

DEVELOPMENT REVIEW COMMITTEE

-
Tuesday, May 10, 2011

AGENDA

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The Monroe County Development Review Committee will conduct a meeting on Tuesday, May 10, 2011, beginning at 10:00 AM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Mike Roberts, Sr. Administrator, Environmental Resources
Joe Haberman, Planning & Development Review Manager
DOT Representative
Steve Zavalney, Captain, Fire Prevention
Public Works Department Representative

STAFF MEMBERS

Susan Grimsley, Assistant County Attorney
Mitch Harvey, Comprehensive Plan Manager
Rey Ortiz, Planner
Gail Creech, Planning Commission Coordinator

CHANGES TO THE AGENDA

MINUTES FOR APPROVAL

June 22, 2010 and March 29, 2011

MEETING

-
-

NEW ITEMS:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 114-67, REQUIRED OFF-STREET PARKING; PROVIDING A NEW MINIMUM PARKING STANDARD FOR MULTIFAMILY UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

[2011-051 SR DRC 05.10.11.PDF](#)

2. Long Dock Variance for John Lombardi, Key Largo approving an application for a pier type dock extending 175 feet beyond Mean High Water (MHW) and 115 feet beyond Mean Low Water (MLW). The requested variance is necessary to reach the

required water depth of -4' MLW. The property is located at 112 North Bounty Lane, Key Largo and is legally described as BK 3 LT 46 BUCCANEER POINT SUBDIVISION PB7-6 KEY LARGO OR787-450 OR963-209 OR1569-1289 OR2435-1033D/C OR2435-1040/43; RE # 00496131-009000

[2011-032 FILE.PDF](#)

[2011-032 Benthic Survey.PDF](#)

[2011-032 Survey 3.23.11.pdf](#)

[2011-032 FDEP Site Assessment Report.PDF](#)

[2011-032 Memo to Townsley fr M Roberts.PDF](#)

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3. Long Dock Variance for William and Renata Hoffman, Summerland Key approving an application for a pier type dock extending 528 feet, 353 feet beyond Mean Low Water (MLW). The requested variance is necessary to reach the required water depth of -4' MLW. The property is located at 1525 Niles Road, Summerland Key and is legally described as 23 66 28 SUMMERLAND KEYS PT LOT 2 AND PT LOT 7 (TRACT FFF) OR567-541-545Q OR669-834-840 OR744-797-803 OR790-1274-1275 OR1060-2069 OR1196-2018AFF OR1271-1188C/T OR1733-1495 OR2046-668 OR2370-284/86C/T OR2406-2346/47C OR2411-1819/2; RE # 00114470-005800

[2011-023 FILE.PDF](#)

[2011-023 Boundary Survey.pdf](#)

[2011-023 Memo to Townsley.PDF](#)

ADJOURNMENT

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



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

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

From: Reynaldo Ortiz, Assoc. AIA, AICP, Planner

Date: May 6, 2011

Subject: ***AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 114-67(c), REQUIRED NUMBER OF OFF-STREET PARKING SPACES; PROVIDING A NEW MINIMUM PARKING STANDARD FOR MULTIFAMILY DWELLING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.***

Meeting: May 10, 2011

1
2 I REQUEST

3
4 The Planning & Environmental Resources Department is proposing an amendment to the text
5 of §114-679(c) of the Monroe County Code. The purpose of the proposed amendment is to
6 address a growing concern that multifamily residential developments are unable to
7 accommodate their minimum parking needs with the current requirements for dwelling units
8 regardless of square footage and number of bedrooms.
9

10 II RELEVANT PRIOR COUNTY ACTIONS:

11
12 Objective 101.16 of the Monroe County 2010 Comprehensive Plan and currently reads:

13
14 By January 4, 1998, Monroe County shall adopt guidelines and criteria consistent with
15 nationally recognized standards and tailored to local conditions which provide for safe
16 and convenient on-site traffic flow, adequate pedestrian ways and sidewalks, and
17 sufficient on-site parking for both motorized and non-motorized vehicles.
18

19 Policy 101.16.1 of the Monroe County 2010 Comprehensive Plan currently reads:
20

1 By January 4, 1998, Monroe County shall adopt Land Development Regulations which
2 provide for safe and convenient on-site traffic flow, adequate pedestrian ways and
3 sidewalks, and sufficient on-site parking for both motorized and non-motorized vehicles.
4

5
6 Policy 301.8.2 of the Monroe County 2010 Comprehensive Plan currently reads:
7

8 By January 4, 1997, Monroe County shall adopt revisions to the Land Development
9 Regulations to include guidelines and criteria consistent with nationally-recognized
10 standards which provide for safe and convenient on-site traffic flow, adequate pedestrian
11 ways and sidewalks, as well as sufficient on-site parking for both motorized and
12 nonmotorized vehicles.
13

14 Monroe County Code Section 114-67 was revised with Ordinance No. 035-2005. The
15 minimum off-street parking requirements are 1.5 spaces per dwelling for multifamily
16 development. At this time the minimum parking standards do not consider the intensity each
17 dwelling unit may have.
18

19 III REVIEW

20

21 The current text within the Land Development Code addressing adequate parking requirements
22 for multifamily developments is not proportionate to the number of residents for each dwelling
23 and visitors. In some multifamily areas the solution adopted by residents has been to park or
24 store vehicles in open space areas not approved for parking, right-of-way, or neighboring
25 properties. This may lead to internal disputes within the community and could compromise
26 life and safety for the development. The aim of this text amendment is to introduce parking
27 requirements that are proportionate to the size and occupancy of the dwelling.
28

29 The current text within the Land Development Code is based on an assumption that each unit
30 will require a maximum of 1.5 parking spaces regardless of the number of residents per
31 dwelling unit. Lower parking requirements have been an option in communities which have
32 sufficient public transportation, car sharing programs, and other incentives to reduce the
33 dependence on the automobile. Monroe County is predominately a vehicular oriented
34 community with limited options for mobility. The dependency of the automobile causes
35 multifamily development to become overburdened with the demand placed on it by the
36 residents and visitors. Presently, staff does not have a mechanism in place that would alleviate
37 under-parked dwelling units in multifamily developments. Upon review, staff has found that
38 using the number of bedrooms to calculate the parking requirements is an effective solution.
39

40 NOTE: An applicant has the option to request a variance parking pursuant to §102-186 of
41 Monroe County Code.
42

43 (deletions are ~~stricken through~~ and additions are underlined):
44

45 **Sec. 114-67. Required off-street parking.**
46

(c) Required number of off-street parking spaces.

The following is the number of parking spaces to be provided for each use:

<i>Specific Use Category</i>	<i>Minimum Required Number of Parking Spaces Per Indicated Unit of Measure</i>
Single-family dwelling units, including mobile homes on individual lots <u>parcels</u>	2.0 spaces per dwelling unit or mobile home
Multifamily dwelling units	1.5 spaces per dwelling unit 1.5 spaces/1 or 2 bedroom unit 1.75 spaces/3 or more bedroom units <u>Each dwelling unit shall provide a minimum of one-fourth (.25) guest parking spaces.</u>
Mobile home parks	1.0 space per pad
Commercial retail except as otherwise specified below	3.0 spaces per 1,000 sq. ft. of nonresidential floor area (nrfa) of building and 1.5 spaces per 1,000 sq. ft. of nonresidential floor area devoted to outdoor retail sales and display area
Eating and drinking establishments	14.0 spaces per 1,000 sq. ft. of nonresidential floor area and 7.0 spaces per 1,000 sq. ft. of unenclosed nonresidential floor area devoted to dining and/or bar area
Convenience stores	4.0 spaces per 1,000 sq. ft. of (nrfa)
Commercial recreation (indoor)	5.spaces per 1,000 sq. ft. of (nrfa)
Commercial recreation (outdoor)	5.0 spaces per 1,000 sq. ft. of the parcel that is devoted to the outdoor recreational activity, excluding areas used for parking and driveways, required yards and required landscaping and buffer areas
Theaters, conference, or activity centers	1.0 space per 3.0 actual seats or based on seating capacity
Offices	3.0 spaces per 1,000 sq. ft. of (nrfa)
Medical and dental clinics	4.0 spaces per 1,000 sq. ft. of (nrfa)
RV parks	1.0 space per pad
Hotels/destination resorts	1.0 space for first bedroom plus .5 space for each additional bedroom
Miniwarehouses/self storage center	3.0 spaces for the office use plus a parking aisle of 10 feet in width adjacent the storage unit access doors if outside access to the storage units is provided
Industrial uses; excluding repair and or servicing of vehicles	2.0 spaces per 1,000 sq. ft. of (nrfa)
Repair and or servicing of vehicles	3.0 spaces per service/repair bay or 3.0 spaces per 1000 sq. ft. of (nrfa) whichever is greater, the service/repair bays shall not be counted as parking spaces

Warehousing	1.0 space per 1,000 sq. ft. (nrfa)
Hospitals	1.8 spaces per bed
Churches	0.3 space per seat and/or 0.3 space per 24 inches for pews
Live-aboard	1.5 spaces per berth
Marinas and commercial fishing facilities	1.0 space per berth plus one space per four dry storage racks
Charter/guide boats, six or fewer passengers capacity	2.0 spaces per berth
Party and charter/guide boats, more than six passengers capacity	0.3 space per passenger capacity of vessel
Boat ramps	6.0 spaces per ramp; all spaces shall be a minimum of 14 feet by 55 feet, to accommodate trailers and oversized vehicles

IV RECOMMENDATION

Staff has found that the proposed text amendment would proportionately accommodate additional residents to a multifamily development and would alleviate the parking necessities for each dwelling unit.

Therefore, staff recommends that the Board of County Commissioners amend the Monroe County Code as stated in the text of this staff report.

File #: 2011-032

Owner's Name: Lombardi, John T.

Applicant: Lombardi, John T.

Agent: Glen Boe & Associates, Inc.

Type of Application: Variance-Dock (Long)

Key: Key Largo

RE: 00496131-009000

Additional Information added to File 2011-032



County of Monroe
Growth Management Division

**Planning & Environmental Resources
Department**

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



Board of County Commissioners

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

We strive to be caring, professional and fair

Date: 3.23.11

Time: AM

Dear Applicant:

This is to acknowledge submittal of your application for Variance-Dock (Long)
Type of application

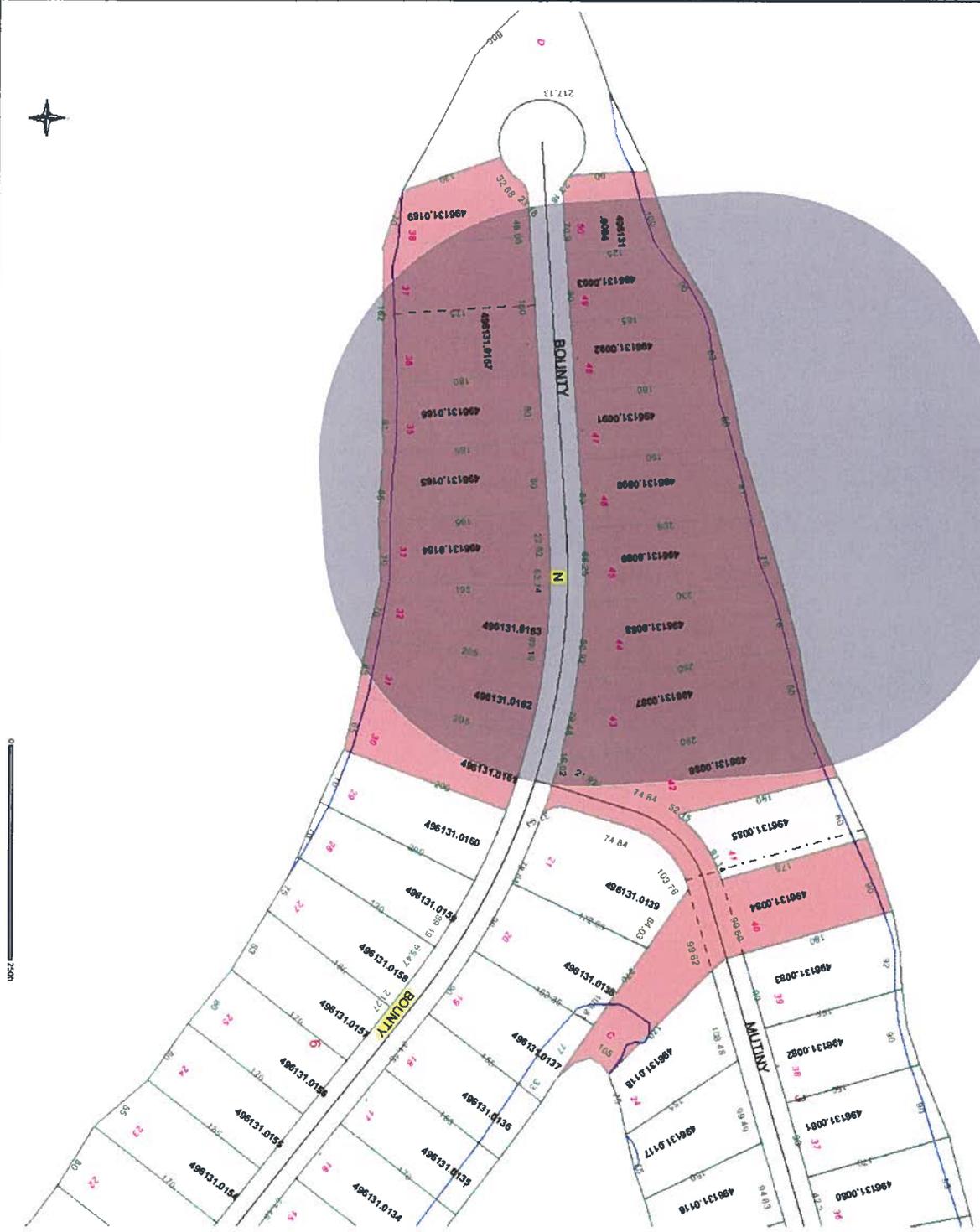
John T. Lombardi to the Monroe County Planning Department.
Project / Name

Thank you.

[Signature]

Planning Staff

- Legend
- theBuffer
- theBufferTarget
- Real Estate Number
- Parcel Lot Text
- Dimension Text
- Block Text
- Hooks/Leads
- Lot Lines
- Esasements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines



3.23.11 *Kim Kivala*

PALMIS

Monroe County Property Appraiser
 500 Whitehead Street
 Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes only* and should not be relied on for any other purpose.

Date Created: March 23, 2011 12:08 PM

End of Additional File 2011-032

GLEN BOE & ASSOCIATES, INC.

5800 OVERSEAS HIGHWAY, SUITE 4
MARATHON, FL 33050
PHONE (305) 743-9121 • FAX (305) 743-9197
EMAIL: GLENBOE@BELLSOUTH.NET

March 21, 2011

Building Department
Monroe County
2798 Overseas Highway, Ste 330
Marathon, FL 33050

Re: John T. Lombardi
Dock Length Variance Application
52 Mutiny Place, Key Largo, FL



Enclosed please find a dock length variance application for the above referenced property. We have enclosed the documents that are required according to the application. Please contact our office if you require any further information.

Thank you for your assistance with this project.

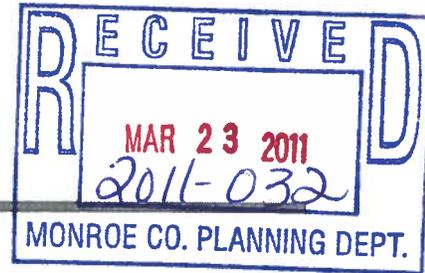
Sincerely,
GLEN BOE & ASSOCIATES, INC.

Sean Kirwan, P.E.
President

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Dock Length Variance Application



Monroe County Code §9.5-349

Dock Length Variance Application Fee: \$1,026.00*

*Plus \$3.00 per shoreline property owner within 300 feet of subject parcel

1) PROPERTY OWNER:

Name: John T Lombardi

Mailing Address: 52 Mutiny Place, Key Largo, FL 33037

Phone:(Home) (305) 852-4972 (Work) _____ (Fax) _____

2) AGENT (if applicable):

Name: Glen Boe & Associates, Inc.

Mailing Address: 5800 Overseas Hwy, Ste 4, Marathon, FL 33050

Phone:(Home) _____ (Work) (305) 743-9121 (Fax) (305) 743-9197

3) DESCRIPTION OF PROPERTY:

Street Address: 112 North Bounty Lane

Lot: 46 Block 3 Subdivision: Buccaneer Point Key: Key Largo MM: 98+/-

RE Number: 00496131-009000

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

4) VARIANCE REQUEST: (use additional paper if necessary)

Describe the variance request and exactly what the variance would allow you to do: _____

Dock length in excess of 100 feet to reach the required water depth (-4' MLW).

Dock will extend 175 feet beyond the MHW line and 115 feet beyond MLW line.

5) BACKGROUND INFORMATION:

Size of property: 8,000+/- sq.ft. (.18+/- acres) Land Use District: IS

Present use of property: Single Family Residence

Have you applied for a variance on this property in the past? No

If yes, when? _____

Circumstances of previous application: _____

Describe the shoreline on which the dock is proposed: The shoreline has a boulder revetment along the MHW line with a fringe of red mangroves waterward of MHW line which terminates at the MLW line. The proposed access walk was sited to have minimal impacts on the mangrove fringe.

Describe the submerged lands across which the dock will extend (sand, seagrass, corals, etc.): _____
The sea bottom below proposed dock is a homogeneous bay bottom cover of seagrass and macro algae mix. There are no corals present.

6) VARIANCE CONDITIONS: When answering the following questions, consider the limitations described on pages three and four of this application. Please use additional paper if necessary.

a) How can you show good and sufficient cause why the variance should be granted? _____

Need variance to comply with county water depth requirement for the dock.

b) What exceptional hardship would occur if the variance is not granted? _____

Would not have boating access to the property.

c) If the variance is granted, would there be additional threats to public expense which would not otherwise occur? Would it create a nuisance? Or cause fraud or victimization of the public?

No.

d) Is the length of the proposed dock consistent with community character (what lengths are existing docks in the area)?

The length of the proposed dock is consistent with others in the area.

Existing docks are equal or a greater distance beyond the MHWL.

e) Would the proposed dock interfere with public recreational uses or pose a navigational or safety hazard in or on adjacent waters?

No.

f) What are the unique or particular physical/geographical circumstances or conditions that apply to the property subject to the variance, but which do not apply to other properties in the same Land Use District?

Distance between shoreline and water depth of 4' MLW.

g) If the variance is granted would it confer upon the applicant any special privilege denied by the Land Development Regulations other properties in the same Land Use District? Please explain why:

No.

CONSIDERATIONS:

The Growth Management Division, in determining whether the foregoing conditions for a variance are met, shall ONLY consider the following factors as relevant

- a) Physical characteristics of the proposed construction for which a variance is requested;
- b) Whether it is possible to use the property without the variance;
- c) The increased or decreased danger to life and property if the variance is or is not requested;
- d) The importance to the community of the services to be provided if the proposed variance is granted;
- e) The compatibility of the proposed variance in light of existing and permitted development in the immediate area;
- f) The safety of access to the property for ordinary and emergency vehicles if the variance is or is

not granted;

- g) The additional or lessened costs of providing governmental services if the variance is or is not granted.

The Growth Management Division shall NOT consider the following factors in determining if the foregoing conditions are met

- a) The physical disabilities or handicaps and health of the applicant or members of his family;
- b) The domestic or financial difficulties of the applicant or his family.

THE FOLLOWING SUPPORTING INFORMATION MUST ACCOMPANY THE APPLICATION FOR VARIANCE:

NOTE: If the supporting data (i.e. survey, site plan) is larger than 8 ½ x 14 inches, sixteen (16) copies must be submitted.

- a) Photographs of site; looking N, E, S & W from perimeters of property and from the main adjacent road. A recent aerial photograph with property boundaries delineated may be substituted.
- b) A site plan showing proposed dock & and all proposed and existing structures, improvements, parking facilities, etc. with all dimensions to scale. Indicate on the site plan any proposed structures with previously approved variances and the location of property entrance.
- c) A copy of the Land Use District Map showing surrounding property within one thousand (1,000) feet of subject property boundaries.
- d) Typed Name and Address **MAILING LABELS** of shoreline property owners within a 300 feet radius of the borders of the property. This list should be compiled from the current tax rolls located in the Property Appraiser's Office. **Also**, please provide the listing of the names, subdivision name, lot and block # and the RE #'s for each address and note those that are adjoining the property. Adjoining lots are still considered adjoining even if they are bounded or bisected by a canal or street. When a condominium is within three hundred (300) feet adjoining the property, each unit owner must be included.
- e) Proof of ownership of subject property. (Copy of recorded Warranty Deed or tax bill).
- f) Survey of the property prepared by a surveyor registered in the State of Florida.

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

[Signature]
Applicant's Signature

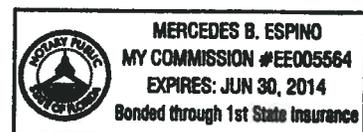
3-16-2011
Date

STATE OF Florida
COUNTY OF Monroe

Sworn to (or affirmed) and subscribed before me this 16th day of March, 2011
by _____ who is personally known or who has produced

CA-DL # 4030055 as identification.

Notary Signature Mercedes B. Espino



General Durable Power of Attorney Effective Upon Execution

I, JOHN THOMAS LOMBARDI, a resident of 52 MUTINY PLACE, KEY LARGO, FL MONROE COUNTY; Social Security Number 036-20-9748 designate MARYELLEN MCNAIR, presently residing at 821 CRESTA VISTA WAY, APTOS, CA as my attorney in fact (referred to as "the Agent") on the following terms and conditions:

- 1) **Authority to Act.** The Agent is authorized to act for me under this Power of Attorney and shall exercise all powers in my best interests and for my welfare.

- 2) **Powers of Agent.** The Agent shall have the full power and authority to manage and conduct all of my affairs, and to exercise my legal rights and powers, including those rights and powers that I may acquire in the future, including the following:
 - i) **Collect and Manage.** To collect, hold, maintain, improve, invest, lease, or otherwise manage any or all of my real or personal property or any interest therein;

 - ii) **Buy and Sell.** To purchase, sell, mortgage, grant options, or otherwise deal in any way in any real property or personal property, tangible or intangible, or any interest therein, upon such terms as the Agent considers proper, including the power to buy United States Treasury Bonds that may be redeemed at par to pay federal estate tax and to sell or transfer Treasury securities;

- iii) **Borrow.** To borrow money, to execute promissory notes therefore, and to secure any obligation by mortgage or pledge.
- iv) **Business and Banking.** To conduct and participate in any kind of lawful business of any nature or kind, including the right to sign partnership agreements, continue, reorganize, merge, consolidate, recapitalize, close, liquidate, sell, or dissolve any business and to vote stock, including the exercise of any stock options and the carrying out of any buy sell agreement; to receive and endorse checks and other negotiable paper, deposit and withdraw funds (by check or withdrawal slips) that I now have on deposit or to which I may be entitled in the future in or from any bank, savings and loan, or other institution;
- v) **Tax Returns and Reports.** To prepare, sign, and file separate or joint income, gift, and other tax returns and other governmental reports and documents; to consent to any gift; to file any claim for tax refund; and to represent me in all matters before the Internal Revenue Service;
- vi) **Safe Deposit Boxes.** To have access to any safety deposit box registered in my name alone or jointly with others, and to remove any property or papers located therein;
- vii) **Proxy Rights.** To act as my agent or proxy for any stocks, bonds, shares, or other investments, rights, or interests I may now or hereafter hold;
- viii) **Legal and Administrative Proceedings.** To engage in any administrative or legal proceedings or lawsuits in connection with any matter herein;

ix) **Transfers in Trust.** To transfer any interest I may have in property, whether real or personal, tangible or intangible, to the trustee of any trust that I have created for my benefit;

x) **Delegation of Authority.** To engage and dismiss agents, counsel, and employees, in connection with any matter, upon such terms as my agent determines;

xi) **Restrictions on Agent's Powers.** Regardless of the above statements, my agent (1) cannot execute a will, a codicil, or any will substitute on my behalf; (2) cannot change the beneficiary on any life insurance policy that I own; (3) cannot make gifts on my behalf; and (4) may not exercise any powers that would cause assets of mine to be considered taxable to my agent or to my agent's estate for purposes of any income, estate, or inheritance tax, and (5) cannot contravene any medical power of attorney I have executed whether prior or subsequent to the execution of this Power of Attorney.

3) **Durability.** This durable Power of Attorney shall be irrevocable until the trust corpus is surrendered by the trustees, shall not be affected by my death or disability except as provided by law, and shall continue in effect after the surrender of the trust corpus until my death or until revoked by me in writing.

- 4) **Reliance by Third Parties.** Third parties may rely upon the representations of the Agent as to all matters regarding powers granted to the Agent. No person who acts in reliance on the representations of the Agent or the authority granted under this Power of Attorney shall incur any liability to me or to my estate for permitting the Agent to exercise any power prior to actual knowledge that the Power of Attorney has been revoked or terminated by operation of law or otherwise.
- 5) **Indemnification of Agent.** No agent named or substituted in this power shall incur any liability to me for acting or refraining from acting under this power, except for such agent's own misconduct or negligence.
- 6) **Original Counterparts.** Photocopies of this signed Power of Attorney shall be treated as original counterparts.
- 7) **Revocation.** I hereby revoke any previous Power of Attorney that I may have given to deal with my property and affairs as set forth herein.
- 8) **Compensation.** The Agent shall be reimbursed for reasonable expenses incurred while acting as Agent and may receive reasonable compensation for acting as Agent.
- 9) **Substitute Agent.** If MARYELLEN MCNAIR is, at any time, unable or unwilling to act, I then appoint MICHAEL LOMBARDI, presently residing at 5700 FLAXMAN STREET, LOT 4 PENSACOLA, FL as my Agent.

Dated: 2/13/2009

[NAME]

John M. Lombardi

Signed in the presence of:

Janet E. Catani 2-13-09

[WITNESS]

Mary E. Vlach 2-13-09

[WITNESS]

Subscribed and sworn to before me on [DATE]. 2/13/2009

Karen S. Ferreira

Notary Public,

[COUNTY, STATE] My commission expires

Aug. 17, 2012

Monroe County, FL.



Karen S. Ferreira

COMMISSION #DD790571

EXPIRES: AUG. 17, 2012

WWW.AARONNOTARY.COM

DMV CALIFORNIA DMV

EXPIRES: 07-01-14

DRIVER LICENSE
C4090055

CLASS: C



MARYELLEN MCNAIR
821 CRESTA VISTA WAY
APTOS CA 95003

SEX: F HAIR: BRN
HT: 5-02 WT: 145

EYES: BRN
DOB: 07-01-60

RSTR: CORR LENS

Maryellen McNaair

06/15/2009 558 38 FD/14

OFFICE of VITAL STATISTICS

CERTIFIED COPY

FLORIDA CERTIFICATE OF DEATH

TYPE IN PERMANENT BLACK INK

LOCAL FILE NO.

1. DECEDENT'S NAME (First, Middle, Last, Suffix) Phyllis Lombardi		2. SEX Female	
3. DATE OF BIRTH (Month, Day, Year) November 29, 1936		4. AGE-Last Birthday (Years) 71	
5. UNDER 1 YEAR Months: _____ Days: _____ Hours: _____ Minutes: _____		6. DATE OF DEATH (Month, Day, Year) November 7, 2008	
7. BIRTHPLACE (City and State or Foreign Country) Fall River, Massachusetts		8. COUNTY OF DEATH Miami-Dade	
9. PLACE OF DEATH (Check only one) HOSPITAL: <input checked="" type="checkbox"/> Inpatient _____ Emergency Room/Outpatient _____ Dead on Arrival NON-HOSPITAL: _____ Hospice Facility _____ Nursing Home/Long Term Care Facility _____ Decedent's Home _____ Other (Specify)			
10. FACILITY NAME (If not institution, give street address) Jackson Memorial Hospital		11a. CITY, TOWN, OR LOCATION OF DEATH Miami	
12. MARITAL STATUS (Specify) <input checked="" type="checkbox"/> Married _____ Married, but Separated _____ Widowed _____ Divorced _____ Never Married		11b. INSIDE CITY LIMITS? <input checked="" type="checkbox"/> Yes _____ No	
13. SURVIVING SPOUSE'S NAME (If wife, give maiden name) John Lombardi		14a. RESIDENCE - STATE Florida	
14b. COUNTY Monroe		14c. CITY, TOWN, OR LOCATION Key Largo	
14d. STREET ADDRESS 52 Mutiny Place		14e. APT. NO. 33037	
14f. ZIP CODE 33037		14g. INSIDE CITY LIMITS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15a. DECEDENT'S USUAL OCCUPATION (Indicate type of work done during most of working life.) Sales		15b. KIND OF BUSINESS/INDUSTRY Real Estate	
16. DECEDENT'S RACE (Specify the race/ethnicity to indicate what decedent considered himself/herself to be. More than one race may be specified.) <input checked="" type="checkbox"/> White _____ Black or African American _____ American Indian or Alaskan Native (Specify tribe) _____ Asian Indian _____ Chinese _____ Filipino _____ Japanese _____ Korean _____ Vietnamese _____ Other Asian (Specify) _____ Native Hawaiian _____ Guamanian or Chamorro _____ Samoan _____ Other Pacific Isl. (Specify) _____ Other (Specify)			
17. DECEDENT OF HISPANIC OR HAITIAN ORIGIN? (Specify if decedent was of Hispanic or Haitian Origin.) <input type="checkbox"/> Yes (If Yes, specify) <input checked="" type="checkbox"/> No _____ Mexican _____ Puerto Rican _____ Cuban _____ Central/South American _____ Other Hispanic (Specify) _____ Haitian			
18. DECEDENT'S EDUCATION (Specify the decedent's highest degree or level of school completed at time of death.) <input type="checkbox"/> 8th or less _____ High school but no diploma <input checked="" type="checkbox"/> High school diploma or GED _____ College but no degree _____ College degree (Specify): _____ Associate _____ Bachelor's _____ Master's _____ Doctorate			19. WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
20. FATHER'S NAME (First, Middle, Last, Suffix) Andrew Boyorek		21. MOTHER'S NAME (First, Middle, Maiden Surname) Mary Lopes	
22a. INFORMANT'S NAME John Lombardi		22b. RELATIONSHIP TO DECEDENT Husband	
22c. CITY OR TOWN Key Largo		23a. INFORMANT'S MAILING - STATE Florida	
23b. STREET ADDRESS 52 Mutiny Place		23d. ZIP CODE 33037	
24. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Woodlawn Park South		25a. LOCATION - STATE Florida	
25b. LOCATION - CITY OR TOWN Miami		26a. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial _____ Entombment _____ Cremation _____ Donation _____ Removal from State _____ Other (Specify)	
26b. IF CREMATION, DONATION OR BURIAL AT SEA, WAS MEDICAL EXAMINER APPROVAL GRANTED? <input type="checkbox"/> Yes <input type="checkbox"/> No		27a. LICENSE NUMBER (of Licensee) 3965	
28. NAME OF FUNERAL FACILITY H.W. Beyer Funeral Home Inc.		27b. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PATRON ACTING AS SUCH <i>Charles W. Langstaff</i>	
29a. CITY OR TOWN Key Largo		29a. FACILITY'S MAILING - STATE Florida	
29b. STREET ADDRESS PO Drawer 3000		29d. ZIP CODE 33037	
30. CERTIFIER: _____ Certifying Physician - To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner stated. (Check one) <input checked="" type="checkbox"/> Medical Examiner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, due to the cause(s) and manner stated.			
31a. (Signature and Title of Certifier) PHYSICIAN'S SIGNATURE		31b. DATE SIGNED (mm/dd/yyyy) November 9, 2008	
31c. LICENSE NUMBER (of Certifier) 62926		32. TIME OF DEATH (24 hr.) 15:45	
34b. CERTIFIER'S NAME Emma O. Lew, M.D.		33. MEDICAL EXAMINER'S CASE NUMBER 0 8 - 1 1 - 0 2 8 0 4	
35a. CERTIFIER'S STATE FLORIDA		35. NAME OF ATTENDING PHYSICIAN (If other than Certifier)	
35b. CITY OR TOWN MIAMI		36. STREET ADDRESS NUMBER ONE ON BOB HOPE ROAD	
35c. STREET ADDRESS MIAMI		36b. DATE FILED BY REGISTRAR (Mo., Day, Yr.) DEC 0 3 2008	
37. SUBREGISTRAR - Signature and Date <i>Henry C. Hendel</i> Nov. 10, 2008		38a. LICENSE NUMBER 33136	

VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED



THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE. THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH A WATERMARK OF THE GREAT SEAL OF THE STATE OF FLORIDA ON THE FRONT, AND THE BACK CONTAINS SPECIAL LINES WITH TEXT AND SEALS IN THERMOCHROMIC INK.

WARNING:



41336671

CERTIFICATION OF VITAL RECORD



* U 1 3 3 L L 7 1 *



Edward & Sherry Connor
73 N Bounty Ln
Key Largo, FL 33037

Edward & Patricia Draper
71 N Bounty Ln
Key Largo, FL 33037

Mario & Sonia Espineira
104 N Bounty Ln
Key Largo, FL 33037

Zoli & Donna Bedo
P.O. Box 1138
Tavernier, FL 33070

Wilburn & Karin Brooker
65 N Bounty Ln
Key Largo, FL 33037

Jon & Anna Lutter
3030 NE 46th St
Ft. Lauderdale, FL 33308

John Mannix
292 Gardenia St
Tavernier, FL 33070

Robert & Phyllis Hummel
C/O Dana Sambogne CPA
38 Suffolk Ave
West Yarmouth, MA 02673

~~TITF/State of Florida
Buccaneer Point
3900 Commonwealth Blvd
Tallahassee, FL 32399~~

TITF/State of Florida
Buccaneer Point
3900 Commonwealth Blvd
Tallahassee, FL 32399

Juan Fernandez
15089 Montrose Rd
Miami Lakes, FL 33015

Joanne Mahoney MD
75 N Bounty Ln
Key Largo, FL 33037

Karen Tenne
4060 El Prado Blvd
Miami, FL 33133

~~Karen Tenne
4060 El Prado Blvd
Miami, FL 33133~~

James Dougherty
P.O. Box 1716
Key Largo, FL 33037

~~TITF/State of Florida
Buccaneer Point
3900 Commonwealth Blvd
Tallahassee, FL 32399~~

~~TITF/State of Florida
Buccaneer Point
3900 Commonwealth Blvd
Tallahassee, FL 32399~~



- Legend**
- Highlighted Feature
 - Real Estate Number
 - Parcel Lot Text
 - Dimension Text
 - Block Text
 - Point of Interest Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines
 - 2006 Aerials

PALMIS

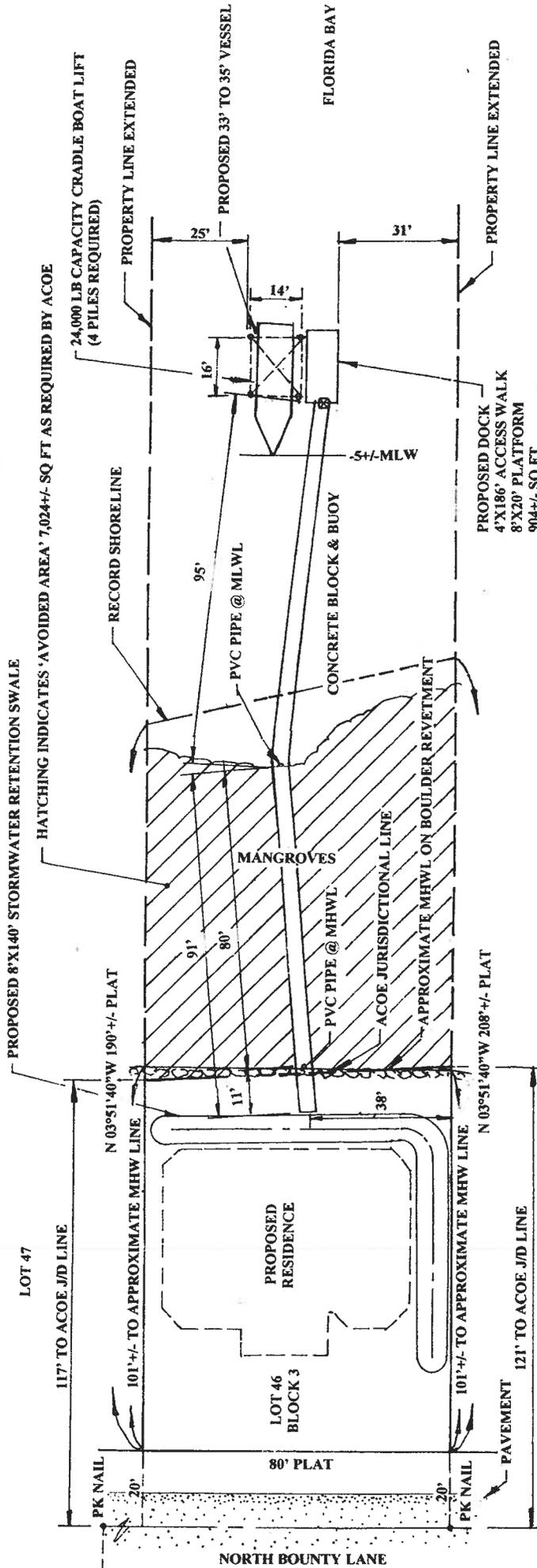
Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: February 1, 2011 10:06 AM

NORTH

NOTE: ORANGE FLAGGING SET IN MANGROVE FRINGE TO MARK LOCATION OF ACCESS WALK



SITE PLAN
SCALE: 1" = 40'

REVISIONS:	
1	06/30/10
2	07/15/10
3	07/27/10

CERTIFIED BY:
SEAN KIRWAN, PE #57506

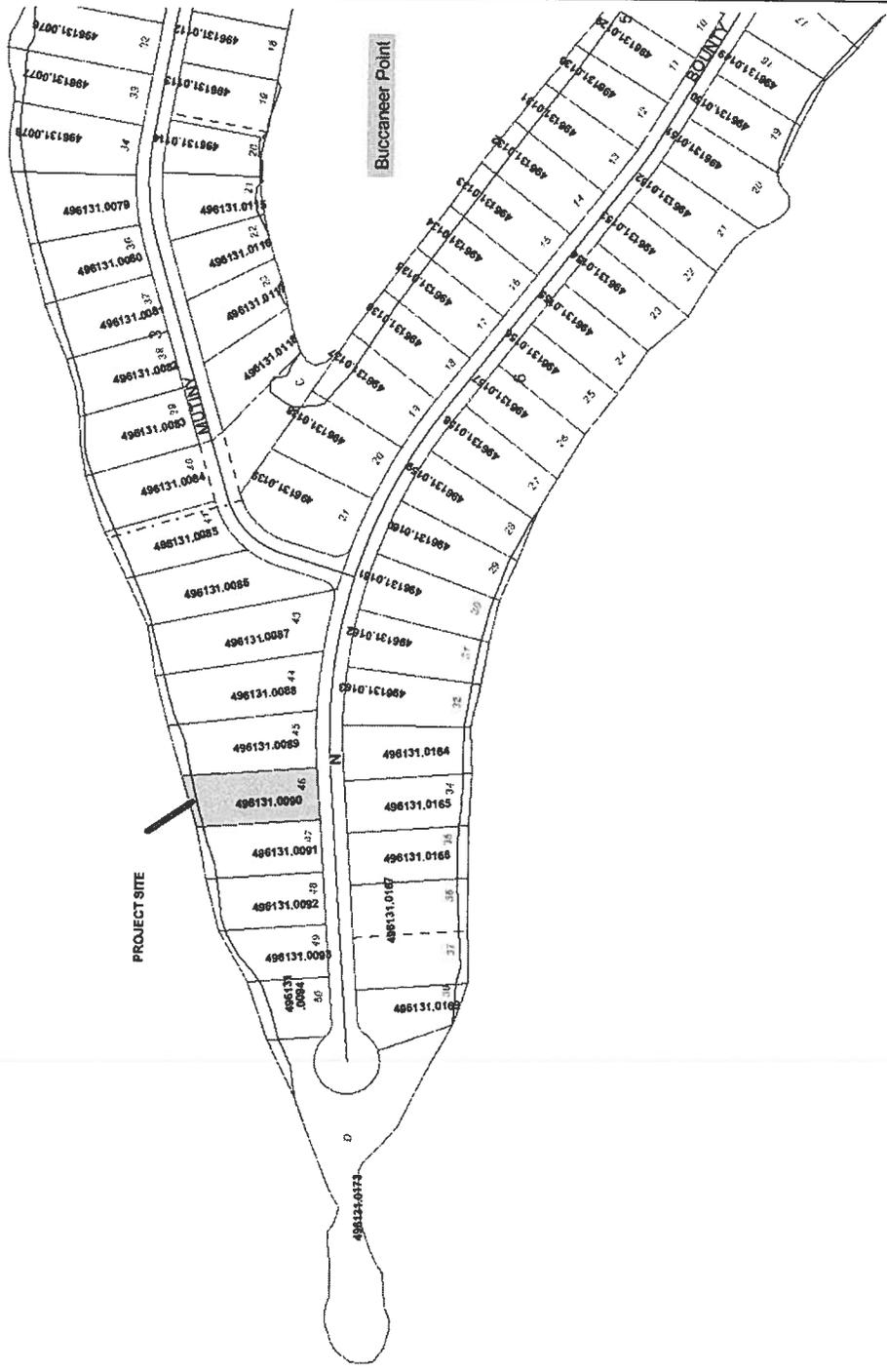
DOCK WITH BOAT LIFTS
FOR JOHN T LOMBARDI
KEY LARGO, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #4061
5800 OVERSEAS HIGHWAY, SUITE 4
MARATHON, FL 33050
TEL: (305) 743-9121 FAX: (305) 743-9197

DATE: 03/11/10

2
SHEET 2 OF 6

- Legend**
- Highlighted Feature
 - Real Estate Number
 - Parcel Lot Text
 - Block Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines



PALMIS

Monroe County Property Appraiser
 500 Whitehead Street
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Shoreline Property Owners Within 300' Radius

John T. Lombardi

RE #00496131-009000

NAME	ADDRESS	LOT	BLOCK	SUBDIVISION	RE #
Edward & Sherry Connor	73 N Bounty Lane Key Largo, FL 33037	35	6	Buccaneer Point	00496131-016600
Edward & Patricia Draper (adjoining property)	71 N Bounty Lane Key Largo, FL 33037	34	6	Buccaneer Point	00496131-016500
Mario & Sonia Espineira	104 N Bounty Lane Key Largo, FL 33037	44	3	Buccaneer Point	00496131-008800
Zoli & Donna Bedo	P.O. Box 1138 Tavernier, FL 33070	30	6	Buccaneer Point	00496131-016100
Wilburn & Karin Brooker	65 N Bounty Lane Key Largo, FL 33037	31	6	Buccaneer Point	00496131-016200
Jon & Anna Lutter (adjoining property)	3030 NE 46 th Street Ft. Lauderdale, FL 33308	33	6	Buccaneer Point	00496131-016400
John Mannix	292 Gardenia Street Tavernier, FL 33070	43	3	Buccaneer Point	00496131-008700
Robert & Phyllis Hummel C/O Dana Sambogne CPA	38 Suffolk Ave West Yarmouth, MA 02673	32	6	Buccaneer Point	00496131-016300
TIITF/State of Florida Buccaneer Point (adjoining property)	3900 Commonwealth Blvd Tallahassee, FL 32399	38	6	Buccaneer Point	00496131-016900
TIITF/State of Florida Buccaneer Point	3900 Commonwealth Blvd Tallahassee, FL 32399	50	3	Buccaneer Point	00496131-009400
Juan Fernandez (adjoining property)	15089 Montrose Rd Miami Lakes, FL	45	3	Buccaneer Point	00496131-008900

Doc# 1762435 10/13/2009 11:13AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

PREPARED BY AND RETURN TO:
Jerry W. Allender, Esquire
719 Garden Street
Titusville, FL 32796
File No. 09-AB

10/13/2009 11:13AM
DEED DOC STAMP CL: TRINA \$0.70

Doc# 1762435
Bk# 2435 Pg# 1040

**WARRANTY DEED TO TRUSTEE
UNDER REVOCABLE TRUST AGREEMENT**

THIS indenture made this 11th day of September 2009, between the following named parties:

GRANTOR: JOHN T. LOMBARDI, an un-remarried widower

GRANTOR'S ADDRESS: 52 Mutiny Place, Key Largo, Florida 33037

GRANTEE: JOHN T. LOMBARDI, MARYELLEN McNAIR and MICHAELA. LOMBARDI, Trustees of THE JOHN T. LOMBARDI TRUST, u/a/d April 6, 2009, with full power and authority granted in section, 689.071, Florida Statutes.

GRANTEE'S ADDRESS: 52 Mutiny Place, Key Largo, Florida 33037

WITNESSETH:

That the Grantor for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, receipt of which is acknowledged, grants, conveys and warrants unto Grantee, the following described real estate in the County of Monroe, and State of Florida:

Lot 46, Block 3, BUCCANEER POINT, according to the Plat thereof as recorded in Plat Book 7, Page 6, of the Public Records of Monroe County, Florida.

Parcel ID No. 00496131-009000

THE PARTIES HERETO ACKNOWLEDGE THAT THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF ANY TITLE SEARCH OR TITLE INFORMATION.

TO HAVE AND TO HOLD the above-described real estate ("Property") in fee simple with the appurtenances upon the trust and for the purposes set forth in this Deed and in **THE JOHN T. LOMBARDI TRUST, u/a dated April 6, 2009, ("Trust Agreement")**.

This deed is given and accepted in accordance with Section 689.071, Florida Statutes. The Trustee shall have no personal liability whatsoever for acting as Trustee under the Trust Agreement referred to above or by virtue of taking title to the Property and the sole liability of the Trustee hereunder shall be limited to the Property which the Trustee holds as Trustee under the Trust Agreement referred to above.

Full power and authority is hereby granted to said Trustee and said Trustee and any Successor Trustee therein shall have any and all powers granted in section, 689.071, Florida Statutes, to improve, subdivide, protect, conserve, sell, lease, encumber and otherwise manage and dispose of said Property or any part thereof, to dedicate parks, streets, highways, or alleys and to vacate any subdivision or part thereof, and to resubdivide said Property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said property or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge, or otherwise encumber said Property, or any part thereof, to lease said Property, to any part thereof, from time to time, in possession or reversion, by leases to commence in the present or in the future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or in any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said Property, or any part thereof, for other real or personal property, to submit said Property to condominium, to grant easement of charges of any kind, to release, convey, or assign any right, title or interest in or about of easement appurtenant to said premises or any part thereof in all other ways, and for such other consideration as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said Property shall be as Trustee of an express trust and not individually and the Trustee shall have no obligations whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property in the actual possession of the Trustee shall be applicable for the payment and discharge thereof; and it shall be expressly understood that any representations, warranties, covenants, undertakings and agreements hereinafter made on the part of the Trustee, while in form purporting to be the representations, warranties, covenants, undertakings and agreements of said Trustee, are nevertheless made and intended not as personal representations, warranties, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but are made and intended for the purpose of binding only the trust property specifically described herein; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee individually on account of any instrument executed by or on account of any representation warranty, covenant, undertaking or agreement of the said Trustee, either expressed or implied, all such personal liability, if any, being expressly waived and released and all persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

In no case shall any party dealing with the Trustee in relation to the property or to whom the Property or any part of it shall be conveyed, contracted to be sold, leased or mortgaged by Trustee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the Property or be obliged to see that the terms of this Trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Trustee, or be obliged or privileged to inquire into any of the terms of the Trust Agreement of the identification of status of any named or unnamed beneficiaries, or their heirs or assigns to whom the Trustee may be accountable; and every deed, trust deed, mortgage, lease or other instrument executed by Trustee in relation to said property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of its delivery the Trust created by this Deed and by the Trust Agreement was in full force and effect, (b) that the conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Deed and in the Trust Agreement and is binding upon all beneficiaries under those instruments, (c) that Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed,

lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that the successor or successors in trust have been appointed properly and vested fully with all the title, estate, rights, powers, authorities, duties and obligations of the predecessor.

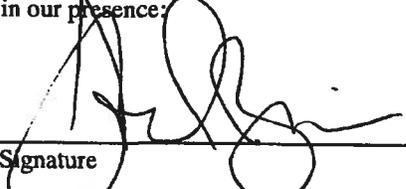
In the event of the death of the Trustee, John T. Lombardi, the trustees under the trust agreement referred to above shall continue to be **MARY ELLEN McNAIR and MICHAEL A. LOMBARDI**, or their successor, and upon a recording in the public records of **Monroe** County, Florida, of a death certificate of the Trustee or of any successor trustee, title to the land described herein shall be deemed to be held by the successor trustee and to pass to the successor trustee without the requirement of recording any further or additional documents.

And the Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Property and will defend the same against the lawful claims of all persons whomsoever; subject to taxes for the year 2009 and subsequent years. "Grantor", "Grantee", "Trustee" and "Beneficiary" are used for singular or plural, as context requires.

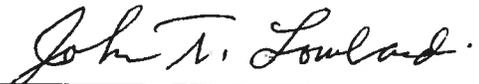
IN WITNESS WHEREOF, the Grantor aforesaid has signed this deed this 17th day of September, 2009.

Signed, sealed and witnessed
in our presence:

"GRANTOR"



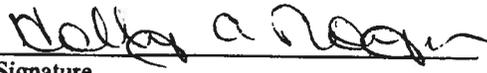
Signature



JOHN T. LOMBARDI

Wendy Benism

Name Legibly Printed, Typewritten
or Stamped



Signature

Holly A Noyes

Name Legibly Printed, Typewritten
or Stamped

STATE OF FLORIDA

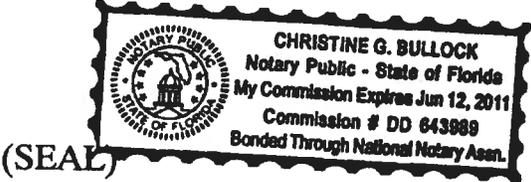
COUNTY OF MONROE

I certify that on this date before me, the undersigned, an officer duly authorized in the State and County named above to take acknowledgments, personally appeared **JOHN T. LOMBARDI, an un-remarried widower**, known to me to be the person described in and who signed the foregoing instrument, and he acknowledged under oath before me that he signed the same, and he produced a driver's license as identification.

September WITNESS my hand and official seal in the County and State last aforesaid this 16th day of September, 2009.

Christine G. Bullock
Signature

CHRISTINE G. Bullock
Name Legible Printed, Typewritten or Stamped



NOTARY PUBLIC
STATE OF FLORIDA

My Commission Expires: 6/12/2011

BENTHIC SURVEY

**of
Dock, Walkway & Lifts - Proposed Project
Lot 46 Blk 3, Buccaneer Pt. SD
Key Largo, Monroe County, Florida
RE: 00496131-009000**

**For
John T. Lombardi, Owner
c/o Glen Boe & Associates, Inc.
5800 Overseas Highway, Suite 4
Marathon, FL 33050**

March 19, 2010

Prepared by: Harry A. DeLashmutt, Consultant
Biosurveys, Inc.
794 26th Street
Marathon, Florida 33050
Phone – (305) 942-9221
hdelashmutt@comcast.net

Survey of Benthic Organisms

Dock, Boat Lifts & Walkway Project – Proposed

The following survey was conducted by the undersigned on January 21, 2010. The report includes a site description, methodology, observed species list, recommendations and conclusions, mapping, and photos. A copy of a previous DEP Trip Report is attached.

Site Description:

The subject project location is a natural bay bottom area offshore from an altered shoreline on the Florida Bay side of Key Largo in Monroe County, Florida. The shoreline has boulder riprap along it with a fringe of Red Mangroves. The shoreline along the intertidal zone is exposed limestone bedrock that drops to a soft mud bottom with light macro algae and sea grass cover. The bay bottom is colonized with Turtle Grass or *Thalassia testudinum* from a line 34 feet waterward of the MLW line. The Grass is homogeneous to deep water. There are no significant breaks or barren areas within the riparian lines of the subject property and no possibility for minimizing the impact of the proposed walk, dock and lifts. The substrate is organic mud covering bedrock 8 to 12 inches deep. The rock is present on the surface near the MLW line and under the mangrove fringe area. The mangrove fringe measures 80 feet from the upland boulder rip-rap to the MLW line. The uplands are scarified and undeveloped.

The project as proposed is to locate and construct an offshore docking facility with lifts within the property riparian lines in Florida Bay. The walkway to the proposed dock would be 95 feet to a linear terminal platform -- eight by twenty feet in size. Two 12X12 ft. boatlifts are planned for the east and west side of the dock. The water depth in this area increases gradually unobstructed out to deeper water in Florida Bay to the north.



Proposed Location of Terminus and Shoreline of Lt 46



Location of Walk as it Emerges fm Mangrove Fringe

Survey Methodology:

The underwater assessment and benthic resource inventory was conducted on a calm and sunny day to extend visibility to the maximum. The tide was ebbing at near low tide. The mangrove fringe was inspected to determine the location of the proposed walkway in order to avoid and minimize its impact. A suitable location was determined and the 80 foot long line was mapped. The center line of the walk was marked in the mangroves using orange flagging tape to the open water. The open water is the approximate MLW

line. The proposed dock and lift plan arrangement was examined to find the area affected or shadowed on the bay bottom. GPS coordinates were taken at the walkway origination and MLW line. A pipe was positioned at the junction of the proposed walkway and the MLW line at the mangrove / open water ecotone. A block with float was placed at the center point of the dock terminus. The walkway was swum using this centerline and examined for benthos. A linear crossing grid was swum in two directions covering the area directly under the proposed dock and lifts area and fifty feet out in all directions. The mooring area for the vessels using the lifts was also swum. Snorkel gear was used for the survey. The bottom benthos was identified by species and density of bottom cover in percentage of cover. The visibility underwater during the survey was 9 feet in all directions. The white quadrat seen in the photographs is one square foot and used for measuring the density of bottom vegetative cover. The GPS coordinates were taken in decimal minutes using NAD 83 datum.

Species of Special Attention:

There are no threatened or endangered species of sea grass or other benthos observed in this survey. Sea grass is protected by the State of Florida and there is only one species found growing on the bottom of the project area. There are no stony or soft corals found in the footprint of the proposed walkway, docking facilities, and general area. The shoreline is not suitable nesting habitat and there are no sea turtle nesting issues with endangered sea turtles on or near this site.

Description of Bottom Substrate:

The substrate of the bay bottom is hard base limestone rock covered with a deep layer of soft organic mud and silt overlay of between eight to twelve inches deep. Stratified bedrock is found exposed in the area under the Red Mangroves and along the area of MLW. Macro algae and sea grasses are found growing in light homogeneous cover throughout the area.



Bottom Area at the 12 ft Mark on the Prop. Walkway fm MLW



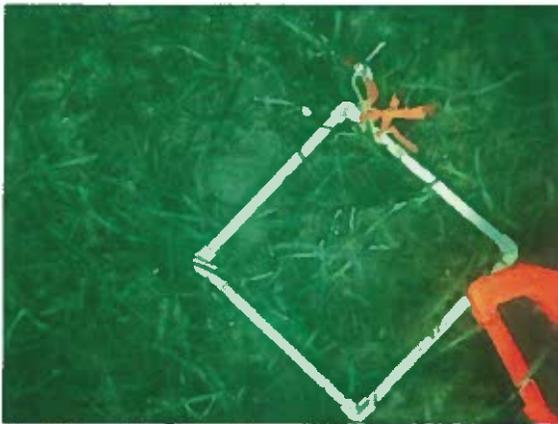
Bottom Area at the 34 ft Mark Along the Walk way - 15% T

Dominant Benthos at the Site:

Turtle Grass makes up the dominant vegetative bottom cover at the proposed terminus and walkway footprints. The overall bottom coverage of Turtle Grass (*Thalassia*

testudinum) at the docking facility site is 30 – 35% bottom cover. Macro algae mixed with the grass is 5 to 8%. See the Benthic Map for density of vegetation along the walkway. There are no other species of sea grass in the area. There are no stony or soft coral colonies found in the area. The sea bottom area directly below the proposed 120 sf terminal dock and that area pre-empted by any future boat use on the west side and east sides including the lift areas is colonized with a homogeneous cover of Turtle Grass mixed with the macro-algae *Halimeda incrassata*, *Chondria littoralis*, *Laurencia poitei*, *Spyridia hypnoides*, and *Penicillus capitatus*. There are no sponges or tunicates found.

Along the walkway shadow from the terminus bottom cover is predominantly Turtle Grass with a mix of 10% macro algae, the density of macro algae increases in a zone 34 ft from the MLW line where bottom algae is 30% and very little grass.



Turtle Grass Typical - 35% at Dock Terminus



Bottom Cover at Center of West Lift Area

The area waterward of the rip-rap line has fringing mangroves. There is an area of organic mud that is barren of vegetation measuring 19 feet along the walkway line (see attached map).



Open Area in Mangrove Fringe On Centerline of Prop. Walkway



Adjacent Existing Dock (Pile to Left) Vegetation in Footprint

Conclusion and Recommendation:

The sea bottom area directly below the proposed walkway, dock, lift, and mooring area is a homogeneous bay bottom cover of sea grass (Turtle Grass) and macro algae mix. The open water beyond the proposed terminus is clear and gradually becomes deeper for safe boat access. The bottom, pre-empted by any future boat / lift use around this dock area, is also colonized with the dominant *Thalassia testudinum* or Turtle Grass. There are no soft or stony corals located in the footprint or area around the planned facility. A fifty-foot area around this terminus and mooring areas was evaluated and it contained the same general density and mix of Turtle Grass and macro algae as the proposed footprint. This dock, lifts and walkway as proposed and designed should not adversely impact the bottom benthos due to its proposed height, width, and depth of water. The proposed walkway was sited to impact minimally on the mangrove fringe that is present for approximately 80 feet to open water. A section of 19 feet along the walkway is without vegetation –see photo above. Turtle Grass appears very healthy growing in the footprint of existing dock footprints and use areas adjacent to the proposed dock facility in the SD.

TABLE I
Species List of Marine Plants Observed at This Dock, Lifts & Walkway Site

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Notes</u>
<u>Sea Grasses</u>			
Turtle Grass	<i>Thalassia testudinum</i>	P	
<u>Green Algae</u>			
Mermaide’s Wine-glass	<i>Acetabularia crenulata</i>		
	<i>Arrainvillea elliotii</i>		
	<i>Caulerpa sertularioides</i>		
	<i>Halimeda incrassata</i>		
Mermaide’s Shave Brush	<i>Penicillus capitatus</i>		
	<i>Rhipocephalus phoenix</i>		
	<i>Udotea flabellum</i>		
Fuzz-ball Algae	<i>Symploca hydroides</i>		
<u>Brown Algae</u>			
	<i>Dictyota divaricata</i>		

Red Algae

Chondria littoralis
Laurencia poitei
Spyridia hypnoides

TABLE II

**Species List of Invertebrates, Fin Fish, and Coelenterates Observed at
This Proposed Dock and Walkway Site**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Notes</u>
--------------------	------------------------	---------------	--------------

Coelenterates:

None

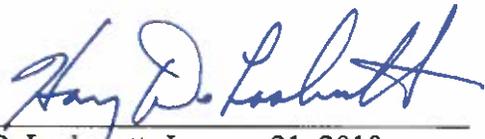
Sponges:

None

Fin Fish and Invertebrates:

None – way too cold

This biological evaluation and report conducted by



Harry DeLashmutt, January 21, 2010
Biosurveys, Inc.

Benthic Map and Site Plan, Trip Report fm DEP (1999) and Land Data is Attached next pages –

Lombardi - Owner

Benthic Survey Map

Lot 46, BIK 3 - Buccaneer Point
112 N. Bounty Lane, Key Largo
Parcel # 00496131-009000



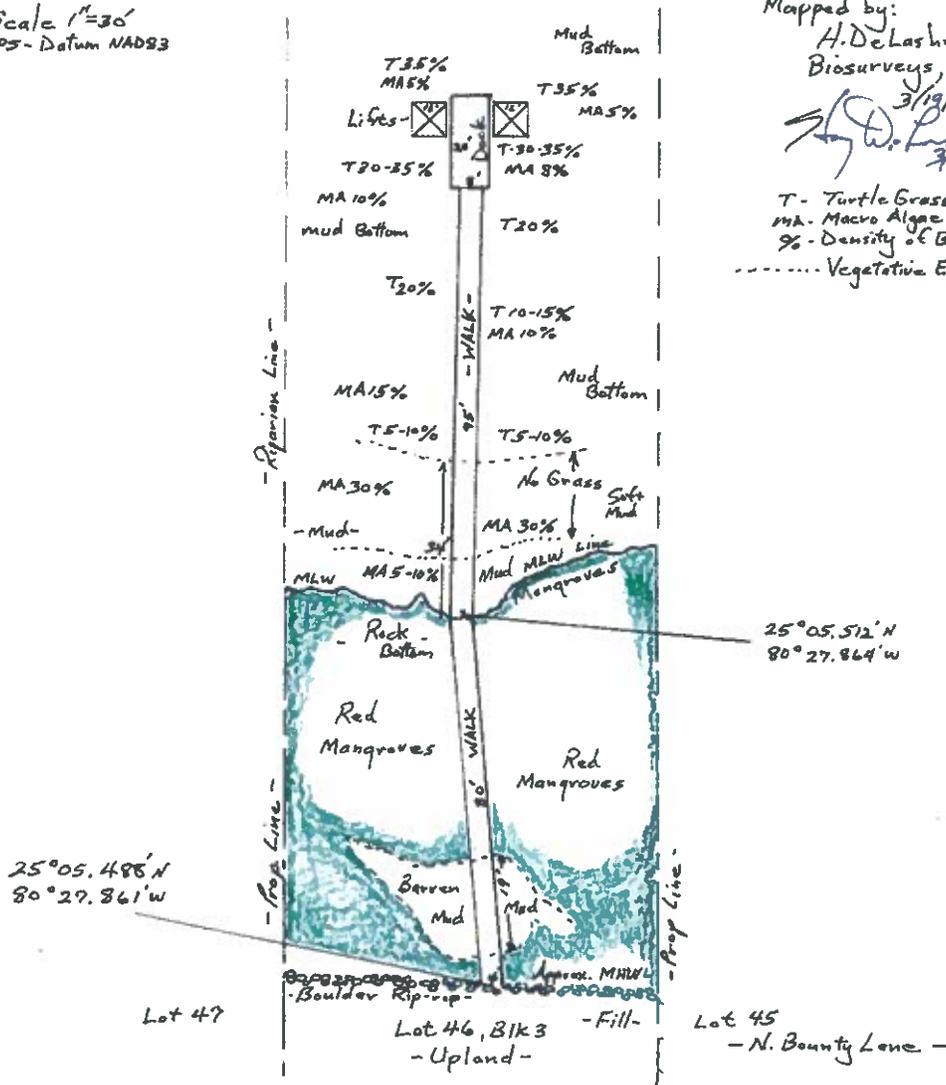
Scale 1"=30'
GPS-Datum NAD83

- Florida Bay -

Mapped by:
H. DeLashmull
Biosurveys, Inc.

3/19/10
[Signature]
3/19/10

T - Turtle Grass
MA - Macro Algae
% - Density of Bottom Cover
----- Vegetative Ecotone



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

TRIP REPORT

OGC NO.: N/A _____ TRAVEL DATE: November 9, 1999 TIME: 3:00 PM

SITE NAME: 44-0160333-001

SITE ADDRESS: lot 46, block 3, Buccaneer Point

NAME OF TRAVELER: Tiffany Williams, ESI

ACCOMPANIED BY: N/A

PURPOSE OF TRIP: Site inspection to swim proposed dock

PERSON(S) CONTACTED AND TITLE: N/A

FINDINGS:

The applicant owns a residential lot adjacent to Florida Bay (Class III Outstanding Florida Waters). The applicant proposes to install an approximately 688 square foot dock within Florida Bay which connects to a 400 square foot walkway built through a mangrove wetland. The Department issued Environmental Resource Permit No. 442403155 for the installation of a 4 foot wide elevated walkway from the existing fill, extending waterward, but not beyond the Mean High Water (MHW) line for lots 24, 25, 43, 44, 45, 46, 47, and 48, block 3 and lot 37, block 6 of Buccaneer Point Estates. The purpose of the project is to provide boating access to the property. Turbidity controls have been proposed.

DESCRIPTION OF GENERAL PROJECT/ACTIVITY AREA: The general project area includes the northwest side of Key Largo within the Buccaneer Point Subdivision. This subdivision was created through historical dredge and fill activities. It consists of residential lots which face Florida Bay. Florida Bay in this location is within the Florida Keys National Marine Sanctuary and is also designated a Florida Keys Special Waters.

BIOPHYSICAL CHARACTERISTICS OF THE SPECIFIC PROJECT/ACTIVITY SITE: The site inspection was conducted during the afternoon hours. The site was snorkeled. The specific project site includes a mostly rectangular residential lot. The east and west sides of the lot are bordered by similar vacant lots. The south side of the parcel is bordered by Mutiny Lane. The north side of the lot is bordered by Florida Bay. This lot has been the subject of past enforcement actions by the Department (Case No. 90-20-275-CA-18).

From the edge of the pavement of Mutiny Lane to an existing riprap revetment along the shoreline is uplands. From the riprap revetment waterward there was approximately 90 linear feet of wetlands. These wetlands were restored as a result of the referenced enforcement actions. Fill material was removed,

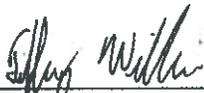
mangrove seedlings planted and the area allowed to revegetate as a mangrove fringe. From the waterward side of this wetland restoration area there is a mature mangrove fringe. The mangrove fringe consists of red, white and black mangroves (*Rhizophora mangle*, *Laguncularia racemosa* and *Avicennia germinans*). There was also buttonwoods (*Conocarpus erectus*) and glasswort (*Salicornia spp.*) present. There is an existing approximately 6 ft. wide opening through the fringe, within the proposed alignment of the dock access walk. This path was authorized under DEP permit No. 442403155. The wetlands waterward of the existing riprap revetment including the mangrove fringe are encumbered by a conservation easement, requiring the area be maintained as a wetland. The applicant had marked the location of the proposed terminal platform with a buoy.

From the waterward side of the mangrove fringe approximately 35 ft. waterward (125 ft. waterward of the riprap revetment), the substrate was muddy. Benthic life in this area consisted primarily of sponges.

For the remaining 100 ft. of the proposed project including the area for the terminal platform the benthic community consisted of sparse turtle grass (*Thalassia testudinum*) and sponges. The substrate here was muddy. The depth at the proposed location of the terminal platform was 5.5 ft.

The walkway authorized under Environmental Resource Permit No. 442403155 has not been constructed. The permit expired on September 9, 1999. The project subject to this application is for a 1088 square foot dock consisting of a 160 square foot terminal platform and a 928 square foot access walkway (4 feet x 232 feet).

The application had originally been coded as an Environmental Resource Permit (ERP) because adjacent lots (see Alcidez Gonzales and James C. Dougherty) that had proposed docks fit the ERP due to the presence of a turtle grass (*Thalassia testudinum*) community. However, during to this site inspection it has been determined that the application will be recoded to a general permit due to the lack of a seagrass community or other benthic communities.



Tiffany Williams

December 1, 1999

TMW

Property Record View

Alternate Key: 1613207 Parcel ID: 00496131-009000

Ownership Details

Mailing Address:
 LOMBARDI JOHN T TRUST 4/6/2009
 52 MUTINY PL
 KEY LARGO, FL 33037-2326

Property Details

PC Code: 00 - VACANT RESIDENTIAL
 Millage Group: 500K
 Affordable Housing: No
 Section-Township-Range: 31-81-39
 Property Location: 112 N BOUNTY LN KEY LARGO
 Subdivision: BUCCANEER PT (LARGO SOUND TARPON BASIN)
 Legal Description: BK 3 LT 46 BUCCANEER POINT SUBDIVISION PB7-8 KEY LARGO OR787-450 OR963-209 OR1569-1289 OR2435-1033D/C OR2435-1040/43

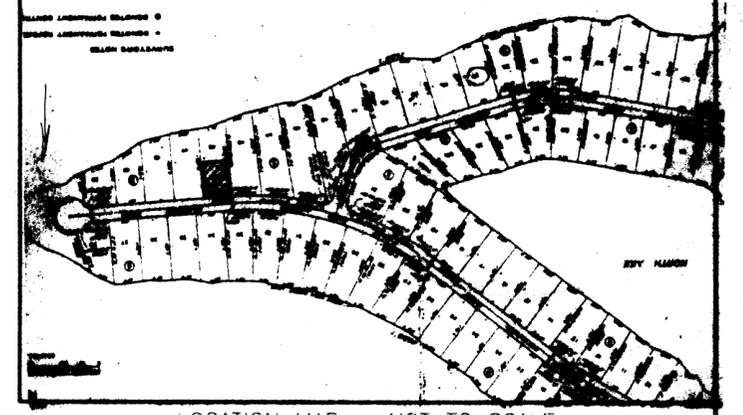
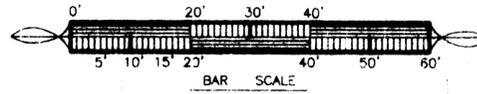
Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
M10W - RES WATERFRONT	0	0	8,000.00 SF
000X - ENVIRONMENTALLY SENS			

BUTTONWOOD SOUND

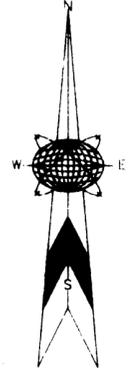


LOCATION MAP - NOT TO SCALE

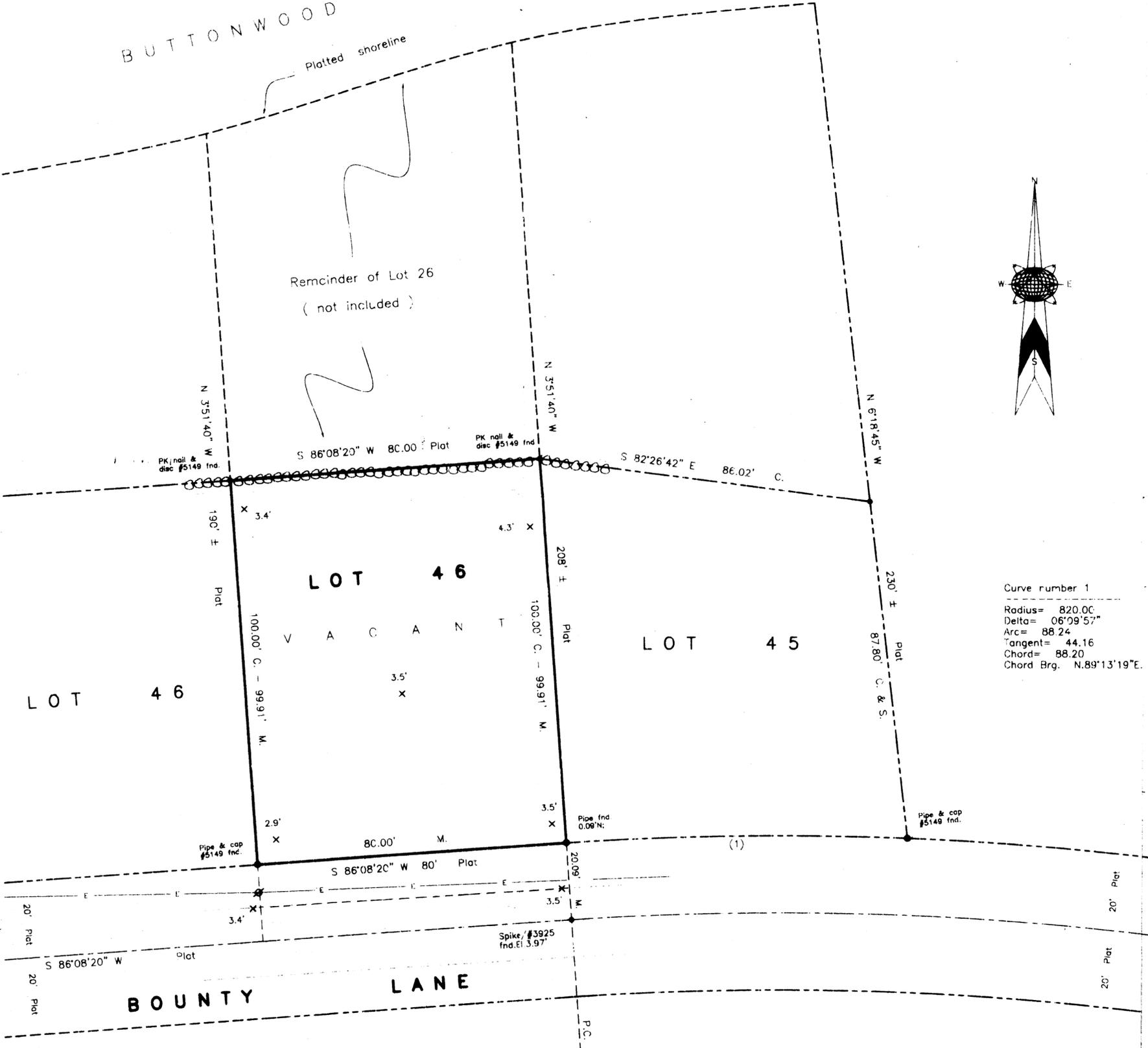
ABBREVIATIONS/SYMBOL LEGEND

Fnd. - Found	C. - calculated	● -	Pk. nail found
S. - Set	M. - measured	○ -	Pk. nail set
D. - Deed	Sw. - seawall	⊙ -	Pipe/cap
R. - Records	Fb. - fish bench	⊗ -	Pipe/cap set
Pl. - Plat	Fp. - Fencepost	⊕ -	Iron pin found
Conc. - Concrete	Fr. - Wood frame	⊘ -	Wood utility pole
A/C - Air conditioner		⊙ -	Concrete utility pole
Ms./Ws. - Metal shed/Wood shed		⊙ -	Manhole
Cb. - Concrete block		⊙ -	Overhead electric lines
P.C./P.T. - Point of Curvature/Tangency		⊙ -	Overhead telephone lines
P.O.C. - Point of Commencement		⊙ -	Chainlink fence
P.O.B. - Point of Beginning		⊙ -	Wood fence
P.O.T. - Point of Terminus			
Wd./Wp. - wood deck/wood porch			
Encr. - encroaches			
BHL - bulkhead line			
D.O.T. - Department of Transportation			
cor. - come			

Note: All pipes "set" & all Pk.s set are identified with a cap or washer embossed with the number of the signing surveyor. Unless specified otherwise, all pipes are 7/8" (O.D.) and all rebars are # 5.



Remainder of Lot 26
(not included)



Curve number 1
 Radius= 820.00
 Delta= 06°09'57"
 Arc= 88.24
 Tangent= 44.16
 Chord= 88.20
 Chord Brg. N.89°13'19"E.

DESCRIPTION

The Southerly 80.00 feet of Lot 46, Block 3, BUCCANEER POINT, according to the plat thereof as recorded in Plat Book 7 at Page 6 of the public records of Monroe County, Florida.

SURVEY NOTES:

- The survey hereon represents a boundary survey of vacant parcel(s) of land, with spot elevations. This survey does not purport to establish the Mean High Water Line as set forth in Chapter 177, Part II (Coastal Mapping) of the Florida Statutes, or Chapter 61G17 of the Florida Administrative Code. The "approximate shoreline" as shown hereon is a common sense approximation of mean high water based on various physical features observed at the time of this survey. The actual boundary between private and sovereign lands could deviate from the shoreline as shown on this survey with the performance of a Mean High Water Survey, as described in Chapter 177, Part II.
- Elevations hereon are relative to Mean Sea Level, 1929 Adjustment, also known as National Geodetic Vertical Datum of 1929 (N.G.V.D.), and are based on a closed level loop from United States Coast and Geodetic Survey Benchmark "W-275" with a published elevation of 13.02' N.G.V.D. Spot elevations are shown thus: x 3.4'. Local benchmark is as shown hereon.
- No underground utilities, foundations, footings or septic tanks were located for the purpose of this survey.
- Encroachments onto or from the surveyed parcel, if any are as shown or noted hereon.
- The North Arrow and Bearings, (if shown), were derived from the Plat or from the description provided, if said description is metes and bounds. The base bearing (if applicable) for performing this survey is denoted thus: (#).
- The Plat as stated in the Legal Description was recorded on the 13th day of July, 1976.
- This parcel is located in National Flood Insurance Program Flood Zone VE, Base Flood Elevation 12' as shown on F.E.M.A. map panel # 1004, revised 6-16-95 To be verified by Engineer/County prior to construction!
- The legal description was furnished by the client. No abstracting was done for the purpose of this survey. This survey does not certify ownership, which is subject to opinion of title.
- Any visible evidence of occupation and/or use of the described parcel for rights of way, ingress and egress is shown on this survey drawing, however, this survey does not purport to reflect any easements or rights of way other than those shown on the recorded plat or stated in the description as it appears on this drawing. This survey does not certify that no other instruments exist which may effect the title of this parcel.
- This survey was made for the sole use of the client as stated hereon and is not warranted for unauthorized use by third parties. No certifications other than those specifically stated hereon are implied.
- Utility Easements exist along the front and all side property lines as set forth in the Declaration, Page 1 of the recorded plat. They are not depicted graphically on the plat or this sketch. Refer to the Declaration.

HAL THOMAS - PROFESSIONAL LAND SURVEYING	Client: John Lombardi	Located on Key Largo,	Monroe County, Florida
91790 Overseas Highway / P.O. Box 279	Drawn by: KPS Fieldbook 259	Scale: 1"= 20'	Drawing No. 15053
Tavernier, Florida, 33070	Section: 31 Township 61 South, Range 39 East	Field survey completed on: 8-12-99	
Phone: (305)852-5529 / Fax: (305)852-9064	Computer: b Directory: C:\DWG	Revision:	Description:

Kevin P. Spriggs, P.S.M.
Florida Registered Surveyor & Mapper No. 5149

not valid without the signature and original raised seal of a Florida license Surveyor and Mapper

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBMERGED LANDS AND ENVIRONMENTAL RESOURCES PROGRAM
SITE ASSESSMENT REPORT**

APPLICANT: John Lombardi

FILE NO: 44-0160333-002

MAILING ADDRESS: 52 Mutiny Place, Key Largo, FL 33037

WATERBODY: Florida Bay, Class III Outstanding Florida Waters

COUNTY: Monroe

LOCATION OF PROJECT/ACTIVITY:

Property is located at 112 North Bounty Lane, Key Largo, Monroe County, in Section 31, Township 61 South, and Range 39 East; Parcel #00496131-009000.

AQUATIC PRESERVE: No

IS PROJECT/ACTIVITY IN OFW: Yes

DATE OF SURVEY: 9/8/2010

ASSESSORS: Celia Hitchins & Bruce Franck

PROJECT/ACTIVITY DESCRIPTION:

The applicant is requesting to construct a ±904 sq. ft. dock with a boatlift within Florida Bay.

DESCRIPTION OF GENERAL PROJECT/ACTIVITY AREA:

The proposed project is located within the Buccaneer Point residential subdivision on the bayside of Key Largo. Upland facilities include a vacant, residential lot (see photo 1).

The lot is bordered to the east by a single family residence, to the north by Florida Bay, to the south by North Bounty Lane, and to the west by a vacant lot.

The upland lot (and other adjacent lots) were created from unauthorized fill activities within wetlands. As a settlement agreement and Consent Final Judgement in 1993, the previous owner(s) (James C. Dougherty, SR. and Buccaneer Point Estates, Inc.) were allowed to keep 8,000 sq. ft. of fill and a 4' wide access path through the shoreline mangroves, with the remaining portions of the lot (primarily the shoreline mangroves) set aside in a conservation easement.

BIOPHYSICAL CHARACTERISTICS OF THE SPECIFIC PROJECT/ACTIVITY SITE:

The site inspection was conducted during the afternoon. Seas were calm on an ebbing high tide. Water clarity was 10-15 feet.

Waterward of the upland lot, a scattered layer of riprap boulders runs the width of the lot separating the wetlands from the uplands. Waterward of the boulders, a mangrove wetland approximately 70-100 feet in depth exists (see photo 1). It is characterized by dense, mature trees including green buttonwood, white mangrove, black mangrove, and red mangrove. The proposed walkway will traverse this wetland (see photo 2). It will be raised 5 feet above the MHW line and handrailed to prevent any secondary impacts to the adjacent wetlands.

Waterward of the mangroves, the proposed access walk bears slightly to the east and continues waterward for an additional 95 linear feet (see photo 3). Nearshore, the benthic habitat is shallow and comprised of 100% macroalgae coverage that forms in dense, compact mats. A few small sponges and a tunicate were also observed (see photos 4 & 10). The substrate appears to be comprised of deep layer of organic material that forms a firm foundation (see photo 5).

Approximately 30 linear feet waterward from the MLW mark, the algal coverage steeply declines and the benthos becomes vegetated by sparse Turtle grass (*Thalassia testudinum*) with 10-20% coverage, scattered sponges, and 1-5% coverage of algae such as *Peniculus sp* (see photo 6). The substrate becomes more silty.

Further waterward, the water depths quickly increase but the benthic habitat remains the same as above (see photo 9). At the location of the proposed terminal platform and boatlift area, the benthos is vegetated by sparse Turtle grass with 20-30% coverage, a few scattered sponges, and 1% coverage of *Peniculus* algae (see photos 7 & 8). The seagrass measures 6-8 inches in height. The total observed water depth was approximately 6'6". No other benthic resources are present in this area. The substrate is the same as above.

A vessel with a maximum draft of 3'6" is proposed to use the west side of the terminal platform. Therefore, a minimum of 1 foot clearance is available between the height of the seagrass and the deepest vessel draft. No mooring is authorized on the east side of the terminal platform, due to setback issues with the adjacent property owner.

Fish and wildlife observed include glass minnows, hermit crabs, tulip snails, and a sea star.

EXPECTED IMPACT OF PROJECT/ACTIVITY:

Negative impacts to water quality would not be expected to result from an increase in turbidity during construction if the proper turbidity controls were used.

Long term negative impacts of the proposed project are not expected due to the minimized project design. Impacts to the conservation of fish and wildlife are not anticipated.

The proposed project will not affect the public health, safety or welfare.

The proposed project should not affect navigation or cause erosion or harmful shoaling. The project should not affect fishing, recreational values or marine productivity in the general vicinity.

The project will be permanent in nature. The proposed project should not adversely affect significant historical or archaeological resources.

The project as proposed would be consistent with the permitting criteria outlined in Chapters 373 and 403, Florida Statutes, and Chapters 40E-4, 62-312, 62-301, 62-302, 62-4, and 18-21, Florida Administrative Code.

Celia E. Hitchins
Celia E. Hitchins
Environmental Specialist II
Environmental Resource Permitting
and Submerged Lands
9/8/2010

MEMORANDUM



To: Townsley Schwab
From: Michael Roberts 
Subject: Long Dock Variance Application for John Lombardi
File #: 2011-032
Date: May 4, 2011

Application Date: March 23, 2011

I Request:

- 1) Applicant: John Lombardi
- 2) Proposed Long Dock Length: 186 Linear Foot walkway w/ 8' X 20' (160 ft²) Terminal Platform w/boat lift
- 3) Legal Description: BK 3 LT 46 BUCCANEER POINT SUBDIVISION PB7-6 KEY LARGO OR787-450 OR963-209 OR1569-1289 OR2435-1033D/C OR2435-1040/43
RE # 00496131-009000
- 4) Street Address: 112 North Bounty Lane, Key Largo 33037

II Background Information:

Land Use District: IS (Improved Subdivision)

Size of the Site: approximately 8,000 sq. ft. (0.18 acres)

Community Character of Immediate Vicinity: The community character of the immediate vicinity can be described as a mostly developed subdivision (Buccaneer Point).

III Discussion of Compliance with the Land Development Regulations:

Section 118-12 contains conditions for pier type docks. The Staff has made the following conclusions regarding the applicant's compliance with Monroe County regulations and conditions for pier type docks:

1) The physical characteristics of the proposed construction:

Based on the site plans, staff finds that the proposed pier type dock will consist of a eight (8) feet by 20 (160 ft²) feet terminal platform with a boat lift (16' X 14'). Dock includes four (4) feet by 186 feet (744 ft²) walkway (95' over MLW) for a total of 904 square feet and a total length of 206 linear feet. These specifications meet the current codes for size needing only a variance for length. The dock extends to -5' MLW as a requirement of DEP to avoid impacts to seagrass.

2) The necessity of the variance:

Based on drawings by Glen Boe & Associates, Inc., aerial photographs, and the location of existing docks in the vicinity, the water depth at the shoreline is insufficient for a docking facility. In addition, the Florida Department of Environmental Protection required the applicant to extend the dock to -5' MLW in order to avoid impacts to seagrasses.

3) Danger to life and property if the variance is granted or is not granted:

Based on a site visit, aerial photographs, and the application provided by the applicant, staff can find no evidence that danger to life and property would be either decreased or increased with the approval or denial of this variance.

4) Community importance:

The proposed dock will be for private residential use only and therefore will provide no benefit to the community.

5) Community compatibility:

Based on a site visit, current and historical aerial photographs, and Monroe County Building Department records, staff finds that the proposed dock would be consistent with the other docks of this type and shoreline configuration in the community and would therefore be compatible.

6) Emergency access:

Based on the application submitted by the applicant and a site visit the proposed dock would not impede emergency response to property or the surrounding properties.

7) Costs of governmental services:

Based on the application supplied by the applicant staff finds that the costs of supplying governmental services would not be affected if this variance is granted or denied.

IV Staff Recommendation:

Based on the findings of fact, the Environmental Resources staff recommends **APPROVAL** of the application with the following conditions:

- 1) All of the conditions outlined in the Department of Environmental Protection permit (File No. 44-0160333-002) are understood and shall be met, under penalty of Code Enforcement.
- 2) Impact on sea grasses, corals and submerged vegetation will be avoided.
- 3) The submitted plans shall not be deviated from without a revision to this approval.

File #: **2011-023**

Owner's Name: Hoffman, William & Renata

Applicant: Hoffman, William & Renata

Agent: Glen Boe and Associates, Inc

Type of Application: Dock Length Variance

Key: Summerland Key

RE: 00114470-005800

Additional Information added to File 2011-023

County of Monroe
Growth Management Division

Planning & Environmental Resources
Department

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



Board of County Commissioners

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

We strive to be caring, professional and fair

Date: 3.14.11

Time: PM

Dear Applicant:

This is to acknowledge submittal of your application for Dock Length Variance
Type of application

William & Renata Hoffman to the Monroe County Planning Department.
Project / Name

Thank you.

Ken Kraly

Planning Staff

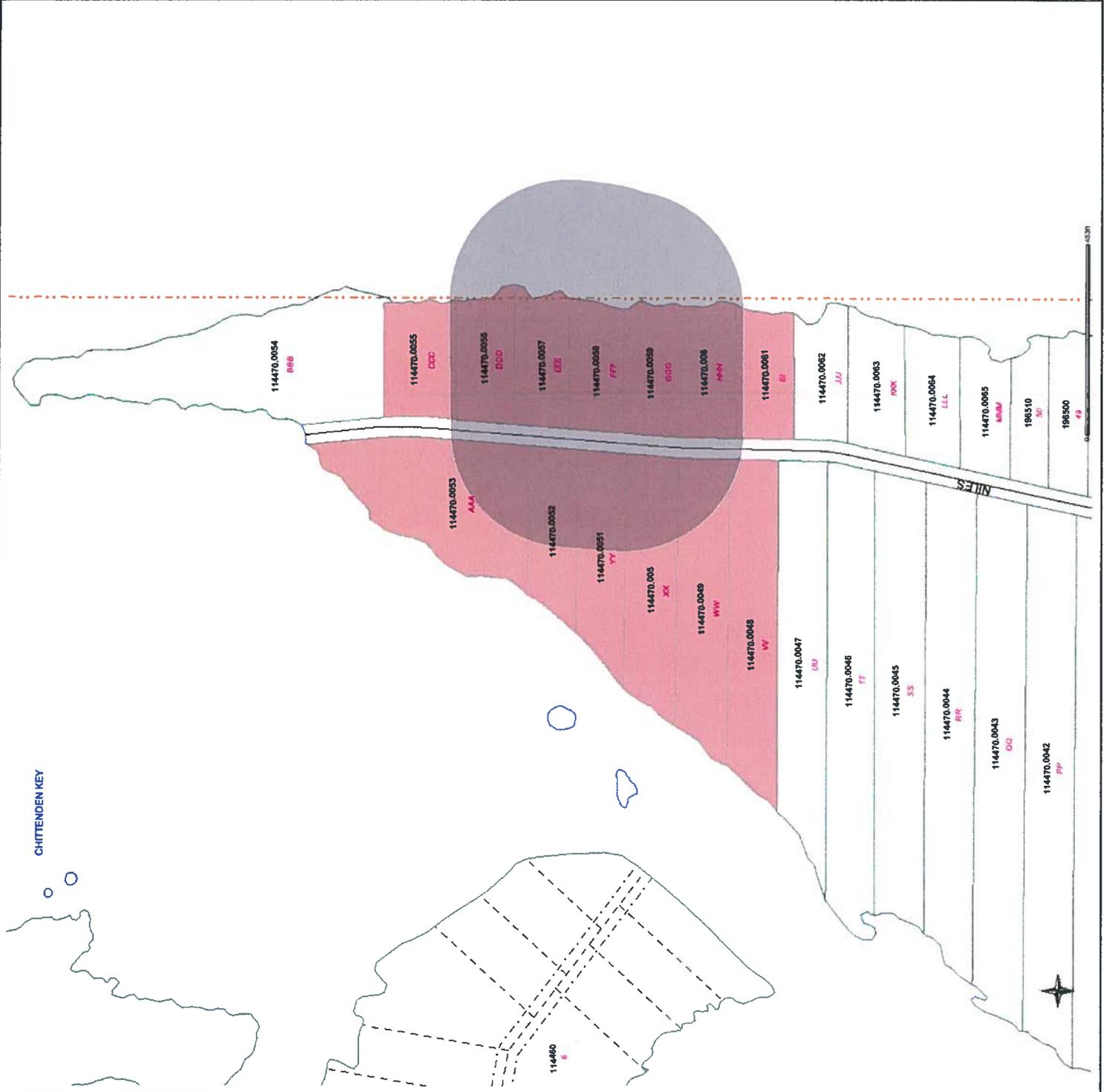
- Legend**
- the Buffer
 - the Buffer Target
 - Real Estate Number
 - Parcel Lot Text
 - Block Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: March 15, 2011 9:14 AM



End of Additional File 2011-023

MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Dock Length Variance Application

Monroe County Code §9.5-349

Dock Length Variance Application Fee: \$1,026.00*

*Plus \$3.00 per shoreline property owner within 300 feet of subject parcel

1) PROPERTY OWNER:

Name: William C & Renata Hoffman

Mailing Address: 2890 South Tejon St., Englewood, CO 80110

Phone:(Home)(303) 789-0933 (Work)(303) 525-7897 (Fax)(303) 789-4506

2) AGENT (if applicable):

Name: Glen Boe & Associates, Inc.

Mailing Address:5800 Overseas Hwy, Ste 4, Marathon, FL 33050

Phone:(Home)_____ (Work)(305) 743-9121 (Fax)(305) 743-9197

3) DESCRIPTION OF PROPERTY:

Street Address:1525 Niles Road, Summerland Key, FL 33042

Lot:FFF Block _____ Subdivision:Sumerland Key:Summerland MM:25+/-

RE Number: 00114470-005800

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

4) VARIANCE REQUEST: (use additional paper if necessary)

Describe the variance request and exactly what the variance would allow you to do: _____

Applicant seeks a variance to construct a dock in excess of 100' to reach the required

water depth of -4' at MLW. The proposed project consists of a 528.5' access walk

terminating in an 8'x20' platform. The access walkway and terminal platform extend

353' beyond the MLW.

5) BACKGROUND INFORMATION:

Size of property: 4.02 ac. Land Use District: Native Area

Present use of property: Residential Waterfront

Have you applied for a variance on this property in the past? No

If yes, when? _____

Circumstances of previous application: _____

Describe the shoreline on which the dock is proposed: The single family residence located on this property is well upland of the shoreline. The shoreline consists of vegetation and transitional wetland vegetation. The shoreline has a thick mangrove fringe. The substrate is bedrock limestone covered with mud and silt.

Describe the submerged lands across which the dock will extend (sand, seagrass, corals, etc.): _____
Carbonate sand covers the bedrock further from shore. As the bottom progresses out to deeper water, there is an even and deeper sand bottom. There are no threatened or endangered species of sea grass or other benthos observed.

6) VARIANCE CONDITIONS: When answering the following questions, consider the limitations described on pages three and four of this application. Please use additional paper if necessary.

a) How can you show good and sufficient cause why the variance should be granted? _____

The proposed dock has been engineered to the minimum possible length to meet Monroe County Land Development Regulations for water depth of -4'/MLW.

b) What exceptional hardship would occur if the variance is not granted? _____

Owners would not have boating access to their property.

c) If the variance is granted, would there be additional threats to public expense which would not otherwise occur? Would it create a nuisance? Or cause fraud or victimization of the public?

None.

d) Is the length of the proposed dock consistent with community character (what lengths are existing docks in the area)?

The length of the proposed dock is similar to others in the area. Although there are no docks in the area that extend as far as the proposed dock a neighboring dock extends 200'+/- into Niles Channel. There are other docks of greater length along Niles Road.

e) Would the proposed dock interfere with public recreational uses or pose a navigational or safety hazard in or on adjacent waters?

The navigable width of Niles Channel at the project location is approximately 4000'+/- from MHW to MHW. No public recreational uses exist for this property or the adjacent waters and no navigational or safety hazards will exist after construction of the proposed dock.

f) What are the unique or particular physical/geographical circumstances or conditions that apply to the property subject to the variance, but which do not apply to other properties in the same Land Use District?

The waters adjacent to the subject property are shallow with several rare deep rock pockets. The deep rock pockets consist of sand bottoms with sea grass communities. The owners are attempting to reach a balance between environmental issues and Monroe County LDRs.

g) If the variance is granted would it confer upon the applicant any special privilege denied by the Land Development Regulations other properties in the same Land Use District? Please explain why:

No special privileges would be granted to the owners of this property if the long dock variance is granted.

CONSIDERATIONS:

The Growth Management Division, in determining whether the foregoing conditions for a variance are met, shall ONLY consider the following factors as relevant

- a) Physical characteristics of the proposed construction for which a variance is requested;
- b) Whether it is possible to use the property without the variance;
- c) The increased or decreased danger to life and property if the variance is or is not requested;
- d) The importance to the community of the services to be provided if the proposed variance is granted;
- e) The compatibility of the proposed variance in light of existing and permitted development in the immediate area;
- f) The safety of access to the property for ordinary and emergency vehicles if the variance is or is

not granted;

- g) The additional or lessened costs of providing governmental services if the variance is or is not granted.

The Growth Management Division shall NOT consider the following factors in determining if the foregoing conditions are met

- a) The physical disabilities or handicaps and health of the applicant or members of his family;
- b) The domestic or financial difficulties of the applicant or his family.

THE FOLLOWING SUPPORTING INFORMATION MUST ACCOMPANY THE APPLICATION FOR VARIANCE:

NOTE: If the supporting data (i.e. survey, site plan) is larger than 8 ½ x 14 inches, sixteen (16) copies must be submitted.

- a) Photographs of site; looking N, E, S & W from perimeters of property and from the main adjacent road. A recent aerial photograph with property boundaries delineated may be substituted.
- b) A site plan showing proposed dock & all proposed and existing structures, improvements, parking facilities, etc. with all dimensions to scale. Indicate on the site plan any proposed structures with previously approved variances and the location of property entrance.
- c) A copy of the Land Use District Map showing surrounding property within one thousand (1,000) feet of subject property boundaries.
- d) Typed Name and Address MAILING LABELS of shoreline property owners within a 300 feet radius of the borders of the property. This list should be compiled from the current tax rolls located in the Property Appraiser's Office. Also, please provide the listing of the names, subdivision name, lot and block # and the RE #'s for each address and note those that are adjoining the property. Adjoining lots are still considered adjoining even if they are bounded or bisected by a canal or street. When a condominium is within three hundred (300) feet adjoining the property, each unit owner must be included.
- e) Proof of ownership of subject property. (Copy of recorded Warranty Deed or tax bill).
- f) Survey of the property prepared by a surveyor registered in the State of Florida.

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

Renata Hoffman
Applicant's Signature

1/17/11
Date

STATE OF Florida
COUNTY OF Monroe

Sworn to (or affirmed) and subscribed before me this 17th day of January, 2011
by Renata Hoffman who is personally known or who has produced
Dr. die as identification.

Notary Signature Sheila Wichelns



Prepared by and return to:
Lisa Rodriguez
Kahane & Associates, P.A.
8201 Peters Rd., Suite 3000
Plantation, FL 33324

Doc# 1741241 05/07/2009 9:27AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

05/07/2009 9:27AM
DEED DOC STAMP CL: TRINA \$4,550.00

File Number: 09-04271
Loan Number:
Consideration: \$650,000.00

Doc# 1741241
Bk# 2411 Pg# 1819

(Space Above This Line For Recording Data)

Special Warranty Deed

This Special Warranty Deed made this 17 day of April, 2009, between U.S. Bank National Association as Trustee for the Certificateholders of LXS 2006-18N whose post office address is 7105 Corporate Drive, Plano, TX 75024, grantor, and William C. Hoffman and Renata J. Hoffman, husband and wife whose post office address is 1045 Independence Street, Ladwood, CO 80215, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **Monroe County, Florida**, to-wit:

Lot FFF, SUMMERLAND KEY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 744, Page 803, of the Public Records of Monroe County, Florida.

Parcel Identification Number:

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

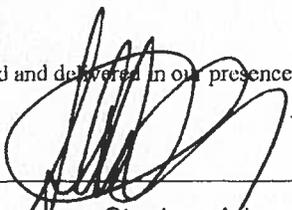
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

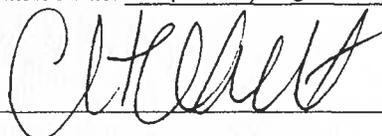
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Doc# 1741241
Bk# 2411 Pg# 1820

Signed, sealed and delivered in our presence:

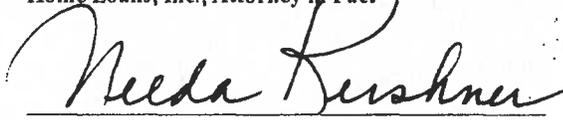


Witness Name: Stephen Aring



Witness Name: Chelsea Heckert

U.S. Bank National Association as Trustee for the
Certificateholders of LXS 2006-18N, by Countrywide
Home Loans, Inc., Attorney in Fact

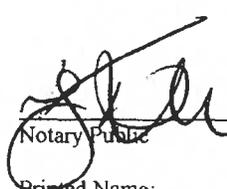
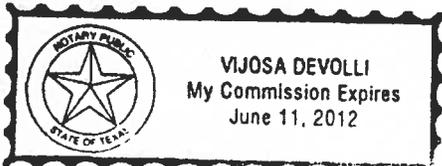


By: Nelda Kershner, Assistant Secretary

State of TEXAS

County of COLLIN

The foregoing instrument was acknowledged before me this 17 day of April, 2009 by Nelda Kershner
of Countrywide Home Loans, Inc., Attorney in Fact for U.S. Bank National Association as Trustee for the Certificateholders of LXS
2006-18N, who (X) is personally known to me or () has produced _____ as identification.



Notary Public

Printed Name: _____

My Commission Expires: _____

MONROE COUNTY
OFFICIAL RECORDS

debra

From: Joanne Delaney [Joanne.Delaney@noaa.gov]
Sent: Tuesday, December 07, 2010 11:56 AM
To: Celia Hitchins; Isla Turner
Cc: Jocelyn Karazsia; Glen Boe & Associates
Subject: FKNMS authorization - Hoffman (44-0300559-002 & 2002-07191 LP-IMT)

Attachments: FKNMS-2010-147_Hoffman LOA.pdf



FKNMS-2010-147_H
offman LOA.pdf...

Dear Celia and Isla,
Attached to this message is letter of authorization / no objection
#FKNMS-2010-147 for applicant Hoffman, to construct a single family dock in Summerland
Key. Please contact me if you have any questions about the Sanctuary's determination on
this project.

Thank you for your continued coordination with FKNMS.

Sincerely,
Joanne

--

Joanne Delaney
Permit Coordinator
NOAA/Florida Keys National Marine Sanctuary joanne.delaney@noaa.gov
(978) 471-9653
<http://floridakeys.noaa.gov>

I work part-time: M, T, W, & F 9 am - 2:45 pm



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Florida Keys National Marine Sanctuary
33 East Quay Road
Key West, FL 33040

Ms. Celia Hitchins
Florida Department of Environmental Protection
South District Marathon Branch
2796 Overseas Highway, Suite 221
Marathon, FL 33050

Ms. Isla Turner
Department of the Army Jacksonville District Corps of Engineers
Miami Regulatory Office
9900 Southwest 107th Avenue, Suite 203
Miami, FL 33176

December 7, 2010

Dear Ms. Hitchins and Ms. Turner:

NOAA Florida Keys National Marine Sanctuary (FKNMS or Sanctuary) has reviewed Florida Department of Environmental Protection (DEP) application no. 44-0300559-002 and Department of the Army (DA) Corps of Engineers permit application no. 2002-07191 (LP-IMT). The applicants, William and Renata Hoffman, propose to construct a dock and boat lifts at a single family residence located at 1525 Niles Road, Summerland Key, Monroe County, FL.

The benthic survey provided by the applicant's agent indicates several stony coral colonies attached to the sea floor in the area proposed for construction. The removal of, injury to, or possession of coral or live rock is prohibited by FKNMS regulations at 15 CFR §922.163(a)(2).

NOAA appreciates the applicant's efforts to offset potential impacts to the coral colonies at the site by making a mitigation donation of \$472.08 in support of the FKNMS Key West Coral Nursery. The donation was calculated based on the area of corals to be impacted and will be targeted for use in rescue and preservation of similar coral colonies in future construction projects. Therefore, pursuant to 15 CFR §922.49, NOAA does not object to the issuance of a DEP or DA Corps permit for the project, and a separate FKNMS permit will not be required.

Please be aware that this determination is only applicable to the referenced DEP and DA Corps applications. If any changes are made to the project description in either application, DEP or DA Corps shall notify NOAA and this letter of no objection will be rescinded. Upon such notification, NOAA shall re-review the project and/or specific conditions and provide a supplementary determination. Further information on Sanctuary permit review and authorization is set forth at 15 CFR §922.49.



This project has been assigned authorization number FKNMS-2010-147. If you have any questions about this letter of authorization, please contact FKNMS Permit Coordinator Joanne Delaney at Joanne.Delaney@noaa.gov. Thank you for your continued cooperation with the Florida Keys National Marine Sanctuary.

Sincerely,



Sean Morton
Superintendent, FKNMS

cc: Glen Boe & Associates, Inc.
Jocelyn Karazsia, NOAA Fisheries Habitat Conservation Division



BENTHIC SURVEY

of

**Dock, Lifts and Walkway - Proposed Project
Pt. of Lots 2 & 7 Summerland Keys, Tract FFF
Monroe County, Florida
Parcel RE #: 00114470-005800
Sec 23 – Tw n 66 – Rge 28**

for

**William and Renata Hoffman, Owners
c/o Glen Boe and Associates, Inc.
5800 Overseas Highway, Suite 4
Marathon, Florida 33050**

August 12, 2010

Prepared by: Harry A. DeLashmutt, Consultant
794 26th Street
Marathon, Florida 33050
Phone – (305) 942-9221
hdelashmutt@comcast.net

Survey of Benthic Organisms

Proposed Docking Facility and Walkway Project – Hoffman Property

The following survey was conducted by the undersigned on August 12, 2010. The report includes a site description, methodology, observed species list, recommendations and conclusions, mapping, and photos. A coral mitigation assessment and inventory is also included.

Site Description:

The subject project location is a natural bay bottom area offshore from a natural shoreline on Niles Channel near Summerland Key in Monroe County. The shoreline has a thick mangrove fringe and a transitional wetland shoreline vegetation. The upland is natural wetland vegetation and the property has a single family residence located on it. The shore substrate is bedrock limestone covered with mud and silt. Carbonate sand covers the bedrock further from shore. As the bottom progresses out toward the deeper water, there is a more consistent even and deeper depth of sand bottom. The project as proposed is to locate and construct an “L” shape docking facility (20’ by 8’) with a 12 X 14 ft. boat lift, and a 12 X 12 lift. The dock terminus, boat lifts, and pre-empted boat shadow on bottom is water-ward beyond the four foot depth contour according to the official bathymetric survey conducted by Reese Surveying Inc. Water depth increases unobstructed gradually out to deeper ocean waters. The GPS coordinates for the key points of the walk and terminus are shown on the Benthic Survey Map attached. They are taken in Datum NAD83. The center point where the walk intersects the dock and two turning points of the walkway are marked with concrete blocks and floats.



Existing Opening in Mangroves – MHW Stake



Walkway Mark at Edge of Mangroves in Opening

MHW Stake (red in photo) is 42 feet from the concrete block (pictured above).



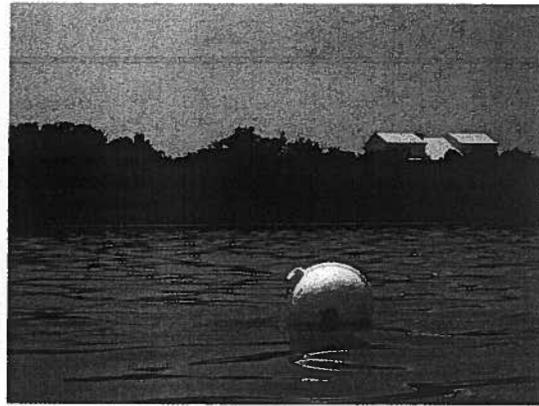
Location of Parcel and Offshore Bottom Cover – Aerial Photo by Palmis 2009

Survey Methodology:

The underwater assessment and benthic resource inventory was conducted on a calm and sunny day to extend visibility that was 8 - 10 ft. in all directions. The tide was ebbing on a mid-tide. The proposed dock plan and walkway arrangement was examined, measured and laid out to find the area affected or shadowed on the sea bottom. Floating dive flags were positioned at the corners of the dock and lift layout. The surveyor was on site during the mapping and marking of the water depth contours. These contours were marked. The dock terminus was located with the least impact on aquatic resources. A linear crossing grid was swum in two directions covering the area directly shadowed by the terminus and lift area and 50 feet radius to it in all directions. The area affected by the four-foot wide walkway was swum in two lines along the sides of the walkway four feet apart. The survey was also conducted over the entire area of the riparian jurisdiction and mapped. Snorkel gear was used. The dock and walkway are shown on the attached Benthic Survey Map. GPS coordinates were taken at the edge of the mangroves, MHW stake, and proposed intersection point of the walkway and the dock terminus. These points were marked with concrete block and floats. See Map for coordinate locations and coordinates in GPS datum NAD83.



Opening in Mangrove Fringe for Dock Walkway



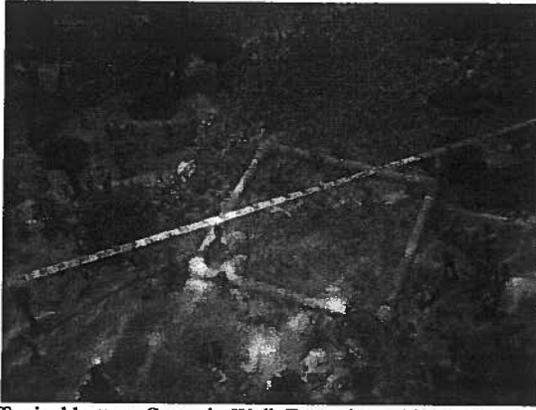
Walk and Dock Intersection Float and Opening in Bk Grnd

Species of Special Attention:

There are no threatened or endangered species of sea grass or other benthos observed in this survey. There is one species of shallow water coral - Round Starlet Coral (*Siderastrea radians*) located encrusted on the hard bottom along the walkway. There are several small coral colonies located within the terminus and lifts but are un-common in this area. A comprehensive search did not find either of the *Acropora* coral colonies in the riparian area. This site is generally considered as critical habitat for them by the National Marine Fisheries Service & FKNMS - NOAA. The shoreline has thick mangroves and is not considered nesting habitat for sea turtles and there is no biological determination of future potential habitat. Due to the shallow exposed nature of the shoreline area, sparse bottom vegetation and current, this area is not suitable Manatee foraging habitat.

Description of Bottom Substrate:

The substrate of the bay bottom is hard base limestone rock covered with a shallow carbonate sand and silt overlay of between two and four inches deep. Stratified bed-rock is found to be exposed in large patches closer to shore. The solid footing of the rock allows for sessile attachment of benthos and a wider diversity of macro algae species. Macro algae are growing in the sand cover over the bed-rock. This sand cover is very shallow and does not exceed six inches at the deepest locations except in rare deep rock pockets. The area of this dock is considered hard bottom in classification.



Typical bottom Cover in Walk Footprint – Algae 40%

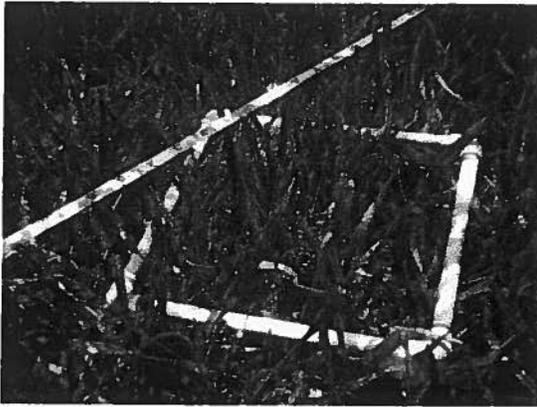


Bottom Cover at the Dock Terminus & Walkway

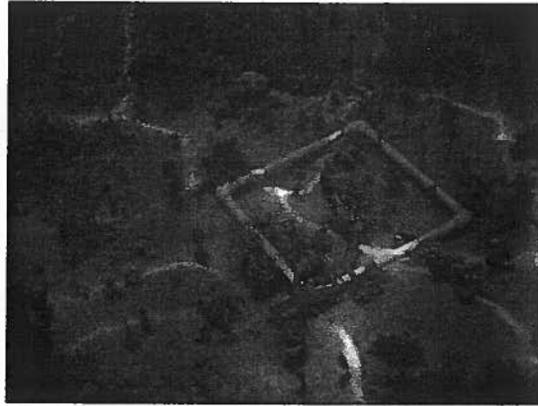
Dominant Benthos at the Site:

Macro algae make up the dominant vegetative bottom cover at the proposed dock terminal site, boat lifts, and along the walkway. There are small patches of sea grass (*Thalassia testudinum*) commonly known as Turtle Grass found growing in deep pockets of sand in the bedrock. Some Shoal Grass (*Halodule wrightii*) is found mixed with sparse Turtle Grass in the shallow waters near the mangrove fringe shore. See the Benthic Survey Map for locations and density of the patches found in the proposed walkway footprint. The macro algae cover near shore is made up of primarily *Penicillus capitatus*, and *Halimeda incrassata*. Unattached *Laurencia intricata* and *L. poitei* are intermingled with the dominant macro algae. Further out along the proposed walkway from MLW, the algae becomes less dense at 30% density in the dock terminus area. Deeper sand is found in the terminus area. Round Starlet Corals (*Siderastrea radians*) are found scattered on the hardbottom. This bottom environment is hard rock with a very light covering of sand 1 inch to 4 inches deep. The small coral colonies are generally scattered over the hard bottom to the dock location. Deeper sand from this point on out does not support many coral colonies and they become rare.

The sea bottom area directly below the proposed terminus and pre-empted by any boat use is colonized with the dominant macro-algae *Halimeda incrassata*, *Pinicillus capitatus*, *Avrainvillea elliottii*, and *Rhipocephalus phoenix*. These are all green algae. There are red algae species (*Laurencia inticata*) and *Ceramium nitens* found in sparse cover along the walkway. As the water depth lessens, more quantity and diversity of algae species are found. There is an absence of Gorgonains found in the area and along the proposed walkway shadow area. There are Loggerhead Sponges (*Sphaciospongia vesparium*), Vase Sponge (*Niphates digitalis*), and numerous small and scattered Brown Clustered Tube Sponges (*Agelas wiedenmyeri*) found along the proposed walkway area and terminus. These sponges are located within the footprint (see attached Benthic Map).



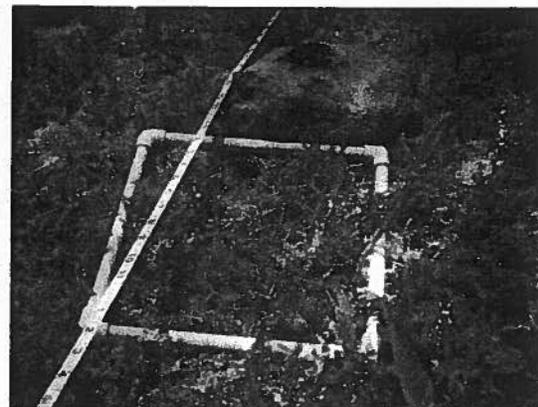
Turtle Grass in Footprint of the Dock Walkway – 90%



Typical Bottom Cover at the Dock & Lift Terminus Site



Quadrat Used for Coral Mitigation Inventory – Pile Loc.



Laurencia intricata unattached and Sponge in Walkway
White hand Quadrat is 1 foot Square

Conclusion and Recommendation:

The sea bottom area directly below the proposed dock and lift is colonized with a 30% cover of macro-algae. There are very few stony or soft corals growing in the area due to the depth of sand (3 – 6) inches) over the hard bed-rock. Sunlight levels passing under the proposed dock and around boats moored at the site should be adequate to easily maintain the existing biota. Some patch Turtle Grass is located around the terminus and lift areas in deep holes found in the bedrock. The height of the proposed dock above MHW should allow adequate sunlight to reach the bottom for benthos & vegetation support.

The proposed walkway shadow or footprint crosses a large patch 30 feet long and several small patches of Turtle Grass (*Thalassia testudinum*). The large patch is visible on the Aerial Photo attached to this report. Near the mangroves, there is a mix of Shoal Grass (*Halodule wrightii*) and Turtle Grass. This mix is 25 to 30% and scattered with macro algae. The walkway construction (piles) should only affect the large patch near shore. The dominant cover along the proposed walkway is made up of red and green macro algae. This cover is more dense and diverse as the waters become shallower progressing from the terminal site back to shore. Small Round Starlet Corals are found scattered along the walkway footprint. Loggerhead and Vase Sponges are also found in the

walkway area. This dock and walkway as proposed and designed should not adversely impact the bottom benthos due to its proposed height and width.

Special Note: The area along the walkway with small *Siderastrea radians* is too covered with the corals for an accurate inventory in footprint, measurements, and mapping. A pile location quadrat inventory of coral colonies was conducted and the inventory / report accompany this survey. Pin piles (4.5 inch diameter with 5 inch sleeve) will be used from the origination point and out 200 feet from the mangrove edge. Beyond this mark, 10 inch diameter concrete piles will be used including the terminus / lifts. The coral mitigation for the pile work used quadrats three times the diameter of the proposed piles. The piles are proposed to be set four feet apart every ten feet along the walkway. The appropriate diameter quadrats were centered on each proposed pile location for the coral inventory.

TABLE I
Species List of Marine Plants Observed at This Proposed Dock, Lifts, and Walkway Site

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Notes</u>
<u>Sea Grasses</u>			
Shoal Grass	<i>Halodule wrightii</i>		Walk Area
Turtle Grass	<i>Thalassia testudinum</i>		Walk Area
<u>Green Algae</u>			
Mermaide's Wine-glass	<i>Acetabularia calyculus</i>		
	<i>Arrainvillea elliotii</i>		
	<i>Batophora oerstedii</i>		
	<i>Caulerpa prolifera</i>		
	<i>Caulerpa mexicana</i>		
	<i>Cladophoropsis membranacea</i>		
	<i>Dictoyosphaeria cavernosa</i>		
	<i>Halimeda incrassata</i>		
Mermaide's Shave Brush	<i>Penicillus capitatus</i>		
	<i>Rhipocephalus phoenix</i>		

Brown Algae

Dictyota linearis
Sargassum pteropleuron

Red Algae

Eucheuma isiforme
Ceramium nitens
Hypnea musciformis
Laurencia intricata

TABLE II

**Species List of Invertebrates, Fin Fish, and Coelenterates Observed at
This Proposed Dock, Lifts and Walkway Site**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Notes</u>
<u>Coelenterates:</u>			
Round Starlet Coral No Soft Coral Found	<i>Siderastrea radians</i>	P	Common
<u>Sponges:</u>			
Brown Tube Sponge	<i>Agelas wiedenmyeri</i>		Walk Area
Loggerhead Sponge	<i>Spheciospongia vesparium</i>		Common
Vase Sponge	<i>Niphates digitalis</i>		Common

Fin Fish and Invertebrates:

Inland Silverside *Menidia beryllina*

This biological evaluation and report conducted by



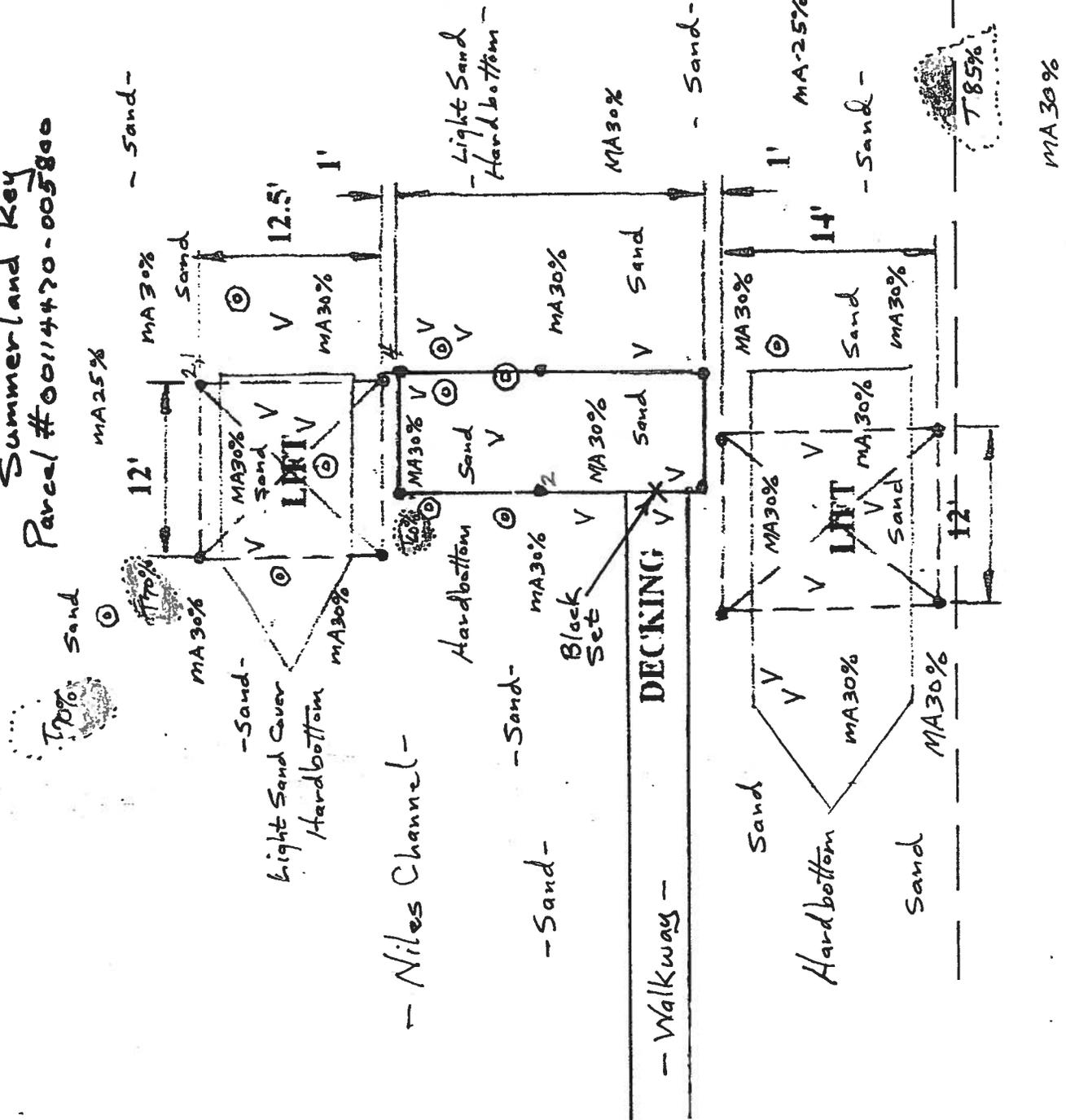
Harry DeLashmatt August 12, 2010
Biosurveys, Inc.

Benthic Survey Maps 1 & 2 of Proposed Dock / Lifts on following page –

Inventory of Coral Impacts from Proposed Piles also Attached following -

Benthic Survey Map

Tract FFF-1526 Niles Road
Summerland Key
Parcel # 0011470-005800



Scale
NTS

Legend -

- T - Turtle Grass
- MA - Macro Algae
- % - Bottom Cover
- V - Vase Sponge
- ⊙ - Loggerhead Sponge
- Numerical in Red - Diameter in CM - Coral in 30" Quadrat for Placement

Map by:
Harry DeLeshmuth
Biosurveys, Inc.
8/12/10

Harry DeLeshmuth
8/12/10

Coral Mitigation Inventory
 Tract FFF 1525 Niles Road
 Summerland Key
 Parcel # 00114420-005800

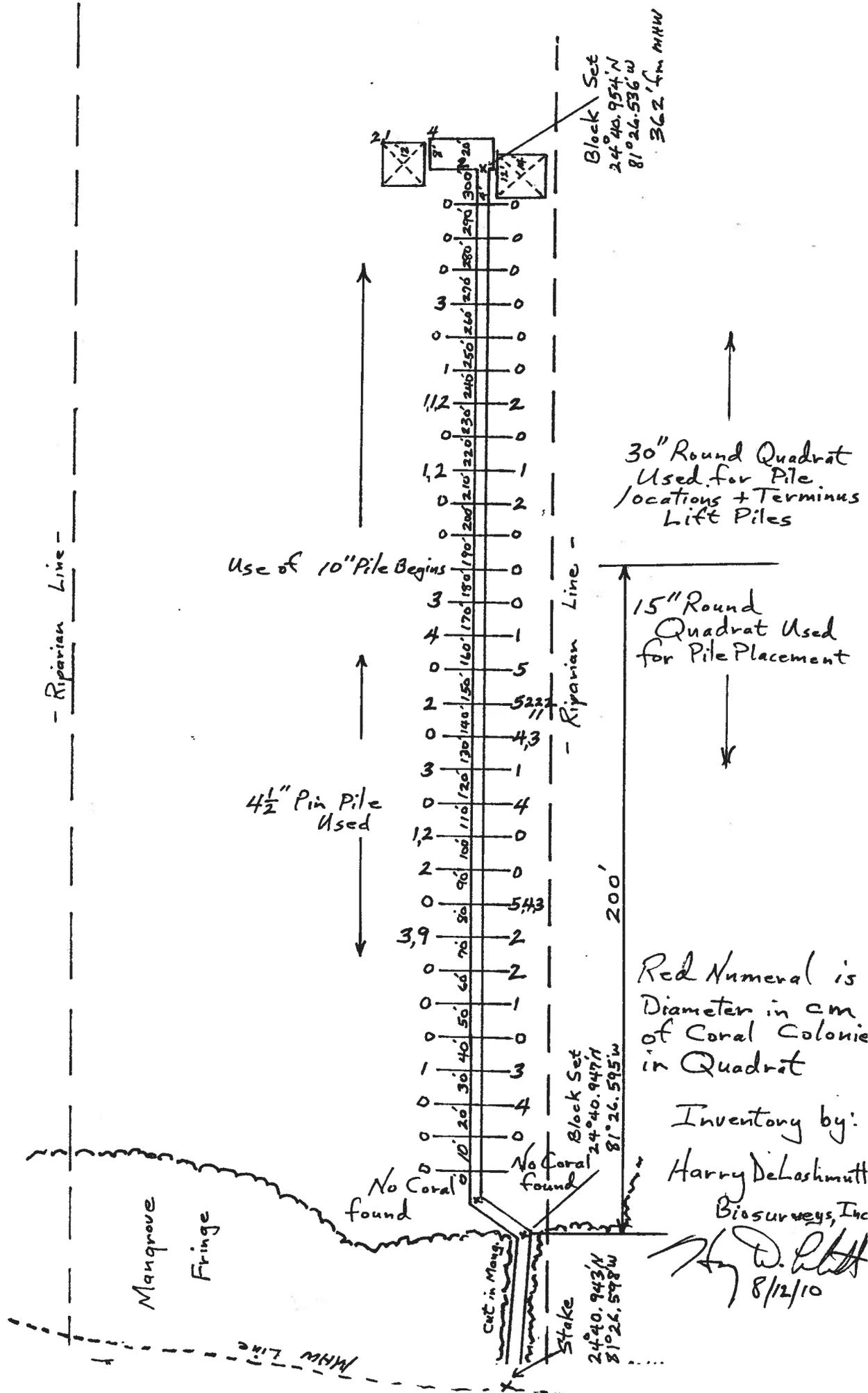


TABLE I
Coral Inventory: Abundance and Size Class Observed
Corals Found Using 15 and 30 Inch Diameter Quadrats –
Centered over each Pile Location (every 10') – 4 feet apart.
See Coral Mitigation Inventory for Linear Feet and Raw Data

Size Class (cm):	0-<10	10-<15	15-<20	20-<40	40-<50	50+	Total
Coral Species							
<i>Siderastrea radians</i>	43						43
Totals by size class:	43						43

Note: 43 coral colonies were found within the round quadrats placed over the center location of each pile proposed for the construction of a walkway Dock and Lift for the Hoffman riparian area. The stony corals are encrusted on the limestone bedrock and cannot be relocated without damage.

TABLE II
Coral Inventory: Encrusting Coral Surface Area
Measured
Corals Found Using 15 and 30 Inch Diameter Quadrats –
Centered over each Pile Location – 4 feet apart. See Coral
Mitigation Inventory for Linear Feet and Raw Data

Size Class (cm):	<u># Corals <15</u>	<u>Total</u>		<u>#Corals >15</u>	<u>Total</u>		<u>Total</u>
	(Not Relocating)	Area		(Relocating)	Area		(s/cm)
Coral Species							
<i>Siderastrea radians</i>	43	472.08 s/cm		0	0		472.08 s/cm
Totals by size/area (cm)	43	472.08 s/cm		0	0		472.08 s/cm

Recommend not relocating encrusted corals. 472.08 sq/cm of live stony coral colonies fall within the prescribed quadrats over pile centers of the proposed dock, lifts, and walk as designed and proposed.

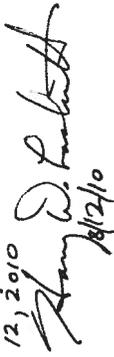
Note: Calculations of square centimeters based on formula of oblate domes from www.monolithic.com by David South Jr., Italy, TX

Coral Inventory by Harry A. DeLashmutt, Biosurveys, Inc. 8-12-10

**Coral Field Data Sheet Proposed Project -
Hoffman Proposed Dock and Lift Project**

Table III - Raw Data

Size Class (cm)	1x1	2x2	3x3	4x4	5x5	6x6	7x7	8x8	9x9	10x10	11x11	12x12	13x13	14x14	15x15	16x16	17x17	18x18	
Species Name																			
<i>Dichocoerlis Stokesi</i>																			
<i>Colpophyllia natans</i>																			
<i>Diploria strigosa</i>																			
<i>Favia fragum</i>																			
<i>Isophyllia sinuosa</i>																			
<i>Mussa angulosa</i>																			
<i>Montastraea cavern.</i>																			
<i>Montastraea faveol.</i>																			
<i>Mycetophyllia aliciae</i>																			
<i>Porites astreoides</i>																			
<i>Porites Porites</i>																			
<i>Siderastrea radians</i>																			
Ht. cm	12	14	7	6	3	0	0	0	1	3									
	0.5	0.5	1	1.5	1.5														
Total by Size Class	43 Coral Colonies Total																		

Data Collection of Field Assessment by: Harry DeLashmutt
 Proposed Dock and Lift Project
 Date: August 12, 2010
 Biosurveys, Inc


Property Record View

Alternate Key: 1145181 Parcel ID: 00114470-005800

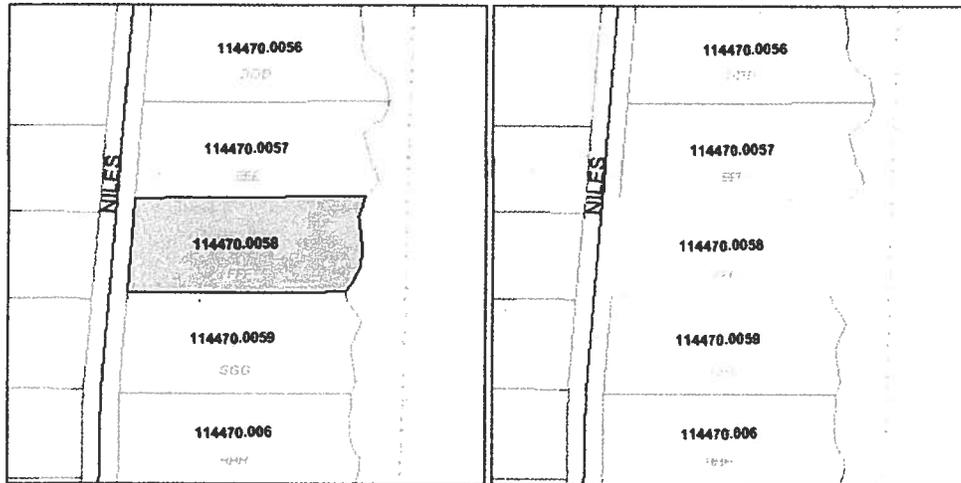
Ownership Details

Mailing Address:
HOFFMAN WILLIAM C AND RENATA J
1045 INDEPENDENCE ST
LADWOOD, CO 80215

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 120C
Affordable Housing: No
Section-Township-Range: 23-66-28
Property Location: 1525 NILES RD SUMMERLAND KEY
Legal Description: 23 66 28 SUMMERLAND KEYS PT LOT 2 AND PT LOT 7 (TRACT FFF) OR567-541-545Q OR669-834-840 OR744-797-803
Description: OR790-1274-1275 OR1060-2069 OR1196-2018AFF OR1271-1188C/T OR1733-1495 OR2046-668 OR2370-284/B6C/T OR2406-2348/47C OR2411-1819/20

Parcel Map



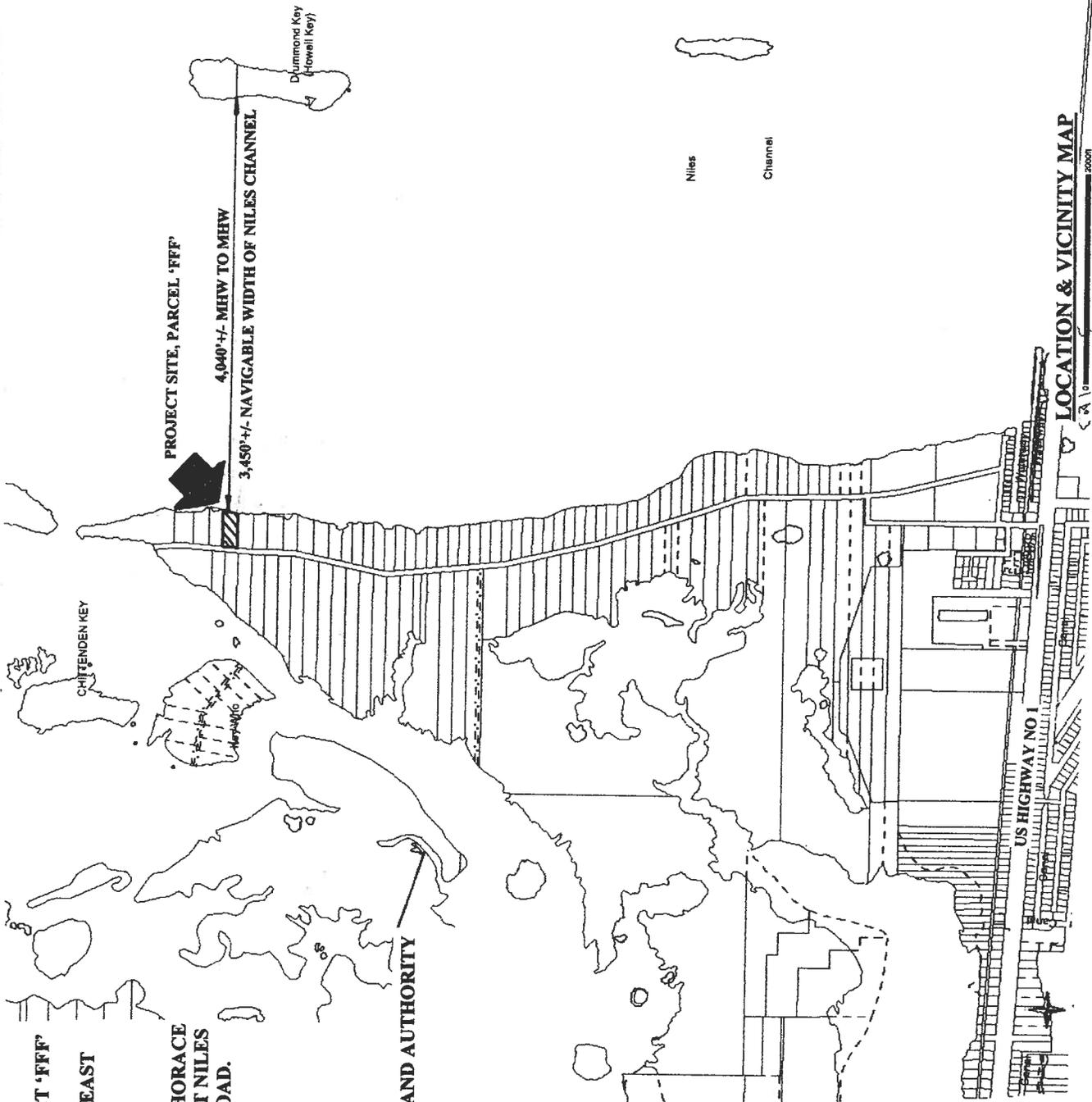
Land Details

PROJECT LOCATION
 PART OF GOVERNMENT LOT 2 & 7 AKA TRACT 'FFF'
 SUMMERLAND KEY
 SECTION 23, TOWNSHIP 66 SOUTH, RANGE 28 EAST
 LATITUDE: 24°40'57" LONGITUDE: 81°26'37"

DIRECTIONS
 US HWY NO 1 SOUTH TO MM25+/-, RIGHT AT HORACE
 ROAD, RIGHT AT NORTHSIDE DRIVE, LEFT AT NILES
 ROAD, PROJECT SITE ADDRESS 1525 NILES ROAD.

ADJOINING OWNER
 FRED A & GRACE B CONOVER
 1625 NILES ROAD
 SUMMERLAND KEY, FL 33042
 (NORTHERLY ADJOINER)

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
 1200 TRUMAN AVENUE
 SUITE 207
 KEY WEST, FL 33040-7270



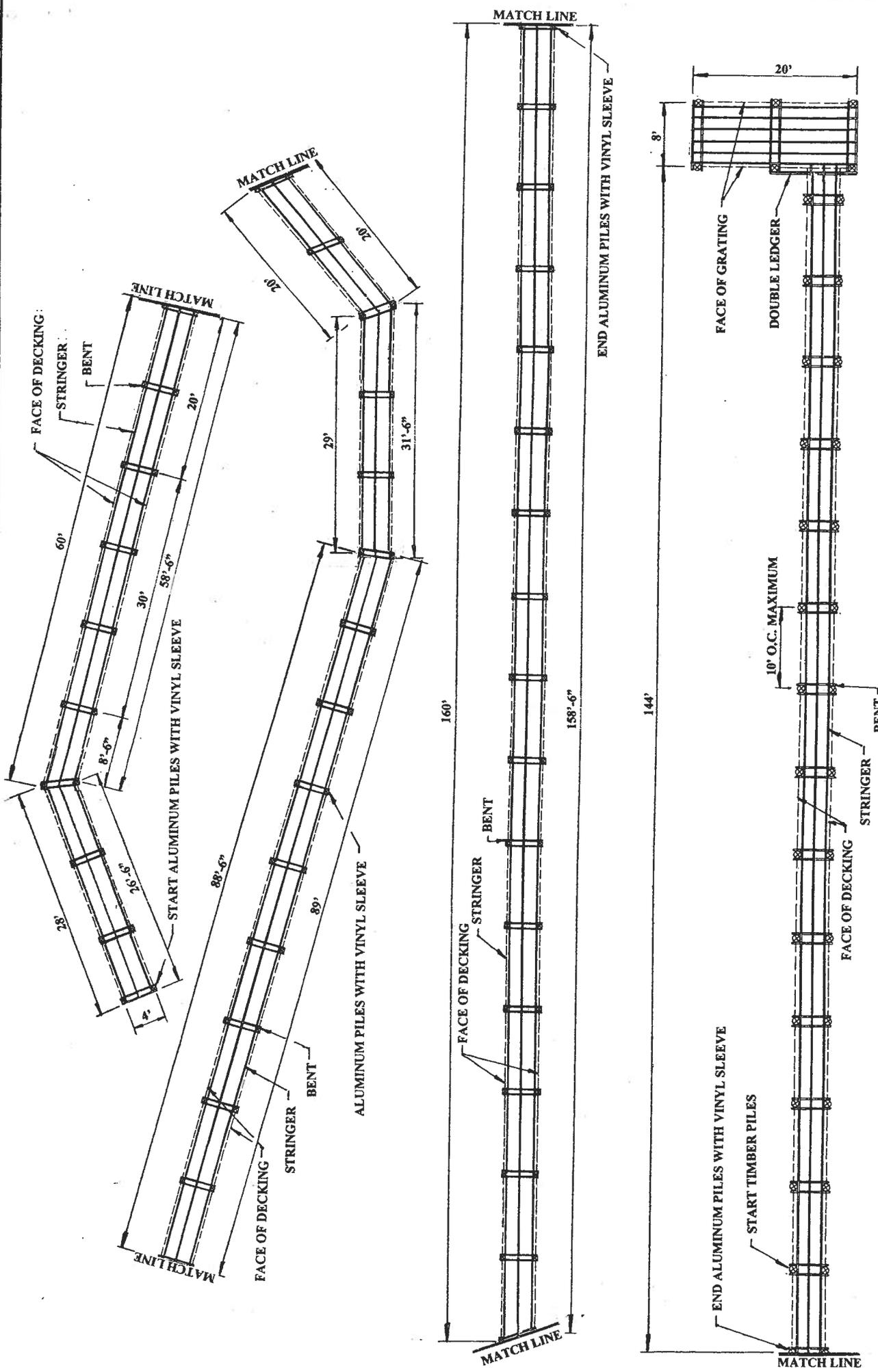
REVISIONS:	

DOCK & BOAT LIFTS
 FOR WILLIAM C & RENATA J HOFFMAN
 SUMMERLAND KEY, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #4061
 5800 OVERSEAS HIGHWAY, SUITE 4
 MARATHON, FL 33050
 TEL: (305) 743-9121 FAX: (305) 743-9197

DATE: 07/07/10

CERTIFIED BY:
 SEAN KIRWAN, PE #57506



FRAMING PLAN
 SCALE: 1/16" = 1'-0"

REVISIONS:	
1	09/02/10
2	02/08/11

CERTIFIED BY:
 SEAN KIRWAN PF #57506

DOCK & BOAT LIFTS
 FOR WILLIAM C & RENATA J HOFFMAN
 SUMMERLAND KEY, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #4061
 5800 OVERSEAS HIGHWAY, SUITE 4
 MARATHON, FL 33050
 TEL: (305) 743-9121 FAX: (305) 743-9197

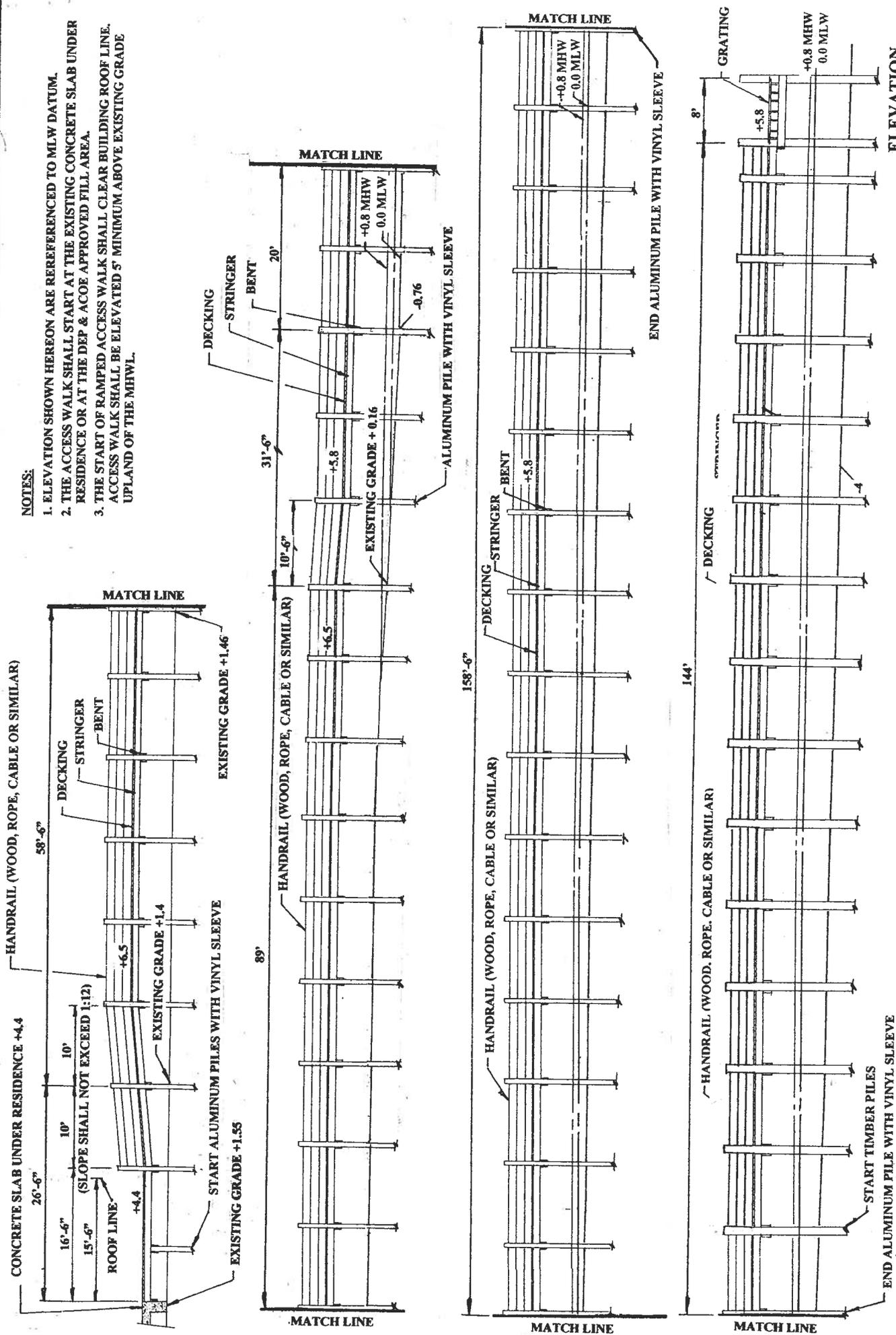
DATE: 07/07/10

3

SHEET 3 OF 6

NOTES:

1. ELEVATION SHOWN HEREON ARE REFERENCED TO MLW DATUM.
2. THE ACCESS WALK SHALL START AT THE EXISTING CONCRETE SLAB UNDER RESIDENCE OR AT THE DEP & ACOF APPROVED FILL AREA.
3. THE START OF RAMPED ACCESS WALK SHALL CLEAR BUILDING ROOF LINE. ACCESS WALK SHALL BE ELEVATED 5' MINIMUM ABOVE EXISTING GRADE UPLAND OF THE MHWL.



ELEVATION
SCALE: 1/16" = 1'-0"

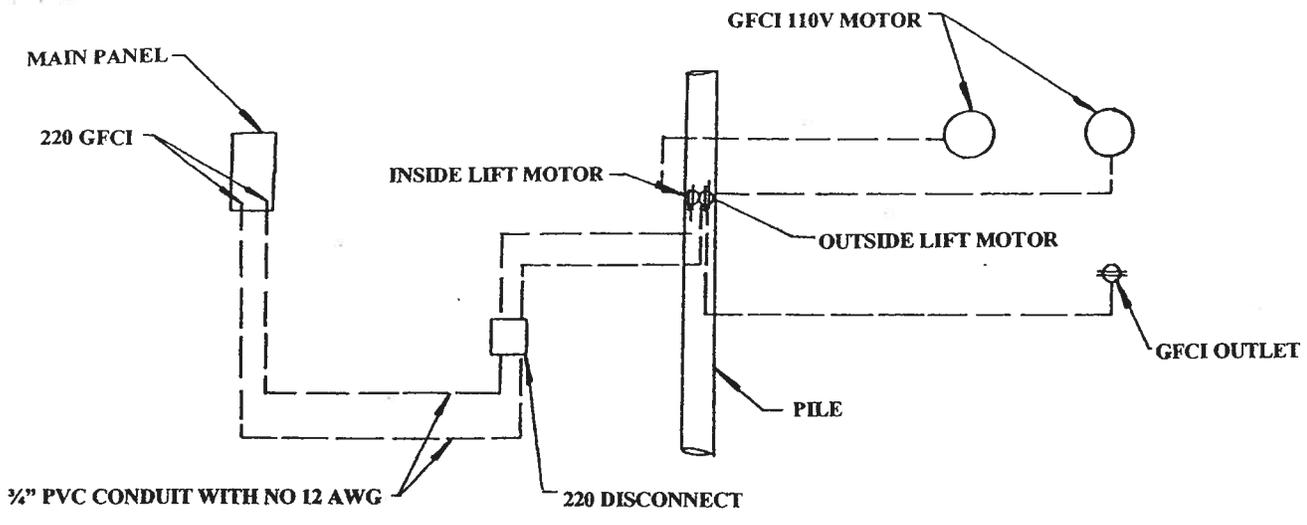
REVISIONS:	
1	09/02/10
2	02/08/11

DOCK & BOAT LIFTS
FOR WILLIAM C & RENATA J HOFFMAN
SUMMERLAND KEY, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #4061
5800 OVERSEAS HIGHWAY, SUITE 4
MARATHON, FL 33050
TEL: (305) 743-9121 FAX: (305) 743-9197

DATE: 07/07/10

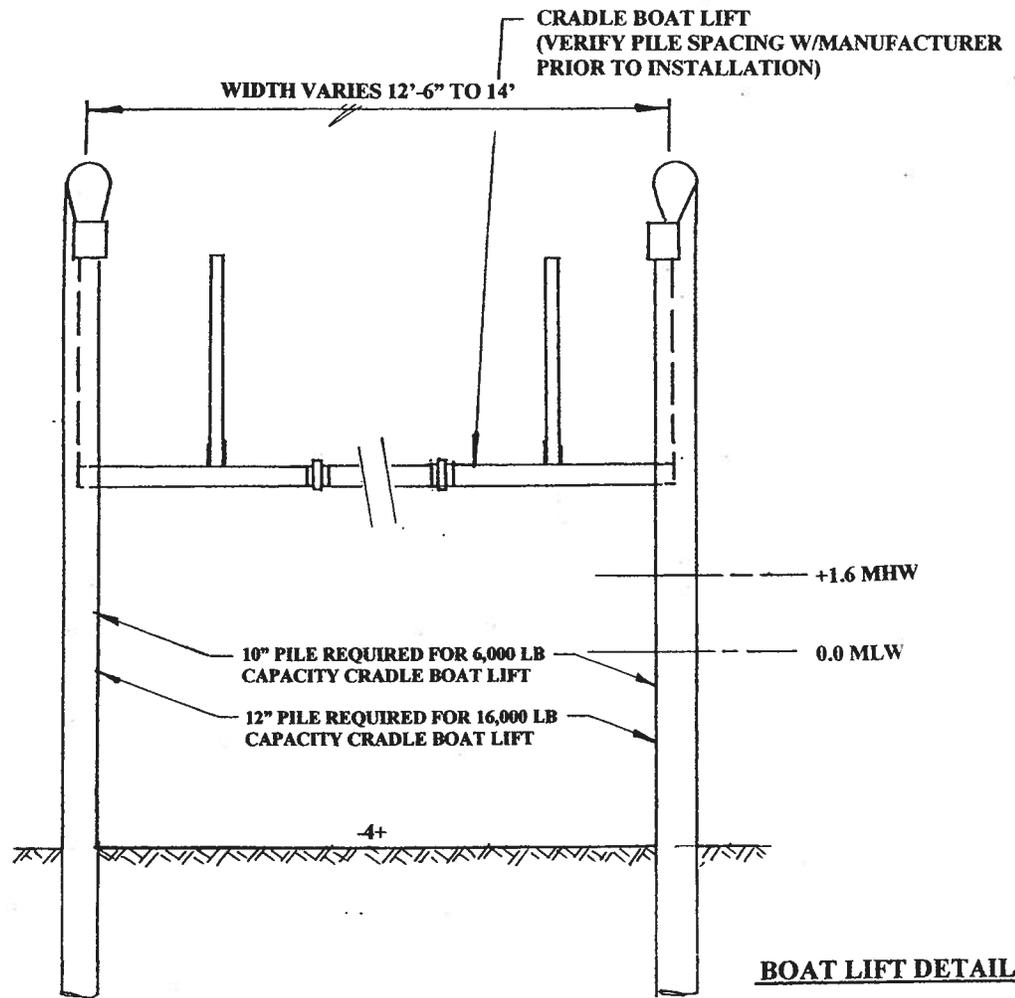
CERTIFIED BY:
SEAN KIRWAN PP #57506



VERIFY CONDUIT & WIRE SIZE WITH BOAT LIFT MANUFACTURER PRIOR TO CONSTRUCTION

ELECTRIC PLAN

NOTE:
 FASTEN LIFT BRACKET TO EACH PILE W/(4) 1/2"x4" SS LAG BOLTS. CONNECTIONS SHALL BE VERIFIED WITH BOAT MANUFACTURER PRIOR TO CONSTRUCTION. CONNECTION IS DESIGNED TO ADHERE TO THE 150 MPH WIND CRITERIA AS REQUIRED BY THE FLORIDA BUILDING CODE (LATEST EDITION). THE BOAT LIFT IS INTENDED ONLY FOR STORAGE UNDER NORMAL CONDITIONS. THE BOAT LIFT SHALL NOT BE USED DURING EXTREME STORM CONDITIONS.



SECTION

BOAT LIFT DETAIL

REVISIONS:	
1	09/02/10

CERTIFIED BY:
 SEAN KIRWAN, PE #57506

DOCK & BOAT LIFTS
 FOR WILLIAM C & RENATA J HOFFMAN
 SUMMERLAND KEY, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #40
 5800 OVERSEAS HIGHWAY, SUITE 4
 MARATHON, FL 33050
 TEL: (305) 743-9121 FAX: (305) 743-9197

DATE 07/07/10

5

GENERAL NOTES:

1. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS PRIOR TO COMMENCING WORK. THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE ARMY CORPS OF ENGINEERS & LOCAL REGULATIONS SHALL GOVERN ALL WORK.
2. WORK SHOWN ON DRAWINGS IS DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE (LATEST EDITION). FOLLOW ALL APPLICABLE PROVISIONS FOR ALL PHASES OF CONSTRUCTION.
3. THE PROPOSED STRUCTURE(S) IS DESIGNED FOR A LIVE LOAD OF 40 PSF. WIND LOADS ARE DESIGNED PER THE FLORIDA BUILDING CODE.
4. CONTRACTOR SHALL ADHERE TO THE STANDARD MANATEE CONSTRUCTION CONDITIONS (LATEST EDITION). IF NEEDED, THE CONTRACTOR CAN CONTACT THE ARMY CORPS OF ENGINEERS OR THIS OFFICE TO OBTAIN A COPY OF THE STANDARD MANATEE CONSTRUCTION CONDITIONS.
5. BEST MANAGEMENT PRACTICES, INCLUDING THE USE OF TURBIDITY SCREENS, ARE REQUIRED TO ISOLATE THE CONSTRUCTION AREA FROM THE ADJACENT WATERS. CONTRACTOR SHALL INSTALL TURBIDITY SCREENS AROUND THE IMMEDIATE PROJECT AREA PRIOR TO CONSTRUCTION. THE TURBIDITY SCREENS REMAIN IN PLACE UNTIL WATER QUALITY CONDITIONS RETURN TO PRECONSTRUCTION CONDITIONS. WATER QUALITY MONITORING SHALL ADHERE TO STATE REGULATIONS.
6. ELECTRIC & WATER (DESIGN PROVIDED BY OTHERS UNLESS SHOWN) SHALL BE PROVIDED. CONTRACTOR SHALL COORDINATE FINAL LOCATION OF ALL PROPOSED UTILITIES WITH OWNER PRIOR TO CONSTRUCTION.
7. CONTRACTOR SHALL FIELD VERIFY DIMENSIONS & WATER DEPTHS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE COMMENCING WORK.
8. THE STRUCTURAL INTEGRITY OF THE COMPLETED STRUCTURE DEPENDS ON INTERACTION OF VARIOUS CONNECTED COMPONENTS. PROVIDE ADEQUATE BRACING, SHORING, AND OTHER TEMPORARY SUPPORTS AS REQUIRED TO SAFELY COMPLETE THE WORK.
9. EXERCISE EXTREME CARE AND CAUTION WHEN EXCAVATING AND FILLING ADJACENT TO EXISTING STRUCTURES. UNDER NO CIRCUMSTANCES SHALL THE STRUCTURAL INTEGRITY OF THE EXISTING STRUCTURES BE IMPAIRED IN ANY WAY BY CONSTRUCTION OPERATIONS AND PROCEDURES. DO NOT EXCAVATE OR DISTURB SOIL ADJACENT TO OR BENEATH EXISTING FOOTINGS.
10. CONTRACTOR SHALL COORDINATE INSTALLATION OF CLEATS, LADDERS, PILE CAPS, AND OTHER DOCK ACCESSORIES WITH OWNER PRIOR TO CONSTRUCTION. ALL DOCK ACCESSORIES SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. STAINLESS STEEL HARDWARE SHALL BE USED FOR ALL CONNECTIONS TO DOCK.
11. FOR OPEN WATER DOCKS PROVIDE REFLECTORS ON EACH SIDE OF WALKWAY EVERY 50' AND ON EACH END OF THE TERMINAL PLATFORM.

PILES:

PILES SHALL BE MARINE GRADE 4-1/2" O.D. SCHEDULE 40 ALUMINUM PIN PILE WITHIN 5" SQ. VINYL SLEEVE. PILES SHALL BE DRIVEN TO PENETRATE FIRM ROCK 5' MIN.

AND
PILES SHALL BE ROUND SOUTHERN PINE OR DOUGLAS FIR AND SHALL CONFORM TO ASTM D 25, UNUSED, CLEAN PEELED, UNIFORMLY TAPERED, ONE PIECE FROM BUTT TO TIP. PILES SHALL BE PRESSURE TREATED IN CONFORMANCE WITH AWPA C3 AND C18 FOR MARINE PILES. DOCK SUPPORT PILES AND PILES SUPPORTING THE 6,000 LB CAPACITY CRADLE BOAT LIFT SHALL HAVE A MINIMUM BUTT DIAMETER OF 10 INCHES MEASURED AT A PILES SUPPORTING THE 16,000 LB CAPACITY CRADLE BOAT LIFT SHALL HAVE A MINIMUM BUTT DIAMETER OF 12 INCHES, MEASURED AT A SECTION 3 FEET FROM THE END. FOR PILES UP TO 50 FEET IN LENGTH THE MINIMUM TIP DIAMETER SHALL BE 9 INCHES.

PILES SHALL BE SET IN PREDRILLED OR PREPUNCHED HOLES AND DRIVEN TO PENETRATE FIRM ROCK 7' MIN.

A STRAIGHT LINE DRAWN FROM THE CENTER OF THE BUTT TO THE CENTER OF THE TIP SHALL NOT, AT ANY POINT, FALL FURTHER AWAY FROM THE CENTER OF THE PILE THAN A DISTANCE EQUAL TO 1% OF THE LENGTH OF THE PILE.

PILES SHALL BE SPACED @ MAXIMUM OF 10' O.C. UNLESS OTHERWISE SHOWN.

DO NOT DRIVE PILES WITHIN 20 FEET OF CONCRETE LESS THAN SEVEN DAYS OLD.

CONTRACTOR SHALL INVESTIGATE ANY SUDDEN DECREASE IN DRIVING RESISTANCE FOR POSSIBLE BREAKAGE OF THE PILE. IF SUDDEN DECREASE IN DRIVING RESISTANCE CANNOT BE CORRELATED TO BORING DATA OR SOME INCIDENT IN THE DRIVING, AND IF THE PILE CANNOT BE INSPECTED, SUCH DECREASE IN DRIVING RESISTANCE MAY BE CAUSE FOR REJECTION OF THE PILE.

RE-DRIVE ANY PILE WHICH IS RAISED DURING DRIVING OF ADJACENT PILES, TO THE ORIGINAL TIP ELEVATION.

HEIGHT OF PILES SHALL BE FIELD DETERMINED BY OWNER. CUT OFF PILES AT TOP ELEVATION DIRECTED BY THE OWNER. REPLACE OR REPAIR PILES WHICH ARE DAMAGED WHEN CUT OFF.

PILES SHALL DEVIATE FROM PLUMB AND ANGLE OF BATTER NO MORE THAN 1/4 INCH PER FOOT OF PILE LENGTH, BUT NOT MORE THAN 6 INCHES OVERALL. PILES SHALL NOT DEVIATE FROM LOCATION OF PILE TOP MORE THAN 6 INCHES.

REMOVE CUTOFF SECTIONS OF PILES FROM THE SITE AND LEGALLY DISPOSE.

LUMBER, DECKING, & FASTENERS:

ALL BENTS AND STRINGERS SHALL BE SOUTHERN PINE NO. 2 OR DOUGLAS FIR NO. 2. LUMBER SHALL BE PRESSURE TREATED PER AWPA UC4B SPECIFICATIONS. MINIMUM RETENTION OF CCA SHALL BE 0.60 POUNDS/CUBIC FOOT.

ALL DECKING SHALL BE SOUTHERN PINE NO. 1 OR DOUGLAS FIR NO. 1 WITH ROUNDED EDGES. LUMBER SHALL BE PRESSURE TREATED. MINIMUM RETENTION OF ACQ SHALL BE 0.40 POUNDS/CUBIC FOOT.

STRINGERS: 2x10

BENTS: 2x10

DECKING (WALKWAY): 2x6 (1/2" SPACING)

FIBERGLASS GRATING (PLATFORM): SEAGRATE RM1415 BY SEASAFE (800-326-8842), ECOGRATE BY FIBERGRATE (866-245-3361 x1352), OR APPROVED EQUAL. ATTACH FIBERGLASS GRATING PER MANUFACTURER'S SPECIFICATIONS.

ATTACH DECKING TO EACH STRINGER WITH TWO #10 3" STAINLESS STEEL DECK SCREWS OR TWO 16d STAINLESS STEEL NAILS AT EACH CONNECTION POINT.

ATTACH STRINGER TO BENT WITH STAINLESS STEEL SIMPSON STRONG-TIE HURRICANE STRAP OR APPROVED EQUAL. ALL CONNECTORS SHALL BE HEAVY DUTY TYPE FOR MARINE ENVIRONMENT APPLICATIONS.

ATTACH BENTS TO 5" SQUARE REINFORCED VINYL PILING WITH TWO 1/2" DIA STAINLESS STEEL BOLT, WASHERS, AND NUT AT EACH CONNECTION POINT. BORE HOLES SHALL BE 1/16 INCH GREATER IN DIAMETER THAN THE BOLT. UPON COMPLETION OF THE INSTALLATION, CHECK ALL NUTS FOR TIGHTNESS.

ATTACH BENTS TO TIMBER PILING WITH TWO 5/8" STAINLESS STEEL BOLT, WASHERS, AND NUT AT EACH CONNECTION POINT. BORE HOLES SHALL BE 1/16 INCH GREATER IN DIAMETER THAN THE BOLT. UPON COMPLETION OF THE INSTALLATION, CHECK ALL NUTS FOR TIGHTNESS.

LAY THE PLANKS WITH THE BEST SIDE UP AND WITH ADJACENT EDGES IN CONTACT UNLESS OTHER SPACING SPECIFIED.

PERFORM COUNTERSINKING WHEREVER THE HEADS OF SCREWS OR BOLTS WOULD OTHERWISE INTERFERE WITH THE ASSEMBLY OF THE WORK.

REVISIONS:	
1	09/02/10

CERTIFIED BY:
SEAN KIRWAN, PE #57506

DOCK & BOAT LIFTS
FOR WILLIAM C & RENATA J HOFFMAN
SUMMERLAND KEY, MONROE COUNTY, FL

GLEN BOE & ASSOCIATES, INC #4061
5800 OVERSEAS HIGHWAY, SUITE 4
MARATHON, FL 33050
TEL: (305) 743-9121 FAX: (305) 743-9197

DATE: 07/07/10

ADJOINING PROPERTY OWNERS

WILLIAM C & RENATA J HOFFMAN

RE #00114470-005800

NAME	ADDRESS	LOT	BLOCK	SUBDIVISION	RE #
Monroe County Comprehensive Plan Land Authority	1200 Truman Ave, Ste 207 Key West, FL 33040-7270	Tract AAA,	Pt Govt Lot 7	Summerland Key	00114470-005300,
Fred A & Grace B Conover	1625 Niles Road Summerland Key, FL 33042	Tract DDD	Pt Govt Lot 2 & Pt Govt Lot 7	Summerland Key	00114470-005600
United States of America Adjoining Owner	Washington, D.C. 20240	Tract CCC, Tract EEE, Tract GGG, Tract HHH, Tract III	Pt Govt Lot 2 & Pt Govt Lot 7	Summerland Key	00114470-005500, 00114470-005700, 00114470-005900, 00114470-006000, 00114470-006100
David L Schellenberg	930 Caribbean Drive East Summerland Key, FL 33042	Tract XX, Tract YY, Tract ZZ	Pt Govt Lot 7	Summerland Key	00114470-005000, 00114470-005100, 00114470-005200
Steve Gove & Elizabeth Medina	208 Cool Springs Rd Bates City, MO 64011	Tract WW, Tract VV	Pt Govt Lot 7	Summerland Key	00114470-004900, 00114470-004800

Impression antitrouage et a sechage rapide
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MONROE COUNTY COMPREHENSIVE
PLAN LAND AUTHORITY
1200 TRUMAN AVE., SUITE 207
KEY WEST, FL 33040-7270

FRED A & GRACE B CONOVER
1625 NILES ROAD
SUMMERLAND KEY 33042

UNITED STATES OF AMERICA
WASHINGTON, D.C. 20240

DAVID L SCHELLENBERG
930 CARIBBEAN DRIVE EAST
SUMMERLAND KEY, FL 33042

STEVE GOVE & ELIZABETH MEDINA
208 COOL SPRINGS RD
BATES CITY, MO 64011



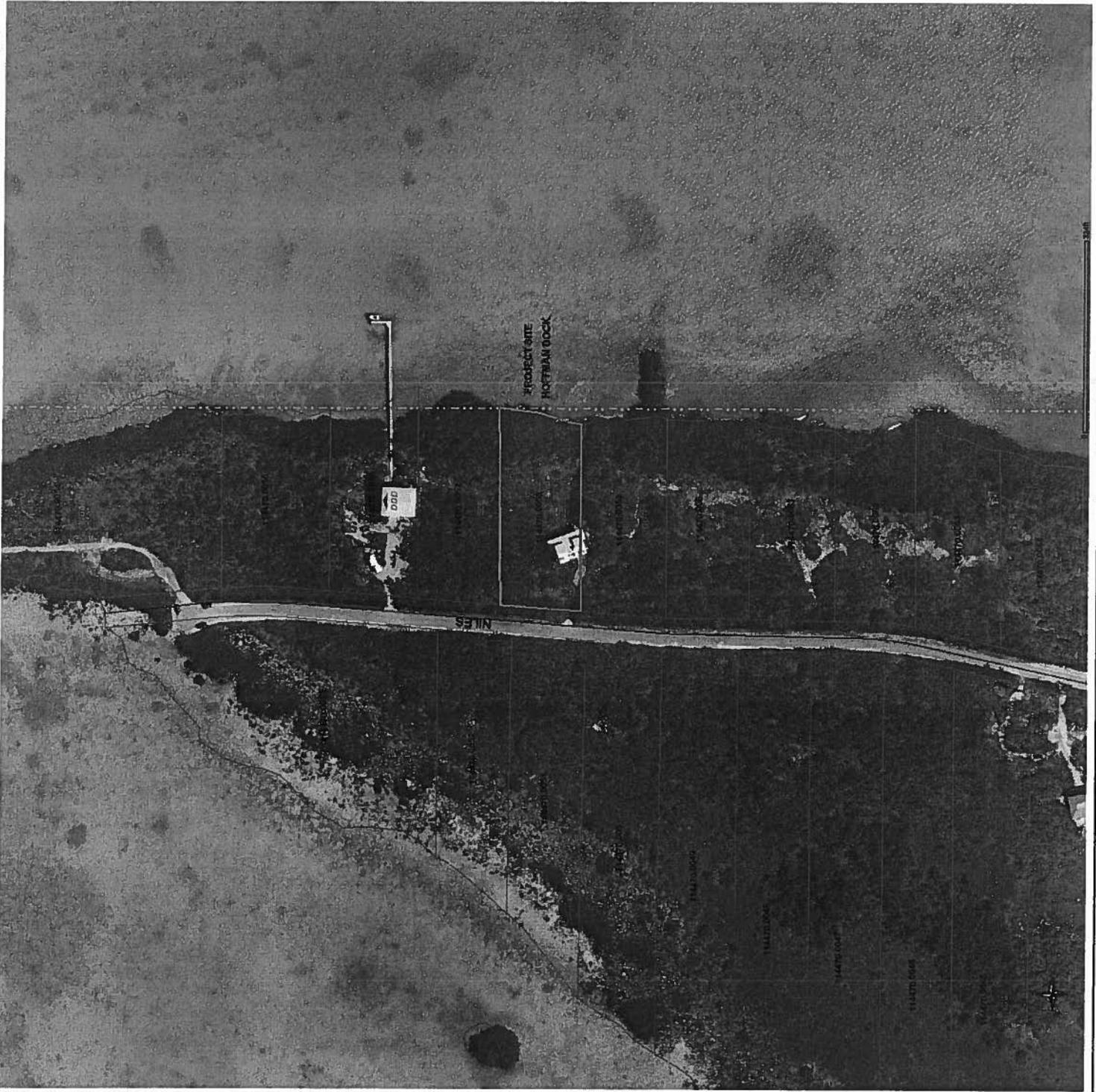
- Legend
- Highlighted Feature
- Real Estate Number
- Parcel Lot Text
- Block Text
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines
- 2006 Aerials

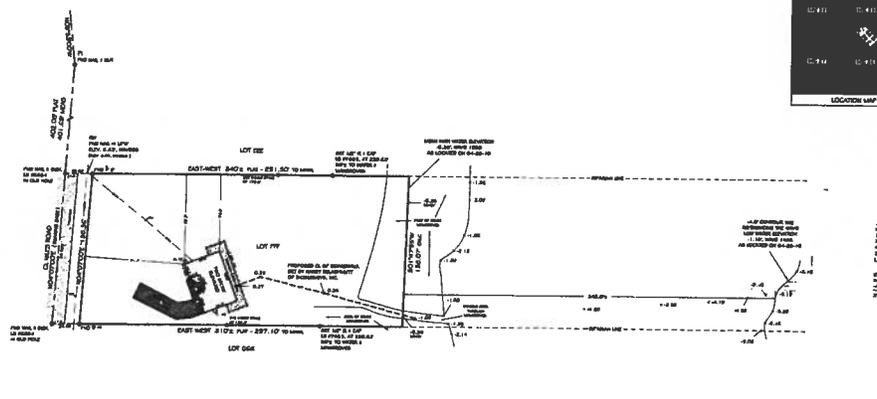
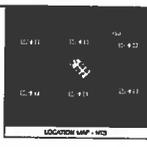
PALMIS

Monroe County Property Appraiser
 500 Whitehead Street
 Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: March 14, 2011 12:39 PM





SURVEY NOTES

BEARING BASE:
 DERIVED FROM PLAT
 AS COMPARED TO
 MILES LONG
 MONOPOLY

ALL ANGLES EXCEPTED ARE 90 DEGREES
 UNLESS OTHERWISE INDICATED

ADDRESS:
 1228 WELLS ROAD
 SUMMERLAND KEY, FL
 33047

ELEVATIONS SHOWN ARE 5.00 FEET
 TO NAVORS VERTICAL DATUM

HORIZONTAL & VERTICAL MEASUREMENTS WERE
 OBTAINED USING A TOTAL STATION, TYPICAL RANGE
 DATA COLLECTOR AND A DUAL FREQUENCY TOPCON
 INSTRUMENT. THIS SURVEY WAS PERFORMED
 EQUIPMENT OBTAINED ELEVATION ACCURATE TO
 WITHIN ± 0.10 OF A FOOT

BOUNDARY USED: PID A08072
 ZONING: DISTRICT 11
 MARK/LD/CD: NGS 84/00/000
 ELEV.: 17.80, 19.00

MEAN HIGH WATER SURVEY
 FULL RANGE IS 19.00
 THIS MEAN HIGH WATER LINE
 SURVEY COMPLIES WITH CHAPTER
 177, PART 4, FLDOS, STATUTES
 THE MEAN HIGH WATER ELEVATION
 AT SUMMER KEY WAS ESTABLISHED
 BY EXTENDING THE SUBDIVISION BOUNDARY
 AT MEAN HIGH WATER INTERPOLATION
 POINT NO. 21.00



LEGAL DESCRIPTION
 Parcel 177, SUMMERLAND KEY SUBDIVISION, Summerland Key, Florida as
 recorded in Official Records Book 744, Page 803, of the Public Records
 of Monroe County, Florida.

CERTIFIED TO
 WILLIAM C. HOFFMAN
 EDWANDA HOFFMAN

THIS LEGAL DESCRIPTION HAS BEEN PREPARED BY THIS OFFICE AS A NEUTRAL REPRESENTATIVE PUBLIC SERVICE AND NOT BEING ENDORSED BY THE SURVEYOR TO ACCURACY
 THE ACCURACY OF THIS LEGAL DESCRIPTION HAS BEEN ESTABLISHED BY MEANS OF MEASUREMENTS OF THE SURVEYOR TO ACCURACY

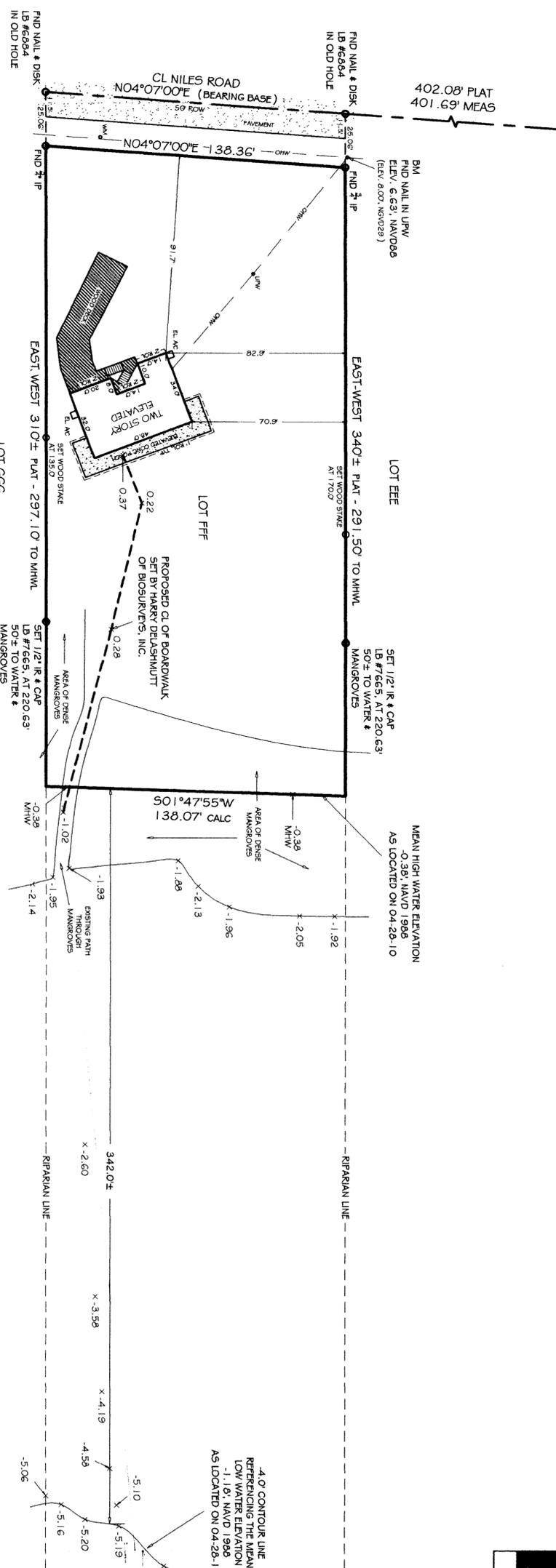
NO.	DATE	DESCRIPTION
1	11/11/11	PRELIMINARY SURVEY
2	11/11/11	FINAL SURVEY
3	11/11/11	REVISION
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5	11/11/11	REVISION
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R.E. REECE, P.A.
 PROFESSIONAL SURVEYOR AND MAPPER, STATE OF FLORIDA
 LICENSE NO. 11111
 OFFICE: 1228 WELLS ROAD, SUMMERLAND KEY, FL 33047
 PHONE: (813) 487-1122

BOUNDARY & MEAN HIGH WATER LINE SURVEY
PARCEL 177
SUMMERLAND KEY SUBDIVISION

NO.	DATE	DESCRIPTION
1	11/11/11	PRELIMINARY SURVEY
2	11/11/11	FINAL SURVEY
3	11/11/11	REVISION
4	11/11/11	REVISION
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100	11/11/11	REVISION

NO5°30'00"W
 402.08' PLAT
 401.69' MEAS
 FID NAIL & NUT



RECEIVED
 MAR 4 1 2011
 MONROE CO. PLANNING DEPT.

LEGAL DESCRIPTION -
 Parcel FFF, SUMMERLAND KEY SUBDIVISION, Summerland Key, Florida as recorded in Official Records Book 744, Page 803, of the Public Records of Monroe County, Florida.

CERTIFIED TO -
 WILLIAM C. HOFFMAN
 RENATA HOFFMAN

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIGHER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.



SCALE: 1" = 40'

SURVEYOR'S NOTES:

BEARING BASE:
 DERIVED FROM PLAT
 AS CENTERLINE OF
 NILES ROAD
 NO4°07'00"E

ALL ANGLES DEPICTED ARE 90 DEGREES
 UNLESS OTHERWISE INDICATED

ADDRESS:
 1525 NILES ROAD
 SUMMERLAND KEY, FL
 33042

ELEVATIONS SHOWN AS X.XX REFER
 TO NAVD88 VERTICAL DATUM

HORIZONTAL & VERTICAL MEASUREMENTS WERE OBTAINED USING A TOTAL STATION, TDS RANGING DATA COLLECTOR AND A DUAL FREQUENCY TOPCON HYPER LITE +. THIS REAL TIME POSITIONING EQUIPMENT DELIVERS ELEVATION ACCURATE TO WITHIN ± 0.10 OF A FOOT.

BENCHMARK USED: PID AA0972
 STAMPING: 4267 E 1982
 MARK LOGO: NOS (National Ocean Service)
 ELEV.: 17.20', NAVD88

LINEAR CLOSURE ACCURACY IS GREATER THAN ONE FOOT IN 10,000 FEET.
 MEAN HIGH WATER SURVEY
 FILE NUMBER IS #4560

THIS MEAN HIGH WATER LINE SURVEY COMPLETES WITH CHAPTER 177, PART II, FLORIDA STATUTES

THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 3188

SCALE: 1"=40'
 FIELD BOOK: 04/28/10
 REVISION: 4/4
 DATE: 1 OF 1
 SHEET: 1 OF 1
 DRAWN BY: JM
 CHECKED BY: RW
 INVOICE NO.: 10040503

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF FLORIDA. I AM NOT PROVIDING ANY GUARANTEE OF THE ACCURACY OF THIS SURVEY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPERS IN CHAPTER 49-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY WHEN SCHEDULED BY HIS (HIS) SERVICES, (SERVICES) SHALL BE SUBJECT TO THE NO. 10040503.

R.E. REECE, P.A.
 PROFESSIONAL SURVEYOR AND MAPPER, LB 7665
 30864 DUAL ROOST TRAIL, BIG PINE KEY, FL 33043
 OFFICE (305) 872-1348
 FAX (305) 872-5622

BOUNDARY & MEAN HIGH WATER LINE SURVEY
PARCEL FFF
SUMMERLAND KEY SUBDIVISION

NOTE: MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.
 FOUNDATIONS SERVANT THE SURFACE ARE NOT SHOWN.
 THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

ACC = POINT OF CORNER/CURVE
 C&G = CONCRETE CURB & GUTTER
 C&S = CONCRETE CURB & SIDEWALK
 C&M = CONCRETE CURB & MANSION
 C&N = CONCRETE CURB & NILE
 C&P = CONCRETE CURB & PAVEMENT
 C&R = CONCRETE CURB & RAMP
 C&T = CONCRETE CURB & TIE
 C&W = CONCRETE CURB & WALL
 C&Y = CONCRETE CURB & YARD
 C&Z = CONCRETE CURB & ZONE
 C&A = CONCRETE CURB & AREA
 C&B = CONCRETE CURB & BENCH
 C&C = CONCRETE CURB & CEMENT
 C&D = CONCRETE CURB & DRAIN
 C&E = CONCRETE CURB & ELEVATION
 C&F = CONCRETE CURB & FENCE
 C&G = CONCRETE CURB & GROUND
 C&H = CONCRETE CURB & HOLE
 C&I = CONCRETE CURB & ISLAND
 C&J = CONCRETE CURB & JUNCTION
 C&K = CONCRETE CURB & KITCHEN
 C&L = CONCRETE CURB & LAWN
 C&M = CONCRETE CURB & MANSION
 C&N = CONCRETE CURB & NILE
 C&O = CONCRETE CURB & OCEAN
 C&P = CONCRETE CURB & PAVEMENT
 C&Q = CONCRETE CURB & QUARTER
 C&R = CONCRETE CURB & RAMP
 C&S = CONCRETE CURB & SIDEWALK
 C&T = CONCRETE CURB & TIE
 C&U = CONCRETE CURB & UPRIGHT
 C&V = CONCRETE CURB & VALVE
 C&W = CONCRETE CURB & WALL
 C&X = CONCRETE CURB & XING
 C&Y = CONCRETE CURB & YARD
 C&Z = CONCRETE CURB & ZONE

SEC 22
 SEC 23
 SEC 24
 SEC 25
 SEC 26
 SEC 27

LOCATION MAP - NTS



MEMORANDUM

To: Townsley Schwab
From: Michael Roberts 
Subject: Long Dock Variance Application for William & Renata Hoffman
File #: 2011-023
Date: April 25, 2011

Application Date: March 14, 2011

I Request:

- 1) Applicant: William & Renata Hoffman
- 2) Proposed Long Dock Length: 528.5 Linear Foot walkway w/ 8' X 20' (160 ft²)
Terminal Platform w/2 boat lifts
- 3) Legal Description: 23 66 28 SUMMERLAND KEYS PT LOT 2 AND PT LOT 7 (TRACT FFF) OR567-541-545Q
OR669-834-840 OR744-797-803 OR790-1274-1275 OR1060-2069 OR1196-2018AFF OR1271-1188C/T OR1733-1495 OR2046-668
OR2370-284/86C/T OR2406-2346/47C OR2411-1819/2
RE # 00114470-005800
- 4) Street Address: 1525 NILES RD SUMMERLAND KEY

II Background Information:

Land Use District: NA (Native Area)

Size of the Site: approximately 1.02 acres

Community Character of Immediate Vicinity: The community character of the immediate vicinity can be described as sparsely settled natural area.

III Discussion of Compliance with the Land Development Regulations:

Section 118-12 contains conditions for pier type docks. The Staff has made the following conclusions regarding the applicant's compliance with Monroe County regulations and conditions for pier type docks:

1) The physical characteristics of the proposed construction:

Based on the site plans, staff finds that the proposed pier type dock will consist of a eight (8) feet by 20 (160 ft²) feet terminal platform with 2 boat lifts (12' X 12' & 12' X 14'). Dock includes four (4) feet by 528.5 feet (2114 ft²) walkway (353' over MLW) for a total of 2614 square feet and a total length of 536.5 linear feet. These specifications meet the current codes for size needing only a variance for length.

2) The necessity of the variance:

Based on drawings by Glen Boe & Associates, Inc., aerial photographs, and the location of existing docks in the vicinity, the water depth at the shoreline is insufficient for a docking facility.

3) Danger to life and property if the variance is granted or is not granted:

Based on a site visit, aerial photographs, and the application provided by the applicant, staff can find no evidence that danger to life and property would be either decreased or increased with the approval or denial of this variance.

4) Community importance:

The proposed dock will be for private residential use only and therefore will provide no benefit to the community.

5) Community compatibility:

Based on a site visit, current and historical aerial photographs, and Monroe County Building Department records, staff finds that the proposed dock would be consistent with the other docks of this type and shoreline configuration in the community and would therefore be compatible.

6) Emergency access:

Based on the application submitted by the applicant and a site visit the proposed dock would not impede emergency response to property or the surrounding properties.

7) Costs of governmental services:

Based on the application supplied by the applicant staff finds that the costs of supplying governmental services would not be affected if this variance is granted or denied.

IV Staff Recommendation:

Based on the findings of fact, the Environmental Resources staff recommends **APPROVAL** of the application with the following conditions:

- 1) All of the conditions outlined in the Army Corps of Engineers Permit #SAJ-2002-07191 (LP-IMT), as well as, the Department of Environmental Protection permit (File No. 44-0300559-002) are understood and shall be met, under penalty of Code Enforcement.
- 2) Impact on sea grasses, corals and submerged vegetation will be minimized and mitigation will be provided in the form of donation of \$472.08 to the Florida Keys National Marine Sanctuary Key West Coral Nursery.
- 3) The submitted plans shall not be deviated from without a revision to this approval.