

File #: **2016-191**

Owner's Name: Drive In Homebuilders, LLC

Applicant: Drive In Homebuilders, LLC

Agent: Gregory S. Oropeza, Esq.

Type of Application: Time Extension

Key: Stock Island

RE: 00127400.000000

Additional Information added to File 2016-191

County of Monroe

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 George Neugent, Dist. 2

Danny L. Kolhage, Dist. 1

David Rice, Dist. 4

Sylvia Murphy, Dist. 5

We strive to be caring, professional, and fair.

Date: 11.10.16

Time: _____

Dear Applicant:

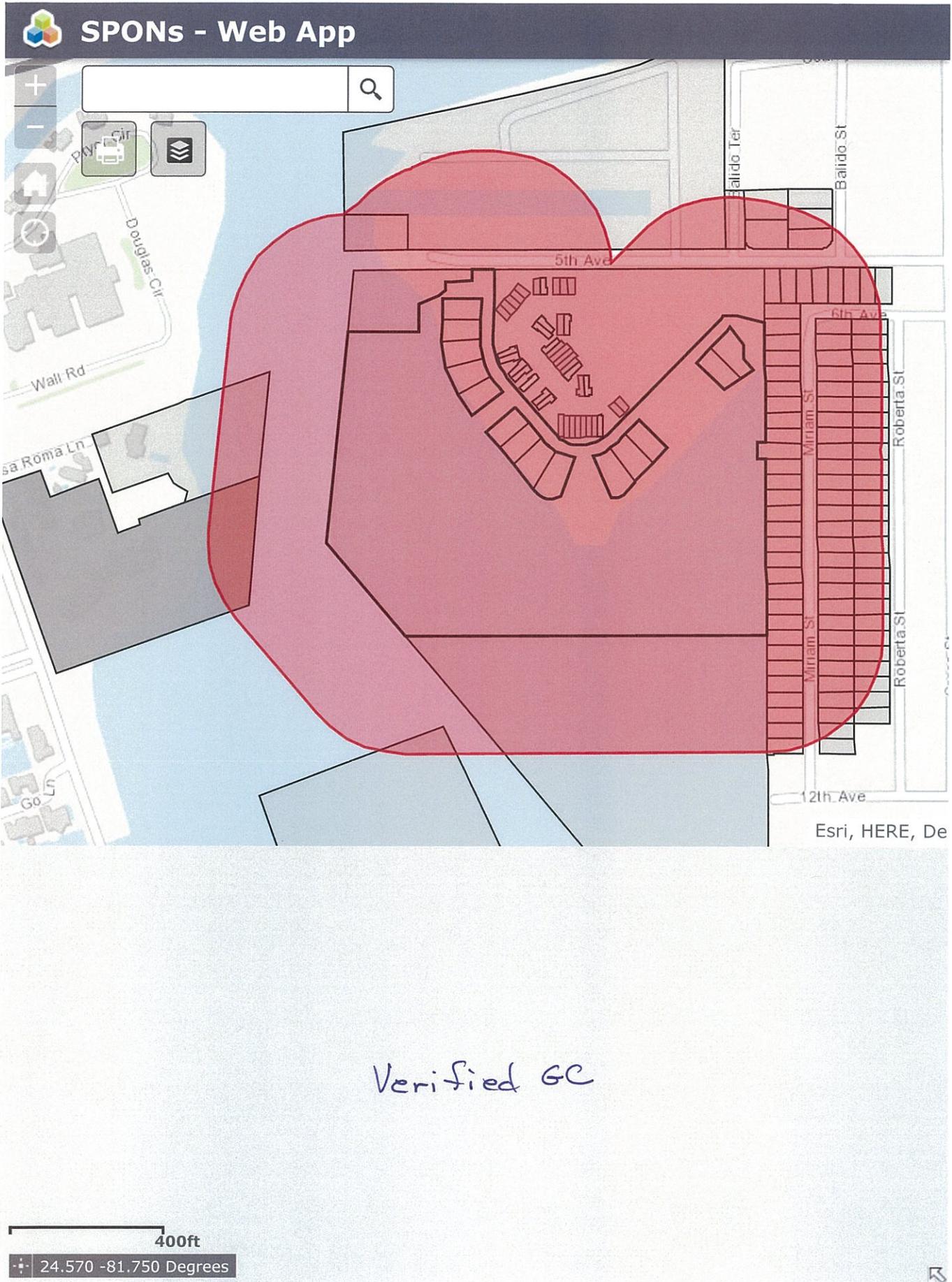
This is to acknowledge submittal of your application for Time Extension CU
Type of application

Drive In Homebuilders, LLC to the Monroe County Planning Department.
Project / Name

Thank you.

Paul Creech

Planning Staff



ABBOTT JOAN E
647 WILLIAM ST
KEY WEST, FL 33040-6851

AKUNA VICTORIA K KATZAKIAN
4G ROBERTA ST
KEY WEST, FL 33040-5756

ALBERT KENNETH
28H MIRIAM ST
KEY WEST, FL 33040-5754

ALFONSO CECILIA
21G ROBERTA ST
KEY WEST, FL 33040-5756

ALTIZER PAUL
3606 HUGHES ST
HUNTINGTON, WV 25704-1916

ALVAREZ ALEX WILLIAM
5020 5TH AVE UNIT 6
KEY WEST, FL 33040-5723

AMBOS DAVID F AND JULIE A
19H MIRIAM ST
KEY WEST, FL 33040-5754

ARENCIBIA MARCOS AND DEBORAH
54G MIRIAM ST
KEY WEST, FL 33040-5753

AYERS KENNETH W JR
51G MIRIAM ST
KEY WEST, FL 33040-5753

BAKER RAYMOND E AND LISETTE
17G ROBERTA ST
KEY WEST, FL 33040-5756

BALDREE MICHAEL R AND AMY M
27H MIRIAM ST
KEY WEST, FL 33040-5754

BALL FRED G
39H MIRIAM ST
KEY WEST, FL 33040-5754

BARTER MARK AND MARYBETH
5030 5TH AVE UNIT 38
KEY WEST, FL 33040-5712

BAUCOM PROPERTY HOLDINGS 1 LLC
261 GOLF CLUB DR
KEY WEST, FL 33040-7940

BENDER STEPHEN M AND CHERYL
5020 5TH AVE UNIT 9
KEY WEST, FL 33040-5723

BICK MICHAEL A
17H MIRIAM ST
KEY WEST, FL 33040-5754

BRANSON FRANK L AND DEBBIE D
6920 TURTLE CREEK BLVD
DALLAS, TX 75205-1252

BRAY KEVIN J
10475 GANDY BLVD N UNIT 3232
SAINT PETERSBURG, FL 33702-2426

CAREY CLYDE J JR L/E
2G ROBERTA ST
KEY WEST, FL 33040-5756

CASTELLANOS VICTORIA
5030 5TH AVE UNIT 34
KEY WEST, FL 33040-5712

CAYO HUESO HOLDINGS LLC
14 CALLE UNO
KEY WEST, FL 33040-5410

CHEE HENG YEE
34H MIRIAM ST
KEY WEST, FL 33040-5754

COCONUT MALLORY MARINA AND
RESORT DOCKOWNERS ASSOC
1445 S ROOSEVELT BLVD
KEY WEST, FL 33040-4538

COCONUT MALLORY MARINA AND
RESORT T/S ASSOCIATION
1445 S ROOSEVELT BLVD
KEY WEST, FL 33040-4538

COCONUT MALLORY RSRT TIMESHARE
OWN ASSN
PO BOX 12967
NEWPORT NEWS, VA 23612-2967

COHEN KEITH AND CHERI
5020 5TH AVE UNIT 11
KEY WEST, FL 33040-5723

CONCH INVESTORS II LLC
12178 4TH ST
RANCHO CUCAMONGA, CA 91730-6127

COUGHLIN CALVIN
H-40 MIRIAM ST
KEY WEST, FL 33040

COW KEY CONDO LLC
PO BOX 549
DELLSLOW, WV 26531-0549

CRAWFORD SANDRA S
G 46 MIRIAM ST
KEY WEST, FL 33040

CROSS PHILLIP AND ALISON
POPLAR HALL LN
CHORLTON CHESTER, CHESHIRE CH2
4DD

CRUZ MICHAEL
25H MIRIAM ST
KEY WEST, FL 33040-5754

DADD ANN M
701 CATHERINE ST
KEY WEST, FL 33040-3225

DALLAS DONNA A
5030 5TH AVE UNIT 74
KEY WEST, FL 33040-5714

DAVALOS ANTONIO
5H 5TH AVE
KEY WEST, FL 33040-5733

DEGRAVE STEPHEN R
402 AVENUE A
KEY WEST, FL 33040-5512

DEUTSCHE BANK TRUST COMPANY
1661 WORTHINGTON RD STE 100
WEST PALM BEACH, FL 33409-6493

EATON JOHN F AND RITA G
1435 S ROOSEVELT BLVD UNIT 1001
KEY WEST, FL 33040-4538

ECHOLS JOHN D AND GAYLE E
12H MIRIAM ST
KEY WEST, FL 33040-5754

EGAMBERDIEV OYBEK
3930 S ROOSEVELT BLVD APT 307N
KEY WEST, FL 33040-5177

ELGART MICHAEL
32 CEDARWOOD LN
OLD SAYBROOK, CT 06475-2010

FERNANDEZ DAVID MORLEY
10G ROBERTA ST
KEY WEST, FL 33040-5756

FERRARA CHRISTOPHER AND KATHRYN
5020 5TH AVE UNIT 14
KEY WEST, FL 33040-5724

FINDLAY GARY E
38H MIRIAM ST
KEY WEST, FL 33040-5754

FLYNN DEBRA
1010 KENNEDY DR STE 401
KEY WEST, FL 33040-4134

GAITAN FELIX A
G-22 ROBERTA ST
KEY WEST, FL 33040

GALLO JOHN AND DAVINA L
5030 5TH AVE UNIT 81
KEY WEST, FL 33040-5715

GALLOWAY MARIE L REV TRUST 5/21/2004
18G ROBERTA ST
KEY WEST, FL 33040-5756

GALO KAREN
G-5 ROBERTA ST
KEY WEST, FL 33040

GARCIA ANDRE M
G-43 MIRIAM ST
KEY WEST, FL 33040

GARCIA LILA
47G MIRIAM ST
KEY WEST, FL 33040-5753

GLUBA COLLEEN MARIE
5020 5TH AVE UNIT 21
KEY WEST, FL 33040-5724

GODSELL LINDSAY REGAN
5030 5TH AVE UNIT 23
KEY WEST, FL 33040-5711

GONZALEZ MICHAEL AND WENDY S
H-21 MIRIAM ST
KEY WEST, FL 33040

GOODE MARITZA CRUZ
26H MIRIAM ST
KEY WEST, FL 33040-5754

GOODMAN ALISSA TAMAR
3 EVERSFIELD RD
KEW RICHMOND, SURREY TW9 2AP

GOODMANAGEMENT LLC
PO BOX 12967
NEWPORT NEWS, VA 23612-2967

GROOMS CARLTON C JR AND DEBORAH A
5020 5TH AVE UNIT 15
KEY WEST, FL 33040-5724

GUERRA CARLOS F JR
3409 EAGLE AVE
KEY WEST, FL 33040-4651

H-4 5TH STOCK IS. LLC
1101 17TH ST
KEY WEST, FL 33040-4276

HARNISH MICHAEL AND DIONNE
414 BLAIDO TERR
KEY WEST, FL 33040-4631

HERNANDEZ ADELA B
6G ROBERTA ST
KEY WEST, FL 33040-5756

HERNANDEZ GILDA C
1840 W 62ND ST APT 207
HIALEAH, FL 33012-1901

HERNANDEZ JOSE
G-60 MIRIAM ST
KEY WEST, FL 33040

HILLMAN ALAN K & NANCY LEE CO-TR'S
H-31 MIRIAM ST
KEY WEST, FL 33040

HYATT AND HYATT INC
17021 STARFISH LN W
SUGARLOAF SHORES, FL 33042

ISLANDER VILLAGE LLC
201 FRONT ST STE 224
KEY WEST, FL 33040-8348

JACKSON ERNEST LEE
4353 AGUALINDA BLVD
CAPE CORAL, FL 33914-6281

JACOBO ANA H
13301 SW 204 ST
MIAMI, FL 33177

JORDAN THOMAS W AND TANA
G9 ROBERTA ST
KEY WEST, FL 33040

JOSEPH JEAN R
1213 GLYNN R ARCHER JR DR LOT 35
KEY WEST, FL 33040-4145

KILFIAN DENNIS
5030 5TH AVE UNIT 75
KEY WEST, FL 33040-5714

KNIGHT EDWARD B LIVING TRUST
01/23/97
P O BOX 974
KEY WEST, FL 33041

KNIGHT EDWARD B
PO BOX 974
KEY WEST, FL 33041-0974

KUNTZ RHONDA
H 37 MIRIAM STREET
KEY WEST, FL 33040

LAMBERSON JIMMY AND MARITZA
5030 5TH AVE UNIT 73
KEY WEST, FL 33040-5714

LEGGETT DONZEL A AND TRACY
5020 5TH AVE UNIT 3
KEY WEST, FL 33040-5723

LEON ENRIQUE AND ERIN MARIE
5020 5TH AVE UNIT 6
KEY WEST, FL 33040-5723

LEONARD LAURA
5020 5TH AVE UNIT 4
KEY WEST, FL 33040-5738

LOCKWOOD DOLORES C
G-56 MIRIAM ST
KEY WEST, FL 33040

MACONI PAUL AND LINDA
5030 5TH AVE UNIT 83
KEY WEST, FL 33040-5715

MALBY ANDRIA
2724 NW 58TH BLVD
GAINESVILLE, FL 32606-8530

MALBY CHARLES R JR
1119 GRINNELL ST
KEY WEST, FL 33040-3205

MARIUS ALONA N K AND LAURENCE
7H 5TH AVE
KEY WEST, FL 33040-5733

MATHEESSEN BRENT
3733 FLAGLER AVE
KEY WEST, FL 33040-4528

MELLIES RAYMOND
23H MIRIAM ST
KEY WEST, FL 33040-5754

MENARD MICHELLE
5030 5TH AVE UNIT 33
KEY WEST, FL 33040-5712

MENDEZ ROLANDO
H2-5TH AVE
KEY WEST, FL 33040

MONROE COUNTY
201 FRONT ST STE 107
KEY WEST, FL 33040-8346

MORTGAGE AUTOMATION CORPORATION
79 SEASIDE NORTH CT
KEY WEST, FL 33040-5292

NEFF C ROBERT AND CATHERINE
2441 PLAINVIEW AVE
PITTSBURGH, PA 15226-1547

NHC-FL136 LLC
6991 E CAMELBACK RD STE B310
SCOTTSDALE, AZ 85251-2493

NMSKW LLC
19 BEACHWOOD DR
KEY WEST, FL 33040-6207

NORAT RAFAEL
38G MIRIAM ST
KEY WEST, FL 33040-5753

NORRIS JASON L
G48 MIRIAM ST
KEY WEST, FL 33040

OROPEZA STEVE AND PAMELA
3540 EAGLE AVE
KEY WEST, FL 33040-4654

OSTERMAN JOSEPH C AND JAMIE L
412 BALIDO TER
KEY WEST, FL 33040-5704

PADRON EUGENIO
14G ROBERTA ST
KEY WEST, FL 33040-5756

PARTINGTON JEFFREY AND MARIA R/S
22H MIRIAM ST
KEY WEST, FL 33040-5754

PEARSON STEVEN B TRUST 6/1/2011
7224 BABILONIA ST
CARLSBAD, CA 92009-6510

PEARSON STEVEN B TRUST 6/1/2011
404 PLAYA BLANCA
ENCINITAS, CA 92024-3650

PELLETIER ANNIE
49G MIRIAM ST
KEY WEST, FL 33040-5753

PEREZ OMAR AND VIVIAN
E24 11TH AVE
KEY WEST, FL 33040

PITA JERRY AND DINORA
30H MIRIAM ST
KEY WEST, FL 33040-5754

PLUME WAYNE AND CYNTHIA D
5020 5TH AVE UNIT 20
KEY WEST, FL 33040-5724

R AND G HOLDINGS OF KEY WEST INC
18F CROSS ST
KEY WEST, FL 33040-5750

RAFIELD MARY
45G MIRIAM ST
KEY WEST, FL 33040-5753

RAMIREZ ARTURO E
G 25 ROBERTA ST
KEY WEST, FL 33040

RAY DASHA RENEE
1215 MCMILLIAN DR
KEY WEST, FL 33040

RIOSECO RAUL AND GUILLERMINA
57G MIRIAM ST
KEY WEST, FL 33040-5753

RIOSECO SIXTO R AND CRUZ M RIOSECO
3703 PEARLMAN CT
KEY WEST, FL 33040-4220

ROBERTS CHARLES F
5585 2ND AVE STE 4
KEY WEST, FL 33040-5932

RODRIGUEZ AGUSTIN SR AND ANGELA
9100 MARE PATH
SEBRING, FL 33875

ROMAN JOAN K
5030 5TH AVE UNIT 32
KEY WEST, FL 33040-5711

RUIZ ROSA VILLABA
37G MIRIAM ST
KEY WEST, FL 33040-5753

SANTELLI DAMON
1512 17TH TER
KEY WEST, FL 33040-4618

SARIOL EDUARDO R
13G ROBERTA ST
KEY WEST, FL 33040-5756

SEAVIEW RENTALS LLC
PO BOX 2554
KEY WEST, FL 33045-2554

SECRETARY OF HOUSING AND URBAN
DEVELOPMENT
451 7TH ST SW
WASHINGTON, DC 20410-8000

SMITH DAVID GEORGE JR
PO BOX 331
WAUPACA, WI 54981-0331

SPENCER SONIA
42G MIRIAM ST
KEY WEST, FL 33040-5753

SQUELLA JORGE
11G ROBERTA ST
KEY WEST, FL 33040-5756

STICH MICHAEL AND MARY
PO BOX 1203
KEY WEST, FL 33041-1203

STONER JAMES E
24H MIRIAM ST
KEY WEST, FL 33040-5754

SWEETING NATALIE L
5020 5TH AVE UNIT 13
KEY WEST, FL 33040-5724

TORRES JOSE L AND JULIETTE B
PO BOX 2243
KEY WEST, FL 33040-2243

TOTINO RAYMOND JR AND CAROLE R
913 MAIN ST
PATERSON, NJ 07503-2628

TROSSET ROBERT F III
5020 5TH AVE UNIT 5
KEY WEST, FL 33040-5738

TURK JOHN AND LINDA
202 ANGELA ST
KEY WEST, FL 33040-7304

VAN MATER ROBIN
905 TRUMAN AVE
KEY WEST, FL 33040-6427

VAREA ARIEL SAAVEDRA
58G MIRIAM ST
KEY WEST, FL 33040-5753

VELOSO DOMINGO J TRUSTEE UNDER
DEC TR 11/12/1997
17042 STARFISH LN W
SUMMERLAND KEY, FL 33042-3621

VELOSO MIMI E
10816 LOMA DEL SOL DR
EL PASO, TX 79934-3782

WALKER THOMAS G
3537 52ND AVENUE CIR W
BRADENTON, FL 34210-3262

WATSON OMAR
5030 5TH AVE UNIT 47
KEY WEST, FL 33040-5712

WILBUR WRIGHT 725 LLC
695 WASHINGTON ST APT 4
NEW YORK, NY 10014-2521

WILLIAMS DAVID F AND LOUANNA R
24 AMARYLLIS DR
KEY WEST, FL 33040

WRIGHT KEVIN
5030 5TH AVE UNIT 39
KEY WEST, FL 33040-5712

End of Additional File 2016-191

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Request for a Time Extension to a Conditional Use Permit

An application must be deemed complete and in compliance with the Monroe County Code by the staff prior to the item being scheduled for review. Such extensions are limited by the regulations provided in Monroe County Code Section 110-73(a)

Time Extension to a Conditional Use Permit Application Fee: \$986.00

Date of Submittal: 11 / 8 / 16
Month Day Year

Applicant/Agent Authorized to Act for the Property Owner:

Smith Oropeza Hawks Gregory S. Oropeza, Esq
Applicant (Name of Person, Business or Organization) Name of Person Submitting this Application
138-142 Simonton Street, Key West, FL 33040

Mailing Address (Street, City, State and Zip Code)
(305) 296-7227 greg@smithoropeza.com

Daytime Phone Email Address

Property Owner:

Drive In Homebuilders, LLC
(Name/Entity) Contact Person
3152 Northside Drive, Key West, FL 33040

Mailing Address (Street, City, State and Zip Code)

Daytime Phone Email Address

Approval (Development Order / Resolution) #: PB35-05

Legal Description of Property:

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

PB1-55 1-6&1/2 Lot 7 Maloney Stock Island
Block Lot Subdivision Key

00127400-000000 1161616

Real Estate (RE) Number Alternate Key Number

5020 5th Avenue South, Key West, FL 33040
Street Address (Street, City, State, Zip Code) Approximate Mile Marker

APPLICATION

Please describe why the time extension is necessary. (If necessary, attach additional sheets)

The extension is being requested in order to complete construction and obtain certificates of occupancy on three (3) remaining units at Islander Estates. Completion of the three (3) units is expected within the next 12 months.

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

(Please check as you attach each required item to the application)

- Completed application form
Correct fee (check or money order to Monroe County Planning & Environmental Resources)
Proof of ownership (i.e. Warranty Deed)
Current property record card(s) from the Monroe County Property Appraiser
Copy of the recorded conditional use permit and any previous modification approvals

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

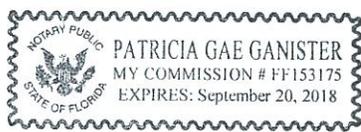
- Notarized Agent Authorization
Proposed phasing plan

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

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

Signature of Applicant: [Signature] Date: 11-8-14

Sworn before me this 8th day of November 2016



[Signature]
Notary Public
My Commission Expires

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

11-8-16
(Date)

I hereby authorize Gregory S. Oropeza of Smith Oropeza Hawks be listed as authorized agent
(Name of Agent)

for Drive In Homebuilders, LLC for the application submittal for
(Name of Property Owner(s) the Applicant(s))

Property described as Lot: _____, Block _____, PB1-55 Lots 1-6 & 1/2 Lot 7
Subdivision: Maloney, Key (island): Stock Island
and Real Estate number: 00127400-000000.

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purposes stated.

The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all of the actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

Note: Authorization is needed from each owner of the subject property. Therefore, one or more authorization forms must be submitted with the application if there are multiple owners.

Don C. Miller
Property Owner(s) Signature

Don C. Miller, as Manager of Drive In Homebuilders, Inc.
Printed Name of Owner(s)

NOTARY:
STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 8 day of November, 2016.

Don C. Miller is X personally known _____ produced identification

(_____ Type of Identification), did / did not take an oath.

Klara Vyhlidlova
Notary



\$2,150,000.00

Doc# 1928808 04/16/2013 4:28PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

Prepared by and return to:
JOHN M. SPOTTSWOOD, JR.
Attorney at Law
Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 12-174-ej

04/16/2013 4:28PM
DEED DOC STAMP CL: DS \$15,050.00

Doc# 1928808
Bk# 2623 Pg# 1173

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 11th day of April, 2013 between Drive In, Ltd., a Florida limited partnership whose post office address is 201 Front Street, Suite 107, Key West, FL 33040, grantor, and Drive In Homebuilders, LLC, a Florida limited liability company whose post office address is 3152 Northside Drive, Key West, FL 33040, 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 Monroe County, Florida to-wit:

See Exhibit A

Parcel Identification Number: 00123700-000000 and 00127400-000000

Subject to conditions, limitations, restrictions and easements of record and taxes for the year 2013 and subsequent years and that certain Restrictive Covenant recorded at OR Book 2623, Page 443.

Also subject to those certain Declaration of Protective Covenants, Restrictions and Easements of Islander Estates recorded at OR Book 2623, at Page 131.

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 whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2012.

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

Signed, sealed and delivered in our presence:

Hope Casar
Witness Name: Hope Casar
S. Monsalvatte
Witness Name: S. MONSALVATTE

Drive In, Ltd., a Florida limited partnership
By: [Signature]
Edwin O. Swift, III, General Partner

Hope Casar
Witness Name: Hope Casar
S. Monsalvatte
Witness Name: S. MONSALVATTE

By: [Signature]
Gerald R. Mosher, General Partner

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 11th day of April, 2013 by Edwin O. Swift, III, General Partner, of Drive In. Ltd., on behalf of said firm. They are personally known or have produced a driver's license as identification.

[Notary Seal]

Marion Hope Casas
Notary Public

Printed Name: MARION HOPE CASAS

My Commission Expires: _____



Notary Block
State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 11th day of April, 2013 by Gerald R. Mosher, General Partner of Drive In. Ltd., on behalf of said firm. They are personally known or have produced a driver's license as identification.

[Notary Seal]

Marion Hope Casas
Notary Public

Printed Name: MARION HOPE CASAS

My Commission Expires: _____



Lots 1 thru 6, inclusive, and the West one-half of Lot 7, Block 59, MALONEY SUBDIVISION of Stock Island, Monroe County, Florida, as recorded in Plat Book 1, Page 55 of the Public Records of Monroe County, Florida.

ALSO

A parcel of bay bottom land in the Straits of Florida being described by metes and bounds as follows: Commence at the intersection of the South line of Fifth St. and the West line of Cross St. according to said MALONEY SUBDIVISION and run thence West along the South line of said Fifth St. and the South line of Fifth St. extended, a distance of 1150 ft. to the Point of Beginning; thence continue West for a distance of 350 ft. to the East edge of Cow Key Channel; thence run S 06 degrees 00' W along the East edge of the said Cow Key Channel a distance of 700 ft. more or less; thence run S 40 degrees 00' E along the East edge of the said Cow Key Channel a distance of 312.08 ft. more or less, to the North boundary of the parcel of land described in Official Records Book 386, Page 150, of the Public Records of Monroe County, Florida; thence run East along the North boundary of the said parcel of land a distance of 918.58 ft. to the intersection of the centerline of Lot 7, Block 59 of the said MALONEY SUBDIVISION extended Southerly; thence run North along the centerline of the said Lot 7 extended, a distance of 650 ft. more or less, to the South boundary of the said Block 59; thence Southeasterly and Northeasterly meandering the South and West boundary of the said Block 59, a distance of 1400 ft. back to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING:

That portion as conveyed to Monroe County, a political subdivision of the State of Florida by Warranty Deed recorded June 12, 2007 in Official Records Book 2301, Page 363, of the Public Records of Monroe County, Florida, being:

A parcel of land on Stock Island, being a part of Block 59, Maloney Subdivision, according to the plat thereof, as recorded in Plat Book 1, at Page 55, of the Public Records of Monroe County, Florida, and adjacent submerged lands, said parcel being more particularly described by metes and bounds as follows:

Commencing at the W'ly Right-of-Way Line of Cross Street and the S'ly Right-of-Way Line of Fifth Avenue and run thence West along the S'ly Right-of-Way Line of the said Fifth Avenue for a distance of 450.00 feet to the Point of Beginning, said point also being the NW'ly corner of LINCOLN GARDENS NO. 2 SUBDIVISION, as recorded in Plat Book 5, at Page 90, of the Public Records of Monroe County, Florida; thence continue West and along the S'ly Right-of-Way Line of the said Fifth Avenue for a distance of 691.45 feet; thence run South for a distance of 79.47 feet; thence run S 3 degrees 00'00" W for a distance of 88.04 feet to a curve, concave to the Northeast and having for its elements a radius of 157.0 feet, and a delta of 43 degrees 00'; thence run SE'ly along the arc of said curve for a distance of 117.83 feet to the end of said curve; thence run S 40 degrees 00'00" E for a distance of 183.23 feet to a curve, concave to the North and having for its elements a radius of 92.0 feet, and a delta of 95 degrees 00'; thence run SE'ly and NE'ly along the arc of said curve

for a distance of 152.54 feet to the end of said curve; thence run N 45 degrees 00'00" E for a distance of 406.95 feet to a curve, concave to the Northwest and having for it elements a radius of 87.0 feet, and a delta of 11 degrees 49'24"; thence run NE'ly along the arc of said curve for a distance of 17.95 feet; thence run East for a distance of 37.33 feet; thence run S 74 degrees 58'15" E for a distance of 72.32 feet to a point that is on the W'ly boundary line of said LINCOLN GARDENS NO. 2 Subdivision; thence run North and along the W'ly boundary line of the said LINCOLN GARDENS NO. 2 Subdivision for a distance of 139.88 feet back to S'ly Right-of-Way Line of the said Fifth Avenue and the Point of Beginning.

FURTHER LESS AND EXCEPT THE FOLLOWING:

A parcel of land and bay bottom in the Straits of Florida, located on and adjacent to Stock Island and being more particularly described by metes and bounds as follows:

Commence at the intersection of the Southerly right of way line of Fifth Avenue and the Westerly right of way line of Cross Street according to MALONEY SUBDIVISION of Stock Island, as recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida, and run thence West along the said Southerly right of way line of said Fifth Avenue and Westerly extension thereof for a distance of 1198.65 feet to the Point of Beginning; thence South for a distance of 30.00 feet; thence West for a distance of 67.99 feet; thence South for a distance of 20.90 feet; thence South 52°30'59" West for a distance of 24.48 feet; thence South 66°50'10" West for a distance of 52.20 feet; thence South 00°21'38" East for a distance of 72.71 feet; thence West and parallel with the said Southerly right-of-way line of Fifth Avenue for a distance of 183.11 feet to the East edge of Cow Key Channel; thence North 06°00'00" East and along said East edge of Cow Key Channel for a distance of 159.91 feet to the said Westerly extension of the Southerly right-of-way line of Fifth Avenue; thence East and along said Westerly extension of the Southerly right-of-way line of Fifth Avenue for a distance of 301.35 feet back to the Point of Beginning. (Also known as Unit 112 of Islander Estates, according to the Declaration of Protective Covenants, Restrictions and Easements of Islander Estates, as recorded in Official Records Book 2623 at Page 131, of the Public Records of Monroe County, Florida)

All of the above described legal description will also be known as Residential Units 90-111 of Islander Estates, according to the Declaration of Protective Covenants, Restrictions and Easements of Islander Estates, as recorded in Official Records Book 2623 at Page 131, of the Public Records of Monroe County, Florida.



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Website tested on IE8, IE9, & Firefox.
Requires Adobe Flash 10.0 or higher

The Offices of the Property Appraiser will be closed Friday November 11th in observance of Veterans Day.

Property Record Card -
Maps are now launching the new map application version.

Alternate Key: 1161616 Parcel ID: 00127400-000000

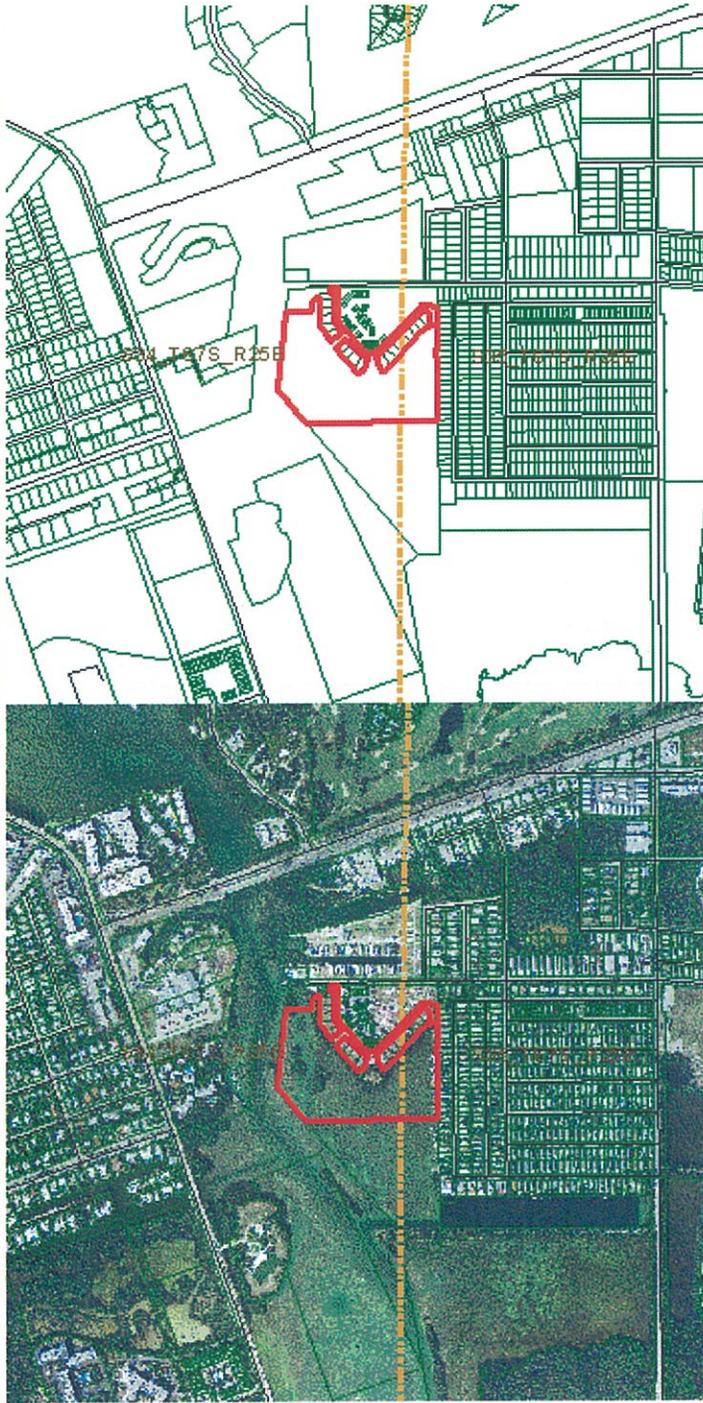
Ownership Details

Mailing Address:
DRIVE IN HOMEBUILDERS LLC
3152 NORTHSIDE DR
KEY WEST, FL 33040-8006

Property Details

PC Code: 07 - COMPOUNDS
Millage Group: 110A
Affordable Housing: No
Section-Township-Range: 35-67-25
Property Location: 5020 5TH AVE SOUTH STOCK ISLAND
Legal Description: STOCK ISLAND MALONEY SUB PB1-55 PT BLK 59 AND ADJ BAY BTM (A/K/A UNITS 96-101-111 ISLANDER ESTATES) OR197-80 OR1332-1953/55 OR1333-1359/60 OR1333-1361/62 OR1584-2477/80C OR1584-2481/83C OR1998-69/71C OR1998-72/73 OR2306-1357/59AFF OR2623-131/193DEC/REST OR2623-643/646(REST/COV) OR2623-1173/76 OR2368-597/695DEC OR2368-696/810DEC OR2753-1174/1178(AMD/DEC) OR2753-1179/1185(AMD/DEC)

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
000X - ENVIRONMENTALLY SENS			10.83 AC
010D - RESIDENTIAL DRY			12,241.50 SF
1M0W - COMMERCIAL WATERFRON	0	0	66,848.00 SF
9500 - SUBMERGED	0	0	3.23 AC

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	CL2:CH LINK FENCE	5,075 SF	0	0	1959	1960	2	30

Appraiser Notes

UNIT 90 (RE 00127401-010900 AK 9103473), UNIT 103 (RE 00127401-011030 AK 9103744), UNIT 105 (RE 00127401-011050 AK 9103833), UNIT 106 (RE 00127401-011060 AK 9103834), UNIT 107 (RE 00127401-011070 AK 9103835), UNIT 108 (RE00127401-011080 AK 9103810), HAVE ALL BEEN SPLIT OUT FOR THE 2016 TAX ROLL.

PER OR2623-1173 SALE, COMBINE 10.83 ACRES 000X FROM AK1157813, RE00123700-000000 AND REDUCE 1MOW BY 1,450 SQ FT; DONE FOR THE 2013 TAX ROLL.

UNIT 91 (RE 00127401-010910 AK 9102898), UNIT 92 (RE 00127401-010920 AK 9102686), UNIT 93 (RE 00127401-010930 AK 9102687), UNIT 94 (RE 00127401-010940 AK 9102770), UNIT 95 (RE 00127401-010950 AK 9102899), UNIT 97 (RE 00127401-010970 AK 9102978), UNIT 98 (RE 00127401-010980 AK 9102979), UNIT 99 (RE 00127401-010990 AK 9102980), UNIT 100 (RE 00127401-011000 AK 9103084), UNIT 102 (RE 00127401-011020 AK 9103460), UNIT 104 (RE 00127401-011040 AK 9103503), UNIT 109 (RE 00127401-011090 AK 9102759), UNIT 110 (RE 00127401-011100 AK 9102981), HAVE ALL BEEN SPLIT OUT FOR THE 2015 TAX ROLL.

DRIVE IN BLDGS DEP INCREASED DUE TO COND FOR 1983 SCREEN REMOVED FOR 1993 ROLL. BLDG 3 OF 3 IS WKIZ BUILDING AND IT SETS ON APPROX.,3000SQ.FT.OF WATERFRONT LAND. 2001-04-04 CHANGED THE PC CODE FROM 31 TO 18 AND DELETED TWO BUILDINGS THAT WERE DAMAGED BY THE HURRICANE OF 1998 AND WERE NEVER REPAIRED. ALSO CHANGED THE FLA WALLS FROM 19D TO 18C.DUG 5/4/2006 PROPERT RENTED TO FEMA FOR TRAILERS FOR WILMA DISPLACED PERSONS AND WILL BE USED AS STORAGE FOR

TRANSFERRED TO RE 00130780-000000 AK 1164941 A 20' X 42.37' PARCEL OF BAY BOTTOM PER OR2740-554/555, THE LAND SIZES FOR THIS PARCEL AND FOR RE 00130780-000000 AK 1164941 HAVE BEEN ADJUSTED FOR THE 2015 TAX ROLL.

SPLITTING OUT 4.69 AC (1MOW) OF THIS PARCEL FOR ASSESSMT (2301-363) PURP, NOW UNDER 00127400-000100 AK9089566 DONE FOR THE 2007 TAX ROLL.

GATED COMMUNITY FEATURING 22 NEW MODULAR HOMES IN THE PROCESS OF BEING CONSTRUCTED. 2 FLOOR PLANS TO CHOOSE FROM, EACH 1500SF WITH UPGRADES. UNITS ARE LISTED AT \$525,000.

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
08100181	03/05/2008	08/29/2008	140,000	Commercial	COMMUNITY POOL
08100274	04/01/2008	08/29/2008	55,900	Commercial	POOL HOUSE
08101266	05/02/2008	12/04/2008	6,395	Commercial	INSTALL SERVICE ENTRANCE MOVE CONTROL CABINET
08101472	05/21/2008	12/04/2008	2,400	Commercial	MAIL BOX FOUNDATION
08104239	12/01/2008		75,000	Commercial	1-89 UNITS LATTICE AND GARAGE DOORS ALL UNITS
12104035	06/05/2013	11/30/2015	150,000	Commercial	UNIT #6. CONSTRUCT NEW SFR/MODULAR
12104036	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104037	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104038	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104039	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104040	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104041	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104042	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104043	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104044	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104046	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104047	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104048	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104049	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104051	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104052	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104030	06/05/2013		150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
12104031	06/05/2013	02/25/2015	150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
08100775	04/08/2008	12/04/2008	15,310	Commercial	ENTRANCE WALL
13102459	08/20/2013		125,000	Commercial	SWALE, CURB, SIDEWALK, STREET LAMPS, AND ASPHALT

14101202	09/24/2014	12/08/2015	150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101203	09/24/2014	11/23/2015	150,000	Commercial	5020 5TH AVE NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101204	09/24/2014		406,690	Commercial	5020 5TH AVE #12. CONSTRUCT A NEW SFR CUSTOM SITE BUILT HOME WITH CONCRETE SLAB CONSISTING OF: 1536 SF 1ST FLOOR LIVING AREA, 1536 SF 2ND FLOOR LIVING AREA, 1ST FLR AND 2ND FLR PORCH EQUALS 806 SF
14101205	09/24/2014	11/23/2015	150,000	Commercial	5020 5TH AVE NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101206	09/24/2014	04/07/2015	150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101207	09/24/2014	04/07/2015	150,000	Commercial	5020 5TH AVE. NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101208	09/24/2014	03/31/2015	150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101209	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101210	09/24/2014	11/23/2015	150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101201	09/24/2014	11/23/2015	150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101200	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101199	09/24/2014	04/25/2016	150,000	Commercial	5020 5TH AVE.#17 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101198	09/24/2014	04/04/2016	150,000	Commercial	5020 5TH AVE.#18 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
14101197	09/24/2014		150,000	Commercial	5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
					5020 5TH AVE.#1 NEW SFR- MODULAR- ROGO. PERMIT APPROVAL TO CONSTRUCT A NEW SFR MODULAR CONSISTING OF 1472SF

14101196	09/24/2014		150,000	Commercial	LIVING AREA WITH A/C, 1791 SF SLAB, 307SF 1ST FLOOR DECK UNDER ROOF, 220SF FIRST FLOOR DECK NOT UNDER ROOF, 2021 SF ROOF AND GRAVEL DRIVEWAY.
13102459	08/20/2013	12/11/2014	125,000	Commercial	SWALE, CURB, SIDEWALKS, ASPHALT, STREET LAMPS AND STRIPING
14104476	10/15/2014	12/19/2014	2,000	Commercial	120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104475	10/15/2014	12/19/2014	2,000	Commercial	120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104473	10/15/2014	12/19/2014	2,000	Commercial	120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104471	10/15/2014	12/19/2014	2,000	Commercial	120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104465	10/15/2014	12/19/2014	2,000	Commercial	120 LF OF FENCE WITH ONE 4' WIDE GATE 6' HIGH
14104283	09/30/2014	12/19/2014	2,000	Residential	GARAGE DOORS
14104284	09/30/2014	09/30/2014	2,000	Residential	GARAGE DOORS
14104285	09/30/2014	12/19/2014	2,000	Residential	GARAGE DOORS
14104286	09/30/2014	12/19/2014	2,000	Residential	GARAGE DOORS
14105310	12/02/2014		2,400		INSTALL 225 LF OF PVC FENCE
14105287	12/02/2014		2,500		INSTALL 200 LF OF 6' PVC FENCE AND 1 4' GATE
14105315	12/02/2014		2,500		INSTALL GARAGE DOORS AS PER PLANS
14105314	12/02/2014		2,500		INSTALL GARAGE DOOR AND HEADER
14101206	09/24/2014		150,000		1472 SF MODULAR HOME
14101207	09/24/2014		150,000		1472 SF MODULAR HOME
14101208	09/24/2014		150,000		1472 SF MODULAR HOME
12104031	06/05/2013	11/23/2015	150,000	Commercial	CONSTRUCT NEW SFR/MODULAR
15100755	03/11/2015	11/23/2015	2,000	Commercial	UNIT #11. GARAGE DOORS
15100752	03/06/2015	11/23/2015	2,000	Commercial	UNIT #8. GARAGE DOORS
15100754	03/05/2015		2,000	Commercial	UNIT #10. GARAGE DOORS
15103971	07/28/2015		2,100	Commercial	UNIT #11. 200 LB LP GAS TANK
15102216	06/22/2015	11/23/2015	2,500	Commercial	UNIT #15. GARAGE DOORS
15100753	03/05/2015	11/23/2015	2,000	Commercial	UNIT #9. GARAGE DOORS
15102217	06/22/2015		2,500	Commercial	UNIT #14. GARAGE DOORS
15102218	06/22/2015	11/23/2015	2,500	Commercial	UNIT #13. GARAGE DOORS
15100751	03/11/2015		2,000	Commercial	UNIT #1. GARAGE DOORS
12104050	06/05/2013	11/24/2015	150,000	Commercial	UNIT # 20. CONSTRUCT NEW SFR MODULAR
12104033	06/05/2013	11/24/2015	150,000	Commercial	UNIT #4. NEW SFR MODULAR
14104287	09/30/2014	11/24/2015	2,000	Commercial	UNIT #6. GARAGE DOORS
15104851	09/23/2015	11/24/2015	1,800	Commercial	LP GAS TANK AND PAD
16102537	04/25/2016		2,500		#7. INSTALL GARAGE DOORS
16102536	04/25/2016		2,500		#12. INSTALL GARAGE DOORS
04-3170	08/06/2004	12/30/2005	10,000	Commercial	DEMOLITION
04102334	08/05/2004	12/30/2005	1,800	Commercial	FENCE
07100515	02/01/2007	12/27/2007	0	Commercial	
07100117	07/20/2007		2,105,000	Commercial	Site Work
07104093	09/19/2007	02/05/2008	50,000	Commercial	Demo Screen
07104387	10/09/2007	03/24/2008	100	Commercial	Trailer Construction 6 months

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2016	0	5,136	982,786	987,922	987,922	0	987,922
2015	0	4,466	2,405,857	2,410,323	2,410,323	0	2,410,323
2014	0	69,576	698,256	767,832	767,832	0	767,832
2013	0	70,644	598,684	669,328	435,097	0	669,328
2012	0	72,058	602,408	674,466	395,543	0	674,466
2011	0	73,303	401,662	474,965	359,585	0	474,965
2010	0	74,539	252,357	326,896	326,896	0	326,896
2009	0	75,784	834,325	910,109	910,109	0	910,109
2008	0	13,545	834,325	847,870	847,870	0	847,870
2007	156,788	18,741	2,043,625	2,219,154	2,219,154	0	2,219,154
2006	156,788	17,877	4,430,325	4,604,990	4,604,990	0	4,604,990
2005	163,809	18,021	4,430,325	4,612,155	4,612,155	0	4,612,155
2004	163,717	18,093	1,329,325	1,511,135	1,511,135	0	1,511,135
2003	163,717	18,237	1,156,555	1,338,509	1,338,509	0	1,338,509
2002	163,717	18,381	694,063	876,161	876,161	0	876,161
2001	163,717	18,453	694,063	876,233	876,233	0	876,233
2000	182,296	7,711	694,063	884,070	884,070	0	884,070
1999	158,936	7,897	694,063	860,896	860,896	0	860,896
1998	104,699	8,064	694,063	806,826	806,826	0	806,826
1997	104,699	8,250	694,063	807,012	807,012	0	807,012
1996	103,034	8,436	694,063	805,533	805,533	0	805,533
1995	103,034	8,603	694,063	805,700	805,700	0	805,700
1994	97,389	6,701	694,063	798,153	798,153	0	798,153
1993	97,389	7,160	930,625	1,035,174	1,035,174	0	1,035,174
1992	18,718	19,272	638,239	676,229	676,229	0	676,229
1991	18,718	19,396	638,239	676,353	676,353	0	676,353
1990	18,718	19,520	443,321	481,559	481,559	0	481,559
1989	40,259	19,643	443,321	503,223	503,223	0	503,223
1988	37,797	19,767	443,321	500,885	500,885	0	500,885
1987	36,830	19,891	443,971	500,692	500,692	0	500,692
1986	37,026	20,014	443,971	501,011	501,011	0	501,011
1985	35,899	20,138	391,221	447,258	447,258	0	447,258
1984	34,820	20,262	391,221	446,303	446,303	0	446,303
1983	34,820	23,262	391,221	449,303	449,303	0	449,303
1982	75,981	39,366	311,890	427,237	427,237	0	427,237

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
4/11/2013	2623 / 1173	2,150,000	WD	03
4/21/2004	1998 / 0072	3,950,000	WD	M

11/1/1994

1332 / 1953

950,000

WD

M

This page has been visited 104,593 times.

Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176

PLANNING COMMISSION RESOLUTION NO. P35-05

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST OF DRIVE IN, LTD. FOR A MAJOR CONDITIONAL USE FOR THE DEVELOPMENT OF ONE-HUNDRED AND ELEVEN (111) RESIDENTIAL UNITS, EIGHTY-NINE (89) AFFORDABLE AND TWENTY-TWO (22) MARKET RATE, A PAVILLION, POOL HOUSE, BATH HOUSE, AND PUBLIC POOL FOR THE AFFORDABLE UNITS. THE PROPERTY IS LEGALLY DESCRIBED AS MALONEY SUBDIVISION PB 1-55, LOTS 1 THROUGH 6 AND 1/2 LOT 7 AND ADJACENT BAY BOTTOM LOTS 1-77, STOCK ISLAND, MONROE COUNTY, FLORIDA, APPROXIMATE MILE MARKER 5, AND THE REAL ESTATE NUMBERS ARE 00123700.000000 AND 00127400.000000.

Doc# 2056568 12/14/2015 10:16AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILLIN

Doc# 2056568
Bk# 2773 Pgh 1570

Doc# 1991788 07/28/2014 9:04AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILLIN

Doc# 1905921 11/05/2012 9:00AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

WHEREAS, during a regular meeting held on July 13, 2005, the Monroe County Planning Commission conducted a public hearing on the request filed by Drive In, Ltd. for a Major Conditional Use for 111 residential units (89 affordable and 22 market rate with pools), a pavilion, pool house, bath house, and public pool for the affordable units; and

WHEREAS, during a regular meeting held on June 9, 2005, the Development Review Committee recommended approval of the Major Conditional Use application to the Planning Commission; and

WHEREAS, the Planning Commission was presented with the following evidence, which by reference is hereby incorporated as part of the record of said hearing:

1. Cover Sheet and Index (G-1) prepared by Historic Tours of America dated 3/03/05, received 3/07/05; and
2. Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
3. Conceptual Drainage Plan (C-2) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
4. Conceptual Water Plan (C-3) drawn by Richard J. Milelli, P.E. dated 02/28/05, received 03/07/05; and
5. Survey (S-1) by Norby & O'Flynn Surveying, Inc, drawn by J. Lynn O'Flynn, PSM dated 4/19/04 and last revised on 2/12/05 and received 03/07/05; and
6. Floor Plan-Affordable Duplex (A-1) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and
7. Elevations-Affordable Duplex (A-2) by William P. Horn, Architect, P.A., drawn by J.O.M. dated 12/06/04, received 03/07/05; and

Doc# 2069718 03/31/2016 12:52PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILLIN

Doc# 2069718
Bk# 2789 Pgh 666

Doc# 1991788
Bk# 2695 Pgh 2434

8. Floor Plan-Market Rate (A-3) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/08/03, received 03/07/05; and
9. Elevations-Market Rate (A-4) by Michael B. Ingram Architect and Associates, drawn by S. Semaniuk, issued on 10/16/03, received 03/07/05; and
10. Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 2/25/05, received 03/07/05; and
11. Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05; and
12. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/05/05, received 06/16/05; and
13. Revised Landscape Plan (L-100) by Indigenous Design Group, Inc., dated 06/28/05, received 06/29/05; and
14. Letter from Rick Milelli, P.E. dated 06/22/2005 correcting the open space calculation on the Revised Conceptual Site Plan (C-1) drawn by Richard J. Milelli, P.E. dated 02/28/05, signed and sealed on 06/16/06, and received 06/16/05 from 92% to 41%.
15. The Staff Report prepared by Heather Beckmann, Planner and Andrew Trivette, Senior Biologist, dated 06/01/05; and
16. The sworn testimony of the Growth Management Staff; and
17. The comments of Donald L. Craig, AICP, representing the applicant's agent; and
18. The advice of Kerry L. Willis, Acting Planning Commission Counsel.

WHEREAS, the Planning Commission has made the following **Findings of Fact and Conclusions of Law** based on the evidence presented:

1. Based on the application, FCAA has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FCAA.
2. Based on the application, Florida Keys Electric Cooperative FKEC has been contacted to review the project. Therefore, we find that the project shall be reviewed and approved by FKEC.
3. Based on the application, the Fire Marshall has reviewed the project. Therefore, we conclude that the requests of the Fire Marshall shall be met to determine compliance with 9.5-69.
4. Based on the application, a breakdown of the proposed residential units by price range was not included. Therefore, we conclude that this is required along with an assessment of the potential of the proposed development to meet local or regional housing needs to determine compliance with Section 9.5-69.
5. Based on the application, the proposed development will increase daily trips on US1 by 262 with 75% of those trips predicted to travel to Key West. The impact of the increased traffic, proximity to bus service, and lack of bus shelters require the applicant to coordinate with Key West Transit Authority and the County to determine an appropriate location, design and maintenance plan for a bus shelter. Therefore, we conclude that the shelter shall be provided to comply with Section 9.5-69. The applicant has indicated location of a shelter on the site plan.



6. Based on the application, South Florida Water Management District (SFWMD) has been contacted to review the stormwater management plan. Therefore, we conclude that the project shall be reviewed and approved by SFWMD to comply with Section 9.5-293.
7. Based on the application, Florida Department of Health has been contacted and requested to coordinate with SFWMD. Therefore, we conclude that the applicant shall also coordinate with Key West Resort Utility (KWRU) to determine compliance with Section 9.5-294.
8. Based on the application, curb cuts will be added along Fifth Avenue. Therefore, we conclude that the applicant shall request and receive a connection permit from the County Engineer for the asphalt curb cuts located on Fifth Avenue.
9. Based on the application, the required parking for the commercial structure has been provided and is located in the front yard setback. Therefore, we conclude that the applicant is requesting a variance from the Planning commission to locate the parking in the setback.
10. Staff finds that United States Fish and Wildlife Service (US F & W S) has been contacted to review the project. Therefore, we conclude that the project shall be reviewed and approved by US F & W S to come into compliance with the code.
11. Staff finds that the applicant has not determined whether the residences will be for sale or lease. Therefore, we conclude that the applicant shall comply with the provisions of Florida Statutes concerning Condominiums and Homeowners Associations, which ever is applicable and that a management plan shall be submitted with the building permit application.
12. Based on the application staff determines that 1,845 square feet of planting area is required for the proposed project. The submitted plan includes a typo indicating a lower square footage. Therefore, we conclude that a revised landscape plan correcting this shall be required.

WHEREAS, during the 06/08/05 Planning Commission meeting, the applicant responded to Staff's request for a bus shelter to be considered a piece of art in public places and hence the applicant offered to contribute \$5,000.00 to the winner of the shelter's artistic design so long as the applicant could participate in the selection of the artist; and

WHEREAS, during the 06/08/05 Planning Commission meeting, the applicant requested and the Planning Commission agreed to extend the application for building permit(s) from six (6) months to five (5) years from the date of the Planning Commission's approval.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request of Drive In, Ltd. for a Major Conditional Use for the development of 111 residential units (89 affordable and 22 market rate), a pavilion, pool house, and bathhouse, and a public pool for the affordable units. The property is legally described as Maloney Subdivision PB 1-55, lots 1 through 6 and ½ Lot 7 and adjacent bay bottom lots 1-77, Stock Island, Monroe County, Florida, approximate mile marker 5 subject to the following conditions:



Doc# 1905921
Bk# 2596 Pg# 2115



Doc# 1991788
Bk# 2695 Pg# 2436



Doc# 2069718
Bk# 2789 Pg# 665



Doc# 1905921
Bk# 2596 Pg# 2116

1. Prior to the issuance of a building permit, the following agencies shall review and approve the project for compliance;
 - a) FCAA; and
 - b) KEYS; and
 - c) Fire Marshal (to ensure radius and emergency access request have been properly met); and
 - d) SFWMD; and
 - e) KWRU; and
 - f) County Engineer (for the curb cuts on Fifth Avenue); and
 - g) US F & W S
2. Prior to the issuance of a building permit, the applicant shall submit a report that breaks down the residential units by price along with an assessment of the potential of the development to meet local and regional housing needs.
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall construct and maintain a bus shelter. The design of the shelter shall be approved by the County Planner.
4. Prior to the issuance of a Certificate of Occupancy, the applicant shall comply with the general provisions of Florida Statutes, Chapter 718 Condominiums and/or Chapter 720 Homeowners Associations whichever is applicable and that a management plan shall be submitted with the building permit application.
5. Prior to the issuance of a Planning Commission Resolution, the applicant shall revise the landscape plan to indicate a total parking lot landscaping area of 1,845 square feet. This plan is to be reviewed and approved by the County Biologist.

Doc# 1991788
Bk# 2695 Pg# 2437

Doc# 2069718
Bk# 2789 Pg# 666

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 13th day of July 2005.

Chair Lynn C. Mapes	<u>YES</u>
Vice-Chair Denise Werling	<u>YES</u>
Commissioner Randolph Wall	<u>YES</u>
Commissioner Giulio Margalli	<u>YES</u>
Commissioner James D. Cameron	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY Lynn C. Mapes
Lynn C. Mapes, Chair

MONROE COUNTY
OFFICIAL RECORDS

Signed this 18th day of August, 2005.

MONROE COUNTY ATTORNEY APPROVED AS TO FORM <u>Henry L. Willis</u> Date: <u>8-12-05</u>

* * *



Doc# 1905921
Bk# 2596 Pg# 2117

**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P27-12**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY DRIVE IN, LTD FOR A ONE (1) YEAR TIME EXTENSION TO THE PROJECT COMPLETION EXPIRATION DATE OF THE MAJOR CONDITIONAL USE PERMIT APPROVED BY PLANNING COMMISSION RESOLUTION #P35-05.

Doc# 1991788
Bk# 2695 Pg# 2438

WHEREAS, during a public meeting held on June 27, 2012, the Monroe County Planning Commission conducted a review and consideration of a request filed by Ed Swift and Debbie Swift Batty, on behalf of Drive In, LTD, for a one (1) year time extension to the project completion expiration date of a major conditional use permit approved by Planning Commission Resolution #P35-05 in accordance with §110-73 of the Monroe County Code; and

WHEREAS, the subject property is located along 5th Avenue on Stock Island, approximate mile marker 5, and is legally described as Block 59, Lots 1-6, west ½ of Lot 7 and adjacent bay bottom, Maloney Sub (PB1-55), Stock Island, Monroe County, Florida and having real estate (RE) numbers 00123700.000000, 00127400.000000, 00127400.000100, 00127400.000120, 00127400.000121, 00127400.000122, 00127400.000123, 00127400.000124, 00127400.000125, 00127400.000126, 00127400.000127, 00127400.000128, 00127400.000129, 00127400.000132, 00127400.000133, 00127400.000134, 00127400.000135, 00127400.000136, 00127400.000138, 00127400.000139, 00127400.000140, 00127400.000141, 00127400.000142, 00127400.000143, 00127400.000144, 00127400.000145, 00127400.000146, 00127400.000147, 00127400.000148, 00127400.000149, 00127400.000171, 00127400.000172, 00127400.000173, 00127400.000174, 00127400.000175, 00127400.000176, 00127400.000177, 00127400.000178, 00127400.000179, 00127400.000180, 00127400.000181, 00127400.000182 and 00127400.000183; and

WHEREAS, in Planning Commission Resolution #P35-05, the subject property was identified as consisting of two (2) parcels, assessed as real estate (RE) numbers 00123700.000000 and 00127400.000000. As residential units are completed, additional real estate (RE) numbers are being established to account for each residential unit; and

WHEREAS, the applicant requested approval of a time extension in order to a) establish a single, clear expiration date for project completion and b) to extend the final expiration date from December 7, 2012 to December 7, 2013; and

Doc# 2069718
Bk# 2789 Pg# 667

Doc# 2056568
Bk# 2773 Pg# 1574



WHEREAS, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Request for a Time Extension to a Conditional Use Permit application, received by the Monroe County Planning & Environmental Resources Department on May 1, 2012; and
2. Planning Commission Resolution #P35-05;
3. Staff report prepared by Joseph Haberman, AICP, Planning & Development Review Manager, dated June 13, 2012; and
4. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
5. Sworn testimony of the applicant and general public; and
6. Advice and counsel of Susan Grimsley, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact:

1. In 2005, the Planning Commission approved a major conditional use permit for the development of 111 residential dwelling units (89 affordable units and 22 market-rate units) and accessory structures on the property. The approval was memorialized in Planning Commission Resolution #P35-05, signed by the Planning Commission Chair on August 18, 2005. Following its passing of appeal periods, the document was filed and recorded in the official records of the Monroe County Clerk of the Circuit Court on December 07, 2005; and
2. Several building permits have been issued related to the scope of work. As of the date of this approval, 43 of the 111 dwelling units have been completed; and
3. In 2007, Monroe County entered into a ground lease with Islander Village, LLC in order for the Lessee to develop the property with 89 affordable housing units. At the time of this approval, the lease was set to expire on June 14, 2013 pursuant to the Third Amendment; and
4. Pursuant to §110-73(a)(1) of the Monroe County Code, unless otherwise specified in a major conditional use approval, all required building permits and certificates of occupancy (CO's) shall be procured within three years of the date on which the major conditional use approval is recorded and filed in the official records of Monroe County, or the major conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. Extensions of time to a major conditional use approval may be granted only by the Planning Commission for periods not to exceed two (2) years, unless otherwise specified. Applications for extensions shall be made prior to the expiration dates. Extensions to expired major conditional use approvals shall be accomplished only by re-application for the major conditional uses; and

5. Under the current provisions of §110-73(a)(1) of the Monroe County Code, a major conditional use permit is valid for three (3) years from the date in which the development order resolution is recorded. There are no intermittent deadlines required by the code. However, at the time Resolution #P35-05 was issued, the provisions were different. Changes to §110-73(a) became effective January 29, 2010. The amendments did not affect the timelines of any conditional use permits approved prior to that date; and
6. Following its passing of appeal periods, Resolution #35-05 was recorded in the official records of the Monroe County Clerk of the Circuit Court on December 07, 2005. Under the standard provisions in place at the time, an application for a building permit was required by May 7, 2006 – six (6) months after the recording date of December 07, 2005. However, the Planning Commission approved a longer time for building permit application - five (5) years (page 3 of Resolution #35-05). Therefore, an application for a building permit was required by December 7, 2010 – five (5) years after the recording date of December 07, 2005. Under the standard provisions in place at the time, all required certificates of occupancy and certificates of completeness were required within two (2) years of the initial building permit's issuance; and
7. A building permit application for site work was submitted on February 15, 2006. Building Permit #061-1121, approving the site work, was issued on February 16, 2006. Therefore, per the regulations at the time of approval, the project should have been completed, with all certificates of occupancy obtained, by February 16, 2008 – two (2) years after the initial building permit's issuance on February 16, 2006. Consequently and perhaps inadvertently, the Planning Commission provided more time to apply for building permits than receive the certificates of occupancy necessary to inspect and close the building permit files; and
8. The applicant submitted a Florida Senate Bill 360 request to the Building Department for the building permits associated with the project. The Building Department approved the request and by default extended the deadline for building permit application from December 7, 2010 to December 7, 2012; and
9. Monroe County can continue to accept, review and approve building permit applications associated with the project until December 7, 2012. However, the County cannot issue any more certificates of occupancy unless this time extension is granted; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Conclusions of Law:

1. The request is consistent with the provisions and intent of the Monroe County Code; and

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- 2. The request is consistent with the provisions and intent of the Monroe County Comprehensive Plan; and
- 3. The request is not inconsistent with the provisions and intent of the Master Plan for the Future Development of Stock Island and Key Haven; and
- 4. The request is not inconsistent with any of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Drive In, LTD for a one (1) year time extension to the project completion expiration date of a major conditional use permit approved by Planning Commission Resolution #P35-05, subject to the following conditions:

- 1. The deadline to complete the project approved by Planning Commission Resolution #P35-05 is hereby extended to December 7, 2013. All certificates of occupancies shall be acquired by this date unless an additional time extension is granted.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 27th of June, 2012.

Chair Werling	<u>YES</u>
Vice-Chair Wall	<u>YES</u>
Commissioner Hale	<u>YES</u>
Commissioner Lustberg	<u>YES</u>
Commissioner Wiatt	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY *Denise Werling*
Denise Werling, Chair

Signed this 30th day of July, 2012.

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 8-3-12

FILED WITH THE

JUL 30 2012

AGENCY CLERK

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Doc# 2056568
Bk# 2773 Pg# 1577

Doc# 2069718
Bk# 2789 Pg# 670

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

We strive to be caring, professional and fair

September 17, 2012

Edwin O. Swift, III
Drive In, LTD / Islander Village, LLC
201 Front Street, Suite 224
Key West, FL 33040

SUBJECT: TIME EXTENSION PURSUANT TO STATE OF FLORIDA HOUSE OF REPRESENTATIVES BILL 503

Mr. Swift,

This letter is in response to your request for a Florida H.B. 503 time extension to the project approved by Monroe County Planning Commission Resolution #P35-05.

In 2005, a major conditional use permit was approved in order to redevelop the property, commonly known as Islander Village, located along 5th Avenue on Stock Island, at approximate mile marker 5 on the Atlantic Ocean side of US 1. The property is legally described as Block 59, Lots 1-6, west 1/2 of Lot 7 and adjacent bay bottom, Maloney Sub (PB1-55), Stock Island, Monroe County, Florida.

The approval was memorialized in Planning Commission Resolution #P35-05, signed by the Planning Commission Chair on August 18, 2005. Following its passing of appeal periods, the document was filed and recorded in the official records of the Monroe County Clerk of the Circuit Court on December 7, 2005.

Per the approval, a building permit application was required within five years of the recording date - December 7, 2010. All required certificates of occupancy and certificates of completeness were required within two years of the initial building permit's issuance.

A previous time extension was granted in accordance with Florida S.B. 360. As such, the project was provided an amended expiration date of December 7, 2012 to submit a building permit application. All required certificates of occupancy and certificates of completeness were required within two years of the initial building permit's issuance.

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A second previous time extension was granted in accordance with §110-73 of the Monroe County Code (memorialized by Planning Commission Resolution #P27-12). As such, the project was provided an amended expiration date of December 7, 2013 to submit all building permit applications and acquire all certificates of occupancy.

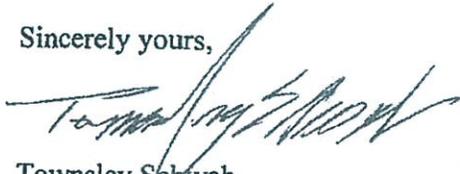
Florida H.B. 503 authorizes a two year permit extension for any development order or building permit issued by local government. In order to be eligible for this extension and notwithstanding other eligibility restrictions, the development order must have an expiration date between January 1, 2012 and January 1, 2014.

In that the approval was set to expire on December 7, 2013 and the request is consistent with the other requirements of Florida H.B. 503, the Planning & Environmental Resources Department is authorized to grant your request. Therefore, the expiration date of the major conditional use permit memorialized by Resolution #P35-05 is hereby extended to **December 7, 2015**. All required certificates of occupancy must be acquired by this date unless additional extension is granted.

Please be aware that this letter only addresses your request for a time extension to the major conditional use permit memorialized by Resolution #P35-05. You may also need to time extensions to building permits that have different expiration dates. Those requests shall be reviewed independently by the Building Department and separate of this approval.

I trust that this information is of assistance. If you have any questions regarding the contents of this letter, or if we may further assist you with your project, please feel free to contact our Marathon office at (305)289-2500.

Sincerely yours,



Townsley Schwab,
Senior Director of Planning & Environmental Resources

Cc: Susan Grimsley, Assistant County Attorney
Joseph Haberman, Planning & Development Review Manager

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Bk# 2695 Pg# 2443

Doc# 2056568
Bk# 2773 Pg# 1579

Doc# 2069718
Bk# 2789 Pg# 672

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

We strive to be caring, professional and fair

October 25, 2012

Gregory S. Oropeza, Esq.
Barton Smith, P.L.
624 Whitehead Street
Key West, FL 33040

Subject: Minor Deviation to the Major Conditional Use Permit approved by Planning Commission Resolution #P35-05
5016 and 5020 5th Avenue, Stock Island, Real Estate#s 00123700.000000 and 00127400.000000

Mr. Oropeza,

The Planning & Environmental Resources Department has approved your request for a minor deviation to the major conditional use permit memorialized by Planning Commission Resolution #P35-05. The Department has determined that the application complies with the requirements and standards set forth in the Monroe County Code.

The minor deviation would allow a) a decrease of 1% open space; b) the removal of pools for all Phase 2 (22 units); c) a modification from two story residences to one story residences for all Phase 2 (22 units) with each residence having additional footprint square footage; d) removal of square pool on southern edge of property near Bay Bottom (Phase 2) and; e) the modification from a square pool to a kidney pool with modified surrounding open space and bathhouse (Phase 1).

The following conditions apply to the minor deviation approval:

1. All conditions and provisions set forth in Resolution #P35-05 shall be met.
2. Any additional revisions to the site plan or future improvements to the property are subject to further review as a minor deviation or as an amendment to the major conditional use permit approval provided under Resolution #P35-05.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter, or if we may further assist you with your project, please feel free to contact our Marathon office at (305) 289-2500.

Respectfully,

Townsley Schwab,
Senior Director of Planning & Environmental Resources

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Bk# 2695 P# 2444

Doc# 2056568
Bk# 2773 P# 1580

Doc# 2069718
Bk# 2789 P# 673

County of Monroe
Growth Management Division

Planning & Environmental Resources
Department

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Marathon, FL 33050
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FAX: (305) 289-2536



Board of County Commissioners

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

July 24, 2014

Doc# 1991788
Bk# 2695 Pg# 2446

Edwin O. Swift
201 Front Street, Suite 310
Key West, FL 33040

Subject: Minor Deviation to the Major Conditional Use Permit approved by Planning Commission Resolution #P35-05
Islander Village, 5030 5th Avenue, Stock Island, Real Estate #00123400.000100

Mr. Swift,

The Planning & Environmental Resources Department has approved your request for a minor deviation to the major conditional use permit memorialized by Planning Commission Resolution #P35-05. The minor deviation would allow four of the approved affordable housing units to be modified from two bedroom units to three bedroom units as shown on the proposed site plan by Richard Millelli, dated and sealed on July 7, 2014. The Department has determined that the application complies with the requirements and standards set forth in the Monroe County Code.

The following conditions apply to the minor deviation approval:

1. All conditions and provisions set forth in Resolution #P35-05 shall be met.
2. Any additional revisions to the site plan or future improvements to the property are subject to further review as a minor deviation or as an amendment to the major conditional use permit approval provided under Resolution #P35-05.

We trust that this information is of assistance. If you have any questions regarding the contents of this letter, or if we may further assist you with your project, please feel free to contact our Marathon office at (305) 289-2500.

Respectfully,

Townsley Schwab,
Senior Director of Planning & Environmental Resources

Doc# 2056568
Bk# 2773 Pg# 1582

Doc# 2069718
Bk# 2789 Pg# 675



**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P27-15**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY ISLANDER VILLAGE, LLC FOR A ONE (1)-YEAR TIME EXTENSION TO THE PROJECT COMPLETION EXPIRATION DATE OF THE MAJOR CONDITIONAL USE PERMIT APPROVED BY PLANNING COMMISSION RESOLUTION NO. P35-05.

WHEREAS, during a public meeting held on September 30, 2015, the Monroe County Planning Commission conducted a review and consideration of a request filed by Ed Swift and Debbie Swift Batty, on behalf of Islander Village, LLC, for a one (1)-year time extension to the project completion expiration date of a Major Conditional Use Permit approved by Planning Commission Resolution No. P35-05 in accordance with Section 110-73(a)(1) of the Monroe County Land Development Code; and

WHEREAS, the subject property is located at 5030 Fifth Avenue on Stock Island, approximate mile marker 5, and is legally described as Part of Block 59, Lots 1-6, West ½ of Lot 7 and adjacent bay bottom, Maloney Subdivision (PB1-55), Stock Island, Monroe County, Florida and having real estate (RE) numbers 00127400-000000, 00127400-000100, 00127400-000120, 00127400-000121, 00127400-000122, 00127400-000123, 00127400-000124, 00127400-000125, 00127400-000126, 00127400-000127, 00127400-000128, 00127400-000129, 00127400-000132, 00127400-000133, 00127400-000134, 00127400-000135, 00127400-000136, 00127400-000138, 00127400-000139, 00127400-000140, 00127400-000141, 00127400-000142, 00127400-000143, 00127400-000144, 00127400-000145, 00127400-000146, 00127400-000147, 00127400-000148, 00127400-000149, 00127400-000171, 00127400-000172, 00127400-000173, 00127400-000174, 00127400-000175, 00127400-000176, 00127400-000177, 00127400-000178, 00127400-000179, 00127400-000180, 00127400-000181, 00127400-000182, 00127400-000183, 00127401-010910, 00127401-010920, 00127401-010930, 00127401-010940, 00127401-010950, 00127401-010970, 00127401-010980, 00127401-010990, 00127401-011000, 00127401-011090, 00127401-011100; and

WHEREAS, in Planning Commission Resolution No. P35-05, the subject property was identified as consisting of two (2) parcels, assessed as real estate (RE) numbers 00123700.000000 and 00127400.000000. As residential units are completed, additional real estate (RE) numbers are being established to account for each residential unit; and

WHEREAS, the applicant requested approval of a time extension in order to extend the final expiration date to obtain all Certificates of Occupancy for units approved as part of the Major Conditional Use Permit from December 7, 2015 to December 7, 2016; and



WHEREAS, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Request for a Time Extension to a Conditional Use Permit application, received by the Monroe County Planning & Environmental Resources Department on July 27, 2015; and
2. Planning Commission Resolution No. P35-05;
3. Staff report prepared by Kevin Bond, AICP, Planning and Development Review Manager, dated September 17, 2015; and
4. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
5. Sworn testimony of the applicant and general public; and
6. Advice and counsel of Steve Williams, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact:

1. In 2005, the Planning Commission approved a major conditional use permit for the development of 111 residential dwelling units (89 affordable units and 22 market-rate units) and accessory structures on the property. The approval was memorialized in Planning Commission Resolution No. P35-05, signed by the Planning Commission Chair on August 18, 2005. Following its passing of appeal periods, the document was filed and recorded in the official records of the Monroe County Clerk of the Circuit Court on December 7, 2005; and
2. Several building permits have been issued related to the scope of work. As of the date of this approval, 43 of the 89 affordable dwelling units have been completed; and
3. In 2007, Monroe County entered into a ground lease with Islander Village, LLC in order for the Lessee to develop the property with 89 affordable housing units. At the time of this approval, the lease was renewed by the BOCC on September 16, 2015 pursuant to the Fifth Amendment; and
4. Pursuant to Section 110-73(a)(1) of the Monroe County Code, unless otherwise specified in a major conditional use approval, all required building permits and certificates of occupancy (CO's) shall be procured within three years of the date on which the major conditional use approval is recorded and filed in the official records of Monroe County, or the major conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. Extensions of time to a major conditional use approval may be granted only by the Planning Commission for periods not to exceed two (2) years, unless otherwise specified. Applications for extensions shall be made prior to the expiration dates. Extensions to expired major conditional use approvals shall be accomplished only by re-application for the major conditionals; and
5. Under the current provisions of Section 110-73(a)(1) of the Monroe County Code, a Major Conditional Use Permit is valid for three (3) years from the date in which the development



order resolution is recorded. There are no intermittent deadlines required by the code. However, at the time Planning Commission Resolution No. P35-05 was issued, the provisions were different. Changes to Code Section 110-73(a) became effective January 29, 2010. The amendments did not affect the timelines of any conditional use permits approved prior to that date; and

6. Following its passing of appeal periods, Planning Commission Resolution No. 35-05 was recorded in the official records of the Monroe County Clerk of the Circuit Court on December 7, 2005. Under the standard provisions in place at the time, an application for a building permit was required by May 7, 2006 – six (6) months after the recording date of December 07, 2005. However, the Planning Commission approved a longer time for building permit application - five (5) years (page 3 of Resolution #35-05). Therefore, an application for a building permit was required by December 7, 2010 – five (5) years after the recording date of December 7, 2005. Under the standard provisions in place at the time, all required certificates of occupancy and certificates of completeness were required within two (2) years of the initial building permit's issuance; and
7. A building permit application for site work was submitted on February 15, 2006. Building Permit # 06101121, approving the site work, was issued on February 16, 2006. Therefore, per the regulations at the time of approval, the project should have been completed, with all certificates of occupancy obtained, by February 16, 2008 – two (2) years after the initial building permit's issuance on February 16, 2006. Consequently and perhaps inadvertently, the Planning Commission provided more time to apply for building permits than receive the certificates of occupancy necessary to inspect and close the building permit files; and
8. The applicant submitted a Florida Senate Bill 360 request to the Building Department for the building permits associated with the project. The Building Department approved the request and by default extended the deadline for building permit application from December 7, 2010 to December 7, 2012; and
9. On June 27, 2012, the Planning Commission passed Resolution No. P27-12 approving a one (1)-year time extension to the Major Conditional Use Permit, extending the expiration date to obtain COs to December 7, 2013, unless another time extension granted; and
10. The applicant submitted a Florida House Bill 503 two-year time extension request to the Planning Department, which approved the request and extended the deadline for acquiring all required COs to December 7, 2015; and
11. Monroe County can continue to issue Certificates of Occupancy associated with the project until December 7, 2015; however, the County cannot issue any more Certificates of Occupancy after the expiration date unless this time extension is granted; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Conclusions of Law:

1. The request is consistent with the provisions and intent of the Monroe County Code; and



2. The request is consistent with the provisions and intent of the Monroe County Comprehensive Plan; and
3. The request is not inconsistent with the provisions and intent of the Master Plan for the Future Development of Stock Island and Key Haven; and
4. The request is not inconsistent with any of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Islander Village, LLC for a one (1)-year time extension to the project completion expiration date of a Major Conditional Use Permit approved by Planning Commission Resolution No. P35-05, subject to the following condition:

1. The deadline to obtain all remaining Certificates of Occupancy for residential units approved through Monroe County Planning Commission Resolution No. P35-05 is hereby extended to December 7, 2016, unless an additional time extension is granted.

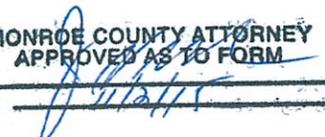
PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 30th of September, 2015.

Chair Werling	<u>YES</u>
Commissioner Ramsey-Vickrey	<u>YES</u>
Commissioner Lustberg	<u>ABSENT</u>
Commissioner Miller	<u>YES</u>
Commissioner Wiatt	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY 
Denise Werling, Chair

Signed this 2nd day of November, 2015.

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 11/2/15

FILED WITH THE

NOV - 2 2015

AGENCY CLERK



**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P07-16**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY ISLANDER VILLAGE, LLC FOR AN AMENDMENT TO THE MAJOR CONDITIONAL USE PERMIT APPROVED BY PLANNING COMMISSION RESOLUTION NO. P35-05 TO REMOVE CONDITION #3 OF PLANNING COMMISSION RESOLUTION NO. P35-05, WHICH REQUIRED THE APPLICANT TO CONSTRUCT AND MAINTAIN A BUS SHELTER ON PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 6 AND THE WEST HALF OF LOT 7, BLOCK 59, MALONEY SUBDIVISION OF STOCK ISLAND (PB1-55) AND ADJACENT SUBMERGED LANDS, MONROE COUNTY, FLORIDA

WHEREAS, during a regular meeting held on January 27, 2016, the Monroe County Planning Commission conducted a public hearing on the request filed by Ed Swift and Debbie Swift Batty, on behalf of Islander Village, LLC, for an amendment to the Major Conditional Use Permit, originally approved by Planning Commission Resolution No. P35-05, in order to remove Condition #3, which required the applicant to construct and maintain a bus shelter in association with the new development of 89 affordable and 22 market-rate dwelling units known as Islander Village; and

WHEREAS, during a regular meeting held on December 8, 2015, the Development Review Committee reviewed the request pursuant to Code Section 110-70(b) of the Monroe County Land Development Code; and

WHEREAS, the subject property is located at 5030 Fifth Avenue on Stock Island, approximate mile marker 5, and is legally described as Lots 1 through 6, and the West one-half of Lot 7, Block 59, Maloney Subdivision (PB1-55), and adjacent bay bottom, Stock Island, Monroe County, Florida and having real estate (RE) numbers 00127400-000000, 00127400-000100, 00127400-000120, 00127400-000121, 00127400-000122, 00127400-000123, 00127400-000124, 00127400-000125, 00127400-000126, 00127400-000127, 00127400-000128, 00127400-000129, 00127400-000132, 00127400-000133, 00127400-000134, 00127400-000135, 00127400-000136, 00127400-000138, 00127400-000139, 00127400-000140, 00127400-000141, 00127400-000142, 00127400-000143, 00127400-000144, 00127400-000145, 00127400-000146, 00127400-000147, 00127400-000148, 00127400-000149, 00127400-000171, 00127400-000172, 00127400-000173, 00127400-000174, 00127400-000175, 00127400-000176, 00127400-000177, 00127400-000178, 00127400-000179, 00127400-000180, 00127400-000181, 00127400-000182, 00127400-000183, 00127401-010910, 00127401-010920, 00127401-010930, 00127401-010940, 00127401-010950, 00127401-010970, 00127401-



010980, 00127401-010990, 00127401-011000, 00127401-011020, 00127401-011040, 00127401-011090, 00127401-011110; and

WHEREAS, in Planning Commission Resolution No. P35-05, the subject property was identified as consisting of two (2) parcels, assessed as real estate (RE) numbers 00123700.000000 and 00127400.000000. As residential units are completed, additional real estate (RE) numbers are being established to account for each residential unit; and

WHEREAS, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Request for an Amendment to a Major Conditional Use Permit application, received by the Monroe County Planning & Environmental Resources Department on November 4, 2015; and
2. Planning Commission Resolution No. P35-05; and
3. Staff report prepared by Kevin Bond, AICP, Planning and Development Review Manager, dated January 13, 2016; and
4. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
5. Sworn testimony of the applicant and general public; and
6. Advice and counsel of Steve Williams, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact:

1. In 2005, the Planning Commission passed Resolution No. P35-05 granting a Major Conditional Use Permit for the development of 111 residential units, including 89 affordable and 22 market-rate, a pavilion, pool house, bath house and public pool. The resolution had five conditions of approval, including Condition #3 related to constructing and maintaining a new bus shelter.; and
2. After the approval of Planning Commission Resolution No. P35-05, five Minor Deviations have been approved by the Planning Director, but none of the approved deviations related to the bus shelter requirement; and
3. Pursuant to Monroe County Land Development Code Section 110-73(c)(5), "any adjustment, improvement or additional development that is not permitted as of right, as minor deviation, or as major deviation as set forth in subsections (c)(1), (c)(2), (c)(3) or (c)(4) shall be processed as an amendment to a conditional use permit in accordance with section 110-74."



Pursuant to Code Section 110-74, "A conditional use permit may be amended, extended, varied or altered only pursuant to the standards and procedures established for its original approval or as otherwise set forth in this article [Code Chapter 110, Article III]."; and

4. Removing or altering a condition of approval on a Major Conditional Use Permit approved by the Planning Commission is not permitted as of right, as minor deviation or as major deviation as set forth in Code Section 110-73(c). Therefore, the request to remove Condition #3 of Planning Commission Resolution No. P35-05, which required the applicant to construct and maintain a bus shelter, would require an approval for an amendment to the Major Conditional Use Permit; and
5. The bus shelter was originally required as part of the Community Impact Statement pursuant to former Code Section 9.5-69, now Section 110-70(a)(2)b.7.(iii), which requires an assessment of the impact of the proposed development upon other adjacent municipalities; and
6. In late 2006 and early 2007, there was correspondence between the County, the Key West Transportation Department and the applicant's engineer regarding the bus shelter requirement. In a letter dated February 12, 2007, the applicant's engineer Rick Milelli stated, "The Developer would like [the bus shelter] condition waived because it's no longer feasible to satisfy," and included correspondence with the City of Key West's Engineering Department. The City's Transportation Manager agreed with the waiver request in a letter dated March 5, 2007; however, the request to waive the condition was not and could not have been approved by staff administratively, and none of the five approved Minor Deviations specifically related to the bus shelter requirement. Therefore, the approval condition of Planning Commission Resolution No. P35-05 is still in effect and must be satisfied prior to issuance of the last Certificate of Occupancy associated with the Islander Village development, unless the condition is removed as requested by the proposed amendment to the Major Conditional Use Permit.; and
7. The nearest bus stop is two blocks away from the subject property at the corner of Fifth Avenue and Cross Street, and is served by four City bus routes (Blue, Green, Orange and Red). An existing bus shelter is located on the east (inbound) side of Cross Street, but no shelter is located on the west (outbound) side of Cross Street; and
8. The applicant submitted recent correspondence with the City of Key West's Transportation Director, Norman Whitaker, and John Anderson of Anderson Outdoor Advertising, who owns and maintains bus shelters in Key West and the County between Stock Island and Marathon. The correspondence from Mr. Whitaker and Mr. Anderson confirms that a new bus shelter either on-site at Islander Village or off-site at the existing bus stop at Fifth Avenue and Cross Street is not feasible. The existing 5th & Cross bus stop is in close proximity to the Islander Village entrances and the City does not want to alter the existing bus routes to serve a new stop located close by at Islander Village. The advertising company has financial concerns about the costs of installing and maintaining a new shelter at the existing bus stop, and there is limited space within the right-of-way for a shelter; and



WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Conclusions of Law:

1. The request is consistent with the provisions and intent of the Monroe County Code; and
2. The request is consistent with the provisions and intent of the Monroe County Comprehensive Plan; and
3. The request is not inconsistent with the provisions and intent of the Master Plan for the Future Development of Stock Island and Key Haven; and
4. The request is not inconsistent with any of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to APPROVE the request by Islander Village, LLC for an amendment to the Major Conditional Use Permit approved by Planning Commission Resolution No. P35-05 to remove Condition #3 of Planning Commission Resolution No. P35-05, which required the applicant to construct and maintain a bus shelter.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 27th of January, 2016.

Chair Werling	<u>YES</u>
Vice Chair Wiatt	<u>YES</u>
Commissioner Lustberg	<u>YES</u>
Commissioner Miller	<u>YES</u>
Commissioner Ramsey-Vickrey	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY 
Denise Werling, Chair

Signed this 24th day of February, 2016.

FILED WITH THE

FEB 24 2016

AGENCY CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM
Date: 2/24/2016

MONROE COUNTY
OFFICIAL RECORDS

