

File #: 2023-249

Owner's Name: 172 Florida Ave, LLC

Applicant: 172 Florida Ave, LLC

Agent: Barton W. Smith, Esq.
Jacob C. McMahon, Esq.

Type of Application: Minor CUP TRE

Sender Site: 00478760-000000

Key: Tavernier

Receiver Site: To be held on paper

Additional Information added to File 2023-249

End of Additional File 2023-249

SMITH / HAWKS
ATTORNEYS AT LAW

RECEIVED

OCT 17 2023

Barton W. Smith, Esq.
Jacob C. McMahon, Esq.
Telephone: (305) 296-7227
Email: Bart@SmithHawks.com
Jacob@SmithHawks.com
Brandi@SmithHawks.com

MONROE CO. PLANNING DEPT.

SENT VIA FEDEX

7736 5769 0760

October 6, 2023

Emily Schemper, Senior Director
Monroe County Planning & Environmental Resources Department
2798 Overseas Highway
Suite 400
Marathon, Florida 33050
Email: Schemper-Emily@MonroeCounty-FL.Gov

RE: 172 FLORIDA AVE, LLC – REQUEST FOR A MINOR CONDITIONAL USE APPROVAL FOR THE TRANSFER OF TRANSFERABLE RATE OF GROWTH ORDINANCE EXEMPTIONS.

Dear Emily,

Please find enclosed, 172 Florida Ave, LLC's (the "Applicant"), application for a Minor Conditional Use Approval for the transfer of Transferable Rate of Growth Ordinance Exemptions ("Application"). The Application is for a Minor Conditional Use Approval ("Conditional Use Approval") in accordance with §110-69 of the Monroe County Land Development Code to transfer two (2) lawfully existing market rate Transferable Rate of Growth Ordinance Exemptions ("TREs") off of the sender site located at 172 Florida Avenue, Tavernier, Florida 33070, having Monroe County Parcel ID Number 00478760-000000 (the "Property") to be held on paper by 172 Florida Ave, LLC.

The Property is currently developed as two (2) market rate dwelling units that are compliant with the Monroe County Comprehensive Plan and the Land Development Code. The Applicant is proposing to utilize the existing units as much needed deed restricted affordable housing units after transferring the market rate TREs off site pursuant to the Conditional Use Approval that is the subject of this application.

Additionally, please find attached a true copy of this application to be date stamped and returned using the self-addressed envelope include and check no. 6107 in the amount of \$2,198.00 for the application, SPONS, and advertising fees.

Emily Schemper, Planning and Environmental Resources
RE: 172 Florida Ave, LLC'S - Minor Conditional Use (TRE) Application
October 6, 2023
Page 2 of 2

If you require anything further, please do not hesitate to contact our office.

Sincerely,



Jacob McMahon

BWS/JCM/bg

Enclosures

CC: (Electronically): Aguila-Ilze, (Aguila-Ilze@MonroeCounty-FL.Gov)

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

RECEIVED

OCT 17 2023



MONROE CO. PLANNING DE

Request for a Minor Conditional Use Permit for the Transfer of ROGO Exemption (TRE)

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.

Conditional Use, Transfer of ROGO Exemption Fee: \$1,740.00

In addition to the application fee, the following fees also apply:

Advertising Costs: \$245.00

Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed

Date of Application: 10 / 06 / 2023
Month Day Year

Applicant / Agent Authorized to Act for Property Owner: (Agents must provide notarized authorization from all property owners.)

172 Florida Ave, LLC

Smith Hawks, PL / Barton W. Smith, Esq.
Jacob C. McMahon, Esq.

Applicant/Property Owner (Name of Person, Business or Organization)

Agent (Authorization Required)

c/o SMITH HAWKS, PL, Agent, 138 Simonton Street, Key West, Florida 33040

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

Bart@SmithHawks.com;
Jacob@SmithHawks.com;
Brandi@SmithHawks.com

(305) 296-7227

Work Phone

Home Phone

Cell Phone

Email Address

Sender Site Property Owner: (Business/Corp must include documents showing who has legal authority to sign.)

172 Florida Ave, LLC

Agent

(Name/Entity)

Contact Person

c/o SMITH HAWKS, PL, Agent, 138 Simonton Street, Key West, Florida 33040

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

Agent

Agent

Work Phone

Home Phone

Cell Phone

Email Address

Sender Site Legal Description of Property:

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

2

16-17

Tavernier PB1-105

Tavernier

Block

Lot

Subdivision

Key

00478760-000000

1585301

Real Estate (RE) / Parcel ID Number

Alternate Key Number

172 Florida Ave, Tavernier, Florida 33070

92

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

Approximate Mile Marker

APPLICATION

Receiver Site Property Owner: (Business/Corp must include documents showing who has legal authority to sign.)

172 Florida Ave, LLC	Agent
(Name/Entity)	Contact Person

c/o SMITH HAWKS, PL, Agent, 138 Simonton Street, Key West, Florida 33040
Mailing Address (Street, City, State and Zip Code)

Agent	Agent		Agent
Work Phone	Home Phone	Cell Phone	Email Address

Receiver Site Legal Description of Property:
(If in metes and bounds, attach legal description on separate sheet.)

Block	Lot	Subdivision	Key
Real Estate (RE) / Parcel ID Number			Alternate Key Number
HELD ON PAPER			
Street Address (Street, City, State, Zip Code)			Approximate Mile Marker

Pursuant to Comprehensive Plan Policy 101.6.8 and Land Development Code Sections 138-22 and 139-2, ROGO exemptions may be transferred to a Receiver Site meeting the following criteria:

1. *The Future Land Use category and Land Use (Zoning) District must allow the requested use;*
2. *Must meet the adopted density standards;*
3. *Includes all infrastructure (potable water, adequate wastewater treatment and disposal wastewater meeting adopted LOS, paved roads, etc.);*
4. *Located within a Tier III designated area;*
5. *Located within the same ROGO subarea as the sender site, except exemptions may be transferred from the Big Pine Key and No Name Key ROGO subarea to the Lower Keys ROGO subarea; and*
6. *Structures are not located in a velocity (V) zone or within a CBRS unit.*

Market-rate transfers are subject to the additional criteria:

7. *The exemption is transferred to single-family residential legally platted lot; and*
8. *The exemption is transferred to a receiver site within the Improved Subdivision (IS) or Urban Residential Mobile Home (URM) Land Use District; and*
9. *A market rate exemption receiver site is not a recreational and commercial working waterfront.*

Sender Site Information	Responses:
Future Land Use Map Designation:	MC - Mixed Use/Commercial
Land Use (zoning) District Designation:	MU - Mixed Use
Tier Designation:	III
ROGO Subarea:	<input checked="" type="checkbox"/> Upper Keys <input type="checkbox"/> Middle Keys <input type="checkbox"/> Big Pine Key/No Name Key <input type="checkbox"/> Lower Keys
Number of Units and Type of Units lawfully established on Sender Site:	2 Market Rate Units
Number of and Type of Units (market rate, affordable or transient) to be transferred from Sender Site:	2 Market Rate Units

Receiver Site Information	Responses:
Future Land Use Map Designation:	N/A - to be held on paper
Land Use (zoning) District Designation:	N/A - to be held on paper
Tier Designation:	N/A - to be held on paper

APPLICATION

Describe the enforcement proceedings and if this application is being submitted to correct the violation: _____

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information. If for any reason the minor conditional use permit application requires review and consideration by the Monroe County Planning Commission (PC), additional fees, mailing labels and copies of plans shall be required prior to item being scheduled for PC review.

* * * * *

* The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

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: Jacob McMahon Date: 10-6-2023

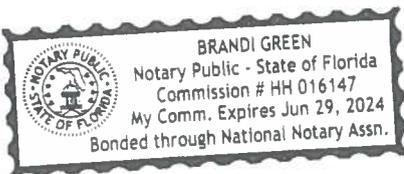
STATE OF FLORIDA

COUNTY OF MONROE

Sworn to and subscribed before me, by means of either physical presence OR online notarization, on the 6th day of OCTOBER, 2023, by JACOB C. McMAHON,
(PRINT NAME OF PERSON MAKING STATEMENT)
by means of physical presence or online notarization, who is personally known to me, or
 produced N/A as proof of Identification.
(TYPE OF IDENTIFICATION)

Brandi Green
SIGNATURE OF NOTARY PUBLIC

Brandi Green
PRINT, TYPE OR STAMP COMMISSIONED
NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES:



Send complete application package to:
Monroe County Planning & Environmental Resources
Department Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, FL 33050

AGENT AUTHORIZATION FORM

Date of Authorization: 08 / 29 / 2023
Month Day Year

I hereby authorize SMITH HAWKS, PL / Barton W. Smith, Esq. Jess Miles Goodall, Esq. be listed as authorized agent
(Print Name of Agent)

representing 172 FLORIDA AVE LLC for the application submission
(Print Name of Property Owner(s) the Applicant(s))

of Any/All Planning Department Applications
(List the Name and Type of applications for the authorization)

for the Property described as: (if in metes and bounds, attach legal description on separate sheet)

16-17 2 TAVERNIER KEY LARGO
Lot Block Subdivision Key (Island)
00478760-000000 1585301

Real Estate (RE) / Parcel ID Number Alternate Key Number
172 Florida Avenue, Key Largo, Florida 33037 98
Street Address (Street, City, State & Zip Code) Approximate Mile Marker

Authorized Agent Contact Information:

138 Simonton Street, Key West, Florida 33040

Mailing Address (Street, City, State and Zip Code) Bart@SmithHawks.com
(305) 296 7227 Jess@SmithHawks.com
Brandi@SmithHawks.com

Work Phone Home Phone Cell Phone Email Address

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: Agents must provide a notarized authorization from ALL current property owners.

Signature of Property Owner: [Handwritten Signature]

Printed Name of Property Owner: Robert Charney, as Manager

STATE OF Florida COUNTY OF Monroe

Sworn to and subscribed before me this August 29, 2023, by means of [X] physical presence or [] online notarization,

by Robert Charney, as Manager of 172 FLORIDA AVE, LLC, who is personally known to me OR produced
(Print Name of Person Making Statement)

(Type of ID Produced) as identification.

[Handwritten Signature: Lori Beriau]
Signature of Notary Public
My commission expires:



Print, Type of Stamp Commissioned Name of Notary Public



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

[Previous On List](#) [Next On List](#) [Return to List](#)

No Events No Name History

Detail by Entity Name

Florida Limited Liability Company
172 FLORIDA AVE, LLC

Filing Information

Document Number	L17000064226
FEI/EIN Number	82-0982946
Date Filed	03/22/2017
State	FL
Status	ACTIVE

Principal Address

200 Florida Avenue
Tavernier, FL 33070

Changed: 03/14/2021

Mailing Address

200 Florida Ave
Tavernier, FL 33070

Changed: 03/26/2020

Registered Agent Name & Address

Hawks, Bryan
138 Simonton St
Key West, FL 33040

Name Changed: 03/14/2021

Address Changed: 03/14/2021

Authorized Person(s) Detail

Name & Address

Title MGR

CHARNEY, ROBERT
4521 PGA BLVD #403
PALM BEACH GARDENS, FL 33418

Annual Reports

Report Year	Filed Date
2021	03/14/2021
2022	03/07/2022
2023	02/03/2023

Document Images

02/03/2023 -- ANNUAL REPORT	View image in PDF format
03/07/2022 -- ANNUAL REPORT	View image in PDF format
03/14/2021 -- ANNUAL REPORT	View image in PDF format
03/26/2020 -- ANNUAL REPORT	View image in PDF format
04/27/2019 -- ANNUAL REPORT	View image in PDF format
01/17/2018 -- ANNUAL REPORT	View image in PDF format
03/22/2017 -- Florida Limited Liability	View image in PDF format

[Previous On List](#) [Next On List](#) [Return to List](#)

No Events **No Name History**

Doc# 2117054 04/03/2017 2:58PM
Filed & Recorded in Official Records of
MONROE COUNTY KEVIN MADOK

04/03/2017 2:58PM
DEED DOC STAMP CL: Krys \$4,550.00

Doc# 2117054
Bk# 2847 Pg# 127

**This instrument prepared by
(and after recording should be returned to):**

Michael D. Gallinar, Esquire
Adams Gallinar, P.A.
1000 Brickell Avenue, Suite 300
Miami, Florida 33131

(Space Reserved for Clerk of Court)

Parcel I.D. Nos.: 00478760-000000 / 00478780-000000 / 00478790-000000 / 00479190-000000

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into as of the ____ day of March, 2017 by JDI TAVASOTA HOLDING LLC, a Florida limited liability company (the "Grantor"), whose mailing address is 555 Skokie Boulevard, Suite 555, Northbrook, IL 60062, in favor of 172 Florida Ave, LLC, a Florida limited liability company (the "Grantee"), whose mailing address is 172 Florida Avenue, Key Largo, Florida 33037. Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their respective heirs, legal representatives, successors and assigns.

WITNESSETH:

Grantor, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee, the following described real property situate and being in Monroe County, Florida (the "Property"):

PARCEL 1

Lots 16, 17, 18 and 19, Block 2, Tavernier Subdivision, according to plat thereof as recorded in Plat Book 1, Page 105, of the Public Records of Monroe County, Florida.

PARCEL 2

Part of Block 4, Tavernier Subdivision, according to the plat thereof as recorded in Plat Book 1, Page 105, of the Public Records of Monroe County, Florida, more particularly described as follows:

Beginning at the intersection of the Northwesterly side of Magnolia Drive, as shown on said plat of Tavernier Subdivision, with the East line of Lot 21, as shown on the plat of Amos Lowe Homestead, recorded in Plat Book 1, Page 80, Public Records of Monroe County, Florida; run Southwesterly on said Northwesterly side of Magnolia Drive for a distance of 25.00 feet; thence run North and parallel to the East line of Lot 21 for a distance of 5.00 feet more or less to the shores of Tavernier Harbor; thence run Northeasterly along said shoreline for a distance of 25.00 feet, more or less to the said East line of Lot 21; thence run South on the East line of Lot 21 for a distance of 5.00 feet, more or less to the Point of Beginning.

Monroe County, FL

Disclaimer

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

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00478760-000000
 Account# 1585301
 Property ID 1585301
 Millage Group 500P
 Location 172 FLORIDA Ave, TAVERNIER
 Address
 Legal BK 2 LTS 16-17 TAVERNIER PB1-105 KEY LARGO OR598-144 OR598-145 OR838-633 OR1049-180/181L/T OR1249-44 OR2204-579/81 OR2346-2300/10F/J OR2358-591/96C/T OR2384-1609/14 OR2387-1677/85C OR2847-127/28
 Description
 (Note: Not to be used on legal documents.)
 Neighborhood 1709
 Property Class MULTI-FAMILY FOURPLEX (0804)
 Subdivision TAVERNIER
 Sec/Twp/Rng 34/62/38
 Affordable No
 Housing



Owner

[172 FLORIDA AVE LLC](#)
 4521 Pga Blvd
 Ste 403
 Palm Beach Gardens FL 33418

Valuation

	2023 Preliminary Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$364,864	\$366,566	\$305,117	\$309,354
+ Market Misc Value	\$12,751	\$8,964	\$8,964	\$8,964
+ Market Land Value	\$370,121	\$236,411	\$163,476	\$150,901
= Just Market Value	\$747,736	\$611,941	\$477,557	\$469,219
= Total Assessed Value	\$577,844	\$525,313	\$477,557	\$469,219
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$747,736	\$611,941	\$477,557	\$469,219

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$236,411	\$366,566	\$8,964	\$611,941	\$525,313	\$0	\$611,941	\$0
2021	\$163,476	\$305,117	\$8,964	\$477,557	\$477,557	\$0	\$477,557	\$0
2020	\$150,901	\$309,354	\$8,964	\$469,219	\$469,219	\$0	\$469,219	\$0
2019	\$135,811	\$313,592	\$9,025	\$458,428	\$458,428	\$0	\$458,428	\$0
2018	\$135,811	\$322,067	\$9,046	\$466,924	\$466,924	\$0	\$466,924	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (080D)	11,055.00	Square Foot	0	0

Buildings

Building ID	26393	Exterior Walls	REIN CONC
Style	STILT 1 STORY	Year Built	1968
Building Type	M.F. - R4 / R4	EffectiveYearBuilt	2002
Building Name		Foundation	CONCR FTR
Gross Sq Ft	3409	Roof Type	GABLE/HIP
Finished Sq Ft	2070	Roof Coverage	METAL
Stories	2 Floor	Flooring Type	CERM/CLAY TILE

Condition	AVERAGE	Heating Type	FCD/AIR DUCTED with 0% NONE	
Perimeter	258	Bedrooms	5	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	30	Grade	550	
Interior Walls	PLASTER	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
CPF	COVERED PARKING FIN	403	0	0
FLA	FLOOR LIV AREA	2,070	2,070	0
GBF	GAR FIN BLOCK	527	0	0
OPF	OP PRCH FIN LL	40	0	0
OUF	OP PRCH FIN UL	47	0	0
PTO	PATIO	220	0	0
PUF	SC PRCH FIN UL	60	0	0
SBF	UTIL FIN BLK	42	0	0
TOTAL		3,409	2,070	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
LC UTIL BLDG	1977	2003	10 x 10	1	100 SF	2
CH LINK FENCE	1990	2003	6 x 192	1	1152 SF	1
UTILITY BLDG	1978	2003	10 x 12	1	120 SF	2
CH LINK FENCE	1990	2003	5 x 174	1	870 SF	1
CARPORT	1978	2003	30 x 13	1	390 SF	4
FENCES	2000	2007	6 x 50	1	300 SF	2
CONC PATIO	1990	2003	0 x 0	1	400 SF	1
WALL AIR COND	2000	2011	0 x 0	1	5 UT	1

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
3/24/2017	\$650,000	Warranty Deed	2117054	2847	127	05 - Qualified	Improved	JDI TAVASOTA HOLDING LLC	
4/28/2008	\$1,000,000	Certificate of Title		2358	591	M - Unqualified	Improved		
4/13/2006	\$2,550,000	Warranty Deed		2204	579	M - Unqualified	Improved		
3/1/1993	\$155,000	Warranty Deed		1249	0044	M - Unqualified	Improved		
4/1/1988	\$180,000	Warranty Deed		1049	180	M - Unqualified	Improved		
2/1/1979	\$120,000	Warranty Deed		838	633	M - Unqualified	Improved		
2/1/1974	\$22,500	Conversion Code		598	144	Q - Qualified	Improved		

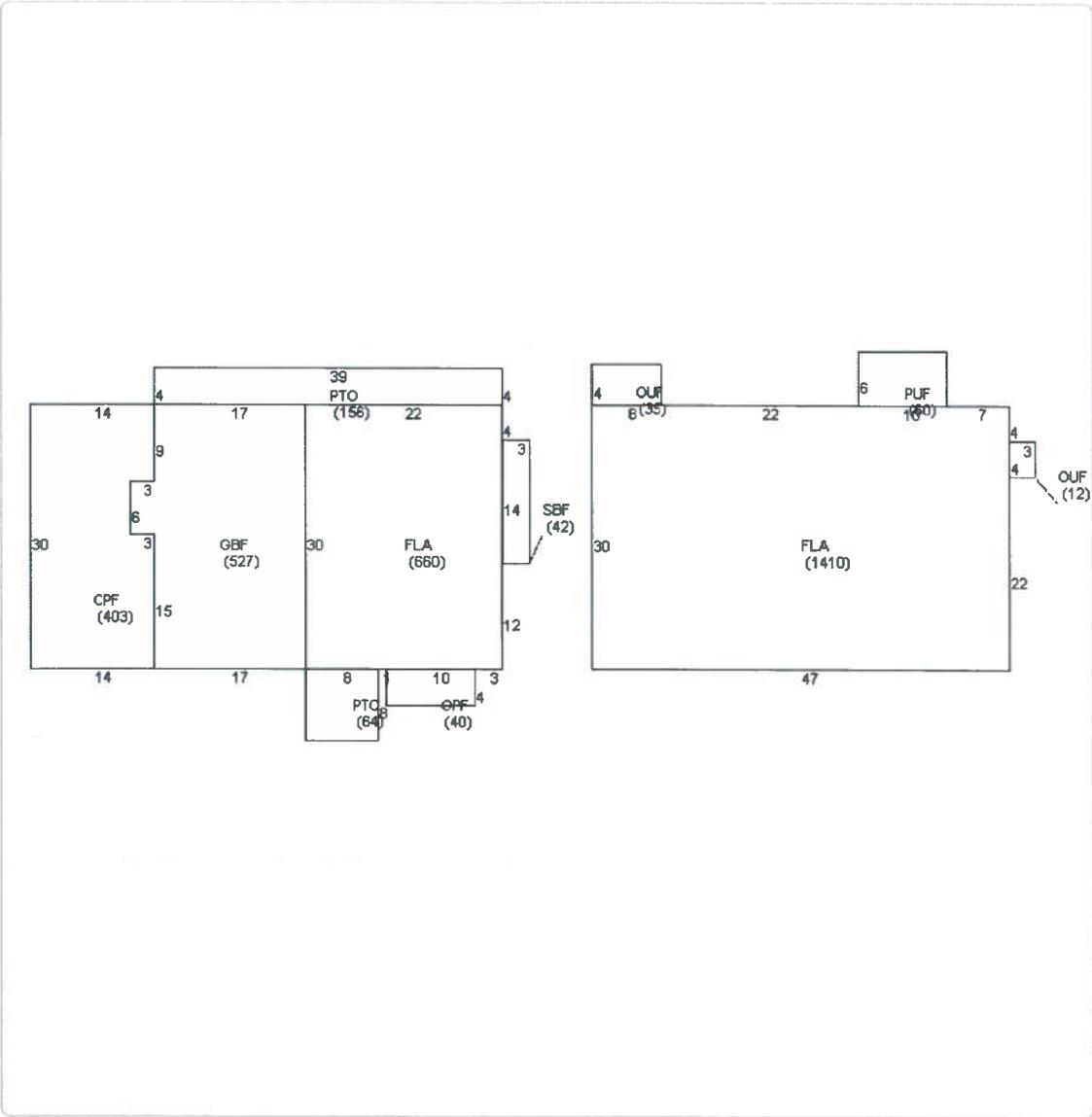
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
13302010	7/30/2013	8/16/2013	\$1,500	Residential	WINDOWS AND FRAME. REMOVE SLIDER.
13300250	2/22/2013	3/27/2013	\$24,400	Residential	1999 SQ FT EXTERIOR REMODEL. DEMO ALSO THIS PERMIT. ROOF/ LANDING/ STAIRS/NEW METAL ROOF/REPLACE ALL ITEMS ON PERMIT.
93312057	1/19/1994	1/19/1994	\$1,250	Residential	30X15 ALUMINUM ROOF ONLY OVER CONCRETE PATIO (PATIO WAS PREVIOUSLY CARPORT)
93310910	7/27/1993	7/27/1993	\$1,300	Residential	193 X 6 CHAINLINK FENCE FOR SECURITY.
93310391	7/21/1993	7/21/1993	\$570	Residential	IMPROVEMENT VALUE STATED ON PERMIT AS 570,000 REPAIR OF STAIRWAYS. WALL OFF 2 WINDOWS AND REPLACE DOOR
93310908	7/21/1993	7/21/1993	\$170	Residential	THIS PERMIT IS FOR COMPLETION OF PERMIT 93310391

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

[2023 TRIM Notice \(PDF\)](#)

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

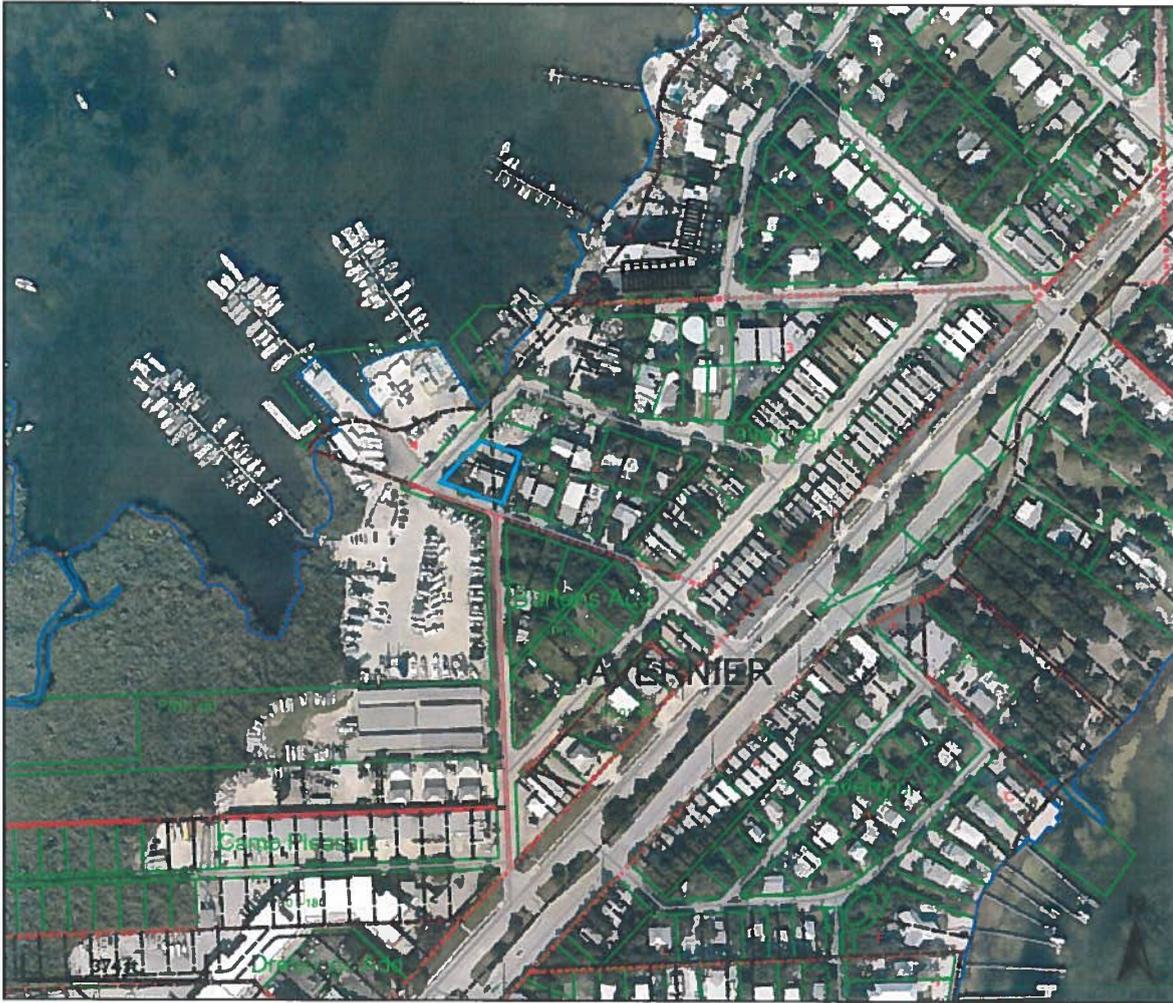
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 10/6/2023, 4:03:44 AM

[Contact Us](#)

Developed by
 Schneider
GEOSPATIAL



Monroe County, FL



Overview



Legend

- Centerline
- Easements
- Hooks
- Lot Lines
- Road Center
- Rights of Way
- Shoreline
- ☐ Condo Building
- Key Names
- ☐ Subdivisions
- ☐ Parcels

Parcel ID	00478760-000000	Alternate ID	1585301	Owner Address	172 FLORIDA AVE LLC
Sec/Twp/Rng	34/62/38	Class	MULTI-FAMILY FOURPLEX		4521 Pga Blvd
Property Address	172 FLORIDA Ave				Ste 403
	TAVERNIER				Palm Beach Gardens, FL 33418
District	500P				
Brief Tax	BK 2 LTS 16-17 TAVERNIER PB1-105 KEY LARGO OR598-144 OR598-145 OR838-633 OR1049-180/181L/T OR1249-44 OR2204-				
Description	579/81 OR2346-2300/10F/J OR2358-591/96C/T OR2384-1609/14 OR2387-1677/85C OR2847-127/28				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/18/2023
 Last Data Uploaded: 9/18/2023 4:03:11 AM

Developed by Schneider
 GEOSPATIAL

172 Florida Ave

Adjacent Roadway Photo

Legend



Google Earth



172 Florida Ave

Adjacent Roadway Photo

Legend



Google Earth



172 Florida Ave

Adjacent Roadway Photo

Legend

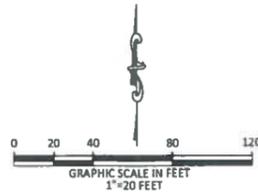


Google Earth



**BOUNDARY SURVEY FOR
172 FLORIDA AVE,
TAVERNIER FLORIDA 33070**

IN
SECTION 34, TOWNSHIP 62 SOUTH,
RANGE 38 EAST



LOCATION MAP
U.S. GEOLOGICAL SURVEY
TOPOGRAPHIC MAP
N.T.S.

SURVEY NOTES:

CLIENT: 172 FLORIDA AVE, LLC

SURVEYOR: JUAN C. MELENDEZ D.B.A. ORTHOTEK

ACCURACY:

THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF CLOSED GEOMETRIC FIGURES WAS FOUND TO EXCEED THIS REQUIREMENT 1 FT IN 10,000 FT (REQUIRED)

BASIS OF BEARING:

BEARING OF BASIS SHOWN, IS BASED ON THE STATE PLANE COORDINATE SYSTEM FLORIDA EAST NAD(83)-(2011)-(EPOCH 2010.0000).

ELEVATIONS SHOWN ARE REFERENCED TO THE NGVD 29 VERTICAL DATUM

SURVEYORS NOTES:

OWNERSHIP IS SUBJECT TO OPINION OF TITLE.

THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN IN THIS SURVEY THAT MAY BE FOUND IN THE COUNTY PUBLIC RECORDS.

THIS SURVEY IS FOR USE AS PER REQUEST AND NOT FOR ANY OTHER USE.

NO EXCAVATION OR DETERMINATION WAS MADE AS TO HOW THE SUBJECT PROPERTY IS SERVED BY UTILITIES, SUBSURFACE UTILITIES, INCLUDING, BUT WITHOUT LIMITATION TO PIPES, WIRES, VAULTS, BOXES, DRAIN TILES, VENTS, CABLES AND OTHER MATERIALS AUXILIARY TO THE DELIVERY AND/OR DISPOSAL OF WATER, WASTEWATER, SEWAGE, ELECTRICITY, GAS, TELEPHONE SERVICE, CABLE TELEVISION AS THEY MAY EXIST WITHIN, UPON, ACROSS OR ABUTTING THE SUBJECT PROPERTY WERE NOT LOCATED. SURFACE STRUCTURES AS THEY MAY EXIST WITHIN, UPON, ACROSS OR ABUTTING THE SUBJECT PROPERTY WERE NOT LOCATED UNLESS OTHERWISE SHOWN ON THE SURVEY MAP.

WELL-IDENTIFIED FEATURES AS DEPICTED ON THE SURVEY MAP WERE MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 1/10 FOOT, UNLESS OTHERWISE SHOWN.

DATE OF FIELD SURVEY 11/10/2016

CERTIFIED TO:

- 172 FLORIDA AVE, LLC
- OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
- ADAMS GALLINAR, P.A.
- FIRST BOSTON ASSOCIATES LLC, A MASSACHUSETTS LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, AS THEIR INTERESTS MAY APPEAR

TITLE INFORMATION:

THE TITLE DESCRIPTION HEREIN ARE FROM ADAMS GALLINAR, P.A., AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 16121577, EFFECTIVE DATE OCTOBER 28, 2016 AT 8:00 AM.

LEGAL DESCRIPTION

PARCEL 1

(LOTS 16, 17, 18 AND 19, BLOCK 2, TAVERNIER SUBDIVISION, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 105, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

PARCEL 2

PART OF BLOCK 4, TAVERNIER SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 105, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY SIDE OF MAGNOLIA DRIVE, AS SHOWN ON SAID PLAT OF TAVERNIER SUBDIVISION, WITH THE EAST LINE OF LOT 21, AS SHOWN ON THE PLAT OF AMOS LOWE HOMESTEAD, RECORDED IN PLAT BOOK 1, PAGE 80, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, RUN SOUTHWESTERLY ON SAID NORTHWESTERLY SIDE OF MAGNOLIA DRIVE FOR A DISTANCE OF 25.00 FEET; THENCE RUN NORTH AND PARALLEL TO THE EAST LINE OF LOT 21 FOR A DISTANCE OF 5.00 FEET MORE OR LESS TO THE SHORES OF TAVERNIER HARBOR; THENCE RUN NORTHEASTERLY ALONG SAID SHORELINE FOR A DISTANCE OF 25.00 FEET, MORE OR LESS TO THE SAID EAST LINE OF LOT 21; THENCE RUN SOUTH ON THE EAST LINE OF LOT 21 FOR A DISTANCE OF 5.00 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

SCHEDULE 'T' ITEMS:

- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. (BLANKET IN NATURE)
- ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ON THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND.
- RIGHTS OR CLAIMS OF PARTIES IN POSSESSION. (BLANKET IN NATURE)
- CONSTRUCTION, MECHANIC'S, CONTRACTORS' OR MATERIALMEN'S LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (BLANKET IN NATURE)
- EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS. (BLANKET IN NATURE)
- GENERAL OR SPECIAL TAXES AND ASSESSMENTS REQUIRED TO BE PAID IN THE YEAR 2017 AND SUBSEQUENT YEARS. (BLANKET IN NATURE)
- STATE LAW UNDER CHAPTER 76-190 AND CHAPTER 22F-8.02 OF THE FLORIDA ADMINISTRATIVE CODE FOR LAND PLANNING FOR THE FLORIDA KEYS AREA OF CRITICAL STATE CONCERN, RECORDED IN OFFICIAL RECORDS BOOK 668, PAGE 43, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. (BLANKET IN NATURE)
- HOUSE BILL NO. 634, CHAPTER 70-231, AN ACT RELATING TO THE BUREAU OF BEACHES, SHORES AND COASTAL CONSTRUCTION, AMENDING CHAPTER 161, FLORIDA STATUTES BY ADDING SECTION 161.052; PROVIDING A SETBACK LINE FOR COASTAL CONSTRUCTION AND EXCAVATION; PROVIDING FOR THE GRANTING OF VARIANCE BY THE DEPARTMENT OF NATURAL RESOURCES, PROVIDING PENALTIES, AND PROVIDING AN EFFECTIVE DATE. (BLANKET IN NATURE)
- THE PROVISIONS OF FLORIDA STATUTES SECTION 380.0552, "THE FLORIDA KEYS PROTECTION ACT", ESTABLISHING A LAND USE MANAGEMENT SYSTEM THAT PROTECTS AND CONSERVES THE NATURAL ENVIRONMENT AND COMMUNITY CHARACTER OF THE FLORIDA KEYS. (BLANKET IN NATURE)
- ACKNOWLEDGMENT OF POTENTIAL COST AND REQUEST FOR EXEMPTION RECORDED IN OFFICIAL RECORDS BOOK 2472, PAGE 2340, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. (AS TO PARCEL 2 ONLY) (NOT PLOTTABLE)
- THOSE PORTIONS OF THE PROPERTY HEREIN DESCRIBED BEING ARTIFICIALLY FILLED IN LAND IN WHAT WAS FORMERLY NAVIGABLE WATERS, ARE SUBJECT TO THE RIGHT OF THE UNITED STATES GOVERNMENT ARISING BY REASON OF THE UNITED STATES GOVERNMENT CONTROL OVER NAVIGABLE WATERS IN THE INTEREST OF NAVIGATION AND COMMERCE. (BLANKET IN NATURE)
- ANY ADVERSE OWNERSHIP CLAIM BY THE STATE OF FLORIDA BY RIGHT OF SOVEREIGNTY TO ANY PORTION OF THE LANDS INSURED HEREUNDER, INCLUDING SUBMERGED, FILLED AND ARTIFICIALLY EXPOSED LANDS AND LANDS ACCRETED TO SUCH LANDS. (BLANKET IN NATURE)
- THIS POLICY DOES NOT INSURE ANY PORTION OF THE INSURED PARCEL LYING WATERWARD OF THE MEAN-HIGH WATER LINE OF BARNES SOUND (THE ADJACENT WATERWAY). (AS TO PARCEL 2 ONLY) (AFFECTS THE PROPERTY)

- RIPARIAN AND LITTORAL RIGHTS ARE NOT INSURED (NOT PLOTTABLE)
- RIGHTS OF THE LESSEES UNDER UNRECORDED LEASES. (NOT PLOTTABLE)

FLOOD INFORMATION:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12087C0919K, WHICH BEARS AN EFFECTIVE DATE OF FEBRUARY 18, 2005 AND IS IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LAND AREA:

22237.84 SQ.FT.
0.51 ACRE

BASIS OF BEARINGS:

BEARING OF BASIS FOR THIS SURVEY IS BASED ON THE STATE PLANE COORDINATE SYSTEM PRV NAD_83(2011)(EPOCH:2010.0000) AND REFERENCED TO THE CENTER LINE OF MAGNOLIA DRIVE

LEGEND

- ⊙ CLEAN OUT DRAIN
- SIGN
- ▭ CATCH BASIN GRATES
- ☆ LIGHT LIGHT
- ⊙ TRAFFIC SIGNAL POLE
- ⊙ MANHOLE STORM
- ⊙ MANHOLE TELEPHONE
- ♿ HANDICAP ACCESS RAMPS
- ⊙ FIRE HYDRANT
- ⊙ VALVE SANITARY
- ⊙ MANHOLE SANITARY
- ⊙ VALVE WATER
- ⊙ UTILITY PEDESTAL TELEVISION
- ⊙ WATER METER
- ⊙ MARKER GAS
- ⊙ ELECTRICAL BOX CONDUIT
- ⊙ TELEPHONE BOX
- ⊙ TRAFFIC SIGNAL CONDUIT
- ⊙ MONITORING WELL
- ⊙ POLE POWER
- ⊙ IRRIGATION CONTROL BOX
- ⊙ VALVE GAS
- ⊙ MANHOLE ELECTRICITY
- ⊙ SPOT LIGHT
- ⊙ MANHOLE WATER
- ⊙ UTILITY POLE (DUY WIRE FOR TRAFFIC SIGNAL)
- ⊙ GUY WIRE ANCHOR
- 🌳 TREE
- 🌲 PINE
- 🌴 PALM
- ⊙ SPRINKLER HEAD

ABBREVIATIONS

- CH.L.F. = CHAIN LINK FENCE
- CONC. = CONCRETE
- F.F.E. = FINISHED FLOOR ELEVATION
- FND = FOUND
- L = LENGTH (WHEN USED IN CURVE DATA)
- LF. = LINEAR FEET
- (C) = CALCULATED DATA
- (R) = RECORD
- B.O.B. = BASIS OF BEARING
- R.B. = REBAR
- R.B.C. = REBAR AND CAP
- I.P. = REBAR AND CAP
- O/E = OVERHEAD ELECTRIC LINE
- M.H. = MANHOLE
- BLDG = BUILDING
- C.B. = CATCH BASIN
- NO. = NUMBER
- O.R.B. = OFFICIAL RECORDS BOOK
- (P) = PLAT DATA
- P.B. = PLAT BOOK
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
- R.O.W. = RIGHT-OF-WAY
- P.O.C. = POINT OF COMMENCEMENT
- TYP. = TYPICAL
- T.B. = TANGENT BEARING
- C.O. = CLEAN OUT
- INV. ELEV. = INVERT ELEVATION
- TOP = TOP OF PIPE



**BOUNDARY SURVEY
172 FLORIDA AVE,
TAVERNIER FLORIDA 33070**

DATE	DESCRIPTION	BY
12/16	UPDATED SURVEY TO REFLECT CLIENTS	JCM
12/16	REVISIONS	JCM
12/16	UPDATED SURVEY TO REFLECT CLIENTS	JCM
12/16	REVISIONS	JCM

Designed by: JCM	Date: 12/31/16	Rev:
Drawn by: JCM	Client file no.: 20161101	
Reviewed by: AMY		
Submitted by: Juan C. Melendez	File name: BOUNDARY_172	
	Plot date: 12/17/17	
	Plot scale: 1:50	

172 FLORIDA AVE, LLC.

**SHEET
1 OF 2**



THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER

PROFESSIONAL SURVEYOR AND MAPPER CERTIFICATE

I HEREBY CERTIFY: THAT THE ATTACHED BOUNDARY SURVEY OF THE PROPERTY DESCRIBED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF ACCURATE AS RECENTLY SURVEYED UNDER MY DIRECTION; AND THAT THIS SURVEY MEETS THE MINIMAL TECHNICAL STANDARD SET BY THE FLORIDA BOARD OF LAND SURVEYORS AS SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATION CODE.

JUAN C. MELENDEZ
PROFESSIONAL SURVEYOR AND MAPPERS
LB7920 02-28-2017
LS6721 02-28-2017

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND RAISED/DIGITAL SEAL OF A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER.

LEGEND

- CLEAN OUT DRAIN SIGN
- ⊕ CATCH BASIN GRATES
- ⊕ LIGHT LIGHT
- ⊕ TRAFFIC SIGNAL POLE
- ⊕ MANHOLE STORM
- ⊕ MANHOLE TELEPHONE
- ⊕ HANDICAP ACCESS RAMPS
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ABBREVIATIONS

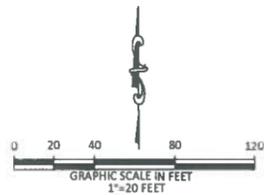
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- P.O.C. = POINT OF COMMENCEMENT
- TYP. = TYPICAL
- T.B. = TANGENT BEARING
- C.O. = CLEAN OUT
- INV. ELEV. = INVERT ELEVATION
- TOP = TOP OF PIPE

PARCEL NO. 1

Line #	Bearing	Length
L1	N43° 35' 40"E	229.2
L2	S70° 54' 20"E	82.9
L3	S19° 05' 40"W	104.4
L4	N70° 54' 20"W	47.5
L5	S19° 05' 40"W	103.8
L6	N71° 03' 40"W	130.5

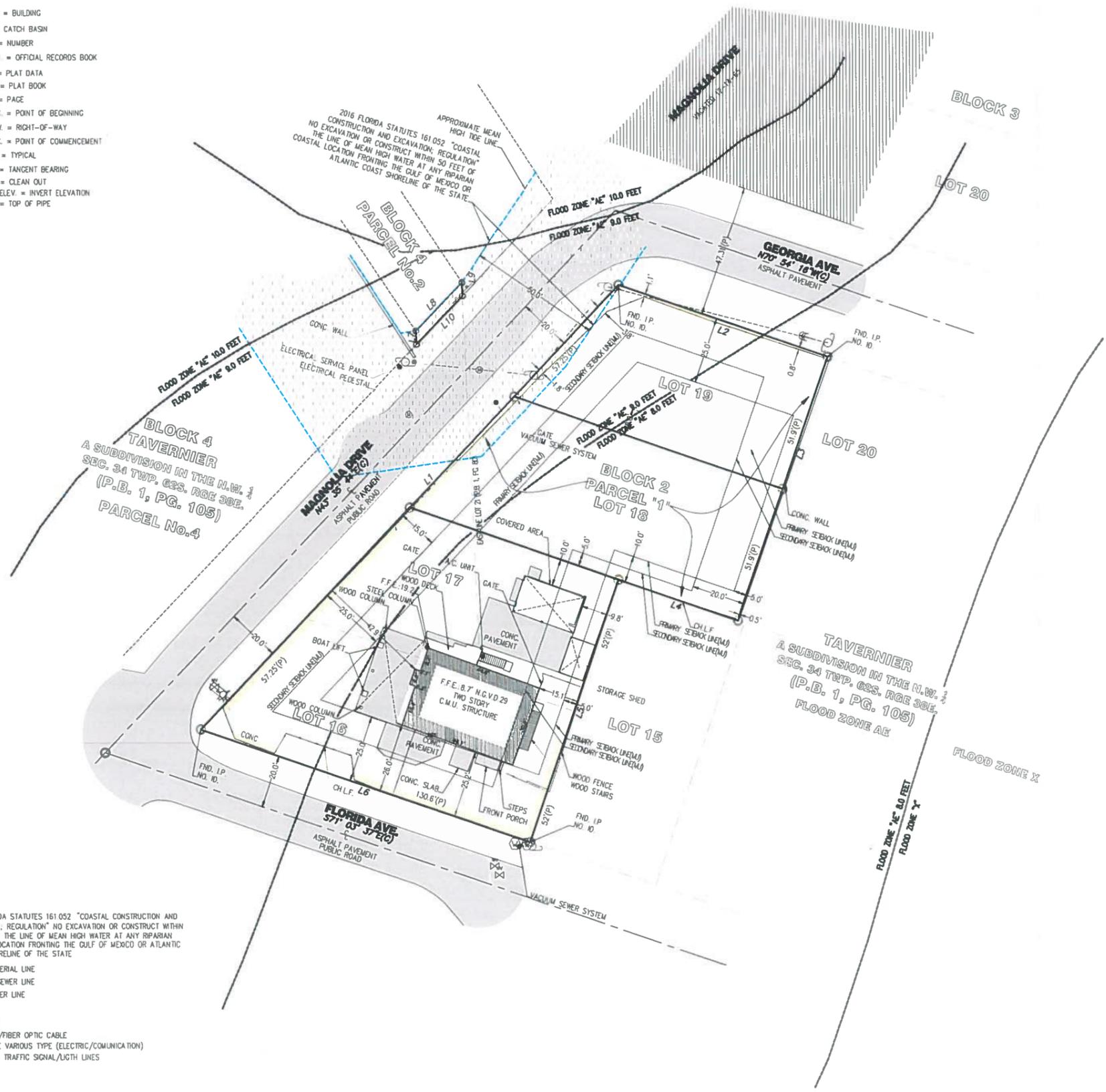
PARCEL NO. 2

Line #	Bearing	Length
L7	S2° 25' 00"E	5.0
L8	N43° 35' 40"E	25.0
L9	N2° 25' 00"W	5.0
L10	S43° 35' 30"W	25.0



- COASTAL AERIAL LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- GAS LINE
- WATER LINE
- TELEPHONE/FIBER OPTIC CABLE
- AERIAL LINE VARIOUS TYPE (ELECTRIC/COMMUNICATION)
- MIAMI DADE TRAFFIC SIGNAL/LIGHT LINES

2016 FLORIDA STATUTES 161.052 "COASTAL CONSTRUCTION AND EXCAVATION; REGULATION" NO EXCAVATION OR CONSTRUCT WITHIN 50 FEET OF THE LINE OF MEAN HIGH WATER AT ANY RIPARIAN COASTAL LOCATION FRONTING THE GULF OF MEXICO OR ATLANTIC COAST SHORELINE OF THE STATE



BOUNDARY SURVEY
172 FLORIDA AVE,
TAVERNIER FLORIDA 33070

Rev.	Description	Date	Appr.
12/16	UPDATED SURVEY TO REFLECT CLIENTS REVIEWS		
12/16	UPDATED SURVEY TO REFLECT CLIENTS REVIEWS		

Designed by:	Den By: JCM	Checked by: JCM	Reviewed by: AMY	Submitted by: Juan C. Mendez	File name: BOUNDARY_172 FLD	Plot date: 12/17/17	Plot scale: 1"=20'
Date: 12/31/18	Rev.	Design file no: 201811.01					

CLIENT:
172 FLORIDA AVE, LLC.
SHEET 2 OF 2

THIS DOCUMENT CONSISTS OF TWO (2) SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER

	ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerAddress3	OwnerCityStZip	Country
1	00479390-000000	157 FLORIDA AVE LLC	200 Florida Ave			Tavernier, FL 33070	
2	00479030-000000	160 GEORGIA AVE LLC	135 N Airport Rd			Tavernier, FL 33070	
3	00479380-000000	300 TAVERNIER STREET LLC	750 Park of Commerce Blvd	Ste 210		Boca Raton, FL 33487	
4	00479340-000000	308 TAVERNIER STREET LLC	200 Florida Ave			Tavernier, FL 33070	
5	00482350-002500	AESIF PATRICIA	459 Hinman Rd			Watertown, CT 06795	
6	00482350-003000	AMET ARMANDO	1131 Starling Ave			Miami Springs, FL 33166	
7	00478980-000000	BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY	1100 Simonton St	Ste 205		Key West, FL 33040	
8	00479020-000000	BUDMAN ERIK D	154 Georgia Ave			Tavernier, FL 33070	
9	00482350-001500	CHARNEY ROBERT S	4521 Pga Blvd	Pmb 403		Palm Beach Gardens, FL 33418	
10	00478840-000100	CORKFRY LLC	PO Box 1170			Tavernier, FL 33070	
11	00482350-003400	COX JR ROBERT L	200 Harborview Dr	Ph 2		Tavernier, FL 33070	
12	00479440-000000	DENNIS JAY R	168 Hood Ave			Tavernier, FL 33070	
13	00089890-000000	DOT/ST.OF FL	3900 The Capitol			Tallahassee, FL 32399	
14	00482350-000700	DOXEY WILLIAM S	200 Harborview Dr	Apt 107		Tavernier, FL 33070	
15	00482350-003300	EILER DAVID W AND SANFORD-EILER ROBIN JO REVOCABLE TRU	11558 Buckhaven Ln			Palm Beach Gardens, FL 33412	
16	00481780-000000	FG KEY HAVEN LLC	10267 SW 22nd Pl			Davie, FL 33324	
17	00478680-000000	FLORIDA KEYS MASONIC LODGE NO 336 F&AM	PO Box 735			Tavernier, FL 33070	
18	00482350-001800	FORS ANA L	1813 Country Club Prado			Coral Gables, FL 33134	
19	00482350-003500	FREELAND BARBARA	200 Harborview Dr	# PH-3		Tavernier, FL 33070	
20	00478300-000000	G AND W 2009 INVESTMENT LLC	8 N Bounty Ln			Key Largo, FL 33037	
21	00479450-000000	GANGANATH FRANK	160 Hood Ave			Tavernier, FL 33070	
22	00482350-002300	GARRIS STAMATIA E	300 E Washington St			Ann Arbor, MI 48104	
23	00479430-000000	GILLEN CAROL	35396 Bayshore Ln			Millsboro, DE 19966	
24	00478840-000000	GLADE CLIFFORD M	165 Georgia Ave			Tavernier, FL 33070	
25	00479010-000000	GOLF STREAM STORAGE LLC	90575 Old Hwy			Tavernier, FL 33070	
26	00478800-000000	GORDON GAIL W	PO Box 439			Tavernier, FL 33070	
27	00482350-002200	GORE GRANT L EXEMPT TRUST 2	609 Highway 466			Lady Lake, FL 32159	
28	00482350-000600	GREENSPAN ALLEN AND CATHY REVOCABLE TRUST	200 Harborview Dr	Apt 106		Tavernier, FL 33070	
29	00482350-003100	HOOD MARY GRACE	200 Harborview Dr	# 507		Tavernier, FL 33070	
30	00090330-000200	HOOD RENTALS INC	PO Box 373006			Key Largo, FL 33037	
31	00482350-001400	JANSEN BERNARD A REVOCABLE TRUST 09/30/2022	C/O BERNARD A JANSEN CO TRUSTEE	316 BICE AVENUE SW		Buffalo, MN 55313	
32	00482350-000100	JANSEN BETH M	200 Harborview Dr	Apt 101		Tavernier, FL 33070	
33	00090190-000000	KEYS 90 LLC	97241 OVERSEAS HWY			Key Largo, FL 33037	
34	00482350-000900	KRAEMER MARYANNE	200 Harborview Dr	Apt 109		Tavernier, FL 33070	
35	00482350-000500	LENCESES DAVID B	47 Winchester Dr			Freehold, NJ 07728	
36	00482350-003800	LENESES DAVID B	47 Winchester Dr			Freehold, NJ 07728	
37	00482350-002700	LONG CAROLYN	9113 Talway Cir			Boynton Beach, FL 33472	
38	00090180-000000	LOWE HOUSE CORPORATION	91770 Overseas Hwy			Tavernier, FL 33070	
39	00482350-002400	MANOLAKAS DEMETRA	20222 JOHN R St			Detroit, MI 48203	
40	00479060-000000	MATTHEWS DANIELLE R	171 Marine Ave			Tavernier, FL 33070	
41	00478750-000000	MATTHEWS LORI A	160 Florida Ave			Tavernier, FL 33070	
42	00478971-000000	MONROE COUNTY	1100 Simonton St			Key West, FL 33040	
43	00482350-000200	NUECHTERLEIN TERRI	200 Harborview Dr	Apt 102		Tavernier, FL 33070	
44	00090160-000100	OCONNOR BRAIN AND CONSTANCE REVOCABLE TRUST 05/17/2	14733 Morgan Close			Wellington, FL 33414	
45	00482350-003700	O'NEIL BRIAN	PO Box 199			Tavernier, FL 33070	
46	00482350-001200	PALMER MICHELLE	10 Sanclemente Cir			Milford, MA 01757	
47	00478720-000000	PANSE JOSEPH J	246 S Coconut Palm Blvd			Tavernier, FL 33070	
48	00482350-000400	PARADELA ALEXIS D	200 Harborview Dr	Apt 104		Tavernier, FL 33070	
49	00482350-002600	POCILUYKO TERRENCE P & KAREN J TRUST 12/23/2021	200 Harborview Dr	Apt 502		Tavernier, FL 33070	
50	00482350-002100	RICE MICHAEL S	2330 Sea Island Dr			Fort Lauderdale, FL 33301	

51	00482350-001100	RILEY KATHERINE D 2010 LIV TRUST RESTATED 4/1/2015	1431 Sheridan Rd		Wilmette, IL 60091
52	00482350-001300	RITCHIE DONNA L	200 Harborview Dr	Apt 113	Tavernier, FL 33070
53	00482350-003600	RODRIGUEZ YOSEL	13102 SW 185th Ter		Miami, FL 33177
54	00482350-001600	RUIZ MARTIN	10300 NW 6th St		Plantation, FL 33324
55	00482350-001900	RYERSON SHARON M	4386 Shady Dr		Manitou Beach, MI 49253
56	00481790-000000	SACO DACYL	15715 SW 89th Ave		Palmetto Bay, FL 33157
57	00482350-001000	SAUNDERS GREGORY T	26 Leanore Dr		Farmingdale, NY 11735
58	00482350-000800	SIMPSON REVOCABLE TRUST 9/13/2017	9410 Scenic Bluff Dr		Austin, TX 78733
59	00479170-000000	SUMMIT TAVERNIER LLC	200 Florida Ave		Tavernier, FL 33070
60	00479150-000000	SUMMIT TAVERNIER LLC	4521 Pga Blvd	Ste 403	Palm Beach Gardens, FL 33418
61	00478410-000000	SUNSHINE GASOLINE DISTRIBUTORS INC	1650 NW 87th Ave		Doral, FL 33172
62	00090330-000100	TAVERNIER MINI STORAGE INC	PO Box 373006		Key Largo, FL 33037
63	00479330-000000	TAVERNIER PROFESSIONAL OFFICES LLC	91750 Overseas Hwy		Tavernier, FL 33070
64	00090170-000000	TC KEYS LLC	2219 Belvedere Rd		West Palm Beach, FL 33406
65	00482350-002000	TRENDEL DENNIS J	200 Harborview Dr	Apt 307	Tavernier, FL 33070
66	00482360-000000	TUCKER R	PO Box 144366		Coral Gables, FL 33114
67	00482350-003200	UNTERBRINK MARY L	4035 NW 7th Pl		Deerfield Beach, FL 33442
68	00482350-002800	WARREN JOHN WARREN	905 Roderigo Ave		Coral Gables, FL 33134
69	00482350-001700	WERNER CHRYSANTHI FAIRCHILD	200 Harborview Dr	Apt 304	Tavernier, FL 33070
70	00482350-002900	WIRTZ RAYMOND AND ANNE JOINT LIVING TRUST 06/11/2013	24225 W Saxony Dr		Lake Villa, IL 60046
71	00479310-000000	YAYOU LLC	198 Azalea St		Tavernier, FL 33070

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

We strive to be caring, professional, and fair.

October 31, 2018

Thomas Skidmore
172 Florida Ave., Suite A
Tavernier, FL 33070
tphskidmore@gmail.com

Letter of Development Rights Determination (LDRD), File # 2018-160
172 Florida Ave., LLC
172 Florida Ave, Key Largo
Parcel ID# 00478760-000000

This letter is in response to your request for a determination as to the number of permanent residential dwelling units on the property that were lawfully established and thereby exempt from the Rate of Growth Ordinance (ROGO) permit allocation system on the above-described subject lands.

Please note, this letter is being provided as additional information has recently been identified. The letter provided to the applicant dated October 5, 2018 is no longer applicable. This letter shall act as a final determination for LDRD File No. 2018-160.

Background Information:

Address: 172 Florida Ave., Key Largo

Location and Legal Address: Approximately Mile Marker 92, Block 2, Lot 16 and 17, Tavernier

Parcel ID (Real Estate) Number: 00478760-000000

Previous Parcel ID (Real Estate) Numbers: n/a

Property Owner/Applicant: 172 Florida Ave., LLC

Agent: Mr. Thomas Skidmore

Size of Site: approx. 16,235 sq. ft. (0.37 acres)

Land Use District: Mixed Use District (MU)

Future Land Use Map (FLUM) Designation: Mixed Use/Commercial (MC)

Tier Designation: III

Existing Uses: Multi Family Residence as per MCPA records

Existing Vegetation / Habitat: n/a



Subject Property (outlined in blue) with Land Use Zoning District MU identified (Aerial dated 2015)

The applicant is requesting recognition of **four (4) permanent residential dwelling units** in existence on the property, and thereby exempt from the ROGO permit allocation system.

Residential Dwelling Units:

As defined in LDC Sec. 101-1, *dwelling unit* means one or more rooms physically arranged for occupancy by one residential household sharing common living, cooking, and toilet facilities.

As defined in LDC Sec. 138-19 (a), *lawfully established for ROGO/NROGO exemption* means a dwelling unit or non-residential floor area that has received a permit or other official approval from the division of Growth Management for the unit and/or non-residential floor area.

Pursuant to LDC Sec. 138-20, no building permit shall be issued for a new dwelling unless the dwelling unit has received a residential dwelling unit allocation award, or is determined to be exempt.

Pursuant to LDC Sec 138-22, the Planning Director shall review available documents to determine if a body of evidence exists to support the lawful existence of units on or about July 13, 1992, the effective date of the original ROGO. Such evidence shall be documented and submitted to the Planning Director on a form provided by the Planning and Environmental Resources Department. Any issued Monroe County building permit(s) for the original construction of the structure confirming the existence of the dwelling

unit(s) and its use(s) on or about **July 13, 1992** can stand as the only piece of evidence for a ROGO exemption.

If there are no building permit(s) for the original construction of the structure which confirm the lawful existence of the dwelling unit(s) and its use(s) on or about July 13, 1992, in order to grant an exemption, at least two of the following documents supporting the lawful existence of the units must be found. The original building permit for the construction of the building (Permit 13455 identified below) was not for four dwelling units within the building. Therefore, additional documentation as noted below was reviewed to establish the number of legally existing dwelling units on or about July 13, 1992.

(1) Any other issued Monroe County building permit(s) supporting the existence of the structure(s) and its use(s) on or about July 13, 1992;

The following building permits supporting the existence of the building/structure and uses are on file in the Building Department's records:

Permit No.	Date Issued	Description
RE 00478760.000000		
13455	05/05/1967	Construction of a 25' x 30' 2 story structure
C1476	04/23/1976	Addition to existing structure. This permit listed the intended use of the property as additional storage and second floor living for watchman, while the existing use listed at this time was "shop and storage"
C2861	06/21/1977	One car garage on concrete slab
C12902	05/19/1983	Add electric meter to separate distribution panels: add meter to separate panels, caretakers quarters on separate panel and meter
8830000254	04/27/1988	Re-roof entire roof area, partial residence and office, 1900 sq. ft.

Building permit 13455 identified the construction of a dwelling unit and office within the original structure (see attachment 5). Building permit C1476, which was for an addition to the existing building, was for a caretaker's facility which included a bedroom, bathroom and kitchen (see attachment 6). Additional information on the caretaker's residence is provided under number 8.

The building permits from 1983 and 1988 confirm the existence of the structure, and the existence of an office and caretaker's facility within the structure. There is no confirmation of additional uses/units for the property through the building permits found for the subject lands.

The building permits for 172 Florida Ave., Key Largo, do not provide confirmation of more than two (2) dwelling units for the subject lands on or about July 13, 1992.

(2) Documentation from the Monroe County Property Appraiser's Office indicating residential use on or about July 13, 1992;

The subject property is currently assessed under Real Estate # 00478760-000000. The current Property Class is Multi Family Less Than 10 Units (0800). MCPA records indicate that a 2 story multi family residence (R-4) exists currently, with a year built of 1968.

A property record card for the subject lands was found in building permit application 9330010391, with the record card dated August 5, 1992 (Attachment One). The record card indicates the property is assessed as R1 SFR, indicating a singular residence on the subject property in the existing building at this time.

An additional Property record card from 07/03/1993 was found in Planning's review of the subject lands through building permit application 9330012057. The property record card from 1993 (Attachment Two) states that the property is assessed as R1, SFR. This indicates that, at this time, a singular residence was assessed as existing on the subject lands.

County Property Appraiser's documentation found in the Monroe County Building Department permit files indicates the existence of one residential dwelling unit within the existing building on the subject property on or about July 13, 1992.

(3) Aerial photographs (to confirm the number of structures, not the type of structure) and original dated photographs showing the structure(s) existed on or about July 13, 1992;

Aerial photos from 1968 to present indicate the existence of a structure on the subject lands. As a note, aerial photography cannot necessarily confirm the number of dwelling units on a site at any given time.

(4) Residential County Directory entries on or about July 13, 1992;

The 1991 and 1992 directories were reviewed for 172 Florida Ave.. Those entries are shown below. The phone directories show only one phone number for the subject lands at this time:

1991 Phone Directory

• FLORIDA AVE •
TAVERNIER
33070

151			---
152	PAUL STERLING G JR	81	852-5259
156	NICKS GERALD	86	852-7721
157			---
159	LOWE PENNY	92	852-4361-
159	TISHER VICKI	82	853-0374-
160	JORGENSEN JAY	92	853-0009-
160	JORGENSEN VICKIE		852-7145
172	MEGUIRE RALPH	90	852-1405
177	ICEGARDEN JAMES	84	852-8000-
200	BACK COUNTRY BOAT	84	852-8611
200	CAMPBELL S MARTINA	84	852-8738

1992 Phone Directory

• FLORIDA AVE •
TAVERNIER
33070

151			---
152	PAUL STERLING G JR	81	852-5259
156	NICKS GERALD	86	852-7721
157			---
160	JORGENSEN VICKIE		852-7145
172	MEGUIRE RALPH	90	852-1405
177			---
200	ABSTEN JEFF&TIFFANY	81	852-82330
200	BACK COUNTRY BOAT	84	852-8611

(5) Rental, occupancy or lease records, on or about July 13, 1992, indicating the number, type and term of the rental or occupancy;

No rental, occupancy or lease records were provided for review.

(6) State and/or county licenses, on or about July 13, 1992, indicating the Residential use;

No state or county licenses were submitted by applicant, and none were reviewed by staff.

(7) Documentation from the utility providers indicating the type of service (commercial or residential) provided and the number of meters in existence on or about July 13, 1992;

No documentation was provided from a utility provider that indicated service for multiple dwelling units at 172 Florida Ave., prior to July 13, 1992.

(8) Similar supporting documentation not listed above as determined suitable by the Planning Director.

Under the previous Monroe County Code, effective October 1, 1979, the subject property was zoned Medium Business District (BU-2). Prohibited uses at that time included any residential use, although living quarters for watchmen and caretakers were permitted.

Although a caretaker's residence was not considered a residential use at the time of construction, with the update to the County Code and the establishment of ROGO, this addition can be considered an established dwelling unit.

Lawfulness Determination:

Based on the above review, a review of the documents submitted in the application associated with the subject property, the Comprehensive Plan provisions, and the Land Development Code sections, the Planning and Environmental Resources Department has determined that **two (2) residential dwelling units were lawfully established on or about July 13, 1992**, and is exempt from the ROGO permit allocation system pursuant to LDC Section 138-50.

* * * * *

This letter does not provide any vesting to existing regulations and the replacement of any new structures/uses must be built in compliance with all applicable regulations of the Monroe County Code and Comprehensive Plan at the time of development approval. Furthermore, if the exempted development is not replaced, but substantially improved as defined in the Monroe County Code, such development must be brought into compliance with all applicable regulations.

You may appeal decisions set forth in this letter. The appeal must be filed with the County Administrator, 1100 Simonton Street, Gato Building, Key West, FL 33040, within thirty (30) calendar days from the date of this letter. In addition, please submit a copy of your application to the Planning Commission Coordinator, Monroe County Planning & Environmental Resources Department, 2798 Overseas Hwy, Suite 410, Marathon, FL 33050.

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.

Sincerely,



Emily Schemper, AICP, CFM
Acting Senior Director of Planning and Environmental Resources

Attachments:

1. Property Record Card dated 08/05/1992
2. Property Record Card dated 07/03/1993
3. Miscellaneous Report dated 06/24/1993
4. Survey for 172 Florida Ave., 1993

5. Original Building Permit 13455 Approved Building Layout
6. Building Permit C1476 – Approved Layout for Addition (Caretaker's Residence)

PARCEL/NAME: 00478760-000000 HARTSING ROBERT A

G 2

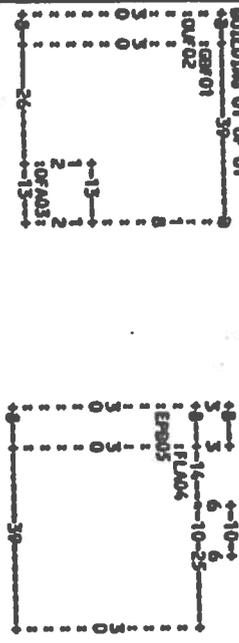
OASIS - NORMAN COUNTY
 PROPERTY RECORD CARD 07/03/93

HARTSING ROBERT A
 NO BOX 399
 TAVENNER FL 33070
 PARCEL 00478760-000000 34 42 38
 ALTERNATE KEY 1583501 HILL GROUP 500P
 4385 2 16

LAND DATA 01
 LINE USE FRONT 0
 01 1000 0
 NEIGHBORHOOD 1643 TAVENNER PRT-105 NW 92
 1.000
 TOTAL LAND CLASSIFIED 16,442
 TOTAL LAND JUST VALUE 0

LEGAL DESCRIPTION
 BK 2 LT 16 TAVENNER-KEY LARGO PRT-105
 06598-144 0613-033 26104-180/181L/171LNU 081349-44(CS)

BUILDING SKETCH
 BUILDING 01 OF 01



BUILDING CHARACTERISTICS
 APPRAISED BY 001 ERVIN A. NIGGS ON
 NEXT REVIEW 00/00
 YEAR BUILT 1968
 FUNCTIONAL OBSOLESCENCE 0
 SPEC. INC. CODE 189.0
 LOCATIONL OBSOLESCENCE 0

SECTION ID	EXTERIOR WALL TYPE	NEAR STORIES	ROLL VR	ATTIC FINISH	BASEMENT FINISH	FLOOR AREA
01	REIN CONC	1.0	68	N	0	1,014.0 SF
02	REIN CONC	1.0	68	N	0	240.0 SF
03	REIN CONC	1.0	68	N	0	156.0 SF
04	REIN CONC	1.0	68	N	0	1,170.0 SF
05	REIN CONC	1.0	68	N	0	240.0 SF
06	REIN CONC	1.0	68	N	0	24.0 SF
07	REIN CONC	1.0	68	N	0	60.0 SF

PARCEL/NAME: 00478760-00000 HARTSING ROBERT A

H 2

BUILDING 01 01 01
 ROOF TYPE 02 GABLE/ZIP
 ROOF COVER 03 ASPHALT SHINGL
 FOUNDATION 00 CONC AND 04 PLASTER
 INT. FINISH 06 NONE 03
 SMC. HEAT 01 NONE 00
 TYPE HEAT 01 NONE

REARDOORS 2
 FIREPLACES 0
 BUILT-IN KITCHEN N
 DISHWASHER N
 VACUUM N
 INTERCOM N
 SECURITY N
 AIR-CONDITIONING N
 GARAGE DISPOSAL N
 COMPACTOR N

MISCELLANEOUS IMPROVEMENTS
 TYPE NUMBER UNITS UNIT TYPE LIFE YEAR IN GRADE LENGTH WIDTH DEP. VALUE
 002 CUNA 288.00 SF 60 1978 5 0.0 TOTAL 3,888

COST/MARKET METHOD.....
 BLDG REPLACEMENT COST 89,436
 ADJUSTED REPLACEMENT COST 88,542
 BLDG. VALUES 88,542 06/15/89
 M.T. VALUES 3,888 06/15/89
 LAND VALUES 108,912 10/01/92
 PROP VALUES 108,912

VALUE SELECTED
 SPECIFIED BY ERVIN A. HIGGS ON 01/01/89 VALUE METHOD 1 COST/MARKET METHOD
 VALUE 108,912

HISTORY OF TAXABLE LAND YEAR	FAVORABLE VALUE	BUILDING VALUE	MISC. IMPROV./EQUIP VALUE	ASSESSED VALUE	EXEMPTION VALUE	TAXABLE VALUE
1982	5,077	50,217	1,233	56,527	0	56,527
1983	5,077	48,511	1,233	55,821	0	55,821
1984	0,555	46,511	1,233	60,299	0	60,299
1985	0,555	51,883	1,233	62,671	0	62,671
1986	0,555	53,361	1,233	64,149	0	64,149
1987	0,555	53,167	1,233	63,935	0	63,935
1988	0,555	53,495	1,233	64,383	0	64,383
1989	10,280	88,542	4,251	103,781	0	103,781
1990	12,830	88,542	4,147	105,509	0	105,509
1991	10,482	88,542	4,047	102,048	0	102,048
1992	10,482	88,542	3,992	109,016	0	109,016

SALES HISTORY
 D.R. D.R. DATE INSTRUMENT TRANSFER CODE QUALIFIED VACANT IMPROVED SALE PRICE
 BOOK PHASE DATE INSTRUMENT TRANSFER CODE QUALIFIED IMPROVED SALE PRICE

EQUIPMENT LINES
 TYPE DESCRIPTION # UNITS LN RATE YEAR IN/PUT DEPR VALUE

TOTM. VALUES
 TOTAL-J-VAL 108,912
 TOT-EXPT-VAL 0
 T-VALUE 108,912
 PREV-TX-VAL 109,016
 PREV-JUST 109,016
 NET-COM-VAL 0

Attachment Three

Miscellaneous Information Inquiry Report dated 06/24/1993, provided with Building Permit Application 9330010391.

Print Key Output Page 1
5738SS1 V2R2M0 920925 MONROE 06/24/93 11:29:17

Display Device : BC
User : BIGLIN

BP200I02 Monroe County Building Department 6/24/93
Application Miscellaneous Information Inquiry 11:29:10

Application nbr . . : 88 30000254
Property : L16,B2,TAVERNIER,FLA AVE

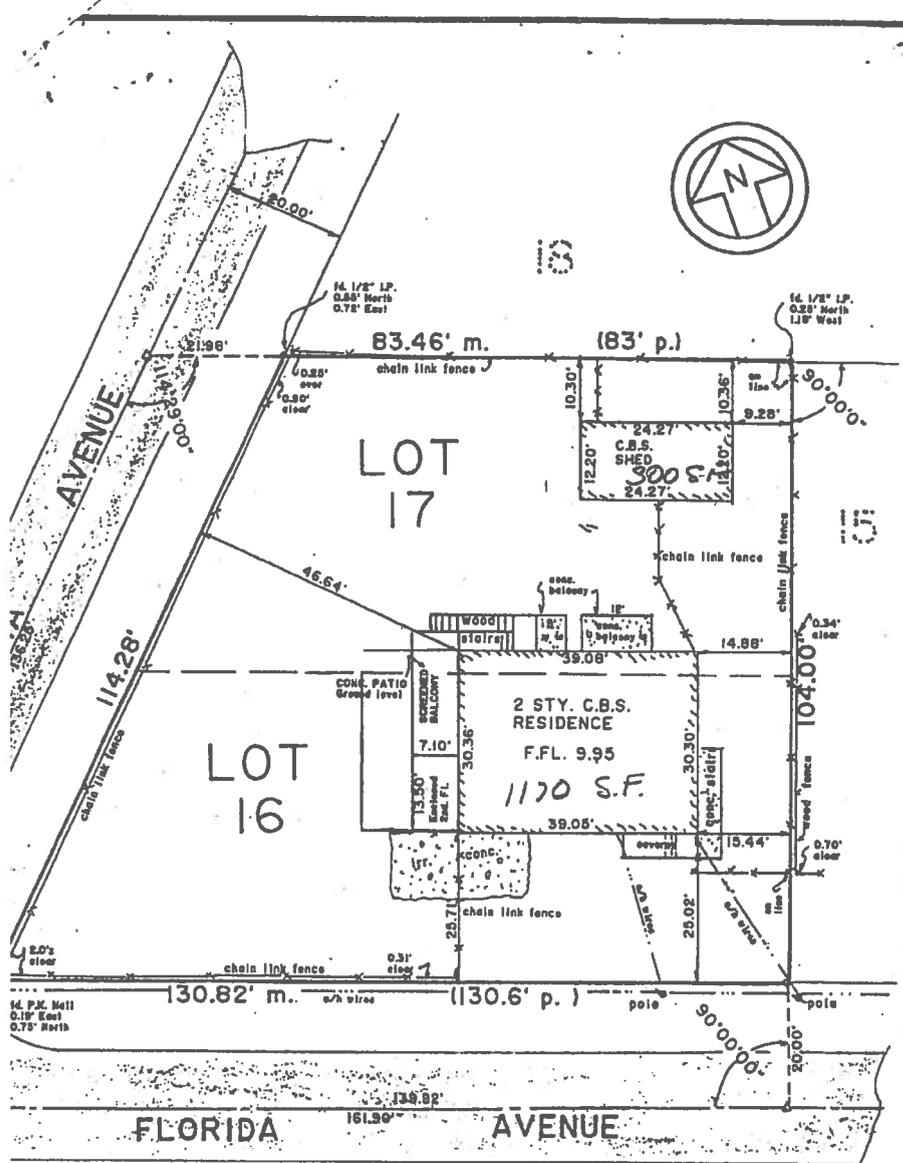
Code Freeform information	Date	Display note at Permit Insp C.O.	Print flag
INFO RE-ROOF (ENTIRE ROOF AREA) PARTIAL	0/00/00		
INFO RESIDENCE AND OFFICE 1900 SQ. FT.	0/00/00		
INFO PERMIT AMOUNT \$114.00 PD BY CK	0/00/00		
INFO TIB #5835	0/00/00		

Press Enter to continue.

F3=Exit F12=Cancel

Attachment Four

1993 Survey for 173 Florida Ave, completed by Frederick Hildebrandt, Surveyor.



Hartsing orida Avenue, Tavernier, Florida				FREDERICK H. HILDEBRANDT ENGINEER SURVEYOR PLANNER	
BOUNDARY SURVEY			Dwn. No. 93-159		3150 Northside Drive Suite 101 Key West, Fl. 33040 (305) 293-0466 Fax. (805) 293-0237
=20'	Ref.	Flood Panel No. 0994-F	Dwn. By: FHH		
/93	97-60	Flood Zone: AE	Flood Elev: 9'		
REVISIONS AND/OR ADDITIONS					
MOBILE (305) 951-8146					

**MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT**



Ownership Disclosure of Interest

Pursuant to Section 101-6 of the Land Development Code, this form shall accompany land-use related applications. The intent is to disclose the identity of true parties in interest to the public, thereby enabling the public to ascertain which parties will potentially benefit.

Any person or entity holding real property in the form of a partnership, limited partnership, corporation, assignment of interest, trust, option, assignment of beneficial or contractual interest, or any form of representative capacity whatsoever for others, except as otherwise provided, shall, during application submittal for a specified application types, make a public disclosure, in writing, under oath, and subject to the penalties prescribed for perjury. Exemptions to the requirements of this section include the beneficial interest which is represented by stock in corporations registered with the federal securities exchange commission or in corporations registered pursuant to Chapter 517, Florida Statutes, whose stock is for sale to the general public.

This written disclosure shall be made to the planning director at the time of application. The disclosure information shall include the name and address of every person having a beneficial or contractual interest in the real property, however small or minimal.

- If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

- If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>
172 FLORIDA AVE, LLC	
172 Florida Avenue, Key Largo, FL 33052	
Robert Charney	50%
Felix Charney	50%

- If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

* In the case of a trust, the four largest beneficiaries must also sign the affidavit.

- If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

- If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners. (Use additional sheets if necessary):

<i>Name and Address</i>	<i>% of Ownership</i>

* Please provide date of contract _____

- If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. (Use additional sheets if necessary):

<i>Name and Address</i>

By signing this form, the signer certifies that he or she is a person who is familiar with the information contained in the form, and that to the best of his or her knowledge such information is true, complete and accurate.

Printed Name / Signature of Person Completing Form: Jacob McMathon

STATE OF FLORIDA

COUNTY OF MONROE

Sword to and subscribed before me, by means of either physical presence OR online notarization, on 6 day of OCTOBER, 2023, by JACOB C. McMATHON
(PRINT NAME OF PERSON MAKING STATEMENT)

Who is personally known to me OR produced N/A as
(TYPE OF ID PRODUCED) identification.

Brandi Green
SIGNATURE OF NOTARY PUBLIC

Brandi Green
PRINT, TYPE OR STAMP COMMISSIONED
NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES:

