

\*AGENDA

PLANNING COMMISSION  
MONROE COUNTY  
December 1, 2010  
10:00 A.M.

MARATHON GOV'T CENTER  
2798 OVERSEAS HIGHWAY  
MARATHON, FL 33050

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

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

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources  
Susan Grimsley, Ass't County Attorney  
John Wolfe, Planning Commission Counsel  
Joe Haberman, Planning & Development Review Manager  
Mitch Harvey, Comp Plan Manager  
Mike Roberts, Sr. Administrator, Environmental Resources  
Barbara Bauman, Planner  
Gail Creech, Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

-

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

-

SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

-

APPROVAL OF MINUTES

MEETING

Continued Item:

1. Planning Commission Tier Review Public Meeting & Public Hearing (Continued from 11.16.10)

New Item:

2. Sievers Marine Inc., 21 Garden Cove Drive, Key Largo, Mile Marker 106: A request for approval of a 5SRX (restaurant, no package sales) Alcoholic Beverage Special Use Permit. The subject property is legally described as Block 7, Lots 18 through 23, Ocean Isle Estates (PB5-14), Key Largo, Monroe County, Florida, having real estate number 00539850.000000.

[2010-106 FILE.PDF](#)

[2010-106 Survey.pdf](#)

[2010-106 SR PC 12.01.10.PDF](#)

If a person decides to appeal any decision made by the Commission with respect to any matter considered at such hearing or meeting, that person will need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. Pursuant to the Board of County Commissioners' Resolution #131-1992, if a person decides to appeal any decision of the Planning Commission he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a court reporter at the appellant's expense, which transcript shall be filed as a part of the appeal within the time provided in Section 102-215 of the Monroe County Code, amended.

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

BOARD DISCUSSION

-

GROWTH MANAGEMENT COMMENTS

-

RESOLUTIONS FOR SIGNATURE

ADJOURNMENT

---

**File #:** **2010-106**

**Owner's Name:** Sievers Marine Inc

**Applicant:** Sievers Marine Inc

**Agent:** N/A

**Type of Application:** Alcoholic Beverage

**Key:** Key Largo

**RE:** 00539850-000000

## **Additional Information added to File 2010-106**

County of Monroe  
Growth Management Division

**Planning & Environmental Resources**

**Department**

2798 Overseas Highway, Suite 410

Marathon, FL 33050

Voice: (305) 289-2500

FAX: (305) 289-2536



**Board of County Commissioners**

Mayor Sylvia J. Murphy, Dist. 5

Mayor Pro Tem Heather Carruthers, Dist. 3

Kim Wigington, Dist. 1

George Neugent, Dist. 2

Mario Di Gennaro, Dist. 4

*We strive to be caring, professional and fair*

---

# MEMORANDUM

---

Date: 11.08.10

**TO:** File 2010-106

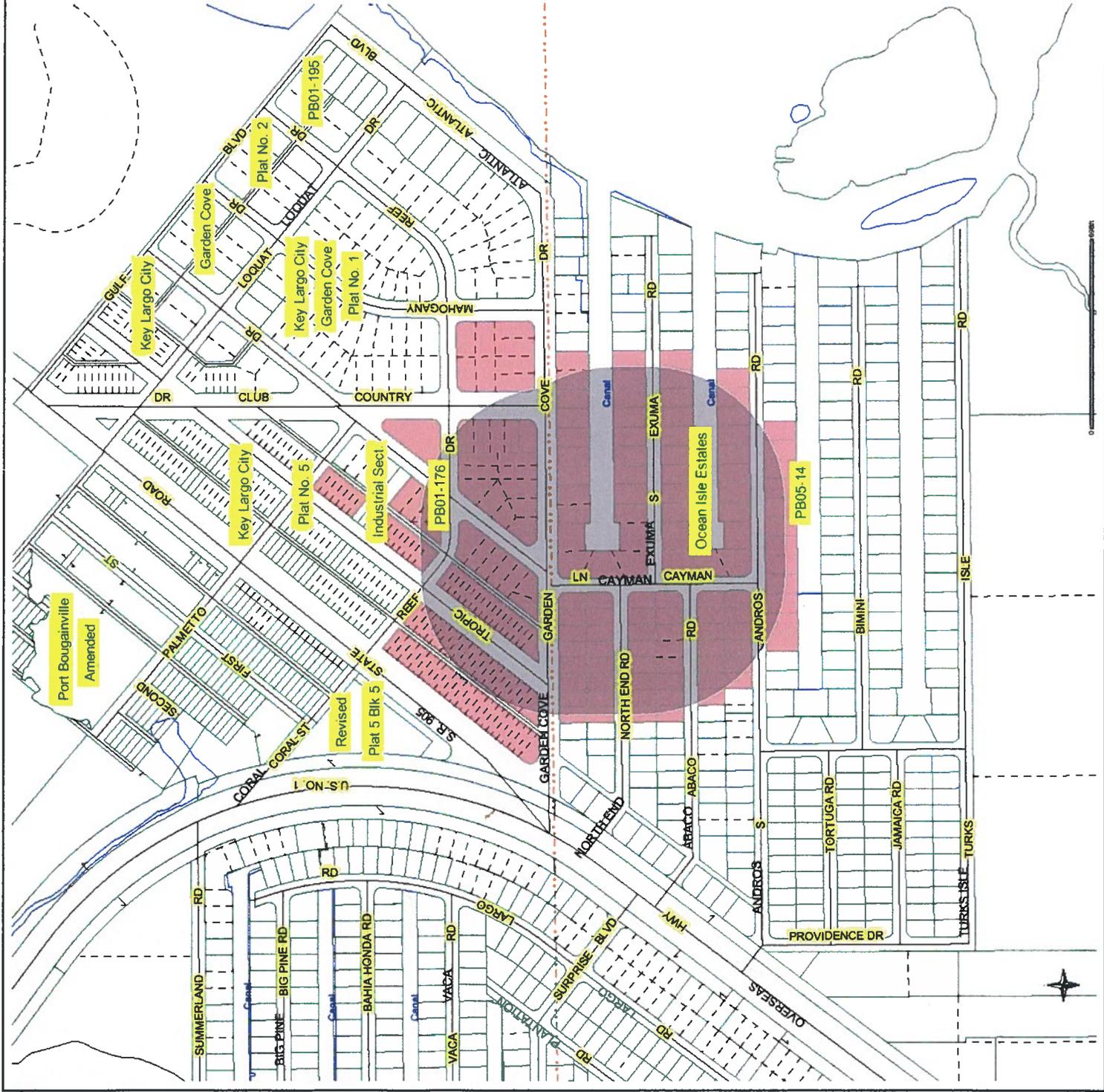
**CC:** Joe Haberman, Barbara Bauman

**FROM:** Gail Creech, Planning Commission Coordinator

**RE:** Sievers Marine

---

**This 500' radius report & list for surrounding property owner notifications was staff generated by Gail Creech.**



- Legend**
- the Buffer
  - the Buffer Target
  - 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: November 8, 2010 12:45 PM

- ✓ HOLLEY STEPHEN D AND TAMANTHA M  
9 GARDEN COVE DR  
KEY LARGO,FL33037
- ✓ GAHAGEN CATHERINE M MCCARTHY AND PATRICK B  
PO BOX 1889  
KEY LARGO,FL33037
- ✓ CICALSE JOSEPH  
213 BRINLEY AVE  
BRADLEY BEACH,NJ7720
- ✓ SCHOENROCK GEORGE B II  
24 ABACO RD  
KEY LARGO,FL33037-5002
- ✓ O'STEEN JOHN G JR AND PATRICIA K  
P O BOX 855  
KEY LARGO,FL33037
- ✓ ORTA SILVINA  
17800 S W 184TH STREET  
MIAMI,FL33187
- ✓ CICALSE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH,NJ7720
- ✓ GARCIA RICARDO J  
PO BOX 2651  
SAN GABRIEL,CA91778-2651
- ✓ STONECIPHER JOSEPH A AND VIRGINIA L  
44 SOUTH ANDROS RD  
KEY LARGO,FL33037
- ✓ WAGGONER MURRAY L AND PATRICIA A  
P O BOX 3230  
KEY LARGO,FL33037
- ✓ DIAZ BIENVENIDO  
5 GARDEN COVE DR  
KEY LARGO,FL33037
- ✓ WHEATON BRYAN V  
9 NORTH END RD  
KEY LARGO,FL33037
- ✓ ESCOBAR EDILBERTO AND CATERINA  
9760 SW 60ST  
MIAMI,FL33173
- ✓ MEIER PATRICK C  
19 ABACO RD  
KEY LARGO,FL33037-5001
- ✓ SMITH EUGENE R & DIANE L  
22 SOUTH EXUMA ROAD  
KEY LARGO,FL33037
- ✓ BOHLKE RUTH ANN & WOLFERTS RICHARD E T/C  
PO BOX 599  
KINGSHILL,VI851
- ✓ FAGAN MICHAEL A & CAROL  
P O BOX 1361  
KEY LARGO,FL33037
- ✓ ECHEMENDIA JESUS  
2331 SW 126TH AVE  
MIRAMAR,FL33027
- ✓ LIETAERT LAURA L  
23 ABACO RD  
KEY LARGO,FL33037
- ✓ BRADY ALFRED W & BRADY MARIA M T/C  
1202 LETTY LANE  
TUSTIN,CA92780
- ✓ PIERCE PAMELA BERYL  
31 GARDEN COVE DR  
KEY LARGO,FL33037-5005
- ✓ MEYERS JAMES AND ROBIN D  
10 EXUMA RD  
KEY LARGO,FL33037
- ✓ BLACK MICHAEL F  
12 NORTH END RD  
KEY LARGO,FL33037
- ✓ BERKEY SHARI L  
15 NORTH END RD  
KEY LARGO,FL33037
- ✓ SCHOENROCK GEORGE B II  
24 ABACO RD  
KEY LARGO,FL33037-5002
- ✓ YEAGER JAMES M AND RAMONA L  
1 CAYMAN LN  
KEY LARGO,FL33037
- ✓ KOENIG LAWRENCE AND HELEN S  
18 CAYMAN LN  
KEY LARGO,FL33037
- ✓ CICALSE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH,NJ7720
- ✓ BILBAO ERKYS M  
3350 SW 148 AVESTE 134  
MIRAMAR,FL33027
- ✓ KOCH KELLY J  
15 GARDEN COVE RD  
KEY LARGO,FL33037

✓ ACTION I LLC  
24 ABACO RD  
KEY LARGO,FL33037-5002

○ UNDERWOOD ALLEN W AND  
GLENDA  
12 S EXUMA RD  
KEY LARGO,FL33037

○ CICALSE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH,NJ7720

✓ PAPINEAU ALFRED AND SONIA  
14 ABACO RD  
KEY LARGO,FL33037

✓ BAKER JOSEPH W AND CORRINE  
P O BOX 370512  
KEY LARGO,FL33037

✓ BROWN CHRISTOPHER AND  
ALISON JANE  
20 NORTH END RD  
KEY LARGO,FL33037

✓ SANTOS DEBORAH A  
21 NORTH END RD  
KEY LARGO,FL33037

✓ RIGBY WILLIAM SR  
3520 MISTLETOE LN  
LONGBOAT KEY,FL34228-4102

✓ LADUE ANNE HARRISON  
29 GARDEN COVE DR  
KEY LARGO,FL33037

✓ GUTIERREZ MANUEL  
12201 SW 2ND ST  
PLANTATION,FL33325-2832

✓ SCHULTZ DAVID P & ELIZABETH  
A  
51 DOBIE STREET  
SUMMERLAND KEY,FL33042

✓ ESCOBAR EDILBERTO AND  
CATERINA  
9760 SW 60 ST  
MIAMI,FL33173

✓ NELSON BRUCE B AND SHERYL  
LYNN  
PO BOX 370849  
KEY LARGO,FL33037-0849

✓ AGUILERA ORLANDO  
17430 SW 92ND COURT  
MIAMI,FL33157

✓ TUCKER ELMER LEE  
42 S ANDROS RD  
KEY LARGO,FL33037

✓ GONZALEZ ABDEL K  
9040 SW 48TH ST  
MIAMI,FL33165

✓ PADRON ERELIO & MARIA C  
9333 SW 35TH STREET  
MIAMI,FL33165

✓ TREXLER JACK DENNIS  
1 CLUBHOUSE COURT  
ASHEVILLE,NC28803

✓ CORREA OCTAVIO  
PO BOX 212  
KEY LARGO,FL33037

✓ MARLIN HOLDINGS INC  
102920 OVERSEAS HWY  
KEY LARGO,FL33037

✓ BOZA JOSE R  
13655 SW 2 ST  
MIAMI,FL33184

✓ MALZACHER MARYROSE  
16 NORTH END RD  
KEY LARGO,FL33037

✓ RIGBY WILLIAM E  
38 SOUTH ANDROS RD  
KEY LARGO,FL33037

✓ PEREZ FELIX A  
17840 SW 143 CT  
MIAMI,FL33177

✓ GABLE DAVID C  
25 GARDEN COVE DR  
KEY LARGO,FL33037

✓ SMITH EUGENE R & DIANE L R/S  
22 SOUTH EXUMA ROAD  
KEY LARGO,FL33037

✓ PONCE ROBERT AND OLGA  
14 SOUTH EXUMA RD  
KEY LARGO,FL33037

✓ JOHNSON LUISEUGENIA  
22 NORTH END RD  
KEY LARGO,FL33037

✓ PROSEN KENNETH J  
17 NORTH END RD  
KEY LARGO,FL33037

✓ SMITH EUGENE R & DIANE L  
22 SOUTH EXUMA ROAD  
KEY LARGO,FL33037

✓ MAROLF LIZETTE  
13101 S CALUSA DR  
MIAMI,FL33186

○ AGUILA ESTEBEN  
14452 SW 117TH TERR  
MIAMI,FL33186

○ SMITH GARY W AND VICKI  
LYNNE  
18 S EXUMA RD  
KEY LARGO,FL33037-5006

✓ SCHWARTZ JOANN & LARRY  
(H/W)  
10825 SW 95TH STREET  
MIAMI,FL33176

✓ LUER GERALDINE J  
40 S ANDROS RD  
KEY LARGO,FL33037

✓ GIONFRIDDO SHAUNA  
23 NORTH END RD  
KEY LARGO,FL33037

✓ VONNEGUT ROBERT B AND BETH  
G  
430 HIGHLAND AVE SW  
LENIOR,NC28645

✓ BAKER JOSEPH W AND CORRINE  
PO BOX 370512  
KEY LARGO,FL33037

✓ MAIER PATRICIA A AND GEORGE  
J  
P O BOX 373114  
KEY LARGO,FL33037

✓ SKEEN LARRY R  
2 BONEFISH AVENUE  
KEY LARGO,FL33037

✓ QUEVEDO MARGARITA AND  
FELIX  
5810 SW 120 AVE  
MIAMI,FL33175

✓ ~~BD OF TR OF THE IIF ST OF FL  
TALLAHASSEE,FL32399~~

✓ ~~TIITF-REC & PARKS NEW  
MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399~~

✓ ~~TIITF/ST.OF FL REC & PARKCS  
NEW MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399-3000~~

✓ ~~TIITF-REC & PARKS NEW  
MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399~~

✓ ~~TIITF/ST.OF FL REC & PARKS NEW  
MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399-3000~~

✓ MALDONADO EDWIN O  
PO BOX 210  
TAVERNIER,FL33070-0210

✓ KOLLIN STEVEN  
5025 COLLINS AVENUE #1505  
MIAMI BEACH,FL33140

✓ ~~TIITF/ST.OF FL REC & PARKS NEW  
MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399-3000~~

✓ ~~TIITF-REC & PARKS NEW  
MAHOGANY HAMMOCK  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399~~

✓ ~~BD OF TR'S OF THE INT IMP TR  
FUND OF THE  
3900 COMMONWEALTH BLVD -  
MAIL STATION 115  
TALLAHASSEE,FL32399-3000~~

✓ ~~TIITF-REC & PARKS NEW  
MAHOGANY  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE,FL32399~~

✓ MUTZ WILLIAM J  
P O BOX 1747  
KEY LARGO,FL33037-1747

✓ WEST FAMILY TRUST 6/8/2007  
54 S ANDROS  
KEY LARGO,FL33037

✓ ARVE HAROLD R JR  
24355 SW 167 AVE  
HOMESTEAD,FL33031

✓ WILLIAMS ROBERT JAMES AND  
ELEANOR MAY  
56 S ANDROS RD  
KEY LARGO,FL33037

✓ BURKE JOHN M AND SUE  
21 S EXUMA ROAD  
KEY LARGO,FL33037

✓ ARVE LINDA R REV TR DTD  
04/26/05  
24355 SW 167 AVE  
MIAMI,FL33031

✓ SIEVERS MARINE INC  
21 GARDEN COVE DR  
KEY LARGO,FL33037

✓ ~~TIITF  
3900 COMMONWEALTH  
BLVD MAIL STN 115  
TALLAHASSEE,FL32399-3000~~

✓ MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317

~~MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317~~

~~MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317~~

~~MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317~~

○ MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317

~~BD OF TR'S OF THE INT IMP TR  
FUND OF THE ST  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE, FL 32399~~

~~BD OF TR'S OF THE INT IMP TR  
FUND OF THE ST  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE, FL 32399~~

~~BD OF TR'S OF THE INT IMP TR  
FUND OF THE ST  
3900 COMMONWEALTH BLVD  
MAIL STA 108  
TALLAHASSEE, FL 32399~~

○ MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317

~~MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317~~

~~MAIERSPERGER RENELL R  
TRUSTEE  
2 CHADSWYCK LANE  
CHADDS FORD, PA 19317~~

○  
1

County of Monroe  
Growth Management Division

**Office of the Director**

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



**Board of County Commissioners**

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

*We strive to be caring, professional and fair*

Date: 9/10/2010  
Time: \_\_\_\_\_

Dear Applicant:

This is to acknowledge submittal of your application for Alcoholic Beverage  
Type of application

SIEVERS MARINE INC to the Monroe County Planning Department.  
Project / Name

Thank you.

Leil Creech

Planning Staff

**End of Additional File 2010-106**

APPLICATION  
MONROE COUNTY  
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Alcoholic Beverage Use Permit

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

Alcoholic Beverage Use Permit Application Fee: \$1,264.00

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

Advertising Costs: \$245.00

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

Date of Submittal: 09 / 10 / 2010  
Month Day Year

Property Owner:

SIEVERS MARINE INC  
Name

21 GARDEN COVE DR  
Mailing Address (Street, City, State, Zip Code)  
KEY LARGO FL 33037  
305 942 6614

Daytime Phone

CAPN RONNIE@AOL.COM  
Email Address

Agent (if applicable):

\_\_\_\_\_  
Name

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

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

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

Name of Lessee of Property:

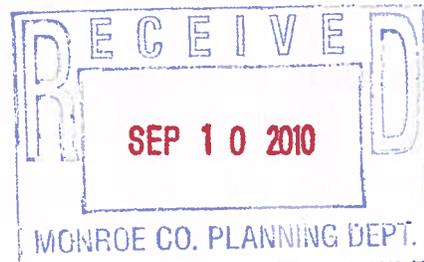
(If property is leased, applicant must submit a notarized statement from the owner approving the submittal of this application)

N/A  
Name

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

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

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



APPLICATION

Legal Description of Property:

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

7	18-23	OCEAN ISLE ESTATES	LARGO
Block	Lot	Subdivision	Key
00539850-000000		1663344	
Real Estate (RE) Number		Alternate Key Number	
21 GARDEN COVE DR.		106.5 A.S.	
Street Address (Street, City, State, Zip Code)		Approximate Mile Marker	
KEYLARGO FL 33037			

Land Use District Designation(s): MU

Present Land Use of the Property: MARINA WITH RESTAURANT

Total Land Area: 60,900 <sup>sq ft</sup>

Requested Type of Alcoholic Beverage: (Please check one)

- 1APS BEER, package only
- 1COP BEER, on premise and package
- 2APS BEER and WINE, package only
- 2COP BEER and WINE, on premise and package
- 3APS PACKAGE ONLY, included beer, wine and liquor
- 5COP BEER, WINE and LIQUOR, on premise and package
- 5SRX RESTAURANT, no package sales
- 5SR RESTAURANT, package sales
- 5S HOTEL, package sales
- 5SPX EXCURSION BOAT, no package sales
- 11C PRIVATE CLUB; CABANA CLUB
- 12RT RACETRACK, LIQUOR, no package sales

All of the following must be submitted in order to have a complete application submittal:

- Complete alcoholic beverage 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 or 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

APPLICATION

Director of Planning authorizes a different scale). At a minimum, the boundary survey or 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;
- Locations and dimensions of all existing structures and drives;
- Adjacent roadways;
- Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;

Typed name and address mailing labels of all property owners within a 500 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 500 foot radius, each unit owner must be included;

A certificate of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation or the Department of Agriculture and Consumer Services or the Department of Health or the Monroe County Health Department, stating that the place of business wherein the business is to be conducted meets all of the sanitary requirements of the state

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)
- Traffic Study, prepared by a licensed traffic engineer

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: [Handwritten Signature] Date: 9/10/2010

Sworn before me this 10 day of September 2010



[Handwritten Signature]  
Notary Public  
My Commission Expires

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

This instrument prepared by:  
Charles P. Tittle, Esq.  
P.O. Box 535  
Tavernier, FL 33070

MONROE COUNTY  
OFFICIAL RECORDS

FILE #1101852  
BK#1554 PG#605

[Space Above This Line For Recording Data]

**Warranty Deed**  
(Statutory Form - FS 689.02)

RCD Dec 31 1998 03:46PM  
DANNY L KOLHAGE, CLERK

**This Indenture**, made December 11, 1998, between Garden Cove Marina, Inc. a Florida corporation, of the County of Monroe in the State of Florida, party of the first part, whose post address is 21 Garden Cove Drive, Key Largo, FL 33037, and Sievers Marine, Inc., a Florida corporation, party of the second part, and whose post office address is 21 Garden Cove Drive, Key Largo, FL 33037, and whose Taxpayer Identification Number is \_\_\_\_\_,

DEED DOC STAMPS 6650.00  
12/31/1998 TP DEP CLK

**Witnesseth:**

That the said party of the first part, for and in consideration of the sum of \$10.00 and other valuable consideration, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, to wit:

Lots 18, 19, 20, 21, 22, and 23, Block 7, OCEAN ISLE ESTATES, according to the Plat thereof as recorded in Plat Book 5, Page 14, among the Public Records of Monroe County, Florida;

AND,

Lots 12 and 13, Block 1, OCEAN ISLE ESTATES, according to the Plat thereof as recorded in Plat Book 5, Page 14, among the Public Records of Monroe County, Florida.

(For Information Only: Property Appraiser's Parcel Identification Number is \_\_\_\_\_)

Subject to easements, restrictions and reservations of record not coupled with a right of reverter and taxes for the current year.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

Garden Cove Marina, Inc.

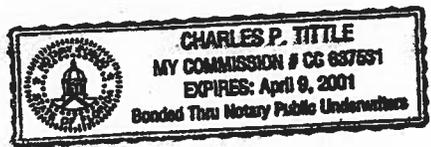
Sign \_\_\_\_\_  
Print Charles P. Tittle  
Sign Patricia J. Williams  
Print PATRICIA J. WILLIAMS

Sign James Hartman (Seal)  
Print James Hartman, President

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 19 98, by James Hartman, President of Garden Cove Marina, Inc., who is personally known to me or who has produced \_\_\_\_\_ as identification and who (did) (did not) take an oath.

{SEAL}



NOTARY PUBLIC: [Signature]  
Sign \_\_\_\_\_

MONROE COUNTY  
OFFICIAL RECORDS

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

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

**Property Record View**

Alternate Key: 1663344 Parcel ID: 00539850-000000

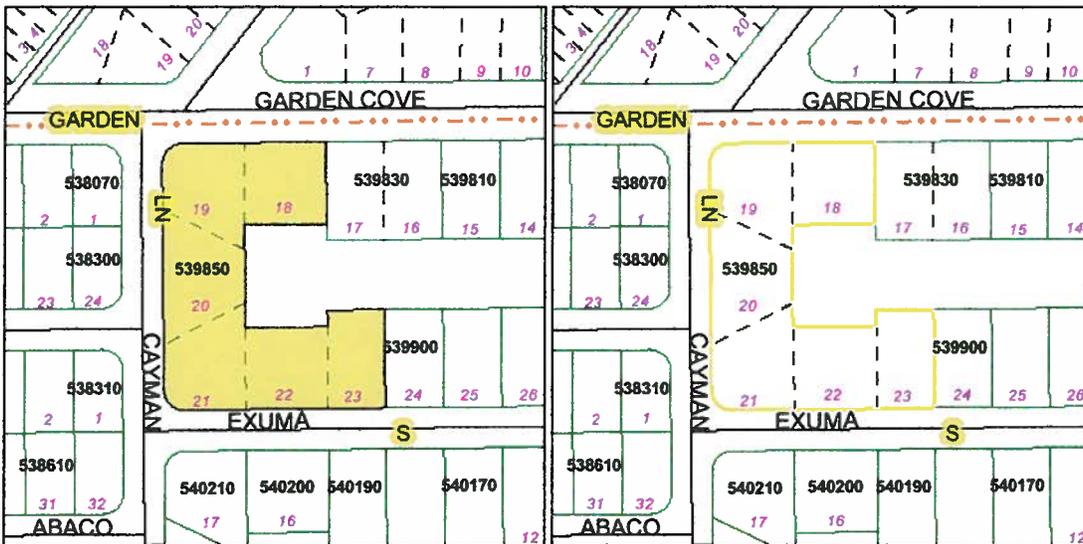
**Ownership Details**

Mailing Address:  
 SIEVERS MARINE INC  
 21 GARDEN COVE DR  
 KEY LARGO, FL 33037

**Property Details**

PC Code: 20 - AIRPORTS, MARINAS, BUS TERM  
 Millage Group: 500K  
 Affordable Housing: No  
 Section: 06-61-40  
 Township-Range:  
 Property Location: 21 GARDEN COVE DR KEY LARGO  
 Subdivision: OCEAN ISLE ESTATE  
 Legal: OCEAN ISLE EST PB5-14 KEY LARGO LOTS 18 THRU 23 BLK 7 OR438-862-863 OR640-251 OR810-1396 OR829-1559 OR829-1560Q/C OR835-  
 Description: 1800 OR847-2099 RE: 53984 53987 & 53988 COMBINED FOR ASSESSING PURPOSES 7-1-88 OR962-1852 OR1150-138 OR1265-1347/48 OR1265-1349/50 OR1302-467 OR1554-605 OR1561-1380C

**Parcel Map**



**Land Details**

Land Use Code	Frontage	Depth	Land Area
100C - COMMERCIAL CANAL	0	0	1.39 AC

**Building Summary**

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 1548  
 Year Built: 1962

**Building 1 Details**

**Building Type**  
 Effective Age 27  
 Year Built 1962  
 Functional Obs 0

**Condition F**  
 Perimeter 244  
 Special Arch 0  
 Economic Obs 0

**Quality Grade 250**  
 Depreciation % 35  
 Grnd Floor Area 1,548

**Inclusions:**

**Roof Type**  
 Heat 1  
 Heat Src 1

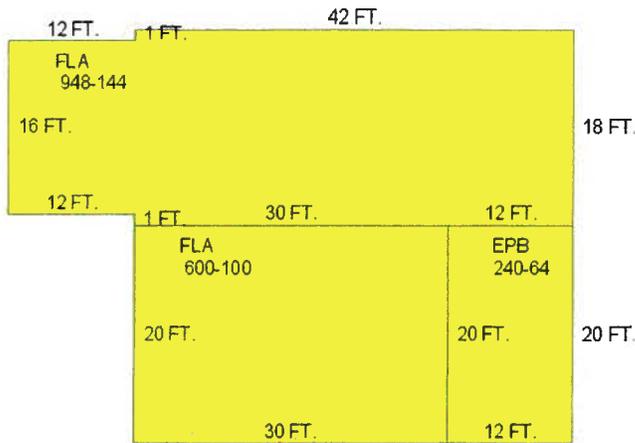
**Roof Cover**  
 Heat 2  
 Heat Src 2

**Foundation**  
 Bedrooms 0

**Extra Features:**

2 Fix Bath 0  
 3 Fix Bath 0  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 9

Vacuum 0  
 Garbage Disposal 0  
 Compactor 0  
 Security 0  
 Intercom 0  
 Fireplaces 0  
 Dishwasher 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1993					948
2	FLA		1	1993					600
3	EPB		1	2002					240

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	14374	MARINA/AUTO/BUS TERM	20	N	Y
	14375	RESTAURANT & CAFETR	80	Y	Y
	14376	PATIO DINING	100	N	N

**Exterior Wall:**

Interior Finish Nbr	Type	Area %
4977	C.B.S.	59
4978	NO VALUE	41

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	AP2:ASPHALT PAVING	10,757 SF	0	0	1991	1992	2	25
2	DK3:CONCRETE DOCK	1,960 SF	392	5	1975	1976	4	60
3	SW2:SEAWALL	1,960 SF	392	5	1975	1976	3	60
4	RW2:RETAINING WALL	1,960 SF	392	5	1975	1976	3	50
5	CC2:COM CANOPY	3,000 SF	50	60	1979	1980	2	40
6	CL2:CH LINK FENCE	2,700 SF	450	6	1975	1976	1	30

7	TK2:TIKI	64 SF	0	0	2002	2003	5	40
8	PT2:BRICK PATIO	300 SF	0	0	2002	2003	2	50
9	CC2:COM CANOPY	3,430 SF	0	0	1962	1994	3	40
10	CC2:COM CANOPY	1,760 SF	80	22	1962	1994	3	40
11	CC2:COM CANOPY	1,540 SF	70	22	1962	1994	3	40

**Appraiser Notes**

SEE RE00539850-000000 AK1663344 PART OF GARDEN COBE MARINA  
 LOT23 (RE00539890-000000 AK1663379) IS NOW COMBINED WITH THIS PARCEL FOR ASSESSMENT PURPOSES, DONE FOR THE 2008 TAX ROLL 1/1/08MKD  
 GARDEN COVE OCEANSIDE MARINA & BUZZARDS ROOST RESTAURANT 36 COVERED BOAT STORAGE UNITS IN 3-CC2(3) 12 COVERED BOAT STORAGE UNITS IN CC2(1) 20 OPEN BOAT STORAGE SITES SEE ALSO RE#00539890-000000 AK#1663379 BLDG #1 OFFICE AND BUZZARD'S ROOST RESTAURANT

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	9930879	05/26/1999	12/14/1999	1	Commercial	ROOFING
	0031043	03/13/2000	12/31/2000	1		DOCK
	2300347	02/05/2002	10/13/2002	1		PAVERS & TIKI
	2303711	12/20/2002	11/20/2003	1		TOILET FACILITY

**Parcel Value History**

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2010	103,412	152,574	625,500	1,503,171	1,482,785	0	1,503,171
2009	106,594	154,927	750,600	1,394,680	1,347,987	0	1,394,680
2008	106,594	157,290	938,250	1,225,443	1,225,443	0	1,225,443
2007	76,399	143,712	849,563	1,225,443	1,225,443	0	1,225,443
2006	76,399	136,625	849,563	1,062,587	1,062,587	0	1,062,587
2005	80,764	139,197	849,563	1,069,524	1,069,524	0	1,069,524
2004	80,737	141,130	849,563	1,071,430	1,071,430	0	1,071,430
2003	79,622	145,389	849,563	1,074,574	1,074,574	0	1,074,574
2002	268,792	85,640	492,500	846,932	846,932	0	846,932
2001	268,792	89,187	443,250	801,229	801,229	0	801,229
2000	262,267	40,663	420,000	722,930	722,930	0	722,930
1999	270,464	42,596	367,500	680,560	680,560	0	680,560
1998	253,152	43,993	367,500	664,645	664,645	0	664,645
1997	253,152	45,925	367,500	666,577	666,577	0	666,577
1996	161,905	47,558	367,500	576,963	576,963	0	576,963
1995	160,208	49,255	367,500	576,963	576,963	0	576,963
1994	237,327	50,886	288,750	576,963	576,963	0	576,963
1993	84,068	53,512	247,500	385,080	385,080	0	385,080
1992	83,285	54,295	247,500	385,080	385,080	0	385,080
1991	93,385	44,195	247,500	385,080	385,080	0	385,080
1990	115,573	44,507	225,000	385,080	385,080	0	385,080
1989	115,264	44,816	225,000	385,080	385,080	0	385,080
1988	105,158	45,131	225,000	375,289	375,289	0	375,289
1987	38,627	17,698	88,000	144,325	144,325	0	144,325
1986	38,838	17,698	88,000	144,536	144,536	0	144,536
1985	42,574	17,698	88,000	148,272	148,272	0	148,272
1984	40,972	17,698	88,000	146,670	146,670	0	146,670
1983	40,972	17,698	60,701	119,371	119,371	0	119,371
1982	37,685	17,698	60,701	116,084	116,084	0	116,084

**Parcel Sales History**

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
11/11/1998	1554 / 605	950,000	WD	M
3/1/1994	1302 / 0467	1,050,000	WD	M
7/1/1993	1265 / 1349	720,000	WD	M

This page has been visited 17,795 times.

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

# LOCATION MAP

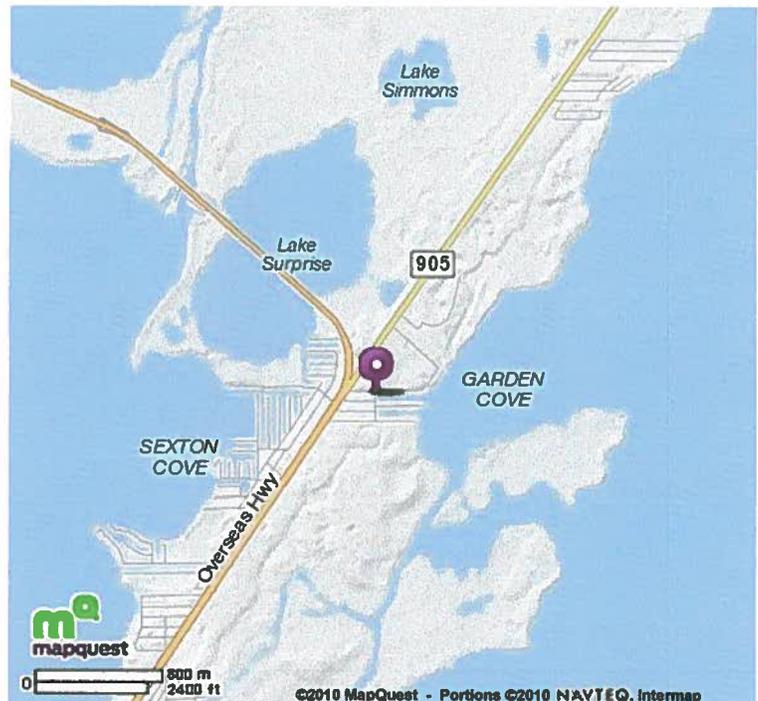


Sorry! When printing directly from the browser your directions on a map may not print correctly. For best results, try clicking the Printer-Friendly button.

[Key Largo Hotels](#)  
[Key Largo Real Estate](#)



21 Garden Cove Dr  
Key Largo, FL 33037-5005





**STATE OF FLORIDA**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DIVISION OF HOTELS AND RESTAURANTS  
1940 NORTH MONROE STREET  
NORTHWOOD CENTRE  
TALLAHASSEE**

**850-487-1395**

**FL 32399-1015**

**SIEVERS MARINE INC  
BUZZARDS ROOST GRILL & PUB  
21 GARDEN COVE DR  
KEY LARGO FL 33037**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto [www.myfloridallicense.com](http://www.myfloridallicense.com). There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

STATE OF FLORIDA AC# 4644186  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 SEA5401980 10/02/09 090171618  
 SEATING FOOD SERVICE (2010)  
 SIEVERS MARINE INC  
 BUZZARDS ROOST GRILL & PUB  
 IS LICENSED under the provisions of Ch. 509 FS.  
 Expiration date: OCT 1, 2010 L09100200287

DETACH HERE

AC# 4644186

**STATE OF FLORIDA**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF HOTELS AND RESTAURANTS**

**SEQ# L09100200287**

DATE	BATCH NUMBER	LICENSE NBR	
10/02/2009	090171618	SEA5401980	NBR. OF SEATS: 98

The SEATING FOOD SERVICE (2010)  
Named below IS LICENSED  
Under the provisions of Chapter 509 FS.  
Expiration date: OCT 1, 2010

NON-  
TRANSFERABLE

**SIEVERS MARINE INC  
BUZZARDS ROOST GRILL & PUB  
21 GARDEN COVE DR  
KEY LARGO FL 330375005**

**CHARLIE CRIST  
GOVERNOR**

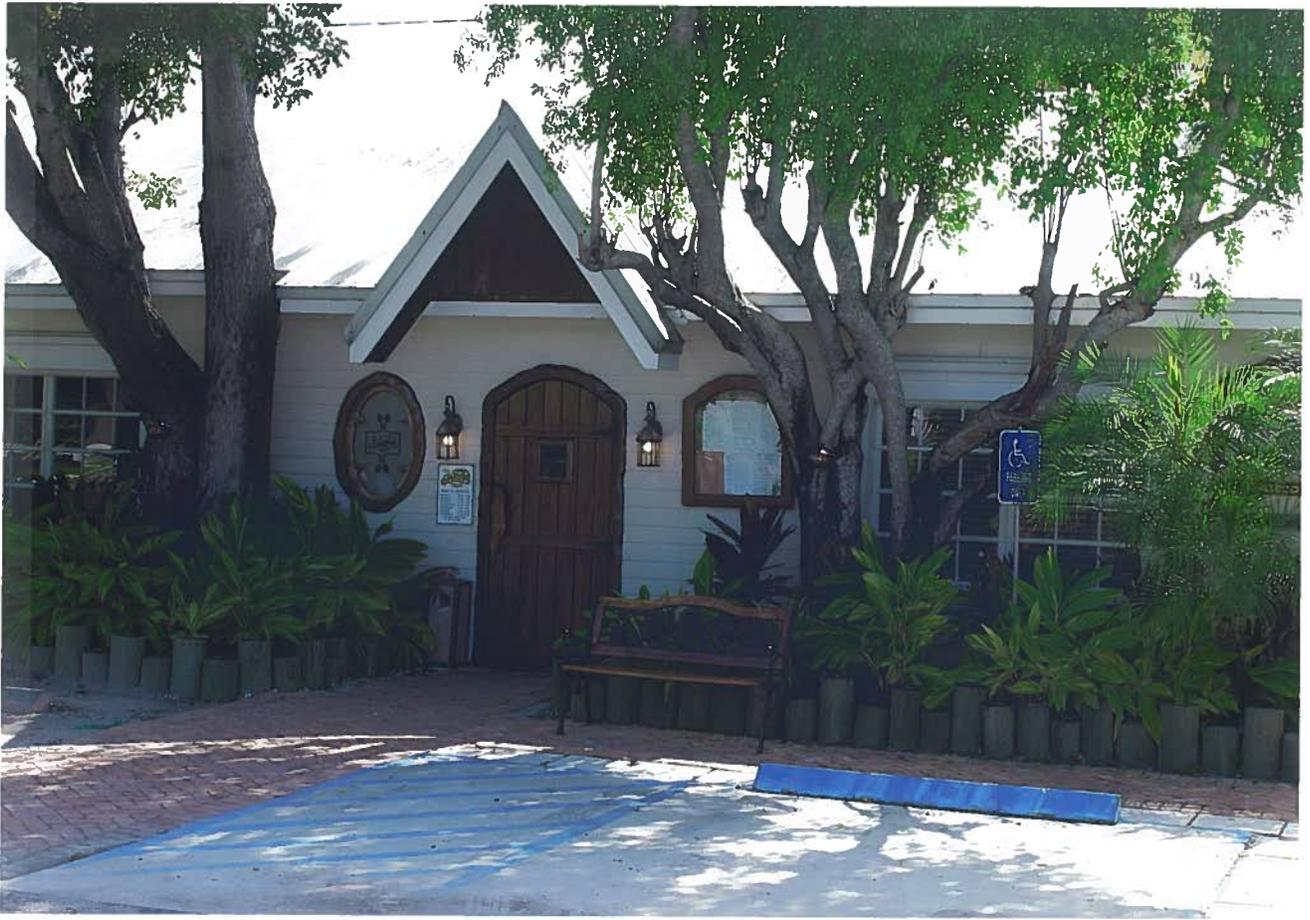
**CHARLES W. DRAGO  
SECRETARY**

DISPLAY AS REQUIRED BY LAW







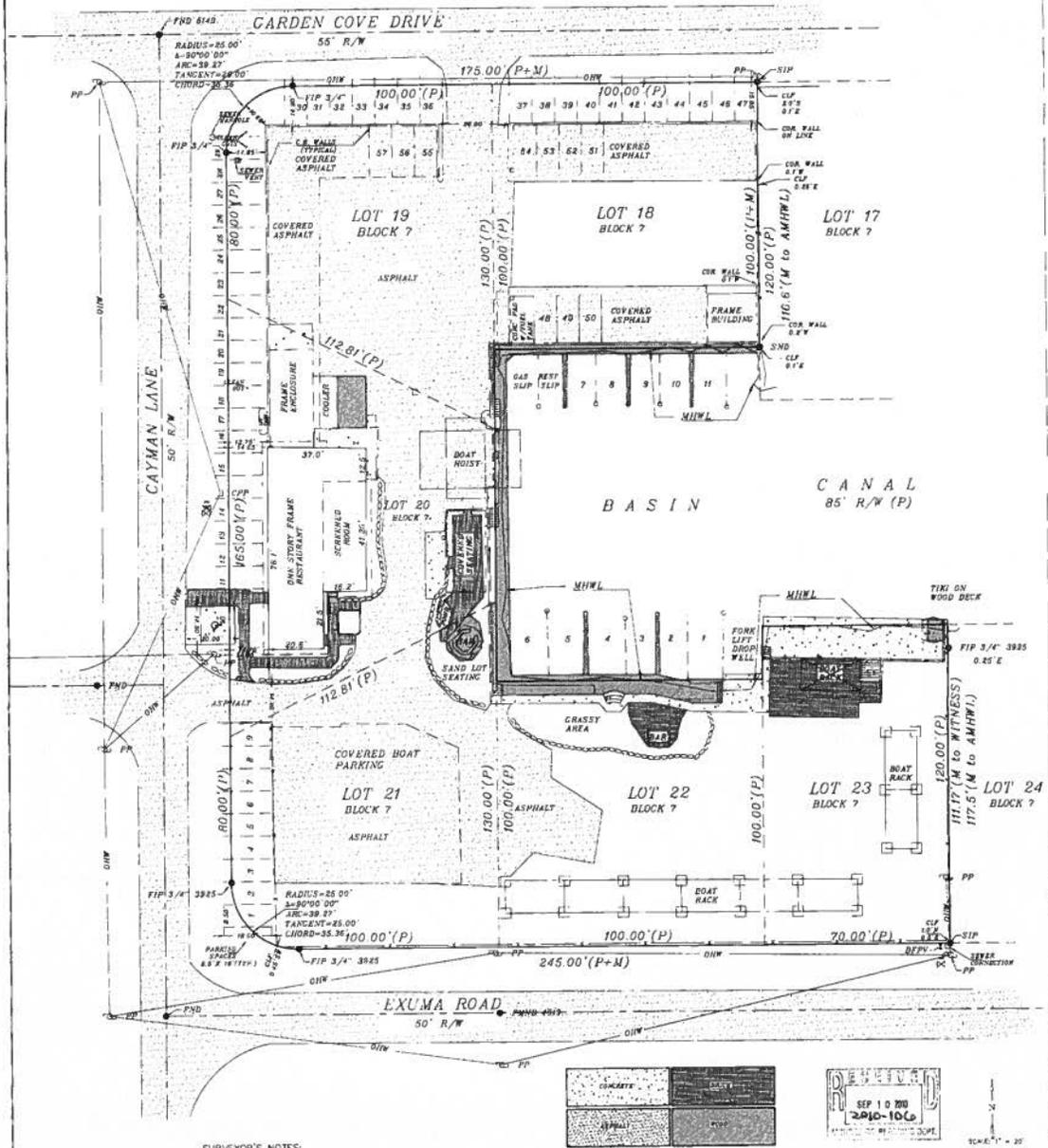


LAWRENCE FRANK LAND SURVEYING, LLC

SURVEYORS • LAND PLANNERS  
 5328 OVERSEAS HIGHWAY, SUITE 300, TAMPA, FLORIDA 33606  
 Phone (813) 964-1147 FAX (813) 964-0811  
 CERTIFICATE OF AUTHORIZATION NUMBER: 37898

LEGAL DESCRIPTION:

LOTS 18, 19, 20, 21, 22, AND 23, BLOCK 7, OCEAN ISLES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 74 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SURVEYOR'S NOTES:

1. ALL CORNERS FOUND HAVE NO NUMBER OR IDENTIFYING SURVEYOR'S SURVEYOR'S COMPANY EXCEPT AS SHOWN.
2. ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT LINES OF SURVEY TO THE CENTER OF THE LINE UNLESS OTHERWISE SHOWN.
3. NO UNDERGROUND ENCUMBRANCES, EVIDENT OR NOT, HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE SHOWN.
4. NO INSTRUMENTS OF RECORD REFLECTING SURVEYS, RIGHTS OR ANY OTHER INTERESTS WERE FOUND ON THIS SURVEY EXCEPT AS SHOWN.
5. ELEVATION DATA FOR THIS SURVEY WAS OBTAINED FROM THE SURVEYOR'S OWN DATA FOR 488/24-25.
6. BASIS OF BEARING: LOT ANGLES-90/00/00; ASSUMED PER PLAT.
7. THIS IS TO CERTIFY THAT I HAVE CONSIDERED THE FEDERAL, STATE AND LOCAL FLOOD HAZARD AND THE ADJACENT BOUNDARY MAPS, COUNTY RECORDS, TYPICAL SURVEY RECORDS, AND THE ADJACENT DESCRIBED PROPERTY APPEARS TO BE A ZONED AREA WITH A BASE FLOOD ELEVATION OF 6' 6" W.S.L.
8. UNLESS IT BEARS THE SIGNATURE AND SEAL OF A LICENSED SURVEYOR AND SHAPES THIS DRAWING, SUCH PLAN OR MAP IS NOT TO BE CONSIDERED A PROFESSIONAL SURVEYOR'S PLAN OR MAP.
9. THIS SURVEY DEPICTED HEREIN IS NOT TO BE CONSIDERED A PROFESSIONAL LIABILITY INSURANCE.



**LAWRENCE FRANK LAND SURVEYING LLC**  
 5328 OVERSEAS HIGHWAY, SUITE 300, TAMPA, FLORIDA 33606  
 Phone (813) 964-1147 FAX (813) 964-0811  
 CERTIFICATE OF AUTHORIZATION NUMBER: 37898

DATE: 09/07/06  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: AS SHOWN

SEC. 6, TWP. 61S., RGE. 40E.

SCHULTZ DAVID P & ELIZABETH A  
51 DOBIE STREET  
SUMMERLAND KEY, FL 33042

AGUILA ESTEBEN  
14452 SW 117TH TERR  
MIAMI, FL 33186

KOCH KELLY J  
15 GARDEN COVE RD  
KEY LARGO, FL 33037

ESCOBAR EDILBERTO AND CATERINA  
9760 SW 60 ST  
MIAMI, FL 33173

FAGAN MICHAEL A & CAROL  
P O BOX 1361  
KEY LARGO, FL 33037

HOLLEY STEPHEN D AND TAMANTHA M  
9 GARDEN COVE DR  
KEY LARGO, FL 33037

PADRON ERELIO & MARIA C  
9333 SW 35TH STREET  
MIAMI, FL 33165

CICALESE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH, NJ 07720

GIONFRIDDO SHAUNA  
23 NORTH END RD  
KEY LARGO, FL 33037

SANTOS DEBORAH A  
21 NORTH END RD  
KEY LARGO, FL 33037

ORTA SILVINA  
17800 S W 184TH STREET  
MIAMI, FL 33187

PROSEN KENNETH J  
17 NORTH END RD  
KEY LARGO, FL 33037

BERKEY SHARI L  
15 NORTH END RD  
KEY LARGO, FL 33037

GAHAGEN CATHERINE M MCCARTHY AND  
PATRICK B  
PO BOX 1889  
KEY LARGO, FL 33037

NELSON BRUCE B AND SHERYL LYNN  
PO BOX 370849  
KEY LARGO, FL 33037-0849

CORREA OCTAVIO  
PO BOX 212  
KEY LARGO, FL 33037

ACTION I LLC  
C/O SCHOENROCK GEORGE B II  
24 ABACO RD  
KEY LARGO, FL 33037-5002

SCHOENROCK GEORGE B II  
24 ABACO RD  
KEY LARGO, FL 33037-5002

CICALESE JOSEPH  
213 BRINLEY AVE  
BRADLEY BEACH, NJ 07720

RIGBY WILLIAM SR  
3520 MISTLETOE LN  
LONGBOAT KEY, FL 34228-4102

SCHOENROCK GEORGE B II  
24 ABACO RD  
KEY LARGO, FL 33037-5002

EICHEMENDIA JESUS  
2331 SW 126TH AVE  
MIRAMAR, FL 33027

KOLLIN STEVEN  
5025 COLLINS AVENUE #1505  
MIAMI BEACH, FL 33140

LIETAERT LAURA L  
23 ABACO RD  
KEY LARGO, FL 33037

VONNEGUT ROBERT B AND BETH G  
430 HIGHLAND AVE SW  
LENIOR, NC 28645

MEIER PATRICK C  
19 ABACO RD  
KEY LARGO, FL 33037-5001

MARLIN HOLDINGS INC  
102920 OVERSEAS HWY  
KEY LARGO, FL 33037

ESCOBAR EDILBERTO AND CATERINA  
9760 SW 60ST  
MIAMI, FL 33173

AGUILERA ORLANDO  
17430 SW 92ND COURT  
MIAMI, FL 33157

PEREZ FELIX A  
17840 SW 143 CT  
MIAMI, FL 33177

MALDONADO EDWIN O  
PO BOX 210  
TAVERNIER, FL 33070-0210

RIGBY WILLIAM E  
38 SOUTH ANDROS RD  
KEY LARGO, FL 33037

MUTZ WILLIAM J  
P O BOX 1747  
KEY LARGO, FL 33037-1747

BOHLKE RUTH ANN & WOLFERTS RICHARD  
E T/C  
PO BOX 599  
KINGSHILL, VI 00851

SMITH EUGENE R & DIANE L  
22 SOUTH EXUMA ROAD  
KEY LARGO, FL 33037

SMITH EUGENE R & DIANE L  
22 SOUTH EXUMA ROAD  
KEY LARGO, FL 33037

PIERCE PAMELA BERYL  
31 GARDEN COVE DR  
KEY LARGO, FL 33037-5005

LADUE ANNE HARRISON  
29 GARDEN COVE DR  
KEY LARGO, FL 33037

GABLE DAVID C  
25 GARDEN COVE DR  
KEY LARGO, FL 33037

GARCIA RICARDO J  
PO BOX 2651  
SAN GABRIEL, CA 91778-2651

MEYERS JAMES AND ROBIN D  
10 EXUMA RD  
KEY LARGO, FL 33037

UNDERWOOD ALLEN W AND GLENDA  
12 S EXUMA RD  
KEY LARGO, FL 33037

PONCE ROBERT AND OLGA  
14 SOUTH EXUMA RD  
KEY LARGO, FL 33037

BRADY ALFRED W & BRADY MARIA M T/C  
1202 LETTY LANE  
TUSTIN, CA 92780

SMITH GARY W AND VICKI LYNNE  
18 S EXUMA RD  
KEY LARGO, FL 33037-5006

MAIER PATRICIA A AND GEORGE J  
P O BOX 373114  
KEY LARGO, FL 33037

SMITH EUGENE R & DIANE L R/S  
22 SOUTH EXUMA ROAD  
KEY LARGO, FL 33037

ARVE LINDA R REV TR DTD 04/26/05  
24355 SW 167 AVE  
MIAMI, FL 33031

ARVE HAROLD R JR  
24355 SW 167 AVE  
HOMESTEAD, FL 33031

BILBAO ERKYS M  
3350 SW 148 AVE  
STE 134  
MIRAMAR, FL 33027

GUTIERREZ MANUEL  
12201 SW 2ND ST  
PLANTATION, FL 33325-2832

QUEVEDO MARGARITA AND FELIX  
5810 SW 120 AVE  
MIAMI, FL 33175

BOZA JOSE R  
13655 SW 2 ST  
MIAMI, FL 33184

MAROLF LIZETTE  
13101 S CALUSA DR  
MIAMI, FL 33186

CICALESE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH, NJ 07720

CICALESE JOSEPH  
213 BRINLEY AVENUE  
BRADLEY BEACH, NJ 07720

YEAGER JAMES M AND RAMONA L  
1 CAYMAN LN  
KEY LARGO, FL 33037

KOENIG LAWRENCE AND HELEN S  
18 CAYMAN LN  
KEY LARGO, FL 33037

LUER GERALDINE J  
40 S ANDROS RD  
KEY LARGO, FL 33037

TUCKER ELMER LEE  
42 S ANDROS RD  
KEY LARGO, FL 33037

STONECIPHER JOSEPH A AND VIRGINIA L  
44 SOUTH ANDROS RD  
KEY LARGO, FL 33037

BAKER JOSEPH W AND CORRINE  
P O BOX 370512  
KEY LARGO, FL 33037

SCHWARTZ JOANN & LARRY  
10825 SW 95TH STREET  
MIAMI, FL 33176

BAKER JOSEPH W AND CORRINE  
PO BOX 370512  
KEY LARGO, FL 33037

SKEEN LARRY R  
2 BONEFISH AVENUE  
KEY LARGO, FL 33037

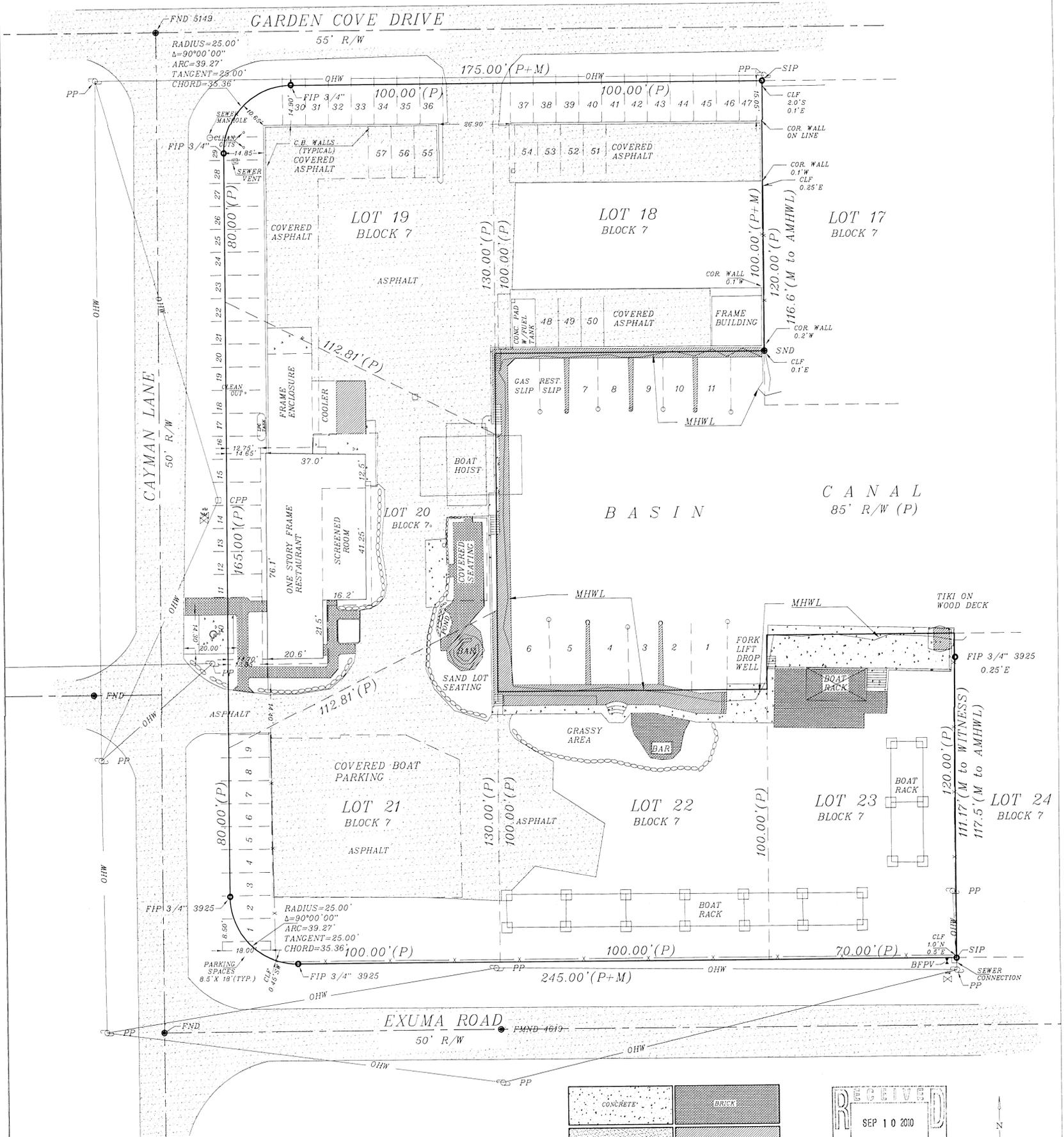
WEST FAMILY TRUST 6/8/2007  
C/O WEST THOMAS L CO- TRUSTEE  
54 S ANDROS  
KEY LARGO, FL 33037

LAWRENCE FRANK LAND SURVEYING, LLC

SURVEYORS • LAND PLANNERS  
 83266 OVERSEAS HIGHWAY, SUITE 300, ISLAMORADA, FLORIDA 33036  
 Phone (305) 664-0784 FAX (305) 664-0816  
 CERTIFICATE OF AUTHORIZATION NUMBER LB7698

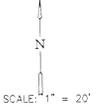
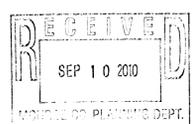
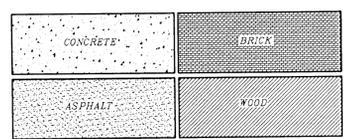
LEGAL DESCRIPTION:

LOTS 18, 19, 20, 21, 22, AND 23, BLOCK 7, OCEAN ISLES, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 5, PAGE 14 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.



SURVEYOR'S NOTES:

- 1.) ALL CORNERS FOUND HAVE NO NUMBER DESIGNATING PREVIOUS SURVEYOR OR COMPANY EXCEPT AS SHOWN.
- 2.) ALL BEARINGS AND DISTANCES ARE MEASURED PER PLAT UNLESS OTHERWISE NOTED.
- 3.) NO UNDERGROUND ENCROACHMENTS, FOUNDATIONS OR UTILITIES HAVE BEEN LOCATED OR SHOWN UNLESS OTHERWISE SHOWN.
- 4.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, and/or OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
- 5.) ELEVATION DATUM: N.G.V.D. 1929, M.S.L. = 0.0, BENCHMARK: P.R.M. ELEV.=10.96 FB/P: K98/34-36
- 6.) BASIS OF BEARING: LOT ANGLES=90°00'00", ASSUMED PER PLAT.
- 7.) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY No.125129, PANEL No. 0790 K, EFFECTIVE DATE: 2/18/05, AND THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE AE WITH A BASE FLOOD ELEVATION OF 8' M.S.L.
- 8.) UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- 9.) THE SURVEY DEPICTED HEREON IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.



ABBREVIATION LEGEND:

F.I.R. FOUND IRON ROD, SIZE INDICATED	SEC. SECTION
S.I.R. SET IRON ROD, 1/2" LB. No. 5408	TWP. TOWNSHIP
F.I.P. FOUND IRON PIPE, SIZE INDICATED	RGE. RANGE
F.N.D. FOUND NAIL AND DISK	(O) DEED
S.N.D. SET NAIL AND DISK, LB. No. 5408	(P) PLAT
F.C.M. FOUND CONCRETE MONUMENT	(M) MEASURED
P.R.M. PERMANENT REFERENCE MONUMENT	(C) CALCULATED
P.C.P. PERMANENT CONTROL POINT	CONC. CONCRETE
P.I. POINT OF INTERSECTION	ODV. COVERED
P.C. POINT OF CURVE	M.H. MANHOLE
P.O.B. POINT OF BEGINNING	CLF. CHAIN LINK FENCE
R/W RIGHT-OF-WAY	ELEV. ELEVATION
CONC. CONC. POWER POLE	WM. WATER METER
PP POWER POLE	O.H. ROOF OVERHANG
OHW OVERHEAD WIRES	
N.S.E.W. NORTH, SOUTH, EAST, WEST	
AMHWL APPROXIMATE MEAN HIGH WATER LINE	
BFPV BACK FLOW PREVENTION VALVE	

**LAWRENCE FRANK LAND SURVEYING LLC**  
 SURVEYORS • LAND PLANNERS  
 83266 OVERSEAS HIGHWAY, SUITE 300, ISLAMORADA, FLORIDA 33036  
 Phone (305) 664-0784 FAX (305) 664-0816  
 CERTIFICATE OF AUTHORIZATION NUMBER LB7698

CERTIFIED FOR BOUNDARY SURVEY (AND SITE PLAN FOR PROPOSED PARKING LAYOUT) I HEREBY CERTIFY THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

SCALE: 1"=20'  
 DATE: 09/03/10  
 DRAWN BY: DC  
 REVISED: N/A  
 SIEVERS MARINE INC.  
 SEC. 6, TWP. 61S., RGE. 40E.  
 JOB NUMBER: K10152



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

To: Monroe County Planning Commission  
Through: Townsley Schwab, Senior Director of Planning & Environmental Resources  
From: Barbara Bauman, Planner  
Date: November 23, 2010  
Subject: *Request for a 5SRX (restaurant, no package sales) Alcoholic Beverage Special Use Permit, Buzzard's Roost Restaurant 21 Garden Cove Drive, Key Largo, Real Estate #00539850.000000 (File #2010-106)*

---

**Meeting: December 1, 2010**

---

I REQUEST:

The Applicant is requesting approval of a 5SRX (restaurant, no package sales) Alcoholic Beverage Special Use to allow the sale of alcohol to be served at the Buzzard's Roost Restaurant.



Subject Property (outlined in blue) (2009)

1  
2 Location:

3 Address: 21 Garden Cove Drive, Key Largo, approximate mile marker 106 (Atlantic  
4 Ocean side of US 1)

5  
6 Legal Description: Block 7, Lots 18 through 23, Ocean Isle Estates, (PB514), Key Largo

7  
8 Real Estate (RE) Number: 00539850.000000  
9

10  
11 Applicant:

12 Property Owner: Sievers Marine, Inc (Ron Sievers)  
13  
14

15 II RELEVANT PRIOR COUNTY ACTIONS:  
16

17 Commercial use of the site originally began with the issuance of Building Permit 3618 in  
18 1962, which permitted the establishment of a marina with a commercial building, boat sheds  
19 and dockage. The Monroe County Property Appraiser's records indicate that the building in  
20 which the restaurant is located was constructed in 1962; however staff could not locate a  
21 reference in a building permit as to the exact date that the restaurant was established. Several  
22 building permits were issued in 1999 for renovations and repairs for the office, store and tiki.  
23 Staff believes that the Buzzard's Roost Restaurant was established at this time. Numerous  
24 subsequent permits have been issued to the property for minor repairs and renovations.  
25

26 III BACKGROUND:  
27

28 A. Size of Site: 60,548 SF (1.39 acres)

29 B. Land Use District: Mixed Use (MU)

30 C. Future Land Use Map Designation: Mixed Use / Commercial (MC)

31 D. Tier Designation: Tier 3

32 E. Existing Use: Commercial Retail (Restaurant) and Marina

33 F. Existing Vegetation / Habitat: Developed and scarified

34 G. Community Character of Immediate Vicinity: Mixed Use; marina, commercial retail,  
35 commercial fishing and residential

36 H. Flood Zone: AE – EL 8  
37

38 IV REVIEW OF APPLICATION:  
39

40 Pursuant to MCC §3-6(e), the Planning Commission shall give due consideration to the  
41 following factors as they may apply to the particular application prior to rendering its  
42 decision to grant or deny the requested permit:  
43

44 (1) *The effect of such use upon surrounding properties and the immediate neighborhood as*  
45 *represented by property owners within 500 feet of the premises:*  
46

47 The subject parcel is located off US1/SR-905 within a MU district. Commercial retail  
48 uses, including restaurants are permitted. Some of the surrounding properties are  
49 developed with similar commercial retail uses. Single family residences are located

1 immediate to the east, southeast and south of the restaurant in an Improved Subdivision  
2 (IS) district.  
3

4 The Buzzard's Roost Restaurant has a 2COP alcoholic beverage license for the existing  
5 alcohol sales on the site. This license is currently valid and in good standing. Staff does  
6 not anticipate that an approved 5SRX alcoholic beverage license will impact neighboring  
7 properties any more than the activities permitted under the existing 2COP alcoholic  
8 beverage license already occurring.  
9

10 The applicant has not indicated whether or not he intends to forfeit the 2COP alcoholic  
11 beverage license as it permits package sales and the requested 5SRX alcoholic beverage  
12 license does not permit package sales. The Florida Department of Business and  
13 Professional Regulation may restrict the site on the number and/or the type of alcoholic  
14 beverage licenses that are allowed. However, the Monroe County Code does not provide  
15 any language restricting the number and/or the type of licenses permitted.  
16

17 Note: As of the date of this report, two neighboring property owners had contacted the  
18 Planning & Environmental Resources to express concern with this application. However,  
19 no written objections to the application have been filed. The verbal complaints related to  
20 mainly to inappropriate noise, littering, traffic and parking. Both property owners were  
21 instructed to attend the public hearing and/or submit written documentation of their  
22 concerns/objections for staff to review and consider.  
23

24 *(2) The suitability of the premises in regard to its location, site characteristics and intended*  
25 *purpose. Lighting on the permitted premises shall be shuttered and shielded from*  
26 *surrounding properties, and construction of such permitted properties will be*  
27 *soundproofed. In the event music and entertainment is permitted, the premises shall be*  
28 *air conditioned:*  
29

30 A restaurant, with alcohol sales, has continually existed on the subject property since  
31 1999. The property currently holds a 2COP alcoholic beverage license which allows the  
32 sale of beer and wine on site, as well as package sales.  
33

34 All music and entertainment is located inside the air conditioned restaurant. No changes  
35 to the existing structure or lighting are proposed or required. If additional lighting is  
36 proposed in the future, it shall be required to be shuttered and shielded from surrounding  
37 properties.  
38

39 *(3) Access, traffic generation, road capacities, and parking requirements:*  
40

41 The site is located within Ocean Isle Estate subdivision. Access to the site is off  
42 US1/SR-905 onto Garden Cove Drive. The site has sufficient and appropriate access  
43 points from Garden Cove Drive and Cayman Lane. Staff does not anticipate that an  
44 approved 5SRX license will significantly increase traffic to or from the site.  
45

1 The site plan shows that the site currently has 57 parking spaces, including three ADA  
2 accessible spaces. Code currently requires that parking area consisting of 51-75 parking  
3 spaces provide three handicap accessible spaces. The site's parking is compliant with  
4 current Monroe County Code (note: the applicant is in the process of having the third  
5 ADA accessible space approved).  
6

7 (4) *Demands upon utilities, community facilities and public services:*  
8

9 It is not anticipated that the issuance of a 5SRX alcoholic beverage license will increase  
10 demands on utilities, community facilities, or public services as the site has operated as a  
11 restaurant for approximately 11 years.  
12

13 (5) *Compliance with the county's restrictions or requirements and any valid regulations:*  
14

15 With the following exceptions, the site, as well as the development thereon, currently is  
16 in compliance or is lawfully nonconforming with the County's restrictions, requirements  
17 and regulations.  
18

19 Note: At this time it has not been determined whether or not the existing outdoor seating  
20 area is approved for food and/or bar service. The applicant has submitted  
21 information/documentation suggesting it was lawfully in existence when the restaurant  
22 opened and prior to adoption of the NROGO ordinance. However, the Director of  
23 Planning & Environmental Resources had not made a final determination as of the date of  
24 this staff report. The uncertainty regarding this area's lawfulness shall not affect staff's  
25 recommendation concerning this application in that staff shall request a condition to any  
26 approval that all alcohol sales and consumption shall occur only within approved seating  
27 areas (currently only the inside areas of the restaurant). However, staff is further  
28 researching whether or not the restaurant's outdoor seating area was lawfully established  
29 as such. If it was not, the applicant will be required to apply for a building permit, and, if  
30 necessary, a deviation/amendment to the site's conditional use permit in order to have the  
31 additional seating area. If it was, no further action will be necessary by the applicant.  
32

33 **V RECOMMENDATION:**  
34

35 Staff recommends APPROVAL to the Planning Commission for a 5SRX Alcoholic Beverage  
36 Special Use Permit with the following conditions:  
37

38 A. Alcoholic Beverage Special Use Permits issued by virtue of the Monroe County Code  
39 shall be deemed to be a privilege running with the land. The sale of the real property  
40 which has been granted an Alcoholic Beverage Special Use Permit shall  
41 automatically vest the purchaser thereof with all rights and obligations originally  
42 granted or imposed to or on the applicant. Such privilege may not be separated from  
43 the fee simple interest in the realty.  
44

45 B. All alcohol sales and consumption shall occur only within seating areas approved by  
46 the Monroe County Planning & Environmental Resources Department.

1  
2  
3  
4  
5  
6  
7

C. In the event that the holder's license by the Department of Business and Professional Regulation of the State of Florida expires and lapses, this Alcoholic Beverage Special Use Permit approval shall be null and void as of the date of that expiration. Additional approval by the Planning Commission shall be required to renew the Alcoholic Beverage Special Use Permit.

1 **Attachment: Monroe County Code Section 3-6. Alcoholic Beverages**

2  
3 (a) *Purpose and Intent:* This section is designed and intended to provide for reasonable regulation and control over  
4 the sale of alcoholic beverages within the unincorporated areas of Monroe County by establishing an alcoholic  
5 beverage use permit procedure and providing criteria to be utilized to assure that all future proliferation of alcoholic  
6 beverage use enterprises within the unincorporated areas of the county be compatible with adjoining and  
7 surrounding land uses and the county's comprehensive plan, and that alcoholic beverage use permits not be granted  
8 where such uses will have an adverse impact upon the health, safety and welfare of the citizens and residents of the  
9 county. All persons, firms, partnerships or corporations who have received approval from the zoning board or board  
10 of county commissioners under the former provisions of section 19-218 of the Monroe County Code, as same  
11 heretofore existed, shall retain all rights and privileges heretofore granted under said section.  
12

13 (b) *Permits:* After the effective date of this ordinance, all persons, firms, partnerships or corporations desiring to  
14 sell alcoholic beverages upon any premises located within the unincorporated areas of Monroe County and who  
15 desire to do so upon a premises not heretofore approved by the zoning board or board of county commissioners  
16 under the former section 19-218, shall obtain an alcoholic beverage use permit utilizing the procedure outlined in  
17 subsection (d) below.  
18

19 (c) *Classifications:* Corresponding to those alcoholic beverage license classifications as heretofore and hereafter  
20 adopted by the State of Florida, alcoholic beverage use permits hereafter issued pursuant to this ordinance shall be  
21 classified as follows:

- 22 (1) 1APS: Beer, package only;
- 23 (2) 1COP: Beer, on-premises and package;
- 24 (3) 2APS: Beer and wine, package only;
- 25 (4) 2COP: Beer and wine, on-premises and package;
- 26 (5) 6COP: Beer, wine and liquor, on-premises and package;
- 27 (6) 6COP SRX: Restaurant, no package sales;
- 28 (7) 6COP SR: Restaurant, package sale;
- 29 (8) 6COP S: Motel, package sales;
- 30 (9) 6COP SBX: Bowling, no package sales;
- 31 (10) 6COP SPX: Boat, no package sales;
- 32 (11) 3BPS: Beer, wine and liquor, package sales only;
- 33 (12) 3M: Additional license for 6COP, over three (3) bars;
- 34 (13) 12RT: Racetrack, liquor, no package sales.  
35

36 (d) *Procedure:* The following procedure shall be followed on any application for an alcoholic beverage use permit  
37 hereafter made:

- 38 (1) Applications for alcoholic beverage use permits shall be submitted to the director of planning in  
39 writing on forms provided by the director. Such applications must be signed by the owner of the real  
40 property for which the permit is requested. Lessees of the premises may apply for such permits provided  
41 that proper authorization from the owner of the premises is given and the application for permit is cosigned  
42 by such owner.
- 43 (2) Upon receipt of a properly completed and executed application for alcoholic beverage use permit  
44 stating the exact classification requested along with the necessary fee, the director of planning shall  
45 schedule a public hearing before the planning commission and shall advise the applicant of the date and  
46 place of said public hearing.
- 47 (3) Notice of the application and of the public hearing thereon shall be mailed by the director of planning  
48 to all owners of real property within a radius of five hundred (500) feet of the affected premises. In the case  
49 of a shopping center, the five hundred (500) feet shall be measured from the perimeter of the entire  
50 shopping center itself rather than from the individual unit for which approval is sought. Notice shall also be  
51 provided in a newspaper of general circulation in the manner prescribed in section 110-5.
  - 52 a. For the purposes of this ordinance, a shopping center shall mean a contiguous group of  
53 individual units, in any combination, devoted to commercial retail low-intensity uses, commercial  
54 retail medium-intensity uses, commercial retail high-intensity uses, and office uses, as those  
55 phrases are defined in section 101-1, with immediate off-street parking facilities, and originally

1 planned and developed as a single project. The shopping center's single project status shall not be  
2 affected by the nature of the ownership of any of the individual office or commercial retail units,  
3 within the shopping center.

4 (4) At the hearing before the planning commission, all persons wishing to speak for or against the  
5 application shall be heard. Recommendations or other input from the director of planning may also be  
6 heard prior to any decision by the planning commission.  
7

8 (e) *Criteria:* The planning commission shall give due consideration to the following factors as they may apply to  
9 the particular application prior to rendering its decision to grant or deny the requested permit:

10 (1) The effect of such use upon surrounding properties and the immediate neighborhood as represented by  
11 property owners within five hundred (500) feet of the premises. For the purposes of this section, "premises"  
12 shall mean the entire project site of a shopping center.

13 (2) The suitability of the premises in regard to its location, site characteristics and intended purpose.  
14 Lighting on the permitted premises shall be shuttered and shielded from surrounding properties, and  
15 construction of such permitted properties will be soundproofed. In the event music and entertainment is  
16 permitted, the premises shall be air conditioned.

17 (3) Access, traffic generation, road capacities, and parking requirements.

18 (4) Demands upon utilities, community facilities and public services.

19 (5) Compliance with the county's restrictions or requirements and any valid regulations.  
20

21 (f) *Approval by Planning Commission:* The planning commission may grant approval based on reasonable  
22 conditions considering the criteria outlined herein.  
23

24 (g) *Where Permitted:* Alcoholic beverage use permits may be granted in the following land use districts: urban  
25 commercial; suburban commercial; suburban residential where the site abuts U.S. 1; destination resort; mixed use;  
26 industrial and maritime industries. Notwithstanding the foregoing, alcoholic beverage sales may be permitted at  
27 restaurants, hotels, marinas and campgrounds regardless of the land use district in which they are located. Nothing  
28 contained herein shall exempt an applicant from obtaining a major or minor conditional use approval when such is  
29 otherwise required by the county development regulations in part II of this Code.  
30

31 (h) *Transferability:* Alcoholic beverage use permits issued by virtue of this section shall be deemed to be a  
32 privilege running with the land. The sale of the real property which has been granted an alcoholic beverage use  
33 permit shall automatically vest the purchaser thereof with all rights and obligations originally granted or imposed to  
34 or on the applicant. Such privilege may not be separated from the fee simple interest in the realty.  
35

36 (i) *Appeals:* All persons aggrieved by the actions of the planning commission in granting or denying requested  
37 alcoholic beverage permits may request an appeal hearing before a hearing officer under chapter 102, article VI,  
38 division 2 by filing the notice required by that article within 30 days after the date of the written decision of the  
39 planning commission.  
40

41 (j) *Successive Applications:* Whenever any application for alcoholic beverage approval is denied for failure to  
42 meet the substantive requirements of this ordinance, an application for alcoholic beverage approval for all or a  
43 portion of the same property shall not be considered for a period of two (2) years unless a super-majority of the  
44 planning commission decides that the original decision was based on a material mistake of fact or that there exists  
45 changed conditions and new facts, not existing at the time of the original decision, which would justify entertaining  
46 a new application before the expiration of the two-year period. However, in the case of a shopping center, as defined  
47 in subsection (d)(3)a. of this section, this subsection shall only apply to the commercial retail unit within the  
48 shopping center for which approval was sought and not the entire shopping center site itself.