

Attachment i:

Additional documentation:

Certificate of Occupancy (729 Truman)

Property appraisals (729 Truman)

Zoning Analysis

Code Violation (729 Truman)

Website Advertisement

Innkeeper's Association 2006 Survey

O. OF UNITS _____
EWER PAID _____
ARBAGE PAID _____
ESIDENTIAL _____
OMMERCIAL _____
EWER IMPACT FEE _____
OLID WASTE IMPACT FEE _____
RAFFIC IMPACT FEE _____
ENERGY CODE REPORT _____
LEVATION CERTIFICATE _____
.A.R.C. COMPLIANCE _____

CITY OF KEY WEST

Office of The Building Inspector

CERTIFICATE OF OCCUPANCY

Owner MICHAEL KEATING

Permit Number B-014130

THIS IS TO CERTIFY that the building located at 729 TRUMAN AVE.,

for which permit has heretofore been issued, has been completed according to plans and specifications filed in the office of the BUILDING INSPECTOR, and that the proposed use of the building, to wit, as a GUEST HOUSE UPSTAIRS, complies with all the building and health laws and ordinances of the CITY OF KEY WEST and is approved for this use.

ALLOWABLE FLOOR LOAD PER SQUARE FOOT	MAXIMUM NUMBER OF PERSONS FOR EACH FLOOR
1st Floor	
2nd Floor	
3rd Floor	

DATED THIS 29th DAY OF JUNE 19 88

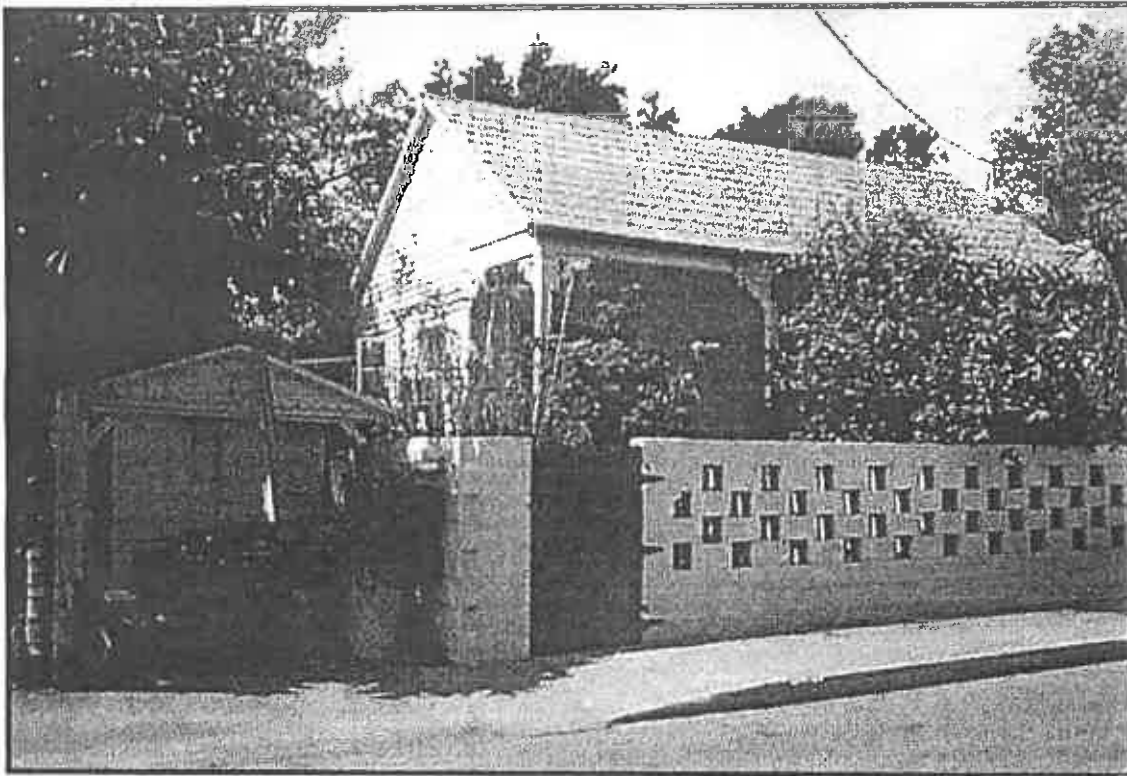
Ed. Dwyer D.B.O.
BUILDING INSPECTOR

CERTIFICATE NUMBER -798-

N/A
MECHANICAL INSPECTOR

N/A
FIRE MARSHALL

N/A
PLUMBING INSPECTOR
Ed. Dwyer D.B.O.
ELECTRICAL INSPECTOR



APPRAISAL OF REAL PROPERTY

LOCATED AT:

916 Windsor Lane
Part of Square 2, Tract 5, KW
Key West, FL 33040

FOR:

Client: Paul Hayes

AS OF:

February 22, 1999

UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. 3094-99

Property Description

Property Address	916 Windsor Lane	City	Key West	State	FL	Zip Code	33040
Legal Description	Part of Square 2, Tract 5, KW						
Assessor's Parcel No.	20470-000000	Tax Year	1998	R.E. Taxes \$	2,497.61	Special Assessments \$	0.00
Borrower Client:	Paul Hayes	Current Owner	Hyman Abady	Occupant:	<input type="checkbox"/> Owner	<input checked="" type="checkbox"/> Tenant	<input type="checkbox"/> Vacant
Property rights appraised	<input checked="" type="checkbox"/> Fee Simple	<input type="checkbox"/> Leasehold	Project Type	<input type="checkbox"/> PUD	<input type="checkbox"/> Condominium (HUD/VA only)	HOA \$	/Mo.
Neighborhood or Project Name	Old Town Key West	Map Reference	T68S-R25-S6	Census Tract	9723		
Sale Price \$	N/A	Date of Sale	N/A	Description and \$ amount of loan charges/concessions to be paid by seller	None Noted		
Lender/Client	Client: Paul Hayes	Address					
Appraiser	Vicki Gordon, MRA, CRA, AAR	Address	615 United Street Suite #2, Key West, FL 33040				

Location	<input checked="" type="checkbox"/> Urban	<input type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Predominant occupancy	Single family housing	Present land use %	Land use change
Built up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25-75%	<input type="checkbox"/> Under 25%	<input checked="" type="checkbox"/> Owner	PRICE \$ (000)	One family 50	<input checked="" type="checkbox"/> Not likely <input type="checkbox"/> Likely
Growth rate	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	<input checked="" type="checkbox"/> Tenant	AGE (yrs)	2-4 family 20	<input type="checkbox"/> In process
Property values	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining	<input type="checkbox"/> Vacant (0-5%)	160 Low New	Multi-family 10	To: _____
Demand/supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In balance	<input type="checkbox"/> Over supply	<input type="checkbox"/> Vac. (over 5%)	1,000+ High 80+	Commercial 19	
Marketing time	<input type="checkbox"/> Under 3 mos.	<input checked="" type="checkbox"/> 3-6 mos.	<input type="checkbox"/> Over 6 mos.	<input type="checkbox"/> Vac. (over 5%)	Predominant	Vacant 1	

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood boundaries and characteristics: The subject neighborhood is bounded on the north by the Gulf of Mexico, east by Bertha Street, and south and west by the Atlantic Ocean. This is a desirable mixed use neighborhood.

Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.):

The subject is located in the historic district of "Old Town" Key West. This is a mixed use district with residential and commercial uses including shopping, services, tourist attractions, and employment. Marketability in this area has been good with many properties having been renovated. The area appeals to the seasonal and long term residents.

Market conditions in the subject neighborhood (including support for the above conclusions related to the trend of property values, demand/supply, and marketing time -- such as data on competitive properties for sale in the neighborhood, description of the prevalence of sales and financing concessions, etc.):

The financing available in the Florida Keys is primarily conventional; although VA financing has become very common with FHA financing available. Mortgage rates have been decreasing and in line with national averages. Market conditions have been stable with steady demand. Developers' concessions are not typical due to the scarcity of vacant buildable land. This is a complete appraisal in a summary report.

Project Information for PUDs (If applicable) - - Is the developer/builder in control of the Home Owners' Association (HOA)? ☐ Yes ☐ No

Approximate total number of units in the subject project _____

Approximate total number of units for sale in the subject project _____

Describe common elements and recreational facilities:

Dimensions	46.5' X 100'		Topography	Mostly Level
Site area	4,650 SF		Size	Typical
Specific zoning classification and description	HHDR, Historic High Density Residential		Shape	Rectangular
Zoning compliance	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Legal nonconforming (Grandfathered use)	Drainage	Appears adequate
Highest & best use as improved:	<input checked="" type="checkbox"/> Present use	<input type="checkbox"/> Other use (explain)	View	Street
Utilities	Public	Other	Landscaping	Average
Electricity	<input checked="" type="checkbox"/>		Driveway Surface	Unpaved
Gas	<input type="checkbox"/> LP Bottled (Typical)		Apparent easements	None Noted
Water	<input checked="" type="checkbox"/>		FEMA Special Flood Hazard Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sanitary sewer	<input checked="" type="checkbox"/>		FEMA Zone	X Map Date 3/97
Storm sewer	<input checked="" type="checkbox"/>		FEMA Map No.	12087C1716H

Comments (apparent adverse easements, encroachments, special assessments, slide areas, illegal or legal nonconforming zoning use, etc.):

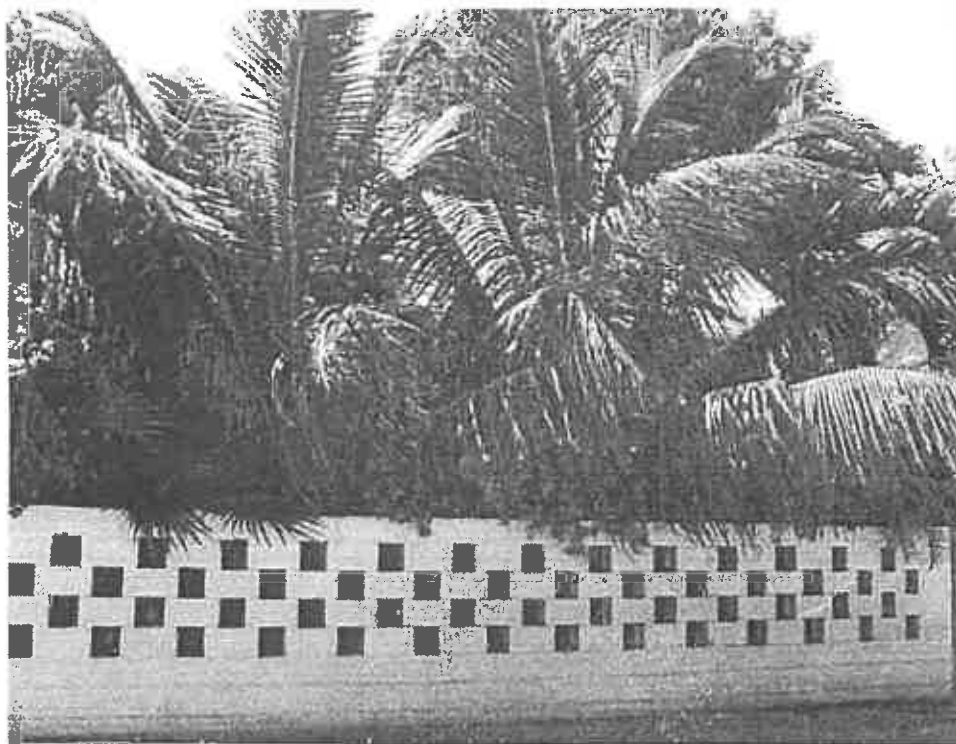
No adverse conditions or easements were noted pertaining to the subject. No survey was made available at the time of inspection.

GENERAL DESCRIPTION		EXTERIOR DESCRIPTION		FOUNDATION		BASEMENT		INSULATION	
No. of Units	1	Foundation	Concrete Pier	Slab	None	Area Sq. Ft.		Roof	-- <input type="checkbox"/>
No. of Stories	1	Exterior Walls	Frame/Siding	Crawl Space	Yes	% Finished	--	Ceiling	-- <input type="checkbox"/>
Type (Det./Att.)	Detached	Roof Surface	Metal	Basement	None	Ceiling	--	Walls	-- <input type="checkbox"/>
Design (Style)	Conch	Gutters & Dwnspis	Overhang	Sump Pump	None Noted	Walls	--	Floor	-- <input type="checkbox"/>
Existing/Proposed	Existing	Window Type	WdSash/Jals	Dampness	None Noted	Floor	--	None	-- <input type="checkbox"/>
Age (Yrs.)	1938(61)	Storm/Screens	Yes/Yes	Settlement	None Noted	Outside Entry	--	Unknown	-- <input checked="" type="checkbox"/>
Effective Age (Yrs.)	15 Years	Manufactured House	No	Infestation	None Noted	Basements not Typical			

ROOMS	Foyer	Living	Dining	Kitchen	Den	Family Rm.	Rec. Rm.	Bedrooms	# Baths	Laundry	Other	Area Sq. Ft.
Basement												
Level 1		1	1	1				2	1			979
Level 2												

Finished area above grade contains: 5 Rooms; 2 Bedroom(s); 1 Bath(s); 979 Square Feet of Gross Living Area

INTERIOR		HEATING		KITCHEN EQUIP		ATTIC		AMENITIES		CAR STORAGE	
Floors	Materials/Condition	Type	None	Refrigerator	<input checked="" type="checkbox"/>	None	<input type="checkbox"/>	Fireplace(s) #	<input type="checkbox"/>	None	<input type="checkbox"/>
Walls	Drywall/Avg	Fuel	--	Ranoe/Oven	<input checked="" type="checkbox"/>	Stairs	<input type="checkbox"/>	Patn Brick/Fountain	<input checked="" type="checkbox"/>	Garage	# of cars



APPRAISAL OF REAL PROPERTY

LOCATED AT:

916 Windsor Lane
KW Part Sqr 2, Tr 5 EI-298
Key West, FL 33040

FOR:

Client: Michael Laughlin
PO Box 323
Aiken, SC 29802-0323

AS OF:

January 22, 2007

Uniform Residential Appraisal Report

074-07

File # 074-07

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property

Property Address	916 Windsor Lane	City	Key West	State	FL	Zip Code	33040
Borrower/Client	Michael Laughlin	Owner of Public Record	Michael Laughlin & Paul Hayes	County	Monroe		
Legal Description	KW Part Sqr 2, Tr 5 Et-298						
Assessor's Parcel #	00020470-000000	Tax Year	2006	R.E. Taxes \$	5,899.50		
Neighborhood Name	Old Town	Map Reference	T68 R25 Sec 05	Census Tract	9723		
Occupant	<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Vacant	Special Assessments \$	0.00	<input type="checkbox"/> PUD	HOA \$	N/A	<input type="checkbox"/> per year <input type="checkbox"/> per month
Property Rights Appraised	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)						
Assignment Type	<input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe) Market Value for Possible Listing						
Lender/Client	Client: Michael Laughlin	Address	PO Box 323, Aiken, SC 29802-0323				
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Report data source(s) used, offering price(s), and date(s). Data source MLS. The subject is not currently listed for sale.							

CONTRACT	I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed Subject is currently not listed for sale and is not under contract.								
	Contract Price \$		N/A	Date of Contract		N/A	Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source(s)		N/A
	Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No								
If Yes, report the total dollar amount and describe the items to be paid								N/A	N/A

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics				One-Unit Housing Trends				One-Unit Housing		Present Land Use %	
Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	56 %				
Built-Up	<input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	18 %				
Growth	<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input checked="" type="checkbox"/> Over 6 mths	450	Low	New	Mult-Family	05 %			
Neighborhood Boundaries The neighborhood is bounded on the north and west by the Gulf of Mexico, on the east by White Street and on the south by the Straits of Florida.				3.2 Mit.	High	75+	Commercial	20 %			
				700	Pred.	50+	Other	01 %			

Neighborhood Description	The subject is located in the district of "Old Town" Key West. This is a mixed-use, residential and commercial district including shopping, services, tourist attractions and employment within walking distance. Marketability in this area has been good with many older properties having been renovated and restored and occupied with both year around and seasonal residents.		
Market Conditions (including support for the above conclusions)	The financing available in the Florida Keys is primarily conventional. Mortgage rates have been steady and in line with national averages. Market conditions had been stable with steady demand prior to the past hurricane season. The supply of homes has increased greatly after Hurricane Wilma, October 24 & 25, 2005 with values stabilizing to decreasing in certain areas, property types and price ranges.		

Dimensions	48.5' x 100' (per plat map)	Area	4,850 Sq.Ft.	Shape	Rectangular	View	Residential/Street
Specific Zoning Classification	HHDR	Zoning Description	Historic High Density Residential				
Zoning Compliance	<input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)						
Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe							

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements - Type	Public	Private	
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street Asphalt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gas	<input type="checkbox"/>	<input checked="" type="checkbox"/> LP Bottled	Sanitary Sewer	<input checked="" type="checkbox"/>	Alley None	<input type="checkbox"/>	<input type="checkbox"/>	
FEMA Special Flood Hazard Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		FEMA Flood Zone	X	FEMA Map #	12087C1516 K	FEMA Map Date	2/18/05
Are the utilities and off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe								
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe								
No adverse conditions, easements or encroachments were noted pertaining to the subject, see attached plat map, however, a survey was not made available. Site size per Monroe County Public Records.								

General Description		Foundation		Exterior Description		materials/condition		Interior		materials/condition	
Units	<input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input type="checkbox"/> Concrete Slab <input checked="" type="checkbox"/> Crawl Space		Foundation Walls	Lmstn/Pier/Avg.	Floors	Wood/V.Good				
# of Stories	1	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement		Exterior Walls	Frame/Brd/Btn/Good	Walls	Tongue & Groove/Good				
Type	<input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Area	sq.ft.	Roof Surface	VCrmp/Mtl/AbvAv	Trim/Finish	Wood/Good				
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish	%	Gutters & Downspouts	Viny/Good	Bath Floor	Tile/Good				
Design (Style)	One Story	<input checked="" type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump		Window Type	Csmnl/Sash/Wd/Gd	Bath Wainscot	Beadboard/Good				
Year Built	1938	Evidence of	<input checked="" type="checkbox"/> Infestation	Storm Sash/Insulated	None	Car Storage	<input type="checkbox"/> None				
Effective Age (Yrs)	10-12 Years	<input checked="" type="checkbox"/> Dampness <input type="checkbox"/> Settlement		Screens	Yes/Good	<input type="checkbox"/> Driveway	# of Cars				
Attic	<input type="checkbox"/> None	Heating	<input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Woodstove(s) #	Driveway Surface					
<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other	Fuel Electric	<input type="checkbox"/> Fireplace(s) #	<input checked="" type="checkbox"/> Fence Wood	<input type="checkbox"/> Garage	# of Cars				
<input type="checkbox"/> Floor	<input checked="" type="checkbox"/> Scuttle	Cooling	<input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck Wood	<input checked="" type="checkbox"/> Porch Covered	<input checked="" type="checkbox"/> Carport	# of Cars	1 Car			
<input type="checkbox"/> Finished	<input type="checkbox"/> Heated	<input checked="" type="checkbox"/> Individual Wall	<input checked="" type="checkbox"/> Other C-Fans	<input type="checkbox"/> Pool	<input type="checkbox"/> Other	<input type="checkbox"/> Att.	<input checked="" type="checkbox"/> Det.	<input type="checkbox"/> Built-in			
Appliances	<input type="checkbox"/> Refrigerator <input type="checkbox"/> Range/Oven <input type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)	No Formal Kitchen in Property									
Finished area above grade contains:		5 Rooms	3 Bedrooms	3 Bath(s)	973	Square Feet of Gross Living Area Above Grade					
Additional features (special energy efficient items, etc.) The subject features "ductless A/C and individual wall air conditioners, covered porches, wood deck, fencing, and tropical landscaping.											
Describe the condition of the property (including needed repairs, deterioration, encroachments, etc.)											



APPRAISAL OF REAL PROPERTY

LOCATED AT:

729 Truman Avenue
KW Pl. Lots 5 & Sqr. 2, Tr 5
Key West, FL 33040

FOR:

Michael Laughlin
P.O. Box 323
Aiken, SC 29802

AS OF:

January 22, 2007

Uniform Residential Appraisal Report

018-07
File # 018-07

The Cost Approach was not considered applicable in valuing the subject property due to the escalating construction costs and the difficulty in estimating land value due to the lack of sales of larger vacant sites. In addition, the subject property is an older structure which has been renovated over its life which creates depreciation estimates to become less reliable

According to the City of Key West Licensing Department, the subject property is currently licensed for 4 transient units and one owner's unit. However, the State of Florida recognizes six transient licenses. According to the City of Key West Licensing Department, their designated licensing takes seniority over the State of Florida due to density restriction within the City of Key West. However, after much analysis, it has been determined that the subject property's Highest and Best use is as single family estate. Therefore, the subject property has been analyzed as such.

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value)

COST APPROACH

ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE			= \$
Source of cost data	DWELLING	Sq.Ft. @ \$		= \$
Quality rating from cost service Effective date of cost data		Sq.Ft. @ \$		= \$
Comments on Cost Approach (gross living area calculations, depreciation, etc.)				= \$
	Garage/Carport	Sq.Ft. @ \$		= \$
	Total Estimate of Cost-New			= \$
	Less Physical	Functional	External	
	Depreciation			= \$()
	Depreciated Cost of Improvements			= \$
	"As-is" Value of Site Improvements			= \$
Estimated Remaining Economic Life (HUD and VA only) Years	INDICATED VALUE BY COST APPROACH			= \$

INCOME APPROACH TO VALUE (not required by Fannie Mae)

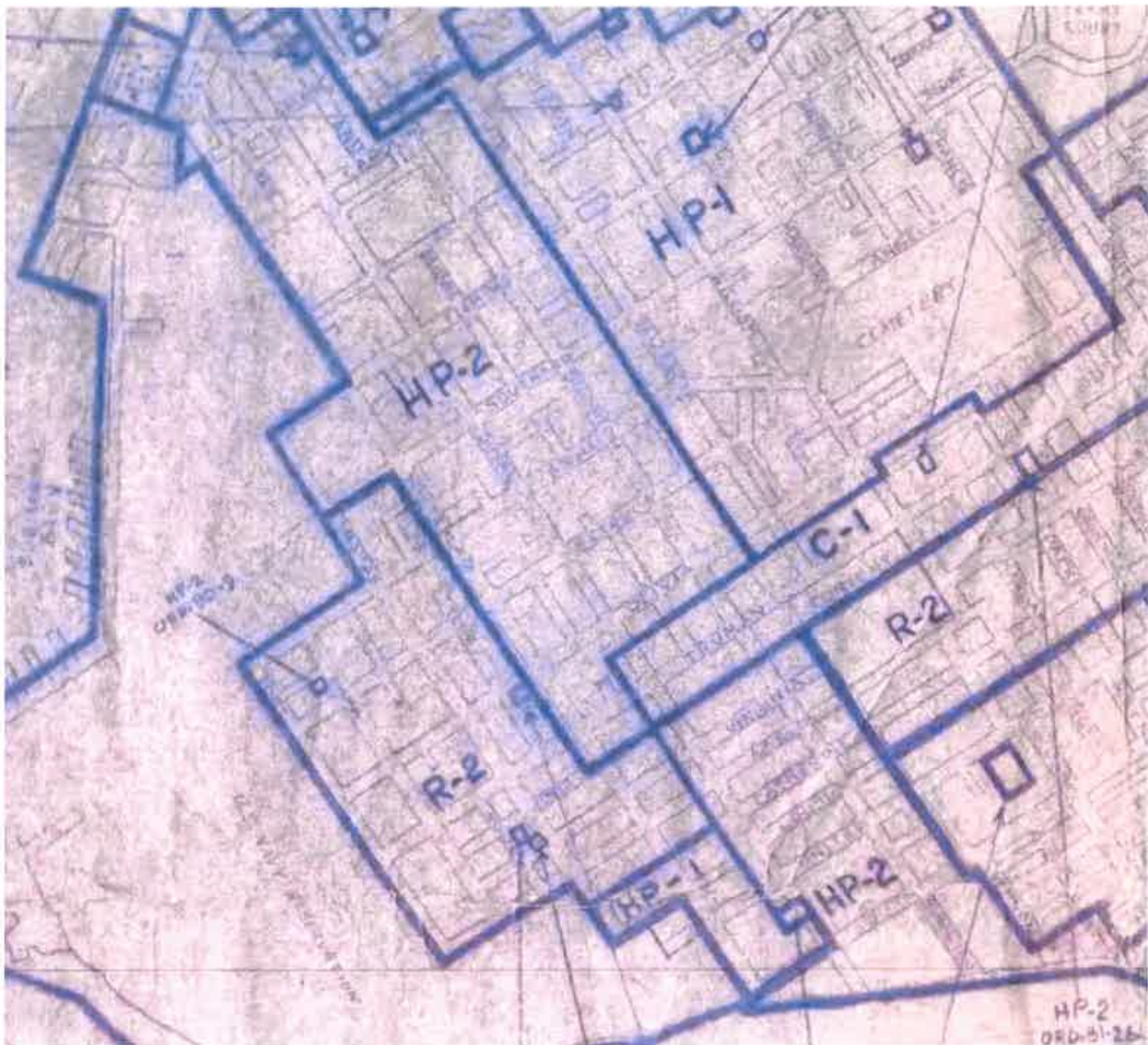
INCOME

Estimated Monthly Market Rent \$	N/A	X Gross Rent Multiplier	N/A	= \$	N/A	Indicated Value by Income Approach
Summary of Income Approach (including support for market rent and GRM) N/A						

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? ☐ Yes ☐ No Unit type(s) ☐ Detached ☐ Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.



1974 Zoning Map

3. Side corner lot:

- a. Single-family: 7.5 feet.
- b. Two-family: 7.5 feet.
- c. Multiple-family: 15 feet.
- d. Churches, hospitals, etc.: 25 feet.
- e. Clubs and lodges: 25 feet.

4. Rear:

- a. Single-family: 15 feet.
- b. Two-family: 7.5 feet or 10 percent of width of lot up to 15 feet, whichever is greater.
- c. Multiple-family: 15 feet or 10 percent of width of lot up to 20 feet whichever is greater.
- d. Churches, hospitals, etc.: 20 feet or 10 percent of width of lot up to 30 feet, whichever is greater.
- e. Clubs and lodges; 15 feet or 10 percent of width of lot up to 20 feet, whichever is greater.

(l) *Off-street parking and loading requirements.*
As specified in section 35.09.

(m) *Sign and lighting limitations.*

- 1. A nonilluminated nameplate or professional nameplate not exceeding 2 square feet in area.
- 2. Nonilluminated projecting or pole or sign not exceeding 5 square feet in area in conjunction with permitted public and semi public uses.
- 3. Temporary real estate signs advertising the sale, rental or lease of only the premises upon which they are located, provided that:
 - a. No sign shall exceed 8 square feet in area for each ¼ acre in the lot or tract; and
 - b. No one sign shall exceed 32 square feet in area.
- 4. A nonilluminated sign not exceeding 6 square feet in area used to identify a building containing multiple-family dwellings.
- 5. Neon signs with a total maximum area of 10.0 square feet per storefront.

- 6. Marquee signs which are historically significant, as evidenced by continuous presence at one business location for ten (10) years or more and existing on September 1, 1991.

No lights prohibited by Code of Ordinances section 101.27 shall be permitted.

(9) C-1 Neighborhood commercial district.

(a) *Intent.* The provisions of this district are intended to apply to an area adjacent to major streets and convenient to major residential areas. The types of uses are intended to serve the needs of nearby residential neighborhoods for commercial facilities as well as serve the commercial needs of the motorist. Lot sizes and other restrictions are intended to reduce conflicts with adjacent residential uses and to minimize the interruption of traffic along thoroughfares.

(b) *Principal uses and structures.* The following uses and structures are permitted provided that any use or group of uses that is developed either separately or as a unit with certain site improvements shared in common, is developed on a site of less than three (3) acres:

- 1. Public and semipublic parks, playgrounds, clubs, and lodges, hospitals, clinics, restaurants, government offices, schools, churches and similar uses.
- 2. Retail stores, sales and display rooms, except automotive uses, including places in which goods are produced and sold at retail upon the premises.
- 3. Personal service establishments such as beauty and barber shops, laundry and dry cleaning pickup stations, tailor shops, florist shops, and similar uses.
- 4. Professional offices, studios, clinics, laboratories, general offices, business schools and similar uses.
- 5. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed sixteen (16) habitable units per acre.
- 6. Eating and drinking establishments.

ORDINANCE NO. 85-26

AN ORDINANCE AMENDING SECTION IV OF THE ZONING ORDINANCE OF THE CITY OF KEY WEST, FLORIDA (ORDINANCE NO. 69-29); ADOPTING A REVISED OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING WHEN SAID ORDINANCE GOES INTO EFFECT.

BE IT ENACTED by the City Commission of the City of Key West, Florida, as follows:

Section 1. That Section IV of the Zoning Ordinance of the City of Key West, Florida (Ordinance No. 69-29), is hereby amended by adopting a revised Official Zoning Map, dated November 26, 1984, which is attached hereto.

Section 2. The new Official Zoning Map shall be identified by the signature of the mayor attested by the City Clerk, and bearing the seal of the city under the following words:

This is to certify that the Official Zoning Map supersedes and replaces the Official Zoning Map adopted December 3, 1974, as part of Ordinance No. 69-29.

Section 3. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 19th day of March, 1985.

Read and passed on final reading at a regular meeting held this 21st day of May, 1985.

R-1 *ldl*



GRAPHIC — SCALE (IN FEET)



1" = 800'

ORDINANCE NO. 86-15

AN ORDINANCE AMENDING APPENDIX A -- ZONING -- OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; AMENDING SECTION VII 5(f) PROVIDING FOR MAXIMUM DENSITY; AMENDING SECTION VII 5(j) PROVIDING FOR MAXIMUM BUILDING HEIGHT; AMENDING SECTION VII 8(b)5 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 8(f) PROVIDING FOR MINIMUM LOT AREA; AMENDING SECTION VII 8A(f) PROVIDING FOR MAXIMUM DENSITY; AMENDING VII SECTION 9(b) 5 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 9(d)6 PROVIDING FOR SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL; AMENDING SECTION VII 9(f)(1) PROVIDING FOR SQUARE FOOTAGE AND RATIO OF GROSS FLOOR AREA TO LOT AREA; AMENDING SECTION VII 10(b)4 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 10(d)9 PROVIDING FOR SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL; AMENDING SECTION VII 10 (f) PROVIDING FOR MINIMUM LOT AREA; AMENDING VII 13(a)(1)a. DELETING BUNGALOW COURTS AS PERMITTED USE; AMENDING SECTION VII 13(a)(4)a.(1) PROVIDING FOR MINIMUM LOT SIZE; AMENDING SECTION VII 13(a)(4)a.(4) PROVIDING FOR MAXIMUM BUILDING HEIGHT; AMENDING SECTION VII 13(a)(4)a.(5) PROVIDING FOR MAXIMUM DENSITY ; AMENDING SECTION VII 15(4) PROVIDING FOR DENSITY LIMITATION; AMENDING SECTION IX(1)(b) ADDING RESIDENTIAL DWELLING UNIT; AMENDING SECTION IX(1)(c), OFF-STREET PARKING WAIVER; AMENDING SECTION XXIV (44) PROVIDING DEFINITION; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Commission passed an ordinance creating a committee named the Zoning Evaluation Committee to study the Zoning matters of the City of Key West, and;

WHEREAS, the Zoning Evaluation Committee has reviewed the Code and requests the following changes to be included in the Code of Ordinances of the City of Key West;

NOW THEREFORE BE IT ENACTED by the City Commission of the City of Key West, Florida

Section 1. That the following amendments to Ordinance 69-29, as amended, in the Code of Ordinances of the City of Key West Appendix A - Zoning be amended as follows: (deletions are ~~struck through~~; additions are underlined):

"VII. Schedule of district regulations adopted.

- a. No sign shall exceed 8 square feet in area for each 1/4 acre in the lot or tract; and
 - b. No one sign shall exceed 32 square feet in area.
4. A nonilluminated sign not exceeding 6 square feet in area used to identify a building containing multiple-family dwellings.

All signs shall be set back at least 12 feet distant from all property and right-of-way lines. (Ord. No. 83-48, ss. 1,12-5-83)

* * * *

(8) HP-2 Commercial Historic Preservation District.

(a) Intent: The provisions of this district are intended to protect and enhance the character of the commercial historic areas of the City of Key West.

(b) Principal uses and structures. ~~Same as for HP-1 and in addition;~~

- 1. Single-family dwellings.
- 2. Public and semipublic parks, playgrounds, playfields and recreation facilities.
- 3. Boat piers or slips for the docking or privately owned and used watercraft of any sort.
- 4. Two-family dwellings.
- 5. Multi-family structures not to exceed 22 dwelling units per acre.
- 6. Professional offices, studios, clinics, laboratories, general offices, business schools, and similar uses.
- 7. Bank and financial institutions.
- 8. Antique, souvenir, gift, or other shops related to the historic character of the City of Key West.
- 9. Personal service establishments, such as beauty and barber shops, laundry and dry cleaning pickup stations, tailor shops, florist shops, and similar uses.
- 10. ~~Hotels, motels, and guest cottages;~~ Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed 30 habitable units per acre.
- 11. Retail stores, sales and display rooms except automotive uses including establishment in which retail goods are sold upon premises.
- 12. Eating and drinking establishments excluding drive-ins and establishments specializing in the preparation of foods not be consumed within the main structure.
- 13. Commercial recreation, such as theaters, bowling alleys and similar uses except drive-in theaters.

(c) Accessory uses and structures. Customary accessory uses of one or more of the principal uses clearly incidental to the principal use in keeping with the historic character of the zone.

(d) Special exception permissible by board of adjustment.

- 1. Any use found by the board of adjustment to be appropriate and compatible with the historic character of the district.

AN ORDINANCE AMENDING SECTION 35.07(8), (8A), (9), (10), (13), AND (15) OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING THAT TRANSIENT LIVING ACCOMMODATIONS UNIT DENSITY BE AMENDED TO SIMILAR RESIDENTIAL UNIT DENSITY FOR THE RESPECTIVE ZONES WHICH ALLOW TRANSIENT LIVING ACCOMMODATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Continuing development of transient housing is causing an imbalance between residential and transient housing needs, and

WHEREAS, Continuing development of transient housing is causing increased demands for unavailable affordable residential housing, NOW THEREFORE,

BE IT ENACTED by the City Commission of the City of Key West, Florida as follows:

Section 1. Section 35.07 of the Key West Code is hereby amended to read as follows (deleted portions are ~~struck through~~; added portions are underlined):

Section 35.07 Schedule of District Regulations Adopted

* * * *

(8) HP-2 Commercial historic preservation district. (b)10. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ twenty-two (22) habitable units per acre.

* * * *

(8A) HP-3 Light commercial historic preservation. (d)6. Guest houses or other transient living accommodations not to exceed sixteen (16) habitable units per acre.

* * * *

(9) C-1 Neighborhood commercial district. (b)5. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ sixteen (16) habitable units per acre.

* * * *

(10) C-2 General commercial parkway district. (b)14. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ sixteen (16) habitable units per acre.

* * * *

(12) B-24 Large hotel, motel and multiple-family district.

(15) PD Planned development. (d) Density limitation. A planned development shall not contain more than an average of sixteen (16) residential dwelling units per acre for that area utilized for residential structures, and not more than an average of ~~thirty~~ ~~(30)~~ sixteen (16) transient living accommodation habitable units per acre for that area utilized for transient living accommodations.

* * * *

Section 2. This ordinance shall not apply to the replacement of any existing facility, any facility for which a building permit has been issued, nor to any project for which a substantially complete development application has been filed with the City and is pending on January 17, 1989.

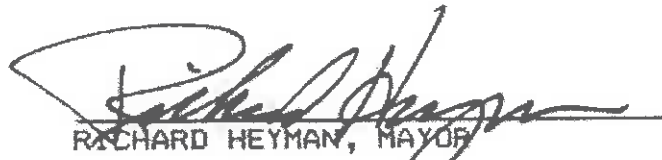
Section 3. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 3. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 4. This ordinance shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 17th day of January, 1989.

Read and passed on final reading at a regular meeting held this 6 day of March, 1989.


RICHARD HEYMAN, MAYOR

ATTEST:


JOSEPHINE PARKER, CITY CLERK

ORDINANCE NO. 69-29

COMMISSION SERIES

AN ORDINANCE REPEALING ARTICLE I OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA, AND PROVIDING NEW PROVISIONS IN ARTICLE I IN SAID CHAPTER ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF KEY WEST, FLORIDA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OF SAID CITY IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING WHEN ORDINANCE GOES INTO EFFECT.

Sec. I. PREAMBLE AND PURPOSE.

WHEREAS, Milo Smith & Associates, Inc., Planning Consultant for The City of Key West, Florida, has prepared a Comprehensive Development Plan for said City which includes Land Use Plan, Thoroughfare Plan, Community Facilities Plan, Public Improvements Program, and Zoning Regulations, and

WHEREAS, the Planning and Restoration Commission and the City Commission of The City of Key West, Florida have substantially approved the zoning regulations and zoning map recommended by the said Milo Smith & Associates, Inc. and have determined that such new regulations and zoning map, as modified, are necessary to implement the desired land use arrangement suggested by said Comprehensive Plan,

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA:

Sec. II. REPEAL OF CONFLICTING ORDINANCES.

Chapter 32, Key West City Code (Article I) of the City of Key West, as amended, is hereby abolished and repealed.

Sec. III. SHORT TITLE.

This ordinance shall be known and may be cited as "The Zoning Ordinance of the City of Key West, Florida".

Sec. IV. ESTABLISHMENT OF DISTRICTS: PROVISION FOR OFFICIAL ZONING MAP.

1. Official Zoning Map - The City is hereby divided into zones, districts, or as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part

R-2

	Minimum Average Lot Width	Minimum Average Lot Depth	Maximum Lot Coverage	Maximum Height	Minimum Building Setbacks Side In- terior Lot Front	Side Cor- ner Lot Rear	Off-Street Park- ing & Loading Requirements	Sign Limit
Churches, Hospitals, Government Institutions, Private Clubs, etc.								
1/2 acre	150 ft.	100 ft.	35%	40 ft.	30 ft.	20 ft. or 10% of lot up to 30 ft., whichever is greater.	25 ft.; 20 ft. when abutting on alley.	
Clubs & Lodges								
8,500 sq. ft.	80 ft.	100 ft.	35%	40 ft.	30 ft.	15 ft. or 10% of width of lot up to 20 ft., whichever is greater.	25 ft.; 20 ft. when abutting on alley.	

HP-1

District and Intent	Principal Uses and Structures	Accessory Uses and Structures	Special Exceptions Permissible by Board of Adjustment	Prohibited Uses and Structures
HP-1 Restricted Historic Preservation District	As for R-1B, and in addition:	As in R-1B		
The provisions of this dis- trict are intended to pro- tect and enhance the character of the residential historic areas of the City of Key West.	1. Two family dwellings. 2. Multi-family structures not to exceed four (4) dwelling units.		1. Public and private schools with conventional curriculums, public libraries. 2. Churches and other places of worship. 3. Public safety structures and equipment, such as fire sub- stations, civil defense facilities, and the like. 4. Garage apartments.	1. All uses not specifically or pro- visionally permitted herein; any use not in keeping with the residential character or professional character of the district.

Minimum Lot Area	Minimum Average Lot Width	Minimum Average Lot Depth	Maximum Lot Coverage	Maximum Height	Minimum Building Setbacks Side In- terior Lot	Side Cor- ner Lot	Rear	Off-Street Park- ing & Loading Requirements	Sign Limitations
HP-1									
Single Family									
5,500 sq. ft.	50 ft.	100 ft.	50%	40'	5 ft. or 10% of the width of the lot up to 15 ft. whichever is greater.	5 ft.	20 ft.	As specified in Section IX.	As for R-1A
Multiple Family									
5,500 sq. ft.	50 ft.	100 ft.	50%	40'	5 ft. or 10% of width of lot up to 15 ft., whichever is greater.	5 ft.	20 ft.	As specified in Section IX.	As for R-1A

13E-2

ORDINANCE NO. 85-33

AN ORDINANCE AMENDING SUBSECTION (7) OF SECTION VII OF THE ZONING ORDINANCE OF THE CITY OF KEY WEST (ORDINANCE NO. 69-29); AMENDING PARAGRAPH (b)(2) BY PROVIDING A DEFINITION OF MULTI-FAMILY STRUCTURES; AMENDING THE DENSITY REQUIREMENT TO HP-1; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING WHEN ORDINANCE GOES INTO EFFECT.

BE IT ENACTED by the City Commission of the City of Key West, Florida:

Section 1. Subsection (7) of Section VII of the Zoning Ordinance of the City of Key West, (Ordinance No. 69-29) is amended to read as follows:

(7) HP-1 Residential Historic Preservation District.

(a) Intent. The provisions of this district are intended to protect and enhance the character of the residential historic areas of the City of Key West.

(b) Principal uses and structures. Same as for R1B and in addition:

1. Two-family dwellings.
2. Multi-family structures not to exceed 22 dwelling units per acre density.

(c) Accessory uses and structures. Same as for R-1B.

(d) Special exception permissible by the board of adjustment.

1. Public and private schools with conventional curriculums, public libraries.
2. Churches and other places of worship.
3. Public safety structures and equipment, such as fire substations, civil defense facilities, and the like.
4. Garage apartments.
5. General sales offices such as real estate sales and similar uses.

(e) Prohibited uses and structures.

1. All uses not specifically or provisionally permitted herein; any use

(g) Minimum average lot width.

1. Single family: 50 feet
2. Multiple-family: 50 feet

(h) Minimum average lot depth.

1. Single family: 100 feet
2. Multiple-family: 100 feet

(i) Maximum lot coverage.

1. Single family: 50 percent
2. Multiple family: 50 percent

(j) Maximum height:

1. Single family: 30 feet
2. Multiple family: 30 feet

(k) Minimum building setbacks.

1. Side interior lot:

- a. Single family: 5 feet or 10 per cent of the width of the lot up to fifteen feet, whichever is greater.
- b. Multiple-family: 5 feet or 10 per cent of width of lot up to 15 feet, whichever is greater.

2. Side corner lot:

- a. Single family: 5 feet
- b. Multiple family: 5 feet.

3. Rear:

- a. Single family: 20 feet
- b. Multiple family: 20 feet

(l) Off-street parking and loading requirements.

1. Single family: As specified in Section IX.
2. Multiple-family: As specified in Section IX.

(m) Sign limitations.

1. Single family: Same as for R-1A.
2. Multiple family: Same as for R-1A.

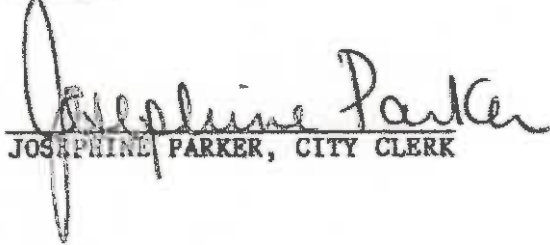
Section 2. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby repealed to

Read and passed on first reading at a regular meeting held this
20th day of August, 1985.

Read and passed on final reading at a regular meeting held this
3rd day of September, 1985.


RICHARD A. HEYMAN, MAYOR

ATTEST:


JOSEPHINE PARKER, CITY CLERK

Key West, Florida, Code of Ordinances >> Subpart B - LAND DEVELOPMENT REGULATIONS >>
Chapter 122 - ZONING >> ARTICLE IV. - DISTRICTS >> DIVISION 8. - HISTORIC NEIGHBORHOOD
COMMERCIAL DISTRICTS >> Subdivision II. Historic Neighborhood Commercial
District—Truman/Simonton (HNC-1) >>

Subdivision II. Historic Neighborhood Commercial District—Truman/Simonton (HNC-1)

Sec. 122-806. Intent.

Sec. 122-807. Uses permitted.

Sec. 122-808. Conditional uses.

Sec. 122-809. Prohibited uses.

Sec. 122-810. Dimensional requirements.

Secs. 122-811—122-835. Reserved.

Sec. 122-806. Intent.

The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.

(Ord. No. 97-10, § 1(2-5.5.4(1)(A)), 7-3-1997)

Sec. 122-807. Uses permitted.

Within the historic neighborhood commercial (HNC) districts, redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. Uses permitted include the following:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low and medium intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.
- (10) Veterinary medical services without outside kennels.

(Ord. No. 97-10, § 1(2-5.5.4(1)(B)), 7-3-1997)

Sec. 122-808. Conditional uses.

Conditional uses in the historic neighborhood commercial district—Truman/Simonton (HNC-1) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Community centers, clubs and lodges.
- (3) Cultural and civic activities.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest homes and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.
- (9) Commercial retail low and medium intensity greater than 2,500 square feet.
- (10) Commercial retail high intensity.
- (11) Funeral homes.
- (12) Light industrial.
- (13) Restaurants, excluding drive-through.
- (14) Small recreational power-driven equipment rentals.

(Ord. No. 97-10, § 1(2-5.5.4(1)(C)), 7-3-1997)

Sec. 122-809. Prohibited uses.

In the historic neighborhood commercial district—Truman/Simonton (HNC-1), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.5.4(1)(D)), 7-3-1997)

Sec. 122-810. Dimensional requirements.

The dimensional requirements in the historic neighborhood commercial district—Truman/Simonton (HNC-1) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre).
- (2) Maximum floor area ratio: 1.0. Refer to [section 122-776](#) for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within HNC areas.
- (3) Maximum height: 35 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 50 percent.
 - b. Impervious surface ratio: 60 percent.
- (5) Minimum lot size: 4,000 square feet.
 - a. Minimum lot width: 40 feet.
 - b. Minimum lot depth: 100 feet.
- (6) Minimum setbacks:
 - a. Front: 5 feet.
 - b. Side: 5 feet.

- c. Rear: 15 feet.
- d. Street side: 7.5 feet.

(Ord. No. 97-10, § 1(2-5.5.4(1)(E)), 7-3-1997; Ord. No. 10-04, § 10, 1-5-2010)

Secs. 122-811—122-835. Reserved.

Subdivision IV. - **Historic High Density Residential District (HHDR)**

FOOTNOTE(S):

--- (10) ---

Cross reference— Historic preservation, ch. 102.

Sec. 122-626. - Intent.

- (a) The historic high density residential district (HHDR) is established to implement comprehensive plan policies for areas designated "HHDR" on the comprehensive plan future land use map. The HHDR district shall accommodate historic high density residential development for permanent residents, including single-family, duplex, and multiple-family residential structures. The purpose of the historic high density residential designation is to provide a management framework for preserving the residential character and historic quality of the Old Town central residential community.
- (b) In addition, incidental accessory uses, including duly approved home occupations, and customary community facilities can be located in the HHDR district. The HHDR district shall not accommodate transient residential uses, including guesthomes, motels or hotels. Similarly, the area shall not accommodate freestanding commercial offices, retail, or other commercial uses. Lawfully existing office or commercial uses shall be permitted to continue to exist as lawful nonconforming uses if such uses continue to comply with conditions invoked when the respective uses were approved.

(Ord. No. 97-10, § 1(2-5.5.2(A)), 7-3-1997)

Sec. 122-627. - Uses permitted.

Uses permitted in the historic high density residential district (HHDR) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Cemeteries, in the area bounded by Olivia Street, Windsor Lane, Passover Lane, Angela Street, and Frances Street.

(Ord. No. 97-10, § 1(2-5.5.2(B)), 7-3-1997; Ord. No. 04-09, § 1, 5-18-2004)

Sec. 122-628. - Conditional uses.

Conditional uses in the historic high density residential district (HHDR) are as follows:

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Cultural and civic activities.
- (3) Educational institutions and day care.
- (4) Nursing homes, rest homes and convalescent homes.
- (5) Parks and recreation, active and passive.
- (6) Places of worship.

- (7) Protective services.
- (8) Public and private utilities.
- (9) Parking lots and facilities.

(Ord. No. 97-10, § 1(2-5.5.2(C)), 7-3-1997)

Sec. 122-629. - Prohibited uses.

In the historic high density residential district (HHDR), all uses not specifically or provisionally provided for in this subdivision are prohibited.

(Ord. No. 97-10, § 1(2-5.5.2(D)), 7-3-1997)

Sec. 122-630. - Dimensional requirements.

The dimensional requirements in the historic high density residential district (HHDR) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 22 dwelling units per acre (22 du/acre).
- (2) Maximum floor area ratio: 1.00.
- (3) Maximum height: 30 feet.
- (4) Maximum lot coverage:
 - a. Maximum building coverage: 50 percent.
 - b. Maximum impervious surface ratio: 60 percent.
- (5) Minimum lot size: 4,000 square feet.
 - a. Minimum width: 40 feet.
 - b. Minimum depth: 90 feet.
- (6) Minimum setbacks:
 - a. Front: 10 feet.
 - b. Side: 5 feet or 10 percent of lot width to a maximum of 15 feet, whichever is greater.
 - c. Rear: 20 feet.
 - d. Street side: 5 feet.

(Ord. No. 97-10, § 1(2-5.5.2(E)), 7-3-1997; Ord. No. 10-04, § 4, 1-5-2010)

Secs. 122-631—122-655. - Reserved.

City of Key West
Code Enforcement Division
Building Department

ORDER TO COMPLY

Date 1-16-99 Complaint # 99-392

Certified Mail # _____

Owner's Name ABADY HYMAN

Address #2 5th AV (11c) NY, NY. 10011

Phone No. _____

Location of Violation 729 Truman Ave.
The Mermaid & Alligator B+B

VIOLATION

- ☐ Building
- ☒ Occupational License
- ☐ Plumbing
- ☐ Electrical
- ☐ Mechanical
- ☐ Sign
- ☐ Gas
- ☐ Landscaping
- ☐ Fence
- ☐ Engineering
- ☐ Zoning
- ☐ Trash
- ☐ Other _____

You are hereby notified to comply
with the City of Key West Code of
Ordinances as indicated below.

35.24 (44)

Code provided
with order to
comply

Secured for 4 Tronix
but sending 3 or
more.

Compliance is required prior to 1-22-99 to avoid any further legal action.

Art Gloman
Code Enforcement
Inspector
(305) 292-8191

Hand Served this 16 day of Jan, 19 99

Served by Art Gloman Time Served 4:10 PM

Received by Dallie West

City of Key West
Code Enforcement Division
Building Department
ORDER TO COMPLY

Date 1-16-99 Complaint # 99-392

Certified Mail # _____

Owner's Name ABADY HYMAN

Address #2 5th IV (11c) NY, NY. 10011

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Location of Violation 729 Truman Ave.
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- ☐ Trash
- ☐ Other _____

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35.24 (44)

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Art Gloman
Code Enforcement
Inspector
(305) 292-8191

Hand Served this 16 day of Jan, 19 99

Served by Art Gloman Time Served 4:10 PM

Received by Dallie West

HUGH J. MORGAN
JAMES T. HENDRICK
WAYNE LARUE SMITH
KAREN K. CARANAG
JESSE V. REGANTE

LAW OFFICES
MORGAN & HENDRICK
317 WHITEHEAD STREET
KEY WEST, FLORIDA

W. CURRY HARRIS
(1997-1998)
HILARY U. ALBURY
(1990-1999)

January 21, 1999

Via Hand Delivery

City of Key West
Code Enforcement Division
Building Department
604 Simonton Street
Key West, Florida 33040

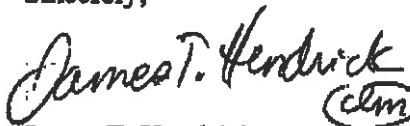
re: Complaint No. 99-392;
Abady Hyman;
729 Truman Avenue

Dear Code Enforcement Officers:

This office represents the Owner with respect to the captioned charge. Our client has given instructions to the property manager immediately to secure whatever occupational license(s) may be required by law. In the meantime, you may be assured that our client will not violate Code Section 35.24(44) pending resolution of the matter.

Please direct further communications concerning this complaint to the undersigned.

Sincerely,



James T. Hendrick

[signed in his absence to expedite reply]



THE CITY OF KEY WEST

Post Office Box 1409
Key West, FL 33041-1409NOTICE OF CODE VIOLATION

Certified Mail # 2566 503 677

CED NO. 99-392
DATE: 2-24-99

SUBJECT ADDRESS

TO: Albady Hyman
#2 5th AVE (11C)729 Truman Ave
Key West, Florida 33040New York N.Y. 10011

Dear

According to the records at the Monroe County Property Appraiser's office you are the current owner/representative of the above-referenced property. You are hereby noticed that your property is in violation of the Key West Code of Ordinances for the following reason(s):

As of 2-21-99, you are still advertising six (6) transient rentals on the internet. City records show that you are licensed for (4) transient rentals only. Failure to apply for and acquire 2 additional licenses
Violation of Key West Code of ordinances, section (s) 35-24 (44)

As of receipt of this notice you will have 5 DAYS to correct said violation(s), otherwise you shall be noticed to appear before the Key West Code Enforcement Board to give cause why you should not comply with City Ordinance. Pursuant to Florida Statutes, section 162.06 and the Key West Code of Ordinances, section 13.03 (c) (2). The Key West Code Enforcement Board is empowered to fine violators up to \$250.00 daily for non-compliance.

Sincerely,

Anthony ColemanAnthony Coleman
Code Enforcement Inspector
(305) 292-8191

HAND SERVED ON THIS _____ DAY OF _____, 1999.

Certified Mail
Served By _____

Received By _____

ZONING PROVISIONS

§ 35.24

(2) sides, prepared with a hard, semihard, or improved surface, and uncovered, for the purpose of outdoor living.

- (44) *Tourist and transient living accommodations.* Commercially operated housing principally available to short-term visitors for less than twenty-eight (28) days.

- a. *Motel.* A group of tourist accommodation units under one (1) ownership or on one (1) tract of land and designed primarily for access by automobile. Overnight guests may be taken for longer periods than overnight. Eating or cooking facilities shall not be provided within individual units.
- b. *Tourist court.* A group of tourist accommodation units under one (1) ownership or on one (1) tract of land providing facilities for overnight guests or for longer periods of time, and with cooking or eating facilities within the individual units.
- c. *Hotel.* A structure primarily for transient guests, including rooms with or without cooking and complete apartment facilities, but confined within one (1) principal building except for necessary accessory buildings.
- d. *Guest house.* Any place wherein tourists, transients, travelers or persons desiring temporary residence are provided with sleeping and sanitary facilities. Cooking facilities may or may not be provided in a guest house. The number of rooms in a guest house shall not exceed twenty-five (25). The minimum room sizes for a guest house shall be as follows:

Single room—Eighty (80) square feet.

Double room—One hundred (100) square feet.

Multiple occupancy room—One hundred (100) square feet, in addition fifty (50) square feet for each occupant over two (2).

Sanitary facilities shall be provided in a guest house. Where sanitary facilities

are shared there shall be provided one (1) water closet, one (1) sink and one (1) bathtub or shower for each eight (8) beds (or portion thereof) sharing the facilities.

Off-street (parking) shall be provided for a guest house at the rate of one (1) parking space for each three (3) rooms (or portion thereof).

- (45) *Townhouse.* A one-family dwelling unit of a group of three (3) or more such units separated by adjoining fire walls, or fire walls separated by a space of not more than six (6) inches, such walls to extend above the roof line of the unit which it serves and to have no openings therein. Where a separation between fire walls is provided, such separation shall be positively sealed in a manner which provides a substantial closure of space between units which is permanently watertight and verminproof. Each townhouse unit shall be constructed upon a separate lot and serviced with separate utilities and other facilities and shall otherwise be independent of one another.

- (46) *Total floor area or gross floor area.* The areas of all floors of a building, including finished attics, finished basements and all covered areas, including porches, sheds, carports, and garages. If the first finished floor level of an elevated building or structure is elevated to a height greater than seven (7) feet above the base flood elevation, then the area below such first floor shall be included in calculating gross floor area of the building or structure.

- (47) *Travel trailer or mobile camper.* A self-powered or nonself-powered vehicle under eight (8) feet in width capable of being towed by an ordinary automobile or by the self-powered vehicle upon which it is constructed, whose primary use is temporary lodging while traveling or camping and is not used for habitation except in designated campsites while in the corporation limits of Key West. These vehicles are excluded from the comprehensive zoning regulations.

729 Truman Avenue
Key West, FL 33040
(800) 773-1894 or (305) 294-1894
E-mail: mermaid@joy.net



Rooms & Rates

Each uniquely decorated room in our stately mansion and adjoining Conch Cottage has its own distinct personality, one is sure to match yours.



The Caribbean Queen Room offers all the amenities of a great honeymoon suite or romantic weekend getaway. Watch the world of Key West go by from the wraparound veranda, relax in the large Roman soaking tub and get comfortable in the four poster queen size bed.




The Garden Room is set just off the pool and garden. It features handsome French doors, an airy cathedral ceiling, queen size canopy bed and a wonderful glass block shower.

The Conch Cottage adjoins the grounds behind the main house. Offering diversity and economy with all the amenities, the Conch Cottage features an intimate setting with a unique Key West "funky" flair. These rooms have private outdoor entrances and they offer either queen size or twin beds and shared bath.



1997 - 1998 Rate Schedule	May 1 - Dec. 15*	Dec. 16 - Apr. 30*	Holidays & Events
Caribbean Queen	\$135	\$185	\$195
Treetop Suite	\$125	\$170	\$185
Royal Poinciana or Garden Room	\$110	\$160	\$175
Sun Room	\$95	\$150	\$165
Allamanda (Conch Cottage)	\$85	\$135	\$150

Papaya or Keylime (Conch Cottage)	\$75	\$110	\$125
* Holidays - In addition to the posted rates, for Fantasy Fest, Christmas, New Years and other such holidays and events, rates may vary. Minimum stays may be required.			
			

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Rooms & Amenities

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Caribbean Queen

Caribbean Queen Room



The Caribbean Queen Room offers all the amenities of a great honeymoon suite or romantic weekend getaway. Watch the world of Key West go by from the wraparound veranda. relax in the large Roman soaking tub and get comfortable in the four poster king bed.

Treetop Suite



The Treetop Suite is nestled away on the third floor and aptly named for its view out across the neighborhood treetops. The splendor of the room is the exposed beam, cathedral, Dade County Pine ceiling highlighting the distinct gabled rooflines. The room features a king bed in one alcove and a large soaking tub open to the room in another with a private bath & shower. A private.

romantic hideaway - above it all!

Audubon Room



Inspired by the art of John James Audubon, who visited & painted in Key West, the Audubon room boasts the original Dade County Pine walls & floors. Its large bath features a Jacuzzi bathtub and large open shower. Louvered doors lead you to our sunken "grotto" garden, patio and pool area.

Royal Poinciana



The Royal Poinciana is the perfect writer's retreat. Named after one of the stately trees in our garden, you are inspired to unwind on the outside veranda, sit and pen your thoughts at the antique writing desk or just relax in the comfort of its metal canopy bed with elegant bath featuring a marble shower and lots of mirror.

Garden Room



Open the Garden Room's French doors to let the warm, fragrant tradewinds in. This room with its cool terracotta floors, cathedral ceilings & warm tropical colors reflects our love of gardening and the Keys outdoor style of living. It features a patina metal canopy style bed and the bath has a large walk-in glass block shower, dual showerheads and glass ceiling.

Sun Room



The Sun Room

A bright & airy second floor room, in the bay portion of our Victorian home, the Sun Room's windows create a panoramic view into the trees. French doors open to a private sun deck overlooking the pool & garden. The private bath's step-in glass mosaic shower completes the room. A great retreat to sunbathe in the day & stargaze through the night!

Conch Cottage Rooms

Our historic 1880's cigar maker conch cottage sets the backdrop for the bright tropical colors and decor of the Bamboo, Papaya & Key Lime Rooms. These casual style rooms are reached by walking through the garden of the inn and still feature all of the amenities of the main house. All rooms have private outside entrances.

Bamboo Room



- The Bamboo Room is a large room with an Indonesian sleigh bed, sofa sitting area with tropical bamboo thatch ceiling. The room has a private bath with shower and a added bonus of a large covered porch area that looks out into our lush tropical garden & sunning patio...just steps from the pool & breakfast patio.

Key Lime & Papaya Rooms

These side by side rooms open to & share the front porch of our conch cottage. Yes, they are painted Key Lime & Papaya colors! You will definitely know you are staying in Key West. Quaint & cozy!



While the Key Lime has a king bed, private bath with step-in shower, the Papaya Room features a queen bed and identical shower to the Key Lime.

These two rooms rented together are perfect for two couples traveling together and are a great value

Amenities

Our exquisite accommodations ... feature Sealy Posturepedic mattresses, 100% cotton sheets and

luxurious white plush towels. Guests will find hair dryers, iron and ironing board as well as CD/AM/FM clock radio systems standard in all of our rooms. All rooms and living areas have air conditioning and daily room service.

Our Living Room offers guests a unique, quiet and relaxing environment. Here you will find data port and high speed wireless Internet access. A guest computer for those who wish to work or check their e-mail with access to high speed Internet is available 24 hours a day free of charge as well as TV, phone, games and endless books and magazines to keep you occupied and inspired. Our concierge will assist you with all your outdoor activities and dining reservations needed through out your stay. We will be happy to arrange for bicycles or even a licensed massage therapist to help take the stress out of your busy schedule.

Our Outdoor Pavilion is a great gathering spot to meet guests, enjoy a nightly complimentary glass of wine and gaze through menus of all the wonderful restaurants found in Key West. Here you will find the ice machine, guest refrigerator, pool and beach towels, sunscreen, beach chairs, coolers and umbrella!

Our plunge pool heated year round and features built in benches and whirlpool jets. Surrounded by lush tropical vegetation, and wonderful patios areas perfect to transport you back to those times of ultimate leisure.

Remember a full breakfast is served each morning poolside. Choose from a variety of yogurt, juices, fresh fruit and home baked muffins, coffee and tea. Then make yourself comfortable in the garden and let us offer you the hot entree of the day.

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Innkeeper Analysis

Inn Name	Real Estate Number	Alternate Key	Number of Licensed Units	Number of Unlicensed Units	Total Units	Land Use District	Un
MERMAID & ALLIGATOR	20420	1021172	4	2	6	HNC-1	
MERMAID & ALLIGATOR	20470	1021229	0	3	3	HHDR	
NASSAU HOUSE*	7290	1007552	5	4	9	HNC-2	
NEW ORLEANS HOUSE	16140	1016527	9	1	10	HRCC-1	
OASIS GUESTHOUSE	5700	1005908	10	1	11	HNC-2	
OASIS GUESTHOUSE	5730	1005941	0	5	5	HMDR	
OASIS GUESTHOUSE	5720	1005932	0	4	4	HMDR	
OCEAN BREEZE INN*	38140	1038890	13	0	13	HNC-2	
OLD CUSTOMS HS (PIACIBELLO, G	570	1000566	5	1	6	HRCC-1	
OLIVIA BY DUVAL	16870	1017281	3	2	5	HRCC-3	
PALM COURT	3680	1003841	2	0	2	HMDR	
PALMS OF KEY WEST	22240	1023001	20	5	25	HNC-2	
PAPA'S HIDEAWAY	26540	1027332	4	1	5	HHDR	
PARADISE INN	16410	1016802	18	0	18	HNC-1	
PEARL'S RAINBOW	28820	1029602	4	0	4	HNC-1	
PEARL'S RAINBOW	28790	1029572	13	0	13	HNC-1	
PEARL'S RAINBOW	28770	1029556	1	0	1	HNC-1	
PEARL'S RAINBOW	28800	1029581	4	0	4	HNC-1	
PEARL'S RAINBOW	28870	1029653	16	0	16	HRCC-3	
PILOT HOUSE	6390	8613482	6	4	10	HNC-1	
PILOT HOUSE	6460	1006696	4		4	HNC-1	
ROSE LANE COTTAGES	4250	1004421	2	2	4	HNC-1	
ROSE LANE COTTAGES	4260	1004430	2	2	4	HNC-1	
SEAPORT INN *	3280	1003417	2	4	6	HMDR	
SEASCAPE	17850	1018317	6	1	7	HRCC-3	
SIMONTON COURT	4200	1004375	9	9	18	HNC-1	
SIMONTON CT/MANSION	4160	1004324	6	0	6	HNC-1	
SOUTHERN CROSS HOTEL*	4380	1004570	27	0	27	HRCC-1	
SOUTHERNMOST HOUSE	36360	1037206	2	11	13	HCT	
SOUTHNMST POINT GHS	36190	8712456	6	2	8	HCT	
SPEAKEASY (FAVELLI)	27850	1028622	4	3	7	HRCC-3	
SUITE DREAMS (VON PHISTER LLC	39050	1039799	3	1	4	SF-1	
TRAVELER'S PALM	29860	1030619	2	3	5	HMDR	

Modified 8/18/2006