

***Agenda**

PLANNING COMMISSION
MONROE COUNTY
September 23, 2009
10:00 A.M.

MARATHON GOV'T CENTER
2798 OVERSEAS HIGHWAY
MARATHON, FL
MONROE COUNTY, FL

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

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

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Susan Grimsley, Ass't County Attorney, Acting Growth Management Director
John Wolfe, Planning Commission Counsel
Tiffany Stankiewicz, Development Administrator
Joe Haberman, Principal Planner
Steven Biel, Sr. Planner
Debby Tedesco, Planning Commission Coordinator

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COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

-
SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

-
SWEARING OF COUNTY STAFF

-
APPROVAL OF MINUTES

CHANGES TO THE AGENDA

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MEETING

CONTINUED ITEM:

1. **A public hearing to consider and finalize the ranking of applications in the Dwelling Unit Allocation System** for the July 14, 2008 through October 15, 2008 1st ROGO quarter, Year 17. Building permits will be allocated for Big Pine Key only, unincorporated Monroe County.

[28083 ROGO SR PC 9.23.09.PDF](#)

NEW ITEMS:

2. Non-Residential Floor Area Allocation: The Planning Director is requesting recommendations from the Planning Commission, to the Board of County Commissioners, for the amount of commercial floor area to be available for the annual NROGO allocation for Year 18, beginning July 14, 2009 and ending July 12, 2010.

[29073 SR PC 9.23.09.PDF](#)

3. Wogsland Property, 27 North Drive, Key Largo, Mile Marker 106: A request for approval of a variance of six (6) feet from the required twenty-five (25) foot front yard setback along North Drive and two (2) feet from the required ten (10) foot side yard setback along the eastern property line in order to construct a building addition. The subject parcel is legally described as Block 3, Lot 14 Stillwright Point Plat No 2, Key Largo, Monroe County, Florida, having real estate number 00514950.000000.

[28043 FILE.pdf](#)

[28043 SR PC 9.23.09.pdf](#)

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4. An Ordinance By The Monroe County Board Of County Commissioners Amending Monroe County Section 110-72 concerning recording of conditional uses for clarification; amending Section 110-73 regarding extensions of conditional uses and providing consistency with Section 110-72 time periods; providing for severability; providing for repeal of inconsistent provisions; providing for transmittal to the Department of Community Affairs and the Secretary of State; providing for codification; providing for an effective date.

[29076 SR PC 9.23.09.pdf](#)

5. An Ordinance Of The Monroe County Board Of County Commissioners Amending Section 102-21 of the Monroe County code; updating the qualifications and duties of the Director of Planning; eliminating specific job descriptions for other positions; amending the duties of the Development Review Committee; deleting obsolete provisions; placing the duties of the building official in one location in Chapter 6 of the Monroe County code; providing for severability; providing for repeal of conflicting provisions; providing for codification; providing for an effective date.

[29077 SR PC 10.07.09.PDF](#)

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BOARD DISCUSSION

-
GROWTH MANAGEMENT COMMENTS

-
RESOLUTIONS FOR SIGNATURE

ADJOURNMENT





MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Planning Commission
From: Tiffany Stankiewicz, Development Administrator
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources *TS*
Date: September 14, 2009
Subject: Residential Dwelling Unit Evaluation Report for Quarter 1, Year 17
Big Pine/No Name Key Subarea for Applicants ranked 2 thru 47.

Meeting Date: December 16, 2008 continued to February 11, 2009 continued to September 23, 2009

1 This report has been prepared pursuant to Section 138.26 of the Land Development Regulations
2 (LDRs). The proposed Big Pine/No Name Key Subarea residential dwelling unit rankings
3 attached to this report is for the first quarter of year seventeen which covers the period July 15,
4 2008, through October 14, 2008 for applicants ranked 2 thru 47.

5
6 **I) BACKGROUND UPDATE:**

- 7
8 A. On December 16, 2008, the Planning Commission approved one Market Rate allocation
9 and deferred the recommendation and action to the applicant in Tier 1 (ranked number 2)
10 and other applicants to the February 11, 2009, Planning Commission meeting.
11
12 B. On January 6, 2009 the Development Review Committee reviewed and discussed,

13
14 **AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY**
15 **COMMISSIONERS ADOPTING AMENDMENTS TO THE MONROE**
16 **COUNTY 2010 COMPREHENSIVE PLAN TO REVISE SECTIONS OF**
17 **THE LIVABLE COMMUNIKEYS MASTER PLAN FOR BIG PINE KEY**
18 **AND NO NAME KEY; CLARIFYING SECTIONS INCONSISTENT**
19 **WITH THE HABITAT CONSERVATION PLAN AND MONROE**
20 **COUNTY CODE; PROVIDING FOR SEVERABILITY AND REPEAL OF**
21 **INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO**
22 **THE SECRETARY OF STATE AND THE DEPARTMENT OF**

1 **COMMUNITY AFFAIRS; AND PROVIDING FOR AN EFFECTIVE**
2 **DATE.**
3

4 Additionally, on January 7, 2009 the Planning Commission approved this Ordinance with
5 changes. On January 26, 2009 the Board of County Commissioners (BOCC) approved the
6 transmittal of the Ordinance to the Department of Community Affairs (DCA). On January
7 30, 2009, the Ordinance was transmitted to the Department of Community Affairs. On April
8 7, 2009 the DCA had Objections, Recommendations & Comments (ORC) to the proposed
9 amendment. On June 2, 2009, the BOCC approved Ordinance 020-2009 adopting
10 amendments to the Monroe County 2010 Comprehensive Plan to revise sections of the
11 Livable Communikeys Master Plan for Big Pine Key and No Name Key. On August 17,
12 2009, this ordinance became effective.

13
14 C. The Big Pine Key and No Name Key Subarea is limited in the number of Tier I allocation
15 awards. The LCP limits allocation awards in Tier 1 to no more than five percent of all
16 residential units permitted over the twenty year planning period (**10 units**) or a total of
17 H= 0.022, whichever results in the lower H. The HCP states “New residential
18 development in Tier 1 areas will be limited to no more than five percent of all residential
19 units permitted over the 20-year period (**ie., a maximum of 10 units**) or a total H= 0.022
20 (two percent of the total H), whichever results in a lower H”. Additionally, the ITP states
21 “New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas will be
22 limited to no more than five percent of all residential units permitted over the 20-year life
23 of the HCP (**ie., a maximum of 10 units**) or a total H= 0.022 (two percent of the total H),
24 whichever results in a lower H”. Furthermore, the ITP states “No new development other
25 than single-family residential and accessory uses will be permitted in Tier 1 areas. The
26 total H of all development in Tier 1 will not exceed H= 0.022”.

27
28 The previous report indicated four (**4**) Tier 1 allocation/permits issued in the 20-year
29 planning period which has a current total of 0.0064 H counted against the limit of
30 H=0.022. However, Ordinance 020-2009 amended the allocation awards in Tier I to no
31 more than five percent of all residential units. Additionally, development in Tier 1 is
32 tracked from December 27, 2004, the effective date of the Livable CommuniKeys Plan.
33 Based on the amendment staff will provide an update in the next quarterly report.

34
35
36 **II) UPDATE OF ALLOCATION AWARD:**
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38 Monroe County Section 138.24 allows a total of 10 allocations per year (8 Market Rate and 2
39 Affordable Housing). Market rate is divided into four quarters in a year. The two affordable
40 housing allocations were reserved based on BOCC Resolution 077-2008. Therefore, this quarter
41 had two market rate allocations available and zero affordable housing allocations. On December
42 16, 2008, the Planning Commission approved one allocation award, which leaves one more
43 available for release in this quarter.
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III) RECOMMENDATION:

Staff recommendation is to approve market rate allocation from this quarter to the applicant in Tier 1 (ranked number 2).

All other remaining applicants rollover as usual to be considered in the next quarterly evaluation.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE ACTING PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
BIG PINE KEY and NO NAME KEY - YEAR 17, QUARTER 1 (JULY 15, 2008 TO OCTOBER 14, 2008)**

Rank	Permit #	Name	Date and Time of Application	Time	Key	Subdivision	Lot	Block	RE#	Tier	Tier Pts	Located on No Name	Marsh Rabbit/ Buffer	Key Deer Corridor	Lot Agg Tier 2 or 3	Land Ded.	Payment to Acq. Fund up to 2	AFH/ Emp	Central Waste water	Flood Zone V	First Four Years	Each Add. Years	Total	
1	*P 08102594	Humphreys (December 16, 2008, the Planning Commission allocated award see Resolution P52-08)	15-Sep-07 12:16 PM	Big Pine	Port Pine Heights 2nd Add.	5	74	00296820.000000		1	0	0	0	0	0	0	0	0	0	-4	4	14	14	
2	* 97101361	Oliver, Don	14-Mar-05 3:03 PM	Big Pine	Tropical Bay	30	N/A	00109250.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
3	04105652	Bernart, John	21-Apr-05 3:10 PM	Big Pine		Pt. Gov't Lt 4	N/A	00313370.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
4	05101327	Hokroyd, James	14-Jun-05 3:00 PM	Big Pine	Tropical Bay 2nd	Tract C	N/A	00313570.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
5	05101328	Bernart, John	8-Aug-05 3:15 PM	Big Pine	Tropical Bay Estates 3rd Add.	1	4	00313820.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
6	05103051	Pinder, Henry	9-Aug-05 1:40 PM	Big Pine	Tropical Bay Estates 3rd Add.	8	7	00313620.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
7	05102823	Barquin, Juan	9-Sep-05 3:15 PM	Big Pine	Tropical Bay 3rd Add.	8	5	00313620.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	13
8	05102823	Barquin, Juan	22-Jun-05 3:40 AM	Big Pine	Doctors Arm	23 & 24	N/A	00310720.000000		2	10	0	0	0	0	0	0	0	0	0	0	3	0	12
9	@ 05101712	Stetskal, Richard	22-Dec-05 10:15 AM	Big Pine	Doctors Arm 3rd Add.	10	N/A	00312573.001100		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
10	05105880	Buell, Guy	23-Feb-06 2:30 PM	Big Pine	Tropical Bay 3rd Add.	5	7	00313790.000000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
11	05105315	Security First Storage	28-Feb-06 9:40 AM	Big Pine	Doctors Arm 3rd Sec. A	30	5	00312571.003100		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
12	06100601	Szabo, Peter	25-Jun-06 2:39 PM	Big Pine	Doctors Arm 1st Add.	26	5	00311840.000000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
13	06101218	Liu, Hung	6-Oct-06 2:30 PM	Big Pine	Doctors Arm 2nd Add.	19	5	00312470.000000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
14	06101006	Leon, Enmesto	6-Oct-06 2:31 PM	Big Pine	Doctors Arm 3rd Add.	19	5	00312571.002000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
15	06101002	Fernandez, Juan	13-Oct-06 9:00 AM	Big Pine	Eden Pines Colony	12	19	00269070.000000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
16	06104544	Cabassa, Edward	3-Nov-06 12:06 PM	Big Pine	Doctors Arm 3rd Add Sec B	20	19	00312572.002100		2	10	0	0	0	0	0	0	0	0	0	0	2	0	12
17	06101005	Vasseur, Jorge	11-Jan-07 3:30 PM	Big Pine	JR Matthew Properties Pt 2	pt 5 & 6	7	00109350.000500		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
18	06106156	Hahn, David	29-Mar-07 8:38 AM	Big Pine	Eden Pines Colony 1st Add.	4	7	00269910.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
19	06101001	Ojeda, Alex	31-May-07 11:38 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	2	1	00310280.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
20	06101001	Ojeda, Alex	12-Jun-07 10:00 AM	Big Pine	Doctors Arm	27&P4L26	1	00310280.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
21	07100483	Akins, John	12-Jun-07 10:02 AM	Big Pine	Doctors Arm	25&P24&26	1	00310280.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
22	07100483	Akins, John	12-Jun-07 10:04 AM	Big Pine	Doctors Arm	23&P24	1	00310220.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
23	07100479	Akins, John	12-Jun-07 10:06 AM	Big Pine	Doctors Arm	21 & 22	1	00268190.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
24	07100486	Akins, John	24-Aug-07 8:45 AM	Big Pine	Eden Pines Colony 1st Add.	9	1	00268190.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
25	07102635	Wheeler, Scott	10-Sep-07 2:40 AM	Big Pine	Eden Pines Colony	13	6	00266360.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
26	07102237	Akins, Candace	24-Jul-08 9:47 AM	Big Pine	Doctors Arm	31	1	00312890.000000		2	10	0	0	0	0	0	0	0	0	0	0	1	0	11
27	07102238	Akins, Candace	14-Oct-08 2:27 PM	Big Pine	Doctors Arm 1st Add.	3	5	00311610.000000		2	10	0	0	0	0	0	0	0	0	0	0	0	0	10
28	08101995	Perez, Orlando	8-Jan-97 9:11 AM	No Name	Galleon Bay, Rev. Plat	13	N/A	00319494.001300		1	0	-10	0	0	0	0	0	0	0	0	0	0	0	N/A
29	07103911	Shearn, Jerry	8-Jan-97 9:13 AM	No Name	Galleon Bay, Rev. Plat	10	N/A	00319494.001000		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
30	08102801	Bahn (Rev. Trust)	8-Jan-97 9:14 AM	No Name	Rev. Plat Galleon Bay	9	N/A	00319494.000900		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
31	96101472	Schleu, Vivienne	8-Jan-97 9:15 AM	No Name	Rev. Plat Galleon Bay	5	N/A	00319494.000500		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
32	96101470	Schleu, Vivienne	8-Jan-97 9:16 AM	No Name	Rev. Plat Galleon Bay	4	N/A	00319494.000400		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
33	96101469	Schleu, Vivienne	8-Jan-97 9:17 AM	No Name	Rev. Plat Galleon Bay	14	N/A	00319494.001400		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
34	96101464	Schleu, Vivienne	8-Jan-97 9:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
35	96101463	Schleu, Vivienne	8-Jan-97 9:19 AM	No Name	Rev. Plat Galleon Bay	1	N/A	00319494.000100		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
36	96101473	Schleu, Vivienne	8-Jan-97 9:20 AM	No Name	Rev. Plat Galleon Bay	6	N/A	00319494.000600		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
37	96101462	Schleu, Vivienne	8-Jan-97 9:21 AM	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
38	96101461	Schleu, Vivienne	8-Jan-97 9:22 AM	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
39	96101460	Schleu, Vivienne	8-Jan-97 9:24 AM	No Name	Galleon Bay, Rev. Plat	11	N/A	00319494.001100		1	0	-10	0	0	0	0	0	0	0	0	0	4	14	8
40	96101465	Schleu, Vivienne	8-Jan-97 9:25 AM	No Name	Doctors Arm 3rd Add.	4	N/A	00312571.000500		2	10	0	0	0	0	0	0	0	0	0	0	2	0	8
41	96101467	Schleu, Vivienne	23-Sep-05 11:15 AM	Big Pine	Port Pine Heights 2nd Add.	3 & 4	76	00296960.000000		2	10	0	0	0	0	0	0	0	0	0	0	2	0	8
42	96101468	Schleu, Vivienne	13-Jan-06 10:14 AM	Big Pine	Whispering Pines	15	N/A	00285660.000000		1	0	0	0	0	0	0	0	0	0	0	0	2	0	2
43	@ 05100507	Sampson, James	20-Jan-06 11:00 AM	Big Pine	Port Pine Heights 2nd Add.	7	59	00295360.000000		1	0	0	0	0	0	0	0	0	0	0	0	2	0	2

*P Allocation approved by Planning Commission Resolution P52-08.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 M Indicates a ranking that is subject to a Building Permit Restriction.
 Applicants who have a ROGGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009-2007.



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Planning Commission
From: Tiffany Stankiewicz, Development Administrator
Through: Townsley Schwab, Sr Director of Planning & Environmental Resources *TS*
Date: September 14, 2009
Subject: Non-Residential Floor Area Evaluation Report Year 18 (July 14, 2009-July 12, 2010)

Meeting Date: September 23, 2009

BACKGROUND

Monroe County Code, Section 138-53, Non-Residential Rate of Growth Ordinance (NROGO), establishes the procedure for allocating the non-residential floor area. The “maximum annual allocation”, and the distribution between the first and second allocation dates, will be determined by the Board of County Commissioners upon the recommendations of the Planning Director and the Planning Commission. This will provide flexibility in assuring the goals of the ordinance are being accomplished. The floor area that is not made available, or that remains unused in the current year, will be carried forward.

The following is a summary of the square footage of non-residential floor area that was made available for allocation in unincorporated Monroe County, and the actual square footage allocated, from Year 10 through Year 17.

<u>YEAR</u>	<u>AMOUNT AVAILABLE</u>	<u>ALLOCATIONS AWARDED</u>
Year 10	22,150 square feet	18,222 square feet
Year 11	16,000 square feet	5,300 square feet
Year 12	16,000 square feet	15,689 square feet
Year 13	16,000 square feet	10,925 square feet
Year 14	16,000 square feet	12,594 square feet
Year 15	18,000 square feet	12,500 square feet
Year 16	35,000 square feet	17,938 square feet
Year 17	30,000 square feet	13,056 square feet

On March 15, 2006, the Board of County Commissioners adopted Ordinance 011-2006 to implement the Tier System, and subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G.

1 Pelham, Secretary, Department of Community Affairs signed the final order deciding the
2 challenge on September 26, 2007. No appeal was taken by the parties.

3
4 The Tier System, made changes such as separate districts for allocation distribution, basis of
5 scoring applications, and administrative relief. The new districts are as follows: A) Lower
6 Keys (Middle Keys now included in the Lower Keys) & Upper Keys and B) Big Pine/No
7 Name Key are the subareas for NROGO.

8
9 **Additional background specific to the Big Pine/No Name Key Sub-area:**

- 10
11 1) In 1998, the Florida Department of Transportation, Monroe County, the
12 Florida Department of Community Affairs, the U.S. Fish and Wildlife Service
13 and the Florida Fish and Wildlife Conservation Commission signed a
14 Memorandum of Agreement to develop a Habitat Conservation Plan (HCP)
15 for the Key Deer and other protected species in the project area.
16
17 2) The Livable Communikeys Program (LCP), Master Plan for Future
18 Development of Big Pine Key and No Name Key was adopted on August 18,
19 2004 under Ordinance 029-2004. The LCP envisioned 47,800 square feet of
20 non-residential floor area over the next twenty years to be used for infill and
21 expansion of existing businesses. Development is limited to Tier III disturbed
22 and scarified uplands. Based on the above non-residential area square footage
23 envisioned to be released over the twenty year horizon, approximately, 2,390
24 square feet of floor area could be made available per year. The author of the
25 LCP, concluded that much of the new floor area is to be used for
26 redevelopment and expansion of existing businesses and that it would be more
27 than adequate to accommodate future expansions.

28
29 Action Item 5.1.2 Limit floor area allocations to 2,500 square feet per
30 organization per year.

- 31
32 3) The following is a summary of the square footage of non-residential floor area that
33 was allocated on Big Pine/No Name Key Subarea from 2003 to July 2009.

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35

<u>YEAR</u>	<u>No. Applicants Applied</u>	<u>Total Sq. Ft. Allocated</u>
Year 13	1	2,181
Year 15	2	5,000
Year 16	2	3,809
Year 17	0	0

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41 **CONSIDERATIONS**

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43 When determining the amount of non-residential floor area that should be allocated annually,
44 several things need to be considered.

- 1 1. The number of potential applicants for an upcoming year is unknown. Currently, there are
 2 few inquiries and applications for development. The average request for commercial
 3 square footage has gone down. Most applicants who have applied for NROGO have been
 4 for projects of 2,500 square feet or less and in areas that are not located in a designated
 5 Community Center. For the NROGO allocation point system and weighing criteria to be
 6 successful at directing development to the most appropriate locations, it is important to
 7 have competition for the available floor area.
 8
- 9 2. In the past seven years there has been virtually no competition for the available non-
 10 residential floor area. The average square footage made available annually in the seven
 11 year period was 21,144 square feet and the average square footage allocated in a NROGO
 12 year was 13,278 square feet. In Year 12 the demand for square footage exceeded the
 13 amount of available square footage.
 14
- 15 3. Areas for allocations greater than 2,500 square feet shall be identified in a Livable
 16 CommuniKeys Master Plan.
 17
- 18 4. The non-residential allocations are based on prior years of residential ROGO. Each
 19 ROGO allocation is multiplied by 239 square feet to determine the NROGO allocation
 20 bank. The Lower & Upper Keys have a separate bank from the Big Pine/No Name Key.
 21

22 **CALCULATIONS FOR THE END OF YEAR 17 AND FLOOR AREA AVAILABLE**

23
 24 A. Lower/Upper Keys:

26 Rollover non-residential square footage from Year 17	157,757
27 Unused non-residential square footage from Year 17	16,944
28 Square Footage Year 17 ROGO (255 ROGO x 239 Square Feet)*	<u>33,460</u>
29 Total Non-Residential Square Footage Available:	208,161

30
 31
 32 B. Big Pine/No Name Keys:

34 NROGO Square Footage available beginning 2003	47,800
35 Less allocated 2003-July 2009	<u>10,990</u>
36 Total Non-Residential Square Footage Available:	36,810

37
 38 **RECOMMENDATION**

39
 40 Based on the preceding the Planning & Environmental Resources Director offers the
 41 following recommendations for the Annual Allocation Period in Year 18.

42
 43 The maximum amount of available non-residential floor area for the annual NROGO
 44 allocation for Year 18 shall be 20,000 square feet are distributed as follows:
 45

1 **Lower & Upper Keys Subarea:**
2

- 3 1. The maximum amount of available non-residential floor area for the annual NROGO
4 allocation for Year 18 of the Lower & Upper Keys subarea shall be 17,500 square feet.
5
6 2. The first allocation period shall be for 8,750 square feet and the remainder shall be held
7 in reserve for the second allocation period of July 12, 2010.
8
9 3. One hundred percent of the available floor area for the first allocation period ending in
10 January 12, 2010 shall be for applicants requesting 2,500 square feet or less.
11
12 4. Year Eighteen (18) will begin July 14, 2009 and will end on July 12, 2010, with the first
13 allocation period ending on January 12, 2010 and the second allocation period ending on
14 July 12, 2010.
15

16 **Big Pine/No Name Key Subarea:**
17

- 18 1. The maximum amount of available non-residential floor area for the annual NROGO
19 allocation for Year 18 of the Big Pine/No Name Keys subarea shall be 2,500 square feet.
20
21 2. The first allocation shall be for 2,500 square feet and the remainder shall be held in reserve
22 for the second allocation period ending July 12, 2010.
23
24 3. One hundred percent of the available floor area for the first allocation period ending on
25 January 12, 2009 shall be for applicants requesting 2,500 square feet or less.
26
27 4. Year Eighteen (18) will begin July 14, 2009 and will end on July 12, 2010, with the first
28 allocation period ending on January 12, 2010 and the second allocation period ending on July
29 12, 2010.

File #: 28043

Owner's Name: Wogsland, Derek. L & Kammie L.

Applicant: same

Type of Application: Admin. Variance changed to Admin.
Variance to PC

Key: Key Largo

RE #: 00514950-000000

Additional Information added to File 28043

End of Additional File 28043

File #: **28043**

Owner's Name: **Wogsland, Derek & Kammie**

Applicant's Name: **Wogsland, Derek**

Type of Application: **ADMINISTRATIVE VARIANCE**

Key: **Key Largo**

RE: **00514950-000000**

Additional Information added to File #28043

APPLICATION

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

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

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

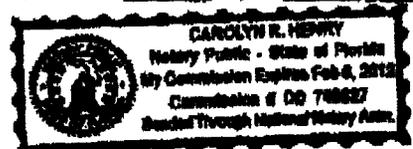
The Director shall normally complete his or her review of the application and render a proposed decision within fifteen (15) working days of receipt of the application. After determining that the application complies with the requirements of Sec. 9.5-523, the Director shall provide written notice of the proposed approval to owners of real property located within three hundred (300) feet of the subject property and shall require posting the property. After thirty (30) calendar days of proper posting, review of all public responses to the variance application and upon a finding that the proposed variance and application have or have not complied with the requirements of Sec. 9.5-523, the Director shall issue a written variance decision.

If for any reason the administrative variance application requires review and consideration by the Monroe County Planning Commission, additional fees, mailing labels and copies of all plans shall be required prior to item being scheduled for commission review.

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: Derek Woodland Date: 6/2/08

Sworn before me this 2nd day of June, 2008



Carolyn R. Henry
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.

APPLICATION
AFFIDAVIT

(State of Florida)
(County of Monroe)

Before me, the undersigned authority, personally appeared Derek Wogstland, who, after being duly sworn deposes and says that the following statements are true and correct to the best of his/ her knowledge and belief.

1. That a waterproof sign containing a legal notice for Block 3, Lot 14
Stillwright Point Plat No. 2 Key Largo (27 North Drive, Key Largo, FL 33037)
Key, Monroe County; with the following Real Estate Number(s) 00514950000000
on the _____ day of _____, 20____. This waterproof sign contained an area of at least four (4) square feet. The sign containing the Legal Notice was placed on the properties in compliance with the 30-day posting requirements of the Monroe County Code. The sign is clearly visible from all public streets adjacent to the property. It provides a brief description of the proposed variance and it indicates where the public may examine the application.

2. A photograph of that waterproof sign containing the Legal Notice is attached hereto.

Witnesses (2):

Name of Affiant:

(Name)

(Name)

Date

Date

(Name)

Address

Date

City, State, Zip Code

(Name)

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC

Sign _____

Print _____

State of Florida at Large (seal)

My Commission Expires:

County of Monroe
Growth Management Division

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



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

We strive to be caring, professional and fair

Date: 6/3/8
Time: 4 PM.

Dear Applicant:

This is to acknowledge submittal of your application for Administrative Var.
Type of application

Derek Wogland to the Monroe County Planning Department.
Project / Name/

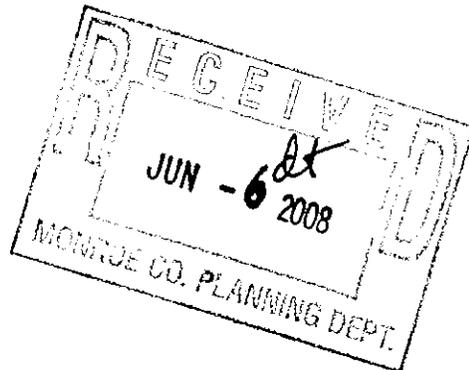
We are unable at this time to issue a receipt of your application, as it will take our staff two working days to determine that all required materials related to your application have been submitted. All applications received after 12:00 Noon will be considered as submitted the following working day.

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.

Robby Tedesco

Planning Staff



**End of Additional Information
File #28043**

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Administrative Variance Application to the Director of Planning & Environmental Resources

Monroe County Code §9.5-523

Administrative Variance Application Fee: \$1,248.00

Date of Submittal: 6, 2, 08
Month Day Year

Property Owner:

Derek Wogsland
Name

27 North Drive, Key Largo, FL 33037
Mailing Address

305-522-5265
Daytime Phone

wogsland@eventsforgroups.com
Email Address

Agent (if applicable):

Name

Mailing Address

Daytime Phone

Email Address

Legal Description of Property:

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

3 14 Stillwright Point Plat No. 2 Key Largo
Block Lot Subdivision Key

0051495000000
Real Estate (RE) Number

27 North Drive, Key Largo, FL 33037 MM 105.5 Bayside
Street Address Approximate Mile Marker

Land Use District Designation(s): Residential

Present Land Use of the Property: Residential

Total Land Area: 6440 square feet

Pursuant to Monroe County Code Sec. 9.5-523(b), the Director of Planning & Environmental Resources is only authorized to grant the following variances:

- (a) Reduction in the front yard and rear yard non-shoreline setback requirements by no more than ten (10) feet and side yard non-shoreline setback requirements by no more than twenty (20) percent.

APPLICATION

- (b) Reduction in the off-street parking requirements by no more than twenty (20) percent.
- (c) Reduction in the buffer-yard width requirements for Class C, D, E, and F district boundaries, major streets, and scenic corridors by no more than ten (10) percent.
- (d) Reduction by no more than ten (10) percent in the total area of landscaping required for off-street parking and loading.

Please provide the standard required

by the land development regulations:

(1 foot, 9 inches further than current structure's setback)

Please provide that requested:

(same as existing structure's setback)

Front yard setback of 25 feet

Side yard setbacks: 10 feet one side, 15 feet combined both sides

(i.e. front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Front yard setback of 19 feet

Side yard setbacks: 6.9 feet to 7.3 feet on one side, 13.7 feet to 14.6 feet combined both sides

(i.e. front yard setback of 20 feet, 90 off-street parking spaces, etc.)

(side yard setback range due to pie shaped lot wider at front)

Pursuant to Monroe County Code Sec. 9.5-523(f), all of the following standards must be met in order to receive variance approval. Please describe how each standard shall be met.

- 1) The applicant shall demonstrate a showing of good and sufficient cause;

see attached

- 2) Failure to grant the variance would result in exceptional hardship to the applicant;

see attached

- 3) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public;

see attached

- 4) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district;

see attached

- 5) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns;

see attached

APPLICATION

6) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family;

see attached

7) Granting the variance is not based on the domestic difficulties of the applicant or his family; and

see attached

8) The variance is the minimum necessary to provide relief to the applicant.

see attached

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

- Complete administrative variance 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
- Photograph(s) of site from adjacent roadway(s); and
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – three (3) 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
- Signed and Sealed Site Plans, prepared by a Florida registered architect, engineer or landscape architect– three (3) sets (drawn to a scale of one (1) inch equals twenty (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; and
 - Boundary lines of site, including all property lines and mean high-water lines; and
 - Land use district of site and any adjacent land use districts; and
 - Locations and dimensions of all existing and proposed structures and drives; and
 - Type of ground cover (i.e. concrete, asphalt, grass, rock); and
 - Adjacent roadways; and
 - Setbacks as required by the land development regulations; and
 - Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones; and
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included; and

Standards for Variance Approval

1. *The applicant should demonstrate a showing of good and sufficient cause;*

By replacing the stairway, landing and porch that currently extend 12 feet 3 inches out from the front wall of our house, with the 14 foot addition that would only extend 1 foot 9 inches further, we will be able to park under the structure gaining 14 feet of parking under the addition on each side of the new stairway. This is in addition to the 24 feet of driveway (includes five feet of county property from our property line to the road) that would still remain before the paved street. To clarify, the proposed addition would be 19 feet to the front property line, or 24 feet to the paved street. Our current staircase needs to be replaced, as well as needing the additional space above in our house for our expanding family.

The side of house variance is requested to have the addition match up with the existing roofline on both sides. This enables the addition to be structurally connected in the best manner as well aesthetically, in which the addition would look very awkward if not lined up.

2. *Failure to grant the variance would result in exceptional hardship to the applicant;*

We originally thought of having the addition being 12 feet deep, but pilings cannot be placed right next to the existing house. Piling must be put two feet out from any existing structure, creating a hardship which requires the total addition depth to be 14 feet. We cannot do this addition without a variance. Putting the addition at the back of the house would also result in an exceptional hardship since it would require a crane throughout construction to bring materials up and over our house resulting in exorbitant costs and logistics.

Since our existing structure is older and was either built under a different code or a prior variance, the current code may not let us match the new addition to the existing structure. We would like to match the addition up to the existing structure for structural reasons and so it does not look very awkward.

3. *Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public;*

None will occur as a result. Safety will actually be increased since additional parking will be available under the addition, which is currently not available.

For the side setbacks, the safety concern is access for fire safety. The underlying rule governing the side setback requirements is so that there is at least 10 feet between rooflines of neighboring properties. On both sides are neighbors' driveways for access without houses obstructing access on either side of the addition. The neighbors' houses do not extend out where the addition would be, whereby not obstructing any fire access. The actual distance

between the footprints (rooflines) of our existing house and our neighbors' houses is 13 feet 2 inches on one side and 18 feet 8 inches on the other side. However, as previously mentioned our neighbors' houses do not extend out where our addition would be, so the fire department's safety concerns are accommodated.

4. *Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district;*

Being a steel frame house, located on fill which requires pilings that go down to the caprock, we cannot simply build up from a concrete slab. The pilings must be placed no closer than two feet from the existing front wall of the house, which then must extend 12 feet deep to allow space for the staircase without crossbeams in the way.

5. *Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns;*

Granting this variance would give this property the same privileges as other properties in the immediate neighborhood. This variance is in line with the community character of the established developmental patterns of Stillwright Point, as illustrated by the pictures and respective measurements (attached).

6. *Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family;*

Not based on any of the above.

7. *Granting the variance is not based on the domestic difficulties of the applicant or his family;*

Not based on any of the above.

8. *The variance is the minimum necessary to provide relief to the applicant;*

In addition to not wanting to go any further toward the street than necessary, to have a staircase, we cannot minimize the depth since the staircases cannot go through crossbeams, requiring the 14 foot depth. Without this variance, it is not possible to do the addition.

As the minimum necessary, we are not asking to go past the existing structure on the sides, only to match up the addition to the existing side footprints of the existing structure.

Variance Application – Derek Wogsland, 27 North Drive, Key Largo, FL 33037

Standards for Variance Approval

1. *The applicant should demonstrate a showing of good and sufficient cause;*

By replacing the stairway, landing and porch that currently extend 12 feet 3 inches out from the front wall of our house, with the 14 foot addition that would only extend 1 foot 9 inches further, we will be able to park under the structure gaining 14 feet of parking under the addition on each side of the new stairway. This is in addition to the 24 feet of driveway (includes five feet of county property from our property line to the road) that would still remain before the paved street. To clarify, the proposed addition would be 19 feet to the front property line, or 24 feet to the paved street. Our current staircase needs to be replaced, as well as needing the additional space above in our house for our expanding family.

2. *Failure to grant the variance would result in exceptional hardship to the applicant;*

We originally thought of having the addition being 12 feet deep, but pilings cannot be placed right next to the existing house. Piling must be put two feet out from any existing structure, creating a hardship which requires the total addition depth to be 14 feet. We cannot do this addition without a variance. Putting the addition at the back of the house would also result in an exceptional hardship since it would require a crane throughout construction to bring materials up and over our house resulting in exorbitant costs and logistics.

3. *Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public;*

None will occur as a result. Safety will actually be increased since additional parking will be available under the addition, which is currently not available.

4. *Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district;*

Being a steel frame house, located on fill which requires pilings that go down to the caprock, we cannot simply build up from a concrete slab. The pilings must be placed no closer than two feet from the existing front wall of the house, which then must extend 12 feet deep to allow space for the staircase without crossbeams in the way.

5. *Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns;*

Granting this variance would give this property the same privileges as other properties in the immediate neighborhood. This variance is in line with the community character of the established developmental patters of Stillwright Point, as illustrated by the pictures and respective measurements (attached).

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Not based on any of the above.

7. *Granting the variance is not based on the domestic difficulties of the applicant or his family;*

Not based on any of the above.

8. *The variance is the minimum necessary to provide relief to the applicant;*

In addition to not wanting to go any further toward the street than necessary, to have a staircase, we cannot minimize the depth since the staircases cannot go through crossbeams, requiring the 14 foot depth. Without this variance, it is not possible to do the addition.

DEREK OR KAMMIE WOGSLAND
27 NORTH DRIVE
KEY LARGO, FL 33037

63-928-670

323



Date 6/2/08

PAY to the ORDER of Monroe County Bldg Dept. \$ 1248.00
One thousand two hundred forty eight dollars and 00/100 DOLLARS

TIB BANK OF THE KEYS
YOUR COMMUNITY BANK
KEY LARGO, FLORIDA 33037

for variance - Wogsland 27 North Dr Key Largo, FL

Derek Wogsland MP

⑆067009280⑆40348728806⑆ 0323

PRINTED ON RECYCLED PAPER

WYLAND © 2008

WARRANTY DEED

MONROE COUNTY
OFFICIAL RECORDS

FILE # 1 0 5 1 0 7 1
BK# 1 5 0 2 PG# 6 3 5

RCD Mat 10 1998 11:32AM
DANNY L KOLHAGE, CLERK

DEED DOC STAMPS 1155.00
03/10/1998
DWP CLK

This Indenture made this 27th day of February, 1998, BETWEEN Andrea L. Olson, a single woman, GRANTOR* and Derek Leigh Wogsland and Kammie Lynn Wogsland, his wife, of 27 North Drive, Key Largo, Florida 33037, GRANTEE*

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee and Grantee's heirs forever the following described land located in the County of Monroe, State of Florida, to-wit:

Lot 14, Block 3, STILLWRIGHT POINT PLAT NO. 2, according to the Plat thereof, as recorded in Plat Book 4 at Page 154 of the Public Records of Monroe County, Florida.

SUBJECT TO TAXES FOR THE YEAR 1998 NOT YET DUE AND PAYABLE.
SUBJECT TO ALL CONDITIONS, EASEMENTS, RESTRICTIONS AND LIMITATIONS OF RECORD, IF ANY.
FOLIO NO. 00514950-000000/ALT KEY #1634212

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

*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

WITNESS

Maria F. Lebrun
Witness #1 MARIA F. LEBRUN
Aida Feliciano
Witness #2 AIDA FELICIANO

Andrea L. Olson
Andrea L. Olson

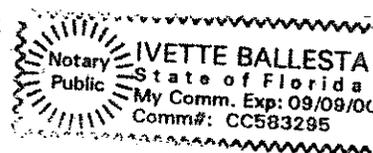
Grantor's Address:
3140 S. Ocean Dr., #601
Hallandale, FLorida 33009

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 27th day of February, 1998, by Andrea L. Olson, a single woman who is/are personally known to me or who has/have produced as identification and who did take an oath.

[Signature]
NOTARY PUBLIC
Commission Expiration:

THIS INSTRUMENT PREPARED BY:
DONNA L. STEELE
EXCEL TITLE Of The Keys, Inc.
103400 OVERSEAS HIGHWAY, SUITE 24
KEY LARGO, FLORIDA 33037



Community Character of our neighborhood

A variety of houses with less than a 25' set back in our neighborhood

All measurements do not include a 5' set back from the road. The roads around the neighborhood are 20' wide. The property lines start 5 feet into the property from the road/start of driveway. Therefore to obtain true measurements, 5' needs to be subtracted from all measurements taken from the road to the footprint of the house to get a accurate property setback measurement.

27 North Drive – Our house

Current footprint from road 25' 9"

Current footprint to property line 20' 9"

Proposed Variance footprint from road 24'

Proposed Variance footprint from property line 19'



21 North Drive

Footprint from road 25' 11"

Footprint to Property line 20' 11"

22 North Drive

Footprint from road 24' 9"

Footprint to Property line
19' 9"



10 North Drive

Footprint from road 28'

Footprint to Property line 23'



2 North Drive

Footprint from road 25'

Footprint to Property line 20'



1 North Drive

Corner house

Footprint from road 15'

Footprint to Property line 10'



3 Center

Footprint from road 25' 11"

Footprint to Property line 20' 11"



5 Center

Footprint from road 27' 2"

Footprint to Property line 22' 2"



7 Center

Footprint from road 26' 10"

Footprint to Property line 21' 10"



11 Center

Footprint from road 27' 5"

Footprint to Property line 22' 5"



29 Center

Footprint from road 23' 10"

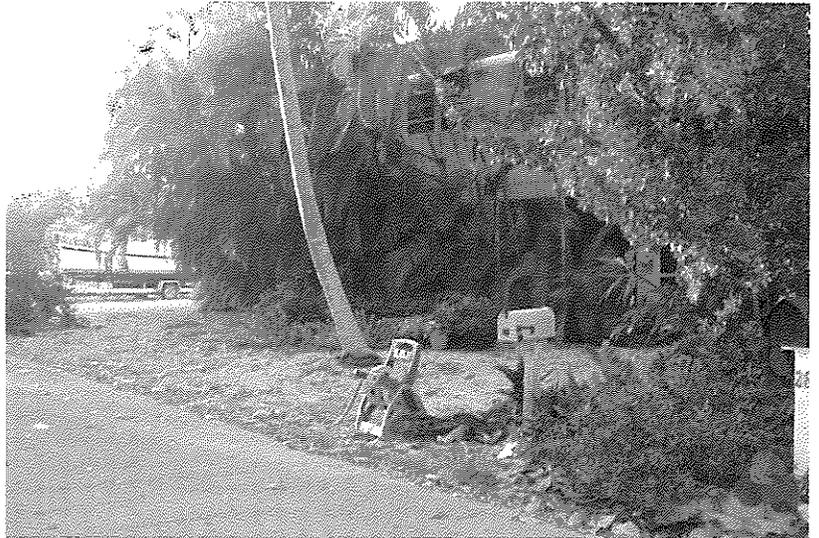
Footprint to Property line 18' 10"

30 Center

Footprint from road 26' 7"

Footprint to Property line

21' 7"



39 North Blackwater

Footprint from road 26' 9"

Sheffield design like ours

Footprint to Property line

21' 9"



1 Stillwright Way

Corner house

Footprint from road 21' 6"

Footprint to Property line

16' 6"





John A and Carol A Mc Hugh
19 Center Lane
Key Largo, FL
33037

Peter R Hoey
29 South Drive
Key Largo, FL
33037

Cronelia Akers
37 North Drive
Key Largo, FL
33037

Angel A Arencibia
17 Center Lane
Key Largo, FL
33037

Patricia R and John Bridges
25 South Drive
Key Largo, FL
33037

Zoraida and Ricardo Montero
14200 SW 67 Avenue
Miami, FL
33158

Sherry T Turkaly
10 Ridge Road
Severna Park, MD
21146

Louis Alexander
12100 SW 47th Street
Miami, FL
33175

Elaine Meier
35 North Drive
Key Largo, FL
33037

Bryan J and Amanda A Haagenson
800 SE 8th Street
Fort Lauderdale, FL
33316

Susan and Gary Cross
221 Sandpiper Lane
W Babylon, NY
11704

Robin and James E III robinson
14 North Drive
Key Largo, FL
33037

Diana Good
P.O. Box 1292
Key Largo, FL
33037

Susan Carol Armistead and
Russell Dewey Jackson
15 North Drive
Key Largo, FL 33037

Michael and Nancy Cannon
16 North Drive
Key Largo, FL
33037

Orlando Jr. Milian
P.O. box 670474
Marietta, GA
30066

Belinda Money
17 North Drive
Key Largo, FL
33037

Casa Bella LLC
1400 West Flagler St. Suite 201
Key Largo, FL
33037

Gary and Corinne Lucier
26 Center Lane
Key Largo, FL
33037

Kim and Andy Sikora
P.O. Box 3051
Key Largo, FL 33037

JD Gilbert and Company
C/O James Gilbert
350 Jim Moran Blvd.
Deerfield Beach, FL 33442

Frank and Zory Tomil
12400 SW 67 Avenue
Miami, FL
33156

Dennis Kahler
21 North Drive
Key Largo, FL
33037

Pat DiGiorgio
1471 Aqua Ave.
Coral Gables, FL 33156

Margery and Wesley E Mc Millan
22 Center Lane
Key Largo, FL
33037

Gregory Sutton
804 Alhambra Circle
Coral Gables, FL
33134

Nicholas Brandler
27500 Marina Road
Orange Beach, AL 36561

Raymond Osias
31 South Drive
Key Largo, FL
33037

Sherry and Nicholas Brandler
27500 Marina Road
Orange Beach, AL
36561

Paul Butler
P.O. Box 1542
Key Largo, FL
33037

Easy Peel Labels
Use Avery® TEMPLATE 8160™



▲
Feed Paper

See Instruction Sheet
for Easy Peel Feature ▲



AVERY® 8160™ ▲

~~Raymond Osias
31 South Drive
Key Largo, FL
33037~~

~~Sherry and Nicholas Brandler
27500 Marina Road
Orange Beach, AL
36561~~

~~Paul Butler
P.O. Box 1542
Key Largo, FL
33037~~

Diane and Brian Boylan
29 North Drive
Key Largo, FL
33037

Erica Faye Chovitz-Bernstein
Roger A Bernstein
30 North Drive
Key Largo, FL 33037

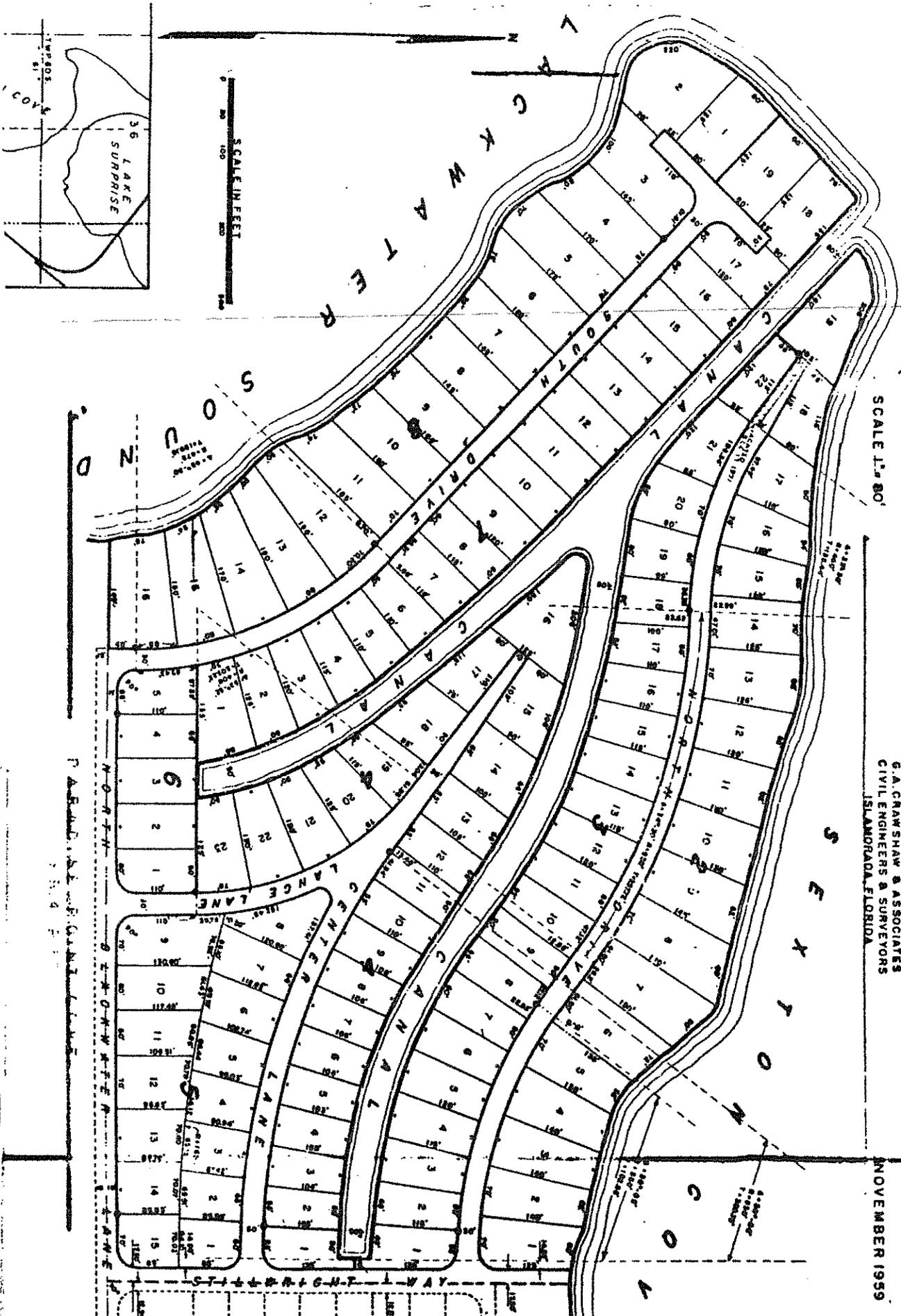
Thomas E Jr. Severson
7520 Blue Heron Way
West Palm Beach, FL
33412

PLAT MAP

A SUBDIVISION IN GOV'T. LOT 2-SECTION 1; 8 GOV'T. LOT 1-SECTION 2-TWP. 61S.-R6
ON KEY LARGO MONROE COUNTY FLORIDA

G.A. CRAWSHAW & ASSOCIATES
CIVIL ENGINEERS & SURVEYORS
151 AMERICA, FLORIDA

NOVEMBER 1959

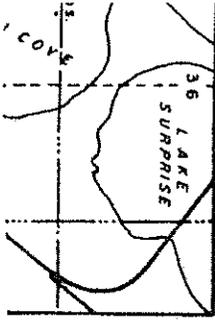
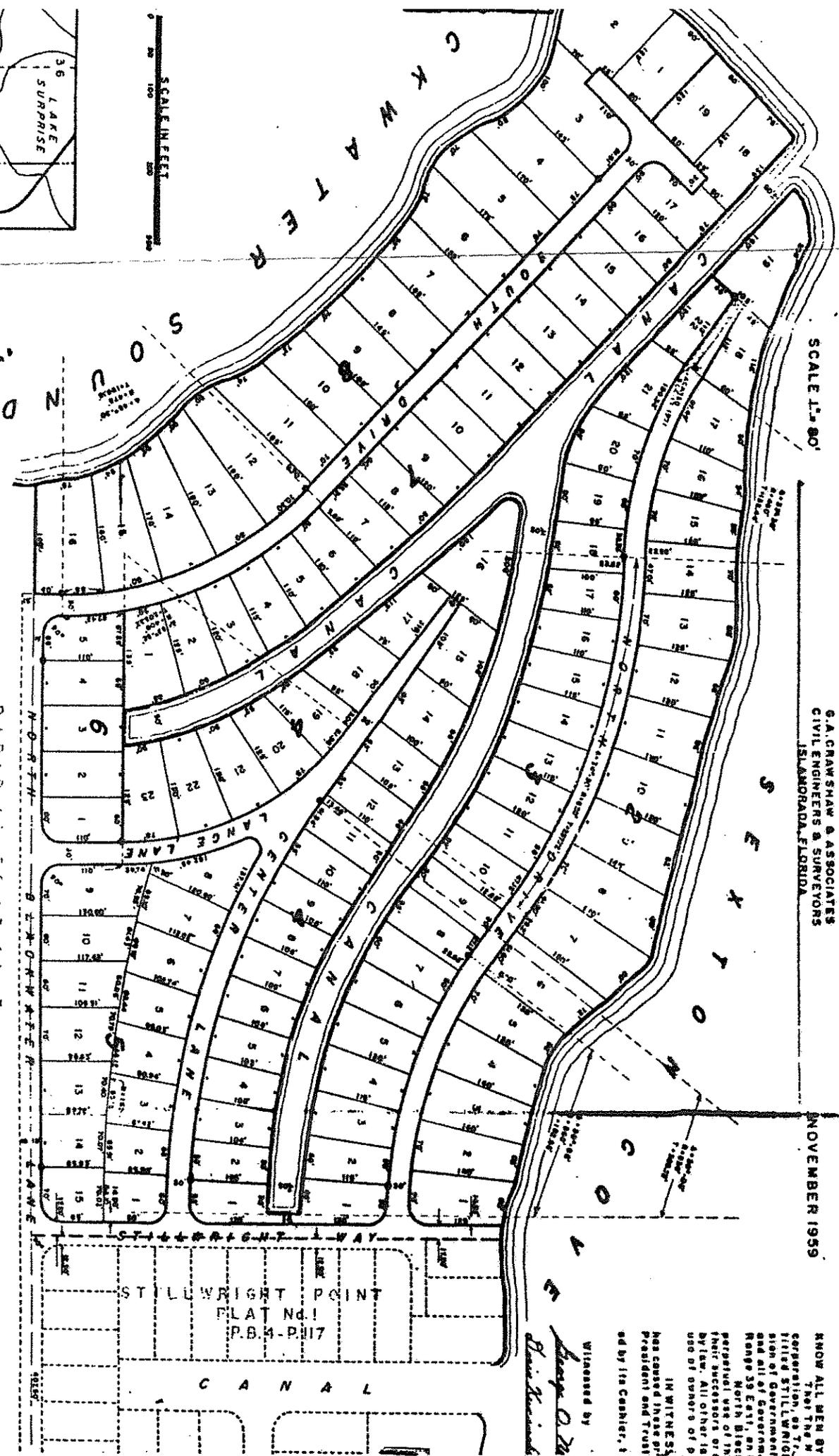


A SUBDIVISION IN GOV'T. LOT 2-SECTION 1 & GOV'T. LOT 1-SECTION 2-TWP. 61S.-RGE. 39E.

ON KEY LARGO MONROE COUNTY FLORIDA

**G.A. CRAWSHAW & ASSOCIATES
CIVIL ENGINEERS & SURVEYORS
ISLAMORADA, FLORIDA**

NOVEMBER 1959



SCALE 1"=80'

STATE OF FLORIDA
COUNTY OF MONROE

IN WITNESS
has caused these
President and Trust
ad by its Cashier, 1

Witnessed by
[Signature]

P. A. B. D. S. E. of G. A. I. C. S. E. S.

SEXTON COVE

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
MONROE COUNTY,
FLORIDA AND
INCORPORATED AREAS

PANEL 042 OF 1900

THIS MAP UNDER FIRM PANELS 1001 THROUGH 1900

CONTAINS	NUMBER	DATE	SCALE
UNINCORPORATED AREAS	1970	1980	1:50,000

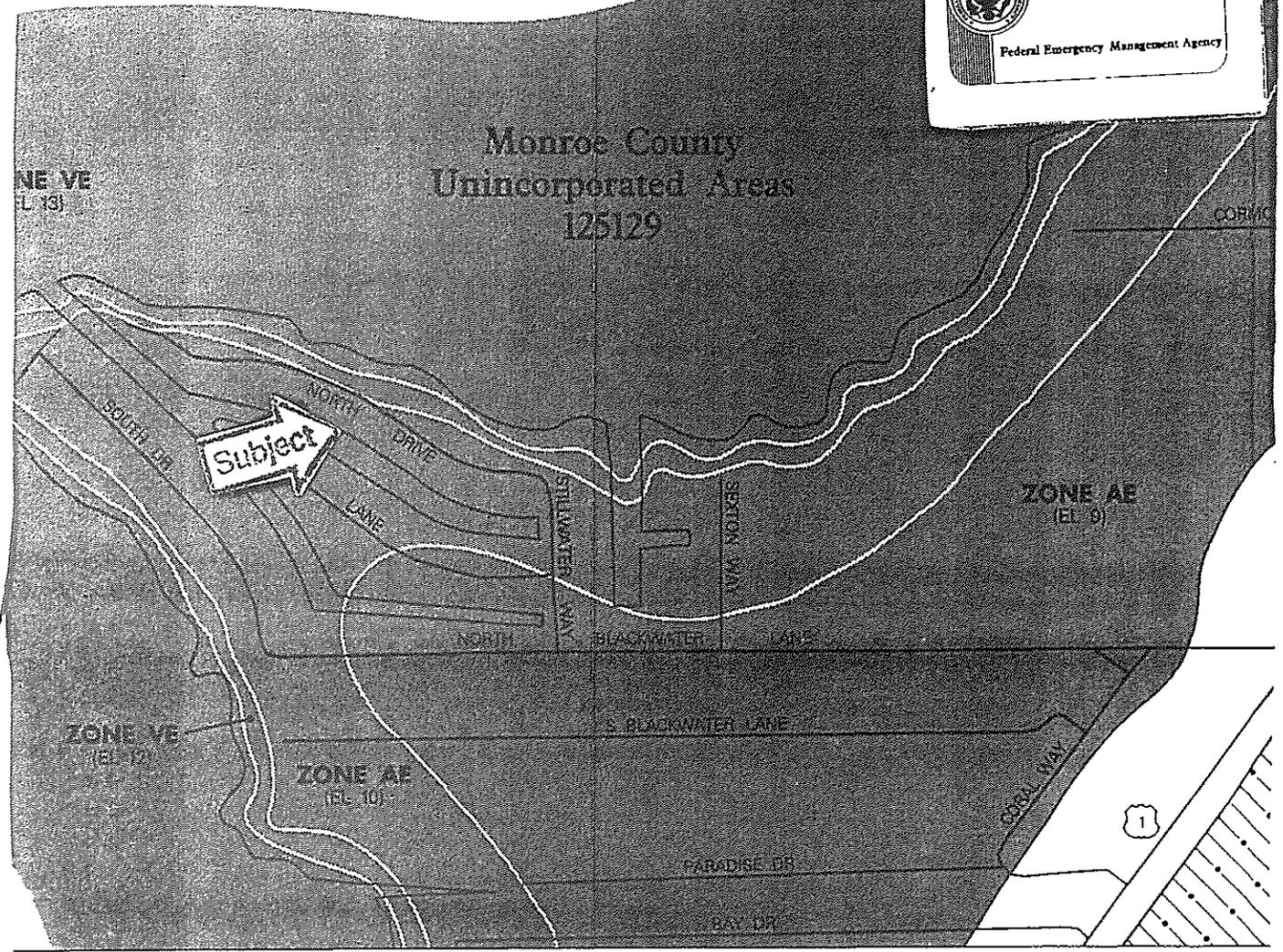
NOTE:
THIS MAP DETERMINES APPROPRIATE BOUNDARIES OF
COMMERCIAL RISK AND INSURANCE RATES AND FOR
CONSTRUCTION PURPOSES AND ESTABLISHES THE
CORRECT BOUNDARY INFORMATION AS OF 1980 ON THE
DATE OF THIS MAP. THIS MAP IS NOT TO BE USED FOR
ANY OTHER PURPOSES WITHOUT THE APPROVAL OF THE
FEDERAL EMERGENCY MANAGEMENT AGENCY.

MAP NUMBER
12087C0842 G

MAP REVISED:
JUNE 16, 1995



Federal Emergency Management Agency



JOINS PANEL 0844

ROSENDALE APPRAISERS
88888 Overseas Highway
Tavernier, FL 33070

Location map

Hwy 1 South →

Winn Dixie [X]

North Blackwater

OFF Hwy 1

Turn on
North Blackwater
(near the Winn Dixie)

2nd right
onto Stillwright ~~Street~~

2nd left
onto North Drive

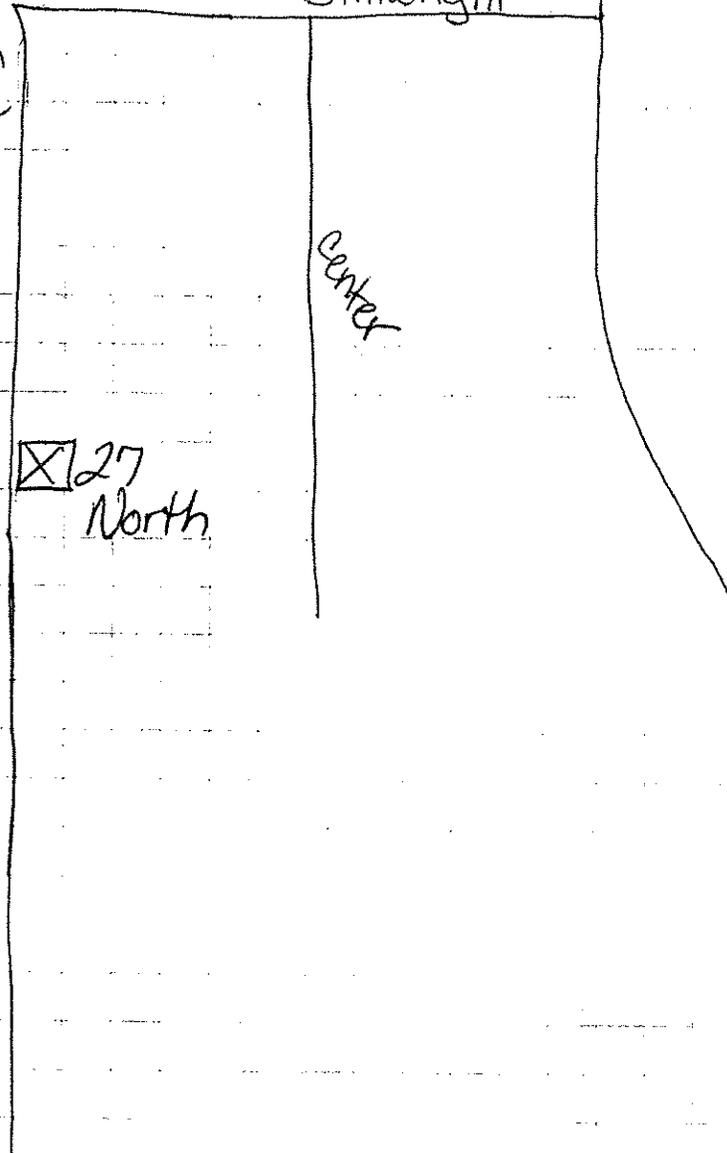
27 North Drive

stillwright

North Drive

center

[X] 27 North



DESCRIPTION

Lot 14, Block 3, STILLWRIGHT POINT PLAT NO. 2, according to the Plat thereof, as recorded in Plat Book 4, at Page 154 of the Public Records of Monroe County, Florida.

Proposed 19' front setback

Variance requested

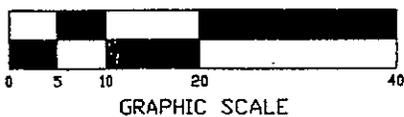
25' required front setback

Proposed 47'x14' addition

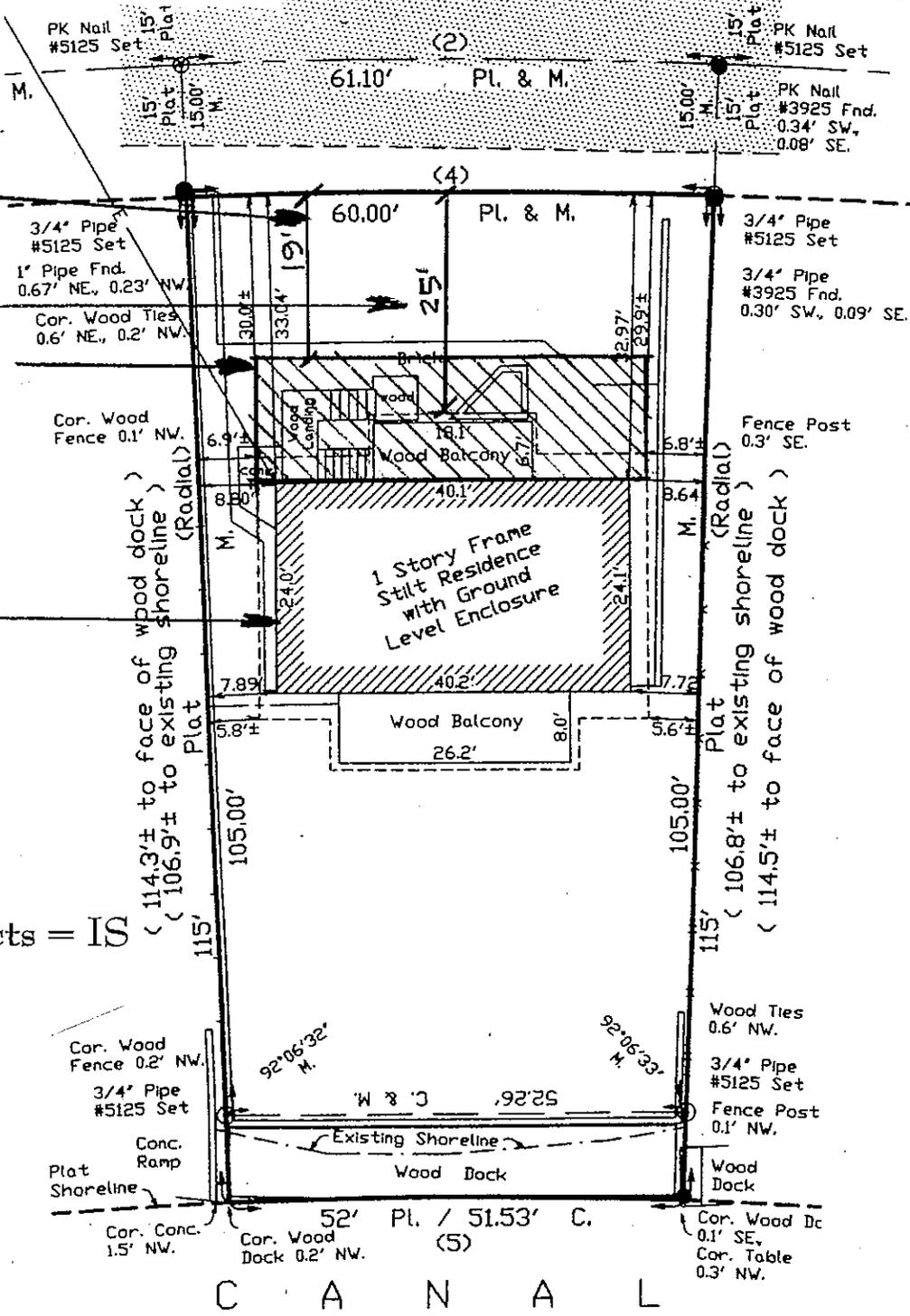
existing footprint of existing structures.

land use district = IS

Adjacent land use districts = IS



scale: 1" = 20'



Brown & Crebbin Design Studio, Inc.
 Licensed Corporation #296
 126 Fontaine Dr.
 Plantation Key, Florida 33070
 Phone/Fax: 305.852.5502
 BCDSInc@bellsouth.net
 www.BrowncandCrebbin.com

May 18, 2006
 JUN - 6 2008

Site Plan for:

sheet 1 of 1
[Handwritten signature]

Mr. & Mrs. Derek Wogsland

RICHARD P. BROWN F.R.L.A. #1324

27 North Drive, Key Largo, Florida

Red.# Wed. AM 2:00 #10
P. 11:00 AM - meet Barbara

Edge of paved road

NORTH DRIVE
Paved Street

20 feet
wide

Edge of paved road

24 feet from edge of road
to edge of addition

35 feet from edge of road to
existing roofline

Property line

Property line

ADDITION

Existing Roofline

13 feet
2 inches

18 feet
8 inches

Existing House
27 North Drive
(Lot 14, Block 3)

Existing Roofline

Existing Roofline

Neighbors Roofline - Lot 13
25 North Drive - See Detail B

Neighbors Roofline - Lot 15
29 North Drive - see Detail A

ADVANCE PLANNING AND DESIGN SERVICES, LLC
10000
10000



Monroe County Property Record Card (119)

Alternate Key: 1634212 Roll Year 2008
 Effective Date: 5/29/2008 1:25:53 PM Run: 05/29/2008 01:30 PM

WOGSLAND DEREK LEIGH & KAMMIE LYNN
 27 NORTH DRIVE
 KEY LARGO FL 33037

Parcel 00514950-000000-01-61-39 Nbhhd 1862
 Alt Key 1634212 Mill Group 500K
 Affordable Housing No PC 0100
 Inspect Date Next Review
 Business Name
 Physical Addr 27 NORTH DR, KEY LARGO

Associated Names		DBA	Role
Name	WOGSLAND DEREK LEIGH & KAMMIE LYNN,		Owner

Legal Description
 BK 3 LT 14 STILLWRIGHT POINT PLAT NO 2 KEY LARGO OR521-307 OR764-1421 OR821-1120 OR973-31AFF OR973-32-33R/S OR1038-1930C(VE) OR1066-74(CMS)
 OR1068-2279(CMS) OR1502-635(ND)

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
69046	010C	0	0	No	1.00	LT	100.00		1.00	1.00	1.00	1.00		N		
Total Just Value																

Monroe County Property Record Card (119)

Alternate Key: 1634212
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 Roll Year 2008
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FLA	Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
FLA	5	1:WD FRAME	1			0	1977	N	Y	0.00	0.00	960	004 100.00
OUF	6	1:WD FRAME	1			0	1977	N	Y	0.00	0.00	144	005 100.00
PUF	7	1:WD FRAME	1			0	1977	N	Y	0.00	0.00	208	006 100.00
OPF	8	1:WD FRAME	1			0	1989	N	Y	0.00	0.00	144	007 100.00

Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
4	PT2:BRICK PATIO	216	SF	100.00	0	0	1988	1989	2	50		
3	FN2:FENCES	420	SF	100.00	84	5	1988	1989	2	30		
2	AC2:WALL AIR COND	2	UT	100.00	0	0	1977	1978	2	20		
1	DK4:WOOD DOCKS	400	SF	100.00	50	8	1977	1978	3	40		
Total Depreciated Value												

Appraiser Notes

1-95 1 RENTAL UNIT TPP - 89669676 EVENT SPECIALISTS OF S FLA LLC
 14-1

Building Permits	Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
	06302628	Apr 25 2006 12:00AM	Oct 30 2006 12:00AM	1		METAL ROOF

Monroe County Property Record Card (119)

Alternate Key: 1634212 Roll Year 2008
 Effective Date: 5/29/2008 1:25:53 PM Run: 05/29/2008 01:30 PM

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2007F	O	400,000	0	192,183	5,145	597,328	204,873	25,000	N	179,873
2006F	O	418,600	0	214,174	4,501	637,275	195,858	25,000	N	170,858
2005F	C	322,000	0	153,938	4,593	480,531	194,054	25,000	N	169,054
2004F	C	227,010		138,013	4,669	369,692	188,402	25,000	N	163,402
2003F	C	172,270		103,252	6,430	281,952	184,890	25,000		159,890
2002F	C	85,330		135,188	6,568	227,086	180,557	25,000		155,557
2001F	C	70,840		116,541	6,872	194,253	177,714	25,000		152,714
2000F	C	51,520		116,541	4,476	172,538	172,538	25,000		147,538
1999F	C	51,520		116,541	4,691	172,753	172,753	25,000		147,753
1998F	C	51,520		116,541	4,846	172,908	172,908	25,000		147,908
1997F	C	51,520		116,541	5,056	173,118	172,481	25,000		147,481
1996F	C	45,080		116,541	5,217	166,839	166,839	25,000		141,839
1995F	C	45,080		116,541	5,426	167,048	166,874	25,000		141,874
1994F	C	45,080		111,880	5,359	162,319	162,319	25,000		137,319
1993F	C	45,080		93,233	4,638	142,951	142,951	25,000		117,951
1992F	C	45,080		96,393	4,762	146,235	146,235	25,000		121,235
1991F	C	41,860		96,393	4,929	143,182	143,182	25,000		118,182
1990F	C	41,860		96,393	5,060	143,313	143,313	25,000		118,313
1989F	C	41,860		65,752	3,516	111,128	111,128	25,000		86,128
1988F	C	32,200		57,737	2,950	92,887	92,887	25,000		67,887
1987F	C	32,200		57,086	3,092	92,378	92,378	25,000		67,378
1986F	C	32,200		51,118	3,416	86,734	86,734	0		86,734
1985F	C	32,200		49,733	3,526	85,459	85,459	0		85,459
1984F	C	27,370		46,357	3,610	77,337	77,337	0		77,337
1983F	C	22,645		46,357	3,656	72,658	72,658	0		72,658
1982F	C	22,645		47,155	3,216	73,016	73,016	0		73,016

Monroe County Property Record Card (119)

Alternate Key: 1634212
 Effective Date: 5/29/2008 1:25:53 PM

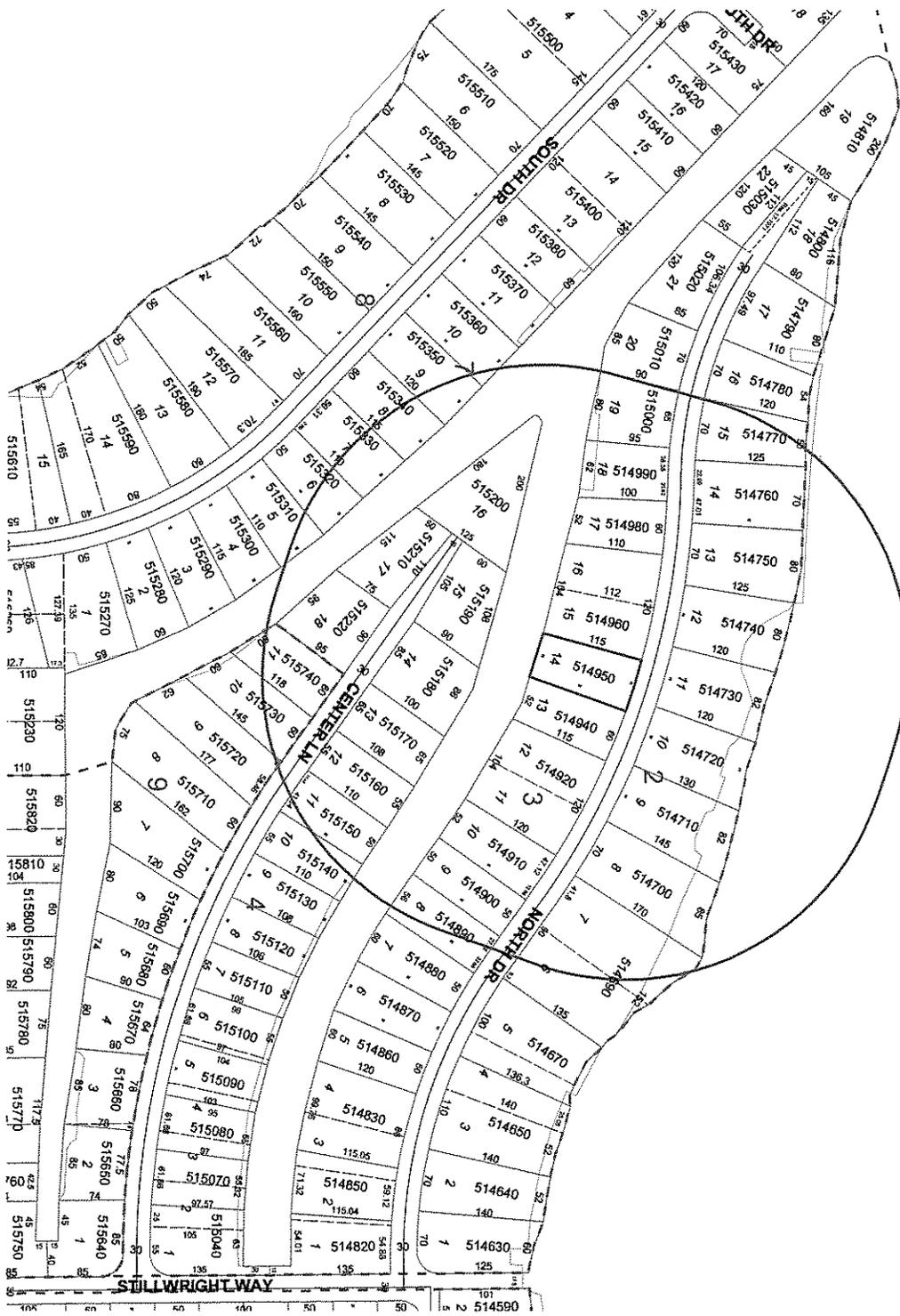
Roll Year 2008
 Run: 05/29/2008 01:30 PM

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
764	1421	2/1/1973	Conversion Code	0	Q	I	7,500
973	32	5/1/1986	Warranty Deed	1	Q	I	112,000
1502	0635	2/1/1998	Warranty Deed	0	Q	I	165,000

Exemptions

Code	Description	Value	Year	Renewal	%	Amount Applied
44	ADDL HOMESTEAD	25,000	2008	1	100.00	
39	25000 HOMESTEAD	25,000	1999	1	100.00	



Monroe County Property Appraiser - Radius Report

AK: 1634999	Parcel ID: 00515730-000000	Physical Location: 19 CENTER LN	KEY LARGO
Legal Description:	BK 9 LT 10 STILLWRIGHT POINT PB5-13 PLAT #2 RESUBD	IVISION KEY LARGO OR647-717 OR6	
Owners Name:	MC HUGH JOHN A & CAROL A		
Address::	19 CENTER LN	KEY LARGO, FL 33037	
AK: 1635006	Parcel ID: 00515740-000000	Physical Location: KEY LARGO	
Legal Description:	BK 9 LT 11 STILLWRIGHT POINT PB5-13 PLAT #2 RESUBD	IVISION KEY LARGO OR590-171 OR7	
Owners Name:	MCHUGH JOHN A & CAROL A		
Address::	19 CENTER LN	KEY LARGO, FL 33037	
AK: 1634981	Parcel ID: 00515720-000000	Physical Location: 17 CENTER LN	KEY LARGO
Legal Description:	BK 9 LT 9 STILLWRIGHT POINT PLAT #2 RESUB PB5-13 K	EY LARGO OR617-272 OR811-560C	
Owners Name:	ARENCIBIA ANGEL A		
Address::	17 CENTER LN	KEY LARGO, FL 33037	
AK: 1634468	Parcel ID: 00515200-000000	Physical Location: 27 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 16 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR821-1	
Owners Name:	TURKALY SHERRY T		
Address::	10 RIDGE ROAD	SEVERNA PARK, MD 21146	
AK: 1634476	Parcel ID: 00515210-000000	Physical Location: KEY LARGO	
Legal Description:	BK 4 LT 17 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR550-515 OR550-516 OR550-	
Owners Name:	HAAGENSON BRYAN J AND AMANDA A		
Address::	800 SE 8TH ST	FT LAUDERDALE, FL 33316	
AK: 1634450	Parcel ID: 00515190-000000	Physical Location: 30 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 15 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR484-54-55 OR711-72 OR821-	
Owners Name:	GOOD DIANA L		
Address::	P O BOX 1292	KEY LARGO, FL 33037	
AK: 1634484	Parcel ID: 00515220-000000	Physical Location: 23 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 18 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR821-1	
Owners Name:	MILIAN ORLANDO JR		
Address::	PO BOX 670474	MARIETTA, GA 30066-0125	
AK: 1634425	Parcel ID: 00515160-000000	Physical Location: 24 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 12 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR535-400 OR821-1120 OR89-	
Owners Name:	CONFIDENTIAL DATA F.S. 119.07		
Address::			
AK: 1634433	Parcel ID: 00515170-000000	Physical Location: 26 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 13 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR619-245 OR805-734 OR821-1	
Owners Name:	LUCIER GARY AND CORINNE		
Address::	26 CENTER LN	KEY LARGO, FL 33037	
AK: 1634441	Parcel ID: 00515180-000000	Physical Location: 28 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 14 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR736-	
Owners Name:	TOIMIL FRANK AND ZORY		
Address::	12400 SW 67 AVENUE	MIAMI, FL 33156	
AK: 1634417	Parcel ID: 00515150-000000	Physical Location: 22 CENTER LN	KEY LARGO
Legal Description:	BK 4 LT 11 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR773-4	
Owners Name:	MC MILLAN WESLEY E AND MARGERY		
Address::	22 CENTER LN	KEY LARGO, FL 33037	
AK: 1634409	Parcel ID: 00515140-000000	Physical Location: KEY LARGO	
Legal Description:	BK 4 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR773-4	
Owners Name:	MC MILLAN WESLEY E & MARGERY		
Address::	22 CENTER LANE	KEY LARGO, FL 33037-2911	
AK: 1634573	Parcel ID: 00515310-000000	Physical Location: 31 SOUTH DR	KEY LARGO
Legal Description:	BK 7 LT 5 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR595-569 OR811-159 OR889-8:	
Owners Name:	OSIAS RAYMOND		
Address::	31 SOUTH DR	KEY LARGO, FL 33037	

AK: 1634581	Parcel ID: 00515320-000000	Physical Location: 29 SOUTH DR	KEY LARGO
Legal Description:	BK 7 LT 6 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR655-864 OR762-1855 OR781-3	
Owners Name:	HOEY PETER R		
Address::	29 SOUTH DRIVE	KEY LARGO, FL 33037	
AK: 1634590	Parcel ID: 00515330-000000	Physical Location: 27 SOUTH DR	KEY LARGO
Legal Description:	BK 7 LT 7 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR628-196 OR1107-2156 OR111	
Owners Name:	SEVERSON THOMAS E JR		
Address::	7520 BLUE HERON WAY	WEST PALM BEACH, FL 33412	
AK: 1634603	Parcel ID: 00515340-000000	Physical Location: 25 SOUTH DR	KEY LARGO
Legal Description:	BK 7 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR625-597 OR675-452 OR734-76	
Owners Name:	BRIDGES JOHN E AND PATRICIA R		
Address::	25 SOUTH DR	KEY LARGO, FL 33037	
AK: 1634611	Parcel ID: 00515350-000000	Physical Location: KEY LARGO	
Legal Description:	BK 7 LT 9 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR550-646 OR550-642 OR550-64	
Owners Name:	ALEXANDER LOUIS		
Address::	12100 SW 47TH STREET	MIAMI, FL 33175	
AK: 1634620	Parcel ID: 00515360-000000	Physical Location: 21 SOUTH DR	KEY LARGO
Legal Description:	BK 7 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR690-401 OR725-789 OR766-4	
Owners Name:	CROSS GARY R AND SUSAN M		
Address::	221 SANDPIPER LN	W BABYLON, NY 11704	
AK: 1634158	Parcel ID: 00514890-000000	Physical Location: 15 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR526-499 OR821-1120 OR1620	
Owners Name:	JACKSON RUSSELL DEWEY & ARMISTEAD SUSAN CAROL (H/W)		
Address::	15 NORTH DR	KEY LARGO, FL 33037	
AK: 1634166	Parcel ID: 00514900-000000	Physical Location: 17 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 9 STILLWRIGHT POINT PLAT #2 PB4-154 KEY LA	RGO OR590-476 OR821-1120 OR140	
Owners Name:	MONEY BELINDA J		
Address::	17 NORTH DR	KEY LARGO, FL 33037	
AK: 1634174	Parcel ID: 00514910-000000	Physical Location: 19 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR596-797 OR812-2459 OR821-	
Owners Name:	SIKORA ANDREW J AND KIMBERLY KLING		
Address::	PO BOX 3051	KEY LARGO, FL 33037	
AK: 1634182	Parcel ID: 00514920-000000	Physical Location: 21 NORTH DR	KEY LARGO
Legal Description:	STILLWRIGHT POINT PLAT #2 PB4-154 KEY LARGO LOT	11-12 BK 3 OR563-731 OR583-904 O	
Owners Name:	KAHLER DENNIS J		
Address::	21 NORTH DR	KEY LARGO, FL 33037	
AK: 1634204	Parcel ID: 00514940-000000	Physical Location: 25 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 13 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR547-54 OR547-55 OR798-10	
Owners Name:	SUTTON GREGORY P		
Address::	804 ALHAMBRA CR	CORAL GABLES, FL 33134-4810	
AK: 1634212	Parcel ID: 00514950-000000	Physical Location: 27 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 14 STILLWRIGHT POINT PLAT NO 2 KEY LARGO O	R521-307 OR764-1421 OR821-1120 C	
Owners Name:	WOGSLAND DEREK LEIGH & KAMMIE LYNN		
Address::	27 NORTH DRIVE	KEY LARGO, FL 33037	
AK: 1634247	Parcel ID: 00514980-000000	Physical Location: KEY LARGO	
Legal Description:	BK 3 LT 17 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR710-528 OR725-789 OR821-1	
Owners Name:	BRANDLER NICHOLAS M & SHERRY F		
Address::	27500 MARINA ROAD	ORANGE BEACH, AL 36561	
AK: 1634263	Parcel ID: 00515000-000000	Physical Location: 37 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 19 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR510-315 OR821-1120 OR1011	
Owners Name:	AKERS CORNELIA J		
Address::	37 NORTH DR	KEY LARGO, FL 33037	
AK: 1634271	Parcel ID: 00515010-000000	Physical Location: 39 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 20 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR402-136/37 OR715-527 OR82	
Owners Name:	MONTERO RICARDO J & ZORAIDA R		
Address::	14200 SW 67 AVENUE	MIAMI, FL 33158	

AK: 1634255	Parcel ID: 00514990-000000	Physical Location: 35 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 18 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR610-801/802 OR821-1120 OR	
Owners Name:	MEIER ELAINE A		
Address::	35 NORTH DRIVE	KEY LARGO, FL 33037	
AK: 1633950	Parcel ID: 00514690-000000	Physical Location: 14 NORTH DR	KEY LARGO
Legal Description:	STILLWRIGHT POINT PLAT #2 PB4-154 KEY LARGO LOTS 6	-7 BK 2 OR516-570 OR639-633 OR82	
Owners Name:	ROBINSON JAMES E III AND ROBIN G		
Address::	14 NORTH DR	KEY LARGO, FL 33037	
AK: 1633968	Parcel ID: 00514700-000000	Physical Location: 16 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-	154 OR582-563 OR712-862 OR821-11	
Owners Name:	CANNON ROBERT MICHAEL & NANCY		
Address::	16 NORTH DR	KEY LARGO, FL 33037	
AK: 1633976	Parcel ID: 00514710-000000	Physical Location: 18 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 9 STILLWRIGHT POINT PLAT NO 2 KEY LARGO PB	4-154OR584-275 OR821-1120 OR828	
Owners Name:	CASA BELLA LLC		
Address::	11400 WEST FLAGLER ST SUITE 201	MIAMI, FL 33174	
AK: 1633984	Parcel ID: 00514720-000000	Physical Location: 20 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR530-947 OR821-1120 OR230	
Owners Name:	HOLEMAN PATRICIA ANN		
Address::	20 NORTH DR	KEY LARGO, FL 33037	
AK: 1633992	Parcel ID: 00514730-000000	Physical Location: 22 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 11 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR699-886 OR704-689 OR821-11	
Owners Name:	GILBERT JAMES D C/O J D GILBERT AND COMPANY		
Address::	350 JIM MORAN BLVD	DEERFIELD BEACH, FL 33442	
AK: 1634000	Parcel ID: 00514740-000000	Physical Location: 24 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 12 STILLWRIGHT POINT PLAT NO 2 KEY LARGO P	B4-154OR574-984 OR434-193/194 OF	
Owners Name:	DIGIORGIO PAT TR (PAT DIGIORGIO LIV TR DTD 11/09/98)		
Address::	1471 AGUA AVE	CORAL GABLES, FL 33156	
AK: 1634018	Parcel ID: 00514750-000000	Physical Location: 26 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 13 STILLWRIGHT POINT PLAT NO 2 KEY LARGO O	R436-14 OR382-576/577 OR821-1120	
Owners Name:	BRANDLER NICHOLAS M		
Address::	27500 MARINA ROAD	ORANGE BEACH, AL 36561	
AK: 1634026	Parcel ID: 00514760-000000	Physical Location: 28 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 14 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR639-149 OR778-1029 OR779-	
Owners Name:	BUTLER PAUL H		
Address::	P O BOX 1542	KEY LARGO, FL 33037	
AK: 1634034	Parcel ID: 00514770-000000	Physical Location: 30 NORTH DR	KEY LARGO
Legal Description:	BK 2 LT 15 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4	-154 OR641-735 OR821-1120 OR1110	
Owners Name:	BERNSTEIN ROGER A & CHOVITZ-BERNSTEIN ERICA FAYE		
Address::	30 NORTH DR	KEY LARGO, FL 33037	
AK: 1634221	Parcel ID: 00514960-000000	Physical Location: 29 NORTH DR	KEY LARGO
Legal Description:	BK 3 LT 15 & 16 STILLWRIGHT POINT PLAT #2 KEY LARG	O PB4-154 OR410-672/673 OR633-40	
Owners Name:	BOYLAN BRIAN D & DIANE		
Address::	29 NORTH DRIVE	KEY LARGO, FL 33037-2916	

19 CENTER LN
19 CENTER LN
17 CENTER LN
10 RIDGE ROAD
800 SE 8TH ST
P O BOX 1292
PO BOX 670474

KEY LARGO, FL 33037
KEY LARGO, FL 33037
KEY LARGO, FL 33037
SEVERNA PARK, MD 21146
FT LAUDERDALE, FL 33316
KEY LARGO, FL 33037
MARIETTA, GA 30066-0125

26 CENTER LN
12400 SW 67 AVENUE
22 CENTER LN
22 CENTER LANE
31 SOUTH DR
29 SOUTH DRIVE
~~7520 BLUE HERON WAY~~

KEY LARGO, FL 33037
MIAMI, FL 33156
KEY LARGO, FL 33037
KEY LARGO, FL 33037-2911
KEY LARGO, FL 33037
KEY LARGO, FL 33037
~~WEST PALM BEACH, FL 33412~~

25 SOUTH DR
12100 SW 47TH STREET
221 SANDPIPER LN
15 NORTH DR
17 NORTH DR
PO BOX 3051
21 NORTH DR
804 ALHAMBRA CR
27 NORTH DRIVE
27500 MARINA ROAD
37 NORTH DR
14200 SW 67 AVENUE
35 NORTH DRIVE
14 NORTH DR
16 NORTH DR
11400 WEST FLAGLER ST SUITE 201

KEY LARGO, FL 33037
MIAMI, FL 33175
W BABYLON, NY 11704
KEY LARGO, FL 33037
KEY LARGO, FL 33037
KEY LARGO, FL 33037
KEY LARGO, FL 33037
CORAL GABLES, FL 33134-4810
KEY LARGO, FL 33037
ORANGE BEACH, AL 36561
KEY LARGO, FL 33037
MIAMI, FL 33158
KEY LARGO, FL 33037
KEY LARGO, FL 33037
KEY LARGO, FL 33037
MIAMI, FL 33174

~~20 NORTH DR~~
350 JIM MORAN BLVD
1471 AGUA AVE
27500 MARINA ROAD
P O BOX 1542
30 NORTH DR
29 NORTH DRIVE

~~KEY LARGO, FL 33037~~
DEERFIELD BEACH, FL 33442
CORAL GABLES, FL 33156
ORANGE BEACH, AL 36561
KEY LARGO, FL 33037
KEY LARGO, FL 33037
KEY LARGO, FL 33037-2916

Monroe County Property Appraiser - Radius Report

AK:	1634999	Parcel ID:	00515730-000000	Physical Location:	19 CENTER LN	KEY LARGO	Legal Description:
AK:	1635006	Parcel ID:	00515740-000000	Physical Location:	KEY LARGO		Legal Description:
AK:	1634981	Parcel ID:	00515720-000000	Physical Location:	17 CENTER LN	KEY LARGO	Legal Description:
AK:	1634468	Parcel ID:	00515200-000000	Physical Location:	27 CENTER LN	KEY LARGO	Legal Description:
AK:	1634476	Parcel ID:	00515210-000000	Physical Location:	KEY LARGO		Legal Description:
AK:	1634450	Parcel ID:	00515190-000000	Physical Location:	30 CENTER LN	KEY LARGO	Legal Description:
AK:	1634484	Parcel ID:	00515220-000000	Physical Location:	23 CENTER LN	KEY LARGO	Legal Description:
AK:	1634425	Parcel ID:	00515160-000000	Physical Location:	24 CENTER LN	KEY LARGO	Legal Description:
AK:	1634433	Parcel ID:	00515170-000000	Physical Location:	26 CENTER LN	KEY LARGO	Legal Description:
AK:	1634441	Parcel ID:	00515180-000000	Physical Location:	28 CENTER LN	KEY LARGO	Legal Description:
AK:	1634417	Parcel ID:	00515150-000000	Physical Location:	22 CENTER LN	KEY LARGO	Legal Description:
AK:	1634409	Parcel ID:	00515140-000000	Physical Location:	KEY LARGO		Legal Description:
AK:	1634573	Parcel ID:	00515310-000000	Physical Location:	31 SOUTH DR	KEY LARGO	Legal Description:
AK:	1634581	Parcel ID:	00515320-000000	Physical Location:	29 SOUTH DR	KEY LARGO	Legal Description:
AK:	1634590	Parcel ID:	00515330-000000	Physical Location:	27 SOUTH DR	KEY LARGO	Legal Description:
AK:	1634603	Parcel ID:	00515340-000000	Physical Location:	25 SOUTH DR	KEY LARGO	Legal Description:
AK:	1634611	Parcel ID:	00515350-000000	Physical Location:	KEY LARGO		Legal Description:
AK:	1634620	Parcel ID:	00515360-000000	Physical Location:	21 SOUTH DR	KEY LARGO	Legal Description:
AK:	1634158	Parcel ID:	00514890-000000	Physical Location:	15 NORTH DR	KEY LARGO	Legal Description:
AK:	1634166	Parcel ID:	00514900-000000	Physical Location:	17 NORTH DR	KEY LARGO	Legal Description:
AK:	1634174	Parcel ID:	00514910-000000	Physical Location:	19 NORTH DR	KEY LARGO	Legal Description:
AK:	1634182	Parcel ID:	00514920-000000	Physical Location:	21 NORTH DR	KEY LARGO	Legal Description:
AK:	1634204	Parcel ID:	00514940-000000	Physical Location:	25 NORTH DR	KEY LARGO	Legal Description:
AK:	1634212	Parcel ID:	00514950-000000	Physical Location:	27 NORTH DR	KEY LARGO	Legal Description:
AK:	1634247	Parcel ID:	00514980-000000	Physical Location:	KEY LARGO		Legal Description:
AK:	1634263	Parcel ID:	00515000-000000	Physical Location:	37 NORTH DR	KEY LARGO	Legal Description:
AK:	1634271	Parcel ID:	00515010-000000	Physical Location:	39 NORTH DR	KEY LARGO	Legal Description:
AK:	1634255	Parcel ID:	00514990-000000	Physical Location:	35 NORTH DR	KEY LARGO	Legal Description:
AK:	1633950	Parcel ID:	00514690-000000	Physical Location:	14 NORTH DR	KEY LARGO	Legal Description:
AK:	1633968	Parcel ID:	00514700-000000	Physical Location:	16 NORTH DR	KEY LARGO	Legal Description:
AK:	1633976	Parcel ID:	00514710-000000	Physical Location:	18 NORTH DR	KEY LARGO	Legal Description:
AK:	1633984	Parcel ID:	00514720-000000	Physical Location:	20 NORTH DR	KEY LARGO	Legal Description:
AK:	1633992	Parcel ID:	00514730-000000	Physical Location:	22 NORTH DR	KEY LARGO	Legal Description:
AK:	1634000	Parcel ID:	00514740-000000	Physical Location:	24 NORTH DR	KEY LARGO	Legal Description:
AK:	1634018	Parcel ID:	00514750-000000	Physical Location:	26 NORTH DR	KEY LARGO	Legal Description:
AK:	1634026	Parcel ID:	00514760-000000	Physical Location:	28 NORTH DR	KEY LARGO	Legal Description:
AK:	1634034	Parcel ID:	00514770-000000	Physical Location:	30 NORTH DR	KEY LARGO	Legal Description:
AK:	1634221	Parcel ID:	00514960-000000	Physical Location:	29 NORTH DR	KEY LARGO	Legal Description:

####

BK 9 LT 10 STILLWRIGHT POINT PB5-13 PLAT #2 RESUBD
BK 9 LT 11 STILLWRIGHT POINT PB5-13 PLAT #2 RESUBD
BK 9 LT 9 STILLWRIGHT POINT PLAT #2 RESUB PB5-13 K
BK 4 LT 16 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 17 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 15 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 18 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 12 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 13 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 14 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 11 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 4 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 7 LT 5 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 7 LT 6 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 7 LT 7 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 7 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 7 LT 9 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 7 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 3 LT 9 STILLWRIGHT POINT PLAT #2 PB4-154 KEY LA
BK 3 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
STILLWRIGHT POINT PLAT #2 PB4-154 KEY LARGO LOT
BK 3 LT 13 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 14 STILLWRIGHT POINT PLAT NO 2 KEY LARGO O
BK 3 LT 17 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 19 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 20 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 18 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
STILLWRIGHT POINT PLAT #2 PB4-154 KEY LARGO LOTS 6
BK 2 LT 8 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4-
BK 2 LT 9 STILLWRIGHT POINT PLAT NO 2 KEY LARGO PB
BK 2 LT 10 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 2 LT 11 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 2 LT 12 STILLWRIGHT POINT PLAT NO 2 KEY LARGO P
BK 2 LT 13 STILLWRIGHT POINT PLAT NO 2 KEY LARGO O
BK 2 LT 14 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 2 LT 15 STILLWRIGHT POINT PLAT #2 KEY LARGO PB4
BK 3 LT 15 & 16 STILLWRIGHT POINT PLAT #2 KEY LARG

IVISION KEY LARGO OR647-717 OR657-820C OR676-86 OR
IVISION KEY LARGO OR590-171 OR789-1462/63C OR1359-
EY LARGO OR617-272 OR811-560Q/C OR1136-1896 OR11
-154 OR710-528 OR725-789 OR821-1120 OR814-1263 OR8
-154 OR550-515 OR550-516 OR550-517 OR623-609 OR7
-154 OR484-54-55 OR711-72 OR821-1120 OR887-819Q/C
-154 OR710-528 OR725-789 OR821-1120 OR813-2021 OR8
-154 OR535-400 OR821-1120 OR891-1367 OR892-424AF
-154 OR619-245 OR805-734 OR821-1120 OR849-2228 OR1
-154 OR710-528 OR725-789 OR736-798-799 OR789-123
-154 OR710-528 OR725-789 OR773-483 OR821-1120
-154 OR710-528 OR725-789 OR773-483 OR821-1120
154 OR595-569 OR811-159 OR889-830 OR1032-2049/50/A
154 OR655-864 OR762-1855 OR781-357 OR895-173 OR930
154 OR628-196 OR1107-2156 OR1195-86 OR2312-2375/
154 OR625-597 OR675-452 OR734-760 OR1599-1844(CW)
154 OR550-646 OR550-642 OR550-644 OR550-645 OR767-
-154 OR690-401 OR725-789 OR766-49 OR795-621 OR795-
154 OR526-499 OR821-1120 OR1620-134 OR1662-350/351
RGO OR590-476 OR821-1120 OR1400-887(JB) OR1642-189
-154 OR596-797 OR812-2459 OR821-1120 OR1398-1081 O
11-12 BK 3 OR563-731 OR583-904 OR739-730 OR808-33
-154 OR547-54 OR547-55 OR798-108 OR821-1120 OR88
R521-307 OR764-1421 OR821-1120 OR973-31AFF OR973-3
-154 OR710-528 OR725-789 OR821-1120 OR833-2234/223
-154 OR510-315 OR821-1120 OR1011-2458(JB)
-154 OR402-136/37 OR715-527 OR821-1120 OR1239-534(
-154 OR610-801/802 OR821-1120 OR1548-2432Q/C-R/S
-7 BK 2 OR516-570 OR639-633 OR821-1120 OR1399-1218
154 OR582-563 OR712-862 OR821-1120 OR867-1888 OR11
4-154OR584-275 OR821-1120 OR828-617 OR1272-1240 OR
-154 OR530-947 OR821-1120 OR2308-419(ORDER)
-154 OR699-886 OR704-689 OR821-1120 OR1538-63 OR15
B4-154OR574-984 OR434-193/194 OR574-984 OR821-1120
R436-14 OR382-576/577 OR821-1120 OR895-1842D/C OR1
-154 OR639-149 OR778-1029 OR779-869Q/C OR821-1120
-154 OR641-735 OR821-1120 OR1113-1861 OR1569-1162
O PB4-154 OR410-672/673 OR633-407 OR778-380 OR821-

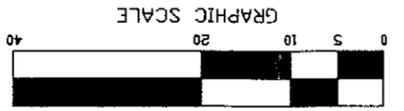
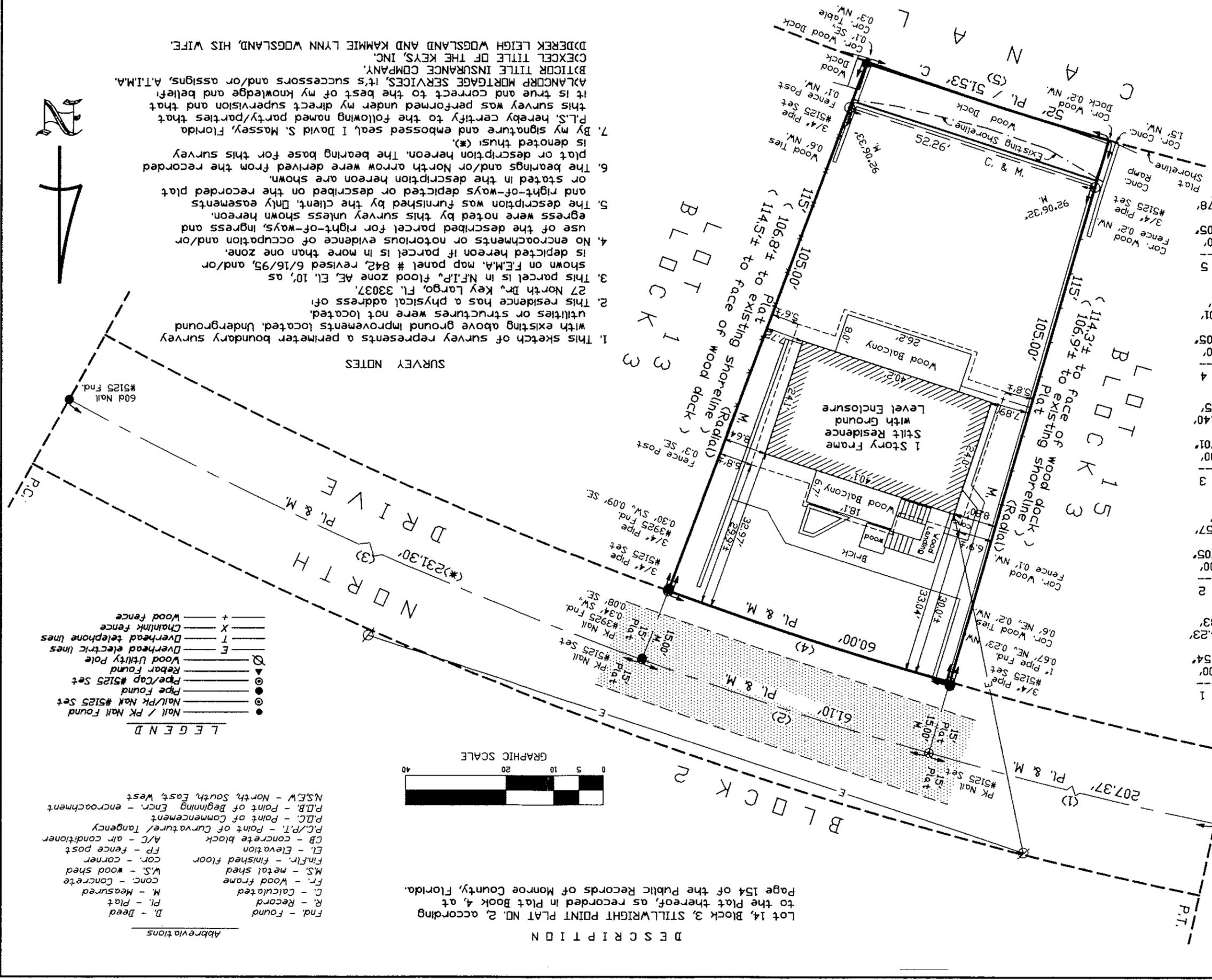
Curve number 1
 Radius= 830.00'
 Delta= 14.1854'
 Arc= 207.37'
 Tangent= 104.23'
 Chord= 206.83'

Curve number 2
 Radius= 830.00'
 Delta= 04.1305'
 Arc= 61.10'
 Tangent= 30.57'
 Chord= 61.09'

Curve number 3
 Radius= 830.00'
 Delta= 15.5801'
 Arc= 231.30'
 Tangent= 116.40'
 Chord= 230.55'

Curve number 4
 Radius= 815.00'
 Delta= 04.1305'
 Arc= 60.00'
 Tangent= 30.01'
 Chord= 59.99'

Curve number 5
 Radius= 700.00'
 Delta= 04.1305'
 Arc= 51.53'
 Tangent= 25.78'
 Chord= 51.52'



DESCRIPTION

Page 154 of the Public Records of Monroe County, Florida, to the Plat thereof, as recorded in Plat Book 4, at Lot 14, Block 3, STILLWRIGHT POINT PLAT NO. 2, according

Abbreviations

Fnd. - Found
 R. - Record
 C. - Calculated
 M. - Measured
 CONC. - Concrete
 M.S. - metal shed
 Fin.Flr. - finished floor
 cor. - corner
 FP - fence post
 El. - Elevation
 CB - concrete block
 A/C - air conditioner
 P.C./P.T. - Point of Curvature/Tangency
 P.I.C. - Point of Commencement
 P.L.B. - Point of Beginning Encl. - encroachment
 N.S.E.W. - North, South, East, West

LEGEND

● Nail / PK Nail Found
 ○ Pipe/Cap #5125 Set
 ○ Rebar Found
 ○ Wood Utility Pole
 ○ Overhead electric lines
 ○ Overhead telephone lines
 T
 X Chalkline fence
 + Wood fence

SURVEY NOTES

1. This sketch of survey represents a perimeter boundary survey with existing above ground improvements located. Underground utilities or structures were not located.
2. This residence has a physical address of 27 North Dr., Key Largo, FL 33037.
3. This parcel is in N.F.I.P., flood zone AE, EL. 10', as shown on F.E.M.A. map panel # 842, revised 6/16/95, and/or is depicted hereon if parcel is in more than one zone.
4. No encroachments or notorious evidence of occupation and/or use of the described parcel for right-of-ways, ingress and egress were noted by this survey unless shown hereon.
5. The description was furnished by the client. Only easements and right-of-ways depicted or described on the recorded plat or stated in the description hereon are shown.
6. The bearings and/or North arrow were derived from the recorded plat or description hereon. The bearing base for this survey is denoted thus: (*).
7. By my signature and embossed seal I David S. Massey, Florida P.L.S. hereby certify to the following named party/parties that this survey was performed under my direct supervision and belief. It is true and correct to the best of my knowledge and belief. APLANCORP MORTGAGE SERVICES, its successors and/or assigns, ATIMA, BJTICOR TITLE INSURANCE COMPANY, CEXCEL TITLE OF THE KEYS, INC. DDEREK LEIGH WOGSLAND AND KAMMIE LYNN WOGSLAND, HIS WIFE.

DAVID S. MASSEY, PROFESSIONAL LAND SURVEYOR
 88888 OVERSEAS HWY. ~~KEY LARGO~~ BOX 619, TAVERNIER, FL. 33070 FAX: (305) 853-0233
 PHONE: (305) 853-0066

Client: Derek Leigh & Kammie Lynn Wogsland
 Section 2, Township 61 South, Range 39 East
 Key Largo, Monroe County, Florida
 Surveyed: 2/20/98
 Drawing No. 1718 Drawn By: D.S.M. Scale: 1" = 20'

I hereby certify that the survey hereon was performed under my direct supervision and is true and correct to the best of my knowledge and belief. This survey meets the requirements of Chapter 17 of the Florida Administrative Code, Minimum Technical Standards for Florida Surveyors and Mappers, pursuant to Ch. 472027 F.S.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



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

To: Monroe County Planning Commission
Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources
From: Steven Biel, Sr. Planner
Date: September 15, 2009
Subject: *Request for a variance for property located at 27 North Drive, Key Largo
Real Estate No. 00514950.000000*

Meeting: September 23, 2009

1 I REQUEST:

2
3 The subject property is located in an Improved Subdivision (IS) District. The applicant is
4 requesting a variance of six (6) feet from the required twenty-five (25)-foot front yard
5 setback along North Drive and two (2) feet from the required ten (10)-foot side yard
6 setback along the eastern property line. As a result, the front yard setback along North
7 Drive would be nineteen (19) feet and the eastern side yard setback (adjacent to Lot 13)
8 would be eight (8) feet.
9



27 **Subject Property, 27 North Drive, Key Largo (2006)**

28 The granting of this variance will provide the property owner with an additional buildable
29 area to construct an elevated, addition to the front of the existing residence. As proposed

1 on the site plan submitted with the application, the addition would be approximately 38
2 feet by 14 feet, for a total 532 square feet of floor area. Furthermore, the addition would
3 be constructed in the area of existing development, including a wood balcony and
4 stairway.

5
6 Location:

7 Address: 27 North Drive, Key Largo, mile marker 106, (bayside)

8 Legal Description: Block 3, Lot 14 Stillwright Point Plat No 2

9 Real Estate Number: 00514950.000000

10
11 Applicant:

12 Owner: Derek L. & Kammie L. Wogsland

13
14 II PRIOR COUNTY ACTIONS:

15
16 Building Permit C-4778 was issued on August 18, 1979 for the construction of the existing
17 960 ft² single-family residence.

18
19 III BACKGROUND INFORMATION:

- 20
21 A. Size of Site: 6,575 ft² (0.151 acres)
22 B. Land Use District: Improved Subdivision (IS)
23 C. Future Land Use Map (FLUM) Designation: Residential Medium (RM)
24 D. Tier Designation: Tier 3
25 E. Existing Use: Single-family Residential
26 F. Existing Vegetation / Habitat: Developed
27 G. Community Character of Immediate Vicinity: Single-family Residential
28 H. Flood Zone: part AE-EL 10 and part VE-EL 12

29
30 IV REVIEW OF APPLICATION:

31
32 As set forth in MCC §130-186, the required non-shoreline setbacks for the IS District are
33 as follows: Front yard – 25 feet; Rear yard – 20 feet; and Side yard – 10 / 15 feet (where 10
34 feet is the required side yard for one side and 15 feet is the minimum combined total of
35 both side yards).

36
37 The subject property is located on the southern side of North Drive with a required front
38 yard setback of 25 feet, an established side yard setback along the western property line of
39 5 feet, a side yard setback along the eastern property line of 10 feet, and a required
40 shoreline setback of 20 feet along the canal at the rear of the property pursuant to MCC
41 §118-12(b). Certain accessory structures may be permitted in the shoreline setback in
42 accordance with MCC §118-12(c).

43
44 The existing residence is located approximately in the middle of the lot from east to west
45 and is situated toward the front of the lot from north to south. The existing residence is
46 setback approximately 20 feet from North Drive, approximately 8 feet from the western

1 property line, approximately 7.75 feet from the eastern property line, and approximately 41
2 feet from the canal at the rear of the property.

3
4 The applicant has submitted the variance request in order to construct an addition to the
5 front of the existing residence measuring 47 feet by 14 feet. The applicant is proposing to
6 replace the existing stairway, landing, and porch that extends out 12 feet, 3 inches from the
7 front of the residence.

8
9 *Pursuant to MCC §102-187, the Planning Commission may grant a variance if the*
10 *applicant demonstrates that all of the following standards are met:*

11
12 A. *The applicant demonstrates a showing of good and sufficient cause;*

13
14 The applicant contends that by replacing the stairway, landing and porch and extending
15 the structure out an additional 1 feet, 9 inches from the current configuration of the
16 stairway, landing and porch, the applicant would be able to park underneath the structure.

17
18 The applicant further explains that the side yard variance request, if approved, would
19 allow for the porch to extend along the front of the residence and would end at the
20 roofline at the eastern side of the residence.

21
22 There is approximately 40 feet from the canal to the balcony on the rear of the residence.
23 Taking out the shoreline setback of 20 feet, there would be approximately 20 feet to
24 construct an addition. There is enough area in the back of the residence to construct an
25 addition without having to receive a variance(s).

26
27 Staff does not believe the applicant has shown sufficient cause.

28
29 B. *Failure to grant the variance would result in exceptional hardship to the Applicant;*

30
31 The existing residence is already lawfully nonconforming to the current front yard and
32 side yard setback to the east. The existing stairway, landing and porch are currently
33 located in the front yard setback. The existing house encroaches into the eastern side
34 yard setback by approximately 4 feet. If approved, the nonconformities would be abated
35 and extended.

36
37 The applicant has the ability to construct an addition to the rear of the residence and
38 would not have to request a variance. Staff believes failure to grant the requested
39 variance would not result in exceptional hardship to the applicant.

40
41 C. *Granting the variance will not result in increased public expenses, create a threat to*
42 *public health and safety, create a public nuisance, or cause fraud or victimization of the*
43 *public;*

44
45 The applicant asserts that the variance will not result in increased public expenses, create
46 a threat to public health and safety, create a public nuisance, or cause fraud or

1 victimization of the public. The applicant further states that safety would be increased as
2 additional parking would be available underneath the proposed addition.
3

4 Staff has found that granting the variance would not result in increased public expenses,
5 create a threat to public health and safety or cause fraud or victimization of the public.
6 However, the contiguous property owner to the east has expressed concerns about
7 development being closer to their residence than that allowed as of right. Therefore, the
8 granting of the variance could create a public nuisance.
9

- 10 D. *The property has unique or peculiar circumstances, which apply to this property, but*
11 *which do not apply to other properties in the same zoning district;*
12

13 After viewing aerial photography of properties in the surrounding area, it appears that the
14 majority of lots are of similar size to the applicant's lot. There are some lots in the
15 general area, including the lot immediately to the west of the applicant's lot, that appear
16 to have been aggregated, which would give greater flexibility when trying to meet
17 setbacks for an addition, especially the side yard setbacks.
18

19 Staff does not believe the property has unique or peculiar circumstances that are not
20 uncommon to other lots in the general vicinity.
21

- 22 E. *Granting the variance will not give the applicant any special privilege denied other*
23 *properties in the immediate neighborhood in terms of the provisions of this chapter or*
24 *established development patterns;*
25

26 The applicant notes that granting the variance would provide the same privileges as other
27 properties in the immediate neighborhood. The applicant further notes that the variance
28 request is compatible with the community character of the established development
29 patterns of the surrounding neighborhood.
30

31 Planning Commission variances should be judged on the merits of the request and if they
32 meet the standards as established in MCC §102-187.
33

- 34 F. *Granting the variance is not based on disabilities, handicaps or health of the applicant or*
35 *members of his family;*
36

37 The applicant asserts that granting the variance is not based on disabilities, handicaps or
38 health of the applicant or members of his family.
39

40 Staff has found that granting the variance is not based on disabilities, handicaps or health
41 of the applicant or members of his family.
42

- 43 G. *Granting the variance is not based on the domestic difficulties of the applicant or his*
44 *family; and*
45

1 The applicant asserts that granting the variance is not based on the domestic difficulties
2 of the applicant or his family.

3
4 Staff has found that granting the variance is not based on the domestic difficulties of the
5 applicant or his family.

6
7 H. *The variance is the minimum necessary to provide relief to the applicant.*

8
9 The applicant asserts that the variance request is the minimum necessary to provide relief.
10 The applicant further states that in order to rebuild the stairway, the depth of the stairway
11 cannot be minimized due to the stairway cannot be built through the crossbeams, thus the
12 need for the depth to be 14 feet.

13
14 Staff has found that the requested variance is the minimum necessary to provide relief to
15 the applicant if it is determined by the Planning Commission that the building addition
16 should be constructed in the front yard setback as opposed to in the rear yard.

17
18 V RECOMMENDATION:

19
20 Staff recommends DENIAL to the Planning Commission for a Variance of six (6) feet
21 from the required twenty-five (25)-foot front yard setback along North Drive and two (2)
22 feet from the required ten (10)-foot side yard setback to the east due to the Standards A, B,
23 and D of MCC §102-187 not being met.

24
25
26 If the Planning Commission so chooses to approve this variance request, the following
27 conditions shall apply:

- 28
29 1. This variance is based on the site plan prepared by Brown & Crebbin Design Studio,
30 Inc., dated May 18, 2006, for the construction of a 14-foot by 47-foot addition to the
31 front of the existing single-family residence, that was included with the variance
32 application. Work not specified or alterations to the site plan may not be carried out
33 without additional Planning & Environmental Resources Department approval.
34
35 2. This variance is to allow for the construction of a 14-foot by 47-foot addition to the
36 front of the existing single-family residence as shown on the site plan, prepared by
37 Brown & Crebbin Design Studio, Inc. and dated May 18, 2006, submitted with the
38 variance application. It does not waive any other required setbacks and it does not
39 waive the required front and side setbacks for any future structures or additions.
40

41 VI PLANS REVIEWED:

- 42
43 A. Planning Commission Variance Application
44 B. Boundary Survey by David S. Massey, Land Surveyor, dated February 20, 1998
45 C. Site Plan by Brown & Crebbin Design Studio, Inc., dated May 18, 2006



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
Susan Grimsley, Assistant County Attorney

From: Joseph Haberman, AICP, Principal Planner 

Date: September 10, 2009

Subject: *Proposed Ordinance to the Board of County Commissioners to amend Section 110-72(a) of the Monroe County Code, Recording of Conditional Uses, and to amend Section 110-73(a) of the Monroe County Code, Development under an Approved Conditional Use Permit*

Meeting: September 23, 2009

1
2 I REQUEST
3

4 The Planning & Environmental Resources Department is proposing amendments to the text
5 of §110-72(a) and §110-73(a) of the Monroe County Code.
6

7 II RELEVANT PRIOR COUNTY ACTIONS:
8

9 The proposed text amendments were reviewed at the August 18, 2009 meeting of the
10 Development Review Committee. Several revisions to the proposed text amendments were
11 discussed and applied at that time.
12

13 III BACKGROUND INFORMATION
14

15 During Board Discussion at previous public hearings in which conditional use permit time
16 extension applications were considered, members of the Planning Commission requested that
17 staff review §110-73 and determine if a two (2)-year timeframe would be more appropriate
18 for a time extension period for conditional use permits, as opposed to the one (1)-year
19 maximum currently permitted, and suggested that staff clarify the language of the section,
20 particularly that relating to whether or not multiple extensions can be granted, as it is
21 ambiguous in some areas.
22

23 IV REVIEW
24

25 **§110-72(a)**
26

27 §110-72(a) currently reads:
28

1 (a) All conditional use approval shall be recorded with the clerk of the circuit
2 court in the official records of the county, including the terms and conditions upon
3 which such approval is given, prior to the issuance of a building permit. The
4 requirement contained in section 110-73(a) that a conditional use permit not be
5 transferred to a successive owner without notification to the development review
6 coordinator within 15 days of the transfer must be included on the document
7 which is recorded pursuant to this section.
8

9 The position of development review coordinator has been eliminated in the Planning &
10 Environmental Resources Department. All responsibilities of the position have been
11 assumed by the Director of Planning & Environmental Resources and the Principal Current
12 Planner. Therefore, §110-72(a) needs to be amended to clarify that notification shall be
13 provided to the Planning Director rather the obsolete development review coordinator.
14

15 Therefore, Staff recommends the following changes (deletions are ~~stricken through~~ and
16 additions are underlined):
17

18 (a) All conditional use approvals shall be recorded with the clerk of the circuit
19 court in the official records of the county, including the terms and conditions upon
20 which such approval is given, prior to the issuance of a building permit. The
21 requirement contained in section 110-73(a) that a conditional use permit not be
22 transferred to a successive owner without notification to the ~~development review~~
23 ~~coordinator~~ Planning Director within 15 days of the transfer must be included on
24 the document which is recorded pursuant to this section.
25

26 **§110-73(a):**
27

28 §110-73(a) currently reads:
29

30 (a) Effect of issuance of a conditional use approval. Approval for a conditional use
31 shall be deemed to authorize only the particular use for which it is issued. A
32 conditional use approval shall not be transferred to a successive owner without
33 notification to the development review coordinator within five days of the transfer.
34

35 (1) Unless otherwise specified in the approved conditional use approval,
36 application for a building permit shall be made within six months of the date of
37 the approval of the conditional use, and all required certificates of occupancy
38 shall be procured within two years of the date of issuance of the initial building
39 permit, or the conditional use approval shall become null and void with no
40 further action required by the county. Approval time frames do not change with
41 successive owners. An extension of time may be granted only by the planning
42 commission for a period not to exceed one year and only within the original
43 period of validity. When a hearing officer has ordered a conditional use
44 approval initially denied by the planning commission, the planning commission
45 shall nonetheless have the authority to grant or deny a time extension under this
46 section. If the planning commission denies a time extension, the holder of the
conditional use may request an appeal of that decision under chapter 102, article

1 VI, division 2 by filing the notice required by that article within 30 days of the
2 written denial of the planning commission.

3 (2) Development of the use shall not be carried out until the applicant has
4 secured all other permits and approvals required by this chapter, this Code, or
5 regional, state and federal agencies and until the approved conditional use is
6 recorded in accordance with section 110-72.
7

8 As previously stated, members of the Planning Commission requested that staff review
9 §110-73 and determine if a two (2)-year timeframe would be more appropriate for a time
10 extension period for conditional use permits, as opposed to the one (1)-year maximum
11 currently permitted, and suggested that staff clarify the language of the section,
12 particularly that relating to whether or not multiple extensions can be granted, as it is
13 ambiguous in some areas.
14

15 Staff has found that due to the current economic situation, applicants for development have
16 had difficulties completing projects within the time periods currently specified in
17 conditional use permit approvals. Several applicants have applied for time extensions and
18 others have allowed their conditional use permits to expire. Allowing a two (2)-year
19 extension timeframe will provide applicants of larger and more complex projects with more
20 time to carry out their scopes of work. However, staff's currently proposed revisions
21 would not automatically provide for a two (2)-year extension. Under the current proposal,
22 based upon justification, the Planning Commission shall have discretion to provide up to a
23 two (2)-year timeframe; however the body may grant less time if desired.
24

25 Under past interpretation by the Planning & Environmental Resources Department and
26 Planning Commission, it has been determined that the current language does not prohibit
27 the granting of multiple extensions. However, staff's currently proposed revisions would
28 make this language more clear and directly allow the provision of multiple extensions.
29

30 Upon review of the section, staff has found that the current timeframe of conditional use
31 permits is confusing and difficult to administer. Currently, an applicant has to apply for a
32 building permit within six (6) months of the date of the approval of the conditional use
33 and all required certificates of occupancy shall be procured within two (2) years of the
34 date of issuance of the initial building permit, or the conditional use approval shall
35 become null and void. There are three (3) issues with the current language:
36

- 37
- 38 1) The date in which the conditional use permit is "approved" is not defined.
39 This date could be interpreted to be a) the date of the public hearing in the
40 cases of major conditional use permits / the date of the development review
41 committee meeting in the cases of minor conditional use permits; b) the date
42 the conditional use permit's development order is signed; or c) the date the
43 conditional use permit's development order passes all appeal periods and is
44 recorded in the records of the Clerk.
 - 45 2) The period between when the initial building permit is applied for and the
46 when the first building permit is issued is not defined or otherwise restricted.

1 Under the current language, a conditional use permit could remain valid
2 indefinitely if a building permit is applied for and is not issued for any reason,
3 even if the inactivity is the result of negligence by the applicant to submit a
4 complete building permit application. Furthermore, it is not indicated what
5 the County should do if the initial building permit is voided or otherwise
6 denied by the County.
7

- 8
9 3) It is difficult for staff and applicants to administer the timeframes and
10 determine the expiration dates of conditional use permits in that each
11 conditional use permit's timeframe is unique under the current provisions.

12 Upon review of the section, staff has found that only the Planning Commission has the
13 authority to grant extensions to all conditional use permits. In that the Planning
14 Commission grants major conditional use permits, they are the appropriate entity to grant
15 extensions to major conditional use permits. However, the Planning Director grants minor
16 conditional use permits. Since these applications are granted by the Planning Director,
17 staff has found that the Planning Director, not the Planning Commission, should hold the
18 authority to grant extensions to minor conditional use permits. Presumably, the Planning
19 Director will be more familiar with the application than the Planning Commission.
20

21 Upon review of the section, staff found several other areas that needed change to reflect
22 current practices and provide better readability.
23

24 Therefore, Staff recommends the following changes (deletions are ~~stricken through~~ and
25 additions are underlined):
26

27 (a) Effect of issuance of a conditional use approval. Approval for a conditional
28 use shall be deemed to authorize only the particular use for which it is issued. A
29 conditional use approval shall not be transferred to a successive owner without
30 notification to the ~~development review coordinator~~ Planning Director within ~~five~~
31 fifteen (15) days of the transfer.

32 (1) Unless otherwise specified in ~~the approved~~ a major conditional use
33 approval, ~~application for a building permit shall be made within six months~~
34 ~~of the date of the approval of the conditional use, and all required building~~
35 permits and certificates of occupancy shall be procured within ~~two~~ three (3)
36 years of the date of the issuance of the initial building permit on which the
37 major conditional use approval is recorded and filed in the official records
38 of Monroe County, or the major conditional use approval shall become null
39 and void with no further action required by the county. Approval time
40 frames do not change with successive owners. An extension Extensions of
41 time to a major conditional use approval may be granted only by the
42 planning commission for a period periods not to exceed ~~one year~~ two (2)
43 years and only within the original period of validity. Applications for
44 extensions shall be made prior to the expiration dates. Extensions to
45 expired major conditional use approvals shall be accomplished only by re-
46 application for the major conditional uses. When a hearing officer has

1 ordered a conditional use approval initially denied by the planning
2 commission, the planning commission shall nonetheless have the authority
3 to grant or deny a time extension under this section. If the planning
4 commission denies a time extension, the holder of the conditional use may
5 request an appeal of that decision under chapter 102, article VI, division 2
6 by filing the notice required by that article within 30 days of the written
7 denial of the planning commission.

8 (2) Unless otherwise specified in a minor conditional use approval, all
9 required building permits and certificates of occupancy shall be procured
10 within three (3) years of the date on which the minor conditional use
11 approval is recorded and filed in the official records of Monroe County, or
12 the minor conditional use approval shall become null and void with no
13 further action required by the county. Approval time frames do not change
14 with successive owners. Extensions of time to a minor conditional use
15 approval may be granted only by the Planning Director for periods not to
16 exceed one (1) year. Applications for extensions shall be made prior to the
17 expiration dates. Extensions to expired minor conditional use approvals
18 shall be accomplished only by re-application for the minor conditional
19 uses. When a hearing officer has ordered a conditional use approval
20 initially denied by the Planning Director, the Planning Director shall
21 nonetheless have the authority to grant or deny a time extension under this
22 section. If the Planning Director denies a time extension, the holder of the
23 conditional use may request an appeal of that decision under chapter 102,
24 article VI, division 2 by filing the notice required by that article within 30
25 days of the written denial of the Planning Director.

26 (2) (3) Development of the use shall not be carried out until the applicant
27 has secured all other permits and approvals required by this chapter, this
28 Code, or regional, state and federal agencies and until the approved
29 conditional use is recorded in accordance with section 110-72.
30

31 Staff has found that the proposed text amendments would be consistent with the provisions of
32 §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those
33 on which the text or boundary was based; 2. Changed assumptions (e.g., regarding
34 demographic trends); 3. Data errors, including errors in mapping, vegetative types and
35 natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for
36 additional detail or comprehensiveness; or 6. Data updates. Specifically, Staff has found that
37 the proposed text amendments are necessary due to new issues and recognition of a need for
38 additional detail.
39

40 V RECOMMENDATION

41
42 Staff recommends that the Board of County Commissioners amend the Monroe
43 County Code as stated in the text of this staff report.



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
Susan Grimsley, Assistant County Attorney

From: Joseph Haberman, AICP, Principal Planner

Date: September 25, 2009

Subject: *Proposed Ordinance to the Board of County Commissioners to amend Section 102-21 of the Monroe County Code, Department of planning and to amend Section 6-55, Building Department*

Meeting: October 7, 2009 (continued from September 23, 2009)

1
2 I REQUEST
3

4 The Planning & Environmental Resources Department is proposing amendments to the text
5 of §102-21 and §6-55 of the Monroe County Code.
6

7 II RELEVANT PRIOR COUNTY ACTIONS:
8

9 The proposed text amendments were reviewed at the August 18, 2009 meeting of the
10 Development Review Committee. Several revisions to the proposed text amendments were
11 discussed and applied at that time.
12

13 III BACKGROUND INFORMATION
14

15 The Board of County Commissioners (BOCC) directed staff to change the requirements for
16 the qualifications of the Planning Director.
17

18 IV REVIEW
19

20 The current text within the Land Development Code describing the job qualifications and
21 functioning of the Planning & Environmental Resources Department is outdated.
22

23 It is apparent that the current regulations for the 'department of planning' were to apply to the
24 entire division now known as the 'growth management division'. Therefore, current
25 responsibilities of the department of planning need to be updated so that they do not include the
26 responsibilities of the growth management division. Therefore, staff is recommending that
27 §102-21(a) be amended to clarify that the department of planning does not oversee or
28 otherwise include the building department and the code enforcement department. In addition,

1 there are currently no divisions formally known as capital improvements planning and land use
2 planning.

3
4 Concerning the director of planning position, the duties of personnel are prescribed by job
5 descriptions as approved by the Human Resources Department. Therefore, following BOCC
6 guidance, staff is recommending the removal of the stated qualifications from the §102-21(b).
7 This will provide the county administrator and the BOCC with more flexibility when hiring a
8 director of planning. In addition, staff modified the responsibilities of the director of planning
9 to reflect current practice.

10
11 Concerning the development review coordinator position, the position of development review
12 coordinator has been eliminated in the Planning & Environmental Resources Department. All
13 responsibilities of the position have been assumed by the Director of Planning the Principal
14 Current Planner. Therefore, staff is recommending that §102-21(c) be deleted.

15
16 Concerning the Development Review Committee, the composition of the committee should
17 vary depending on the type of application being considered. Furthermore, the responsibilities
18 of the committee should be amended to reflect current practice. Therefore, staff is
19 recommending several changes to §102-21(d) [to be renumbered §102-21(c)].

20
21 Concerning, the Building Official position, his or her qualifications are not appropriate in Land
22 Development Code as they are already addressed in the more appropriate section, §6-55,
23 Building Department. Therefore, staff is recommending that the current §102-21(e) be deleted
24 and the responsibilities of the building official described in that section be relocated to §6-
25 55(c).

26
27 Concerning the Division of capital improvements planning and Land use planning division,
28 these divisions do not formally exist and their intended responsibilities have been assumed by
29 the planning department. Therefore, staff is recommended that §102-21(f) and §102-21(g) be
30 deleted.

31
32 Concerning the Environmental resources division, this division has been merged with the
33 planning department to form what is currently known as the Planning & Environmental
34 Resources Department. Therefore, staff is recommended that §102-21(h) be deleted.

35
36 Therefore, Staff recommends the following changes (deletions are ~~stricken through~~ and
37 additions are underlined):

38
39 **Sec. 102-21. Department of planning.**

40
41 (a) Duties; composition. The department of planning shall perform the planning
42 functions for the county and shall provide technical support and guidance for
43 action on applications for development approval and shall perform such other
44 functions as may be requested by the board of county commissioners or the
45 planning commission. ~~The department of planning shall be composed of a~~
46 ~~building division, development review division, division of capital improvements~~

1 ~~planning, division of environmental resources, a division of land use planning and~~
2 ~~a division of code enforcement.~~

3
4 (b) Director of planning.

5 (1) Creation and appointment. ~~The director of planning shall be the~~
6 ~~department head of the department of planning and shall be selected by the~~
7 ~~county administrator and confirmed by the board of county~~
8 ~~commissioners.~~ There shall be a director of planning selected and
9 approved by the appropriate division director and the county
10 administrator, and the board of county commissioners if required.

11 (2) Jurisdiction, authority and duties. In addition to the jurisdiction,
12 authority and duties that may be conferred upon the director of planning
13 by other provisions of this Code, the director of planning shall have the
14 following jurisdiction, authority and duties:

15 a. To serve as staff to the planning commission and to inform
16 such body of all facts and information at his disposal with respect
17 to applications for development approval or any other matters
18 brought before it;

19 b. To assist the planning commission in the review of the plan,
20 including the capital improvements program, these regulations and
21 proposed amendments thereto;

22 c. To maintain the official land use district map and to make ~~an~~
23 ~~annual~~ a presentation of the map to the board of county
24 commissioners for certification when the land use map is updated;

25 d. To maintain development review files and other public records
26 related to the department's affairs;

27 e. To review, or cause to be reviewed, all applications for major
28 conditional use permits and plat approvals;

29 f. To review and approve, approve with conditions, or deny all
30 applications ~~or disapprove applications~~ for minor conditional use
31 permits;

32 g. To recommend amendments to the plan and this chapter;

33 h. To render interpretations of the plan, this chapter or the
34 boundaries of the official land use district map and future land use
35 map;

36 i. To evaluate and act upon claims of nonconforming uses and
37 structures;

38 j. To work to coordinate all local, regional, state and federal
39 environmental and other land development permitting processes
40 affecting development in the county;

41 k. To plan for and evaluate all transportation improvements for
42 the county, and coordinate such activities with the Florida
43 Department of Transportation;

44 l. To issue certificates of compliance and sign pre-application
45 conference letters of understanding in accordance with the
46 procedures set forth in the plan;

1 ~~m. To enforce any provision of this chapter or any other provision~~
2 ~~of this Code;~~

3 ~~n. m. To establish such rules of procedure necessary for the~~
4 ~~administration of his responsibilities under the plan; and~~

5 ~~o. n. Whenever requested to do so by the county administrator or~~
6 ~~the board of county commissioners, with the assistance of other~~
7 ~~county departments, to conduct or cause to be conducted surveys,~~
8 ~~investigations and studies, and to prepare or cause to be prepared~~
9 ~~such reports, maps, photographs, charts and exhibits as may be~~
10 ~~requested.~~

11 ~~(3) Minimum qualifications. The director of planning shall have the~~
12 ~~following minimum academic and professional qualifications:~~

13 ~~a. Master of urban or regional planning or public administration~~
14 ~~or comparable degree from an accredited university;~~

15 ~~b. Ten years' experience in public administration or land~~
16 ~~planning; and~~

17 ~~c. Five years of supervisory experience.~~

18
19 ~~(c) Development review coordinator.~~

20 ~~(1) Creation and appointment. The development review coordinator shall~~
21 ~~be a member of the department of planning and report to the county~~
22 ~~administrator through the director.~~

23 ~~(2) Minimum qualifications. The development review coordinator shall~~
24 ~~have the following minimum academic and professional qualifications:~~

25 ~~a. Master of urban and regional planning or public administration~~
26 ~~or comparable degree from an accredited university;~~

27 ~~b. Three years' experience in planning or zoning, including site~~
28 ~~plan review; and~~

29 ~~c. Minimum one year of supervisory experience.~~

30 ~~(3) Duties. The development review coordinator shall have the following~~
31 ~~duties:~~

32 ~~a. To act as an ombudsman to applicants for development~~
33 ~~approval by facilitating and, to the extent possible, expediting,~~
34 ~~compliance with the requirements of these regulations;~~

35 ~~b. To serve as chair of the development review committee and to~~
36 ~~prepare for the director of planning's signature all preapplication~~
37 ~~conference letters of understanding;~~

38 ~~c. To work with regional, state and federal permitting agencies;~~

39 ~~d. To determine the completeness of applications for conditional~~
40 ~~use and plat approval;~~

41 ~~e. To cause publication of notice of hearings on conditional use or~~
42 ~~plat approval applications;~~

43 ~~f. To issue conditional use permits after approval by decision-~~
44 ~~making bodies; and~~

45 ~~g. To deliver final plats to the county clerk for recording after~~
46 ~~approval.~~

1
2 (d) ~~(c)~~ Development review committee.

3 (1) Creation and composition. As required for the items being reviewed.
4 The development review committee shall be composed of the director
5 of planning or his or her designee and the planner in charge of the
6 particular item being considered, and depending on the application being
7 reviewed, may also include the development review coordinator, the
8 directors ~~representatives of the county's public works department division~~
9 personnel, health department personnel, engineering personnel, the
10 building official or his or her designee, ~~the~~ a county biologist and any
11 other county employee or official designated by the county administrator
12 or the planning director. The development review committee also may
13 ~~should~~ include representatives of each local, regional, state or federal
14 agency that has entered into an intergovernmental agreement with the
15 county for coordinated development review when appropriate. A
16 representative of the department of community affairs shall serve as an ex
17 officio member of the development review committee as long as the
18 county is located within an area of critical state concern.

19 (2) Duties. The development review committee shall have the following
20 duties:

21 a. To meet at least ~~twice~~ once a month to consider such business
22 as is prescribed by this article including:

23 ~~1. Meeting with any developer at a preapplication~~
24 ~~conference when requested or required pursuant to the~~
25 ~~provisions of this chapter;~~

26 ~~2. 1. Reviewing all applications for development approval~~
27 ~~as set forth in the code, and reporting its recommendations~~
28 ~~to the planning commission, the board of county~~
29 ~~commissioners and the planning director; and~~

30 ~~3. 2. Reviewing all applications for amendments to the~~
31 ~~plan.~~

32 b. To maintain such minutes and records as are required by state
33 law.

34 c. Any action reviewing a permit application shall not preclude
35 the applicant's right to be present when his project is discussed
36 before this body.

37 d. Comments shall be made on the items before the development
38 review committee and shall be given to the director of planning
39 and the applicant.

40 e. Comments by members not in the department of planning may
41 be in writing and delivered to the development review committee,
42 the director of planning, and communicated to the applicant.

43
44 (e) ~~Building official.~~

1 ~~(1) Creation and appointment. The building official shall be selected by~~
2 ~~the director of planning and report to the county administrator through the~~
3 ~~director.~~

4 ~~(2) Jurisdiction, authority and duties. In addition to the jurisdiction,~~
5 ~~authority and duties that may be conferred on the building official by other~~
6 ~~provisions of this Code, the building official shall have the following~~
7 ~~jurisdiction, authority and duties:~~

8 ~~a. To issue and revoke building permits in accordance with the~~
9 ~~procedures of this chapter;~~

10 ~~b. To issue and revoke certificates of occupancy in accordance~~
11 ~~with the procedures of this chapter;~~

12 ~~c. To serve on the development review committee;~~

13 ~~d. To enforce the provisions of this chapter;~~

14 ~~e. To determine the extent of damage or destruction of~~
15 ~~nonconforming uses and structures, in cooperation with the~~
16 ~~director of planning;~~

17 ~~f. To review building permit applications for repair within areas~~
18 ~~of special flood hazard to determine that the proposed repair~~
19 ~~satisfies the requirements of the floodplain management provisions~~
20 ~~of this chapter;~~

21 ~~g. To review building permit applications for new construction or~~
22 ~~substantial improvement within areas of special flood hazard to~~
23 ~~ensure that the proposed construction (including prefabricated and~~
24 ~~mobile homes) satisfies the floodplain management requirements~~
25 ~~of this chapter;~~

26 ~~h. To advise permittees that additional federal or state permits~~
27 ~~may be required, and if specific federal or state permits are known~~
28 ~~to have been issued, to require that copies of such permits be~~
29 ~~obtained and provided and maintained on file with the building~~
30 ~~permit application;~~

31 ~~i. To notify adjacent communities and the Florida Department of~~
32 ~~Community Affairs prior to any alteration or relocation of a~~
33 ~~watercourse, and to submit evidence of such notification to the~~
34 ~~Federal Emergency Management Agency;~~

35 ~~j. To ensure that maintenance is provided within the altered or~~
36 ~~relocated portion of a watercourse so that the flood-carrying~~
37 ~~capacity is not diminished;~~

38 ~~k. To verify and record the actual elevation (in relation to mean~~
39 ~~sea level) of the lowest floor (including basement) of all new or~~
40 ~~substantially improved structures;~~

41 ~~l. To verify and record the actual elevation (in relation to mean~~
42 ~~sea level) to which the new or substantially improved structures~~
43 ~~have been floodproofed;~~

44 ~~m. In coastal high hazard areas, to review certifications obtained~~
45 ~~from registered professional engineers or architects that the~~
46 ~~structure is securely anchored to adequately anchored pilings or~~

1 columns in order to withstand velocity waters and hurricane wave
2 wash;

3 n. ~~To make interpretations, as needed, as to the exact location of~~
4 ~~boundaries of the areas of special flood hazard;~~

5 o. ~~When base flood elevation data has not been provided in~~
6 ~~accordance with chapter 122, to obtain, review and reasonably use~~
7 ~~any base flood elevation data available from a federal, state or~~
8 ~~other source in order to administer the floodplain management~~
9 ~~provisions of this chapter; and~~

10 p. ~~To provide the board of county commissioners and the~~
11 ~~planning commission with reports and recommendations with~~
12 ~~respect to matters before such bodies, as directed by the board of~~
13 ~~county commissioners, planning director, or the county~~
14 ~~administrator.~~

15
16 ~~(f) Division of capital improvements planning. The capital improvements~~
17 ~~planning coordinator shall be responsible for current and long range~~
18 ~~transportation and other capital improvements planning and shall be the county's~~
19 ~~designated liaison with the Florida Department of Transportation. The coordinator~~
20 ~~shall monitor the county's transportation system, prepare an annual report and~~
21 ~~capital improvements plan for the county and work with the department of public~~
22 ~~works and other county departments to implement the county's capital~~
23 ~~improvements plan.~~

24
25 ~~(g) Land use planning division. There shall be a land use planning coordinator~~
26 ~~who shall be responsible for the land use planning function of the department of~~
27 ~~planning, including preparation of updates of data and land use maps, annual~~
28 ~~reporting on land use trends and patterns and long range planning. The~~
29 ~~coordinator shall prepare an annual report on the county's comprehensive plan for~~
30 ~~the director of planning.~~

31
32 ~~(h) Environmental resources division. There shall be an environmental resources~~
33 ~~coordinator who shall be responsible for the environmental resources planning of~~
34 ~~the county and serve as the county biologist. In addition to the division's planning~~
35 ~~functions and the duties performed by the county biologist, the director of~~
36 ~~planning may delegate to the division responsibility for review of environmental~~
37 ~~aspects of development permitting and coordinating interagency (state and~~
38 ~~federal) permitting.~~

39
40 **Sec. 6-55. Building department.**

41
42 (a) *Organization and administration.* There is hereby established a department
43 called the building department headed by the building official. Upon
44 recommendation of the county administrator, the department shall be assigned to
45 the division of county government that the board of county commissioners

1 determines appropriate. The county administrator with the approval of the board
2 of county commissioners shall designate the building official.

3
4 (b) *Employee qualifications.* The building official shall be licensed as a building
5 code administrator by the state. All appointed or hired inspectors and plan
6 examiners shall meet the qualifications for licensing in the appropriate trade as
7 established by the state.

8
9 (c) *Building official authority and duties.* The building official shall have
10 authority to administer, interpret, and enforce provisions of the Florida Building
11 Code, flood plain management regulations, and this chapter. Such authority,
12 jurisdiction, and duties shall include the following:

13 (1) To process building permit applications and issue and revoke building
14 permits;

15 (2) To inspect sites, buildings and structures as required by this chapter,
16 the Florida Building Code and the Standard Unsafe Building Abatement
17 Code;

18 (3) To issue and revoke certificates of occupancy;

19 (4) To maintain building permit, financial, and other public records
20 related to the department's affairs;

21 (5) To establish such policies and procedures necessary for the
22 administration of his responsibilities under the Florida Building Code and
23 this chapter;

24 (6) To provide a recording secretary for the purpose of keeping the
25 board of adjustment and appeals;

26 (7) To be the official source to render interpretations of this chapter and
27 the Florida Building Code;

28 (8) To enforce provisions of the Florida Building Code and this chapter;

29 (9) To issue stop work orders; and

30 (10) To conduct all other such duties and responsibilities as are otherwise
31 required by this chapter.

32 (11) To determine the extent of damage or destruction of nonconforming
33 uses and structures, in cooperation with the director of planning;

34 (12) To review building permit applications for repair within areas of
35 special flood hazard to determine that the proposed repair satisfies the
36 requirements of the floodplain management provisions of the code;

37 (13) To review building permit applications for new construction or
38 substantial improvement within areas of special flood hazard to ensure that
39 the proposed construction (including prefabricated and mobile homes)
40 satisfies the floodplain management requirements of the code;

41 (14) To advise permittees that additional federal or state permits may be
42 required, and if specific federal or state permits are known to have been
43 issued, to require that copies of such permits be obtained and provided and
44 maintained on file with the building permit application;

45 (15) To notify adjacent communities and the Florida Department of
46 Community Affairs prior to any alteration or relocation of a watercourse.

- 1 and to submit evidence of such notification to the Federal Emergency
2 Management Agency;
3 (16) To ensure that maintenance is provided within the altered or
4 relocated portion of a watercourse so that the flood-carrying capacity is
5 not diminished;
6 (17) To verify and record the actual elevation (in relation to mean sea
7 level) of the lowest floor (including basement) of all new or substantially
8 improved structures;
9 (18) To verify and record the actual elevation (in relation to mean sea
10 level) to which the new or substantially improved structures have been
11 floodproofed;
12 (19) In coastal high-hazard areas, to review certifications obtained from
13 registered professional engineers or architects that the structure is securely
14 anchored to adequately anchored pilings or columns in order to withstand
15 velocity waters and hurricane wave wash;
16 (20) To make interpretations, as needed, as to the exact location of
17 boundaries of the areas of special flood hazard;
18 (21) When base flood elevation data has not been provided in accordance
19 with chapter 122, to obtain, review and reasonably use any base flood
20 elevation data available from a federal, state or other source in order to
21 administer the floodplain management provisions of the code; and
22 (22) To provide the board of county commissioners and the planning
23 commission with reports and recommendations with respect to matters
24 before such bodies, as directed by the board of county commissioners,
25 growth management division director or planning director, or the county
26 administrator.

27
28 Staff has found that the proposed text amendments would be consistent with the provisions of
29 §102-158(d)(5)(b): 1. Changed projections (e.g., regarding public service needs) from those
30 on which the text or boundary was based; 2. Changed assumptions (e.g., regarding
31 demographic trends); 3. Data errors, including errors in mapping, vegetative types and
32 natural features described in volume I of the plan; 4. New issues; 5. Recognition of a need for
33 additional detail or comprehensiveness; or 6. Data updates. Specifically, staff has found that
34 the proposed text amendments are necessary due to new issues and recognition of a need for
35 additional detail.

36
37 V RECOMMENDATION

38
39 Staff recommends that the Board of County Commissioners amend the Monroe
40 County Code as stated in the text of this staff report.