

Exhibit H

Height Reference Point Determination

Exhibit H

From: Bernard Zyscovich <bernard@zyscovich.com>
Subject: RE: Peary Court
Date: January 2, 2014 5:21:49 PM EST
To: Don Craig <dcraig@keywestcity.com>
Cc: Ron Wampler <rwampler@keywestcity.com>, Nicole Malo <nmalo@keywestcity.com>
1 Attachment, 28.9 KB

Don
Thanks so much for the careful consideration. We will work with the 6.09' as you have directed.

Have a great New Year and we can now get seriously started on figuring out the design of our structures.

From: Don Craig [mailto:dcraig@keywestcity.com]
Sent: Thursday, January 02, 2014 4:16 PM
To: Bernard Zyscovich
Cc: Ron Wampler; Nicole Malo
Subject: Re: Peary Court

Bernard I have carefully reviewed the surveys and the sections of City Code that apply to the measurement of height for structures. I have come to the following conclusions:

1. The site is large by relative Key West development standards and history at 23 acres.
2. The existing grade levels vary across the site by up to 3.5 feet.
3. The site is bound by three major streets with variation of average grade height of up to 2.5 feet.
4. Given the triangular shape of the parcel there is no practical way to assign easy thirds of the site to each of the three roadways, when one considers that the design direction provided by the City to you and your client is to replicate parts of the rectangular "grid" street pattern surrounding historic district on the site.
5. The site has two flood zones AE-6 and AE-7.
6. The City Building Code and BPAS Code require that the first habitable floor be 1.5 feet above base Flood Elevation(BFE).
7. The main entrance to the site from the surrounding historic district is the that from White Street.

Therefore I am directing that the elevation to be used for the measurement for the residential and accessory structures, with the exception of interior fences which shall be from grade next to the structure to which it is accessory, shall be 6.09 ft which is the elevation of the crown of the road immediately in front of the entrance at White street. The basis of this datum is the survey by Island Surveying, Inc. undated with last update of 3/7/12 which illustrates site and street CL elevations.
If you have any questions, please contact me.

On Mon, Dec 16, 2013 at 3:37 PM, Bernard Zyscovich <bernard@zyscovich.com<mailto:bernard@zyscovich.com>> wrote:
Hi Don

It was great speaking with you late last week. Attached you will find the survey that has the road elevations identified on each road surrounding the Peary Court property. The survey also has spot elevations identifying other locations on the property, as well as the corner of Southard and White that we have been discussing. You will note as you zoom in, the 6.17' elevation mark that you and I have been discussing.

For convenience I also have attached an excel spreadsheet, that tabulates all of the spot road elevations per roadway and then defines an average for each. There is also a row that takes all the averages and divides by the number of roadway averages, to give you the average of the averages. I did this only to facilitate the effort, in that there is nothing involved in the spreadsheet other than the data taken directly from the survey. I send you the native excel format so that you can see how the averages were derived. I hope this is what you have been looking for. Please take a careful look at what has been provided and let me know if this meets your needs. I hope to call you tomorrow to further discuss.

I appreciate your thoughtful review. Thanks so much for your assistance.

Best

Bernard Zyscovich, FAIA
CEO

[Description: New Z Logo w Address_CMYK (small)]

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[Description: please consider]

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