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RECEIVED
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2021 OCT 19 PM 2:21
CITY OF KEY WEST
KEY WEST, FLORIDA

Via Hand Delivery

October 19, 2021

Cheri Smith, MMC, CPM,
City Clerk
City of Key West
1300 White Street
Key West, FL 33040

Re: Notice of Appeal of the Planning Director's October 8, 2021, denial of the Lawful Unit Determination application submitted by Trepanier & Associates, Inc. on behalf of Savage KW Properties, Inc., regarding 826 and 828 Windsor Lane, Key West, Florida.

Dear Cheri,

Please allow this correspondence to serve as a Notice of Appeal, pursuant to Sections 90-426 and 90-431 of the City of Key West Code of Ordinances, of the Planning Director's October 8, 2021, Lawful Unit Determination, which was received via email on October 12, 2021, and received via USPS mail on October 14, 2021. Pursuant to Section 90-431(1)(c) and because the denial letter was mailed, the appeal deadline is extended by three (3) days beyond the ten (10) days from the date of the decision by the Planning Director thereby making the appeal deadline October 21, 2021. This notice of appeal was timely submitted. A copy of the Application for Lawful Unit Determination is attached as Exhibit "A". A copy of the Lawful Unit Determination, dated October 7, 2021, but signed by the Planning Director on October 8, 2021, is attached as Exhibit "B". A check in the amount of \$2,205.00 is enclosed for payment of the fee for the appeal.

The property owner of 826 and 828 Windsor Lane, Savage KW Properties, Inc., and its agent Trepanier & Associates, Inc., respectfully requests that the Board of Adjustment modify the Planning Director's Lawful Unit Determination to recognize the existence of the three (3) units requested in the application. The subject property is a multi-dwelling apartment complex which for a time was called the Windsor Gardens Condominium. Throughout its existence the apartments have provided a much needed source of truly affordable housing in Key West. The loss of three (3) such de facto affordable apartments will exacerbate the already dire affordable housing shortage.

This apartment complex has existed since 1958 and has fluctuated between three (3) and six (6) units through the years. There was a code compliance case in 2003 which the former owner was unable to properly challenge. The gist of the 2003 code case being that there were six (6) units but the City claimed there should be only three (3) units. This 2003 claim by the City was erroneous on its face given the fact that the concrete building at 826 Windsor was built in 1958 as a 4-unit apartment building and the house next door at 828 Windsor was added to the property in the 1970's bringing the total number of units to five (5). How the City determined in 2003 that there were only supposed to be three (3) units total is unknown. Unfortunately, rather than challenge to City's objectively erroneous claim, the former owner temporarily reduced the number of units to three (3) in order to close out the code case.¹

In 2004, the former owner created the Windsor Gardens Condominium which has since been abolished. The declaration of condominium created three (3) condominiums on paper as a direct result of the 2003 code case. However, former owners of the units rented the units out as duplexes as attested to by Thomas Savage and Michael Marsh in the affidavits submitted with the application. The point being that while the property showed three (3) units on paper in 2004, the reality was that those units were being rented as duplexes resulting in six (6) apartment units. As mentioned, the Property Appraiser's Historic Property Record Card ("green card") shows that there were five (5) units between the 4-unit building and the house. The sixth unit came into being when the rear cottage was built behind the house circa 1998 and rented as a separate unit.

Concededly, there is not comprehensive documentation of the units which existed circa April 1, 2010. However, the materials submitted support the fact that the complex was comprised of six units (6) units prior to April 1, 2010 and after April 1, 2010. Specifically five (5) units existed since the 1970's—four (4) units in the 1958 building and the house being the fifth (5th). The sixth (6th) unit being the guest cottage built in 1998. Objectively, the 2003 code case was erroneous because it improperly eliminated at least two (2) units which were lawfully existing. Fast forward to 2020 and the current owner was cited by code enforcement for having three (3) too many units.

The Lawful Unit Determination application was submitted in response to the 2020 code case. As described above, the property owner and its agent believe that the documentation provided supports the six (6) units existing April 1, 2010. The Planning Director denied the application on the basis that the "City cannot find evidence that the units were being lived in and rented around April of 2010." This is an improper application of Section 108-991 of the City of Key West Code of Ordinances.

¹ Upon information and belief the former owner did not have the financial resources necessary to defend against the objectively erroneous code case.

Section 108-991 enumerates a list of documentation which may be used to determine if units existed around April 1, 2010. All of the listed documentation is not required for a determination, rather, the list provides a non-exclusive list of documents which may be provided as supporting evidence of established units. Rental, occupancy or lease records are listed, but not required. Here, the application did not submit any such records because none could be found. While it is true that such records are very helpful in establishing the existence of units, the lack of such records is not grounds for denial. Yet, the Planning Director's decision was based on there being a lack of rental, occupancy or lease records rather than being based on the documentation submitted with the application. This was error. As explained above, the documentation submitted supports the existence of six (6) units—five (5) units at the very least.

Granted, the history of the apartment complex is rather tortured for a variety of reasons, but it is undeniable that these apartments provide a greatly needed de facto affordable housing option in Key West. The property owner and its agent respectfully request that the three (3) units requested be recognized as lawful units existing circa April 1, 2010.

Please contact me regarding coordinating the appeal. It is requested that this appeal be scheduled for the December 7, 2021, City Commission/Board of Adjustment agenda to provide an opportunity to resolve this appeal and avoid the need for a hearing. Thank you for your consideration and assistance. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Van D. Fischer". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

Van D. Fischer



Application for Lawful Unit Determination

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

Application Fee: \$1,365.00

(includes \$210.00 advertising/noticing fee and \$105.00 fire review fee)

Ordinance 17-02, Effective May 3, 2017

Ordinance 19-10, Effective May 7, 2019

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3764.

PROPERTY DESCRIPTION:

Site Address: 826 & 828 Windsor Lane
Real Estate (RE) #: 00019520-000201
Zoning District: HHDR Total Land Area (sq. ft): 826 & 828 Windsor Lane
Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Trepanier & Associates, Inc.
Mailing Address: 1421 First Street
City: Key West State: FL Zip: 33040
Home/Mobile Phone: _____ Office: 305-293-8983 Fax: _____
Email: thomas@owentrepanier.com

PROPERTY OWNER: (if different than above)

Name: Savage KW Properties, Inc.
Mailing Address: 401 Southard Street
City: Key West State: FL Zip: 33040
Home/Mobile Phone: _____ Office: c/o 305-293-8983 Fax: _____
Email: c/o thomas@owentrepanier.com

FLORIDA STATUTE 837.06: WHOEVER KNOWINGLY MAKES A FALSE STATEMENT IN WRITING AND WITH THE INTENT TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTY SHALL BE GUILTY OF A...

TREPANIER & ASSOCIATES INC.

P O Box 2155 Ph. 305-293-8983
Key West, FL. 33045

6270

03-9138/2631

DATE _____

PAY TO THE ORDER OF

City of Key West

\$ 1365.00

one thousand three hundred sixty five + 00/100

DOLLARS



BRANCH BANKING AND TRUST COMPANY
1-800-BANK BBT BBT.com

FOR

Savage LUD





Application for Lawful Unit Determination

City of Key West, Florida • Planning Department

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

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<p>Print Name of property owner or agent or licensed contractor</p> <p>Trepanier & Associates, Inc.</p>	<p>Signature.</p>
<div style="border: 2px dashed red; border-radius: 15px; padding: 10px; display: inline-block;"> <p>Original Notarized Copy Submitted with Application</p> </div>	
<p>Notary Signature</p>	<p>Subscribed before me.</p>
<p>Personally known or produced as identification.</p>	

Exhibit A

Is this request based on a code case? Yes No

Case Number: CC2020-00524

UNIT TYPE	NUMBER OF UNITS	
	EXISTING	LICENSED ¹ / RECOGNIZED
Market-Rate Residential Dwelling Units	6	3
Affordable Residential Dwelling Units ²	0	0
Transient Units	0	0
Commercial Units	0	0

1 Please provide City Licensing Records from the Building Department

2 All units allocated as affordable 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 (2) through (15) of the Workforce Housing Ordinance. Affordable housing projects enabled by federal tax credit housing are not subject to 122-1467(c).

Sec 108-991(3) - Units determined to have been in existence at the time the April 1, 2010 census was prepared are presumed not to be affected by BPAS. The City Planner shall review available documents to determine if a body of evidence exists to support the existence of units on or about April 1, 2010. Units existing in 2010 will be documented through a mandatory site visit by city staff and **at least two** of the following records:

- Aerial photographs and original dated photographs showing that the structure existed on or about April 1, 2010;
- Building permits issued prior to April 1, 2010;
- Copies of city directory entries on or about April 1, 2010;
- Applications received after *May 2, 2017* must demonstrate that the unit sought to be established hereunder is or has been legally permissible under the current or any former zoning requirements of the applicable district in which the unit is located.
- Site visits which indication that the age of the structure and associated improvements likely pre-date 2010;
- Rental, occupancy or lease records from before and including April 1, 2010, indicating the number, type and term of the rental or occupancy;
- Copies of state, county, and city licenses on and about April 1, 2010, indicating the number and types of rental units;
- Documentation for Keys Energy Service, Florida Keys Aqueduct Authority and other available utilities indicating the type of service (residential or commercial) provided and the number of meters on or about April 1, 2010;
- Documentation for the Monroe County Property Appraiser's Office for the time on or about April 1, 2010 (Green Card);
- Similar documentation as listed above.

Provision of affidavits to support the existence of a unit is allowed but cannot be the sole record upon which a decision is based. **Provision of documents is the responsibility of the applicant.** 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.

Exhibit A

Units which are determined not to be affected by the building permit allocation system per this subsection but which have not been previously acknowledged by the City Planner are presumed to be lawfully established per Chapter 122, Article II, Nonconformities, if the additional following requirements are met:

- a. The applicant satisfies the building department that the unit meets the Florida Building Code, through as-built certifications or other means acceptable to the building official;
- b. Fees: All back-fee payments shall be paid current and in full, from the date determined to be the established date of the unit. All impact fees shall be paid in full for units determined to have been established after the implementation of the Impact Fee Ordinance (January 1, 1985).
- c. Occupational license with the city is updated, and street addresses are assigned commensurate with the updated unit count.
- d. Applications received after May 2, 2017 must demonstrate that the unit sought to be established hereunder is or has been legally permissible under the current or any former zoning requirements of the applicable district in which the unit is located.

Additional information that may be considered as evidence to prove existence of a unit(s) includes but is not limited to the following:

1. Official Appraisal Reports;
2. Inspection reports on company letterhead; and/or
3. Similar documentation.

The review process for lawful unit determination is as follows:

1. Applications will be processed on a first come, first serve basis. If the property is under contract with a scheduled closing date, staff will consider an expedited review;
2. Staff will schedule a site visit to include the Building Official when the application is under review;
3. If a unit(s) is recognized, the Collections Manager will coordinate with the applicant regarding any back fees owed;
4. The lawful unit determination shall be rendered to the DEO for a determination of consistency with the principals for guiding development.

Application checklist:

- Application fee. Please make checks payable to "City of Key West."
- Notarized verification form signed by property owner or the authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Survey (Survey must be within 10 years from submittal of this application)
- Sketch of site and floor plan
- Supporting documentation that unit existed on or about April 1, 2010

June 28, 2021

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

**RE: 826 - 828 Windsor Lane - Lawful Unit Determination
 RE# 00019520-000201**



Dear Ms. Halloran,

Attached is an application for Lawful Unit Determination ("LUD") for the above property known by the addresses of 826 & 828 Windsor Lane. This application is to verify the existence of 2 non-transient residential units at 826 Windsor Lane and 4 non-transient residential units at 828 Windsor Lane on and about April 1, 2010. City business tax records currently document 3 units as non-transient residential dwellings. However, 6 non-transient dwelling units existed on the property on and about April 1, 2010. This application seeks to correct and clarify the City's records to reflect the actual units and uses on the property in the following manner:

Unit Address / Location	Unity Type
826 Windsor Lane (front), Unit 1A	1 Non-Transient Residential
826 Windsor Lane (rear), Unit 1B	1 Non-Transient Residential
828 Windsor Lane (down), Unit 2A	1 Non-Transient Residential
828 Windsor Lane (down), Unit 2B	1 Non-Transient Residential
828 Windsor Lane (up), Unit 3A	1 Non-Transient Residential
828 Windsor Lane (up), Unit 3B	1 Non-Transient Residential

Key Persons & Entities:

Title	Name
Property Owner	Savage KW Properties, Inc.
Officer(s)	Thomas J Savage
	Zita Savage
Authorized Agent	Trepanier & Associates, Inc.

Analysis:

Per Sec. 108-991(3)¹, applicable evidence is summarized in the following table to support the LUD application request for the recognition of three additional non-transient residential units that were in existence on April 1, 2010.

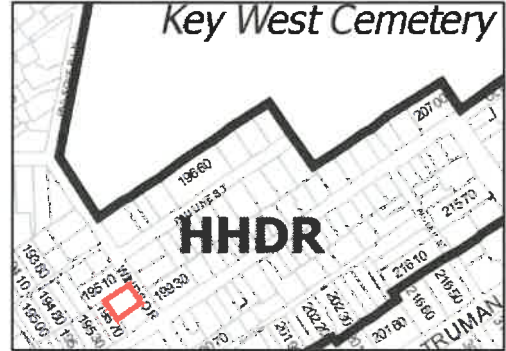
Date	Document	Address	No. of Units	Note(s)	Exhibit
1966-1974	MCPA Historic Property Card	826	1	1 single-family dwelling	A
		828	4	4-unit apartment building	
08/20/03	Code Case# 03-01412	826	2	Illegal Dwelling Units. Living unit removed 04/12/04.	B

08/20/03	Code Case# 03-01413	828	4	Illegal Dwelling Units. Living unit removed 04/12/04.	C
06/02/04	Windsor Gardens Condominium – Survey & Site Plans	826-828	3	Unit 1 = SF house + Rear Cottage. Unit 2 = Apartment ground floor. Unit 3 = Apartment 2nd floor.	D
01/09/09	FDOT APLUS Aerial	826-828	-	Shows 3 structures	E
1/10/10	Real Estate MLS	828 #3	2	2nd floor #3 consists of 2 units.	F
2010	MCPA Property Report	826 #1	1	Structure area (sq. ft.) includes front building & rear cottage.	G
2010	MCPA Property Report	828 #2	1	Structure area (sq. ft.) include both dwelling units, and excludes area of covered porch.	H
2010	MCPA Property Report	828 #3	1	Structure area (sq. ft.) include both dwelling units, and excludes area of covered porch.	I
2010	Affidavit: Mr. Marsh	826 & 828	6	826 has 2 detached units. Apartment of 828 has 4 units. Property has 6 units total.	J
2010	Affidavit: Mr. Savage	826 & 828	6	826 has 2 detached units. Apartment of 828 has 4 units. Property has 6 units total.	K
2021	Existing Unit Floor Plans	826-828	6	826 consists of 2 detached units. Apartment of 828 consists of 4 units. Property has 6 units total.	L

828 Windsor Lane – The existing apartment building known by the address of 828 Windsor Lane has been at this location since at least 1958. Per Policy 1-1.10.3ⁱⁱ, historic densities of sites are to be preserved to prevent the erosion of the City’s permanent housing stock. As recorded by the 1966-1974 MCPA historic property card, the apartment building has an historical density of 4 units. Unfortunately, as recently as 2003, City licensing only recognized the apartment as having 2 units. In fact, a 2003 code case identified that 4 units existed onsite (2 upstairs and 2 downstairs), wrongfully claiming that 2 units were illegal units and required the then-property owner to remove 2 units. This code case resulted in the erosion of 2 historical dwelling units in the apartment building of 828 Windsor Ln. Actions of subsequent property owners of the apartment building resulted in the restoration of the 2 units, 2 upstairs and 2 downstairs. Prior to, and on, and about April 1, 2010, 4 permanent residential units have existed at the apartment building of 828 Windsor Lane.

826 Windsor Lane – Two structures exist known by the address of 828 Windsor Lane, a single-family house along the street at the front of the lot and a cottage to the rear of the lot. The front single-family house has been at this location since at least 1958. The rear cottage of 826 Windsor Lane has existed since at least 1998, as recorded in a 1998 permit stating the cottage was not habitable. Between 1998 and 2003, the rear cottage was converted into a residential unit. The property was cited in a 2003 code case for an illegal unit resulting in the loss of the unit. Actions of subsequent property owners the rear cottage reestablished its residential use. As a result, prior to, on, and about April 1, 2010, 2 permanent residential units have existed at 826 Windsor Lane.

HHDR Zoning – The property known by the address of 826-828 Windsor Lane is located within the Historic High Density Residential (“HHDR”) zoning districtⁱⁱⁱ. The HHDR district 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. Single-family, two-family, and multiple-family residential dwellings are permitted uses within the HHDR district.



Density – Within the HHDR district, the permitted density is 22 units per acre. The 826-828 Windsor Lane property is 3,408 sq. ft. in area (or 0.782 acres) and has had 6 dwelling units onsite prior to, during and after 2010.

	Code Required	Existing
826-828 Windsor	22 du/ac (1.72 du)	6 du

Conclusion:

We respectfully request the City of Key West recognize the above units and uses. Thank you in advance for your consideration.

Sincerely,

Thomas Francis-Siburg
Planner / Development Specialist

ⁱ Sec. 108-991. - Development not affected by article.

Development consistent with the following shall not be affected by the terms of this article, but such development shall comply with all applicable sections of the city’s land development regulations:

- (3) Units determined to have been in existence at the time the April 1, 2010, census was prepared are presumed not to be affected by BPAS. The city planner shall review available documents to determine if a body of evidence exists to support the existence of units on or about April 1, 2010. Units existing in 2010 will be documented through a mandatory site visit by city staff and at least two of the following records:
 - a. Aerial photographs and original dated photographs showing that the structure existed on or about April 1, 2010;
 - b. Building permits issued prior to April 1, 2010;
 - c. Copies of city directory entries on or about April 1, 2010;
 - d. Rental, occupancy or lease records from before and including April 1, 2010, indicating the number, type and term of the rental or occupancy;
 - e. Copies of state, county, and city licenses on and about April 1, 2010, indicating the number and types of rental units;
 - f. Documentation for Keys Energy Service, Florida Keys Aqueduct Authority and other available utilities indicating the type of service (residential or commercial) provided and the number of meters on or about April 1, 2010;

g. Documentation for the Monroe County Property Appraiser's Office for the time on or about April 1, 2010, (Green Card); and

h. Similar documentation as listed above.

Provision of affidavits to support the existence of a unit is allowed, but cannot be the sole record upon which a decision is based. Provision of documents is the responsibility of the applicant. The city planner's decision shall be rendered to the department of economic opportunity for a determination of consistency with the principals for guiding development.

Units which are determined not to be affected by the building permit allocation system per this subsection but which have not been previously acknowledged by the city planner are presumed to be lawfully established per chapter 122, article II, nonconformities, if the additional following requirements are met:

- a. The applicant satisfies the building department that the unit meets the Florida Building Code, through as-built certifications or other means acceptable to the building official; and
- b. Fees: All back fee payments shall be paid current and in full, from the date determined to be the established date of the unit. All impact fees shall be paid in full for units determined to have been established after the implementation of the Impact Fee Ordinance (January 1, 1985).
- c. Occupational license with the city is updated, and street addresses are assigned commensurate with the updated unit count.
- d. Applications received after May 2, 2017, must demonstrate that the unit sought to be established hereunder is or has been a legally permissible under the current or any former zoning requirements of the applicable district in which the unit is located.

ⁱⁱ Policy 1-1.10.3. ...Policy 1-1.10.3: - Retention of Historic Character and All Permanent Single Family Housing Units.

The City desires to retain in perpetuity the existing character, density, and intensity of all historic sites and contributing sites within the historic district; and shall protect the entire City's permanent single family housing stock citywide which was legally established prior to the adoption of the plan on a legal lot of record. Therefore, the City shall protect and preserve these resources against natural disaster, including fire, hurricane, or other natural or man-made disaster, by allowing any permanent units within the City, or other structures located on historic sites or contributing sites, which are so damaged to be rebuilt as they previously existed. This policy is adopted to prevent the erosion of the permanent housing stock; to ensure the continuance of a viable local economy; and to preserve the historic density, intensity, scale, design, and ambiance of the Key West historic area of state and national significance.

ⁱⁱⁱ Division 6. Subdivision IV. – Historic High Density Residential District (HHDR)

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.

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.

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.

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.

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.



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 00019520-000300
 Account# 9104331
 Property ID 9104331
 Millage Group 10KW
 Location 826 WINDSOR Ln, KEY WEST
 Address
 Legal KW PT OF TR 5 OR1238-1197/98 OR1288-688/689-C OR2067-1465/1526DEC OR2078-298/99 OR2078-331/32 OR2081-952/953 OR2410-104/05
 Description OR2529-2096/97C/T OR2555-1512/1513 OR2673-1467/69C OR2673-1470/72C OR2673-1473/75C OR2773-1940/41C/T OR2800-487 OR2800-488/91 OR2800-884/894 OR2922-1746/47QC OR2922-1748/52(TERMINATION AGREEMENT) OR2922-1753(AFFD) OR2922-1754/56QC
 [Note: Not to be used on legal documents.]
 Neighborhood 6103
 Property MULTI FAMILY LESS THAN 10 UNITS (0800)
 Class
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing



Owner

SAVAGE KW PROPERTIES INC
 401 Southard St
 Key West FL 33040

Valuation

	2020	2019	2018
+ Market Improvement Value	\$380,764	\$396,742	\$375,900
+ Market Misc Value	\$6,162	\$6,349	\$6,585
+ Market Land Value	\$475,271	\$461,315	\$312,614
= Just Market Value	\$862,197	\$864,406	\$695,099
= Total Assessed Value	\$862,197	\$864,406	\$695,099
- School Exempt Value	\$0	\$0	\$0
= School Taxable Value	\$862,197	\$864,406	\$695,099

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (0800)	3,408.00	Square Foot	0	0

Buildings

Building ID	62849	Exterior Walls	WD FR STUCCO
Style	1 STORY ELEV FOUNDATION	Year Built	1958
Building Type	M.F. - R2 / R2	EffectiveYearBuilt	2010
Gross Sq Ft	2156	Foundation	CONCRETE SLAB
Finished Sq Ft	1452	Roof Type	GABLE/HIP
Stories	2 Floor	Roof Coverage	METAL
Condition	AVERAGE	Flooring Type	SFT/HD WD
Perimeter	0	Heating Type	
Functional Obs	0	Bedrooms	4
Economic Obs	0	Full Bathrooms	1
Depreciation %	10	Half Bathrooms	0
Interior Walls	WALL BD/WD WAL	Grade	550
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,452	1,452	220
OUU	OP PR UNFIN UL	153	0	52
OPF	OP PRCH FIN LL	407	0	138
OUF	OP PRCH FIN UL	144	0	50
TOTAL		2,156	1,452	460

Building ID	62851	Exterior Walls	ABOVE AVERAGE WOOD
Style	1 STORY ELEV FOUNDATION	Year Built	1958
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2010
Gross Sq Ft	1102	Foundation	CONCR FTR
Finished Sq Ft	790	Roof Type	with 0% GABLE/HIP
Stories	1 Floor	Roof Coverage	METAL
Condition	AVERAGE	Flooring Type	SFT/HD WD
Perimeter	0	Heating Type	
Functional Obs	0	Bedrooms	2
Economic Obs	0	Full Bathrooms	1
Depreciation %	10	Half Bathrooms	0
Interior Walls	WALL BD/WD WAL	Grade	450
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
FHS	FINISH HALF ST	150	0	50
FLA	FLOOR LIV AREA	790	790	166
OPF	OP PRCH FIN LL	90	0	46
SPF	SC PRCH FIN LL	72	0	44
TOTAL		1,102	790	306

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
LC UTILBLDG	1998	1999	1	32 SF	2
FENCES	1998	1999	1	420 SF	2
BRICK PATIO	2006	2007	1	228 SF	2
WOOD DECK	2006	2007	1	352 SF	2

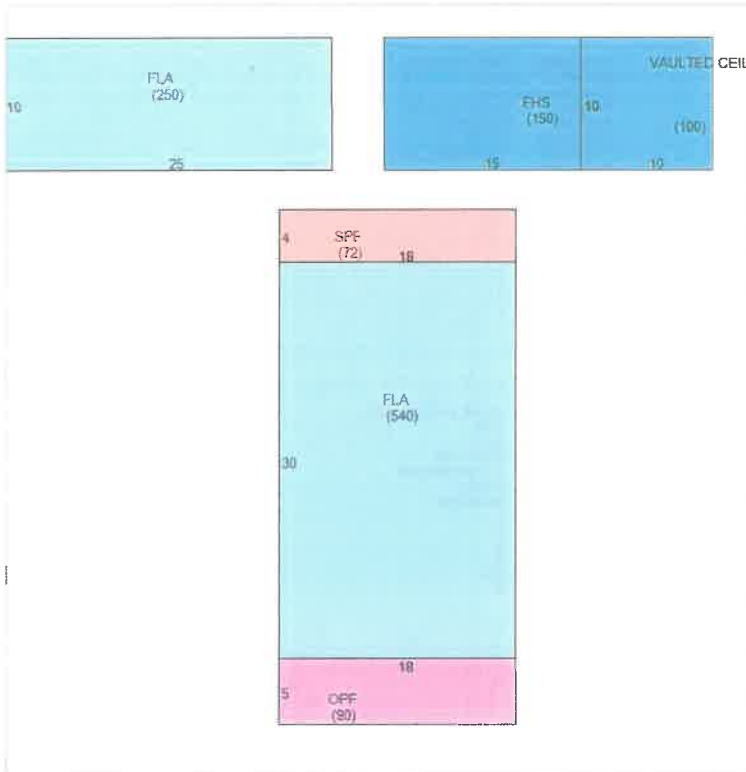
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
8/16/2018	\$100	Quit Claim Deed	2182958	2922	1754	11 - Unqualified	Improved

View Tax Info

[View Taxes for this Parcel](#)

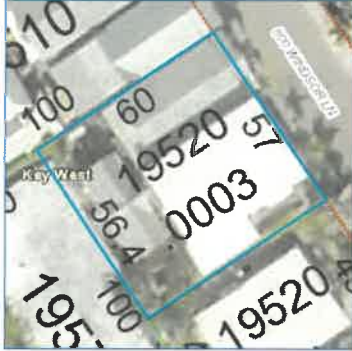
Sketches (click to enlarge)



Photos



Map



TRIM Notice

2020 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions, Permits.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

[Last Data Upload: 6/26/2021 2:11:17 AM](#)



PREPARED BY & RETURN TO:
Marci L. Rose, Esquire
810 Thomas Street
Key West, Florida 33040
Parcel ID: 00019520-000201 and 00019520-000202
Consideration: \$282,300.00

08/17/2018 4:39PM
DEED DOC STAMP CL: Krys \$1,976.10

Doc# 2182955
Bk# 2922 Pg# 1746

Quitclaim Deed

THIS INDENTURE, made this 16th day of AugustJuly, 2018, A.D. **Between THOMAS SAVAGE, A SINGLE MAN**, whose address is 585 Severs Landing, Palm Harbor, Florida 34683, **GRANTOR**, and **SAVAGE KW PROPERTIES, INC. A FLORIDA CORPORATION**, whose address is 401 Southard Street, Key West, Fl 33040, **GRANTEE**,

WITNESSETH that the GRANTORS for and in consideration of the sum of TEN & NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEES and GRANTEES' heirs and assigns forever, the following described land, situated, lying and being in the County of Monroe, State of FLORIDA to wit:

Condominium Unit No.'s 1 and 2 of Windsor Gardens Condominium, a Condominium according to the Declaration of Condominium thereof, as recorded in O.R. Book 2067, Page 1465, all exhibits and amendments thereof, in the Public Records of Monroe County, Florida, together with an undivided interest in the common elements.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


TO HAVE AND TO HOLD the said real estate in fee simple with its appurtenances the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

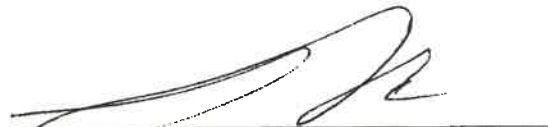
IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals this day and year first above written.

Signed, sealed and delivered in our presence:


Printed Name: KATHERINE R. TAPP

Witness


Printed Name: Kelly A. Lopez
Witness


THOMAS SAVAGE

Doc# 2182955
Bk# 2922 Pg# 1747

STATE OF FLORIDA)
COUNTY OF PIELAS)

The foregoing instrument was acknowledged before me this 16th day of August, 2018 by Thomas Savage who is/are personally known to me or who has/have produced FLORIDA DRIVER'S LICENSE as identification and who did take an oath.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Palm Harbor, Pielas County, Florida, this 16th day of August, 2018.

Marian Chappel
Notary Public, State of Florida - Signature

MARIAN CHAPPEL
Notary Public, State of Florida - Printed Name

Official Seal



MONROE COUNTY
OFFICIAL RECORDS

Exhibit A

Doc# 2078784 06/08/2016 8:52AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

Prepared by and Return to Mendy Walden ,
an employee of First International Title, Inc.
3132 Northside Drive
Suite 101, Bldg C
Key West, FL 33040
File No.: 82572-13

250, 500

06/08/2016 8:52AM
DEED DOC STAMP CL: Krys \$1,753.50

Doc# 2078784
Bk# 2800 Pg# 884

WARRANTY DEED

This indenture made on June 1, 2016, by

Robert Fields, unmarried

whose address is: 803 Fourth Street, Spencer, NC 28159

hereinafter called the "grantor",

to **SAVAGE KW PROPERTIES, INC.**, a Florida Corporation

whose address is: 2700 Bayshore Boulevard, Suite 511, Dunedin, FL 34698

hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Monroe County, Florida, to-wit:

Unit No. 3, of WINDSOR GARDENS CONDOMINIUM, a Condominium according to the Declaration of Condominium thereof, as recorded in Official Records Book 2067, at page 1465, of the Public Records of Monroe County, Florida, together with an undivided interest in the common elements appurtenant thereto and all amendments thereto as set forth in said Declaration.

Parcel Identification Number: RE #00019520-000203 / AK# 9080551

The land is not the homestead of the Grantor under the laws and Constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

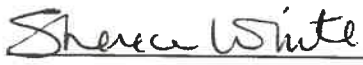
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2015.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.




Robert Fields

Signed, sealed and delivered in our presence:



Witness Signature
Print Name: Sherece White



Witness Signature
Print Name: Ericka Allen

Doc# 2078784
Bk# 2800 Pg# 886

State of NORTH CAROLINA

County of Rowan

The Foregoing Instrument Was Acknowledged before me on 27th day of May, 2016 by **Robert Fields**, unmarried who is/are personally known to me or who has/have produced a valid FDL as identification.

LUIS RIVERA-BONILLA
Notary Public
Rowan Co., North Carolina
My Commission Expires Dec. 18, 2018

SEAL

My Commission expires:

Dec. 18, 2018



Notary Public

Printed Name: Luis Rivera-Bonilla

APPROVAL OF SALE

SELLER: Maiden Voyage, LLC and Complete Credit Systems, LLC

PURCHASER: Thomas Savage

Property Address: 828 Windsor Lane, Unit 2, Key West, FL 33040

Contract Date: June 1, 2016

KNOW ALL MEN BY THESE PRESENTS, that the undersigned represent all of the owners of Windsor Gardens Condominium and hereby consent and approve of the sale and transfer of ownership by and between Maiden Voyage, LLC and Complete Credit Systems, LLC to Thomas Savage, for the real property located at:

Unit 2, of WINDSOR GARDENS CONDOMINIUM, a condominium according to the Declaration of Condominium thereof as recorded in Official Records Book 2067 page 1465, of the Public Records of Monroe County, Florida.

The undersigned hereby acknowledges they have reviewed the purchase contract by and between Maiden Voyage, LLC and Complete Credit Systems, LLC to Thomas Savage dated 3/28/2016.

The undersigned hereby waive all rights title and interest to exercise any rights or claim to purchase said Unit 2, 828 Windsor Lane, Key West at the terms contained in the said contract. Furthermore, buyer expressly acknowledges and understands the Association pursuant to the Florida Secretary of State is not active, and is being re-instated pending final processing with the Florida Secretary of State. As such the Association is not in compliance with the recorded declaration of condominium.

Date:

Maiden Voyage, LLC

By _____

Complete Credit Systems, LLC

By Steven Allen Eid

Savage KW Properties, Inc.

By _____

By _____
Robert Fields

By _____
Thomas Savage as Buyer

Date:

Maiden Voyage, LLC

By 

Complete Credit Systems, LLC

By _____

Savage KW Properties, Inc.

By _____

By _____

Robert Fields

By _____

Thomas Savage as Buyer

APPROVAL OF SALE

SELLER: Maiden Voyage, LLC and Complete Credit Systems, LLC

PURCHASER: Thomas Savage

Property Address: 828 Windsor Lane, Unit 2, Key West, FL 33040

Contract Date: June 1, 2016

KNOW ALL MEN BY THESE PRESENTS, that the undersigned represent all of the owners of Windsor Gardens Condominium and hereby consent and approve of the sale and transfer of ownership by and between Maiden Voyage, LLC and Complete Credit Systems, LLC to Thomas Savage, for the real property located at:

Unit 2, of WINDSOR GARDENS CONDOMINIUM, a condominium according to the Declaration of Condominium thereof as recorded in Official Records Book 2067 page 1465, of the Public Records of Monroe County, Florida.

The undersigned hereby acknowledges they have reviewed the purchase contract by and between Maiden Voyage, LLC and Complete Credit Systems, LLC to Thomas Savage dated 3/28/2016.

The undersigned hereby waive all rights title and interest to exercise any rights or claim to purchase said Unit 2, 828 Windsor Lane, Key West at the terms contained in the said contract. Furthermore, buyer expressly acknowledges and understands the Association pursuant to the Florida Secretary of State is not active, and is being re-instated pending final processing with the Florida Secretary of State. As such the Closing Agent, Smith | Oropeza | Hawks, P.L. makes no representations as to the validity or status of the Association.

Date:

Maiden Voyage, LLC

By _____

Complete Credit Systems, LLC

By Steven Allen God

Savage KW Properties, Inc.

By: _____

Thomas J. Savage, President

By: _____

Thomas Savage

By: Robert Fields 5/27/16

Robert Fields

Windsor Gardens Condominium
Association, Inc.

By _____

Thomas Savage

Date:

Maiden Voyage, LLC

By 

Complete Credit Systems, LLC

By _____

Savage KW Properties, Inc.

By _____

By _____
Robert Fields

By _____
Thomas Savage as Buyer

APPROVAL OF SALE

SELLER: Robert Fields

PURCHASER: SAVAGE KW PROPERTIES, INC., by Assignment

Property Address: 828 Windsor Lane, Unit 3, Key West, FL 33040

Contract Date: April 17, 2016

KNOW ALL MEN BY THESE PRESENTS, that Tyler Ross on behalf of Maiden Voyage, LLC and Steven Eid on behalf of Complete Credit Systems, LLC are the current owners of 828 Windsor Lane, Unit 2 Key West, Florida; Thomas Savage is the current owner of 828 Windsor Lane, Unit 1, Key West, Florida; and Robert Fields is the current owner of 828 Windsor Lane, Unit 3, Key West, Florida and as all of the owners they hereby consent and approve of the sale and transfer of ownership by and between Robert Fields and Stanley Piltin and Gilda Piltin – S & GP Properties, LLC of the following described property:

Unit 3, of WINDSOR GARDENS CONDOMINIUM, a condominium according to the Declaration of Condominium thereof as recorded in Official Records Book 2067 page 1465, of the Public Records of Monroe County, Florida.

The undersigned hereby acknowledges they have reviewed the purchase contract by and between Robert Fields, seller and Stanley Piltin and Gilda Piltin – S & GP Properties, LLC dated April 17, 2016 and assigned to SAVAGE KW PROPERTIES, INC., a Florida Corporation by assignment dated _____.

The undersigned owners of Units 2 and 3 hereby waive all rights title and interest to exercise any rights or claim to purchase said Unit 3, 828 Windsor Lane, Key West, FL at the terms contained in the said contract.

The undersigned owner of Unit 1, Thomas Savage, is purchasing Unit 3, 828 Windsor Lane, Key West, FL by Assignment of Contract referenced above in the name of his corporation SAVAGE KW PROPERTIES, INC., a Florida Corporation.


Date: Maiden Voyage, LLC

By _____

Date: Complete Credit Systems, LLC

By Steven Allen Gid

Date: 6/1/2016


Thomas Savage

Date: 5/27/16


Robert Fields

Date:

Maiden Voyage, LLC

By 

Complete Credit Systems, LLC

By _____

Savage KW Properties, Inc.

By _____

By _____

Robert Fields

By _____

Thomas Savage as Buyer

The undersigned owners of Units 2 and 3 hereby waive all rights title and interest to exercise any rights or claim to purchase said Unit 3, 828 Windsor Lane, Key West, FL at the terms contained in the said contract.

The undersigned owner of Unit 1, Thomas Savage, is purchasing Unit 3, 828 Windsor Lane, Key West, FL by Assignment of Contract referenced above in the name of his corporation SAVAGE KW PROPERTIES, INC., a Florida Corporation.

Date: 6/1/2016

WINDSOR GARDENS CONDOMINIUM
ASSOCIATION, a Florida Corporation

By


Thomas Savage, Director



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

Detail by Entity Name

Florida Profit Corporation
SAVAGE KW PROPERTIES, INC.

Filing Information

Document Number	P04000091901
FEI/EIN Number	57-1207260
Date Filed	06/14/2004
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	06/25/2018
Event Effective Date	NONE

Principal Address

401 SOUTHARD ST
KEY WEST, FL 33040

Changed: 03/12/2016

Mailing Address

1517 Wexford Dr N
Palm Harbor, FL 34683

Changed: 01/15/2018

Registered Agent Name & Address

FARRELLY, GREGORY G
506 LOUISA STREET
KEY WEST, FL 33040

Name Changed: 02/17/2015

Address Changed: 02/17/2015

Officer/Director Detail

Name & Address

Title DPST

SAVAGE, THOMAS J
1517 Wexford Dr N
Palm Harbor, FL 34683

Title VST

SAVAGE, ZITA
1517 WEXFORD DRIVE N
PALM HARBOR, FL 34683

Annual Reports

Report Year	Filed Date
2019	02/27/2019
2020	02/20/2020
2021	02/05/2021

Document Images

02/05/2021 – ANNUAL REPORT	View image in PDF format
02/20/2020 – ANNUAL REPORT	View image in PDF format
02/27/2019 – ANNUAL REPORT	View image in PDF format
06/25/2018 – Amendment	View image in PDF format
01/15/2018 – ANNUAL REPORT	View image in PDF format
03/31/2017 – ANNUAL REPORT	View image in PDF format
03/12/2016 – ANNUAL REPORT	View image in PDF format
02/17/2015 – ANNUAL REPORT	View image in PDF format
04/23/2014 – ANNUAL REPORT	View image in PDF format
04/19/2013 – ANNUAL REPORT	View image in PDF format
04/23/2012 – ANNUAL REPORT	View image in PDF format
04/29/2011 – ANNUAL REPORT	View image in PDF format
02/02/2010 – ANNUAL REPORT	View image in PDF format
07/28/2009 – ADDRESS CHANGE	View image in PDF format
04/02/2009 – ANNUAL REPORT	View image in PDF format
01/06/2008 – ANNUAL REPORT	View image in PDF format
03/23/2007 – ANNUAL REPORT	View image in PDF format
02/21/2006 – ANNUAL REPORT	View image in PDF format
04/26/2005 – ANNUAL REPORT	View image in PDF format
06/14/2004 – Domestic Profit	View image in PDF format



**City of Key West
Planning Department**

Authorization Form
(Where Owner is a Business Entity)

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

I, Thomas Savage as
Please Print Name of person with authority to execute documents on behalf of entity

President of Savage KW Properties, Inc.
Name of office (President, Managing Member) Name of owner from deed

authorize Trepanier & Associates, Inc.
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 of person with authority to execute documents on behalf of entity owner

Subscribed and sworn to (or affirmed) before me on this _____
Date

by Thomas Savage
Name of person with authority to execute documents on behalf of entity owner

He/She is _____ as identification.

**Original Notarized Copy
Submitted with Application**

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



**City of Key West
Planning Department
Verification Form**
(Where Applicant is an entity)

I, _____, in my capacity as _____
(print name) (print position; president, managing member)

of Trepanier & Associates, Inc.
(print name of entity)

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:

826 & 828 Windsor Lane

Street address of subject property

I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; 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.

S
Subscrib
**Original Notarized Copy
Submitted with Application** by

Name of Applicant

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

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any

- Permits
 - [Apply for New Project](#)
 - [Search Permits](#)
- Planning Projects
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 - [Search Data](#)
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 - [Fav All Fees](#)
 - [Paid Items](#)

Case Search

Search By: Site Address ▼ Begins With ▼ 826 Windsor

SEARCH

[Click here for search examples](#)

Search Results

[Search Results](#)

03-01412

12-00393

16-01326

17-00891

Case #03-01412

Case Info	Site Info	Contacts	Fees \$0.00	Inspections	Chronology
<p>Case #: 03-01412</p> <p>Case Name:</p> <p>Type: ILLEGAL DWELLING UNITS</p> <p>Subtype:</p> <p>Officer: Z -Joe April</p> <p>Referred By:</p> <p>Status: CASE CLOSED</p> <p>Opened: 8/20/2003</p> <p>Closed: 4/12/2004</p> <p>Last Action:</p> <p>Follow Up:</p> <p>Court:</p>					

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity.

Instead, contact the city office by phone or in writing.

Please be further advised that any writing received by the City is also a public record under Florida law and is subject to being released pursuant to a public records request.

Case Search

Search By Site Address Begins With

Search Results

Search Results

3 items

12-00191
16-01326
17-00891

Case #

Initial Inspection

Inspection - Initial Inspection

Inspection Type: Initial Inspection

Order#: 0

Result:

Scheduled Date: 4/12/2004

Scheduled Time:

Completed Date: 4/12/2004

Completed Time:

Inspector: JA

Notes: 04/12/2004 03:24 PM JAPRIL Removed 1 living unit Roommate situation, close case.

Close

Under Florida law, e-mail addresses are public records. If you do not wish your e-mail address released in response to a public records request, do not send electronic mail to this entity.

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 - [Search Perm](#)
- Planning Projects
 - [Apply for New Project](#)
 - [Search Projects](#)
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 - [Search Contractors](#)
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- LICENSE
 - [Search License](#)
- Code
 - [Search](#)
 - [Pay Fee](#)
- CRM
 - [Search CRM](#)
- Shopping Cart
 - [View My Cart](#)
 - [Empty Cart](#)

Case Search

Search By: Site Address ▼ Begins With ▼ 828 Windsor

SEARCH

[Click here for search examples](#)

Search Results	Case #03-01413																																																																																			
<p> Search Results</p> <p>1 - 5 of 1</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">08-01620</td></tr> <tr><td style="border-bottom: 1px solid black;">08-02987</td></tr> <tr><td style="border-bottom: 1px solid black;">16-00331</td></tr> <tr><td style="border-bottom: 1px solid black;">01-01750</td></tr> <tr><td style="border-bottom: 1px solid black;">03-01413</td></tr> </table> <p style="text-align: center; margin-top: 20px;">page 1 of 2</p>	08-01620	08-02987	16-00331	01-01750	03-01413	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Case Info</th> <th style="text-align: left; border-bottom: 1px solid black;">Site Info</th> <th style="text-align: left; border-bottom: 1px solid black;">Contacts</th> <th style="text-align: left; border-bottom: 1px solid black;">Fees \$0.00</th> <th style="text-align: left; border-bottom: 1px solid black;">Inspections</th> <th style="text-align: left; border-bottom: 1px solid black;">Chronology</th> </tr> </thead> <tbody> <tr><td colspan="6">Case #: 03-01413</td></tr> <tr><td colspan="6">Case Name:</td></tr> <tr><td colspan="6">Type: ILLEGAL DWELLING UNITS</td></tr> <tr><td colspan="6">Subtype:</td></tr> <tr><td colspan="6">Officer: Z -Joe April</td></tr> <tr><td colspan="6">Referred By:</td></tr> <tr><td colspan="6">Status: CASE CLOSED</td></tr> <tr><td colspan="6">Opened: 8/20/2003</td></tr> <tr><td colspan="6">Closed: 4/12/2004</td></tr> <tr><td colspan="6">Last Action:</td></tr> <tr><td colspan="6">Follow Up:</td></tr> <tr><td colspan="6">Court:</td></tr> </tbody> </table>	Case Info	Site Info	Contacts	Fees \$0.00	Inspections	Chronology	Case #: 03-01413						Case Name:						Type: ILLEGAL DWELLING UNITS						Subtype:						Officer: Z -Joe April						Referred By:						Status: CASE CLOSED						Opened: 8/20/2003						Closed: 4/12/2004						Last Action:						Follow Up:						Court:					
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Case Search

Search By: Site Address Begins With

Search Results

Search Results

08-01-20
06-07-07
16-003 H
01-01-750

Page 1 of 2

Inspection - Initial Inspection

Inspection Type:	Initial Inspection
Order#:	0
Result:	
Scheduled Date:	4/12/2004
Scheduled Time:	
Completed Date:	4/12/2004
Completed Time:	
Inspector:	JA
Notes:	04/12/2004 03:21 PM JAPRIL Removed 2 living units.Close case.

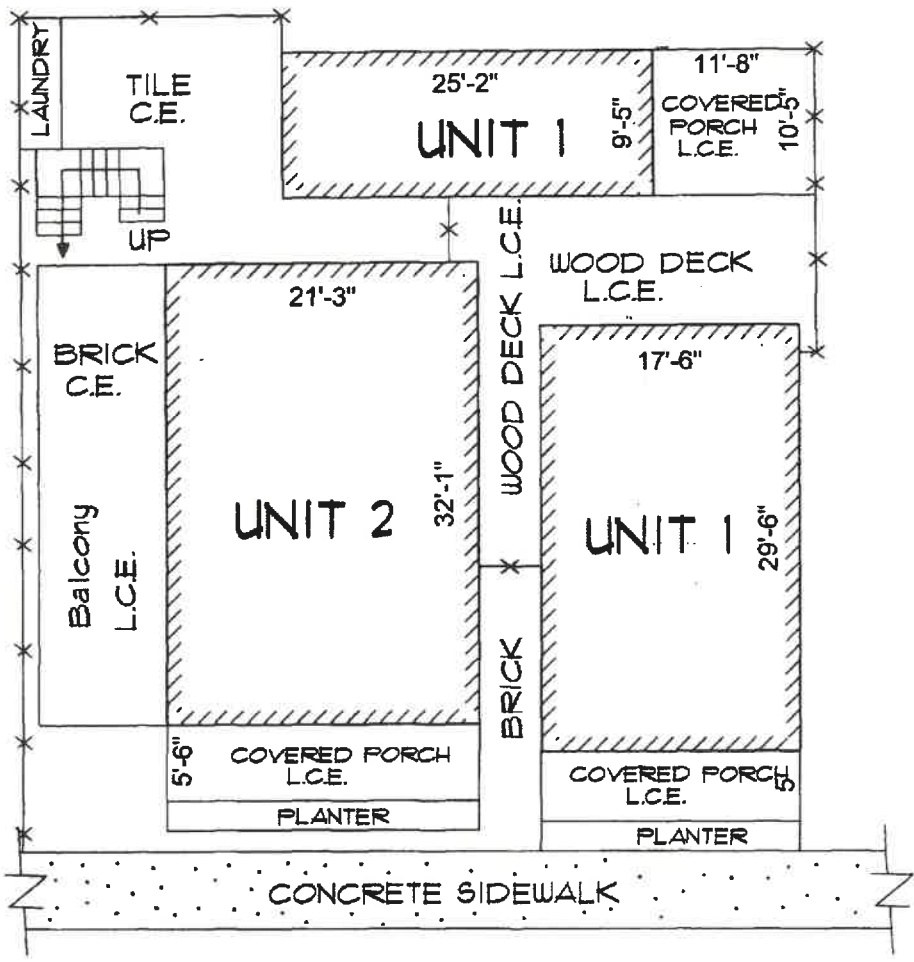
CLOSE

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Instead, contact the city office by phone or in writing.

Please be further advised that any writing received by the City is also a public record under Florida law and is subject to being released pursuant to a public records request.

WINDSOR GARDENS CONDOMINIUM LOWER UNIT PLANS



WINDSOR LANE

NOTE: DIMENSIONS $\frac{1}{8}$ "

SHEET 6 OF 13

WINDSOR GARDENS CONDOMINIUM			
826 & 828 WINDSOR LANE KEY WEST FL. 33040			
CONDOMINIUM SURVEY		Dwg. No. 04-299	
Scale 1" = 10'	Ref. File 171--48	Flood Panel No. 116H	Des. By P.T.P.
Date 06/07/04	Flood Zone AE	Flood Elev. 6'	Block No. 82B
REVISIONS AND/OR ADDITIONS			

FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

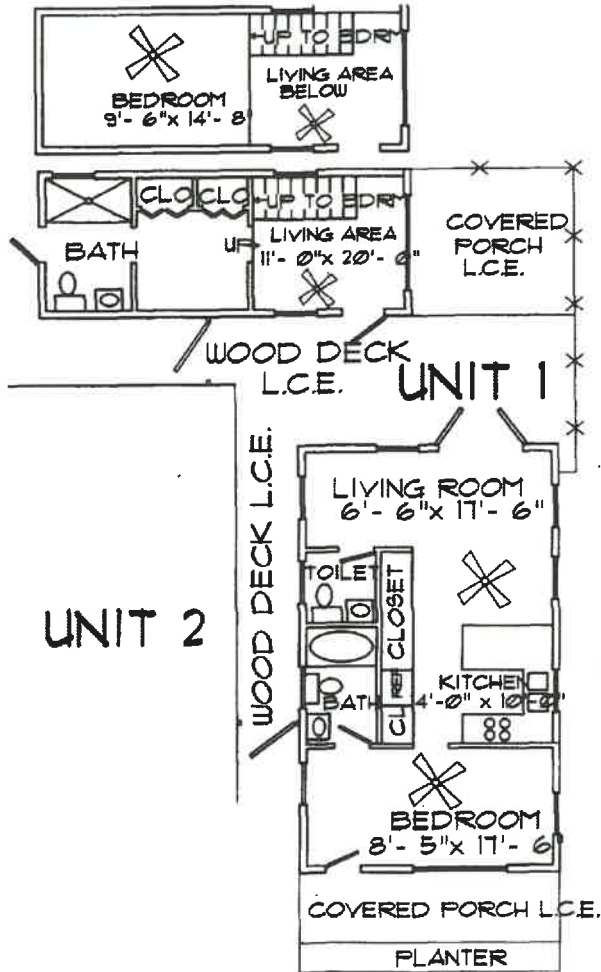
3152 Northside Drive
Suite 201
Key West, Fl. 33040
(305) 293-0466
Fax. (305) 293-0137

c:/dwg/ks/windsorgardens828

Doc# 1484929
Bkn 2067 Pg# 1497

WINDSOR GARDENS CONDOMINIUM

UNIT 1 LAYOUT



UNIT 1
 INTERIOR SQ. FT. 893
 EXTERIOR SQ. FT. 531
 TOTAL SQ. FT. 1424

UNIT 2

NOTE: DIMENSIONS 6"

SHEET 8 OF 13

WINDSOR GARDENS CONDOMINIUM
 826 & 828 WINDSOR LANE KEY WEST FL. 33040

FREDERICK H. HILDEBRANDT
 ENGINEER PLANNER SURVEYOR

CONDOMINIUM SURVEY

Dwg. No.
 04-299

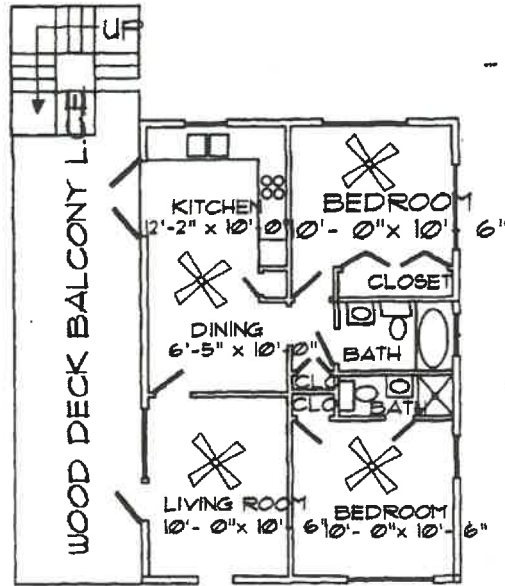
Scale 1" = 10'	Ref. ITI--48	Flood Panel No. 1716H	Dwn. By P.T.P.
Date 06/02/04	File	Flood Zone AE	Flood Elev. 6'
REVISIONS AND/OR ADDITIONS			Block No. 82B

3152 Northside Drive
 Suite 201
 Key West, Fl. 33040
 (305) 293-0466
 Fax. (305) 293-0231

c:\dsg\aw\windsorgardens82B

Doc# 1484829
 Bk# 2067 P# 1499

WINDSOR GARDENS CONDOMINIUM UNIT 3 LAYOUT



UNIT 1
 INTERIOR SQ. FT. 698
 EXTERIOR SQ. FT. 301
 TOTAL SQ. FT. 999

UNIT 3

NOTE: DIMENSIONS ±6"

SHEET 10 OF 13

WINDSOR GARDENS CONDOMINIUM			
826 + 828 WINDSOR LANE KEY WEST FL. 33040			
CONDOMINIUM SURVEY		Dwg. No. 04-299	
Scale 1" = 10'	Ref. 111--48 File	Flood Panel No. 116H	Dwn. By P.T.P.
Date 06/27/04	Flood Zone AE	Flood Elev. 6'	
REVISIONS AND/OR ADDITIONS		Block No. 82B	
c:/dug/hu/windsorgardens82B			

FREDERICK H. HILDEBRANDT
 ENGINEER PLANNER SURVEYOR

3152 Northside Drive
 Suite 201
 Key West, Fl. 33040
 (305) 293-0466
 Fax. (305) 293-0237

Exhibit E

Exhibit A

Source: FDOT APLUS
Image Name: MON2009_145045.sid
Image Date: 01/09/2009
Accessed: 05/15/2021
<fotewp1.dot.state.fl.us/AerialPhotoLookUpSystem/>



Presented By: **Barbara B Crespo**
Coldwell Banker Schmitt Real Estate Co.

Listing Summary

Listing #123182
 \$245,000 (LP)
 \$250,500 (SP)
 Price/SqFt: 358.88
 SP % LP: 102.24

828 windsor Ln #3, Key West, FL 33040

Beds: 2

Baths: 2 (2 0) (FH)

Sq Ft: 698

Lot Sz: 3420sqft

Key/Island: Key West

Yr: 1958

Remarks

Great Old Town location. Second floor condo with private sun deck. **Currently configured as two units.** Call today for your private showing. Please note at this time no condo fees are/or have been collected.

[Pictures \(9\)](#)



Exhibit F

Area Area 1-2
 Key/Island Key West
 Neighborhood Old Town-N of Truman
 Subdivision Old Town - Unlisted
 County Monroe
 Beds 2
 Waterfront No
 Year Built 1958
 Directions to Property Located just off the Corner of Windsor Lane and Olivia Street.
 Representation Single Agent
 Limited Represent No
 As is w/Right to Ins Yes
 Mile Marker 1.0
 Side None
 Pool No

Baths (FH)

2 (2 0)

Exhibit A

Spa No
 Existing Pool None
 Existing Spa/Hot Tub None
 Condo Yes
 Fractional No
 Fractional/Condo Fee 0.00
 Condo Fee \$0.00
 Condo Frequency Monthly
 Condo Fee Includes Other/See Remarks
 HOA No
 HOA Fee \$0.00
 1st Right of Refusal No
 Assoc Approval Req No
 Handicap Access No
 Building Number 0
 Add. Building Number 0
ZONING HHDR
 Deed Restriction Unknown
 Tax Exemptions None
 Taxes(Sub To Change) \$2295.00
 Tax Year 2015
 Owner Names Robert Fields
 # Cnty Non-Trans Lic 0
 # County Trans Lic 0
 # City Transient Lic 0
 # City Non-Trans Lic 0
 Non-Trans Rental Lic No
 Transient Rental Lic No
 Loft No
 Tenant Occupied No
 Auctions No

Room Dimensions

Porch/Deck
 Waterview No
 Dockage No
 0x0 Level: Second Floor
 No
 No

Features

Building Style Two Story
 Exterior Fencing, Storage
 Parking No
 Furnished Unfurnished
 Cooling/Heat Window/Wall Unit, Ceiling Fan
 Utilities FKA, Municipal Sewer
 Appliances Refrigerator, Range, Oven, Gas Appliances
 Exclusions No
 Construction CBS/Masonry, Other Const
 Pets Pets Allowed
 Show Call Listing Agent, Short Notice Ok
 Green Cert Rating 0.00
 Green Walk Score 0

Monroe County Property Record Card (020)

Alternate Key: 9080543 Roll Year 2010
 Effective Date: 10/21/2010 11:59:59 PM Run: 04/19/2016 03:18 PM

SAVAGE, THOMAS AND ZITA
 P O BOX 547
 PAHOA HI 96778

Parcel 00019520-000201-06-68-25 Nbhd 8110
 Alt Key 9080543 Mill Group 10KW
 Affordable Housing No PC 0400
 FEMA Injunction ALL
 Inspect Date Jun 29, 2010 Next Review
 Business Name
 Physical Addr 826 WINDSOR LN, UNIT 1, KEY WEST

Associated Names

Name	DBA	Role	% Own
SAVAGE, THOMAS AND ZITA		Owner	100.00000

Legal Description

UNIT 1 WINDSOR GARDENS CONDOMINIUM OR2078-331/332

Condominium Details

Year Built 1958 Footage 1163

Sq. footage includes Unit 1A & 1B (front and back).

Exhibit G

Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
		0	379,603	0	379,603
				0	0
				379,603	379,603

Value

Value Method	Condo Model	Special Use Code
--------------	-------------	------------------

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2010F	N	0		379,603	0	379,603	379,603	0	N	379,603
2009F	N	0		474,504	0	474,504	474,504	0	N	474,504
2008F	N	0		575,057	0	575,057	575,057	0	N	575,057
2007F	N	0		669,190	0	669,190	669,190	0	N	669,190
2006F	C	0		637,324	0	637,324	637,324	0	N	637,324
2005F	C	65		645,400	0	645,465	645,465	0	N	645,465

Exhibit A

Monroe County Property Record Card (020)

Alternate Key: 9080543

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 04/19/2016 03:18 PM

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2078	331	1/5/2005	Warranty Deed	0	Q	I	750,000

Total Values

Bldg Value	379,603	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	379,603	Total Expt Value	0	Taxable Value	379,603	Prev Tax Value	474,504	Previous Just	474,504

Monroe County Property Record Card (020)

Alternate Key: 9080547 Roll Year 2010
 Effective Date: 10/21/2010 11:59:59 PM Run: 10/03/2016 02:08 PM

KEY WEST BANK FSB
 701 WHITEHEAD ST
 KEY WEST FL 33040

Parcel 00019520-000202-06-68-25 Nbhd 8110
 Alt Key 9080547 Mill Group 10KW
 Affordable Housing No PC 0400
 FEMA Injunction ALL
 Inspect Date Jun 29, 2010 Next Review
 Business Name
 Physical Addr 828 WINDSOR LN, UNIT 2, KEY WEST

Associated Names

Name	DBA	Role	% Own
KEY WEST BANK FSB,		Owner	100.00000

Legal Description

UNIT 2 WINDSOR GARDENS CONDOMINIUM OR2078-298/299 OR2410-104/105

Condominium Details

Year Built 1958 Footage 698

Sq. footage includes Unit 2A & 2B, but excludes covered porch.

Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
	0		227,827	0	227,827
				0	0
				227,827	227,827

Exhibit H

Value

Value Method Condo Model Special Use Code

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2010F	N	0		227,827	0	227,827	227,827	0	N	227,827
2009F	A	0		284,784	0	254,770	254,770	25,000	N	229,770
2008F	N	0		460,177	0	460,177	460,177	0	N	460,177
2007F	N	0		624,431	0	624,431	624,431	0	N	624,431
2006F	C	0		594,696	0	594,696	594,696	0	N	594,696
2005F	C	60		594,941	0	595,001	595,001	0	N	595,001

Exhibit A

Monroe County Property Record Card (020)

Alternate Key: 9080547

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM

Run: 10/03/2016 02:08 PM

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2078	298	1/12/2005	Warranty Deed	0	Q	I	700,000
2410	104	4/27/2009	Certificate of Title	0	12	I	100

Total Values

Bldg Value	227,827	Misc Value	0	Land Value	0	Classified Value + Non-Ag Land Just Value	0	New Const Value	0
Total Just Value	227,827	Total Expt Value	0	Taxable Value	227,827	Prev Tax Value	229,770	Previous Just	254,770

Monroe County Property Record Card (020)

Alternate Key: 9080551 Roll Year 2010
 Effective Date: 10/21/2010 11:59:59 PM Run: 10/03/2016 02:06 PM

ISLAND GENTRIFICATION GROUP LLC THE
 7185 LANE RD
 VICTOR NY 14564-9701

Parcel 00019520-000203-06-68-25 Nbhd 8110
 Alt Key 9080551 Mill Group 10KW
 Affordable Housing No PC 0400
 FEMA Injunction ALL
 Inspect Date Jun 29, 2010 Next Review
 Business Name
 Physical Addr 828 WINDSOR LN, UNIT 3, KEY WEST

Associated Names

Name	DBA	Role	% Own
ISLAND GENTRIFICATION GROUP LLC THE,		Owner	100.00000

Legal Description

UNIT 3 WINDSOR GARDENS CONDOMINIUM OR2081-952/953

Condominium Details

Year Built 1958 Footage 698

Sq. footage includes Unit 3A & 3B, but excludes covered porch.

Just Value	Building Value	Land	Bldg	Misc	Just
		0	227,827	0	227,827

Value

Value Method	Condo Model	Special Use Code
--------------	-------------	------------------

Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2010F	N	0		227,827	0	227,827	227,827	0	N	227,827
2009F	N	0		284,784	0	284,784	284,784	0	N	284,784
2008F	N	0		460,177	0	460,177	460,177	0	N	460,177
2007F	N	0		659,610	0	659,610	659,610	0	N	659,610
2006F	C	0		628,200	0	628,200	628,200	0	N	628,200
2005F	C	55		545,945	0	546,000	546,000	0	N	546,000

Exhibit A

Monroe County Property Record Card (020)

Alternate Key: 9080551

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 10/03/2016 02:06 PM

Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2081	952	1/28/2005	Warranty Deed	0	Q	I	780,000

Total Values

Bldg Value	227,827	Misc Value	0	Land Value	0	Classified Value	0	New Const Value	0
Total Just Value	227,827	Total Expt Value	0	Taxable Value	227,827	Prev Tax Value	284,784	Previous Just	284,784

(Classified Value + Non-Ag Land Just Value)

AFFIDAVIT

I, Michael Marsh, swear and affirm the following to be true and correct to the best of my knowledge:

1. My wife and I have lived at the property at 826 Windsor Lane since 2008.
2. During and prior to 2010, 826 and 828 Windsor Lane were part of a condo association known as "Windsor Gardens Condominium" which divided the property into three two-family units.
3. Each condo consisted of two residential dwelling units and the property had a total of six residential dwelling units during and prior to 2010.
4. 826 Windsor Lane has a front unit and a separate rear unit (referred to as the "cottage"). 826 has a total of 2 units.
5. 828 Windsor Lane is a two-story structure with 2 units on each floor. 828 has a total of 4 units.
6. All 6 the units were non-transient permanent residences during and prior to 2010.

Michael Marsh _____ 6/25/2021
 Signature Date

Subscribed and sworn to (or affirmed) before me on 6/25/2021 (date) by
Michael Marsh (name of affiant), he/she is personally known to me or has
 presented FLDL as identification.

Mia Castillo
 Notary's Signature and Seal
CG214281
 Commission Number, if any
June 12, 2022
 Commission Expiration Date



AFFIDAVIT

I, Thomas Savage, swear and affirm the following to be true and correct to the best of my knowledge:

1. I have owned 826 Windsor Lane since January 2005 and 828 Windsor Lane since 2017.
2. During and prior to 2010, 826 and 828 Windsor Lane were part of a condo association known as "Windsor Gardens Condominium" which divided the property into three two-family condo units.
3. Each condo consisted of two residential dwelling units and the property had a total of six residential dwelling units during and prior to 2010.
4. 826 Windsor Lane has a front unit and a separate rear unit (referred to as the "cottage"). 826 has a total of 2 units.
5. 828 Windsor Lane is a two-story structure with 2 units on each floor. 828 has a total of 4 units.
6. All 6 the units were non-transient permanent residences during and prior to 2010.

[Signature] _____ Date 6/25/21
 Signature Date

Subscribed and sworn to (or affirmed) before me on June 25, 2021 (date) by
Thomas Savage (name of affiant), he/she is personally known to me or has
 presented FLDL as identification.

[Signature] _____

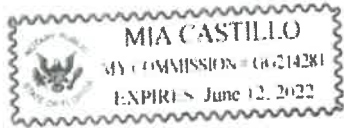
Notary's Signature and Seal

CC214281 _____

Commission Number, if any

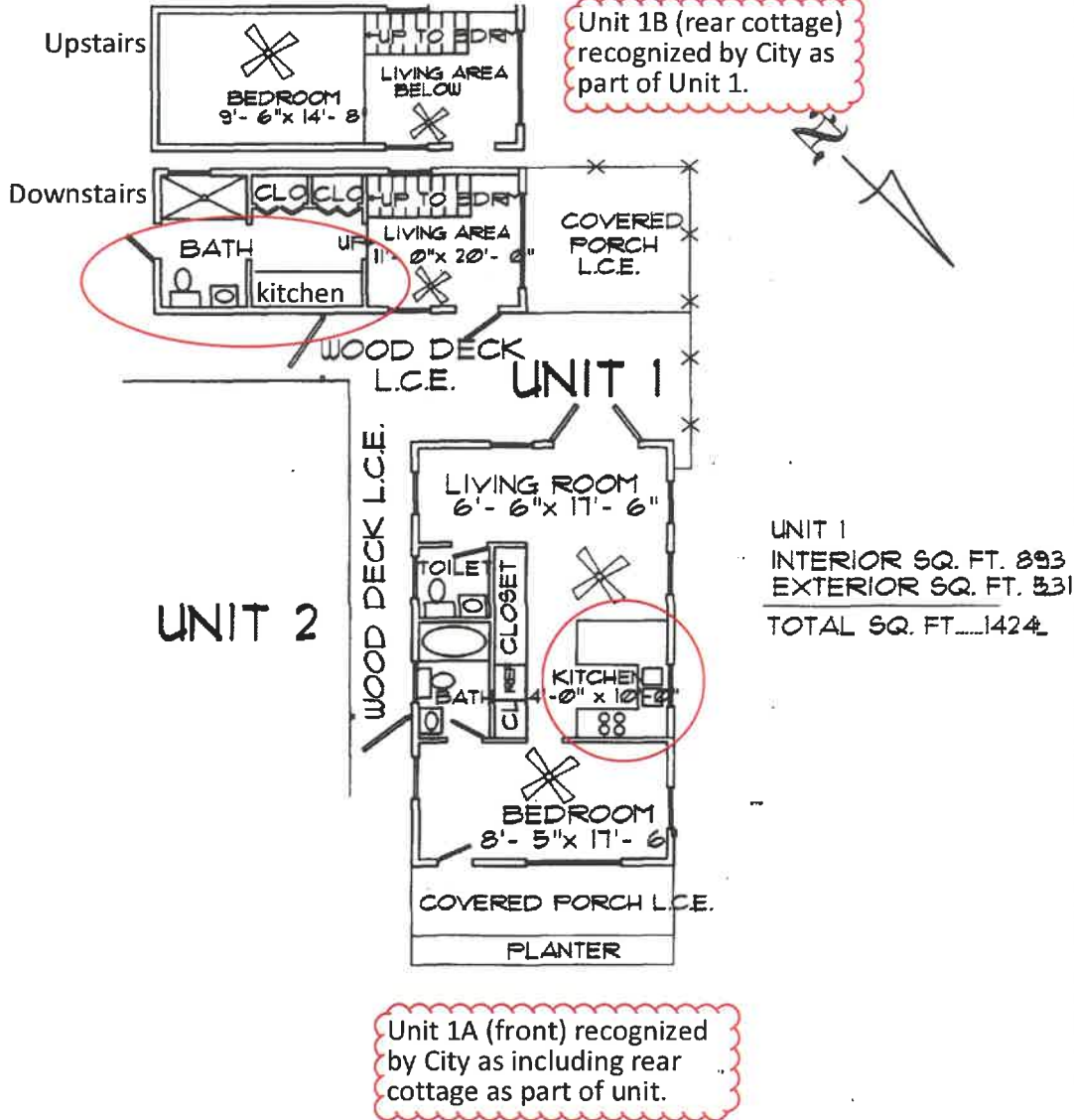
June 12, 2022 _____

Commission Expiration Date



WINDSOR GARDENS CONDOMINIUM

UNIT 1 LAYOUT



NOTE: DIMENSIONS 6"

SHEET 8 OF 13

WINDSOR GARDENS CONDOMINIUM
 826 & 828 WINDSOR LANE KEY WEST FL. 33040

FREDERICK H. HILDEBRANDT
 ENGINEER PLANNER SURVEYOR

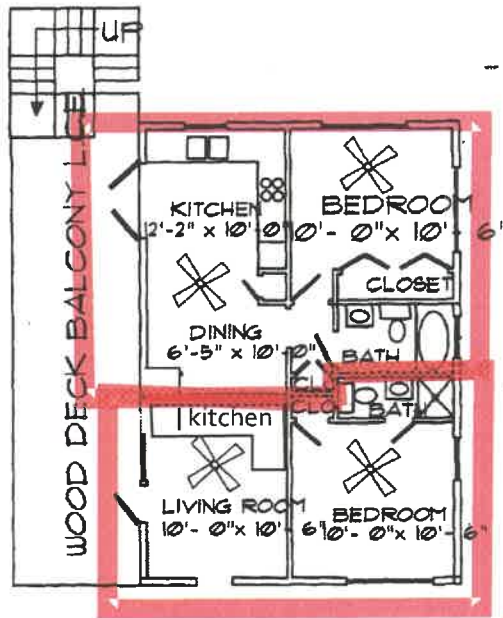
CONDOMINIUM SURVEY

Dwg. No.
 04-299

Scale 1" = 10'	Ref. File 171--48	Flood Panel No. 1104H	Drawn By P.T.P.
Date 06/02/04	REVISIONS AND/OR ADDITIONS	Flood Zone AE	Flood Elev. 6'
		Block No. 82B	

3152 Northside Drive
 Suite 201
 Key West, FL 33040
 (305) 293-0466
 Fax (305) 293-0231

WINDSOR GARDENS CONDOMINIUM UNIT 3 LAYOUT



UNIT 1
INTERIOR SQ. FT. 698
EXTERIOR SQ. FT. 301
TOTAL SQ. FT. 999

UNIT 3

Upstairs units
3A and 3B.
Recognized by the
City as a single unit.

NOTE: DIMENSIONS 1/6"

SHEET 10 OF 13

WINDSOR GARDENS CONDOMINIUM			
826 & 828 WINDSOR LANE KEY WEST FL. 33040			
CONDOMINIUM SURVEY			Dwg. No. 04-299
Scale 1" = 10'	Ref. File TTT--48	Flood Panel No. T16H	Den. By P.T.F.
Date 06/07/04	File	Flood Zone AE	Flood Elev. 6'
REVISIONS AND/OR ADDITIONS			Block No. 82B

FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

3152 Northside Drive
Suite 201
Key West, Fl. 33040
(305) 293-0466
Fax. (305) 293-0237

c:/dug/ks/windsorgardens.82B

Doc# 1484929
Bk# 2067 Pg# 1501



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3722

October 7, 2021

Trepanier & Associates, Inc.
1421 First Street
Key West, FL 33040

Lawful Unit Determination

To Whom It May Concern,

The Planning Department has received a Lawful Unit Determination application for the real property identified as RE # 00019520-000201, located at 826-828 Windsor Lane, Key West FL dated June 28, 2021. The application seeks verification for an increase of three (3) market-rate dwelling units, for a total of six (6) market-rate residential units for this 3,408 square foot property. The applicant has included several supporting documents including; a Monroe County Property Card, code cases, aerial imagery, a real estate listing, Monroe County Property Reports, surveys, affidavits from the owner and a tenant, and existing floor plans. Planning Staff has received submitted documents, conducted research, reviewed code violations, reviewed building permits, and completed a site visit. This application has been reviewed in accordance with the Key West Code of Ordinances Section 108-991. The property is located in the Historic High Density Residential (HHDR) zoning district.

Specifically, 108-991 (3) states:

Units determined to have been in existence at the time the April 1, 2010, census was prepared are presumed not to be affected by BPAS. The city planner shall review available documents to determine if a body of evidence exists to support the existence of units on or about April 1, 2010. Units existing in 2010 will be documented through a mandatory site visit by city staff and at least two of the following records:

- a. Aerial photographs and original dated photographs showing that the structure existed on or about April 1, 2010;
- b. Building permits issued prior to April 1, 2010;
- c. Copies of city directory entries on or about April 1, 2010;
- d. Applications received after May 2, 2017 must demonstrate that the unit sought to be established hereunder is or has been legally permissible under the current or any former zoning requirements of the applicable district in which the unit is located.
Transient units which meet the criteria in this subsection will be licensed by the city.
- e. Rental, occupancy or lease records from before and including April 1, 2010, indicating the number, type and term of the rental or occupancy;
- f. Copies of state, county, and city licenses on and about April 1, 2010, indicating the number and types of rental units;
- g. Documentation for Keys Energy Service, Florida Keys Aqueduct Authority and other available utilities indicating the type of service (residential or commercial) provided and the number of meters on or about April 1, 2010;
- h. Documentation for the Monroe County Property Appraiser's Office for the time on or about April 1, 2010, (Green Card); and