



Kevin Madok, CPA

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

November 14, 2022

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 No. 021-2022 amending the Monroe County 2030 Comprehensive Plan to create Policy 101.5.34 and to amend Policy 101.9.4 to provide exceptions to non-shoreline and shoreline setback and open space requirements for the elevation of lawfully existing residential dwelling units above flood requirements; processed as part of the Evaluation and Appraisal amendments to the Monroe County 2030 Comprehensive Plan; to reflect changes in local conditions and recent data, trends, issues and challenges; 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 Comprehensive Plan; 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 19, 2022. 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: Pamela G. Hancock, D.C.

cc: Planning & Environmental
County Administrator
County Attorney
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040
305-294-4641

MARATHON
3117 Overseas Highway
Marathon, Florida 33050
305-289-6027

PLANTATION KEY
88820 Overseas Highway
Plantation Key, Florida 33070
305-852-7145

PK/ROTH BUILDING
50 High Point Road
Plantation Key, Florida 33070
305-852-7145



1
2
3
4
5 **MONROE COUNTY, FLORIDA**
6 **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

7
8 **ORDINANCE NO. 021-2022**
9

10 **AN ORDINANCE AMENDING THE MONROE COUNTY 2030 COMPREHENSIVE**
11 **PLAN TO CREATE POLICY 101.5.34 AND TO AMEND POLICY 101.9.4 TO PROVIDE**
12 **EXCEPTIONS TO NON-SHORELINE AND SHORELINE SETBACK AND OPEN**
13 **SPACE REQUIREMENTS FOR THE ELEVATION OF LAWFULLY EXISTING**
14 **RESIDENTIAL DWELLING UNITS ABOVE FLOOD REQUIREMENTS; PROCESSED**
15 **AS PART OF THE EVALUATION AND APPRAISAL AMENDMENTS TO THE**
16 **MONROE COUNTY 2030 COMPREHENSIVE PLAN; TO REFLECT CHANGES IN**
17 **LOCAL CONDITIONS AND RECENT DATA, TRENDS, ISSUES AND CHALLENGES;**
18 **PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING**
19 **PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING**
20 **AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO**
21 **AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN;**
22 **PROVIDING FOR AN EFFECTIVE DATE.**
23

24
25 **WHEREAS**, Monroe County may, pursuant to Article 8 of the Florida Constitution and Florida
26 Statute § 125.66, enact ordinances to protect the public health, safety, and welfare of the residents of and
27 visitors to the County; and
28

29 **WHEREAS**, on April 15, 1993, the Monroe County Board of County Commissioners (“BOCC”,
30 “Monroe County”, or the “County”) adopted the 2010 Monroe County Comprehensive Plan; as amended
31 pursuant to Department of Community Affairs Rule 91-14.022, Florida Administrative Code (“F.A.C.”)
32 on January 4, 1996, and adopted by F.A.C. Rule 28-20.100 Part I, January 2, 1996 and Part II, July 14,
33 1997; and
34

35 **WHEREAS**, the Florida Legislature intends that local planning be a continuous process, and the
36 Florida Statutes encourage local governments to comprehensively evaluate and, as necessary, update
37 comprehensive plans to reflect changes in local conditions; and
38

39 **WHEREAS**, on August 18, 2004, the Monroe County Board of County Commissioners adopted
40 an Evaluation and Appraisal Report (“EAR”), pursuant to Florida Statute Section 163.3191, for the 2010
41 Monroe County Comprehensive Plan, and subsequently adopted Comprehensive Plan amendments in
42 accordance with the 2004 EAR; and
43

44 **WHEREAS**, on May 22, 2012, the Monroe County Board of County Commissioners via
45 Resolution No. 150-2012 adopted an Evaluation and Appraisal Report (“EAR”), pursuant to Florida
46 Statute § 163.3191, for the 2010 Monroe County Comprehensive Plan, and subsequently adopted

1 Comprehensive Plan amendments in accordance with the 2012 EAR; and

2
3 **WHEREAS**, after statutory updates to Florida Statute Section 163.3191, the Department of
4 Economic Opportunity (“DEO”) revised the Monroe County evaluation and appraisal notification letter
5 deadline to May 1, 2014, in Rule 73C-49, F.A.C.; and

6
7 **WHEREAS**, on April 23, 2014, the Monroe County Board of County Commissioners approved
8 the EAR Notification Letter to DEO which specified the necessary Plan amendments required to reflect
9 changes in requirements in the Florida Statutes and the County prepared Comprehensive Plan amendments
10 in accordance with the 2014 EAR notification letter; and

11
12 **WHEREAS**, on April 13, 2016, the Monroe County Board of County Commissioners adopted the
13 2030 Monroe County Comprehensive Plan pursuant to Ordinance No. 005-2016, which included the
14 County’s EAR-based amendments; and

15
16 **WHEREAS**, the 2030 Monroe County Comprehensive Plan became effective upon the posting of
17 the Notice of Intent on the DEO website on June 20, 2016; and

18
19 **WHEREAS**, pursuant to Florida Statute Section 163.3191, Monroe County must evaluate its
20 Comprehensive Plan every seven (7) years to determine if amendments are necessary to reflect changes
21 in state statutory and/or state administrative code requirements; and

22
23 **WHEREAS**, pursuant to Florida Statute § 163.3191, and Rule 73C-49, F.A.C., Monroe County’s
24 evaluation and appraisal notification letter deadline to DEO was May 1, 2021; and

25
26 **WHEREAS**, on April 21, 2021, the Monroe County Board of County Commissioners approved
27 transmittal of the County’s evaluation and appraisal (“EA”) notification letter to DEO; and

28
29 **WHEREAS**, Monroe County is proposing amendments in accordance with the 2021 EA
30 notification letter, including amendments to address the Peril of Flood state legislation, an update to the
31 definition of the term ‘development,’ and amendments to address the now statutorily required Property
32 Rights Element; and

33
34 **WHEREAS**, Monroe County is proposing amendments to the Comprehensive Plan to
35 accommodate the needs of existing residential structures for which elevation above required flood heights
36 has been determined to be feasible; as such retrofitting of existing construction allows the homeowner to
37 reuse materials, energy, and other resources expended in the original construction of the home; offers
38 solutions to homeowners that may be more economically advantageous than complete reconstruction; and
39 encourages property owners to make their homes more resilient to storm events and sea level rise; and

40
41 **WHEREAS**, the Monroe County Planning and Environmental Resources Department
42 (“Department”) conducted a community meeting on October 14, 2021, to review the proposed amendment
43 and to receive public comment; and

1 **WHEREAS**, the Monroe County Development Review Committee (“DRC”) reviewed and
2 considered the proposed amendments at a regularly scheduled duly noticed public meeting held on
3 November 15, 2021; and
4

5 **WHEREAS**, on January 26, 2022, the Monroe County Planning Commission (“PC”) held a public
6 hearing for the purpose of considering the proposed amendment and provided for public comment; and
7

8 **WHEREAS**, the Monroe County Planning Commission adopted PC Resolution No. P03-22
9 recommending approval, with changes to Policy 102.4.2 to prioritize the acquisition of Lower Keys marsh
10 rabbit habitat and buffer area within the MIAI boundary, and to Objective 108.1 to add that the County
11 will encourage effective communication and coordination with Naval Air Station Key West and the other
12 military activities/facilities within unincorporated Monroe County; and
13

14 **WHEREAS**, on March 16, 2022, the Monroe County Board of County Commissioners held a
15 public hearing, considered the Department’s professional staff report, and provided for public comment
16 and public participation in accordance with the requirements of state law and the procedures adopted for
17 public participation in the planning process; and
18

19 **WHEREAS**, at the March 16, 2022, public hearing, at the Department professional staff’s request,
20 the BOCC continued the transmittal hearing, just for the proposed amendments to create Policy 101.5.34
21 and amend Policy 101.9.4 related to elevation of existing dwelling units to the April 20, 2022, public
22 hearing as a separate transmittal to allow for additional coordination and revisions; and
23

24 **WHEREAS**, at the March 16, 2022, public hearing, the BOCC voted to approval transmittal of
25 the remaining proposed amendments to DEO to review the proposal; and
26

27 **WHEREAS**, at the March 16, 2022, public hearing, the BOCC adopted Resolution No. 105-2022
28 transmitting the remaining proposed text amendments to the State Land Planning Agency without Policy
29 101.5.34 and amend Policy 101.9.4 related to elevation of existing dwelling units; and
30

31 **WHEREAS**, on April 20, 2022, the Monroe County Board of County Commissioners held a
32 public hearing to consider the proposed amendments to create Policy 101.5.34 and amend Policy 101.9.4
33 related to elevation of existing dwelling units, considered the staff report, and provided for public
34 comment and public participation in accordance with the requirements of state law and the procedures
35 adopted for public participation in the planning process; and
36

37 **WHEREAS**, at the April 20, 2022, public hearing, the BOCC voted to transmit the proposed
38 amendments to create Policy 101.5.34 and amend Policy 101.9.4 related to elevation of existing dwelling
39 units to DEO to review the proposal; and
40

41 **WHEREAS**, at the April 20, 2022, public hearing, the BOCC adopted Resolution No. 138-2022
42 transmitting the proposed amendments to create Policy 101.5.34 and amend Policy 101.9.4 related to
43 elevation of existing dwelling units to the State Land Planning Agency; and
44

45 **WHEREAS**, the State Land Planning Agency reviewed the amendment and issued an Objections,
46 Recommendations and Comments (“ORC”) report, received by the County on July 19, 2022; and

1 **WHEREAS**, the ORC report stated, “The Department does not identify any objections or
2 comments on the proposed amendment”; and
3

4 **WHEREAS**, the County has 180 days from the date of receipt of the ORC to adopt the proposed
5 amendment, adopt the amendment with changes or not adopt the amendment; and
6

7 **WHEREAS**, on October 19, 2022, the BOCC held a public hearing to consider adoption of the
8 proposed Comprehensive Plan text amendment; and
9

10 **WHEREAS**, Monroe County policies and regulations adopted in the Monroe County
11 Comprehensive Plan and Land Development Code are to maintain public health, safety, and welfare of
12 the citizens of the Florida Keys and to strengthen our local government capability to manage land use and
13 development; and
14

15 **WHEREAS**, based upon the documentation submitted and information provided in the
16 accompanying professional staff report, the Monroe County Board of County Commissioners hereby
17 makes the following conclusions of law:
18

- 19 1. The proposed amendment is consistent with the Goals, Objectives and Policies of the 2030
20 Monroe County Comprehensive Plan; and
- 21 2. The proposed amendment is consistent with the Principles for Guiding Development for the
22 Florida Keys Area of Critical State Concern, Florida Statute § 380.0552(7); and
- 23 3. The proposed amendment is consistent with Part II of Florida Statutes Chapter 163.
24

25 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS**
26 **OF MONROE COUNTY, FLORIDA:**
27

28 **Section 1. Recitals and Legislative Intent.** The foregoing recitals, findings of fact, conclusions
29 of law, and statements of legislative intent and purpose are true and correct and are hereby incorporated
30 as if fully stated herein.
31

32 **Section 2.** The text of the 2030 Monroe County Comprehensive Plan is amended as follows
33 (proposed amendments are shown with deletions stricken through and additions are underlined):
34

35 **Policy 101.5.34**

36 Notwithstanding the open space provisions set forth in Policy 101.5.25, Policy 212.2.4, and
37 Chapters 118 and 130 of the Land Development Code, and the minimum required setbacks in
38 Policy 212.2.4, and Chapters 118, 130, and 131 of the Land Development Code, a lawfully-
39 existing residential dwelling unit, not including mobile homes, may be elevated above base flood
40 level (design flood elevation) to reduce flood damage, pursuant to:

- 41 • The lawfully-existing dwelling unit structure is elevated within the original (lawfully-
42 existing) footprint of the structure.
- 43 • Setbacks and land use open space requirements are waived to allow necessary
44 improvements to a dwelling unit being retrofitted by elevating the unit to meet or exceed
45 flood levels. The necessary improvements are limited to ingress/egress structures (stairs,

1 ramps, landings, elevators, etc.). The waiver provided shall be the minimum necessary to
2 provide access to the structure that is in compliance with fire code requirements.

- 3 • Side and rear setback and open space requirements are waived to allow accessory elevated
4 platforms above base flood for equipment (mechanical, plumbing and electrical systems,
5 appliances and components) situated at least two (2) feet from the side yard property line
6 or at least five (5) feet from the rear yard property line.
- 7 • Maximum possible shoreline setbacks and open space are to be maintained, and in no event
8 shall a required shoreline setback be reduced to less than ten (10) feet from mean high
9 water except to accommodate the lawfully existing footprint of the structure to be elevated.
- 10 • The improvements shall be constructed to avoid off-site discharge of stormwater from the
11 subject parcel, in accordance with Section 114-3 of the Monroe County Land Development
12 Code.
- 13 • Development shall maintain compliance to the maximum extent practicable, as determined
14 by the Planning Director.
- 15 • This Policy does not waive any required minimum vegetated setbacks adjacent to wetlands
16 (see Policy 203.1.2 and Policy 204.2.5) and does not authorize any encroachments to a
17 conservation easement.
- 18 • This Policy does not restrict a property owner from proposing other additions or
19 improvements to the elevated dwelling unit, as long as the additions, enlargements,
20 expansions, and extensions do not create a nonconformity or cause a further violation to an
21 existing nonconformity.
- 22 • New construction or reconstruction of single-family dwelling units shall comply with the
23 setback and open space provisions set forth in Policy 101.5.25, Policy 212.2.4, and in
24 Chapters 118, 130, and 131 of the Monroe County Land Development Code.

25 * * *

26 **Policy 101.9.4**

27 With the following exception, nonconforming structures which are damaged or destroyed so as to
28 require substantial improvement shall be repaired or restored in conformance with all applicable
29 provisions of the current Monroe County Code. Substantial improvement or reconstruction of
30 nonconforming single-family dwelling units ~~homes~~ shall comply with the setback and open space
31 provisions set forth in Policy 101.5.25 and in Chapters 130 and 131 of the Monroe County Land
32 Development Code except where strict compliance would result in a reduction in lot coverage as
33 compared to the pre-destruction footprint of the dwelling unit ~~house~~. In such cases, the previously
34 approved open space ratio shall be applied; and the maximum shoreline setback shall be
35 maintained and in no event shall the shoreline setback be less than ten (10) feet from mean high
36 water.
37

38
39 To further post disaster recovery and resiliency, notwithstanding the open space provisions set
40 forth in Policy 101.5.25, Policy 212.2.4, and Chapters 118 and 130 of the Land Development Code
41 and the minimum required setbacks in Policy 212.2.4, and Chapters 118, 130, and 131 of the Land
42 Development Code, a nonconforming lawfully-existing residential dwelling unit, not including
43 mobile homes, may be retrofitted to elevate the structure above base flood level (design flood
44 elevation) to reduce flood damage, pursuant to:

- 1 • The lawfully-existing dwelling unit structure may maintain its existing setbacks and open
2 space, even if nonconforming, provided the structure is elevated within the original
3 (lawfully-existing) footprint of the structure.
- 4 • Setbacks and land use open space requirements are waived to allow necessary
5 improvements to a dwelling unit being retrofitted by elevating the unit to meet or exceed
6 flood levels. The necessary improvements are limited to ingress/egress structures (stairs,
7 ramps, landings, elevators, etc.). The waiver provided shall be the minimum necessary to
8 provide access to the structure that is in compliance with fire code requirements.
- 9 • Side and rear setback and open space requirements are waived to allow accessory elevated
10 platforms above base flood for equipment (mechanical, plumbing and electrical systems,
11 appliances and components) situated at least two (2) feet from the side yard property line
12 or at least five (5) feet from the rear yard property line.
- 13 • Maximum possible shoreline setbacks and open space are to be maintained, and in no event
14 shall a shoreline setback be less than ten (10) feet from mean high water except to
15 accommodate the lawfully existing footprint of the structure to be elevated.
- 16 • The improvements shall be constructed to avoid off-site discharge of stormwater from the
17 subject parcel, in accordance with Section 114-3 of the Monroe County Land Development
18 Code.
- 19 • This Policy does not waive any required minimum vegetated setbacks adjacent to wetlands
20 (see Policy 203.1.2 and Policy 204.2.5) and does not authorize any encroachments to a
21 conservation easement.
- 22 • This Policy does not restrict a property owner from proposing other additions or
23 improvements to the elevated dwelling unit, as long as the additions, enlargements,
24 expansions, and extensions do not create a nonconformity or cause a further violation to an
25 existing nonconformity.

26
27 **Section 3. Construction and Interpretation.** The construction and interpretation of this ordinance
28 and all Monroe County Comprehensive Plan provision(s), Florida Building Code, Florida Statutes, and
29 Monroe County Code(s) provision(s) whose interpretation arises out of, relates to, or is interpreted in
30 connection with this ordinance shall be liberally construed and enforced in favor of Monroe County, and
31 shall be construed in favor of the BOCC and such construction and interpretation shall be entitled to great
32 weight in adversarial administrative proceedings, at trial, bankruptcy, and on appeal.

33
34 **Section 4. No Liability.** Monroe County expressly reserves and in no way shall be deemed to have
35 waived, for itself or for its officer(s), employee(s), or agent(s), any sovereign, governmental, and any other
36 similar defense, immunity, exemption, or protection against any suit, cause-of-action, demand, or liability.

37
38 **Section 5. Severability.** If any provision of this ordinance, or any part or portion thereof, is held
39 to be invalid or unenforceable by any administrative hearing officer or court of competent jurisdiction, the
40 invalidity or unenforceability of such provision, or any part or portion thereof, shall neither limit nor impair
41 the operation, enforceability, or validity of any other provision of this ordinance, or any remaining part(s)
42 or portion(s) thereof. All other provisions of this ordinance, and remaining part(s) or portion(s) thereof,
43 shall continue unimpaired in full force and effect.

44
45 **Section 6. Repeal of Inconsistent Provisions.** All ordinances in conflict with this ordinance are
46 hereby repealed to the extent of said conflict. The repeal of an ordinance herein shall not repeal the
47 repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

1 **Section 7. Transmittal.** This ordinance shall be transmitted to the Florida State Land Planning
2 Agency as required by Florida Statutes §§ 380.05 (11) and 380.0552(9).
3

4 **Section 8. Filing.** This Ordinance shall be filed in the Office of the Secretary of the State of Florida
5 but shall not become effective until a notice is issued by the State Land Planning Agency or Administration
6 Commission finding the amendment in compliance with Florida Statutes Chapter 163, and after any
7 applicable challenges have been resolved.
8

9 **Section 9. Inclusion in the Monroe County Comprehensive Plan.** The amendments shall be
10 incorporated in the 2030 Monroe County Comprehensive Plan. The numbering of the foregoing
11 amendment may be renumbered to conform to the numbering in the Monroe County Comprehensive Plan.
12

13 **Section 10. Effective Date.** This ordinance shall become as provided by law and stated above.
14

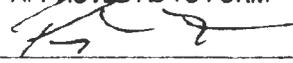
15 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida,
16 at a duly noticed regular public meeting held on October 19, 2022.
17

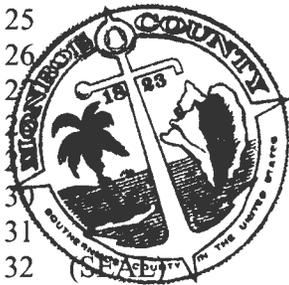
18	Mayor David Rice	<u>Yes</u>
19	Mayor <i>Pro Tem</i> Craig Cates	<u>Yes</u>
20	Commissioner Michelle Coldiron	<u>Yes</u>
21	Commissioner James K. Scholl	<u>Yes</u>
22	Commissioner Holly Merrill Raschein	<u>Yes</u>

23
24 BOARD OF COUNTY COMMISSIONERS
25 OF MONROE COUNTY, FLORIDA

26 By: 
27 Mayor David Rice

28
29 MONROE COUNTY ATTORNEY
30 APPROVED AS TO FORM

31 
32 PETER MORRIS
33 ASSISTANT COUNTY ATTORNEY
34 Date: 10/4/22



35 ATTEST: KEVIN MADOK, CLERK

36 By: 
37 AS DEPUTY CLERK

NOV 14 PM 2:57
RECORD
CLERK
COUNTY, FL

THE CITIZEN

KEY WEST

The Florida Keys Only Daily Newspaper, Est. 1876
PO Box 1800, Key West FL 33041
P: (305) 292-7777 ext. 219 F: (305) 295-8025
legals@keysnews.com

MONROE CO PLANNING DEPT
102050 OVERSEAS HWY
KEY LARGO FL 33037

Account: 423741

Ticket: 3865020

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MONROE

[legal.text]

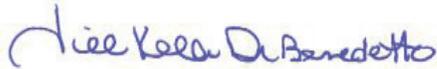
Before the undersigned authority personally appeared

_____ Jill Kelli Di Benedetto _____, 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, October 1, 2022

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 31st day of October 2022



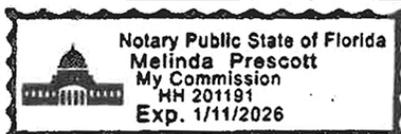
(Notary Public Signature)

_____ Melinda Prescott _____
(Notary Public Printed Name)

My commission expires _____ 1/11/2026 _____

Personally Known Produced Identification _____

Type of Identification Produced _____ (Notary Seal) _____





**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
NOTICE OF PUBLIC MEETING AND NOTICE OF PUBLIC HEARING
NOTICE OF CHANGE TO MONROE COUNTY COMPREHENSIVE PLAN
NOTICE OF CHANGE TO MONROE COUNTY LAND DEVELOPMENT CODE**

OCTOBER 19, 2022

NOTICE IS HEREBY GIVEN that on **Wednesday, October 19, 2022**, the **Monroe County Board of County Commissioners** will hold a Public Meeting, beginning at **09:00 AM**. The BOCC meeting will be a hybrid format with the County Commission members meeting live in Marathon. The public will be able to participate via Zoom Webinar. The following items will be considered at a **PUBLIC MEETING**:

PUBLIC HEARINGS: 09:00 AM (or as soon thereafter as may be heard):

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO CREATE POLICY 101.5.34 AND TO AMEND POLICY 101.9.4 TO PROVIDE EXCEPTIONS TO NON-SHORELINE AND SHORELINE SETBACKS AND OPEN SPACE REQUIREMENTS FOR THE ELEVATION OF LAWFULLY EXISTING RESIDENTIAL DWELLING UNITS ABOVE FLOOD REQUIREMENTS; PROCESSED AS PART OF THE EVALUATION AND APPRAISAL AMENDMENTS TO THE MONROE COUNTY 2030 COMPREHENSIVE PLAN; TO REFLECT CHANGES IN LOCAL CONDITIONS AND RECENT DATA, TRENDS, ISSUES AND CHALLENGES; 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 COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2021-129)

AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE SECTION 102-57 NONCONFORMING STRUCTURES AND SECTION 131-1 REQUIRED SETBACKS, AND SECTION 131-3 APPLICABILITY OF REQUIRED SETBACKS, TO FACILITATE THE ELEVATION (LIFTING UP) OF LAWFULLY-EXISTING RESIDENTIAL DWELLING UNITS TO OR ABOVE BASE FLOOD LEVEL TO REDUCE THE RISK OF FUTURE FLOOD DAMAGE BY PROVIDING STANDARDS, WAIVERS OR REDUCTIONS TO CERTAIN SETBACK AND OPEN SPACE REQUIREMENTS TO ALLOW FOR NECESSARY IMPROVEMENTS, INCLUDING INGRESS AND EGRESS STRUCTURES AND STRUCTURES FOR MECHANICAL, PLUMBING AND ELECTRICAL SYSTEMS, APPLIANCES AND COMPONENTS; 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 2021-131)

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."

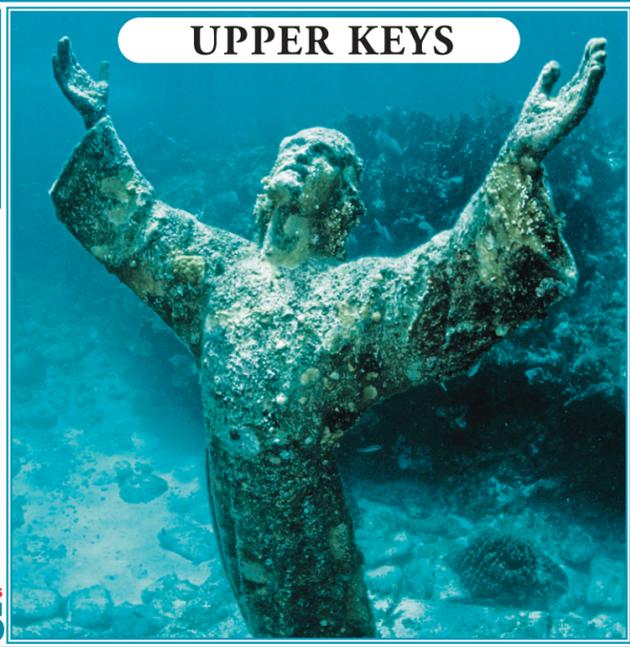
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The Florida Keys Only Daily Newspaper, Est. 1876 **Press**



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How active seniors can protect their vision
Healthy hobbies families can enjoy together
The importance of hearing health

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IN LOCATIONS throughout THE KEYS

THE CITIZEN **Press**

Utility Board of the City of Key West Customer Service Policy Manual

The Utility Board of the City of Key West approved changes to the Keys Energy Services Customer Service Policy Manual during its public meeting held on September 14, 2022. All Keys Energy Services' customers are now subject to the provisions of the revised Customer Service Policy Manual.

The Customer Service Policy Manual is available on the website <https://www.keysenergy.com/customer-service-policy-manual/>

For more information, call 295-1000.

adno-3863960-1

NOTICE OF KEY LARGO FIRE RESCUE AND EMERGENCY MEDICAL SERVICES DISTRICT MILLAGE ELECTION ON NOVEMBER 8, 2022

On November 8, 2022, the Key Largo Fire Rescue and Emergency Medical Services District will issue a referendum to the voters seeking approval to increase the maximum millage rate in order to cover future costs of providing high-quality fire-rescue and emergency medical services to the residents of Key Largo.

The District Board of Commissioners wishes to make clear to Key Largo voters that the Board does not intend to levy annual millage at the maximum rate permitted under the proposed increase and remains committed to its longstanding policy of providing high quality firefighting, rescue, and emergency medical services in the most cost-effective manner. The District has adopted a five-year operating plan that contemplates a millage rate less than the proposed maximum of 2.00 mills, however also understands the importance of long term planning. The following is the official ballot:

INCREASED MAXIMUM MILLAGE RATE FOR KEY LARGO FIRE RESCUE AND EMERGENCY MEDICAL SERVICES:

The Key Largo Fire & EMS District may not levy ad valorem taxes exceeding 1.00 mill without voter approval. The District seeks to increase its maximum millage rate to cover future costs of providing high-quality fire-rescue and emergency medical services to the residents of Key Largo.

Shall the maximum millage rate of the District be revised to 2.00 mills, to fund the continued provision of fire rescue and emergency medical services to Key Largo residents?

_____ YES _____ NO

This notice shall be published on **10/1/22; 10/15/22; 10/29/22**

LIST YOUR LEGAL NOTICES!

FOR MORE INFORMATION CALL 305.292.7777 EXT. 722

CITY OF MARATHON, FLORIDA NOTICE OF PUBLIC HEARINGS

The City of Marathon **Planning Commission** will hold a public hearing on **Items 1, 2, and 3** below on **Monday October 17, 2022**.

The City of Marathon **City Council** will hold a public hearing on **Items 1, 2, and 3** below on **Tuesday November 15, 2022**.

Currently, public hearings are scheduled to be held in-person, but due to the fluid nature of the COVID-19 pandemic, the City may hold the hearings virtually. Please see www.ci.marathon.fl.us for the most up to date information as to hearing information.

ITEMS FOR PUBLIC HEARING:

1. Consideration Of A Request By Coastal Properties – Vaca Cut Annex LLC. For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations ("The Code") Entitled "Conditional Use Permits", Authorizing The Development Of A Two (2) Story, Six (6) Unit Multi-Family Affordable Housing Unit Located At 11990 Overseas Highway, Which Is Legally Described As Block E Lots 4, 5 And 6 Hawaiian Village PB4-70 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00357680-000000. Nearest Mile Marker 53.
2. Consideration Of A Request By Coco Vista Community, LTD and VC Seaview, LTD. For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations ("The Code") Entitled "Conditional Use Permits", Authorizing The Development Of Sixty-Four (64) Affordable Housing Units Located At 96 Coco Plum Dr. Which Is Legally Described As Block 7 Lot 9 Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363700-000000, Block 7 Lot 11 and Adjacent Canal Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363720-000000 And Block 7 Lot 10 And Adjacent Canal Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363710-000000. Nearest Mile Marker 54.
3. Consideration Of A Request Coco Vista Community, LTD. For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations ("The Code") Entitled "Conditional Use Permits", Authorizing The Development Of Sixty (60) Affordable Housing Units Located At 120 And 130 Pescayo Ave, Which Is Legally Described As Lot 7 Seaview Commons II-Ave A PB7-96 A Subdivision Being Re-Plat of Lots 5 And 6 Block 6 Coco Plum Beach PB4-166, Monroe County, Florida, Having Real Estate Number 00363551-000700. Nearest Mile Marker 54.

Interested parties may appear at the public hearing(s) and be heard with respect to the proposed items. Copies of the applications are available from the City of Marathon Planning Department located at 9805 Overseas Highway, Marathon, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: Anyone needing special assistance at the Planning Commission or the City Council hearing due to disability should contact the City of Marathon at (305) 743-0033 at least two days prior thereto. Please note that one or more City Council members may be present at this meeting.

Key West Citizen October 1, 2022

FLKeysFreePress.com

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