



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

October 21, 2025

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance 023-2025 by the Monroe County Board of County Commissioners amending Chapter 122 (Floodplain Management) of the Monroe County Land Development Code to eliminate the 299 square foot size restriction of enclosed areas below elevated buildings, eliminate the required inspections of enclosed areas below elevated residential structures prior to the transfer of ownership, and eliminate the Floodplain Certificate of Compliance Program, as requested by the Board at the April 16, 2025, regular BOCC Meeting; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the State Land Planning Agency and the Secretary of State; providing for amendment to and incorporation in the Monroe County Land Development Code; providing for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on October 15, 2025. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners
by: Liz Yongue, Deputy Clerk

cc: Planning and Environmental Resources
County Administrator
County Attorney
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040

MARATHON
3117 Overseas Highway
Marathon, Florida 33050

PLANTATION KEY
88770 Overseas Highway
Plantation Key, Florida 33070



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6 **MONROE COUNTY, FLORIDA**
7 **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

8
9 **ORDINANCE NO. 023-2025**

10
11 **AN ORDINANCE AMENDING CHAPTER 122 (“FLOODPLAIN**
12 **MANAGEMENT”) OF THE MONROE COUNTY LAND**
13 **DEVELOPMENT CODE TO ELIMINATE THE 299 SQUARE FOOT**
14 **SIZE RESTRICTION OF ENCLOSED AREAS BELOW ELEVATED**
15 **BUILDINGS, ELIMINATE THE REQUIRED INSPECTIONS OF**
16 **ENCLOSED AREAS BELOW ELEVATED RESIDENTIAL**
17 **STRUCTURES PRIOR TO THE TRANSFER OF OWNERSHIP, AND**
18 **ELIMINATE THE FLOODPLAIN CERTIFICATE OF COMPLIANCE**
19 **PROGRAM, AS REQUESTED BY THE BOCC AT THE APRIL 16, 2025,**
20 **REGULAR BOCC MEETING; PROVIDING FOR SEVERABILITY;**
21 **PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS;**
22 **PROVIDING FOR TRANSMITTAL TO THE STATE LAND**
23 **PLANNING AGENCY AND THE SECRETARY OF STATE;**
24 **PROVIDING FOR AMENDMENT TO AND INCORPORATION IN**
25 **THE MONROE COUNTY LAND DEVELOPMENT CODE;**
26 **PROVIDING FOR AN EFFECTIVE DATE.¹**
27

28
29 **WHEREAS**, on April 16, 2025, at its regular public meeting, the Monroe County Board
30 of County Commissioners (“BOCC”, “Monroe County”, “Board”, or the “County”) adopted
31 Resolution No. 166-2025, which directed professional staff to amend Chapter 122 (“Floodplain
32 Management”) of the Monroe County Land Development Code: To eliminate the 299 square foot
33 size restriction of enclosed areas below elevated buildings; to eliminate the required inspections
34 of enclosed areas below elevated residential structures prior to the transfer of ownership; and to
35 eliminate the Floodplain Certificate of Compliance Program; and
36

37 **WHEREAS**, on May 20, 2025, professional staff held a community meeting, as required
38 by Monroe County Land Development Code (“LDC” or “Code”) Section 102-159(b) to discuss
39 the proposed text amendment to the Code; and
40

41 **WHEREAS**, the Monroe County Development Review Committee (“DRC”) reviewed and
42 considered the proposed amendment at a regularly scheduled meeting held on June 24, 2025; and
43

44 **WHEREAS**, on June 25, 2025, the DRC Chair signed Resolution No. 14-25
45 recommending approval of the proposed text amendment; and

¹ Monroe County Planning and Environmental Resources Department File No. 2025-072.

1 (i) **Other documentation required.** A nonconversion agreement signed by the applicant, and
2 plans or drawings specified by the floodplain administrator, shall be recorded on the property
3 deed prior to issuance of certificates of occupancy or certificates of compliance for the
4 following:

- 5 (1) Enclosed areas below new and substantially improved elevated buildings.
- 6 (2) Enclosed areas below lateral additions.
- 7 (3) Enclosed areas below nonconforming buildings that are brought into compliance.
- 8 (4) Garages and detached accessory structures that are approved in accordance with
9 the non-elevation requirements of Section 122-25(~~dc~~) and (ed).

10
11 *****

12 ~~**Sec. 122-15. Required inspections of enclosed areas below elevated residential structures.**~~

13 ~~(a) **Applicability.** Prior to the transfer of ownership of any property occupied by an elevated~~
14 ~~residential structure with a below base flood enclosed area for which construction of the~~
15 ~~enclosed commenced on or after June 15, 1973, a county approved inspection of the below~~
16 ~~base flood enclosure shall be conducted. No earlier than 180 days prior to the transfer of the~~
17 ~~property, the seller or the prospective purchaser, with the seller's permission, shall have the~~
18 ~~required inspection conducted. The intent of this inspection, which is strictly limited to~~
19 ~~inspection of below base flood enclosures, is to identify for county records and purchasers~~
20 ~~any noneonformities or illegal structures or uses.~~

21 ~~(b) **Inspections.** Upon inspection request, the inspection required under this section shall be~~
22 ~~conducted by an inspector from the Building Department. Fees for inspections conducted by~~
23 ~~the Building Department shall be in accordance with the schedule established by resolution~~
24 ~~of the BOCC for inspections conducted under the county's flood insurance inspection and~~
25 ~~compliance program.~~

26 ~~(c) **Inspection procedures and forms.** All inspections required under this section shall be~~
27 ~~conducted in accordance with procedures and recorded on county forms approved by the~~
28 ~~floodplain administrator.~~

29 ~~(d) **Inspection submittal requirements.** The original inspection report, signed by the county~~
30 ~~inspector, shall be maintained by the Building Department and a copy shall be submitted to~~
31 ~~the seller, who has contacted the county, as provided above, and the purchaser, provided that~~
32 ~~the purchaser has contacted the county as provided above no later than ten days prior to the~~
33 ~~closing date for transfer of the subject property.~~

34 ~~(e) **Failure to comply with inspection submittal requirements.** Should the inspection required~~
35 ~~by this section not be completed, the seller and purchaser, if known, will be notified that the~~
36 ~~structure is in violation of this section. The purchaser and his or her successors and assigns~~
37 ~~may enforce the terms of this section in law or at equity. The purchaser may seek injunctive~~
38 ~~relief against the seller in a court of competent jurisdiction to prevent a violation of or~~
39 ~~otherwise in connection with a violation of this section. Attorney's fees and costs incurred in~~
40 ~~an action to enforce these regulations may be awarded to a substantially prevailing party at~~
41 ~~the discretion of the court. A purchaser may seek and the court may award treble damages as~~
42 ~~an aggrieved party. The sole intent of this inspection is to provide information for recording~~
43 ~~and monitoring improvements to below base flood enclosures subject to the county's~~

1 floodplain regulations and in accordance with Monroe County Board of County Commission
2 Resolution 440-2011, which does not require that the property be brought into compliance
3 prior to or subsequent to transfer. The purpose of this inspection is not to identify other types
4 of unpermitted improvements that are unrelated to the floodplain regulations in this chapter.

5 ~~(f) Nothing in this section shall prohibit the county from prosecuting illegal, unpermitted~~
6 ~~improvements under the Pilot Inspection Program (under previous 44 CFR 59.30, repealed~~
7 ~~on July 5, 2018—FEMA terminated this program on June 28, 2013).~~

8 ~~(g) If the results of the inspection identify illegal unpermitted improvements, the requirements of~~
9 ~~the Florida Building Code applicable to enclosed areas below elevated buildings shall apply~~
10 ~~when a building permit is sought by an applicant.~~

11 ~~(Ord. No. 026-2022, § 2, 11-15-2022)~~

12 ~~Sec. 122-16. Floodplain Certificate of Compliance Program.~~

13 ~~(a) **Generally.** Any property owner is eligible to obtain a certificate of compliance if they have~~
14 ~~obtained an inspection of an enclosure below base flood elevation by one of the following:~~

- 15 ~~(1) FEMA Insurance Inspection Program; or~~
- 16 ~~(2) Inspection at time of sale; or~~
- 17 ~~(3) Voluntary inspection.~~

18 ~~The below base flood enclosure must have been found in compliance with the Monroe County~~
19 ~~floodplain regulations by Monroe County staff. Prior to obtaining the certificate, the owner must~~
20 ~~record a nonconversion agreement in the Monroe County official land records on a form to be~~
21 ~~provided by the county and approved by the floodplain administrator. Properties that have received~~
22 ~~their inspections prior to implementation of the certificate of compliance program may receive a~~
23 ~~certificate of compliance; however, a re-inspection (with no fee) shall be necessary to ensure~~
24 ~~compliance has been maintained and the owner must also record the nonconversion agreement,~~
25 ~~which must be recorded in the official records of Monroe County.~~

26 ~~(b) **Outreach.** Every two (2) years, the county will mail written notices to property owners, of~~
27 ~~which the county is aware own a building or structure with below base flood elevation living~~
28 ~~areas as follows:~~

29 ~~(1) The county will obtain data from the Monroe County Property Appraiser Office which will~~
30 ~~identify all single-family residences which contain enclosures that are identified as living~~
31 ~~area on the ground floor. Once this data is captured, county technical staff will deduct all~~
32 ~~the parcels that have already received inspections through the FEMA Insurance Inspection~~
33 ~~Pilot Program, transfer of ownership program, or through the previously applicable~~
34 ~~inspection on building permit program, and been made compliant.~~

35 ~~(2) The remaining property owners will be notified by regular mail that in order to receive a~~
36 ~~certificate of compliance, a county inspection is required of any below base flood elevation~~
37 ~~structures, to verify compliance with the Monroe County floodplain regulations. Owners~~
38 ~~will also be notified that noncompliant structures may be subject to code compliance~~
39 ~~proceedings.~~

40 ~~(3) If owners seek and obtain a certificate of compliance inspection, and the below base flood~~
41 ~~enclosures are determined by the county to be compliant, the owners will receive a~~
42 ~~certificate of compliance as outlined in this section. This is a proactive opportunity for~~
43 ~~property owners to receive evidence that they have a compliant structure which should,~~

1 long term, create a positive real property market condition. If an owner has a noncompliant
2 structure, he or she will be notified of all the required corrective actions necessary for the
3 enclosure to become compliant and that county permits or approvals are required to
4 authorize lawful construction and/or development.

5 ~~(e) **Inspections.** Inspections may be requested for a certificate of compliance according to this
6 section or Section 122-15 for required inspections of residential structures prior to transfer of
7 ownership.~~

8 ~~(d) **Compliant structures.** The county will provide a certificate of compliance to property
9 owners with compliant below base flood enclosures after such property owners sign and
10 record a nonconversion agreement (with a corresponding drawing or site plan demonstrating
11 the permitted improvements allowed below base flood elevation attached to the agreement)
12 in the official records of Monroe County. The nonconversion agreement shall be recorded in
13 the official records of Monroe County so that future purchasers of properties understand what
14 has been approved by the county for areas below base flood elevation. Property owners shall
15 pay applicable recording fees.~~

16 ~~(e) **Noncompliant structures.** The county building official shall refer any noncompliant
17 structures to the Code Compliance Department for enforcement through appropriate
18 processes. Once compliance is achieved, if the below base flood enclosure has not been
19 completely removed, a nonconversion agreement executed by the owner shall be recorded in
20 the official records of Monroe County.~~

21 ~~(f) **New construction.** Owners of new construction that contains any type of below base flood
22 enclosure, will be required to record a nonconversion agreement in the official records of
23 Monroe County indicating the square footage permitted to be constructed below base flood
24 elevations, with an accurate corresponding drawing or site plan showing/demonstrating the
25 permitted improvements permitted, prior to receiving a certificate of occupancy.~~

26 (Ord. No. 026-2022, § 2, 11-15-2022)

27 *****

28 **Sec. 122-1715. Variances.**

29 (a) **Authority.** The Division of Administrative Hearings (DOAH) shall hear and decide on
30 requests for variances from the application of the allegedly strict letter of this chapter.
31 Pursuant to F.S. § 553.73(5), the DOAH shall hear and decide on requests for variances from
32 the application of the allegedly strict letter of the flood resistant construction requirements of
33 the Florida Building Code. DOAH shall also hear and decide on requests for variances for at-
34 grade wet floodproofed accessory structures in A/AE zones that are larger than 600 square
35 feet but not larger than 1,000 square feet in size.

36
37 (c) **Limitations on authority to grant variances.**

38 (1) The DOAH shall base its decisions on variances on technical justifications submitted by
39 applicants, the considerations for issuance in Section 122-1715(e) of this chapter, the
40 conditions of issuance set forth in Section 122-1715 (g) of this chapter, and the reports
41 and recommendations of the floodplain administrator and the building official. Variances
42 for accessory structures in A/AE zones shall be subject to the conditions in Section 122-
43 1715 (f).

- 1 (2) When the DOAH considers the propriety of granting a variance, the following factors
2 shall not be considered material or relevant to the hearing officer's decision:
3 a. The physical disabilities or handicaps and health of the applicant or members of his
4 family;
5 b. The domestic difficulties of the applicant or members of his or her family;
6 c. The financial difficulty of the applicant in complying with the floodplain
7 management provisions of this chapter or the Florida Building Code;
8 d. The elevation of surrounding structures or buildings;
9 e. The alleged difficulty of marketing, advertising, or selling the property, building,
10 or structure;
11 f. Any alleged difficulty related to a codified law, rule, regulation, or matter of record,
12 which the applicant or members of his or her family, which he, she, or they were
13 on actual or constructive notice of prior to acquiring the property, and could
14 therefore have been avoided, or which may be characterized as a self-created
15 hardship; or
16 g. Non-unique or non-peculiar characteristics of the applicant's property, building, or
17 structure.
18 (3) The DOAH has the right to attach such conditions as it deems necessary to further the
19 purposes, intent, goals, and objectives of this chapter.
20

21 (g) **Conditions for issuance of other variances.** Variances shall be issued only upon:

- 22 (1) Submission by the applicant, of a showing of legally sufficient good cause that the
23 unique characteristics of the size, configuration, or topography of the site limit
24 compliance with any provision of this chapter or the required elevation standards;
25 (2) Determination by the DOAH that:
26 a. Failure to grant the requested variance would result in exceptional non-self-
27 imposed hardship due to the physical characteristics of the land that render the lot
28 undevelopable; increased costs to satisfy the requirements or inconvenience do not
29 constitute hardship;
30 b. The granting of a variance will not result in increased flood heights, additional
31 threats to public safety, extraordinary public expense, nor create nuisances, cause
32 fraud on or victimization of the public or conflict with existing local laws and
33 ordinances;
34 c. The variance is the minimum necessary, considering the flood hazard, to afford
35 relief;
36 d. The granting of the requested variance will not result in worsening the expected
37 heights, velocity, duration, rate of rise, and debris and sediment transport of the
38 floodwaters and the effects of wave action, if applicable, expected at the site;
39 e. The granting of the requested variance will not result in increased risk of dangers
40 enumerated under Section 122-4715 (e)(1)—(3);
41 f. The granting of the requested variance will not result in increased risk of injuries,
42 harm, or damage enumerated under Section 122-4715 (e)(8)—(11);
43 g. The granting of the requested variance will not result in increased public expenses,
44 create a threat to public health and safety, create a public nuisance, or cause fraud
45 or victimization of the public;

1 h. The granting of the requested variance will not adversely affect the public service,
2 infrastructure, and public policy considerations enumerated under Section 122-
3 4715(e)(6).

4 (3) Receipt of a sworn or attested and notarized statement by the applicant that the variance,
5 if granted, shall be recorded in the Office of the Monroe County Clerk of the Court in
6 such a manner that it appears in the chain of title of the affected parcel of land; and

7 (4) If the request is for a variance to allow construction of the lowest floor of a new building,
8 or substantial improvement of a building, below the required elevation, a copy in the
9 record of a written notice from the floodplain administrator to the applicant for the
10 variance, specifying the difference between the base flood elevation and the proposed
11 elevation of the lowest floor, stating that the cost of federal flood insurance will be
12 commensurate with the increased risk resulting from the reduced floor elevation (up to
13 amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that
14 construction below the base flood elevation increases risks to life and property.

15
16 **(gh) Appeal.** An appeal of a variance determination may be submitted pursuant to Section 122-
17 4916. The failure to timely and properly file an appeal under this section shall constitute an
18 irrevocable jurisdictional waiver of any rights to seek such a variance, for failure to exhaust
19 available administrative remedies.

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21 *****

22 **Sec. 122-4916. Appeals.**

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24 *****

25 **Sec. 122-2017. Violations.**

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27 *****

28 **Sec. 122-2118. Flood hazard warning.**

29 *****

30 **ARTICLE III. FLOOD RESISTANT DEVELOPMENT**

31 **Sec. 122-25. Buildings and structures.**

32 *****

33 ~~(b) Enclosed areas below elevated buildings.~~ Enclosed areas (enclosures) below elevated
34 buildings shall comply with all the applicable requirements of the Florida Building Code and
35 the following:

36 ~~(1) Enclosed areas below new and substantially improved one and two family dwellings, and~~
37 ~~below lateral additions to one and two family dwellings:~~

38 ~~a. In zone A/AE flood hazard areas, not more than 299 square feet may be permitted to~~
39 ~~be enclosed by walls of opaque materials, except for perimeter foundations~~
40 ~~(crawl/underfloor spaces that have a wall height less than 5 feet). Additional area may~~
41 ~~be enclosed with screening or open lattice. The size limitation shall not apply to areas~~
42 ~~enclosed for parking of aircraft below residential buildings abutting airport districts.~~

43 ~~b. In coastal high hazard areas (zone V) and coastal A zones, not more than 299 square~~
44 ~~feet may be permitted to be enclosed by breakaway walls of opaque materials.~~
45 ~~Additional area may be enclosed with screening or open lattice.~~

1 ~~(2) Nonconforming enclosed areas of 200 square feet or more below one and two family~~
2 ~~dwelling lawfully established and lawfully existing as of April 12, 2004, shall not be~~
3 ~~modified, improved, or expanded unless the enclosed areas are brought into compliance~~
4 ~~with the Florida Building Code, Residential Section R322 and this section.~~

5 ~~(3) Enclosed areas below other new and substantially improved buildings and structures shall~~
6 ~~comply with the requirements of Florida Building Code, Building and ASCE 24.~~

7 ~~(4) Applications that include enclosed areas below elevated buildings shall include a~~
8 ~~nonconversion agreement as specified in Section 122-11(i) of this chapter.~~

9 **(e)** **Minimum foundation requirements for buildings and structures within the scope of the**
10 **Florida Building Code.** Pursuant to the Florida Building Code, and Sections 6-147 and 6-
11 148 of the Monroe County Code of Ordinances, the design of the foundation system for
12 buildings within the scope of the Florida Building Code shall be provided by a geotechnical
13 engineer registered in the State of Florida in a site-specific geotechnical report submitted per
14 requirements of Section 1803.6 of the Florida Building Code. The foundation design shall be
15 the more stringent of recommendations of the report and meet the following minimum
16 requirements:

17 (1) All structures or building foundations shall be anchored/socketed into natural rock. This
18 includes, but is not limited to, auger cast concrete piles, precast concrete piles or wooden
19 piles.

20 (2) All concrete piling shall have full depth reinforcing to effectively resist the internal forces
21 induced by the design loads, without failure.

22 (3) All piling shall be anchored to the natural rock with a 14-inch minimum diameter augured
23 socket and a minimum embedment of 3 feet.

24 (4) The pile foundation support system shall be designed to resist the required lateral loading
25 for an unsupported height defined by a full scour condition. The construction documents
26 shall include a statement that the design has been completed and certified for a full scour
27 condition for lateral stability to the elevation of the supporting rock and in accordance with
28 ASCE 24.

29 (5) Pile embedment shall include consideration of decreased resistance capacity caused by
30 scour of soil strata surrounding the piling and have adequate rock penetration to resist the
31 combined wave and wind loads (lateral and uplift).

32 **(d)** **At-grade residential detached accessory structures.** At-grade detached accessory
33 structures are permitted provided the accessory structures are used only for parking or storage
34 and:

35 (1) If located in special flood hazard areas (zone A/AE), other than coastal high hazard areas,
36 are one-story and not larger than 600 square feet and have flood openings in accordance
37 with Section R322.2 of the Florida Building Code, Residential.

38 a. A variance, in accordance with Section 122-4715, may be authorized for the
39 construction or substantial improvement of at-grade detached accessory structures
40 larger than the size limits specified in subsection (1) but not larger than 1,000 square
41 feet in size.

42 (2) If located in coastal high hazard areas (zone V/VE and coastal A zones), are not located
43 below elevated buildings and are not larger than 100 square feet.

44 (3) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.

1 (4) Have flood damage-resistant materials used below the base flood elevation plus one (1)
2 foot.

3 (5) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated
4 to or above the base flood elevation plus one (1) foot.

5 (6) Applications for detached accessory structures shall include a nonconversion agreement as
6 specified in Section 122-11(i) of this chapter.

7 **(ed) Nonresidential detached accessory structures.** In all flood hazard areas, nonresidential
8 detached accessory structures shall comply with the requirements of Florida Building Code,
9 Building and ASCE 24, including, but not limited to, elevation or dry floodproofing
10 requirements. Applications for detached accessory structures shall include a nonconversion
11 agreement as specified in Section 122-11(i) of this chapter.

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15 **Section 4.** To the extent of any internal or external conflicts, inconsistencies, and/or
16 ambiguities, within this Ordinance or between this Ordinance and the Monroe
17 County Code of Ordinances, Florida Building Code, Monroe County Land
18 Development Code, floodplain management regulations, Monroe County
19 Comprehensive Plan, or any approval, or any decision, or any determination of the
20 Monroe County Board of County Commissioners, Monroe County Planning
21 Commission, Monroe County Development Review Committee, Monroe County
22 Planning and Environmental Resources Department, or other department or office
23 of Monroe County, the more restrictive rule, regulation, law, provision, and/or text
24 shall always apply and control.
25

26 **Section 5.** **No Liability.** Monroe County expressly reserves and in no way shall be deemed to
27 have waived, for itself or for its officer(s), employee(s), or agent(s), any sovereign,
28 governmental, and any other similar defense, immunity, exemption, or protection
29 against any suit, cause-of-action, demand, or liability.
30

31 **Section 6.** **Inconsistency, Partial Invalidity, Severability, and Survival of Provisions.** If
32 any portion of this Ordinance, or any part or portion thereof, is held to be invalid
33 or unenforceable by any administrative hearing officer or court of competent
34 jurisdiction, the invalidity or unenforceability of such provision, or any part or
35 portion thereof, shall neither limit nor impair the operation, enforceability, or
36 validity of any other provision of this Ordinance, or any remaining part(s) or
37 portion(s) thereof. All other provisions of this Ordinance, and remaining part(s) or
38 portion(s) thereof, shall continue unimpaired in full force and effect.
39

40 **Section 7.** **Repeal of Inconsistent Provisions.** All ordinances in conflict with this Ordinance
41 are hereby repealed to the extent of said conflict. The repeal of an ordinance herein
42 shall not repeal the repealing clause of such ordinance or revive any ordinance
43 which has been repealed thereby.
44

45 **Section 8.** **Transmittal.** This Ordinance shall be transmitted to the State Land Planning
46 Agency pursuant to Chapters 163 and 380, Florida Statutes.

1 **Section 9. Filing and Effective Date.** This Ordinance shall be filed in the Office of the
2 Secretary of State of Florida, but shall not become effective until a notice is issued
3 by the Florida State Land Planning Agency or Administration Commission finding
4 the amendment in compliance with Chapters 163 and 380, Florida Statutes, and if
5 challenged until such challenge is resolved.
6

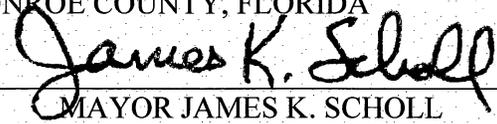
7 **Section 10. Inclusion in the Land Development Code.** The text amendment shall be
8 incorporated in the Monroe County Land Development Code. The numbering of
9 the foregoing amendment may be renumbered to conform to the numbering in the
10 Monroe County Land Development Code.
11

12 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,
13 Florida, at a regular meeting held on the 15th day of October, 2025.

| | | |
|----|---|------------|
| 15 | Mayor James K. Scholl, District 3 | <u>Yes</u> |
| 16 | Mayor <i>Pro Tem</i> Michelle Lincoln, District 2 | <u>Yes</u> |
| 17 | Commissioner Craig Cates, District 1 | <u>Yes</u> |
| 18 | Commissioner David Rice, District 4 | <u>Yes</u> |
| 19 | Commissioner Holly Merrill Raschein, District 5 | <u>Yes</u> |

22 BOARD OF COUNTY COMMISSIONERS
23 OF MONROE COUNTY, FLORIDA

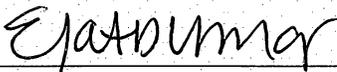
24 BY:


MAYOR JAMES K. SCHOLL

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30
MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 10/15/25

31 ATTEST: KEVIN MADOK, CLERK

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35

AS DEPUTY CLERK

FILED FOR RECORD
2025 OCT 21 PM 4: 51
CLK. CIR. CL.
MONROE COUNTY, FLA.

KEYS CITIZEN
Many Islands One Voice

KeysNews.com

The Florida Keys Only Daily Newspaper, Est. 1876

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P: (941) 206-1025 F: (305) 294-0768

legals@keysnews.com

MONROE CO PLANNING/ENVIORNMENTAL
RES
102050 OVERSEAS HWY
KEY LARGO FL 33037

Account: 423741

Ticket: 3971075

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MONROE

[legal.text]

Before the undersigned authority personally appeared

_____Amber Douglas_____, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of was published in said newspaper in the issues of:

Saturday, September 27, 2025

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Affirmed and subscribed before me this 29th day of September 2025

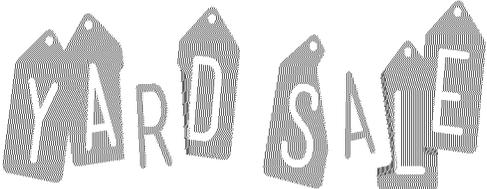
(Notary Public Signature)

_____Jill Kelli Di Benedetto_____
(Notary Public Printed Name)

My commission expires _____8/19/2027_____

Personally Known X Produced Identification ____
Type of Identification Produced _____ (Notary Seal) _____





Pick up the Thursday & Weekend issues of the Keys Citizen for yard sales in your area.

Also available online at KeysNews.com

Call Roger at 305.292.7777 ext. 710210 to place your ad

NOTICE OF INTENTION TO CONSIDER ADOPTION OF VILLAGE ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **October 7, 2025, at 5:30 PM.** or as soon thereafter as the matter may be heard, at the **Founders Park Community Center, 87000 Overseas Highway, Islamorada, Florida,** the Village Council of Islamorada, Village of Islands, Florida, intends to consider adopting the following ordinance:

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 4 "ANIMALS"; ARTICLE I "IN GENERAL" OF THE VILLAGE CODE TO CREATE A SECTION 4101 "TAKING AND FEEDING PEAFOWL, PROHIBITED" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

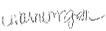
The proposed ordinance may be inspected by the public at the Islamorada, Village of Islands website by viewing the agenda packet for the October 7, 2025, meeting, which will be posted on October 3, 2025 at: <https://islamoradafl.portal.civiclerk.com/>

Upon publication of the agenda packet, the ordinance may also be viewed at the Village Clerk's office at 86800 Overseas Highway, Islamorada, FL 33036.

The public can participate in the October 7, 2025, meeting of the Islamorada, Village of Islands Village Council by attending **in person or via Zoom.** The Zoom link can be found in the agenda.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator, by phoning (305) 664-6448, between the hours of 8:00a.m.—5:00p.m., at least 48 hours prior to the scheduled meeting.

Dated at Islamorada, Florida, on September 22, 2025.


Marne McGrath
Village Clerk

Publication Dates:
Key West Citizen: Sat, 09-27-25
Keys Weekly: Thur, 10-02-25

NOTICE OF INTENTION TO CONSIDER ADOPTION OF VILLAGE ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **October 7, 2025, at 5:30 PM.** or as soon thereafter as the matter may be heard, at the **Founders Park Community Center, 87000 Overseas Highway, Islamorada, Florida,** the Village Council of Islamorada, Village of Islands, Florida, intends to consider adopting the following ordinance:

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 50, ARTICLE III OF THE VILLAGE CODE TITLED "TRAFFIC AND VEHICLE SPEED ZONES", SECTION 50-53 "SPEED ZONES; ESTABLISHED" TO CREATE A MAXIMUM SPEED ZONE OF TWENTY MILES PER HOUR FOR VEHICLES OPERATED ON CORTEZ DRIVE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

The proposed ordinance may be inspected by the public at the Islamorada, Village of Islands website by viewing the agenda packet for the October 7, 2025, meeting, which will be posted on October 3, 2025 at: <https://islamoradafl.portal.civiclerk.com/>

Upon publication of the agenda packet, the ordinance may also be viewed at the Village Clerk's office at 86800 Overseas Highway, Islamorada, FL 33036.

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Dated at Islamorada, Florida, on September 22, 2025.


Marne McGrath
Village Clerk

Publication Dates:
Key West Citizen: Sat, 09-27-25
Keys Weekly: Thur, 10-02-25

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS NOTICE OF PUBLIC MEETING AND NOTICE OF PUBLIC HEARING

NOTICE OF CHANGE TO THE MONROE COUNTY LAND DEVELOPMENT CODE

NOTICE OF CHANGE TO THE MONROE COUNTY TIER OVERLAY DISTRICT MAP

OCTOBER 15, 2025

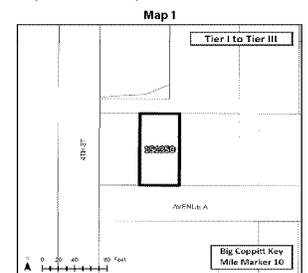
NOTICE IS HEREBY GIVEN that on **Wednesday, October 15, 2025,** the Monroe County Board of County Commissioners will hold a public hearing, beginning at **9:00 AM.** The BOCC meeting will be held in hybrid format, allowing the public to attend either via Zoom Webinar or in person. The in-person meeting will be held at the **Marathon Government Center, located at 2798 Overseas Highway, Marathon, FL.** The following items will be considered at the **PUBLIC HEARING:**

PUBLIC HEARINGS: 9:00 AM (or as soon thereafter as may be heard):

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY TIER OVERLAY DISTRICT MAP FROM TIER I TO TIER III AS REQUESTED BY BRETT BILLER FOR PROPERTY LOCATED AT 305 AVENUE A, BIG COPPIT KEY, DESCRIBED AS LOT 6, SQUARE 3 JOHNSONVILLE SUBDIVISION, BIG COPPIT KEY, MONROE COUNTY, FLORIDA, AS RECORDED IN PUBLIC RECORDS AT PLAT BOOK 1, PAGE 53, OF THE MONROE COUNTY, FLORIDA, CURRENTLY BEARING PARCEL IDENTIFICATION NUMBER 00151350-000000; APPROXIMATE MILE MARKER 10, (FILE NO. 2024-19) See Map 1 below

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING CHAPTER 122, FLOODPLAIN MANAGEMENT, OF THE MONROE COUNTY LAND DEVELOPMENT CODE TO ELIMINATE THE 299 SQUARE FOOT SIZE RESTRICTION OF ENCLOSED AREAS BELOW ELEVATED BUILDINGS, ELIMINATE THE REQUIRED INSPECTIONS OF ENCLOSED AREAS BELOW ELEVATED RESIDENTIAL STRUCTURES PRIOR TO THE TRANSFER OF OWNERSHIP, AND ELIMINATE THE FLOODPLAIN CERTIFICATE OF COMPLIANCE PROGRAM, AS REQUESTED BY THE BOCC AT THEIR APRIL 16, 2025, REGULAR COMMISSION MEETING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE NO. 2025-072)

Map 1



Please visit the Monroe County Website at www.monroecounty-fl.gov for meeting agenda updates and information regarding the various options available to the public to view the live meeting and/or to make public comments on certain agenda items.

Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision of the Board of County Commissioners, with respect to any matter considered at the meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure a verbatim record of the proceedings is made, which record includes the testimony & evidence upon which the appeal is to be based.

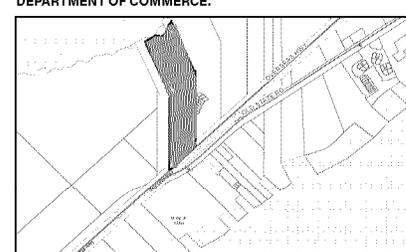
ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the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

ISLAMORADA, VILLAGE OF ISLANDS NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Monday, October 13, 2025, at 5:30 PM.** the Islamorada, Village of Islands Local Planning Agency, will hold a public hearing at Founders Park Community Center located at 87000 Overseas Highway, Islamorada, Florida. The purpose of the public hearing is to consider the following items:

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF TY HARRIS PA, AGENT FOR HORSE PENS LLC TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM CONSERVATION (C) TO MIXED USE (MU) FOR THE SUBJECT PROPERTY, ON OVERSEAS HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00096850-000200 AND TO ESTABLISH A NEW SUB-AREA POLICY UNDER OBJECTIVE 1-2.11, AS LEGALLY DESCRIBED HEREIN, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF TY HARRIS PA, AGENT FOR HORSE PENS LLC, TO AMEND THE OFFICIAL ZONING MAP FROM CONSERVATION (C) TO NEIGHBORHOOD COMMERCIAL (NC) FOR THE SUBJECT PROPERTY ON OVERSEAS HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBER 00096850-000200, AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.



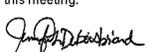
A copy of the items may be reviewed at the Village Administrative Center and Public Safety Headquarters, 86800 Overseas Highway, Islamorada, Florida.

Affected parties may appear at the public hearing or via the Zoom video conferencing tool for the public hearing, be heard and submit evidence with respect to the application.

Pursuant to Section 286.0105, Florida Statutes, anyone wishing to appeal any decision made by the Islamorada Village Council with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceeding is made, prepared by a court reporter at the appellant's expense; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the office of the Village ADA Coordinator at (305) 664-6448 (TTY 664-8890) at least three days prior thereto.

Two or more committee members from various committees may be present at this meeting.


Jennifer DeBoisbriand
Director of Planning