

Year 10 BPAS



3701 EAGLE AVENUE, LOT 11

1 MARKET-RATE UNIT



GREGORY S. OROPEZA | ADELE VIRGINIA STONES | SUSAN M. CARDENAS

VIA HAND DELIVERY

November 4, 2022

Katie Halloran, Director of Planning
City of Key West Planning Department
1300 White Street
Key West, FL 33040

RE: Request for Market Rate Building Permit Allocation System Allocations for
Lot 11 at 3701 Eagle Avenue, Key West, Florida 33040

Dear Mrs. Halloran:

Please allow this correspondence to serve as an application for one (1) residential Building Permit Allocation System ("BPAS") unit on behalf of Paul J. DePoo, Jr. and Gretchen R. DePoo ("DePoo" or "Applicant"). DePoo intends to develop the BPAS Unit at the real property located at Lot 11 at 3701 Eagle Avenue, Key West, Florida 33040 (the "Property"). As counsel for DePoo, my firm submits the following application and supporting documents for your consideration:

Title Block:

- | | |
|-------------------------------|--|
| a. Name of Owner: | Paul J. DePoo, Jr. and Gretchen R. DePoo |
| b. Scale: | 1/4" = 1' |
| c. North Arrow: | As identified on the site plan |
| d. Preparation/Revision Date: | October 13, 2022 |

Identification of Key Persons:

- | | |
|--|---|
| a. Owner: | Paul J. DePoo, Jr. and Gretchen R. DePoo |
| b. Owner's Authorized Agent: | Gregory Oropeza- Oropeza, Stones & Cardenas, PLLC |
| c. Engineer: | Bush Sneed, P.E. |
| d. Surveyor: | J. Lynn O'Flynn, Inc. |
| e. The undersigned certifies that all individuals/entities with a legal and equitable interest in the Property are as follows: Paul J. DePoo, Jr. and Gretchen R. DePoo are the sole owners of the Property. | |

Project Description: The proposed project is a single-family residence. The existing parcel consists of two (2) platted lots, one with a two (2) family residence and the second is a vacant platted lot. The parcel will be split with the Property Appraiser, and the newly designated parcel consisting of a vacant lot (lot 11) will be developed to consist of one (1) single-family unit.

Other Project Information:

- a. Proposed Phases of Development and Target Dates:
 - i. Single Phase – Completion of one (1) single family residential unit on the parcel currently consisting of a vacant lot (Lot 11).
- b. Expected Date of Completion – On or before two (2) years from the award of the building permit.

Intergovernmental Coordination:

All intergovernmental coordination shall be completed as required by the City.

Description of Proposed Development and Use:

The proposed project is a single-family residence. The existing parcel consists of two (2) platted lots, one with a two (2) family residence and the second is a vacant platted lot. The parcel will be split with the Property Appraiser, and the newly designated parcel consisting of a vacant lot (lot 11) will be developed to consist of one (1) single-family unit.

Solution Statement:

The proposed market rate unit development shall be designed and constructed utilizing methods and techniques which will allow the Applicant to achieve the Silver Standard for Florida Green Building Code. The Applicant's sustainable building consultant will coordinate the FGBC certification process, providing the FGBC baseline certification prior to the issuance of a Certificate of Occupancy. All development shall incorporate mitigative standards and techniques to minimize any adverse impacts to surrounding properties and environmental concerns. The storm water plan and the landscape plan for the Property shall meet or exceed the requirements of the Code. A cistern will be installed, in accordance with the BPAS Ordinance, thereby reducing the use of potable water for irrigation and outdoor water needs.

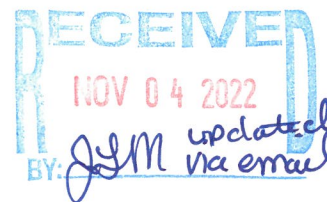
Thank you for your consideration of this application and attendant documents. We look forward to working with you and Planning staff on this project.

Very truly yours,



Gregory S. Oropeza, Esq.

GSO
Enclosures



Building Permit Allocation System (BPAS) Application
(Year 10: July 1, 2022 - June 30, 2023) – Market Rate

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040-4602 • 305-809-3764 • www.cityofkeywest-fl.gov

Application Fees:

- \$ 1,212.75 for the first unit
- \$ 1,155.00 each unit starting with 2 units up to 10 units
- \$ 1,102.50 each unit starting with 11 units up to 20 units
- \$ 1,050.00 each unit starting with 21 units or more

A. APPLICANT / AGENT (if applicable): Property owner must submit a notarized authorization form authorizing the applicant / agent to act on their behalf (Exhibit A).

Name: Gregory S. Oropeza

Mailing Address: 221 Simonton Street

City: Key West

State: Florida

Zip: 33040

Home/Mobile Phone: _____

Office: 305-294-0252

Email:

greg@oropezastonescardenas.com

PROPERTY OWNER:

Name:

Paul J. DePoo, Jr. and Gretchen R. DePoo

Mailing Address: 27 Driftwood Drive

City: Key West

State: FL

Zip: 33040

Home/Mobile Phone: 305-587-3020

Office: _____

Email: greg@oropezastonescardenas.com

PROPERTY DESCRIPTION AND ZONING INFORMATION:

Site Address: Lot 11 at 3701 Eagle Avenue, Key West, FL 33040

Parcel ID RE#: 00053710-000000

Alternate Key: 1054321

Zoning District: SF

Density Allowed: 1 DU

Commercial Floor Area: N/A

CITY OF KEY WEST –BUILDING PERMIT ALLOCATION SYSTEM (BPAS) YEAR 10 APPLICATION MARKET RATE

Size of Site:

B. EXISTING DEVELOPMENT:

Please provide a brief description of how the property is currently used:

The parcel currently consists of two (2) platted lots. One lot currently consists of a two (2) family residence, and the second, Lot 11, is a vacant lot.

EXISTING AND PROPOSED DWELLING UNIT INFORMATION			
Dwelling Unit Description	NUMBER OF DWELLING UNITS:		
	EXISTING	LICENSED RECOGNIZED	PROPOSED
Market-Rate Residential Dwelling Unit(s)	2	2	3
Affordable Residential Dwelling Unit(s)	0		0
Transient Unit(s)	0		N/A
Accessory Dwelling Unit(s)	0		0
Single Room Occupancy Unit(s)	0		0
Nursing Home Unit(s)	0		0
Total Number of Units Requested	0		1

Please provide City Licensing Records from the Building Department.

Standalone Affordable Housing projects are subject to Section 122-1467(c), (d), (e), and (f) of the Workforce Housing Ordinance. Applicant Eligibility Requirements are subject to Section 122-1469 (1) through (15) of the Workforce Housing Ordinance. Affordable housing projects enabled by federal tax credit housing are not subject to 122-1467(c).

Accessory dwelling units in the SF zoning district are subject to Section 122-231 through 122-238 of the Land development Regulations.

C. PROPOSED DEVELOPMENT:

Please indicate the scope of the proposed development as it relates to the BPAS (Section 108-997 (B)).



Major construction / renovation – meaning new development, additions to existing structures, or redevelopment constituting more than 50% of the value of the existing building.



Minor renovation- meaning redevelopment constituting less than 50% of the value of the existing building.

Is this property located within a Historic Zoning District?

Are buildings on the property listed as contributing historic structures?

Is the proposal for mixed residential and commercial use?

Are density bonuses proposed?

Yes	No X
Yes	No X
Yes	No X
Yes	No X

Advanced affordable allocation request?

Yes	No <input checked="" type="checkbox"/>
-----	--

Will the allocation require development review?

Yes

☐

No

☒

If yes, please specify what type of development review will be required. _

Variance(s)	
Lawful Unit Determination	
Minor Development Plan	
Major Development Plan	
Beneficial Use	
Transient Transfer	
Conditional Use	
HARC	
Tree Commission	
Other	

D. APPLICANTS MUST ATTACH ALL DOCUMENTATION REQUESTED BELOW:

1. **Description of Proposed Development and Use.** Please be specific, describe and list existing, and proposed buildings and uses, accessory structures and uses, type and number of dwelling units, parking, etc. If there is more than one use, describe in detail the nature of each use (Please reference Sections 108-226 through 108-232). For properties proposing to utilize density bonuses for compact infill development projects, please include a description of how the project meets the criteria established in Code Section 108-998 and an analysis of how many density bonus units are requested.
2. **Solution Statement.**
 - a. Describe aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, recycling, energy conservation, historic and archeological resource protection, affordable housing, and impacts on neighbors such as lighting, noise, traffic, and parking.
 - b. Describe how you intend to meet the Prerequisites (A or B described below) for a Major or Minor construction/renovation project (City Code Section 108-997 (B)):
(A)Major Construction/Renovation Prerequisites. The minimum standards for new development, including additions to existing structures, or redevelopment constituting more than 50% of the value of the building, required in order to be eligible to receive an allocation award from the BPAS system are as follows:
 - a. All new units shall be constructed in compliance with and obtain a **Baseline Green Building Certification.**
 - b. All new buildings shall be constructed to have the **first habitable floor 1.5 feet above the required base flood elevation**, except for properties located within the historic zoning districts, where the applicant must first demonstrate that such elevation does not interfere with the essential form and integrity of properties in the neighborhood by obtaining a certificate of appropriateness.
 - c. All new buildings shall be constructed with a **rainwater catchment system** that will hold a minimum of 300 gallons of water or an amount equivalent to 100% of the new roof area in gallons whichever is greater.
* (See page 4 of application.)
 - (B)Minor Renovation Prerequisites.** For development constituting less than 50% of the value of the existing building, the applicant must demonstrate water and energy use 15% below the Florida Building Code using recognized energy and water rating standards by providing a copy of the Required Energy and Water Baseline Report consisting of 12 months of energy and water use. For Commercial buildings (including multifamily), building data must be input into EPE Portfolio Manager (<https://www.energystar.gov/istar/pmpam/>), and access to building data given to the City of Key West. For residential, either Energy Gauge or RESNET may be used to establish a baseline. Please provide a description of 15% of both water and energy use will be reduced on the property.
3. Copy of current, recorded warranty deed. Quit claim deeds will not be accepted.
4. Up-to-date signed and sealed survey (Section 108-240).
5. Flood Elevation Certificates (New Construction) (Section 34-127).

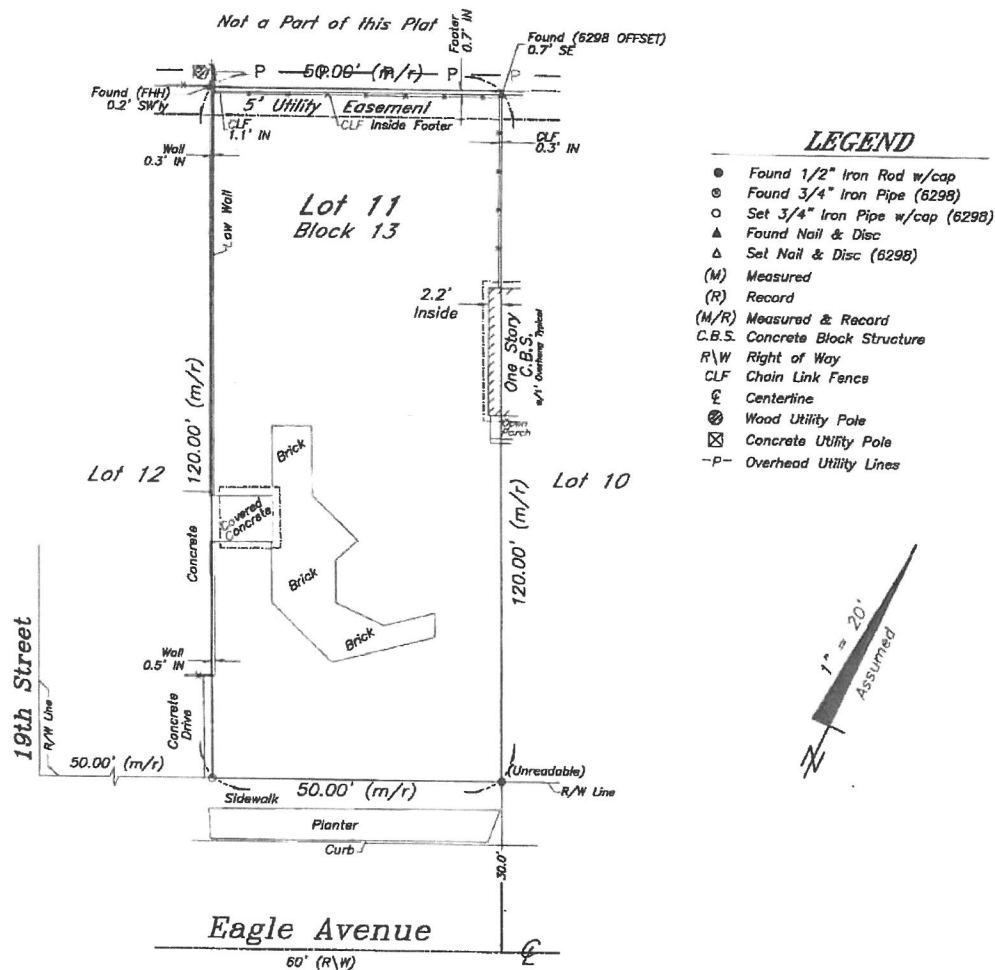
6. Copy of City licensing records for existing units.
 7. Signed and Notarized Verification and Authorization Forms (*Exhibit A*).
 8. Existing and Proposed Site Plan and Floor Plan (Section 108-237) that shall include a completed Site Data Table (*Exhibit B*).
 9. Completed BPAS Estimated Score Sheet and Estimated total Points to be achieved (*Exhibit C*).
 10. Signed and Notarized BPAS Certification Form (*Exhibit D*).
 11. Copy of LEED or FGBC Score Sheet (*Exhibit E*) or a copy of the required energy and water baseline report as described in Attachment 2. Solution Statement (b.) B above.
- *An applicant may request to be exempted from the rainwater catchment requirement, if:
- (i) The applicant is voluntarily providing affordable housing at median or low-income classification which exceeds the requirements of section 122-1467 by at least twenty percent.
 - (ii) The applicant seeks to create an accessory unit(s) but the impervious surface and/ or building coverage ratio maximums for parcel have been met or exceeded, and the applicant contributes a fee of \$2 per required gallon in mitigation to the City's storm water fund.

Year 10 BPAS



BOUNDARY SURVEY

Boundary Survey Map of Lot 11, Block 13 KEY WEST FOUNDATION CO'S PLAT NO. 1



NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 3701 Eagle Avenue, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. Date of field work: July 28, 2022.
8. North Arrow is assumed and based on Plat Book 1, Page 155.
9. The ownership of fences is undeterminable unless otherwise noted.

BOUNDARY SURVEY OF: On the Island of Key West and known on the Key West Foundation Company's Plat Number One (1), as Lot Eleven (11) of Block 13, diagram of said plat being recorded in Plat Book One (1), Page 155, of Monroe County, Florida, Public Records.

BOUNDARY SURVEY FOR: Paul DePoo;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6298

September 18, 2022
Added address 11/4/23

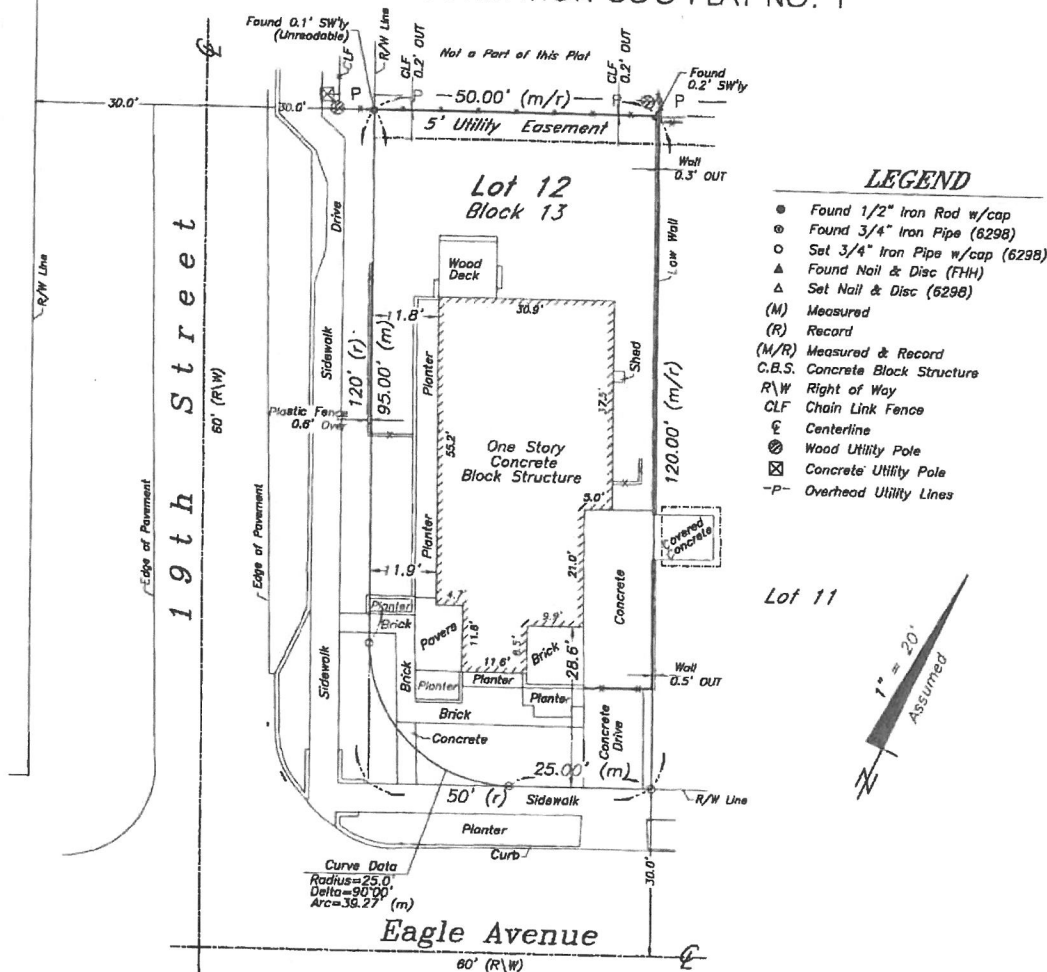
J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 298-7422 FAX (305) 298-2244

Boundary Survey Map of Lot 12, Block 13 KEY WEST FOUNDATION CO'S PLAT NO. 1



NOTES:

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2. Underground foundations and utilities were not located.
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BOUNDARY SURVEY OF: On the Island of Key West and known on the Key West Foundation Company's Plat Number One (1), as Lot Twelve (12) of Block 13, diagram of said plat being recorded in Plat Book One (1), Page 155, of Monroe County, Florida, Public Records.

BOUNDARY SURVEY FOR: Paul DePoo;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg #6298

September 13, 2022

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 298-7422 FAX (305) 298-2244



AUTHORIZATION & VERIFICATION FORM



**City of Key West
Planning Department**

Authorization Form
(Individual or Joint Owner)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Paul J. DePoo, Jr. and Gretchen R. DePoo authorize
Please Print Name(s) of Owner(s) as appears on the deed

Gregory S. Oropeza, Esq.
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of Owner

[Signature]
Signature of Joint/Co-owner if applicable

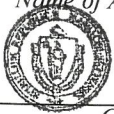
Subscribed and sworn to (or affirmed) before me on this 10/28/2022
Date

by Paul J. DePoo, Jr. and Gretchen R. DePoo
Name of Owner

He/She is personally known to me or has presented DRIVERS LICENSE as identification.

[Signature]
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped
JAY R. FABBIO
Notary Public
Commonwealth of Massachusetts
My Commission Expires Dec 2, 2027
Commission Number, if any





**City of Key West
Planning Department
Verification Form**

(Where Authorized Representative is an individual)

I, Gregory S. Oropeza, being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

3706 Eagle Avenue, Key West, FL 33040

Street address of subject property

I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

A handwritten signature in blue ink, appearing to read "Gregory S. Oropeza", is written over a horizontal line.

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 10/27/22 by _____
date

Gregory Oropeza

Name of Authorized Representative

He/She is personally known to me or has presented _____ as identification.

A handwritten signature in blue ink, appearing to read "Elizabeth M. Kehoe", is written over a horizontal line.

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



Year 10 BPAS



SITE PLANS

NEW SINGLE FAMILY HOME

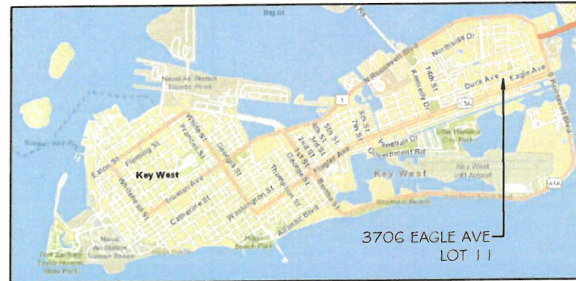
LOT 11, 370G EAGLE AVE

PROJECT DESCRIPTION:

THE PROJECT INVOLVES CONSTRUCTION OF A NEW SINGLE FAMILY HOME.

THE GENERAL SCOPE OF WORK INCLUDES:

1. MINOR SITE WORK AND DEMOLITION AS NEEDED.
2. CONSTRUCTION OF A NEW SINGLE FAMILY ICF HOME WITH HARDY SIDING AND METAL ROOF.
3. CONCRETE OR BRICK PAVERS AT NEW DRIVE AND PARKING.
4. FREE STANDING CISTERN, IRRIGATION PUMP AND RAINWATER ROOF CAPTURE SYSTEM, 1 GAL PER SF OF ROOF.
5. SEE ATTACHED PLANS FOR FULL DETAILS.



LOCATION MAP

N



DRAWING INDEX:

C-0	COVER SHEET
C-1	SURVEY, NEW SITE PLAN AND CISTERN DETAIL
A-1	1ST AND 2ND FLOOR PLAN
A-2	FRONT ELEVATION AND CROSS SECTION

SITE DATA	10/10/22
RE NUMBER	00053700-000000
ACCT NUMBER	1054321
LOCATION	LOT 11, BLK 13, EAGLE AVE KEY WEST, FL 33040
LEGAL DESCRIPTION	3701 EAGLE Ave, KEY WEST Legal Description LT 11, BLK 13 KW FWDN SUB PLAT 1 PB 1-155 MONROE COUNTY PUBLIC RECORDS 6223
NEIGHBORHOOD	SINGLE FAMILY RESIDENCE (0100)
PROPERTY	KEY WEST FOUNDATION CO'S PLAT NO 1
SUBDIVISION	SF
ZONING	34/67/25
SEC/TWP/RNG	NO
AFFORDABLE	PAUL AND GRETCHEN DEPOO JR
OWNER	27 DRIFTWOOD DR KEY WEST, FL 33040

NOTES:

1. DESIGN IS PER 2020 FBC & ASCE-7-16 FOR 180 MPH WIND, EXP C.
2. DESIGN LOADS: SEE SCHEDULE BELOW
3. FLOOD ZONE AE7, PROPOSED AE8
EXIST GRADE ELEV 4.1' +/- NGVD
DFE 8.0'
PROPOSED FIN FL ELEV 8.6'
4. ALL TRASH AND DEMOLITION MATERIALS SHALL BE REMOVED TO AN APPROVED SITE.
5. ALL ELECTRICAL AND PLUMBING WORK SHALL BE PER 2020 FBC.
6. ALL EXTERIOR GLAZED OPENINGS SHALL BE PROTECTED FROM WIND BORNE DEBRIS PER THE 2020 FBC.
7. ALL WORK MEETS THE REQUIREMENTS OF ASCE 24-05.
8. USE FLOOD-RESISTANT MATERIALS AT ALL NEW CONSTRUCTION BELOW THE BASE FLOOD ELEVATION.
9. ALL CONCRETE SHALL BE MINIMUM 3,000 PSI.
10. REBAR SHALL BE GRADE 60.
11. LAP ALL REBAR MINIMUM 48 BAR DIAMETERS.
12. MINIMUM CONCRETE COVER ON REBAR - 3" CAST AGAINST EARTH, 2" FOR FORMED CONCRETE.
13. TREAT SOIL FOR TERMITES UNDER ALL CONCRETE SLABS ON GRADE.
14. ALL HARDWARE SHALL BE STAINLESS STEEL OR HOT DIPPED GALVANIZED.
15. ALL LUMBER SHALL BE PT NO 2 SP OR BETTER.
16. NEW WINDOWS AND DOORS SHALL MEET THE DESIGN PRESSURES NOTED AND BE IMPACT RESISTANT.
17. PROVIDE ONE EGRESS APPROVED WINDOW IN EACH BEDROOM.
18. FIELD VERIFY ALL WINDOW AND DOOR DIMENSIONS BEFORE ORDERING.
19. CONTRACTOR IS RESPONSIBLE FOR ALL LAYOUT AND COORDINATION.
20. NOTIFY ENGINEER IF FIELD CONDITIONS ARE DIFFERENT THAN SHOWN.

Basic Building Structural Information

This table was prepared using Windload Calculator Plus Software available from www.windcalc.com
This information was created in accordance with Chapter 16 of the 2020 Florida Building Code. The Component and Cladding Pressures were generated using the method in Part 2 of Chapter 30 of ASCE 7-16.

Floor & Roof Live Loads (R-3 • Single-Family Dwellings)

Attics:	20 psf w/ storage, 10 psf w/o storage
Habitable Attics, Bedroom:	30 psf
All Other Rooms:	40 psf
Garage:	40 psf
Roofs:	20 psf

(Balcony and Deck live loads are 150% of the adjacent space served.)

Wind Design Data

Ultimate Wind Speed:	180 mph	Nominal Wind Speed:	139 mph
Risk Category:	II	Wind Exposure:	C
Enclosure Classification:	Enclosed	End Zone Width (a):	4.00 ft.
Internal Pressure Coefficient:	0.18	Roof Geometry:	Gable
Roof Slope:	12.0 in 12 (45.0°)	Mean Roof Height:	22 ft.

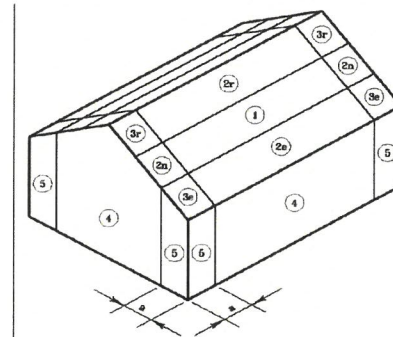
(The Nominal Wind speed was used to determine the Component and Cladding design pressures.)

(This Building is in a Wind-Borne Debris Region, and all exterior glazed openings shall be protected from wind-borne debris.)

Components and Cladding

Roof Zone 1:	+44.6 psf max., -81.7 psf min.
Roof Zone 2e:	+44.6 psf max., -81.7 psf min.
Roof Zone 2n:	+44.6 psf max., -89.9 psf min.
Roof Zone 2r:	+44.6 psf max., -89.9 psf min.
Roof Zone 3e:	+44.6 psf max., -110.3 psf min.
Roof Zone 3r:	+44.6 psf max., -89.9 psf min.
Overhang at Roof Zone 1:	-90.7 psf min.
Overhang at Roof Zone 2e:	-90.7 psf min.
Overhang at Roof Zone 2n:	-115.6 psf min.
Overhang at Roof Zone 2r:	-90.7 psf min.
Overhang at Roof Zone 3e:	-135.9 psf min.
Overhang at Roof Zone 3r:	-115.6 psf min.
Wall Zone 4:	+48.7 psf max., -52.8 psf min.
Wall Zone 5:	+48.7 psf max., -65.2 psf min.

Design Soil Bearing Capacity: 2,000 psf



BUSH SNEED, PE
12 DRIFTWOOD DRIVE
KEY WEST, FL 33040
305-304-6289
FL PE # 70168

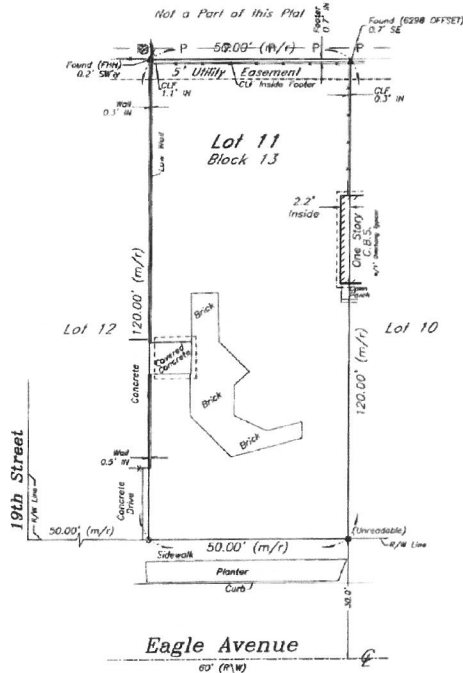
NEW SINGLE FAMILY HOME
LOT 11, 370G EAGLE AVE

COVER SHEET

DRAWN BY:
DATE:
SCALE:
SHEET NUMBER:

C-0

Boundary Survey Map of Lot 11, Block 13 KEY WEST FOUNDATION CO'S PLAT NO. 1



- LEGEND**
- Found 1/2" Iron Rod w/cap
 - Found 3/4" Iron Pipe (6298)
 - Set 3/4" Iron Pipe w/cap (6298)
 - ▲ Found Nail & Disc
 - ▲ Set Nail & Disc (6298)
 - (M) Measured
 - (R) Record
 - (M/R) Measured & Record
 - C.B.S. Concrete Block Structure
 - R/W Right of Way
 - CLF Chain Link Fence
 - Centertine
 - Wood Utility Pole
 - Concrete Utility Pole
 - P- Overhead Utility Lines

- NOTES:**
- The legal description shown hereon was furnished by the client or their agent.
 - Underground foundations and utilities were not located.
 - All angles are 90° (Measured & Record) unless otherwise noted.
 - Street address: 372X Eagle Avenue, Key West, FL.
 - This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
 - Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
 - Date of field work: July 20, 2022.
 - North Arrow is assumed and based on Plat Book 1, Page 165.
 - The ownership of fences is undeterminable unless otherwise noted.

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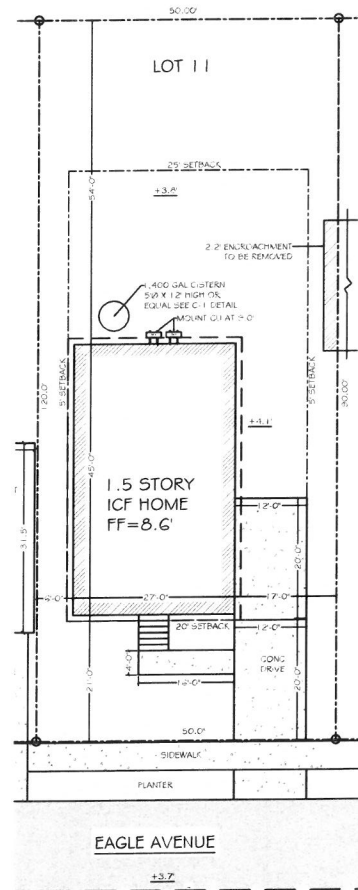
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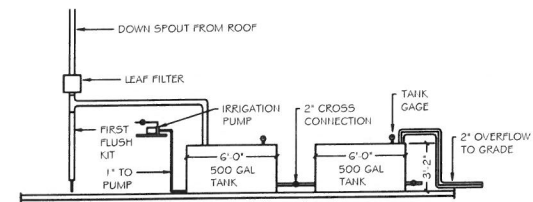
September 13, 2022

J. LYNN O'FLYNN, Inc.
Professional Surveyor & Mapper
P.S. 6298
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX 3304 296-3244



NEW SITE PLAN
SCALE: 1"=20'-0"

Site Data Table For	Code	Existing	Proposed	Variance Requested	Notes
Address	Lot 11 Eagle Ave				
RE Number	00093700-000000				
Zoning	1F Single-Family				
Flood Zone	AE7, proposed AE8	0	8.5'	No	
Building Height	25' x 30'	0	29'	No	
Front Setback	30' or 5' avg. 20'	0	25'	No	
Side Setback	5'	0	6.0' 17.0'	No	
Street Side Setback	5'	0	NA	No	
Rear Setback	25'	0	54.0'	No	
Residential Floor Area (lot 150'x120'+6,000 sf)	1.0	0	1,692 sf	No	
Density 8 du/acre=1 per 5,443 sf	6,000/5,445 = 1.1 du	0	1 du	No	
Minimum Lot Size (lot 150'x120'+6,000 sf)	6,000 sf	0	6,000 sf	No	
Minimum Lot Width	50'	0	50'	No	
Minimum Lot Depth	100'	0	120'	No	
Building Coverage	35% Max	0	1,215 sf - 20.3%	No	Note 1
Impervious Surface	50% Max	0	1,785 sf - 29.8%	No	Note 2
Parking 1 per du, off site min 155 spaces	1	0	2	No	
Open Space/Landscaping	35%	6,000 sf - 100%	4,211 sf - 70.12%	No	Note 3
3. Site Data Calculation Notes					
1. Lot Area 50'x120'	6,000 sf				
2. 1st Floor House incl porch	1,215 sf				
3. 2nd Floor House	585 sf				
4. 1st and 2nd Floor House total	1,800 sf				
5. Conc Drive 12x40	480 sf				
6. Conc walk and stairs 4x16, 5x8	94 sf				
4. Note 1 Building Coverage					
10. Max bldg coverage 35%	Existing	Proposed			
11. 1st floor house incl porch	- sf	1,215.00 sf			
12. 2nd floor	- sf	585.00 sf			
13. Building coverage	- sf	1,800.00 sf			
14. Lot	6,000.00 sf	6,000.00 sf			
15. Bldg coverage	0.00%	20.32%			
5. Note 2 Impervious Surface					
16. Max impervious area 50%	Existing	Proposed			
17. Lot Area 50'x120'	6,000.00 sf	6,000.00 sf			
18. 1st floor house incl porch	- sf	1,215.00 sf			
19. Conc Drive 12x40	- sf	480.00 sf			
20. Conc walk 4x16	- sf	94.00 sf			
21. Total	- sf	1,789.00 sf			
22. Percentage impervious	0.00%	29.82%			
23. Change in impervious	-	1,785.00 sf			
6. Note 3 Open Space/Landscaping					
24. Min open space 35%	Existing	Proposed			
25. Lot 30x120	6,000.00 sf	6,000.00 sf			
26. Less	- sf	(1,115) sf			
27. House incl porch	- sf	(84.00) sf			
28. Concrete walk	- sf	(480.00) sf			
29. Concrete drive	- sf	(480.00) sf			
30. Total open space	6,000.00 sf	4,211.00 sf			
31. Lot	6,000.00 sf	6,000.00 sf			
32. Open space	100.00%	70.18%			



RAINWATER HARVEST SCHEMATIC
SCALE: 1"=1'-0"

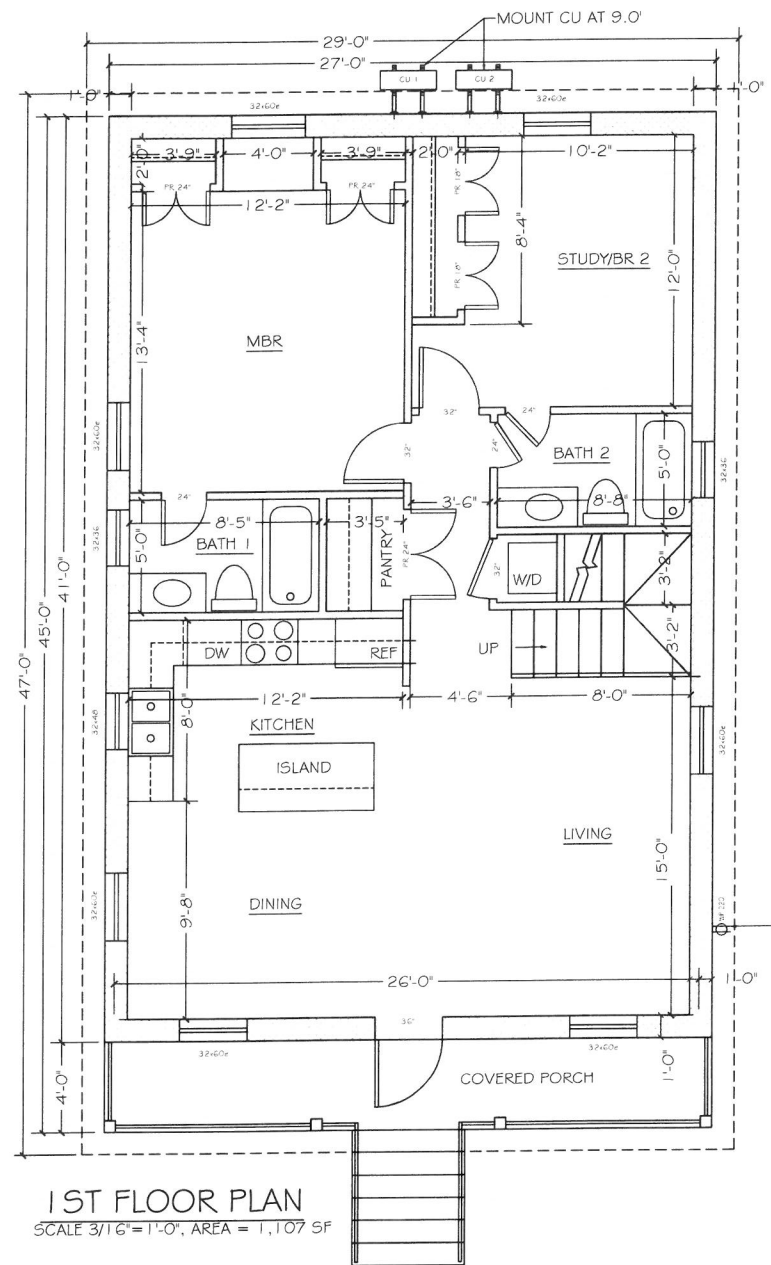
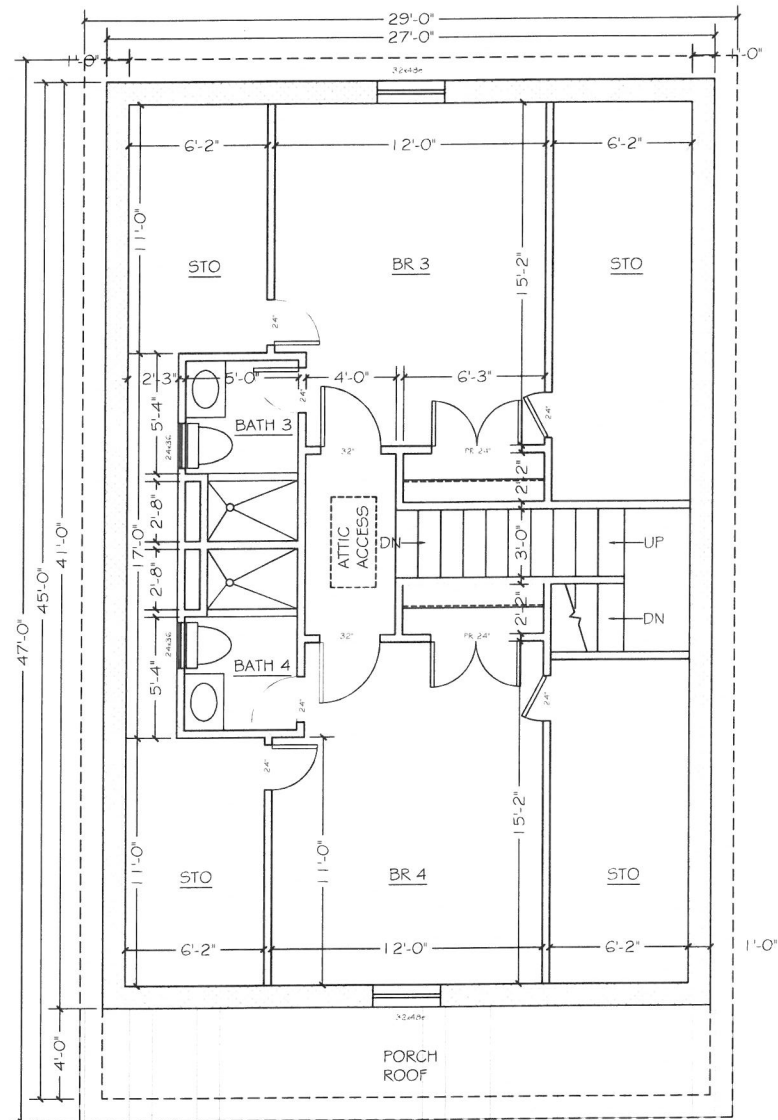
- RAINWATER COLLECTION NOTES:**
- CAPACITY SHALL EQUAL 1 GAL PER SF OF ROOF. ROOF IS 1,363 SF. USE ONE OR MORE TANKS TO EQUAL OR EXCEED 1,400 GAL CISTERN.
 - IF TANKS ARE OUTSIDE, USE GREEN OR BLACK TO PREVENT ALGAE.
 - INSTALL TANKS ON 4" CONCRETE OR 4" GRAVEL PAD PER MFG INSTRUCTIONS.
 - PIPING SHALL BE SCH 40 PVC.
 - VALVES 1.5" AND LARGER SHALL BE JANDY VALVES.
 - VALVES SMALLER THAN 1.5" SHALL BE METAL BALL VALVES.
 - INSTALL LEAF SCREEN AND FILTER.
 - INSTALL FIRST FLUSH KIT.
 - PROVIDE WATER DEPTH GAGE ON EACH TANK.
 - INSTALL 2" OVERFLOW TO OUTSIDE GRADE.
 - PROVIDE 1 HP 1.0V IRRIGATION PUMP.
 -

BUSH SNEED, PE
12 DRYWOOD DRIVE
KEY WEST, FL 33040
305-304-9269
FL # 70160

NEW SINGLE FAMILY HOME
LOT 11, 3706 EAGLE AVE

SURVEY AND NEW SITE PLAN

DRAWN BY:
RE:
DATE:
10/13/22
SCALE:
AS SHOWN
SHEET NUMBER:
C-1



BUSH SNEED, PE
12 DRIFTWOOD DRIVE
KEY WEST, FL 33040
305-304-8289
FL PE # 70168

NEW SINGLE FAMILY HOME
LOT 11, 3706 EAGLE AVE

1ST AND 2ND FLOOR PLAN

DRAWN BY:
FEI
DATE:
10/13/22
SCALE:
AS NOTED
SHEET NUMBER:

A-1

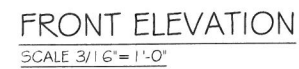




Exhibit B – Site Data Table
Building Permit Allocation System Application
 305-809-3720 • www.cityofkeywest-fl.gov

SITE DATA TABLE

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request (y/n)
Zoning	SF			
Flood Zone	AE7, Proposed AE8			
Size of Site	6,000 SF			
Height	25' + 5' = 30'	0	29'	No
Front Setback	30' or St avg 20'	0	21'	No
Side Setback	5'	0	6.0', 17.0'	No
Side Setback	25'	0	N/A	No
Street Side Setback	25'	0	N/A	No
Rear Setback	25'	0	54.0'	No
Residential Floor Area	1.0	0	1,692 SF	No
Density	6,000/5,445 = 1.1 du	0	1 du	No
Commercial Floor Area	N/A	N/A	N/A	N/A
F.A.R (Commercial)	N/A	N/A	N/A	N/A
Building Coverage	35% Max	0	1,215 SF = 20.3%	No (See Note 1)
Impervious Surface	50% Max	0	1,789 SF = 29.8%	No (See Note 2)
Parking	1	0	2	No
Open Space/ Landscaping	35%	6,000 SF = 100%	4,211 SF = 70.12%	No (See Note 3)
Site Data Collection	10/10/22			
Lot Area 50'X120' =	6,000	SF		
1st Floor House incl. Porch	1,215	SF		
2nd Floor House	585	SF		
1st and 2nd Floor House Total	1,800	SF		
Conc. Drive 12x40	480	SF		
Conc. Walk and Stairs 4X16, 5X6	94	SF		
Note 1- Building Coverage				
Max bldg. coverage 35%	Existing		Proposed	

1 st Floor house include. Porch	-SF	1,215	SF
2 nd Floor	-	-	
Building Coverage	-SF	1,215	SF
Lot	6,000SF	6,000	SF
Bldg Coverage	0.00%	20.25%	
Note 2- Impervious Surface			
Max impervious area 50%	Existing	Proposed	
Lot Area 50'X120' =	6,000SF	6,000	SF
1 st Floor House incl. porch	-SF	1,215	SF
Conc. Drive 12X40	-SF	480	SF
Conc. Walk 4X16	-SF	94.00	SF
Total	-SF	1,789.00	SF
Percentage Impervious	0.00%	29.82%	
Change in impervious		1,789.00	SF
Note 3 Open Space/Landscaping			
Min open space 35%	Existing	Proposed	
Lot 30X120	6,000SF	6,000	SF
Less			
House w/ porch	-SF	(1,215)	SF
Concrete walks	-SF	(94.00)	SF
Concrete drive	-SF	(480.00)	SF
Total open space	6,000SF	4,211	SF
Lot	6,000SF	6,000	SF
Open space	100.00%	70.18%	

Year 10 BPAS



WARRANTY DEED & DEED RESTRICTION

This Document Prepared By and Return to:

Koenig Highsmith & Van Loon, P.A.
3158 Northside Drive
Key West, FL 33040
305-296-8851

Doc# 1909842 11/30/2012 4:04PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

11/30/2012 4:04PM
DEED DOC STAMP CL: MT

\$3,050.00

Parcel ID Number: 00053710-000000

Warranty Deed

Doc# 1909842
Bk# 2601 Pg# 633

\$440,000

This Indenture, Made this 30th day of November, 2012 A.D., Between
Friday Hudlow Limbert Living Trust dated 11/02/06

of the County of MIAMI-DADE, State of Florida, grantor, and
Paul J. DePoo, Jr. and Gretchen R. DePoo, husband and wife

whose address is: 3701 Eagle Avenue, Key West, FL 33040

of the County of Monroe, State of Florida, grantees.
Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Monroe, State of Florida to wit:

On the Island of Key West and known on the Key West Foundation
Company's Plat Number One (1), as Lot Eleven (11) of Block 13,
diagram of said plat being recorded in Plat Book One (1), Page 155 of
Monroe County, Florida, Public Records.

LESS: The Easterly 3.20 feet of the Southerly 90.00 feet of Lot 11,
Block 13, Key West Foundation Company's Plat No. 1, according to the
Plat thereof, as recorded in Plat Book No. 1 at Page 155 of the
Public Records of Monroe County, Florida.

AND ALSO:

On the Island of Key West and known on the Key West Foundation
Company's Plat Number 1 as Lot Number 12 of Block 13. The diagram of
said plat is recorded in Plat Book 1, page 155, Monroe County,
Florida.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Friday Hudlow Limbert Living Trust
dated 11/02/06

Printed Name: Robert E. Highsmith
Witness

By: Timothy Demeritt Limbert (Seal)
Trustee
P.O. Address: 14014 SW 107th Terrace, MIAMI, FL 33186

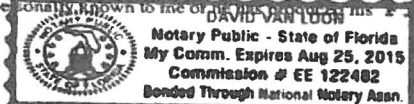
Printed Name: David Van Loon
Witness

MONROE COUNTY
OFFICIAL RECORDS

STATE OF Florida
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 30th day of November, 2012 by
Timothy Demeritt Limbert, Trustee

he is personally known to me or he has shown me his Florida driver's license as identification



Printed Name: David Van Loon
Notary Public
My Commission Expires:



FGBC CHECKLIST

FGBC Green Home Standard

Version 10

Application

Effective October 1, 2013

Revised 8-25-16

Instructions for Submission:

Electronic Submissions (Required)

Complete the credit card authorization below or pay online

(Note: Payment by check is acceptable - see mailing instructions below)

Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.

<https://dropbox.hightail.com/certifications>

Mailing Instructions

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:

FGBC

1415 E. Piedmont Dr. Suite 5

Tallahassee, FL 32308-7954

FEES

Single Family New and Existing Home Fees

Fee	Builder or Homeowner Must Be Member
\$75	Member of FGBC and FHBA
\$100	Member of FGBC or FHBA
\$125	Non Member

Multi-Family Fees

Multi-family applications: Use TAB 18

Additional Options

\$39	FGBC Certified Home Bronze Plaque
\$40	Florida Water Star Certification
Free	FGBC Certified Home Yard Sign (Electronic Version)

Builder Information

Name: _____
 Company: _____
 Address: _____
 City/ST/Zip: _____
 Phone: _____
 Builder Email: _____
 DBPR License #: _____
 FGBC Member #: _____
 FHBA Member #: _____
 Signature: _____

Certifying Agent Information

Name: _____
 Company: _____
 Address: _____
 City / Zip: _____
 Phone: _____
 Fax: _____
 E-mail: _____
 CA Registration #: _____

Signature: _____

Required Signatures: All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.

PAYMENT

Do You Want A Yard Sign? (Free)

Home Fees

Bronze Plaques

Florida Water Star Certification

\$0.00 Total Amount Authorized

[Pay Online](#)

or Authorize Credit Card Here: (Visa/MC/AX)

CC#:

Expiration Date:

Name on Card:

Billing Zip Code:

Signature:

Home Information

Address:

City/ST/Zip:

County:

Development:

Please answer the following questions:

	Is the home New or Existing?
	Is this Single Family or Multi-Family?
	Is this home Affordable? List Funding Source
	Square Footage of home/unit
	Sales Price

Optional Information

Owner:

Company

Address:

City/ST/Zip:

Phone:

E-mail:

Date: _____

Project Point Summary

Minimum Points to Qualify (may be over 100 if a category minimum is missed)

104

Points Toward Qualification (points over category maximums excluded)

137

Total Points Achieved

137

Please refer to Standards Documents and Green Home Reference Guide for additional information.

Category	Your Score	Required Min - Max
Category 1: Energy	44	30 - 75
Category 2: Water	26	15 - 40
Category 3: Lot Choice	7	0 - 15
Category 4: Site	9	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	6	10 - 35
Category 7: Disaster Mitigation	11	5 - 30
Category 8: General	19	0 - 40

Total: **137**

Total Needed: **104**

Certified Home Score 133

Certification Level Silver

PREREQUISITES:
Prerequisite 1: Swimming Pool / Spa

- | | | |
|------|-----|---|
| P1.1 | N/A | Sanitation system that reduces chlorine use |
| P1.2 | N/A | Pool Cover |
| P1.3 | N/A | Solar pool heating system |
| P1.4 | N/A | Dedicated PV's to run pool equipment |
| P1.5 | Yes | Home has no pool or spa |

Prerequisite 2: Waterfront Considerations

- | | | |
|------|-----|---|
| P2.1 | N/A | Use of native aquatic vegetation in shoreline area |
| P2.2 | N/A | No turf adjacent to water (Low maintain plants instead) |
| P2.3 | Yes | Use of terraces, swales, or berms to slow storm water |
| P2.4 | Yes | Home site does not border natural water body |

Prerequisite 3: No Invasive Exotic Species

- | | | |
|------|-----|----------------------------------|
| P3.1 | Yes | Landscape Considerations |
| | New | Is the landscape existing or new |

CATEGORY 1: ENERGY

Category Minimum 30 / Category Maximum 75

HERS Index - Energy Rating

E1.1 30 3 - 75 Confirmed Florida HERS Rating - 3 points for each HERS Index point below 80

Yes :Does the Home have a confirmed HERS Index
70 :Confirmed HERS Index

Design, Finishes, Amenities

E2.1	0	1	Thermal Bypass Inspection
E2.2	1	1	Ductwork joints sealed with mastic
E2.3	0	1	Ductwork smoke tested allowing leaks to be sealed prior to drywall
E2.4	0	1	Cross vent and ceiling fans code credit
E2.5	0	1	Roofed porch, Min 100ft ² AND 3 sides open
E2.6	0	1	Passive solar space heating system
E2.7	0	1	Passive solar day-lighting
E2.8	0	1	Deciduous trees on south
E2.9	0	1 - 4	House shaded on east and west by trees 0 % of the designated wall areas (average of east and west walls) that are shaded by trees.
E2.10	N/A	1	Washer and dryer outside of conditioned space
E2.11	0	1	Floor joist perimeter insulated and sealed
E2.12	1	1	Light colored exterior walls (80% minimum) 0 Enter the Solar Reflective Index (SRI) of Paint
E2.13	1	1 - 2	Light colored interior walls, ceilings, carpet/floors Yes all major living spaces wall and ceiling surfaces have a reflectance of at least 50% 0 Enter the Light Reflectance Value (LRV) of Paint 0 bedrooms and all major living spaces have floors, walls, & ceilings are light-colored 0 Enter the Light Reflectance Value (LRV) of Paint
E2.14	1	1	Max 100W fixtures in bathrooms
E2.15	0	1	Pre-plumb for solar hot water
E2.16	0	2	Install a State Certified rated solar hot water system
E2.17	0	1	Compact hot water distribution
E2.18	0	1	Insulate all hot water pipes
E2.19	1	1	Energy-efficient clothes dryers
E2.20	1	1	Energy-efficient ovens/ranges
E2.21	1	1	Energy Star® clothes washers
E2.22	0	1	Efficient well pumping
E2.23	0	1	Efficient envelope volume 0 Total Gross Wall Area 1 Conditional Square Footage 1 Number of Stories
E2.24	1	1	Dwelling unit attached, zero lot-line, row house
E2.25	N/A	2	Recessed, sealed IC fixtures
E2.26	3	3	Energy Star® Advanced Lighting Package
E2.27	2	2	Outdoor lights are energy efficient.
E2.28	1	1	Install motion sensors on a minimum of 60% of the hard wired lighting fixtures
E2.29	-	1	Energy Efficient Sheathing
	44	112	Total Points

44 Total points for Category 1 (30 min / 75 max)

Name of HERS Rater: 0
Certifying Agent Category 1: 0

CATEGORY 2: WATER

Category Minimum 15 / Category Maximum 40

N/A Is the landscape existing or new

W1 Fixtures

W1.1	0	2 - 3	Water saving clothes washer 0 : Water factor (WF) of clothes washer
W1.2	1	1	Low-flow shower heads (must be ≤ 2.0 gpm)
W1.3	1	1	All showers equipped with only 1 showerhead per shower
W1.4	1	1 - 2	all lavatory sink faucets have flow rates of ≤ 2.0 gpm (all ≤ 1.5 gpm = 2 pts)
W1.5	2	2	High Efficiency Dual-flush or Single Flush Toilets (all toilets ≤ 1.28 gpf)
W1.6	0	1	Toilet with UNAR Map Rating of 600 gpf or greater

W2 Greywater Reuse

W2.1	0	1 - 3	Greywater System Installed
------	---	-------	----------------------------

W3 Rainwater Harvesting

W3.1	3	1 - 3	Rainwater Harvesting System installed
------	---	-------	---------------------------------------

W4 Reclaimed Water Reuse

W4.1	N/A	2	Water for irrigation
W4.2	0	2	Meter on reclaimed irrigation system
W4.3	0	2	Volume-based pricing arrangement
W4.4	0	2	For toilet flushing

W5 Installed Landscape

W5.1	2	2	Drought-tolerant turf, no turf in densely shaded areas
W5.2	1	1 - 3	60%, 80%, 100%, of plants/trees from drought-tolerant list 60% :Percentage of drought tolerant plant
W5.3	2	2	All plants/trees selected to be compatible with local environment / microclimate
W5.4	3	3	Turf less than 50% of landscape
W5.5	2	2	Evenly shaped turf areas, no turf on berms
W5.6	2	2	Plants with similar maintenance requirements grouped together
W5.7	1	1	Mulch applied 3 - 4 inches deep around plants / no volcano mulch
W5.8	1	1	Non-Cypress mulch used
W5.9	0	2	Soil tested and amended where necessary

W6 Installed Irrigation

W6.1	-	10	No permanent installed irrigation system
W6.2	N/A	2	Innovative irrigation technology
W6.3	3	3	Irrigated land according to FGBC standard Yes Separate zones for turf and landscape beds - multi program controller Yes High-volume irrigation does not exceed 60% of landscape area Yes Head to head coverage for rotor/spray heads Yes Correctly installed Micro-irrigation in landscape beds and narrow areas Yes Minimize overspray on impermeable surfaces
W6.4	0 OR 0	1 0 0	Pressure compensating spray heads installed in spray zones Pressure regulating valves are installed for spray zones
W6.5	0	1	In poor drainage (low) areas, heads are installed with check valves
W6.6	0	2	High volume irrigated areas have matched precipitation rates
W6.7	1	1	Pop-up sprinkler heads significantly rise above turf grass height

W7 Additional Water Certification Requirements

W7.1	0	5	Meet or exceed Florida Water Star™ or WaterSense standards:
W7.2	0	2	Florida Friendly Landscape™ Program New Construction Certification
	26	57	Total Points

26 Total points for Category 2 (15 min / 40 max)

Certifying Agent Category 2:	0
Landscape Auditor:	0
Credentials of Auditor:	0

CATEGORY 3: LOT CHOICE

Version 10

Category Minimum 0 / Category Maximum 15

Revised 8-25-16

LC1.1	0	1 - 6	House built within designated FGBC green land development
			0 Name of FGBC Green Development
			0 % of land development that scored beyond the minimum compliance of FGBC standard
LC1.2	0	2	Home within a certified green local government
LC1.3	2	2	Built on an infill site
LC1.4	1	1	Site within 1/8 mile of existing infrastructure
LC1.5	2	2	Site within 1/4 mile to mass transit
LC1.6	2	2	Site within 1/2 mile of public open/green space
LC1.7	0	2	Site within 1/4 mile of existing basic community resources
			1/2 Mile away from basic community resources
			- Arts and entertainment center
			- Bank
			Yes Community or civic center
			- Convenience store
			0 Daycare center
			- Fire station
			- Fitness center or gym
			0 Laundry or dry cleaner
			0 Library
			Yes Medical or dental office
			- Pharmacy
			0 Police station
			0 Post office
			- Place of worship
			- Restaurant
			- School
			- Supermarket
			- Other Neighborhood-serving retail
			Yes Other office building or major employment center
LC1.8	0	2	Site located in small lot cluster development
LC1.9	0	2	Brownfield site
	7	21	Total Points

7 Total points for Category 3 (0 min / 15 max)

Certifying Agent Category 3: 0

CATEGORY 4: SITE

Category Minimum 5 / Category Maximum 30

I N/A That all credits in this category deal only with buildable land. What this means is that if the land is not legally allowed to be disturbed then you may not count this as part of the percentage required for the given credit.

Native Tree and Plan Preservation

- S1.1 2 2 Maximize tree survivability
- S1.2 1 1 - 2 Minimize soil compaction
Restrict all construction equipment from driving on site during construction except for
area of <25% of site.
- S1.3 0 2 Replant or donate removed vegetation
- S1.4 0 1 - 9 Preserve or create wildlife habitat / shelter
0 % of property that was created or preserved as a wildlife habitat or shelter

On Site Use of Cleared Materials

- S2.1 0 2 Mill clear trees
- S2.2 0 1 - 2 Reuse cleared materials for mulch / landscape
Mulch is both cleared and reused: 0

Erosion Control / Topsoil Preservation

- S3.1 0 2 Develop an erosion control site plan
- S3.2 1 1 Stabilize disturbed soil
- S3.3 0 2 Stage disturbance
- S3.4 1 1 Control sediment runoff during construction
- S3.5 1 1 Save and reuse any removed topsoil

Drainage / Retention

- S4.1 2 2 Onsite designated retention area
- S4.2 0 2 Direct filtered rooftop runoff to planted area(s)
- S4.3 1 1 - 4 Maintain pervious surface area (If not taking points input 1 for Total Lot Area)
- | | | | |
|---------|--------------------------------|--------|--|
| 47 | % Pervious Material | 146144 | Total Lot Area (sq. ft.) |
| 83302.1 | Coverage Area (sq. ft.) | 0 | 100% Pervious sq. ft. |
| 39152 | Equivalent Pervious Area --> | 39152 | Equivalent Pervious Area (semi-pervious) |
| 1 | Total points for pervious area | | |
- 9 34 Total Points

9 Total points for Category 4 (5 min / 30 max)

Certifying Agent Category 4:

0

CATEGORY 5: HEALTH

Version 10
Revised 8-25-16

Category Minimum 15 / Category Maximum 35

Combustion

H1.1	0	3	Detached garage/carport OR air barrier between living space & garage AND no air handler or ducts in garage
H1.2	0	1	Garage (attached or detached)- exhaust fan on motion sensor and timer
H1.3	0	1	Interior Fireplace - Direct vent, sealed combustion w/electronic ignition, factory built wood burning or no fireplace
H1.4	0	1 - 2	No unsealed space or water heating combustion located inside the conditioned area - or electric

Space Heating

N/A	Electric
N/A	Sealed combustion equipment
N/A	Sealed combustion closet

Water Heating

N/A	Electric
N/A	Sealed combustion equipment
N/A	Sealed combustion closet
N/A	Outside of conditioned space

Moisture Control

H2.1	0	1	Drainage tile on and around top of footing
H2.2	0	1	Drainage board for below grade walls
H2.3	1	1	Gravel bed beneath slab on grade floors
H2.4	0	1	Seal slab penetration
H2.5	0	1	Capillary break between foundation and framing
H2.6	-	3	Central dehumidification system
H2.7	0	1	No vapor barrier on inside of assemblies
H2.8	1	1	Moisture control for tub/shower and shower surrounds

Source Control

H3.1	1	1	No exposed urea-formaldehyde wood products
H3.2	0	2	Zero VOC paints, stains, and finishes
H3.3	1	1	Low VOC paints, stains, and finishes
H3.4	0	1	Low VOC sealants and adhesives
H3.5	N/A	1 - 2	Minimize carpet use (<50% 1pt, No wall to wall carpet 2pts)
H3.6	0	1	Healthy flooring
H3.7	0	1	Healthy insulation
H3.8	1	1 - 2	Protect ducts, range hood, and bath exhaust fans during construction
H3.9	3	3	Integrated pest management plan

Cleanability

H4.1	0	1 - 2	Central vacuum system
		N/A	System roughed in
		N/A	Installed with exhaust outdoor
		N/A	Installed with exhaust indoor thru HEPA filter
H4.2	0	1	Useable entry area

Universal Design

H5.1	2	1-3	Universally designed living area
------	---	-----	----------------------------------

Ventilation

H6.1	-	2 - 4	Controlled mechanical ventilation
H6.2	0	1	Radon/Soil gas vent system installed
H6.3	1	1	Floor drain sealed
H6.4	0	1	Energy Star® bath fans with timer or humidistat
H6.5	1	1	Kitchen range hood vented to exterior
H6.6	0	1	Laundry rooms inside conditioned space must have a make-up air source
H6.7	0	3	Whole house positive filtration
H6.8	1	1 - 2	Efficient HVAC filter
H6.9	1	1	HVAC filter easily accessible
H6.10	1	1	Install screens on all windows and doors
H6.11	0	1	Manual D duct design
	15	52	Total Points

15 Total points for Category 5 (15 min / 35 max)

Certifying Agent Category 5:

0

CATEGORY 6: MATERIALS

Version 10

Category Minimum 10 / Category Maximum 35

Revised 8-25-16

Components

M1.1	0	1	Recycled content roof material
M1.2	0	2 - 3	Certified sustainable lumber
		0	homes with minimum of 1 story wood frame exterior walls have 80% of all lumber certified
		0	home has no exterior wood walls & 80% of remaining lumber used for the home is certified.
M1.3	0	1	Engineered / alternative material for outdoor living
M1.4	0	1	Concrete with fly ash or blast furnace slag
M1.5	0	1	Recycled content siding or soffit material
M1.6	0	1	Eco-friendly insulation
M1.7	0	1	Recycled content drywall
M1.8	0	1	Recycled content paint
M1.9	0	1	Steel interior studs
M1.10	0	1	Eco-friendly flooring material
M1.11	0	1	Eco-friendly ceiling materials
M1.12	0	1 - 3	Locally produced materials
		0	minimum 80% of all new windows & doors are from local manufacturers & are operable
		0	50% of all doors are reused doors or 50% of all windows are reused windows
		0	80% of all structural components are from local sources - includes panelized & modular systems

Waste Reduction

M2.1	0	3	Resource efficient wall system with integral insulation
M2.2	0	2	Develop a construction and demolition waste management plan
M2.3	3	2 - 4	Implement job site waste management
		4	# of items implemented
		0	List items (i.e.: a, b, c, etc.)
M2.4	0	1	Compost bin/built in collection of recyclables
M2.5	0	1 - 2	Engineered roof and floor components
		0	80% of floor (or code allowance)
		0	80% of roof (or code allowance)
M2.6	0	1	Finger jointed or laminated products
M2.7	0	1	Eco-friendly trim
M2.8	0	1	Perimeter based on 2 foot dimensions
M2.9	0	1	Over 50% of each interior wall adheres to a 2' layout
M2.10	0	1	Stack framing
M2.11	1	1	2-stud corners with drywall clips
M2.12	0	1	T-wall with drywall clips

Durability

M3.1	0	1	Roof slope $\geq 3:12$ but $\leq 6:12$
M3.2	-	1	Large overhangs (eave and gable)
M3.3	0	1	Air admittance vents
M3.4	0	1	Wood frame house and/or wood frame 2nd floors designed with vented rain screen
M3.5	1	1	Siding and exterior trim primed all sides
M3.6	1	1	Plants/turf minimum of 2ft. from foundation
M3.7	0	1	Sprinklers and emitters are located a minimum of 2 ft from foundation
M3.8	0	1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances
M3.9	0	2	Automatic in home water sensor/shut off system installed
M3.10	0	1	Access panel to non-accessible plumbing fixture installed
M3.11	0	1	Laundry room below living floor or drain installed
	6	47	Total Points

6 Total points for Category 6 (10 min / 35 max)

Certifying Agent Category 6:

0

CATEGORY 7: DISASTER MITIGATION

Category Minimum 5 / Category Maximum 30

Hurricane (wind, rain, storm surge)

DM1.1	-	2	Safe room
DM1.2	-	2	Unvented attic or No attic
DM1.3	2	2	Window, door, and skylight protection or impact resistant type
DM1.4	-	1	Attached garage and exterior door protection
DM1.5	1	1	Exterior structures and equipment properly anchored
DM1.6	2	2	Secondary water protection installed on roof
DM1.7	-	2	Adhesive applied to roof sheathing
DM1.8	-	5	Comply with Fortified For Safer Living Standards

Flood (must incorporate all three)

DM2	3	3	Yes	Finished floor level at least 12" above 100 yr flood plain
			Yes	Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage
			Yes	Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor

Fire (must incorporate all three for 3.1)

DM3.1	3	3	Yes	Fire resistant exterior wall cladding
			Yes	Fire resistant roof covering or sub-roof
			Yes	Fire resistant soffit and vent material
DM3.2	0	3	-	Fire Sprinklers installed to cover 100% of living area of home

Lightning & Electronics Protection

DM4	-	1 - 2	Installed Surge Suppression or Lightning Protection System
-----	---	-------	--

Termites (must comply w/required credits listed below AND EITHER DM 4.1 OR DM 4.2 OR DM 4.3 to receive points)

- required Seal slab penetrations
- required Vegetation > 2 ft. from foundation
- required Slopes graded away from building

DM 5.1	0	10	DM 5.1: Chemical Soil Treatment Used
			- Exterior cladding installed to prohibit intrusion
			- Rain gutters installed (downspouts discharge a minimum of 3' from home) OR meet large overhangs (≥2')
			- Condensate line(s) discharge a min of 2' from home & are located 5' or more from dryer vent
			- Irrigation/sprinkler water does not hit building
			- Damage replacement warranty issued and available for annual renewal
	OR		
DM 5.2		10	DM 5.2: Chemical Soil Treatment Avoided
			- Chemical soil treatment avoided
			- Alternative Florida Building Code approved method of foundation protection employed
	OR		
DM 5.3		12	DM 5.3: Treated wood products
			- All wood products serving structural or exterior finish purposes are borate or ACQ treated
DM5.4	-	1	80% of Cellulose insulation used is Borate treated
	11	38	Total Points

11 Total points for Category 7 (5 min / 30 max)

Certifying Agent Category 7:

0

CATEGORY 8: GENERAL

Version 10

Category Minimum 0 / Category Maximum 40

Revised 8-25-16

Small House Credit

G1.1 **10** 0 - 25 Conditioned house size (enter **no** if not claiming any points)
1,692 :square feet of conditioned area

Adaptability

G2.1 **0** 2 Roof trusses designed for addition
G2.2 **0** 1 - 2 Unfinished rooms
G2.3 **0** 1 Install a minimum of 2 upgraded automation system

Renewable Power Generation

G3.1 **0** 1 - 5 **Reduce peak demand or annual load**
0 1 point for each 2kW system size

Remodel

G4.1 **0** 10 **Remodeling structure (HERS Index < 80)**
G4.2 **3** 3 Toilets 1.6 gpf and showers 2.5 gpm or less
G4.3 **2** 2 Upgrade existing installed irrigation with rain gauge, timer and code irrigation heads
G4.4 **0** 2 Existing homes with pools - upgrade pump to variable speed or dual speed
G4.5 **2** 2 Roof to wall connection upgrades

Other

G5.1 **0** 1 - 2 Home builder/designer/architect/landscape architect member of FGBC
0 :Number of members on the team that are members of FGBC
G5.2 **-** 2 Homeowner's manual, including information, benefits, operations - per reference guide
G5.3 **2** 2 Minimum 1 hour Hands on training provided to homeowner
G5.4 **0** 1 Plan for edible landscape/food garden
G5.5 **-** 2 Guaranteed energy bills
G5.6 **0** 1 - 5 **INNOVATIVE CREDITS**

Description of innovation:

0

19

49 Total Points

19

Total points for Category 8 (0 min / 40 max)

Certifying Agent Category 8:

0

FGBC Home Score

Version 10

Category	Your Score	Required Min - Max
Category 1: Energy	44	30 - 75
Category 2: Water	26	15 - 40
Category 3: Lot Choice	7	0 - 15
Category 4: Site	9	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	6	10 - 35
Category 7: Disaster Mitigation	11	5 - 30
Category 8: General	19	0 - 40

Total: **137**

Total Need: **104**
Certified Home Score 133

Certification Level:

Silver

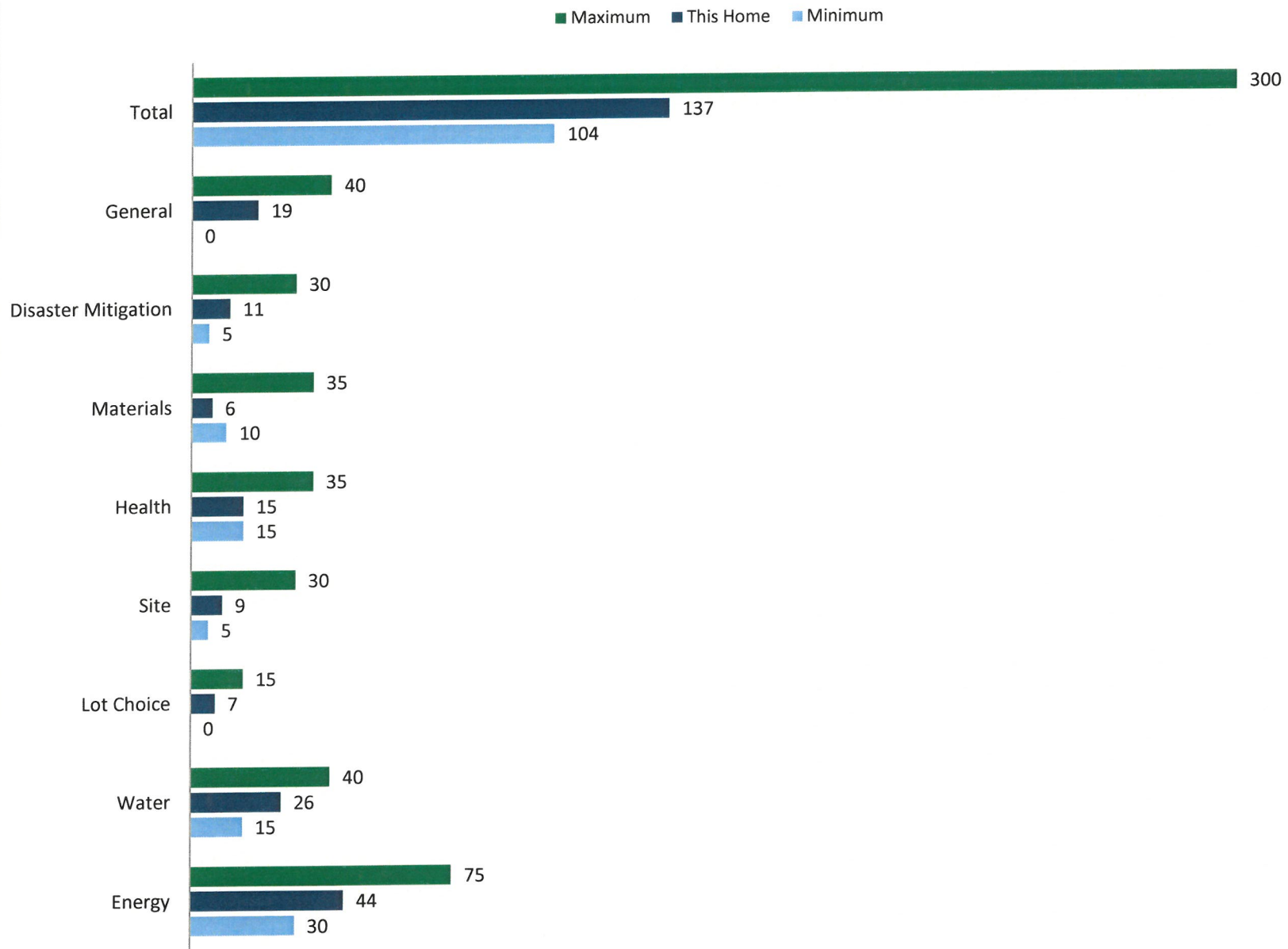
The Total Need number will automatically adjust as points are earned for each criteria in the checklist.

Home Address

0

0

FGBC Green Home Certification Summary Chart



PREREQUISITES:

Revised 8-25-16

At least one measure from each of the following:

Required: One item from each of the following 3 prerequisites MUST be incorporated in the home for FGBC Certification

Prerequisite 1: Swimming Pool / Spa			Certifying Agent Notes
P1.1	N/A	Sanitation system that reduces chlorine use	
P1.2	N/A	Pool Cover	
P1.3	N/A	Solar pool heating system	
P1.4	N/A	Dedicated PV's to run pool equipment	
P1.5	Yes	Home has no pool or spa	
Prerequisite 2: Waterfront Considerations			Certifying Agent Notes
P2.1	N/A	Use of native aquatic vegetation in shoreline area	
P2.2	N/A	No turf adjacent to natural water bodies(Low maintain plants instead)	
P2.3	Yes	Use of terraces, swales, or berms to slow storm water	
P2.4	Yes	Home site does not border natural water body	
Prerequisite 3: No Invasive Exotic Species			Certifying Agent Notes
P3.1	Yes	Landscape Considerations	
	New	Is the landscape existing or new	

CATEGORY 1: ENERGY

Category Minimum 30 / Category Maximum 75

Revised 8-25-16

	Points Achieved	Points Possible	Criteria	
HERS Index - Energy Rating				Certifying Agent Notes
E1.1	30	3 - 75	Confirmed Florida HERS Rating - 3 points for each HERS Index point below 80	
		Yes	:Does the Home have a confirmed HERS Index	
		70	:Confirmed HERS Index	
Design, Finishes, Amenities				Certifying Agent Notes
E2.1		1	Thermal Enclosure System Inspection	
E2.2	1	1	Ductwork joints sealed with mastic	
E2.3		1	Ductwork smoke tested allowing leaks to be sealed prior to drywall	
E2.4		1	Cross vent and ceiling fans code credit	
E2.5		1	Roofed porch, Min 100ft^2 AND meets cross-ventilation requirements	
E2.6		1	Passive solar space heating system	
E2.7		1	Passive solar day-lighting	
E2.8		1	Deciduous trees on south	
E2.9	0	1 - 4	House shaded on east and west by trees	
			% of the designated wall areas (average of east and west walls) that are shaded by trees.	
E2.10	N/A	1	Washer and dryer outside of conditioned space	
E2.11		1	Floor joist perimeter insulated and sealed	
E2.12	1	1	Light colored exterior walls (80% minimum)	
			Enter the Solar Reflective Index (SRI) of Paint	
E2.13	1	1 - 2	Light colored interior walls, ceilings, carpet/floors	
		Yes	all major living spaces wall and ceiling surfaces have a reflectance of at least 50%	
			Enter the Light Reflectance Value (LRV) of Paint	
			bedrooms and all major living spaces have floors, walls, & ceilings are light-colored	
			Enter the Light Reflectance Value (LRV) of Paint	
E2.14	1	1	Max 100W fixtures in bathrooms	
E2.15		1	Pre-plumb for solar hot water	
E2.16		2	Install a State Certified rated solar hot water system	
E2.17		1	Compact hot water distribution	
E2.18		1	Insulate all hot water pipes	
E2.19	1	1	Energy-efficient clothes dryers	
E2.20	1	1	Energy-efficient ovens/ranges	
E2.21	1	1	Energy Star® clothes washers	
E2.22		1	Efficient well pumping	

E2.23	0	1	Efficient envelope volume	
			Total Gross Wall Area	
	1		Conditional Square Footage	
	1		Number of Stories	
E2.24	1	1	Dwelling unit attached, zero lot-line, row house	
E2.25	N/A	1 - 2	Ceiling Penetrations: No penetrations in ceiling (2 points), No penetrations in the thermal envelope (1 point)	
E2.26	3	3	Energy Star® Advanced Lighting Package	
E2.27	2	2	Outdoor lights are energy efficient.	
E2.28	1	1	Lighting Motion Sensors	
E2.29		1	Energy Efficient Sheathing	
	44	112	Total Possible Points	
	44	Total points for Category 1 (30 min / 75 max)		
Name of HERS Rater:				
Certifying Agent Category 1:				

A NOTE ABOUT ENERGY

As you review the FGBC Green Home Standard you may wonder why many energy saving features do not appear as line items. The FGBC has elected to use a whole-house, performance-based energy rating for points versus offering an exhaustive list of prescriptive energy saving alternatives. The performance-based Energy Rating is called a HERS Index. For information purposes the adjacent chart lists many of the inputs used to calculate a

Energy Gauge USA / HERS Index		
Envelope		
Floors	Windows	Roof
Foundation type	# & size of windows	Roof Configuration / Slope
Insulation value	Tint / U-factor	Roof Material / Color
Perimeter / Area	Type of Frame	Attic Details
Floor covering	Overhang details	Conditioned ceiling Area
Walls	Ceilings	Solar absorbance
Orientation	Ceiling style	Roof deck insulation level
Area	Insulation value	Radiant barrier system
Insulation value	Area	Attic Ventilation ratio
Doors	Garage	Infiltration
Door Area / U Value	Attached or not	Building envelope leakage
Equipment		
Hot Water	Ducts	Appliances and Lights
Type / location	Insulation value	Programmable Thermostat
Efficiency	Duct Location	Refrigerator
Daily usage	Air Handler Location	% fluorescent lighting
Set Temperature	Amount of leakage	Ceilings fans
Solar or heat recovery	Duct surface area	Dishwasher
Cooling	Heating	Photovoltaic's
System Type	System Type	Array
Capacity	Efficiency	Inverter
SEER	Capacity	Batteries

CATEGORY 2: WATER

Category Minimum 15 / Category Maximum 40

Revised 8-25-16

N/A		Is the landscape existing or new	
	Points Achieved	Points Possible	Criteria
W1 Fixtures and Appliances			Certifying Agent Notes
W1.1	0	2 - 3	Water saving clothes washer
			: Water factor (WF) of clothes washer
W1.2	1	1	Low-flow shower heads (must be ≤ 2.0 gpm)
W1.3	1	1	All showers equipped with only 1 showerhead per shower (1 showerhead/15sf allowed)
W1.4	1	1 - 2	All lavatory sink faucets have flow rates of ≤ 1.5 gpm (all ≤ 1.0 gpm = 2 pts)
W1.5	2	2	High-efficiency, dual-flush or single-flush toilets (all toilets ≤ 1.28 gpf)
W1.6		1	Toilet with UNAR MaP Rating of 600 gpf or greater
W2 Greywater Reuse			Certifying Agent Notes
W2.1		1 - 3	Greywater system installed
W3 Rainwater Harvesting			Certifying Agent Notes
W3.1	3	1 - 3	Rainwater harvesting system installed
W4 Reclaimed Water Reuse			Certifying Agent Notes
W4.1	N/A	1 - 2	Water for irrigation
W4.2		1	Meter on reclaimed irrigation system
W4.3		1	Volume-based pricing arrangement
W4.4		2	For toilet flushing
W5 Installed Landscape			Certifying Agent Notes
W5.1	2	2	Drought-tolerant turf, no turf in densely shaded areas
W5.2	1	1 - 3	60%, 80%,100%, of plants/trees from drought-tolerant list
			60% :Percentage of drought tolerant plant
W5.3	2	2	All plants/trees selected to be compatible with their location in the landscape
W5.4	3	3	Turf less then 50% of landscape
W5.5	2	2	No turf in densely shaded areas
W5.6	2	2	Plants with similar sun and water requirements grouped together
W5.7	1	1	Mulch applied 3 - 4 inches deep around plants (no volcano mulch)
W5.8	1	1	Non-cypress mulch used
W5.9		2	Soil tested and amended where necessary

W6 Installed Irrigation				Certifying Agent Notes
W6.1	-	10	No permanent in-ground irrigation system	
W6.2	N/A	2	Innovative irrigation technology	
W6.3	3	3	Landscape irrigated to FGBC standard	
		Yes	Separate zones for turf and landscape beds - multi program controller	
		Yes	High-volume irrigation does not exceed 60% of landscape area	
		Yes	Head to head coverage for rotor/spray heads	
		Yes	Micro-irrigation only in landscape beds and narrow areas	
		Yes	Provide owner & FGBC with plan and instructions	
W6.4	0	1		
	OR		Pressure compensating spray heads installed in spray zones	
			Pressure regulating valves are installed for spray zones	
W6.5		1	In poor drainage (low) areas, heads are installed with check valves	
W6.6		1	High volume irrigated areas have matched precipitation rates	
W6.7	1	1	Pop-up sprinkler heads significantly rise above turf grass height	
W7 Additional Water Certification Requirements				Certifying Agent Notes
W7.1		5	Meet or exceed Florida Water Star SM or WaterSense standards	
W7.2		2	Florida Friendly Landscape TM Program new construction certification	
	26	57	Total Possible Points	
	26	Total points for Category 2 (15 min / 40 max)		
Certifying Agent Category 2:				
Landscape Auditor:				
Credentials of Auditor:				

CATEGORY 3: LOT CHOICE

Category Minimum 0 / Category Maximum 15

Revised 8-25-16

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
LC1.1	0	2 - 6	House built within designated FGBC green land development	
			<div style="display: flex; justify-content: space-between;"> Name of FGBC Green Development </div>	
			<div style="display: flex; justify-content: space-between;"> % above certification requirement of the FGBC Certified land development </div>	
LC1.2		2	Home within a certified green local government	
LC1.3	2	2	Built on an infill site	
LC1.4	1	1	Site within 1/8 mile of existing infrastructure	
LC1.5	2	2	Site within 1/4 mile to mass transit	
LC1.6	2	2	Site within 1/2 mile of public open/green space	
LC1.7	0	2	Site within 1/4 mile or 1/2 mile of existing basic community resources	
			1/2 Mile away from basic community resources	
			- Arts and entertainment center	
			- Bank	
			Yes Community or civic center	
			- Convenience store	
			Daycare center	
			- Fire station	
			- Fitness center or gym	
			Laundry or dry cleaner	
			Library	
			Yes Medical or dental office	
			- Pharmacy	
			Police station	
			Post office	
			- Place of worship	
			- Restaurant	
			- School	
			- Supermarket	
			- Other Neighborhood-serving retail	
			Yes Other office building or major employment center	
LC1.8		2	Site located in small lot cluster development	
LC1.9		2	Brownfield site	
	7	21	Total Possible Points	
	7	Total points for Category 3 (0 min / 15 max)		
Certifying Agent Category 3:				

CATEGORY 4: SITE

Revised 8-25-16

Category Minimum 5 / Category Maximum 30

I N/A That all credits in this category deal only with buildable land. What this means is that if the land is not legally allowed to be disturbed then you may not count this as part of the percentage required for the given credit.

	Points Achieved	Points Possible	Criteria
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Native Tree and Plant Preservation

Certifying Agent Notes

S1.1	2	2	Maximize tree survivability	
S1.2	1	1 - 2	Minimize soil compaction	
			Restrict all construction equipment from driving on site during construction except for area of <25% of site.	
S1.3		2	Replant or donate removed vegetation	
S1.4	0	1 - 9	Preserve or create wildlife habitat / shelter	
			% of property that was created or preserved as a wildlife habitat or shelter	

On Site Use of Cleared Materials

Certifying Agent Notes

S2.1		2	Mill clear trees	
S2.2	0	1 - 2	Reuse cleared materials for mulch / landscape	
			Mulch is both cleared and reused:	

Erosion Control / Topsoil Preservation

Certifying Agent Notes

S3.1		2	Develop and implement an erosion control site plan	
S3.2	1	1	Stabilize disturbed soil	
S3.3		2	Stage disturbance	
S3.4	1	1	Control sediment runoff during construction	
S3.5	1	1	Save and reuse any removed topsoil	

Drainage / Retention

Certifying Agent Notes

S4.1	2	2	Onsite designated retention area	
S4.2		2	Direct filtered rooftop runoff to planted area(s)	
S4.3	1	1 - 4	Maintain pervious surface area (If not taking points input 1 for Total Lot Area)	
			Partial Pervious	
	47	% Pervious Material	146144	Total Lot Area (sq. ft.)
	83302.1	Coverage Area (sq. ft.)	0	100% Pervious sq. ft.
	39152	Equivalent Pervious Area -->	39152	Equivalent Pervious Area (semi-pervious)
	1	Total points for pervious area		
9	34	Total Possible Points		

9 Total points for Category 4 (5 min / 30 max)

Certifying Agent Category 4:

CATEGORY 5: HEALTH

Revised 8-25-16

Category Minimum 15 / Category Maximum 35

	Points Achieved	Points Possible	Criteria			
Combustion					Certifying Agent Notes	
H1.1		3	Detached or Air Sealed Garage or Carport			
H1.2		1	Garage (attached or detached)- exhaust fan on motion sensor and timer			
H1.3		1	Interior Fireplace - Direct vent, sealed combustion w/electronic ignition, factory built wood burning or no fireplace			
H1.4	0	1 - 2	No unsealed space or water heating combustion located inside the conditioned area - or electric			
			Space Heating	Water Heating		
			N/A	Electric	N/A	Electric
			N/A	Sealed combustion equipment	N/A	Sealed combustion equipment
			N/A	Sealed combustion closet	N/A	Sealed combustion closet
				N/A	Outside of conditioned space	
Moisture Control					Certifying Agent Notes	
H2.1		1	Drainage tile on and around top of footing			
H2.2		1	Drainage board for below grade walls			
H2.3	1	1	Gravel bed beneath slab on grade floors			
H2.4		1	Seal slab penetration			
H2.5		1	Capillary break between foundation and framing			
H2.6	-	3	Central dehumidification system			
H2.7		1	No vapor barrier on inside of assemblies			
H2.8	1	1	Moisture control for tub/shower and shower surrounds			
Source Control					Certifying Agent Notes	
H3.1	1	1	No exposed urea-formaldehyde wood products			
H3.2		2	Zero VOC paints, stains, and finishes			
H3.3	1	1	Low VOC paints, stains, and finishes		can not also claim M1.8	
H3.4		1	Low VOC sealants and adhesives			
H3.5	N/A	1 - 2	Minimize carpet use (<50% 1pt, No wall to wall carpet 2pts)			
H3.6		1	Healthy flooring			
H3.7		1	Healthy insulation			
H3.8	1	1	Protect ducts, range hood, and bath exhaust fans during construction			
H3.9	3	3	Integrated pest management plan			
Cleanability					Certifying Agent Notes	

H4.1	0	1 - 2	Central vacuum system		
			N/A	System roughed in	N/A
					Installed with exhaust outdoor
				N/A	Installed with exhaust indoor thru HEPA filter
H4.2		1	Useable entry area		
Universal Design					Certifying Agent Notes
H5.1	2	1 -3	Universally designed living area		
Ventilation					Certifying Agent Notes
H6.1	-	2 - 4	Controlled mechanical ventilation		
H6.2		1	Radon/Soil gas vent system installed		
H6.3	1	1	Floor drain sealed		
H6.4		1	Energy star® bath fans with timer or humidistat		
H6.5	1	1	Kitchen range hood vented to exterior		
H6.6		1	Laundry rooms inside conditioned space must have a make-up air source		
H6.7		3	Whole house positive filtration		
H6.8	1	1 - 2	Efficient HVAC filter		
H6.9	1	1	HVAC filter easily accessible		
H6.10	1	1	Install screens on all windows and doors		
H6.11		1	Manual D duct design		
	15	52	Total Possible Points		
15					Total points for Category 5 (15 min / 35 max)
Certifying Agent Category 5:					

CATEGORY 6: MATERIALS

Category Minimum 10 / Category Maximum 35

Revised 8-25-16

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
Components				
M1.1		1	Recycled content roof material	
M1.2	0	2 - 3	Certified sustainable lumber	
		OR	homes with minimum of 1 story wood frame exterior walls have 80% of all lumber certified	
			home has no exterior wood walls & 80% of remaining lumber used for the home is certified.	
M1.3		1	Engineered / alternative material for outdoor living	
M1.4		1	Concrete with fly ash or blast furnace slag	
M1.5		1	Recycled content siding or soffit material	
M1.6		1	Eco-friendly insulation	
M1.7		1	Recycled content drywall	
M1.8		1	Recycled content paint	
M1.9		1	Steel interior studs	
M1.10		1	Eco-friendly flooring material	
M1.11		1	Eco-friendly ceiling materials	
M1.12	0	1 - 3	Locally produced materials	
			minimum 80% of all new windows & doors are from local manufacturers & are operable	
			50% of all doors are reused doors or 50% of all windows are reused windows	
			80% of all structural components are from local sources - includes panelized & modular systems	
Waste Reduction				
M2.1		3	Resource efficient wall system with integral insulation	
M2.2		2	Develop a construction and demolition waste management plan	
M2.3	3	2 - 4	Implement job site waste management	
		4	# of items implemented	
			List items (i.e.: a, b, c, etc.)	
M2.4		1	Compost bin/built in collection of recyclables	
M2.5	0	1 - 2	Pre-Engineered roof and floor components	
			80% of floor (or code allowance)	80% of roof (or code allowance)
M2.6		1	Finger jointed or laminated products	
M2.7		1	Eco-friendly trim	
M2.8		1	Perimeter based on 2 foot dimensions	
M2.9		1	Each interior wall adheres to 2-foot dimensions for minimum of 50% of the interior walls	
M2.10		1	Stack framing	
M2.11	1	1	2-stud corners with drywall clips	
M2.12		1	T-wall with drywall clips and/or ladder type exterior tee framing	
Durability				
				Certifying Agent Notes

M3.1		1	Roof slope ≥ 3 in 12 but ≤ 6 in 12	
M3.2	-	1	Large overhangs (eave and gable)	
M3.3		1	Air admittance vents	
M3.4		1	Wood frame house and/or wood frame 2nd floors designed with vented rain screen	
M3.5	1	1	Siding and exterior trim primed all sides	
M3.6	1	1	Plants/turf minimum of 2-ft. from foundation	
M3.7		1	Sprinklers and emitters are located a minimum of 2 ft from foundation	
M3.8		1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances	
M3.9		2	Automatic in home water sensor/shut off system installed	
M3.10		1	Access panel to non-accessible plumbing fixture installed	
M3.11		1	Laundry room below living floor or drain installed	
	6	47	Total Possible Points	
6	Total points for Category 6 (10 min / 35 max)			
Certifying Agent Category 6:				

CATEGORY 7: DISASTER MITIGATION

Category Minimum 5 / Category Maximum 30

Revised 8-25-16

	Points Achieved	Points Possible	Criteria	
Hurricane (wind, rain, storm surge)				Certifying Agent Notes
DM1.1	-	2	Safe room	
DM1.2	-	2	Unvented attic or No attic	
DM1.3	2	2	Window, door, and skylight protection or impact resistant type	
DM1.4	-	1	Attached garage and exterior door protection	
DM1.5	1	1	Exterior structures and equipment properly anchored	
DM1.6	2	2	Secondary water protection installed on roof	
DM1.7	-	2	Adhesive applied to roof sheathing	
DM1.8	-	5	Comply with Fortified For Safer Living Standards	
Flood (must incorporate all three)				Certifying Agent Notes
DM2	3	3	Yes Finished floor level at least 12" above 100 yr flood plain	
			Yes Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage	
			Yes Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor	
Fire (must incorporate all three for 3.1)				Certifying Agent Notes
DM3.1	3	3	Yes Fire resistant exterior wall cladding	
			Yes Fire resistant roof covering or sub-roof	
			Yes Fire resistant soffit and vent material	
DM3.2	0	3	- Fire Sprinklers installed to cover 100% of living area of home	
Lightning & Electronics Protection				Certifying Agent Notes
DM4	-	1 - 2	Installed Surge Suppression or Lightning Protection System	
Termites (must comply w/required credits listed below AND EITHER DM 5.1 OR DM 5.2 OR DM 5.3 to receive points)				Certifying Agent Notes
	required	N/A	Seal slab penetrations (Health: H2.4)	
	required	N/A	Vegetation > 2 ft. from foundation (Materials: M3.6)	
	required	N/A	Sprinklers & emitters are 2 feet from house (Materials: M3.7) OR no installed irrigation (Water: W6.1)	
DM 5.1	0	10	DM 5.1: Chemical Soil Treatment Used	
			- Exterior cladding installed to prohibit intrusion	
			- Rain gutters installed (downspouts discharge a minimum of 3' from home) OR meet large overhangs (≥2')	
			- Condensate line(s) discharge a min of 2' from home & are located 5' or more from dryer vent	
			- Irrigation/sprinkler water does not hit building	
			- Damage replacement warranty issued and available for annual renewal	
OR				

DM 5.2		10	DM 5.2: Chemical Soil Treatment Avoided	
			- Chemical soil treatment avoided	
			- Alternative Florida Building Code approved method of foundation protection employed	
	OR			
DM 5.3		12	DM 5.3: Treated wood products	
			- All wood products serving structural or exterior finish purposes are borate or ACQ treated	
DM5.4	-	1	80% of Cellulose insulation used is Borate treated	
	11	41	Total Possible Points	
	11	Total points for Category 7 (5 min / 30 max)		
Certifying Agent Category 7:				

CATEGORY 8: GENERAL

Category Minimum 0 / Category Maximum 40

Revised 8-25-16

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
Small House Credit				
G1.1	10	0 - 25	Conditioned house size (<i>enter no if not claiming any points</i>)	
			1,692 Square feet of conditioned area	
Adaptability				
G2.1		2	Roof trusses designed for addition	
G2.2		1 - 2	Unfinished rooms 1point for >100 SF, 2 points for > 200 SF	
G2.3		1	Install a minimum of 2 upgraded automation system	
Renewable Power Generation				
G3.1	0	1 - 5	Reduce peak demand or annual load	
			Enter size of PV System in kW (1 point for each 2kW)	
Remodel & Existing Homes - NOTE: Credits G4.1 - G4.5 are ONLY available for EXISTING homes				
G4.1		10	Remodeling structure (HERS Index ≤ 80)	
G4.2	3	3	Toilets 1.6 gpf and showers 2.5 gpm or less	
G4.3	2	2	Upgrade existing installed irrigation with rain gauge, timer and code irrigation heads	
G4.4		2	Existing homes with pools - Upgrade pump to variable speed or dual speed	
G4.5	2	2	Improve roof to wall connections	
Other				
G5.1	0	1 - 2	Home builder/designer/architect/landscape architect member of FGBC	
			:Number of members on the team that are members of FGBC	
G5.2	-	2	Homeowner's manual, including information, benefits, operations - per reference guide	
G5.3	2	2	Minimum 1 hour hands on training provided to homeowner	
G5.4		1	Plan for edible landscape/food garden	
G5.5	-	2	Guaranteed energy bills	
G5.6		1 - 5	INNOVATIVE CREDITS	
			Description of innovation:	
	19	49	Total Possible Points (49 for new homes, 68 for existing homes)	
	19	Total points for Category 8 (0 min / 40 max)		

FGBC Green Home Standard

Version 10

Existing Home Application

Effective October 1, 2013

Revised 8-25-16

Instructions for Submission:

Electronic Submissions (preferred)

- Complete the credit card authorization below or pay online

(Note: Payment by check is acceptable - see mailing instructions below)

Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.

<https://dropbox.hightail.com/certifications>

Mailing Instructions

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:

FGBC
1415 E. Piedmont Dr. Suite 5
Tallahassee, FL 32308-7954

FEES

Single Family New and Existing Home Fees

Fee	Builder or Homeowner Must Be Member
\$75	Member of FGBC and FHBA
\$100	Member of FGBC or FHBA
\$125	Non Member

Multi-Family Fees

Multi-family applications: Use TAB 18

Additional Options

\$39	FGBC Certified Home Bronze Plaque
\$40	Florida Water Star Certification
Free	FGBC Certified Home Yard Sign (Electronic Version)

Builder Information

Name: _____
 Company: _____
 Address: _____
 City/ST/Zip: _____
 Phone: _____
 E-mail: _____
 DBPR License #: _____
 FGBC Member #: _____
 FHBA Member #: _____
 Signature: _____

Certifying Agent Information

Name: _____
 Company: _____
 Address: _____
 City / Zip: _____
 Phone: _____
 Fax: _____
 E-mail: _____
 CA Registration #: _____
 Signature: _____

Required Signatures: All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.

PAYMENT

_____	Do You Want A Yard Sign? (Free)
_____	Home Fees
_____	Bronze Plaques
_____	Florida Water Star Certification
\$0.00	Total Amount Authorized

[Pay Online](#) or **Authorize Credit Card Here: (Visa/MC/AX)**

CC#:

Expiration Date: _____

Name on Card: _____

Billing Zip Code: _____

Signature: _____

Home Information

Address: _____

City/ST/Zip: _____

County: _____

Development: _____

Please answer the following questions:

_____	Is the home New or Existing?
_____	Is this Single Family or Multi-Family?
_____	Is this home Affordable? List Funding Source

_____	Square Footage of home/unit
_____	Sales Price

Optional Information

Owner: _____

Company: _____

Address: _____

City/ST/Zip: _____

Phone: _____

E-mail: _____

Date: _____

Project Point Summary

Minimum Points to Qualify (may be over 100 if a category minimum is missed)

100

Points Toward Qualification (points over category maximums excluded)

137

Total Points Achieved

137

Please refer to Standards Documents and Green Home Reference Guide for additional information.

Category	Your Score	Required Min - Max
Category 1: Energy	44	30 - 75
Category 2: Water	26	15 - 40
Category 3: Lot Choice	7	0 - 15
Category 4: Site	9	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	6	10 - 35
Category 7: Disaster Mitigation	11	5 - 30
Category 8: General	19	0 - 40

Total: **137**

Total Needed: **100**

Certified Home Score 137

Certification Level Silver

FGBC Green Home Standard

Version 10

Multi-Family Home Application

Effective October 1, 2013

Revised 8-25-16

Instructions for Submission:

Electronic Submissions (preferred)

- Complete the credit card authorization below or pay online
(Note: Payment by check is acceptable - see mailing instructions below)

Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.

<https://dropbox.hightail.com/certifications>

Mailing Instructions

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:

FGBC
1415 E. Piedmont Dr. Suite 5
Tallahassee, FL 32308-7954

FEES

Multi-Family Fees

Members \$100 application fee + \$100 per building + \$25 per unit
Non Members \$100 application fee + \$100 per building + \$35 per unit

Enter your project information below:

Number of Buildings
Number of Units

\$100 MEMBER Fee
\$100 NON MEMBER Fee

PAYMENT

Do You Want A Yard Sign? (Free)
Home Fees
Bronze Plaques
Florida Water Star Certification
Total Amount Authorized
\$0.00

[Pay Online](#) or [Authorize Credit Card Here: \(Visa/MC/AX\)](#)

CC#:

Expiration Date:

Name on Card:

Billing Zip Code:

Signature:

Builder Information

Name:
Company:
Address:
City/ST/Zip:
Phone:
Builder Email:
DBPR License #:
FGBC Member #:
FHBA Member #:
Signature

Home Information

Address:
City/ST/Zip:
County:
Development:

Please answer the following questions:

Is the home New or Existing?
Is this Single Family or Multi-Family?
Is this home Affordable? List Funding Source
Square Footage of home/unit
Sales Price

Certifying Agent Information

Name:
Company:
Address:
City / Zip:
Phone:
Fax:
E-mail:
CA Registration #:
Signature:

Optional Information

Owner:
Company:
Address:
City/ST/Zip:
Phone:
E-mail:

Required Signatures: All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.

Date:

Project Point Summary

Minimum Points to Qualify (may be over 100 if a category minimum is missed)
Points Toward Qualification (points over category maximums excluded)
Total Points Achieved

104
137
137

Please refer to Standards Documents and Green Home Reference Guide for additional information.

Category	Your Score	Required Min - Max
Category 1: Energy	44	30 - 75
Category 2: Water	26	15 - 40
Category 3: Lot Choice	7	0 - 15
Category 4: Site	9	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	6	10 - 35
Category 7: Disaster Mitigation	11	5 - 30
Category 8: General	19	0 - 40

Total: 137

Total Needed: 104

Certified Home Score 133

Certification Level Silver

Year 10 BPAS



PROPERTY RECORD CARD

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 00053710-000100
 Account# 9105085
 Property ID 9105085
 Millage Group 10KW
 Location Address 3705 EAGLE Ave, KEY WEST
 Legal Description SQR 13 LOT 11 KW FWDN SUB PLAT 1 PB1-155 G28-143 OR36-33 OR514-233 OR700-596 OR700-597 OR1268-872 OR1279-2498 OR1334-2452 OR2270-454 OR2564-1595 OR2601-633 OR3214-660
 (Note: Not to be used on legal documents.)
 Neighborhood 6223
 Property Class VACANT RES (0000)
 Subdivision Key West Foundation Co's Plat No 1
 Sec/Twp/Rng 34/67/25
 Affordable No
 Housing

[DEPOO JR PAUL J](#)
 27 Driftwood Dr
 Key West FL 33040

[DEPOO GRETCHEN R](#)
 27 Driftwood Dr
 Key West FL 33040

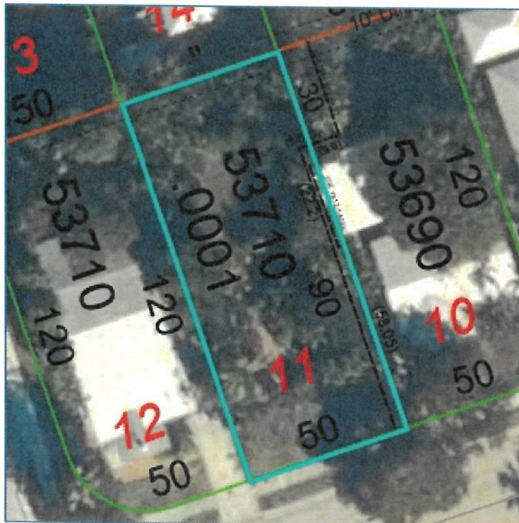
Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	6,000.00	Square Foot	0	0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
2/14/2023	\$100	Quit Claim Deed	2408747	3214	660	11 - Unqualified	Improved		

View Tax Info

[View Taxes for this Parcel](#)



No data available for the following modules: Valuation, Historical Assessments, Buildings, Yard Items, Permits, Sketches (click to enlarge), Photos, TRIM Notice.

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: 5/2/2023, 2:08:32 AM



Version 3.1.6



ELEVATION CERTIFICATE

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-8.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION						FOR INSURANCE COMPANY USE	
A1. Building Owner's Name DEPOO					Policy Number:		
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 3701 EAGLE AVENUE					Company NAIC Number:		
City KEY WEST		State Florida		ZIP Code 33040			
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) (TAX PARCEL #00053710-000000) (SQR 13 LOT 11 KW FWDN SUB PLAT 1 PB1-155)							
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>							
A5. Latitude/Longitude: Lat. <u>24.5659 N</u> Long. <u>-81.7548 W</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983							
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.							
A7. Building Diagram Number <u>5</u>							
A8. For a building with a crawlspace or enclosure(s):							
a) Square footage of crawlspace or enclosure(s) <u>N/A</u> sq ft							
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>							
c) Total net area of flood openings in A8.b <u>N/A</u> sq in							
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
A9. For a building with an attached garage:							
a) Square footage of attached garage <u>N/A</u> sq ft							
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>							
c) Total net area of flood openings in A9.b <u>N/A</u> sq in							
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION							
B1. NFIP Community Name & Community Number CITY OF KEY WEST 120168				B2. County Name MONROE		B3. State Florida	
B4. Map/Panel Number 12087C1509	B5. Suffix K	B6. FIRM Index Date 02-18-2005	B7. FIRM Panel Effective/Revised Date 02-18-2005	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 7		
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____							
B11. Indicate elevation datum used for BFE in item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____							
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA							

ELEVATION CERTIFICATE

OMB No. 1860-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
3701 EAGLE AVENUE

City
KEY WEST

State
Florida

ZIP Code
33040

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO.
Complete items C2.a-h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: BASIC

Vertical Datum: 1929

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source:

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- | | | | |
|---|------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | 8.6 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor | 18.6 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | N/A | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | N/A | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | 9.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | 4.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | 4.2 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including
structural support | 4.1 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name
J. LYNN O'FLYNN

License Number
8298

Title
P.S.M.

Company Name
J. LYNN O'FLYNN, INC.

Address
3430 DUCK AVENUE

City
KEY WEST

State
Florida

ZIP Code
33040

Signature

Date
10-15-2022

Telephone
(305) 296-7422

Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

C2. e) - AIR CONDITIONER UNIT

REVISED 11/4/22 TO ADD PHYSICAL ADDRESS

LONGITUDE & LATITUDE WERE DETERMINED BY USING GOOGLE EARTH

Place
Seal
Here
11-22

ELEVATION CERTIFICATEOMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 3701 EAGLE AVENUE			Policy Number:	
City KEY WEST	State Florida	ZIP Code 33040	Company NAIC Number	
SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)				
<small>For Zones AO and A (without BFE), complete items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.</small>				
E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG). a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG. b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the LAG.				
E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.				
E3. Attached garage (top of slab) is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.				
E4. Top of platform of machinery and/or equipment servicing the building is _____ <input type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input type="checkbox"/> below the HAG.				
E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown. The local official must certify this information in Section G.				
SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION				
<small>The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.</small>				
Property Owner or Owner's Authorized Representative's Name				
Address		City	State	ZIP Code
Signature		Date	Telephone	
Comments				
<input type="checkbox"/> Check here if attachments.				

ELEVATION CERTIFICATEOMB No. 1860-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 3701 EAGLE AVENUE			Policy Number:	
City KEY WEST	State Florida	ZIP Code 33040	Company NAIC Number	
SECTION G – COMMUNITY INFORMATION (OPTIONAL)				
The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.				
G1. <input type="checkbox"/> The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)				
G2. <input type="checkbox"/> A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.				
G3. <input type="checkbox"/> The following information (Items G4–G10) is provided for community floodplain management purposes.				
G4. Permit Number		G5. Date Permit Issued		G6. Date Certificate of Compliance/Occupancy Issued
G7. This permit has been issued for: <input type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement				
G8. Elevation of as-built lowest floor (including basement) of the building: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
G9. BFE or (in Zone AO) depth of flooding at the building site: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
G10. Community's design flood elevation: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____				
Local Official's Name		Title		
Community Name		Telephone		
Signature		Date		
Comments (Including type of equipment and location, per C2(e), if applicable)				
<input type="checkbox"/> Check here if attachments.				

ELEVATION CERTIFICATE**BUILDING PHOTOGRAPHS**

See Instructions for Item A6.

OMB No. 1680-0008

Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
3701 EAGLE AVENUE**FOR INSURANCE COMPANY USE**

Policy Number:

City
KEY WESTState
FloridaZIP Code
33040

Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A6. If submitting more photographs than will fit on this page, use the Continuation Page.

Photo One

Photo One Caption

Clear Photo One

Photo Two

Photo Two Caption

Clear Photo Two

ELEVATION CERTIFICATE**BUILDING PHOTOGRAPHS**

Continuation Page

OMB No. 1660-0008
Expiration Date: November 30, 2022**IMPORTANT: In these spaces, copy the corresponding information from Section A.**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
3701 EAGLE AVENUE**FOR INSURANCE COMPANY USE**

Policy Number:

City
KEY WESTState
FloridaZIP Code
33040

Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

Photo Three

Photo Three Caption

Clear Photo Three

Photo Four

Photo Four Caption

Clear Photo Four



ESTIMATED SCORE SHEET



Exhibit B – Site Data Table
Building Permit Allocation System Application
 305-809-3720 • www.cityofkeywest-fl.gov

SITE DATA TABLE

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request (y/n)
Zoning	SF			
Flood Zone	AE7, Proposed AE8			
Size of Site	6,000 SF			
Height	25' + 5' = 30'	0	29'	No
Front Setback	30' or St avg 20'	0	21'	No
Side Setback	5'	0	6.0', 17.0'	No
Side Setback	25'	0	N/A	No
Street Side Setback	25'	0	N/A	No
Rear Setback	25'	0	54.0'	No
Residential Floor Area	1.0	0	1,692 SF	No
Density	6,000/5,445 = 1.1 du	0	1 du	No
Commercial Floor Area	N/A	N/A	N/A	N/A
F.A.R (Commercial)	N/A	N/A	N/A	N/A
Building Coverage	35% Max	0	1,215 SF = 20.3%	No (See Note 1)
Impervious Surface	50% Max	0	1,789 SF = 29.8%	No (See Note 2)
Parking	1	0	2	No
Open Space/ Landscaping	35%	6,000 SF = 100%	4,211 SF = 70.12%	No (See Note 3)
Site Data Collection	10/10/22			
Lot Area 50'X120' =	6,000	SF		
1st Floor House incl. Porch	1,215	SF		
2nd Floor House	585	SF		
1st and 2nd Floor House Total	1,800	SF		
Conc. Drive 12x40	480	SF		
Conc. Walk and Stairs 4X16, 94 5X6		SF		
Note 1- Building Coverage				
Max bldg. coverage 35%	Existing		Proposed	

1 st Floor house include. Porch	-SF	1,215	SF
2 nd Floor	-	-	
Building Coverage	-SF	1,215	SF
Lot	6,000	6,000	SF
Bldg Coverage	0.00%	20.25%	
Note 2- Impervious Surface			
Max impervious area 50%	Existing	Proposed	
Lot Area 50'X120' =	6,000	6,000	SF
1 st Floor House incl. porch	-SF	1,215	SF
Conc. Drive 12X40	-SF	480	SF
Conc. Walk 4X16	-SF	94.00	SF
Total	-SF	1,789.00	SF
Percentage Impervious	0.00%	29.82%	
Change in impervious		1,789.00	SF
Note 3 Open Space/Landscaping			
Min open space 35%	Existing	Proposed	
Lot 30X120	6,000	6,000	SF
Less			
House w/ porch	-SF	(1,215)	SF
Concrete walks	-SF	(94.00)	SF
Concrete drive	-SF	(480.00)	SF
Total open space	6,000	4,211	SF
Lot	6,000	6,000	SF
Open space	100.00%	70.18%	

Year 10 BPAS



CERTIFICATION FORM

Exhibit D – BPAS Certification Form

City of Key West Planning Department

Building Permit Allocation System Application

305-809-3764 • www.cityofkeywest-fl.gov

I 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. I certify that all information required has been provided.

I certify that my total estimated points are 30. I certify that if I am awarded one or more Building Permit Allocations and am unable to achieve all prerequisites and/or achieve the total amount of points represented on the Score Sheet, a Certificate of Occupancy will not be issued for the project.

I certify that if I am awarded one or more Building Permit Allocations, the Score Sheet and Prerequisite Solution Statement prepared as part of this application will be provided to my contractor and that my contractor will be made aware that if the completed project does not achieve all prerequisites and achieve the total amount of points represented on the Score Sheet, a Certificate of Occupancy will not be issued for the project.

[Signature]
Signature of applicant

10-27-2022
Date

Gregory S. Oropeza
Print name of Applicant

Subscribed and sworn to (or affirmed) before me on this 27th day of October, 2022,
by Gregory S. Oropeza (Name of person signing the application)
as attorney (Type of authority...e.g., officer, manager/member, trustee,
attorney)
for Paul J. Depo, Jr. & Gretchen (name of entity or party on behalf of whom application was
executed). R. Depo

They are personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal

SEAL

Name of Acknowledger typed, printed, or stamped

Commission Number if any





PRELIMINARY DRAFT RANKING



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

February 1, 2023

VIA ELECTRONIC MAIL

Gregory Oropeza, Esq.
Oropeza, Stones, & Cardenas
221 Simonton Street
Key West, FL 33040

**Re: Preliminary Ranking for Year 10 (2022-2023) Building Permit Allocation System (BPAS)
Application
3701 Eagle Avenue (RE #00053710-000000)**

Dear Gregory,

The following letter is in response to a request for one (1) market-rate residential dwelling BPAS unit received by the Planning Department on November 4th, 2022, for property located at 3701 Eagle Avenue, more specifically RE #00053710-000000, Lot 11. The submitted application states, in part, that the parcel will undergo a parcel identification number split through the Monroe County Property Appraiser, and the newly designated parcel consisting of a vacant lot (Lot 11) will be developed to consist of one (1) single-family unit. Following application submittal, the parcel has undergone a parcel identification number split; Lot 11 is now identified as RE #00053710-000100 and assigned the address 3705 Eagle Avenue; in light of these adjustments the subject property will be referenced as such for the duration of this letter.

Completeness

- Applicant must complete the aforementioned parcel identification number split between Lot 11 and Lot 12 and provide new parcel ID # before the City can accept the site data table provided.

BPAS Prerequisites

- ☐ Sec. 108-997 (b) (1) a. - The submitted FGBC checklist gives this home a score of 137, resulting in the "Silver" certification level.
 - The submitted FGBC checklist does not specify the applicable property/structure.

Status: Unverified

Applicant Action: Please provide a FGBC checklist that depicts the subject property. The submitted document does not specify the applicable property/structure.

- ☐ Sec. 108-997 (b) (1) b. – Sheet A-2 reflects the first finished floor at 8.6 feet NGVD. The parcel is in the AE-7 flood zone, which has a Base Flood Elevation (BFE) of 7 feet.
Status: Verified



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Applicant Action: None.

- ☐ Sec. 108-997 (b) (1) c. - Sheet C-1 reflects a 1,400-gallon cistern in the rear yard of the proposed structure, the roof of the proposed structure is 1,363 square-feet per the submitted plans.

Status: Verified

Applicant Action: None.

BPAS Scoring Criteria

The points claimed in Exhibit C "*Applicant's Estimated Score Sheet*" and D "*BPAS Certification Form*" cannot be verified by staff. Applicant is claiming the following points:

- Sec. 108-997(c)(1) a. *Building more than 1.5 feet higher than the base flood elevation: 5 points.*
Status: Verified.

Applicant Action: None.

- Sec. 108-997(c)(1) e. *Achieving Green Building Certification Upgrade 1 (FGBC Silver): 20 points.*
Status: Unverified.

Applicant Action: Please provide a FGBC checklist that depicts the subject property. The submitted document does not specify the applicable property/structure.

- Sec. 108-997(c)(1) h. *Voluntary contribution to the arts in public places fund or tree fund in the amount of \$2,500.00 or more: 5 points.*
Status: Pending

Applicant Action: Applicant must provide credit card authorization or have submitted a check through the City of Key West Planning Department in the event a unit is approved for allocation in order to receive final allocation award letter.

Additional Documentation & Comments

- The City of Key West currently recognizes two units on previously existing RE #00053710-000000, both of which are located on Lot 12. According to a Planning Department Memorandum dated August 8, 2005, the two units were constructed in the 1960's, though only one unit was licensed on the property at the time. In 2005, the Planning Department received a "Code Enforcement Referral"



THE CITY OF KEY WEST

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in reference to an illegal unit at this property. In reference to the illegal unit, a 2005 Planning Department Memorandum states "*A residential unit is found to have existed for years that, if inspected and brought into conformance with City requirements, if necessary, would fit the criteria for an affordable accessory apartment in the SF Zoning District.*". The accessory dwelling unit was licensed by the City in 2005 per Code Case #05-00699, though there is a lack of evidence that the accessory dwelling unit was brought into compliance to fit the relevant criteria. The Single-Family zoning district permits accessory dwelling units as of right contingent on meeting the following criteria stated in Section 122-233 of the Land Development Regulations:

Sec. 122-233. - Special criteria applicable to accessory units.

(a) Accessory units proposed within the single-family residential district (SF) shall met the following criteria:

- (1) Each unit shall have a rental rate, including utilities, not exceeding 15 percent of the median household income in the county. This affordability criteria shall be duly recorded as a deed restriction in perpetuity.*
- (2) Accessory units shall be restricted to occupancy by permanent residents.*
- (3) Accessory units shall not be sold separately as a condominium.*
- (4) When an accessory unit permit is originally initiated, the principal unit must be owned and occupied by a permanent resident.*
- (5) Accessory units shall not take up more than 40 percent of the principal structure.*
- (6) Accessory units shall comply with maximum impervious surface regulation within the SF district. Parking surfaces shall not be counted as open space.*
- (7) Accessory units shall comply with applicable landscaping requirements.*
- (8) Accessory units shall comply with the maximum threshold for lot coverage by impervious surfaces.*
- (9) Parking requirements shall be satisfied by both the principal and accessory unit.*
- (10) Density shall be calculated based only upon the number of principal units on a site.*
- (11) Accessory units shall not exceed 600 square feet and the minimum size shall be 300 square feet.*

(b) Any application for accessory units shall include deed restrictions which shall be filed with the city and the clerk of the circuit court. The deed restrictions shall incorporate mandatory compliance with the criteria cited in subsection (a) of this section.

(Ord. No. 97-10, § 1(2-5.2.2(A)(2)), 7-3-1997)

- Specifically, the Planning Department does not have record of the accessory units' compliance with Section 122-233(1). Please provide a copy of the filed deed restriction for the accessory dwelling unit.
 - If a deed restriction has not been filed with the City and Clerk of the Circuit Court, please execute such document through the agency of the City's Legal Department and Monroe County Clerk of the Circuit Court.



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- If a deed restriction is not filed with the City and Clerk of the Circuit Court, the parcel split of Lot 11 and Lot 12 will create an illegal nonconforming density on Lot 12.
 - The Planning Department cannot support the creation of an illegal nonconformity. Should the BPAS application continue to be pursued without evidence of a deed restriction for the second unit on Lot 12, the Planning Department will not recommend approval of the requested BPAS unit on Lot 11 to the Planning Board.
- The applicant expressed interest in requesting a Beneficial Use Allocation. Per Section 108-999, *"An owner of real property may apply for relief from the literal application of applicable land use regulations or of this plan when such application would have the effect of denying all economically reasonable or viable use of that property unless such deprivation is known to be necessary to prevent a nuisance under state law or in the exercise of the city's police power to protect the health, safety, and welfare of its citizens."*
 - Historically, the subject property has been reflected as one parcel (RE #00053710-000000), which consisted of two single lots of record identified as Lot 11 and Lot 12. The aforementioned property appraiser identification number split created a new parcel for Lot 11 (RE #00053710-000100), though did not increase nor alter the number of legally platted lots. Based upon the survey submitted with the BPAS application, Lot 11 consists of a covered concrete structure encroaching from Lot 12 and brick pavers.
- Due to the finite number of BPAS units, the Planning Department recommends submitting an application for a beneficial use allocation rather than pursuing the requested BPAS unit.
- Final BPAS applications are pending final density/zoning review for compliance with the City of Key West Land Development Regulations.

General Information

Draft Rankings: A preliminary draft copy of the Year 10 BPAS application rankings is attached, so that you can get a sense of how your project compares to other proposals. All BPAS applications are scored and ranked with the highest scores being first for award. Market-rate unit requests compete separately from affordable-rate unit requests. You may make changes to your project that change the Estimated BPAS Score Sheet. After the deadline below, changes to the Estimated BPAS Score Sheet will no longer be allowed.

Deadline: Please submit one (1) paper copy and an electronic copy of your response and the requested revisions to the Planning Department no later than 5:00 p.m. on Wednesday, March 8, 2023.



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Year 10 BPAS Set Asides: Pursuant to Section 108-995 of the Land Development Regulations, the City of Key West is permitted to allocate a minimum of 0.4 affordable units and a maximum of 46 market rate units in Year 10. However, from time to time, the City Commission authorizes 'set-asides' of market rate BPAS units, these set asides effectively reduce the number of market rate units available for allocation during any one BPAS cycle. At this time, no Year 10 allocations have been approved to be set aside.

Assistance: Please contact us with any questions or need for clarification. Planning staff is available to meet with you to discuss your application in greater detail. More information is available at www.cityofkeywest-fl.gov/bpas.

Sincerely,



Katie P. Halloran, Planning Director
Planning Department
City of Key West
1300 White Street
Key West, FL 33040

CITY OF KEY WEST BUILDING PERMIT ALLOCATION SYSTEM (BPAS)																			
YEAR 10 PRELIMINARY RANKINGS																			
													</						



PRELIMINARY RANKING RESPONSE

FGBC Green Home Standard

Version 10

Application

Effective October 1, 2013

Revised 8-25-16

Instructions for Submission:

Electronic Submissions (Required)

Complete the credit card authorization below or pay online

(Note: Payment by check is acceptable - see mailing instructions below)

Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.

<https://dropbox.hightail.com/certifications>

Mailing Instructions

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:

FGBC
1415 E. Piedmont Dr. Suite 5
Tallahassee, FL 32308-7954

FEES

Single Family New and Existing Home Fees

Fee	Builder or Homeowner Must Be Member
\$75	Member of FGBC and FHBA
\$100	Member of FGBC or FHBA
\$125	Non Member

Multi-Family Fees

Multi-family applications: Use TAB 18

Additional Options

\$39	FGBC Certified Home Bronze Plaque
\$40	Florida Water Star Certification
Free	FGBC Certified Home Yard Sign (Electronic Version)

Builder Information

Name: Eddie Sanchez
Company: O.C.D. Construction, Inc.
Address: 6 Cypress Avenue
City/ST/Zip: Key West, Florida 33040
Phone: _____
Builder Email: _____
DBPR License #: RB29003688
FGBC Member #: _____
FHBA Member #: _____
Signature: _____

Certifying Agent Information

Name: Two Trails, Inc.
Company: _____
Address: 8955 U.S. Highway 301N
City / Zip: Parrish, Florida 34219
Phone: 941-776-8680
Fax: _____
E-mail: _____
CA Registration #: CGC024883

Signature:

Required Signatures: All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.

PAYMENT

Do You Want A Yard Sign? (Free) _____
Home Fees _____
Bronze Plaques _____
Florida Water Star Certification _____
Total Amount Authorized \$0.00

Pay Online

or Authorize Credit Card Here: (Visa/MC/AX)

CC#: _____
Expiration Date: _____
Name on Card: _____
Billing Zip Code: _____

Signature:

Home Information

Address: 3705 Eagle Avenue
City/ST/Zip: Key West, FL 33040
County: Monroe
Development: N/A

Please answer the following questions:

<input type="checkbox"/>	Is the home New or Existing?
<input type="checkbox"/>	Is this Single Family or Multi-Family?
<input type="checkbox"/>	Is this home Affordable? List Funding Source
<input type="checkbox"/>	Square Footage of home/unit
<input type="checkbox"/>	Sales Price

Optional Information

Owner: _____
Company: _____
Address: _____
City/ST/Zip: _____
Phone: _____

E-mail:

Date:

Project Point Summary

Minimum Points to Qualify (may be over 100 if a category minimum is missed)
Points Toward Qualification (points over category maximums excluded)
Total Points Achieved

104
137
137

Please refer to Standards Documents and Green Home Reference Guide for additional information.

Category	Your Score	Required Min - Max
Category 1: Energy	44	30 - 75
Category 2: Water	26	15 - 40
Category 3: Lot Choice	7	0 - 15
Category 4: Site	9	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	6	10 - 35
Category 7: Disaster Mitigation	11	5 - 30
Category 8: General	19	0 - 40

Total:

Total Needed:

Certified Home Score **133**

Certification Level **Silver**

A Proposed Deed Restriction drafted in accordance with Section 122-233(1) and Code Case No. 05-00699 has been provided to the Planning Department and will be recorded once approved. A copy of the Proposed Deed Restriction is enclosed herein.

Return to:
Gregory S. Oropeza, Esq.
221 Simonton Street
Key West, FL 33040
(305) 294-0252

DECLARATION OF AFFORDABLE HOUSING RESTRICTIONS

This Declaration of Affordable Housing Restrictions (hereinafter "Declaration") is made and entered into this ____ day of February, 2023 by Paul J. DePoo, Jr. and Gretchen R. DePoo.

This Declaration applies to the real property located at 3701 Eagle Avenue, Key West, Florida 33040, which is more fully described in the Legal Description attached hereto and incorporated herein as Exhibit A (hereinafter "Property").

WHEREAS, the Property is subject to regulation pursuant to Section 122-233(1) of the Code of Ordinances of the City of Key West, Florida, as amended from time to time ("Accessory Unit"), which ordinance establishes acceptable accessory units within the single-family residential district (SF), establishes an affordable rental rate for accessory units within the SF district, and restricts the occupancy of such accessory units such that the accessory units are not divisible for purposes of a sale of the unit individually; and

WHEREAS, Declarant as well as subsequent purchasers and tenants will benefit from the limitations and regulations placed on the Property by operation of this Declaration; and,

WHEREAS, the intent of the City of Key West (hereinafter "City") in imposing reasonable regulations on the Property is to establish and maintain the affordability of the Accessory Unit built on the Property for persons with incomes within a specified range; and

WHEREAS, the intent of Declarant is to preserve through this Declaration the affordability of the Accessory Unit and to assign to the City the right to enforce compliance with this Declaration as an intended beneficiary of this Declaration

NOW, THEREFORE, the Declarant agrees that the Property shall be held, conveyed, and/or leased subject to the following affordable housing restrictions, covenants and conditions, which shall run with the Property and be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns for the entire term of this Declaration.

I. DEFINITIONS

A. "Declarant" shall mean the owner of the Property and any subsequent purchaser, devisee, transferee, grantee or holder of title of the Property or any portion of the Property.

B. "Transfer" means any sale, assignment or transfer, voluntary, involuntary or by operation of law (whether by deed, contract of sale, gift, devise, bequest, trustee's sale, deed in lieu of foreclosure, or otherwise) of any interest in the Property, including but not limited to, a fee simple interest, a joint tenancy interest, a life estate, a leasehold interest, or an interest evidenced by a land contract by which possession of the Property, which shall include the Accessory Unit, is transferred and Declarant retains title.

C. "Transferee" shall mean an individual, or individuals, who receive a Transfer of the Accessory Unit from the Declarant.

D. "Income" shall mean gross income.

All other terms shall have the same meaning given to them in the City's Work Force Housing Ordinance.

II. TERM AND ENFORCEABILITY

A. This Declaration shall run with the Property and bind the Declarant, his or her heirs, legal representatives, executors, successors in interest and assigns, in perpetuity from the effective date of this Declaration.

B. The Property is held and hereafter shall be held, conveyed, encumbered, used, rented, leased and occupied subject to these covenants, conditions, restrictions and limitations, pursuant to this Declaration and that certain Accessory Unit license as given by the City in 2005 per Code Case #05-00699, a copy of which is attached hereto and incorporated herein as Exhibit B. All of the herein-stated covenants, conditions, restrictions and limitations are intended to constitute both equitable servitudes and covenants running with the land.

C. Any transferee, mortgagee or purchaser of the Property, or of any portion of or interest in the Property, by the acceptance of a deed therefore, whether from Declarant or from any subsequent purchaser of the Property, or by the signing of a contract or agreement to purchase the same, shall, by the acceptance of such deed or mortgage, or by the signing of such contract or agreement, be deemed to have consented to and accepted the covenants, conditions, restrictions and limitations set forth herein. Any written instrument attempting or purporting to sell, convey, grant, transfer, exchange assign or mortgage any legal or equitable rights or interests to the Property shall be deemed null and void, where such instrument purports or evidences an attempt to sell, convey, grant, transfer, exchange or assign any right or interest to the Property where such instrument is inconsistent with or contrary to the conditions or covenants contained herein. Any deed or instrument of conveyance executed by or on behalf of Declarant or any subsequent grantee, devisee, heir, assignee or other transferee shall expressly set forth verbatim this and the foregoing reservations, restrictions and covenants or, in lieu thereof, incorporate them by specific reference to this Declaration by Book and Page number(s) where recorded in the Public

Records of Monroe County, Florida.

D. In order to preserve through this Declaration the affordability of the Accessory Unit for persons with incomes within a specified range, the Declarant hereby grants and assigns to the City the right to monitor and enforce compliance with this Declaration. Declarant otherwise reserves the rights necessary to implement the provisions of this Declaration.

E. Pursuant to Section 122-1467(c) of the Work Force Housing Ordinance, the total rental for all the affected units shall be based on each unit being affordable housing (median income).

III. OCCUPANCY, SALE, LEASING AND USE OF THE ACCESSORY UNIT

A. The subject Accessory Unit shall be operated, managed and otherwise administered as affordable work force housing and such other uses incidental to residential use as may be permitted by local zoning and land use regulations.

1. The household or person shall derive at least 70 percent of its or his/her total income from gainful employment in the county. This section shall not disqualify an individual previously and continuously qualified who reaches the age of retirement, or becomes disabled, and is otherwise income qualified.
2. At the time of lease of an affordable housing (median income) unit, the total income of eligible households or persons shall not exceed 100 percent of the median household income for the county (adjusted for family size).
3. During occupancy of any affordable housing (median income) rental unit, a household's annual income may increase to an amount not to exceed 140 percent of median household income for the county (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term.
4. Eligibility is based on proof of legal residence in Monroe County, Florida, as demonstrated by a valid State of Florida driver license or identification card, voter registration card if eligible, and an employer verification form signed by the employer or sufficient evidence, satisfactory to the City or its designee, demonstrating income qualification through self-employment.
5. Priority shall be given to families of four or more members for larger sized affordable work force housing units.
6. The applicant shall execute a sworn affidavit stating the applicant's intention to occupy the dwelling unit.
7. The Accessory Unit cannot be sold separate and apart from the Property, and cannot be legally separated from the Property by means of creating a Condominium Association.
8. The income of eligible households shall be determined by counting the full amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips, bonuses, Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, unemployment compensation, disability compensation, worker's compensation, severance pay and any net income from the operation of a business or

profession of all household members. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income from operation of a business or profession. Unrelated adults may be qualified individually for rental purposes provided the total lease payment to the Owner does not exceed the rent limits established by the City.

9. In the event that a tenant's income shall exceed the maximum allowable income under this section and such shall occur for the first time during the last three months of a tenancy, then the landlord and tenant may extend a lease for a period of one year at the affordable rental rate.
10. The planning board may review a household's income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included.

IV. DEFAULTS AND REMEDIES: ASSIGNMENT OF RENTS

A. Upon any violation of the provisions of this Declaration the City may declare a default under this Declaration by delivering written notice thereof to the Declarant. After providing written notice of default, the City may apply to a court of competent jurisdiction for specific performance of the Declaration, for an injunction prohibiting a proposed lease in violation of this Declaration, for a declaration that a prohibited transfer or lease is void, or for any such other relief as may be appropriate.

B. Assignment of rents: Declarant hereby assigns to City the right to receive the rents due or collected from any units identified to be subject to this Declaration during the entire period those units are occupied in violation of any of the terms of this Declaration.

C. The remedies stated herein shall not be exclusive, but shall be cumulative to all other remedies and rights the parties may lawfully exercise.

V. REQUIREMENTS FOR WRITTEN REPORTS FROM DECLARANT

Declarant shall provide a written report to the City and/or its designee each year on January 1, or on such other date as specified by the City in writing, which includes a statement that Declarant has complied with all provisions of this Declaration, or includes Declarant's explanation of any violation of any provision of this Declaration. The report shall be submitted within thirty (30) days of the specified date to the City, or to such other person or address designated by the City. Failure to provide a report in a timely manner, or any misrepresentations on the report, shall constitute a default under this Declaration.

VI. GENERAL PROVISIONS

A. The City may assign its rights and delegate its duties hereunder in writing without the consent of Declarant. Upon such assignment the City shall notify the property owner.

B. If any action is brought to enforce the terms of this Declaration, the prevailing party

shall be entitled to reasonable attorneys' fees and costs.

C. If any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions contained in this Declaration, and this Declaration shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

D. The terms of this Declaration shall be interpreted under the laws of the State of Florida and venue shall lie in Monroe County, Florida.

E. All notices required herein shall be sent by certified mail, return receipt requested, to the Declarant or subsequent property owner at the address of the Property and to the City or its designee at P.O. Box 1409, Key West, FL, 33041, or such other address that the City may subsequently provide in writing to the Declarant or subsequent property owner.

VII. SALE OF PROPERTY SUBJECT TO DEED RESTRICTION

The Accessory Unit is an accessory to the Property located at 3701 Eagle Avenue, Key West, Florida 33040. Pursuant to the outcome of Code Case #05-00699, a residential unit was found to have existed for years and was authorized to be deemed an affordable accessory apartment so long as the structure was brought into conformance with City requirements and Sec. 122-233 of the Land Development Regulations of the City of Key West. The Accessory Unit may not be sold separately as a condominium. These units may not be sold separately from the unit E of the Declaration.

IX. MORTGAGE SUBORDINATION

Upon demand by the City any mortgagee who accepts any or all of the Property as collateral or security for any purpose or loan shall execute and deliver, in recordable form, its subordination agreement subordinating its mortgage to the terms and conditions of this Declaration.

[Rest of page intentionally left blank; Signature page to follow]

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the date written below.

Signed, sealed and delivered in the presence of:

Witness # 1 Signature

By: _____
Paul J. DePoo, Jr.

Witness # 1 Printed Name

By: _____
Gretchen R. DePoo

Witness # 2 Signature

Witness # 2 Printed Name

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2023, by Paul J. DePoo, Jr. and Gretchen R. DePoo, who ☐ are personally known to me or who ☐ have presented _____ as a form of identification.

NOTARY SEAL:

Notary Signature

Name of Notary Typed, Printed, or Stamped

EXHIBIT A

Legal Description

On the Island of Key West and known on the Key West Foundation Company's Plat Number One (1), as Lot Twelve (12) of Block 13, diagram of said plat being recorded in Plat Book One (1), Page 155 of Monroe County, Florida, Public Records.

EXHIBIT B

Accessory Unit License

CITY OF KEY WEST, FLORIDA

Business Tax Receipt

This Document is a business tax receipt
Holder must meet all City zoning and use provisions.
P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name DEPOO, PAUL & GRETCHEN
Location Addr 3701 EAGLE AVE
Lic NBR/Class LIC2023- PROPERTY RENTAL
 000165
Issued Date 3/1/2023 Expiration Date: September 30, 2023
NON TRANSIENT RESIDENTIAL

Comments: TWO NON-TRANSIENT RENTAL UNITS

Restrictions: ONE UNIT DEED RESTRICTED

DEPOO, PAUL & GRETCHEN
27 DRIFTWOOD DR

KEY WEST , FL 33040

This document must be prominently displayed.

DEPOO, PAUL & GRETCHEN



BENEFICIAL USE DETERMINATION



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

March 21, 2023

VIA ELECTRONIC MAIL

Gregory S. Oropeza, Esq.
221 Simonton Street
Key West, FL 33040

**RE: Beneficial Use Determination
3705 Eagle Avenue (RE #00053710-000100)**

Dear Gregory,

This letter is in response to a request for one (1) beneficial use allocation received by the Planning Department on March 3, 2023, for property located at 3705 Eagle Avenue, Key West, Florida. The property is a platted lot of record legally described on the attached boundary survey as "*On the Island of Key West and known on the Key West Foundation Company's Plat Number One (1), as Lot Eleven (11) of Book 13, diagram of said plat being recorded in Plat Book One (1), Page 165, of Monroe County, Florida, Public Records.*". The subject parcel is located within the Single-Family (SF) zoning district. The lot size is 5,712 square feet, with a 46.8-foot frontage and a 120-foot depth according to the Monroe County Property Appraiser.

In accordance with the City of Key West Comprehensive Plan Policy 1-1.16.1, beneficial use allocations are reserved to address property rights associated with existing vacant lots of record. The property, 3705 Eagle Avenue, was previously combined with adjacent 3701 Eagle Avenue, further identified as RE #00053710-000000, or Lot 12. Both properties, Lot 11 and Lot 12, were identified as one parcel despite being identified as separate lots of record. The subject lot served as an additional yard area for adjacent 3701 Eagle Avenue, consisting of concrete brick pavers and a portion of a covered concrete area. The applicant recently requested a property appraiser identification number split to create a separate parcel consistent with the original platted lot lines of Lot 11 and Lot 12. Following the property appraiser identification number split, the aforementioned yard items on 3705 Eagle Avenue (Lot 11) still remain. There is no record of a dwelling unit located anywhere on the subject lot of record.

Pursuant with Section 108-999, neither provisions of the Comprehensive Plan nor the Land Development Regulations shall deprive a property owner of all reasonable economic use of a parcel of real property which is a lot or parcel of record as of the date of adoption of the Comprehensive Plan. The City defines all reasonable economic use as the minimum use of the property necessary to avoid a taking within a reasonable period of time as established by land use case law. In accordance with the City of Key West Land Development Regulations, the Planning Department has determined the property addressed 3705 Eagle Avenue, further identified as Parcel #00053710-000100, is entitled to the one (1) beneficial use allocation requested by the applicant.



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The one (1) beneficial use allocation granted to 3705 Eagle Avenue shall be deducted from the pre-existing reserve units/beneficial use pool. Beneficial use allocations shall be valid until such time that the owner chooses to obtain building permits, so long as no changes are made to the configuration or size of the lot or parcel that affect the conditions in which the beneficial use allocation is granted.

The City Planner's decision shall be rendered to the Department of Economic Opportunity (DEO) for a determination of consistency with the principals for guiding development.

Please do not hesitate to contact the Planning Department for further questions.

Best Regards,

A handwritten signature in blue ink, appearing to read "Katie P. Halloran", is written over a horizontal line.

Katie P. Halloran
Planning Director

Attachments:

1. Property Record Card
2. Boundary Survey
3. Chapter 122 – Zoning, Division 3 – Residential Districts, Subdivision III – Single Family Residential (SF)
4. Section 108-999 – Procedures for ensuring beneficial use of private property