1 is limited to traffic serving the landfill;

(4) Communications towers, provided that:

a. The parcel proposed is at least one (1) acre; and
b. The tower is set back from the property line a distance equal to the height of the tower, and any guy supports are set back twenty (20) feed from any property line.

Section 13. Monroe County Code §9.5-240 is hereby amended to read as follows:

Sec. 9.5-240. Mainland Native Area District.

All development permitted in the Mainland Native Area District shall comply with applicable rules and regulations of the Big Cypress National Preserve.

(a) The following uses are permitted as of right in the Mainland Native Area

District:

(1) Detached residential dwellings;

(2) Beekeeping;

(3) Accessory uses;

(4) Home occupations - Special use permit requiring a public hearing; and

(5) Tourist housing uses, including vacation rental uses, are prohibited.

(b) The following use is permitted as a minor conditional use subject to the standards and procedures set forth in article III, division 3:

(1) Educational and research centers, including campground spaces, provided that:

a. No more than two (2) camping spaces are provided per acre;

b. No development of any kind is permitted in wetlands, except unenclosed, elevated structures on pilings or poles;

c. No buildings are permitted, enclosed or otherwise except for buildings devoted to educational, research or sanitary purposes no more than one thousand (1,000) square feet per acre and not more than ten thousand (10,000) square feet in any single campground; and

d. The site proposed for the center is at least five (5) acres.

Section 14. Monroe County Code §9.5-241 is hereby amended to read as follows:

Sec. 9.5-241. Offshore Island District

(a) The following uses are permitted as of right in the Offshore Island District:

(1) Detached residential dwellings;

(2) Camping, for the personal use of the owner of the property on a temporary basis;

(3) Beekeeping;

(4) Accessory uses;

(5) Home occupations—Special use permit requiring a public hearing; and

(6) Tourist housing uses, including vacation rental uses, which were established (and held valid state public lodging establishment licenses) prior to January 1, 1996.

~~(b) The following uses are permitted as major conditional uses in the Offshore Island District, subject to the standards and procedures set forth in article III, division 3:~~

~~(1) Marinas provided that:~~

~~a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;~~
~~b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;~~
~~c. All boat storage is limited to surface storage on trailers or skids and no boats or other equipment is stored on any elevated rack, frame or structure;~~
~~d. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and~~
~~e. The parcel proposed for development is separated from any established residential use by a class C bufferyard;~~

~~(2) Campgrounds, provided that:~~

~~a. The operator of the campground is the holder of a valid Monroe County occupational license;~~
~~b. The parcel proposed for development has an area of at least five (5) acres; and~~
~~c. The use does not involve the sale of goods and services other than the rental of camping sites, recreational vehicle parking spaces or the sale of goods and services limited to the needs of campers.~~

Section 15. Monroe County Code §9.5-242 is hereby amended to read as follows:

Sec. 9.5-242 Improved Subdivision District.

(a) The following uses are permitted as of right in the Improved Subdivision

District:

(1) In those Improved Subdivision Districts with no subdistrict indicator, detached dwellings of all types;

(2) In those Improved Subdivision Districts with an M subdistrict indicator, only detached dwellings of masonry construction;

(3) In those Improved Subdivision District with a D subdistrict indicator:
a. Detached dwellings;
b. Duplexes;

(4) Home occupations-Special use permit requiring a public hearing;

(5) Accessory uses;

(b) Vacation rental use is prohibited in all IS Districts and Subdistricts, except in (i) IS-T districts (as set forth in Code §9.5-242.5), and (ii) in gated communities which have (a) controlled access and (b) a homeowner's or property owner's association that expressly regulates or manages vacation rental uses.

(c) The following uses are permitted as minor conditional uses in the Improved Subdivision District, subject to the standards and procedures set forth in article II, division 3:

(1) Parks and community parks;

(2) Public parks;

(3) Schools.

~~(e)~~ (d) The following uses are permitted as major conditional uses in the Improved Subdivision district, subject to the standards and procedures set forth in article III, division 3:

(1) Commercial retail of low- and medium-intensity and office uses or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area, provided that:

a. The parcel of land on which the commercial retail use is to be located abuts the right-of-way of U.S. 1, or a dedicated right-of-way to serve as a frontage road for U.S. 1;
b. The structure must be located within two hundred (200) feet of

the centerline of U.S. 1;

c. The commercial retail use does not involve the sale of petroleum products;

d. The commercial retail use does not involve the outside storage or display of goods or merchandise;

e. There is no direct access to U.S. 1 from the parcel of land on which the commercial retail use is to be located;

f. The structure in which the commercial retail use is to be located is separated from the U.S. 1 right-of-way by a Class C bufferyard;

g. The structure in which the commercial retail use is to be located is separated from any existing residential structure by a Class C bufferyard; and

h. No signage other than one (1) identification sign of no more than four (4) square feet shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way for U.S. 1.

Section 16. Monroe County Code §9.5-242.5 is hereby created to read as follows:

Sec. 9.5-242.5 Improved Subdivision District -Tourist Housing District.

In addition to the as of right and conditional uses listed above in 9.5-242, vacation rental uses are allowed as of right (subject to the regulations established in Code §9.5-534) in those Improved Subdivision - Tourist Housing Districts with the subindicator T (Tourist Housing).

A map amendment designating a contiguous parcel as IS-T may be approved, provided that the map amendment application (and subsequent building permit applications and special vacation rental permit applications) meet the following standards, criteria and conditions:

(a). The IS-T designation is consistent with the 2010 Comprehensive Plan and there is no legitimate public purpose for maintaining the existing designation.

(b). The IS-T designation allowing vacation rental use does not create additional trips or other adverse traffic impacts within the remainder of the subdivision or within any adjacent IS district;

(c). The parcel to be designated IS-T must contain sufficient area to prevent spot zoning of individual parcels (i.e., rezonings should not result in spot-zoned IS-T districts or result in spot-zoned IS districts that are surrounded by IS-T

districts). Unless the parcel to be rezoned contains the entire subdivision, there will be a rebuttable presumption that spot-zoning exists, but the Board of County Commissioners may rebut this presumption by making specific findings supported by competent, substantial evidence that:

i) the designation preserves, promotes and maintains the integrity of surrounding residential districts and overall zoning scheme or comprehensive plan for the future use of surrounding lands;

ii) does not result in a small area of IS-T within a district that prohibits vacation rentals;

iii) the lots or parcels to be designated IS-T are all physically contiguous and adjacent to one another and do not result in a narrow strip or isolate pockets or spots of land that are not designated IS-T, or which prohibit vacation rentals; and

iv) the IS-T designation is not placed in a vacuum or a spot on a lot-by-lot basis without regard to neighboring properties, but is a part of an overall area that allows vacation rentals or similar compatible uses.

(d). In addition to the requirements contained in Code §9.5-377 (District Boundaries), an IS-T district shall be separated from any established residential district that does not allow tourist housing or vacation rental uses by no less than a class C bufferyard;

(e). Vacation rental use is compatible with established land uses in the immediate vicinity of the parcel to be designated IS-T; and

(f). Unless a map amendment is staff-generated (i.e., initiated by Monroe County), an application for a map amendment to IS-T shall be authorized by the property owner(s) of all lots (or parcels) included within the area of the proposed map amendment.

Section 17. Monroe County Code §9.5-243 is hereby amended to read as follows:

Sec. 9.5-243. Destination Resort District.

(a) The following uses are permitted as of right in the Destination Resort District:

(1) Single-family detached dwellings, provided that:

a. The lot has sufficient land area and dimensions to meet the

requirements of chapter 10D-6, Florida Administrative Code; and

(2) Vacation rental use if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Destination Resort District, subject to the standards and procedures set forth in article III, division 3:

(1) One (1) or more resort hotels provided that:

a. The hotel has restaurant facilities on or adjacent to the premises that will accommodate no less than one-third of all hotel guests at maximum occupancy at a single serving; and
b. There are at least two (2) satellite eating and drinking facilities, each accommodating at least twenty-five (25) persons; and
c. A separate meeting/conference and entertainment area which can also function as a banquet facility; and
d. A lobby which provides twenty-four-hour telephone and reservation service; and
e. Active and passive recreation land-based activities are available, with a minimum of tennis courts or racquetball courts, or a spa/exercise room, provided at the standards given below and at least two (2) additional active and one (1) additional passive recreational facility, including, but not limited to the following:

Active Recreational Facilities

Tennis court, @ 1/25 units
Racquetball court, @ 1/25 units
Spa/exercise room, of no less than 500 square feet, @ 1/150 units
Observation area, @ 1/hotel
Dance floor, @ 1/hotel
Playfield/playground, @ 1/150 units
Miniature golf course, @ 1/hotel
Golf course, @ 1/hotel
Shuffleboard court, or other court games, @ 2/50 units
Fitness course, @ 1/hotel

Passive Recreational Facilities

Nature trail walk, @ 1/hotel
Game room, @ 1/150 units
Garden area, @ 1/hotel

Other uses may be substituted for these with the written approval of the director of planning stating the standards utilized and the manner in which guests will be served by such facilities. The director of planning shall base his decision on generally accepted industry standards for comparable destination resorts;

f. Active and passive water-oriented recreational facilities are available, a minimum of a swimming pool, or swimming areas, at the rate of seven (7) square feet of water surface (excluding hot tubs and Jacuzzi) per hotel room (this requirement may be converted to linear feet of shoreline swimming area at a ratio of one (1) linear foot of beach per seven (7) square feet of required water surface);

g. Access to U.S. 1 is by way of:
   (i) An existing curb cut;
   (ii) A signalized intersection; or
   (iii) A curb cut that is separated from any other curb cut on the same side of U. S. 1 by at least four hundred (400) feet;

h. Each hotel establishes and maintains shuttle transport services to airports and tourist attractions to accommodate ten (10) percent of the approved floor area in guest rooms; and such housing shall be of any of the following types - dormitory, studio, one (1) bedroom, two (2) bedrooms - and shall be in addition to the approved hotel density and shall be used exclusively by employees qualifying under the employee housing provisions elsewhere in this chapter;

i. On-site employee housing living space is provided in an amount equal to ten (10) percent of the approved floor area in guest rooms; and such housing shall be of any of the following types - dormitory, studio, one (1) bedroom, two (2) bedrooms - and shall be in addition to the approved hotel density and shall be used exclusively by employees qualifying under the employee housing provisions elsewhere in this chapter;

j. Commercial retail is provided at a minimum of two hundred (200) square feet to include convenience retail, food sales and gifts in one (1) or more sites, excluding restaurants as required by section (1)b, and in addition one and three-tenths (1.3) square feet commercial retail per each guest room greater than one hundred fifty (150) rooms. Additional commercial retail may

be provided subject to the floor area ratio limitations of this chapter. Commercial retail may consist of dive shops, boat rentals, gift shops, barber/beauty services, travel agencies, provided that there is no extension signage advertising these amenities to the general public. Water-related services and activities shall be located immediately proximate to the water unless otherwise prohibited.

(c) The following uses are permitted as major conditional uses in the Destination Resort District when they are accessory to a destination resort, subject to the standards and procedures set forth in article III, division 3:

(1) Marinas, provided that:

a. There are a minimum of seven (7) boat slips, but the total number of boats stored on-site or elsewhere for guests or employees shall be no greater than one (1) per hotel room;
b. The parcel for development has access to water at least four (4) feet below mean sea level at mean low tide;
c. The sale of goods and services is limited to fuel, food, boating, and sport fishing products;
d. All boat storage shall be confined to wet slips or enclosed dry storage;
e. All storage areas are screened from adjacent uses by a solid fence, wall, or hedge of at least six (6) feet in height; and elevated racks, frames, or structures shall be enclosed on at least three (3) sides from the ground to the highest point of the roof;
f. The parcel proposed for development is separated from any established residential use by a class D buffer-yard;
g. Live-aboard vessels are prohibited;

(2) Employee dwelling units, provided that:

a. They are built for and occupied by employees of the destination resort facilities; and
b. The total area is no less than ten (10) percent of the approved floor area in guest rooms of the resort/hotel(s) within the development; and
c. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development; and
d. The parcel proposed for development is separated from any

established residential use by a class C buffer-yard.

(3) Attached residential dwelling units, provided that the lot has sufficient land area and dimensions to meet the requirements of chapter 10D-6, Florida Administrative Code, for the installation of on-site wastewater treatment systems.

Section 18. Monroe County Code §9.5-244 is hereby amended to read as follows:

Sec. 9.5-244. Recreational Vehicle District.

(a) The following uses are permitted as of right in the Recreational Vehicle District:

(1) Recreational vehicle spaces. RV spaces are intended for use by traveling recreational vehicles. RV spaces may be leased, rented or occupied by a specific, individual recreational vehicle, for a term of less than twenty-eight (28) days, but placement of a specific, individual Recreational Vehicle (regardless of vehicle type or size) within a particular RV park for occupancies or tenancies of 6 months or more is prohibited. Recreational Vehicles may be stored, but not occupied, for periods of 6 months or greater only in an approved RV storage area (designated on a site plan approved by the Director of Planning) or in another appropriate district that allows storage of recreational vehicles. RV storage areas must meet all land development regulations, floodplain management regulations and building code requirements for storage of recreational vehicles.

(2) Commercial retail uses of less than twenty-five hundred (2,500) square feet of floor area; and

(3) Accessory uses, including permanent owner/employee residential dwelling units. No more than one (1) permanent residential unit per three (3) RV spaces up to ten (10) percent of total spaces allowed or in existence.

(b) The following use is permitted as a minor conditional use in the Recreational Vehicle District, subject to the standards and procedures set forth in article III, division 3:

(1) Hotels providing less than fifty (50) rooms, provided that:

a. The use is compatible with established land uses in the immediate vicinity; and

b. One (1) or more of the following amenities are available to guests;

(i) Swimming pool;
(ii) Marina; and
(iii) Tennis court; and

(2) Parks and community parks.

(c) The following use is permitted as a major conditional use in the Recreational Vehicle District, subject tot he standards and procedures set forth in article III, division 3:

(1) Hotels providing fifty (50) or more rooms, provided that:

a. The hotel has restaurant facilities on or adjacent to the premises; and

b. Access to U.S. 1 is by way of:
(I) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean seas level at mean low tide;

b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;

c. Vessels docked or stored shall not be used for live-aboard purposes;

d. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and

e. The parcel proposed for development is separated from any established residential use by a class C bufferyard.

Section 19. Monroe County Code §9.5-255 is hereby amended to read as follows:

Sec. 9.5-255 Commercial Fishing Residential

Notwithstanding the use restrictions set forth in this division, any parcel of land may be used for commercial fishing purposes, provided that:

(a) The parcel of land was used for commercial fishing purposes on July 17, 1985, by that resident or a member of his immediate family;

(b) The commercial fishing activity is operated by a resident of the parcel of land or the resident of a contiguous parcel of land;

(c) The commercial fishing activity is limited to:

  (1) The operation of commercial fishing vessels owned by a resident of the property;

  (2) The nonmechanical off-loading of catch;

  (3) The storage of not more that ten (10) traps, provided that the traps are screened from any adjacent residential use;

  (4) The seasonal loading and off-loading of fishing equipment and traps during a period of fifteen (15) days prior to and three (3) weeks after the opening and closing of any fishing season;

(d) All fishing vessels are docked parallel to the shoreline within the property lines of the parcel used for commercial fishing purposes;

(e) Sport fishing charter boat and sport diving charter or activities are not conducted in the district;

(f) The operator is the holder of a valid occupational license from Monroe County; ~~and~~

(g) A sworn application was submitted to the board of county commissioners by an individual, not a corporation, for a certification as a valid commercial fishing use within ninety (90) days after the effective date of the Monroe County Comprehensive Plan. Any person who submits a false application and certification shall be ineligible for certification as a commercial use, and the parcel of and subject to the application shall not be used for commercial fishing purposes; and

(h) Tourist housing uses, including vacation rentals, are prohibited.

Section 20. Monroe County Code §9.5-248 is hereby amended to read as follows:

Sec. 9.5- 248 Mixed Use District.

(a) The following uses are permitted as of right in the Mixed Use District:

  (1) Detached residential dwellings;

(2) Commercial retail, low- and medium-intensity and office uses, or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area;

(3) Institutional residential uses, involving less than ten (10) dwelling units or rooms;

(4) Commercial apartments involving less than six (6) dwelling units, but, tourist housing use, including vacation rental use, of commercial apartments is prohibited.

(5) Commercial recreational uses limited to:

a. Bowling alleys;
b. Tennis and racquet ball courts;
c. Miniature golf and driving ranges;
d. Theaters;
e. Health clubs;
f. Swimming pools;

(6) Commercial fishing;

(7) Manufacture, assembly, repair, maintenance and storage of traps, nets and other fishing equipment;

(8) Institutional uses and accessory residential uses involving less than ten (10) dwelling units or rooms;

(9) Public buildings and uses;

(10) Home occupations--Special use permit requiring a public hearing;

(11) Community parks;

(12) Accessory uses;

(13) Vacation rental use of detached dwelling units is permitted if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Mixed Use District, subject to the standards and procedures set forth in article III, division

3:

(1) Attached residential dwelling units, provided that:

a. The total number of units does not exceed four (4); and
b. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development.

(2) Commercial recreational uses, provided that:

a. The parcel of land proposed for development does not exceed five (5) acres;
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
c. All outside lighting is designed and located so that light does not shine directly on any established residential use;

(3) Commercial retail, low- and medium-intensity and office uses or any combination thereof of greater than twenty-give hundred (2,500) but less than ten thousand (10,000) square feet of floor area, provided that access to U.S. 1 by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(4) Commercial retail, high-intensity uses, and office uses or any combination thereof of less than twenty-five hundred (2,500) square feet of floor area provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(5) Commercial apartments involving more than six (6) dwelling units, provided that:

a. The hours of operation of the commercial uses proposed in conjunction with the apartments are compatible with residential uses; and

b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

c. Tourist housing uses, including vacation rental uses, of commercial apartments are prohibited.

(6) Institutional residential uses involving ten (10) or more dwelling units or rooms, providing that:

a. The use is compatible with land use established in the immediate vicinity of the parcel proposed for development; and
b. Access to U.S. 1 is by way of:
(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;
c. Tours housing uses, including vacation rental use, of institutional residential dwelling units is prohibited.

(7) Hotels of fewer than fifty (50) rooms provided that:

a. The use is compatible with established land uses in the immediate vicinity; and
b. One (1) or more of the following amenities are available to guests:
(i) Swimming pool;
(ii) Marina; and
(iii) Tennis courts;

(8) Campgrounds, provided that:

a. The parcel proposed for development has an area of at least five (5) acres;
b. The operator of the campground is the holder of a valid Monroe County occupational license;
c. If the use involves the sale of goods and services, other than the rental of camping sites or recreational vehicle parking spaces, such use does not exceed one thousand (1,000) square

feet and is designed to serve the needs of the campground; and

d. The parcel proposed for development is separated from all adjacent parcels of land by at least a class C bufferyard;

(9) Light industrial uses, provided that;

a. The parcel proposed for development is less than two (2) acres;
b. The parcel proposed for development is separated from any established residential use by at least a class C bufferyard; and
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(10) Parks and community parks.

(c) The following uses are permitted as major conditional uses in the Mixed Use District subject to the standards and procedures set forth in article III, division 3:

(1) Commercial retail, low- and medium-intensity uses, and office uses or any combination thereof of greater than ten thousand (10,000) square feet in floor area, provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Commercial retail, high-intensity uses, and office uses or any combination thereof of greater than twenty-five hundred (2,500) square feet in floor area provided that access to U.S. 1 is by way of:

a. An existing curb cut;
b. A signalized intersection; or
c. A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(3) Attached residential dwelling units, provided that:

a. The structures are designed and located so that they are visually compatible with established residential development within two hundred fifty (250) feet of the parcel proposed for development;

and

b. The parcel proposed for development is separated from any established residential use by a class C bufferyard.

(4) Marinas, provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
d. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(5) Hotels providing fifty (50) or more rooms, provided that:

a. The hotel has restaurant facilities on or adjacent to the premises;
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet; and

c. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(6) Heliports or seaplane ports, provided that:

a. The helicopter is associated with a governmental service facility, a law enforcement element or a medical services facility;
b. The heliport or seaplane port is a Federal Aviation Administration certified landing facility;
c. The landing and departure approaches do not pass over established residential uses or known bird rookeries;
d. If there are established residential uses within five hundred (500) feet of the parcel proposed for development, the hours of operation shall be limited to daylight; and
e. The use if fenced or otherwise secured from entry by unauthorized persons;

(7) Light industrial uses, provided that:

a. The parcel proposed for development is greater than two (2) acres;
b. The parcel proposed for development is separated from any established residential use by a class C bufferyard; and
c. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;

(8) Boat building or repair in conjunction with a marina or commercial fishing use provided that:

a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products;
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
d. The parcel proposed for development is separated from any established residential use by a class C bufferyard;

(9) Mariculture.

Section 21. Monroe County Code §9.5-250 is hereby amended to read as follows:

Sec. 9.5- 250 Maritime Industries District.

(a) The following uses are permitted as of right in the Maritime Industries District:

(1) Boat building, repair and storage;

(2) Commercial retail uses of less than five thousand (5,000) square feet of floor area;

(3) Office uses of less than five thousand (5,000) square feet of floor area;

(4) Light and heavy industrial uses;

(5) Commercial apartments involving less than six (6) dwelling units, but tourist housing uses, vacation rental use, of commercial apartments is prohibited;

(6) Commercial fishing;

(7) Manufacture, assembly, repair, maintenance and storage of traps, nets and other fishing equipment;

(8) Institutional uses;

(9) Public buildings and uses;

(10) Accessory uses; and

(11) Vacation rental use of any non-conforming dwelling units if a special vacation rental permit is obtained under the regulations established in Code §9.5-534.

(b) The following uses are permitted as minor conditional uses in the Maritime Industries District, subject to the standards and procedures set forth in article III, division 3:

(1) Commercial apartments involving more than six (6) dwelling units, provided that:

a. The hours of operation of the commercial uses proposed in conjunction with the apartments are compatible with residential uses; and

b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

c. Tourist housing uses, including vacation rental use of commercial apartments is prohibited.

(2) Hotels of fewer than fifty (50) rooms, provided that:

a. The use is compatible with established land uses in the immediate vicinity; and
b. One (1) or more of the following amenities are available to guests:

(i) Swimming pool;

(ii) Marina; and
(iii) Tennis courts.

(c) The following uses are permitted as major conditional uses in the Maritime Industries District, subject to the standards and procedures set forth in article III, division 3:

(1) Hotels providing fifty (50) or more rooms, provided that:

a. The hotel has restaurant facilities on or adjacent to the premises; and
b. Access to U.S. 1 is by way of:

(i) An existing curb cut;
(ii) A signalized intersection; or
(iii) A curb cut that is separated from any other curb cut on the same side of U.S. 1 by at least four hundred (400) feet;

(2) Marinas, provided that:
a. The parcel proposed for development has access to water at least four (4) feet below mean sea level at mean low tide;
b. The sale of goods and services is limited to fuel, food, boating, diving and sport fishing products; and
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height;

(3) Mariculture, provided that:
a. The use is compatible with land uses established in the immediate vicinity of the parcel proposed for development;
b. The parcel proposed for development is separated from any established residential uses by at least a class C bufferyard; and
c. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height.

Section 22. Monroe County Code §9.5-534 is hereby created to read as follows:

Sec. 9.5-534. Tourist Housing and Vacation Rental Uses.

(A) Special Vacation Rental Permit. An owner or agent must obtain an annual special vacation rental permit for each dwelling unit prior to renting any dwelling unit as a vacation rental, as defined in Code 9.5-4 (V-.5).Except that, vacation rental of a dwelling unit within a controlled-access, gated-community

or within a multifamily building which has 24 hour on-site management or 24 hour on-site supervision does not require a special vacation rental permit.

(B) Permits and Fees.

1. Special vacation rental permits will be issued by the Planning Director, or a designee, upon payment of a fee and submittal of a complete application meeting the criteria set forth below.

2. The annual fee for the special vacation rental permit shall be established by Resolution of the Board of County Commissioners.

3. A decision to approve or deny a special vacation rental permit can be appealed to the Planning Commission within 30 days pursuant to Code §9.5-521.

(C) Regulations. All special vacation rental permit applications and all vacation rental units must comply with the following regulations at all times:

1. A class C bufferyard must separate any vacation rental use from any established residential district that does not allow vacation rental uses.

2. No more than one motorized watercraft, including a jet ski or wave runner, shall be allowed at each vacation rental unit. The watercraft may be moored at either an existing on-site docking facility or stored on a trailer in an approved parking space.

3. Vehicles, watercraft and trailers must not be placed on the street or in yards. All vehicles, watercraft and boat trailers must be parked or stored off-street in parking spaces specifically designated and approved in the special vacation rental permit, and may not exceed a maximum of one vehicle per bedroom or efficiency unit and one boat trailer per vacation rental unit.

4. The owner or agent must maintain a guest and vehicle register listing all vacation rental occupants' names, home addresses, phone numbers, vehicle license plate and watercraft registration numbers.

5. Vacation rental units must be registered, licensed and meet all applicable state requirements contained in Florida Statutes Chapter 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments) as implemented by the Florida Administrative Code, as may be amended.

6. For any special vacation rental use permit, or conversion of existing dwelling units to vacation rental use, an applicant must demonstrate compliance with all applicable and relevant state and local regulations, as may be amended, and submit an inspection report from the:

   (i) State of Florida, Department of Health (DOH) verifying compliance of the existing septic tank or on-site sewage disposal system with DOH regulations, as may be amended from time to time and which are hereby incorporated by reference; and

   (ii) State of Florida, Department of Environmental Protection (DEP) verifying compliance of the existing package plant or advanced wastewater system with DEP regulations, as may be amended from time to time and which are hereby incorporated by reference; and

7. The applicant must submit an approved inspection report from the Fire Marshall verifying compliance with NFPA Life Safety Code 101, as may be amended, which is hereby incorporated by reference.

8. No special vacation rental permit may be transferred from one owner or manager to another, or one residential dwelling unit to another. In the event ownership or management of a licensed residential unit is changed, the previous vacation rental license holder must notify the County of such change, and the new owner or manager must obtain a new vacation rental license for the residential dwelling unit.

9. No boat docked at a vacation rental property shall be chartered to person other that registered guests of the vacation rental unit or used for live-aboards, sleeping or overnight accommodation. In addition, recreational vehicles shall not be used for sleeping or overnight accommodations at the vacation rental unit.

10. Amplified sound which is audible on private property beyond the real property boundaries of the vacation rental property is prohibited.

11. All trash and debris on vacation rental property must be kept in covered trash containers. Each vacation rental unit must be equipped with at least four (4) covered trash containers for such purpose. Owners must post, and occupants must comply with, all trash and recycling schedules and requirements applicable to the vacation rental unit. Trash containers must not be placed by the street for pick-up

until 6:00 p.m. the night before pick-up and must be removed from the area by the street by 6:00 p.m. the next day.

12. The applicant shall provide the name, address, and telephone number of a contact person who resides in that section of the County (upper, middle or lower keys) who must be available twenty-four hours per day, seven days a week for the purpose of promptly responding to complaints regarding the conduct or behavior of vacation rental occupants or alleged violations of this Ordinance.

13. The applicant must grant authorization to Monroe County Code Enforcement to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of such permit, concerning compliance with Monroe County Code Chapter 9.5 (i.e., the Land Development Regulations).

14. Occupancy of vacation rental unit(s) shall be limited to no more than two (2) individuals per bedroom, or no more than two (2) individuals per efficiency unit, when rented as a vacation rental unit subject to the provisions of this Ordinance.

15. Tenant(s)'s agreement to the foregoing rules and regulations must be made a part of each and every lease under Florida Statutes §509.01, for any vacation rental unit subject to the provisions of this Ordinance. These vacation rental regulations must be prominently posted within each dwelling unit subject to the provisions of this Ordinance along with the warning that violations of any of the vacation rental regulations constitutes a violation of Monroe County Code punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under Florida Statutes §509.151 ("Defrauding an Innkeeper"), §509.141 ("Ejection of Undesirable Guests"), §509.142 ("Conduct on Premises) or §509.143 (Disorderly Conduct on Premises, Arrest").

16. The vacation rental use must be compatible with land uses established in the immediate vicinity of the parcel proposed for development.

(D) A complete special vacation rental permit application must include the following information:

(1) The complete legal description, street address, RE number and location of the vacation rental unit.

(2) Proof of ownership and the name, address and telephone number of each and every person or entity with an ownership interest in the dwelling unit.

(3) An approved DOH or DEP inspection or certification of the adequacy of the sewage disposal system for use as a vacation rental unit. The applicant must submit an approved inspection report from the Fire Marshall verifying compliance with NFPA Life Safety Code 101, as may be amended, which is incorporated herein by reference.

(4) The gross square footage of the dwelling unit, location and number of rooms, bedrooms, bathrooms, kitchens, apartments, parking spaces and any other information required to determine compliance with vacation rental requirements.

(5) Proof that a "Notice of Vacation Rental Use Application" was sent by certified return mail to all property owners located within 300 feet of the dwelling unit which is the subject of the special vacation rental permit application not less than thirty (30) days prior to the date of approval of the application. The Notice of Application shall be in a form prescribed by the County Administrator or his designee and shall clearly state the name, address and day/evening telephone numbers of each and every manager, agent, caretaker and owner of the dwelling unit. Notice to the adjacent property owners must include the following statement:

"You have the right to appeal a decision to approve or deny this special vacation rental permit to the Planning Commission within 30 days under Code §9.5-521. You may have other rights that Monroe County cannot enforce. Review of a special vacation rental permit application by Monroe County will not consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record, which may prohibit the use of the dwelling unit for vacation rental purposes. You may wish to consult an attorney concerning these private rights."

(6) A valid and current federal employer tax identification number (or social security number) for the owners of the vacation rental property to be licensed under the provisions of this Ordinance.

(7) A valid and current Florida Department of Revenue sales tax identification number under Florida Statutes, Chapter 212 (Florida Tax and Revenue Act), Florida Statutes and a valid and current permit, license or approval under Florida Statutes, Chapter 509 (Public Lodging Establishments).

(8) The application shall bear the signature of all owner(s), all authorized agent(s) and authorized manager(s) of the owner(s).

(9) Any additional information required to determine compliance with the provisions of this Ordinance.

(E) Upon approval and issuance, the special vacation rental permit, and 24 hour contact person's name and phone number, must be mailed by certified return mail to all surrounding property owners within 300 feet.

(F) A special vacation rental permit shall be revoked by the Planning Commission, Code Enforcement Special Master or a court of competent jurisdiction after a finding of two or more violations of this Ordinance, the special vacation rental permit or permit conditions or any material misrepresentation on the permit application, after the owner(s) is given notice and a hearing is held by the Planning Commission, Code Enforcement Special Master or a court of competent jurisdiction.

(G) It shall be unlawful for any landowner, tenant, realtor, agent or other representative of a landowner to rent, lease, advertise or hold out for rent any dwelling unit for tourist housing use or vacation rental use in any district where tourist housing use or vacation rental use is prohibited.

(H) After the effective date of this Ordinance, leases, subleases, assignments or any other occupancy agreement for compensation for less than 28 days in duration:

(1) shall not be entered into or renewed once expired or terminated in any district in which tourist housing use is prohibited or in any district in which vacation rental use is allowed unless a special vacation rental permit, building permit, inspection and certificate of occupancy for the vacation rental use (or conversion of an existing dwelling unit to a vacation rental use) are first obtained; and

(2) pre-existing vacation rental uses shall not be considered a non-conforming use under Section 9.5-143 and must be discontinued in districts that prohibit vacation rental uses no later than 30 days after the effective date of this Ordinance. Except that a vacation rental use that was established, and obtained all required state and local permits and licenses, (a) prior to September 15, 1986 (b) under code provisions that expressly allowed vacation rental uses may remain in accordance with Code §9.5-143.

(I) Monroe County Code Section 6.3-13 shall not bar code enforcement for new vacation rental violations occurring after the effective date of this Ordinance.

(J) Prima facie evidence of tourist housing or vacation rental use of a dwelling unit shall include (i) registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments), (ii) advertizing or holding out a dwelling unit for tourist housing or vacation rental use, (iii) reservations, booking arrangements or more than one signed lease, sublease, assignment, or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of 28 days or less, or (iv) use of an agent or other third person to make reservations or booking arrangements.

(K) A violation of Section 9.5-534 shall be punishable as a second degree misdemeanor and by a fine of up to Five Hundred dollars ($500.00) per day, per unit, per violation. Code enforcement may also enforce the terms of this ordinance by bringing the case to a Special Master pursuant to Code §6.3-14 or by citation under Code §6.3-11, Florida Statutes §162.21 (as may be amended), and 76-435 Laws of Florida (as may be amended). If a code enforcement citation is issued, the fine shall be $250.00 for a first offense and $500.00 for a second offense. In addition, the special vacation rental permit shall be revoked by the Planning Commission, Code Enforcement Special Master or court of competent jurisdiction upon a finding of two or more violations of the vacation rental ordinance, vacation rental regulations or special vacation rental permit or permit conditions.

(L) In addition to any other remedy available to Monroe County (including code enforcement pursuant to Florida Statutes Chapter 162), Monroe County or any or other adversely affected party may enforce the terms of this ordinance in law or equity. Any citizen of Monroe County may seek injunctive relief in a court of competent jurisdiction to prevent a violation of Section 9.5-534 or revoke a special vacation rental permit, as set forth above. Attorney's fees and costs incurred in an action to enforce these regulations concerning vacation rental use(s) may be awarded to a substantially prevailing party in the discretion of the court.

Section 23. Monroe County Code §6.3-13 is hereby amended to include additional language as follows:

(a) All prosecutions before the Board shall be initiated within (4) years of the occurrence of the event complained of or be forever barred. For the purpose of this section, "initiated" shall mean the filing of a notice of violation by the code enforcement department.

Except however, that this section shall not bar the initiation of a prosecution before the board based on the unlawful constriction of a structure below the base flood elevation level established by the Federal Emergency Management Agency.

(b) After the effective date of this Ordinance, any violation of this Ordinance, the vacation rental regulations, a special vacation rental permit or permit conditions, shall be considered a new violation. Previous vacation rental leases or uses, or the failure to bring enforcement against vacation rental violations pre-dating this Ordinance, shall not act as laches or a bar to enforcement actions brought for new violations occurring after the effective date of this Ordinance.

(c) Occupancy agreements for RV spaces for a period of 6 months or more in duration by an individual RV within a particular RV park, other than in a designated storage area, shall be discontinued and shall not be entered into or renewed after the effective date of this Ordinance. Each lease, sublease, assignment or other occupancy agreement for RV spaces of 6 months or more in duration in a particular RV park, other than in a designated storage area, shall be considered a new violation. Previous leases or agreement for occupancy or storage of recreation vehicles on RV spaces within a particular RV park, other than for storage in a designated storage area, shall be discontinued and not be renewed, extended or act as laches or bar enforcement actions brought for new violations occurring after the effective date of this Ordinance.

Section 24. Monroe County Code §9.5-2 is hereby amended to include additional new subsection 9.5-2(d) to read as follows:

***

(d) *Vacation Rental Use:* Previous vacation rental uses shall be discontinued in any district that prohibits vacation rental uses, after the effective date of this Ordinance. All vacation rental uses shall obtain annual special rental permits regardless of when the use was first established. Leases, subleases, or other occupancy agreements for RV spaces for 6 months or more within a particular RV park, other than in a designated storage area shall be discontinued and shall not be renewed, extended or entered into, after the effective date of this Ordinance.

Section 25. Monroe County Code §9.5-143(a) is hereby amended to add the following language:

(a) *Authority to Continue:* Nonconforming uses of land or structures may continue in accordance with the provisions of this section. Notwithstanding any provision of this Section 9.5-143 or of Chapter 9.5 of this Code:

(1) Leases, subleases, assignments or other occupancy agreements for compensation for less than 28 days in duration shall be discontinued and shall not be renewed, extended or entered into, in any district that prohibits vacation rental uses after the effective date of this Ordinance unless a vacation rental use was established and obtained all required state and local permit and licenses prior to September 15, 1986 under previous Code provisions expressly allowing vacation rental uses; and

(2) Leases, subleases, assignments or other occupancy agreements for compensation of RV spaces for 6 months or more within a particular RV park, other than in a designated storage area shall be discontinued and shall not be renewed, extended or entered into, after the effective date of this Ordinance.

Section 26. Monroe County Code §9.5-143(f)(1) is hereby amended to read as follows:

(f)*Termination:*

(1) *Abandonment or discontinuance:* Where a nonconforming use of land or structure is discontinued or abandoned for six (6) consecutive months or one (1) year in the case of stored lobster traps, then such use may not be reestablished or resumed, and any subsequent use must conform to the provisions of this chapter. Leases, subleases, assignment or other occupancy agreement for compensation for less than 28 days in duration shall be discontinued and shall not be renewed, extended or entered into, in any district that prohibits vacation rental use after the effective date of this Ordinance. Leases, subleases, assignments or other occupancy agreements for compensation of RV spaces for 6 months or more within a particular RV park, other than in a designated storage area shall be discontinued and shall not be renewed, extended or entered into, after the effective date of this Ordinance.

Section 27. Monroe County Code §9.5-184 is hereby amended to create additional subsection (c) to read as follows:

***

(c) Vacation rental use of dwelling units in any district that prohibits vacation rental use shall not qualify for vested rights unless it can be further shown that the dwelling unit cannot be used for any other purpose, i.e., as a permanent residence, or for a long-term lease of greater than 28 days. Leases, subleases, assignments or other occupancy agreements for RV spaces for 6 months or greater withing a particular RV park shall not qualify for vested rights, unless it can be further shown that the RV space cannot legally be rented leased for a period of less than 6 months.

Section 28. The last sentence of Monroe County Code §9.5-490.1 defining Transient Residential Development is hereby amended to read as follows:

***

~~*Transient residential*~~ *Tourist housing development* means and refers to the development of ~~transient residential~~ tourist housing units as that term is defined in section 9.5-4(T-3).

Section 29. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 30. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.

Section 31. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto.

Section 32. Effective Date.

This Ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this Ordinance has been filed with said office.

Section 33. The Clerk of the Board is hereby directed to transmit a certified copy of this Ordinance to the Florida Department of Community Affairs.

Section 34. The Clerk of the Board is hereby directed to transmit a certified copy of this Ordinance to the Secretary of State of the State of Florida.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a meeting of the Board held on the 3rd day of February, A.D., 1997.

Mayor Douglass	YES
Mayor Pro Tem London	YES
Commissioner Harvey	NO
Commissioner Freeman	YES
Commissioner Reich	NO

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY: _____
MAYOR/CHAIRMAN

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

Isabel C. DeSantis
DEPUTY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: _____

Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3660

BRANCH OFFICE
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

February 14, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
The Elliott Building
401 South Monroe Street
Tallahassee, FL 32399-0250

Dear Mrs. Cloud:

Enclosed please find a certified copy of Ordinance No. 004-1997, modifying the existing prohibition on Tourist Housing Use, including Vacation Rental Use in Residential Districts; etc.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Special Meeting in formal session on February 3, 1997. Please file for record.

Danny L. Kolhage
Clerk of Circuit Court
and ex officio Clerk to the
Board of County Commissioners

By: Isabel C. DeSantis

Isabel C. DeSantis

Deputy Clerk

cc: Department of Community Affairs
County Administrator
County Attorney
Growth Management Director
Monroe County Property Appraiser
Monroe County Sheriff's Office
Community Services Director
Monroe County Tax Collector
✓File

Z 396 367 726

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

PS Form 3800, March 1993

Sent to Liz Cloud, Chief	
Street and No. Elliott Bldg.	
P.O., State and ZIP Code 401. S. Monroe St.	
Postage Tall., FL 32399-0250	
Certified Fee	110
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Service to Whom & Date Delivered	110
Return Receipt Showing to Whom, Date, and Address of Delivery	
TOTAL Postage & Fees	$ 220
Postmark or Date	

FEB 14 1997 USPS

Ord. # 004-1997

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

February 19, 1997

Honorable Danny L. Kolhage
Clerk to Board of County Commissioners
Monroe County
500 Whitehead Street
Key West, Florida 33040

Attention: Isabel C. DeSantis, Deputy Clerk

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated February 14, 1997, and certified copy of Monroe County Ordinance No. 97-04, which was filed in this office on February 18, 1997.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

'97 FEB 24 P1:52

LC/mw

BUREAU OF ADMINISTRATIVE CODE
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427
FAX: (904) 488-7869 • WWW Address **http://www.dos.state.fl.us** • E-Mail: *election@mail.dos.state.fl.us*

FILED FOR RECORD

99 AUG 10 PM 4:32

DANNY L. KOLHAGE
CLK CIR CT
MONROE COUNTY FLA.

Commissioner Mary Kay Reich

ORDINANCE NO 030 -1999

AN ORDINANCE AMENDING SEC. 9.5-3, MONROE COUNTY CODE, TO ELIMINATE SCRIVENER'S ERRORS, BY CLARIFYING THAT "REALTOR" INCLUDES A REAL ESTATE BROKER, SALES PERSON OR AGENT; AMENDING SECTION 22(J) OF ORDINANCE NO. 004-1997, AND BY CLARIFYING THE RENTAL PERIOD FOR VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary to clarify that the term "realtor" as utilized in Ordinance No. 004-1997 was meant to encompass all real estate professionals subject to regulation by the Florida Real Estate Commission and is not limited to members of the National Association of Realtors; and

WHEREAS, the purpose of Monroe County Ordinance No. 004-1997, adopted by the Board of County Commissioners of Monroe County, Florida, on February 3, 1997, is to further and expressly clarify the prohibition on short-term transient rental of dwelling units for less than twenty-eight (28) days in duration in Improved Subdivisions, mobile home districts (which provide affordable housing) and native areas, and to allow tourist housing uses in all other districts and in improved subdivision districts with a newly-created tourist housing subindicator (IS-T); and

WHEREAS, Section 22(J) of Monroe County Ordinance No. 004-1997 states, in part, that prima facie evidence of tourist housing or vacation rental use of a dwelling unit shall include "... (iii) reservations, booking arrangements or more than one signed lease, sublease, assignment, or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of **28 days or less** ... ." (emphasis supplied), but the intent of the quoted language was to encompass any period less than 28 days; and

WHEREAS, despite the fact that Section 2 of Monroe County Ordinance No. 004-1997 defines, in part, both tourist housing and vacation rental uses as the rental of a dwelling unit for "tenancies of less than twenty-eight (28) days duration," there is ambiguity, in light of the erroneous wording of Section 22(J), as to whether the rental, lease, sublease or assignment of a dwelling unit for the month of February in a non-Leap Year violates the ordinance; and

WHEREAS, there is a need to ensure consistency among the provisions of said ordinance and to clarify any ambiguity as to the purpose of the ordinance, and to correct the original scrivener's errors; now, therefore

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

Section 1. Sec. 22(G), Monroe County Code, is hereby amended to read:

(G) It shall be unlawful for any landowner, tenant, realtor, real estate broker, sales person, agent or other representative of a landowner to rent, lease, advertise or hold out for rent any dwelling unit for tourist housing use or vacation rental use in any district where tourist housing use or vacation rental use if prohibited.

Section 2. Section 22(J), Monroe County Ordinance No. 004-1997, is hereby amended to read as follows:

> (J) Prima facie evidence of tourist housing or vacation rental use of a dwelling unit shall include (i) registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments), (ii) advertising or holding out a dwelling unit for tourist housing or vacation rental use, (iii) reservations, booking arrangements or more than one signed lease, sublease, assignment, or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 28 days, or (iv) use of ~~an~~ a realtor, real estate broker, sales person, agent or other third person to make reservations or booking arrangements.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 21st day of July, 1999.

Mayor Wilhelmina Harvey	yes
Commissioner Shirley Freeman	yes
Commissioner George Neugent	yes
Commissioner Mary Kay Reich	yes
Commissioner Nora Williams	yes

(SEAL)
Attest: DANNY L.KOLHAGE, Clerk

By _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Mayor/Chairman

jordiirental99

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.
BY _____
ROBERT N. WO
DATE 8-5-99

Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3660

BRANCH OFFICE
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

August 10, 1999

Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
The Elliott Building
401 South Monroe Street
Tallahassee, FL 32399-0250

Dear Mrs. Cloud:

Enclosed please find a certified copy of Ordinance No. 030-1999 amending Section 9.5-3, Monroe County Code, to eliminate scrivener's errors, by clarifying that "Realtor" includes a Real Estate Broker, Sales Person or Agent; Amending Section 22(J) of Ordinance No. 004-1997, and by clarifying the rental period for Vacation Rentals; Providing for severability; Providing for the repeal of all Ordinances inconsistent herewith; Providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Regular Meeting in formal session on July 21, 1999. Please file for record.

Danny L. Kolhage
Clerk of Circuit Court
and ex officio Clerk to the
Board of County Commissioners

By: Isabel C. DeSantis

Isabel C. DeSantis
Deputy Clerk

cc: Municipal Code Corporation
Board of County Commissioners
Growth Management Director
County Administrator
County Attorney
File

Z 426 785 013

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to: Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
The Elliott Building
401 South Monroe Street
Tallahassee, FL 32399-0250

Street & Number	
Post Office, State, & ZIP Code	
Postage	$ 55
Certified Fee	140
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	125
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$ 320
Postmark or Date	

KEY WEST FL 33040 AUG 11 1999 USPS

Ordinance 030-1999

PS Form 3800, April 1995

Z 426 785 014

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to: Municipal Code Corporation
P. O. Box 2235
Tallahassee, FL 32316-2235

Street & Number	
Post Office, State, & ZIP Code	
Postage	$ 33
Certified Fee	140
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	125
TOTAL Postage & Fees	$ 298
Postmark or Date	

KEY WEST FL 33040 AUG 11 1999

Ordinance 030-1999

PS Form 3800, April 1995

Is your **RETURN ADDRESS** completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Municipal Code Corporation
P. O. Box 2235
Tallahassee, FL 32316-2235

4a. Article Number: Z 426 785 014

4b. Service Type
☐ Registered ☑ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X [signature]

7. Date of Delivery: 8-16-99

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET

HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

August 17, 1999

Honorable Danny L. Kolhage
Clerk of the Circuit Court
Monroe County
500 Whitehead Street
Key West, Florida 33040

Attention: Ruth Ann Jantzen, Deputy Clerk

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge letter dated August 10, 1999 and certified copy of Monroe County Ordinance No. 030-1999, which was filed in this office on August 16, 1999.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/lc

FILED FOR RECORD
99 AUG 20 PM 2:49
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

BUREAU OF ADMINISTRATIVE CODE
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427
FAX: (850) 488-7869 • WWW Address: http://www.dos.state.fl.us • E-Mail: *election@mail.dos.state.fl.us*

MUNICIPAL CODE CORPORATION
Customer Service
PO Box 2235
Tallahassee, FL 32316-2235

Supplement 67 08/18/1999

We have received the following material.
Thank you for your assistance and cooperation.

Ordinance Nos. 028-1999 and 030-1999.

1-800-262-2633 (National) SAC
Let us put your minutes on computer for you...
We can index, image and convert to database.
****ASK US ABOUT LASERFICHE IMAGING SOFTWARE****
Put your Code and Minutes on the Internet.
See over 500 Codes at www.municode.com
We can reprint copies of any section of the Code
Call our Customer Service Department for costs.

33040+6581

TALLAHASSEE FL AUG 20 '99
U.S. POSTAGE 0.20
6856045

TO:
Ms. Isabel C. DeSantis
Deputy Clerk
Monroe County
500 Whitehead Street
Key West, FL 33040

FLORIDA KEYS
KEYNOTER

Published Twice Weekly
Marathon, Monroe County, Florida

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared **TOM SCHUMAKER** who on oath, says that he is **PUBLISHER of the FLORIDA KEYS KEYNOTER**, a twice weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: *(date of publication)*

May 15, 1999

Affiant further says that the said FLORIDA KEYS KEYNOTER is a newspaper published at Marathon, in the said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, twice each week (on Wednesday and Saturday) and has been entered as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).

Tom Schumaker

Sworn to and subscribed before me

this 20 Day of May, 1999
(SEAL)

STATE OF FLORIDA NOTARY PUBLIC
ANNA S.M. SYMINGTON
My Comm Exp. 6/1/2002
No. CC 746861
I I Personally Known / / Other I.D.

Anna Symington
Notary

no. 0140700

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999, at 10:00 AM at the Marathon Government Center, 2798 Overseas Highway, Marathon, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE AMENDING SECTION 22(J) OF ORDINANCE NO. 004-1997, IN ORDER TO CLARIFY THE RENTAL PERIOD FOR VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 10th day of May, 1999.

DANNY L. KOLHAGE,
Clerk of the Circuit Court
and ex officio Clerk of the Board
of County Commissioners of
Monroe County, Florida

Publish May 15, 22, 1999.
Florida Keys Keynoter

RECEIVED
JUN 14 1999

863

THE KEY WEST CITIZEN

3420 Northside Drive Key West Fl. 33040 Office 305-294-6641 Fax 305-294-0768

Published Daily
Key West, Monroe County, Florida 33040

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared Randy G. Erickson, who on oath says that he is director of the Advertising Department of the Key West Citizen, a daily newspaper published at Key West, in Monroe County Florida, that the attached copy of advertisement, being a legal notice in the matter of Adoption of Ord - Rental Period for Vac. Rentals.

In the — Court, was published in said newspaper in the issues of May 14 & 21, 1999.

Affiant further says that The Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida each day (except Saturdays) and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

RECEIVED
JUL 12 1999

Signature of Affiant

Sworn and subscribed before me this 28th day of May, 1999.

Crystal Bravo
Signature of Notary Public

Expires Oct 11, 2002
Personally Known _____ Produced Identification _____
Type of Identification Produced _____

Notary Seal
Crystal R. Bravo
MY COMMISSION EXPIRES October 11, 2002
#CC782583
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999 at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE AMENDING SECTION 22 (J) OF ORDINANCE NO. 004-1997, IN ORDER TO CLARIFY THE RENTAL PERIOD FOR VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, this 10th day of May, 1999.

DANNY L. KOLHAGE
Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

May 14th & 21st, 1999.

The Reporter

Serving the Florida Keys
P.O. Box 1197 • Tavernier, Florida 33070-1197
(305) 852-3216 Fax: (305) 852-8249

STATEMENT OF PROOF OF PUBLICATION

USPS #905580

STATE OF FLORIDA)
COUNTY OF MONROE)

Before the undersigned authority personally appeared **DONNA STUTTS**, who on oath, says that she is **PUBLISHER** of **THE REPORTER**, a weekly newspaper entitled to publish legal advertising published at Tavernier, Monroe County, Florida: that the attached copy of advertisement, being a **legal ad.**

NOTICE OF INTENTION, 5/13/99

Affiant further says that the said **REPORTER** is a newspaper published at Tavernier, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in the said Monroe County, Florida, each week (on Thursday), and has been entered as second class mail matter at the Post Office in Tavernier, in said County of Monroe, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement;

and affiant further says that she has neither paid nor promised any firm, person, or corporation any discount, rebate, commission or refund for the purpose of securing this said advertisement for publication in the said newspaper.

Donna Stutts

SEAL

FILED FOR RECORD
99 JUL 27 AM 8:51
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

SWORN TO AND SUBSCRIBED BEFORE ME THIS **13TH DAY OF MAY, A.D. 1999**

Davee R. Dove

NOTARY PUBLIC

MY COMMISSION EXPIRES: Davee R Dove My Commission CC810969 Expires February 21, 2003

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999, at 10:00 AM at the Marathon Government Center, 2798 Overseas Highway, Marathon, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE AMENDING SECTION 22(2) OF ORDINANCE NO. 004-1997, IN ORDER TO CLARIFY THE RENTAL PERIOD FOR VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES;

Continued on next column

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[redacted]

AND PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 10th day of May, 1999.

DANNY L. KOLHAGE,
Clerk of the Circuit Court
and ex officio Clerk of the
Board of County
Commissioners of Monroe
County, Florida

Published: 5/13 & [redacted]
The Reporter
Tavernier, FL 33070

863

THE KEY WEST CITIZEN

3420 Northside Drive Key West Fl. 33040 Office 305-294-6641 Fax 305-294-0768

FILED FOR RECORD
99 AUG 13 PM 12: 38
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FL.

Published Daily
Key West, Monroe County, Florida 33040

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared Randy G. Erickson, who on oath says that he is director of the Advertising Department of the Key West Citizen, a daily newspaper published at Key West, in Monroe County Florida; that the attached copy of advertisement, being a legal notice in the matter of

Amending Section 22

In the _____ Court, was published in said newspaper in the issues of

May 14, 1999.

Affiant further says that The Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida each day (except Saturdays) and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

RG Erickson
Signature of Affiant

Sworn and subscribed before me this 9th day of July, 1999.

Crystal Bravo
Signature of Notary Public

Expires Oct. 11, 2002
Personally Known _____ Produced Identification _____
Type of Identification Produced _____

Crystal R. Bravo
MY COMMISSION EXPIRES
October 11, 2002
Notary Seal
#CC782583
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

M.B., the County Administrator, ...unty Attorney, and the re... Department Head or Di... Director, or their desig...s, will open sealed bid for the ...llowing:

JACKSON SQUARE JANITO... RIAL SERVICE

...ll bids must be received by the ...urchasing Office, 5100 College ...oad Public Service Building, ...ross Wing Room #002, Stock Is...and, Key West, Florida 33040 on ...r before 10:00a.m. on June 1, ...999. Any bids received after this ...ate and time will be automati...ally rejected.

...idders shall submit two (2) ...igned originals and two (2) cop...es of each bid in a sealed en...velop marked "Sealed Bid for ...Jackson Square Janitorial Ser...vice." All bids must remain valid ...or a period of ninety (90) days.

The Board will automatically re...ect the bid of any person or affi...ants who appear on the convicted ...vender list prepared by the De...partment of General Services, State of Florida under Section 287.133(3)(d). Fla Stat. (1985).

All bids, including the recommendation of the County Administrator and the requesting Department Head, will be presented to the Board of County Commissioners of Monroe County, for final awarding or otherwise The Board also reserves the right to reject any or all bids, to waive informalities in the bids and to readvertise for bids. The Board also reserves the right to separately accept or reject any item or items of a bid and to award and/or negotiate a contract in the best interest of the County.

Specifications and/or further information may be obtained by contacting Cindy Sawyer, Facilities Maintenance Department, 305/294-4431.

THERE WILL BE A MANDITORY WALK THROUGH OF THE FACILITIES ON MAY 11, 1999 AT 1:00 P.M.

Dated at Key West this 28th Day of April, 1999.

Monroe County Purchasing Department

May 7th & 14th, 1999

NOTICE OF CALLING FOR BIDS

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that June 3, 1999 at 10:00 a.m. at the Purchasing Office, a committee consisting of the Director of O.M.B., the County Administrator, the County Attorney, and the requesting Department Head or Division Director, or their designees, will open sealed bid for the following:

OPERATION AND MAINTENANCE OF SEWAGE TREATMENT PLANT MARATHON GOVERNMENT CENTER

All bids must be received by the purchasing Office, 5100 College Road Public Service Building, Cross Wing Room #002, Stock Island, Key West, Florida 33040 on or before 10:00a.m. on June 3, 1999. Any bids received after this date and time will be automatically rejected.

Bidders shall submit two (2) ...ants who appear on the convicted vender list prepared by the Department of General Services, State of Florida under Section 287.133(3)(d). Fla Stat. (1985).

All bids, including the recommendation of the County Administrator and the requesting Department Head, will be presented to the Board of County Commissioners of Monroe County, for final awarding or otherwise The Board also reserves the right to reject any or all bids, to waive informalities in the bids and to readvertise for bids. The Board also reserves the right to separately accept or reject any item or items of a bid and to award and/or negotiate a contract in the best interest of the County.

Specifications and/or further information may be obtained by contacting Norm Leggett, Communications Department, 305/743-7570.

Dated at Key West this 30th Day of April, 1999.

Monroe County Purchasing Department

May 7th & 14th, 1999

NOTICE OF CALLING FOR BIDS

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that June 15, 1999 at 10:00 a.m. at the Purchasing Office, a committee consisting of the Director of O.M.B., the County Administrator, the County Attorney, and the requesting Department Head or Division Director, or their designees, will open sealed bid for the following:

TWO (2) PARATRANSIT BUS BODY ON CHASSIS VEHICLES WITH WHEELCHAIR LIFTS

All bids must be received by the purchasing Office, 5100 College Road Public Service Building, Cross Wing Room #002, Stock Island, Key West, Florida 33040 on or before 10:00a.m. on June 9, 1999. Any bids received after this date and time will be automatically rejected.

Bidders shall submit two (2) signed originals and two (2) copies of each bid in a sealed envelop marked "Sealed Bid for Paratransit Bus Body Vehicles with Wheelchair Lifts"' All bids must remain valid for a period of ninety (90) days.

The Board will automatically reject the bid of any person or affiants who appear on the convicted vender list prepared by the Department of General Services, State of Florida under Section 287.133(3)(d). Fla Stat. (1985).

All bids, including the recommendation of the County Administrator and the requesting Department Head, will be presented to the Board of County Commissioners of Monroe County, for final awarding or otherwise The Board also reserves the right to reject any or all bids, to waive informalities in the bids and to readvertise for bids. The Board also reserves the right to separately accept or reject any item or items of a bid and to award and/or negotiate a contract in the best interest of the County.

Specifications and/or further information may be obtained by contacting Jerry Eskew, Trans-

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NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999 at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDNANCE ESTABLISHING EMERGENCY VEHICLE ZONES ON PRIVATE PROPERTY; PROVIDING FOR PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH;PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, this 10th day of May, 1999.

DANNY L. KOLHAGE
Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

May 14th & 21st, 1999.

LEGAL NOTICES

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999 at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDNANCE AMENDING SECTION 13.5-5 BY THE ADDITION OF A PROHIBIATIONAGAINST COMMERCIAL USE OF PARKS OR BEACH PROPERTY WITHOUT A LEASE OR LICENSE FROM THE COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH;PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meet-

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NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999 at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDNANCE AMENDING SECTION 22 (J) OF ORDINANCE NO. 004-1997, IN ORDER TO CLARIFY THE RENTAL PERIOD FOR VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH;PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

DATED at Key West, this 10th day of May, 1999.

DANNY L. KOLHAGE
Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

May 14th & 21st, 1999.

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, June 9, 1999 at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDNANCE REVISING SECTION 6.00(6) POWERS AND DUTIES OF THE CONTRACTORS EXAMINING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH;PROVIDING FOR THE INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure

ORDINANCE No.044 - 00

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING THE REQUEST FILED BY THE PLANNING DEPARTMENT TO AMEND THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS, SEC. 9.5-4, DEFINITIONS; SEC 9.5-241, OFFSHORE ISLAND DISTRICT; SEC. 9.5-242.5 IMPROVED SUBDIVISION-TOURIST HOUSING; AND SEC.9.5-534 VACATION RENTAL USES. THESE CHANGES CLARIFY WHERE AND HOW VACATION RENTALS MAY BE PERMITTED, REQUIRE A LICENSED VACATION RENTAL MANAGER FOR EACH UNIT, AND PROVIDE FOR ENHANCED ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE; AND DIRECTING THE CLERK OF THE BOARD TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.

FILED FOR RECORD
00 AUG 29 PM 4:38
DAHNY L. KOLHAGE
CLK. CIR. C.
MONROE COUNTY, FL.

WHEREAS, the Monroe County Board of Commissioners held a public hearing on June 14, 2000, conducted a review and consideration of the request filed by the Planning Department to amend the Monroe County Land Development Regulations, Sec. 95-4, Definitions; Sec.5-241, Offshore Island District; Sec. 9.5-242.5 Improved Subdivision Tourist Housing; and Sec.9.5-534 Vacation Rental Uses, and finds that the amendments will provide improvements for the implementation of the vacation rental regulations while continuing to offer protection to single family neighborhoods; and

WHEREAS, the Monroe County Board of County Commissioners on February 3, 1997 adopted Ordinance no. 004-1997, Vacation Rentals, which clarified the existing prohibition on short term rentals (less than 28 days) of single family homes within improved subdivisions and other residential districts and provided a process whereby vacation rentals could be allowed in some land use districts; and

WHEREAS, the Vacation Rental Ordinance became effective on December 4, 1998 after the DCA Final Order was issued; and

WHEREAS, the Board of County Commissioners requested the Planning Commission to review and recommend changes to the vacation rental requirements in the Land Development Regulations (LDR) in response to concerns raised at a November 1999 Commission meeting; and

WHEREAS, The Monroe County Planning Commission met on December 15, 1999, considered changes to the existing regulations based on responses to their request

for written public comments; and directed the planning department to prepare amendments to the Land Development Regulations; and

WHEREAS, the Planning Commission, during special meetings on March 1 and April 4, 2000 conducted public hearings in Marathon and Key Largo on the proposed amendments; and

WHEREAS, the Monroe County Planning Commission held a public hearing on April 12, 2000 and recommends the approval of the request.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Section 1. **Section 09.5-4** of the Land Development Regulations shall read as follows:

Sec. 9.5-4. Definitions.

(V-5) V*acation rental or unit* means an attached or detached dwelling unit that is rented, leased or assigned for tenancies of less than twenty-eight (28) days duration. Vacation rental use does not include hotels, motels, and RV spaces, which are specifically addressed in each district.

Section 2. **Section 9.5-241** of the Land Development Regulations shall read as follows:

Sec. 9.5-241. Offshore Island District.

(a) The following uses are permitted as of right in the Offshore Island District:

(1) Detached residential dwellings;

(2) Camping, for the personal use of the owner of the property on a temporary basis;

(3) Beekeeping;

(4) Accessory uses; and

(5) Home occupations--Special use permit requiring a public hearing.

(6) Tourist housing uses which were established (and held valid state public lodging establishment licenses) prior to January 1, 1996. Vacation rental use, of a dwelling unit in existence as of January 1, 2000, if a special vacation rental permit is obtained under the regulations established in Sec. 9.5-534.

Section 3. **Section 9.5-242.5** of the Land Development regulations shall read as follows:

Sec. 9.5-242.5 Improved Subdivision District – Vacation Rental District

In addition to the as of right and conditional uses listed above in 9.5-242, vacation rental uses are allowed as of right (subject to the regulations established in Code §9.5-534) in those Improved Subdivision – Vacation Rental Districts with the sub-indicator V (Vacation Rental).

A map amendment designating a contiguous parcel as IS-V may be approved, provided that the map amendment application (and subsequent building permit applications and special vacation rental permit applications) meet the following standards, criteria and conditions:

(a) The IS-V designation is consistent with the 2010 Comprehensive Plan and there is no legitimate public purpose for maintaining the existing designation.

(b) The IS-V designation allowing vacation rental use does not create additional trips or other adverse traffic impacts within the remainder of the subdivision or within any adjacent IS district;

(c) The parcel to be designated IS-V must contain sufficient area to prevent spot-zoning of individual parcels (i.e., rezonings should not result in spot-zoned IS-V districts or result in spot-zoned IS districts that are surrounded by IS-V districts). Unless the parcel to be rezoned contains the entire subdivision there will be a rebuttable presumption that spot-zoning exists, but the Board of County Commissioners may rebut this presumption by making specific findings supported by competent, substantial evidence that:

i) the designation preserves, promotes and maintains the integrity of surrounding residential districts and overall zoning scheme or comprehensive plan for the future use of surrounding lands;

ii) does not result in a small area of IS-V within a district that prohibits vacation rentals;

iii) the lots or parcels to be designated IS-V are all physically contiguous and adjacent to one another and do not result in a narrow strip or isolate pockets or spots of land that are not designated IS-V, or which prohibit vacation rentals; and

iv) The IS-V designation is not placed in a vacuum or a spot on a lot-by-lot basis without regard to neighboring properties, but is a part of an overall area that allows vacation rentals or similar compatible uses.

(d) In addition to the requirements contained in Code §9-.5-377 (District Boundaries), an IS-V district shall be separated from any established residential district that does not allow tourist housing or vacation rental uses by no less than a class C bufferyard;

(e) Vacation rental use is compatible with established land uses in the immediate vicinity of the parcel to be designated IS-V; and

(f) Unless a map amendment is staff generated (i.e., initiated by Monroe County), an application for a map amendment to IS-V shall be authorized by the property owner(s) of all lots (or parcels) included within the area of the proposed map amendment.

Section 4. **Section 9.5-534** of the Land Development regulations shall read as follows:

Sec. 9.5-534 Vacation rental uses.

(a) *Special vacation rental permit.* An owner or agent is required to obtain an annual special vacation rental permit for each dwelling unit prior to renting any dwelling unit as a vacation rental, as defined in Code § 9.5-4 (V-5), except as provided for under Section 9.5-534(b). A special vacation rental permit is nontransferable between owners. A change of ownership of the vacation rental unit shall require the new owner or his agent to obtain a new vacation rental permit for the residential dwelling unit.

(b) *Exemptions.* A vacation rental permit is not required for the following:

(1) A vacation rental of a dwelling unit located within a controlled access, gated community with a homeowner's or property owner's association that expressly regulates or manages vacation rental uses; or

(2) A vacation rental of a dwelling unit within a multifamily building located within a multi-family district, which has 24 hour on-site management or 24 hour on site supervision that has received an exemption from the planning director. To meet these site management or supervision requirements, a designated individual or individuals must be physically located within the building or within 300 feet of the subject building and must be available at all times to respond to tenants' and neighbors' complaints. To obtain an exemption under the provisions of this section, the owner or agent must submit an application to the planning department in a form prescribed by the planning director.

(c) *Vacation rental manager license.* A vacation rental manager license is required from the county planning department for an individual to be a vacation rental manager under the provisions of this section. The vacation rental manager shall be: (i) the designated contact for responding to complaints made by neighbors

against vacation rental tenants; and (ii) responsible for maintaining the guest register, leases, and official complaint response records for a vacation rental unit as required by this section.

(d) *Permit, license and fees.*

(1) Special vacation rental permits will be issued by the planning director, or designee, upon payment of a nonrefundable fee and submittal of a complete application in a form prescribed by the planning director in accordance with Section 9.5-534 (f).

(2) Vacation rental manager licenses will be issued by the planning director, or designee, upon payment of a nonrefundable fee and submittal of a complete application to the planning department in a form prescribed by the planning director.

(3) The annual fees for the special vacation rental permit and vacation rental manager license shall be established by resolution of the board of county commissioners.

(4) A decision to approve or deny a special vacation rental permit can be appealed to the planning commission within (30) days pursuant to Code section 9.5-521.

(e) *Regulations.* All special vacation rental units, requiring a special vacation rental permit shall comply with the following regulations at all times:

(1) No more than one motorized watercraft, including a jet ski or wave runner, shall be allowed at each vacation rental unit. The watercraft may be moored at either an existing on-site docking facility or stored on a trailer in an approved parking space.

(2) Vehicles, watercraft and trailers shall not be placed on the street or in yards. All vehicles, watercraft and boat trailers must be parked or stored off-street in parking spaces specifically designated and approved in the special vacation rental permit. One vehicle parking space shall be required per bedroom or efficiency unit and one boat trailer space per vacation rental unit.

(3) No boat docked at a vacation rental property shall be chartered to a person other that registered guests of the vacation rental unit or used for live-aboards, sleeping or overnight accommodations. In addition, recreation vehicles shall not be used for sleeping or overnight accommodations at the vacation rental unit.

(4) Occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times. Noise, which is audible beyond the boundaries of the residential dwelling unit, shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m. week days and 11:00 p.m. and 9:00 a.m. on weekends.

(5) All trash and debris on the vacation rental property must be kept in covered trash containers. Each vacation rental unit must be equipped with at least four (4) covered trash containers for such purpose. Owners must post, and occupants must comply with, all trash and recycling schedules and requirements applicable to the vacation rental unit. Trash containers must not be placed by the street for pick-up until 6:00 p.m. the night before pick-up and must be removed from the area by the street by 6:00 p.m. the next day.

(6) A Tenant(s) 's agreement to the forgoing rules and regulations must made a be part of each and every lease under Florida Statutes §509.01 for any vacation rental unit subject to the provisions of this section. These vacation rental regulations governing tenant conduct and use of the vacation rental unit shall be prominently posted within each dwelling unit subject to the provisions of this section along with the warning that violations of any of the vacation rental regulations constitutes a violation of Monroe County Code subject to fines or punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under F.S. § 509.151 ("Defrauding an Innkeeper"), F.S. § 509.141 ("Ejection of Undesirable Guests"), F.S. § 509.142 ("Conduct on Premises) or F.S. § 509.143 (Disorderly Conduct on Premises, Arrest").

(7) The owner or agent shall require a lease to be executed with each vacation rental use of the property and maintain a guest and vehicle register listing all vacation rental occupants' names, home addresses, telephone numbers, vehicle license plate and watercraft registration numbers. Each lease and this register shall be kept by the vacation rental manager and available for inspection by Monroe County code enforcement personnel during business hours.

(8) Vacation rental units must be registered, licensed and meet all applicable state requirements contained in Florida Statutes Chapter 212 (Florida Tax & Revenue Act) and 509 (Public Lodging Establishments) as implemented by the Florida Administrative Code, as may be amended.

(9) The vacation rental use must comply with all State of Florida Department of Health and State of Florida Department of Environmental Protection standards for wastewater treatment and disposal.

(10) All vacation rental units shall have a vacation rental manager or managers, who has been issued a vacation rental manager license by the planning department as provided for in Section 9.5-534 (h). The vacation rental manager shall reside within and be licensed for that section of the County (upper, middle, and lower keys) where the vacation rental unit is located and be available twenty-four (24) hours per day, seven (7) days a week for the purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of this section. Any change in the vacation rental manager shall require written notification to the planning department and notification by certified return mail to property owners within three hundred (300) feet of the subject dwelling.

(11) Complaints to the vacation rental manager concerning violations by occupants of vacation rental units to this ordinance shall be responded to within one hour. The neighbor who made the complaint shall be contacted by telephone or in person and informed as to the results of the actions taken by the manager. A record shall be kept of the complaint and the manager's response for a period of at least three months after the incident, which shall be available for inspection by the Monroe County Code Enforcement Department during business hours.

(12) The name, address, and telephone number of the vacation rental manager(s), the telephone number of County code enforcement department and the number of the special vacation rental permit shall be posted and visible from the front property line of the vacation rental unit.

(13) The Tenants Agreement with the rules of conduct shall be posted in a conspicuous location in each vacation rental unit.

(f) *Special vacation rental permit application.* A complete special vacation rental permit application shall include the following:

(1) The complete legal description, street address, RE number and location of the vacation rental unit.

(2) Proof of ownership and the name, address and telephone number of each and every person or entity with an ownership interest in the dwelling unit.

(3) An approved Florida State Department of Health or Florida State Department of Environmental Protection inspection or certification of the adequacy of the sewage disposal system for use as a vacation rental unit.

(4) The gross square footage of the dwelling unit, location and number of rooms, bedrooms, bathrooms, kitchens, apartments, parking spaces and

any other information required to determine compliance with vacation rental requirements and compliance with this chapter.

(5) A valid and current Florida Department of Revenue sales tax identification number under Florida Statutes Chapter 212 (Florida Tax and Revenue Act) and a valid and current permit, license or approval under Florida Statutes Chapter 509 (Public Lodging Establishments).

(6) The name, address, and telephone number of the vacation rental manager, including the vacation rental manager's license number.

(7) The applicant shall sign a written statement granting authorization to Monroe County code enforcement department to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of such permit, concerning compliance with the Monroe County Code Chapter 9.5 (i.e. the Land Development Regulations).

(8) The application shall bear the signature of all owner(s), all authorized agent(s) and authorized manager(s) of the owner(s).

(9) Any additional information required to determine compliance with the provisions of this section.

(g) *Notification to adjacent neighbors and permit, approval, issuance and appeal.*

(1) The applicant or agent shall send a "Notice of Vacation Rental Use Application" by certified return mail to all property owners located within three hundred (300) feet of the dwelling unit which is the subject of the special vacation rental permit application, not less than thirty (30) days prior to the date of approval of the application. The notice of application shall be in a form prescribed by the planning director or his designee and shall clearly state the name, address and day/evening telephone numbers of each and every vacation rental manager, agent, caretaker and owner of the dwelling unit; the number of the Monroe County code enforcement department; and a copy of the Tenants Agreement. Notice to the adjacent property owners must include the following statement:

"You have the right to appeal a decision to approve or deny this special vacation rental permit to the planning commission within thirty (30) days under Code section 9.5-521. You may have other rights that Monroe County cannot enforce. Review of a special vacation rental permit application by Monroe County will consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record which may prohibit the use of the dwelling unit for vacation rental

purposes. You may wish to consult an attorney concerning these private rights."

(2) The applicant or agent shall provide proof to the planning department of submitting the "Notice of Vacation Rental Use Application." The special vacation rental permit shall not be issued until proof of this notification is provided and the special vacation rental permit has been approved by the planning director after completion of an on-site inspection of the subject dwelling unit by the code enforcement department. When approved by the planning director, the special vacation rental permit shall not be issued until thirty (30) days after the notices of application were sent to all property owners located within three-hundred (300) feet of the dwelling unit that is the subject of the permit.

(h) *Fines or revocation of special vacation rental use permit.* A special vacation rental permit shall be revoked by the planning commission and/or fines levied by the code enforcement special master or a court of competent jurisdiction after a finding of a violation by the permit holder of this section, the special vacation rental permit or permit conditions or any material misrepresentation on the permit application, after the owner(s) is given notice and a hearing is held by the planning commission, code enforcement special master or a court of competent jurisdiction.

(i) *Duration and renewal of special vacation rental use permit.* Special vacation rental use permits shall expire one (1) year after the date of their issuance, unless renewed within thirty days of their expiration date. Renewal of a special vacation use permit requires the owner or agent to submit an application in a form prescribed by the planning director to the planning department and payment of a nonrefundable fee, including proof of a current license and registration under Chapter 509 and Chapter 212, Florida Statutes.

(j) *Vacation rental manager license application, issuance, renewal, fines, and revocation.*

(1) An individual shall submit an application for a vacation rental manager license in a form prescribed by the planning director accompanied with a payment of a nonrefundable fee. The license shall be issued for a period of one (1) year and renewable annually. The license shall be for only one specific section of the County (upper, middle, or lower keys) and no individual shall apply for or be issued more than one vacation rental manager license at a time.

(2) After notice is given to the vacation rental manager and a public hearing is held, a vacation rental manager license shall be revoked by the planning commission and/or fines levied by the code enforcement special master or court of competent jurisdiction upon a finding of: a total of two

or more "no responses" to complaints registered by the public concerning tenants not following the terms of the Tenants Agreement, during any single year of the vacation rental manager's license; or two or more violations of this section which are pertinent to the duties and responsibilities of a vacation rental manager. A vacation rental manager license shall be revoked if the license holder is found in violation of any of the regulations in section 9.5-534(k)(1) through section 9.5-534(k)(3).

(3) An individual who has had his license revoked shall not be eligible to resubmit an application for obtaining a new vacation rental manager license until two years after the date of revocation of his license.

(k) *Prohibitions, enforcement, and penalties.*

(1) It shall be unlawful for any landlord, tenant, agent or other representative of a landowner to rent, lease, advertise or hold out for rent any dwelling unit for vacation rental use in any district where a vacation rental use is prohibited, except as otherwise exempted under this section.

(2) It shall be unlawful for any landlord, tenant, agent or other representative of a landlord to rent, lease, advertise or hold out for rent any dwelling unit for a vacation rental use without a special vacation rental permit, except as otherwise exempted under this section.

(3) After the effective date of this section, leases, subleases, assignments or any other occupancy agreements, for compensation for less than twenty-eight (28) days in duration:

(i) Shall not be entered into or renewed once they have expired or have terminated in any district in which tourist housing use is prohibited or in any district in which a vacation rental use is allowed unless a special vacation rental permit, building permit, inspection and certificate of occupancy for the vacation rental use (or for the conversion of an existing dwelling unit to vacation rental use) are first obtained; and

(ii) Any pre-existing vacation rental uses shall not be considered a lawful non-conforming use under section 9.5-143 and must be discontinued in any land use districts that prohibit vacation rental uses no later than thirty (30) days after the effective date of this section (May 12, 1999). Except that a vacation rental use that was established, and had obtained all of the required state and local permits and licenses, (a) prior to September 15, 1986 (b) or under any Code provisions that expressly allowed vacation retail uses, may remain pursuant to Code section 9.5-143.

(4) Monroe Count code section 6.3-13 shall not bar code enforcement for new vacation rental violations occurring after the effective date of this section.

(5) Prima facie evidence of vacation rental uses of a dwelling unit shall include (i) registration or licensing for short-term rental or transient rental use by the state under F.S. Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments), (ii) advertising or holding out a dwelling unit for vacation rental use, (iii) reservations, booking arrangements or more than one signed lease, sublease, assignment, or any other occupancy or agreement for compensation, trade, or other legal consideration addressing or overlapping any period of 28 days or less, or (iv) the use of an agent or other third person to make reservations or booking arrangements.

(6) A violation of any of the regulations in section 9.5-534(k)(1) through section 9.5-534(k)(3) shall be punishable as a second degree misdemeanor and by a fine of up to five hundred dollars ($500.00) per day, per unit, per violation. The Code enforcement department may also enforce the terms of this section by bringing a case before the special master pursuant to Code section 6.3-14, or by citation under Code section 6.3-11,. F.S. § 162.21 (as may be amended), or 76-435 Laws of Florida (as may be amended). If a code enforcement citation is issued, the fine shall be two hundred fifty dollars ($250) for the first offense and five hundred dollars ($500.00) for each subsequent offense.

(7) In addition to any other remedies available to Monroe County (including code enforcement pursuant to F.S. Chapter 162). Monroe County or any or other adversely affected party may enforce the terms of this section in law or equity. Any citizen of Monroe County may seek injunctive relief in a court of competent jurisdiction to prevent a violation of section 9.5-534 or to revoke a special vacation rental permit or vacation rental manager license, as set forth above. Attorney's fees and costs incurred in an action to enforce these regulations concerning vacation rental use(s) may be awarded to a substantially prevailing party at the discretion of the court.

Section 5. If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the said conflict.

Section 7. This ordinance is hereby transmitted to the state land planning agency to be reviewed for consistency with Chapter 163, Florida Statutes.

Section 8. This ordinance shall be filed in the Office of the Secretary of State, of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administrative Commission finding the amendment consistent with Chapter 380 of the Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 16th day of August, A.D., 2000.

Mayor Shirley Freeman	yes
Mayor Pro Tem George Nugent	yes
Commissioner Wilhelmina Harvey	yes
Commissioner Mary Kay Reich	no
Commissioner Nora Williams	yes

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY Shirley Freeman
Mayor/Chairperson

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

ATTEST: DANNY K. KOLHAGE, CLERK

DEPUTY CLERK

THE REPORTER
Your Upper Keys Connection
P.O. Box 1197 • Tavernier, Florida 33070-1197
(305) 852-3216 Fax: (305) 852-8240

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared JACKLYN HARDER who on oath, says that she is ASSOCIATE PUBLISHER of THE REPORTER, a weekly newspaper entitled to publish legal advertising published at Tavernier, Monroe County, Florida: that the attached copy of advertisement, being a LEGAL NOTICE in said newspaper in the issue of:

August 3, 2000

Affiant further says that THE REPORTER is a newspaper published at Tavernier, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in the said Monroe County, Florida, each week (on Thursday), and has been entered as second class mail matter at the Post Office in Tavernier, in said County of Monroe, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any firm, person, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper and that The Reporter is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Jacklyn R Harder

Sworn to and subscribed before me this 10th day of August, 2000.

(SEAL)

Anna M Hines
My Commission CC715804
Expires March 31, 2002

Anna M. Hines

Notary

NO: 5181600
NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, August 16, 2000, at 3:00 PM at the Key Largo Library, Tradewinds Shopping Center, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:
AN ORDINANCE ABOLISHING THE DIVISION OF SOLID WASTE MANAGEMENT AND ASSIGNING ITS DUTIES AND FUNCTIONS TO THE DIVISION OF PUB-LIC WORKS AND COMBINING THE DEPARTMENTS OF HUMAN RESOURCES AND OFFICE OF MANAGEMENT AND BUDGET INTO A NEW DEPARTMENT OF ADMINISTRATIVE SERVICES IN THE DIVISION OF MANAGEMENT SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUN-TY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE
Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.
Dated at Key West, Florida, this 31st day of July, 2000
DANNY L. KOLHAGE,
Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida.
PUBLISH: 8/3/00
The Reporter
Tavernier, FL 33070

FILED FOR RECORD
00 SEP 13 PM 2:22
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE CO.

Danny L. Kolhage

BRANCH OFFICE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745

CLERK OF THE CIRCUIT COURT
MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FLORIDA 33040
TEL. (305) 292-3550
FAX (305) 295-3660

BRANCH OFFICE
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

August 30, 2000

Mrs. Liz Cloud, Chief
Bureau of Administrative Code & Laws
The Elliott Building
401 S Monroe Street
Tallahassee FL 32399-0250

Dear Mrs. Cloud,

Enclosed please find a certified copies of the following Ordinances:

Ordinance No. 040-2000 amending Monroe County Code Sec. 13.5-5(d); in order to amend the park hours of Friendship Park; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

Ordinance No. 041-2000 amending Sec. 2-1.1(a), Monroe County Code, in order to provide that the hearing officer may have served as counsel to the Planning Commission; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

Ordinance No. 042-2000 in order to delete the parks in the municipality of Islamorada, Village of Islands from the Monroe County Code; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

Ordinance No. 043-2000 abolishing the Division of Solid Waste Management and assigning its duties and functions to the Division of Public Works and combining the Departments of Human Resources and Office of Management and Budget into a new Department of Administrative Services in the Division of Management Services; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

Ordinance No. 044-2000 approving the request filed by the Planning Department to amend the Monroe County Land Development Regulations, Sec. 9.5-4, definitions; Sec. 9.5-241, Offshore Island District; Sec. 9.5-242.5 Improved Subdivision-Tourist Housing; and Sec. 9.5-534 Vacation Rental Uses. These changes clarify where and how vacation rentals may be permitted, require a licensed vacation rental manager for each unit, and provide for enhanced enforcement; providing for severability; providing for the repeal of all ordinances inconsistent herewith; providing for incorporation into the Monroe County Code; and directing the Clerk of the Board to forward a certified copy of this Ordinance to the Florida Department of Community Affairs.

These Ordinances were adopted by the Monroe County Board of County Commissioners at a Regular Meeting in formal session on August 16, 2000. Please file for record.

Danny L. Kolhage
Clerk to Circuit Court
and ex officio Clerk to the
Board of County Commissioners

by: Pamela G. Hancock

Pamela G. Hancock

Deputy Clerk

Cc: Board of County Commissioners
County Administrator 043-2000
Growth Management 041 & 044-2000
Administrative Services 043-2000
County Attorney
Municipal Code 040 to 043-2000
Public Works 040, 042 & 043-2000
File

7099 3400 0005 9118 7876

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Ordinances 040-044-2000

Postage	$ 1.43
Certified Fee	1.40
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 4.05

KEY WEST, FL
AUG 30 2000
USPS

Name (Please Print Clearly) to be completed by mailer
Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
Street, Apt. No.; or PO Box No.
The Elliott Building
401 South Monroe Street
City, State, ZIP
Tallahassee, FL 32399-0250

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "*Return Receipt Requested*" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mrs. Liz Cloud, Chief
Bureau of Administrative Code and Laws
The Elliott Building
401 South Monroe Street
Tallahassee, FL 32399-0250
Ordinances 040-044-2000

4a. Article Number
7099 3400 0005 9118 7876

4b. Service Type
☐ Registered ☑ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
SEP 1 2000

5. Received By: (*Print Name*)

8. Addressee's Address (*Only if requested and fee is paid*)

Thank you for using Return Receipt Service.

...um Receipt

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET

HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

September 5, 2000

Honorable Danny L. Kolhage
Clerk of the Circuit Court
Monroe County
500 Whitehead Street
Key West, Florida 33040

Attention: Pam Hancock, Deputy Clerk

Dear Mr. Kolhage:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 30, 2000 and certified copies of Monroe County Ordinance Nos. 040-2000 through 044-2000, which were filed in this office on September 1, 2000.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

FILED FOR RECORD
00 SEP -8 PM 2:11
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

BUREAU OF ADMINISTRATIVE CODE
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (850) 488-8427
FAX: (850) 488-7869 • WWW Address: **http://www.dos.state.fl.us** • E-Mail: *election@mail.dos.state.fl.us*

DCA Final Order No. DCA00-OR-294

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

FILED FOR RECORD
00 OCT 16 PM 2:23
DANNY L. KOLHAGE
CLK. CIR. C.
MONROE COUNTY, FLA.

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 044-2000

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), *Fla. Stat.*, and § 380.0552(9), *Fla. Stat.* (1999), which require the Department to enter a final order approving or rejecting land development regulations adopted by Monroe County. This Final Order approves Monroe County Ordinance No. 044-2000 as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a unit of government within the Florida Keys Area.

2. On September 5, 2000, the Department received for review Monroe County Ordinance No. 044-2000 which was adopted by the Monroe County Board of County Commissioners on August 16, 2000 ("Ord. 044-2000"). Ord. 044-2000 pertains to vacation rentals amending Secs. 9.5-4, 9-5.241, 9-5.242.5 and 9.5-534 of the Monroe County Code ("Code").

3. Section 1 of Ord. 044-2000 amends Code Sec. 9.5-4 creating definition "(V-5) Vacation rental or unit." Section 2 of Ord. 044-2000 amends Code Sec. 9.5-241 allowing vacation rentals in the Offshore Island District (OS) if a special permit is obtained. Section 3 of Ord. 044-2000 creates Code Sec. 9-5.242.5 and sets forth conditions for allowing vacation rentals in the

Improved Subdivision District - Vacation Rental District (IS-V). Section 4 of Ord. 044-2000 adds Code Sec. 9-534 entitled 'Vacation rental uses' and establishes application procedures, sets forth permitting and licensing requirements, establishes regulations and fees, establishes a duration period, and provides for prohibitions, enforcement and penalties. Section 5 of Ord. 044-2000 contains a severability provision; Section 6 contains a conflict provision; Section 7 requires transmittal of the ordinance to the Department for review; and Section 8 requires filing with the Florida Secretary of State Office.

4. Ord. 044-2000 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject any and all land development regulations that are enacted, amended or rescinded by any unit of government in the Florida Keys Area of Critical State Concern within 60 days of receipt by the Department. §§ 380.05(6) and (11), *Fla. Stat.*, and § 380.0552(9), *Fla. Stat.* (1999).

2. Monroe County is a unit of government within the Florida Keys Area of Critical State Concern. § 380.0552, *Fla. Stat.* (1999) and Rule 28-29.002 (superseding Chapter 27F-8, *Fla. Admin. Code*) and Chapter 28-30, *Fla. Admin. Code*.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), *Fla. Stat.* (1999). The regulations adopted by Ord. 044-2000 are land development regulations, as defined by statute.

4. All land development regulations enacted, amended or rescinded by Monroe County

ATTACHMENT F

MONROE COUNTY CODE SECTION 9.5-534

Monroe County Code Section 9.5-534 Vacation rental uses.

(a) Special vacation rental permit. An owner or agent is required to obtain an annual special vacation rental permit for each dwelling unit prior to renting any dwelling unit as a vacation rental, as defined in Code section 9.5-4(V-5), except as provided for under section 9.5-534(b). A special vacation rental permit is nontransferable between owners. A change of ownership of the vacation rental unit shall require the new owner or his agent to obtain a new vacation rental permit for the residential dwelling unit.
(b) Exemptions. A vacation rental permit is not required for the following:
(1) A vacation rental of a dwelling unit located within a controlled access, gated community with a homeowner's or property owner's association that expressly regulates or manages vacation rental uses; or
(2) A vacation rental of a dwelling unit within a multifamily building located within a multi-family district, which has twenty-four (24) hour on-site management or twenty-four (24) hour on-site supervision that has received an exemption from the planning director. To meet these site management or supervision requirements, a designated individual or individuals must be physically located within the building or within three hundred (300) feet of the subject building and must be available at all times to respond to tenants' and neighbors' complaints. To obtain an exemption under the provisions of this section, the owner or agent must submit an application to the planning department in a form prescribed by the planning director.
(c) Vacation rental manager license. A vacation rental manager license is required from the county planning department for an individual to be a vacation rental manager under the provisions of this section. The vacation rental manager shall be: (i) the designated contact for responding to complaints made by neighbors against vacation rental tenants; and (ii) responsible for maintaining the guest register, leases, and official complaint response records for a vacation rental unit as required by this section.
(d) Permit, license and fees.
(1) Special vacation rental permits will be issued by the planning director, or designee, upon payment of a nonrefundable fee and submittal of a complete application in a form prescribed by the planning director in accordance with section 9.5-534(f).
(2) Vacation rental manager licenses will be issued by the planning director, or designee, upon payment of a nonrefundable fee and submittal of a complete application to the planning department in a form prescribed by the planning director.
(3) The annual fees for the special vacation rental permit and vacation rental manager license shall be established by resolution of the board of county commissioners.
(4) A decision to approve or deny a special vacation rental permit can be appealed to the planning commission within thirty (30) days pursuant to Code section 9.5-521.
(e) Regulations. All special vacation rental units, requiring a special vacation rental permit shall comply with the following regulations at all times:
(1) No more than one (1) motorized watercraft, including a jet ski or wave runner, shall be allowed at each vacation rental unit. The watercraft may be moored at either an existing on-site docking facility or stored on a trailer in an approved parking space.
(2) Vehicles, watercraft and trailers shall not be placed on the street or in yards. All vehicles, watercraft and boat trailers must be parked or stored off-street in parking spaces specifically designated and approved in the special vacation rental permit. One (1)

vehicle parking space shall be required per bedroom or efficiency unit and one (1) boat trailer space per vacation rental unit.
(3) No boat docked at a vacation rental property shall be chartered to a person other that registered guests of the vacation rental unit or used for live-aboards, sleeping or overnight accommodations. In addition, recreation vehicles shall not be used for sleeping or overnight accommodations at the vacation rental unit.
(4) Occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times. Noise, which is audible beyond the boundaries of the residential dwelling unit, shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m. weekdays and 11:00 p.m. and 9:00 a.m. on weekends.
(5) All trash and debris on the vacation rental property must be kept in covered trash containers. Each vacation rental unit must be equipped with at least four (4) covered trash containers for such purpose. Owners must post, and occupants must comply with, all trash and recycling schedules and requirements applicable to the vacation rental unit. Trash containers must not be placed by the street for pick-up until 6:00 p.m. the night before pick-up and must be removed from the area by the street by 6:00 p.m. the next day.
(6) A tenant(s)'s agreement to the forgoing rules and regulations must made a be part of each and every lease under F.S. § 509.01 for any vacation rental unit subject to the provisions of this section. These vacation rental regulations governing tenant conduct and use of the vacation rental unit shall be prominently posted within each dwelling unit subject to the provisions of this section along with the warning that violations of any of the vacation rental regulations constitutes a violation of Monroe County Code subject to fines or punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under F.S. § 509.151 ("defrauding an innkeeper"), F.S. § 509.141 ("ejection of undesirable guests"), F.S. § 509.142 ("conduct on premises) or F.S. § 509.143 (disorderly conduct on premises, arrest").
(7) The owner or agent shall require a lease to be executed with each vacation rental use of the property and maintain a guest and vehicle register listing all vacation rental occupants' names, home addresses, telephone numbers, vehicle license plate and watercraft registration numbers. Each lease and this register shall be kept by the vacation rental manager and available for inspection by Monroe County code enforcement personnel during business hours.
(8) Vacation rental units must be registered, licensed and meet all applicable state requirements contained in F.S. Ch. 212 (Florida Tax & Revenue Act) and 509 (Public Lodging Establishments) as implemented by the Florida Administrative Code, as may be amended.
(9) The vacation rental use must comply with all State of Florida Department of Health and State of Florida Department of Environmental Protection standards for wastewater treatment and disposal.
(10) All vacation rental units shall have a vacation rental manager or managers, who has been issued a vacation rental manager license by the planning department as provided for in section 9.5-534(h). The vacation rental manager shall reside within and be licensed for that section of the county (upper, middle, and lower keys) where the vacation rental unit is located and be available twenty-four (24) hours per day, seven (7) days a week for the

purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of this section. Any change in the vacation rental manager shall require written notification to the planning department and notification by certified return mail to property owners within three hundred (300) feet of the subject dwelling.

(11) Complaints to the vacation rental manager concerning violations by occupants of vacation rental units to this section shall be responded to within one (1) hour. The neighbor who made the complaint shall be contacted by telephone or in person and informed as to the results of the actions taken by the manager. A record shall be kept of the complaint and the manager's response for a period of at least three (3) months after the incident, which shall be available for inspection by the Monroe County code enforcement department during business hours.

(12) The name, address, and telephone number of the vacation rental manager(s), the telephone number of county code enforcement department and the number of the special vacation rental permit shall be posted and visible from the front property line of the vacation rental unit.

(13) The tenants agreement with the rules of conduct shall be posted in a conspicuous location in each vacation rental unit.

(f) Special vacation rental permit application. A complete special vacation rental permit application shall include the following:

(1) The complete legal description, street address, RE number and location of the vacation rental unit.

(2) Proof of ownership and the name, address and telephone number of each and every person or entity with an ownership interest in the dwelling unit.

(3) An approved Florida State Department of Health or Florida State Department of Environmental Protection inspection or certification of the adequacy of the sewage disposal system for use as a vacation rental unit.

(4) The gross square footage of the dwelling unit, location and number of rooms, bedrooms, bathrooms, kitchens, apartments, parking spaces and any other information required to determine compliance with vacation rental requirements and compliance with this chapter.

(5) A valid and current Florida Department of Revenue sales tax identification number under F.S. Ch. 212 (Florida Tax and Revenue Act) and a valid and current permit, license or approval under F.S. Ch. 509 (Public Lodging Establishments).

(6) The name, address, and telephone number of the vacation rental manager, including the vacation rental manager's license number.

(7) The applicant shall sign a written statement granting authorization to Monroe County code enforcement department to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of such permit, concerning compliance with the Monroe County Code chapter 9.5 (i.e. the Land Development Regulations).

(8) The application shall bear the signature of all owner(s), all authorized agent(s) and authorized manager(s) of the owner(s).

(9) Any additional information required to determine compliance with the provisions of this section.

(g) Notification to adjacent neighbors and permit, approval, issuance and appeal.

(1) The applicant or agent shall send a "Notice of Vacation Rental Use Application" by certified return mail to all property owners located within three hundred (300) feet of the dwelling unit which is the subject of the special vacation rental permit application, not less than thirty (30) days prior to the date of approval of the application. The notice of application shall be in a form prescribed by the planning director or his designee and shall clearly state the name, address and day/evening telephone numbers of each and every vacation rental manager, agent, caretaker and owner of the dwelling unit; the number of the Monroe County code enforcement department; and a copy of the tenants agreement. Notice to the adjacent property owners must include the following statement: "You have the right to appeal a decision to approve or deny this special vacation rental permit to the planning commission within thirty (30) days under Code section 9.5-521. You may have other rights that Monroe County cannot enforce. Review of a special vacation rental permit application by Monroe County will consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record which may prohibit the use of the dwelling unit for vacation rental purposes. You may wish to consult an attorney concerning these private rights."

(2) The applicant or agent shall provide proof to the planning department of submitting the "Notice of Vacation Rental Use Application." The special vacation rental permit shall not be issued until proof of this notification is provided and the special vacation rental permit has been approved by the planning director after completion of an on-site inspection of the subject dwelling unit by the code enforcement department. When approved by the planning director, the special vacation rental permit shall not be issued until thirty (30) days after the notices of application were sent to all property owners located within three hundred (300) feet of the dwelling unit that is the subject of the permit.

(h) Fines or revocation of special vacation rental use permit. A special vacation rental permit shall be revoked by the planning commission and/or fines levied by the code enforcement special master or a court of competent jurisdiction after a finding of a violation by the permit holder of this section, the special vacation rental permit or permit conditions or any material misrepresentation on the permit application, after the owner(s) is given notice and a hearing is held by the planning commission, code enforcement special master or a court of competent jurisdiction.

(i) Duration and renewal of special vacation rental use permit. Special vacation rental use permits shall expire one (1) year after the date of their issuance, unless renewed within thirty (30) days of their expiration date. Renewal of a special vacation use permit requires the owner or agent to submit an application in a form prescribed by the planning director to the planning department and payment of a nonrefundable fee, including proof of a current license and registration under F.S. Ch. 509 and Ch. 212.

(j) Vacation rental manager license application, issuance, renewal, fines, and revocation.

(1) An individual shall submit an application for a vacation rental manager license in a form prescribed by the planning director accompanied with a payment of a nonrefundable fee. The license shall be issued for a period of one (1) year and renewable annually. The license shall be for only one (1) specific section of the county (upper, middle, or lower keys) and no individual shall apply for or be issued more than one (1) vacation rental manager license at a time.

(2) After notice is given to the vacation rental manager and a public hearing is held, a vacation rental manager license shall be revoked by the planning commission and/or fines levied by the code enforcement special master or court of competent jurisdiction upon a finding of: a total of two (2) or more "no responses" to complaints registered by the public concerning tenants not following the terms of the tenants agreement, during any single year of the vacation rental manager's license; or two (2) or more violations of this section which are pertinent to the duties and responsibilities of a vacation rental manager. A vacation rental manager license shall be revoked if the license holder is found in violation of any of the regulations in section 9.5-534(k)(1) through section 9.5-534(k)(3).
(3) An individual who has had his license revoked shall not be eligible to resubmit an application for obtaining a new vacation rental manager license until two (2) years after the date of revocation of his license.
(k) Prohibitions, enforcement, and penalties.
(1) It shall be unlawful for any landlord, tenant, agent or other representative of a landowner to rent, lease, advertise or hold out for rent any dwelling unit for vacation rental use in any district where a vacation rental use is prohibited, except as otherwise exempted under this section.
(2) It shall be unlawful for any landlord, tenant, agent or other representative of a landlord to rent, lease, advertise or hold out for rent any dwelling unit for a vacation rental use without a special vacation rental permit, except as otherwise exempted under this section.
(3) After the effective date of this section, leases, subleases, assignments or any other occupancy agreements, for compensation for less than twenty-eight (28) days in duration:
(i) Shall not be entered into or renewed once they have expired or have terminated in any district in which tourist housing use is prohibited or in any district in which a vacation rental use is allowed unless a special vacation rental permit, building permit, inspection and certificate of occupancy for the vacation rental use (or for the conversion of an existing dwelling unit to vacation rental use) are first obtained; and
(ii) Any pre-existing vacation rental uses shall not be considered a lawful non-conforming use under section 9.5-143 and must be discontinued in any land use districts that prohibit vacation rental uses no later than thirty (30) days after the effective date of this section. Except that a vacation rental use that was established, and had obtained all of the required state and local permits and licenses, (a) prior to September 15, 1986, (b) or under any Code provisions that expressly allowed vacation retail uses, may remain pursuant to Code section 9.5-143.
(4) Monroe County Code section 6.3-13 shall not bar code enforcement for new vacation rental violations occurring after the effective date of this section.
(5) Prima facie evidence of vacation rental uses of a dwelling unit shall include (i) registration or licensing for short-term rental or transient rental use by the state under F.S. Chs. 212 (Florida Tax and Revenue Act) and 509 (public lodging establishments), (ii) advertising or holding out a dwelling unit for vacation rental use, (iii) reservations, booking arrangements or more than one (1) signed lease, sublease, assignment, or any other occupancy or agreement for compensation, trade, or other legal consideration addressing or overlapping any period of twenty-eight (28) days or less, or (iv) the use of an agent or other third person to make reservations or booking arrangements.

(6) A violation of any of the regulations in section 9.5-534(k)(1) through section 9.5-534(k)(3) shall be punishable as a second degree misdemeanor and by a fine of up to five hundred dollars ($500.00) per day, per unit, per violation. The code enforcement department may also enforce the terms of this section by bringing a case before the special master pursuant to Code section 6.3-14, or by citation under Code section 6.3-11, F.S. § 162.21 (as may be amended), or 76-435, Laws of Florida (as may be amended). If a code enforcement citation is issued, the fine shall be two hundred fifty dollars ($250.00) for the first offense and five hundred dollars ($500.00) for each subsequent offense.
(7) In addition to any other remedies available to Monroe County (including code enforcement pursuant to F.S. Ch. 162). Monroe County or any or other adversely affected party may enforce the terms of this section in law or equity. Any citizen of Monroe County may seek injunctive relief in a court of competent jurisdiction to prevent a violation of section 9.5-534 or to revoke a special vacation rental permit or vacation rental manager license, as set forth above. Attorney's fees and costs incurred in an action to enforce these regulations concerning vacation rental use(s) may be awarded to a substantially prevailing party at the discretion of the court.
(Ord. No. 4-1997, § 22; Ord. No. 030-1999, §§ 1, 2; Ord. No. 44-2000, § 4)

ATTACHMENT G

PROOF OF OWNERSHIP/WARRANTY DEED

Doc# 1699090 06/11/2008 2:30PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

06/11/2008 2:30PM
DEED DOC STAMP CL: LINDAR $6,300.00

Doc# 1699090
Bk# 2366 Pg# 188

RETURN TO:
John J. Wolfe, Esq.
2955 Overseas Hwy
Marathon, Florida 33050
THIS INSTRUMENT PREPARED BY:
Sheldon Evans, Esq.
3074 Lakewood Circle
Weston, Florida 33332
Tel: 954-349-3102

Parcel Identification/Alt. Key NO. 1461491

THIS WARRANTY DEED, made the 17th day of June, 2008 by
Raymond S. Kozlowski and Patricia Marie Reeder, jointly and severally,
hereinafter called the grantor, whose post office address is :
P.O. Box 425, Long Key, Florida. 33001
To :
Fausto Diaz and Maria Del Carmen Diaz, husband and wife whose post office address is:
10510 SW 142nd Avenue, Miami, Florida 33186, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individual, and the successors and assigns of corporations)

WITNESSETH, that the said grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration, 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, to-wit:

Lot 2, Block 8, INDIES ISLAND, Duck Key, Section 1, Part 1, as recorded in the Plat thereof, in Plat Book 5, Page 82, of the Public Records of Monroe County, Florida.

Subject to: covenants, conditions, restrictions, reservations, limitations and easements of record, and applicable zoning ordinances and assessments and taxes for the year ending December 31, 2008 and subsequent years.

TOGETHER, with all 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 the said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008

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 as to Grantor

Signature

witness as to Grantor

SHELDON EVANS.

Printed Signature

Raymond S. Kozlowski, Grantor Atty-in-Fact
by Patricia Marie Reeder, with Power of Attorney Printed

Patricia Marie Reeder, Grantor

STATE OF FLORIDA)
County of Monroe) ss.

The foregoing instrument was acknowledged before me this 10th day of June 2008 by Raymond S. Kozlowski under Power of Attorney to Patricia Marie Reeder.. and Patricia Marie Reeder, who executed the aforementioned Warranty Deed, in my presence and of who
[X] is personally known to me or[ ] has produced a Florida Driver's License _____ _____ _____ and _____ as photo identification.

Notary Public, State of Florida

My Commission Expires:

Sheldon Evans
Commission # DD473127
Expires October 24, 2009
800-386-7019

MONROE COUNTY
OFFICIAL RECORDS

ATTACHMENT H

PROPERTY RECORD CARD

Monroe County Property Record Card (023)

Alternate Key: 1461491
Effective Date: 11/5/2008 4:45:34 PM

Roll Year 2009
Run: 11/05/2008 04:45 PM

DIAZ,FAUSTO AND MARIA DEL CARMEN

10510 SW 142ND AVE
MIAMI FL 33186

Parcel 00377800-000000-16-65-34
Alt Key 1461491
Affordable Housing No
Inspect Date
Business Name
Physical Addr 1125 GREENBRIAR RD , DUCK KEY

Nbhd 5210
Mill Group 520D
PC 0800
Next Review

Associated Names

Name	DBA	Role
DIAZ, FAUSTO AND MARIA DEL CARMEN		Owner

Legal Description

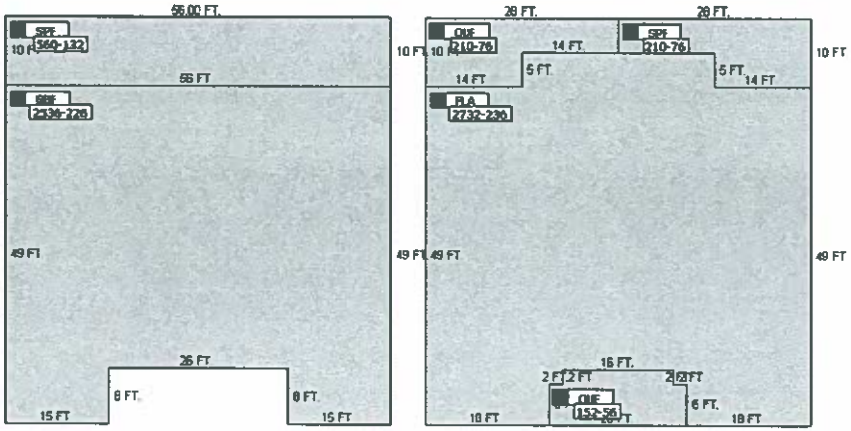
BK 8 LOT 2 DUCK KEY INDIES ISLAND SEC-1 PART-1 PB5-82 TOMS HARBOR OR354-517 OR820-400 OR983-2105 OR1008-781 OR1083-892 OR1622-1268R/S OR2366-188/89

Land Data 1.05

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
50685	080C	0	0	No	1.00	LT	50.00		1.00	1.00	1.00	1.00		N		

Total Just Value

Building Sketch 19743



Building Characteristics

Building Nbr	1	**Building Type**	R2	**Perimeter**	236	**Functional Obs**	0.00
Effective Age	11	**Condition**	G	**Depreciation %**	0.12	**Economic Obs**	0.00
Grnd Floor Area	2,732	**Quality Grade**	500	**Year Built**	1994	**Special Arch**	0

Inclusions: R2 includes 2 3-fixture baths and 2 kitchens.

Roof Type	1	**Roof Cover**	3	**Heat 1**	1	**Heat 2**	0	**Heat Src 1**	4	**Heat Src 2**	0	**Foundation**	6
Bedrooms	6												

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

Sections

Type	Number	Exterior Wall Type	# Stories	Year Built	Attic	A/C	Basement %	Finished Bsmt %	Area	Sketch ID	SOH %
GBF	1	5:C.B.S.	1	1994	N	Y	0.00	0.00	2,536	000	50.00
SPF	2	:	1	1994	N	N	0.00	0.00	560	001	50.00
SPF	5	:	1	1994	N	N	0.00	0.00	210	004	50.00
FLA	6	5:C.B.S.	1	1994	N	Y	0.00	0.00	2,732	005	50.00

OUF	7	:	1	1994	N	N	0.00	0.00	152	006	50.00
OUF	8	0:	1	1994	N	N	0.00	0.00	210	007	50.00

Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
13	PT3:PATIO	48	SF	100.00	12	4	1994	1995	2	50		
12	PT3:PATIO	21	SF	100.00	7	3	1994	1995	2	50		
11	PT3:PATIO	612	SF	100.00	0	0	2004	2005	2	50		
10	PO2:LOW COST POOL	468	SF	100.00	39	12	2004	2005	4	40		
9	AC3:AIR COND	1	UT	50.00	0	0	1993	1994	1	20		
8	DK4:WOOD DOCKS	846	SF	50.00	94	9	2002	2003	3	40		
7	PT3:PATIO	132	SF	50.00	33	4	1998	1999	2	50		
6	PT3:PATIO	176	SF	50.00	16	11	1998	1999	2	50		
5	PT3:PATIO	352	SF	50.00	88	4	1998	1999	2	50		
3	FN2:FENCES	138	SF	50.00	23	6	1994	1995	2	30		
2	SW2:SEAWALL	184	SF	50.00	92	2	1975	1976	3	60		
										Total Depreciated Value		

Appraiser Notes

RAYMOND KOZLOWSKI & PAT REEDER LIVE IN THE LEFT SIDE OF BLDG FLA TOTAL 2732 SOH 1366 50% 2004 BH 2003-12-3 FLA & OUF SQUARE TO TRAVERSE WOOD STAIRS 15X4 & 15X3 & 15X3 PF2000 BLD IS A DUPLEX, DOWNSTAIRS IS ONLY STORAGE & GARAGES. BLD HAS #'S 1 & 4 ON EXTERIOR DUE TO OWNERS RENTALS ON THE LEFT PROPERTY. 7/16/2003 TPP 8874472 - RENTAL

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	2202142	May 17 2002 12:00AM		9,000		INSTALL BRICK PAVERS
	9920157	Jan 7 2000 12:00AM	Jun 14 2002 12:00AM	5,000		REPLACE DOCK & 20 PILINGS
	3203683	Sep 3 2003 12:00AM	Dec 21 2004 12:00AM	34,000	Residential	POOL AND SPA

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2008F	C	345,000	0	362,503	43,186	750,689	750,689	25,500	N	725,189
2007F	C	435,000	0	492,982	38,849	966,831	920,857	25,500	N	895,357
2006F	C	400,000	0	419,123	36,181	855,304	855,304	25,500	N	829,804
2005F	C	310,000	0	558,399	37,091	905,490	859,112	25,500	N	833,612
2004F	C	350,000		402,258	20,238	772,496	772,496	25,500	N	746,996
2003F	C	257,500		357,942	20,794	636,236	636,236	0		636,236
2002F	C	142,500		315,568	25,081	483,149	483,149	0		483,149
2001F	C	128,250		248,526	25,545	402,321	402,321	0		402,321
2000F	C	128,250		275,426	7,476	411,152	411,152	0		411,152
1999F	C	128,250		211,866	5,947	346,063	346,063	0		346,063
1998F	C	128,250		211,866	6,049	346,165	346,165	25,000		321,165
1997F	C	128,250		211,866	6,241	346,357	346,357	25,000		321,357
1996F	C	128,250		211,866	6,438	346,554	346,554	25,000		321,554
1995F	C	126,000		211,866	6,193	344,059	344,059	25,000		319,059
1994F	C	126,000		0	2,753	128,753	128,753	0		128,753
1993F	C	126,000		0	2,753	128,753	128,753	0		128,753
1992F	C	126,000		0	2,753	128,753	128,753	0		128,753
1991F	C	126,000		0	2,753	128,753	128,753	0		128,753
1990F	C	88,650		0	2,753	91,403	91,403	0		91,403
1989F	C	70,875		0	2,753	73,628	73,628	0		73,628
1988F	C	62,300		0	2,753	65,053	65,053	0		65,053
1987F	C	55,625		0	2,753	58,378	58,378	0		58,378
1986F	C	55,625		0	2,753	58,378	58,378	0		58,378
1985F	C	54,914		0	2,753	57,667	57,667	0		57,667
1984F	C	54,914		0	2,753	57,667	57,667	0		57,667
1983F	C	54,914		0	2,753	57,667	57,667	0		57,667
1982F	C	35,892		0	2,753	38,645	38,645	0		38,645

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
820	400	10/1/1980	Warranty Deed	0	U	V	16,000
983	2105	8/1/1986	Warranty Deed	0	Q	V	50,000
1008	781	3/1/1987	Warranty Deed	0	Q	V	75,000
1083	892	2/1/1989	Warranty Deed	0	Q	V	110,000
2366	188	6/10/2008	Warranty Deed	0	Q	I	900,000

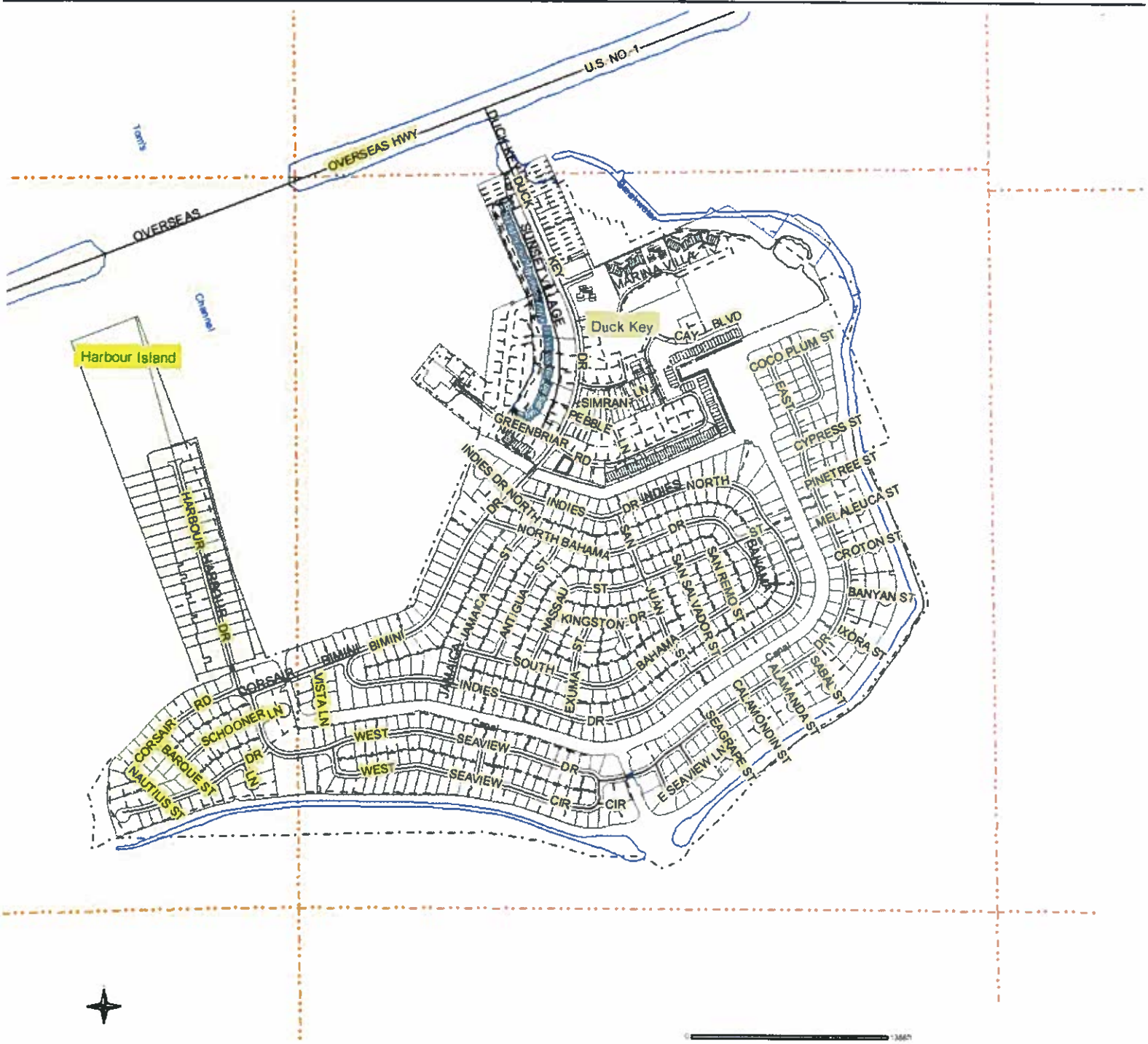
Exemptions

Code	Description	Value	Year	Renewal	%	Amount Applied
44	ADDL HOMESTEAD	25,000	2008	2	100.00	
02	WIDOWS	500	2004	2	50.00	
38	HOMESTEAD R/S	25,000	2004	2	100.00	

ATTACHMENT I

LOCATION MAP

Location Map



Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

PALMIS

Legend
- Highlighted Feature
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines

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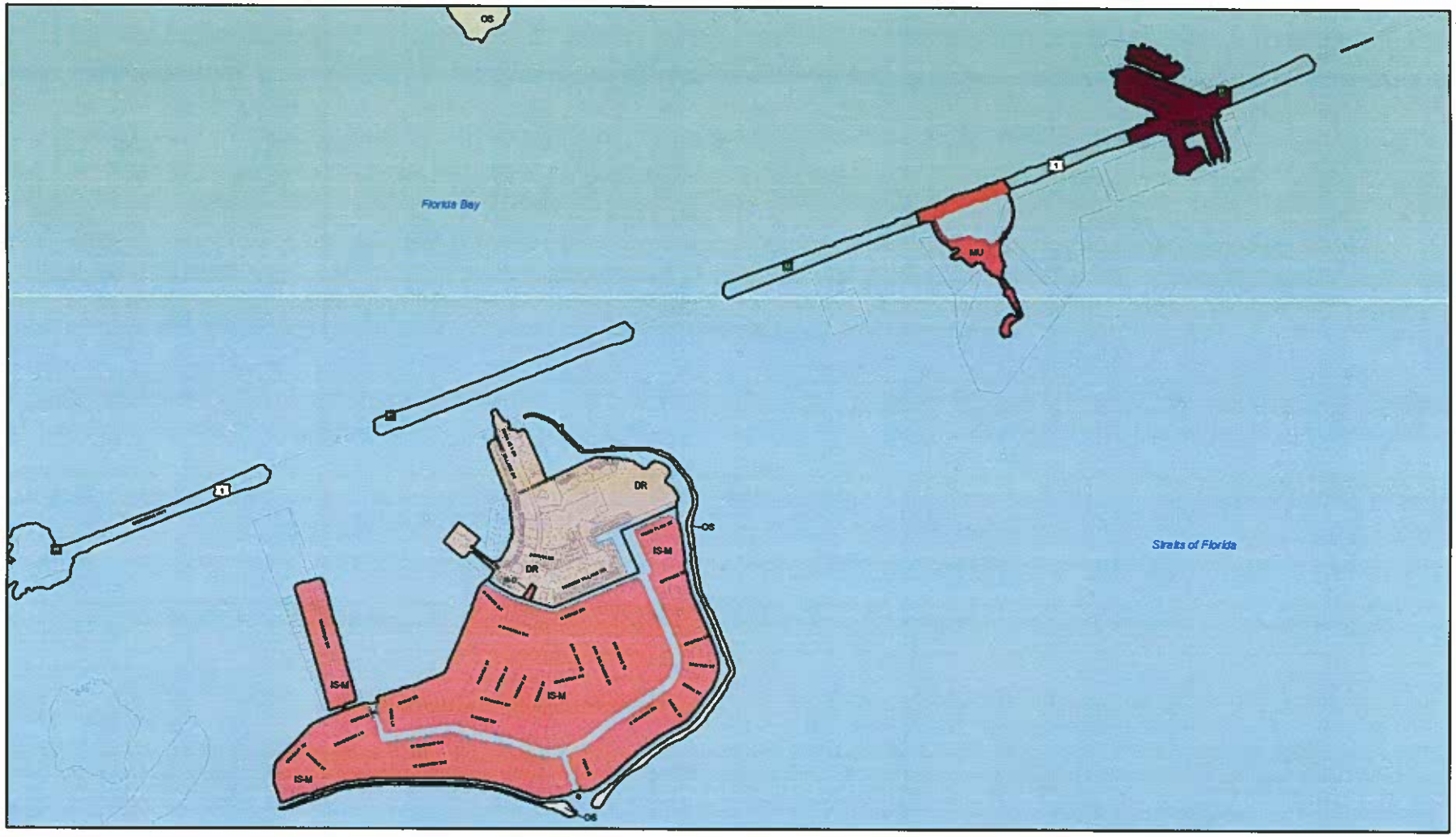
Date Created: November 6, 2008 1:50 PM

ATTACHMENT J

LAND USE DISTRICT MAP



The base maps are not survey accurate, and the location of land use district boundaries in areas where vegetation predominates should be verified by the Monroe County biologist. These maps are intended to represent the general location of features with respect to other features on the same map. The engineer of record and County will not be responsible for any source document errors or omissions in the information compiled by others which have been incorporated into these maps.

ACCC Area of County Critical Concern
AD Airport
CD Conservation District
CFA Commercial Fishing Area
CFSD Commercial Fishing Special Dist.
CFV Commercial Fishing Village
DR Destination Resort
I Industrial
IS Improved Subdivision
IS-D Improved Subdivision (Duplex)
IS-DM Improved Subdivision (Duplex Masonry)
IS-M Improved Subdivision (Masonry)
MF Military Facilities
MI Maritime Industries
MN Mainland Native Area
MU Mixed Use
NA Native Area
OS Offshore Island Area
PR Park and Refuge Area
Research Park
RV Recreational Vehicle
SC Suburban Commercial
SR Suburban Residential
SR-L Suburban Residential Limited
SS Sparsely Settled
UC Urban Commercial
UR Urban Residential
URM Urban Residential Mobile Home
URM-L Urban Residential Mobile Home Limited

Monroe County, Florida Land Use District Map

Supplement: 000 Date: January 17, 2007

Certified by the County Commission Resolution No. ____

N

Aref Joulani, Director of Planning & Environmental Resources

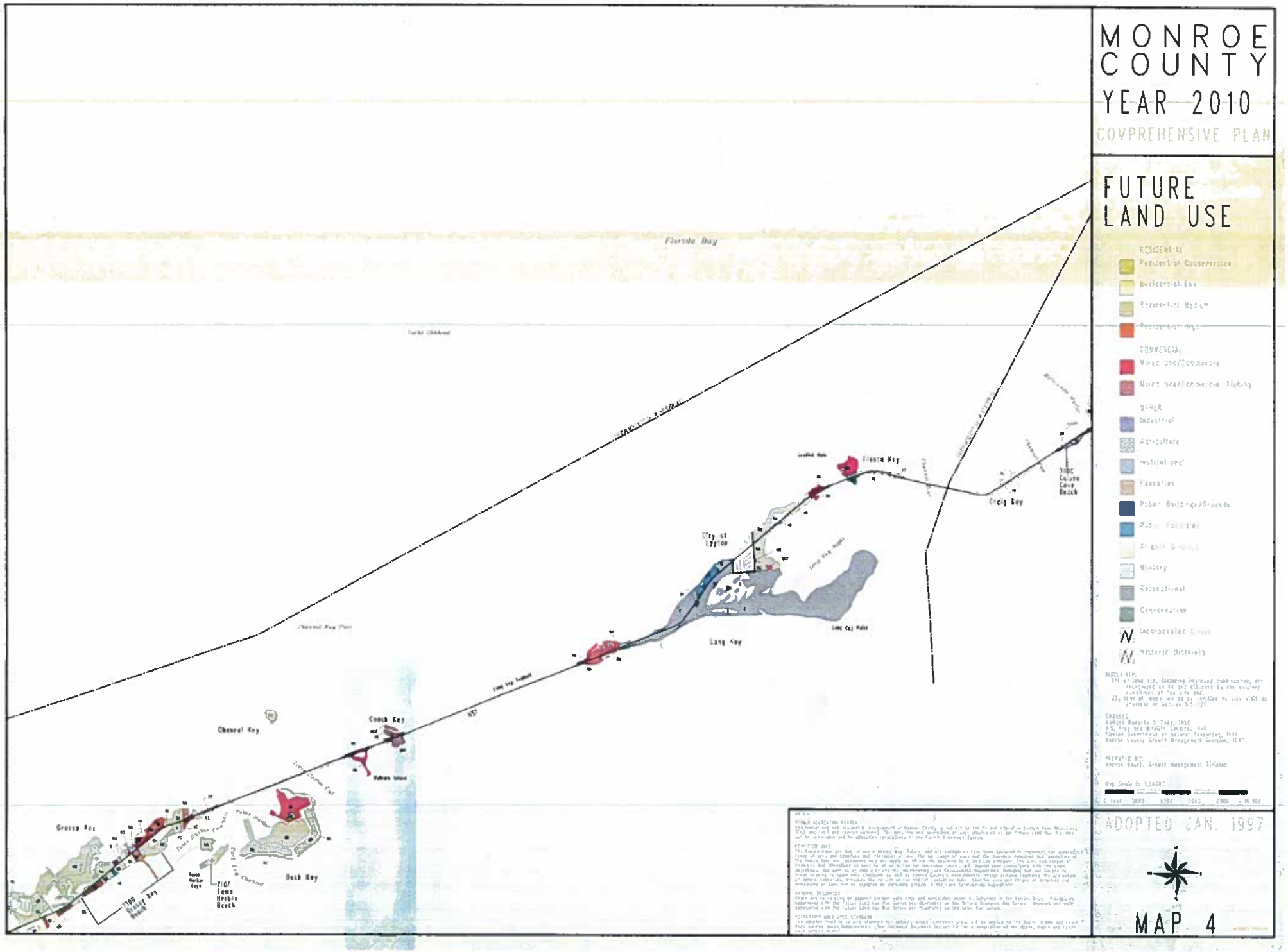
Andrew Trivette, Director of Growth Management

Sheet: 250

QS
DR
IS-D
IS-M

ATTACHMENT K

FUTURE LAND USE MAP


MONROE COUNTY
YEAR 2010
COMPREHENSIVE PLAN
FUTURE LAND USE
RESIDENTIAL
Residential Conservation
Residential Low
Residential Medium
Residential High
COMMERCIAL
Mixed Use/Commercial
Mixed Use/Commercial Fishing
OTHER
Industrial
Agriculture
Institutional
Education
Public Buildings/Grounds
Public Facilities
Airport District
Military
Recreational
Conservation
Incorporated Cities
Historic Districts
ADOPTED JAN. 1997
MAP 4
Florida Bay
Florida Keys
Craig Key
Long Key
Conch Key
Channel Key
Duck Key
Grassy Key
City of Layton

ATTACHMENT L

PROPERTY PHOTOS

Aerial - Diaz

Legend

- Highlighted Feature
- Real Estate Number
- Parcel Lot Text
- Dimension Text
- Block Text
- Point of Interest Text
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines
- 2006 Aerials

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

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Date Created: November 5, 2008 4:51 PM

D138 Diaz Map Amendment

ATTACHMENT M

SURVEY

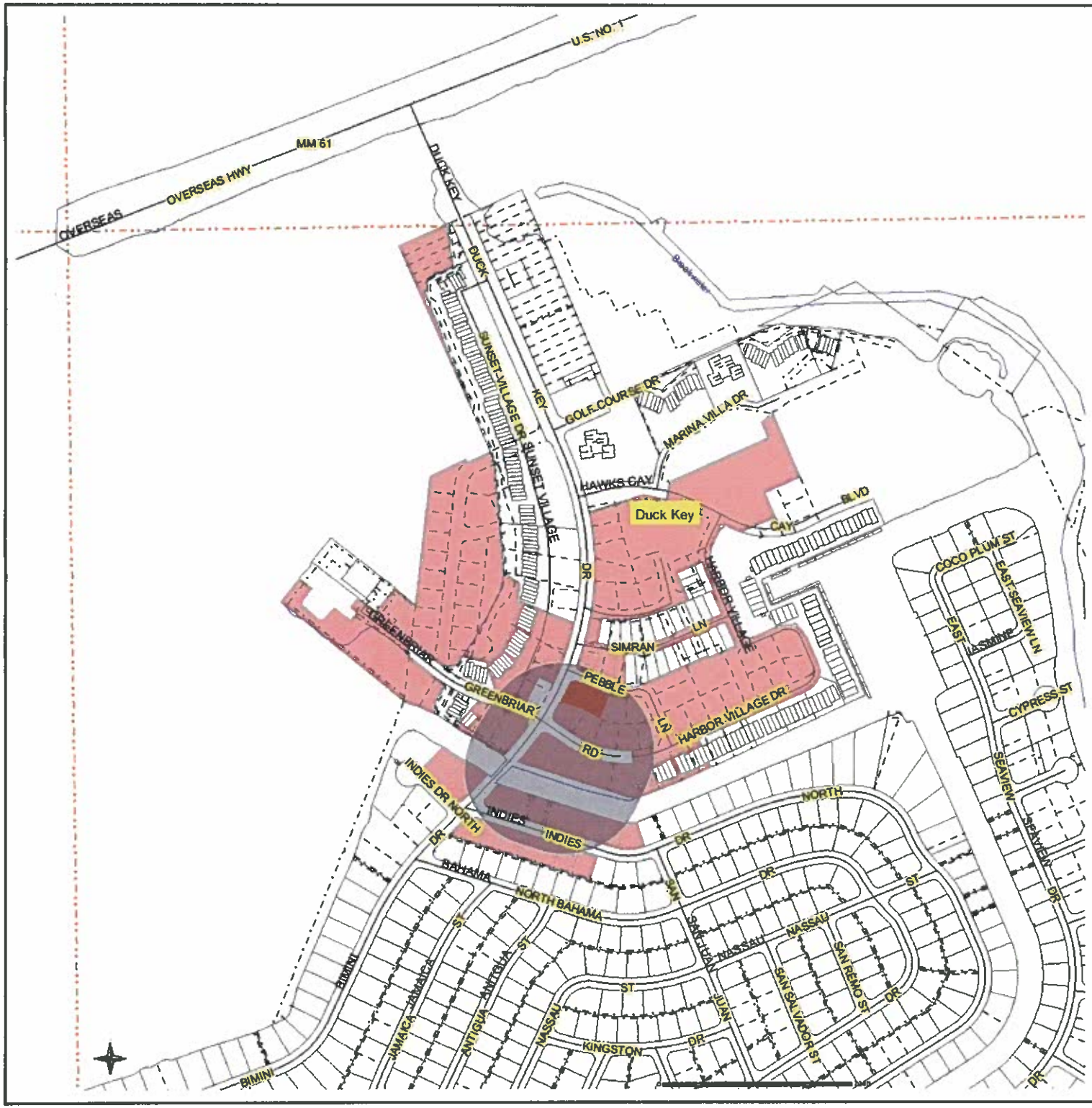
ATTACHMENT N

RADIUS REPORT AND MAILING LABELS

300 Ft. R

Parcel RE#	Owner Name	City	State	Zip
00380830-000000	MARTIN BROTHE	MIAMI	FL	33165
00377770-000400	PHILLIPS RICHA	OXFORD	MI	48371
00377770-000600	PRIMM SUSAN L	PITTSBURGH	PA	15205
00377770-000100	WHITNEY WILLI	MARATHON	FL	33050
00378670-000000	CABRERA-RODR	MIAMI	FL	33143
00377770-001000	URRUTIA RUBEN	MIAMI	FL	33173
00377820-000000	PONTON LEOVAL	MIAMI	FL	33186
00380810-000000	CAO ROBERTO &	MIAMI	FL	33015
00380820-000000	MARTIN FIDE &	MIAMI	FL	33165
00380850-000000	KOZAK DAVID F	CHESTERTON	IN	46304
00377810-000000	DIAZ FAUSTO	DUCK KEY	FL	33050
00377770-000200	HOCK KEITH C A	DUCK KEY	FL	33050
00378660-000000	HANSEN MICHAE	NOVI	MI	48374
00379440-000000	GROSS CHARLES	ST CLOUD	FL	34769
00379460-000000	LANCASTER BRI	LEESBURG	VA	20176
00379430-000000	CROWLEY WILLI	SANFORD	FL	32771
00377800-000000	DIAZ FAUSTO AN	MIAMI	FL	33186
00377770-000500	AYRES JAMES D	DUCK KEY	FL	33050
00379410-000000	CHIPLEY ROBERT	SHERMAN	CT	06784-1737
00379390-000000	ENQUIST ROY J	DUCK KEY	FL	33050
00377770-000700	SHULTZ DUANE	GENEVA	IL	60134
00377790-000000	VOF LLC	PITTSTOWN	NJ	8867
00380840-000000	KOZAK DAVID F	CHESTERTON	IN	46304
00379450-000000	116 INDIES LLC	ST CLOUD	FL	34769
00379400-000000	LIERMANN EMILY	DUCK KEY	FL	33050
00380860-000000	LLORENTE CARL	PLANTATION	FL	33317
00377770-000800	SPIVEY RANDALL	FORT MYERS	FL	33908
00377770-000300	O'TOOLE BRUCE	DUCK KEY	FL	33050
00380870-000000	SNYDER RICHAR	PALM COAST	FL	32135
00377770-001200	SHATTUCK GEOR	ISLAMORADA	FL	33036
00378380-000000	BH/NV HAWK'S C	ADDISON	TX	75001
00379420-000000	WATKINS EDWAR	PORTLAND	OR	97201-5073
00377770-001100	SEEMES TODD	MARATHON	FL	33050
00378380-000700	VILLAGE AT HAW	MARATHON	FL	33050
00378381-000259	KLEIN EDWARD 8	SEABROOK	TX	77586
00378381-000258	F AND W FLORID	BELLEVILLE	MI	48112
00378380-000600	VILLAGE AT HAW	MARATHON	FL	33050
00378381-000248	CRANDALL DAVI	EAST HAVEN	CT	6512
00378390-000700	VILLAGE AT HAW	MARATHON	FL	33050
00377770-000900	KEHOE RONALD J	MARATHON	FL	33050
00377830-000000	BLALOCK WILLIA	MELBOURNE	FL	32934
00378380-000900	SANCTUARY AT H	MARATHON	FL	33050
00378381-000373	C & FL ENTERPRI	OAK BROOK	IL	60523
00378381-000261	7004 GROUP LLC	PARKLAND	FL	33076
00378381-000260	GREER JAMES D &	PARKLAND	FL	33076-4259
00378381-000250	LOHEC HARROLD	PEARLAND	TX	77581
00378381-000374	KELLOGG WILLIA	HENDERSON HARBOR	NY	13651
00378380-000800	VILLAGE AT HAW	MARATHON	FL	33050
00378381-000252	RENNARDSON IA	HILDENBOROUGH	KENT	TN11 9EL UK
00378381-000253	WILLIAMSON RO	LONG KEY	FL	33001
00378381-000249	NONEMAKER BAR	YORK	PA	17402
00378381-000246	VERREAULT DANI	PARRISH	FL	34219
00378381-000372	CARROLL WILLIA	ROSSFORD	OH	43460

Radius Map



Legend

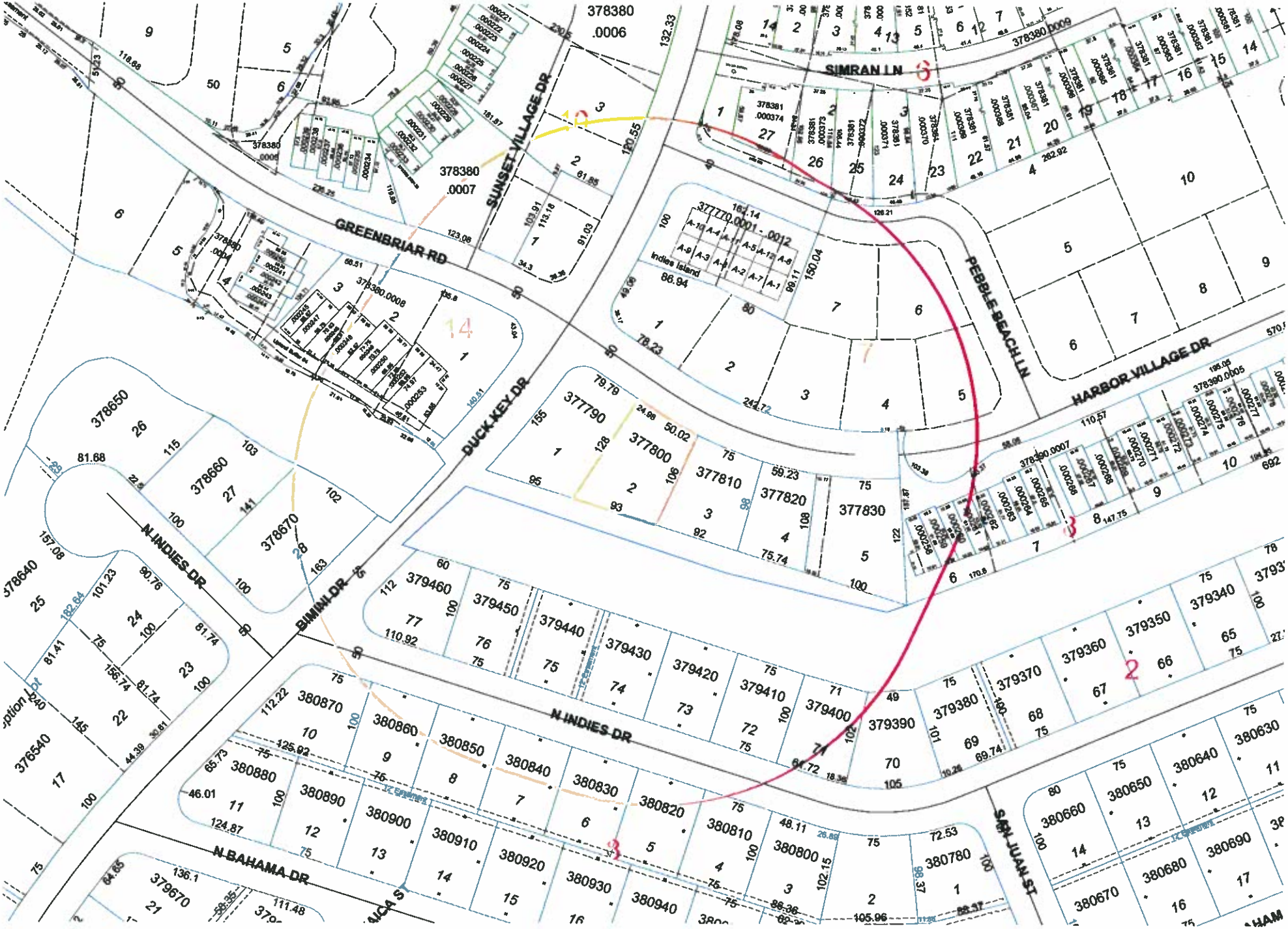
- theBuffer
- theBufferTarget
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

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

Date Created: February 5, 2009 9:40 AM


SIMRAN LN
SUNSET VILLAGE DR
GREENBRIAR RD
PEBBLE BEACH LN
HARBOR VILLAGE DR
DUCK KEY DR
N INDIES DR
BIMINI DR
N BAHAMA DR
SAN JUAN ST
Indies Island

Mailing Labels – Diaz February 2009

116 INDIES LLC C/O GROSS CHARLES N JR TRUSTEE
1136 NEW YORK AVE
ST CLOUD FL 34769

7004 GROUP LLC THE
7599 NW 117TH LANE
PARKLAND FL 33076

AYRES JAMES D IV AND ANDREA H/W
196 S INDIES DR
DUCK KEY FL 33050

BH/NV HAWK'S CAY PROPERTY HOLDINGS LLC C/O
BEHRINGER HARVARD FUNDS
15601 DALLAS PKWAY STE 600
ADDISON TX 75001

BLALOCK WILLIAM & NANCY REV LIV TR THE (6-16-98)
4565 LAKE WASHINGTON DR
MELBOURNE FL 32934

C & FL ENTERPRISES LP
148 ST FRANCIS CIR
OAK BROOK IL 60523

CABRERA-RODRIGUEZ ILEANA & DE LA PENA LAURA E T/C
7420 SW 66 ST
MIAMI FL 33143

CAO ROBERTO & OLGA
7301 COLDSTREAM DR
MIAMI FL 33015

CARROLL WILLIAM AND CATHERINE
418 RIVERSIDE DR
ROSSFORD OH 43460

CHIPLEY ROBERT T & HEATHER J
18 ATCHISON COVE RD
SHERMAN CT 06784-1737

CRANDALL DAVID JASON S
233 MANSFIRLD GROVE RD
EAST HAVEN CT 6512

CROWLEY WILLIAM P C/O WALLACE GEORGE B AND JULIE A (T/C)
700 WEST FIRST ST
SANFORD FL 32771

DIAZ FAUSTO
1124 GREENBRIAR RD
DUCK KEY FL 33050

DIAZ FAUSTO AND MARIA DEL CARMEN
10510 SW 142ND AVE
MIAMI FL 33186

Mailing Labels – Diaz February 2009

ENQUIST ROY J
128 N INDIES DR
DUCK KEY FL 33050

F AND W FLORIDA PROPERTIES LLC
P O BOX 770
BELLEVILLE MI 48112

GREER JAMES D & JANEY L & GREER JOHN L &
JACQUELINE R T/C
7599 NW 117TH LN
PARKLAND FL 33076-4259

GROSS CHARLES N JR FAMILY TRUST 04/13/2005 C/O
GROSS CHARLES N JR TRUSTEE
1136 NEW YORK AVE
ST CLOUD FL 34769

HANSEN MICHAEL E & PATRICIA A
24323 LYNWOOD DRIVE
NOVI MI 48374

HOCK KEITH C AND STELLA A H/W
320 E SEAVIEW DR
DUCK KEY FL 33050

KEHOE RONALD J & JANE
1129 PEBBLE BEACH LANE APT 9
MARATHON FL 33050

KELLOGG WILLIAM AND BONNIE
BOX 59
HENDERSON HARBOR NY 13651

KLEIN EDWARD & ADELAIDE
2529 DU LAC TRA
SEABROOK TX 77586

KOZAK DAVID F & GARY A
1580 HOGAN AVE
CHESTERTON IN 46304

LANCASTER BRIAN P & CHRISTINE A
14500 WOODSTAR CT
LEESBURG VA 20176

LIERMANN EMILY C
126 INDIES DRIVE N
DUCK KEY FL 33050

LLORENTE CARLOS M & MARIA D
5470 SW 17TH STREET
PLANTATION FL 33317

LOHEC HARROLD L & AMANDA KAY
2201 GREEN TEE DR
PEARLAND TX 77581

Mailing Labels – Diaz February 2009

MARTIN BROTHERS INC
3616 SW 108 AVE
MIAMI FL 33165

MARTIN FIDE & YOLANDA
3616 SW 108 AVE
MIAMI FL 33165

NONEMAKER BARRY G & NEDRA M
566 CHESTNUT HILL RD
YORK PA 17402

O'TOOLE BRUCE
1129 PEBBLE BEACH LN
DUCK KEY FL 33050

PHILLIPS RICHARD L & SHERYL A
650 SOUTH SHORE DR
OXFORD MI 48371

PONTON LEOVALDO & CECILIA & DIAZ FAUSTO &
MARIA DEL CARMEN (H/W) T/C
10510 SW 142 AVE
MIAMI FL 33186

PRIMM SUSAN LEIGH
276 EWING ROAD
PITTSBURGH PA 15205

RENNARDSON IAN & LORNA RUSSETTS APPLEA
BLOSSOM LANE
108 TONBRIDGE ROAD
HILDENBOROUGH KENT TN11 9EL UK

SANCTUARY AT HAWKS CAY PROP OWNERS ASSOC
INC
6805 OVERSEAS HWY
MARATHON FL 33050

SEEMES TODD
1129 PEBBLE BEACH LN
MARATHON FL 33050

SHATTUCK GEORGE P AND CINDY A
161 EL CAPITAN DR
ISLAMORADA FL 33036

SHULTZ DUANE J DEC TR DTD 03/07/2008 C/O SHULTZ
DUANE J TRUSTEE
2321 VANDERBUILT DRIVE
GENEVA IL 60134

SNYDER RICHARD A & NANCY I
P O BOX 350593
PALM COAST FL 32135

SPIVEY RANDALL L JR AND TRICIA A
15151 INTRACOASTAL
FORT MYERS FL 33908

Mailing Labels – Diaz February 2009

URRUTIA RUBEN B & ODETTE C
11101 SNAPPER CREEK DRIVE
MIAMI FL 33173

VERREAULT DANIEL A
12182 MAPLE RIDGE DR APT 402
PARRISH FL 34219

VILLAGE AT HAWK'S CAY PROPERTY OWNERS ASSOC INC
800 DUCK KEY DR
MARATHON FL 33050

VOF LLC
19 RACE ST
PITTSTOWN NJ 8867

WATKINS EDWARD C
2221 SW 1ST AVENUE 2123
PORTLAND OR 97201-5073

WHITNEY WILLIAM H TRUST 9/24/2008
1129 PEBBLE BEACH LANE UNIT 1
MARATHON FL 33050

WILLIAMSON ROBERT F
PO BOX 431
LONG KEY FL 33001

ATTACHMENT O

LETTER OF AUTHORIZATION

OCTOBER 31, 2008
(Date)

I hereby authorize The Craig Company be listed as authorized agent
(Name of Agent)

for Fausto Diaz and Maria Del Carmen Diaz for the purpose of conducting all business necessary to
(Name of Owner(s) / Applicant)

process and obtain approval in regard to Lot 2, Block 8, INDIES ISLAND, Duck Key for Land Use District Map Amendment
(Project Name) (Application Type)

for Real Estate No(s): 00377800-000000 from the Monroe County Planning and Environmental Resources Department.

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

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

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

Fausto Diaz Maria del Carmen Diaz
Owner(s) / Applicant Signature

Fausto Diaz Maria Del Carmen Diaz
Printed Name of Owner(s) / Applicant

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 31st **day of** OCTOBER, **20**08.
Fausto Diaz and Maria Del Carmen Diaz are ~~is~~ ✓ **personally known** ✓ **produced identification**
(FLORIDA DRIVERS LICENSES **Type of Identification), did / did not take an oath.**

Notary

LISA ZIELS
MY COMMISSION # DD692028
EXPIRES October 19, 2011
(407) 398-0153 FloridaNotaryService.com

SKETCH OF BOUNDARY SURVEY

SECTION 21-65-34
SHEET 2 OF 8
OF PLAT

LEGAL DESCRIPTION AS FURNISHED BY CLIENT:
LOT 2, BLOCK 8, INDIES ISLAND, DUCK KEY, SECTION 1, PART 1, AS RECORDED IN THE PLAT THEREOF, IN PLAT BOOK 5, PAGE 82, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA

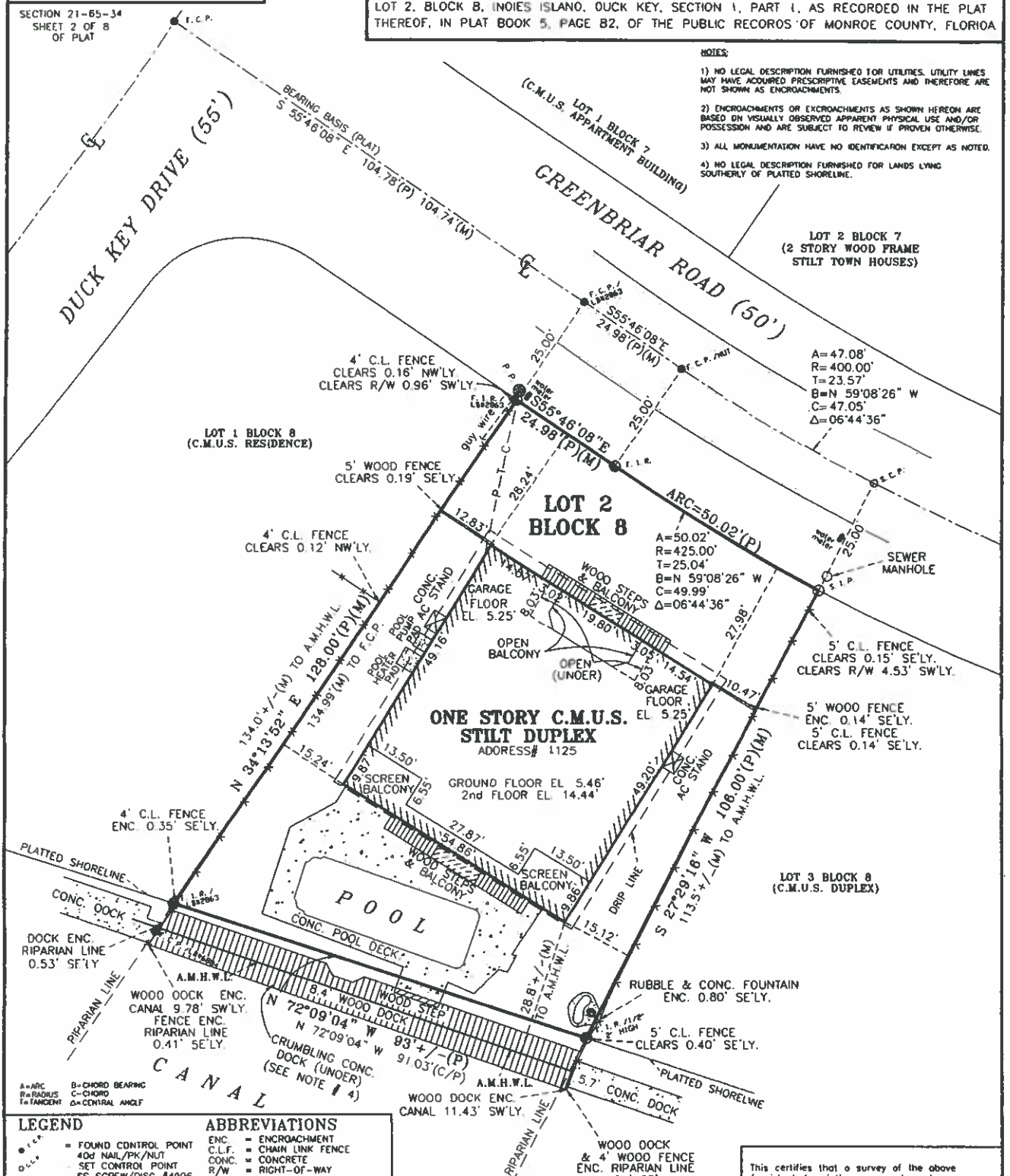
NOTES:

1) NO LEGAL DESCRIPTION FURNISHED FOR UTILITIES. UTILITY LINES MAY HAVE ACQUIRED PRESCRIPTIVE EASEMENTS AND THEREFORE ARE NOT SHOWN AS ENCROACHMENTS.

2) ENCROACHMENTS OR EXCROACHMENTS AS SHOWN HEREON ARE BASED ON VISUALLY OBSERVED APPARENT PHYSICAL USE AND/OR POSSESSION AND ARE SUBJECT TO REVIEW IF PROVEN OTHERWISE.

3) ALL MONUMENTATION HAVE NO IDENTIFICAION EXCEPT AS NOTED.

4) NO LEGAL DESCRIPTION FURNISHED FOR LANDS LYING SOUTHERLY OF PLATTED SHORELINE.



LEGEND

- F.C.P. = FOUND CONTROL POINT 40d NAIL/PK/NUT
- S.C.P. = SET CONTROL POINT SS SCREW/DISC #4906
- F.I.P. = FOUND 3/4" PIPE /SIZE/CAP TYPE
- S.I.P. = SET 3/4" PIPE /LS#4906
- F.I.R. = FOUND 5/8" REBAR /SIZE/CAP TYPE
- P.R.M. = PERMANENT REFERENCE MONUMENT
- P.P. = POWER POLE /RENCH MARK
- = INDICATES CONCRETE
- TYP = TYPICAL
- 'LY. = ERLY
- A.K.A. = ALSO KNOWN AS
- C.M.U.S. = CONCRETE MASONRY UNIT STRUCTURE
- -P-T C- = AERIAL POWER, TELEPHONE, AND/OR CABLE LINES
- A.M.H.W.L. = APPROXIMATE MEAN HIGH WATER LINE ACCORDING TO ARMY CORP OF ENGINEER'S ESTIMATE
- EL. = ELEVATIONS (SHOWN THUS X 5.00') ARE RELATIVE TO 1929 NATIONAL GEODETIC VERTICAL DATUM. MONUMENT #_U 328__ ELEVATION__11.22'____

100 Year Coastal Flood Zone__AE__ Base Flood Elevation__8'____
FIRM NO.120681 PANEL NO. __1168__ __K__ REV. 02/18/05

NOTE: UNDERGROUND ENCROACHMENTS OR CONDITIONS IF ANY ARE NOT LOCATED.
ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.

ABBREVIATIONS

- ENC. = ENCROACHMENT
- C.L.F. = CHAIN LINK FENCE
- CONC. = CONCRETE
- R/W = RIGHT-OF-WAY
- (P) = PLAT
- (M) = MEASURED
- (C) = CALCULATED
- (D) = DEED/DESCRIPTION
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.C. = POINT OF CURVE
- P.I. = POINT OF INTERSECTION
- P.T. = POINT OF TANGENT
- ℄ = CENTERLINE
- A/C = AIR CONDITIONER
- BALC. = BALCONY
- CANT. = CANTILEVER
- /// = BROKEN LINE (NOT TO SCALE)

This certifies that a survey of the above furnished description was made under my supervision and the survey meets the "Minimum Technical Standards" set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
Date Survey completed____09/15/08_____
IMPROVEMENT LOCATION AND BOUNDARY SURVEY
FOR THE BENEFIT OF:
FAUSTO DIAZ AND MARIA DEL CARMEN DIAZ, HUSBAND AND WIFE
JOHN J. WOLFE, P.A.
ATTORNEYS' TITLE INSURANCE FUND, INC.

JOHN PAUL GRIMES, III, S & M., NO. 4906
NOT VALID WITHOUT SIGNATURE & ORIGINAL RAISED SEAL
THIS SURVEY IS NOT ASSIGNABLE.
THIS SURVEY SUBJECT TO A TITLE SEARCH.

J.P. GRIMES, REGISTERED FLORIDA SURVEYOR AND MAPPER
P.O. BOX 510403 #14 6th STREET
KEY COLONY BEACH, FL. 33051-0403
PH. (305) 743-4510
FAX (305) 743-3277

P.N. 080807 | BT

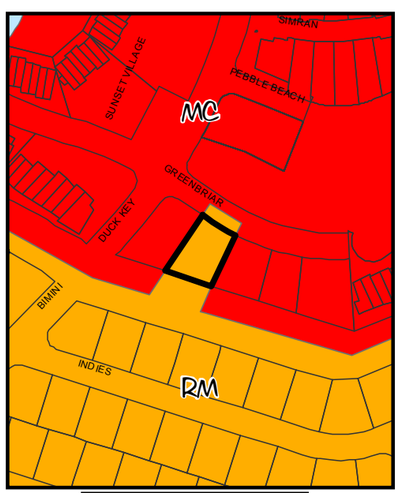
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

Monroe County Existing Land Use Amendment

Existing Conditions

Proposed Conditions

Existing Land Use Designations: AD = Airport District; CD = Conservation District; CFA = Commercial Fishing Area; CFSD = Commercial Fishing Special District; DR = Destination Resort; I = Industrial; IS = Improved Subdivision; MF = Military Facilities; MI = Maritime Industries; MN = Mainland Native Area; MU = Mixed Use; NA = Native Area; OS = Offshore Island; PR = Park and Refuge; RV = Recreational Vehicle; SC = Suburban Commercial; SR = Suburban Residential; SS = Sparsely Settled; UC = Urban Commercial; UR = Urban Residential; URM = Urban Residential Mobile Home



Future Land Use

Tier Designation

Growth Management Division

We strive to be caring, professional, and fair.

The Monroe County Existing Land Use is proposed to be amended as indicated above and briefly described as:

Key: Duck Key Mile Marker: 61 Map Amendment #: M29016

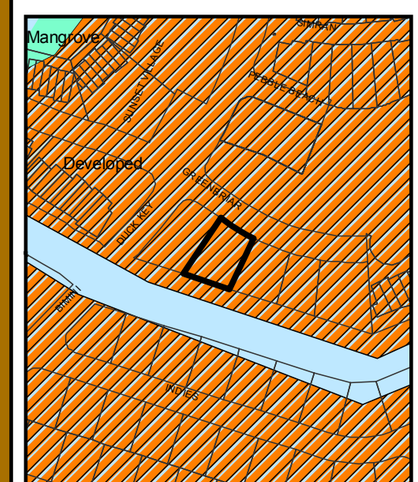
Land Use District Map #: 250

Proposal: Existing Land Use change of one parcel from Improved Subdivision Duplex (IS-D) to Improved Subdivision Vacation Home (IS-V)

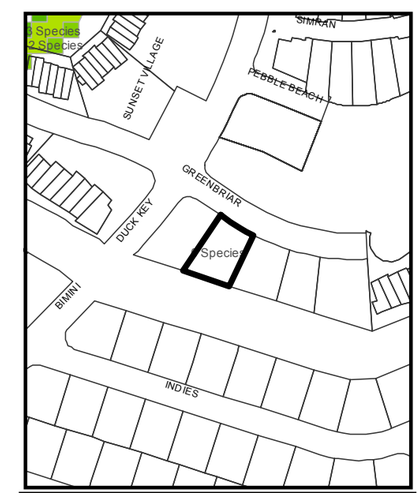
Property Description: RE 00377800-000000

N

This map is for use by the Monroe County Growth Management Division only. The data contained herein is not a legal representation of boundaries, parcels, roads, right of ways, or other geographical data.



Habitat Type



Number of Protected Species

ORDINANCE NO. -2009

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS **APPROVING** A REQUEST BY FAUSTO AND MARIA DEL CARMEN DIAZ TO AMEND THE LAND USE DISTRICT DESIGNATION FROM IMPROVED SUBDIVISION – DUPLEX (IS-D) TO IMPROVED SUBDIVISION – VACATION RENTAL (IS-V) OF PROPERTY LEGALLY DESCRIBED AS BLOCK 8, LOT 2, DUCK KEY INDIES ISLAND SECTION 1, PART 1, PB5-82 TOMS HARBOR, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00377800-000000.

WHEREAS, during a regularly scheduled public meeting held on May 20, 2009, the Monroe County Board of County Commissioners conducted a review and consideration of a request filed by The Craig Company on behalf of Fausto and Maria Del Carmen Diaz, to amend the subject property's current land use designation from Improved subdivision – Duplex (IS-D) to Improved Subdivision – Vacation Rental (IS-V); and

WHEREAS, in the map amendment application to the Planning & Environmental Resources Department, received February 5, 2008, the Applicant requested that the current land use map designation of one (1) parcel identified as Real Estate Number 00377800-000000, be amended from Improved Subdivision – Duplex (IS-D) to Improved Subdivision – Vacation Rental (IS-V); and

WHEREAS, at its April 22, 2009 meeting in Marathon, the Monroe County Planning Commission reviewed the application and recommended approval of a request filed by The Craig Company on behalf of Fausto Diaz and Maria Del Carman Diaz, to amend the subject property's current land use designation as indicated in PC Resolution P -09; and

WHEREAS, the subject property is located at 1125 Greenbriar Road, Duck Key and is legally described as Block 8, Lot 2, Duck Key Indies Island Section 1, Part 1, PB5-82 Toms Harbor, having Real Estate Number 00377800-000000; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact and Conclusions of Law:

1. §102-158(a) of the Monroe County Code maintains that map amendments are not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in Monroe County Year 2010 Comprehensive Plan, but only to make necessary adjustments in light of changed conditions; and

2. Pursuant to §102-158(d)(5)b of the Monroe County Code, the Monroe County Board of County Commissioners may consider the adoption of an ordinance enacting the proposed change based on one (1) or more of the following factors: (i) Changed projections (e.g., regarding public service needs) from those on which the text or boundary was based; (ii) Changed assumptions (e.g., regarding demographic trends); (iii) Data errors, including errors in mapping, vegetative types and natural features described in volume 1 of the plan; (iv) New issues; (v) Recognition of a need for additional detail or comprehensiveness; or (vi) Data updates; and

3. Map amendments shall be consistent with the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

4. The map amendment is consistent with the provisions and intent of Chapter 102 of the Monroe County Code:

    a. MCC Section 102-158 prohibits any map amendments that would negatively impact community character.

    b. MCC Section 102-158(a) maintains the map amendment is not intended to relieve particular hardships, nor to confer special privileges or rights on any person, nor to permit a change in community character, as analyzed in Monroe County Year 2010 Comprehensive Plan, but only to make necessary adjustments in light of changed conditions.

    c. The proposed current land use designation will not adversely affect natural resources.

    d. The proposed current land use designation will not adversely effect traffic circulation.

    e. The proposed current land use designation amendment will not adversely effect solid waste.

    f. The proposed current land use designation amendment will not adversely effect potable water.

g. Staff has determined that the proposed map FLUM amendment is consistent with MCC Sec. 102-158(d)(5)b: (i) Changed projections, (ii) Changed assumptions, and (v) Recognition of a need for additional detail or comprehensiveness; and

5. The proposed map amendment shall not relieve particular hardships, nor confer special privileges or rights on any person, nor permit a change in community character, as analyzed in the Monroe County Year 2010 Comprehensive Plan as directed by §102-158(a) of the Monroe County Code; and

6. The proposed map amendment is consistent with the Principles for Guiding Development and not inconsistent with any principle in the Florida Keys Area of Critical State Concern; and

WHEREAS, during a regularly scheduled public meeting held on May 20, 2009, the Monroe County Board of County Commissioners conducted a review and consideration of a request filed by The Craig Company on behalf of Fausto and Maria Del Carmen Diaz, to amend the subject property's current land use designation from Improved subdivision – Duplex (IS-D) to Improved Subdivision – Vacation Rental (IS-V) for the subject property located at 1125 Greenbriar Road, Duck Key, legally described as Block 8, Lot 2, Duck Key Indies Island Section 1, Part 1, PB5-82 Toms Harbor, having Real Estate Number 00377800-000000;.

NOW THEREFORE, BE IT ORDAINED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Board specifically adopts the findings of fact and conclusions of law stated above.

Section 2. The previously described property, which is currently designated Improved Subdivision – Duplex (IS-D) shall be designated Improved Subdivision (IS-V) as shown on the attached maps, which are hereby incorporated by reference and attached as Exhibits 1 and 2.

Section 4. If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 6. This ordinance shall be filed in the Office of the Secretary of State of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission approving the ordinance.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 20th day of May A.D., 2009.

Mayor George Neugent	_____
Mayor Pro Tem Sylvia Murphy	_____
Commissioner Kim Wigington	_____
Commissioner Heather Carruthers	_____
Commissioner Mario Di Gennaro	_____

BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY _____
Mayor George Neugent

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

_____
DEPUTY CLERK

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: **Monroe County Development Review Committee**

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

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

Date: **March 25, 2009**

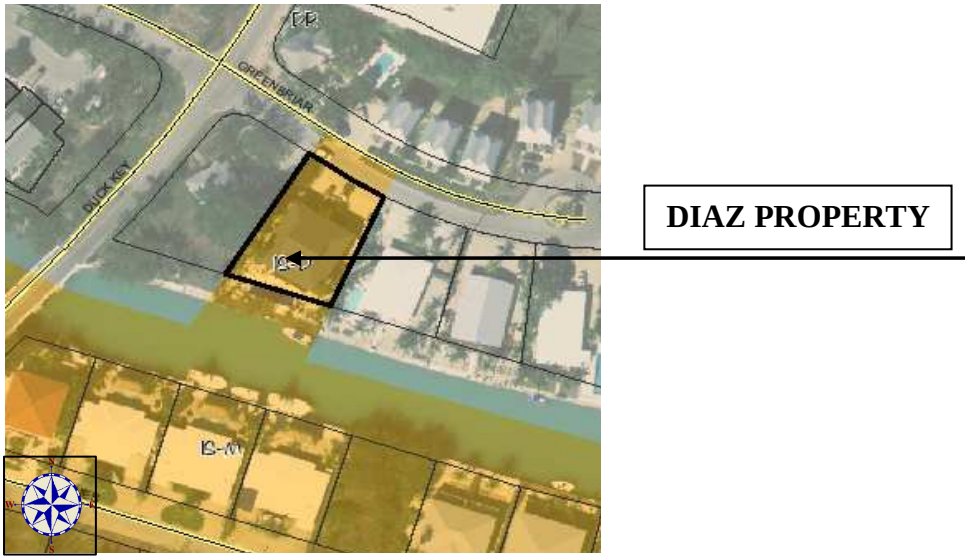
Subject: ***Request for an Amendment to the land use district for Fausto and Maria Del Carmen Diaz, 1125 Greenbriar Road, Duck Key, Real Estate Number 00377800-000000***

Meeting Date: April 7, 2009

I REQUEST

A request by the Craig Company on behalf of Fausto and Maria Del Carmen Diaz, to amend the land use district designation from Improved Subdivision – Duplex (IS-D) to Improved subdivision – Vacation Rental (IS-V), in accordance with Section 130-83 of the Monroe County Code, to allow vacation rental uses at 1125 Greenbriar Road, Duck Key. The property is legally described as Block 8, Lot 2, Duck Key Indies Island Section 1, Part 1, PB5-82 Toms Harbor, Monroe County, Florida, having Real Estate Number 00377800-000000.

Existing Land Use District Map



A. Legal Description: PB 5-82 Block 8, Lot 2, Duck Key Indies Island Section 1, Part 1, Toms Harbor
B. Real Estate Number: 00377800-000000
C. Applicant/Petitioner: Craig Company
D. Property Owners: Fausto and Maria Del Carmen Diaz

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

In the event of a written protest against such amendment signed by the owners of twenty (20) percent or more either of the area of the lots or land included in the proposed amendment or of the lots or land immediately adjoining the property to be affected and extending two hundred (200) feet there from, such amendment shall not become effective except by the favorable vote of four (4) members of the BOCC.

III RELEVANT PRIOR COUNTY ACTIONS

This property is platted on Plat Book 5, Page 82 of the Public Records of Monroe County. Pre-1986 zoning on the subject property was Multiple-Family Residential District (RU-3). In 1986, the property was rezoned Destination Resort (DR) as part of the overall approval for the Development of Regional Impact for the resort community commonly known as Hawks Cay (Monroe County BOCC Resolution No. 365-1986).

In 1987, the property was rezoned to Improved Subdivision-Duplex (IS-D) in order to retain the multi-family status of the property that was in effect prior to 1986 (Ordinance 039-1987). The existing lawfully permitted duplex was completed in 1994.

IV BACKGROUND INFORMATION

A. Size of Site: 9,644 Square Feet (0.22 acres)

B. Tier Designation: Tier III
C. Flood Zone: AE
D. Existing Use: Developed
E. Existing Vegetation / Habitat: Cleared
F. Community Character of Immediate Vicinity: The neighborhood consists of residential uses.

V REVIEW OF APPLICATION

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

Goals, Objectives and Policies from the Monroe County Year 2010 Comprehensive Plan that directly pertain to the proposed amendments include:

- 3.1: Future Land Use

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

  Objective 101.4: Monroe County shall regulate future development and redevelopment to maintain the character of the community and protect the natural resources by providing for the compatible distribution of land uses consistent with the designations shown on the Future Land Use Map.

Staff has determined that the proposed map amendment is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan.

B. *Consistency of the proposed amendment with the provisions and intent of Chapter 102 of the Monroe County Code, Land Development Regulations:*

In accordance with MCC Sec. 102-158(d)(5)b, the BOCC may consider the adoption of an ordinance enacting the proposed change based on one (1) or more of the following factors:

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

Applicant Statement: Prior to 1986, the subject property was zoned RU-3, suitable for multi-family use. The property is located within the boundaries of the Development of Regional Impact (DRI) commonly known as "Hawks Cay", by Monroe County Board of County Commissioners Resolution No. 365-1986. Originally zoned Destination Resort (DR) as part of the DRI, the property owner at

the time successfully petitioned to retain multifamily status for the then vacant lot pursuant to Ordinance 039-1987.

The property currently supports a legally permitted duplex completed in 1994. The property is located on the Greenbriar Road cul-de-sac, which is built out and consists of primarily of duplex construction (both pre- and post- 1986) with vacation rentals in place.

The requested change to Improved Subdivision-Vacation Rental (IS-V) is not anticipated to cause a change in the public service needs of either the subdivision, or Hawks Cay as a whole – the sole purpose of the IS-V designation is to permit the property owner to enjoy the same vacation rental rights as the neighboring and immediately adjoining properties zoned DR.

Staff Response: Staff has no comment regarding the DRI, since it is not relevant to this application. Staff has determined that the proposed map amendment is in accordance with MCC Section 102-158(d)(5)b(1) Changed projections.

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

Applicant Statement: BOCC Ordinances No. 004-1997, 030-1999, and 044-2000 amended the Code to provide criteria to establish vacation rental uses in existing land use districts and included the creation of the IS-V land use district. These changes occurred to provide a regulatory framework for control of vacation rental uses while providing some flexibility for property owners in residential areas to legally use their property for short term rentals of up to 28 days in response to market trending that included longer stays by vacationers.

Staff Response: The parcels adjacent to the subject property to the north, east, and west are zoned Destination Resort (DR), which allows vacation rentals The proposed rezoning to IS-V would therefore be compatible with the character of the surrounding area. Staff has determined that the proposed map amendment is in accordance with MCC Section 102-158(d)(5)b(2) Changed assumptions.

iii. *Data errors, including errors in mapping, vegetative types and natural features described in Volume 1 of the Monroe County Year 2010 Comprehensive Plan*;

Applicant Statement: There have been no errors noted in mapping, vegetative types, or natural features. The subject property was rezoned from DR to IS-D by map amendment in 1987 and is developed with a duplex and no significant vegetation. While the scale of the Monroe County Future Land Use Maps is such that it is difficult to identify a single lot, Monroe County Planning Department Staff has determined that the FLUM for the property is Residential Medium (RM) – an overlay category that does not include DR.

Staff Response: Not applicable

iv. *New issues*;

Applicant Statement: Ordinance 004-1997, as adopted by the BOCC, created Section 9.5-242.5 of the MCC to permit tourist housing in the IS-T land use district. The language of the Code was subsequently amended by Ordinance 044-2000, which further refined the criteria applicable to the establishment of tourist housing in the Improved Subdivision land use district, renamed with the sub-indicator of IS-V. The land use district IS-T/IS-V was not contemplated or available at the time that the property was rezoned to IS-D.

Staff Response: Not applicable

v. *Recognition of a need for additional detail or comprehensiveness*;

Applicant Statement: The Greenbriar Road cul-de-sac is built out and consists of primarily duplex uses – most of which are used for vacation rental purposes, and all of which are zoned DR. Vacation rentals are a permitted use as of right in the DR land use district, subject to the criteria in MCC Section 9.5-534 (Section 132-1).

Monroe County Planning Department Staff is unable to provide support for a land use district map change to DR based on two criteria:

1. Recognition of the FLUM as RM – which is not compatible with DR zoning;
2. The inability of a "single lot" to meet the criteria of DR zoning, regardless of the initial inclusion in the DRI.

The requirements of Section 130-84 of the MCC provide the stringent criteria that the property must meet in order to qualify for a land use district change to IS-V. MCC Section 9.5-534 (Section 134-1) provides the criteria that the owner or agent of the property must meet after the property has been rezoned.

Staff Response: Staff has determined that the proposed map amendment is in accordance with MCC Section 102-158(d)(5)b(5) Recognition of a need for additional detail or comprehensiveness.

vi. *Data updates*:

Applicant Statement: None

Staff Response: Not applicable

C. *Consistency with Florida Statutes, Section 380.0552 Principles for Guiding Development in the Florida Keys Area of Critical State Concern:*

PRINCIPLES FOR GUIDING DEVELOPMENT.--State, regional, and local agencies and units of government in the Florida Keys Area shall coordinate their plans and conduct their programs and regulatory activities consistent with the principles for guiding development as set forth in chapter 27F-8, Florida Administrative Code, as amended effective August 23, 1984, which chapter is hereby adopted and incorporated herein by reference. For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(g) To protect the historical heritage of the Florida Keys.

(h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

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

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

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

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

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

The proposed map amendment is consistent with the Principles for Guiding Development and not inconsistent with any principle.

D. *Impact on Community Character:*

"In no event shall an amendment be approved which will result in an adverse community change of the planning area in which the proposed development is located."

Applicant Statement: The proposed map amendment will not result in an adverse community change of the planning area in which the proposed development is located. No FLUM change is required, and the property complies with the standards of MCC as set forth in Section 130-84.

Staff Response: MCC Section 102-158 maintains that amendments may not permit an adverse change in community character. Staff has determined the proposed land use designation of IS-V will not adversely change community character.

E. *Land Use Compatibility:*

Prior to 1986, the property had the land use designations of RU-3 or multi-family residential district. In the multi-family residential uses or RU-3 land use district, multi-family dwelling apartments for rent or sale were a permitted use.

In 1986, the land use designation for the subject property changed to DR. Neighboring land use districts include DR and IS. In 1987, the land use designation for the subject property changed to IS-D to preserve the multi-family character of the property

Staff has determined the proposed land use designation of IS-V is compatible with the surrounding land uses, which presently allow vacation rental under the DR designation.

F. *Density and Intensity:*

The subject property is 9,644 ft^2 (0.22 acres). Currently, the IS-D land use district supports one (1) detached dwelling or duplex per lot with an open space ratio of 20%. The FLUM designation of RM supports an allocated density for the IS-D land use district at one (1) detached dwelling or duplex per lot and maximum net density bonuses do not apply.

The proposed IS-V allows vacation rentals and has no land use density associated with it. The existing duplex was constructed in conformance with the IS-D district. The propose change will not affect the existing density, only the use of the property for vacation rentals.

G. *Local Traffic and Parking:*

Local roads are already in place and have been well maintained. Adverse impacts on the existing road conditions are not expected to change if the land use designation changes from IS-D to IS-V.

H. *Effects on Natural Resources:*

Goal 102 of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands. Future development would be required to comply with all Monroe County Code, State and Federal environmental regulations.

Because the subject property consists of cleared developed lots, no additional clearing is anticipated for the proposed development. Effects on natural resources are not anticipated.

I. *Effects on Public Facilities:*

Objective 101.11 of the *Monroe County Year 2010 Comprehensive Plan* requires the County to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities. The proposed land use district map amendment is consistent with Objective 101.11.

J. *Traffic Circulation:*

Section 114-2(1)b of the Land Development Code states that *all secondary roads to which traffic entering or leaving development or use will have direct access shall have sufficient available capacity to operate at a level of service D as measured on an annual average daily traffic (ADDT) basis.* The proposed change of land use district to allow vacation rentals within the subject property is not expected create any additional traffic impacts.

K. *Solid Waste:*

Monroe County has a solid waste haul out contract with Waste Management LLC, which authorizes the use of in-state facilities through September 20, 2016, thereby providing the County with approximately ten (10) years of guaranteed capacity. The proposed land use district map amendment may affect solid waste, but not significantly.

L. *Potable Water:*

In 2002, South Florida Water Management District approved an increase in Florida Keys Aqueduct Authority's Water Use Permit. Monroe County's Public Facilities Capacity Assessment Report indicates there are over 100 gallons of water available per person per day. The 100 gallons per person per day standard is commonly accepted as appropriate and is reflected in Policy 701.1.1 of the Monroe County Year 2010 Comprehensive Plan. It is anticipated that the proposed land use district map amendment will not affect potable water.

M. *Stormwater:*

The subject property, located in Tier III is scarified and developed. MCC Section 114-3 requires that all developments retain stormwater on site following Best Management Practices (BMP's).

N. *Effects on Redevelopment/Infill Potential:*

Objective 102.3.1 of the Monroe County Year 2010 Comprehensive Plan directs the County to encourage infill development where existing lands are already substantially developed, served by complete infrastructure facilities and within close proximity to established commercial areas and have few sensitive or significant environmental features. The proposed land use district map amendment will not adversely affect Objective 102.3.1.

VI <u>FINDINGS OF FACT AND CONCLUSIONS OF LAW</u>

1. The subject parcel is already cleared and developed.

2. Prior to 1986, the subject property was zoned RU-3.

3. In 1986, the land use district (zoning) of the subject property was changed to Destination Resort (DR).

4. In 1987, the land use district (zoning) of the subject property was changed to Improved Subdivision – Duplex (IS-D) to preserve the multi-family character of the property.

5. The proposed land use district map amendment to Improved Subdivision – Vacation Rental will allow the existing duplex to be use for vacation rental purposes.

6. The proposed land use district map amendment will not adversely affect natural resources.

7. The proposed land use district map amendment will not affect traffic circulation.

8. The proposed land use district map amendment will not affect solid waste.

9. The proposed land use district map amendment will not affect potable water.

10. The proposed map amendment is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan.

11. Staff has determined that the proposed map amendment is consistent with the Principles for Guiding Development in accordance with F.S. Section 380.0552(7).

VII RECOMMENDATION

Staff recommends **approval** to the Acting Director of Planning and Environmental Resources.

File #: **29013**

Owner's Name: Landco, LLC dba Tom Thumb Convenience Store

Agent: Douglas Landsea

Type of Application: Am **Major Conditional Use**

Key: Key Largo MM 104.7

RE: 00508260-000000

Additional Information added to File 29013

End of Additional File 29013

Gay Marie Smith

P.O. Box 1638 Phone 305-451-2675
Tavernier, FL 33070 Fax: 305-451-2675
Cell: 305-394-8004
Email: gaymarie21@yahoo.com

August 6, 2010

Monroe County Planning Department
2798 Overseas Highway
Marathon, FL 33050

Re: Landco LLC
104701 Overseas Highway
Key Largo, FL 33037

Dear Joe:

In regards to the above referenced property, an application for an Amendment for Minor Conditional Use has been submitted. The project being proposed will increase to six fuel pumps resulting in twelve fuel dispensers.

The owner wishes to complete this improvement as there are structural concerns due to sub-grade rust and corrosion on the steel columns of the existing gas canopies due to their age. The new canopies which will be constructed will meet the new wind-load requirements of 150 MPH.

The canopy and parking lot area lighting will be improved to address security concerns. The gasoline pumps have been declining due to new upgrade regulations. The new fueling points with generators will assist with storm evacuation. The additional fueling area will be provided for easy and safe fueling along with special consideration for vehicles towing boats and trailers. The additional fueling area will also provide safe unloading of the fuel delivery truck.

The owner will be completing landscaping improvements which will include additional area for native vegetation.

Thank you and please contact me for any additional information or questions.

Sincerely,

Gay Marie Smith
Agent

County of Monroe
Growth Management Division

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

We strive to be caring, professional and fair

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

Date: 1/29/09

Time: 1:55 pm

Dear Applicant:

This is to acknowledge submittal of your application for M. Cond Use
Type of application

Land Co / Tom Thumb 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.

Julie Thomson
Planning Staff

RECEIVED
FEB 3 2009
MONROE CO. PLANNING DEPT.

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

Request for a Major Conditional Use Permit / Amendment to a Major Conditional Use Permit

Monroe County Code §§ 9.5-69 & 9.5-73

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

Major Conditional Use Permit Application Fee: $10,014.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed
Technology Fee: $20.00

Date of Submittal: _____/_____/_____
Month Day Year

Property Owner:

Landco, LLC
Name

97 West Okeechobee Road
Hialeah, FL 33010
Mailing Address (Street, City, State, Zip Code)

305-885-5451
Daytime Phone

JMccarthy@tomthumbfl.com
Email Address

Agent (if applicable):

Douglas Landsea
Name

8807 SW 153 Terrace
Miami, FL 33157
Mailing Address (Street, City, State, Zip Code)

305-298-1022
Daytime Phone

DLandsea@hotmail.com
Email Address

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

Block	Lot	Subdivision	Key
Block 1	Lots 1-5 and 36-39	Largo City	Key Largo

00508260-000000
Real Estate (RE) Number

1103535
Alternate Key Number

104701 Overseas Hwy
Street Address (Street, City, State, Zip Code)

104.7
Approximate Mile Marker

APPLICATION

Land Use District Designation(s): SUB URBAN Commercial (SC)

Present Land Use of the Property: SUB URBAN Commercial (SC)

Proposed Land Use of the Property: SUB URBAN Commercial (SC)

Total Land Area: 44,166 # (1.01 acres)

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

1 Total number of non-residential buildings + 2 canopies

2824 Total non-residential floor area in square feet + Canopy #1 1,536 # Canopy #2 2,120 #

If residential dwelling units are proposed, please provide:

0 Total number of residential buildings

0 Total number of permanent, market-rate units

0 Total number of permanent, affordable / employee housing units

0 Total number of transient units (hotel rooms, recreational vehicle / campground spaces)

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

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

- ☒ **Complete major conditional use permit application** (unaltered and unbound);
- ☒ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☒ **Proof of ownership (i.e. Warranty Deed);**
- ☒ **Current Property Record Card(s) from the Monroe County Property Appraiser;**
- ☒ **Location map;**
- ☒ **Photograph(s) of site from adjacent roadway(s);**
- ☒ **Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets** (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- ☒ **Written description of project;**
- ☒ **Environmental Designation Survey** (prepared in accordance with Monroe County Code §9.5-69(a)(2);
- ☒ **Community Impact Statement** (prepared in accordance with Monroe County Code §9.5-69(a)(2);
- ☒ **Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– sixteen (16) sets** (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:

- ☒ Date, north point and graphic scale;
- ☒ Boundary lines of site, including all property lines and mean high-water lines;
- ☒ Land use district of site and any adjacent land use districts;
- ☒ Flood zones pursuant to the Flood Insurance Rate Map(s);
- ☒ Locations and dimensions of all existing and proposed structures and drives;
- ☒ Type of ground cover (i.e. concrete, asphalt, grass, rock);
- ☒ Adjacent roadways;
- ☒ Setbacks as required by the land development regulations;
- ☒ Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- ☒ Calculations for open space ratios, floor area ratios, residential density and parking;
- ☒ Location and type of outdoor lighting;
- ☒ Extent and area of wetlands, open space areas and landscape areas;
- ☒ Location of solid waste storage;
- ☒ Location of sewage treatment facilities;
- ☒ Location of existing and proposed fire hydrants or fire wells;

☐ **Floor Plans for all proposed structures and for any existing structures to be redeveloped – sixteen (16) sets** (drawn at an appropriate standard architectural scale and including handicap accessibility features); NA :

☐ **Elevations for all proposed structures and for any existing structures to be modified – sixteen (16) sets** (with the elevations of the following features referenced to NGVD: existing grade; finished grade; finished floor elevations (lowest supporting beam for V-zone development); roofline; and highest point of the structure); NA :

☒ **Landscape Plan by a Florida registered landscape architect – sixteen (16) sets** (may be shown on the site plan; however, if a separate plan, must drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the landscaping plan should include the following:

- ☒ Date, north point and graphic scale;
- ☒ Boundary lines of site, including all property lines and mean high-water lines;
- ☒ Locations and dimensions of all existing and proposed structures and drives;
- ☒ Open space preservation areas;
- ☒ Existing natural features;
- ☒ Size and type of buffer yards including the species, size and number of plants;
- ☒ Parking lot landscaping including the species, size and number of plants;
- ☒ Specimen trees, or threatened and endangered plants to be retained and those to be relocated or replaced;
- ☒ Transplantation plan (if required);

☒ **Conceptual Drainage Plan – sixteen (16) sets** (with drainage calculations; existing and proposed topography; all drainage structures; retention areas; drainage swales; and existing and proposed permeable and impermeable areas;

☒ **Traffic Study, prepared by a licensed traffic engineer**;

☒ **Construction Management Plan**, stating how impacts on near shore water and surrounding property will be managed (i.e. construction barriers, hay bales, flagging);

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

APPLICATION

☒ **Letters of Coordination are required from the following:**

- ☒ Florida Keys Aqueduct Authority (FKAA);
- ☒ Florida Keys Electric Cooperative (FKEC) or Keys Energy Services;
- ☒ Monroe County Office of the Fire Marshal;
- ☒ Monroe County Engineering Division;
- ☒ Monroe County Health Department;
- ☒ Monroe County Solid Waste Management;
- ☐ Florida Department of Health if wastewater flows are less than or equal to 5,000 gallons per day or Florida Department of Environmental Protection if wastewater flows exceed 5,000 gallons per day;

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

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

☐ **Vegetation Survey or Habitat Evaluation Index** (please contact Monroe County Environmental Resources prior to application submittal to determine if this documentation is necessary)

☐ **Construction Phasing Plan**

☒ **Additional Letters of Coordination** may be required for your project, please contact with the Planning & Environmental Resources Department to identify other agencies expected to review the project. Other agencies may include, but are not limited to:

- ☐ Key Largo Wastewater Treatment District (KLWTD)
- ☐ South Florida Water Management District (SFWMD)
- ☒ Florida Department of Transportation (FDOT)
- ☐ Florida Department of Environmental Protection (FDEP)
- ☐ Florida Department of State, Division of Historic Resources
- ☐ Florida Game and Freshwater Fish Commission (FGFFC)
- ☐ U.S. Army Corps of Engineers (ACOE)
- ☐ U.S. Fish and Wildlife Service (USFW)

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

I 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: J. McCarthy III **Date:** 1/27/09

JAMES McCARTHY III

Sworn before me this 27 day of JANUARY, 2009

SANDRA ISHAM
MY COMMISSION # DD 717664
EXPIRES: October 31, 2011
Bonded Thru Notary Public Underwriters

Sandra Isham
SANDRA ISHAM 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.

Doc# 1674241 12/12/2007 9:52AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

This Instrument Prepared by:

Gavin Williams, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

12/12/2007 9:52AM
DEED DOC STAMP CL: PW $0.70

Doc# 1674241
Bk# 2335 Pg# 2429

AK#: 1627593
Store No. 226

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED, made as of this 28th day of February, 2007, between TOM THUMB FOOD STORES, INC., a Florida corporation, whose principal address is 97 West Okeechobee Road, Hialeah, Florida 33010 (hereinafter called the "Grantor"), and LANDCO, LLC, a Florida limited liability company, whose address is 97 West Okeechobee Road, Hialeah, Florida 33010 (hereinafter called the "Grantee"),

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars ($10.00), and other good and valuable consideration to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situated, lying and being in Monroe County, Florida, to wit:

Lots 1, 2, 3, 4, 5, 36, 37, 38 and 39, Block 1, LARGO CITY, according to the Plat thereof, as recorded in Plat Book 4, at Page 142, of Public Records of Monroe County, Florida, together with the improvements thereon.

This conveyance is made subject to the following:

1. Taxes and assessments for the year 2007 and subsequent years.

2. Zoning and other governmental regulations.

3. Subject to one (1) open mortgage in the original principal amount of $800,000.

4. Conditions, restrictions, limitations and easements of record, if any, none of which are intended to be reimposed by this conveyance.

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

AND the Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons whomsoever.

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

Signed, sealed, and delivered
in the presence of:

Name: Joseph D O'Connor
Print name: Joseph D. O'Connor

Name: Sandra Isham
Print name: Sandra Isham

TOM THUMB FOOD STORES, INC.
a Florida corporation

By: James A McCarthy Jr
Name: James A. McCarthy, Jr.
Title: President

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

ACKNOWLEDGED BEFORE ME, this 28th day of February, 2007, by James A. McCarthy, Jr., as President of Tom Thumb Food Stores, Inc., a Florida corporation, who executed the foregoing. He is personally known to me ~~or has produced~~ xxxxxxxxxxxxxxxxxx ~~as identification~~ and did not take an oath.

Charlene F Mezyk
Notary Public
Name: Charlene F Mezyk

My Commission Expires

CHARLENE F. MEZYK
Notary Public - State of Florida
My Commission Expires Dec 3, 2008
Commission # DD 366107
Bonded By National Notary Assn.

4229568_v1

MONROE COUNTY
OFFICIAL RECORDS

Monroe County Property Record Card (017)

Alternate Key: 1627593
Effective Date: 1/6/2009 10:43:58 AM

Roll Year 2009
Run: 01/06/2009 10:44 AM

LANDCO LLC

97 WEST OKEECHOBEE RD
HIALEAH FL 33010

Parcel 00508260-000000-12-61-39
Alt Key 1627593
Affordable Housing No
Inspect Date
Business Name TOM THUMB
Physical Addr 104701 OVERSEAS HWY, KEY LARGO

Nbhd 10020
Mill Group 500K
PC 2600
Next Review

Associated Names

Name	DBA	Role
LANDCO LLC,		Owner

Legal Description

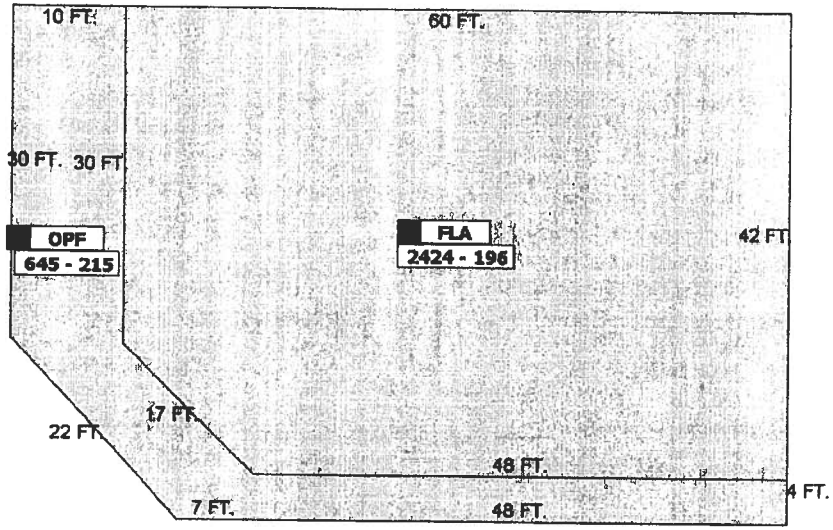
BLK 1 LTS 1 THRU 5 AND LOTS 36 THRU 39 LARGO CITY PB4-142 KEY LARGO OR517-973 OR1079-1776D/C OR1079-1778 OR1159-384 OR1164-2017/18AFF OR1249-887/88 OR2335-2429/2430

Land Data 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
68370	2600	0	0	No	44,427.00	SF	0.00		1.00	1.00	0.75	1.00		N		

Total Just Value

Building Sketch 43537



Building Characteristics

Building Nbr	1	Building Type	0	Perimeter	196	Functional Obs	0.00
Effective Age	7	Condition	A	Depreciation %	0.08	Economic Obs	0.00
Grnd Floor Area	2424	Quality Grade	350	Year Built	1989		

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

Sections

Type	Number	Wall Height	# Stories	Year Built	% Finished	Area	Sketch ID	SOH %
OPF	1		1	1995		645	002	0.00
FLA	2	13	1	1995		2,424	003	0.00

Interior Finish

Sec Nbr	Int Nbr	Description	Area %	Sprinkler	A\ C	Total RCN
0	1	NO VALUE	100.00			
0	1	1 STY STORE-A	100.00	N	Y	

Exterior Finish

Ext Nbr	Wall Type	Area %	Wall Rate	RCN
4893	C.B.S.	100.00		

Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
2	CC2:COM CANOPY	1,152	SF	0.00	48	24	1999	2000	4	40		
1	AP2:ASPHALT PAVING	19,250	SF	0.00	0	0	1988	1989	2	25		
										Total Depreciated Value		

Appraiser Notes

RE 50827 THRU 50830 & 50861 THRU 50864 COMBINED FOR ASSESSING PURPOSES 7-17-90JMH

TOM THUMB TPP 8502885 - TOM THUMB STORE #206

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9931215	Jul 2 1999 12:00AM	Dec 14 1999 12:00AM	1		CANOPY OVER GAS PUMPS

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2008F	C	1,166,209	0	263,697	38,901	1,468,807	1,468,807	0	N	1,468,807
2007F	C	710,832	0	180,907	39,782	931,521	931,521	0	N	931,521
2006F	C	710,832	0	188,769	40,370	939,971	939,971	0	N	939,971
2005F	C	533,124	0	188,769	41,251	763,144	763,144	0	N	763,144
2004F	C	533,124		190,937	41,838	765,899	765,899	0	N	765,899
2003F	C	533,124		190,937	44,260	768,321	768,321	0		768,321
2002F	C	533,124		190,937	46,387	770,448	770,448	0		770,448
2001F	C	244,350		251,477	48,808	544,635	544,635	0		544,635
2000F	C	222,552		274,386	29,138	526,076	526,076	0		526,076
1999F	C	222,552		274,386	12,705	509,643	509,643	0		509,643
1998F	C	222,552		182,923	27,592	433,067	433,067	0		433,067
1997F	C	222,552		182,923	28,799	434,274	434,274	0		434,274
1996F	C	222,552		166,295	30,186	419,033	419,033	0		419,033
1995F	C	222,552		166,295	31,393	420,240	420,240	0		420,240
1994F	C	222,552		166,295	32,780	421,627	421,627	0		421,627
1993F	C	222,552		166,295	33,987	422,834	422,834	0		422,834
1992F	C	222,552		166,295	35,374	424,221	424,221	0		424,221
1991F	C	112,291		124,721	36,581	273,593	273,593	0		273,593
1990F	C	106,120		124,721	37,968	268,809	268,809	0		268,809
1989F	C	8,108		0	0	8,108	8,108	0		8,108
1988F	C	5,405		0	0	5,405	5,405	0		5,405
1987F	C	5,405		0	0	5,405	5,405	0		5,405
1986F	C	5,405		0	0	5,405	5,405	0		5,405
1985F	C	5,405		0	0	5,405	5,405	0		5,405
1984F	C	5,405		0	0	5,405	5,405	0		5,405
1983F	C	3,738		0	0	3,738	3,738	0		3,738
1982F	C	3,738		0	0	3,738	3,738	0		3,738

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
1079	1778	1/1/1989	Warranty Deed	0	M	V	237,500
1159	384	2/1/1991	Warranty Deed	0	U	I	738,000
1249	887	1/1/1993	Warranty Deed	0	U	I	735,000

TOM THUMB FOOD STORE, INC.

RE# 00508260-000000 MILE MARKER 104.7

Project Description

This property is owned by LANDCO, LLC and operated under the name of Tom Thumb Food Stores, Inc. Located at 104701 Overseas Hwy., Key Largo, FL. The property consists of 44,166 sq. ft. (1.013 Acres) of total land area and has a zoning classification of Sub Urban Commercial (SC). Located on the property and currently operating is a 2,824 sq. ft. enclosed convenience store and a 1,152 sq. ft. canopy over two (2) fuel pumps.

The proposed expansion project will include the demolition of the canopy that covers the existing fuel pumps and the construction of two (2) new canopies of 1,536 sq. ft. and 2,120 sq. ft. to cover the relocation of the existing fuel pumps and four (4) additional fuel pumps. The final expansion will have a total of six (6) fuel pumps and a retro fit/ upgrade to the convenience store.

Expansion of the facility may be accomplished in two phases depending on the availability of NROGO square footage credits to build the canopy over the fueling pumps. It is anticipated that upon approval of the Major Conditional Use Permit and issuance of NROGO credits, construction would begin within 45 days. Assuming that enough NROGO credits are available to build the entire canopy at a single time, the construction process can be accomplished in approximately 90 days. If there are not enough NROGO credits available to construct the canopy at one time, then the construction will be phased.

Also included in the expansion will be an upgrade of the landscaping and onsite traffic flow patterns. The expansion and upgrades will include where ever possible, the use of energy efficient lighting and equipment and the uses of low flow restroom fixtures.

TOM THUMB FOOD STORE, INC.

(LANDCO, LLC.)

RE# 00508260.000000 MILE MARKER 104.7

Environmental Designation Survey

Not applicable: Property is scarified.

Sec. 9.5-69. Major conditional uses.

(a) *Applications for Major Conditional Uses:* An application for a major conditional use permit shall be submitted to the development review coordinator in a form provided by the director of planning.

(1) If approval of a plat is required for the proposed development, an application for plat approval shall be submitted in conjunction with the application for a conditional use permit. However, a major conditional use shall not become effective until the plat has been approved by the board of county commissioners.

PROPERTY IS PLATTED FOR CURRENT USE AND WILL BE REPLATTED IF NECESSARY.

(2) As a part of the application for major conditional use, an applicant shall be required to submit the following, except for those inappropriate to the proposed development due to the limited size or scale of the development as determined by the planning director:

a. An environmental designation survey consisting of:

(i) A plan drawn to a scale of one (1) inch equals twenty (20) feet or less, except where impractical and the planning director authorizes a smaller scale, and showing the following:

1. Location of property; **104701 OVERSEAS HWY., KEY LARGO, FL**

2. Date, approximate north point and graphic scale; **INCLUDED ON PROPERTY SURVEY (SEE ATTACHED)**

3. Acreage within the property; **44,166 SQ.FT. (1.013 ACRES) INCLUDED ON PROPERTY SURVEY (SEE ATTACHED)**

4. Boundary lines of the property and their bearings and distances; **INCLUDED ON PROPERTY SURVEY (SEE ATTACHED)**

5. Topography and typical ground cover; **0.49 ACRES DEVELOPED AND IN USE, 0.51 ACRES ARE CLEARED AND SCARIFIED**

6. General surface characteristics, water areas and drainage patterns; **INCLUDED ON PROPERTY SURVEY AND CIVIL DRAWINGS**

7. Contours at an interval of not greater than one (1) foot or at lesser intervals if deemed necessary for review purposes; **AVAILABLE IF DEEMED NECESSARY**

8. 100-year flood-prone areas by flood zone; **FEDERAL FLOOD ZONE X**

9. Presently developed and/or already altered areas; and **INCLUDED ON PROPERTY SURVEY**

10. Location of mean high-water line. **NA**

(ii) A natural vegetation map and/or a map of unique environmental features such as:

1. Climax tropical hardwood hammocks; **NA: SCARIFIED OPEN AREA**

2. Endangered species habitats; **NA: SCARIFIED OPEN AREA**

3. Major wildlife intensive use areas. **NA: SCARIFIED OPEN AREA**

(iii) Aerial photographs of the property and surrounding area. **(SEE ATTECHED)**

(iv) A review of historical and archeological sites by the Florida Division of Archives, History and Records Management.
(v) A review of unique environmental features such as:
1. Climax tropical hardwood hammocks; **NA: SCARIFIED OPEN AREA**

2. Endangered species habitats; **NA: SCARIFIED OPEN AREA**

3. Major wildlife intensive use areas.
(vi) Actual acreage of specific vegetation species or other environmental characteristics. **NA: SCARIFIED OPEN AREA**

(vii) General information relating to the property in regard to the potential impact which development of the site could have on the area's natural environment and ecology **NA: SCARIFIED OPEN AREA**

(viii) Environmental resources:
1. If shoreline zones were identified, describe in detail any proposed site alterations in the areas, including vegetation removal, dredging, canals or channels; identify measures which have been taken to protect the natural, biological functions of vegetation within this area such as shoreline stabilization, wildlife and marine habitat, marine productivity and water quality maintenance. **NA**

2. If tropical hammock communities or other protected vegetative communities were identified, describe proposed site alteration in those areas and indicate measures which were taken to protect intact areas prior to, during and after construction. **NA: SCARIFIED OPEN AREA**

3. Describe plans for vegetation and landscaping of cleared sites including a completion schedule for such work. **SEE ATTACHED LANDSPACE PLANS**

(ix) Environmental resources-wildlife. Describe the wildlife species which nest, feed or reside on or adjacent to the proposed site. Specifically identify those species considered to be threatened or endangered **NA: SCARIFIED OPEN AREA**

Indicate measures which will be taken to protect wildlife and their habitats. **ALL NECESSARY MEASURES WILL BE TAKEN TO ENSURE MINIMAL DISTURBANCE TO ADJOINING PROPERY**
(x) Environmental resources-water quality:

1. Identify any waste water disposal areas, including stormwater runoff, septic tank drain-fields, impervious surfaces and construction-related runoff; describe anticipated volume and characteristics. Indicate measures taken to minimize the adverse impacts of these potential pollution sources upon the quality of the receiving waters prior to, during, and after construction; identify the nearshore water quality; and identify how this development will not adversely impact the nearshore water quality. **PLEASE SEE ATTACHED CIVIL PLANS REGARDING STORM WATER MANAGEMENT PLAN**

2. Indicate the degree to which any natural drainage patterns have been incorporated into the drainage system of the project. **NO KNOWN DRAINAGE PATTERS EXIST. STORM WATER RUNOFF WILL BE HANDLED ACCORDING TO THE STORM WATER MANAGEMENT PLAN**

b. A community impact statement, including:
(i) General description of proposed development:
1. Provide a general written description of the proposed development; include in this description the proposed phases of development or operation and facility utilization, target dates for each of these, and date of completion; in addition, indicate the site size, developing staging and appropriate descriptive measures such as quantity and type of residential units, commercial floor area, tourist accommodation units, seating and parking capacities; for residential development, indicate the anticipated unit-per-acre density of the completed project; **PLEASE SEE ATTACHED PROJECT NARRATIVE**

2. Identify aspects of the project design, such as a clustering, which were incorporated to reduce public facilities costs and improve the scenic quality of the development; describe building and siting specifications which were utilized to reduce hurricane and fire damage potential to comply with federal flood insurance regulations and the comprehensive land use plan. **THE DESIGN OF THE EXPANSION IS VERY SIMILAR TO A TYPICAL CONVENIENCE STORE & GAS STATION. THE NEW CANOPY OVER THE FUEL PUMPS WILL BE UP TO CURRENT BUILDING CODE SO AS TO AVOID DAMAGE DURING A HURRICANE. NEW ONSITE TRAFFIC PATTERNS WILL ALLOW FOR GREATER ACCESSIBILTY BY VEHICULAR TRAFFIC, THEREBY MINIMIZING OVERFLOW INTO ROADWAY TRAFFIC. THE CONVENIENCE STORE WILL BE UPGRADED AND MODERNIZED SO AS TO REFLECT THE COMPANY'S PROFESSIONAL IMAGE**

(ii) Impact assessment on public facilities and water supply:
1. Identify projected daily potable water demands at the end of each development phase and specify any consumption rates which have been assumed for the projection; **EXPANSION PLANS WILL HAVE NEGLIGIBLE IMPACT OVER AND ABOVE CURRENT USE AND MAY EVEN DECREASE WITH THE INSTALLATION OF LOW-FLOW FIXTURES IN THE RESTROOMS.**

2. Provide proof of coordination with the Florida Keys Aqueduct Authority; assess the present and projected capacity of the water supply system and the ability of such system to provide adequate water for the proposed development; **PLEASE SEE ATTACHED "LETTER OF**

COORDINATION"

3. Describe measures to ensure that water pressure and flow will be adequate for fire protection for the type of construction proposed. **THE EXPANSION PLANS AND SUBSIQUENT CONSTRUCTION WILL NOT IMPACT CURRENT WATER PRESSURE AND FLOW**

(iii) Public facilities-wastewater management:
1. Provide proof of coordination with the Florida Department of Health and Rehabilitative Services; **PLEASE SEE ATTACHED "LETTER OF COORDINATION"**

2. Provide projection of the average flows of wastewater generated by the development at the end of each development phase; describe proposed treatment system, method and degree of treatment, quality of effluent, and location of effluent and sludge disposal areas; identify method and responsibilities for operation and maintenance of facilities; **EXPANSION OF THIS FACILITY WILL HAVE NEGLIGABLE IMPACT OVER AND ABOVE CURRENT DISCHARGE OF WASTEWATER FLOW AND MAY EVEN DECREASE WITH THE INSTALATION OF LOW FLOW FIXTURES IN THE RESTROOMS.**

3. If public facilities are to be utilized, provide proof of coordination with the Monroe County Waste Collection and Disposal District; assess the present and projected capacity of the treatment and transmission facilities and the ability of such facilities to provide adequate service to the proposed development; **CONVENIENCE STORE CURRENTLY HAS A SEPTIC TANK AND DRAINFIELD. NO PUBLIC FACILITIES ARE UTILIZED FOR DISPOSAL OF WASTE WATER**

4. If applicable, provide a description of the volume and characteristics of any industrial or other effluents. **BUSINESS DOES NOT DISCHARGE ANY INDUSTRIAL EFFLUENTS**

(iv) Public facilities-solid waste:
1. Identify projected average daily volumes of solid waste generated by the development at the end of each phase; indicate proposed methods of treatment and disposal; **CURRENTLY THE BUSINESS CONTRACTS WITH A VENDOR FOR SOLID WASTE DISPOSAL. DUE TO THE NATURE OF THE EXPANSION, WE DO NOT ESTIMATE ANY SUBSTANTIAL INCREASE IN SOLID WASTE.**

2. Provide proof of coordination with Monroe County Municipal Services District; assess the present and projected capacity of the solid waste treatment and disposal system and the ability of such facilities to provide adequate services to the proposed development; **PLEASE SEE ATTACHED LETTERS OF COORDINATION**

3. Comply with the requirements of section 9.5-426 of this chapter concerning any applicable traffic study. **PLEASE SEE ATTACHED TRAFFIC ANALYSIS**

(v) Public facilities-transportation:
1. Provide a projection of the expected vehicle trip generation at the completion of each development phase; describe in terms of external trip generation and average daily and peak hour

traffic; **SEE TRAFFIC ANALYSIS, THE LEVEL III TRAFFIC STUDY BY CROSSROADS ENGINEERING**

2. If the project site is adjacent to U.S. 1, describe the measures, such as setbacks and access limitations, which have been incorporated into the project design to reduce impacts upon U.S. 1. **SITE DESIGN FOR THE PROPOSED EXPANSION TAKES INTO CONSIDERATION ON-SITE TRAFFIC FLOW WHICH WILL HELP TO EASE INGRESS AND EGRESS TO THE PROPERTY, THERE BY MINIMIZING DISTURBANCE OF TRAFFIC FLOW ON US 1**

(vi) Housing:
1. If the project includes residential development, provide breakdown of the proposed residential units by price range or rental range and type of unit such as single-family, duplex, townhouse, etc.; **NA**

2. If lots are to be sold without constructed dwelling units, indicate the number and percentage of such lots and the extent of improvements to be made prior to sale; **NA**

3. Assess the potential of the proposed development to meet local or regional housing needs; in particular, indicate any measures taken to provide low-and moderate-income housing. **NA**

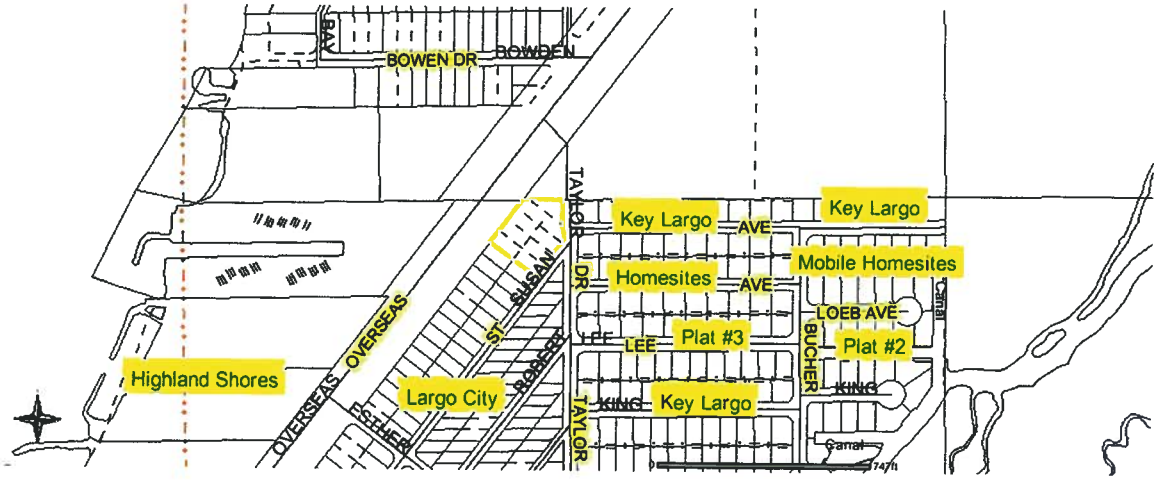
(vii) Special considerations:
1. Describe the relationship of the proposed development to the comprehensive land use plan objectives and policies; also indicate relationships [between] existing or proposed public facilities plans; identify any conflicts; **PROPOSED EXPANSION FALLS WITHIN THE COMPREHENSIVE LAND USE PLAN OBJECTIVES AND POLICIES SINCE IT IS SIMPLY AN EXPANSION AND NOT THE CREATION OF A NEW DEVELOPMENT.**

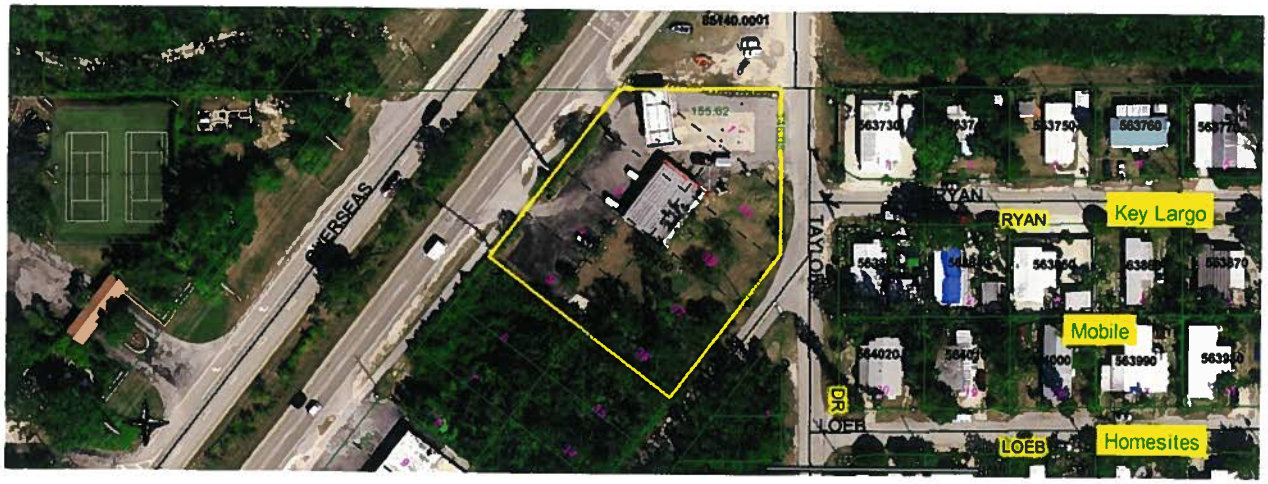
2. Indicate any relationships of the project to special land use and development district such as airport noise and hazard zones, solid or liquid waste treatment or disposal areas; **LOCATION OF SUBJECT PROPERTY IS NOT WITHIN ANY SPECIAL LAND USE OR DEVELOPMENT DISTRICTS**

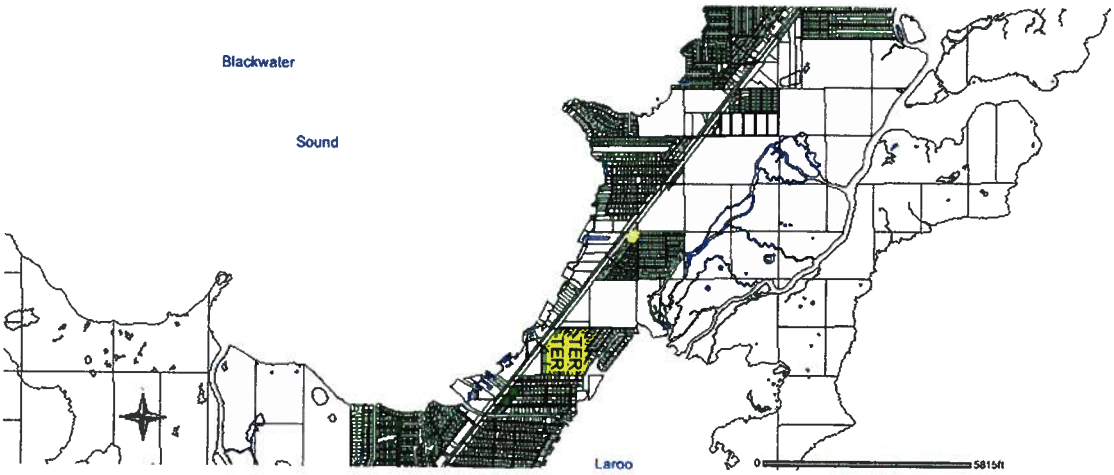
3. If applicable, assess the impact of the proposed development upon other adjacent or nearby municipalities or counties. **NA**

TOM THUMB CONVENIENCE STORE

RE# 00508260.000000 MILE MARKER 104.7







29013 LANDCO

TOM THUMB CONVENIENCE STORE

RE# 00508260.000000 MILE MARKER 104.7

29013 Landco

29013

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
1200 TRUMAN AVE SUITE 207
KEY WEST, FL 33040

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
1200 TRUMAN AVE STE 207
KEY WEST, FL 33040

PAGAN JOSEPH
PASEO DE LA ALHAMBRA 217
TORRIMAR, GUAYNABO 00966 PUERTO RICO

LANDCO LLC
97 WEST OKEECHOBEE RD
HIALEAH, FL 33010

SUBIRATS ALAIN
104500 OVERSEAS HWY UNIT A-102
KEY LARGO, FL 33037

HAWS LYLE C & J GAYLE
55995 CHANNEL VIEW DR
ELKHART, IN 46516

STONEMAN STEVEN G & NANCY L
411 LUTHER ROAD
APEX, NC 27502

DERRINGER TERRY A
104500 OVERSEAS HWY UNIT A204
KEY LARGO, FL 33037

SCHNEEBERGER DONALD G AND JULIE B
5133 ELMWOOD RD
COLGATE, WI 53017

THERIOT ROSLYN H TR 10/11/1999
104500 U S HIGHWAY 1 UNIT A-304
KEY LARGO, FL 33037

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
1200 TRUMAN AVE SUITE 207
KEY WEST, FL 33040

JEMAR INVESTMENTS INC
P O BOX 1819
KEY LARGO, FL 33037

DAUGHTRY LUCILLE C TRUSTEE C/O NORTHERN TRUST, NA
700 BRICKELL AVE FL 10TH
MIAMI, FL 33131

HERRERA SERGIO O & BARBARA
12583 SW 79TH ST
MIAMI, FL 33183

ATKINSON WILSON C III & KAY LANI
3381 N 36TH PLACE
HOLLYWOOD, FL 33021

KNOBLOCK HENRY M & BETSY
12051 SW 88 AVE
MIAMI, FL 33176

SHERRILL BYRON F AND MARIAN D TR 6/19/1995
PO BOX 2338
SILVERTHRONE, CO 80498

OLSON ROBERT L & LINDA K
925 CRYSTAL LAKE ROAD EAST
BURNSVILLE, MN 55306

COHEN JAMES M & JANET F
3900 GALT OCEAN DRIVE APT 2717
FT LAUDERDALE, FL 33308-6620

MYERS CAROLYN S
11758 WATERCREST LANE
BOCA RATON, FL 33498

29D13

COUNTY OF MONROE C/O BOARD OF COUNTY COMMISSIONERS
500 WHITEHEAD ST
KEY WEST, FL 33040

BEATTIE BRADFORD G
1 N BLACKWATER LN
KEY LARGO, FL 33037

CORN DONALD D & ANNA L
28476 ROYAL PALM DRIVE
PUNTA GORDA, FL 33982

CORN DONALD D & ANNA L
28476 ROYAL PALM DRIVE
PUNTA GORDA, FL 33982

TIITF C/O DEP
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
1200 TRUMAN AVE STE 207
KEY WEST, FL 33040

TIITF C/O DEP
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

VAUGHN ROBERT R
P O BOX 464
TAVERNIER, FL 33070

VAUGHN ROBERT R
P O BOX 464
TAVERNIER, FL 33070

JEMAR INVESTMENTS INC
P O BOX 1819
KEY LARGO, FL 33037

TARAFDAR BENJAMIN
28 ROBERT ST
KEY LARGO, FL 33037

BEATTIE BRADFORD G
1 N BLACKWATER LANE
KEY LARGO, FL 33037

MONROE COUNTY C/O BOCC
1100 SIMONTON ST
KEY WEST, FL 33040

TIITF C/O DEP
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

COUNTY OF MONROE C/O BOCC
1100 SIMONTON ST
KEY WEST, FL 33040

TIITF C/O DEP
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399-3000

VAUGHN ROBERT R
P O BOX 464
TAVERNIER, FL 33070

VAUGHN ROBERT R
P O BOX 464
TAVERNIER, FL 33070

JEMAR INVESTMENTS INC
PO BOX 1819
KEY LARGO, FL 33037

KLASFELD ILENE DR
1908 NW FOURTH AVE APT 112
BOCA RATON, FL 33432-1580

29013

VASILIU LUCIA
202 RYAN AVE
KEY LARGO, FL 33037

LORENZO ALEIDA
280 LEISURE LN
BURNSVILLE, NC 28714

MONROE COUNTY
500 WHITEHEAD STREET
KEY WEST, FL 33040

SANTAMARIA MIRIAM
201 RYAN AVE
KEY LARGO, FL 33037

FRERE RICHARD
3818 MUMBY RD
CANADAIGUA, NY 14424

TRACHET ROBERT ALLEN & TRACHET ROBERTA LYNN R/S
228 2ND RD
KEY LARGO, FL 33037

LOPEZ-URGELL JOAQUIN & HILDA
425 NW 60TH COURT
MIAMI, FL 33126

ROWLAND GRACE A
10550 W ST RD 84 UNIT 165
DAVIE, FL 33324

LAMING MICHAEL S
221 CRAGMONT CIR
RICHMOND, VA 23233

LOPEZ ARMANDO
213 LOEB AVE
KEY LARGO, FL 33037

IZQUIERDO AMAURY AND MILADYS
3681 HERON RIDGE LN
WESTON, FL 33331

PHELAN JEAN L
232 RYAN AVENUE
KEY LARGO, FL 33037

BOARD OF PUBLIC INSTRUCTION OF MONROE COUNTY
242 WHITE STREET
KEY WEST, FL 33040

KELLY JAMES P & HELEN M
P O BOX 3167
KEY LARGO, FL 33037

DELAND ERIC K
188 BESSIE RD
TAVERNIER, FL 33070

STRAIT RANDY
211 RYAN AVE
KEY LARGO, FL 33037

LUCAS MICHAEL REV TR DTD 12/01/95
7860 SW 182ND TERR
MIAMI, FL 33157

MARTINEZ RUFINO & ADELAIDA
P O BOX 3143
KEY LARGO, FL 33037

RICHCREEK ROBERTA E
PO BOX 1151
KEY LARGO, FL 33037

ACKERMAN MICHAEL J
1 ROBERT STREET
KEY LARGO, FL 33037-4839

29013

PINTO PEDRO J
6300 SW 120 ST
PINECREST, FL 33156

COWART LEE J & M'LISS
1112 WATERBROOK LN
WESTON, FL 33326

ETZOLD MARK AND ANA
104500 OVERSEAS HWY UNIT B102
KEY LARGO, FL 33037

KLUTTZ WILLIAM EDWARD
104500 OVERSEAS HIGHWAY UNIT B-104
KEY LARGO, FL 33037

HIMELBERGER CORYDON G
104500 OVERSEAS HWY UNIT B-202
KEY LARGO, FL 33037

ZIEGELMEYER WAYNE A SR & DEBORAH A
P O BOX 181
IMPERIAL, MO 63052

BILLINGS MARIANNE S LIV TR 08/22/96 C/O BILLINGS MARIANNE S
104500 OVERSEAS HWY APT B 302
KEY LARGO, FL 33037

ELLIS JOHN M AND MARY C
201 NW 130 AVE
PLANTATION, FL 33325

SWENSSON JASON & DEBRA
104500 OVERSEAS HWY - APT B-402
KEY LARGO, FL 33037

CROWTHER WAYNE R
201 BROOKDALE CT
DRESHES, PA 19025

CHIARAMONTE NUNZIO AND GLORIA
104500 OVERSEAS HWY UNIT A403
KEY LARGO, FL 33037

RETTIG DAVID C
104500 OVERSEAS HIGHWAY - UNIT B-101
KEY LARGO, FL 33037

SMITH PAUL M & NANCY LEE
1430 NW 99TH AVENUE
PLANTATION, FL 33322

GARINO ALFRED R JR & ELLEN M
947 BRIARWOODS RD
FRANKLIN LAKES, NJ 07417

LUTTER JON F AND ANNA
3030 NE 46TH ST
FT LAUDERDALE, FL 33308

FLETCHER JAMES H & GERDA T
104500 OVERSEAS HIGHWAY #B-301- TAMARIND BAY CLUB
KEY LARGO, FL 33037

FONSECA AUGUSTO & CECILIA B
16 SPRING GARDEN STREET
CRANFORD, NJ 07016-5657

CANNON-O'MALLEY MICHAEL
104500 OVERSEAS HWY UNIT B-401
KEY LARGO, FL 33037

HIDALGO-GATO ERIK TRUSTEE (ERIK HIDALGO-GATO FAMILY TRUST DD 11/09/93)
16410 STONEHAVEN RD
MIAMI LAKES, FL 33014

OAKLEY JOHN V AND ANN
OLD BURSLEDON
SOUTH HAMPTON, UK 5031-8DN ENGLAND

29013

AIELLO JOHN J AND ERNA REUTTER (H/W)
4082 W PALM AIRE DR UNIT 5
POMPANO BEACH, FL 33069

HUNTER R ERIC AND MARGARET A
1129 GOLFVIEW WOODS DR
RUSKIN, FL 33573

FIE MARGARET S
104500 OVERSEAS HWY UNIT C-201
KEY LARGO, FL 33037-2979

NEWELL FRANCIS D TRUSTEE (FRANCIS D NEWELL REVOC TRUST 9/27/88)
2900 COACH HOUSE LANE
NAPLES, FL 33942

VALLE PAULA T
104500 OVERSEAS HWY UNIT C205
KEY LARGO, FL 33087

STEHOUWER GARY J & STEHOUWER SUSAN TR (STEHOUWER LIVING TRUST 1-24-92)
P O BOX 78
LAMONT, MI 49430-0078

PETRAK TOM & PETRAK JAN & PETRAK CHRISTOPHER R/S
12901 E TANGLEWOOD CIR
PALOS PARK, IL 60464

CLOUTIER JOSEPH M AND LINDA L
247 COMMERICAL ST STE A
ROCKPORT, ME 04856

RUH PAUL J AND JULIE G
7373 PINE GROVE LN
TWO RIVERS, WI 54241

DOT/ST.OF FL (STATE ROAD DEPARTMENT)
TALLAHASSEE, FL 32399

NIGHTINGALE JEANNINE E
104500 OVERSEAS HWY UNIT C103
KEY LARGO, FL 33037

SOSNOW GREGORY P & ANNE M
104500 OVERSEAS HIGHWAY #C-105
KEY LARGO, FL 33037

WEBER ARTHUR C & LINDA C
45211 VANKER
UTICA, MI 48317

VILLANE INVESTMENT PARTNERSHIP
100 PARKER ROAD
EATONTOWN, NJ 07724-9618

NYITRAY Z JOHN & SARAH
6600 SW 135 TERRACE
MIAMI, FL 33156

AGUILAR PABLO JESUS & ROSE MARY
11403 SW 87 TERR
MIAMI, FL 33173

NYITRAY Z JOHN & SARAH
6600 SW 135TH TERRACE
MIAMI, FL 33156

THARP BARRY D & KING EDWARD F II & PETRACCO PETER T/C
2865 SW 30TH AVENUE
PEMBROKE PARK, FL 33009

KEY LARGO BAPTIST CHURCH INC
PO BOX 1063
KEY LARGO, FL 33037

TOM THUMB CONVENIENCE STORE

MILE MARKER 104.5

KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

June 2008

Prepared By:

CROSSROADS ENGINEERING

TOM THUMB
CONVENIENCE STORE

MILE MARKER 104.5

KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

JUNE 2008

TOM THUMB CONVENIENCE STORE

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June 2008
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TOM THUMB
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MILE MARKER 104.5
KEY LARGO, FLORIDA
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INTRODUCTION

Tom Thumb Food Stores, Inc. (the developer) is proposing to redevelop an existing convenience store with four (4) fueling positions to a convenience store with twelve (12) fueling positions. There are no plans to change the size of the convenience store building. The site is located at 104701 Overseas Highway near US 1 Mile Marker 104.5. Figure 1 depicts the general location and a reduced survey is in the appendix.

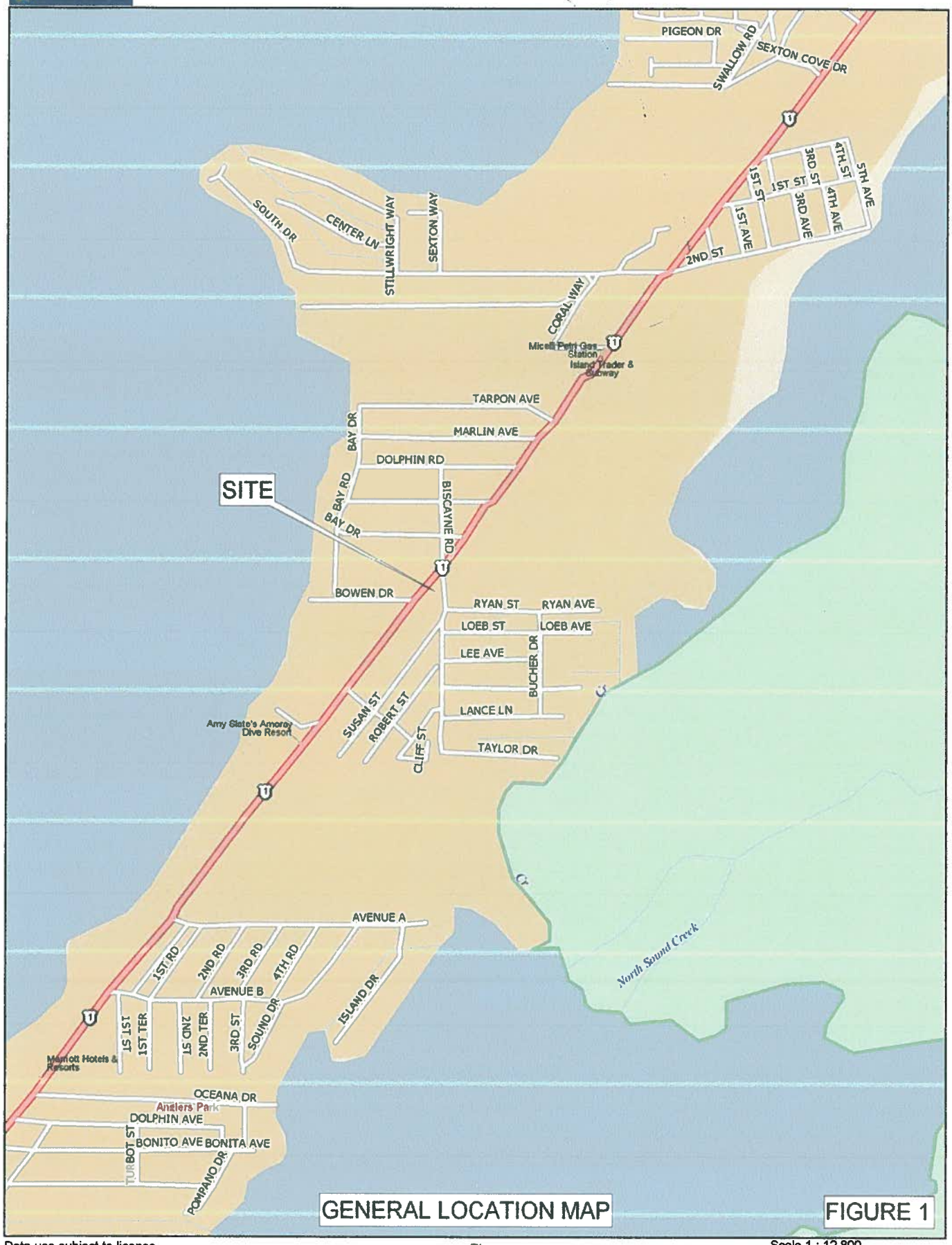
Monroe County's traffic consultant was contacted to discuss the scope of work needed for the traffic study. It was agreed that a level three study is needed to address the project's traffic impacts.

ACCESS AND ADJACENT LAND USES

The site has frontage along both the north- and southbound lanes of US 1. Currently, the site has two driveways, one along the southbound side and one along the northbound side of US 1. See the attached survey for more details. There are no plans to change the existing access.

TRAFFIC GENERATION

Trip generation is estimated using information from a January 1991 independent report, which appeared in the Institute of Transportation Engineers (ITE) monthly Journal regarding a study performed in Florida of convenience stores with fueling access. The article *(Trip Generation Studies of Gas/Convenience Stores),* estimated PM peak hour traffic at 18 sites in Collier, Lee and Palm Beach counties. Monroe County's traffic consultant agreed to use the trip generation as depicted in the independent study. However, no daily data were collected during the independent study. It was agreed to use the PM peak to daily trip generation ratio (0.082) as reported from nation-wide studies, which appear in the seventh edition of the *Trip Generation Report,* published by ITE (land use code No. 945). It was also agreed that a 56% pass-by rate is appropriate, as depicted in the nation-wide study, and is used in this report to estimate primary trips to be generated by the proposed change in development. Table 1 depicts the existing and proposed trip generation.



GENERAL LOCATION MAP

FIGURE 1

Data use subject to license.
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www.delorme.com

TN
MN (5.5°W)

Scale 1 : 12,800
1" = 1,066.7 ft
Data Zoom 14-0

Table 1
Daily and PM Peak Hour
Trip Generation for a
Convenience Store with
Vehicle Fueling Positions (vfp's)

Land Use	Weighted Daily Volume	PM Peak Hour In	Out	Total
Proposed:				
C-store 2,496 sf	1,415	58	58	116
12 vfp's	1,065	44	44	88
Subtotal	2,480	102	102	204
Less pass-by trips (56%)	-1,389	-57	-57	-104
Gross primary trips[1] (Total Site)	**1,091**	**45**	**45**	**90**
Existing:				
C-store 2,496 sf	-1,415	-58	-58	-116
4 vfp's	-366	-15	-15	-30
Subtotal	-1,781	-73	-73	-146
Net gross trips	-699	-29	-29	-58
Less pass-by trips (56%)	-391	-16	-16	-32
Net new primary trips[2]				
Primary trips	**308**	**13**	**13**	**26**

1 Total site gross primary trips
2 Net new trips on the roadway network

DISTRIBUTION AND TRIP LENGTH

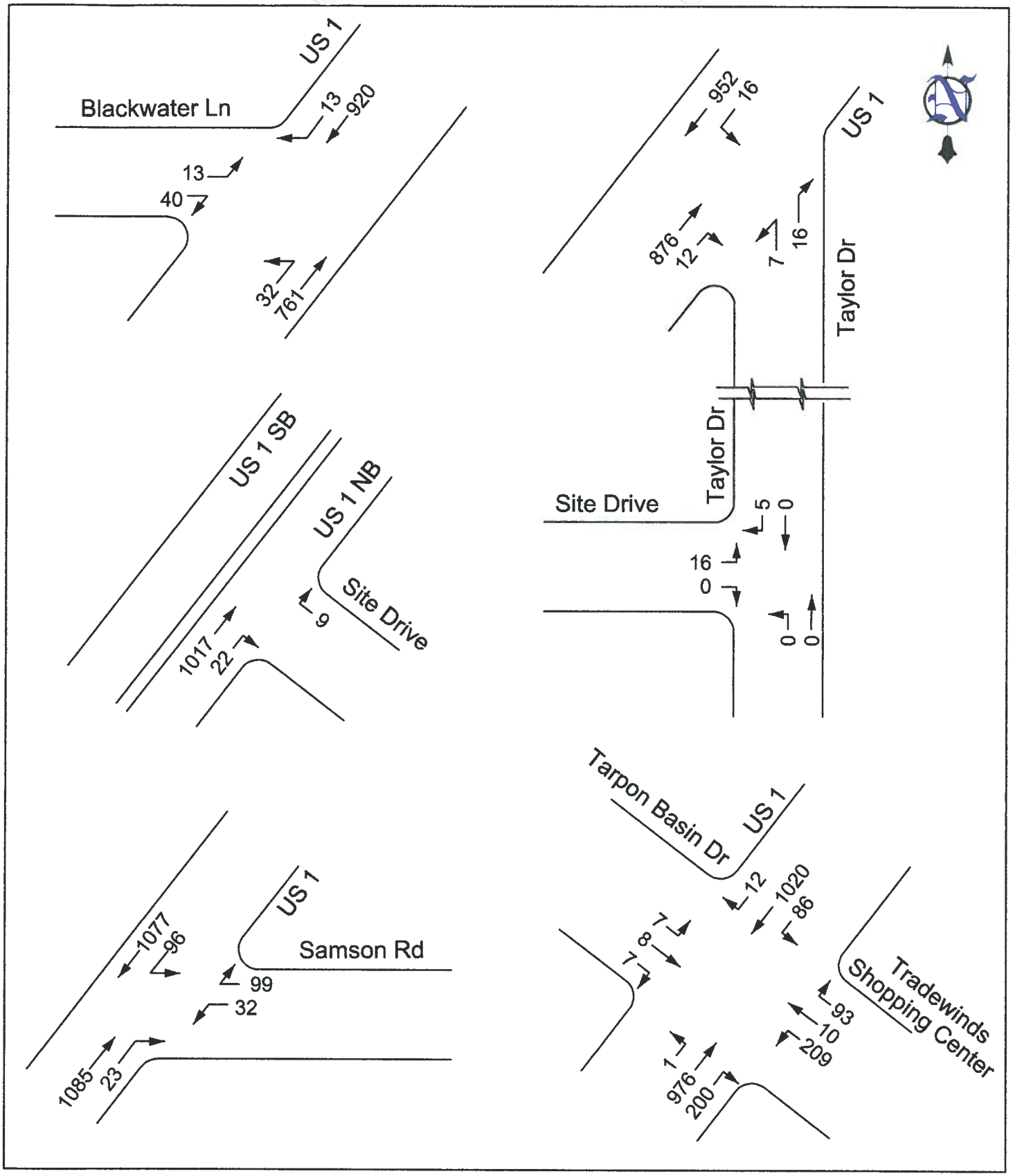
There are numerous convenience stores with fueling facilities throughout this area of the Keys. One need not travel far for these services. Both daily and PM peak hour traffic are estimated to be equal in both the north/south directions. The average trip length to the north is one mile (1) and south is estimated at two (2) miles. It is estimated that no primary trips to this development will occur from the mainland through Segment 24, hence the short average trip length to the north.

EXISTING US 1 TRAFFIC

It was agreed with the County's traffic consultant that the following intersections along US 1 are to be analyzed in this study.

- Blackwater Lane –unsignalized intersection north of site.
- Taylor Drive – unsignalized intersections north of site.
- Site drive – at site.
- Site drive – Taylor Drive
- Samson Road -- unsignalized intersection south of site
- Tarpon Basin – signalized intersection south of site.

All intersection data collection occurred on a weekday, between 11:30 AM and 1:30 PM. The midday peak period historically typifies peak period traffic that occurs hourly in this area of the Keys. Figure 2 depicts existing traffic volumes at the intersections under study.



Tom Thumb
M.M. 104

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Figure 2

Existing Peak Hour Volume

SEASONAL TRAFFIC ADJUSTMENT

The Florida Department of Transportation year 2006 weekly volume factors (latest available) were used to estimate peak seasonal traffic conditions from the collected data

HISTORICAL TRAFFIC VOLUME

The company's intention is to have the project built and operating by the close of year 2009. Therefore, existing traffic volumes were factored for yearly growth. The year *2007 US 1 Arterial Travel Time and Delay Study for Monroe County, Florida* was used as a guide to increase existing volume data by an annualized rate of 1.54% to year 2009, build-out conditions.

APPROVED DEVELOPMENT TRAFFIC

Monroe County Planning staff was contacted regarding other approved but not built projects in the Key Largo/Tavernier area. According to staff, there are no approved, but not built projects in the Key Largo/Tavernier area, however there are projects currently going through the approval process.

TRAFFIC DISTRIBUTION FOR PEAK PERIOD ANALYSIS

The north/south distribution of traffic volume along this general area of US 1 during the peak period is estimated to be about equal. Aerial photos aided in the distribution and assignment of site traffic.

FUTURE BUILD-OUT YEAR TRAFFIC

Table 2 depicts the midday peak hour volume data collected at the intersections under study. Table 2 also shows peak season traffic, a one (1) year growth and the proposed development's PM peak hour traffic volume (as shown in Table 1). Figure 3 depicts site only traffic and Figure 4 depicts peak season, a one-year growth and site PM peak hour traffic at the study locations.

PM PEAK HOUR LEVEL OF SERVICE

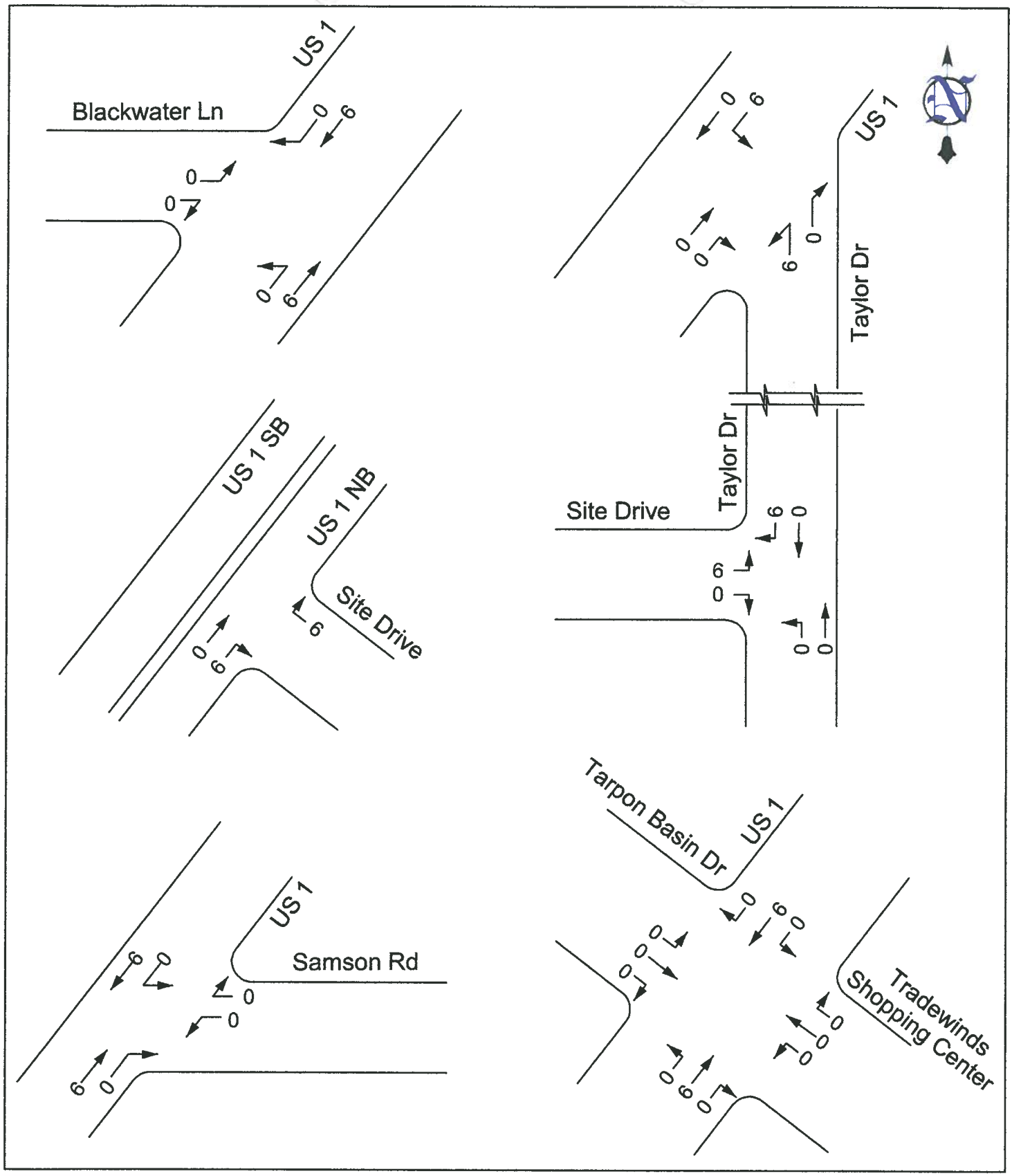
Table 3 summarizes Midday peak hour levels of service (LOS) analyses performed at the intersections under study. All future year analyses reflect midday peak hour traffic volume conditions during the peak season (peak day during the peak week) and a one year annualized growth. All intersection movements will operate within acceptable LOS conditions after build-out and occupancy of the proposed development expansion.

TABLE 2
TRAFFIC VOLUME AT US 1 INTERSECTION STUDY LOCATIONS
(US 1 Considered a North / South Roadway for Analysis Purposes)

US 1 (Overseas Highway) INTERSECTION AND APPROACH	2008 MIDDAY VOLUME	SEASONAL INCREASE VOLUME[1]	BACKGROUND GROWTH INCREASE VOLUME[2]	2009 WITHOUT SITE	SITE VOLUME	2009 WITH SITE TOTAL VOLUME
BLACKWATER LANE						
EB LEFT	13	2	0	15	0	15
EB RIGHT	40	7	0	47	0	47
NB LEFT	32	6	0	38	0	38
NB THRU	761	277	12	1050	6	1056
SB THRU	920	335	14	1269	6	1275
SB RIGHT	13	2	0	15	0	15
TAYLOR DRIVE						
WB LEFT	7	1	0	8	6	14
WB RIGHT	16	3	0	19	0	19
NB THRU	876	329	13	1218	0	1218
NB RIGHT	12	2	0	14	0	14
SB LEFT	16	3	0	19	6	25
SB THRU	952	347	15	1314	0	1314
SITE DRIVE (US 1 NB)						
WB RIGHT	9	2	0	11	6	17
NB THRU	1017	0	16	1033	0	1033
NB RIGHT	22	4	0	26	6	32
SITE DRIVE at TAYLOR DRIVE						
EB LEFT	16	3	0	19	6	25
EB RIGHT	0	0	0	0	0	0
NB LEFT	0	0	0	0	0	0
NB THRU	0	0	0	0	0	0
SB THRU	0	0	0	0	0	0
SB RIGHT	5	1	0	6	6	12
SAMSON ROAD						
WB LEFT	32	6	0	38	0	38
WB RIGHT	99	18	1	118	0	118
NB THRU	1085	383	17	1485	6	1491
NB RIGHT	23	4	0	27	0	27
SB LEFT	96	17	1	114	0	114
SB THRU	1077	393	17	1487	6	1493
TARPON BASIN DRIVE						
EB LEFT	7	1	0	8	0	8
EB THRU	8	1	0	9	0	9
EB RIGHT	7	1	0	8	0	8
WB LEFT	209	38	2	249	0	249
WB THRU	10	2	0	12	0	12
WB RIGHT	93	17	1	111	0	111
NB LEFT	1	0	0	1	0	1
NB THRU	976	356	15	1347	6	1353
NB RIGHT	200	36	2	238	0	238
SB LEFT	86	16	1	103	0	103
SB THRU	1020	372	16	1408	6	1414
SB RIGHT	12	2	0	14	0	14

[1] See report appendix (FDOT Peak Season Factors) for seasonl increases

[2] A growth factor of 1.54% is used to increase US 1 through volume and a 0.77% increase is used for local roadways and turns to and from US 1.



Tom Thumb
M.M. 104

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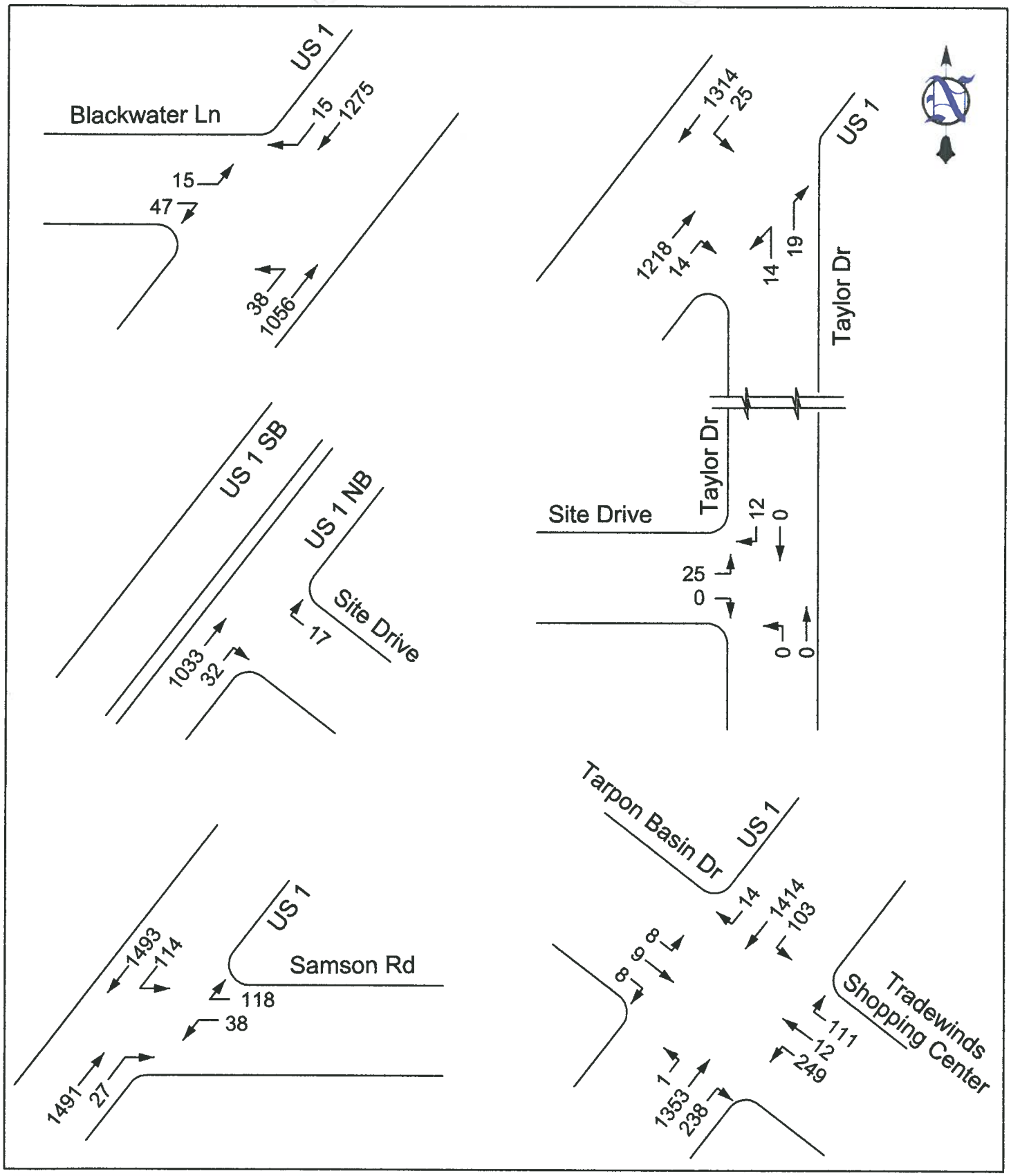
Figure 3

Proposed Site Only Volume



Tom Thumb
M.M. 104

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Figure 4
Year 2009 Peak Hour With Site Volume

TABLE 3
LEVEL OF SERIVICE AT STUDY LOCATIONS
(US 1 considered a north / south roadway for analysis purposes)

US 1 (Overseas Highway) INTERSECTION AND APPROACH		2008 PEAK SEASON LOS	YEAR 2009 WITHOUT SITE LOS	YEAR 2009 WITH SITE TOTAL LOS
Blackwater Lane				
	EB LEFT	C	C	C
	EB RIGHT	B	B	B
	NB LEFT	B	B	B
Taylor Drive				
	WB LEFT	C	C	C
	WB RIGHT	B	B	B
	SB LEFT	B	B	B
Tom Thumb Driveway				
	WB RIGHT	-	-	B
Taylor Drive & Site Drive				
	EB LEFT & RIGHT	-	-	A
	NB LEFT	-	-	A
Samson Road				
	WB LEFT	C	D	D
	WB RIGHT	B	C	C
	SB LEFT	B	C	C
Tarpon Basin				
	EB LEFT & THRU	C	C	C
	EB RIGHT	C	C	C
	WB LEFT & THRU	C	D	D
	WB RIGHT	C	C	C
	NB LEFT	A	B	B
	NB THRU	B	C	C
	NB RIGHT	B	B	B
	SB LEFT	A	B	B
	SB THRU & RIGHT	B	C	C
INTERSECTION LOS		**B**	**C**	**C**

US 1 ARTERIAL TRAFFIC SUMMARY

The development is situated along Monroe County's designated US 1 Segment 23. Table 4 depicts a summary of daily US 1 arterial traffic volume and proposed site traffic. Note that the proposed development's traffic volume will generate approximately 311 two-way daily volume trips in Segment 23. There will be 10,941 reserve trips remaining in Segment 23 after the proposed redevelopment of the Tom Thumb property.

SECONDARY STREET IMPACTS

The 2002 FDOT "Quality/Level of Service Manual is used to determine the secondary street impacts from the proposed development. It is noted in Table 4-3 of the FDOT Manual that for two-lane undivided State roadways (in this case a local roadway) the LOS "D" threshold volume is 13,600 vehicles per day. The information below depicts the estimated two-way daily traffic volume based on applying the FDOT K100 value of 0.092.

Roadway	Peak Hour Link Volume	Seasonal Volume	Growth Volume	Site Volume	Sub-total	Year 2008 Est. Daily Volume	Est. LOS
Taylor Drive	51	3	1	12	67	728	C

SIGHT TRIANGLES AND ON-SITE VEHICLE MANEUVERABILITY

Sight triangles and vehicle maneuverability will be shown on the final site plan to be submitted with application.

LOCATION OF MEDIAN OPENINGS

- Bowen Drive – 850 ft north –unsignalized.
- Taylor Drive – at site –unsignalized.
- Esther Street – 1,050 ft south –unsignalized.

SUMMARY

Based on the results of this study and the criteria set forth by Monroe County Traffic Reporting Guidelines, the proposed redevelopment of the subject property will not degrade the level of service beyond acceptable conditions along the US 1 Corridor, Taylor Drive, or any of the intersections studied in this report.

TABLE 4 -- TOM THUMB MM 104 ARTERIAL TRIP ASSIGNMENT SUMMARY

Project: Tom Thumb

Location: Key Largo

Approx. US-1 MM: 104.0

Development Type: C-store with gas

Project Size: See report

Average Trip Length: Trip Distribution:
1 miles N / E 40 % N / E
2 miles S / W 60 % S / W

Trip Generation Source:

ITE ☐ ITE Land Use Code No.:

OTHER ☒ See Report

Daily Trip Ends -
Weekday:
Saturday:
Sunday:
Weighted Daily: 710

Total Daily Trips	Percent Pass-By Trips	Percent Primary Trips	(1) Primary Trips	US-1 Segment Number	US-1 Segment Limits Begin MM	US-1 Segment Limits End MM	(2) Percent Directional Split	(3) % Impact Based on Trip Length	Project Generated Trips (1) (2) (3)	Year 2007 Reserve Capacity	Less Estimated Site Volume	Remaining Reserve Capacity
710	56	44	313	#1	4.0	5.0	60	0	(313 * 0.6 * 0.00) = 0			
				#2	5.0	9.0	60	0	(313 * 0.6 * 0.00) = 0			
				#3	9.0	10.5	60	0	(313 * 0.6 * 0.00) = 0			
				#4	10.5	16.5	60	0	(313 * 0.6 * 0.00) = 0			
				#5	16.5	20.5	60	0	(313 * 0.6 * 0.00) = 0			
				#6	20.5	23.0	60	0	(313 * 0.6 * 0.00) = 0			
				#7	23.0	24.0	60	0	(313 * 0.6 * 0.00) = 0			
				#8	24.0	27.5	60	0	(313 * 0.6 * 0.00) = 0			
				#9	27.5	29.5	60	0	(313 * 0.6 * 0.00) = 0			
				#10	29.5	33.0	60	0	(313 * 0.6 * 0.00) = 0			
				#11	33.0	40.0	60	0	(313 * 0.6 * 0.00) = 0			
				#12	40.0	47.0	60	0	(313 * 0.6 * 0.00) = 0			
				#13	47.0	54.0	60	0	(313 * 0.6 * 0.00) = 0			
				#14	54.0	60.5	60	0	(313 * 0.6 * 0.00) = 0			
				#15	60.5	63.0	60	0	(313 * 0.6 * 0.00) = 0			
				#16	63.0	73.0	60	0	(313 * 0.6 * 0.00) = 0			
				#17	73.0	77.5	60	0	(313 * 0.6 * 0.00) = 0			
				#18	77.5	79.5	60	0	(313 * 0.6 * 0.00) = 0			
				#19	79.5	84.0	60	0	(313 * 0.6 * 0.00) = 0			
				#20	84.0	86.0	60	0	(313 * 0.6 * 0.00) = 0			
				#21	86.0	91.5	60	0	(313 * 0.6 * 0.00) = 0			
				#22	91.5	99.5	60	0	(313 * 0.6 * 0.00) = 0			
	Project Segment ——————>			#23	99.5	106.0	60	100	(313 * 0.6 * 1.00) = 188	10,360	188	10,172
				#24	106.0	112.5	40	0	(313 * 0.4 * 0.00) = 0			

APPENDIX

TURNING MOVEMENT DATA

Crossroads Engineering Data, Inc.

13284 SW 120th Street
Miami, FL 33186
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : BLACKWATER
Site Code : 00000000
Start Date : 1/9/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	US1 Southbound					US1 Northbound					BLACKWATER LANE Eastbound					
Start Time	Uturns	Left	Thru	Right	App. Total	Uturns	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
11:00 AM	0	0	126	1	127	0	3	186	0	189	0	1	0	8	9	325
11:15 AM	0	0	284	4	288	0	2	174	0	176	0	0	0	4	4	46[illegible]
11:30 AM	1	0	130	3	134	0	6	194	0	200	0	1	0	5	6	34[illegible]
11:45 AM	0	1	254	2	257	1	11	170	0	182	0	3	0	16	19	458
Total	1	1	794	10	806	1	22	724	0	747	0	5	0	33	38	1591
12:00 PM	0	1	209	3	213	0	9	177	0	186	0	3	0	7	10	409
12:15 PM	0	0	247	4	251	0	8	201	0	209	0	4	0	7	11	471
12:30 PM	0	0	210	4	214	3	4	213	0	220	0	3	0	10	13	447
12:45 PM	1	0	236	6	243	0	3	197	0	200	0	0	0	3	3	446
Total	1	1	902	17	921	3	24	788	0	815	0	10	0	27	37	1773
Grand Total	2	2	1696	27	1727	4	46	1512	0	1562	0	15	0	60	75	3364
Apprch %	0.1	0.1	98.2	1.6		0.3	2.9	96.8	0		0	20	0	80		
Total %	0.1	0.1	50.4	0.8	51.3	0.1	1.4	44.9	0	46.4	0	0.4	0	1.8	2.2	
AUTOS	2	2	1625	24	1653	4	46	1386	0	1436	0	13	0	58	71	3160
% AUTOS	100	100	95.8	88.9	95.7	100	100	91.7	0	91.9	0	86.7	0	96.7	94.7	93.9
HEAVY VEHICLES	0	0	71	3	74	0	0	126	0	126	0	2	0	2	4	204
% HEAVY VEHICLES	0	0	4.2	11.1	4.3	0	0	8.3	0	8.1	0	13.3	0	3.3	5.3	6.1

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Start Time	Uturns	Left	Thru	Right	App. Total	Uturns	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:00 AM to 12:45 PM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 11:45 AM																
11:45 AM	0	1	254	2	257	1	11	170	0	182	0	3	0	16	19	45
12:00 PM	0	1	209	3	213	0	9	177	0	186	0	3	0	7	10	409
12:15 PM	0	0	247	4	251	0	8	201	0	209	0	4	0	7	11	471
12:30 PM	0	0	210	4	214	3	4	213	0	220	0	3	0	10	13	447
Total Volume	0	2	920	13	935	4	32	761	0	797	0	13	0	40	53	1785
% App. Total	0	0.2	98.4	1.4		0.5	4	95.5	0		0	24.5	0	75.5		
PHF	.000	.500	.906	.813	.910	.333	.727	.893	.000	.906	.000	.813	.000	.625	.697	.947

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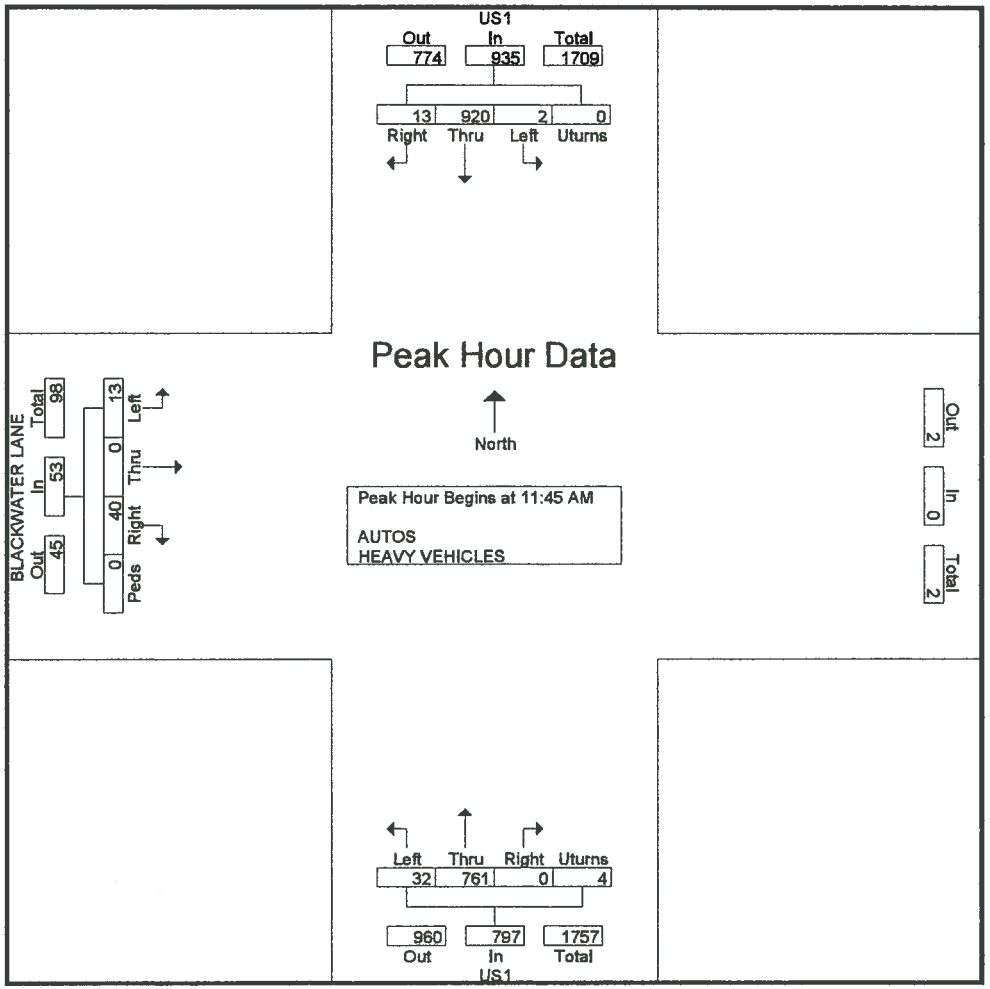

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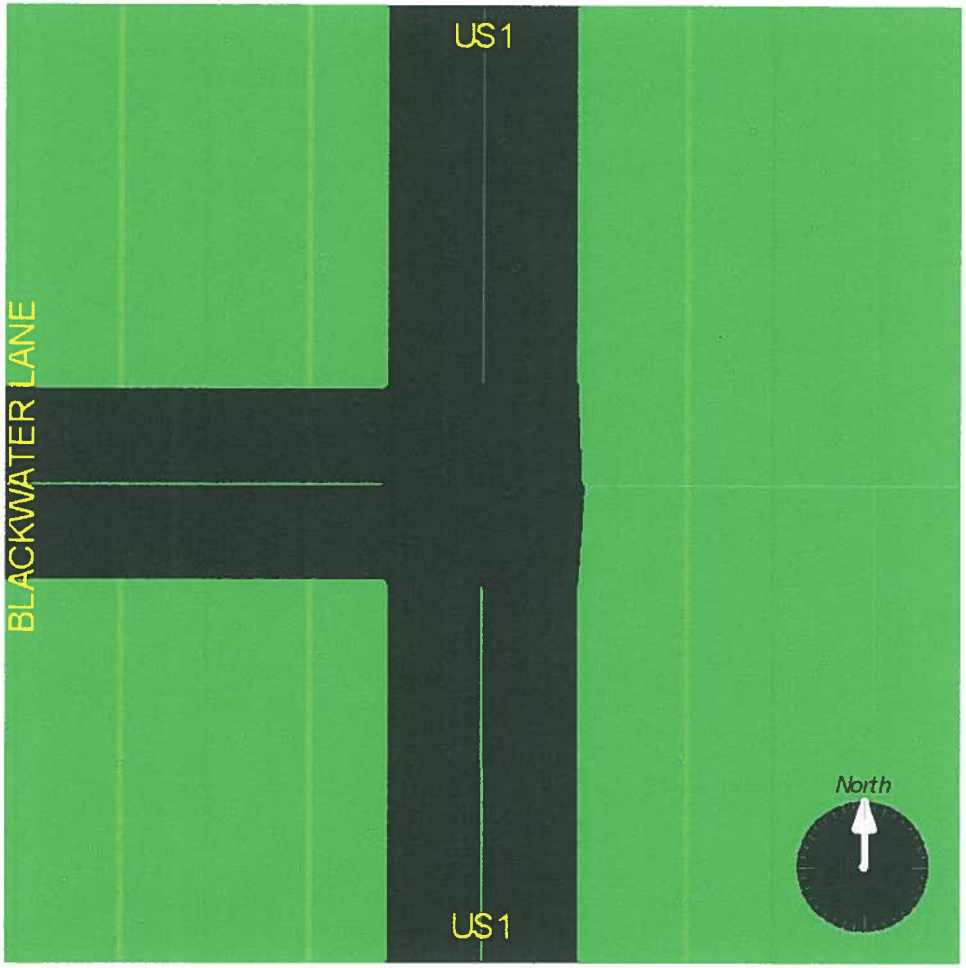

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File Name : TAYLOR
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Start Date : 1/9/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	US1 Southbound					TAYLOR DR Westbound					US1 Northbound					
Start Time	Uturns	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Uturns	Left	Thru	Right	App. Total	Int. Total
11:00 AM	0	5	131	0	136	0	1	0	2	3	0	0	180	4	184	323
11:15 AM	0	6	271	0	277	0	1	0	2	3	0	0	201	8	209	48[illegible]
11:30 AM	0	3	161	0	164	0	1	0	2	3	4	0	201	7	212	3[illegible]
11:45 AM	1	6	264	0	271	0	1	0	3	4	4	0	192	3	199	474
Total	1	20	827	0	848	0	4	0	9	13	8	0	774	22	804	1665
12:00 PM	0	5	214	0	219	0	1	0	4	5	0	0	203	2	205	429
12:15 PM	0	5	289	0	294	0	0	0	4	4	0	0	201	6	207	505
12:30 PM	0	5	204	0	209	0	6	0	4	10	0	0	218	2	220	439
12:45 PM	0	1	245	0	246	0	0	0	4	4	0	0	254	2	256	506
Total	0	16	952	0	968	0	7	0	16	23	0	0	876	12	888	1879
Grand Total	1	36	1779	0	1816	0	11	0	25	36	8	0	1650	34	1692	3544
Apprch %	0.1	2	98	0		0	30.6	0	69.4		0.5	0	97.5	2		
Total %	0	1	50.2	0	51.2	0	0.3	0	0.7	1	0.2	0	46.6	1	47.7	
AUTOS	1	31	1655	0	1687	0	10	0	20	30	8	0	1510	33	1551	3268
% AUTOS	100	86.1	93	0	92.9	0	90.9	0	80	83.3	100	0	91.5	97.1	91.7	92.2
HEAVY VEHICLES	0	5	124	0	129	0	1	0	5	6	0	0	140	1	141	276
% HEAVY VEHICLES	0	13.9	7	0	7.1	0	9.1	0	20	16.7	0	0	8.5	2.9	8.3	7.8

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CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : TAYLOR
Site Code : 00000000
Start Date : 1/9/2008
Page No : 2

	US1 Southbound					TAYLOR DR Westbound					US1 Northbound					
Start Time	Uturns	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Uturns	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:00 AM to 12:45 PM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 12:00 PM																
12:00 PM	0	5	214	0	219	0	1	0	4	5	0	0	203	2	205	42
12:15 PM	0	5	289	0	294	0	0	0	4	4	0	0	201	6	207	505
12:30 PM	0	5	204	0	209	0	6	0	4	10	0	0	218	2	220	439
12:45 PM	0	1	245	0	246	0	0	0	4	4	0	0	254	2	256	506
Total Volume	0	16	952	0	968	0	7	0	16	23	0	0	876	12	888	1879
% App. Total	0	1.7	98.3	0		0	30.4	0	69.6		0	0	98.6	1.4		
PHF	.000	.800	.824	.000	.823	.000	.292	.000	1.000	.575	.000	.000	.862	.500	.867	.928

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COUNTY : MONROE

File Name : TAYLOR
Site Code : 00000000
Start Date : 1/9/2008
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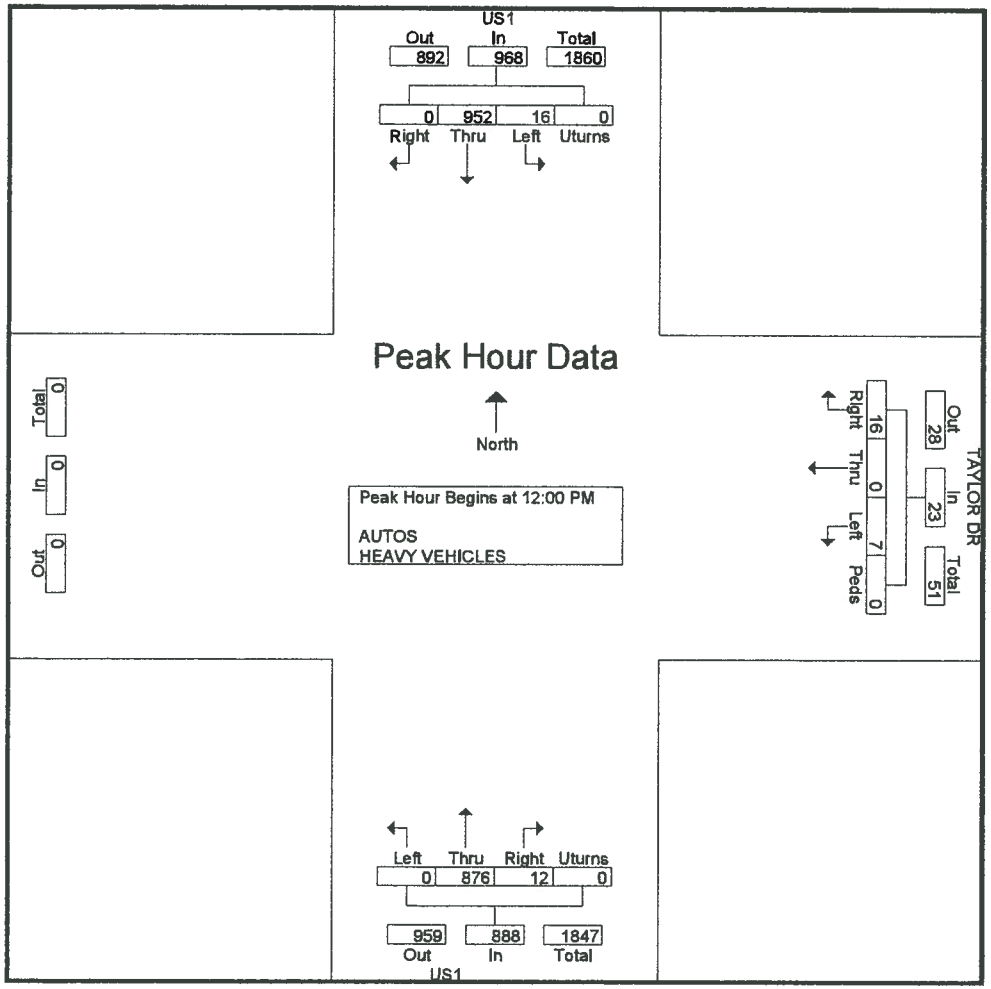

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COUNTY : MONROE

File Name : TAYLOR
Site Code : 00000000
Start Date : 1/9/2008
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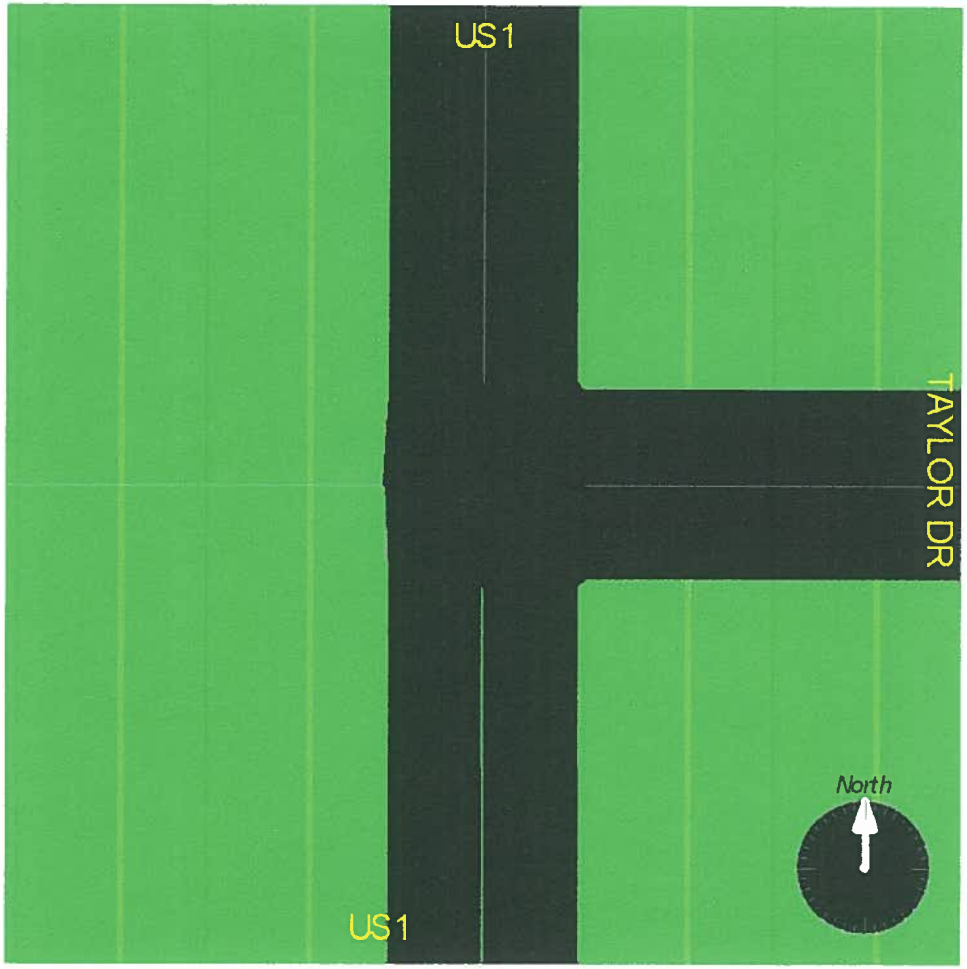

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CLIENT : TOM THUMB
JOB NO.: 2008-004
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : NB US 1 TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	TOM THUMB DRIVEWAY Westbound		NB US 1 Northbound			
Start Time	Right	App. Total	Thru	Right	App. Total	Int. Total
11:30 AM	2	2	200	3	203	205
11:45 AM	2	2	242	2	244	246
Total	4	4	442	5	447	45
12:00 PM	1	1	239	4	243	244
12:15 PM	2	2	258	8	266	268
12:30 PM	3	3	274	8	282	285
12:45 PM	3	3	246	2	248	251
Total	9	9	1017	22	1039	1048
01:00 PM	1	1	239	3	242	243
01:15 PM	5	5	251	7	258	263
Grand Total	19	19	1949	37	1986	2005
Apprch %	100		98.1	1.9		
Total %	0.9	0.9	97.2	1.8	99.1	
AUTOS	19	19	1949	37	1986	2005
% AUTOS	100	100	100	100	100	100
HEAVY VEHICLES	0	0	0	0	0	0
% HEAVY VEHICLES	0	0	0	0	0	0

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COUNTY : MONROE

File Name : NB US 1 TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
Page No : 2

	TOM THUMB DRIVEWAY Westbound		NB US 1 Northbound			
Start Time	Right	App. Total	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1						
Peak Hour for Entire Intersection Begins at 12:00 PM						
12:00 PM	1	1	239	4	243	24
12:15 PM	2	2	258	8	266	268
12:30 PM	3	3	274	8	282	285
12:45 PM	3	3	246	2	248	251
Total Volume	9	9	1017	22	1039	1048
% App. Total	100		97.9	2.1		
PHF	.750	.750	.928	.688	.921	.919

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COUNTY : MONROE

File Name : NB US 1 TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
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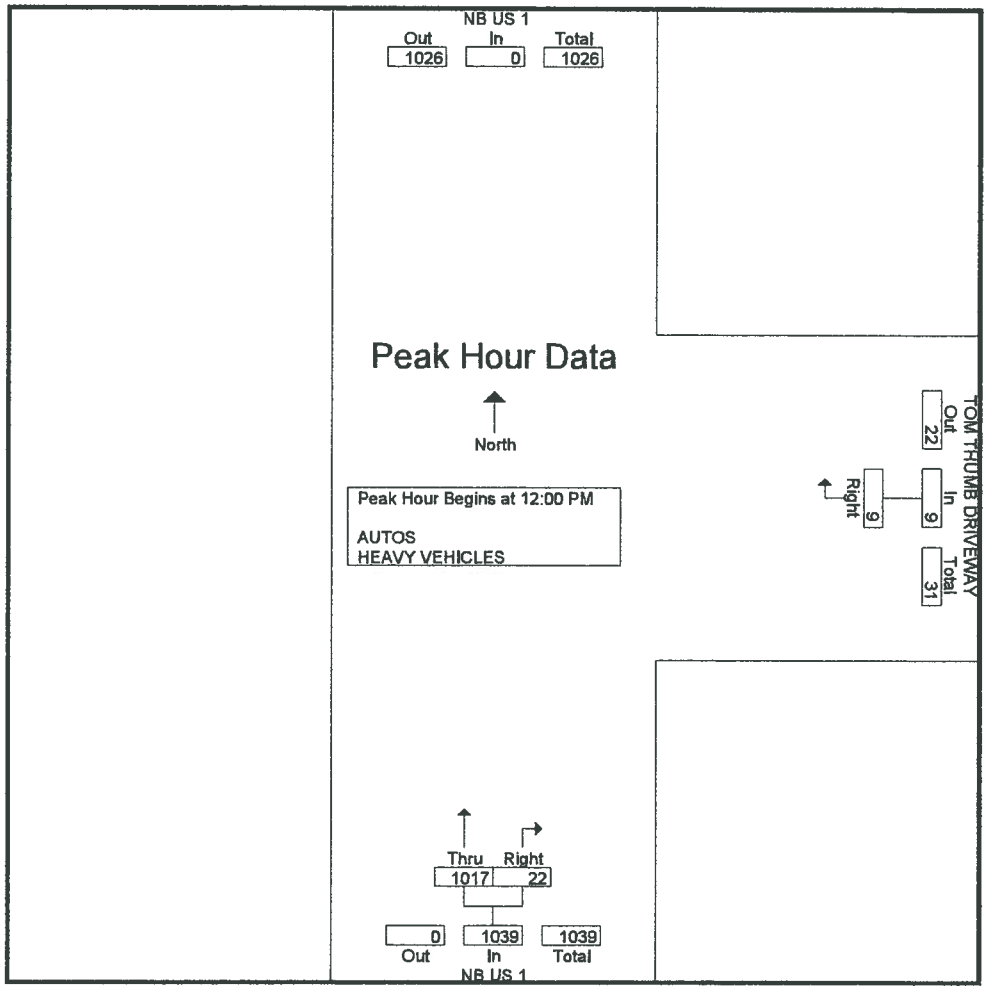

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File Name : NB US 1 TOM THUMB DW MM 104
Site Code : 00000000
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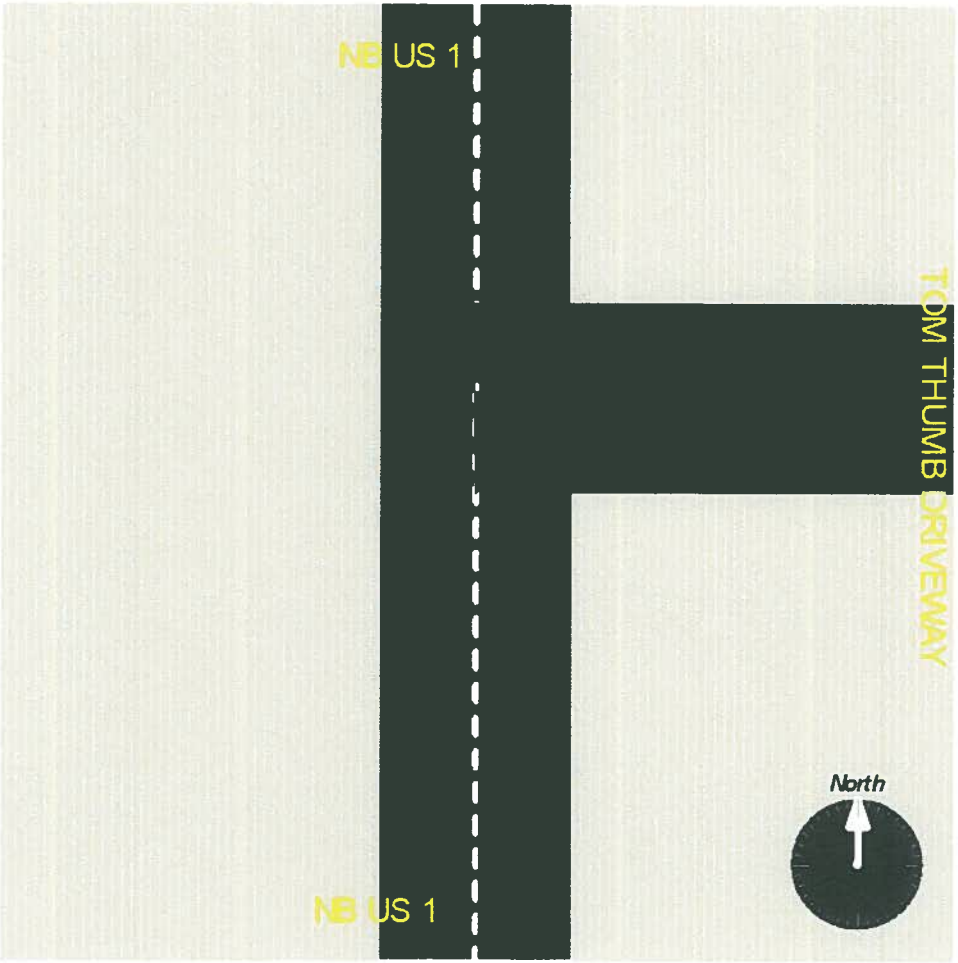

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COUNTY : MONROE

File Name : TAYLOR DR TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
Page No : 1

Groups Printed- HEAVY VEHICLES

	TAYLOR DR Southbound			TAYLOR DR Northbound			TOM THUMB DRIVEWAY Eastbound			
Start Time	Thru	Right	App. Total	Left	Thru	App. Total	Left	Right	App. Total	Int. Total
11:30 AM	0	2	2	2	0	2	1	0	1	5
11:45 AM	0	1	1	0	0	0	4	0	4	5
Total	0	3	3	2	0	2	5	0	5	10
12:00 PM	0	1	1	0	0	0	2	0	2	3
12:15 PM	0	0	0	0	0	0	3	0	3	3
12:30 PM	0	3	3	0	0	0	7	0	7	10
12:45 PM	0	3	3	0	0	0	2	0	2	5
Total	0	7	7	0	0	0	14	0	14	21
01:00 PM	0	0	0	0	0	0	1	0	1	1
01:15 PM	0	1	1	0	0	0	0	1	1	2
Grand Total	0	11	11	2	0	2	20	1	21	34
Apprch %	0	100		100	0		95.2	4.8		
Total %	0	32.4	32.4	5.9	0	5.9	58.8	2.9	61.8	

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COUNTY : MONROE

File Name : TAYLOR DR TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
Page No : 2

	TAYLOR DR Southbound			TAYLOR DR Northbound			TOM THUMB DRIVEWAY Eastbound			
Start Time	Thru	Right	App. Total	Left	Thru	App. Total	Left	Right	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 11:45 AM										
11:45 AM	0	1	1	0	0	0	4	0	4	[illegible]
12:00 PM	0	1	1	0	0	0	2	0	2	3
12:15 PM	0	0	0	0	0	0	3	0	3	3
12:30 PM	0	3	3	0	0	0	7	0	7	10
Total Volume	0	5	5	0	0	0	16	0	16	21
% App. Total	0	100		0	0		100	0		
PHF	.000	.417	.417	.000	.000	.000	.571	.000	.571	.525

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COUNTY : MONROE

File Name : TAYLOR DR TOM THUMB DW MM 104
Site Code : 00000000
Start Date : 1/17/2008
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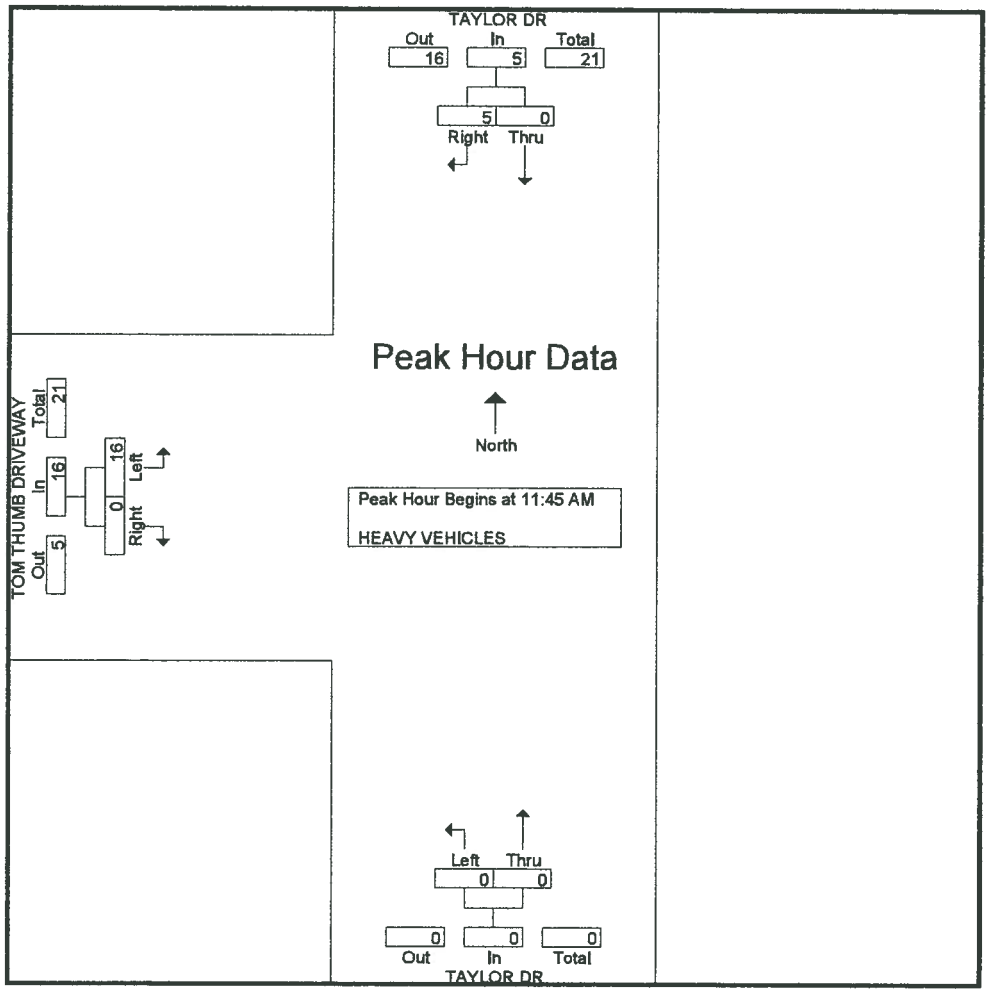

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File Name : TAYLOR DR TOM THUMB DW MM 104
Site Code : 00000000
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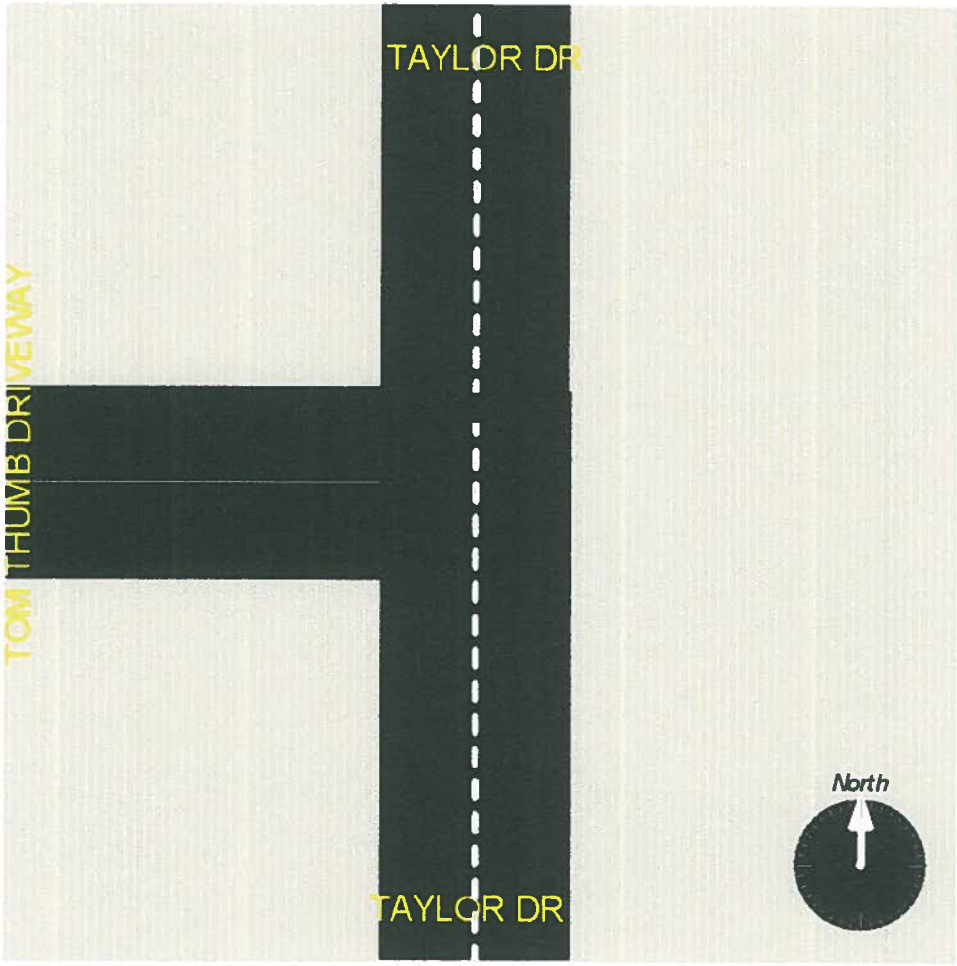

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CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : SAMSONgg
Site Code : 00001908
Start Date : 1/9/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	US1 Southbound			SAMSON RD. Westbound			US1 Northbound			
Start Time	Uturns	Left	Thru	Peds	Left	Right	Uturns	Thru	Right	Int. Total
11:00 AM	3	8	209	0	3	14	1	242	5	485
11:15 AM	2	31	226	0	3	14	2	252	4	53[illegible]
11:30 AM	2	13	237	0	3	22	0	243	7	52[illegible]
11:45 AM	5	24	241	0	7	31	0	252	7	567
Total	12	76	913	0	16	81	3	989	23	2113
12:00 PM	2	31	282	0	10	32	1	274	4	636
12:15 PM	1	18	316	0	7	22	0	240	4	608
12:30 PM	3	19	236	0	7	27	2	297	6	597
12:45 PM	2	20	243	0	8	18	0	274	6	571
Total	8	88	1077	0	32	99	3	1085	20	2412
Grand Total	20	164	1990	0	48	180	6	2074	43	4525
Apprch %	0.9	7.5	91.5	0	21.1	78.9	0.3	97.7	2	
Total %	0.4	3.6	44	0	1.1	4	0.1	45.8	1	
AUTOS	20	164	1990	0	48	180	6	2074	43	4525
% AUTOS	100	100	100	0	100	100	100	100	100	100
HEAVY VEHICLES	0	0	0	0	0	0	0	0	0	0
% HEAVY VEHICLES	0	0	0	0	0	0	0	0	0	0

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CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : SAMSONgg
Site Code : 00001908
Start Date : 1/9/2008
Page No : 2

	US1 Southbound				SAMSON RD. Westbound				US1 Northbound				
Start Time	Uturns	Left	Thru	App. Total	Peds	Left	Right	App. Total	Uturns	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:00 AM to 12:45 PM - Peak 1 of 1													
Peak Hour for Entire Intersection Begins at 12:00 PM													
12:00 PM	2	31	282	315	0	10	32	42	1	274	4	279	63
12:15 PM	1	18	316	335	0	7	22	29	0	240	4	244	608
12:30 PM	3	19	236	258	0	7	27	34	2	297	6	305	597
12:45 PM	2	20	243	265	0	8	18	26	0	274	6	280	571
Total Volume	8	88	1077	1173	0	32	99	131	3	1085	20	1108	2412
% App. Total	0.7	7.5	91.8		0	24.4	75.6		0.3	97.9	1.8		
PHF	.667	.710	.852	.875	.000	.800	.773	.780	.375	.913	.833	.908	.948

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COUNTY : MONROE

File Name : SAMSONgg
Site Code : 00001908
Start Date : 1/9/2008
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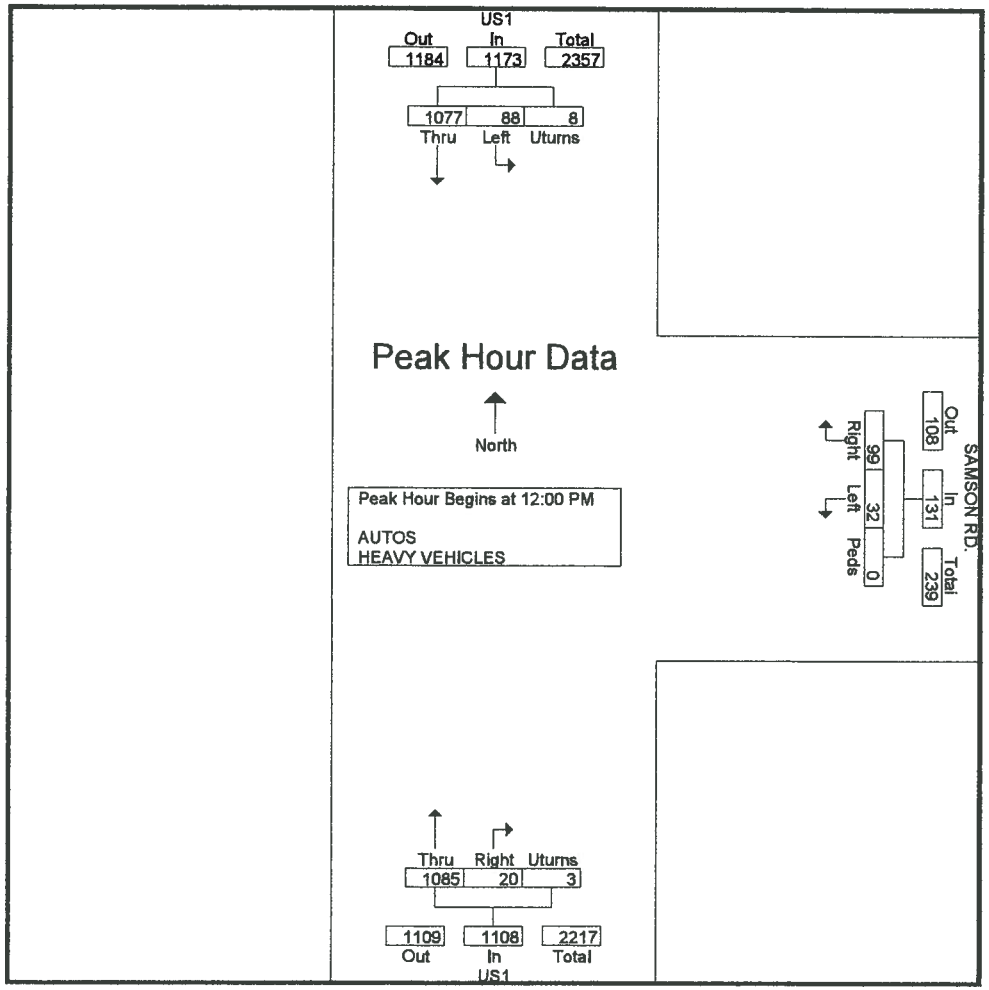

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File Name : SAMSONgg
Site Code : 00001908
Start Date : 1/9/2008
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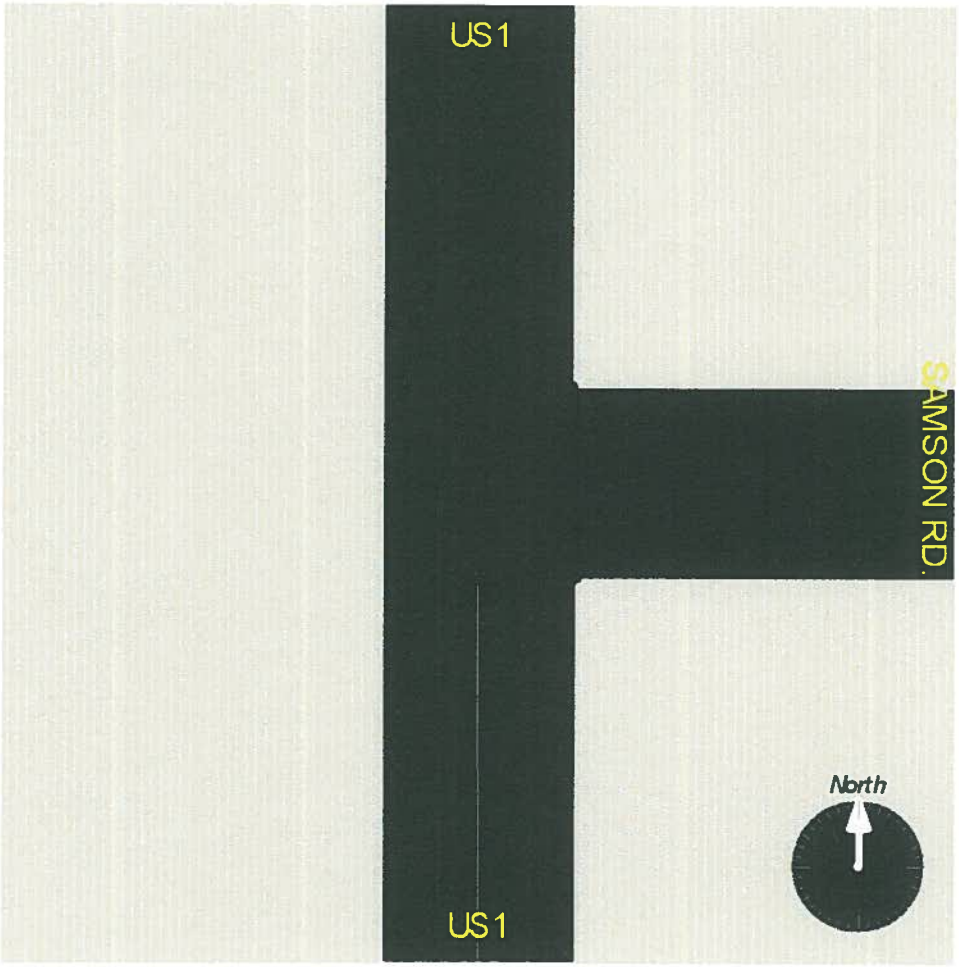

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CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : TARPON
Site Code : 00565758
Start Date : 1/9/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	US1 Southbound					TRADEWINDS SHOPPING CENTER Westbound						US1 Northbound						TARPON BASIN DRIVE Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	R-o-R	Right	App. Total	Uturns	Left	Thru	R-o-R	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
11:00 AM	1	12	196	2	211	2	51	0	6	20	79	1	1	234	3	28	267	1	5	2	4	12	569
11:15 AM	0	9	219	6	234	0	31	2	5	14	52	1	1	259	8	32	301	0	2	0	1	3	59
11:30 AM	3	13	216	5	237	2	45	0	10	20	77	1	0	211	6	32	250	1	1	1	3	6	570
11:45 AM	4	29	225	1	259	4	56	1	5	13	79	3	0	240	11	42	296	0	4	2	2	8	642
Total	8	63	856	14	941	8	183	3	26	67	287	6	2	944	28	134	1114	2	12	5	10	29	2371
12:00 PM	0	25	273	2	300	1	51	4	8	18	82	3	1	259	12	38	313	0	3	1	2	6	701
12:15 PM	3	13	290	8	314	0	52	3	4	18	77	2	0	216	12	40	270	1	0	5	3	9	670
12:30 PM	0	19	232	1	252	0	50	2	11	16	79	2	0	261	6	39	308	0	0	0	0	0	639
12:45 PM	1	16	227	4	248	2	51	2	4	17	76	0	1	253	9	42	305	5	3	3	0	11	640
Total	4	73	1022	15	1114	3	204	11	27	69	314	7	2	989	39	159	1196	6	6	9	5	26	2650
Grand Total	12	136	1878	29	2055	11	387	14	53	136	601	13	4	1933	67	293	2310	8	18	14	15	55	5021
Apprch %	0.6	6.6	91.4	1.4		1.8	64.4	2.3	8.8	22.6		0.6	0.2	83.7	2.9	12.7		14.5	32.7	25.5	27.3		
Total %	0.2	2.7	37.4	0.6	40.9	0.2	7.7	0.3	1.1	2.7	12	0.3	0.1	38.5	1.3	5.8	46	0.2	0.4	0.3	0.3	1.1	
AUTOS	12	134	1797	28	1971	11	384	14	53	132	594	13	4	1813	67	290	2187	8	17	14	15	54	4806
% AUTOS	100	98.5	95.7	96.6	95.9	100	99.2	100	100	97.1	98.8	100	100	93.8	100	99	94.7	100	94.4	100	100	98.2	95.7
HEAVY VEHICLES	0	2	81	1	84	0	3	0	0	4	7	0	0	120	0	3	123	0	1	0	0	1	215
% HEAVY VEHICLES	0	1.5	4.3	3.4	4.1	0	0.8	0	0	2.9	1.2	0	0	6.2	0	1	5.3	0	5.6	0	0	1.8	4.3

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CLIENT : TOM THUMB
JOB NO : 2008-004
PROJECT: KEY LARGO
COUNTY : MONROE

File Name : TARPON
Site Code : 00565758
Start Date : 1/9/2008
Page No : 2

	US1 Southbound					TRADEWINDS SHOPPING CENTER Westbound						US1 Northbound						TARPON BASIN DRIVE Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	R-o-R	Right	App. Total	Uturns	Left	Thru	R-o-R	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:00 AM to 12:45 PM - Peak 1 of 1																							
Peak Hour for Entire Intersection Begins at 11:45 AM																							
11:45 AM	4	29	225	1	259	4	56	1	5	13	79	3	0	240	11	42	296	0	4	2	2	8	64.
12:00 PM	0	25	273	2	300	1	51	4	8	18	82	3	1	259	12	38	313	0	3	1	2	6	701
12:15 PM	3	13	290	8	314	0	52	3	4	18	77	2	0	216	12	40	270	1	0	5	3	9	670
12:30 PM	0	19	232	1	252	0	50	2	11	16	79	2	0	261	6	39	308	0	0	0	0	0	639
Total Volume	7	86	1020	12	1125	5	209	10	28	65	317	10	1	976	41	159	1187	1	7	8	7	23	2652
% App. Total	0.6	7.6	90.7	1.1		1.6	65.9	3.2	8.8	20.5		0.8	0.1	82.2	3.5	13.4		4.3	30.4	34.8	30.4		
PHF	.438	.741	.879	.375	.896	.313	.933	.625	.636	.903	.966	.833	.250	.935	.854	.946	.948	.250	.438	.400	.583	.639	.946

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File Name : TARPON
Site Code : 00565758
Start Date : 1/9/2008
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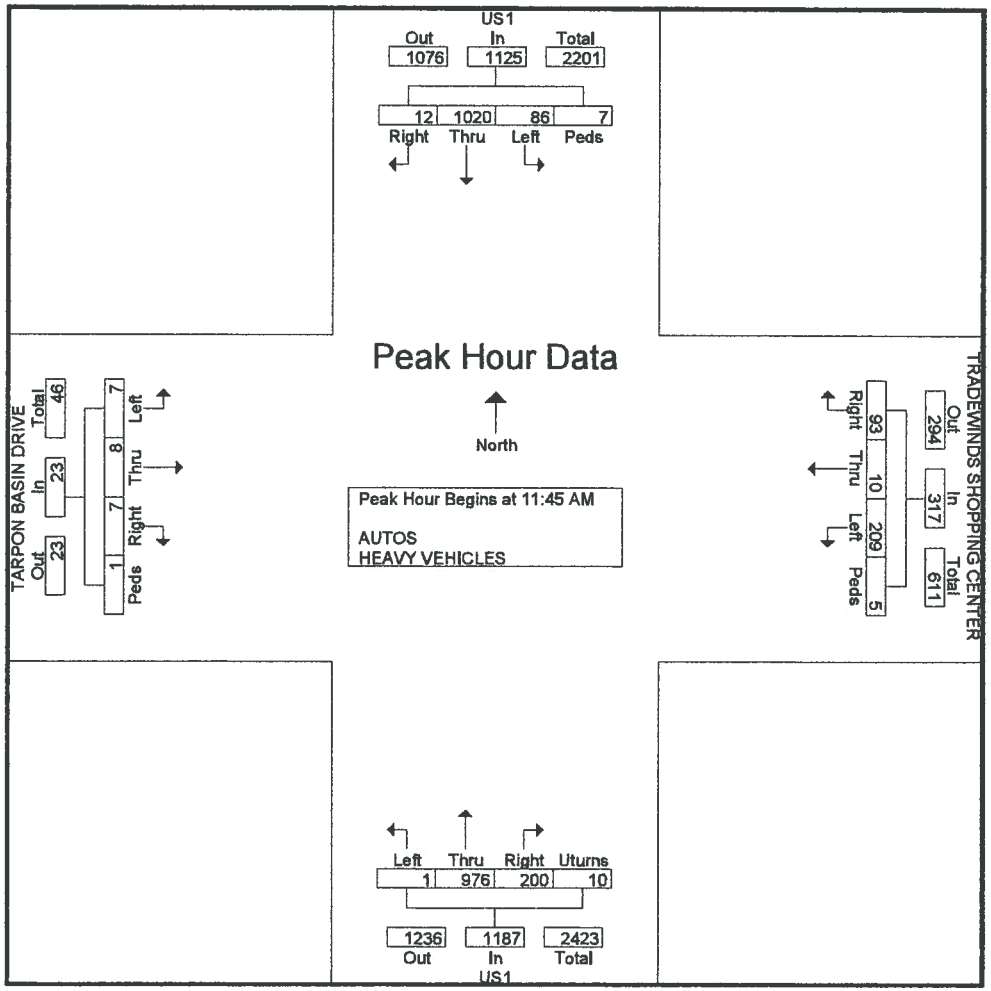

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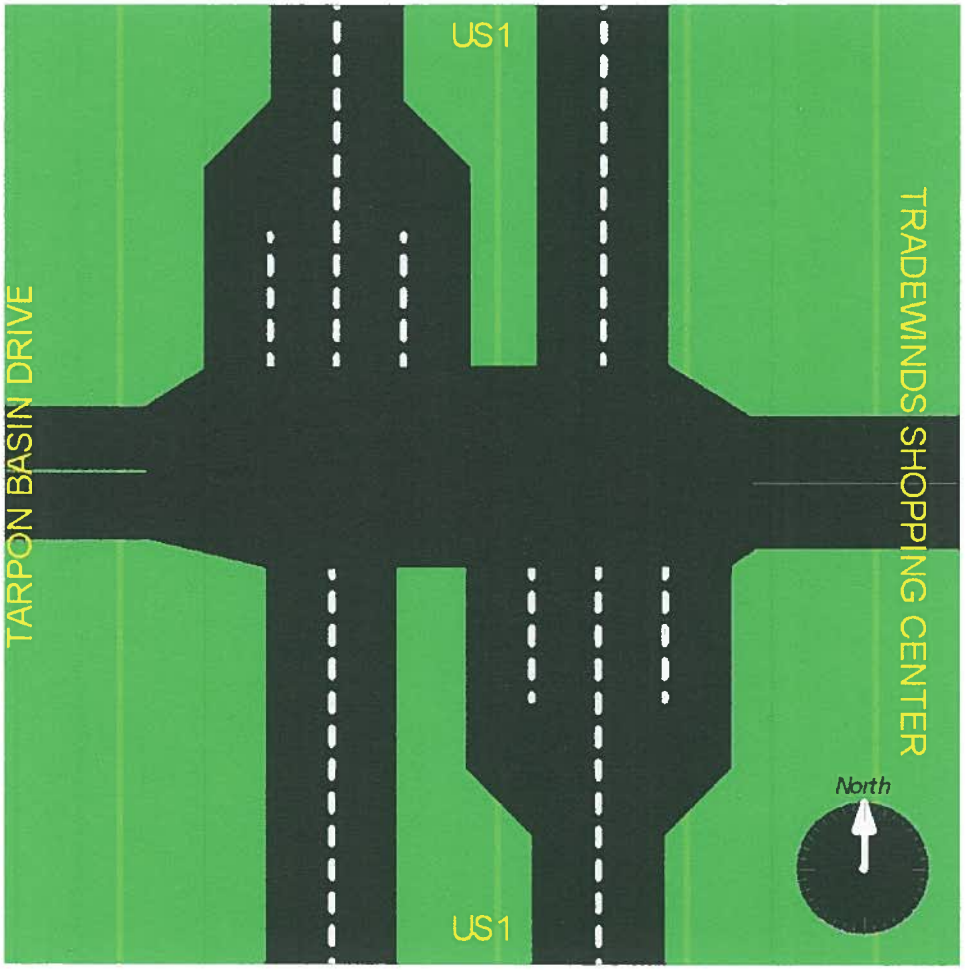
COUNTY : MONROE

File Name : TARPON
Site Code : 00565758
Start Date : 1/9/2008
Page No : 4



ITE TRIP GENERATION
FDOT SEASONAL FACTORS

Trip Generation Studies of Gas/Convenience Stores

BY GREG LUTTRELL

The purpose of this study was to begin establishing a local database of trip generation characteristics for gas/convenience sites. Recently, the development review process has seen an increasing number of these combined-use sites, which include both the sale of gas and convenience (grocery) items. The increase in popularity of these sites leads to an emphasis on the need to know and understand their trip characteristics. By establishing a local database containing these data, a more realistic assessment of their impacts may be made.

Recently, the trip generation subcommittee of the Florida District/Section of the Institute of Transportation Engineers sent out a call for additional data. Among the new land uses identified as having data needs is the "Convenience Market with Gasoline Pumps" (land-use code 853). Currently, little published data exist for this land use. Afternoon peak-hour trip generation data for this land use were collected in our study. The study acts as an initial step in helping local development and traffic engineering communities to understand trip characteristics relating to gas/convenience sites.

Study Methodologies

The trip generation subcommittee has distributed for comment a draft procedures manual for the collection of trip generation data. Titled *Trip Generation Data Collection Procedures Manual* (April 1988),[1] it is meant to be used in conjunction with the ITE trip generation report.[2] This procedures manual outlines a summary of current thinking on what data are required for "a thorough trip generation study."[2] This thorough study would include the following items:

1. The average weekday traffic generated by a particular land use.
2. Variations in rates to be expected on weekends.
3. The specific peak hour and peak-hour traffic volumes of the generator (study site).
4. The volume of traffic generated by the study site during the peak hour of the adjacent roadway(s).
5. The directional split (entering versus exiting) of traffic during the peak hours and on a daily basis.
6. The person-per-vehicle (occupancy) factor for site-oriented trips.
7. The distribution of trips by mode (passenger car, truck, bus, taxi, etc.).
8. The number of new trips generated by the study site versus the number of trips diverted from the existing traffic stream.

For many different land uses, each of these items will have a varying degree of availability and importance. For example, is the weekend trip variation of an office building necessary? Probably not because most offices are closed on weekends, thus generating little or no traffic. Likewise, without the support of many technicians, attempting to collect pass-by data for a regional mall with many out parcels would be extremely difficult. This type of reasoning led to the collection of only that data that were obtainable with current resources and that would be the most usable.

The data actually collected focused on three principal areas: trip generation data during the afternoon peak hour of the adjacent roadway; directional distribution (split) during this time period; and a breakdown of trips by purpose (gas, convenience, or both).

Data were collected only during the afternoon peak hour for two reasons. Locally, the afternoon peak hour is the critical time period for roadway operations and the period used for site impact analysis. Morning peak hour and daily data were not collected. This study strived to collect and analyze only information that could be readily used by the engineering and development sectors. Collecting morning peak-hour data would not have satisfied this purpose. Also, collecting data for longer periods becomes very manpower intensive.

Directional split is not an important variable for this land use because each vehicle spends only a small amount of time on site. It is presented here because it was a by-product of the other data collected. This study did not attempt to collect all eight of the previously presented items. To do so would have required a prohibitive number of technicians be-

Conversion Factor

To convert from	to	multiply by
sq. ft	m^2	0.0929

cause physical presence is required on site during the study period. This study is, however, valid when considering the eight items because it begins the process toward understanding the critical trip characteristics of the gas/convenience land use.

The third item, trips by purpose, leads to the major difference in collecting trip generation data for gas/convenience sites versus most other land uses. The variables involved in this land use are number of pumps and building size. These two items vary by site and have an influence on the site trip generation. In order to assign trip rates to both of these variables, each trip must be defined as a gas only, convenience only, or combined trip. This determination is made by observing the occupants of each vehicle as they enter and exit the store. Physical site presence and attentiveness are required to track all of each vehicle's occupants. The criteria used to make the trip purpose determination were as follows. A trip was determined to be a gas-only trip if a vehicle's occupant(s) pumped gas and did not leave the store with grocery items. Trips in which a vehicle entered the site and did not pull up to the pumps were considered convenience- (grocery) only trips. If a vehicle's occupant(s) pumped gas and one or more of the occupants left the store with grocery items, the trip was considered a combination trip. By determining the trip purpose, an assignment of the trips to the two site variables was possible. Gas/convenience sites cannot be studied simply by mechanical means.

Study Procedures

An overview of specific criteria used in this study is discussed here:

- Each site was studied for one afternoon peak-hour period (4–6 P.M.). These studies were performed Tuesday through Thursday so that the traffic variations commonly experienced on Monday and Friday would not affect the results.
- To ensure that the hour of data selected for later analysis at each site matched the actual afternoon peak hour of the adjacent roadway, 15-minute machine counts were taken on the adjacent major road. These counts were taken from approximately 3:30 to 6:15 P.M. on the same day the manual site counts were performed.
- Actual location of the survey vehicle was within public right-of-way. Attempting to get permission from each local owner/operator to enter the site would have been very time consuming and would not have greatly increased the validity of the study results.
- Manual counts were taken in 15-minute intervals from 4 to 6 P.M. These included driveway (in/out) and trip purpose (gas, convenience, or both) counts.
- It became apparent that occupants from 100 percent of the vehicles using the site could not be accurately watched or their purpose determined. Classification of trip purpose for most of the sites ranged from 30 percent to 50 percent of the total site trips for the peak hour.

Collecting only that data actually needed and available allowed each site to be studied quickly and easily. The counts at each site took 7–8 person-hours (3.5–4 hours per person) to complete. This included travel time, machine counter setup and take down, and the actual 4–6 P.M. manual count time. Each site required two persons. This allowed one person to count only the driveway volumes and the other to devote complete attention to the task of trip purpose classification. By using these parameters, studies of this type can be performed on a spare-time basis and still yield the needed data.

Data Analysis

The analysis of the data collected included both standard and non-standard trip generation calculations. The collected data classified a sampling of the site trips by purpose. The gas-only and convenience-only trips could be converted to generation rates using standard calculations. These sites, however, also include a combined category for those trips utilizing both the gas and convenience aspects of the site. To distribute these trips to one of the two site variables so that trip rates could then be calculated, the following assumption was used: Assume that the gas availability had a trip attraction (pull) to the site equal to its relative percent of "gas-only" trips when compared with the "convenience-only" trips. Likewise, the convenience site attraction was equal to its "convenience-only" percent relative to the "gas-only" trips.

An example is presented in Table 1. Site LC4 (Newman's/Fowler) had adjusted counts of 45 gas-only and 82 convenience-only trips for the peak hour of the adjacent road. Relating this to the assumption, there were a total of 127 "only" trips to this site. The split of these "only" trips was 45/82 (35%/65%). The combination (both) trips were distributed using the percentage split of the "only" trips. For this site, the both trips were distributed in the 35/65% split to the gas-only and convenience-only categories, respectively. The total 27 combined trips yielded an additional 10 trips to the gas column and 17 trips to the convenience column. These adjusted totals were then related to their standard unit of number of pumps for gas and thousand square feet (KSF) for convenience. This yielded the trip generation rates relative to both site variables.

It has been suggested that the volume of the adjacent roadway should be factored into trip generation calculations. This was not done for three reasons. First, the volume of the adjacent roadway does not enter into any other trip generation calculations. The adjacent road volumes only become important when site impact calculations are made relative to road capacity and site capture. Second, all sites studied were established, successful businesses. We reasoned that a site would not be functioning if the company or owner did not feel that it would be successful, thus qualifying the site to be included in the database. Finally, no apparent correlation between the adjacent road volume and the trip rates was found. For example, site L11 (Super America) on S.R. 78 had 260 total site trips while site L10 (7-11), also on S.R. 78, had only 106 total site trips. Both are on the same road, but generate traffic much differently. Also, site PB4 (Stop-n-Go) is located at one of the busiest intersections in Palm Beach County, yet it generated relatively little traffic. We strongly feel, and the data support, that the importance of the amount of adjacent roadway volume, relative to this database, is not valid.

Table 1 presents the data collected for each of the 18 sites studied. The site characteristics noted in the table include

Table 1. Trip Generation Calculations

Site No.	Site Identification: Store Name/Location	Site Characteristics A	B	C	No. Pumps	Bldg. Size (sq. ft.)	Raw Gas	Raw Both	Raw Conven.	Site Trips	Adjusted Gas	Adjusted Both	Adjusted Conven.	Total Gas	Total Conven.	Trip Rates T/Pump	Trip Rates T/KSF
Collier County																	
CC1	Super America/Pine Ridge	•	•	•	12	4750	42	43	119	342	70	72	199	89	253	7.43	53.2
CC2	Super America/Airport	•	•	•	12	4750	26	26	58	248	59	59	131	77	171	6.40	36.1
Lee County																	
LC1	Super America/Golfview	•	•	•	12	4230	26	19	27	168	61	44	63	82	86	6.87	20.2
LC2	Newman's/Pondella	—	—	•	6	1914	13	5	12	70	30	12	28	36	34	6.07	17.6
LC3	Chevron/Crystal	•	—	•	10	352	13	8	9	76	33	20	23	45	31	4.49	88.3
LC4	Newman's/Fowler	—	•	•	6	2400	15	9	27	154	45	27	82	55	99	9.17	41.3
LC5	Super America/Lehigh	•	•	•	12	4136	33	23	54	225	67	47	110	85	140	7.11	33.8
LC6	Handy Food/Lehigh	—	—	•	8	2700	16	6	50	170	38	14	118	41	129	5.15	47.7
LC7	Mobil Mart/College	•	—	•	12	816	63	17	29	239	138	37	64	164	75	13.64	92.3
LC8	Mobil Mart/Crystal	•	—	•	12	942	31	9	17	138	75	22	41	89	49	7.43	53.6
LC9	Racetrac/Daniels	—	—	•	8	1925	12	16	19	249	64	85	101	96	153	12.05	79.3
L10	7-11/Sr 78	•	—	—	4	2640	2	3	46	106	4	6	96	4	102	1.10	38.5
L11	Super America/SR 78	•	•	•	12	4185	26	22	42	260	75	64	121	99	161	8.28	38.4
Palm Beach County																	
PB1	Gulf Food Mart/Congress	•	—	•	9	697	34	10	5	109	76	22	11	95	14	10.56	20.0
PB2	7-11/Congress	•	—	•	4	2805	16	14	59	230	41	36	152	49	181	12.27	64.5
PB3	Food Mart/Forest Hill	—	—	•	10	1632	25	9	41	135	45	16	74	51	84	5.11	51.4
PB4	Stop-n-Go/Military Ter.	—	—	•	8	2535	9	4	37	89	16	7	66	17	72	2.18	28.2
PB5	Step Saver/Forest Hill	—	—	•	8	2700	22	7	33	116	41	13	62	46	70	5.80	25.8

A = National Chain. B = Diesel Available. C = Air, Water, Phone Available. • = Yes. — = No.

information relative to the store being a national chain; the site having diesel fuel available; and whether air, water, and phone(s) were present. These variables were used as sorting criteria to better characterize the trip rates. Although these characteristics did yield different trip rates, some results need to be further defined through comparison with additional data.

The number of pumps was defined as the number of vehicle stations available. For example, if a pump island contains one pump that can be accessed simultaneously by vehicles from both sides, then it would be counted as two pumps. Therefore, a site having three pump islands with two pumps each (one for each of two grades of gas), which can be used from both sides simultaneously, would be defined as having six pumps.

The building size represents an exterior measurement. Although it does not represent the exact size of the building, small variations in this value have little or no effect on the final results. These site variables were used to later obtain trip rates.

The raw and adjusted counts for the afternoon peak hour are also listed in Table 1. These represent the sampling results of the trip purpose classification. Site trips are defined as the total site peak-hour trip ends (in plus out). Although directional split data are not presented here, it varied little from the expected 50/50% split. The adjusted columns of counts are a breakdown of the total site trips by purpose. For example, site LC8 (Mobil Mart/Crystal) had 31 of the sampled trips for gas only and total site trips of 138. When this gas-only value is compared with the total sampled value of 57 trips and then related to the 138 site trips, an adjusted gas-only value of 75 is obtained. The adjustments are standard for trip generation calculations.

The values shown in the total gas and convenience columns of Table 1 were generated based on the assumption discussed earlier. That is, the both (combined) trips were split into the gas and convenience totals relative to the attractiveness of the gas-only and convenience-only adjusted values. These values were then divided into the site variables. The results are the afternoon peak-hour trip generation rates for gas/convenience store sites.

Further analysis was then performed on the trip rates based on the different site characteristics observed. A summary of these results is given in Table 2. These values include an average of the 18 site trip rates resulting in average trip rates of 7.28 trips per pump and 46.1 trips per KSF of building. Although these overall values are valid, sortings based on the three site characteristics were performed that suggest a valuable further classification of rates. These values show variation in the with and without trip rates, which indicate that the presence of certain site characteristics does affect the ultimate site trip total. For example, a national chain appears to generate more trips for both site variables. This equates to approximately 1.28 trips per pump and 7.4 trips per KSF. These variations should be applied to a site impact analysis to more realistically assess its impacts. The values based on these site characteristics sortings should be used with caution. In certain instances, the sample sizes are too small to be reliable or to draw any specific conclusions. This specifically applies to characteristic C, which was not shown in Table 2. This type of data sorting does, however, represent an attempt to further understand the different items affecting trip rates.

Table 2 also shows the results of other data sortings relative to the location and physical site variables. The sites are located in three Florida counties. As shown in Table 2, trip rates for the different counties vary from 6.92 to 7.40 for

Table 2. Trip Generation Rate Summary

Parameters	Trip Rates T/Pump	Trip Rates T/KSF
Trip Generation Averages (all 18 sites)	7.28	46.1
Sorted Trip Generations Averages		
Characteristic "A"		
No	6.50	41.6
Yes	7.78	49.0
Characteristic "B"		
No	7.15	—
Yes	7.54	—
Location Averages by County		
Collier County	6.92	44.7
Lee County	7.40	50.1
Palm Beach County	7.18	38.0
Building Size Averages (sq. ft.)		
<1000	—	63.6
1000–3000	—	43.8
>3000	—	36.3

Characteristic "A" = national chain.
Characteristic "B" = diesel available.

trips/pump and from 38.0 to 50.1 for trips/KSF. This further reinforces the need for local trip generation data (when available) versus the use of nationwide averages. Data sorting based on the number of pumps did not yield any strong conclusions and was therefore not shown in the table. The data sorted based on building size do indicate that a threefold categorization may be appropriate. These would be for buildings under 1 KSF, between 1 and 3 KSF, and those over 3 KSF. These different groups produced quite different trip rates, with the smaller categories having higher trip rates. Once again, this type of further focusing of the trip generation characteristics will allow site impacts to be more accurately assessed.

Conclusions

Trip generation rates relative to the two site variables were obtained from this study. These rates show that the gas/convenience site generates traffic varying relative to its number of pumps, building size, and site characteristics. The calculations leading to the trip rates were shown (Table 1) and explained. These rates were determined using an assumption of trip attractiveness of the two site variables, which allowed for the analysis of these mixed-use sites. The rates were then sorted relative to the factors listed previously to better understand the trip generation characteristics of this land use. The data strongly suggest that different sites *do* generate different amounts of traffic and that variability can be somewhat categorized. By performing these sortings, better values can be achieved, which will then lead to much better site impact analysis.

Many items require additional study, including site capture and pass-by traffic rates, as well as other items mentioned earlier. Those attempting to collect capture data should be aware that because trip rates must address two independent site variables, so must the capture rates. For instance, the capture percentage for gas may be "x" and for convenience "y." These percentages must also address the combined (both) trips. It would be expected that capture rates would vary greatly and be dependent on many of those items that influence trip rates.

This study was performed to better our understanding of the trip characteristics of these popular sites. By collecting, analyzing, and using local data, we may more accurately project the traffic impacts of land uses on our road networks.

References

1. Florida Section Institute of Transportation Engineers, Trip Generation Subcommittee. *Trip Generation Data Collection Procedures Manual*. Draft report. West Palm Beach, Fl.: ITE Florida Section, April 1988.
2. Institute of Transportation Engineers. *Trip Generation*, 4th Ed. Washington D.C.: Institute of Transportation Engineers. 1987.

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Table 5.30
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period

Land Use 945—Gasoline/Service Station with Convenience Market

SIZE (1,000 SQ. FT. GFA)	VEHICLE FUELING POSITIONS	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS-BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	SOURCE
0.8	8	Louisville area, KY	1993	83	4:00–6:00 p.m.	8	—	40	52	4,965	Barton-Aschman Assoc.
0.6	8	Louisville, KY	1993	60	4:00–6:00 p.m.	20	—	27	53	1,491	Barton-Aschman Assoc.
0.7	10	Louisville, KY	1993	n/a	4:00–6:00 p.m.	19	—	24	57	1,812	Barton-Aschman Assoc.
0.7	8	Louisville area, KY	1993	n/a	4:00–6:00 p.m.	7	—	21	72	2,657	Barton-Aschman Assoc.
0.7	10	Louisville area, KY	1993	n/a	4:00–6:00 p.m.	16	—	29	55	2,657	Barton-Aschman Assoc.
0.8	8	Silver Spring, MD	1992	36	4:00–6:00 p.m.	14	—	19	67	3,095	RBA
0.4	8	Derwood, MD	1992	46	4:00–6:00 p.m.	11	—	43	46	3,770	RBA
2.1	8	Kensington, MD	1992	31	4:00–6:00 p.m.	13	—	35	52	1,785	RBA
1	8	Silver Spring, MD	1992	35	4:00–6:00 p.m.	3	—	43	54	7,080	RBA

Average Pass-By Trip Percentage: 56

Category: 9000 MONROE COUNTYWIDE

2008-000

MOCF: 0.89

Week	Dates	SF		PSCF
1	01/01/2006 - 01/07/2006	1.06	Date	1.19
2	01/08/2006 - 01/14/2006	1.00	①	1.12
3	01/15/2006 - 01/21/2006	0.95		1.07
* 4	01/22/2006 - 01/28/2006	0.93		1.05
* 5	01/29/2006 - 02/04/2006	0.91		1.02
* 6	02/05/2006 - 02/11/2006	0.90		1.01
* 7	02/12/2006 - 02/18/2006	0.88		0.99
* 8	02/19/2006 - 02/25/2006	0.87		0.98
* 9	02/26/2006 - 03/04/2006	0.87		0.98
*10	03/05/2006 - 03/11/2006	0.86	peak	0.97
*11	03/12/2006 - 03/18/2006	0.85		0.96
*12	03/19/2006 - 03/25/2006	0.87		0.98
*13	03/26/2006 - 04/01/2006	0.88		0.99
*14	04/02/2006 - 04/08/2006	0.90		1.01
*15	04/09/2006 - 04/15/2006	0.91		1.02
*16	04/16/2006 - 04/22/2006	0.93		1.05
17	04/23/2006 - 04/29/2006	0.94		1.06
18	04/30/2006 - 05/06/2006	0.95		1.07
19	05/07/2006 - 05/13/2006	0.96		1.08
20	05/14/2006 - 05/20/2006	0.98		1.10
21	05/21/2006 - 05/27/2006	0.99		1.11
22	05/28/2006 - 06/03/2006	1.00		1.12
23	06/04/2006 - 06/10/2006	1.01		1.14
24	06/11/2006 - 06/17/2006	1.02		1.15
25	06/18/2006 - 06/24/2006	1.01		1.14
26	06/25/2006 - 07/01/2006	1.01		1.14
27	07/02/2006 - 07/08/2006	1.00		1.12
28	07/09/2006 - 07/15/2006	1.00		1.12
29	07/16/2006 - 07/22/2006	1.02		1.15
30	07/23/2006 - 07/29/2006	1.05		1.18
31	07/30/2006 - 08/05/2006	1.07		1.20
32	08/06/2006 - 08/12/2006	1.10		1.24
33	08/13/2006 - 08/19/2006	1.12		1.26
34	08/20/2006 - 08/26/2006	1.13	Date	1.27
35	08/27/2006 - 09/02/2006	1.14		1.28
36	09/03/2006 - 09/09/2006	1.15		1.29
37	09/10/2006 - 09/16/2006	1.17	②	1.32
38	09/17/2006 - 09/23/2006	1.15	③	1.29
39	09/24/2006 - 09/30/2006	1.14		1.28
40	10/01/2006 - 10/07/2006	1.13		1.27
41	10/08/2006 - 10/14/2006	1.11		1.25
42	10/15/2006 - 10/21/2006	1.10		1.24
43	10/22/2006 - 10/28/2006	1.09		1.23
44	10/29/2006 - 11/04/2006	1.08		1.21
45	11/05/2006 - 11/11/2006	1.07		1.20
46	11/12/2006 - 11/18/2006	1.07		1.20
47	11/19/2006 - 11/25/2006	1.06		1.19
48	11/26/2006 - 12/02/2006	1.06		1.19
49	12/03/2006 - 12/09/2006	1.06		1.19
50	12/10/2006 - 12/16/2006	1.06		1.19
51	12/17/2006 - 12/23/2006	1.02		1.15
52	12/24/2006 - 12/30/2006	0.98		1.10
53	12/31/2006 - 12/31/2006	0.95		1.07

* Peak Season

① US 1 & Atlantic Blvd

$\frac{1.00}{0.85} = 1.176$ 17.6%

② US 1 & Bohemia/Gasparilla

$\frac{1.17}{0.85} = 1.376$ 37.6%

③ US 1 & Ocean Drive

$\frac{1.15}{0.85} = 1.353$ 35.3%

SIGNALIZED INTERSECTION ANALYSES

SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Tarpon Basin Dr
Agency or Co.		Area Type	All other areas
Date Performed	6/6/2008	Jurisdiction	Existing Conditions
Time Period	Midday Peak	Analysis Year	Existing Conditions

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	0	1	1	0	1	1	1	2	1	1	2	0
Lane Group		LT	R		LT	R	L	T	R	L	TR	
Volume (vph)	7	8	7	209	10	93	1	976	200	86	1020	12
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.64	0.64	0.64	0.97	0.97	0.97	0.95	0.95	0.95	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Extension of Effective Green		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Arrival Type		3	3		3	3	3	3	3	3	3	
Unit Extension		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	
Ped/Bike/RTOR Volume	0	0	0	0	0	28	0	0	41	0	0	0
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0	12.0	
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour		0	0		0	0	0	0	0	0	0	
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08
Timing	G = 23.0	G =	G =	G =	G = 8.0	G = 44.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 3	Y = 6	Y =	Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 90.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate		24	11		225	67	1	1027	167	96	1146	
Lane Group Capacity		417	413		349	413	301	1769	790	339	1765	
v/c Ratio		0.06	0.03		0.64	0.16	0.00	0.58	0.21	0.28	0.65	
Green Ratio		0.26	0.26		0.26	0.26	0.64	0.49	0.49	0.64	0.49	
Uniform Delay d_1		25.3	25.1		29.9	26.0	8.7	16.4	13.1	8.6	17.2	
Delay Factor k		0.11	0.11		0.22	0.11	0.11	0.50	0.50	0.11	0.50	
Incremental Delay d_2		0.1	0.0		4.1	0.2	0.0	1.4	0.6	0.5	1.9	
PF Factor		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000	1.000	
Control Delay		25.4	25.1		33.9	26.2	8.7	17.8	13.7	9.1	19.1	
Lane Group LOS		C	C		C	C	A	B	B	A	B	
Approach Delay	25.3			32.2			17.2			18.3		
Approach LOS	C			C			B			B		
Intersection Delay	19.4			Intersection LOS						B		

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SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Tarpon Basin Dr
Agency or Co.		Area Type	All other areas
Date Performed	6/6/2008	Jurisdiction	2009 Without Site
Time Period	Midday Peak	Analysis Year	2009 Without Site

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	0	1	1	0	1	1	1	2	1	1	2	0
Lane Group		LT	R		LT	R	L	T	R	L	TR	
Volume (vph)	8	9	8	249	12	111	1	1347	238	103	1408	14
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.64	0.64	0.64	0.97	0.97	0.97	0.95	0.95	0.95	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Extension of Effective Green		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Arrival Type		3	3		3	3	3	3	3	3	3	
Unit Extension		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	
Ped/Bike/RTOR Volume	0	0	0	0	0	28	0	0	41	0	0	0
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0	12.0	
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour		0	0		0	0	0	0	0	0	0	
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08
Timing	G = 23.0	G =	G =	G =	G = 8.0	G = 44.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 3	Y = 6	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 90.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate		27	13		269	86	1	1418	207	114	1580	
Lane Group Capacity		405	413		348	413	244	1769	790	244	1766	
v/c Ratio		0.07	0.03		0.77	0.21	0.00	0.80	0.26	0.47	0.89	
Green Ratio		0.26	0.26		0.26	0.26	0.64	0.49	0.49	0.64	0.49	
Uniform Delay d_1		25.4	25.1		31.1	26.3	14.3	19.3	13.5	14.0	20.9	
Delay Factor k		0.11	0.11		0.32	0.11	0.11	0.50	0.50	0.11	0.50	
Incremental Delay d_2		0.1	0.0		10.3	0.3	0.0	3.9	0.8	1.4	7.5	
PF Factor		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000	1.000	
Control Delay		25.4	25.2		41.4	26.6	14.3	23.3	14.3	15.4	28.4	
Lane Group LOS		C	C		D	C	B	C	B	B	C	
Approach Delay	25.4			37.8			22.1			27.5		
Approach LOS	C			D			C			C		
Intersection Delay	26.1			Intersection LOS						C		

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SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Tarpon Basin Dr
Agency or Co.		Area Type	All other areas
Date Performed	6/6/2008	Jurisdiction	2009 With Site
Time Period	Midday Peak	Analysis Year	2009 With Site

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	0	1	1	0	1	1	1	2	1	1	2	0
Lane Group		LT	R		LT	R	L	T	R	L	TR	
Volume (vph)	8	9	8	249	12	111	1	1353	238	103	1414	14
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.64	0.64	0.64	0.97	0.97	0.97	0.95	0.95	0.95	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Extension of Effective Green		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Arrival Type		3	3		3	3	3	3	3	3	3	
Unit Extension		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	
Ped/Bike/RTOR Volume	0	0	0	0	0	28	0	0	41	0	0	0
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0	12.0	
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour		0	0		0	0	0	0	0	0	0	
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08
Timing	G = 23.0	G =	G =	G =	G = 8.0	G = 44.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 3	Y = 6	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 90.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate		27	13		269	86	1	1424	207	114	1587	
Lane Group Capacity		405	413		348	413	244	1769	790	244	1766	
v/c Ratio		0.07	0.03		0.77	0.21	0.00	0.80	0.26	0.47	0.90	
Green Ratio		0.26	0.26		0.26	0.26	0.64	0.49	0.49	0.64	0.49	
Uniform Delay d_1		25.4	25.1		31.1	26.3	14.4	19.4	13.5	14.1	21.0	
Delay Factor k		0.11	0.11		0.32	0.11	0.11	0.50	0.50	0.11	0.50	
Incremental Delay d_2		0.1	0.0		10.3	0.3	0.0	4.0	0.8	1.4	7.7	
PF Factor		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000	1.000	
Control Delay		25.4	25.2		41.4	26.6	14.5	23.4	14.3	15.5	28.7	
Lane Group LOS		C	C		D	C	B	C	B	B	C	
Approach Delay	25.4			37.8			22.2			27.8		
Approach LOS	C			D			C			C		
Intersection Delay	26.3			Intersection LOS						C		

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UNSIGNALIZED INTERSECTION ANALYSES

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Blackwater Lane
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	Existing Conditions
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb MM 104.5*

East/West Street: *Blackwater Lane* | North/South Street: *US 1*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	32	760			920	13
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	0.91	0.91
Hourly Flow Rate, HFR (veh/h)	35	838	0	0	1009	14
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	13		40			
Peak-Hour Factor, PHF	0.70	1.00	0.70	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	18	0	57	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (veh/h)	35					18		57
C (m) (veh/h)	686					346		671
v/c	0.05					0.05		0.08
95% queue length	0.16					0.16		0.28
Control Delay (s/veh)	10.5					16.0		10.9
LOS	B					C		B
Approach Delay (s/veh)	--	--				12.1		
Approach LOS	--	--				B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Blackwater Lane
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 Without Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb MM 104.5*

East/West Street: *Blackwater Lane* | North/South Street: *US 1*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	38	1050			1269	15
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	0.91	0.91
Hourly Flow Rate, HFR (veh/h)	41	1158	0	0	1392	16
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	15		47			
Peak-Hour Factor, PHF	0.70	1.00	0.70	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	21	0	67	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (veh/h)	41					21		67
C (m) (veh/h)	491					245		557
v/c	0.08					0.09		0.12
95% queue length	0.27					0.28		0.41
Control Delay (s/veh)	13.0					21.1		12.3
LOS	B					C		B
Approach Delay (s/veh)	--	--				14.4		
Approach LOS	--	--				B		

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TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	RPE/CED
Agency/Co.	
Date Performed	6/6/2008
Analysis Time Period	Midday Peak

Site Information

Intersection	US 1 & Blackwater Lane
Jurisdiction	
Analysis Year	2009 With Site

Project Description: Tom Thumb MM 104.5

East/West Street: Blackwater Lane | North/South Street: US 1

Intersection Orientation: North-South | Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	38	1056			1276	15
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	0.91	0.91
Hourly Flow Rate, HFR (veh/h)	41	1165	0	0	1400	16
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	15		47			
Peak-Hour Factor, PHF	0.70	1.00	0.70	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	21	0	67	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (veh/h)	41					21		67
C (m) (veh/h)	487					243		555
v/c	0.08					0.09		0.12
95% queue length	0.27					0.28		0.41
Control Delay (s/veh)	13.1					21.2		12.4
LOS	B					C		B
Approach Delay (s/veh)	--	--				14.5		
Approach LOS	--	--				B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Taylor Drive
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	Existing conditions
Analysis Time Period	Midday Pead		

Project Description *Tom Thumb 104.5*

East/West Street: *Taylor Drive* | North/South Street: *US 1*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		876	12	16	952	
Peak-Hour Factor, PHF	1.00	0.87	0.87	0.82	0.82	1.00
Hourly Flow Rate, HFR (veh/h)	0	1010	13	19	1156	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				7		16
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.57	1.00	0.57
Hourly Flow Rate, HFR (veh/h)	0	0	0	12	0	27
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		19	12		27			
C (m) (veh/h)		686	330		671			
v/c		0.03	0.04		0.04			
95% queue length		0.09	0.11		0.13			
Control Delay (s/veh)		10.4	16.3		10.6			
LOS		B	C		B			
Approach Delay (s/veh)	--	--	12.4					
Approach LOS	--	--	B					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Taylor Drive
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 without site
Analysis Time Period	Midday Pead		

Project Description	Tom Thumb 104.5
East/West Street: Taylor Drive	North/South Street: US 1
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1218	14	19	1314	
Peak-Hour Factor, PHF	1.00	0.87	0.87	0.82	0.82	1.00
Hourly Flow Rate, HFR (veh/h)	0	1404	16	23	1596	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				8		19
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.57	1.00	0.57
Hourly Flow Rate, HFR (veh/h)	0	0	0	13	0	33
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		23	13		33			
C (m) (veh/h)		486	230		554			
v/c		0.05	0.06		0.06			
95% queue length		0.15	0.18		0.19			
Control Delay (s/veh)		12.8	21.6		11.9			
LOS		B	C		B			
Approach Delay (s/veh)	--	--	14.6					
Approach LOS	--	--	B					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Taylor Drive
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 with site
Analysis Time Period	Midday Pead		

Project Description	Tom Thumb 104.5
East/West Street: Taylor Drive	North/South Street: US 1
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1218	14	25	1314	
Peak-Hour Factor, PHF	1.00	0.87	0.87	0.82	0.82	1.00
Hourly Flow Rate, HFR (veh/h)	0	1404	16	30	1596	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				14		19
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.57	1.00	0.57
Hourly Flow Rate, HFR (veh/h)	0	0	0	24	0	33
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		30	24		33			
C (m) (veh/h)		486	226		554			
v/c		0.06	0.11		0.06			
95% queue length		0.20	0.35		0.19			
Control Delay (s/veh)		12.9	22.8		11.9			
LOS		B	C		B			
Approach Delay (s/veh)	--	--	16.5					
Approach LOS	--	--	C					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Tom Thumb Drive
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description Tom Thumb MM 104.5

East/West Street: Tom Thumb Driveway | North/South Street: US 1

Intersection Orientation: North-South | Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1033	32			
Peak-Hour Factor, PHF	1.00	0.92	0.92	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	1121	34	0	0	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration		T	TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)						17
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	0.75
Hourly Flow Rate, HFR (veh/h)	0	0	0	0	0	22
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	1
Configuration						R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration					R			
v (veh/h)					22			
C (m) (veh/h)					630			
v/c					0.03			
95% queue length					0.11			
Control Delay (s/veh)					10.9			
LOS					B			
Approach Delay (s/veh)	--	--	10.9					
Approach LOS	--	--	B					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	Taylor Drive & Site Drive
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb MM 104.5
East/West Street: Taylor Drive	North/South Street: Site Drive
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	0	0			0	12
Peak-Hour Factor, PHF	0.60	0.60	1.00	1.00	0.67	0.67
Hourly Flow Rate, HFR (veh/h)	0	0	0	0	0	17
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	25		0			
Peak-Hour Factor, PHF	0.57	1.00	0.57	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	43	0	0	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	0	0	0
Configuration		LR				

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (veh/h)	0						43	
C (m) (veh/h)	1613						1018	
v/c	0.00						0.04	
95% queue length	0.00						0.13	
Control Delay (s/veh)	7.2						8.7	
LOS	A						A	
Approach Delay (s/veh)	--	--				8.7		
Approach LOS	--	--				A		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Samson Road
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	Existing Conditions
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 104.5
East/West Street: Samson Rd	North/South Street: US 1
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1085	23	96	1077	
Peak-Hour Factor, PHF	1.00	0.91	0.91	0.88	0.88	1.00
Hourly Flow Rate, HFR (veh/h)	0	1194	25	109	1230	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				32		99
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.78	1.00	0.78
Hourly Flow Rate, HFR (veh/h)	0	0	0	41	0	126
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		109	41		126			
C (m) (veh/h)		579	266		610			
v/c		0.19	0.15		0.21			
95% queue length		0.69	0.54		0.77			
Control Delay (s/veh)		12.7	21.0		12.4			
LOS		B	C		B			
Approach Delay (s/veh)	--	--	14.5					
Approach LOS	--	--	B					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Samson Road
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 without site
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 104.5
East/West Street: Samson Rd	North/South Street: US 1
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1485	27	114	1487	
Peak-Hour Factor, PHF	1.00	0.91	0.91	0.88	0.88	1.00
Hourly Flow Rate, HFR (veh/h)	0	1635	29	130	1699	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				38		118
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.78	1.00	0.78
Hourly Flow Rate, HFR (veh/h)	0	0	0	48	0	151
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		130	48		151			
C (m) (veh/h)		392	170		491			
v/c		0.33	0.28		0.31			
95% queue length		1.43	1.10		1.29			
Control Delay (s/veh)		18.7	34.3		15.6			
LOS		C	D		C			
Approach Delay (s/veh)	--	--	20.1					
Approach LOS	--	--	C					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Samson Road
Agency/Co.		Jurisdiction	
Date Performed	6/6/2008	Analysis Year	2009 with site
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 104.5
East/West Street: Samson Rd	North/South Street: US 1
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		1491	27	114	1493	
Peak-Hour Factor, PHF	1.00	0.91	0.91	0.88	0.88	1.00
Hourly Flow Rate, HFR (veh/h)	0	1642	29	130	1706	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Raised curb					
RT Channelized			0			0
Lanes	0	2	0	1	2	0
Configuration		T	TR	L	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				38		118
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.78	1.00	0.78
Hourly Flow Rate, HFR (veh/h)	0	0	0	48	0	151
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		130	48		151			
C (m) (veh/h)		389	169		489			
v/c		0.33	0.28		0.31			
95% queue length		1.44	1.11		1.30			
Control Delay (s/veh)		18.8	34.5		15.6			
LOS		C	D		C			
Approach Delay (s/veh)	--	--	20.2					
Approach LOS	--	--	C					

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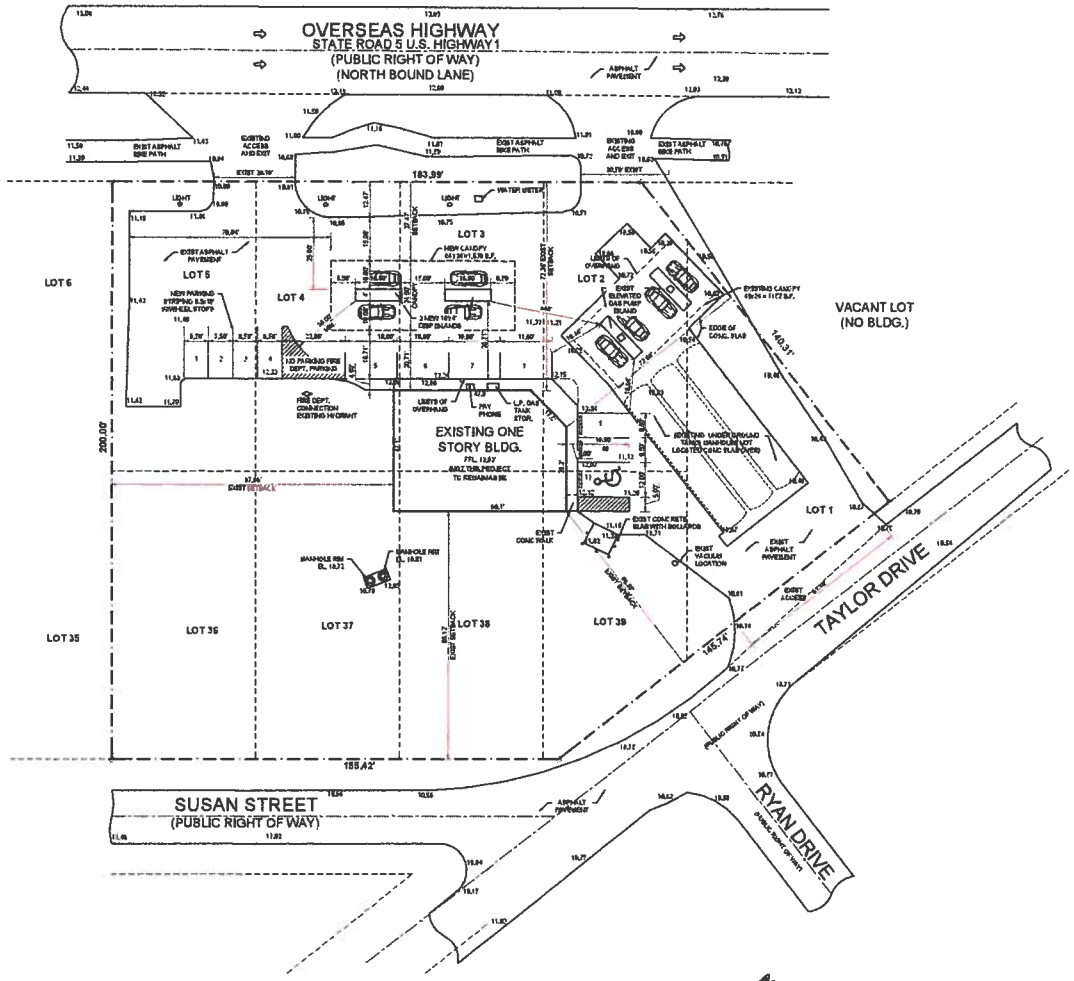
REDUCED SITE SURVEY
& AERIAL

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN

TOM THUMB STORE 226

104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.

CONTACT INFO

JOHN ROBERT BARNES, AIA, NCARB
ARCHITECTS

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING
© 2009
211 NORTH CROSS PATHS
NO. FLORIDA 32320
TEL 850-410
FAX 850-508
ABS1@GOTHLINET
ESASSOCIATES.COM

SITE PLAN

A-1

Tom Thumb

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

PALMIS

Legend
- Selected Features
- Real Estate Number
- Parcel Lot Text
- Dimension Text
- Block Text
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines
- 2006 Aerials

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

Date Created: June 9, 2008 8:41 AM

TOM THUMB FOOD STORE, INC.

(LANDCO, LLC)

RE# 00508260-000000 MILE MARKER 104.7

Construction Management Plan and Construction Phasing

Construction will follow best management practices. Site will be fenced with no public access during construction. Straw bales will be used to prevent runoff onto adjoining properties and roadways.

Construction will proceed in a timely manner.

It is estimated that construction will begin within 45 days of approval of the Major Conditional Use Permit and allocation of NROGO credits. The expansion and construction process is expected to take 90 days from beginning to end. If the availability of NROGO credits is not sufficient to construct the entire canopy at one time, the project may be phased into two time periods. If a phased approach is required then the first phase will incorporate replacement of the fuel storage tanks, construction of the new fuel islands and footers for the canopy. Depending on cost considerations and engineering considerations, one of the canopies will be installed during the first construction phase and when the additional NROGO credit are available the remaining canopy will be installed.

January 23, 2009 ***SENT VIA USPS***

Mr. Ed Nicolle, Jr.
Florida Keys Aqueduct Authority
1100 Kennedy Drive
Key West, FL 33040

Re: "Letter of Coordination"

Dear Mr. Nicolle:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

In addition to our upgrades and expansion, we will be looking at ways to reduce our use of potable water and possibly capturing rain water for landscape irrigation at the store so as to minimize our impact on the community.

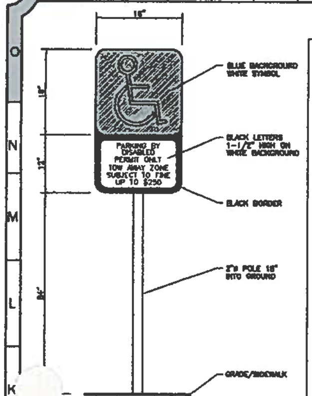
FKAA has been providing service to the convenience store since 1989 under Customer ID # 513839

Enclosed is a copy of the proposed site plan indicating the location of the new fueling positions.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
TOTAL	= 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.
TOTAL	= 4,808 S.F.

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.

6. PROJECT DESCRIPTION

6.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.

6.2- INSTALL (4)FOUR NEW MDP's FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP's WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP's, A TOTAL OF (12) TWELVE FUELING POSITIONS

6.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP's, ONE AT WEST SIDE 64'x24' AND ONE AT NORTH SIDE 44'x22', TOTAL OF 2,504 S.F. NEW CANOPIES.

6.4- RESTRIPE PARKING AREAS AND FIRE (NO PARKING DESIGNATIONS.

6.5- EXISTING ACCESS / EGRESS AT NORTHBOUND O/SEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.

7. PROJECT DESCRIPTION

7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.

7.2- BUILDING = 2824 S.F. : PARKING REQUIRED = 8,472
: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
ALL PARKING WILL BE 8.5'x18.0'
:PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'

8. LOADING ZONE: Sec. 9.5-354

-COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'

PROVIDED: (1)ONE LOADING ZONE 11'x55'

9. SETBACKS:

LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD	15.0'	97.88'	AT LOTS 8,35 SOUTH
SIDE YARD	10.0'	5.0'	AT NORTH SIDE
REAR YARD	10.0'	88.12/87.5'	AT TAYLOR & SUSAN

10. FLOOD ZONE:

PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
JOB# 071426 / 2007-150
FLOOD ZONE = 'X' PANEL 769
EXISTING BUILDING FFL. = 12.93' NGVD

11. OPEN SPACE RATIO: Sec. 9.5-262

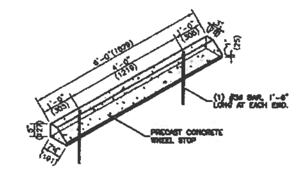
SC=0.2 OSR
OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)

12. SITE LIGHTING: Sec.9.5-392, 393, 394

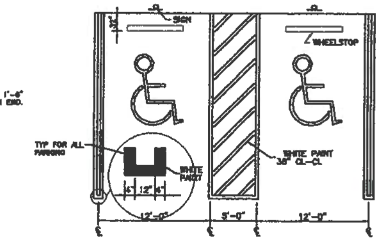
12.1- ALL OUTDOOR LIGHTING SHALL BE, MAX 18' ABOVE GRADE, NON-CUTOFF
MAX 35' ABOVE GRADE, CUT-OFF
(MEASURED AT PROPERY LINE)

12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF
1.5 FOOT CANDLES FOR CUT-OFF
(MEASURED AT PROPERTY LINE)

12.3- LIGHTING SHALL BE SHIELDED / SCREENED / LOCATED SO THAT ADJACENT RESIDENTIAL LOTS ARE NOT DIRECTLY ILLUMINATED.



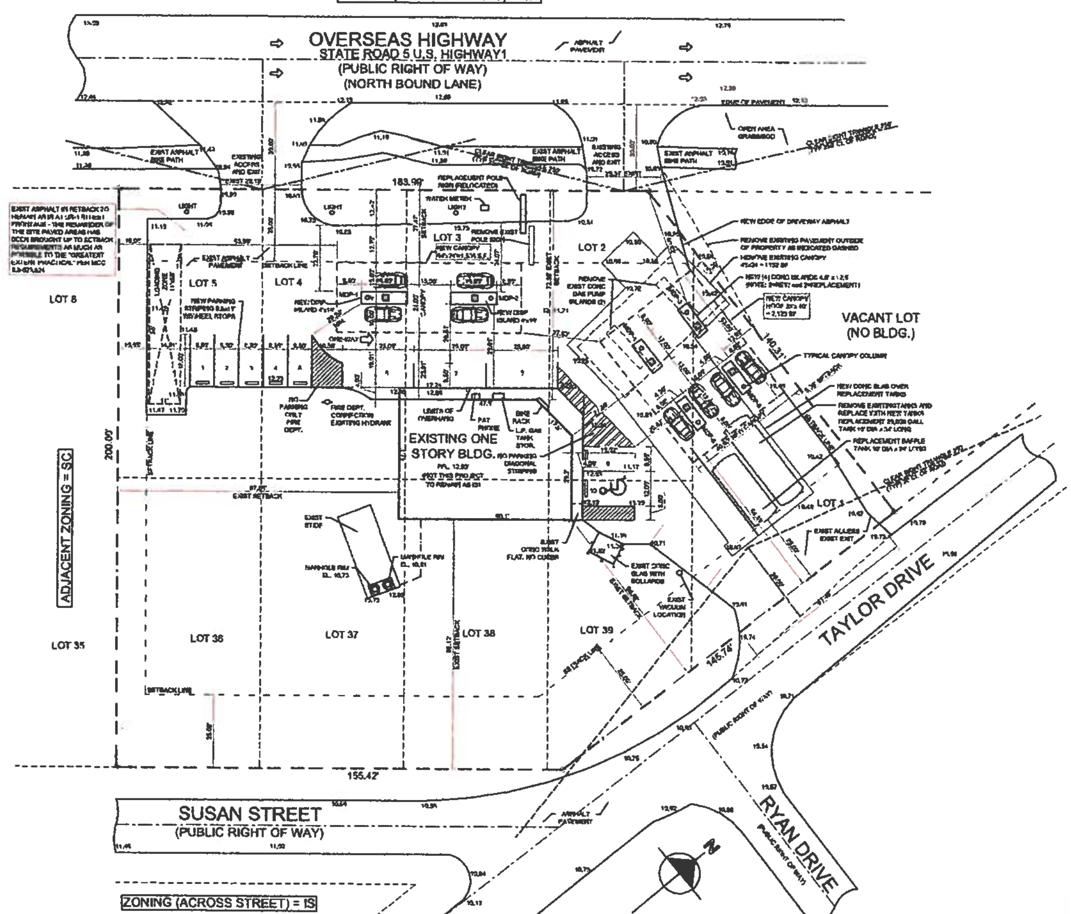
WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

ZONING (ACROSS STREET) = SR



ZONING (ACROSS STREET) = IS

SITE PLAN
SCALE: 1" = 30'-0"

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

TOM THUMB STORE 226
NEW MDP'S and CANOPY

104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.
LAND CO LLC, 87 W OKEECHOBEE RD, HIALEAH, FL. 33030

REVISIONS		
MARK	DESCRIPTION	DATE

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING

JOHN ROBERT BARNES, AIA, NCARB

SITE PLAN

A-1

January 26, 2009

Florida Keys Electric Cooperative
91605 Overseas Hwy
Tavernier, FL 33070

Re: "Letter of Coordination"

To Whom It May Concern:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Stores, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

Enclosed are three copies of the proposed civil plans indicating the location of the new fueling positions.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea

January 26, 2009 ***SENT VIA USPS***

Wally Romero
Assistant Fire Marshal
Monroe County Office of the Fire Marshal
490 63rd Street
Marathon, FL 33050

Re: "Letter of Coordination"

Dear Mr. Romero:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

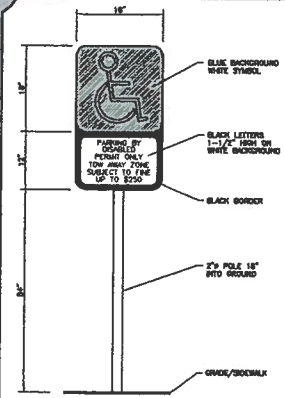
The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

Enclosed is a copy of the proposed site plan indicating the location of the new fueling positions.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
	TOTAL = 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.
	TOTAL = 4,808 S.F.

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.

8. PROJECT DESCRIPTION

8.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.

8.2- INSTALL (4)FOUR NEW MDP's FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP's WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP's, A TOTAL OF (12) TWELVE FUELING POSITIONS

8.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP's, ONE AT WEST SIDE 64'x24' AND ONE AT NORTH SIDE 44'x22', TOTAL OF 2,504 S.F. NEW CANOPIES.

8.4- RESTRIPE PARKING AREAS AND FIRE / NO PARKING DESIGNATIONS.

8.5- EXISTING ACCESS / EGRESS AT NORTHBOUND OVSEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.

7. PROJECT DESCRIPTION

7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.

7.2- BUILDING = 2824 S.F. : PARKING REQUIRED = 8,472

: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
ALL PARKING WILL BE 6.5'x18.0'
:PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'

8. LOADING ZONE: Sec. 9.5-354

-COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'

PROVIDED: (1)ONE LOADING ZONE 11'x55'

9. SETBACKS:

LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK :	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD	15.0'	97.88'	AT LOTS 6,35 SOUTH
SIDE YARD	10.0'	5.0'	AT NORTH SIDE
REAR YARD	10.0'	88.12/87.7'	AT TAYLOR & SUSAN

10. FLOOD ZONE:

PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
JOB# 071426 / 2007-150
FLOOD ZONE = 'X' PANEL 769
EXISTING BUILDING FFL. = 12.93' NGVD

11. OPEN SPACE RATIO: Sec. 9.5-262

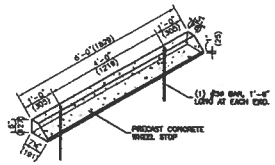
SC=0.2 OSR
OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)

12. SITE LIGHTING: Sec.9.5-392, 393, 394

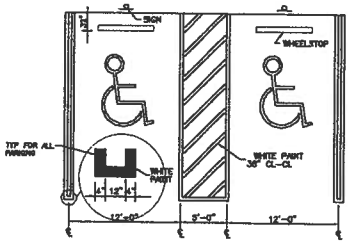
12.1- ALL OUTDOOR LIGHTING SHALL BE, MAX 18' ABOVE GRADE, NON-CUTOFF
MAX 35' ABOVE GRADE, CUT-OFF
(MEASURED AT PROPERY LINE)

12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF
1.5 FOOT CANDLES FOR CUT-OFF
(MEASURED AT PROPERTY LINE)

12.3- LIGHTING SHALL BE SHIELDED / SCREENED / LOCATED SO THAT ADJACENT RESIDENTIAL LOTS ARE NOT DIRECTLY ILLUMINATED.

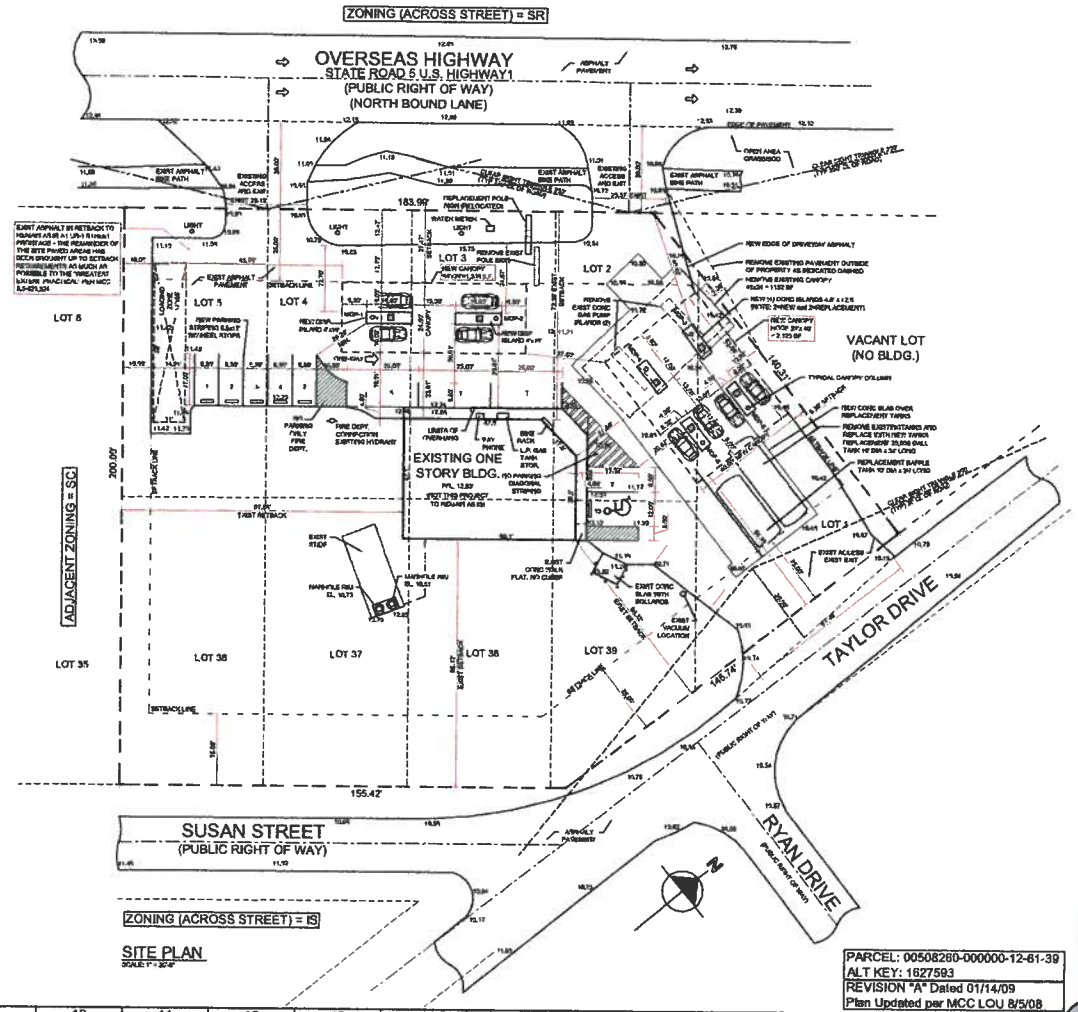


WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN
SCALE 1" = 20'-0"

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

REVISIONS
MARK | DESCRIPTION | DATE

TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.
LARD CO LLC, 97 W OREGCHOBEE RD, HIALEAH, FL. 33030

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING
C 7006
711 1 KEY LARGO HIGHWAY
MONROE, FLORIDA 33036
(305)30-4155

SITE PLAN

A-1

January 23, 2009 ***SENT VIA USPS***

David Koppel
County Engineer
Monroe County Engineering Division
1100 Simonton Street, Suite 216
Key West, FL 33040

Re: "Letter of Coordination"

Dear Mr. Koppel:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

Enclosed is a copy of the proposed site plan indicating the location of the new fueling positions and a Project Description.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea

TOM THUMB CONVENIENCE STORE

RE# 00508260.000000 MILE MARKER 104.7

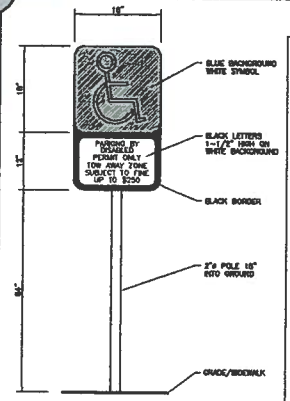
Project Description

This property is owned by LANDCO, LLC and operated under the name of Tom Thumb Food Stores, Inc. Located at 104701 Overseas Hwy., Key Largo, FL. The property consists of 44,166 sq. ft. (1.01 Acres) of total land area and has a zoning classification of Sub Urban Commercial (SC). Located on the property and currently operating is a 2,824 sq. ft. enclosed convenience store and a 1,152 sq. ft. canopy over two (2) fuel pumps.

The proposed expansion project will include the demolition of the canopy that covers the existing fuel pumps and the construction of two (2) new canopies of 1,536 sq. ft. and 2,120 sq. ft. to cover the relocation of the existing fuel pumps and four (4) additional fuel pumps. The final expansion will have a total of six (6) fuel pumps and a retro fit/ upgrade to the convenience store.

A Major Conditional Use Permit application is being submitted to the Monroe County Growth Management Department for the above detailed expansion.

Also included in the expansion will be an upgrade of the landscaping and onsite traffic flow patterns. The expansion and upgrades will include where ever possible, the use of energy efficient lighting and equipment and the uses of low flow restroom fixtures.



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:
   - -EXISTING BUILDING = 2,824 S.F. (6.4%)
   - -EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY) = 19,872 S.F. (42.2%)
   - -EXISTING OPEN AREAS / LANDSCAPING = 22,695 S.F. (51.4%)
   - TOTAL = 44,166 S.F.
5. THIS PROJECT:
   - -EXISTING CANOPY (48'x24') = 1,152 S.F.
   - -NEW WEST CANOPY (64'x24') = 1,536 S.F.
   - -NEW NORTH CANOPY (53x40) = 2,120 S.F.
   - TOTAL = 4,808 S.F.

   EXISTING CANOPIES TOTAL = 1,152 S.F.
   NEW CANOPIES TOTAL = 3,656 S.F.

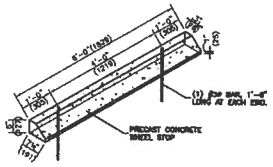
   NOTE:
   NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
   NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
   NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.
6. PROJECT DESCRIPTION
   - 6.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.
   - 6.2- INSTALL (4)FOUR NEW MDP's FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP's WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP's, A TOTAL OF (12) TWELVE FUELING POSITIONS
   - 6.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP's, ONE AT WEST SIDE 64'x24' AND ONE AT NORTH SIDE 44'x22', TOTAL OF 2,504 S.F. NEW CANOPIES.
   - 6.4- RESTRIPE PARKING AREAS AND FIRE / NO PARKING DESIGNATIONS.
   - 6.5- EXISTING ACCESS / EGRESS AT NORTHBOUND O/SEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.
7. PROJECT DESCRIPTION
   - 7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.
   - 7.2- BUILDING = 2824 S.F. : PARKING REQUIRED = 8,472
   - : PARKING PROVIDED = 10 (TEN) EXISTING

   NOTES:
   ALL PARKING WILL BE 8.5'x18.0'
   :PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'
8. LOADING ZONE: Sec. 9.5-354
   - -COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'
   - PROVIDED: (1)ONE LOADING ZONE 11'x55'
9. SETBACKS:

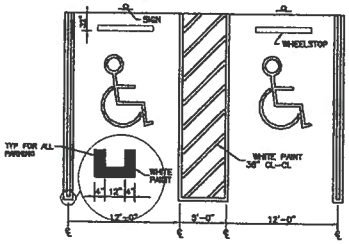
   LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD	15.0'	97.88'	AT LOTS 6,35 SOUTH
SIDE YARD	10.0'	5.0'	AT NORTH SIDE
REAR YARD	10.0'	88.12/87.0'	AT TAYLOR & SUSAN

10. FLOOD ZONE:
    PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
    JOB# 07 1426 / 2007-158
    FLOOD ZONE = "X" PANEL 759
    EXISTING BUILDING FFL. = 12.93' NGVD
11. OPEN SPACE RATIO: Sec. 9.5-262
    SC=0.2 OSR
    OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)
12. SITE LIGHTING: Sec.9.5-392, 393, 394
    - 12.1- ALL OUTDOOR LIGHTING SHALL BE, MAX 18' ABOVE GRADE, NON-CUTOFF MAX 30' ABOVE GRADE, CUT-OFF (MEASURED AT PROPERY LINE)
    - 12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF 1.5 FOOT CANDLES FOR CUT-OFF (MEASURED AT PROPERTY LINE)
    - 12.3- LIGHTING SHALL BE SHIELDED / SCREENED / LOCATED SO THAT ADJACENT RESIDENTIAL LOTS ARE NOT DIRECTLY ILLUMINATED.

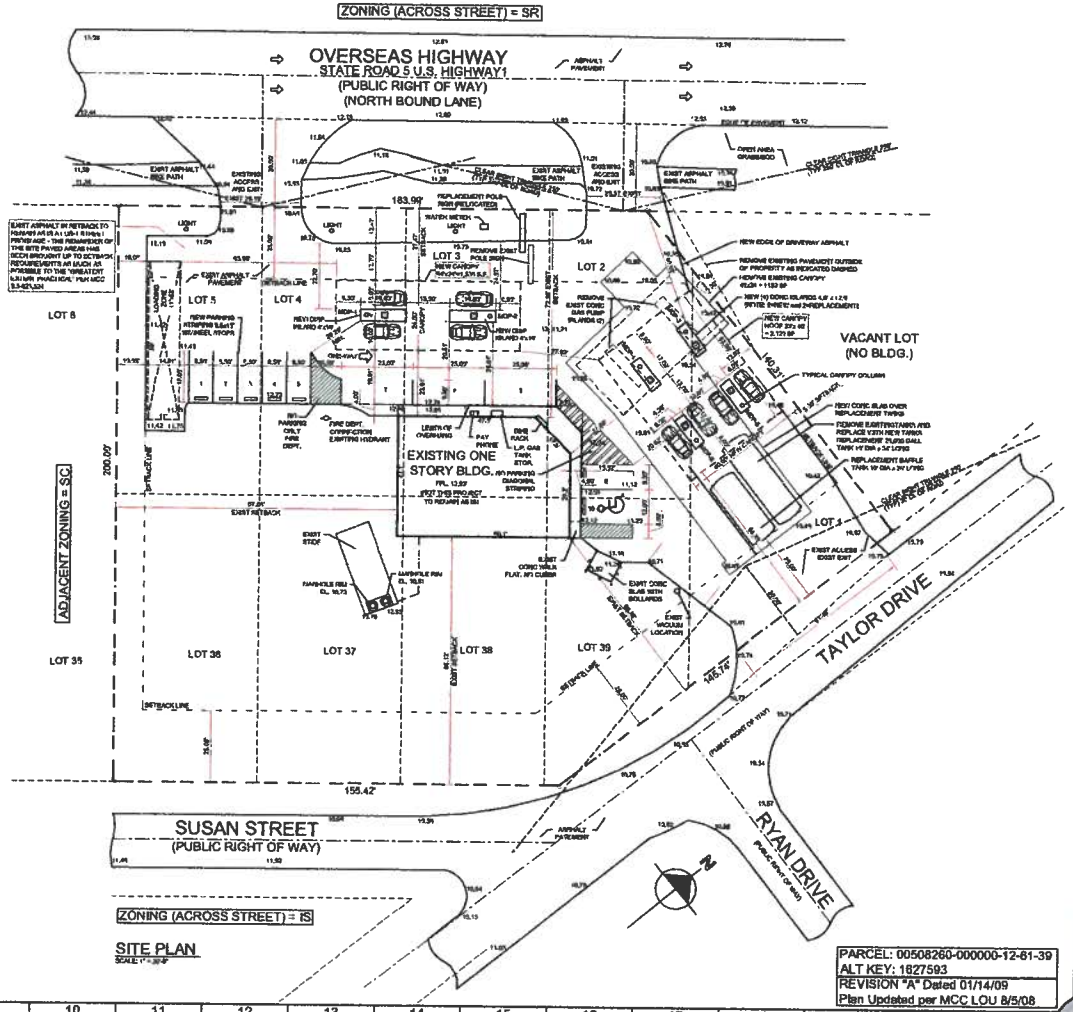


WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN
SCALE: 1" = 30'-0"

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1827593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.

ROBERT BARNES ASSOCIATES
ARCHITECTURE AND PLANNING

SITE PLAN

A-1

January 26, 2009 ***SENT VIA USPS***

Mike Winkler
Monroe County Environmental Health Department
50 High Point Road, Suite 104
Tavernier, FL 33070

Re: "Letter of Coordination"

Dear Mr. Winkler:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

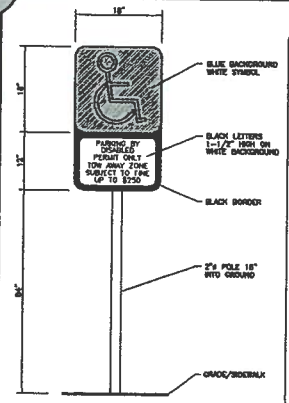
The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

Enclosed is a copy of the proposed site plan indicating the location of the new fueling positions.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,186 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
TOTAL	= 44,186 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.
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: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
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8. LOADING ZONE: Sec. 9.5-354

-COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'

PROVIDED: (1)ONE LOADING ZONE 11'x55'

9. SETBACKS:

LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK :	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD	15.0'	97.88'	AT LOTS 6,35 SOUTH
SIDE YARD	10.0'	5.0'	AT NORTH SIDE
REAR YARD	10.0'	88.12/87.7'	AT TAYLOR & SUSAN

10. FLOOD ZONE:

PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
JOB# 07 1426 / 2007-150
FLOOD ZONE = "X" PANEL 759
EXISTING BUILDING FFL = 12.93' NGVD

11. OPEN SPACE RATIO: Sec. 9.5-262

SC=0.2 OSR
OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)

12. SITE LIGHTING: Sec.9.5-392, 393, 394

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MAX 35' ABOVE GRADE, CUT-OFF
(MEASURED AT PROPERY LINE)

12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF
1.5 FOOT CANDLES FOR CUT-OFF
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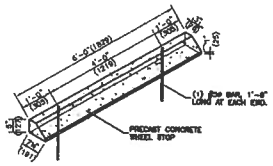
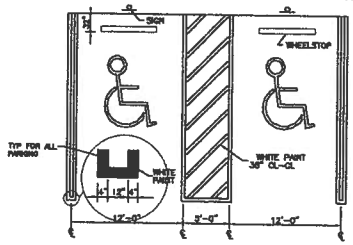
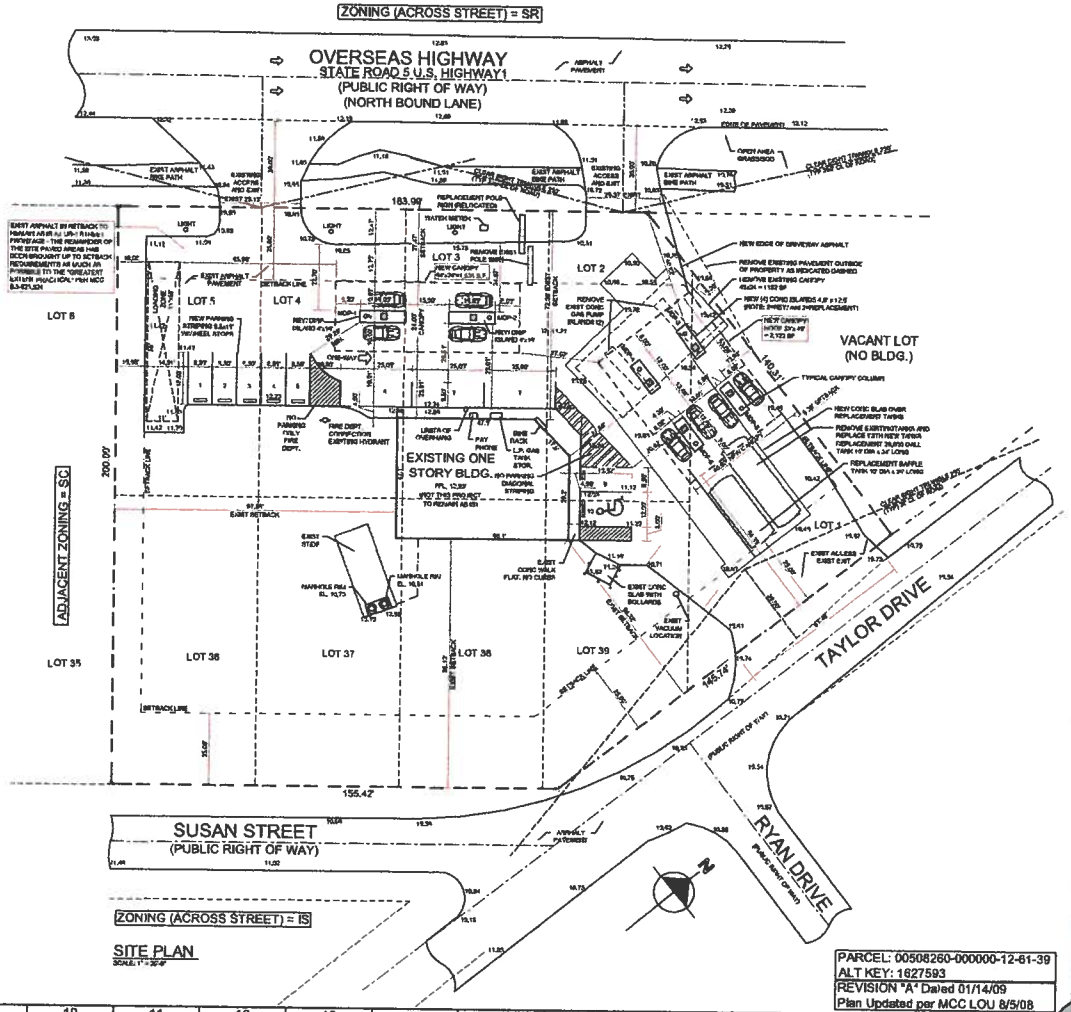


WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SITE PLAN
SCALE: 1" = 20'-0"

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

REVISIONS
MARK: DESCRIPTION DATE

TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.
LAND COLLC, 97 W OKEECHOBEE RD, HIALEAH, FL 33030

JOHN ROBERT BARNES, AIA, NCARB
ARC0170226

ROBERT BARNES & ASSOCIATES
ARCHITECTURE & PLANNING
© 2006
721 NORTH HOME AVENUE
HOMESTEAD, FLORIDA 33030
(305) 248-0000 FAX 248-0001
AA 26000 AR 12 LICENSE NO. CGC 1511 CAC 1511

SITE PLAN

A-1

January 23, 2009 ***SENT VIA USPS***

Ms. Rosa Washington
Senior Administrator
Monroe County Solid Waste Management
1100 Simonton Street, Suite 2-231
Key West, FL 33040

Dear Ms. Washington:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.

The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.

In addition to our upgrades and expansion, we will be looking at ways to increase our recycling at the store so as to minimize our impact on the community.

Enclosed is a copy of the proposed site plan indicating the location of the dumpsters.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea

Douglas Landsea

From: Douglas Landsea [dlandsea@hotmail.com]
Sent: Monday, January 26, 2009 10:23 AM
To: 'esantisteban@vmsom.com'
Subject: Letter of Coordination (second property)
Attachments: 2009 SITE PLAN STORE 226.pdf

January 26, 2009
Florida Department of Transportation

Re: "Letter of Coordination"

Dear Ernesto:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located on the East side of the Overseas Hwy. at Mile Marker 104.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion. We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of four additional new fueling pumps and accompanying canopy.
The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Block 1, Lot 1-5 and 36-39of Largo City subdivision (PB4-142) and having a Real Estate number of 00508260.000000.
Enclosed is a copy of the proposed site plan indicating the location of the new fueling positions.
Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.
Sincerely,

Douglas Landsea
LANDSEA
DEVELOPMENTS, LLC
305-298-1022 (C)
305-468-6245 (F)

KEYS ENGINEERING SERVICES, INC.
86801 Overseas Highway
Islamorada, Florida 33036
Daryle L. Osborn PE #27428

Storm Water Management Plan
For
Tom Thumb Store 226

Project Description: A new MPD's and canopy with paved areas.

Project Location: Tom Thumb Store 226 is located on Key Largo, Florida at 104701 Overseas Highway.

Existing Site Conditions:

Vegetation: The existing site is approximately 39% paved and built on. The increased area is 6,779 (15%).

Soils: The area is scrub grass over pervious oolite rock in the non developed areas. The water table was not encountered at 4'0" below existing grade.

Flood Plan & Elevations: The proposed construction is in Flood Zone "X". The overall site elevation is between 9' to 11' MSL.

1/21/09

Storm Water Management Plan

Site Data:

Net Area	= 44,166 square feet
Impervious Areas	
Existing Building	= 2,824sf
Existing Concrete/Paved Areas	= 19,872sf
Total	= 22,696sf
Percent Pervious	= 48.6 %

Pre / Post Development Runoff:

1. Compute Predevelopment Runoff
   a. Depth to Groundwater = Greater than 4.0'
   b. Soils Storage (C-111-3) = 8.18 inches
   c. P = 8.5 inches

   $Q = (P - .2S)^2 / (P + .8S)$
   $P = 8.5$
   $S = 8.18$
   $Q = 3.13$ inches

2. Compute Post-development Runoff
   a. Soils Storage (C-111-3) = 8.18 inches
   b. P = 8.5 inches
   c. Percent Pervious = 48.6%

   $Q = (P - .2S)^2 / (P + .8S)$
   $P = 8.5$
   $S = .486 \times 8.18 = 4.0$
   $Q = 5.07$ inches

3. Limit Post to Pre development Runoff
   Storage Required:

   5.07 – 3.13 = 1.94 inches

   1.94 x 44,166 / 12 = 7,140 cubic feet to retain

Volume of Water to be Treated:

The storm water runoff will be maintained on site by dry retention methods. Refer to the site drainage plan for location and sizes of the swale areas.

Swale Area A – 720 cf
Swale Area B – 7,350cf
French Drain - 840cf

The total volume of retention is 8,910 cubic feet. This exceeds the required 7,140cubic feet.

Water Quality:

The volume of water to be treated and controlled is ½ inch initial runoff:

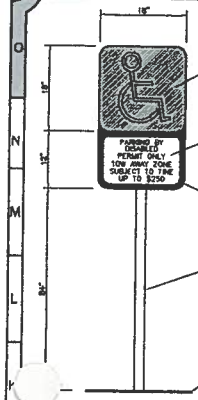
0.5 x 44,166 / 12 = 1840 cubic feet

The existing site condition is scrub grass which filters the surface water runoff.

25 Year Storm:

A 25 year storm over a 24 hour period in South Florida will average 1.05 inches of rainfall per hour. The initial wash calculations used a rate of 1.94 inches per hour. The initial wash calculations are worst case and will govern.

1.05 x 44,166 / 12 = 3,864 cubic feet



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.0.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 10,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
	TOTAL = 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.	
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.	
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.	
	TOTAL = 4,808 S.F.	

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.

8. PROJECT DESCRIPTION

8.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.

8.2- INSTALL (4)FOUR NEW MDP's FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP's WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP's, A TOTAL OF (12) TWELVE FUELING POSITIONS

8.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP's, ONE AT WEST SIDE 64'x24' AND ONE AT NORTH SIDE 44'x22', TOTAL OF 2,904 S.F. NEW CANOPIES.

8.4- RESTRIPE PARKING AREAS AND FIRE / NO PARKING DESIGNATIONS.

8.5- EXISTING ACCESS / EGRESS AT NORTHBOUND O/SEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.

7. PROJECT DESCRIPTION

7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.

7.2- BUILDING = 2824 S.F. : PARKING REQUIRED = 8,472

: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
ALL PARKING WILL BE 8.5'x18.0'
:PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.5'x18'

8. LOADING ZONE: Sec. 9.5-354

-COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'

PROVIDED: (1)ONE LOADING ZONE 11'x55'

9. SETBACKS:

LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD	15.0'	97.58'	AT LOTS 6,35 SOUTH
SIDE YARD	10.0'	5.0'	AT NORTH SIDE
REAR YARD	10.0'	88.12/87.7'	AT TAYLOR & SUSAN

10. FLOOD ZONE:

PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
JOB# 071428 / 2007-150
FLOOD ZONE = 'X' PANEL 769
EXISTING BUILDING FFL. = 12.93' NGVD

11. OPEN SPACE RATIO: Sec. 9.5-262

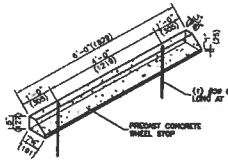
SC=0.2 OSR
OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)

12. SITE LIGHTING: Sec.9.5-392, 393, 394

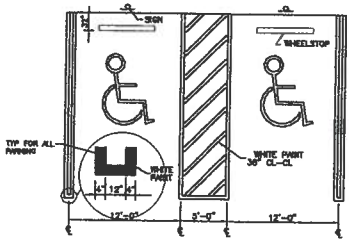
12.1- ALL OUTDOOR LIGHTING SHALL BE, MAX 18' ABOVE GRADE, NON-CUTOFF
MAX 35' ABOVE GRADE, CUT-OFF
(MEASURED AT PROPERY LINE)

12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF
1.5 FOOT CANDLES FOR CUT-OFF
(MEASURED AT PROPERTY LINE)

12.3- LIGHTING SHALL BE SHIELDED / SCREENED / LOCATED SO THAT ADJACENT RESIDENTIAL LOTS ARE NOT DIRECTLY ILLUMINATED.



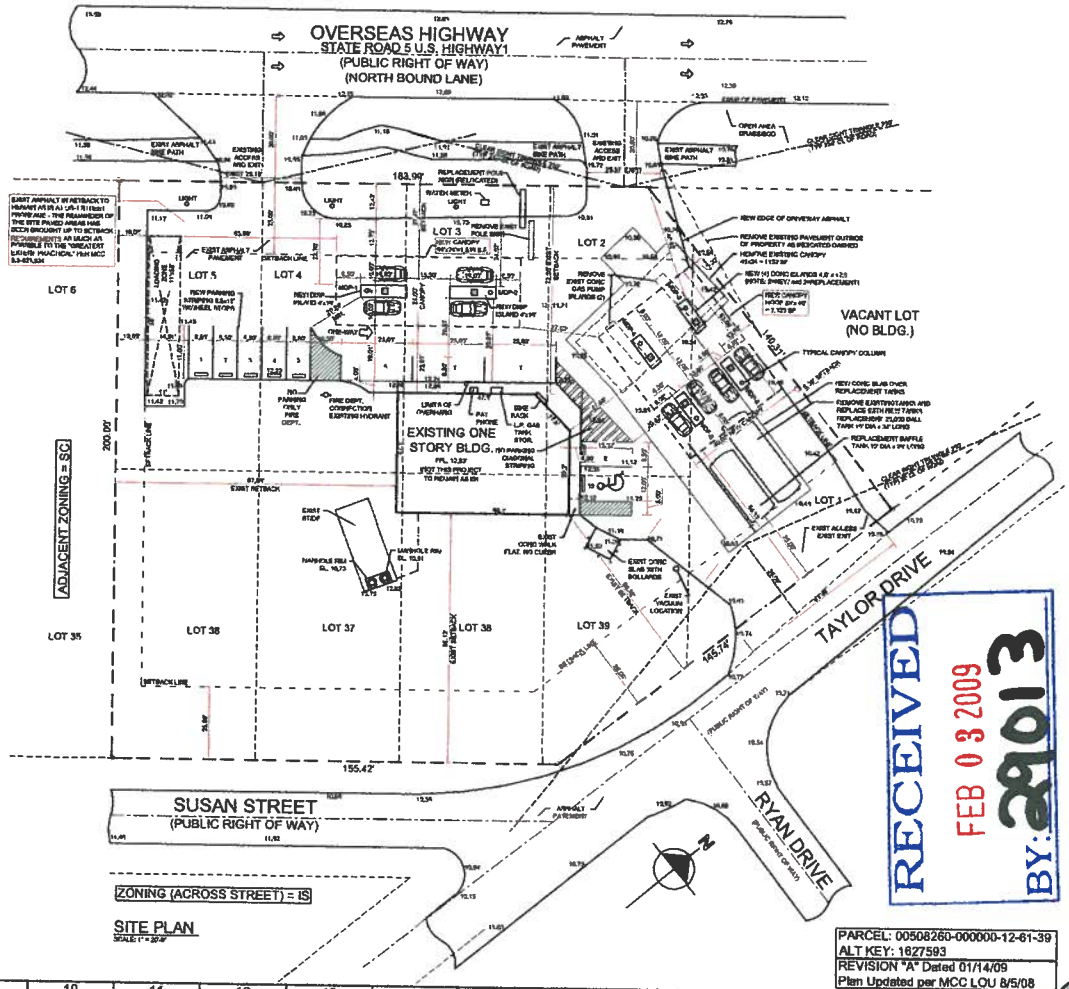
WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,5,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA

ZONING (ACROSS STREET) = SR



ZONING (ACROSS STREET) = IS

SITE PLAN
SCALE: 1" = 20'-0"

RECEIVED
FEB 03 2009
BY: 29013

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

REVISIONS		
MARK	DESCRIPTION	DATE

TOM THUMB STORE 226
NEW MDP'S and CANOPY

104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.

LAND CO LLC, 87 W OKEECHOBEE RD, HIALEAH, FL. 33010

THIS DOCUMENT, THE IDEAS, CONCEPTS, AND DESIGNS EXPRESSED HERE ARE THE SOLE PROPERTY OF THE ROBERT BARNES ASSOCIATES, INC. ANY REPRODUCTION IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT OF ROBERT BARNES ASSOCIATES IS PROHIBITED. ANY REPRODUCTION MUST INCLUDE THIS NOTICE.

JOHN ROBERT BARNES, AIA, NCARB
AR0018586

ROBERT BARNES ASSOCIATES
ARCHITECTS & PLANNERS
721 NORTH INDIAN AVENUE
HOLLYWOOD, FLORIDA 33019
(954) 923-1555
(954) 923-1556
ROBERT@ROBERTBARNESASSOCIATES.COM
WWW.ROBERTBARNESASSOCIATES.COM

SITE PLAN

A-1

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 - LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,812 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,658 S.F.	(51.4%)
	TOTAL = 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48x24)	= 1,152 S.F.
-NEW WEST CANOPY (64x24)	= 1,536 S.F.
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.
TOTAL	= 4,808 S.F.

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
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NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.

6. PROJECT DESCRIPTION

6.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.

6.2- INSTALL (4)FOUR NEW MDP'S FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP'S WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP'S, A TOTAL OF (12) TWELVE FUELING POSITIONS

6.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP'S, ONE AT WEST SIDE 64x24' AND ONE AT NORTH SIDE 44x22', TOTAL OF 2,504 S.F. NEW CANOPIES.

6.4- RESTRIPE PARKING AREAS AND FIRE / NO PARKING DESIGNATIONS

6.5- EXISTING ACCESS / EGRESS AT NORTHBOUND OVERSEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.

7. PROJECT DESCRIPTION

7.1- COMMERCIAL - RETAIL REQUIRED 3 PARKING PER 1,000 S.F.

7.2- BUILDING = 2824 S.F. - PARKING REQUIRED = 8,472

- PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
ALL PARKING WILL BE 8.5'X18.0'
PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'

GENERAL NOTES

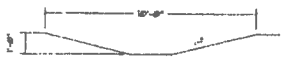
1. ALL WORK SHALL BE PERFORMED ACCORDING TO THE SPECIFICATIONS, STANDARD DETAIL AND DEPARTMENTS OF THE METROPOLITAN DADE COUNTY, PUBLIC WORKS DEPARTMENT.
2. NO DEVIATION FROM THE APPROVED PLAN SHALL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD AND THE METROPOLITAN DADE COUNTY PUBLIC WORKS DEPARTMENT.
3. ALL ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM.
4. LOCATION AND DEPTH OF ALL EXISTING STRUCTURES AND/OR UTILITIES SHALL BE VERIFIED BY THE ENGINEERING CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
5. THE ENGINEERING CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITIES NOTIFICATION CENTER OF FLORIDA, PHONE NUMBER 1-800-432-4770, 48 HOURS BEFORE DIGGING.
6. DIMENSIONS AS SHOWN (EXCEPT DRAINAGE TRENCH LENGTH) ARE APPROXIMATE. FOR EXACT DIMENSIONS AND GEOMETRIC DESCRIPTION, SEE SITE PLAN.
7. ALL MUCK AND/OR SAND CLAY WITH ANY PERCENTAGE OF ORGANIC MATERIAL SHALL BE REMOVED TO NATURAL MEDIUM WITHIN THE PROPOSED PAVEMENT AREA. FOR DETAILED SPECIFICATIONS SEE METROPOLITAN DADE COUNTY PUBLIC WORKS DETAIL SPECIFICATIONS.
8. CATCH BASINS SHALL BE CONSTRUCTED WITH GREASE AND OIL SEPARATOR (SEE DETAILS) AS APPROVED BY METROPOLITAN DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT.
9. PAVEMENT SHALL CONSIST OF:
   A. ASPHALTIC CONCRETE SURFACE COURSE 1" THICK.
   B. LIMEROCK BASE COURSE 8" THICK, PRIME ENTIRE SUBGRADE.
   C. STABILIZED SUBGRADE 12" THICK.
10. EXFILTRATION TRENCHES SHOULD BE BUILT AS PER STANDARD DETAIL SD 1.1 WITH 6" PERFORATED ALUMINUM PIPE. INVERT ELEVATION OF PIPE SHALL BE AT +5.0 N.G.V.D. (30"OBEST WATER TABLE ELEVATION).

CIVILS LEGEND

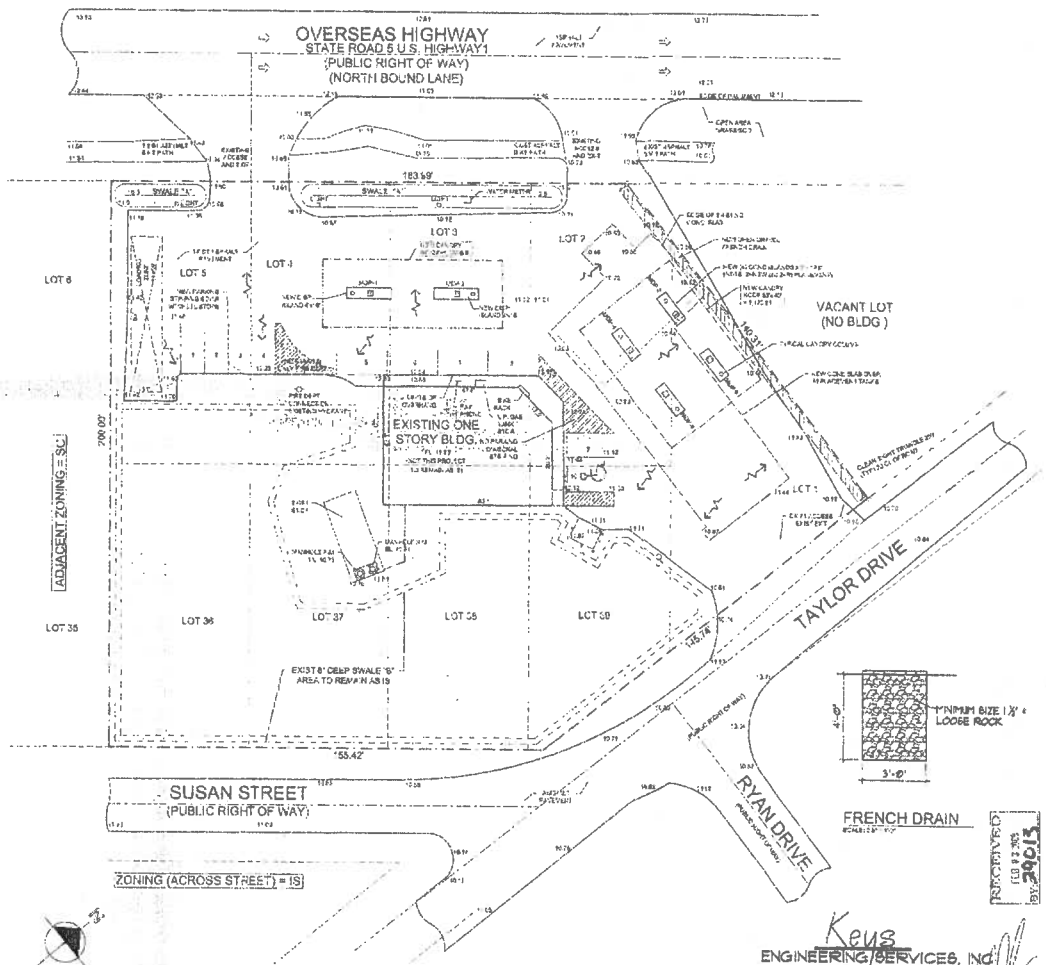
- EXISTING CATCH BASIN
- NEW CATCH BASIN
- EXISTING GRADE/PAVING ELEVATION
- PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX

SWALE CALCULATIONS - STORM WATER CONTAINMENT:

SITE AREA	= 44,166 SF
IMPERVIOUS AREAS	
- PAVING	= 14,872 SF
- BUILDING	= 2,824 SF
TOTAL IMPERVIOUS	= 22,696 SF
CALC: IMP X 1.5 / 12	= 2,837 CU FT REQUIRED
EXISTING SWALE CAPACITY PROVIDED	= 3,378 CU FT



SWALE "A" 9120 LF)



STORM WATER MANAGEMENT PLAN

FRENCH DRAIN

RECEIVED
FEB 03 2009
BY:

Keus
ENGINEERING/SERVICES, INC.
P.E. No. FL 27428
DARYLL L. OSBORN, P.E. (305) 852-6700
84-861 OVERSEAS HIGHWAY
ISLAMORADA, FLORIDA 33036

REVISIONS

NUMB.	DESCRIPTION	DATE

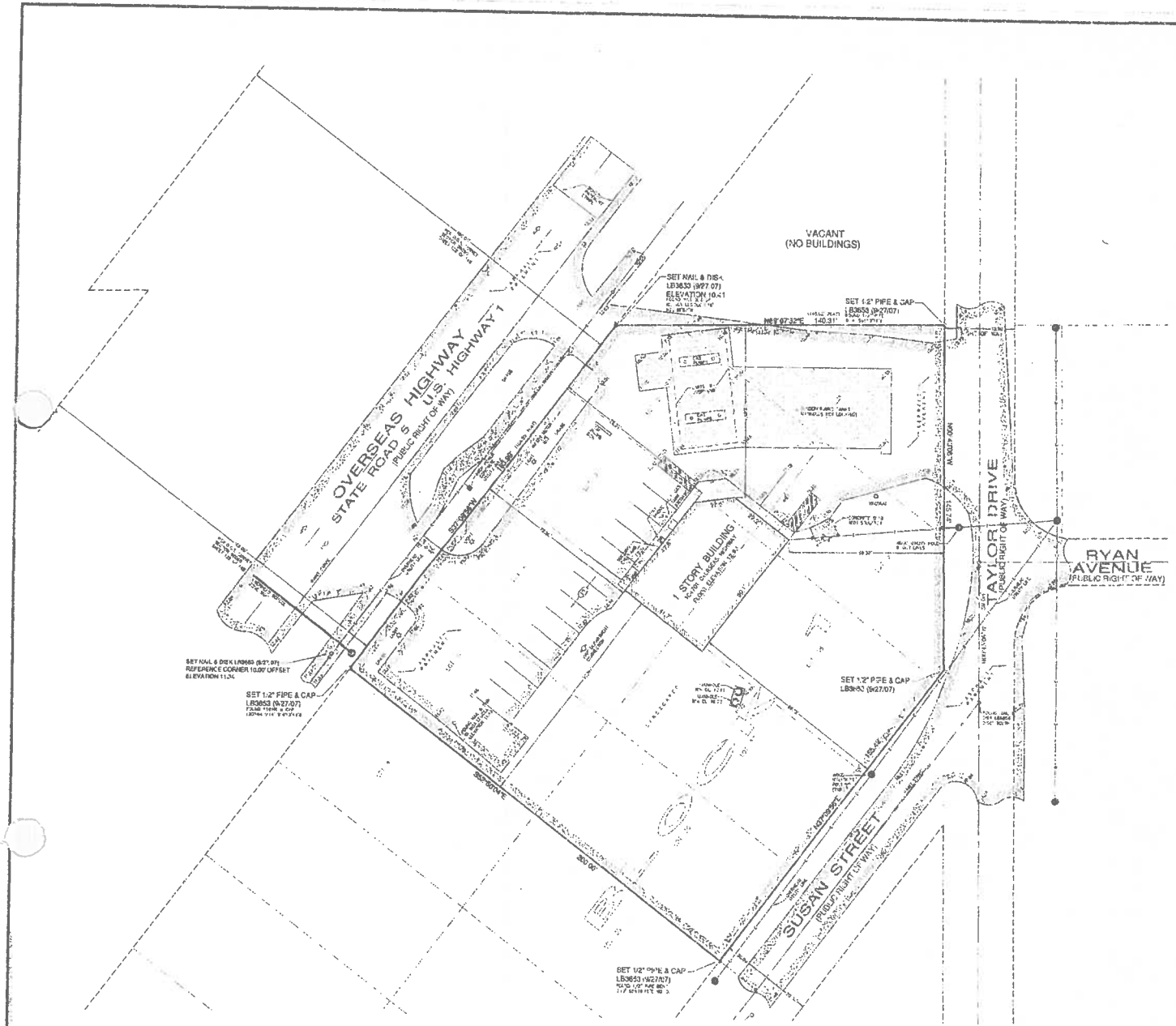
TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL
LANECO LLC, 97 W OKEECHOBEE RD. HIALEAH, FL. 33010

JOHN ROBERT BARNES, JR. RCAB
ARCHITECT

ROBERT BARNES ASSOCIATES
ARCHITECT & PLANNER
221 NORTH KROME AVENUE
HOMESTEAD, FLORIDA 33030
(305)245-1202

STORM WATER MANAGEMENT

SW-1



NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

LEGEND

⊠ = CATCH BASIN	= 6" CURB
O = MANHOLE	= 3/4" PIPE & SUTTER
= LIGHT POLE	= CHAIN LINK FENCE
⊞ = WATER METER	✓ = GRADE ELEVATION
⊞ = WATER VALVE	EL. = ELEVATION
⊞ = CATCH BASIN INLET	ARC. = ARCHT
= UTILITY POLE	CONC. = CONCRETE
⊞ = WELL	= PERMANENT REFERENCE MONUMENT
= TAX MONUMENT	= CONCRETE
⊞ = MAILBOX	= ASPHALT PAVEMENT
= SIGN	

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 3B, 3J, 3K, and 3B, TATCU CITY, according to the plat thereof as recorded in Plat Book 4 at Page 142 of the Public Records of Monroe County, Florida.

SURVEYOR'S NOTES:

- This site lies in Section 12, Township 67 South, Range 39 East, Monroe County, Florida.
- All easements are recorded in the Public Records of Monroe County, Florida unless otherwise noted.
- Lands shown hereon were not searched for restrictions, easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of S3°07'58"E for the northeasterly line of Block 1, and evidenced by set pipe & cap and set nail & disk.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on F.D.O.T. Bench Mark No. BC/08/1348, Elevation 11.22, located 21 feet North of Tyder Drive on Overseas Highway.
- Lands shown hereon are located in Federal Flood Zone X per Community Panel No. 125129 0014 G, dated June 18, 1993, based on Federal Emergency Management Agency Flood Insurance Rate Map and are referred to National Geodetic Vertical Datum of 1929.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 44,186 square feet, or 1.014 acres, more or less.
- Precision of closure 1:10,000 — Commercial Class Survey.
- Roof overhangs not located unless otherwise shown.
- Underground improvements and/or underground encroachments not shown unless otherwise located.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- Legal descriptions shown hereon furnished by client and no claims as to ownership are made or implied.
- Acreage by calculation: Zoning — Subunit: Commercial
  0.36 acres — vacant (Southeast)
  0.65 acres — commercial
  total site containing 1.014 acres

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Boundary Survey" was made under my responsible charge on September 27, 2007, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper."

FORTIN, LEAVY, SKILES, INC., LB3653

By: Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2633
State of Florida

RECEIVED
FEB 03 2008
39013

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER LB3653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

BOUNDARY SURVEY

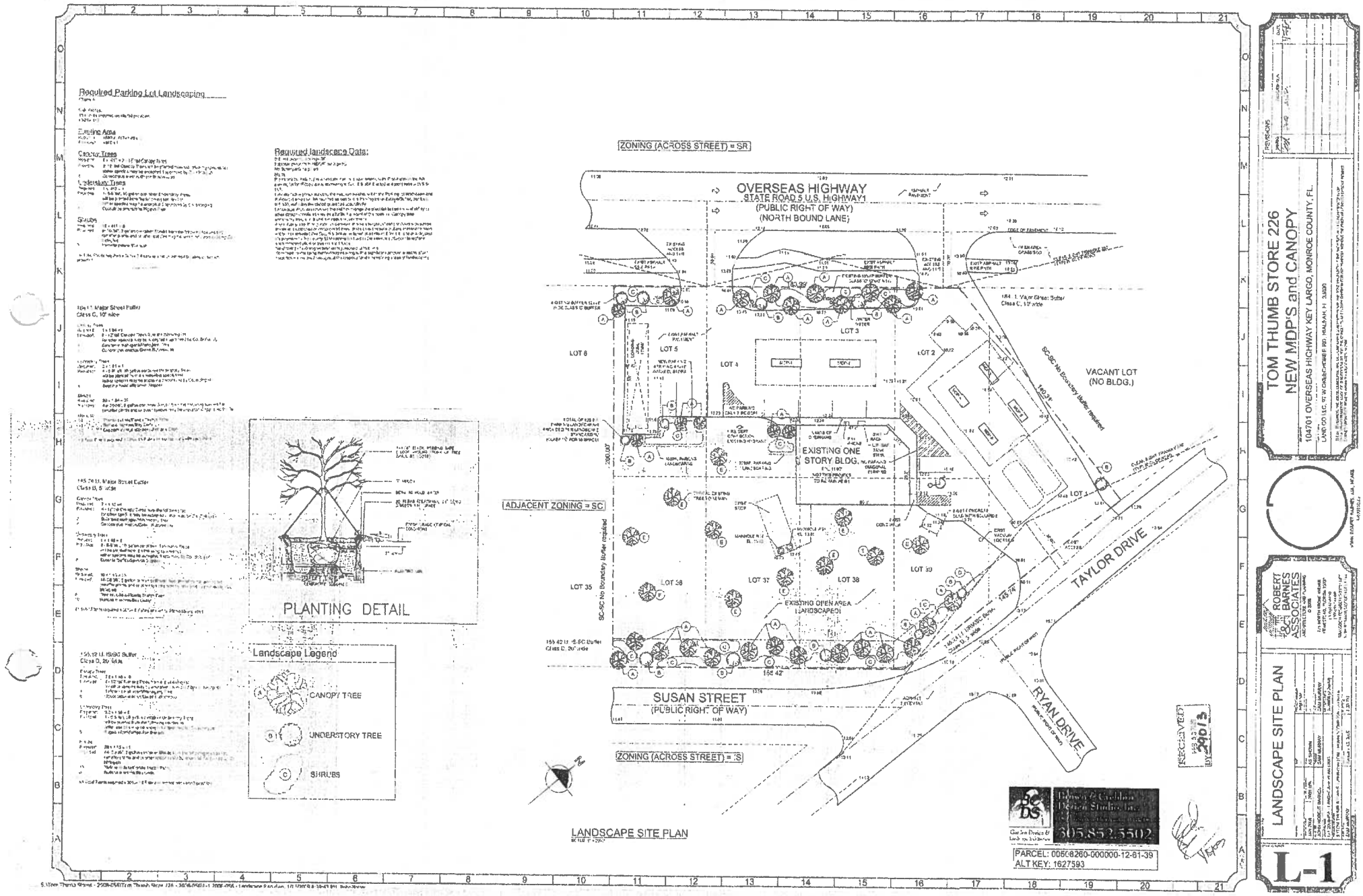
TOM THUMB - 104701 OVERSEAS HIGHWAY

KEY LARGO, MONROE COUNTY, FLORIDA

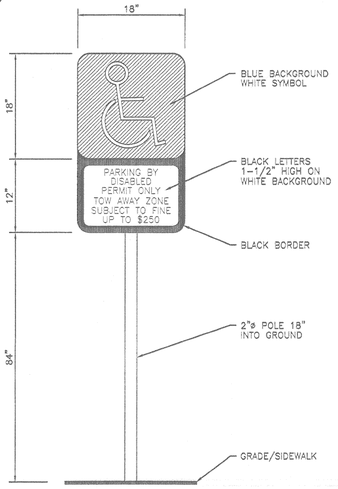
Date	9.27.07
Scale	1"=20'
Drawn By	JJB
Cad. No.	071426
Plotted	10-22-07 11:39a
Ref. Dwg.	
Field Book	598-51 JJJ
Job. No.	071426
Dwg. No.	5107-50
Sheet	1 of 1

No.	Date	Revision Description
1	081472	ADD NO. SURVEYOR'S NOTES LAND USE - DWF
	O.R.	

The Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an Instrument of Service not to be Reproduced in Whole or in Part without Permission of Same.



Required Parking Lot Landscaping
Planting Area
Canopy Trees
Understory Trees
Shrubs
Required landscape Data:
PLANTING DETAIL
Landscape Legend
CANOPY TREE
UNDERSTORY TREE
SHRUBS
ZONING (ACROSS STREET) = SR
OVERSEAS HIGHWAY
STATE ROAD 5 U.S. HIGHWAY 1
(PUBLIC RIGHT OF WAY)
(NORTH BOUND LANE)
LOT 8
LOT 5
LOT 4
LOT 3
LOT 2
LOT 1
VACANT LOT
(NO BLDG.)
EXISTING ONE
STORY BLDG.
ADJACENT ZONING = SC
LOT 35
LOT 36
LOT 37
LOT 38
LOT 39
EXISTING OPEN AREA
(LANDSCAPED)
TAYLOR DRIVE
SUSAN STREET
(PUBLIC RIGHT OF WAY)
RYAN DRIVE
ZONING (ACROSS STREET) = S
LANDSCAPE SITE PLAN
Brown & Crabbe
Design Studio, Inc.
305.852.5502
PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.
ROBERT & BARNES ASSOCIATES
LANDSCAPE SITE PLAN
L-1



HANDICAP PARKING SIGN

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

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-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
	TOTAL = 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.
	TOTAL = 4,808 S.F.

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
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7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.

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: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
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:PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'

8. LOADING ZONE: Sec. 9.5-354

-COMMERCIAL USE 2,500-19,999 S.F. = (1)ONE 11'x55'

PROVIDED: (1)ONE LOADING ZONE 11'x55'

9. SETBACKS:

LAND USE : SC (SUBURBAN COMMERCIAL) "OTHER"

FRONT SETBACK :	25.0'	27.47'	WEST AT O/S HWY
SIDE YARD :	15.0'	97.86'	AT LOTS 6,35 SOUTH
SIDE YARD :	10.0'	5.0'	AT NORTH SIDE
REAR YARD :	10.0'	86.12/67.0'	AT TAYLOR & SUSAN

10. FLOOD ZONE:

PER SURVEY BY: FORTIN, LEAVY, SKILES INC. DATED 9/27/07
JOB# 071426 / 2007-150
FLOOD ZONE = 'X' PANEL 769
EXISTING BUILDING FFL = 12.93' NGVD

11. OPEN SPACE RATIO: Sec. 9.5-262

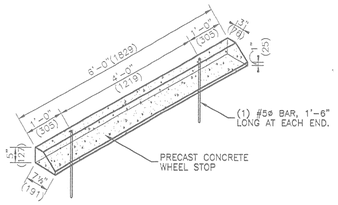
SC=0.2 OSR
OPEN SPACE PROVIDED = 0.514 OSR (22,695 S.F.)

12. SITE LIGHTING: Sec.9.5-392, 393, 394

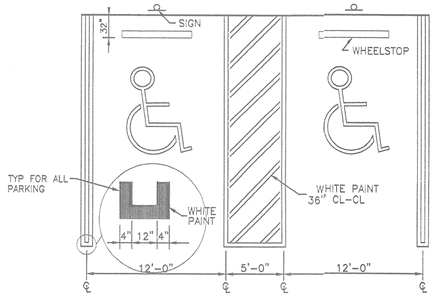
12.1- ALL OUTDOOR LIGHTING SHALL BE, MAX 18' ABOVE GRADE, NON-CUTOFF
MAX 35' ABOVE GRADE, CUT-OFF
(MEASURED AT PROPERY LINE)

12.2- MAX ILLUMINATION SHALL BE : 0.3 FOOT-CANDLES FOR NON-CUTOFF
1.5 FOOT CANDLES FOR CUT-OFF
(MEASURED AT PROPERTY LINE)

12.3- LIGHTING SHALL BE SHIELDED / SCREENED / LOCATED SO THAT ADJACENT RESIDENTIAL LOTS ARE NOT DIRECTLY ILLUMINATED.



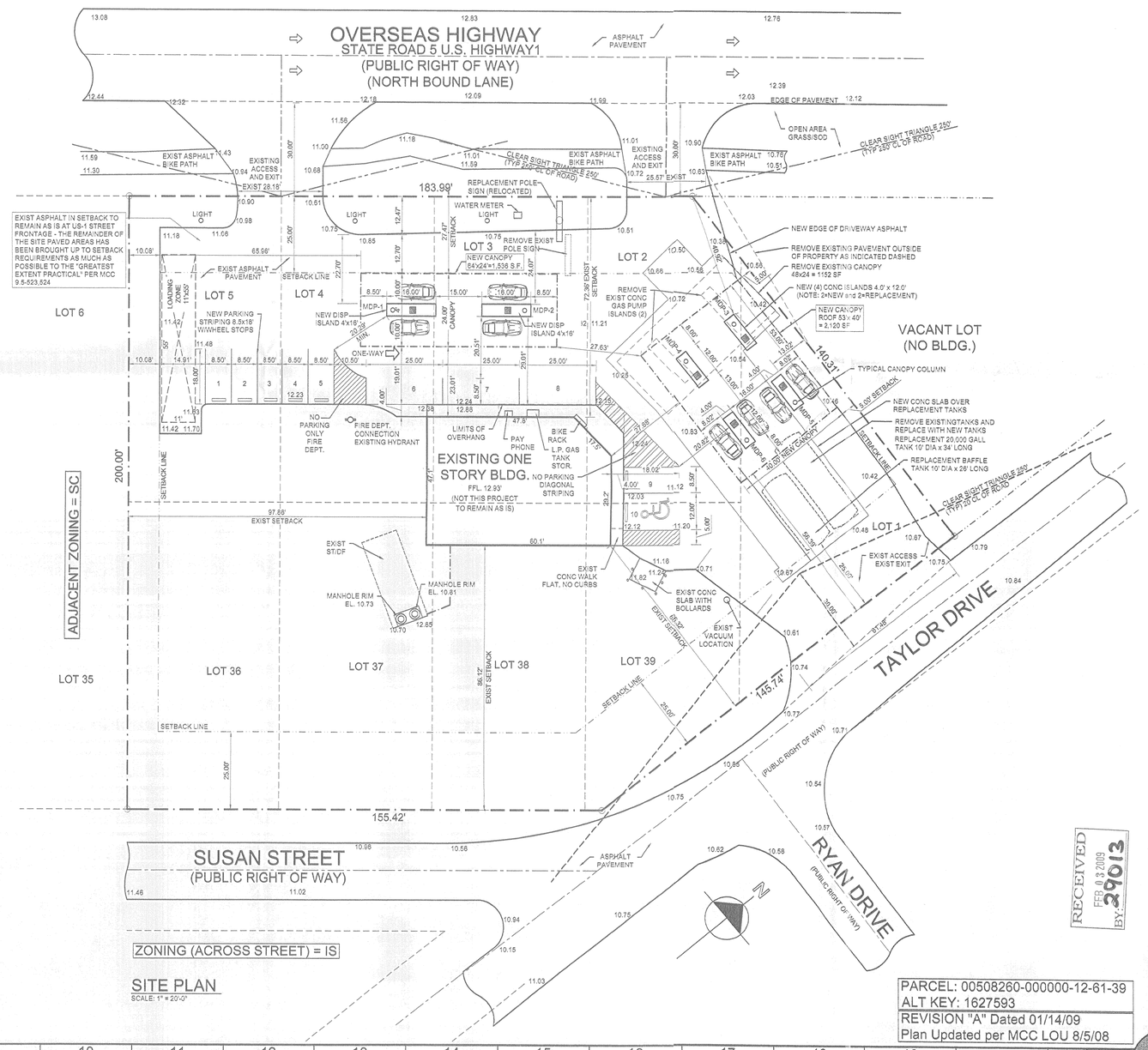
WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING
SCALE: NONE

LEGAL DESCRIPTION
LOTS 1,2,3,4,5,36,37,38, AND 39, LARGO CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4 AT PAGE 142 AT THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

ZONING (ACROSS STREET) = SR



ZONING (ACROSS STREET) = IS

SITE PLAN
SCALE: 1" = 20'-0"

RECEIVED
FEB 03 2009
BY: 29013

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593
REVISION "A" Dated 01/14/09
Plan Updated per MCC LOU 8/5/08

REVISIONS		
MARK	DESCRIPTION	DATE

PROJECT / OWNER
TOM THUMB STORE 226
NEW MDP'S and CANOPY
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.
CONTACT INFO:
LAND CO LLC, 97 W OKEECHOBEE RD, HIALEAH, FL. 33030

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1/23/09

JOHN ROBERT BARNES, AIA, NCARB
AR0010526

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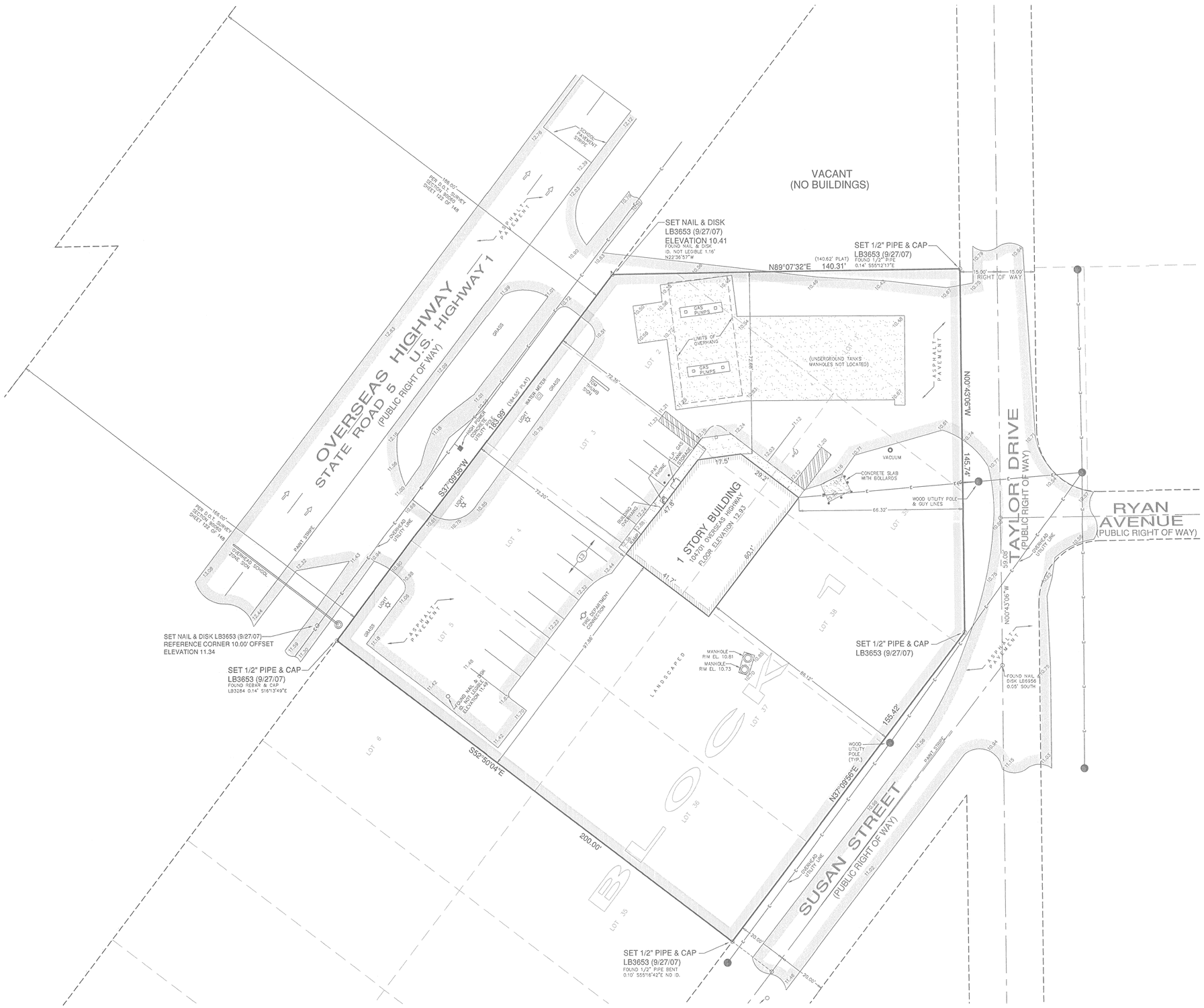
HOMESTEAD, FLORIDA 33030
(305)253-0008
RBASSOCIATES@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

DRAWING TITLE
SITE PLAN

BUILDING	SHEET	PROJECT MANAGER JOHN / SAM	
DATE CHANGED JAN 2008	PROJECT NUMBER 2008-056	SCALE: AS SHOWN	DRAWN BY A.A.
DRAWN BY JOHN ROBERT BARNES		CHECKED BY SAM MURRAY	QC'D BY SAM MURRAY
PROJECT NAME 2008-056 - SITE PLAN.DWG			
DRAWING LOCATION S:\TOM THUMB STORES - 2008-056\TOM THUMB STORE 226 - 2008-056			
PLOTTED BY SAM MURRAY		PLOT DATE January 21, 2009	PLOT TIME 12:15 PM

DRAWING NUMBER
A-1



GRAPHIC SCALE

0 10 20 40

(IN FEET)
1 inch = 20 ft.

LEGEND

= CATCH BASIN	= 0.5' CURB
= MANHOLE	= 2.00' CURB & GUTTER
= LIGHT POLE	= CHAIN LINK FENCE
= WATER METER	= GRADE ELEVATION
= WATER VALVE	EL. = ELEVATION
= CATCH BASIN INLET	INV. = INVERT
= UTILITY POLE	SAN. = SANITARY
= RISER	P.R.M. = PERMANENT REFERENCE MONUMENT
= FIRE HYDRANT	= CONCRETE
= HANDHOLE	= ASPHALT PAVEMENT
= SIGN	

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 36, 37, 38, and 39, LARGO CITY, according to the plat thereof as recorded in Plat Book 4 at Page 142 of the Public Records of Monroe County, Florida.

SURVEYOR'S NOTES:

- This site lies in Section 12, Township 61 South, Range 39 East, Monroe County, Florida.
- All documents are recorded in the Public Records of Monroe County, Florida unless otherwise noted.
- Lands shown hereon were not abstracted for restrictions, easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of S37°09'56"W for the Northwesterly line of Block 1, and evidenced by Set pipe & cap and set Nail & disk.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on F.D.O.T. Bench Mark No. 90/06/104.8, Elevation +11.32. Located 91 feet North of Taylor Drive on Overseas Highway.
- Lands shown hereon are located in Federal Flood Zone X per Community Panel No. 125129 0844 G, dated June 16, 1995, based on Federal Emergency Management Agency Flood Insurance Rate Map and are relative to National Geodetic Vertical Datum of 1929.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 44,166 square feet, or 1.014 acres, more or less.
- Precision of closure 1:10,000 – Commercial Class Survey.
- Roof overhang not located unless otherwise shown.
- Underground improvements and/or underground encroachments not shown unless otherwise indicated.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- Legal description shown hereon furnished by client and no claims as to ownership are made or implied.
- Acreage by land use: Zoning – Suburban Commercial
  0.38 acres – vacant (Scarified)
  0.63 acres – commercial
  Total site containing 1.014± acres

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Boundary Survey" was made under my responsible charge on September 27, 2007, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: _____
Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

RECEIVED
FEB 03 2009
BY: 39013

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an Instrument of Service not to be Reproduced in Whole or in Part without the Express WRITTEN Permission of Same.

No.	Revision Description
1	081473 AMEND SURVEYOR'S NOTES LAND USE-DWF
	O.N.

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

BOUNDARY SURVEY

TOM THUMB - 104701 OVERSEAS HIGHWAY
KEY LARGO, MONROE COUNTY, FLORIDA

Date	9/27/07
Scale	1"=20'
Drawn By.	JJB
Cad. No.	071426
Plotted:	10/2/07 11:36a
Ref. Dwg.	-
Field Book.	599/51 RLL
Job. No.	071426
Dwg. No.	2007-150
Sheet	1 of 1

SITE DATA:

1. ZONING: SC (SUBURBAN COMMERCIAL) Sec.9.5-235
2. CLASSIFICATION: TIER 1 LOT CLEARED
3. LAND AREA: 44,166 S.F. (1.013AC)
4. LOT COVERAGE:

-EXISTING BUILDING	= 2,824 S.F.	(6.4%)
-EXISTING CONCRETE/PAVING (INCLUDES EXISTING DRIVEWAYS & CANOPY)	= 19,872 S.F.	(42.2%)
-EXISTING OPEN AREAS / LANDSCAPING	= 22,695 S.F.	(51.4%)
TOTAL	= 44,166 S.F.	

5. THIS PROJECT:

-EXISTING CANOPY (48'x24')	= 1,152 S.F.
-NEW WEST CANOPY (64'x24')	= 1,536 S.F.
-NEW NORTH CANOPY (53x40)	= 2,120 S.F.
TOTAL	= 4,808 S.F.

EXISTING CANOPIES TOTAL = 1,152 S.F.
NEW CANOPIES TOTAL = 3,656 S.F.

NOTE:
NO ADDITIONAL CLEARING OF LOT ANTICIPATED OR PLANNED.
NEW TANKS WILL REPLACE EXISTING IN SAME LOCATION.
NO ADDITIONAL PAVING ANTICIPATED OR PLANNED.

6. PROJECT DESCRIPTION

6.1- REPLACE EXISTING (3) TANKS WITH (2) NEW UNDERGROUND TANKS IN ABOUT THE SAME LOCATION AS EXISTING TANKS.

6.2- INSTALL (4)FOUR NEW MDP's FOR (8)EIGHT NEW FUELING POSITIONS EXISTING (2)TWO MDP's WITH (4)FOUR EXISTING FUELING POSITIONS TO REMAIN AS IS FOR TOTAL PROPOSED (6) SIX MDP's, A TOTAL OF (12) TWELVE FUELING POSITIONS

6.3- PROVIDE NEW CANPIES TO MATCH EXISTING, OVER (4)NEW MDP's, ONE AT WEST SIDE 64'x24' AND ONE AT NORTH SIDE 44'x22', TOTAL OF 2,504 S.F. NEW CANOPIES.

6.4- RESTRIPE PARKING AREAS AND FIRE / NO PARKING DESIGNATIONS.

6.5- EXISTING ACCESS / EGRESS AT NORTHBOUND O/SEAS HIGHWAY AND AT TAYLOR DRIVE WILL REMAIN AS IS.

7. PROJECT DESCRIPTION

7.1- COMMERCIAL - RETAIL: REQUIRED 3 PARKING PER 1,000 S.F.

7.2- BUILDING = 2824 S.F. : PARKING REQUIRED = 8,472

: PARKING PROVIDED = 10 (TEN) EXISTING

NOTES:
ALL PARKING WILL BE 8.5'x18.0'
:PARKING INCLUDES (1)ONE HANDICAPPED SPACE 12.0'x18'

GENERAL NOTES

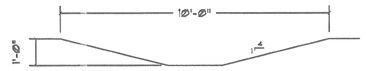
1.-ALL WORK SHALL BE PERFORMED ACCORDING TO THE SPECIFICATIONS, STANDARD DETAIL AND DEPARTMENTS OF THE METROPOLITAN DADE COUNTY. PUBLIC WORKS DEPARTMENT.
2.-NO DEVIATION FROM THE APPROVED PLAN SHALL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD AND THE METROPOLITAN DADE COUNTY PUBLIC WORKS DEPARTMENT.
3.-ALL ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM.
4.-LOCATION AND DEPTH OF ALL EXISTING STRUCTURES AND/OR UTILITIES SHALL BE VERIFIED BY THE ENGINEERING CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
5.-THE ENGINEERING CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITIES NOTIFICATION CENTER OF FLORIDA, PHONE NUMBER 1-800-432-4770, 48 HOURS BEFORE DIGGING.
6.-DIMENSIONS AS SHOWN (EXCEPT DRAINAGE TRENCH LENGTH) ARE APPROXIMATE, FOR EXACT DIMENSIONS AND GEOMETRIC DESCRIPTION SEE SITE PLAN.
7.-ALL MUCK,PEAT,OR SAND CLAY WITH HIGH PERCENTAGE OF ORGANIC MATERIAL SHALL BE REMOVED TO NATURAL LIMEROCK WITHIN THE PROPOSED PAVEMENT AREA. FOR DETAILED SPECIFICATIONS SEE METROPOLITAN DADE COUNTY PUBLIC WORKS DETAIL SECTION 30.
8.-CATCH BASINS SHALL BE CONSTRUCTED WITH GREASE AND OIL SEPARATOR (SEE DETAIL),OR AS APPROVED BY METROPOLITAN DADE COUNTY DEPATMENT OF ENVIROMENTAL RESOURCES MANAGEMENT.
9.-PAVEMENT SHALL CONSIST OF:
A. ASPHALTIC CONCRETE SURFACE COURSE 1" THICK.
B. LIMEROCK BASE COURSE 6" THICK PRIME ENTIRE WIDTH.
C. STABILIZED SUBGRADE 12" THICK.
10.-EXFILTRATION TRENCHES SHOULD BE BUILT AS PER STANDARD DETAIL SD. 1.1 WITH 15" PERFORATED ALUMINUM PIPE, INVERT ELEVATION OF PIPE SHALL BE AT 4.5 N.G.V.D. (OCTOBER WATER TABLE ELEVATION).

CIVILS LEGEND

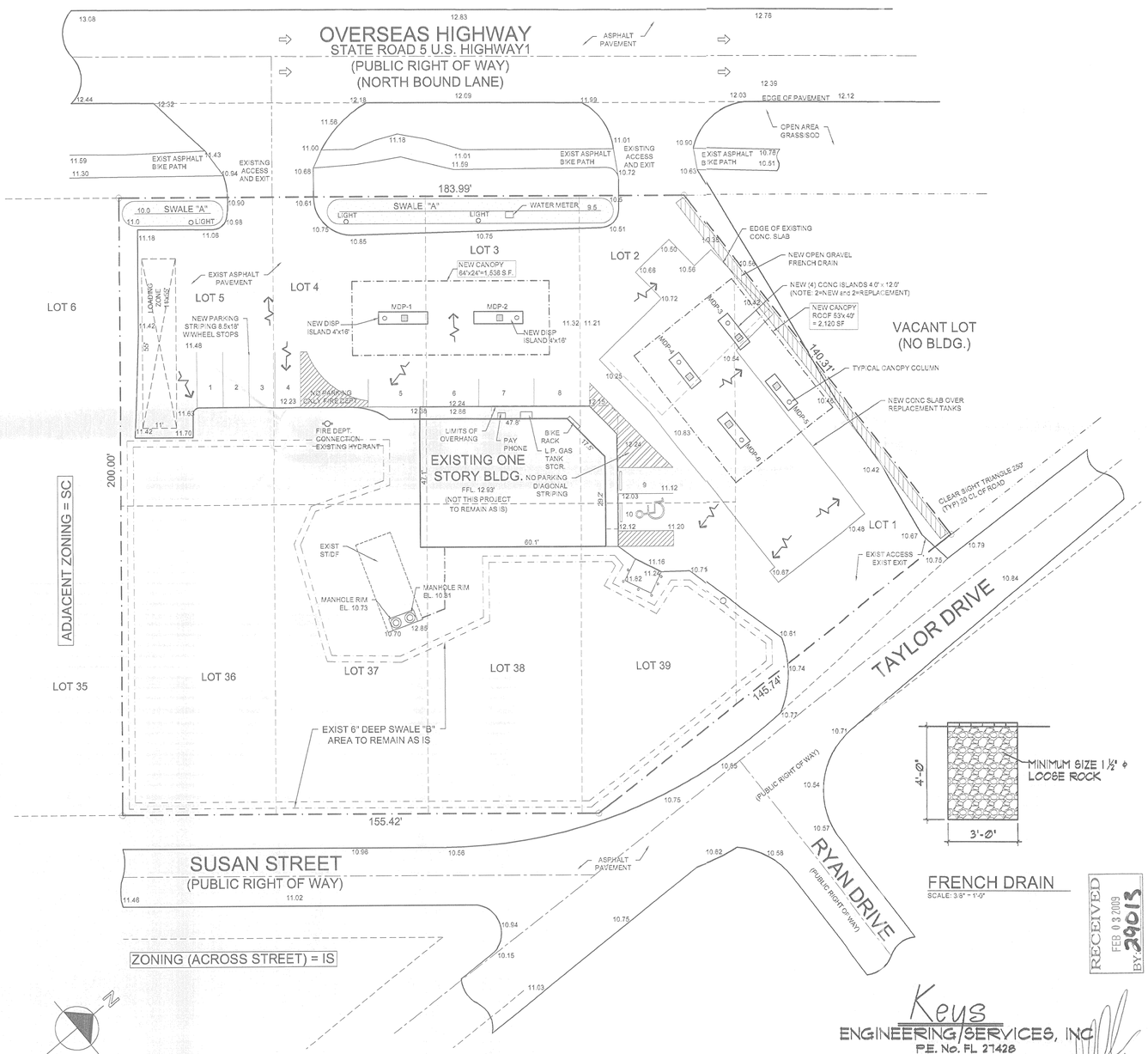
- EXISTING CATCH BASIN
- NEW CATCH BASIN
- 7.7 EXISTING GRADE/PAVING ELEVATION
- (7.7) PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX

SWALE CALCULATIONS - STORM WATER CONTAINMENT:

SITE AREA	= 44,166 SF
IMPERVIOUS AREAS:	
- PAVING	= 19,872 SF
- BUILDING	= 2,824 SF
TOTAL IMPERVIOUS	= 22,696 SF
CALC: IMP X 1.5 / 12	= 2,837 CU FT REQUIRED
EXISTING SWALE CAPACITY PROVIDED	= 3,675 CU FT



SWALE "A" 9120 LF)
SCALE: 1" = 20'-0"



STORM WATER MANAGEMENT PLAN
SCALE: 1" = 20'-0"

FRENCH DRAIN
SCALE: 3/8" = 1'-0"

RECEIVED
FEB 03 2009
BY: 39013

Keys
ENGINEERING/SERVICES, INC
P.E. No. FL 27428
DARYLE L. OSBORN, P.E. (305) 852-0262
86801 OVERSEAS HIGHWAY
IslAMORADA, FLORIDA 33036
1/21/09

REVISIONS		
MARK	DESCRIPTION	DATE

PROJECT OWNER

TOM THUMB STORE 226
NEW MDP'S and CANOPY

JOB NUMBER
104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.

CONTACT INFO
LAND CO LLC, 97 W OKELCHOBEE RD, HIALEAH, FL 33030

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(305)247-6158
REASSOCIATES@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

DRAWING TITLE
STORM WATER MANAGEMENT

BUILDING		SHEET	PROJECT MANAGER
---		---	JRB / SM
DATE	PROJECT NUMBER	SCALE	DRAWN BY
JAN 2008	2008-0506	AS SHOWN	A.W.
DRAWN BY	CHECKED BY	CHECKED	ART DIRECTOR
JOHN / ROBERT BARNES		SAM MURRAY	ANA SALAZAR
DRAWING FILE		PLOT DATE	PLOT TIME
SW-1.DWG		1/20/09 [3:06PM]	
SHEET FILE NAME		PLOT SCALE	
S:\FILES WITH NUMBER\TOM THUMB STORE 226 - 2008-0506			
PLOTTED BY		PLOT DATE	PLOT TIME
ANA SALAZAR		January 22, 2009	10:27 AM

DRAWING NUMBER
SW-1

Required Parking Lot Landscaping

Class A

Calculations;
10 spaces required on site/10 provided.
10/24= .417

Planting Area

Required: 1500 x .417= 625 s.f.
Provided: +800 s.f.

Canopy Trees

Required: 5 x .417 = 2 - 12' tall Canopy Trees
Provided: 2- 12' tall Canopy Trees will be planted from the following species list
(other species may be accepted if approved by Co. biologist)
2 Conocarpus erectus/Green Buttonwood

Understory Trees

Required: 1 x .417 = 1
Provided: 1- 5-6' tall, 10 gallon container Understory Trees
will be planted from the following species list
(other species may be accepted if approved by Co. biologist):
1 Coccoloba diversifolia/Pigeon Plum

Shrubs

Required: 12 x .417 = 5
Provided: 5- 30-36", 3 gallon container Shrubs from the following species list:
(smaller plants and or other species may be accepted if approved by Co. biologist)
5 Hamelia patens/Firebush

10 Total Plants required x 30%= 3 Palms or exotics allowed/0 palms or exotics provided

Required landscape Data:

Subject property zoning= SC
Adjacent property to NE/SW zoning=SC
No Bufferyards required.
Notes:
Plants will be installed in a random, natural arrangement, with 3" of mulch in the full parking lot landscape area, according to Sec. 9.5-364 & sized in accordance with 9.5-367.
Existing native plants meeting the required heights within the Parking lot landscape and Bufferyard areas will be counted as part of this Parking lot landscape/Buffer, per Sec. 9.5-380, reducing the stated quantities accordingly.
Landscape Architect reserves the right to change the plant list based on availability or other design criteria as long as it fulfills the intent of the code, ie. Canopy tree, understory tree, shrub and the native requirements.
Any existing tree 4" or greater in diameter at breast height (4" dbh) or listed with special status ie. threatened or endangered trees, that can not remain in there present location will be transplanted Per Sec. 9.5-344 or replaced at a ratio of 2 for 1 onsite or mitigated via payment to the County ELM restoration fund in the amount sufficient to replace each removed plant or tree on a 2-1 basis
No clearing of existing vegetation is proposed at this time.
Xeriscape landscaping methodologies along with a significant amount of native plant materials will be used throughout the property for the remaining areas of landscaping.

184 l.f. Major Street Buffer
Class C, 10' wide

Canopy Trees
Required: 5 x 1.84 =9
Provided: 9 - 12' tall Canopy Trees from the following list
(or other species may be accepted if approved by Co. Biologist)
4 Swietenia mahogani/Mahogany Tree
5 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 2 x 1.84 = 4
Provided: 4 - 5-6' tall, 10 gallon container Understory Trees
will be planted from the following species list
(other species may be accepted if approved by Co. biologist):
4 Eugenia foetida/Spanish Stopper

Shrubs
Required: 20 x 1.84 = 37
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list:
(smaller plants and or other species may be accepted if approved by Co. biologist)
10 Thrinax radiata/Florida Thatch Palm
15 Suriana maritima/Bay Ceda
12 Capparis cynophallophora/Jamaica Caper

50 Total Plants required x 30%= 15 Palms or exotics allowed/15 provided.

145.74 l.f. Major Street Buffer
Class B, 5' wide

Canopy Trees
Required: 3 x 1.45 =4
Provided: 4 - 12' tall Canopy Trees from the following list
(or other species may be accepted if approved by Co. Biologist)
2 Swietenia mahogani/Mahogany Tree
2 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 1 x 1.45 = 2
Provided: 2 - 5-6' tall, 10 gallon container Understory Trees
will be planted from the following species list
(other species may be accepted if approved by Co. biologist):
2 Eugenia foetida/Spanish Stopper

Shrubs
Required: 10 x 1.45 = 15
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list
(smaller plants and or other species may be accepted if approved by Co. biologist)
5 Thrinax radiata/Florida Thatch Palm
10 Suriana maritima/Bay Cedar

21 Total Plants required x 30%= 6 Palms or exotics allowed/5 provided.

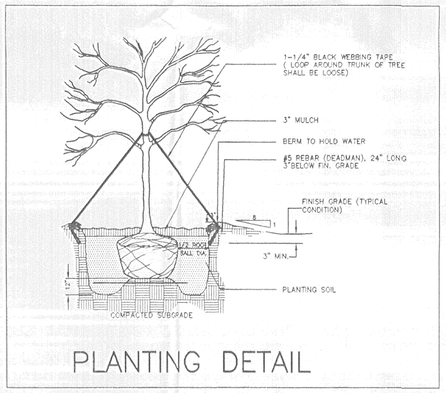
155.42 l.f. IS/SC Buffer
Class D, 20' wide

Canopy Trees
Required: 6.6 x 1.55 =10
Provided: 4 - 12' tall Canopy Trees from the following list
(or other species may be accepted if approved by Co. Biologist)
4 Swietenia mahogani/Mahogany Tree
6 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 3.3 x 1.55 = 5
Provided: 5 - 5-6' tall, 10 gallon container Understory Trees
will be planted from the following species list
(other species may be accepted if approved by Co. biologist):
5 Eugenia foetida/Spanish Stopper

Shrubs
Required: 28 x 1.55 = 44
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list:
(smaller plants and or other species may be accepted if approved by Co. biologist)
10 Thrinax radiata/Florida Thatch Palm
34 Suriana maritima/Bay Cedar

59 Total Plants required x 30%= 18 Palms or exotics allowed/10 provided.



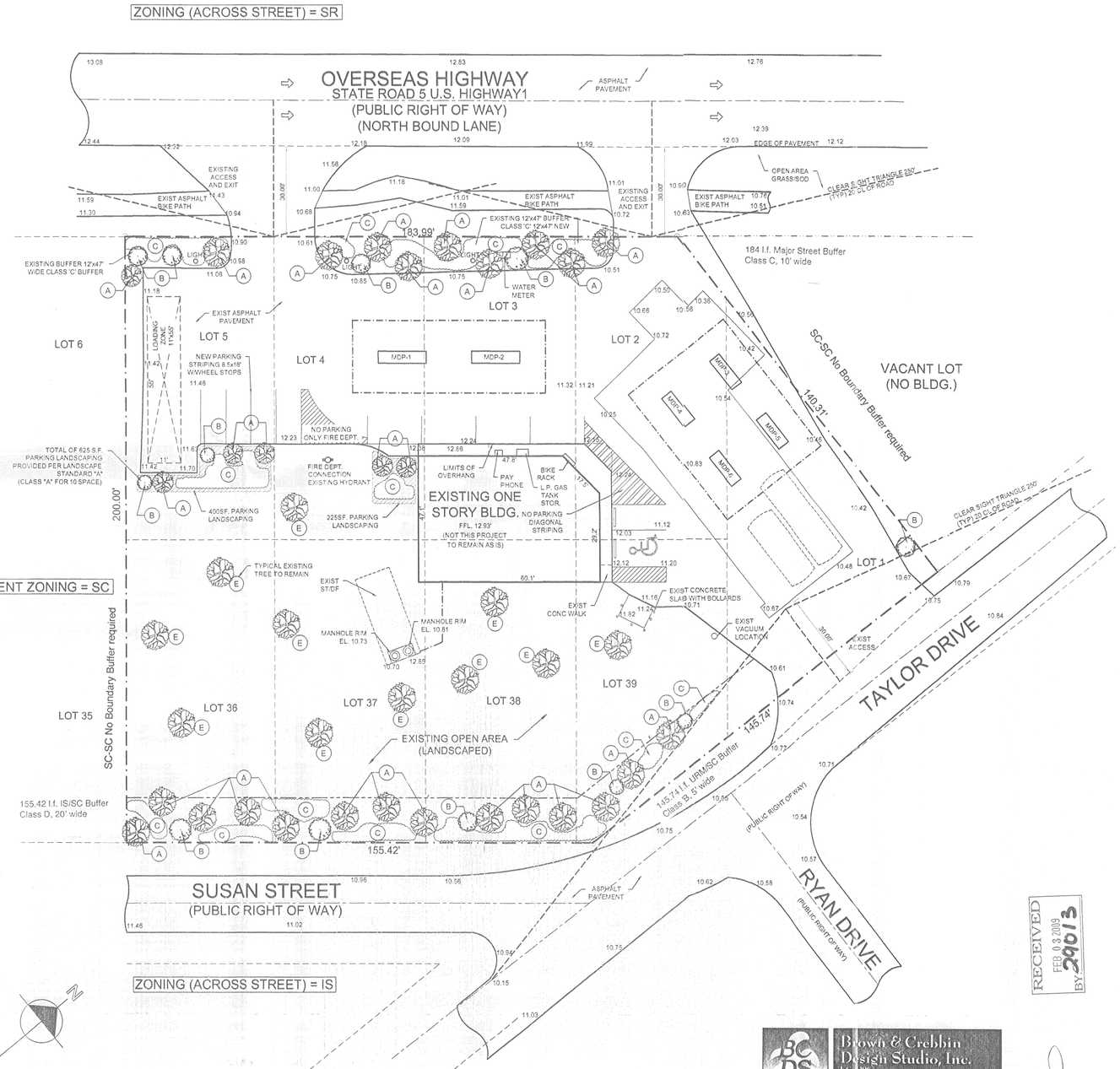
PLANTING DETAIL

Landscape Legend

A — CANOPY TREE

B — UNDERSTORY TREE

C — SHRUBS



LANDSCAPE SITE PLAN
SCALE: 1" = 20'-0"

RECEIVED
FEB 03 2009
BY 29013

Brown & Crebbin Design Studio, Inc.
I.C. 3067
126 Gulfstream Drive, Plantation Key, Florida 33070
305.852.5502
Garden Design & Landscape Architecture

PARCEL: 00508260-000000-12-61-39
ALT KEY: 1627593

REVISIONS			
MARK	DESCRIPTION	DATE	
	PER CHP.	1/5/09	

TOM THUMB STORE 226
NEW MDP'S and CANOPY

104701 OVERSEAS HIGHWAY KEY LARGO, MONROE COUNTY, FL.

LAND CO LLC, 97 W OKEECHOBEE RD, HIALEAH, FL. 33030

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AR0010526

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(305)247-4150
(305)853-0008
(800)556-0127 (ANSWERING SERVICE)
ROBERTBARNESASSOCIATES.COM

LANDSCAPE SITE PLAN

BUILDING	UNIT	PROJECT MANAGER	JRBS / SAM
DATE ISSUED	PROJECT NUMBER	SCALE	DRAWN BY
JAN 2008	2008-056	AS SHOWN	SAM MURRAY
PROJECT ARCHITECT		SCALE	CAD MANAGER
JOHN ROBERT BARNES		SAM MURRAY	SAM MURRAY
DRAWING TITLE			DATE / TIME
L1 2008-056 - LANDSCAPE PLAN.DWG			5/28/08 12:28PM
SUBDIVISION			PLOT DATE
104701 THUMB STORES - 2008-056\TOM THUMB STORE 226 - 2008-056			January 12, 2009
PLOTTED BY			PLOT TIME
SAM MURRAY			4:39 PM

DRAWING NUMBER
L-1

S:\Tom Thumb Stores - 2008-056\Tom Thumb Store 226 - 2008-056\L-1 2008-056 - Landscape Plan.dwg, 1/12/2009 4:39:47 PM, RobePlotter

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: The Development Review Committee &
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, Principal Planner

Date: April 6, 2009

Subject: *Request for an Amendment to a Major Conditional Use Permit for Tom Thumb Food Store, located at 104701 Overseas Highway, Key Largo, mile marker 104.7, Real Estate No. 00508260.000000*

Meeting: April 7, 2009

I REQUEST:

The applicant is requesting approval of an amendment to a major conditional use permit in order to redevelop the existing gas station and convenience store by relocating the two (2) existing fuel pumps with two (2) dispensers per pump, constructing four (4) new fuel pumps with two (2) dispensers per pump, demolishing the existing canopy, constructing two (2) new canopies and carrying out associated improvements.

Subject Property (outlined in blue) (2006)

Reviewed by

Location:

Address: 104701 Overseas Highway (US 1), Key Largo, Mile Marker 104.7 (oceanside)
Legal Description: Block 1, Lots 1-5 and 36-39 of Largo City subdivision (PB4-142)
Real Estate (RE) Number: 00508260.000000

Applicant:

Owner: Landco LLC

Agents: Douglas Landsea & Nicolas Mulick

II RELEVANT PRIOR COUNTY ACTIONS:

In 1989, the Building Department issued Building Permit 893-0846, permitting the construction of the existing 2,496 ft² convenience store building and the installation of fuel tanks. This building permit established the existing use on the parcel. In 1999, the Building Department issued Building Permit 993-0986, permitting the installation of the two existing fuel pumps and Building Permit 993-1215, permitting the construction of the existing 1,152 ft² canopy.

In a letter of understanding dated August 5, 2008, the Department of Planning & Environmental Resources recognized 2,496 ft² of non-residential floor area and 1,152 ft² of 'canopy' non-residential floor area as lawfully-established.

III BACKGROUND INFORMATION:

A. Size of Site: 44, 166 ft² (1.01 acres)
B. Land Use District: Suburban Commercial (SC)
C. Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)
D. Tier Designation: Tier 1
E. Flood Zone: X
F. Existing Use: High-Intensity Commercial Retail
G. Existing Vegetation / Habitat: Scarified, except for an area of vegetation in the southern portion of the site
H. Community Character of Immediate Vicinity: Mixed Use – commercial, residential and institutional

IV REVIEW OF APPLICATION:

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

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

The proposed redevelopment is consistent with the purposes, goals, objectives and standards of the MC future land use category and the SC District.

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

> Policy 101.4.5: The principal purpose of the MC land use category is to provide for the establishment of commercial zoning districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. This land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and non-residential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited. In order to protect environmentally sensitive lands, the following development controls shall apply to all hammocks, pinelands, and disturbed wetlands within this land use category: 1) only low intensity commercial uses shall be allowed; 2) a maximum floor area ratio of 0.10 shall apply; and 3) maximum net residential density shall be zero.

Goals from the Key Largo Community Master Plan that directly pertain to the proposed redevelopment include:

> Goal 1: Direct future growth to lands that are most suitable for development and encourage preservation of environmentally sensitive lands.
>
> Goal 6: Encourage redevelopment and infill development that supports and enhances the tourist-based economy of the planning area.

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

A gas station and convenience store have existed on the property since 1989. This type of use serves the needs of the immediate planning area in which it is located. Therefore, the proposed redevelopment would be consistent with the community character of the immediate vicinity.

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

The existing convenience store building shall remain in its current configuration. The existing canopy shall be removed and replaced with two (2) new canopies. Staff shall recommend that the applicant utilize architectural features that provide as much visual interest as possible and a condition that similar and consistent design, materials and colors be utilized for all new structures, including signage, in order to make the redevelopment more attractive and cohesive. In addition, as part of the redevelopment, it shall be required that additional trees and landscaping elements be introduced to the site.

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

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

A gas station and convenience store have existed on the property since 1989. Therefore, it is not anticipated that the proposed redevelopment will have an adverse impact on the value of the surrounding properties.

E. *The adequacy of public facilities and services:*

1. Roads:

   Localized Impacts & Access Management: Access to and from the development shall be approved by the county's traffic consultant and the Florida Department of Transportation (FDOT) (See section I-22).

   Level of Service (LOS): A traffic evaluation study shall be approved by the county's traffic consultant (See section I-22).

2. Stormwater: The applicant shall coordinate with the Public Works Division, and, if necessary, the South Florida Water Management District (SFWMD) to determine compliance with all applicable regulations (See section I-9).

3. Sewer: The applicant shall coordinate with the Florida Department of Health, Florida Department of Environmental Protection and/or Key Largo Wastewater Treatment District to determine compliance with all applicable regulations (See section I-10).

4. Emergency Management: The applicant shall coordinate with the Office of the Fire Marshal to determine compliance with the Florida Fire Prevention Code, the Florida Building Code, the National Fire Protection Code (NFPA 1) and the Life Safety Code (NFPA 101). As of the date of this report, the office has not provided a letter of coordination.

F. *The applicant has the financial and technical capacity to complete the development as proposed:*

Staff has no evidence to support or disprove the applicant's financial and technical capacity.

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

The proposed redevelopment will not adversely affect a known archaeological, historical or cultural resource.

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

The property is land-locked. Therefore, the proposed redevelopment will not have an adverse impact on public access to a waterfront area.

I. *The project complies with all additional standards imposed on it by the Land Development Regulations:*

1. Residential Rate of Growth Ordinance (ROGO) (§138-19 – §138-28): *In compliance.*

   There are no existing or proposed residential dwelling units.

2. **Non-Residential Rate of Growth Ordinance (NROGO) (§138-47 – §138-56): *In compliance following receipt of NROGO permit allocations.***

   The NROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established non-residential floor area which does not increase the amount of non-residential floor area.

   On the site, 2,496 ft² of non-residential floor area and 1,152 ft² of 'canopy' non-residential floor area were lawfully-established.

   The proposal involves the demolition of 1,152 ft² of non-residential floor area located underneath the existing canopy and the maintaining/construction of a total of 6,152 ft² of non-residential floor area: 2,496 ft² within the existing convenience store building, 1,536 ft² to be located underneath a new canopy (64 ft x 24 ft footprint) and 2,120 ft² to be located underneath a new canopy (53 ft x 40 ft footprint).

   The existing canopy has an area of 1,152 ft². In accordance with §138-49(e), the enclosure of a canopy in existence before September 19, 2001 requires a NROGO permit allocation. The existing canopy was constructed in 1999. Therefore, its area can only be used to meet the NROGO requirements for a new canopy.

   The redevelopment requires an allocation of 2,504 ft² of non-residential floor area through the NROGO permit allocation system.

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

   The purpose is to establish areas for commercial uses designed and intended primarily to serve the needs of the immediate planning area in which they are located.

4. **Permitted Uses (§130-93): *In compliance following the receipt of required major conditional use permit.***

Reviewed by

The gas station and convenience store are commercial retail uses. A traffic study by Crossroads Engineering indicates that the redevelopment would generate 2,480 daily trips (with 1,389 less pass-by trips, which results in 1,091 daily gross primary trips). According to that finding, the redevelopment would generate 403 daily trips per 1,000 ft² of non-residential floor area. Commercial retail uses that generate more than 100 average daily trips per 1,000 ft² of floor area are high-intensity.

In the SC District, high-intensity commercial retail uses of greater than 2,500 ft² of floor area may be permitted with major conditional use permit approval, provided that there is access to US 1 by way of a) an existing curb cut; b) a signalized intersection; or c) a curb cut that is separated from any other curb cut on the same side of US 1 by at least 400 feet.

5. Residential Density and Maximum Floor Area Ratio (§130-157, §130-162 & §130-164): *In compliance.*

Land Use Intensity:

Land Use	Floor Area Ratio	Size of Site	Maximum Allowed	Proposed Amount	Potential Used
Commercial Retail (high-intensity)	0.15 FAR	44,166 ft²	6,624 ft²	2,496 ft² *	37.7 %

* Floor area ratio is total floor area of the building(s) divided by the gross area

6. Required Open Space (§118-9, §118-12, §130-157, §130-162 & §130-164): *In compliance.*

There is a required open space ratio of 0.20. Therefore, at least 8,834 ft² of the 44,166 ft² of the total land area must remain open space. The site plan indicates that there would be 22,695 ft² of open space area.

7. **Minimum Yards (§118-12 & §130-186): *In compliance to the greatest extent practical.***

The required non-shoreline setbacks are as follows: Front yard – 25 feet; Rear yard – 10 feet; and Side yard – 10/15 feet (where 10 feet is required for one side and 15 feet is the minimum combined total of both sides).

The property is five-sided in shape and a triple-frontage lot. The site has a front yard requirement of 25 feet along the right-of-way of US 1 to the northwest, a side yard requirement of 10 feet along the property line to the southwest, a front yard requirement of 25 feet along the right-of-way of Susan Street to the southeast, a front yard requirement of 25 feet along the right-of-way of Taylor Drive to the east, and a side yard requirement of 5 feet along the property line to the north.

As shown on the site plan, the existing building and proposed canopies would be in compliance with the setback requirements.

Existing asphalt paving (other than that for the permissible ingress/egress drives) is located in the required front yard setback along US 1 and existing asphalt paving is located in the required side yard setback to the north. Staff has found that the new site plan would bring the site into compliance to the greatest extent practical regarding nonconforming paving areas.

8. Maximum Height (§130-187): *Compliance to be determined upon submittal to Building Department.*

9. Surface Water Management Criteria (§114-3): *Compliance to be determined by the Public Works Division and/or SFWMD prior to issuance of a building permit.*

   A stormwater management plan was provided. No letter of coordination relating to surface water management has been provided.

10. Wastewater Treatment Criteria (§114-5): *Compliance to be determined by Florida Department of Health, Florida Department of Environmental Protection and/or Key Largo Wastewater Treatment District prior to the issuance of a building permit.*

    No letter of coordination relating to wastewater treatment has been provided.

11. Fencing (§114-20): *Compliance to be determined upon submittal to Building Department.*

    No fencing is proposed as part of the conditional use permit application.

12. Floodplain Management (§122-1 – §122-6): *Compliance to be determined upon submittal to Building Department.*

    The site is designated within an X flood zone on the Federal Emergency Management Agency (FEMA)'s flood insurance rate maps. All new structures must be built to floodplain management standards that meet or exceed those for flood protection.

13. Energy Conservation Standards (§114-45): *In compliance.*

    The redevelopment includes the provision of a bicycle rack, reduced coverage by asphalt, installation of native plants, which will reduce the requirements for water and maintenance; the installation of several shade trees, which will provide shade for plaza and parking areas; and the provision of structural shading.

14. Potable Water Conservation Standards (§114-46): *Compliance to be determined upon submittal to Building Department.*

15. **Environmental Design Criteria and Mitigation Standards (§118-6, §118-7 & §118-8): *Compliance to be determined by Biologist prior to Planning Commission staff report deadline.***

16. Required Parking (§9.5-114-67): *In compliance.*

Required Off-Street Parking:

Specific Use	Multiplier	Proposed	Required Spaces
Convenience Stores	4 spaces / 1,000 ft²	2,496 ft²	10 spaces

According to the site plan, 10 off-street parking spaces would be provided. This would be in compliance with the 10 required. One (1) of the off-street parking spaces provided would be handicap-accessible. Please note that staff did not include the area of the canopies in the off-street parking requirement calculations. In addition to above requirements, one (1) space is located at each of the fuel dispensers.

17. Required Loading and Unloading Spaces (§114-69): *In compliance.*

According to the site plan, one (1) loading/unloading space would be provided. This would be in compliance with the one (1) required.

18. **Required Landscaping (§114-99 – §114-105):** ***Compliance to be determined by Biologist prior to Planning Commission staff report deadline.***

Since the parking area is to contain six or more spaces and is within a SC District, a class "A" landscaping standard is required.

19. **Required Buffer-yards (§114-124 – §114-130):** ***Compliance to be determined by Biologist prior to Planning Commission staff report deadline.***

No structure or land which abuts US 1 shall be developed, used or occupied unless a scenic corridor or bufferyard is provided. In the SC District, the required major street bufferyard is a class "C" bufferyard. The minimum class "C" bufferyard is 10 feet in width. Widths of 15, 20 and 25 feet are also optional with reduced planting requirements.

In addition, land use district bufferyards are required. To the east of the property is an Urban Residential Mobile Home (URM) District and to the southeast is an Improved Subdivision (IS) District. Along the SC/URM boundary line, a class "B" district boundary bufferyard is required and along the SC/IS boundary line, a class "D" district boundary bufferyard is required. A class "B" district boundary bufferyard has a minimum width of 5 feet. Widths of 10, 15 and 20 feet are allowed with reduced planting requirements. A class "D" district boundary bufferyard has a minimum width of 20 feet. Widths of 25, 30 and 35 feet are allowed with reduced planting requirements.

20. Outdoor Lighting (§114-159 – §114-163): *Compliance to be determined upon submittal to Building Department.*

21. Signs (§142-1 – §142-7): *Compliance to be determined upon submittal to Building Department.*

22. **Access Standards (§114-195 – §114-201): *Compliance to be determined.***

There are three (3) existing access drives to the site, two from US 1 and one from Taylor Drive. According to the site plan, the access would not be reconfigured.

The access drives from US 1 appear to be nonconforming in that their separation is less than the minimum standard of at least 400 feet. In accordance with MCC §114-199, no use fronting on US 1 shall receive a permit for a change of use, expansion or reconstruction unless it is brought into conformance by provision of combined drives or parallel access. Therefore, unless a letter is submitted from the Florida Department of Transportation approving the existing access, as part of a conditional use permit application, Staff may request that the site's direct access to and from US 1 be modified to be in compliance with the current regulations.

A traffic study by Crossroads Engineering indicates that the redevelopment would generate 2,480 daily trips with 1,389 less pass-by trips. Thus, the redevelopment would result in 1,091 daily gross primary trips. The county's traffic consultant, Raj Shanmugam of URS Corporation, found that reserve capacities along US 1, particularly on Segment 23, are shown to be adequate. However, the consultant reviewed the report and requested that it be corrected in that "net new trips rather than gross project trips are incorrectly used in the analysis".

Site triangles are shown on the site plan; however vehicle maneuverability is not clearly indicated.

23. **Chapter 533, Florida Statues: *Full compliance to be determined upon submittal to Building Department.***

Other Issues:

1. Staff is concerned about the increased intensity to the site that would result from the addition of four (4) new fuel pumps-with two (2) dispensers per pump. In total, there would be six (6) fuel pumps with twelve (12) dispensers or fueling stations. Currently, there are only two (2) fuel pumps-with two (2) dispensers per pump-for a total of (4) dispensers or fueling stations.

   According to the traffic study, there would be 2,480 daily trips into the site, an increase of 699 daily trips from the existing 1,781 daily trips. Although 56% of these trips would be "pass-by" trips, the redevelopment would triple the capacity of the fueling stations and consequently bring a significant amount of new traffic in and out of the site. Staff is also concerned as to how vehicles will maneuver within the site as a vehicle maneuverability plan was not provided.

Staff is not adverse to an increase in the number of fuel pumps; however due to the site's proximity to a school and the property's designation as Tier 1, staff shall recommend that the redevelopment is scaled back so that it results in less impact.

2. The redevelopment requires an allocation of 2,504 ft^2 of non-residential floor area through the NROGO permit allocation system. The amount of non-residential floor area to be allocated is limited to a maximum of 2,500 ft^2 for any one site per allocation date (therefore the proposal would be required to remain in the system for least two (2) allocation dates; unless the applicant utilizes the property's right to a one-time de minimis expansion of 100 ft^2 in accordance with MCC §138-50 in addition to a single allocation of 2,500 ft^2). The annual allocation may be distributed between the two (2) allocation dates, which are generally in or around January and July of each year.

   In order to avoid a potential delay in the construction of new fuel pumps due to NROGO allocation dates and potential competition for the limited non-residential floor area that is available in the county's annual allocation, the applicant may phase the project in order to install the fuel tanks prior to the canopies, as the canopies are subject to the NROGO not the unenclosed and uncovered areas for the fuel pumps alone. In order to do so, as part of this conditional use permit application, the applicant must provide a detailed phasing plan that would provide a timeframe for how development would occur. The phasing plan may be approved by the planning commission.

V RECOMMENDED ACTION:

Staff recommends **APPROVAL** to the Planning Commission if all the following conditions are met:

A. Prior to a public hearing by the Planning Commission, the applicant shall submit a revised site plan reducing the total number of proposed fuel pumps to a total determined by the Planning & Environmental Resources Director, to be established and provided at the Development Review Committee meeting.

B. Prior to a public hearing by the Planning Commission, the applicant shall submit a revised traffic study that satisfies the county's traffic consultant, Raj Shanmugam of URS Corporation, request that it be corrected as detailed in his letter to the Monroe County Planning & Environmental Resources Department, dated March 23, 2009.

C. Prior to a public hearing by the Planning Commission, a revised site plan or an additional plan shall be submitted detailing vehicle maneuverability within the site.

D. Prior to a public hearing by the Planning Commission, the applicant shall submit a letter of coordination from the Florida Department of Transportation stating their approval of the access.

E. Prior to the issuance of a building permit, the applicant shall receive all required permits and approvals from the United States Army Corps of Engineers, Florida Department of Environmental Protection, South Florida Water Management District, Florida Department of Health and the Florida Department of Transportation.

F. Prior to the issuance of a building permit, the proposed site plan and new structures shall be found in compliance by the Monroe County Building Department, the Monroe County Floodplain Administrator, the Monroe County Public Works Division and the Monroe County Office of the Fire Marshal.

G. Prior to the issuance of a building permit for their completion, allocation(s) for the canopies shall be acquired through the NROGO permit allocation system.

H. Similar and consistent design, materials and colors shall be utilized for all new structures, including signage, in order to make the development more attractive and cohesive.

VI <u>PLANS REVIEWED:</u>

A. Site Plan (A-1) by Robert Barnes & Associates, dated January 14, 2009
B. Landscape Site Plan (L-1) by Robert Barnes & Associates/Brown & Crebbin Design Studio Inc., dated January 12, 2009 and revised January 15, 2009
C. Stormwater Management Plan (SW-1) by Robert Barnes & Associates/Keys Engineering Services, Inc., dated January 22, 2009
D. Boundary Survey by Fortin , Leavy, Skiles, Inc., dated September 27, 2007
E. Traffic Study by Crossroads Engineering, dated June 2008

Reviewed by

File #: **29014**

Owner's Name: Landco LLC

Applicant: **Landco,LLC dbaTomThumb**

Agent: Douglas Landsea

Type of Application: Amendment to a Major Cond. Use

Key: KL, MM 98

RE #: 00090630-000000

County of Monroe
Growth Management Division

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

We strive to be caring, professional and fair

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

Date: 1/29/09

Time: 1:55

Dear Applicant:

This is to acknowledge submittal of your application for M. Cond USE
Type of application

Land CO/Tom Thumb 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.

Julie Thomson
Planning Staff

RECEIVED
FEB 3 2009
MONROE CO. PLANNING DEPT.

Additional Information added to File 29014

Gay Marie Smith

P.O. Box 1638 Phone 305-451-2675
Tavernier, FL 33070 Fax: 305-451-2675
Cell: 305-394-8004
Email: gaymarie21@yahoo.com

August 6, 2010

Monroe County Planning Department
2798 Overseas Highway
Marathon, FL 33050

Re: Landco LLC
97950 Overseas Highway
Key Largo, FL 33037

Dear Joe:

In regards to the above referenced property, an application for an Amendment for Minor Conditional Use has been submitted. The project being proposed will increase to six fuel pumps resulting in twelve fuel dispensers.

The owner wishes to complete this improvement as there are structural concerns due to sub-grade rust and corrosion on the steel columns of the existing gas canopies due to their age. The new canopies which will be constructed will meet the new wind-load requirements of 150 MPH.

The canopy and parking lot area lighting will be improved to address security concerns. The gasoline pumps have been declining due to new upgrade regulations. The new fueling points with generators will assist with storm evacuation. The additional fueling area will be provided for easy and safe fueling along with special consideration for vehicles towing boats and trailers. The additional fueling area will also provide safe unloading of the fuel delivery truck.

The owner will be completing landscaping improvements which will include additional area for native vegetation.

Thank you and please contact me for any additional information or questions.

Sincerely,

Gay Marie Smith
Agent

End of Additional File 29014

APPLICATION

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

Request for a Major Conditional Use Permit / Amendment to a Major Conditional Use Permit

Monroe County Code §§ 9.5-69 & 9.5-73

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

Major Conditional Use Permit Application Fee: $10,014.00

In addition to the application fee, the following fees also apply:
Advertising Costs: $245.00
Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed
Technology Fee: $20.00

Date of Submittal: _____/_____/_____
Month Day Year

Property Owner:
Landco, LLC
Name
97 WEST OKEECHOBEE ROAD
Mailing Address (Street, City, State, Zip Code)
Hialeah, FL 33010
305-885-5451
Daytime Phone
Jmccarthy@tomthumbfl.com
Email Address

Agent (if applicable):
Douglas Landsea
Name 8807 SW 153 Terrace
Miami, FL 33157
Mailing Address (Street, City, State, Zip Code)
305-298-1022
Daytime Phone
DLandsea@hotmail.com
Email Address

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

Block	Lot	Subdivision	Key
	LOT 7	Island of Key Largo (PB1-59)	Key Largo

00090630-000000
Real Estate (RE) Number

1103535
Alternate Key Number

97950 Overseas Hwy
Street Address (Street, City, State, Zip Code)

97.9
Approximate Mile Marker

APPLICATION

Land Use District Designation(s): SUB URBAN commercial (SC)
" " " "

Present Land Use of the Property: _____
" " " "

Proposed Land Use of the Property: _____

Total Land Area: 45,000 ☐ (1.03 acres)

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

1 Total number of non-residential buildings + 1 canopy

2,526 Total non-residential floor area in square feet + 1 canopy of 5940 ☐

If residential dwelling units are proposed, please provide:

0 Total number of residential buildings

0 Total number of permanent, market-rate units

0 Total number of permanent, affordable / employee housing units

0 Total number of transient units (hotel rooms, recreational vehicle / campground spaces)

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

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

- ☒ **Complete major conditional use permit application** (unaltered and unbound);
- ☒ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☒ **Proof of ownership (i.e. Warranty Deed);**
- ☒ **Current Property Record Card(s) from the Monroe County Property Appraiser**;
- ☒ **Location map**;
- ☒ **Photograph(s) of site from adjacent roadway(s);**
- ☒ **Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – sixteen (16) sets** (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- ☒ **Written description of project**;
- ☒ **Environmental Designation Survey** (prepared in accordance with Monroe County Code §9.5-69(a)(2);
- ☒ **Community Impact Statement** (prepared in accordance with Monroe County Code §9.5-69(a)(2);
- ☒ **Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– sixteen (16) sets** (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:

- ☒ Date, north point and graphic scale;
- ☒ Boundary lines of site, including all property lines and mean high-water lines;
- ☒ Land use district of site and any adjacent land use districts;
- ☒ Flood zones pursuant to the Flood Insurance Rate Map(s);
- ☒ Locations and dimensions of all existing and proposed structures and drives;
- ☒ Type of ground cover (i.e. concrete, asphalt, grass, rock);
- ☒ Adjacent roadways;
- ☒ Setbacks as required by the land development regulations;
- ☒ Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
- ☒ Calculations for open space ratios, floor area ratios, residential density and parking;
- ☒ Location and type of outdoor lighting;
- ☒ Extent and area of wetlands, open space areas and landscape areas;
- ☒ Location of solid waste storage;
- ☒ Location of sewage treatment facilities;
- ☒ Location of existing and proposed fire hydrants or fire wells;

☐ **Floor Plans for all proposed structures and for any existing structures to be redeveloped – sixteen (16) sets** (drawn at an appropriate standard architectural scale and including handicap accessibility features); NA

☐ **Elevations for all proposed structures and for any existing structures to be modified – sixteen (16) sets** (with the elevations of the following features referenced to NGVD: existing grade; finished grade; finished floor elevations (lowest supporting beam for V-zone development); roofline; and highest point of the structure); NA

☒ **Landscape Plan by a Florida registered landscape architect – sixteen (16) sets** (may be shown on the site plan; however, if a separate plan, must drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the landscaping plan should include the following:

- ☒ Date, north point and graphic scale;
- ☒ Boundary lines of site, including all property lines and mean high-water lines;
- ☒ Locations and dimensions of all existing and proposed structures and drives;
- ☒ Open space preservation areas;
- ☒ Existing natural features;
- ☒ Size and type of buffer yards including the species, size and number of plants;
- ☒ Parking lot landscaping including the species, size and number of plants;
- ☒ Specimen trees, or threatened and endangered plants to be retained and those to be relocated or replaced;
- ☐ Transplantation plan (if required);

☒ **Conceptual Drainage Plan – sixteen (16) sets** (with drainage calculations; existing and proposed topography; all drainage structures; retention areas; drainage swales; and existing and proposed permeable and impermeable areas;

☒ **Traffic Study, prepared by a licensed traffic engineer**;

☒ **Construction Management Plan**, stating how impacts on near shore water and surrounding property will be managed (i.e. construction barriers, hay bales, flagging);

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

APPLICATION

☒ **Letters of Coordination are required from the following:**

- ☒ Florida Keys Aqueduct Authority (FKAA);
- ☒ Florida Keys Electric Cooperative (FKEC) or Keys Energy Services;
- ☒ Monroe County Office of the Fire Marshal;
- ☒ Monroe County Engineering Division;
- ☒ Monroe County Health Department;
- ☒ Monroe County Solid Waste Management;
- ☐ Florida Department of Health if wastewater flows are less than or equal to 5,000 gallons per day or Florida Department of Environmental Protection if wastewater flows exceed 5,000 gallons per day;

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

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

☐ **Vegetation Survey or Habitat Evaluation Index** (please contact Monroe County Environmental Resources prior to application submittal to determine if this documentation is necessary)

☐ **Construction Phasing Plan**

☐ **Additional Letters of Coordination** may be required for your project, please contact with the Planning & Environmental Resources Department to identify other agencies expected to review the project. Other agencies may include, but are not limited to:

- ☐ Key Largo Wastewater Treatment District (KLWTD)
- ☐ South Florida Water Management District (SFWMD)
- ☒ Florida Department of Transportation (FDOT)
- ☐ Florida Department of Environmental Protection (FDEP)
- ☐ Florida Department of State, Division of Historic Resources
- ☐ Florida Game and Freshwater Fish Commission (FGFFC)
- ☐ U.S. Army Corps of Engineers (ACOE)
- ☐ U.S. Fish and Wildlife Service (USFW)

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

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

Signature of Applicant: _____ **Date:** 1/27/09

JAMES McCARTHY III

Sworn before me this 27 day of JANUARY, 2009

SANDRA ISHAM
MY COMMISSION # DD 717664
EXPIRES: October 31, 2011
Bonded Thru Notary Public Underwriters

Sandra Isham
SANDRA ISHAM 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.

This Instrument Prepared by:

Gavin Williams, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

Doc# 1674242 12/12/2007 9:52AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

12/12/2007 9:52AM
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Doc# 1674242
Bk# 2335 Pg# 2431

AK #: 8532091
Store No. 223

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED, made as of this 22nd day of February, 2007, between TOM THUMB FOOD STORES, INC., a Florida corporation, whose principal address is 97 West Okeechobee Road, Hialeah, Florida 33010 (hereinafter called the "Grantor"), and LANDCO, LLC, a Florida limited liability company, whose address is 97 West Okeechobee Road, Hialeah, Florida 33010 (hereinafter called the "Grantee"),

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars ($10.00), and other good and valuable consideration to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situated, lying and being in Monroe County, Florida, to wit:

A Parcel of Land lying between the Southeasterly Right-of-Way line of the Southerly Bound Traffic lane and the Northwesterly Right-of-Way line of the Northerly Bound Traffic lane of the State Road No. 5, U.S. Highway No, 1, in Section 6, Township 62 South, Range 39 East in Key Largo, Monroe County, Florida, said Parcel being a portion of the Northeasterly 300 feet of Lot 7, of George L. MacDonald Plat, according to the Plat thereof, recorded in Plat Book 1, at Page 59 of the Public Records of Monroe County, Florida, said parcel being more particularly described as follows:.

Beginning at the intersection of the Northeasterly line of the said Lot 7 with said southeasterly Right-of-Way line; thence proceed Southeasterly along the said Northeasterly line of Lot 7 and along a line perpendicular to said Southeasterly Right-of-Way line, for 150 feet to the said Northwesterly Right-of-Way line; thence deflect 90 degrees right and proceed Southwesterly along the said Northwesterly Right-of-Way line for 300 feet; thence deflect 90 degrees and proceed Northwesterly for 150 feet to the said Southeasterly Right-of-Way line; thence deflect 90 degrees right and proceed Northeasterly along said Southeasterly Right-of-Way line for 300 feet to the Point of Beginning of the herein described Parcel of Land.

This conveyance is made subject to the following:

1. Taxes and assessments for the year 2007 and subsequent years.

2. Zoning and other governmental regulations.

3. Conditions, restrictions, limitations and easements of record, if any, none of which are intended to be reimposed by this conveyance.

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

AND the Grantor does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons whomsoever.

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

Signed, sealed, and delivered
in the presence of:

Name: Joseph D O'Connor
Print name: Joseph D. O'Connor

Name: Sandra Isham
Print name: Sandra Isham

TOM THUMB FOOD STORES, INC.
a Florida corporation

By: James A McCarthy Jr
Name: James A. McCarthy, Jr.
Title: President

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

ACKNOWLEDGED BEFORE ME, this 22nd day of February, 2007, by James A. McCarth, Jr., as President of Tom Thumb Food Stores, Inc., a Florida corporation, who executed the foregoing. He is personally known to me ~~or has produced~~ xxxxxxxxxxxxxxxxx ~~as identification~~ and did not take an oath.

Charlene F Mezyk
Notary Public
Name: Charlene F Mezyk

My Commission Expires

CHARLENE F. MEZYK
Notary Public - State of Florida
My Commission Expires Dec 3, 2008
Commission # DD 366107
Bonded By National Notary Assn.

#4229443_v1

MONROE COUNTY
OFFICIAL RECORDS

Monroe County Property Record Card (017)

Alternate Key: 1103535
Effective Date: 1/6/2009 10:45:20 AM

Roll Year 2009
Run: 01/06/2009 10:46 AM

LANDCO LLC

97 WEST OKEECHOBEE RD
HIALEAH FL 33010

Parcel 00090630-000000-05-62-39
Alt Key 1103535
Affordable Housing No
Inspect Date
Business Name THOM THUMB
Physical Addr 97950 OVERSEAS HWY, KEY LARGO
, KEY LARGO

Nbhd 10020
Mill Group 500K
PC 2600
Next Review

Associated Names

Name	DBA	Role
LANDCO LLC,		Owner

Legal Description

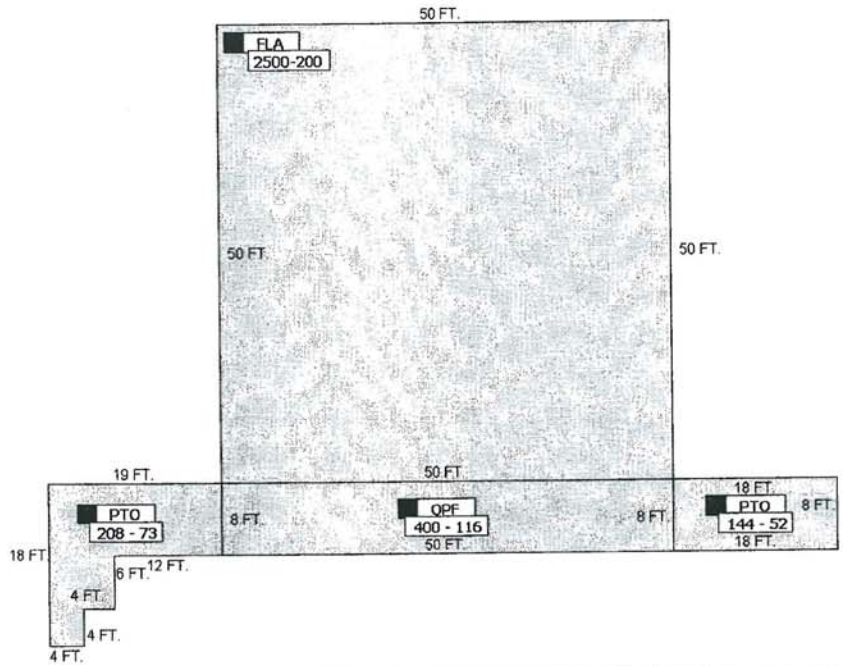
5/6-62-39 ISLAND OF KEY LARGO PB1-59 PT LOT 7 G61-175-176 OR852-442 OR852-437 OR959-515/516 OR2335-2431/32

Land Data 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
10884	2600	0	0	Yes	1.03	AC	0.00		1.00	1.00	1.00	0.80		N		

Total Just Value

Building Sketch 40788



Building Characteristics

Building Nbr	1	**Building Type**	0	**Perimeter**	200	**Functional Obs**	0.00
Effective Age	14	**Condition**	A	**Depreciation %**	0.15	**Economic Obs**	0.00
Grnd Floor Area	2500	**Quality Grade**	350	**Year Built**	1987		

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

Sections

Type	Number	Wall Height	# Stories	Year Built	% Finished	Area	Sketch ID	SOH %
PTO	0		1	1988		144	004	0.00
OPF	0		1	1988		400	003	0.00
PTO	0		1	1987		208	002	0.00
FLA	1	10	1	1987		2,500	000	0.00

Interior Finish

Sec Nbr	Int Nbr	Description	Area %	Sprinkler	A\C	Total RCN

Exterior Finish

Ext Nbr	Wall Type	Area %	Wall Rate	RCN

188039	11	1 STY STORE-B	100.00	N	Y	1970	C.B.S.	100.00	

Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
5	PT3:PATIO	1,325	SF	0.00			1986	1987	1	50		
4	RW2:RETAINING WALL	520	SF	0.00	130	4	1986	1987	2	50		
3	CF2:COMPACTED FILL	4,166	CY	0.00	0	0	1986	1987	2	99		
2	AP2:ASPHALT PAVING	12,534	SF	0.00	0	0	1986	1987	2	25		
1	CC2:COM CANOPY	720	SF	0.00	30	24	1986	1987	3	40		
										Total Depreciated Value		

Appraiser Notes

TOM THUMB

Value History

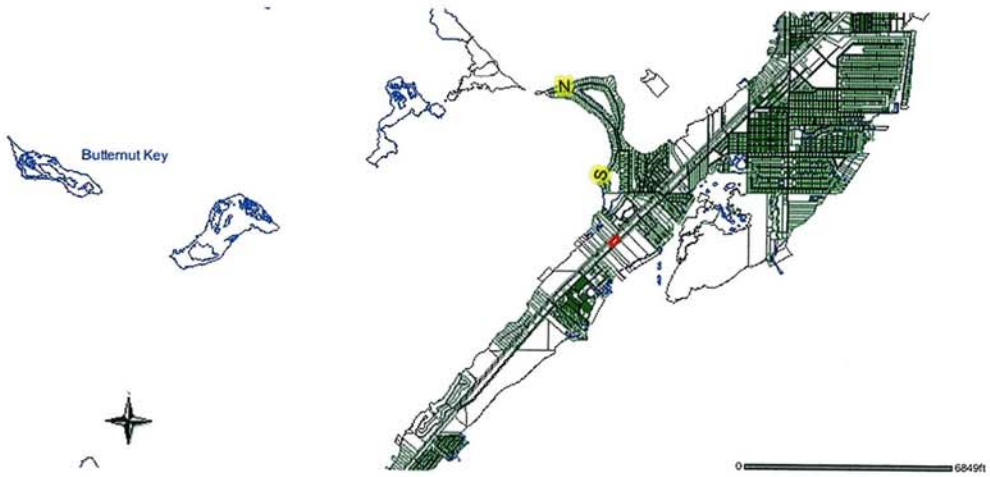
Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2008F	C	824,000	0	251,426	52,543	1,127,969	1,127,969	0	N	1,127,969
2007F	C	538,404	0	173,804	51,399	763,607	763,607	0	N	763,607
2006F	C	538,404	0	177,893	52,027	768,324	768,324	0	N	768,324
2005F	C	538,404	0	177,893	52,525	768,822	768,822	0	N	768,822
2004F	C	538,404		179,938	53,154	771,496	771,496	0	N	771,496
2003F	C	538,404		179,938	53,652	771,994	771,994	0		771,994
2002F	C	538,404		179,938	54,280	772,622	772,622	0		772,622
2001F	C	142,140		200,385	55,781	398,306	398,306	0		398,306
2000F	C	139,050		200,385	31,917	371,352	371,352	0		371,352
1999F	C	139,050		200,385	32,721	372,156	372,156	0		372,156
1998F	C	139,050		133,903	33,611	306,564	306,564	0		306,564
1997F	C	139,050		133,903	34,414	307,367	307,367	0		307,367
1996F	C	139,050		121,729	35,304	296,083	296,083	0		296,083
1995F	C	139,050		121,729	36,107	296,886	296,886	0		296,886
1994F	C	139,050		121,729	36,998	297,777	297,777	0		297,777
1993F	C	139,050		121,729	37,800	298,579	298,579	0		298,579
1992F	C	139,050		121,729	38,690	299,469	299,469	0		299,469
1991F	C	139,050		121,729	39,493	300,272	300,272	0		300,272
1990F	C	139,050		121,729	40,383	301,162	301,162	0		301,162
1989F	C	139,050		121,729	41,187	301,966	301,966	0		301,966
1988F	C	139,050		111,410	34,496	284,956	284,956	0		284,956
1987F	C	139,050		0	0	139,050	139,050	0		139,050
1986F	C	146,250		0	0	146,250	146,250	0		146,250
1985F	C	64,688		0	0	64,688	64,688	0		64,688
1984F	C	64,688		0	0	64,688	64,688	0		64,688
1983F	C	64,688		0	0	64,688	64,688	0		64,688
1982F	C	64,688		0	0	64,688	64,688	0		64,688

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
852	437	3/1/1982	Warranty Deed	0	Q	V	50,600
959	515	11/1/1985	Warranty Deed	0	Q	V	180,000

TOM THUMB CONVENIENCE STORE

RE# 00090630.000000 MILE MARKER 97.9



TOM THUMB CONVENIENCE STORE

RE# 00090630.000000 MILE MARKER 97.9

TOM THUMB CONVENIENCE STORE

RE# 00090630.000000 MILE MARKER 97.9

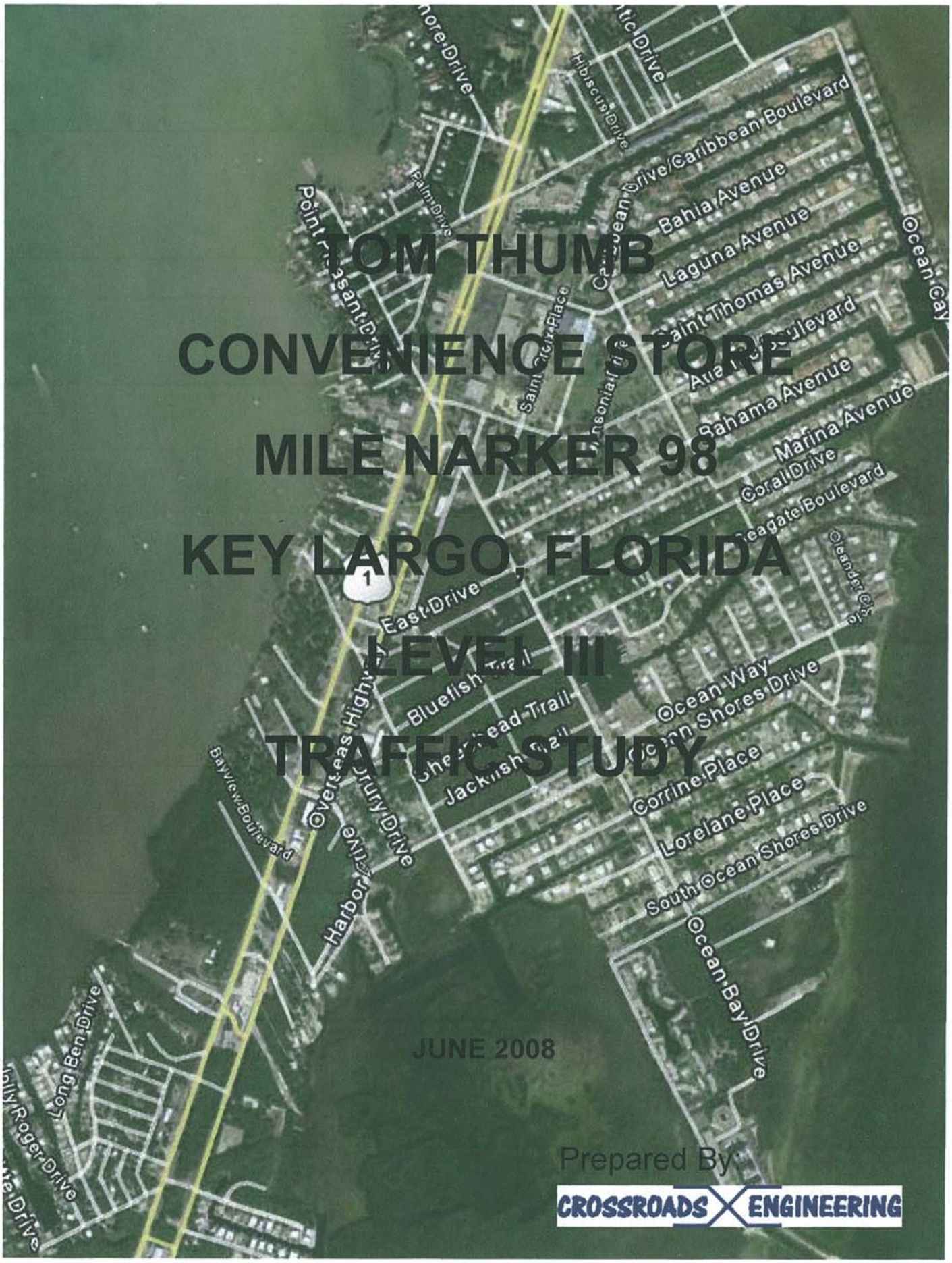
Project Description

This property is owned by LANDCO, LLC and operated under the name of Tom Thumb Food Stores, Inc. Located at 97950 Overseas Hwy., Key Largo, FL. The property consists of 45,000 sq. ft. (1.03 Acres) of total land area and has a zoning classification of Sub Urban Commercial (SC). Located on the property and currently operating is a 2,269 sq. ft. enclosed convenience store and a 720 sq. ft. canopy over two (2) fuel pumps.

The proposed expansion project will include the demolition of the canopy that covers the existing fuel pumps and the construction of one (1) new 5,940 sq. ft. canopy to cover the relocation of the existing fuel pumps and six (6) additional fuel pumps. The final expansion will have a total of eight (8) fuel pumps and a retro fit/ upgrade to the convenience store.

Expansion of the facility may be accomplished in two phases depending on the availability of NROGO square footage credits to build the canopy over the fueling pumps. It is anticipated that upon approval of the Major Conditional Use Permit and issuance of NROGO credits, construction would begin within 45 days. Assuming that enough NROGO credits are available to build the entire canopy at a single time, the construction process can be accomplished in approximately 90 days. If there are not enough NROGO credits available to construct the canopy at one time, then the construction will be phased.

Also included in the expansion will be an upgrade of the landscaping and onsite traffic flow patterns. The expansion and upgrades will include where ever possible, the use of energy efficient lighting and equipment and the uses of low flow restroom fixtures.



TOM THUMB CONVENIENCE STORE MILE NARKER 98 KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

JUNE 2008

Prepared By:

CROSSROADS ENGINEERING

TOM THUMB
CONVENIENCE STORE

MILE MARKER 98

KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

JUNE 2008

TOM THUMB
CONVENIENCE STORE

MILE MARKER 98

KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

Prepared for
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June 2008
JN 2008-005

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TOM THUMB
CONVENIENCE STORE

MILE MARKER 98

KEY LARGO, FLORIDA

LEVEL III TRAFFIC STUDY

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ITE TRIP GENERATION/FDOT SEASONAL FACTORS
SIGNALIZED INTERSECTION ANALYSES
UNSIGNALIZED INTERSECTION ANALYSES
REDUCED SITE PLAN & AERIAL

TOM THUMB
CONVENIENCE STORE
MILE MARKER 98
KEY LARGO, FLORIDA
LEVEL III TRAFFIC STUDY

INTRODUCTION

Tom Thumb Food Stores, Inc. (the developer) is proposing to redevelop an existing convenience store with four (4) fueling positions to a convenience store with sixteen (16) fueling positions. There are no plans to change the size of the convenience store building. The site is located at 97950 Overseas Highway near US 1 Mile Marker 98. Figure 1 depicts the general location and a reduced survey is in the appendix.

Monroe County's traffic consultant was contacted to discuss the scope of work needed for the traffic study. It was agreed that a level three study is needed to address the project's traffic impacts.

ACCESS AND ADJACENT LAND USES

The site has frontage along both the north- and southbound lanes of US 1. Currently, the site has two driveways, one along the southbound side and one along the northbound side of US 1. See the attached survey for more details. There are no plans to change the existing access.

TRAFFIC GENERATION

Trip generation is estimated using information from a January 1991 independent report, which appeared in the Institute of Transportation Engineers (ITE) monthly Journal regarding a study performed in Florida of convenience stores with fueling access. The article *(Trip Generation Studies of Gas/Convenience Stores),* estimated PM peak hour traffic at 18 sites in Collier, Lee and Palm Beach counties. Monroe County's traffic consultant agreed to use the trip generation as depicted in the independent study. However, no daily data were collected during the independent study. It was agreed to use the PM peak to daily trip generation ratio (0.082) as reported from nation-wide studies, which appear in the seventh edition of the *Trip Generation Report,* published by ITE (land use code No. 945). It was also agreed that a 56% pass-by rate is appropriate, as depicted in the nation-wide study, and is used in this report to estimate primary trips to be generated by the proposed change in development. Table 1 depicts the existing and proposed trip generation.

GENERAL LOCATION MAP

FIGURE 1

2

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TN
MN (5.4°W)

Scale 1 : 25,000
1" = 2,083.3 ft
Data Zoom 13-0

Table 1
Daily and PM Peak Hour
Trip Generation for a
Convenience Store with
Vehicle Fueling Positions (vfp's)

Land Use	Weighted Daily Volume	PM Peak Hour In	Out	Total
Proposed:				
C-store 2,500 sf	1,415	58	58	116
16 vfp's	1,415	58	58	116
Subtotal	2,830	116	116	232
Less pass-by trips (56%)	-1,585	-65	-65	-130
Gross primary trips[1] (Total Site)	**1,245**	**51**	**51**	**102**
Existing:				
C-store 2,500 sf	-1,415	-58	-58	-116
4 vfp's	-366	-15	-15	-30
Subtotal	-1,781	-73	-73	-146
Net gross trips	1,049	43	43	86
Less pass-by trips (56%)	-587	-24	-24	-48
Net new primary trips[2]	**462**	**19**	**19**	**38**

1 Total site gross primary trips
2 Net new trips on the roadway network

DISTRIBUTION AND TRIP LENGTH

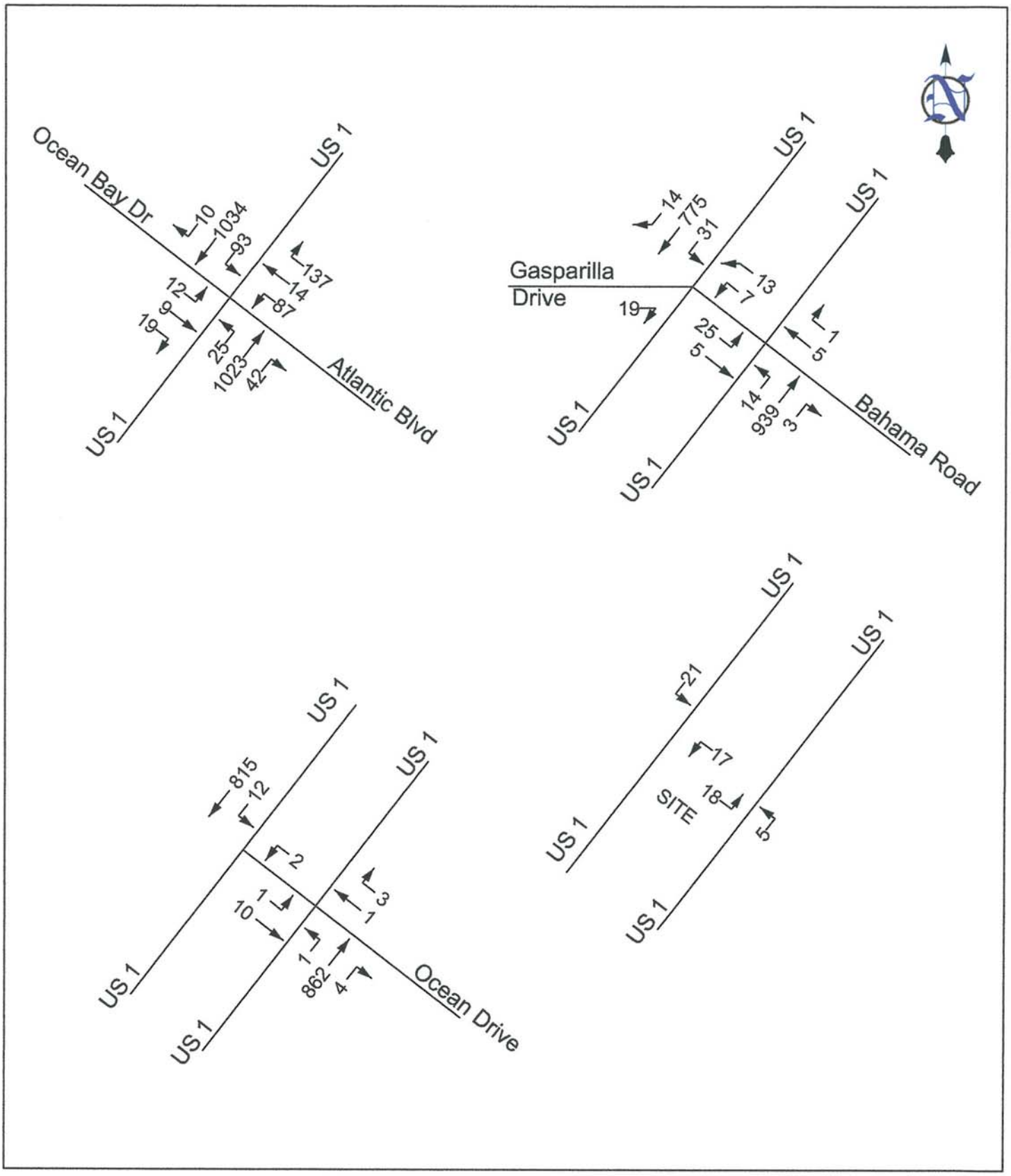
There are numerous convenience stores with fueling facilities throughout this area of the Keys. One need not travel far for these services. Both daily and PM peak hour traffic are estimated to be equal in both the north/south directions. The average trip length to the north and south is estimated at two (2) miles.

EXISTING US 1 TRAFFIC

It was agreed with the County's traffic consultant that the following intersections along US 1 are to be analyzed in this study.

- Atlantic Boulevard – signalized intersection north of site.
- Bahama Road/Gasparilla Road – unsignalized intersections north of site.
- Site drives for both north- and southbound directions.
- Ocean Drive – unsignalized intersection south of site.

All intersection data collection occurred on a weekday, between 11:30 AM and 1:30 PM. The midday peak period historically typifies peak period traffic that occurs hourly in this area of the Keys. Figure 2 depicts existing traffic volumes at the intersections under study.



Tom Thumb
Key largo M.M. 98

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Figure 2

Existing Volume

SEASONAL TRAFFIC ADJUSTMENT

The Florida Department of Transportation year 2006 weekly volume factors (latest available) were used to estimate peak seasonal traffic conditions from the collected data

HISTORICAL TRAFFIC VOLUME

The company's intention is to have the project built and operating by the close of year 2009. Therefore, existing traffic volumes were factored for yearly growth. The year *2007 US 1 Arterial Travel Time and Delay Study for Monroe County, Florida* was used as a guide to increase existing volume data by an annualized rate of 1.54% to year 2009, build-out conditions.

APPROVED DEVELOPMENT TRAFFIC

Monroe County Planning staff was contacted regarding other approved but not built projects in the Key Largo/Tavernier area. According to staff, there are no approved, but not built projects in the Key Largo/Tavernier area, however there are projects currently going through the approval process.

TRAFFIC DISTRIBUTION FOR PEAK PERIOD ANALYSIS

The north/south distribution of traffic volume along this general area of US 1 during the peak period is estimated to be about equal. Aerial photos aided in the distribution and assignment of site traffic.

FUTURE BUILD-OUT YEAR TRAFFIC

Table 2 depicts the midday peak hour volume data collected at the intersections under study. Table 2 also shows peak season traffic, a one (1) year growth and the proposed development's PM peak hour traffic volume (as shown in Table 1). Figure 3 depicts site only traffic and Figure 4 depicts peak season, a one-year growth and site PM peak hour traffic at the study locations.

PM PEAK HOUR LEVEL OF SERVICE

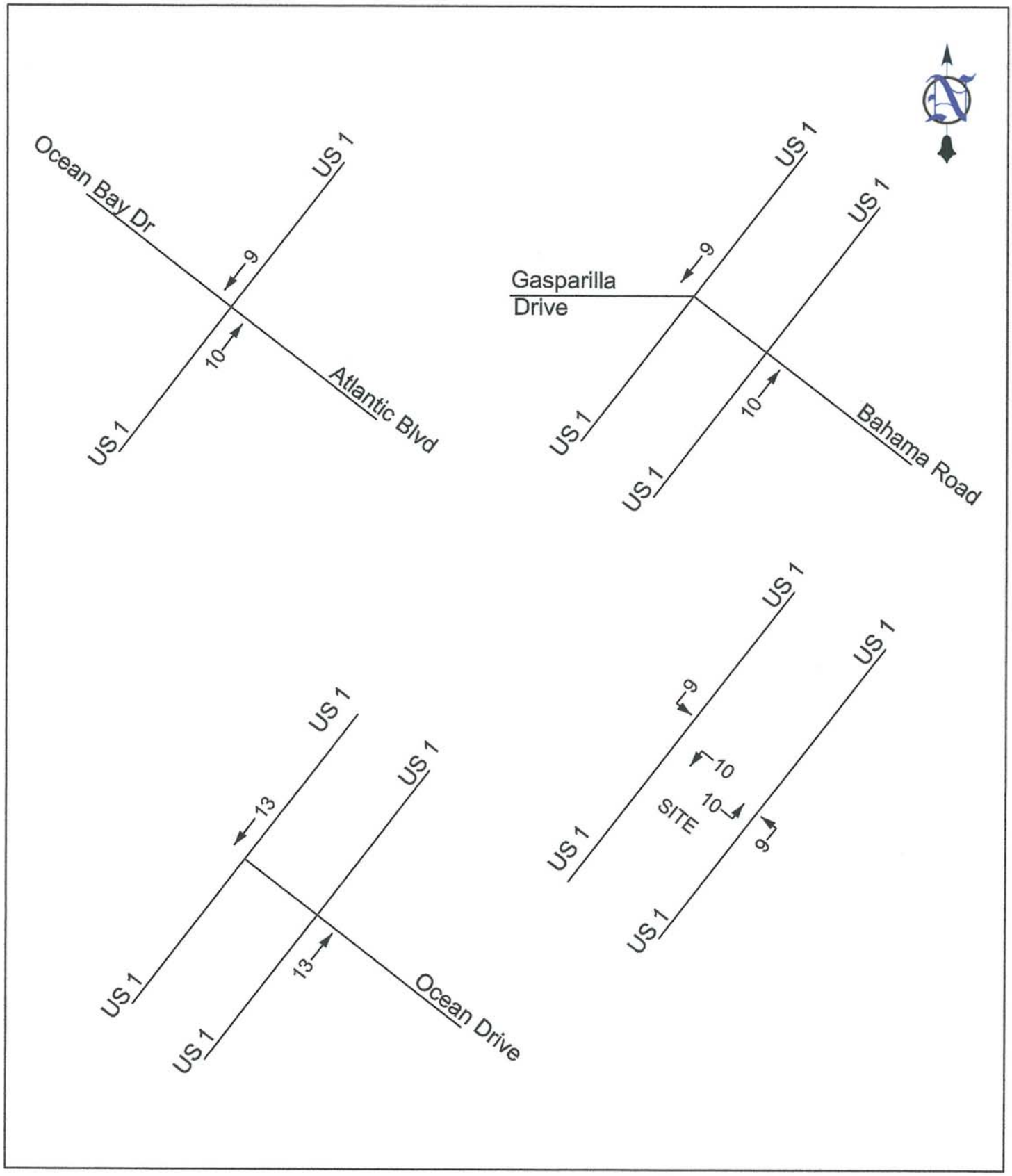
Table 3 summarizes Midday peak hour levels of service (LOS) analyses performed at the intersections under study. All future year analyses reflect midday peak hour traffic volume conditions during the peak season (peak day during the peak week) and a one year annualized growth. All intersection movements will operate within acceptable LOS conditions after build-out and occupancy of the proposed development expansion.

TABLE 2
TRAFFIC VOLUME AT US 1 INTERSECTION STUDY LOCATIONS
(US 1 Considered a North / South Roadway for Analysis Purposes)

US 1 (Overseas Highway) INTERSECTION AND APPROACH	2008 MIDDAY VOLUME	SEASONAL INCREASE VOLUME[1]	BACKGROUND GROWTH INCREASE VOLUME[2]	2009 WITHOUT SITE	SITE VOLUME	2009 WITH SITE TOTAL VOLUME
ATLANTIC BOULEVARD (1/9/08)						
EB LEFT	12	2	0	14	0	14
EB THRU	9	2	0	11	0	11
EB RIGHT	19	3	0	22	0	22
WB LEFT	87	16	1	104	0	104
WB THRU	14	3	0	17	0	17
WB RIGHT	137	25	1	163	0	163
NB LEFT	25	5	0	30	0	30
NB THRU	1023	373	16	1412	6	1418
NB RIGHT	42	8	0	50	0	50
SB LEFT	93	17	1	111	0	111
SB THRU	1034	377	16	1427	6	1433
SB RIGHT	10	2	0	12	0	12
BAHAMA (US 1 NB) (9/12/07)						
EB LEFT	25	5	0	30	0	30
EB THRU	5	1	0	6	0	6
WB THRU	5	1	0	6	0	6
WB RIGHT	1	0	0	1	0	1
NB LEFT	14	3	0	17	0	17
NB THRU	939	353	14	1306	6	1312
NB RIGHT	3	1	0	4	0	4
GASPARILLA (US 1 SB) (9/12/07)						
EB RIGHT	19	3	0	22	0	22
WB LEFT	7	1	0	8	0	8
WB THRU	13	2	0	15	0	15
SB LEFT	31	6	0	37	0	37
SB THRU	775	291	12	1078	6	1084
SB RIGHT	14	3	0	17	0	17
SITE DRIVE (NB)						
EB LEFT	18	3	0	21	6	27
NB LEFT	5	1	0	6	6	12
SITE DRIVE (SB)						
WB LEFT	17	3	0	20	6	26
SB LEFT	21	4	0	25	6	31
OCEAN DRIVE (NB) (9/19/07)						
EB LEFT	1	0	0	1	0	1
EB THRU	10	2	0	12	0	12
WB THRU	1	0	0	1	0	1
WB RIGHT	3	1	0	4	0	4
NB LEFT	1	0	0	1	0	1
NB THRU	862	304	13	1179	6	1185
NB RIGHT	4	1	0	5	0	5
OCEAN DRIVE (SB) (9/19/07)						
WB LEFT	2	0	0	2	0	2
SB LEFT	12	2	0	14	0	14
SB THRU	815	288	13	1116	6	1122

[1] See report appendix (FDOT Peak Season Factors) for seasonl increases

[2] A growth factor of 1.54% is used to increase US 1 through volume and a 0.77% increase is used for local roadways and turns to and from US 1.



Tom Thumb
Key largo M.M. 98

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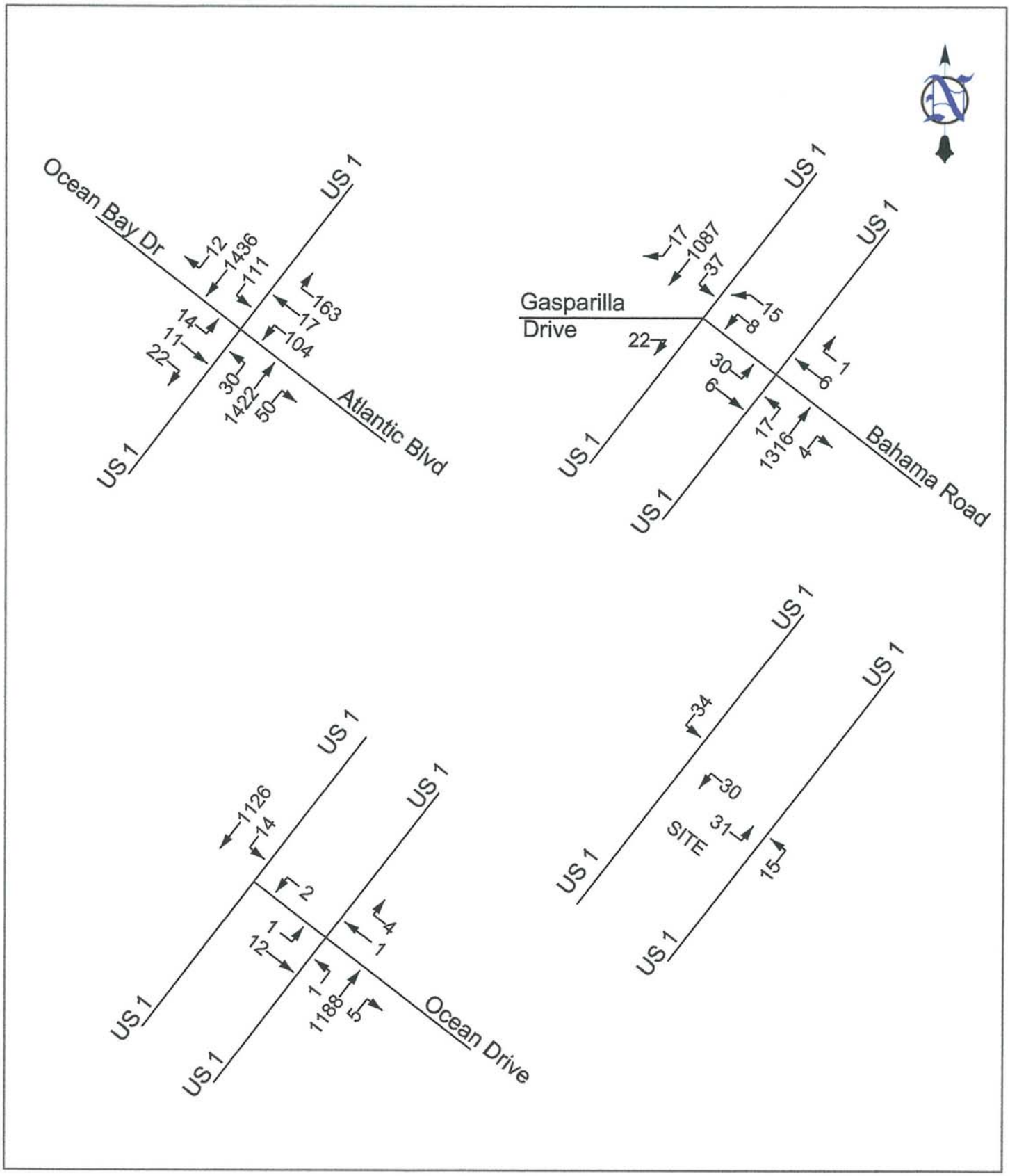
Figure 3

Site Only Volume



Tom Thumb
Key largo M.M. 98

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Figure 4
Year 2009
With Site Volume

TABLE 3
Level of Service (LOS) at Study Locations
(US 1 Considered a North / South Roadway for Analysis Purposes)

INTERSECTION AND APPROACH	YEAR 2008 EXISTING LOS	YEAR 2009 WITHOUT SITE LOS	YEAR 2009 WITH SITE LOS
US 1 & ATLANTIC BLVD			
EB LEFT	C	C	C
EB THRU & RIGHT	C	C	C
WB LEFT	C	D	D
WB THRU & RIGHT	C	D	D
NB LEFT	D	D	D
NB THRU	C	C	C
NB RIGHT	B	B	B
SB LEFT	D	D	D
SB THRU	C	C	C
SB RIGHT	B	B	B
INTERSECTION LOS	**C**	**C**	C
BAHAMA DRIVE			
EB LEFT & THRU	B	C	C
WB THRU & RIGHT	B	C	C
NB LEFT & THRU	A	A	A
GASPARILLA DRIVE			
EB RIGHT	B	B	B
WB LEFT & THRU	B	B	B
SB LEFT &THRU	A	A	A
SITE DRIVE (NB US 1)			
EBND	N/A	N/A	B
NB LEFT & THRU	N/A	N/A	A
SITE DRIVE (SB US 1)			
WB LEFT	N/A	N/A	B
SB LEFT & THRU	N/A	N/A	A
OCEAN DRIVE (NB US 1)			
EB LEFT & THRU	B	C	C
WB THRU & RIGHT	B	B	B
NB LEFT & THRU	A	A	A
OCEAN DRIVE (SB US 1)			
WB LEFT	B	B	B
SB LEFT & THRU	A	A	A

US 1 ARTERIAL TRAFFIC SUMMARY

The development is situated along Monroe County's designated US 1 Segment 23. Table 4 depicts a summary of daily US 1 arterial traffic volume and proposed site traffic. Note that the proposed development's traffic volume will generate approximately 469 two-way daily volume trips in Segment 23. There will be 10,847 reserve trips remaining in Segment 23 after the proposed redevelopment of the Tom Thumb property.

SECONDARY STREET IMPACTS

The site only has access to US 1 and not any secondary roads. The estimated new site volume is not anticipated to use secondary roads at the intersections studied in this report. Hence, no analysis of secondary roadway impacts were not performed.

SIGHT TRIANGLES AND ON-SITE VEHICLE MANEUVERABILITY

Sight triangles and vehicle maneuverability will be shown on the final site plan to be submitted with application.

LOCATION OF MEDIAN OPENINGS ALONG US 1

Because the site is located on the widened portion of US1, the location of median openings should not apply to this development.

SUMMARY

Based on the results of this study and the criteria set forth by Monroe County Traffic Reporting Guidelines, the proposed redevelopment of the subject property will not degrade the level of service beyond acceptable conditions along either the US 1 corridor or any of the intersections studied in this report.

KEYS ENGINEERING SERVICES, INC.
86801 Overseas Highway
Islamorada, Florida 33036
Daryle L. Osborn P. E. 27428

Storm Water Management Plan
For
Tom Thumb Store 223

Project Description: A new MPD's and canopy with paved areas.

Project Location: Tom Thumb is located on Key Largo, Florida at 97950 Overseas Highway.

Existing Site Conditions:

Vegetation: The existing site is approximately 39% paved and built on. The increased area is 6,779sf (15%).

Soils: The site is an existing disturbed hammock area in the areas not previously developed. The water table was not encountered at 4'0" below existing grade.

Flood Plan & Elevations: The proposed construction is in Flood Zone "X". The overall site elevation is between 7' to 13' MSL.

1/21/09

Storm Water Management Plan

Site Data:

Net Area	= 45,000 square feet
Impervious Areas	
Existing Building	= 2,256sf
Existing Concrete/Paved Areas	= 15,008sf
New Concrete/Paved Areas	= 6,779sf
Total	= 24,043sf
Percent Pervious	= 46.6 %

Pre / Post Development Runoff:

1. Compute Predevelopment Runoff
   a. Depth to Groundwater = Greater than 4.0'
   b. Soils Storage (C-111-3) = 8.18 inches
   c. P = 8.5 inches

   $Q = (P - .2S)^2 / (P + .8S)$
   $P = 8.5$
   $S = 8.18$
   $Q = 3.13$ inches

2. Compute Post-development Runoff
   a. Soils Storage (C-111-3) = 8.18 inches
   b. P = 8.5 inches
   c. Percent Pervious = 46.6%

   $Q = (P - .2S)^2 / (P + .8S)$
   $P = 8.5$
   $S = .466 \times 8.18 = 3.81$
   $Q = 5.21$ inches

3. Limit Post to Pre development Runoff
   Storage Required:

   5.21 – 3.13 = 2.08 inches

   2.08 x 45,000 / 12 = 7,800 cubic feet to retain

Volume of Water to be Treated:

The storm water runoff will be maintained on site by dry retention methods. Refer to the site drainage plan for location and sizes of the swale areas.

Swale Area A – 10,224 cf

The total volume of retention is 10,224 cubic feet. This exceeds the required 7,800 cubic feet.

Storm Water Quality:

The volume of water to be treated and controlled is ½ inch initial runoff:

0.5 x 45,000 / 12 = 1875 cubic feet

The existing site condition is disturbed hammock which filters the surface water runoff.

Fuel Dispensing Area Collection System

The storm water runoff in this area will be collected by a metal grate collection system drained to an oil/water separator and discharged in to a catch basin french drain system. The area of this collection system is 5,940sf. The anticipated water volume for a 25 year storm is 520 cubic feet. The French drain system is design for a capacity of 565 cubic feet.

25 Year Storm:

A 25 year storm over a 24 hour period in South Florida will average 1.05 inches of rainfall per hour. The initial wash calculations used a rate of 2.08 inches per hour. The initial wash calculations are worst case and will govern.

$$1.05 \times 45{,}000 / 12 = 3{,}938 \text{ cubic feet}$$

MONTES DE OCA JOSE A
14977 SW 12 LN
MIAMI, FL 33194

RIMM ALFRED DEC TR DTD 9/17/1996
3901 E LAKE RD
SHEFFIELD LAKE, OH 44054

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5 CEDRUS COURT
BRANFORD, CT 06405

HELLWIG HOWARD JR
1599 MARCO ISLAND DR
TOM RIVER, NJ 08753

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OREGON, OH 43618-1007

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TIVERTON, RI 02878

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P O BOX 1948
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WHEELER MARJORIE A
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4 CHURCH SQ APT 3
HARROGATE, NORTH YORKSHIRE HG1 4SP ENGLAND

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NICKERSON DORRAN E R/S
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VALDES VICTOR
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370 TAMIAMI TRAIL
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LORRAINE WILLIAM PAUL JR
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KEY LARGO, FL 33037

SCHECTER LEROY %AMERICAN STRIP STEEL-ATTN- MICHELE BARIL

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KEARNEY, NJ 07032

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HAGGAI INST FOR ADV LEADSHIP TRAIN

4725 PEACHTREET CONERS CIR

NORCROSS, GA 30071

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BD OF TRS OF THE INT IMP TR FUND OF THE ST OF FL % FL DEPT OF ENVIRO PRO - DIV OF ST LANDS

3900 COMMONWEALTH BLVD - MAIL STA 115

TALLAHASSEE, FL 32399-3000

ROCK HARBOR MARINA RENTALS INC

P O BOX 888

KEY LARGO, FL 33037

STOIA SAM

P O BOX 888

KEY LARGO, FL 33037

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY

1200 TRUMAN AVE STE 207

KEY WEST, FL 33040

TRINGALE CHARLES P JR

72 SCHOOL ST APT 2

REVERE, MA 02151

ABREU LAZARO

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RESORT PROPERTY MANAGEMENT OF THE KEYS INC
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SOMADDA INC
P O BOX 73
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ROCK HARBOR MARINA RENTALS INC
P O BOX 888
KEY LARGO, FL 33037

APPENDIX

TURNING MOVEMENT DATA

CROSSROADS ENGINEERING DATA, INC.

13284 SW 120th Street
Miami, Florida 33186
305 233 3997

CLIENT : TOM THUMB
JOB NO : 2008-005
PROJECT: KEY LARGO MM 98
COUNTY : MONROE

File Name : US 1 & ATLANTIC
Site Code : 00000000
Start Date : 1/9/2008
Page No : 1

Groups Printed- AUTOS

	US1 Southbound					ATLANTIC BLVD Westbound					US1 Northbound					OCEAN BAY DRIVE Eastbound					
Start Time	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Int. Total
*** BREAK ***																					
11:30 AM	53	203	1	1	258	14	2	18	26	60	3	202	2	5	212	1	2	1	2	6	536
11:45 AM	43	224	0	1	268	17	2	14	23	56	5	218	1	4	228	1	1	0	6	8	560
Total	96	427	1	2	526	31	4	32	49	116	8	420	3	9	440	2	3	1	8	14	1096
12:00 PM	32	285	2	0	319	20	3	14	13	50	10	247	1	9	267	4	2	3	1	10	646
12:15 PM	29	285	1	3	318	25	5	19	16	65	7	221	3	7	238	3	4	0	3	10	631
12:30 PM	20	225	1	2	248	22	4	10	24	60	2	263	2	4	271	2	1	0	7	10	589
12:45 PM	35	209	0	1	245	20	2	16	25	63	6	231	5	5	247	3	2	1	4	10	565
Total	116	1004	4	6	1130	87	14	59	78	238	25	962	11	25	1023	12	9	4	15	40	2431
01:00 PM	39	184	1	0	224	16	4	17	39	76	7	244	4	9	264	2	2	0	5	9	573
01:15 PM	32	209	0	1	242	20	2	22	32	76	3	228	4	6	241	2	2	1	6	11	570
Grand Total	283	1824	6	9	2122	154	24	130	198	506	43	1854	22	49	1968	18	16	6	34	74	4670
Apprch %	13.3	86	0.3	0.4		30.4	4.7	25.7	39.1		2.2	94.2	1.1	2.5		24.3	21.6	8.1	45.9		
Total %	6.1	39.1	0.1	0.2	45.4	3.3	0.5	2.8	4.2	10.8	0.9	39.7	0.5	1	42.1	0.4	0.3	0.1	0.7	1.6	

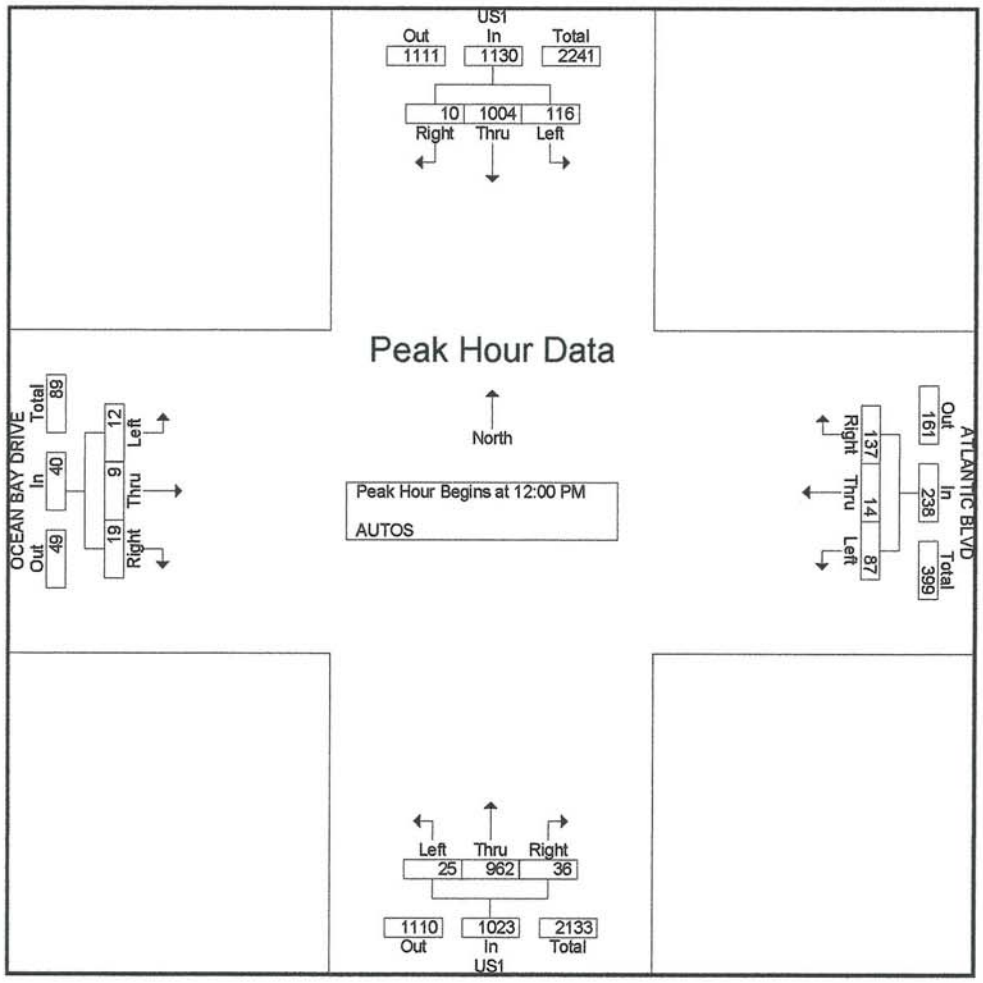
CROSSROADS ENGINEERING DATA, INC.

13284 SW 120th Street
Miami, Florida 33186
305 233 3997

CLIENT : TOM THUMB
JOB NO : 2008-005
PROJECT: KEY LARGO MM 98
COUNTY : MONROE

File Name : US 1 & ATLANTIC
Site Code : 00000000
Start Date : 1/9/2008
Page No : 2

	US1 Southbound					ATLANTIC BLVD Westbound					US1 Northbound					OCEAN BAY DRIVE Eastbound					
Start Time	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Left	Thru	ROR	Right	App. Total	Int. Total
Peak Hour Analysis From 11:15 AM to 01:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 12:00 PM																					
12:00 PM	32	**285**	**2**	0	**319**	20	3	14	13	50	**10**	247	1	**9**	267	**4**	2	**3**	1	**10**	**646**
12:15 PM	29	285	1	**3**	318	**25**	**5**	**19**	16	**65**	7	221	3	7	238	3	**4**	0	3	10	631
12:30 PM	20	225	1	2	248	22	4	10	24	60	2	**263**	2	4	**271**	2	1	0	**7**	10	589
12:45 PM	**35**	209	0	1	245	20	2	16	**25**	63	6	231	**5**	5	247	3	2	1	4	10	565
Total Volume	116	1004	4	6	1130	87	14	59	78	238	25	962	11	25	1023	12	9	4	15	40	2431
% App. Total	10.3	88.8	0.4	0.5		36.6	5.9	24.8	32.8		2.4	94	1.1	2.4		30	22.5	10	37.5		
PHF	.829	.881	.500	.500	.886	.870	.700	.776	.780	.915	.625	.914	.550	.694	.944	.750	.563	.333	.536	1.000	.941



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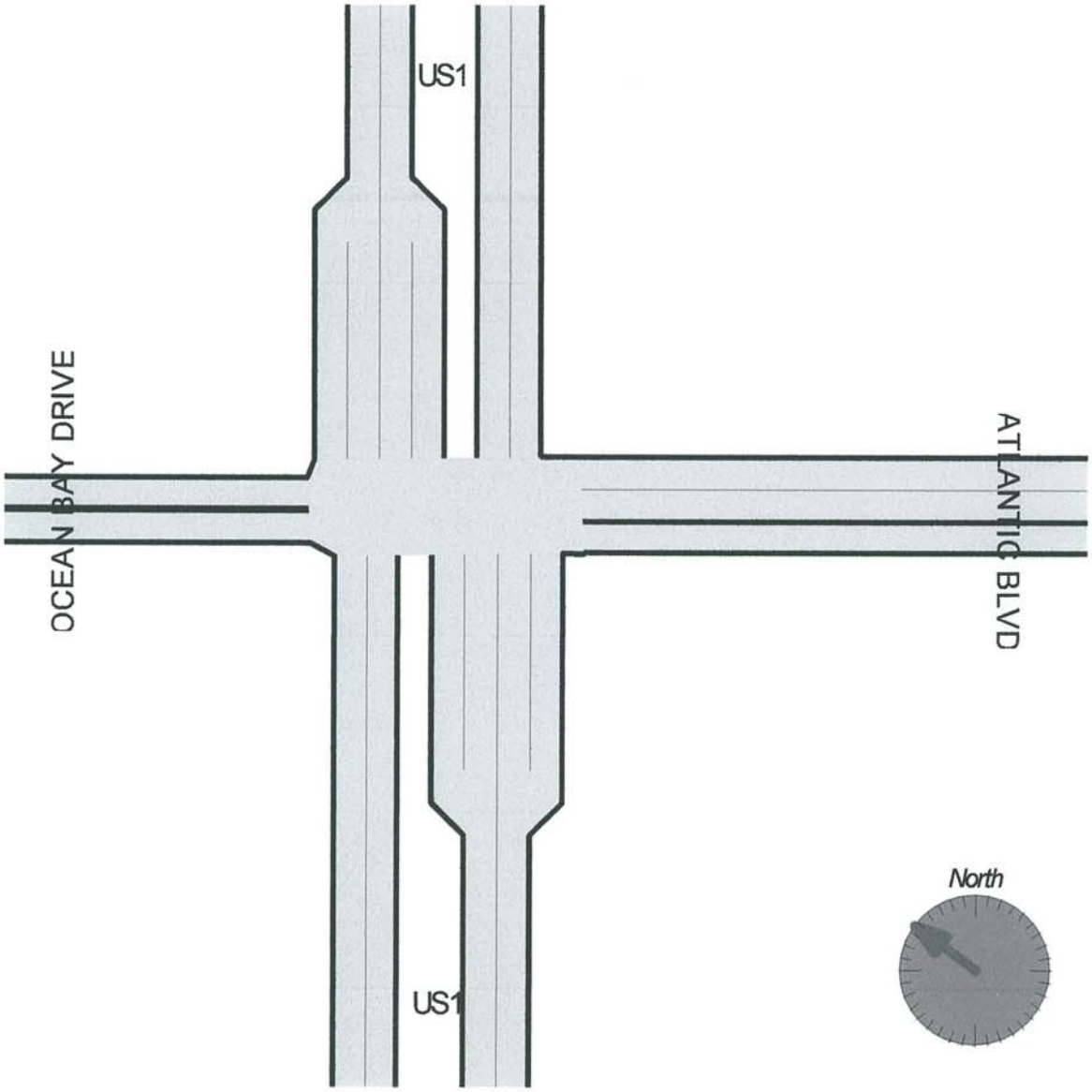
13284 SW 120th Street
Miami, Florida 33186
305 233 3997

CLIENT : TOM THUMB
JOB NO : 2008-005
PROJECT: KEY LARGO MM 98
COUNTY : MONROE

File Name : US 1 & ATLANTIC
Site Code : 00000000
Start Date : 1/9/2008
Page No : 3



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13284 SW 120th Street
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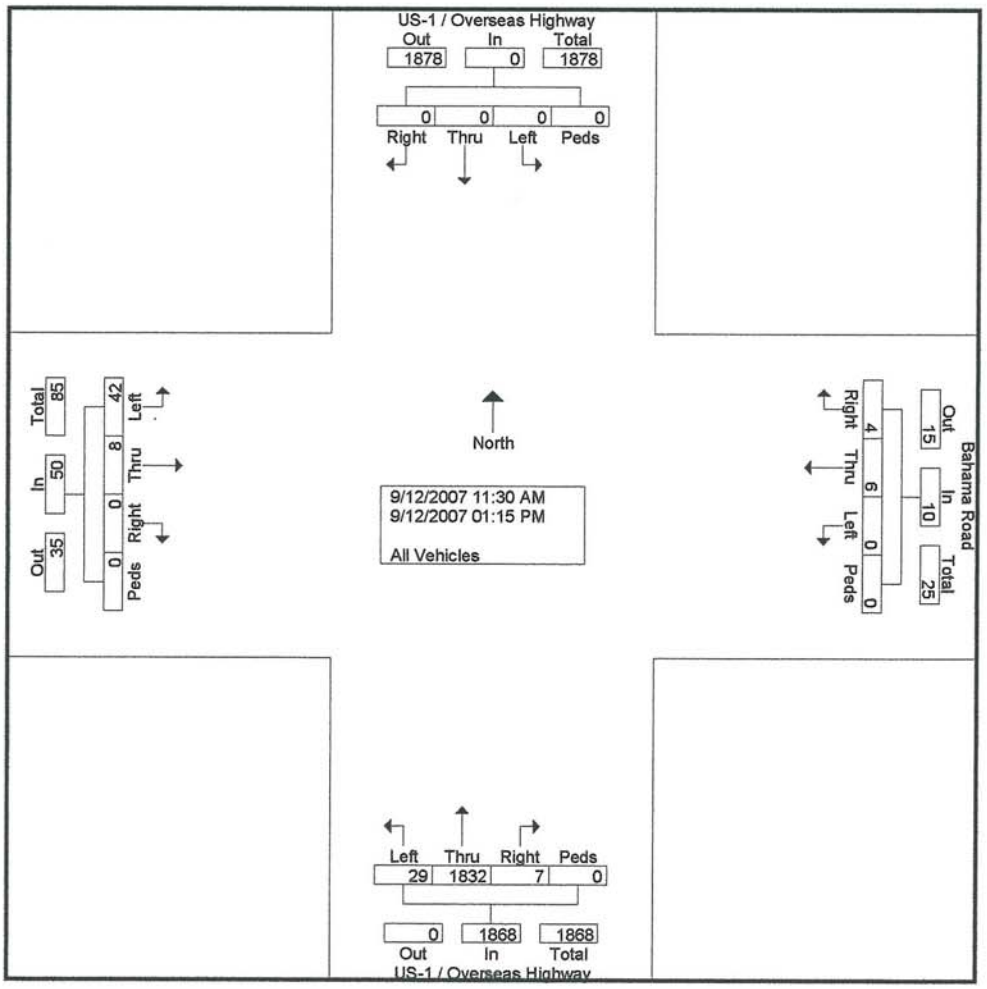
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : 7724_US1-NB@BahamaDrive
Site Code : 77243076
Start Date : 9/12/2007
Page No : 1

Groups Printed- All Vehicles

	US-1 / Overseas Highway Southbound					Bahama Road Westbound					US-1 / Overseas Highway Northbound					Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
11:30 AM	0	0	0	0	0	0	0	1	1	2	0	3	240	1	244	0	4	3	0	7	253
11:45 AM	0	0	0	0	0	0	0	1	0	1	0	1	240	1	242	0	7	2	0	9	252
Total	0	0	0	0	0	0	0	2	1	3	0	4	480	2	486	0	11	5	0	16	505
12:00 PM	0	0	0	0	0	0	0	3	0	3	0	5	225	1	231	0	7	0	0	7	241
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	5	234	0	239	0	7	0	0	7	246
12:30 PM	0	0	0	0	0	0	0	0	1	1	0	5	212	1	218	0	7	1	0	8	227
12:45 PM	0	0	0	0	0	0	0	1	1	2	0	3	213	0	216	0	6	0	0	6	224
Total	0	0	0	0	0	0	0	4	2	6	0	18	884	2	904	0	27	1	0	28	938
01:00 PM	0	0	0	0	0	0	0	0	0	0	0	1	224	0	225	0	3	0	0	3	228
01:15 PM	0	0	0	0	0	0	0	0	1	1	0	6	244	3	253	0	1	2	0	3	257
Grand Total	0	0	0	0	0	0	0	6	4	10	0	29	1832	7	1868	0	42	8	0	50	1928
Apprch %	0	0	0	0		0	0	60	40		0	1.6	98.1	0.4		0	84	16	0		
Total %	0	0	0	0	0	0	0	0.3	0.2	0.5	0	1.5	95	0.4	96.9	0	2.2	0.4	0	2.6	



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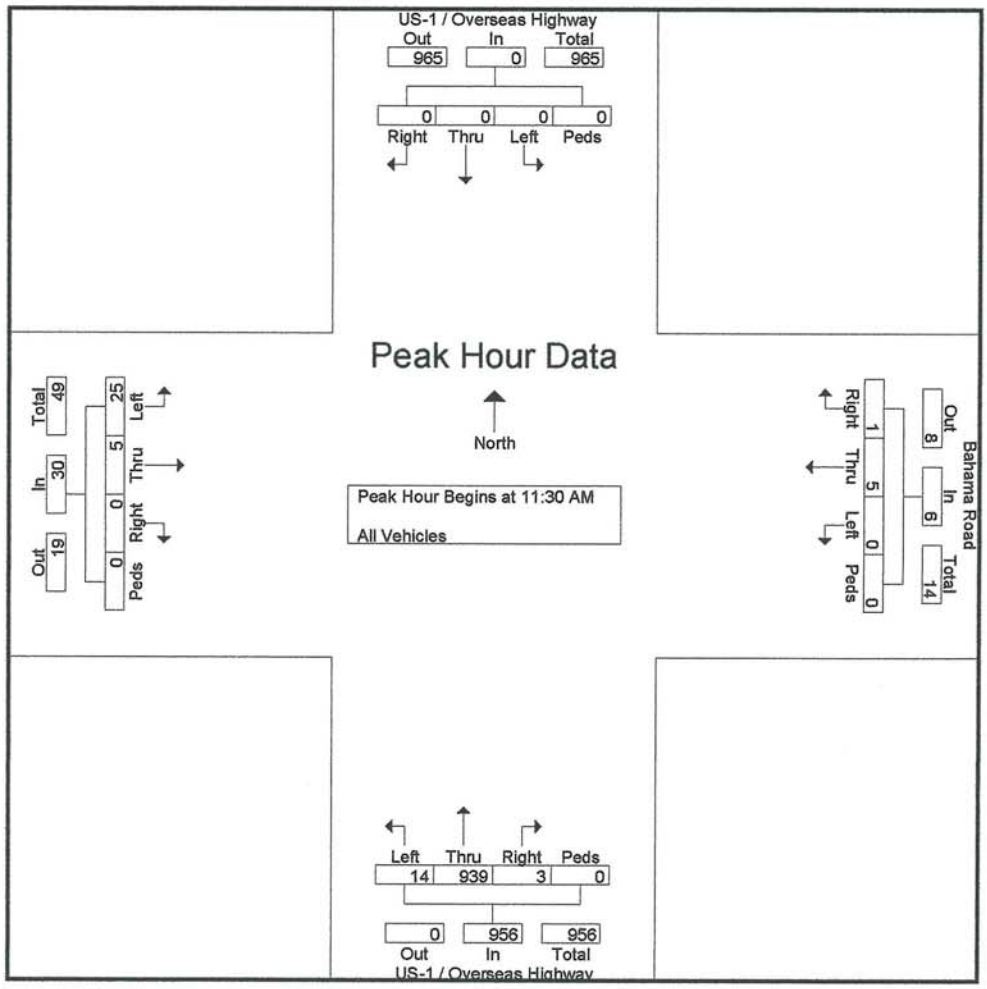
File Name : 7724_US1-NB@BahamaDrive
Site Code : 77243076
Start Date : 9/12/2007
Page No : 2

	US-1 / Overseas Highway Southbound					Bahama Road Westbound					US-1 / Overseas Highway Northbound					Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 11:30 AM																					
11:30 AM	0	0	0	0	0	0	0	1	1	2	0	3	240	1	244	0	4	3	0	7	253
11:45 AM	0	0	0	0	0	0	0	1	0	1	0	1	240	1	242	0	7	2	0	9	252
12:00 PM	0	0	0	0	0	0	0	3	0	3	0	5	225	1	231	0	7	0	0	7	241
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	5	234	0	239	0	7	0	0	7	246
Total Volume	0	0	0	0	0	0	0	5	1	6	0	14	939	3	956	0	25	5	0	30	992
% App. Total	0	0	0	0		0	0	83.3	16.7		0	1.5	98.2	0.3		0	83.3	16.7	0		
PHF	.000	.000	.000	.000	.000	.000	.000	.417	.250	.500	.000	.700	.978	.750	.980	.000	.893	.417	.000	.833	.980



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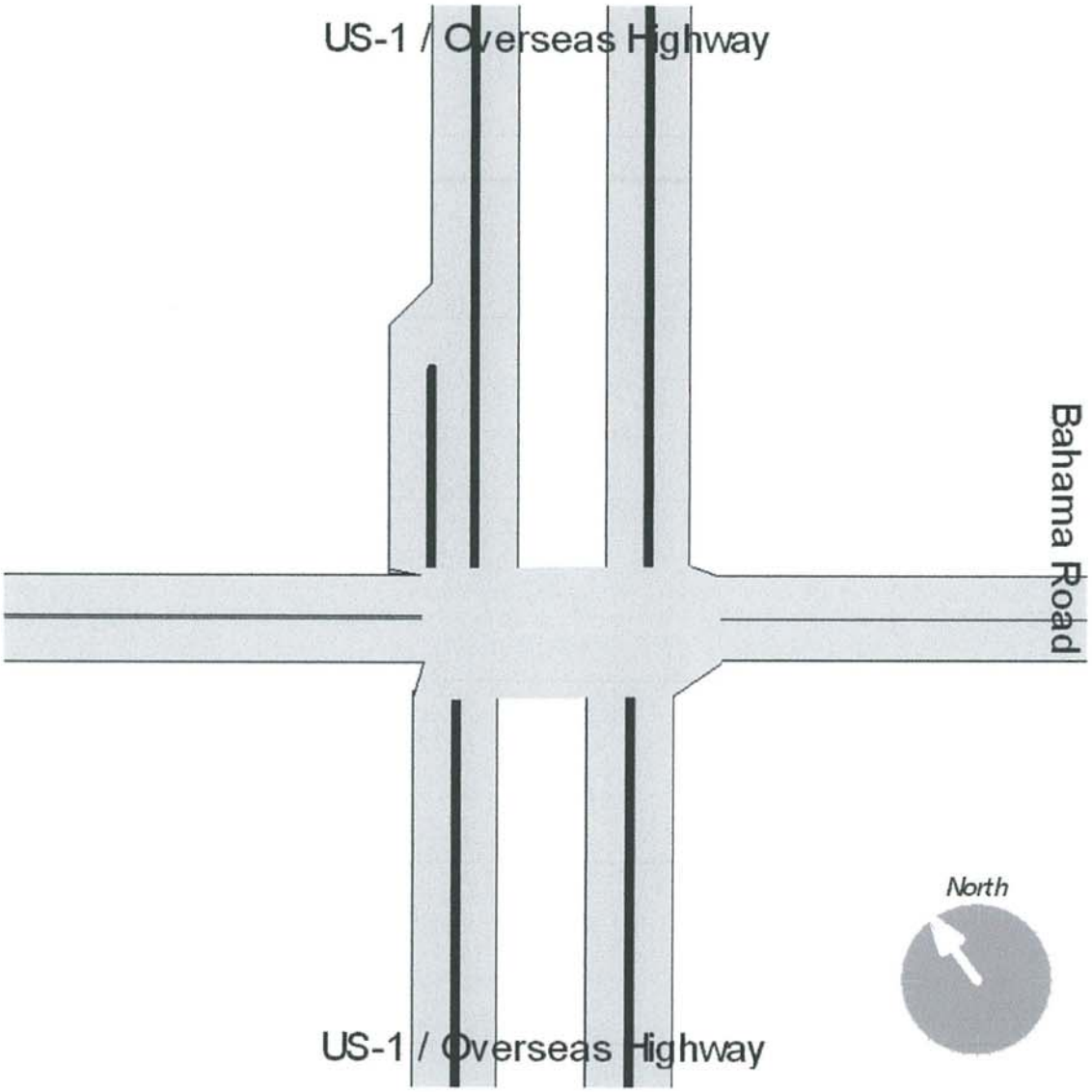
File Name : 7724_US1-NB@BahamaDrive
Site Code : 77243076
Start Date : 9/12/2007
Page No : 3



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Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : NB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	NB US 1 Northbound			TOM THUMB DW Eastbound		
Start Time	Left	Thru	App. Total	Left	App. Total	Int. Total
11:30 AM	3	247	250	5	5	255
11:45 AM	2	268	270	10	10	280
Total	5	515	520	15	15	535
12:00 PM	5	245	250	3	3	253
12:15 PM	0	217	217	5	5	222
12:30 PM	1	268	269	4	4	273
12:45 PM	1	263	264	3	3	267
Total	7	993	1000	15	15	1015
01:00 PM	2	251	253	7	7	260
01:15 PM	1	247	248	4	4	252
Grand Total	15	2006	2021	41	41	2062
Apprch %	0.7	99.3		100		
Total %	0.7	97.3	98	2	2	
AUTOS	15	2006	2021	41	41	2062
% AUTOS	100	100	100	100	100	100
HEAVY VEHICLES	0	0	0	0	0	0
% HEAVY VEHICLES	0	0	0	0	0	0

Crossroads Engineering Data, Inc.

13284 SW 120th Street
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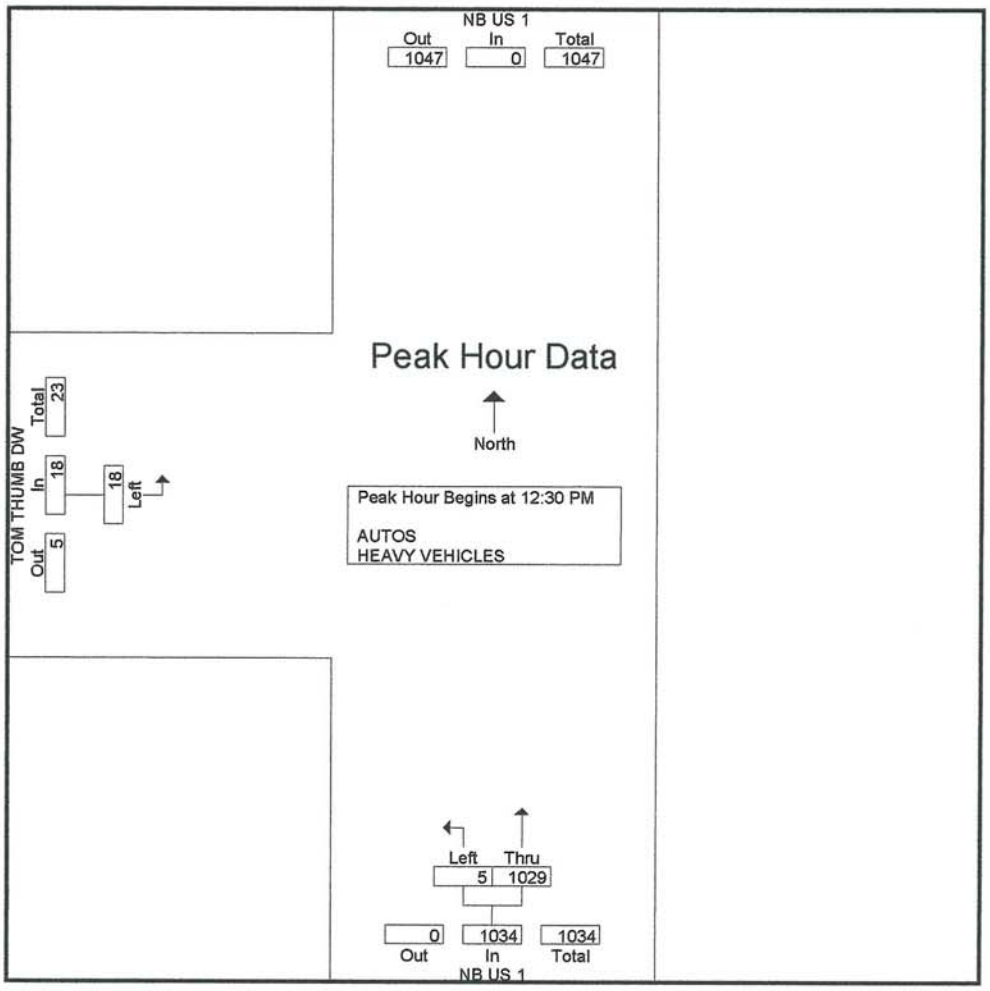
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : NB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 2

	NB US 1 Northbound			TOM THUMB DW Eastbound		
Start Time	Left	Thru	App. Total	Left	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1						
Peak Hour for Entire Intersection Begins at 12:30 PM						
12:30 PM	1	268	269	4	4	273
12:45 PM	1	263	264	3	3	267
01:00 PM	2	251	253	7	7	260
01:15 PM	1	247	248	4	4	252
Total Volume	5	1029	1034	18	18	1052
% App. Total	0.5	99.5		100		
PHF	.625	.960	.961	.643	.643	.963



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13284 SW 120th Street
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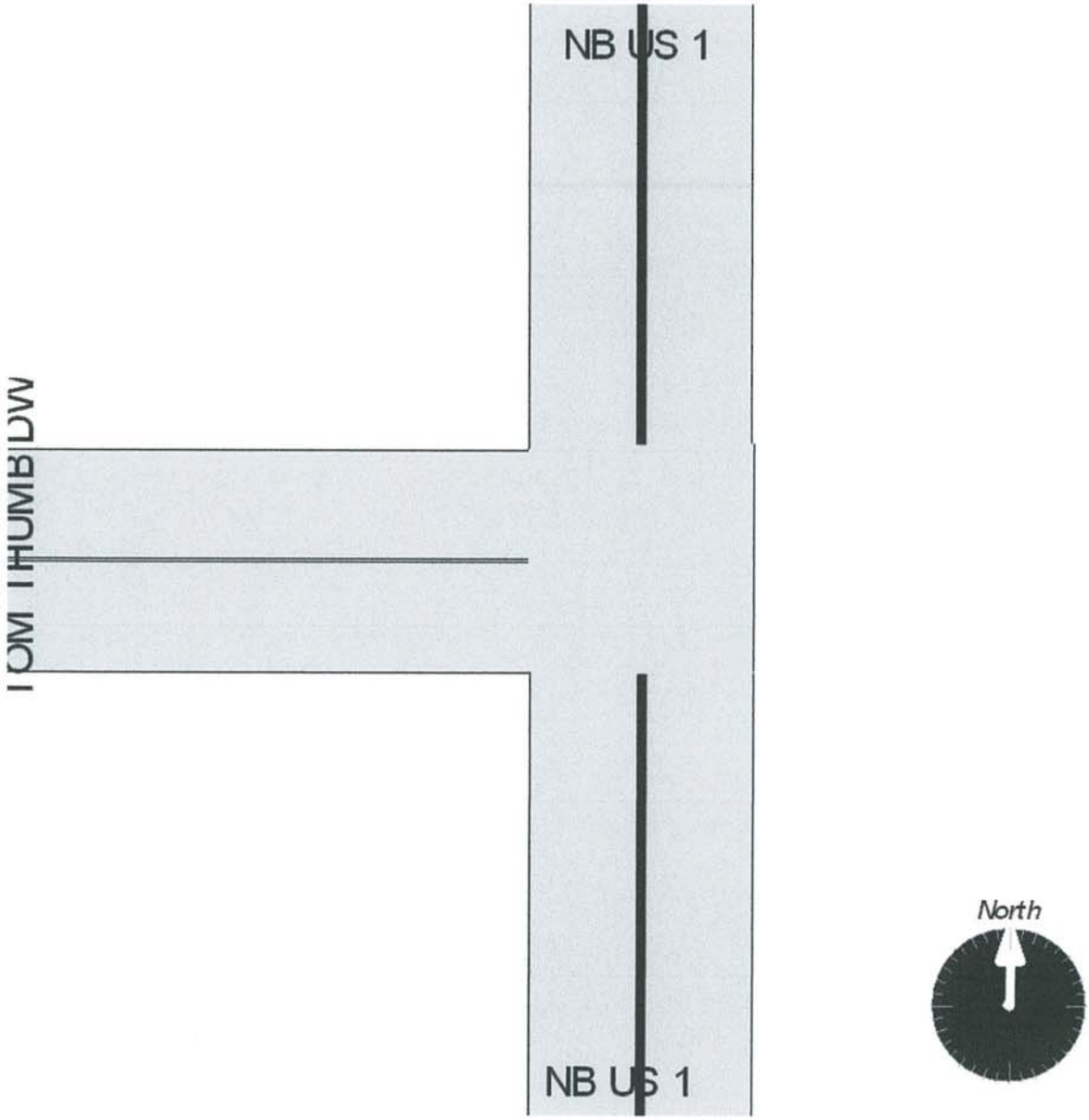
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : NB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 3



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13284 SW 120th Street
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Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : SB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 1

Groups Printed- AUTOS - HEAVY VEHICLES

	SB US 1 Southbound			TOM THUMB DW MM 98 Westbound		
Start Time	Left	Thru	App. Total	Left	App. Total	Int. Total
11:30 AM	6	235	241	6	6	247
11:45 AM	4	211	215	5	5	220
Total	10	446	456	11	11	467
12:00 PM	10	268	278	7	7	285
12:15 PM	4	291	295	4	4	299
12:30 PM	2	247	249	3	3	252
12:45 PM	5	229	234	3	3	237
Total	21	1035	1056	17	17	1073
01:00 PM	8	247	255	6	6	261
01:15 PM	3	239	242	11	11	253
Grand Total	42	1967	2009	45	45	2054
Apprch %	2.1	97.9		100		
Total %	2	95.8	97.8	2.2	2.2	
AUTOS	42	1967	2009	45	45	2054
% AUTOS	100	100	100	100	100	100
HEAVY VEHICLES	0	0	0	0	0	0
% HEAVY VEHICLES	0	0	0	0	0	0

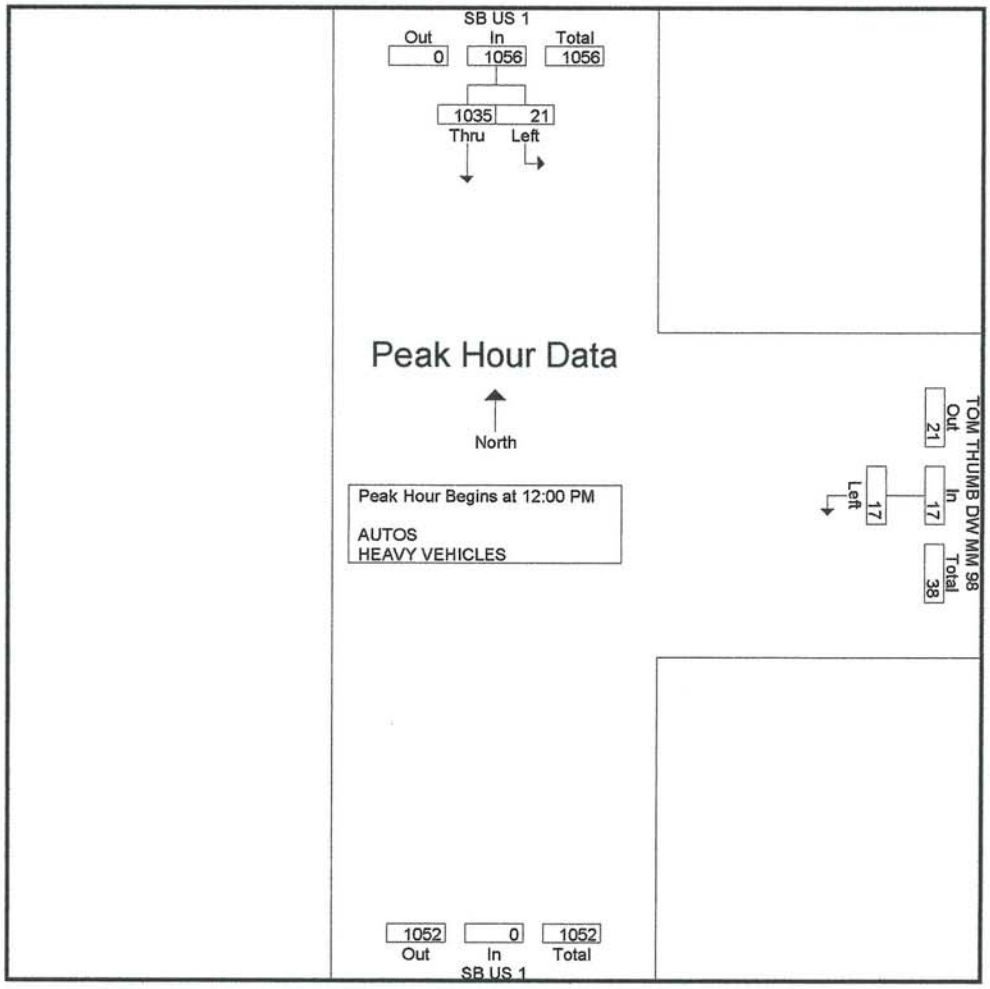
Crossroads Engineering Data, Inc.

13284 SW 120th Street
Miami, FL 33186
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : SB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 2

	SB US 1 Southbound			TOM THUMB DW MM 98 Westbound		
Start Time	Left	Thru	App. Total	Left	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1						
Peak Hour for Entire Intersection Begins at 12:00 PM						
12:00 PM	10	268	278	7	7	285
12:15 PM	4	291	295	4	4	299
12:30 PM	2	247	249	3	3	252
12:45 PM	5	229	234	3	3	237
Total Volume	21	1035	1056	17	17	1073
% App. Total	2	98		100		
PHF	.525	.889	.895	.607	.607	.897



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13284 SW 120th Street
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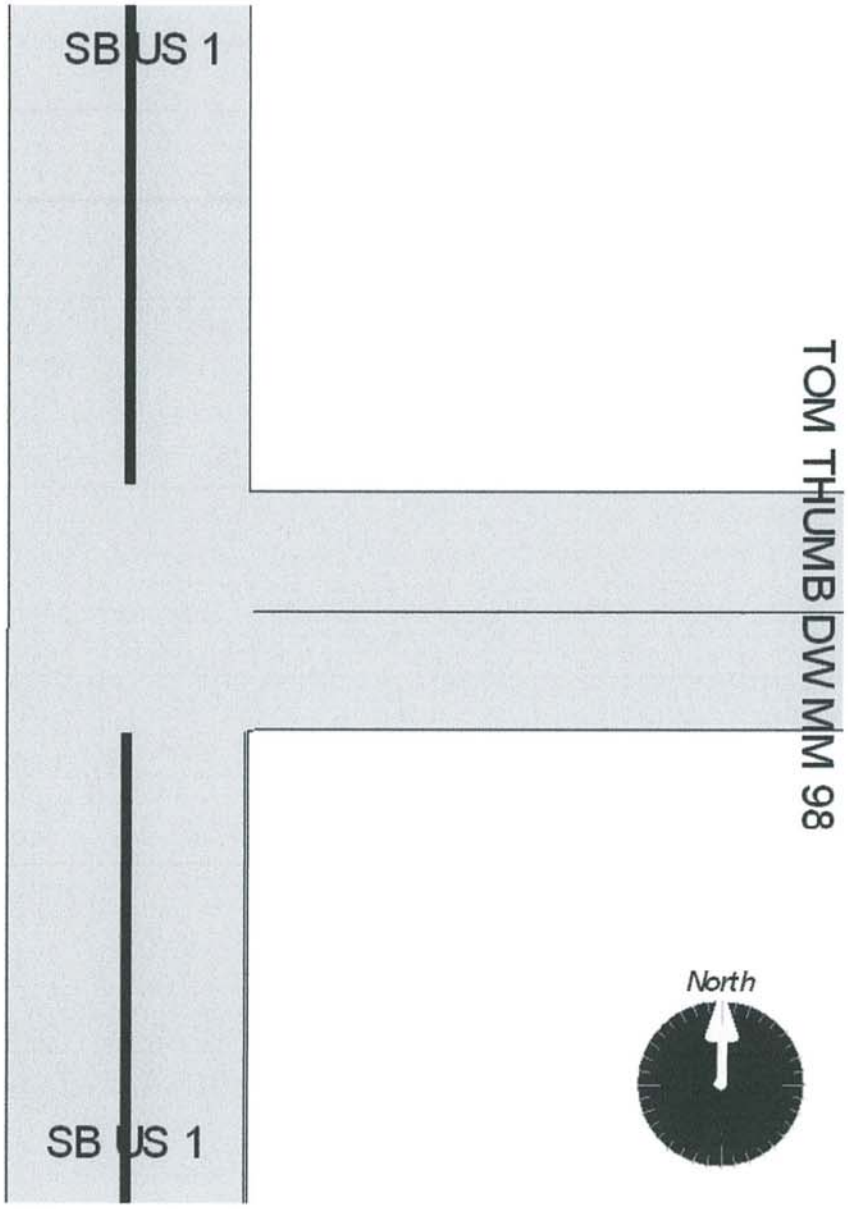
Ph: 305-233-3997 Fax: 305-233-7720

CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : SB US 1 AND TOM THUMB DRIVEWAY MM 98
Site Code : 00011708
Start Date : 1/17/2008
Page No : 3



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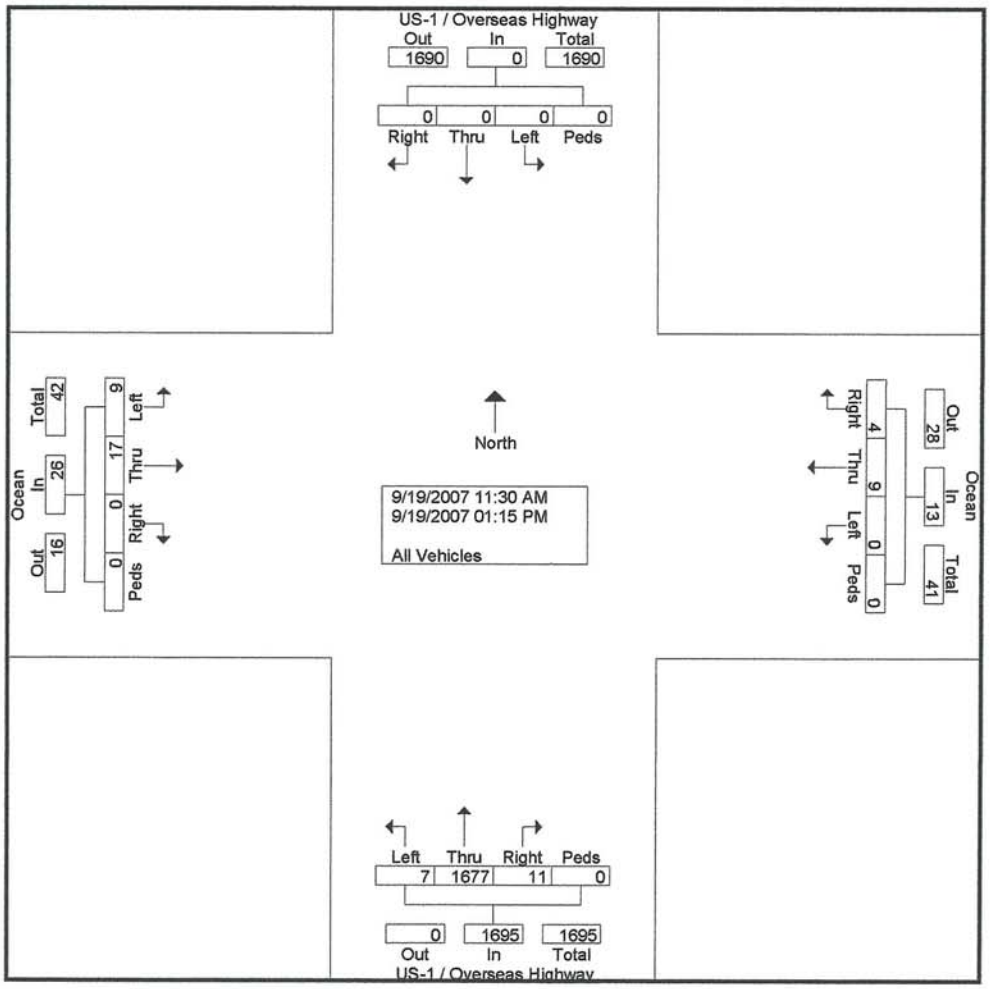
CLIENT : TOM THUMB
JOB NO.: 2008-005
PROJECT: TOM THUMB LEVEL 3 TRAFFIC STUDY
COUNTY : MONROE

File Name : 7724_us1@ocean-nb
Site Code : 30767724
Start Date : 9/19/2007
Page No : 1

Groups Printed- All Vehicles

	US-1 / Overseas Highway Southbound					Ocean Westbound					US-1 / Overseas Highway Northbound					Ocean Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
11:30 AM	0	0	0	0	0	0	0	1	1	2	0	0	239	0	239	0	0	0	0	0	241
11:45 AM	0	0	0	0	0	0	0	0	1	1	0	0	202	1	203	0	1	4	0	5	209
Total	0	0	0	0	0	0	0	1	2	3	0	0	441	1	442	0	1	4	0	5	450
12:00 PM	0	0	0	0	0	0	0	0	1	1	0	1	216	1	218	0	0	3	0	3	222
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	205	2	207	0	0	3	0	3	210
12:30 PM	0	0	0	0	0	0	0	2	1	3	0	2	219	2	223	0	2	0	0	2	228
12:45 PM	0	0	0	0	0	0	0	2	0	2	0	1	193	0	194	0	5	1	0	6	202
Total	0	0	0	0	0	0	0	4	2	6	0	4	833	5	842	0	7	7	0	14	862
01:00 PM	0	0	0	0	0	0	0	4	0	4	0	2	217	4	223	0	1	4	0	5	232
01:15 PM	0	0	0	0	0	0	0	0	0	0	0	1	186	1	188	0	0	2	0	2	190
Grand Total	0	0	0	0	0	0	0	9	4	13	0	7	1677	11	1695	0	9	17	0	26	1734
Apprch %	0	0	0	0		0	0	69.2	30.8		0	0.4	98.9	0.6		0	34.6	65.4	0		
Total %	0	0	0	0	0	0	0	0.5	0.2	0.7	0	0.4	96.7	0.6	97.8	0	0.5	1	0	1.5	



Crossroads Engineering Data, Inc.

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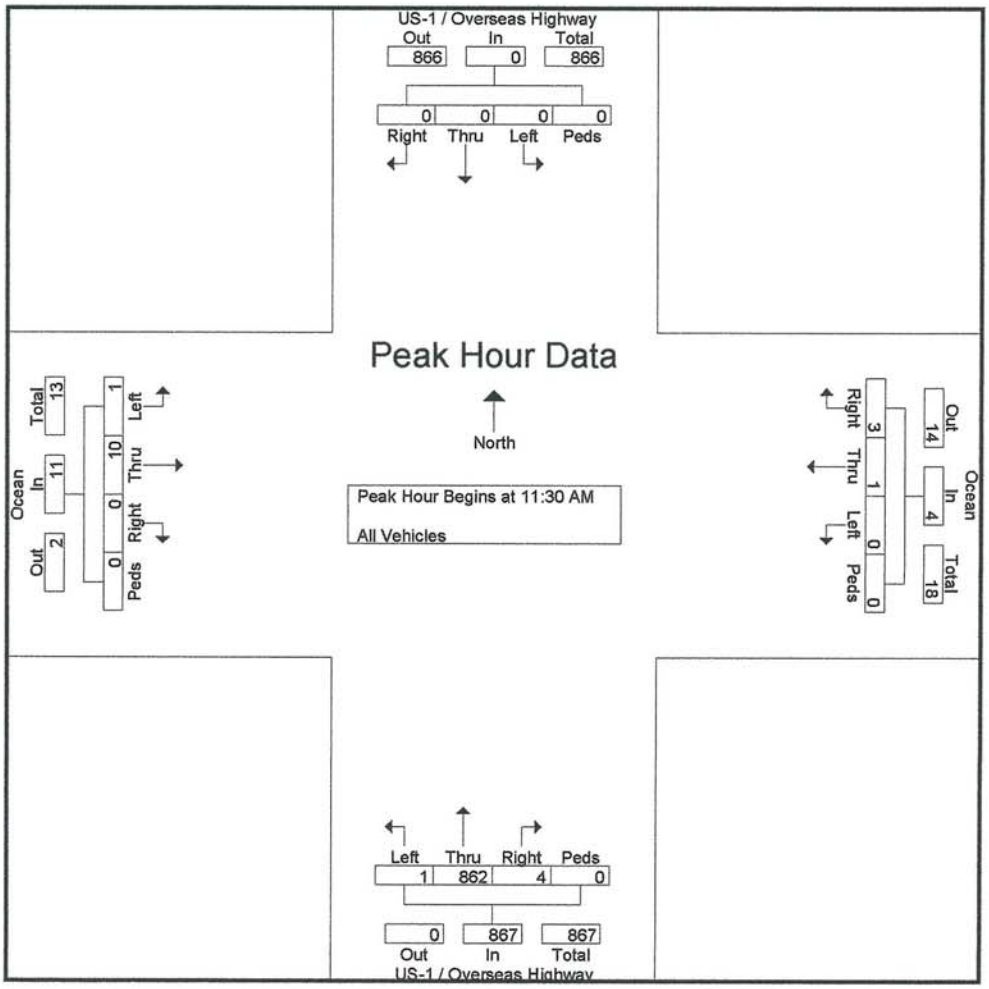
Ph: 305-233-3997 Fax: 305-233-7720

File Name : 7724_us1@ocean-nb
Site Code : 30767724
Start Date : 9/19/2007
Page No : 2

	US-1 / Overseas Highway Southbound					Ocean Westbound					US-1 / Overseas Highway Northbound					Ocean Eastbound					
Start Time	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 11:30 AM to 01:15 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 11:30 AM																					
11:30 AM	0	0	0	0	0	0	0	1	1	2	0	0	239	0	239	0	0	0	0	0	241
11:45 AM	0	0	0	0	0	0	0	0	1	1	0	0	202	1	203	0	1	4	0	5	209
12:00 PM	0	0	0	0	0	0	0	0	1	1	0	1	216	1	218	0	0	3	0	3	222
12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	205	2	207	0	0	3	0	3	210
Total Volume	0	0	0	0	0	0	0	1	3	4	0	1	862	4	867	0	1	10	0	11	882
% App. Total	0	0	0	0		0	0	25	75		0	0.1	99.4	0.5		0	9.1	90.9	0		
PHF	.000	.000	.000	.000	.000	.000	.000	.250	.750	.500	.000	.250	.902	.500	.907	.000	.250	.625	.000	.550	.915



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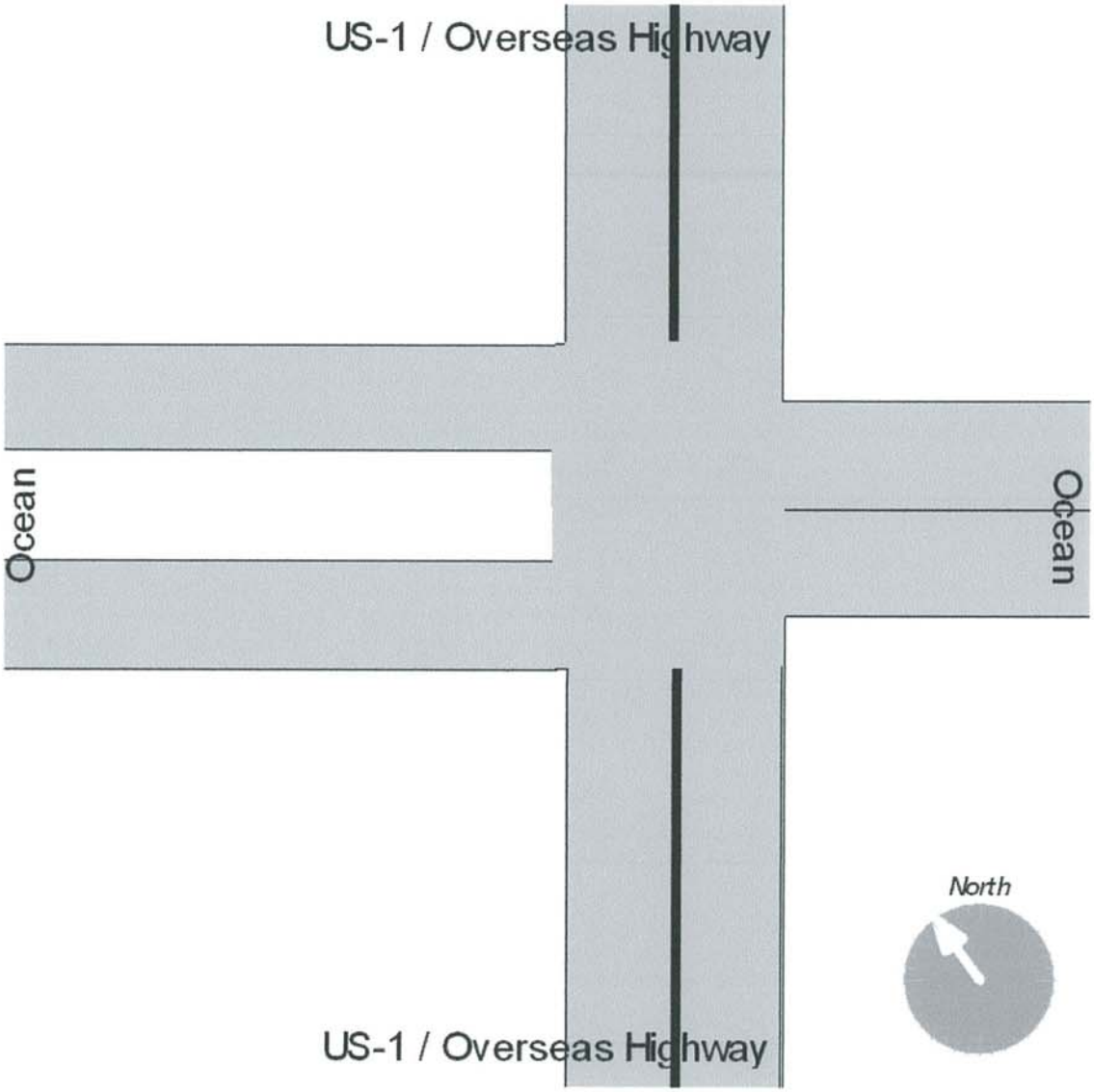

ITE TRIP GENERATION
FDOT SEASONAL FACTORS

Trip Generation Studies of Gas/Convenience Stores

BY GREG LUTTRELL

The purpose of this study was to begin establishing a local database of trip generation characteristics for gas/convenience sites. Recently, the development review process has seen an increasing number of these combined-use sites, which include both the sale of gas and convenience (grocery) items. The increase in popularity of these sites leads to an emphasis on the need to know and understand their trip characteristics. By establishing a local database containing these data, a more realistic assessment of their impacts may be made.

Recently, the trip generation subcommittee of the Florida District/Section of the Institute of Transportation Engineers sent out a call for additional data. Among the new land uses identified as having data needs is the "Convenience Market with Gasoline Pumps" (land-use code 853). Currently, little published data exist for this land use. Afternoon peak-hour trip generation data for this land use were collected in our study. The study acts as an initial step in helping local development and traffic engineering communities to understand trip characteristics relating to gas/convenience sites.

Study Methodologies

The trip generation subcommittee has distributed for comment a draft procedures manual for the collection of trip generation data. Titled *Trip Generation Data Collection Procedures Manual* (April 1988),[1] it is meant to be used in conjunction with the ITE trip generation report.[2] This procedures manual outlines a summary of current thinking on what data are required for "a thorough trip generation study."[2] This thorough study would include the following items:

1. The average weekday traffic generated by a particular land use.
2. Variations in rates to be expected on weekends.
3. The specific peak hour and peak-hour traffic volumes of the generator (study site).
4. The volume of traffic generated by the study site during the peak hour of the adjacent roadway(s).
5. The directional split (entering versus exiting) of traffic during the peak hours and on a daily basis.
6. The person-per-vehicle (occupancy) factor for site-oriented trips.
7. The distribution of trips by mode (passenger car, truck, bus, taxi, etc.).
8. The number of new trips generated by the study site versus the number of trips diverted from the existing traffic stream.

For many different land uses, each of these items will have a varying degree of availability and importance. For example, is the weekend trip variation of an office building necessary? Probably not because most offices are closed on weekends, thus generating little or no traffic. Likewise, without the support of many technicians, attempting to collect pass-by data for a regional mall with many out parcels would be extremely difficult. This type of reasoning led to the collection of only that data that were obtainable with current resources and that would be the most usable.

The data actually collected focused on three principal areas: trip generation data during the afternoon peak hour of the adjacent roadway; directional distribution (split) during this time period; and a breakdown of trips by purpose (gas, convenience, or both).

Data were collected only during the afternoon peak hour for two reasons. Locally, the afternoon peak hour is the critical time period for roadway operations and the period used for site impact analysis. Morning peak hour and daily data were not collected. This study strived to collect and analyze only information that could be readily used by the engineering and development sectors. Collecting morning peak-hour data would not have satisfied this purpose. Also, collecting data for longer periods becomes very manpower intensive.

Directional split is not an important variable for this land use because each vehicle spends only a small amount of time on site. It is presented here because it was a by-product of the other data collected. This study did not attempt to collect all eight of the previously presented items. To do so would have required a prohibitive number of technicians be-

Conversion Factor

To convert from	to	multiply by
sq. ft	m^2	0.0929

cause physical presence is required on site during the study period. This study is, however, valid when considering the eight items because it begins the process toward understanding the critical trip characteristics of the gas/convenience land use.

The third item, trips by purpose, leads to the major difference in collecting trip generation data for gas/convenience sites versus most other land uses. The variables involved in this land use are number of pumps and building size. These two items vary by site and have an influence on the site trip generation. In order to assign trip rates to both of these variables, each trip must be defined as a gas only, convenience only, or combined trip. This determination is made by observing the occupants of each vehicle as they enter and exit the store. Physical site presence and attentiveness are required to track all of each vehicle's occupants. The criteria used to make the trip purpose determination were as follows. A trip was determined to be a gas-only trip if a vehicle's occupant(s) pumped gas and did not leave the store with grocery items. Trips in which a vehicle entered the site and did not pull up to the pumps were considered convenience- (grocery) only trips. If a vehicle's occupant(s) pumped gas and one or more of the occupants left the store with grocery items, the trip was considered a combination trip. By determining the trip purpose, an assignment of the trips to the two site variables was possible. Gas/convenience sites cannot be studied simply by mechanical means.

Study Procedures

An overview of specific criteria used in this study is discussed here:

- Each site was studied for one afternoon peak-hour period (4–6 P.M.). These studies were performed Tuesday through Thursday so that the traffic variations commonly experienced on Monday and Friday would not affect the results.
- To ensure that the hour of data selected for later analysis at each site matched the actual afternoon peak hour of the adjacent roadway, 15-minute machine counts were taken on the adjacent major road. These counts were taken from approximately 3:30 to 6:15 P.M. on the same day the manual site counts were performed.
- Actual location of the survey vehicle was within public right-of-way. Attempting to get permission from each local owner/operator to enter the site would have been very time consuming and would not have greatly increased the validity of the study results.
- Manual counts were taken in 15-minute intervals from 4 to 6 P.M. These included driveway (in/out) and trip purpose (gas, convenience, or both) counts.
- It became apparent that occupants from 100 percent of the vehicles using the site could not be accurately watched or their purpose determined. Classification of trip purpose for most of the sites ranged from 30 percent to 50 percent of the total site trips for the peak hour.

Collecting only that data actually needed and available allowed each site to be studied quickly and easily. The counts at each site took 7–8 person-hours (3.5–4 hours per person) to complete. This included travel time, machine counter setup and take down, and the actual 4–6 P.M. manual count time. Each site required two persons. This allowed one person to count only the driveway volumes and the other to devote complete attention to the task of trip purpose classification. By using these parameters, studies of this type can be performed on a spare-time basis and still yield the needed data.

Data Analysis

The analysis of the data collected included both standard and non-standard trip generation calculations. The collected data classified a sampling of the site trips by purpose. The gas-only and convenience-only trips could be converted to generation rates using standard calculations. These sites, however, also include a combined category for those trips utilizing both the gas and convenience aspects of the site. To distribute these trips to one of the two site variables so that trip rates could then be calculated, the following assumption was used: Assume that the gas availability had a trip attraction (pull) to the site equal to its relative percent of "gas-only" trips when compared with the "convenience-only" trips. Likewise, the convenience site attraction was equal to its "convenience-only" percent relative to the "gas-only" trips.

An example is presented in Table 1. Site LC4 (Newman's/Fowler) had adjusted counts of 45 gas-only and 82 convenience-only trips for the peak hour of the adjacent road. Relating this to the assumption, there were a total of 127 "only" trips to this site. The split of these "only" trips was 45/82 (35%/65%). The combination (both) trips were distributed using the percentage split of the "only" trips. For this site, the both trips were distributed in the 35/65% split to the gas-only and convenience-only categories, respectively. The total 27 combined trips yielded an additional 10 trips to the gas column and 17 trips to the convenience column. These adjusted totals were then related to their standard unit of number of pumps for gas and thousand square feet (KSF) for convenience. This yielded the trip generation rates relative to both site variables.

It has been suggested that the volume of the adjacent roadway should be factored into trip generation calculations. This was not done for three reasons. First, the volume of the adjacent roadway does not enter into any other trip generation calculations. The adjacent road volumes only become important when site impact calculations are made relative to road capacity and site capture. Second, all sites studied were established, successful businesses. We reasoned that a site would not be functioning if the company or owner did not feel that it would be successful, thus qualifying the site to be included in the database. Finally, no apparent correlation between the adjacent road volume and the trip rates was found. For example, site L11 (Super America) on S.R. 78 had 260 total site trips while site L10 (7-11), also on S.R. 78, had only 106 total site trips. Both are on the same road, but generate traffic much differently. Also, site PB4 (Stop-n-Go) is located at one of the busiest intersections in Palm Beach County, yet it generated relatively little traffic. We strongly feel, and the data support, that the importance of the amount of adjacent roadway volume, relative to this database, is not valid.

Table 1 presents the data collected for each of the 18 sites studied. The site characteristics noted in the table include

Table 1. Trip Generation Calculations

Site No.	Site Identification: Store Name/Location	Site Characteristics A	B	C	No. Pumps	Bldg. Size (sq. ft.)	Raw Gas	Raw Both	Raw Conven.	Site Trips	Adjusted Gas	Adjusted Both	Adjusted Conven.	Total Gas	Total Conven.	Trip Rates T/Pump	Trip Rates T/KSF
Collier County																	
CC1	Super America/Pine Ridge	•	•	•	12	4750	42	43	119	342	70	72	199	89	253	7.43	53.2
CC2	Super America/Airport	•	•	•	12	4750	26	26	58	248	59	59	131	77	171	6.40	36.1
Lee County																	
LC1	Super America/Goltview	•	•	•	12	4230	26	19	27	168	61	44	63	82	86	6.87	20.2
LC2	Newman's/Pondella	—	—	•	6	1914	13	5	12	70	30	12	28	36	34	6.07	17.6
LC3	Chevron/Crystal	•	—	•	10	352	13	8	9	76	33	20	23	45	31	4.49	88.3
LC4	Newman's/Fowler	—	•	•	6	2400	15	9	27	154	45	27	82	55	99	9.17	41.3
LC5	Super America/Lehigh	•	•	•	12	4136	33	23	54	225	67	47	110	85	140	7.11	33.8
LC6	Handy Food/Lehigh	—	—	•	8	2700	16	6	50	170	38	14	118	41	129	5.15	47.7
LC7	Mobil Mart/College	•	—	•	12	816	63	17	29	239	138	37	64	164	75	13.64	92.3
LC8	Mobil Mart/Crystal	•	—	•	12	912	31	9	17	138	75	22	41	89	49	7.43	53.6
LC9	Racetrac/Daniels	—	—	•	8	1925	12	16	19	249	64	85	101	96	153	12.05	79.3
L10	7-11/Sr 78	•	—	—	4	2640	2	3	46	106	4	6	96	4	102	1.10	38.5
L11	Super America/SR 78	•	•	•	12	4185	26	22	42	260	75	64	121	99	161	8.28	38.4
Palm Beach County																	
PB1	Gulf Food Mart/Congress	•	—	•	9	697	34	10	5	109	76	22	11	95	14	10.56	20.0
PB2	7-11/Congress	•	—	•	4	2805	16	14	59	230	41	36	152	49	181	12.27	64.5
PB3	Food Mart/Forest Hill	—	—	•	10	1632	25	9	41	135	45	16	74	51	84	5.11	51.4
PB4	Stop-n-Go/Military Ter.	—	—	•	8	2535	9	4	37	89	16	7	66	17	72	2.18	28.2
PB5	Step Saver/Forest Hill	—	—	•	8	2700	22	7	33	116	41	13	62	46	70	5.80	25.8

A = National Chain. B = Diesel Available. C = Air, Water, Phone Available. • = Yes. — = No.

information relative to the store being a national chain; the site having diesel fuel available; and whether air, water, and phone(s) were present. These variables were used as sorting criteria to better characterize the trip rates. Although these characteristics did yield different trip rates, some results need to be further defined through comparison with additional data.

The number of pumps was defined as the number of vehicle stations available. For example, if a pump island contains one pump that can be accessed simultaneously by vehicles from both sides, then it would be counted as two pumps. Therefore, a site having three pump islands with two pumps each (one for each of two grades of gas), which can be used from both sides simultaneously, would be defined as having six pumps.

The building size represents an exterior measurement. Although it does not represent the exact size of the building, small variations in this value have little or no effect on the final results. These site variables were used to later obtain trip rates.

The raw and adjusted counts for the afternoon peak hour are also listed in Table 1. These represent the sampling results of the trip purpose classification. Site trips are defined as the total site peak-hour trip ends (in plus out). Although directional split data are not presented here, it varied little from the expected 50/50% split. The adjusted columns of counts are a breakdown of the total site trips by purpose. For example, site LC8 (Mobil Mart/Crystal) had 31 of the sampled trips for gas only and total site trips of 138. When this gas-only value is compared with the total sampled value of 57 trips and then related to the 138 site trips, an adjusted gas-only value of 75 is obtained. The adjustments are standard for trip generation calculations.

The values shown in the total gas and convenience columns of Table 1 were generated based on the assumption discussed earlier. That is, the both (combined) trips were split into the gas and convenience totals relative to the attractiveness of the gas-only and convenience-only adjusted values. These values were then divided into the site variables. The results are the afternoon peak-hour trip generation rates for gas/convenience store sites.

Further analysis was then performed on the trip rates based on the different site characteristics observed. A summary of these results is given in Table 2. These values include an average of the 18 site trip rates resulting in average trip rates of 7.28 trips per pump and 46.1 trips per KSF of building. Although these overall values are valid, sortings based on the three site characteristics were performed that suggest a valuable further classification of rates. These values show variation in the with and without trip rates, which indicate that the presence of certain site characteristics does affect the ultimate site trip total. For example, a national chain appears to generate more trips for both site variables. This equates to approximately 1.28 trips per pump and 7.4 trips per KSF. These variations should be applied to a site impact analysis to more realistically assess its impacts. The values based on these site characteristics sortings should be used with caution. In certain instances, the sample sizes are too small to be reliable or to draw any specific conclusions. This specifically applies to characteristic C, which was not shown in Table 2. This type of data sorting does, however, represent an attempt to further understand the different items affecting trip rates.

Table 2 also shows the results of other data sortings relative to the location and physical site variables. The sites are located in three Florida counties. As shown in Table 2, trip rates for the different counties vary from 6.92 to 7.40 for

Table 2. Trip Generation Rate Summary

Parameters	Trip Rates T/Pump	Trip Rates T/KSF
Trip Generation Averages (all 18 sites)	7.28	46.1
Sorted Trip Generations Averages		
Characteristic "A"		
No	6.50	41.6
Yes	7.78	49.0
Characteristic "B"		
No	7.15	—
Yes	7.54	—
Location Averages by County		
Collier County	6.92	44.7
Lee County	7.40	50.1
Palm Beach County	7.18	38.0
Building Size Averages (sq. ft.)		
<1000	—	63.6
1000–3000	—	43.8
>3000	—	36.3

Characteristic "A" = national chain.
Characteristic "B" = diesel available.

trips/pump and from 38.0 to 50.1 for trips/KSF. This further reinforces the need for local trip generation data (when available) versus the use of nationwide averages. Data sorting based on the number of pumps did not yield any strong conclusions and was therefore not shown in the table. The data sorted based on building size do indicate that a threefold categorization may be appropriate. These would be for buildings under 1 KSF, between 1 and 3 KSF, and those over 3 KSF. These different groups produced quite different trip rates, with the smaller categories having higher trip rates. Once again, this type of further focusing of the trip generation characteristics will allow site impacts to be more accurately assessed.

Conclusions

Trip generation rates relative to the two site variables were obtained from this study. These rates show that the gas/convenience site generates traffic varying relative to its number of pumps, building size, and site characteristics. The calculations leading to the trip rates were shown (Table 1) and explained. These rates were determined using an assumption of trip attractiveness of the two site variables, which allowed for the analysis of these mixed-use sites. The rates were then sorted relative to the factors listed previously to better understand the trip generation characteristics of this land use. The data strongly suggest that different sites *do* generate different amounts of traffic and that variability can be somewhat categorized. By performing these sortings, better values can be achieved, which will then lead to much better site impact analysis.

Many items require additional study, including site capture and pass-by traffic rates, as well as other items mentioned earlier. Those attempting to collect capture data should be aware that because trip rates must address two independent site variables, so must the capture rates. For instance, the capture percentage for gas may be "x" and for convenience "y." These percentages must also address the combined (both) trips. It would be expected that capture rates would vary greatly and be dependent on many of those items that influence trip rates.

This study was performed to better our understanding of the trip characteristics of these popular sites. By collecting, analyzing, and using local data, we may more accurately project the traffic impacts of land uses on our road networks.

References

1. Florida Section Institute of Transportation Engineers, Trip Generation Subcommittee. *Trip Generation Data Collection Procedures Manual*. Draft report. West Palm Beach, Fl.: ITE Florida Section, April 1988.
2. Institute of Transportation Engineers. *Trip Generation*, 4th Ed. Washington D.C.: Institute of Transportation Engineers, 1987.

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Table 5.30
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period

Land Use 945—Gasoline/Service Station with Convenience Market

SIZE (1,000 SQ. FT. GFA)	VEHICLE FUELING POSITIONS	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS-BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	SOURCE
0.8	8	Louisville area, KY	1993	83	4:00–6:00 p.m.	8	—	40	52	4,965	Barton-Aschman Assoc.
0.6	8	Louisville, KY	1993	60	4:00–6:00 p.m.	20	—	27	53	1,491	Barton-Aschman Assoc.
0.7	10	Louisville, KY	1993	n/a	4:00–6:00 p.m.	19	—	24	57	1,812	Barton-Aschman Assoc.
0.7	8	Louisville area, KY	1993	n/a	4:00–6:00 p.m.	7	—	21	72	2,657	Barton-Aschman Assoc.
0.7	10	Louisville area, KY	1993	n/a	4:00–6:00 p.m.	16	—	29	55	2,657	Barton-Aschman Assoc.
0.8	8	Silver Spring, MD	1992	36	4:00–6:00 p.m.	14	—	19	67	3,095	RBA
0.4	8	Derwood, MD	1992	46	4:00–6:00 p.m.	11	—	43	46	3,770	RBA
2.1	8	Kensington, MD	1992	31	4:00–6:00 p.m.	13	—	35	52	1,785	RBA
1	8	Silver Spring, MD	1992	35	4:00–6:00 p.m.	3	—	43	54	7,080	RBA

Average Pass-By Trip Percentage: 56

Category: 9000 MONROE COUNTYWIDE

2008-000

MOCF: 0.89

Week	Dates	SF		PSCF
1	01/01/2006 - 01/07/2006	1.06	Date	1.19
2	01/08/2006 - 01/14/2006	1.00	①	1.12
3	01/15/2006 - 01/21/2006	0.95		1.07
* 4	01/22/2006 - 01/28/2006	0.93		1.05
* 5	01/29/2006 - 02/04/2006	0.91		1.02
* 6	02/05/2006 - 02/11/2006	0.90		1.01
* 7	02/12/2006 - 02/18/2006	0.88		0.99
* 8	02/19/2006 - 02/25/2006	0.87		0.98
* 9	02/26/2006 - 03/04/2006	0.87		0.98
*10	03/05/2006 - 03/11/2006	0.86	peak	0.97
*11	03/12/2006 - 03/18/2006	0.85		0.96
*12	03/19/2006 - 03/25/2006	0.87		0.98
*13	03/26/2006 - 04/01/2006	0.88		0.99
*14	04/02/2006 - 04/08/2006	0.90		1.01
*15	04/09/2006 - 04/15/2006	0.91		1.02
*16	04/16/2006 - 04/22/2006	0.93		1.05
17	04/23/2006 - 04/29/2006	0.94		1.06
18	04/30/2006 - 05/06/2006	0.95		1.07
19	05/07/2006 - 05/13/2006	0.96		1.08
20	05/14/2006 - 05/20/2006	0.98		1.10
21	05/21/2006 - 05/27/2006	0.99		1.11
22	05/28/2006 - 06/03/2006	1.00		1.12
23	06/04/2006 - 06/10/2006	1.01		1.14
24	06/11/2006 - 06/17/2006	1.02		1.15
25	06/18/2006 - 06/24/2006	1.01		1.14
26	06/25/2006 - 07/01/2006	1.01		1.14
27	07/02/2006 - 07/08/2006	1.00		1.12
28	07/09/2006 - 07/15/2006	1.00		1.12
29	07/16/2006 - 07/22/2006	1.02		1.15
30	07/23/2006 - 07/29/2006	1.05		1.18
31	07/30/2006 - 08/05/2006	1.07		1.20
32	08/06/2006 - 08/12/2006	1.10		1.24
33	08/13/2006 - 08/19/2006	1.12		1.26
34	08/20/2006 - 08/26/2006	1.13	Date	1.27
35	08/27/2006 - 09/02/2006	1.14		1.28
36	09/03/2006 - 09/09/2006	1.15		1.29
37	09/10/2006 - 09/16/2006	1.17	②	1.32
38	09/17/2006 - 09/23/2006	1.15	③	1.29
39	09/24/2006 - 09/30/2006	1.14		1.28
40	10/01/2006 - 10/07/2006	1.13		1.27
41	10/08/2006 - 10/14/2006	1.11		1.25
42	10/15/2006 - 10/21/2006	1.10		1.24
43	10/22/2006 - 10/28/2006	1.09		1.23
44	10/29/2006 - 11/04/2006	1.08		1.21
45	11/05/2006 - 11/11/2006	1.07		1.20
46	11/12/2006 - 11/18/2006	1.07		1.20
47	11/19/2006 - 11/25/2006	1.06		1.19
48	11/26/2006 - 12/02/2006	1.06		1.19
49	12/03/2006 - 12/09/2006	1.06		1.19
50	12/10/2006 - 12/16/2006	1.06		1.19
51	12/17/2006 - 12/23/2006	1.02		1.15
52	12/24/2006 - 12/30/2006	0.98		1.10
53	12/31/2006 - 12/31/2006	0.95		1.07

* Peak Season

① US 1 & Atlantic Blvd

$\frac{1.00}{0.85} = 1.176$ 17.6%

② US 1 & Bahama/Gasparilla

$\frac{1.17}{0.85} = 1.376$ 37.6%

③ US 1 & Ocean Drive

$\frac{1.15}{0.85} = 1.353$ 35.3%

SIGNALIZED INTERSECTION ANALYSES

SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Atlantic Blvd
Agency or Co.		Area Type	All other areas
Date Performed	1/09/08	Jurisdiction	2008 Existing
Time Period		Analysis Year	

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	1	2	1	1	2	1
Lane Group	L	TR		L	TR		L	T	R	L	T	R
Volume (vph)	12	9	19	87	14	137	26	1023	42	93	1034	43
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.86	0.86	0.86	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3		3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	16	0	0	50	0	0	9	0	0	6
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	Thru & RT	07	08
Timing	G = 20.0	G =	G =	G =	G = 16.0	G = 47.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 5	Y = 6	Y =	Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 100.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	14	13		92	107		27	1077	35	98	1088	39
Lane Group Capacity	261	367		285	331		289	1700	759	289	1700	759
v/c Ratio	0.05	0.04		0.32	0.32		0.09	0.63	0.05	0.34	0.64	0.05
Green Ratio	0.20	0.20		0.20	0.20		0.16	0.47	0.47	0.16	0.47	0.47
Uniform Delay d_1	32.3	32.2		34.2	34.2		35.8	20.0	14.4	37.3	20.1	14.4
Delay Factor k	0.11	0.11		0.11	0.11		0.11	0.50	0.50	0.11	0.50	0.50
Incremental Delay d_2	0.1	0.0		0.7	0.6		0.1	1.8	0.1	0.7	1.9	0.1
PF Factor	1.000	1.000		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	32.4	32.3		34.9	34.8		36.0	21.8	14.5	38.0	21.9	14.5
Lane Group LOS	C	C		C	C		D	C	B	D	C	B
Approach Delay	32.4			34.8			21.9			23.0		
Approach LOS	C			C			C			C		
Intersection Delay	23.5			Intersection LOS						C		

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SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Atlantic Blvd
Agency or Co.		Area Type	All other areas
Date Performed	1/09/08	Jurisdiction	2009 Without Site
Time Period		Analysis Year	

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	1	2	1	1	2	1
Lane Group	L	TR		L	TR		L	T	R	L	T	R
Volume (vph)	14	11	22	103	17	162	31	1399	50	110	1414	51
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.86	0.86	0.86	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3		3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	16	0	0	50	0	0	9	0	0	6
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	Thru & RT	07	08
Timing	G = 20.0	G =	G =	G =	G = 16.0	G = 47.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 5	Y = 6	Y =	Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 100.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	16	20		108	136		33	1473	43	116	1488	47
Lane Group Capacity	248	360		283	331		289	1700	759	289	1700	759
v/c Ratio	0.06	0.06		0.38	0.41		0.11	0.87	0.06	0.40	0.88	0.06
Green Ratio	0.20	0.20		0.20	0.20		0.16	0.47	0.47	0.16	0.47	0.47
Uniform Delay d_1	32.4	32.4		34.6	34.9		35.9	23.7	14.4	37.7	23.9	14.5
Delay Factor k	0.11	0.11		0.11	0.11		0.11	0.50	0.50	0.11	0.50	0.50
Incremental Delay d_2	0.1	0.1		0.9	0.8		0.2	6.2	0.1	0.9	6.6	0.2
PF Factor	1.000	1.000		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	32.5	32.4		35.5	35.7		36.1	29.9	14.6	38.6	30.5	14.6
Lane Group LOS	C	C		D	D		D	C	B	D	C	B
Approach Delay	32.5			35.6			29.6			30.6		
Approach LOS	C			D			C			C		
Intersection Delay	30.5			Intersection LOS						C		

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SHORT REPORT

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 & Atlantic Blvd
Agency or Co.		Area Type	All other areas
Date Performed	1/09/08	Jurisdiction	2009 With Site
Time Period	Midday Peak	Analysis Year	2009 With Site

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	1	2	1	1	2	1
Lane Group	L	TR		L	TR		L	T	R	L	T	R
Volume (vph)	14	11	22	104	17	163	30	1422	50	111	1436	12
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.86	0.86	0.86	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	P	P	A	P	P
Startup Lost Time	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3		3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0		3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	16	0	0	50	0	0	9	0	0	6
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	EW Perm	02	03	04	Excl. Left	Thru & RT	07	08
Timing	G = 20.0	G =	G =	G =	G = 16.0	G = 47.0	G =	G =
	Y = 6	Y =	Y =	Y =	Y = 5	Y = 6	Y =	Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 100.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	16	20		109	137		32	1497	43	117	1512	6
Lane Group Capacity	247	360		283	330		289	1700	759	289	1700	759
v/c Ratio	0.06	0.06		0.39	0.42		0.11	0.88	0.06	0.40	0.89	0.01
Green Ratio	0.20	0.20		0.20	0.20		0.16	0.47	0.47	0.16	0.47	0.47
Uniform Delay d_1	32.4	32.4		34.7	34.9		35.9	24.0	14.4	37.7	24.1	14.1
Delay Factor k	0.11	0.11		0.11	0.11		0.11	0.50	0.50	0.11	0.50	0.50
Incremental Delay d_2	0.1	0.1		0.9	0.8		0.2	6.9	0.1	0.9	7.4	0.0
PF Factor	1.000	1.000		1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	32.5	32.4		35.5	35.7		36.1	30.9	14.6	38.7	31.5	14.1
Lane Group LOS	C	C		D	D		D	C	B	D	C	B
Approach Delay	32.5			35.7			30.5			32.0		
Approach LOS	C			D			C			C		
Intersection Delay	31.6			Intersection LOS						C		

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UNSIGNALIZED INTERSECTION ANALYSES

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	NB US 1 & Bahama Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2008 Existing
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 2008-005
East/West Street: Bahama Drive NB	North/South Street: US 1 North Bound
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	14	939	3			
Peak-Hour Factor, PHF	0.98	0.98	0.98	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	30	6	0	0	10	2
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	25	5			5	1
Peak-Hour Factor, PHF	0.83	0.83	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	0	0	0	14	958	3
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	14				12	36		
C (m) (veh/h)	1636				404	503		
v/c	0.01				0.03	0.07		
95% queue length	0.03				0.09	0.23		
Control Delay (s/veh)	7.2				14.2	12.7		
LOS	A				B	B		
Approach Delay (s/veh)	--	--	14.2			12.7		
Approach LOS	--	--	B			B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	NB US 1 & Bahama Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 Without Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Bahama Drive NB* | North/South Street: *US 1 North Bound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	17	1306	4			
Peak-Hour Factor, PHF	0.98	0.98	0.98	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	36	7	0	0	12	2
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	30	6			6	1
Peak-Hour Factor, PHF	0.83	0.83	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	0	0	0	17	1332	4
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	17				14	43		
C (m) (veh/h)	1636				281	380		
v/c	0.01				0.05	0.11		
95% queue length	0.03				0.16	0.38		
Control Delay (s/veh)	7.2				18.5	15.7		
LOS	A				C	C		
Approach Delay (s/veh)	--	--	18.5			15.7		
Approach LOS	--	--	C			C		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	NB US 1 & Bahama Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Bahama Drive NB* | North/South Street: *US 1 North Bound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	17	1316	4			
Peak-Hour Factor, PHF	0.98	0.98	0.98	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	17	1342	4	0	0	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	30	6			6	1
Peak-Hour Factor, PHF	0.83	0.83	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	36	7	0	0	12	2
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	17				14	43		
C (m) (veh/h)	1636				278	378		
v/c	0.01				0.05	0.11		
95% queue length	0.03				0.16	0.38		
Control Delay (s/veh)	7.2				18.6	15.7		
LOS	A				C	C		
Approach Delay (s/veh)	--	--	18.6			15.7		
Approach LOS	--	--	C			C		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	SB US 1 & Gasparilla Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2008 Existing
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Gasparilla Drive* | North/South Street: *US 1 Southbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				31	775	14
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.94	0.94	0.94
Hourly Flow Rate, HFR (veh/h)	0	0	31	11	20	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	0	0	0	2	1
Configuration				LT	T	R
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			19	7	13	
Peak-Hour Factor, PHF	1.00	1.00	0.59	0.63	0.63	1.00
Hourly Flow Rate, HFR (veh/h)	32	820	14	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	1	0
Configuration			R	LT		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	LT					R
v (veh/h)		32	31					31
C (m) (veh/h)		1636	526					741
v/c		0.02	0.06					0.04
95% queue length		0.06	0.19					0.13
Control Delay (s/veh)		7.2	12.3					10.1
LOS		A	B					B
Approach Delay (s/veh)	--	--	12.3			10.1		
Approach LOS	--	--	B			B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	SB US 1 & Gasparilla Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 Without Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Gasparilla Drive* | North/South Street: *US 1 Southbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				37	1078	17
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.94	0.94	0.94
Hourly Flow Rate, HFR (veh/h)	0	0	37	12	24	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	0	0	0	2	1
Configuration				LT	T	R
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			22	8	15	
Peak-Hour Factor, PHF	1.00	1.00	0.59	0.63	0.63	1.00
Hourly Flow Rate, HFR (veh/h)	39	1140	17	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	1	0
Configuration			R	LT		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	LT					R
v (veh/h)		39	36					37
C (m) (veh/h)		1636	417					635
v/c		0.02	0.09					0.06
95% queue length		0.07	0.28					0.19
Control Delay (s/veh)		7.3	14.4					11.0
LOS		A	B					B
Approach Delay (s/veh)	--	--	14.4			11.0		
Approach LOS	--	--	B			B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	SB US 1 & Gasparilla Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 2008-005
East/West Street: Gasparilla Drive	North/South Street: US 1 Southbound
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				37	1087	17
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.94	0.94	0.94
Hourly Flow Rate, HFR (veh/h)	0	0	0	39	1156	18
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	0	0	0	2	1
Configuration				LT	T	R
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)			22	8	15	
Peak-Hour Factor, PHF	1.00	1.00	0.59	0.63	0.63	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	37	12	23	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	1	0	1	0
Configuration			R	LT		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	LT					R
v (veh/h)		39	35					37
C (m) (veh/h)		1636	414					630
v/c		0.02	0.08					0.06
95% queue length		0.07	0.28					0.19
Control Delay (s/veh)		7.3	14.5					11.1
LOS		A	B					B
Approach Delay (s/veh)	--	--	14.5			11.1		
Approach LOS	--	--	B			B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	NB US 1 & Site Drive
Agency/Co.		Jurisdiction	
Date Performed	6/4/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 2008-005
East/West Street: Site Drive	North/South Street: US 1 Northbound
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	15	1188				
Peak-Hour Factor, PHF	0.60	0.95	0.60	0.60	0.60	0.60
Hourly Flow Rate, HFR (veh/h)	24	1250	0	0	0	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT	T				
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	31					
Peak-Hour Factor, PHF	0.60	0.60	0.60	0.60	0.60	0.60
Hourly Flow Rate, HFR (veh/h)	51	0	0	0	0	0
Percent Heavy Vehicles	6	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	0	0	0	0
Configuration	L					

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT					L		
v (veh/h)	24					51		
C (m) (veh/h)	1636					502		
v/c	0.01					0.10		
95% queue length	0.04					0.34		
Control Delay (s/veh)	7.2					13.0		
LOS	A					B		
Approach Delay (s/veh)	--	--				13.0		
Approach LOS	--	--				B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RPEF/CED*	Intersection	*SB US 1 and Site Drive*
Agency/Co.		Jurisdiction	
Date Performed	*6/4/2008*	Analysis Year	*2009 With Site*
Analysis Time Period	*Midday Peak*		

Project Description *Tom Thumb 2008-005*

East/West Street: *Site Drive* | North/South Street: *US 1 Southbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				*34*	*1126*	
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*0.60*	*0.95*	*1.00*
Hourly Flow Rate, HFR (veh/h)	*0*	*0*	*0*	*56*	*1185*	*0*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*2*	*0*
Configuration				*LT*	*T*	
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				*30*		
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*0.60*	*1.00*	*1.00*
Hourly Flow Rate, HFR (veh/h)	*0*	*0*	*0*	*49*	*0*	*0*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*1*	*0*	*0*
Configuration				*L*		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		*LT*	*L*					
v (veh/h)		*56*	*49*					
C (m) (veh/h)		*1636*	*487*					
v/c		*0.03*	*0.10*					
95% queue length		*0.11*	*0.33*					
Control Delay (s/veh)		*7.3*	*13.2*					
LOS		*A*	*B*					
Approach Delay (s/veh)	--	--	*13.2*					
Approach LOS	--	--	*B*					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 NB & Ocean Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2008 Existing
Analysis Time Period	Midday Peak		

Project Description	Tom Thumb 2008-005
East/West Street: Ocean Drive	North/South Street: US 1 Northbound
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	1	862	4			
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	1	18	0	0	2	6
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	1	10			1	3
Peak-Hour Factor, PHF	0.55	0.55	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	0	0	0	1	950	4
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	1				8	19		
C (m) (veh/h)	1636				580	394		
v/c	0.00				0.01	0.05		
95% queue length	0.00				0.04	0.15		
Control Delay (s/veh)	7.2				11.3	14.6		
LOS	A				B	B		
Approach Delay (s/veh)	--	--	11.3			14.6		
Approach LOS	--	--	B			B		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 NB & Ocean Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 Without Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Ocean Drive* | North/South Street: *US 1 Northbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	1	1179	5			
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	1	21	0	0	2	8
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	1	12			1	4
Peak-Hour Factor, PHF	0.55	0.55	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	0	0	0	1	1299	5
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	1				10	22		
C (m) (veh/h)	1636				480	283		
v/c	0.00				0.02	0.08		
95% queue length	0.00				0.06	0.25		
Control Delay (s/veh)	7.2				12.7	18.8		
LOS	A				B	C		
Approach Delay (s/veh)	--	--	12.7			18.8		
Approach LOS	--	--	B			C		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 NB & Ocean Drive
Agency/Co.		Jurisdiction	
Date Performed	6/4/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Ocean Drive* | North/South Street: *US 1 Northbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	1	1188	5			
Peak-Hour Factor, PHF	0.91	0.91	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	1	1305	5	0	0	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	2	0	0	0	0
Configuration	LT		TR			
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	1	12			1	4
Peak-Hour Factor, PHF	0.55	0.55	1.00	1.00	0.50	0.50
Hourly Flow Rate, HFR (veh/h)	1	21	0	0	2	8
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT				TR	LT		
v (veh/h)	1				10	22		
C (m) (veh/h)	1636				478	281		
v/c	0.00				0.02	0.08		
95% queue length	0.00				0.06	0.25		
Control Delay (s/veh)	7.2				12.7	18.9		
LOS	A				B	C		
Approach Delay (s/veh)	--	--	12.7			18.9		
Approach LOS	--	--	B			C		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RPE/CED*	Intersection	*US 1 SB & Ocean Drive*
Agency/Co.		Jurisdiction	
Date Performed	*2/12/2008*	Analysis Year	*2008 Existing*
Analysis Time Period	*Midday Peak*		

Project Description *Tom Thumb 2008-005*

East/West Street: *Ocean Drive* | North/South Street: *US 1 Southbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				*12*	*815*	
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*0.94*	*0.94*	*1.00*
Hourly Flow Rate, HFR (veh/h)	*0*	*0*	*0*	*4*	*0*	*0*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*0*	*2*	*0*
Configuration				*LT*	*T*	
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				*2*		
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*0.50*	*1.00*	*1.00*
Hourly Flow Rate, HFR (veh/h)	*12*	*867*	*0*	*0*	*0*	*0*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)	*0*			*0*		
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*1*	*0*	*0*
Configuration				*L*		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		*LT*	*L*					
v (veh/h)		*12*	*4*					
C (m) (veh/h)		*1636*	*645*					
v/c		*0.01*	*0.01*					
95% queue length		*0.02*	*0.02*					
Control Delay (s/veh)		*7.2*	*10.6*					
LOS		*A*	*B*					
Approach Delay (s/veh)	--	--	*10.6*					
Approach LOS	--	--	*B*					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 SB & Ocean Drive
Agency/Co.		Jurisdiction	
Date Performed	2/12/2008	Analysis Year	2009 Without Site
Analysis Time Period	Midday Peak		

Project Description *Tom Thumb 2008-005*

East/West Street: *Ocean Drive* | North/South Street: *US 1 Southbound*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				14	1116	
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.94	0.94	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	0	4	0	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	0	0	0	2	0
Configuration				LT	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				2		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.50	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	14	1187	0	0	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	0
Configuration				L		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	L					
v (veh/h)		14	4					
C (m) (veh/h)		1636	544					
v/c		0.01	0.01					
95% queue length		0.03	0.02					
Control Delay (s/veh)		7.2	11.7					
LOS		A	B					
Approach Delay (s/veh)	--	--	11.7					
Approach LOS	--	--	B					

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	RPE/CED	Intersection	US 1 SB & Ocean Drive
Agency/Co.		Jurisdiction	
Date Performed	6/4/2008	Analysis Year	2009 With Site
Analysis Time Period	Midday Peak		

Project Description: Tom Thumb 2008-005

East/West Street: Ocean Drive | North/South Street: US 1 Southbound

Intersection Orientation: North-South | Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)				14		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.94	0.94	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	0	14	1193	0
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	0	0	0	2	0
Configuration				LT	T	
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				2		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.50	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	0	4	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	0
Configuration				L		

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	L					
v (veh/h)		14	4					
C (m) (veh/h)		1636	542					
v/c		0.01	0.01					
95% queue length		0.03	0.02					
Control Delay (s/veh)		7.2	11.7					
LOS		A	B					
Approach Delay (s/veh)	--	--	11.7					
Approach LOS	--	--	B					

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REDUCED SITE SURVEY
& AERIAL

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

PALMIS

Legend
Real Estate Number
Parcel Lot Text
Dimension Text
Block Text
Hooks/Leads
Lot Lines
Easements
Road Centerlines
Water Names
Parcels
Shoreline
Section Lines
2006 Aerials

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

Date Created: January 10, 2008 9:58 AM

HABITAT EVALUATION AND VEGETATION SURVEY

(Revised on October 4, 2007)

Tom Thumb Food Store 223
Key Largo, Monroe County, FL
RE # 00090630-000000

Prepared by:

Planning
Ecological
Environmental
Communications
CONSULTING SERVICES

MIAMI • FT. MEYERS • KEY WEST
www.swcinc.net

September 10, 2007

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3	Site Description	1
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LIST OF ATTACHMENTS

No.	Description	# of Pages
1	Site Photographs	1
2	Location Map	1
3	Aerial Photograph	1
4	Location of Regionally Important species	1
5	Curriculum Vitae of Sandra Walters	8

1.0 PURPOSE

The purpose of this report is to present the results of a habitat evaluation and vegetation survey for the Tom Thumb Convenience Store located at 97950 Overseas Highway, Key Largo.

2.0 METHODOLOGY

A site visit to the subject property was conducted on August 22, 2007 by SWC staff. The subject parcel was examined and the woody vegetation was identified and photographed (see Attachment 1). On August 24, 2007, a subsequent site visit was conducted by SWC staff. Tree size and soil depth measurements were collected.

Tree Size – The three most dominant canopy species were identified. Using a tape measure, diameter at breast height (DBH) was measured for the largest four representatives of each of the three species. Average DBHs were calculated.

Soil Depth – Soil depths were collected at four locations randomly chosen using the random point generator on a sub-meter-accuracy Magellan Mobile Mapper CE handheld GPS device. Using a ruler to probe the ground, soil depth measurements were taken at the center of the sampling areas and at five evenly spaced points located five feet from the center points. Average soil depth was calculated.

The Monroe County HEI Handbook (Section 9.5-340, Monroe County Code (MCC)) was used as the detailed methodology for the habitat evaluation. A native plant table containing species, fruit and listing status was provided by the Monroe County Planning Department.

ArcGIS 9.2 software was used to analyze Monroe County aerial photographs and calculate the hammock acreage. In addition, wildlife species data layers, provided by the Florida Geographic Data Library, were used to determine the potential for the hammock to serve as threatened and endangered animal habitat.

3.0 SITE DESCRIPTION

The Tom Thumb convenience store is located between mile markers 97 and 98 in Key Largo (see Attachment 2). The store property is one lot with RE number 00090630-000000. The southwest half of the lot is a convenience store and gas station, while the northeast half of the lot contains 0.55 acres of high hammock. The entire contiguous hammock, including adjacent parcels, is 2.6 acres. The lot is positioned between the northbound and southbound lanes of US 1. Adjacent to the northeast of the lot are vegetated parcels, and southeast of the lot, across US 1, is an 18+ acre natural area (see Attachment 3).

The hammock is dominated by native tropical hardwoods that form a canopy 30 to 35 feet in height and a midstory 15 to 25 feet in height, and is characterized as high hammock. The understory is mostly open with Crabwood and Everglades velvetseed prevalent. Lead tree is the only exotic tree in the hammock and only appears in the marginal vegetation.

The hammock's soil is approximately 1 to 2 inches in depth, with a 2 to 3 inch layer of duff. Numerous rocks protrude from the hammock floor. A large pile of rocks and debris is located along the northeast boundary of the forested area.

A total of 18 native hardwood species and one exotic hardwood species are present in the hammock. Table 3.1 is a list of species common names, scientific names, fruiting categories and status as federal or state listed species. Inkwood and Mastic are the only two regionally important species and are highlighted in yellow.

Table 3.1 Hardwood plant species list (assessment area)

Common Name	Species	Fruiting Category	Listing Status
Bahama strongbark	*Bourreria ovata*	1	Native
Blolly	*Guapira discolor*	1	Native
Crabwood	*Ateramnus lucidus*	None	Native
Everglades Velvetseed	*Guettarda elliptica*	2	Native
Gumbo limbo	*Bursera simaruba*	1	Native
Inkwood	*Exothea paniculata*	1	Regionally Important
Jamaica dogwood	*Piscidia piscipula*	None	Native
Jamaican caper	*Capparis cynophallophora*	3	Native
Lead tree	*Leucaena leucocephala*	2	Exotic
Marlberry	*Ardisia escalloniodes*	2	Native
Mastic	*Mastichodendron foetidissiumum*	2	Regionally Important
Mouse's pineapple	*Moridna royoc*	3	Native
Pigeon plum	*Coccoloba diversiflia*	1	Native
Poisonwood	*Metopium toxiferum*	1	Native
Randia	*Randia aculeate*	3	Native
Snowberry	*Chiococca alba*	1	Native
Spanish stopper	*Eugenia foetida*	1	Native
Wild coffee	*Psychotria nervosa*	1	Native
Willow bustic	*Bumelia salicifolia*	1	Native

High hammock is known or potential habitat for a total of 22 wildlife species. Table 3.2 is a list of these species, including their status and likelihood to occur on the subject property. Wildlife species that are likely to occur in the high hammock are highlighted in yellow.

Table 3.2 Generalized wildlife species list (Key Largo)

Common Name	Species	Status	Likely to Occur in High Hammock?
Eastern indigo snake	*Drymachron corais couperi*	Threatened	Yes
Miami black-headed snake	*Tantilla oolitica*	Threatened	Yes
Roseate spoonbill	*Ajaja ajaja*	Special Concern	No
Burrowing owl	*Athene cunicularia*	Special Concern	No
Piping plover	*Charadrius melodus*	Threatened	No
White-crowned pigeon	*Columba leucocephala*	Threatened	Yes
Little blue heron	*Egretta caerulea*	Special Concern	No
Reddish egret	*Egretta rufescens*	Special Concern	No
Snowy egret	*Egretta thula*	Special Concern	No
Tricolored heron	*Egretta tricolor*	Special Concern	No
Arctic Peregrine falcon	*Falco peregrinus tundrius*	Endangered	Yes
Southeastern American kestrel	*Falco sparverius paulus*	Threatened	Yes
Bald eagle	*Haliaeetus leucocephalus*	Threatened	Yes
Wood stork	*Mycteria Americana*	Endangered	No
Osprey	*Pandion haliaetus*	Special Concern	No
Brown pelican	*Pelecanus occidentalus*	Special Concern	No
Least tern	*Sterna antillarum*	Threatened	No
Roseate tern	*Sterna dougallii*	Threatened	No
Bachman's warbler	*Vermivora bachmanii*	Endangered	No
Key Largo wood rat	*Neofoma floridana smalli*	Endangered	Yes
Key Largo cotton mouse	*Peromyscus gossypinus allapaticola*	Endangered	Yes
Schaus' swallowtail butterfly	*Heraclides aristodemus ponceanus*	Endangered	Yes

4.0 HABITAT EVALUATION

A habitat evaluation for high hammocks has been conducted as outlined in Sect. 9.5-340, MCC.

(1) Tree Size: The three dominate canopy species are identified as Gumbo limbo, Pigeon plum, and Jamaica dogwood (*Bursera simaruba, Coccoloba diversiflia* and *Piscidia piscipula)*. All three canopy dominants have average DBHs of 8 inches or more, resulting in a score of 1.5.

(2) Soil Depth: The average soil depth from the four randomly-chosen locations is less than 2 inches, resulting in a score of 0.

(3) Woody Plant Species Diversity: A total of 18 native woody species are present, resulting in a score of 2.

(4) Threatened, Endangered, Commercially Exploited and Regionally Important Plants: Inkwood and Mastic (*Exothea paniculata* and *Mastichodendron foetidissiumum*) are the only regionally important species located in the subject hammock (see Attachment 4), resulting in a score of 1.

(5) Invasive Exotic Plant Infestation: The subject hammock is dominated by native plant species. Total invasive exotic vegetation is at less than 5 percent, resulting in a score of 4.

(6) Threatened and Endangered Animal Species: GIS data layers, provided by the Florida Geographic Data Library, suggest the hammock is potential habitat for the Eastern indigo snake, Miami black-headed snake, Arctic Peregrine falcon, Southeastern American kestrel, Bald eagle, Key Largo wood rat, Key Largo cotton mouse and Schaus' swallowtail butterfly. No evidence of these species was found during the site visit. In addition, the Eastern indigo snake has an extremely large home-range and its use of the site would be restricted by the location and proximity of US 1. However, the hammock is known habitat for the White-crowned pigeon (observed on August 22, 2007), resulting in a score of 3.

(7) Forest Size: The contiguous hammock, including the assessment area and neighboring parcels, is 2.60 acres, resulting in a score of 2.

(8) Perimeter Disturbance: The area of the contiguous hammock is 113,256 square feet and the perimeter is 1,722 feet. The edge to area ratio is 0.015, resulting in a score of 1.

(9) Wildlife Habitat: Ten (10) Category 1 fruit producers are present in the subject hammock, resulting in a score of 2.

(10) Community Connectivity: The subject hammock is within 300 feet of an 18+ acre natural area, resulting in a score of 0.5.

5.0 CONCLUSIONS

A habitat evaluation and vegetation survey was conducted for a 0.55-acre portion of a 2.6 acre contiguous high hammock that is owned by Tom Thumb Convenience Store located at 97950 Overseas Highway, Key Largo. The subject hammock is dominated by native tropical hardwoods and contains only one exotic tree species. The moderate number of hardwood species suggests that the hammock is a notable natural seed source for plant species dispersal. Inkwood and Mastic are the only regionally important species identified in the vegetation survey. These regionally important species demonstrate habitat stability in terms of microclimate and niche availability. In addition, the hammock is known habitat for one threatened animal species and a

potential habitat for a number of other threatened or endangered animals. Potential habitat is extremely important for provision of recovery areas and temporary refuge. Furthermore, the hammock contains a moderate number of Category 1 fruit producing trees that provide a food source for resident and migratory birds and other animals. However, the hammock's substrate contains a thin layer of soil humus, suggesting minimal diversity and integrity of microhabitats for wildlife and plants. The entire contiguous hammock is located between the northbound and southbound lanes of US 1. However, the hammock is within 300 feet of an 18+ acre natural area and demonstrates its importance as an accessible part of the ecosystem.

A cumulative score for high hammock quality between 16 and 27 indicates a moderate quality high hammock. The cumulative score produced by this habitat evaluation is 17. The subject high hammock is classified as a moderate quality high hammock pursuant to Sect. 9.5-340, MCC. The open space ratio for a moderate quality high hammock is 0.60.

Sect. 9.5-346, MCC, states that, "The removal of any listed threatened, endangered, commercially exploited, and regionally important native plant species and all native trees with a diameter at breast height (DBH) of greater than four (4) inches shall require payment to the county environmental land management and restoration fund in an amount sufficient to replace each removed plant or tree on a two to one (2:1) basis."

Please note that appropriate permits are required from Monroe County prior to the clearing of any vegetation.

6.0 CERTIFYING PROFESSIONAL

This vegetation survey and habitat assessment is certified by Sandra Walters, principal of SWC (Sandra Walters Consultants, Inc.). Ms. Walters has a master's degree from the Rosenstiel School of Marine and Atmospheric Science, University of Miami. She has many years professional experience with all South Florida habitats, including more than 25 years in the Florida Keys. Her curriculum vitae is enclosed as Attachment 5.

ATTACHMENT 1
Site Photos

Taken by SWC staff on August 17, 2007 and August 22, 2007

Photo 1: View of the canopy.

Photo 2: View of the midstory.

Photo 3: Pigeon Plum (*Coccoloba diversiflia*).

Photo 4: Inkwood (*Exothea paniculata*).

Photo 5: Jamaica Dogwood (*Piscidia piscipula*).

Photo 6: Everglades Velvetseed (*Guettarda elliptica*).

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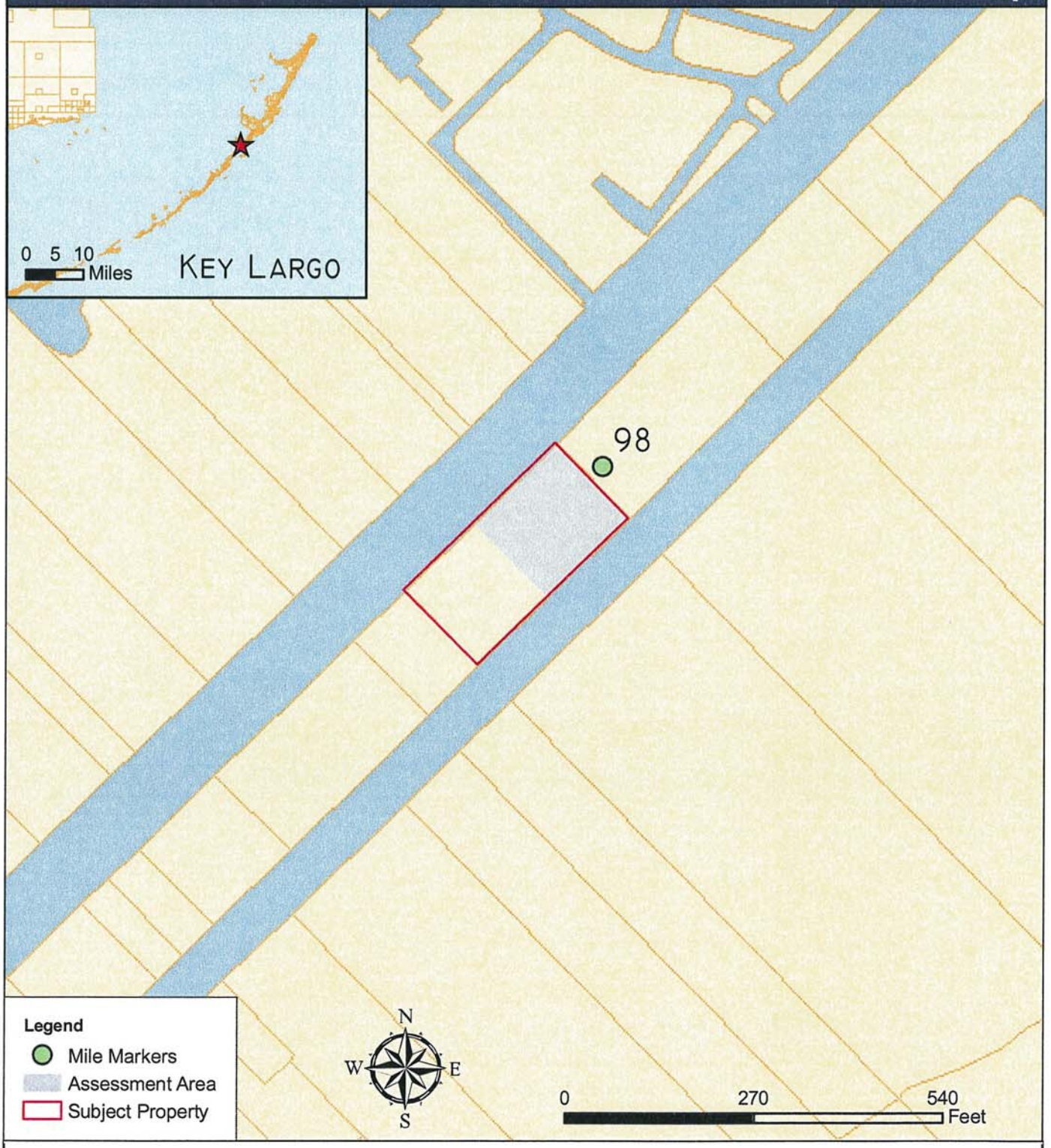
Habitat Evaluation and Vegetation Survey
Tom Thumb, Key Largo, September 10, 2007

ATTACHMENT 2
Location Map



Source: Monroe County Property Appraiser

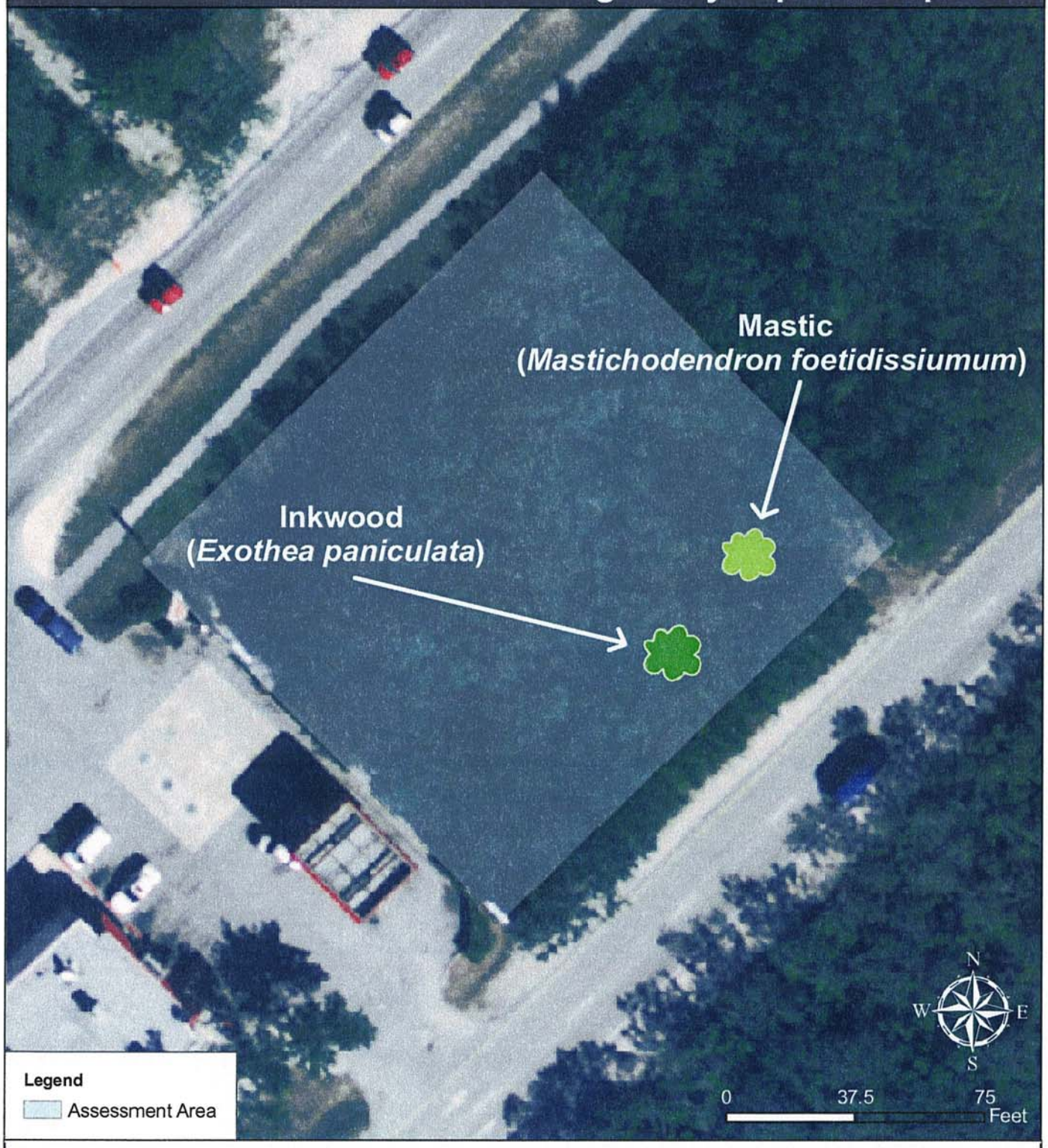
Adapted by Sera Harold, SWC

ATTACHMENT 3
Aerial Photograph

Source: 2006 Aerial Photograph from Monroe County Property Appraiser

Adapted by Sera Harold, SWC

ATTACHMENT 4
Location of Regionally Important species



Source: 2006 Aerial Photograph from Monroe County Property Appraiser

Adapted by Joshua Peele, SWC

Aerial photo is for visualization purposes only.

ATTACHMENT 5
Curriculum Vitae of Sandra Walters

SANDRA WALTERS
Principal

Academic Background
Masters Degree in Marine Studies, University of Miami, Florida, 1983
Bachelor of Science in Animal Behavior and Marine Biology, University of California, Davis, CA, 1974

Specialized Professional Competence
Ms. Walters has more than 25 years of professional experience in Florida. She is qualified as an Expert Witness in Florida administrative hearings and court proceedings; has conducted and supervised environmental studies, and developed avoidance and mitigation plans, in all South Florida submerged and upland habitats; has successfully permitted projects ranging from single family homes to developments of regional impact, working with all regulatory agencies; has extensive experience in design and implementation of public participation programs and review and development of comprehensive plans; and has represented clients successfully with many agencies and government boards. She presently serves as a Governor's appointee on the South Florida Regional Planning Council; serves on EPA's Water Quality Steering Committee for the Florida Keys; and served for four years (2000-2004) as a Governor's appointee on Florida's Acquisition and Restoration Council, which supervises purchase and management of State conservation lands.

Representative Professional Experience

Principal, Sandra Walters Consultants, Inc., 1996-present
Key West and Miami, FL
Provide consulting services to both public and private sector clients in areas of ecological/environmental and land use planning and permitting, including habitat evaluation, mitigation and contamination assessment and remediation; public involvement and outreach; and community and government liaison.

ENVIRONMENTAL STUDIES • PERMITTING • MITIGATION • MONITORING SERVICES

- **Jewfish Creek Bridge/US Highway 1 Project, Northern Florida Keys**
  Member of design-build team in charge of environmental compliance for final design and construction of 65-foot-high bridge over Jewfish Creek and new roadway from North Key Largo to just south of Dade County line, including training of onsite personnel regarding avoidance of listed species; coordination with agencies for permit modifications; assessment of preconstruction environmental conditions; and continuous work with project engineer and contractor to assure all environmental permit conditions are met during four-year project.
- **General Environmental Consultant for Florida Keys Overseas Heritage Trail**
  In contract with Florida Department of Environmental Protection, provide environmental planning services for entire 130-mile linear park throughout Florida Keys, including NEPA review and documentation for permitting of particular segments and bridge crossings.
- **Residential Redevelopment Project in Marathon, Florida Keys**
  Serving as project manager for all aspects of environmental planning and environmental resource permitting for 92-unit redevelopment project in Marathon called Marlin Bay Yacht Club, including supervision of all field data collection and preparation of vegetation surveys, benthic assessments and avoidance and minimization plans, supervision of ERP application preparation and submittal and all responses to requests for additional information, work with Florida Department of Environmental Protection to acquire net positive public benefit exception to State submerged land lease riparian restriction, and presentations to Governor and Cabinet regarding lease rule provisions and final lease adoption.
- **Cudjoe Key Quarry, Florida Keys**
  Planning and permitting for continuation of existing rockmining operation. Conduct vegetation and listed species surveys and develop wetland and endangered species habitat mitigation plan which has received endorsement of U.S. Fish and Wildlife Service and Florida Game and Fresh Water Fish Commission staff; prepare and process Florida Department of Environmental Protection and U.S. Army Corps of Engineers permit applications; process County vested rights application; successfully negotiate development

agreement with Monroe County and Florida Department of Community Affairs (DCA). For new owner, prepare and successfully process permit modifications for change of land use to communications facility, successfully negotiate new development agreement with DCA, prepare and process Monroe County permit application, prepare testimony and appear as witness in local court hearing regarding County moratorium on communication facilities.

- **City of Key West Navy Base Reuse Plan**
  Member of team that evaluated surplus Navy properties in Key West, and developed plan for reuse which addresses local needs and concerns. Primary role—planning and environmental assessments, including upland vegetation surveys and SCUBA examination of Mole Pier at Truman Waterfront.

- **City of Key West Stormwater System**
  Consultant in charge of bringing City into compliance with environmental resource permitting requirements for already-completed and future maintenance work of stormwater system, including developing impact assessment and mitigation plan that incorporates 5.6 acres of wetland restoration and enhancement at former Hawk Missile site in eastern Salt Ponds and creation of connection between Riviera Canal and western Salt Ponds to enhance 131 acres of wetlands and cause significant water-quality improvements.

- **SR-710 PD&E Study, District 4 FDOT**
  Part of consultant team in charge of planning, design and environmental study of 27-mile corridor of B-Line Expressway through Palm Beach and Martin counties. Responsible for wetlands and threatened and endangered species field data collection, assessment of contamination potential in vicinity, and documentation of land use patterns along corridor in regard to potential for secondary and cumulative impacts.

- **Mallory Dock Maintenance Dredge, City of Key West**
  Principal in charge for successful acquisition of all permit modifications to add Mallory Dock to scope of Navy Key West Harbor dredging project, including collection of all data on submerged habitats required by agencies, coordination with dredging company and environmental monitoring contractor, acquisition of EPA approval for use of offshore disposal site, provision of Quality Assurance services onboard the dredging vessel, and preparation of all final reports to Navy and permitting agencies. Representing City in Navy agency partnership process for harbor dredge and other environmental issues.

- **Environmental Impact Study, Ft. Lauderdale Airport Runway Extension**
  Principal in charge of fulfillment of all NEPA requirements including endangered species impact assessment and wetland delineation, coordination with environmental regulatory agencies, and preparation and processing of environmental permit applications. Acquired concurrence from all resource agencies on jurisdictional lines and UMAM scores for all wetlands affected by one or more project alternatives, prepared administrative draft and Draft Environmental Impact Statement, participated in DEIS public hearing.

- **Port Everglades Master Plan Update, Broward County**
  Principal in charge of all natural systems data collection and analysis and permitting assessments for five-year master plan update.

- **Submerged Habitat Study and Sediment Analysis, Key West Harbor and Vicinity**
  Work with scientists from Florida International University to conduct survey of submerged habitats in and around Key West Harbor. Divers collected field data from 50, randomly selected sites. This data was then collated into maps showing general distribution of habitats in area, and underwater photographs were organized and printed. Data was compared with that collected at other sites throughout Florida Keys, to assess habitat quality in relation to shipping activities in Harbor. Supervise collection of sediment samples in and near harbor following approved DEP protocol, transmit to State certified laboratory for testing for petroleum contamination and RCRA metals, prepare report summarizing findings.

- **S. Roosevelt Seawall Repair Seagrass Monitoring, Key West**
  Supervised assessment and documentation of seagrasses in vicinity of seawall undergoing repairs, including field data collection and photography, update of CAD files delineating seagrass line, measurement of seagrass impacts in project area for mitigation purposes, and report preparation.

- **Districtwide Environmental Compliance Services, Florida Keys**
  Serving as south Monroe County project coordinator for FDOT, District 6. Conducted turbidity, wetland and seagrass monitoring at Harris Gap Bridge, Sugarloaf Key, in conformance with emergency permits.

- **Smathers Beach Seagrass Mitigation Monitoring, Key West**
  Member of team conducting field monitoring of seagrass mitigation project conducted by City of Key West. Roles include field personnel establishing monitoring sites, collecting required data, assisting with preparation of monitoring reports, and providing local liaison with City and base of operation for work.

- **Miscellaneous Environmental Services**
  Member of team contracted to provide miscellaneous environmental services in Dade and Monroe counties for FDOT, District 6. Primary roles—environmental and public facilities planning, and public information. Served on value engineering team for Biscayne Blvd. from 39th to 123rd streets, Miami.

- **Key West Citizen Property Expansion Project**
  Responsible for all aspects of South Florida Water Management District environmental resource permitting, impact minimization and wetland mitigation. Duties include wetland delineation, preparation and processing of ERP application, and mitigation design and implementation.

- **Grassy Key Beach Cleanup, Florida Keys**
  Provide onsite ecological oversight of beach cleanup operation conducted by contractor for Florida Department of Transportation, assuring heavy equipment did not harm biological resources and removed only storm-deposited dead seagrass and sediments as specified by Florida Department of Environmental Protection and U.S. Army Corps of Engineers.

- **Electric Transmission Line Environmental Compliance Monitoring, Florida Keys**
  Conducted environmental compliance monitoring of installation of new electric tie-line poles between Big Coppitt Key and Key Haven in wetland and submerged habitats, including confirmation of pre-construction conditions, onsite inspections to assure impacts do not exceed limits established in environmental permits, and longterm monitoring to document post-construction recovery.

- **Whispering Pines Canal, Big Pine Key**
  Examination of physical and biological parameters in a canal system on Big Pine Key in regard to a pending permit for installation of air curtain weed gate at the entrance, which included investigation of similar air curtains at canals elsewhere on Big Pine and Cudjoe keys, and preparation of expert testimony for State administrative hearing.

- **Key West Transfer Station & Hauling Services, Inc.**
  Prepared and successfully processed application to Florida Department of Environmental Protection for renewal of solid waste transfer station permit that provides for substantial expansion and updating of facility, including supervising CADD drawings, engineering of site and preparation of environmental resource permit application for stormwater system, coordination with agency staff to assure application meets standards, and responses to information sufficiency reviews. Participate as expert for client by deposition in lawsuit by competing business.

LAND USE PLANNING AND PERMITTING • PUBLIC INVOLVEMENT SERVICES

- **Expert Witness Testimony for Monroe County**
  Conducted thorough review of land use, environmental and permitting issues for property in North Key Largo, prepare expert witness report, provide deposition in circuit court proceeding.

- **St. Francis Episcopal Church Parish Hall, Big Pine Key**
  Prepare and process application for amendment to major conditional use to add parish hall to church in Key Deer habitat, including supervision of traffic study, project design to avoid impacts to pineland habitat, and coordination with U.S. Fish and Wildlife Service resulting in finding of no impact to endangered species, received 5/0 positive vote from Monroe County Planning Commission.

- **Stock Island-Key Haven US 1 Corridor Study, Florida Keys**
  Provided public involvement outreach and meeting coordination services for study to identify improvements to US 1 corridor segment; resulted in significant participation by user groups and relevant and effective planning charrette.

- **Rezoning and Development Agreement for 92-unit Project, City of Marathon, Florida Keys**
  Presently serving as principal planning consultant and agent for 92-unit redevelopment project, including recent acquisition of property rezoning and executed development agreement from Marathon City Council. Work involves representation with planning staff, Council members and Florida Department of Community

Affairs representatives; and work with Florida Department of Environmental Protection and Governor and Cabinet regarding submerged land lease for 115-slip private marina.

- **State Aquatic Preserve Management Plan, Florida Department of Environmental Protection**
  Responsible for principal drafting of Statewide management plan for 41 State aquatic preserves.
- **Lower Sugarloaf Key Mixed Use Development, Lower Florida Keys**
  Served as planning consultant and agent, developed and processed major conditional use application for mixed use office, workforce housing and market-rate housing project; received 8/0 positive vote from Monroe County Development Review Committee and 5/0 positive vote from Monroe County Planning Commission.
- **Hawk's Cay Expansion Development of Regional Impact, Florida Keys**
  Prepare and successfully process Application for Development Approval for the Hawk's Cay Expansion Development of Regional Impact to the South Florida Regional Planning Council. Evaluation included environmental, public facilities, socio-economic, and traffic impacts. Provide continued planning consultation, including 1996 approval of major site plan revision and 7 year extension, approvals of three DRI revisions, and annual reports.
- **Matecumbe Key PD&E Study, Islamorada, Village of Islands**
  Member of team that conducted FDOT study of roadway improvements, including turn lanes, in five-mile corridor in Islamorada, Village of Islands, Monroe County. Was responsible for all public involvement and land use planning elements of study, including coordination with Village staff and elected officials.
- **Sombrero Beach Road PD&E Study, City of Marathon**
  Member of team that conducted FDOT study of roadway improvements, on major roadway in Marathon, Monroe County. Was responsible for all public involvement elements of study.
- **Big Coppitt Key PD&E Study, Lower Florida Keys**
  Member of team that conducted FDOT study of turn-lane and other improvements on US Highway 1 through Big Coppitt Key, and to evaluate extension of the Florida Keys Heritage Trail between Stock Island and Big Coppitt. Was responsible for all public involvement elements of study.
- **City of Key West Bahama Village Redevelopment Plan Update**
  Member of team that updated community redevelopment plan. Primary roles—environmental and public facilities planning; and public involvement, including preparation and distribution of project newsletters and news releases; and development and implementation of proactive community involvement process.
- **City of Key West Economic Development Conveyance Application**
  Member of team that developed EDC application for surplus Navy properties. Primary roles—planning and implementing meetings with local officials and interest groups, coordination of public workshops and presentations, and public facilities and environmental data collection and analysis.

CONTAMINATION SERVICES

- **Monroe County Airport Department**
  Retained to advise director regarding contamination issues involving spill at Key West Airport fuel farm.
- **City of Key West Engineering Services**
  Provide ongoing groundwater testing, analysis and reporting services for former underground fuel storage tank site at Key West City Hall; prepare and process application for No Further Action with conditions.
- **Robbie's Safe Harbor Marine Enterprises, Inc., Florida Keys**
  Develop agreements with Florida Department of Environmental Protection for solid waste cleanup and above-ground fuel storage tank removal, including field testing, preparation and submittal of tank closure assessment report (TCAR). Prepare and process solid waste transfer station general permit, including representation as expert witness at State administrative hearing decided in client's favor.
- **Phase I and II Environmental Audits, Florida Keys**
  Conduct environmental audits for commercial real estate transactions. Recent audits include: Oceanside Marina, Stock Island, FL, client: Oceanside Marina; Vacant parcel on US Highway 1, Marathon, FL, client McFadden family; Dog Track property, Stock Island, FL, client: Historic Tours of America; U.S Postal Service property, corner of Eaton and Whitehead streets, Key West, FL, client: U.S. Postal Service; Flight Department/Jet Center property (private aviation facility at Marathon Airport), Marathon, FL, client:

Monroe County Attorney's Office; A&B Lobsterhouse property (restaurant, commercial marina, fueling facility, parking lot), Key West, FL, client: David Paul Horan, Attorney at Law, lender: TIB Bank of the Keys, Inc.; Authors of Key West, Alexander Palms Court, and Curry House properties (guesthouse/commercial), Key West, FL, lender: Emergent Business Capital, Inc. for SBA loans.

Vice President & Manager of Environmental and Permitting Division, 1994-1996
H.J. Ross Associates, Inc., Coral Gables, FL
Create new division of company, manage personnel and project budgets, develop project proposals.

- **US Highway 1 South Project, from Key Largo to Florida City**
  Consultant Project Manager—assist Florida Department of Transportation, District 6, in permitting for expansion of US 1, including construction of new bridge with 65 foot water clearance at Jewfish Creek. Permits were required from U.S. Coast Guard, South Florida Water Management District, and ACOE, and coordination with Dade County Department of Environmental Resources Management. Work included preparation of permit applications; creating CADD generated permit sketches; responding to information sufficiency reviews (including extensive evaluation of potential secondary impacts of project on community and environment); supervising field investigations for construction projects and associated mitigation (including mangrove, seagrass, and freshwater emergent habitats); public information; and coordinating with many commenting agencies.
- **Development of Regional Impact Application and Environmental Impact Statement for New Runway at Miami International Airport**
  HJR project manager for preparation of sections of documents, and overall quality control and editing.

Publisher and Media Consultant, 1986-1994
Little Torch Key, FL
Co-found, and serve as co-publisher and managing editor for seven years of *Island Navigator* newspaper, a feature monthly publication distributed throughout the Florida Keys. Also work with all kinds of print and broadcast media in production and scheduling of public information and advertising campaigns.

Environmental Planning Consultant, 1984-1996
Little Torch Key, FL
Site evaluation and project design for many commercial and residential parcels of property in the Florida Keys, including acquisition of permits from local, state, and federal agencies; policy analysis and legislative support; expert testimony at Florida administrative hearings; and public information programs.

- Prepare and successfully submit Application for Development Approval for Hawk's Cay Expansion Development of Regional Impact (at Mile Marker 61 in Florida Keys) to the South Florida Regional Planning Council. Evaluation included environmental, public facilities, socio-economic, and traffic impacts. Also annual reports and continuing planning work.
- Provide expert witness testimony in administrative hearing regarding appeal by FL Dept. of Community Affairs of Monroe County development order for beachfront property on Lower Sugarloaf Key.
- Provide expert witness testimony in administrative hearing regarding environmental permitting for marina project on Little Torch Key.
- Successful application for State purchase of Big Pine Key property under Conservation and Recreation Lands program.
- Appointment by Mayor of Monroe County to Blue-Ribbon Committee to review land use plan; served as advisor to Monroe County Commission; and conducted South Florida Regional Planning Council review of draft plan.
- Extensive research and detailed report regarding impacts of inclusion of Florida Keys in federal Undeveloped Coastal Barrier Program.
- Research and design public information document on Florida Keys Aqueduct Authority water distribution system.

Environmental Programs Manager, 1980-1984
South Florida Regional Planning Council, Hollywood, FL
Review comprehensive plans of counties and municipalities in South Florida, evaluate in relation to State and regional policy guidelines, and write evaluations including recommendations for improvements. Participate in and manage reviews of Developments of Regional Impact, with emphasis in areas of environmental and public facilities impacts. Environmental programs manager responsible for analyzing and critiquing environmental aspects of development in region, including U.S. Army Corps of Engineers and Florida Department of Environmental Regulation dredge and fill permit applications; prepare and present reports to Council concerning development warranting regional attention.

- **Development of Regional Impact Review**
  Broward County—Ball Point, Design Center of the Americas, FEC Industrial Park, Harrison Park, Houston Park Marina, Pompano Industrial Park, Weston Phase II; ***Dade County***—Airport Corporate Center, American Bankers Industrial Group, Homestead Bayfront Park & Marina, Chapman Field Park & Marina, Brickell Bay Office Tower, Terremark Centre, 1111 Brickell, SE 8th Street & Brickell Avenue, Watson Island; ***Monroe County***—Port Bougainville/Garden Cove.
- **Court Testimony**
  Gave deposition as witness for Dade County, FL in District court case involving beach restoration project on Key Biscayne.
- **Project Manager: South Florida Oil Spill Priority Protection Response Strategy**
  Prepare detailed work program and budget. Supervise consultant in conducting extensive detailed study and mapping of South Florida coastal marine resources in relation to sensitivity to spilled oil. Supervise consultant in writing, editing, graphics, and printing of Environmental Sensitivity Index maps and report titled The Sensitivity of Coastal Environments and Wildlife to Spilled Oil in South Florida. Atlas and report won first prize from Florida branch of American Planning Association, 1981. Coordinate interest groups and agencies for implementation of strategy, including:
  - inventory of cleanup equipment and contact personnel in region
  - determination of appropriate spill responses and communication channels
  - preparation of regional oil spill response handbook
  - distribution of all project products and provision of public information concerning project, including presentations at local, state, and national meetings
- **Project Manager: Regional Hazardous Waste Program required by State of Florida Water Quality Assurance Act**
  Coordinate Broward, Dade, and Monroe counties and Florida Department of Environmental Regulation in South Florida program implementation. Develop and distribute consultant request for proposals. Write and execute contracts between Council and State, counties, and consultant for administration of $490,000 in State funds for program tasks. Coordinate public information. Review progress reports, assure contract compliance, authorize funds disbursement.
- **South Florida Hurricane Evacuation Program**
  (Broward, Dade, and Monroe counties)
  Project Manager: Coordinated U.S. Army Corps of Engineers, technical consultant and local agency task force in plan preparation; developed and implemented public information program.

Sea Awareness Environmental Education Programs, 1976-1981
Miami and Summerland Key, FL
Develop, market, and run natural history tours for general public to variety of destinations in South Florida and Caribbean.

Adult Education Instructor, 1977-1980
Coral Gables High School & Key Biscayne Community School, Miami, FL
Design, promote, and teach full-semester courses in coastal natural systems of South Florida to adults of all ages and backgrounds.

Research Assistant, 1976-1980
Rosenstiel School of Marine & Atmospheric Science, University of Miami, FL

- South Florida marine mammal salvage program, conduct behavioral study of West Indian manatee to stop deaths in flood control structures, take field data and conducted necropsies, analyze data for comparative studies.
- Analysis of infauna at potential sewage outfall site in South Florida.
- Analysis of sediment plume duration and path during dredging in Biscayne Bay.
- Analysis of fish populations on South Atlantic continental shelf for OCS oil and gas lease environmental impact statement.

Marine Biologist, Oceanic Society Charters, Belize, Central America, 1975-1976
Provide educational and research programs in tropical marine ecosystems for sailing/diving charter groups.

Research Assistant, University of California at Davis and Santa Cruz, 1974

- Conduct field study of sea lion behavior, population dynamics, general ecology.
- Study detailed taxonomy of aphids in relation to agricultural research.

Professional Registrations/Affiliations/Certifications

Appointed in January 2005 and reappointed for four-year term in November 2006 by Governor Bush to the South Florida Regional Planning Council, a board that oversees planning and regional issues for Broward, Dade and Monroe counties

Member, EPA Water Quality Steering Committee for Florida Keys

Appointed in May 2000 by Governor Bush to four-year term on Florida's Acquisition and Restoration Council, which oversees purchase and management of State conservation lands

Former chairperson (2002-2007), Key West Utility Board Advisory Committee

Certified Woman-owned Business Enterprise (WBE), Florida Department of Transportation; State of Florida; South Florida Water Management District; Dade, Broward and Lee counties

Former president, Monroe County Federation of Chambers of Commerce; former president, Lower Keys Chamber of Commerce; current member, Lower Keys and Key West chambers

Associate member, Marathon and Lower Keys Association of Realtors

Member, Florida Association of Environmental Professionals and South Florida chapter

Member, National Water Resources Association and Florida chapter

Certified diver, PADI #9501031862, advanced research certification from University of California at Davis and Rosenstiel School of Marine and Atmospheric Science, University of Miami

Publications

Many feature stories in *Island Navigator* newspaper in January 1987 through March 1994 issues. Topics include land use and growth management issues, hurricane evacuation and preparation, environmental issues, and local news features.

Coordination for Coastal Hazard Response. Proceedings of the Coastal Zone '83 conference, June 1983, San Diego, CA. American Society of Civil Engineers: NY.

Developing a Coastal Management Constituency. Proceedings of Coastal Zone '83 Conference, June 1983, San Diego, CA. American Society of Civil Engineers: NY.

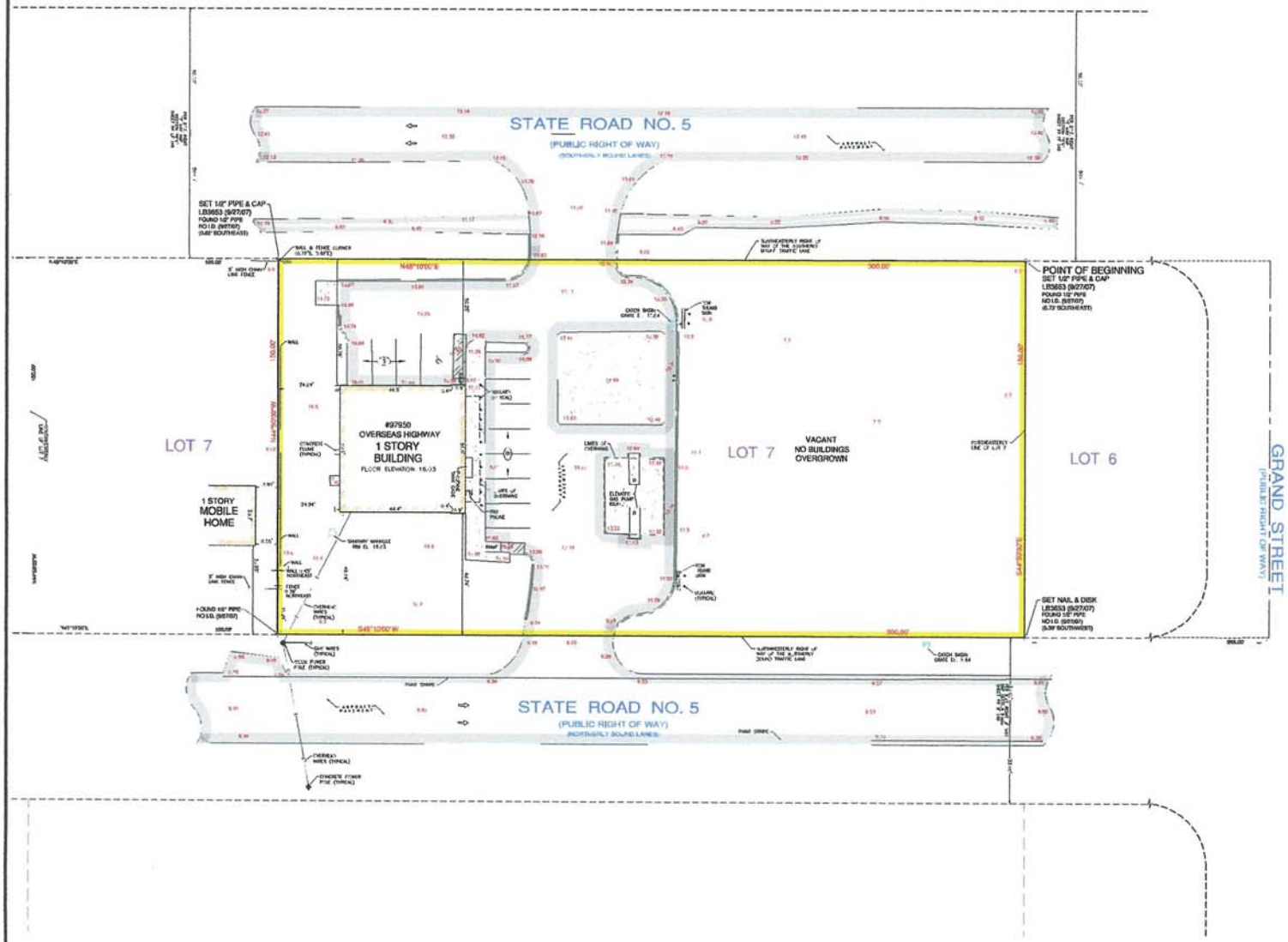
Adult Education Marine Biology—An Opportunity for Increasing Public Environmental Awareness. Florida Scientist, 43 (Suppl. 1). Abstr. 1980. Barrett, Sandra K. and Sharyn L. Dodrill.

Protection of Coastal Wetlands systems through an Oil Spill Response Strategy for South Florida. Proceedings of Progress in Wetlands Utilization and Management Symposium, June 1981, Orlando, FL.

The Sense of Taste in the West Indian Manatee, Trichechus manatus. Florida Scientist, 43 (Suppl. 1). Abstr. 1980.

Taste Receptors in the West Indian Manatee, Trichechus manatus. Proceedings of Third Biennial Conference on the Biology of Marine Mammals. October 1979. Seattle, WA.

Manatee (Trichechus manatus) *Mortalities in Flood Control Structures in South Florida*. Florida Scientist, 42 (Suppl. 1); 26. Abstr. 1979.



Know what's below.
Call before you dig.

NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

LEGEND

= CATCH BASIN	= C.S. CURB
= MANHOLE	= 2.0' CURB & GUTTER
= LIGHT POLE	= CHAIN LINK FENCE
= WATER METER	= GRADE ELEVATION
= WATER WALVE	= ELEVATION
= CATCH BASIN INLET	= INVERT
= UTILITY POLE	= SANITARY
= RISER	= PERMANENT REFERENCE MONUMENT
= FIRE HYDRANT	= CONCRETE
= HAND HOLE	= ASPHALT PAVEMENT
= SIGN	

LEGAL DESCRIPTION:

A parcel of land lying between the Southeasterly right-of-way line of the Southerly bound traffic lane and the Northwesterly right-of-way line of the Northerly bound traffic lane of State Road No. 5, Highway No. 1, in Section 6, Township 67 South, Range 39 East on Key Largo, Monroe County, Florida, said Parcel being a portion of the northeasterly 300 feet of Lot 7, of George L. MacDonald Plat, according to the plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Monroe County, Florida, said parcel being more particularly described as follows:

Beginning at the intersection of the northeasterly line of the said Lot 7 with said Southeasterly right-of-way line; thence proceed Southeasterly along the said northeasterly line of Lot 7 and along a line perpendicular to said Southeasterly right-of-way line, for 150 feet to the said Northwesterly right-of-way line; thence deflect 90° right and proceed Southwesterly along the said Northwesterly right-of-way line for 300 feet, thence deflect 90° right and proceed Northwesterly for 150 feet to the said Southeasterly right-of-way line, thence deflect 90° right and proceed Northeasterly along said Southeasterly right-of-way line for 300 feet to the Point of Beginning of the herein described parcel of land.

SURVEYOR'S NOTES:

- This site lies in Section 6, Township 67 South, Range 39 East, Key Largo, Monroe County, Florida.
- All documents are recorded in the Public Records of Monroe County, Florida unless otherwise noted.
- Lands shown hereon were not abstracted for restrictions, easements and/or rights-of-way of records.
- Bearings herein are referred to an assumed value of N48°10'00"E for the north right of way line of State Road No.5, and evidenced by set nail & disk and set 1/2" pipe & cap.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on NGS Bench Mark No. AB2-3663-E, Elevation +13.97.
- Lands shown hereon are located in Federal Flood Zone X per Community Panel No. 125129 0309 K, dated June 18, 2007 and index map revised February 18, 2005 based on Federal Emergency Management Agency Flood Insurance Rate Map and are relative to National Geodetic Vertical Datum of 1929.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 45,000 square feet, or 1.033 acres, more or less.
- Precision of closure 1:10,000 - Commercial Class Survey.
- Roof overhang not located unless otherwise shown.
- Underground improvements and/or underground encroachments not shown unless otherwise indicated.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- Legal description shown hereon furnished by client and no claims as to ownership are made or implied.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Boundary Survey" was made under my responsible charge on September 27, 2007, and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: _____
Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

This drawing is the property of Fortin, Leavy, Skiles, Inc. and is an instrument of Service not to be Reproduced without the Express Written Permission of Same.

No.	Revision Description

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
1901 Dixie Highway, Suite 200 North Palm Beach, Florida 33408
Phone 561-655-4494 / Fax 561-655-7152 / Email Staff@flsurveying.com

BOUNDARY SURVEY
TOM THUMB - 97950 OVERSEAS HIGHWAY
KEY LARGO, MONROE COUNTY, FLORIDA

Date	9/27/07
Scale	1"=20'
Drawn By	DWF
Cad. No.	071425
Plotted	10/8/07 5:27p
Ref. Dwg.	N/A
Field Book	599/68 - ALL
Job. No.	071425
Dwg. No.	2007-149
Sheet	1 of 1

Site Data

1. ZONING: SC (Suburban Commercial) Sec.9.5-235

2. CLASSIFICATION: LOT 7 (South) = Tier 1 LOT (Cleared)
LOT 7 (North) = Tier SBA (Hammock)

3. LAND AREA: 45,000 SF (1.033AC)

4. LOT COVERAGE:

- Existing Building	= 2,526 SF (5.6%)
- Exist Concrete/Paved areas	= 15,008 SF (33.3%)
- New Concrete/Paved areas	= 6,779 SF (15.0%)
- Open Area / Landscaping	= 20,687 SF (46.1%)
TOTAL	= 45,000 SF

5. THIS PROJECT:

- Existing Canopy	= 768 SF
- New Canopy (60x99)	= 5,940 SF
TOTAL Canopy	= 5,940 SF
(Additional Canopy)	= 5,173 SF (5,940-768 Exist)

CLEARING - LOT 7 (North):
Tier SBA Hammock - Clearing Allowed = 40% or 7,500 SF Max
- Existing Hammock = 19,500 SF
- 40% Clearing = 7,800 SF
- Max Allowed Clearing = 7,500 SF
- Actual Cleared = 7,500 SF
- Existing to Remain = 12,000 SF (19,500-7,500)

NOTE: New tanks will be installed to replace existing tanks.

6. PROJECT DESCRIPTION:
6.1 Replace existing (3) tanks with (2) new tanks in about the same location as the existing tanks.
6.2 Install (6) new MDP's for (12) new Fueling positions, existing (2) MDP's with (4) existing Fueling positions to be relocated for a total of (6) MDP's and (16) Fueling positions.
6.3 Provide new Canopy over MDP's for a total of 5,940 SF.
6.4 Restripe existing paved areas to define parking.
6.5 Existing Access and Egress from the site at the Southbound Lanes (West Side of Site) to remain as is.
6.6 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be made wider to 50.0' width.
6.7 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be regraded to new slope for safety and lesser slope.

7. PARKING: Sec.9.5-352
7.1 Commercial / Retail: 3 parking per 1,000 SF Required.
7.2 Building 2,525 SF: Parking Required = 7.575
Parking Provided = 13 (Existing)
NOTE: All parking will be 8.5' x 18.0' and includes (1) one Handicap Parking Space with 5.0' striped area adjacent to parking.

8. LOADING ZONE: Sec.9.5-354
Commercial Use 2,500-19,999 SF = (1) one 11' x 55'
Provided: (1) one Loading Zone 11' x 55'

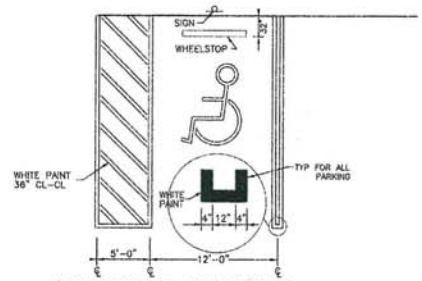
9. SETBACKS: Sec.9.5-281
Land Use: SC Suburban Commercial "Other"

	Required	Provided
Front Setback	25.0'	34.71'
Rear Setback	10.0'	24.84'
Side Yards	10.715.0'	35.29'

10. FLOOD ZONE:
Per survey by: Fortin Leavy Skiles
Flood Zone: "X" Community Panel 0929K
Existing Building Floor Elevation +16.03' NGVD

11. OPEN SPACE RATIO: Sec.9.5-262
SC = 0.2 OSR
OSR Provided = 0.46 (20,929 SF)

12. OUTDOOR LIGHTING: Sec.9.5-392, 393, 394
12.1 All outdoor lighting shall be max 18'-0" above grade non-cutoff; max 35'-0" above grade for cutoff types.
12.2 Maximum illumination shall be: 0.3 foot-candles non-cutoff
1.5 foot-candles for cutoff
(All measured at the property line)
12.3 Lighting shall be shielded/screened/located so that adjacent residential lots are not directly illuminated.



HANDICAP PARKING
SCALE: NONE

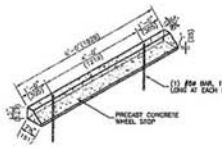
LEGAL DESCRIPTION:

A parcel of land lying between the Southeasterly right-of-way line of the Southerly bound traffic lane and the Northwesterly right-of-way line of the Northerly bound traffic lane of State Road No. 5, Highway No. 1, in Section 6, Township 62 South, Range 39 East on Key Largo, Monroe County, Florida, said Parcel being a portion of the northeasterly 300 feet of Lot 7, of George L. MacDonald Plat, according to the plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Monroe County, Florida, said parcel being more particularly described as follows:

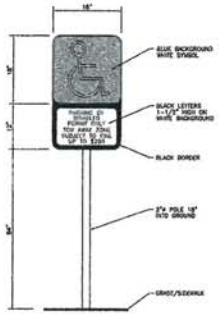
Beginning at the intersection of the northeasterly line of the said Lot 7 with said Southeasterly right-of-way line; thence proceed Southeasterly along the said northeasterly line of Lot 7 and along a line perpendicular to said Southeasterly right-of-way line, for 150 feet to the said Northwesterly right-of-way line; thence deflect 90° right and proceed Southwesterly along the said Northwesterly right-of-way line for 300 feet; thence deflect 90° right and proceed Northwesterly for 150 feet to the said Southeasterly right-of-way line; thence deflect 90° right and proceed Northeasterly along said Southeasterly right-of-way line for 300 feet to the Point of Beginning of the herein described parcel of land.

CIVILS LEGEND

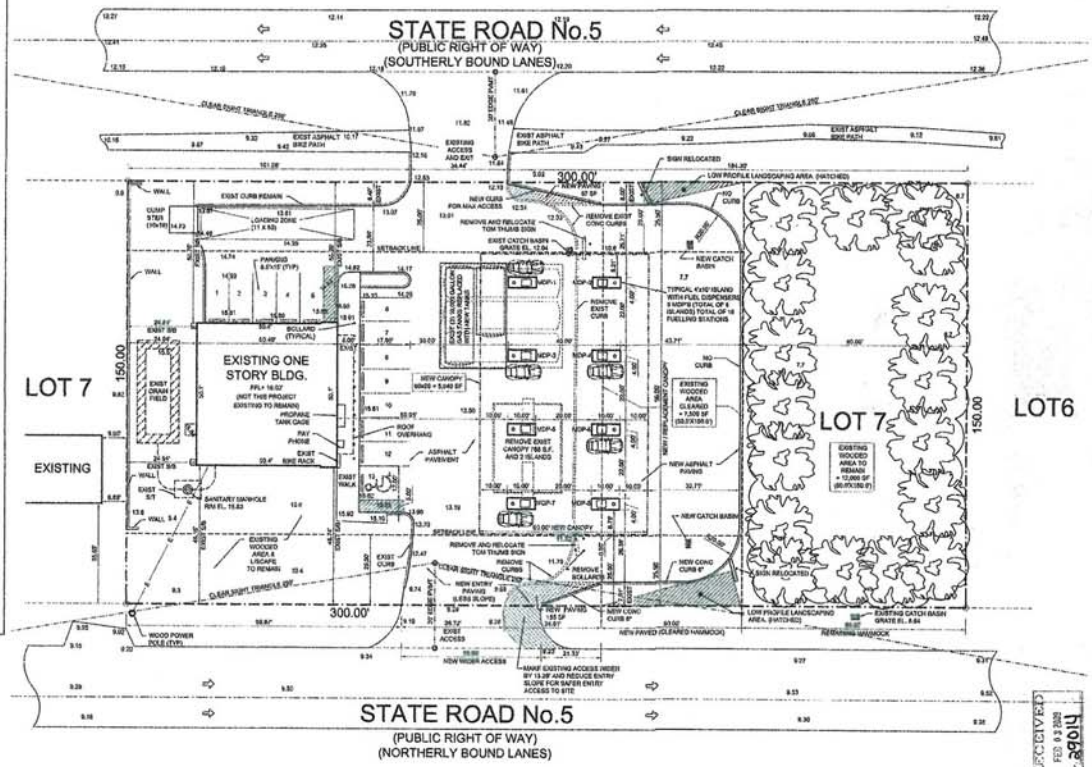
- EXISTING CATCH BASIN
- NEW CATCH BASIN
- 7.7 EXISTING GRADE/PAVING ELEVATION
- (7.7) PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX



WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING SIGN



SITE PLAN
SCALE: 1"=30'-0"

PARCEL 00090630-000000-05-62-39
ALT KEY 1160835
Revision "A" Dated 01/14/09
NO TH CURB REMOVED FOR CIVILS - GENERAL UPDATE MCO LOU 8/6/09

RECEIVED FEB 03 2009 BY: a9010

TOM THUMB STORE 223
NEW MDP'S AND CANOPY
97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.
LAND CO LLC, BY W CREECHOBEE RD, HIALEAH, FL. 33030

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING
211 NORTH OCEAN AVENUE
JENSEN BEACH, FLORIDA 34957
(772)334-4102
RAO@CARTOONCLOUD.NET

SITE PLAN

A-1

Required Parking Lot Landscaping

Class A

Calculations:
10 spaces required on site/13 provided.
10/24=.417

Planting Area

Required: 1500 x .417= 625 s.f.
Provided: +800 s.f.

Canopy Trees

Required: 5 x .417 = 2 - 12' tall Canopy Trees
Provided: 2- 12' tall Canopy Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist)
2 Conocarpus erectus/Green Buttonwood

Understory Trees

Required: 1 x .417 = 1
Provided: 1- 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
1 Coccoloba diversifolia/Pigeon Plum

Shrubs

Required: 12 x.417 = 5
Provided: 5- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
5 Hamelia patens/Firebush

8 Total Plants required x 30%= 2 Palms or exotics allowed/0 palms or exotics provided

220 l.f. Major Street Buffer
Class C, 10' wide

Canopy Trees
Required: 5 x 2.2 =11
Provided: 11 - 12' tall Canopy Trees from the following list (or other species may be accepted if approved by Co. Biologist)
5 Swietenia mahogani/Mahogany Tree
6 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 2 x 2.2 = 5
Provided: 5 - 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
5 Eugenia foetida/Spanish Stopper

Shrubs
Required: 20 x 2.2 = 44
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
15 Thrinax radiata/Florida Thatch Palm
20 Suriana maritima/Bay Cedar
9 Capparis cynophallophora/Jamaica Caper

60 Total Plants required x 30%= 18 Palms or exotics allowed/15 provided.

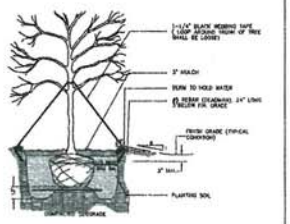
220 l.f. Major Street Buffer
Class C, 10' wide

Canopy Trees
Required: 5 x 2.2 =11
Provided: 11 - 12' tall Canopy Trees from the following list (or other species may be accepted if approved by Co. Biologist)
5 Swietenia mahogani/Mahogany Tree
6 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 2 x 2.2 = 5
Provided: 5 - 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
5 Eugenia foetida/Spanish Stopper

Shrubs
Required: 20 x 2.2 = 44
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
15 Thrinax radiata/Florida Thatch Palm
20 Suriana maritima/Bay Cedar
9 Capparis cynophallophora/Jamaica Caper

60 Total Plants required x 30%= 18 Palms or exotics allowed/15 provided.



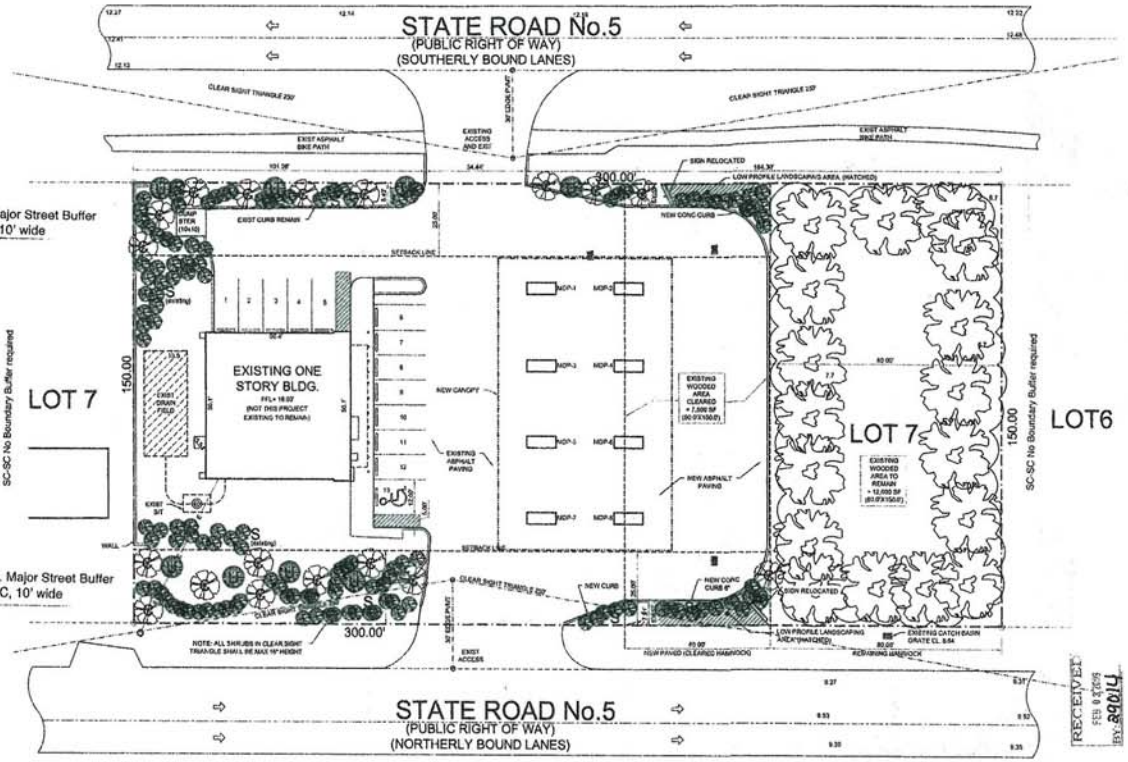
PLANTING DETAIL

Landscape Legend

- E — EXISTING HAMMOCK TO REMAIN
- NEW/EXISTING CANOPY TREES
- U — NEW/EXISTING UNDERSTORY TREES
- S — NEW/EXISTING SHRUBS

Required landscape Data:

Subject property zoning= SC
Adjacent property (NE/SW) zoning=SC
No Bufferyards required.
Notes:
Existing driveways and curbs to remain as is.
Existing Hammock area to remain= 80 L.F. of property line.
Calculations used for bufferyards is 220 L.F. of property line (300'-80'=220')
Plants will be installed in a random, natural arrangement, with 3" of mulch in the full parking lot landscape area, according to Sec. 9.5-364 & sized in accordance with 9.5-367.
Existing native plants meeting the required heights within the Parking lot landscape and Bufferyard areas will be counted as part of this Parking lot landscape/Buffer, per Sec. 9.5-380, reducing the stated quantities accordingly.
Landscape Architect reserves the right to change the plant list based on availability or other design criteria as long as it fulfills the intent of the code, ie. Canopy tree, understory tree, shrub and the native requirements.
Any tree 4" or greater in diameter at breast height (4" dbh) or listed with special status ie. threatened or endangered trees, that can not remain in there present location will be transplanted Per Sec. 9.5-344 or replaced at a ratio of 2 for 1 onsite mitigated via payment to the County ELM restoration fund in the amount sufficent to replace each removed plant or tree on a 2-1 basis. Transplanted trees may be transplanted into the parking lot landscape/Buffer areas and will reduce the number of provided trees accordingly.
A Habitat Evaluation and Vegetation survey has been performed by Planning Ecological Environmental Communications and should be reviewed along with this plan.
Xeriscape landscaping methodologies along with a significant amount of native plant materials will be used throughout the property for the remaining areas of landscaping.



RECEIVED FEB 9 2009 BY: 990/14

LANDSCAPE PLAN
SCALE: 1" = 30'-0"

Brown & Crehbin Design Studio, Inc.
Garden Design & Landscape Architecture
305.852.5502

REVISIONS		
MARK	DESCRIPTION	DATE
1	PER FIRST SITE PLAN REVIEW COMMENTS	1/14/09

TOM THUMB STORE 223
NEW MDP'S AND CANOPY

97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.

OWNER: LAND CO LLC, 97 W CREECHOBEE RD, HIALEAH, FL. 33030

ROBERT BARNES ASSOCIATES
ARCHITECTS / PLANNERS
221 NORTH HOME AVENUE
HOMESTEAD, FLORIDA 33030
(305)245-5000
EMAIL: ROBERTBARNES@BELLSOUTH.NET
SHEETS@ROBERTBARNESARCHITECTS.COM

JOHN ROBERT BARNES, AIA, NCARB

LANDSCAPE SITE PLAN

L-1

Site Data

1. ZONING: BC (Suburban Commercial) Sec.9.5-235

2. CLASSIFICATION: LOT 7 (South) = Tier 1 LOT (Cleared)
LOT 7 (North) = Tier 5BA (Hammock)

3. LAND AREA: 45,000 SF (1.033AC)

4. LOT COVERAGE:

- Existing Building	= 2,528 SF (5.6%)
- Exist Concrete/Paved areas	= 15,008 SF (33.3%)
- New Concrete/Paved areas	= 6,779 SF (15.0%)
- Open Area / Landscaping	= 20,687 SF (46.1%)
TOTAL	= 45,000 SF

5. THIS PROJECT:

- Existing Canopy	= 768 SF
- New Canopy (80x66)	= 5,940 SF
TOTAL Canopy	= 5,940 SF
(Additional Canopy)	= 5,173 SF (5,940-768 Exist)

CLEARING - LOT 7 (North):
Tier 5BA Hammock - Clearing Allowed = 40% or 7,500 SF Max
- Existing Hammock = 19,600 SF
- 40% Clearing = 7,800 SF
- Max Allowed Clearing = 7,500 SF
- Actual Cleared = 7,500 SF
- Existing to Remain = 12,000 SF (19,500-7,500)

NOTE: New tanks will be installed to replace existing tanks.

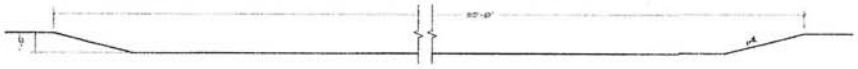
6. PROJECT DESCRIPTION:
6.1 Replace existing (3) tanks with (2) new tanks in about the same location as the existing tanks.
6.2 Install (8) new MDP's for (12) new Fueling positions, existing (2) MDP's with (4) existing Fueling positions to be relocated for a total of (8) MDP's and (16) Fueling positions.
6.3 Provide new Canopy over MDP's for a total of 5,940 SF.
6.4 Restripe existing paved areas to define parking.
6.5 Existing Access and Egress from the site at the Southbound Lanes (West Side of Site) to remain as is.
6.6 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be made wider to 50.0' width.
6.7 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be regraded to new slope for safety and lesser slope.

GENERAL NOTES

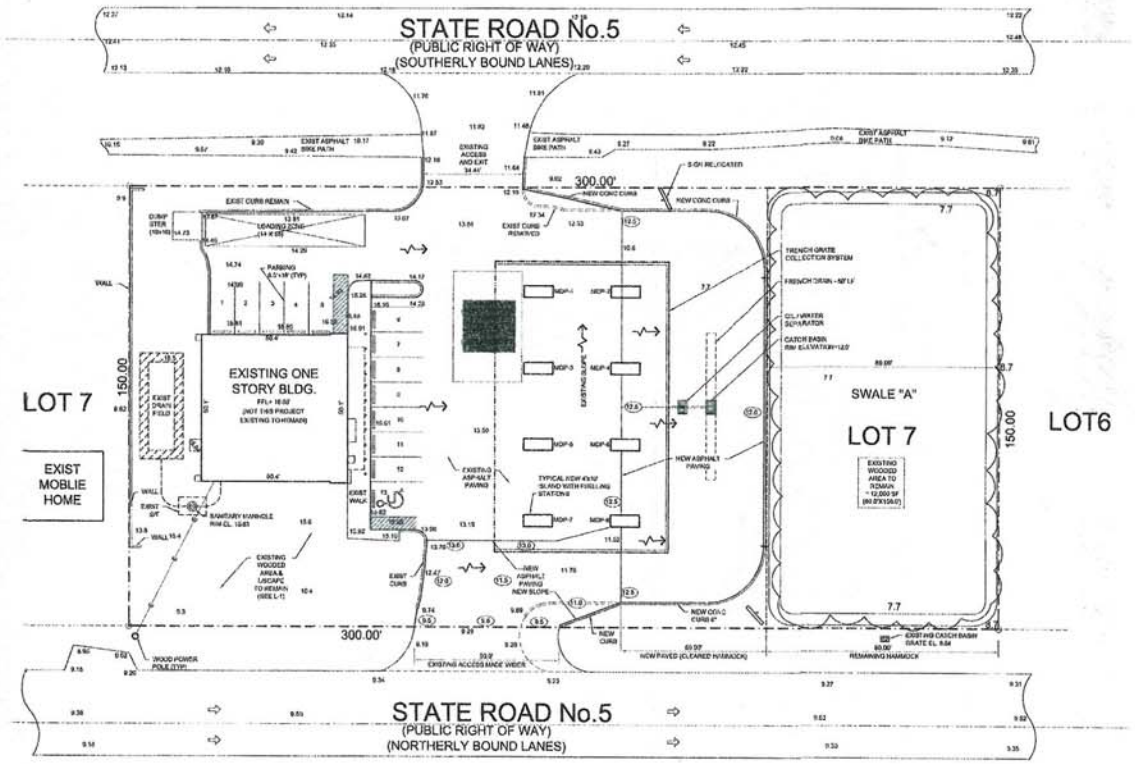
1.-ALL WORK SHALL BE PERFORMED ACCORDING TO THE SPECIFICATIONS, STANDARD DETAIL AND DEPARTMENTS OF THE METROPOLITAN DADE COUNTY. PUBLIC WORKS DEPARTMENT.
2.-NO DEVIATION FROM THE APPROVED PLAN SHALL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER RECORD AND THE METROPOLITAN DADE COUNTY PUBLIC WORKS DEPARTMENT.
3.-ALL ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM.
4.-LOCATION AND DEPTH OF ALL EXISTING STRUCTURES AND/OR UTILITIES SHALL BE VERIFIED BY THE ENGINEERING CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
5.-THE ENGINEERING CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITIES NOTIFICATION CENTER OF FLORIDA, PHONE NUMBER 1-800-432- 4770, 48 HOURS BEFORE DIGGING.
6.-DIMENSIONS AS SHOWN (EXCEPT DRAINAGE TRENCH LENGTH) ARE APPROXIMATE. FOR EXACT DIMENSIONS AND GEOMETRIC DESCRIPTION SEE SITE PLAN.
7.-ALL MUCK,PEAT,OR SAND CLAY WITH HIGH PERCENTAGE OF ORGANIC MATERIAL SHALL BE REMOVED TO NATURAL LIMEROCK WITHIN THE PROPOSED PAVEMENT AREA. FOR DETAILED SPECIFICATIONS SEE METROPOLITAN DADE COUNTY PUBLIC WORKS DETAIL SECTION 30.
8.-CATCH BASINS SHALL BE CONSTRUCTED WITH GREASE AND OIL SEPARATOR (SEE DETAIL) OR AS APPROVED BY METROPOLITAN DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT.
9.-PAVEMENT SHALL CONSIST OF:
A. ASPHALTIC CONCRETE SURFACE COURSE 1" THICK.
B. LIMEROCK BASE COURSE 6" THICK PRIME EXTRA WIDTH.
C. STABILIZED SUBGRADE 12" THICK.
10.-EXFILTRATION TRENCHES SHOULD BE BUILT AS PER STANDARD DETAIL SD. 3.1 WITH 15" PERFORATED ALUMINUM PVC INVERT ELEVATION OF PIPE SHALL BE AT 4.5 N.G.V.D. (OCTOBER WATER TABLE ELEVATION).

CIVILS LEGEND

- EXISTING CATCH BASIN
- NEW CATCH BASIN
- 7.7 EXISTING GRADE/PAVING ELEVATION
- (7.7) PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX



SWALE "A" 150 LF
SCALE: 1" = 20'-0"



STORM WATER MANAGEMENT
SCALE: 1" = 30'-0"

RECEIVED
FEB 03 2009
BY: 29014

Keys
ENGINEERING SERVICES, INC
P.E. No. FL 21428
DARYLE L. OSBORN, P.E. (305) 852-0262
86801 OVERSEAS HIGHWAY
ISLAMORADA, FLORIDA 33036
1/24/09

REVISIONS			
MARK	DESCRIPTION	DATE	

TOM THUMB STORE 223
NEW MDP'S AND CANOPY
97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL
LANDO CO LLC. 97 W OREECHOBEE RD. HIALEAH, FL. 33030

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JOHN ROBERT BARNES, AIA, NCARB

ROBERT & BARNES ASSOCIATES
ARCHITECTURE AND PLANNING
© 2009
23 NORTH KIDNA AVENUE
KEY LARGO, FLORIDA 33037
(305)451-4150
FAX (305)451-4151
BARNESARCHITECTS@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

STORM WATER MANAGEMENT

DATE: JAN 2009	PROJECT NAME: 2008-086	DRAWN BY: A.S.	CHECKED BY: JRB / RM
DRAWN BY: JOHN ROBERT BARNES	PROJECT ADDRESS: 97950 MURRAY	A.S. SALAZAR	JRB / RM
SCALE: 1" = 30'-0"			
SCALE: 1" = 30'-0"			
3 STALES WITH HALEWEST/OF THUMB STORE 223 - 2008-086			
DRAWN BY: ANDS SALAZAR			
DATE: JANUARY 23, 2009			

SW-1

USF RECTANGULAR TRENCH FRAMES AND GRATES

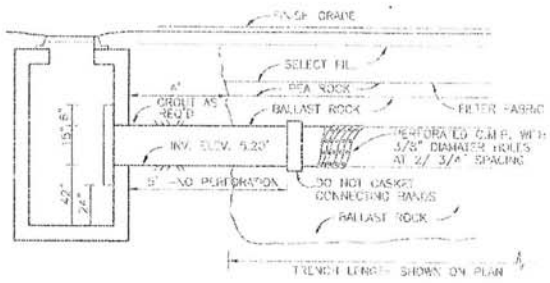
1. Specify boring if required
2. Specify overall length of trench

GRATE STYLES

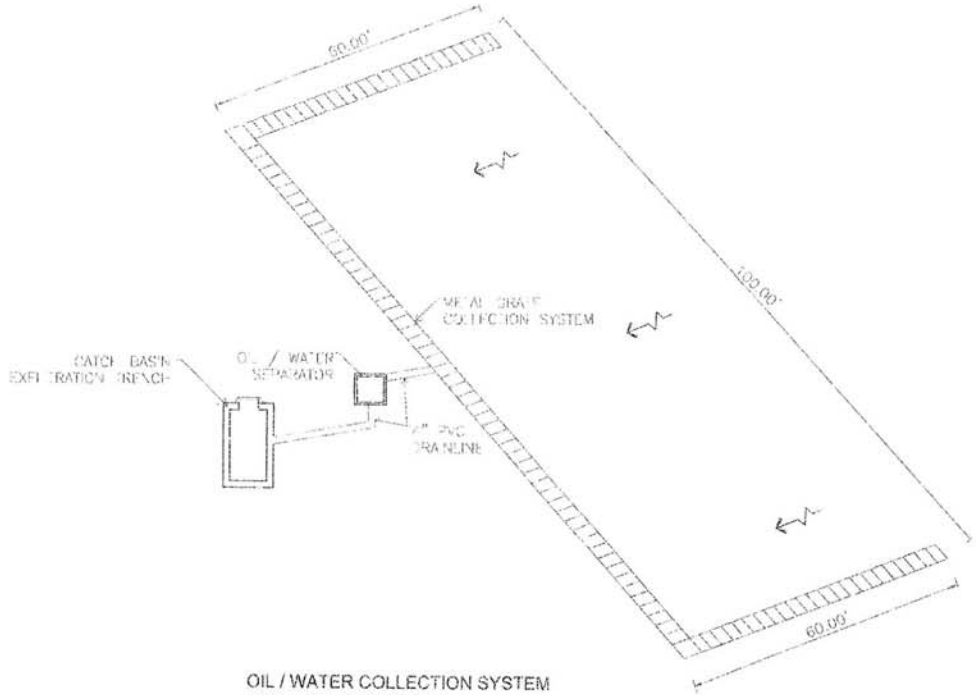
LISTED IN ORDER OF SHORTEST BEARING BAR DIMENSION "A", LENGTH "B", AND SEAT HEIGHT.

FRAME-GRATE NUMBER	GRATE TYPE	WIDTH A	LENGTH B	SEAT HEIGHT	CLEAR OPENING	SLOT SIZE	FLOW AREA	LOAD RATING	GRATE WEIGHT
6515-5400	S1-R	8	24	1½	8	1 x 3½	70	HEAVY DUTY	40
6500-6125	S2-R	10	24	2½	8	1 x 3½	75	HEAVY DUTY	70
6515-6130	S2-R	12	24	1½	10	1 x 4½	100	HEAVY DUTY	60
6500-6130	S2-R	12	24	2½	10	1 x 4½	100	HEAVY DUTY	70
6515-6135	S2-R	13	24	1½	11	1 x 4½	100	HEAVY DUTY	85
6500-6141	S2-R	14	24	2	12	1 x 5½	120	HEAVY DUTY	90
6515-6140	S2-R	14	24	2½	12	1 x 5½	120	HEAVY DUTY	90
6515-6145	S2-R	16	24	1½	14	1½ x 3½	120	HEAVY DUTY	60
6515-6256	S2	18	24	1½	17	1½ x 7½	180	HEAVY DUTY	120
6525-6227	S2	20	24	2½	19	1½ x 7½	180	HEAVY DUTY	145
6515-6229	S2-R	24	24	1½	22	1½ x 4½	205	HEAVY DUTY	125
6500-6135	S2-R	26	26	1½	24	1½ x 4½	210	HEAVY DUTY	200
6500-6260	S2	27	24	2½	25	1½ x 10½	200	HEAVY DUTY	200
6525-6212	S3	27½	25½	2	24½	1½ x 7½	265	HEAVY DUTY	195
6525-6150	S5-R	30	24	2½	27	1½ x 5	270	HEAVY DUTY	400

R=Restricted Grate Openings.
NOTE: For overall frame length, add 1/8" clearance between grates.



TRENCH / C.B DETAIL SECTION



OIL / WATER COLLECTION SYSTEM FOR FUEL PUMP AREA

Keys ENGINEERING SERVICES, INC.
P.E. No. FL 21428
DARYLE L. OSBORN, P.E. (305) 857-0262
85601 OVERSEAS HIGHWAY
ISLAMORADA, FLORIDA 33036

TOM THUMB STORE 223
NEW MDP'S AND CANOPY
97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.

ROBERT BARNES & ASSOCIATES

STORM WATER MANAGEMENT

SW-2

TOM THUMB FOOD STORE, INC.

(LANDCO, LLC)

RE# 00090630-000000 MILE MARKER 97.9

Construction Management Plan and Construction Phasing

Construction will follow best management practices. Site will be fenced with no public access during construction. Straw bales will be used to prevent runoff onto adjoining properties and roadways.

Construction will proceed in a timely manner.

It is estimated that construction will begin within 45 days of approval of the Major Conditional Use Permit and allocation of NROGO credits. The expansion and construction process is expected to take 90 days from beginning to end. If the availability of NROGO credits is not sufficient to construct the entire canopy at one time, the project may be phased into two time periods. If a phased approach is required then the first phase will incorporate replacement of the fuel storage tanks, construction of the new fuel islands and footers for the canopy. Depending on cost considerations and engineering considerations, 50% of the canopy will be installed during the first construction phase and when the additional NROGO credit are available the remaining canopy will be installed.

Douglas Landsea

From: Douglas Landsea [dlandsea@hotmail.com]
Sent: Monday, January 26, 2009 10:20 AM
To: 'esantisteban@vmsom.com'
Subject: Letter of Coordination
Attachments: 2009 SITE PLAN STORE 223.pdf

January 26, 2009
Florida Department of Transportation

Re: "Letter of Coordination"

Dear Ernesto:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located in the center median of the Overseas Hwy. at Mile Marker 97.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion. We are in the process of seeking a Major Conditional Use Permit approval from the Monroe County Planning Commission and thereafter building permits from the Monroe County Building Department for the construction of six additional new fueling pumps and accompanying canopy.
The existing convenience store building will remain the same size and be upgraded and modernized to provide a more friendly and convenient shopping experience. The business has been owned by Tom Thumb since 1989. The property is legally described as Lot 7 of Island of Key Largo subdivision (PB1-59) and having a Real Estate number of 00090630-000000.
Attached is a copy of the proposed site plan indicating the location of the new fueling positions.
Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.
Sincerely,

Douglas Landsea
LANDSEA
DEVELOPMENTS, LLC
305-298-1022 (C)
305-468-6245 (F)

January 23, 2009 ***SENT VIA USPS***

Ms. Rosa Washington
Senior Administrator
Monroe County Solid Waste Management
1100 Simonton Street, Suite 2-231
Key West, FL 33040

Dear Ms. Washington:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located in the center median of the Overseas Hwy. at Mile Marker 97.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

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In addition to our upgrades and expansion, we will be looking at ways to increase our recycling at the store so as to minimize our impact on the community.

Enclosed is a copy of the proposed site plan indicating the location of the dumpsters.

Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea

January 26, 2009 ***SENT VIA USPS***

Mike Winkler
Monroe County Environmental Health Department
50 High Point Road, Suite 104
Tavernier, FL 33070

Re: "Letter of Coordination"

Dear Mr. Winkler:

As the representative of the owner (LANDCO, LLC) of the property commonly known as the Tom Thumb Food Store, Inc. located in the center median of the Overseas Hwy. at Mile Marker 97.7 on Key Largo, Monroe County, Florida, we request from your office a "Letter Of Coordination" for the following expansion.

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Please contact me if you require additional information (305-298-1022) and I thank you for your assistance in this matter.

Sincerely,

Douglas Landsea

Required Parking Lot Landscaping

Class A

Calculations:
10 spaces required on site/13 provided.
10/24=.417

Planting Area
Required: 1500 x .417= 625 s.f.
Provided: +800 s.f.

Canopy Trees
Required: 5 x .417 = 2 - 12' tall Canopy Trees
Provided: 2- 12' tall Canopy Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist)
2 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 1 x .417 = 1
Provided: 1- 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
1 Coccoloba diversifolia/Pigeon Plum

Shrubs
Required: 12 x.417 = 5
Provided: 5- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
5 Hamelia patens/Firebush

8 Total Plants required x 30%= 2 Palms or exotics allowed/0 palms or exotics provided

220 l.f. Major Street Buffer
Class C, 10' wide

Canopy Trees
Required: 5 x 2.2 =11
Provided: 11 - 12' tall Canopy Trees from the following list (or other species may be accepted if approved by Co. Biologist)
5 Swietenia mahoganii/Mahogany Tree
6 Conocarpus erectus/Green Buttonwood

Understory Trees
Required: 2 x 2.2 = 5
Provided: 5 - 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
5 Eugenia foetida/Spanish Stopper

Shrubs
Required: 20 x 2.2 = 44
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
15 Thrinax radiata/Florida Thatch Palm
20 Suriana maritima/Bay Cedar
9 Capparis cynophallophora/Jamaica Caper

60 Total Plants required x 30%= 18 Palms or exotics allowed/15 provided.

220 l.f. Major Street Buffer
Class C, 10' wide

Canopy Trees
Required: 5 x 2.2 =11
Provided: 11 - 12' tall Canopy Trees from the following list (or other species may be accepted if approved by Co. Biologist)
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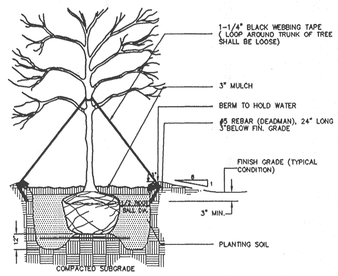
Provided: 5 - 5-6' tall, 10 gallon container Understory Trees will be planted from the following species list (other species may be accepted if approved by Co. biologist):
5 Eugenia foetida/Spanish Stopper

Shrubs
Required: 20 x 2.2 = 44
Provided: 44- 30-36", 3 gallon container Shrubs from the following species list: (smaller plants and or other species may be accepted if approved by Co. biologist)
15 Thrinax radiata/Florida Thatch Palm
20 Suriana maritima/Bay Cedar
9 Capparis cynophallophora/Jamaica Caper

60 Total Plants required x 30%= 18 Palms or exotics allowed/15 provided.



PLANTING DETAIL

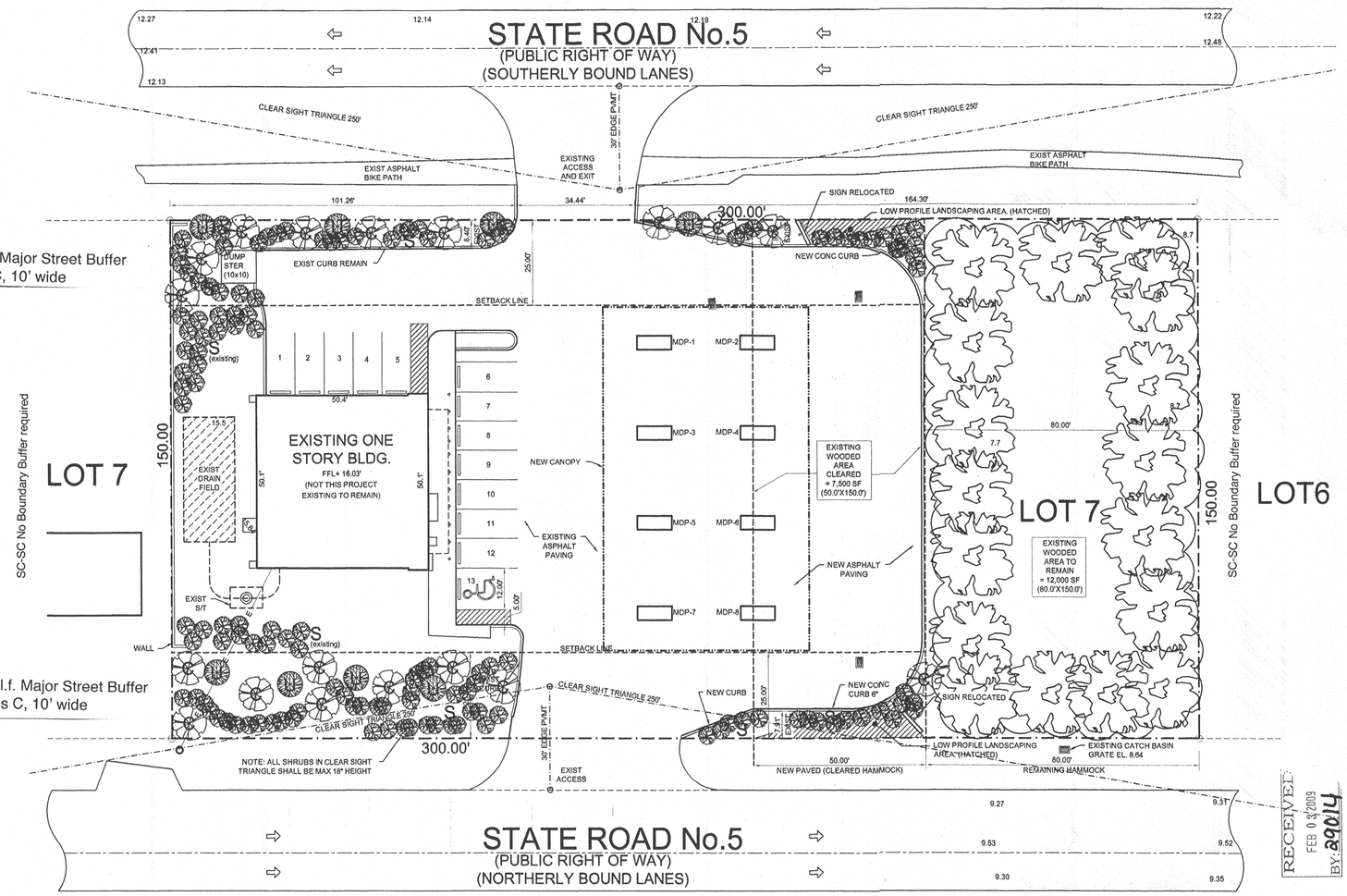
Landscape Legend

E — EXISTING HAMMOCK TO REMAIN
C — NEW/EXISTING CANOPY TREES
U — NEW/EXISTING UNDERSTORY TREES
S — NEW/EXISTING SHRUBS

Required landscape Data:

Subject property zoning= SC
Adjacent property (NE/SW) zoning=SC
No Bufferyards required.

Notes:
Existing driveways and curbs to remain as is.
Existing Hammock area to remain= 80 L.F. of property line.
Calculations used for bufferyards is 220 L.F. of property line (300'-80'=220')
Plants will be installed in a random, natural arrangement, with 3" of mulch in the full parking lot landscape area, according to Sec. 9.5-364 & sized in accordance with 9.5-367.
Existing native plants meeting the required heights within the Parking lot landscape and Bufferyard areas will be counted as part of this Parking lot landscape/Buffer, per Sec. 9.5-380, reducing the stated quantities accordingly.
Landscape Architect reserves the right to change the plant list based on availability or other design criteria as long as it fulfills the intent of the code, ie. Canopy tree, understory tree, shrub and the native requirements.
Any tree 4" or greater in diameter at breast height (4" dbh) or listed with special status ie. threatened or endangered trees, that can not remain in there present location will be transplanted Per Sec. 9.5-344 or replaced at a ratio of 2 for 1 onsite mitigated via payment to the County ELM restoration fund in the amount suffiecent to replace each removed plant or tree on a 2-1 basis. Transplanted trees may be transplanted into the parking lot landscape/Buffer areas and will reduce the number of provided trees accordingly.
A Habitat Evaluation and Vegetation survey has been performed by Planning Ecological Environmental Communications and should be reviewed along with this plan.
Xeriscape landscaping methodologies along with a significant amount of native plant materials will be used throughout the property for the remaining areas of landscaping.



RECEIVED FEB 0 9 2009 BY: 290114

LANDSCAPE PLAN
SCALE: 1" = 20'-0"

Brown & Crebbin Design Studio, Inc.
L.C. # 700
120 Fontaine Drive, Plantation Key, Florida 33070
305.852.5502
Garden Design & Landscape Architecture

REVISIONS		
MARK	DESCRIPTION	DATE
1	REVISED LAND.	11/5/08

TOM THUMB STORE 223
NEW MDP'S AND CANOPY

DRAWING: 97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.
CONTACT INFO: LAND CO LLC, 97 W OKEECHOBEE RD, HIALEAH, FL. 33030

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JOHN ROBERT BARNES, AIA, NCARB

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING
© 2008
221 NORTH KROME AVENUE
HOMESTEAD, FLORIDA 33030
(305)247-6150
(305)247-6200
RBASSOCIATES@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

DRAWING TITLE: LANDSCAPE SITE PLAN

BUILDING	UNIT	PROJECT MANAGER: JRB / SM	
—	—	DRAWN BY: A.K.	
DATE: JAN 2008	PROJECT NUMBER: 2008-056	SCALE: AS SHOWN	DRAWING NAME: A-1 2008-056 - SITE PLAN.DWG
DRAWN: JOHN ROBERT BARNES	CHECKED: SAM MURRAY	CHECKED: SAM MURRAY	LAST PLOTTED: 7/25/08 [12:03PM]
PLOTTED BY: SAM MURRAY	PLOT DATE: January 12, 2009	PLOT TIME: 4:39 PM	

DRAWING NUMBER: L-1

Site Data

1. ZONING: SC (Suburban Commercial) Sec.9.5-235

2. CLASSIFICATION: LOT 7 (South) = Tier 1 LOT (Cleared)
LOT 7 (North) = Tier SBA (Hammock)

3. LAND AREA: 45,000 SF (1.033AC)

4. LOT COVERAGE:

- Existing Building	= 2,526 SF (5.6%)
- Exist Concrete/Paved areas	= 15,008 SF (33.3%)
- New Concrete/Paved areas	= 6,779 SF (15.0%)
- Open Area / Landscaping	= 20,687 SF (46.1%)
TOTAL	= 45,000 SF

5. THIS PROJECT:

- Existing Canopy	= 768 SF
- New Canopy (60x99)	= 5,940 SF
TOTAL Canopy	= 5,940 SF
(Additional Canopy)	= 5,173 SF (5,940-768 Exist)

CLEARING - LOT 7 (North):
Tier SBA Hammock - Clearing Allowed = 40% or 7,500 SF Max
- Existing Hammock = 19,500 SF
- 40% Clearing = 7,800 SF
- Max Allowed Clearing = 7,500 SF
- Actual Cleared = 7,500 SF
- Existing to Remain = 12,000 SF (19,500-7,500)

NOTE: New tanks will be installed to replace existing tanks.

6. PROJECT DESCRIPTION:
- 6.1 Replace existing (3) tanks with (2) new tanks in about the same location as the existing tanks.
- 6.2 Install (6) new MDP's for (12) new Fueling positions, existing (2) MDP's with (4) existing Fueling positions to be relocated for a total of (8) MDP's and (16) Fueling positions.
- 6.3 Provide new Canopy over MDP's for a total of 5,940 SF.
- 6.4 Restripe existing paved areas to define parking.
- 6.5 Existing Access and Egress from the site at the Southbound Lanes (West Side of Site) to remain as is.
- 6.6 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be made wider to 50.0' width.
- 6.7 Existing Access and Egress from the site at the Northbound Lanes (East Side of Site) to be regraded to new slope for safety and lesser slope.

7. PARKING: Sec.9.5-352
- 7.1 Commercial / Retail: 3 parking per 1,000 SF Required.
- 7.2 Building 2,525 SF: Parking Required = 7.575
  Parking Provided = 13 (Existing)

NOTE: All parking will be 8.5' x 18.0' and includes (1) one Handicap Parking Space with 5.0' striped area adjacent to parking.

8. LOADING ZONE: Sec.9.5-354
Commercial Use 2,500-19,999 SF = (1) one 11' x 55'
Provided: (1) one Loading Zone 11' x 55'

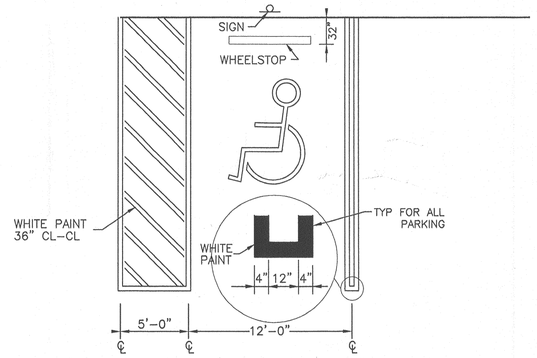
9. SETBACKS: Sec.9.5-281
Land Use: SC Suburban Commercial "Other"

	Required	Provided
Front Setback	25.0'	34.71'
Rear Setback	10.0'	24.84'
Side Yards	10.'/15.0'	35.29'

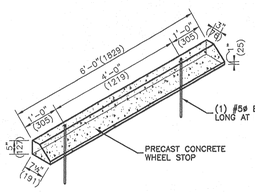
10. FLOOD ZONE:
Per survey by: Fortin Leavy Skiles
Flood Zone: "X" Community Panel 0929K
Existing Building Floor Elevation +16.03' NGVD

11. OPEN SPACE RATIO: Sec.9.5-262
SC = 0.2 OSR
OSR Provided = 0.46 (20,929 SF)

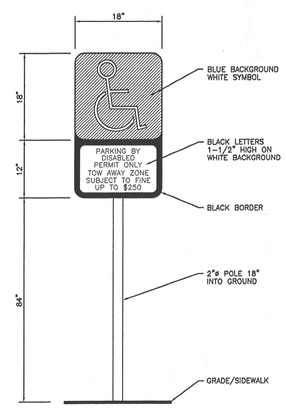
12. OUTDOOR LIGHTING: Sec.9.5-392, 393, 394
- 12.1 All outdoor lighting shall be max 18'-0" above grade non-cutoff; max 35'-0" above grade for cutoff types.
- 12.2 Maximum Illumination shall be: 0.3 foot-candles non-cutoff
  1.5 foot-candles for cutoff
  (All measured at the property line)
- 12.3 Lighting shall be shielded/screened/located so that adjacent residential lots are not directly illuminated.



HANDICAP PARKING
SCALE: NONE



WHEELSTOP DETAIL
SCALE: NONE



HANDICAP PARKING SIGN

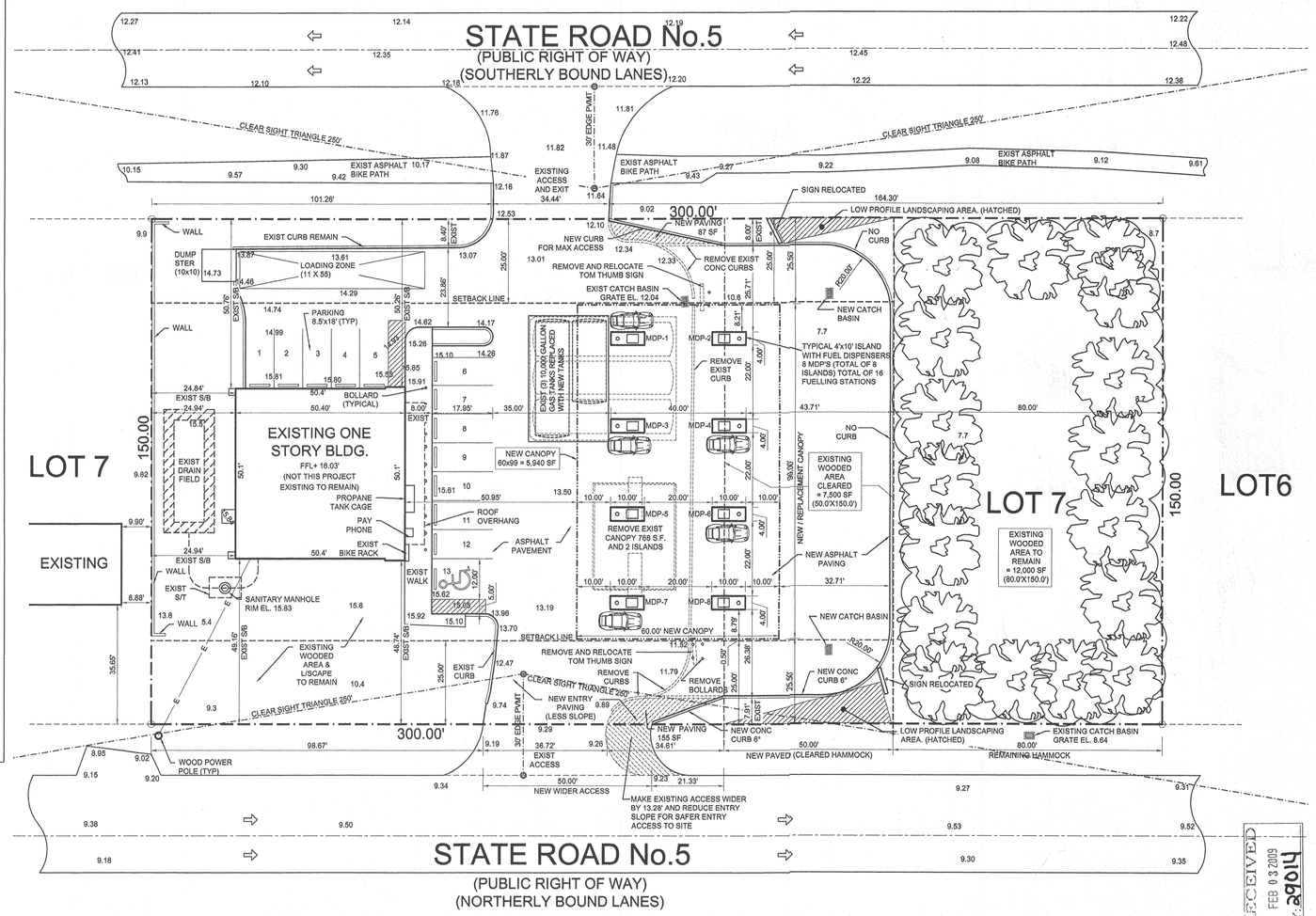
LEGAL DESCRIPTION:

A parcel of land lying between the Southeasterly right-of-way line of the Southerly bound traffic lane and the Northwesterly right-of-way line of the Northerly bound traffic lane of State Road No. 5, Highway No. 1, in Section 6, Township 62 South, Range 39 East on Key Largo, Monroe County, Florida, said Parcel being a portion of the northeasterly 300 feet of Lot 7, of George L. MacDonald Plat, according to the plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Monroe County, Florida, said parcel being more particularly described as follows:

Beginning at the intersection of the northeasterly line of the said Lot 7 with said Southeasterly right-of-way line; thence proceed Southeasterly along the said northeasterly line of Lot 7 and along a line perpendicular to said Southeasterly right-of-way line, for 150 feet to the said Northwesterly right-of-way line; thence deflect 90° right and proceed Southwesterly along the said Northwesterly right-of-way line for 300 feet; thence deflect 90° right and proceed Northwesterly for 150 feet to the said Southeasterly right-of-way line; thence deflect 90° right and proceed Northeasterly along said Southeasterly right-of-way line for 300 feet to the Point of Beginning of the herein described parcel of land.

CIVILS LEGEND

- EXISTING CATCH BASIN
- NEW CATCH BASIN
- 7.7 EXISTING GRADE/PAVING ELEVATION
- (7.7) PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX



RECEIVED FEB 03 2009 BY: a9014

SITE PLAN
SCALE: 1" = 20'-0"

PARCEL 00090630-000000-05-62-39
ALT KEY 1103535

Revision "A" Dated 01/14/09
NOTYH CURB REMOVED FOR CIVILS - GENERAL UPDATE MCC LOU 8/5/08

REVISIONS			
MARK	DESCRIPTION	DATE	

TOM THUMB STORE 223
NEW MDP'S AND CANOPY

JOB ADDRESS
97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.

OWNER OF RECORD
LAND CO LLC, 97 W OKEECHOBEE RD, HIALEAH, FL. 33030

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1/22/9

JOHN ROBERT BARNES, AIA, NCARB
AR0010526

ROBERT BARNES & ASSOCIATES
ARCHITECTURE AND PLANNING
INC. 2006
721 NORTH KROME AVENUE
HOMESTEAD, FLORIDA 33030
(305)247-6150
(305)853-0008
BRASSOCIATES@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

SITE PLAN

PROJECT MANAGER	JRB / SM
DRAWN BY	SM
CHECKED BY	JRB
LAST SAVED BY	SAM MURRAY
LAST SAVED	7/25/08 [12:03PM]
PLOT DATE	January 21, 2009
PLOT TIME	12:45 PM

DRAWING NUMBER
A-1

Site Data

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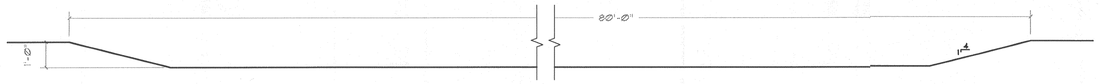
GENERAL NOTES

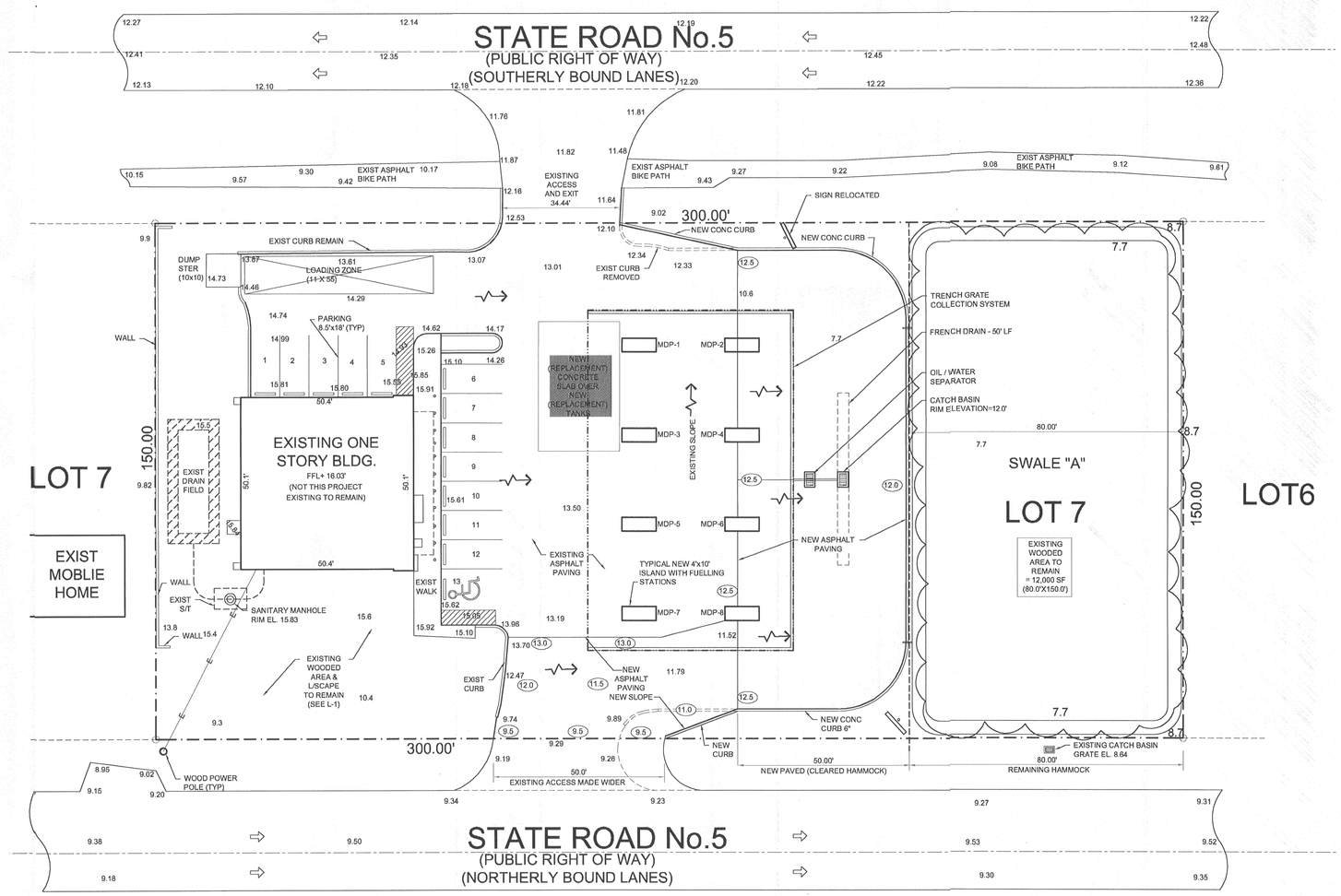
1.–ALL WORK SHALL BE PERFORMED ACCORDING TO THE SPECIFICATIONS, STANDARD DETAIL AND DEPARTMENTS OF THE METROPOLITAN DADE COUNTY. PUBLIC WORKS DEPARTMENT.
2.–NO DEVIATION FROM THE APPROVED PLAN SHALL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD AND THE METROPOLITAN DADE COUNTY PUBLIC WORKS DEPARTMENT.
3.–ALL ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM.
4.–LOCATION AND DEPTH OF ALL EXISTING STRUCTURES AND/OR UTILITIES SHALL BE VERIFIED BY THE ENGINEERING CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
5.–THE ENGINEERING CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITIES NOTIFICATION CENTER OF FLORIDA, PHONE NUMBER 1–800–432–4770, 48 HOURS BEFORE DIGGING.
6.–DIMENSIONS AS SHOWN (EXCEPT DRAINAGE TRENCH LENGTH) ARE APPROXIMATE, FOR EXACT DIMENSIONS AND GEOMETRIC DESCRIPTION SEE SITE PLAN.
7.–ALL MUCK,PEAT,OR SAND CLAY WITH HIGH PERCENTAGE OF ORGANIC MATERIAL SHALL BE REMOVED TO NATURAL LIMEROCK WITHIN THE PROPOSED PAVEMENT AREA. FOR DETAILED SPECIFICATIONS SEE METROPOLITAN DADE COUNTY PUBLIC WORKS DETAIL SECTION 30.
8.–CATCH BASINS SHALL BE CONSTRUCTED WITH GREASE AND OIL SEPARATOR (SEE DETAIL),OR AS APPROVED BY METROPOLITAN DADE COUNTY DEPATMENT OF ENVIROMENTAL RESOURCES MANAGEMENT.
9.–PAVEMENT SHALL CONSIST OF:
A. ASPHALTIC CONCRETE SURFACE COURSE 1" THICK.
B. LIMEROCK BASE COURSE 6" THICK PRIME ENTIRE WIDTH.
C. STABILIZED SUBGRADE 12" THICK.
10.–EXFILTRATION TRENCHES SHOULD BE BUILT AS PER STANDARD DETAIL SD. 1.1 WITH 15" PERFORATED ALUMINUM PIPE. INVERT ELEVATION OF PIPE SHALL BE AT 4.5 N.G.V.D. (OCTOBER WATER TABLE ELEVATION).

CIVILS LEGEND

- EXISTING CATCH BASIN
- NEW CATCH BASIN
- 7.7 EXISTING GRADE/PAVING ELEVATION
- (7.7) PROPOSED NEW GRADE/PAVING ELEVATION
- SLOPE DIRECTION 2% MAX



SWALE "A" 150 LF
SCALE: 1" = 20'-0"



STORM WATER MANAGEMENT
SCALE: 1" = 20'-0"

RECEIVED
FEB 03 2009
BY: 29014

Keys ENGINEERING SERVICES, INC
P.E. No. FL 27428
DARYLE L. OSBORN, P.E. (305) 852-0762
86801 OVERSEAS HIGHWAY
ISLAMORADA, FLORIDA 33036
1/23/09

REVISIONS		
MARK	DESCRIPTION	DATE

TOM THUMB STORE 223
NEW MDP'S AND CANOPY

97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.

JOB NUMBER
CONTACT INFO
LAND CO LLC, 97 W OKEECHOBEE RD, HIALEAH, FL. 33030

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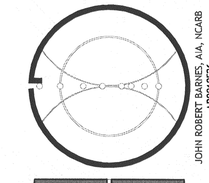

JOHN ROBERT BARNES, AIA, NCARB

ROBERT BARNES & ASSOCIATES
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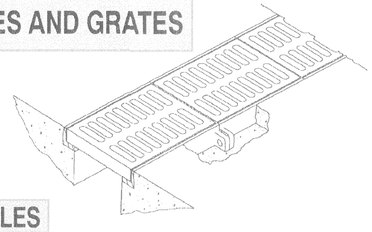
STORM WATER MANAGEMENT

BUILDING	
DATE	JAN 2008
DRAWN BY	JOHN ROBERT BARNES
PROJECT NUMBER	2008-056
UNIT	
SCALE	AS SHOWN
DRAWING NAME	SW-1.DWG
S:\FILES WITH NUMBER\TOM THUMB STORE 223 - 2008-056	
PROJECT MANAGER	JRB / SM
DRAWN BY	A.A.
CHECKED BY	ANA SALAZAR
SIGNED BY	SAM MURRAY
LAST SAVED AT	1/23/09 [1:53PM]
PLOT BY	ANA SALAZAR
PLOT DATE	JANUARY 23, 2009
PLOT TIME	5:00 PM

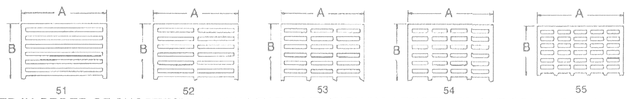
DRAWING NUMBER
SW-1

USF RECTANGULAR TRENCH FRAMES AND GRATES

1. Specify bolting, if required.
2. Specify overall length of trench.



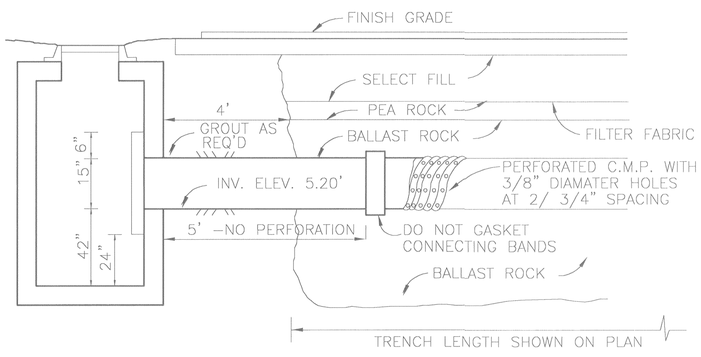
GRATE STYLES



LISTED IN ORDER OF SHORTEST BEARING BAR DIMENSION "A". LENGTH "B", AND SEAT HEIGHT.

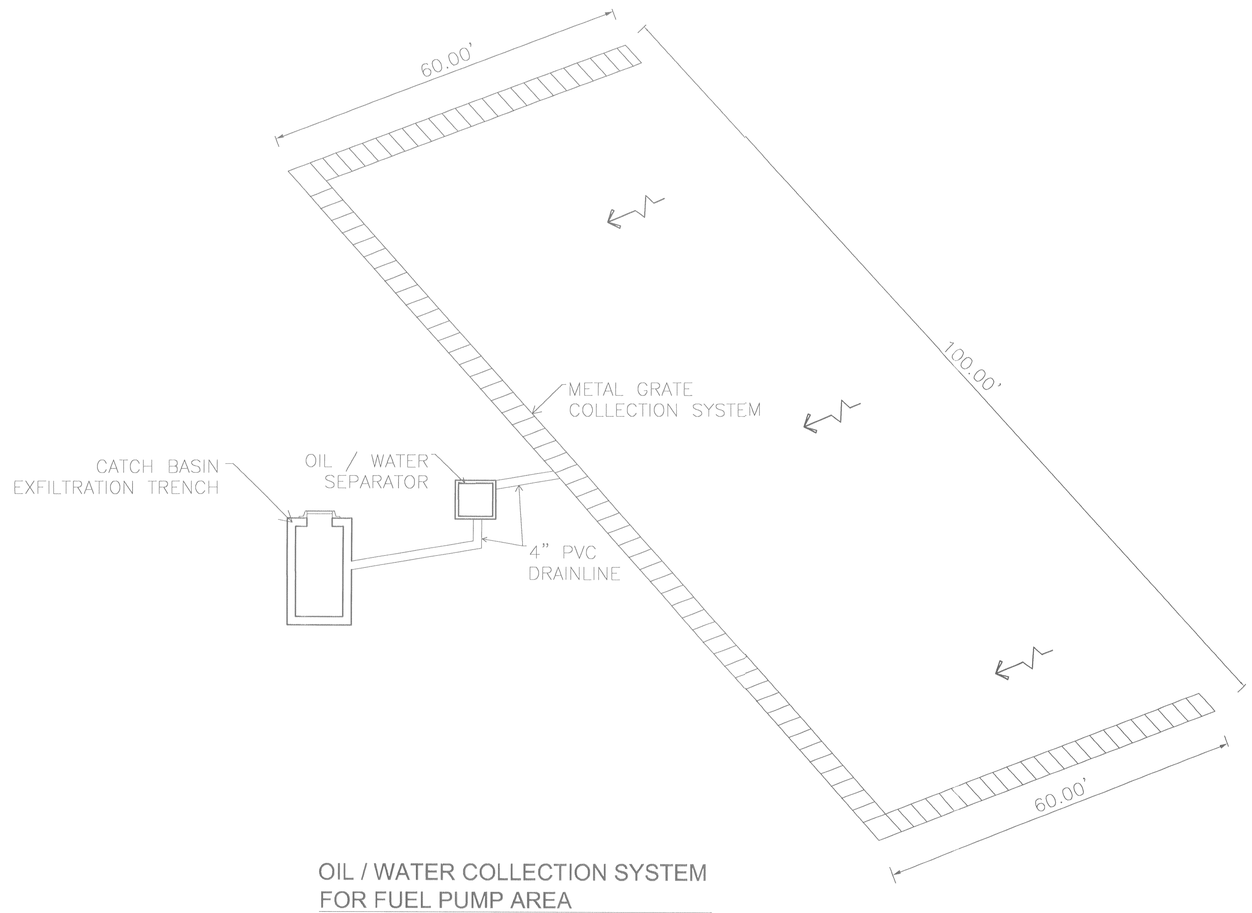
FRAME-GRATE NUMBER	GRATE TYPE	WIDTH A	LENGTH B	SEAT HEIGHT	CLEAR OPENING	SLOT SIZE	FLOW AREA	LOAD RATING	GRATE WEIGHT
6515-6100	51-R	8	24	1 1/2	6	1 1/4 x 5 1/2	70	HEAVY DUTY	40
6500-6105	52-R	10	24	2 9/16	8	1 x 3 1/2	75	HEAVY DUTY	70
6515-6118	52-R	12	24	1 1/2	10	1 x 4 1/2	100	HEAVY DUTY	60
6500-6120	52-R	12	24	2 9/16	10	1 x 4 1/2	100	HEAVY DUTY	80
6510-6185	52-R	13	24	1 3/4	11	1 x 4 1/2	100	HEAVY DUTY	85
6505-6141	52-R	14	24	2	12	1 x 5 1/2	120	HEAVY DUTY	90
6500-6140	52-R	14	24	2 9/16	12	1 x 5 1/2	120	HEAVY DUTY	90
6515-6145	52-R	16	24	1 1/2	14	1 1/2 x 5	130	HEAVY DUTY	80
6515-6226	52	19	24	1 1/2	17	1 1/2 x 7 9/16	180	HEAVY DUTY	120
6545-6227	52	20	24	2 1/2	18	1 3/4 x 7 3/4	160	HEAVY DUTY	165
6515-6235	54-R	24	24	1 1/2	22	1 1/4 x 4 1/2	225	HEAVY DUTY	155
6530-6195	53-R	26	36	1 1/2	24	1 1/4 x 6 9/16	340	HEAVY DUTY	300
6500-6250	52	27	24	2 1/8	25	1 1/4 x 10 1/8	220	HEAVY DUTY	200
6535-6212	53	27 1/8	35 7/8	2	24 1/2	1 1/8 x 7 9/16	455	HEAVY DUTY	265
6525-6180	55-R	39	24	2 1/8	37	1 1/2 x 6	270	HEAVY DUTY	400

R=Restricted Grate Openings.
NOTE: For overall frame length, add 1/8 clearance between grates.



TRENCH / C.B DETAIL SECTION

NTS



OIL / WATER COLLECTION SYSTEM FOR FUEL PUMP AREA

NTS

RECEIVED
FEB 03 2009
BY: 29014

Keys
ENGINEERING/SERVICES, INC
P.E. No. FL 27428

DARYLE L. OSBORN, P.E. (305) 852-0262
86801 OVERSEAS HIGHWAY
IBLAMORADA, FLORIDA 33036

REVISIONS

MARK	DESCRIPTION	DATE

PROJECT OWNER

TOM THUMB STORE 223
NEW MDP'S AND CANOPY

JOB ADDRESS
97950 OVERSEAS HIGHWAY, KEY LARGO, MONROE COUNTY, FL.

COPYRIGHT INFO
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JOHN ROBERT BARNES, AIA, NCARB
ARCHITECT

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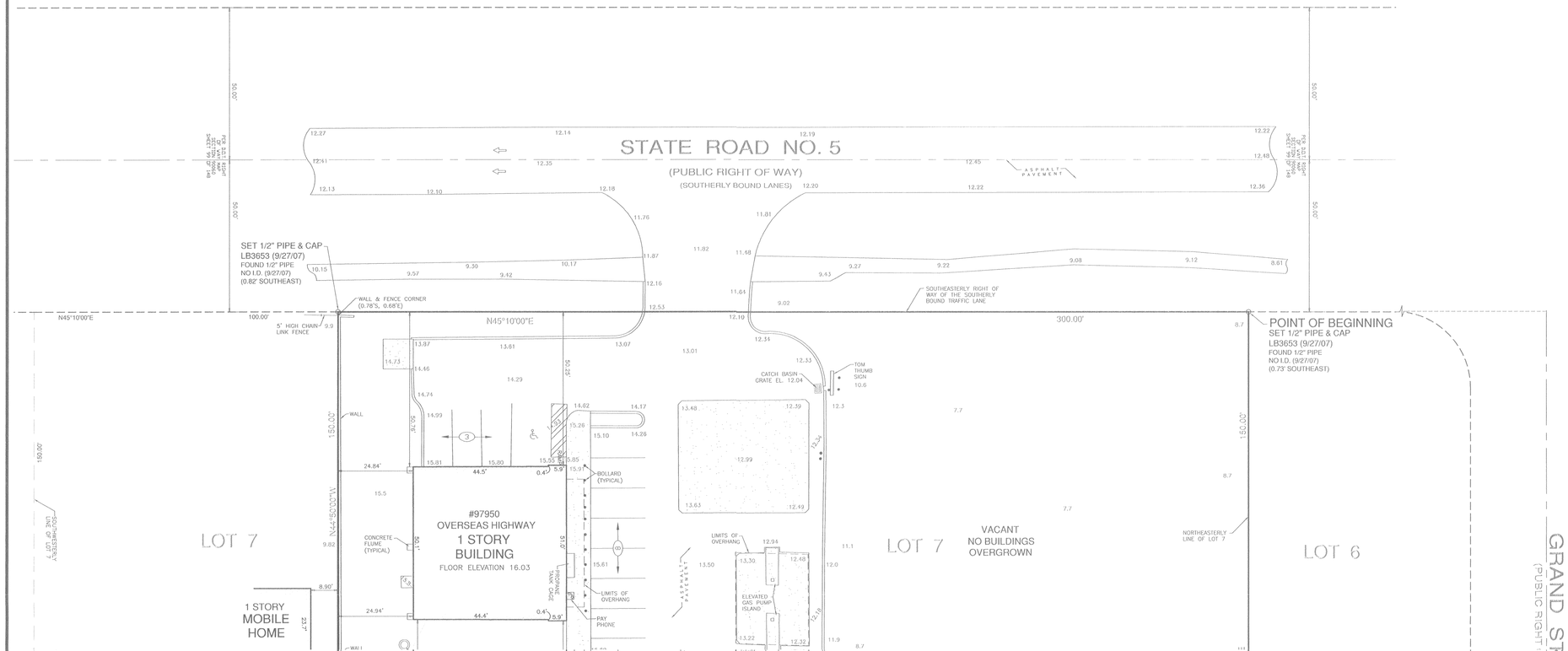
RBASSOCIATES@BELLSOUTH.NET
ROBERTBARNESASSOCIATES.COM

DRAWING TITLE
STORM WATER MANAGEMENT

BUILDING	
---	---
UNIT	---
PROJECT MANAGER	JRB / SM
DATE ISSUED	JAN 2008
PROJECT NUMBER	2008-056
SCALE	AS SHOWN
DRAWN BY	A.A.
CHECKED BY	AMA-SALAZAR
LAST SAVED BY	AMA-SALAZAR
LAST SAVED DATE	1/23/09 [1:53PM]
DRAWING NAME	SW-1.DWG
XREF FILE(S)	S:\FILES WITH NUMBER\TOM THUMB STORE 223 - 2008-056
PLOT DATE	January 23, 2009
PLOT TIME	3:02 PM
PLOTTED BY	AMA-SALAZAR

DRAWING NUMBER
SW-2



Know what's **below.**
Call before you dig.

NORTH

GRAPHIC SCALE

0 10 20 40

(IN FEET)
1 inch = 20 ft.

LEGEND

= CATCH BASIN	= 0.5' CURB
= MANHOLE	= 2.00' CURB & GUTTER
= LIGHT POLE	= CHAIN LINK FENCE
= WATER METER	= GRADE ELEVATION
= WATER VALVE	EL. = ELEVATION
= CATCH BASIN INLET	INV. = INVERT
= UTILITY POLE	SAN. = SANITARY
= RISER	P.R.M. = PERMANENT REFERENCE MONUMENT
= FIRE HYDRANT	= CONCRETE
= HANDHOLE	= ASPHALT PAVEMENT
= SIGN	

LEGAL DESCRIPTION:

A parcel of land lying between the Southeasterly right-of-way line of the Southerly bound traffic lane and the Northwesterly right-of-way line of the Northerly bound traffic lane of State Road No. 5, Highway No. 1, in Section 6, Township 62 South, Range 39 East on Key Largo, Monroe County, Florida, said Parcel being a portion of the northeasterly 300 feet of Lot 7, of George L. MacDonald Plat, according to the plat thereof recorded in Plat Book 1 at Page 59 of the Public Records of Monroe County, Florida, said parcel being more particularly described as follows:

Beginning at the intersection of the northeasterly line of the said Lot 7 with said Southeasterly right-of-way line; thence proceed Southeasterly along the said northeasterly line of Lot 7 and along a line perpendicular to said Southeasterly right-of-way line, for 150 feet to the said Northwesterly right-of-way line; thence deflect 90° right and proceed Southwesterly along the said Northwesterly right-of-way line for 300 feet; thence deflect 90° right and proceed Northwesterly for 150 feet to the said Southeasterly right-of-way line; thence deflect 90° right and proceed Northeasterly along said Southeasterly right-of-way line for 300 feet to the Point of Beginning of the herein described parcel of land.

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an Instrument of Service not to be Reproduced in Whole or in Part without the Express WRITTEN Permission of Same.

No.	Revision Description
1	081473 AMEND SURVEYOR'S NOTES LAND USE-DWF
	O.N.

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

MEMORANDUM

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

To: The Development Review Committee &
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Steven Biel, Sr. Planner SB

Date: April 6, 2009

Subject: *Request for approval of an Amendment to a Major Conditional Use Permit for Tom Thumb Food Store, located at 97950 Overseas Highway, Key Largo, mile marker 98, Real Estate No. 00090630.000000*

Meeting: April 7, 2009

I. REQUEST:

The applicant is requesting approval of an amendment to a major conditional use permit in order to redevelop the existing gas station and convenience store by relocating the two (2) existing fuel pumps with two (2) dispensers per pump, constructing six (6) additional fuel pumps with two (2) dispensers per pump, demolishing the existing canopy and constructing one (1) new canopy and carrying out associated improvements.

Subject Property Outlined in Blue (2006)

Reviewed by L.

W:\GROWTH MANAGEMENT\Geo\Upper Keys\096 to 099 Rock Harbour\MM97\Tom Thumb 97.9 RE 00090630\Tom Thumb Major Amendment.doc

Location:

Address: 97950 Overseas Highway (US 1), Key Largo, mile marker 97.9 (in the median)
Legal Description: Lot 7 of Island of Key Largo subdivision (PB1-59), Key Largo, Monroe County, Florida

Real Estate (RE) Number: 00090630.000000

Applicant:

Owner: Landco LLC

Agents: Douglas Landsea & Nicolas Mulick

II. RELEVANT PRIOR COUNTY ACTIONS:

In 1985, the Monroe County Building Department issued Building Permit C-18037, permitting the construction of the existing 2,500 ft² convenience store building, the construction of the existing 720 ft² canopy and the installation of fuel tanks. This building permit established the existing use on the parcel. In 2001, the Building Department issued Building Permit 013-2771, permitting the installation of the two existing fuel pumps.

III. BACKGROUND INFORMATION:

Size of Site (per site plan): 1.03 acres (45,000 ft²)
Land Use District: Suburban Commercial (SC)
Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)
Tier Designation (of Parcel): Tier 3 SPA (Special Protection Area)
Flood Zone: Zone X
Existing Use: Commercial retail uses of convenience store/fuel pumps
Existing Vegetation / Habitat: Developed with an area of hammock on the northeastern portion of the lot
Community Character of Immediate Vicinity: Mixed Use – commercial and residential

IV. REVIEW OF APPLICATION:

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

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

The proposed development is consistent with the purposes, goals, objectives and standards of the MC future land use category and the SC District, which is to establish areas for commercial uses designed and intended primarily to serve the needs of the immediate planning area in which they are located.

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

Policy 101.4.5: The principal purpose of the MC land use category is to provide for the establishment of commercial zoning districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted. This land use category is also intended to allow for the establishment of mixed use development patterns, where appropriate. Various types of residential and non-residential uses may be permitted; however, heavy industrial uses and similarly incompatible uses shall be prohibited. In order to protect environmentally sensitive lands, the following development controls shall apply to all hammocks, pinelands, and disturbed wetlands within this land use category: 1) only low intensity commercial uses shall be allowed; 2) a maximum floor area ratio of 0.10 shall apply; and 3) maximum net residential density shall be zero.

Goals from the Key Largo Community Master Plan that directly pertain to the proposed development include:

Goal 1: Direct future growth to lands that are most suitable for development and encourage preservation of environmentally sensitive lands.

Goal 6: Encourage redevelopment and infill development that supports and enhances the tourist-based economy of the planning area.

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

The existing convenience store and fuel pumps have been operational since the late 1980s and have served the needs of the immediate planning area. Therefore, the proposed development would be consistent with the community character of the immediate vicinity.

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

The existing convenience store building shall remain in its current configuration. The existing canopy shall be removed and replaced with one (1) new canopy of 5,940 ft². Staff shall recommend that the applicant utilize architectural features that provide visual interest and a condition that similar and consistent design, materials and colors be utilized for all new structures, including signage, in order to make the redevelopment more attractive and cohesive. In addition, as part of the redevelopment, it shall be required that additional trees and other landscaping elements be introduced to the site. Therefore, the proposed redevelopment minimizes adverse effects, including visual impacts, on adjacent properties.

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

A gas station and convenience store have existed on the property since the mid-1980s. Therefore, it is not anticipated that the proposed redevelopment will have an adverse impact on the value of the surrounding properties.

E. *The adequacy of public facilities and services:*

1. Roads:

   Localized Impacts & Access Management: Access to and from the development shall be approved by the county's traffic consultant and the Florida Department of Transportation (FDOT) (See section I-22).

   Level of Service (LOS): A traffic evaluation study shall be approved by the county's traffic consultant (See section I-22).

2. Stormwater: The applicant shall coordinate with the Public Works Division, and, if necessary, the South Florida Water Management District (SFWMD) to determine compliance with all applicable regulations (See section I-9).

3. Sewer: The applicant shall coordinate with the Florida Department of Health, Florida Department of Environmental Protection and/or Key Largo Wastewater Treatment District to determine compliance with all applicable regulations (See section I-10).

4. Emergency Management: The applicant shall coordinate with the Office of the Fire Marshal to determine compliance with the Florida Fire Prevention Code, the Florida Building Code, the National Fire Protection Code (NFPA 1) and the Life Safety Code (NFPA 101). As of the date of this report, the office has not provided a letter of coordination.

F. *The applicant has the financial and technical capacity to complete the development as proposed:*

Staff has no evidence to support or disprove the applicant's financial and technical capacity.

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

The proposed redevelopment will not adversely affect a known archaeological, historical or cultural resource.

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

The subject property is land-locked. Therefore, the proposed development will not have an adverse impact on public access to a waterfront area.

I. *The project complies with all additional standards imposed on it by the Land DevelopmentRegulations:*

1. Residential Rate of Growth Ordinance (ROGO) (§138-19 - §138-28): *In compliance.*

   There are no existing or proposed residential uses.

2. **Non-Residential Rate of Growth Ordinance (NROGO) (§138-47 - §138-56): In *compliance following receipt of NROGO permit allocations.***

   The NROGO shall not apply to the redevelopment, rehabilitation or replacement of any lawfully-established non-residential floor area which does not increase the amount of non-residential floor area greater than that which existed on the site prior to the redevelopment, rehabilitation or replacement.

   On the site, 2,526 ft² of non-residential floor area and 768 ft² of 'canopy' non-residential floor area were lawfully-established.

   The proposal involves the demolition of 768 ft² of non-residential floor area located underneath the existing canopy and the maintaining/construction of a total of 8,466 ft² of non-residential floor area: 2,526 ft² within the existing convenience store building and 5,940 ft² to be located underneath a new canopy (60 ft x 99 ft footprint).

   The existing canopy has an area of768 ft². In accordance with [redacted] the enclosure of a canopy in existence before September 19, 2001 requires a NROGO permit allocation. The existing canopy was constructed in 1999. Therefore, its area can only be used to meet the NROGO requirements for a new canopy.

   The redevelopment requires an allocation of 5,173 ft² of non-residential floor area through the NROGO permit allocation system.

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

   The purpose of the SC District is to establish areas for commercial uses designed and intended primarily to serve the needs of the immediate planning area in which they are located.

4. **Permitted Uses (§130-93): *In compliance following the receipt of required conditional use permit.***

   The development is a commercial retail use. A traffic study by Crossroads Engineering indicates that the redevelopment would generate 2,830 daily trips (with 587 less pass-by trips, resulting in 1,049 daily gross primary trips). According to that finding, the

Reviewed by

development would generate 334 daily trips per 1,000 ft² of non-residential floor area. Commercial retail uses that generate more than 100 average daily trips per 1,000 ft² of floor area are high-intensity.

In the SC District, high-intensity commercial retail uses of greater than 2,500 ft² of floor area may be permitted with major conditional use permit approval, provided that there is access to US 1 by way of a) an existing curb cut; b) a signalized intersection; or c) a curb cut that is separated from any other curb cut on the same side of US 1 by at least 400 feet.

5. Residential Density and Maximum Floor Area Ratio (§130-157, §130-162, & §130-164): *In compliance.*

Land Use Intensity:

Land Use	FAR / Density	Size of Site (upland)	Max Allowed	Proposed	Potential Used
Commercial Retail	0.15	45,000 ft²	6,750 ft²	2,526 ft² *	37.4%

* Floor area ratio is total floor area of the building(s) divided by the gross area

6. Required Open Space (§118-9, §118-12, §130-157, §130-162, & §130-164): *In compliance.*

In the SC District, there is a required open space ratio of 0.20. Therefore, at least 20 percent of the site must remain open space.

In total, the property consists of approximately 45,000 ft² of area. A sealed boundary survey shows 25,265 ft² as commercial and 19,602 ft² as vacant with hammock. Therefore, at least 9,000 ft² of the total land area must remain open space. The site plan indicates that there would be 20,929 ft² of open space area.

7. **Minimum Yards (§118-12 & §130-186):** ***Not in Compliance.***

The required non-shoreline setbacks in the SC District are as follows: Front yard – 25 feet; Rear yard – 10 feet; and Side yard – 10/15 feet (where 10 feet is the required side yard for one side and 15 feet is the minimum combined total of both side yards). In addition, there are shoreline setback requirements.

The property is four-sided in shape and a double-frontage lot. The site has front yard requirements of 25 feet along the rights-of-way of US 1 to the Northwest and Southeast, a side yard requirement of 5 feet along the property line to the Southwest and a side yard setback of 10 feet along the property line to the Northeast.

As shown on the proposed site plan, the existing building and proposed canopy would be in compliance with the setback requirements. However, existing asphalt paving (other than that for the permissible ingress/egress drives) is located in both required

front yard setbacks along US 1 and a loading zone would be located in the required front yard setback to the Northwest.

Staff has found that the new site plan would bring the site into compliance to the greatest extent practical regarding nonconforming paving areas; however the loading zone locations shall require a variance.

8. Maximum Height (§130-187): *Compliance to be determined upon submittal to the Building Department.*

9. Surface Water Management Criteria (§114-3): *Compliance to be determined by the Public Works Division and/or SFWMD prior to issuance of a building permit.*

   A stormwater management plan was provided. No letter of coordination relating to surface water management has been provided.

10. Wastewater Treatment Criteria (§114-5): *Compliance to be determined by Florida Department of Health, Florida Department of Environmental Protection and/or Key Largo Wastewater Treatment District prior to the issuance of a building permit.*

    No letter of coordination relating to wastewater treatment has been provided.

11. Fencing (§114-20): *Compliance to be determined upon submittal to Building Department.*

    No new fencing is proposed as part of the conditional use permit application.

12. Floodplain Management (§122-1 - §122-6): *Compliance to be determined upon submittal to Building Department.*

    The site is designated within flood zone X on the Federal Emergency Management Agency (FEMA)'s flood insurance rate maps. All new structures must be built to floodplain management standards that meet or exceed those for flood protection. The applicant should coordinate with the Floodplain Administrator prior to applying for a building permit.

13. Energy Conservation Standards (§114-45): *In compliance.*

    The development proposal includes the use of xeriscape landscaping methods along with the installation of native plants, which will reduce the requirements for water and maintenance. There is also an existing bike rack that will remain in front of the convenience store. In addition, the applicant has noted in the application that the use of energy efficient lighting and equipment will be provided where possible. Finally, low-flow restroom fixtures will be installed.

14. Potable Water Conservation Standards (§114-46): *Compliance to be determined upon submittal to Building Department.*

15. **Environmental Design Criteria and Mitigation Standards (§118-6 & §118-7 & §118-8): *Compliance to be determined by Biologist prior to Planning Commission staff report deadline.***

16. Required Parking (§114-67): In *compliance.*

Required Off-Street Parking

Specific Use	*Multiplier*	*Proposed*	*Required Spaces*
Convenience Stores	4 spaces / 1,000 ft²	2,526 ft²	10 spaces

According to the proposed site plan, 13 off-street parking spaces would be provided. This would be in compliance with the 10 required. One (1) of the off-street parking spaces provided would be handicap-accessible. Please note that staff did not include the area of the canopies in the off-street parking requirement calculations. In addition to above requirements, one (1) space is located at each of the fuel dispensers.

17. **Required Loading and Unloading Spaces (§114-69): *Compliance to be determined.***

All non-residential uses with 2,500 ft² to 49,999 ft² of floor area are required to have one loading and unloading space, measuring 11 feet by 55 feet.

The loading and unloading space shown on the site plan shows an 11' x 55' space located in the front yard setback along the southbound lanes of US 1. If the loading zone area is not existing, the location must be modified to meet the setback requirements, unless a variance is granted in accordance with MCC §102-186 or §102-187.

18. **Required Landscaping (§114-99 - §114-105): *Compliance to be determined by the Biologist prior to Planning Commission staff report deadline.***

Since the parking area is to contain six or more spaces and is within a SC District, a class "A" landscaping standard is required.

19. **Required Buffer-yards (§114-124 - §114-130): *Compliance to be determined by the Biologist prior to Planning Commission staff report deadline.***

No structure or land which abuts US 1 shall be developed, used or occupied unless a scenic corridor or bufferyard is provided. In the SC District, the required major street bufferyard is a class "C" bufferyard. The minimum class "C" bufferyard is 10 feet in width. Widths of 15, 20 and 25 feet are also optional with reduced planting requirements.

20. Outdoor Lighting (§114-159 - §114-163): *Compliance to be determined upon submittal to Building Department.*

21. Signs (§142-1 - §142-7): *Compliance to be determined upon submittal to Building Department.*

    The site plan shows the two existing signs being removed and relocated.

22. Access Standards (§114-195 - §114-201): *Compliance to be determined.*

    There are two existing access drives to the site, one from the northbound and one from the southbound lanes of US 1. According to the proposed site plan, both of the access drives would be slightly reconfigured for safer access to the site.

    The access drives from US 1 appear to be nonconforming in that their separation is less than the minimum standard of at least 400 feet. In accordance with MCC §114-199, no use fronting on US 1 shall receive a permit for a change of use, expansion or reconstruction unless it is brought into conformance by provision of combined drives or parallel access. Therefore, unless a letter is submitted from the Florida Department of Transportation approving the existing access, as part of a conditional use permit application, staff may request that the site's direct access to and from US 1 be modified to be in compliance with MCC §114-195.

    A traffic study by Crossroads Engineering indicates that the redevelopment would generate 2,830 daily trips (with 587 less pass-by trips, resulting in 1,049 daily gross primary trips). According to that finding, the development would generate 462 daily trips per 1,000 ft² of non-residential floor area. Commercial retail uses that generate more than 100 average daily trips per 1,000 ft² of floor area are high-intensity.

    The county's traffic consultant, Raj Shanmugam of URS Corporation, found that reserve capacities along US 1, particularly on Segments 22 through 24, are shown to be adequate. However, the consultant reviewed the report and requested that it be corrected in that "net new trips rather than gross project trips are incorrectly used in the analysis".

    Site triangles are shown on the site plan; however vehicle maneuverability is not clearly indicated.

    The applicant submitted a request for a letter of coordination to the Florida Department of Transportation (FDOT); however, staff has not received comments back from FDOT.

23. Chapter 533, Florida Statues: *Full compliance to be determined upon submittal to Building Department.*

Other Issues:

1. Staff is concerned about the increased intensity to the site that would result from the addition of constructing six (6) additional fuel pumps with two (2) dispensers per pump. In total, there would be eight (8) fuel pumps with sixteen (16) dispensers or fueling stations. Currently, there are only two (2) fuel pumps-with two (2) dispensers per pump-for a total of (4) dispensers or fueling stations.
According to the traffic study, there would be 2,830 daily trips into the site, an increase of 462 daily trips from the existing 1,781 daily trips. Although 56% of these trips would be "pass-by" trips, the redevelopment would more than triple the capacity of the fueling stations and consequently bring a significant amount of new traffic in and out of the site. Staff is also concerned as to how vehicles will maneuver within the site as a vehicle maneuverability plan was not provided.

   Staff is not adverse to an increase in the number of fuel pumps; however due to the site being located in the center median of US 1 with vehicular speeds of 45 miles per hour, staff shall recommend that the development is scaled back so that it results in less impact.

2. The redevelopment requires an allocation of 5,173 ft^2 of non-residential floor area through the NROGO permit allocation system. The amount of non-residential floor area to be allocated is limited to a maximum of 2,500 ft^2 for any one site per allocation date (therefore the proposal would be required to remain in the system for least three (3) allocation dates.

   In order to avoid a potential delay in the construction of new fuel pumps due to NROGO allocation dates and potential competition for the limited non-residential floor area that is available in the county's annual allocation, the applicant may phase the project in order to install the fuel tanks prior to the canopies, as the canopies are subject to the NROGO not the unenclosed and uncovered areas for the fuel pumps alone. In order to do so, as part of this conditional use permit application, the applicant must provide a detailed phasing plan that would provide a timeframe for how development would occur. The phasing plan may be approved by the planning commission.

V. RECOMMENDED ACTION:

Staff recommends **APPROVAL** to the Planning Commission if all the following conditions are met:

A. Prior to a public hearing by the Planning Commission, the applicant shall submit a revised site plan reducing the total number of proposed fuel pumps to a total determined by the Planning & Environmental Resources Director, to be established and provided at the Development Review Committee meeting.

B. Prior to a public hearing by the Planning Commission, the applicant shall submit a revised traffic study that satisfies the county's traffic consultant, Raj Shanmugam of

URS Corporation, request that it be corrected as detailed in his letter to the Monroe County Planning & Environmental Resources Department, dated March 20, 2009.

C. Prior to a public hearing by the Planning Commission, a revised site plan or an additional plan shall be submitted detailing vehicle maneuverability within the site.

D. Prior to a public hearing by the Planning Commission, the applicant shall submit a letter of coordination from the Florida Department of Transportation stating their approval of the accesses.

E. Prior to the issuance of a resolution by the Planning Commission, a) a variance shall be obtained to allow a reduction to the required setbacks for the loading/unloading zone or b) the site plan shall be revised to show that the setback requirements shall be met. In the event that the variance is not granted and the site plan is modified to show compliance, the Planning & Environmental Resources Department reserves the right to request that the major conditional use permit application be heard again by the Development Review Committee.

F. Prior to the issuance of a building permit, the applicant shall receive all required permits and approvals from the United States Army Corps of Engineers, Florida Department of Environmental Protection, South Florida Water Management District, Florida Department of Health and the Florida Department of Transportation.

G. Prior to the issuance of a building permit, the proposed site plan and new structures shall be found in compliance by the Monroe County Building Department, the Monroe County Floodplain Administrator, the Monroe County Public Works Division and the Monroe County Office of the Fire Marshal.

H. Prior to the issuance of a building permit for their completion, an allocation for the canopies shall be acquired through the NROGO permit allocation system.

I. Similar and consistent design, materials and colors shall be utilized for all new structures, including signage, in order to make the development more attractive and cohesive.

VI. PLANS REVIEWED:

A. Site Plan (A-1) by Robert Barnes & Associates, dated January 14, 2009
B. Landscape Site Plan (L-1) by Robert Barnes & Associates/Brown & Crebbin Design Studio Inc., dated January 12, 2009 and revised January 15, 2009
C. Stormwater Management Plan (SW-1 & SW-2) by Robert Barnes & Associates/Keys Engineering Services, Inc., dated January 23, 2009
D. Boundary Survey by Fortin , Leavy, Skiles, Inc., dated September 27, 2007
E. Traffic Study by Crossroads Engineering, dated June 2008