

**NOTICE OF APPEAL OF A DECISION OF THE CITY PLANNER  
TO THE CITY OF KEY WEST BOARD OF ADJUSTMENT**

JUL 24 '25 PM 2:40

Appellant: REW Property Entreprises, LLC

Appellee: City of Key West

Agent: Trepanier & Associates, Inc., Authorized Representative for New Ideas. Inc.

**NOTICE OF APPEAL OF THE CITY PLANNER'S DENIAL OF THE LAWFUL UNIT  
RECOGNITION**

**NOTICE IS GIVEN** that REW Property Entreprises, LLC., a Florida Limited Liability Company ("Appellant"), hereby appeals to the Board of Adjustment of the City of Key West, Florida, the administrative decision of the Planning Director Katie Halloran ("Planning Director") of the City of Key West, Florida denying the Lawful Unit Determination (Exhibit A). The Planning Director rendered the decision on July 14, 2025. Attached to this Notice of Appeal are copies of the application and supporting materials, and the decision by the Planning Director.

Appellant brings this appeal pursuant to section 90-430, City of Key West, Florida, Municipal Code, because Appellant is affected by the decision rendered by the City Planner of the City of Key West.

**CERTIFY NOTICE**

I HEREBY AFFIRM that on July 24th, 2025, a true and correct copy of the foregoing was personally provided to Keri O'Brien, Clerk of the City of Key West, Florida 33040.

---

OWEN TREPANIER  
Trepanier & Associates, Inc.,  
a Florida Corporation  
Agent for the Appellant

1421 First Street  
Key West, FL 33040  
305-293-8983  
Owen@OwenTrepanier.com



THE CITY OF KEY WEST

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

July 14<sup>th</sup>, 2025

VIA EMAIL DELIVERY

Owen Trepanier

1421 First Street, Unit 101

Key West, FL 33040

RE: Lawful Unit Determination Application – 614 Whitehead Street, Key West, FL 33040

Dear Mr. Trepanier,

The Planning Department received a Lawful Unit Determination application for (1) one additional market-rate residential dwelling unit for the real property located at 614 Whitehead Street, Key West, FL 33040, identified by RE#00012881-000100. The property is in the Historic Residential Office (HRO) zoning district. The property currently has four (4) recognized dwelling units. The applicant has included several supporting documents including building permits, Polk County Directory entries, and copies of residential lease agreements from around 2010 – among other submittals. Planning staff also researched and considered additional information discussed below.

This application was reviewed in accordance with the criteria found in Key West Code of Ordinances Section 108-991. Specifically, 108-991 (3) provides in part that:

*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.*

## **Background**





Site Photo

The applicant requested recognition of one (1) additional market-rate residential dwelling unit for the real property located at 614 Whitehead Street consisting of 5,751 square feet. The multi-use parcel contains active commercial use, more specifically a law office, as well as four (4) recognized non-transient residential units in the adjoining structure to the rear of the law office with two on the first floor and two on the second floor. The fifth and unrecognized space is in the front building next to the law office. The property is zoned HRO which allows multi-family residential dwellings at 16 units per acre. The current property would have the density for 2 units.

### Site Visit

The Planning Department conducted a site visit on March 26<sup>th</sup>, 2025. Planning Staff noted the presence of the following living units:

- A second-floor unit with a full kitchen, one bathroom, and two bedrooms.
- A second-floor unit with a full kitchen, one bathroom, and two bedrooms.
- A first-floor unit a full kitchen, one bathroom, and one bedroom.
- A first-floor unit a full kitchen, one bathroom, and one bedroom.
- Finally, the first floor dwelling near the law office with a full kitchen, one bathroom, and two bedrooms.

Section 74-361 of the Code of Ordinances defines the term "dwelling unit" as follows: *"Dwelling unit means a single unit or apartment providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation."* The presence of five (5) dwelling units was found on the property however the evidence that all five were present on or about April 1, 2010 has not been proven through evidence and research by the applicant nor staff.

**Criteria Analysis**

Section 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;*

The applicant submitted one (1) aerial photograph from 2009 showing both the commercial and residential structure.

*b. Building permits issued prior to April 1, 2010;*

The applicant submitted several permits, most notably a 1997 permit to install 4 water meters.

*c. Copies of city directory entries on or about April 1, 2010;*

The applicant submitted a 2008 Polk County Directory entry showing one resident and Richard Wunch Law office, the 2009 and 2011 that staff provided showed just the law office and no residences.

*d. Rental, occupancy or lease records from before and including April 1, 2010, indicating the number, type and term of the rental or occupancy;*

The applicant submitted a 2010 lease for apartment 1. – notably in this lease it showed the first floor layout in the front as offices, yet now there is a living space in one.

*e. Copies of state, county, and city licenses on and about April 1, 2010, indicating the number and types of rental units;*

The applicant provided multiple licenses provided by the applicant, showing four (4) non transient rental units and one active commercial unit (Richard Wunch Law Office). The remaining licenses were prior to 2007 showing other commercial businesses.

*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;*

The applicant provided a 2024 email from Keys Energy confirming six (6) units all starting between 1983 and 1988. There is no indication whether each unit is residential or commercial.

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

The applicant provided the Green Card but there is no indication of five (5) units.

*h. Similar documentation as listed above.*

The applicant provided a 2009 property card with a 2004 inspection date stating four (4) rental units, a 2010 property card with a 2010 inspection date for Units C-1, C-2, R-1, R-2, R-3, and R-4.

*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.*

The applicant submitted one affidavit from a former resident from apartment 1, but the affidavit does not confirm the number of units at that time.

*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 legally permissible under the current or any former zoning requirements of the applicable district in which the unit is located.*

The property is zoned HRO which allows multi-family residential dwellings. The property has a density for just two (2) units currently. The four legal units would be considered legally nonconforming, an additional fifth unit after 2010 would not have been allowed based upon HRO zoning code and density.

### **Planning Department Analysis**

Staff carefully analyzed the evidence provided by the applicant and conducted additional internal research. Staff were unable to find significant evidence that a fifth legal dwelling unit existed on or about April 1, 2010. There is very clear evidence that there are four legal dwellings, however, most likely the second commercial unit in the front structure was illegally converted to a residence sometime after 2010

### **Conclusion**

The Planning Department of the City of Key West is tasked in Section 108-991 (3) to "...review available documents to determine if a body of evidence exists to support the existence of units on or about April 1, 2010" Staff has reviewed this application according to the criteria in Section 108-991 of the City Code of Key West, and considered materials submitted by the applicant.

Based upon a lack of evidence provided showing a fifth legal dwelling unit. The Planning Department has determined that a body of evidence does not exist to support the existence of one (1) additional market-rate residential dwelling unit on the property in April of 2010. 614 Whitehead Street will remain with a total of four (4) market-rate residential dwelling units.

The City Planner's decision shall be rendered to the Department of Commerce for a determination of consistency with the principals for guiding development.

Sincerely,



Ben Gagnon

Planner

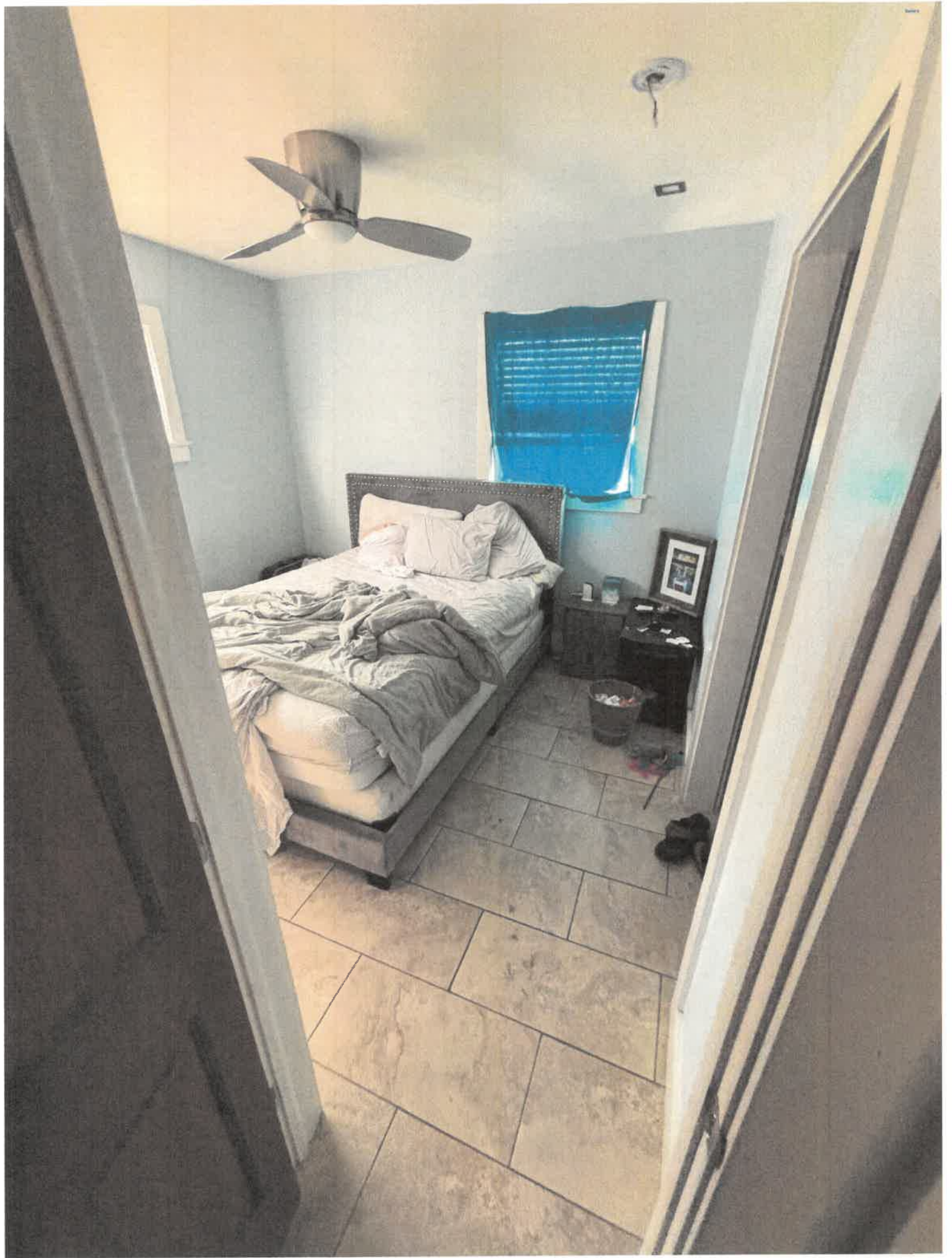
Dated: 7.14.25

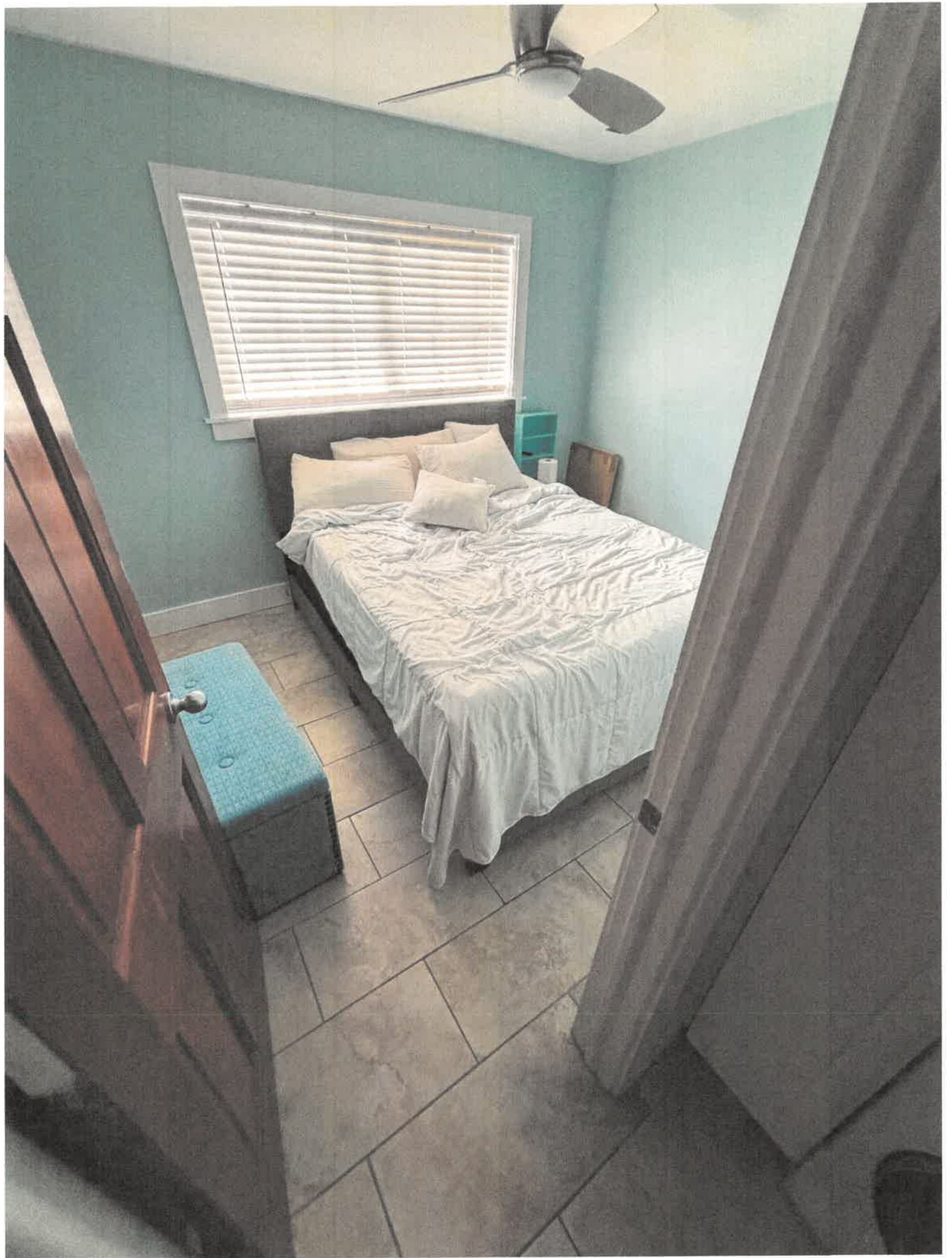
Attachments:

1. Application and Supporting Documents.

## Front unit



















614 Whitehead Site VISIT

Mailboxes





Unit 1 Kitchen



Unit 1 Bathroom



Unit 1 Bedroom 1 of 2 (No photo of bedroom 2)





Unit 2 Kitchen

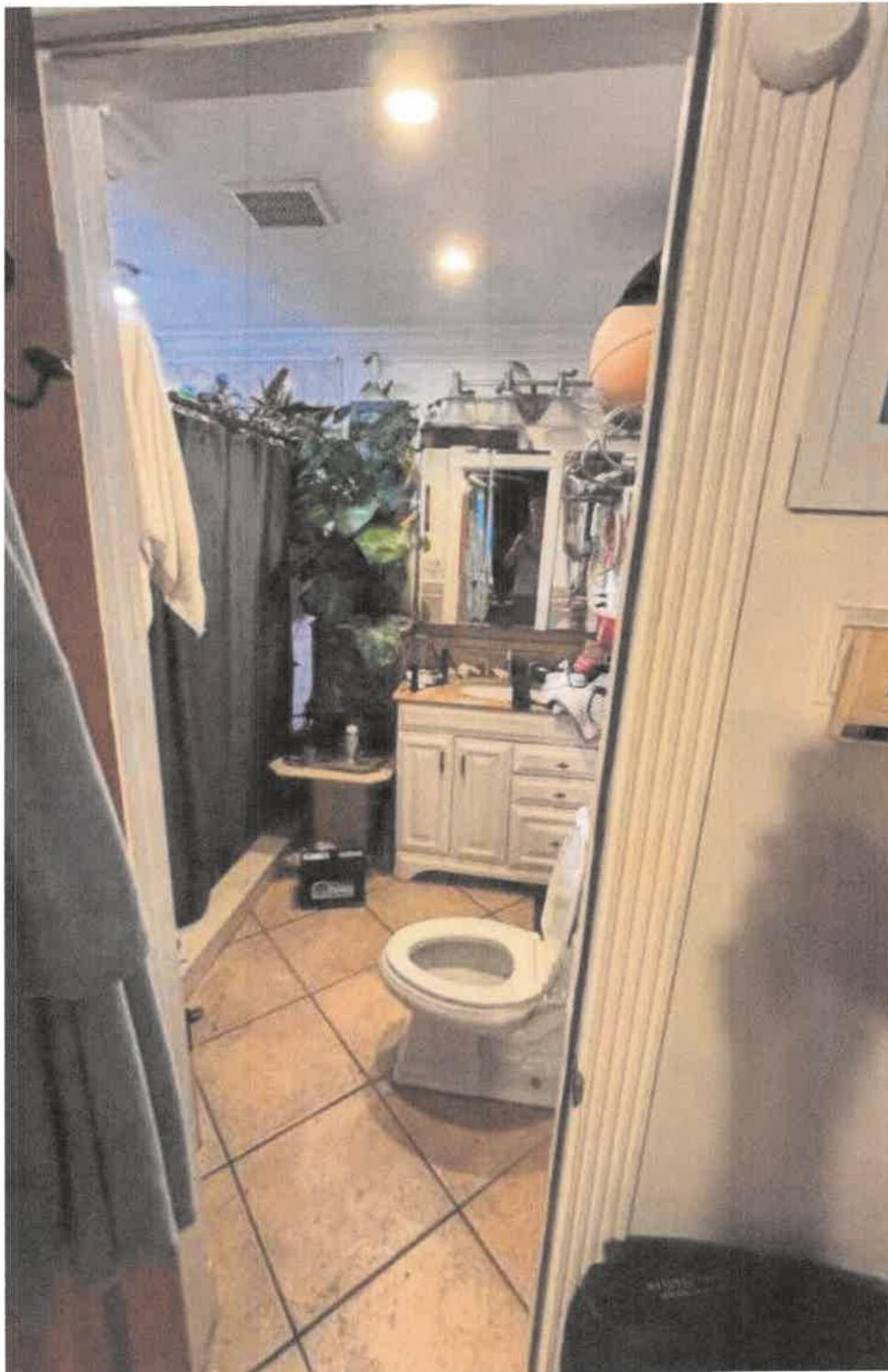


Unit 2 Bedroom 1 of 2 (2<sup>nd</sup> bedroom had door locked due to pet inside)

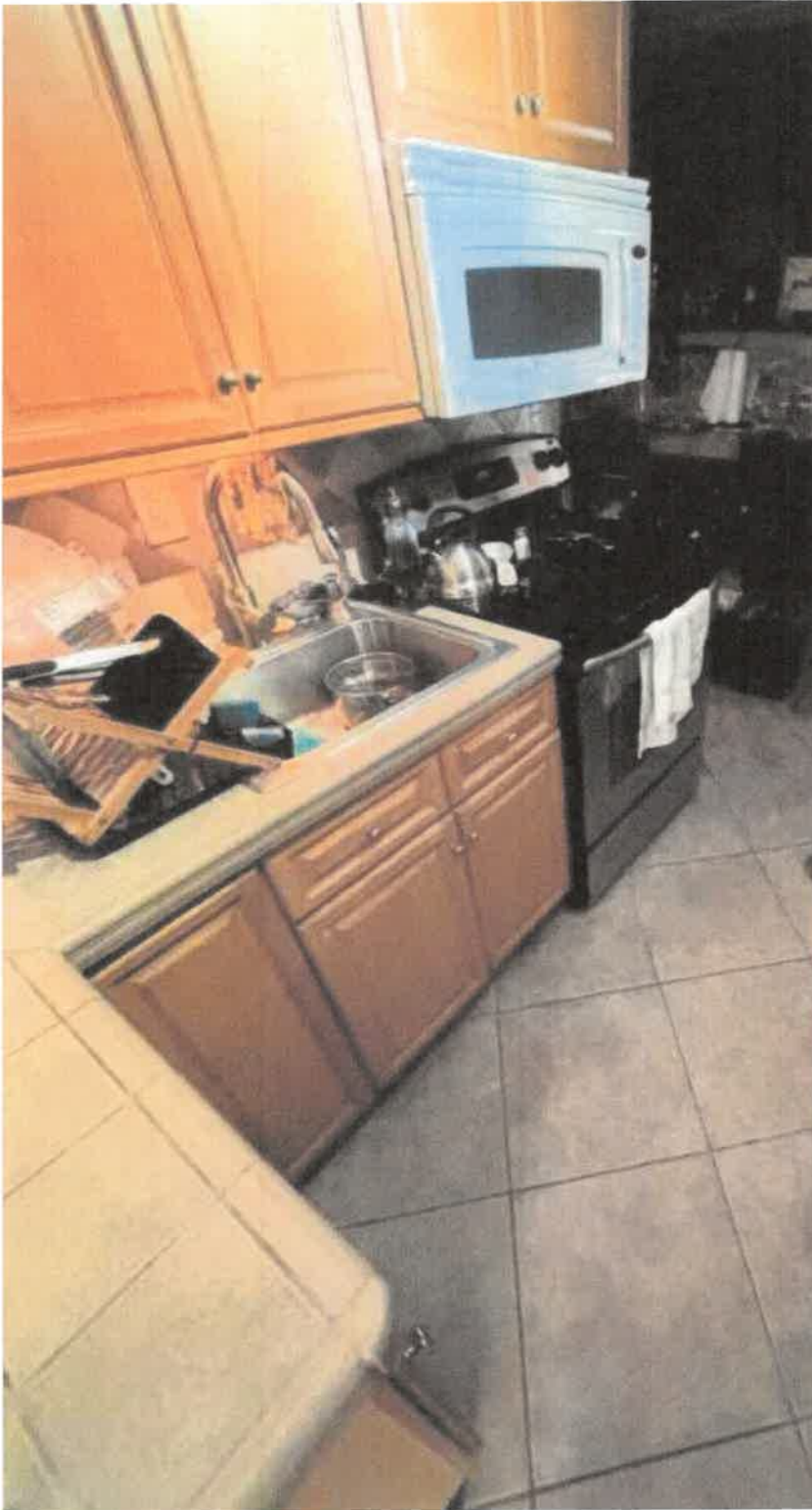




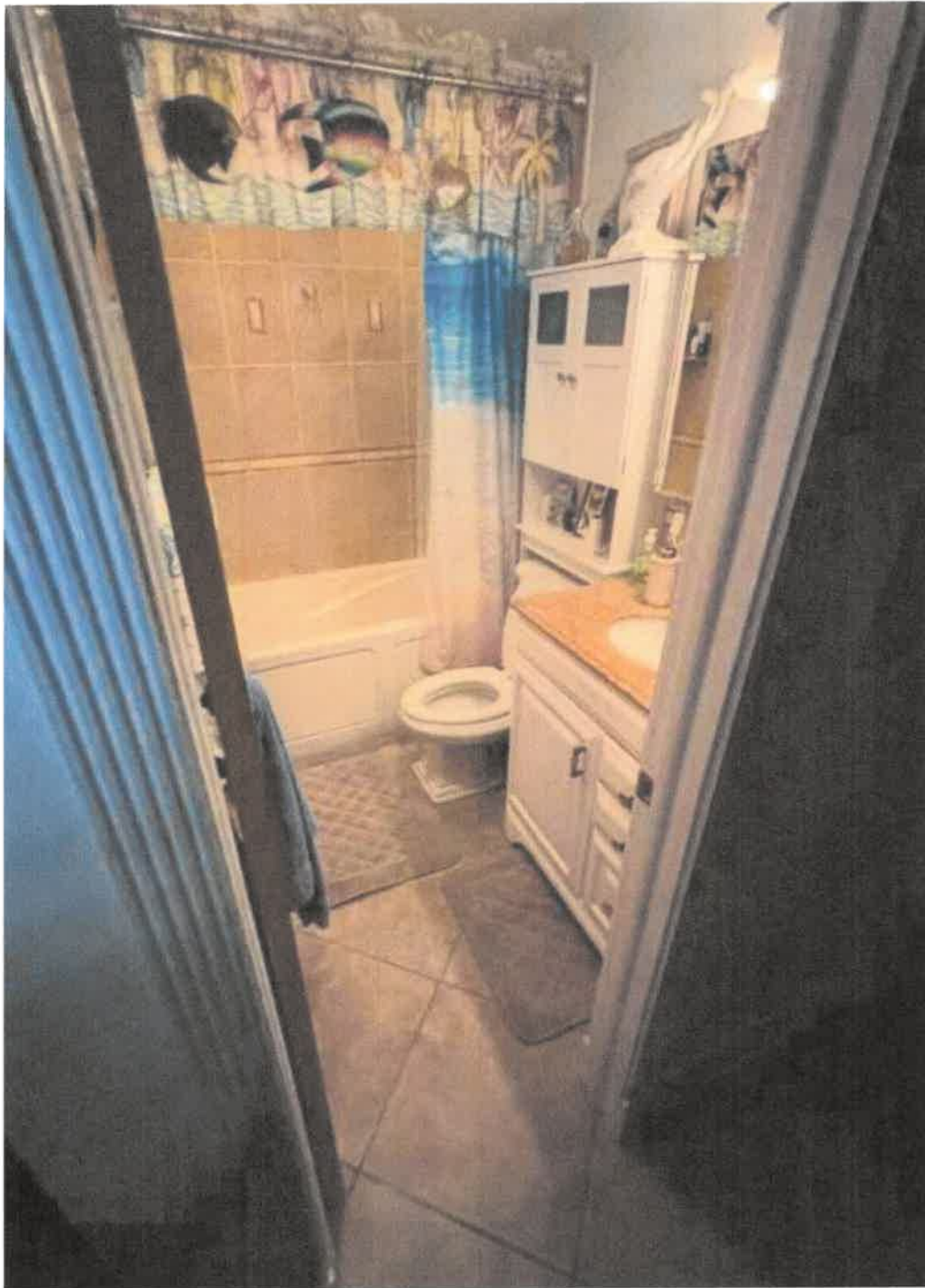
Unit 2 Bathroom



Unit 3 Kitchen



Unit 3 Bathroom



Unit 3 Living and Bedroom pictured faintly beyond bathroom





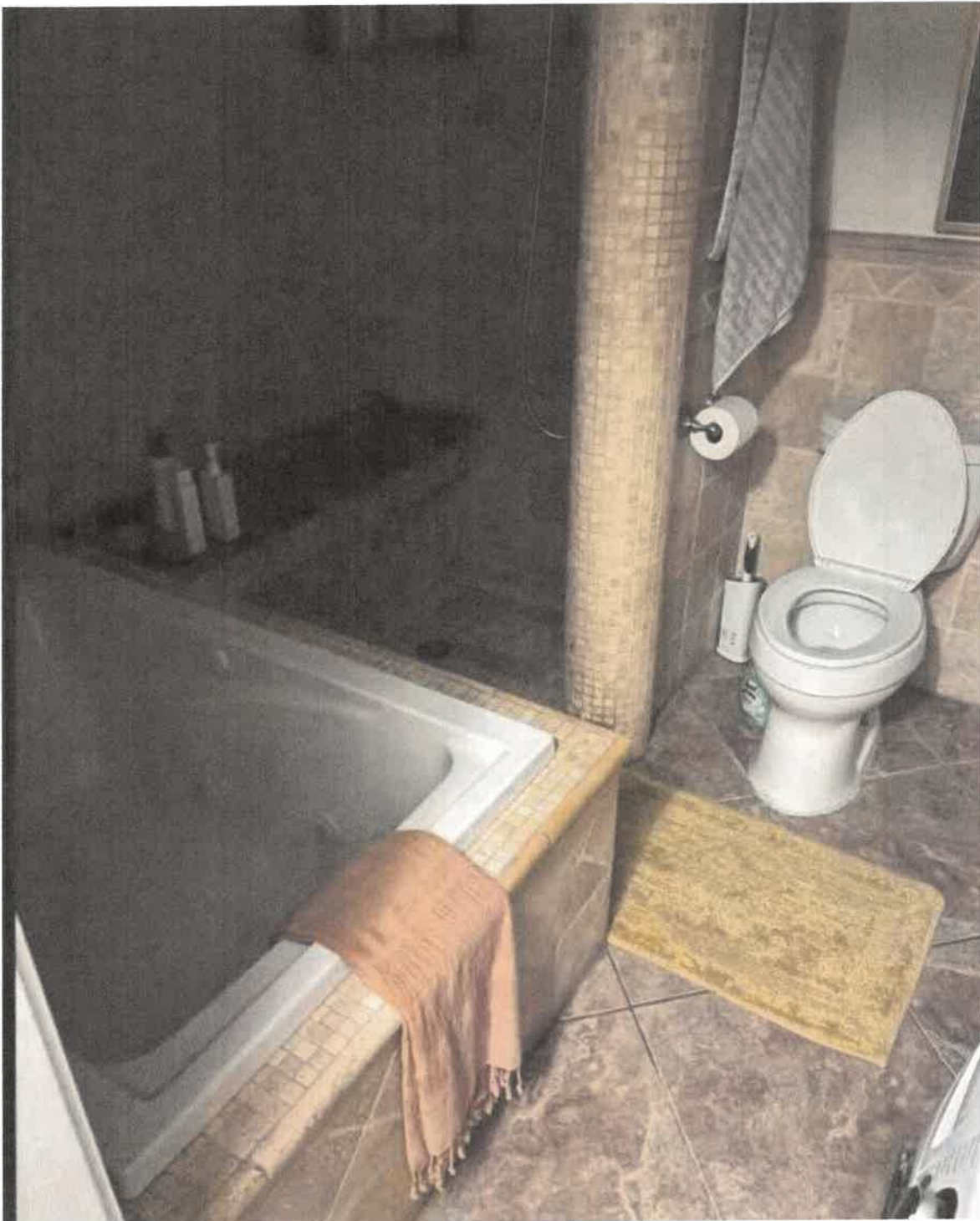
Unit 4 Kitchen



Unit 4 Bedroom



Unit 4 Bathroom







# LAWFUL UNIT DETERMINATION APPLICATION

## CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

Received  
2/27/28

### Application Fee Schedule

Lawful Unit Determination Application \$ 2,431.01

For each additional unit on the same parcel there is an additional fee of \$607.75

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: 614 Whitehead StreetReal Estate (RE) #: 00012881-000100Zoning District: HROTotal Land Area (sq ft): 5,751 sq. ft.

Property located within the Historic District?

☒ Yes ☐ NoAPPLICANT: ☐ Owner ☒ Authorized RepresentativeName: Owen Trepanier of Trepanier & Associates IncMailing Address: 1421 First Street, Unit 101City: Key WestState: FloridaZip: 33040

Home/Mobile Phone:

Office: 305-293-8983Fax: 305-293-8748Email: owen@owentrepanier.com

PROPERTY OWNER: (if different than above)

Name: REW Property Enterprises, LLCMailing Address: 614 Whitehead Street Ste 1City: Key WestState: FloridaZip: 33040

Home/Mobile Phone:

Office: c/o 305-293-8983Fax: c/o 305-293-8748Email: c/o owen@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 MISDEMEANOR OF THE SECOND-DEGREE PUNISHABLE PER SECTION 775.082 OR 775.083.

Print Name of property owner or agent or licensed contractor	Signature
Owen Trepanier	
Notary Signature as to applicant. State of Florida, County of Monroe. Sworn to and subscribed before me.	
Personally known or produced	as identification.

Official Use Only:



Is this request based on a code case? ☐ Yes ☒ No Case Number: \_\_\_\_\_

UNIT TYPE	NUMBER OF UNITS	
	EXISTING	LICENSED <sup>1</sup> /RECOGNIZED
Market-Rate Residential Dwelling Units	5	4
Affordable Residential Dwelling Units <sup>2</sup>	0	0
Transient Units	0	0
Commercial Units	1	2

<sup>1</sup> Please provide City Licensing Records from the Building Department

<sup>2</sup> 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.

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

Doc# 1555561 12/09/2005 3:51PM  
 Filed & Recorded in Official Records of  
 MONROE COUNTY DANNY L. KOLHAGE

This instrument prepared by  
 John R. Allison, III  
 The Advisor Firm, P.A.  
 6600 Overseas Highway  
 Marathon, Florida 33850

12/09/2005 3:51PM  
 DEED DOC STAMP CL: LINDAR \$10,150.00

Doc# 1555561  
 Bk# 2171 Pg# 2351

### SPECIAL WARRANTY DEED

SPECIAL WARRANTY DEED, made this 3 day of December, 2005, between WALKER KEY WEST PROPERTIES TWO, INC., a Florida corporation, (hereinafter called "Grantor"), and REW PROPERTY ENTERPRISES, LLC, a Florida limited liability company whose address is 614 Whitehead Street #1, Key West, Florida 33040 (hereinafter called "Grantee").

### WITNESSETH:

That Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable considerations not in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, its successor and assigns forever, the following described Condominium Units, lying and being in Monroe County, Florida, to-wit:

UNITS C-1 and C-2, in HARDIE CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2160 at Page 1857 of the Public Records of Monroe County, Florida, and any amendments thereto, together with an undivided interest in the Common Elements appurtenant therein, as identified in the Declaration,

AND

UNITS R-1, R-2, R-3 and R-4, in 614 WHITEHEAD CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2160 at Page 1935 of the Public Records of Monroe County, Florida, and any amendments thereto, together with an undivided interest in the Common Elements appurtenant thereto, as identified in the Declaration.

This conveyance is subject to the following:

1. Real estate taxes and assessments for the year 2006 and all subsequent years;
2. Covenants, conditions, easements, restrictions, of record, including without limitation the aforesaid Declarations of Condominium, and all amendments and supplements to said Declarations, and
3. Covenants, conditions, easements, restrictions, of record, including without limitation the Declaration of Covenants, Restrictions and Easements for 614 Whitehead Development as recorded in Official Records Book 2160 at Page 1792 of the Public Records of Monroe County, Florida, and all amendments and supplements to said Declaration, and any Rules and Regulations now or hereafter adopted by the 614 Whitehead Master Property Owners' Association, Inc.; and
4. Laws and ordinances of all appropriate governmental authorities, including without limitation existing zoning ordinances and the Florida Condominium Act, Chapter 718, Florida Statutes.

Grantor hereby fully warrants title to the aforescribed Condominium Unit and will defend same against the lawful claims of all persons claiming by through or under Grantor, but none other.

Grantee, by acceptance and recordation of this Deed, expressly and specifically accepts, covenants and agrees to be bound by and to assume performance of all of the applicable provisions and requirements set forth in the Declarations, if and when applicable, which provisions and requirements are acknowledged to be reasonable, and all of which are incorporated herein by this reference.

Witness:

*Eleanor Lynn Williams*  
 Eleanor Lynn Williams  
*John R. Allison, III*  
 John R. Allison, III

WALKER KEY WEST PROPERTIES TWO, INC.  
 a Florida corporation.

By: *Douglas G. Walker*  
 Douglas G. Walker, President

Address of Grantor 62 Two Turtles Lane  
 Shark Key, Florida 33040

STATE OF FLORIDA  
 COUNTY OF MONROE

BEFORE ME, the undersigned authority, a notary public, authorized to administer oaths in the State of Florida, personally appeared Douglas G. Walker, President of WALKER KEY WEST PROPERTIES TWO, INC., a Florida corporation ( ) to me known to be the individual described in, or ( ) who produced Florida driver's licenses for identification, and ( ) did ( ) did not take an oath.

SWORN and subscribed to before me this 3 day of December, 2005.

My commission expires

Notary Public, State of Florida at Large

MONROE COUNTY  
 OFFICIAL RECORDS

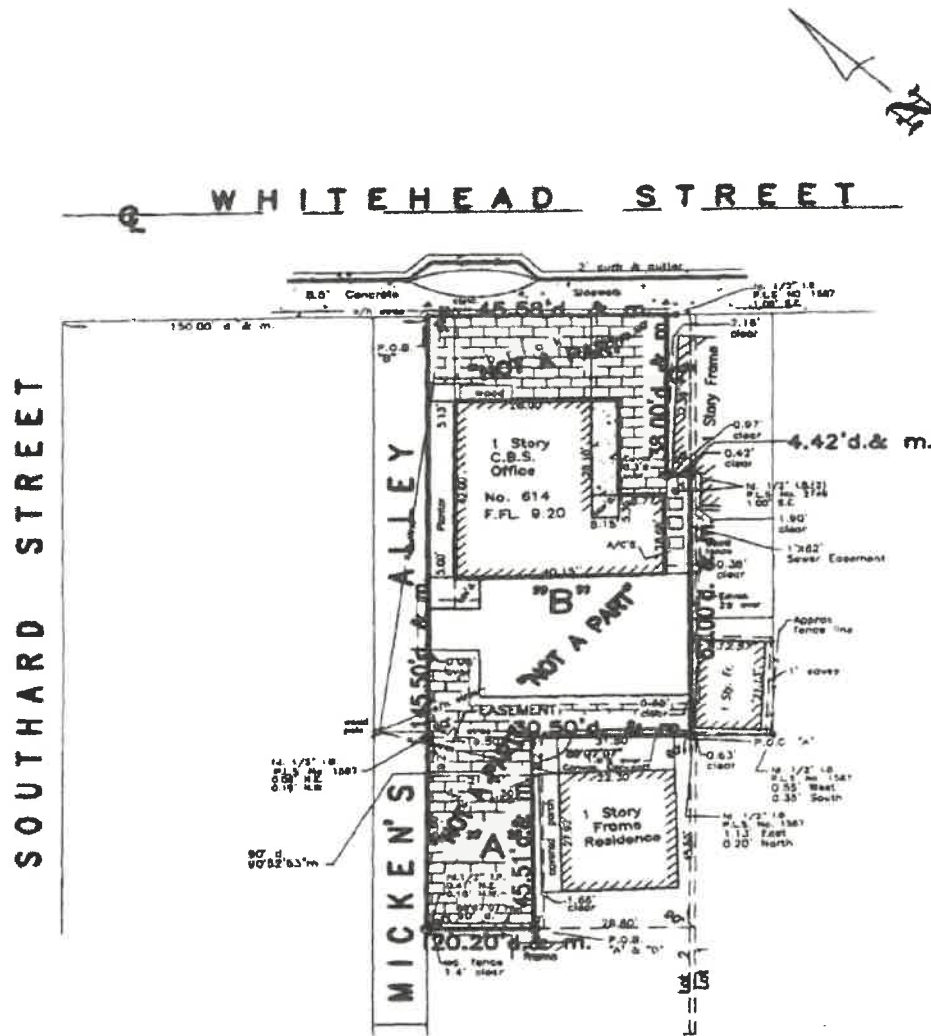


John R. Allison, III  
 Commission #DD329824  
 Expires JULY 19, 2008  
 www.AARONNOTARY.com

# HARDIE CONDOMINIUM BOUNDARY SURVEY

Dock 1547875  
Bk 2180 Pg 1910

Survey



SHEET 5 OF 10

Hardie Condominium  
614 Whitehead Street Key West FL. 33040

CONDOMINIUM SURVEY

Dwg No  
04-549

Scale 1"= 30'

Ref  
180-07-04

Flood Panel No 1716

Own By CMC

Date 3/10/05

Flood Zone X

Flood Elev

REVISIONS AND/OR ADDITIONS

FREDERICK H HILDEBRANDT  
ENGINEER PLANNER SURVEYOR

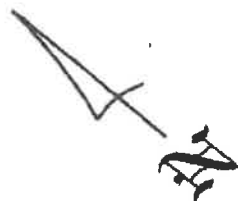
3152 Northside Drive  
Suite 201  
Key West FL 33040  
(305) 293-0488  
Fax (305) 293-0237

c:\drawings\key west\block 50\614 whitehead street

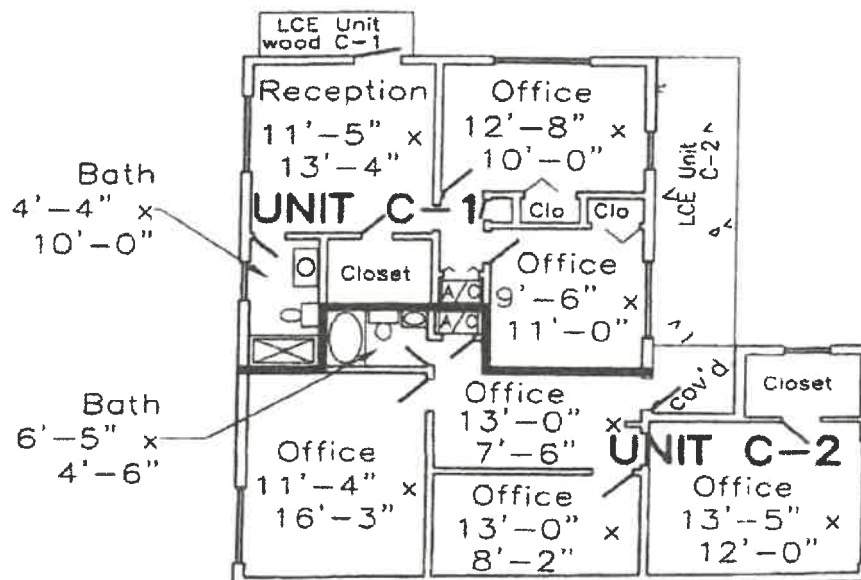
## Floor Plan

# HARDIE CONDOMINIUM

## UNIT LAYOUTS

 Doc# 1547875  
 Bk# 2160 Pg# 1912


WHITEHEAD STREET

NOTE: DIMENSIONS  $\pm$  6"

SHEET 7 OF 10

 Hardie Condominium  
 614 Whitehead Street Key West FL 33040

## CONDOMINIUM SURVEY

 Dwg No  
 04-549

 Scale 1" = 10'  
 Date 3/10/05  
 Ref 180-67-66  
 Flood Panel No. 1718 H  
 Flood Zone X  
 Own By CMC  
 Flood Elev

REVISIONS AND/OR ADDITIONS

 FREDERICK H. HILDEBRANDT  
 ENGINEER PLANNER SURVEYOR

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

c:\drawing\key west\book 584\14 whitehead street



### Survey Affidavit

Before me, the undersigned Notary Public, personally appeared Richard Wunsch, Mmbr - REW Property Enterprises, LLC (hereinafter "Affiants"), states that they have personal knowledge of the facts and matters set forth herein.

1. They are the owners of the following described property (the "Property"):  
614 Whitehead Street
2. They have reviewed a copy of the attached survey map of the Property prepared by Fredrick Hildebrandt, dated 03/10/05 under Job Number 180-67-69, which depicts the dwelling currently located on the Property, together with any and all other improvements currently located on the Property, whether belonging to Affiants or to any neighbor.
3. Since the date of the survey map, there have been no additional improvements constructed on the Property and there have been no modifications or additions to the improvements shown on the survey map, EXCEPT as follows:  
NA - No Changes
4. Since the date of the survey map, there have been no improvements or fences erected on any adjacent property.
5. Affiants have not granted any easement of any nature across the Property

Remainder of this page left blank intentionally

6. Affiants further state that they are each familiar with the nature of an oath, and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiants further certify that they have read, or have heard read to them, the full facts of this affidavit, and understand its contents.

Affiants have caused this Affidavit to be executed this 6 day of February, 2025.

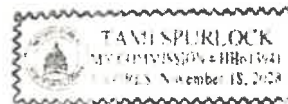
Affiant: [Signature]

Affiant: \_\_\_\_\_

STATE OF Florida  
COUNTY OF Monroe

Sworn to and subscribed before me this 6 day of February, 2025, by \_\_\_\_\_.

[Signature]  
Notary Public



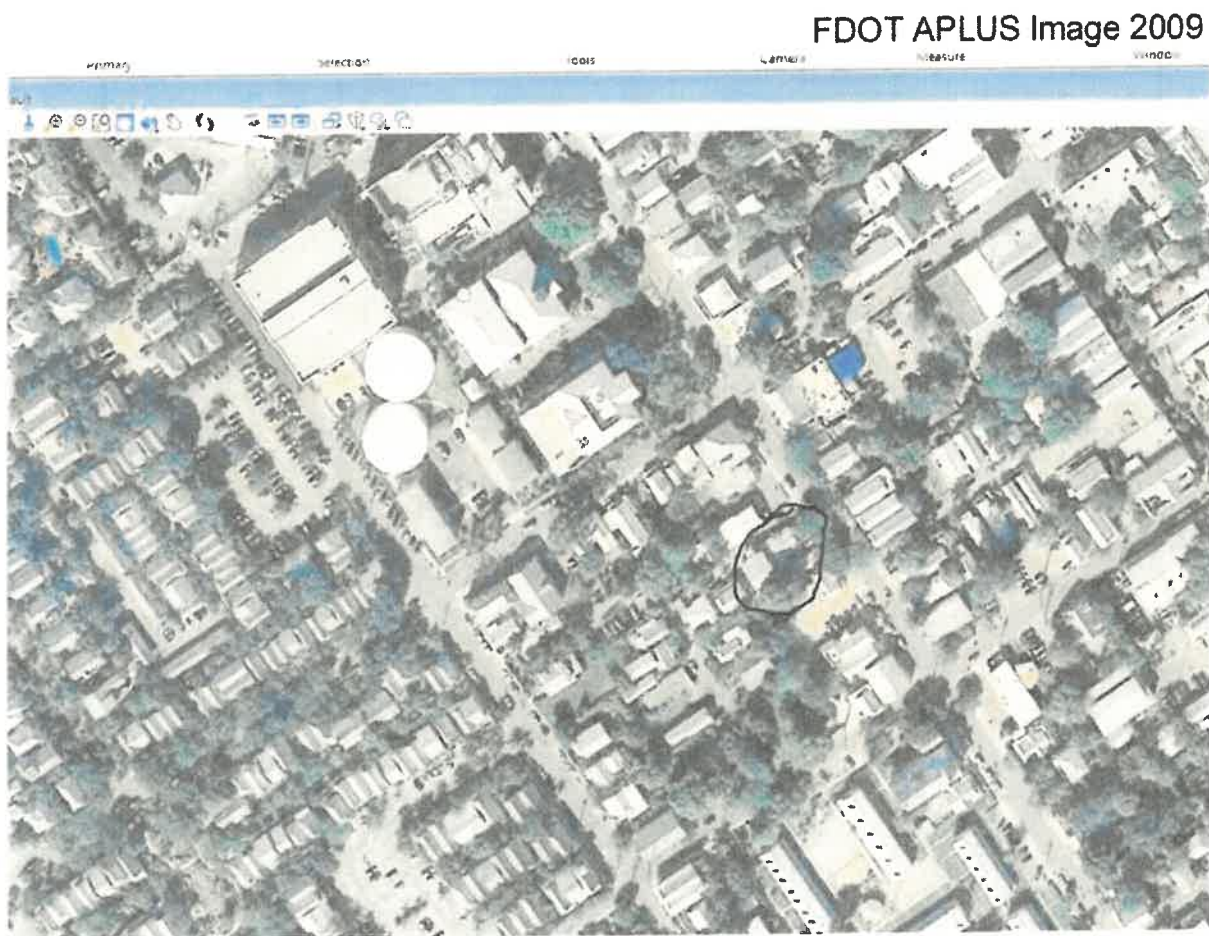
Print, type or stamp commissioned name of Notary Public: \_\_\_\_\_

☒ Personally Known OR ☐ Produced Identification

Type of Identification Produced \_\_\_\_\_



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

Number	Date Issued	Status	Amount	Permit Type	Notes
05-5684	12/13/2005	Completed	\$2,400	Commercial	RELOCATE SEWER LINE UNDER BUILDING
05-0638	02/28/2005	Completed	\$2,400	Commercial	INSTALL WATER LINE & METER
04-3579	11/19/2004	Completed	\$3,000	Commercial	DRAINAGE
0200437	02/22/2002	Completed	\$2,000	Commercial	INSTALL SMOKE DETECTORS
9901012	03/25/1999	Completed	\$100	Commercial	FENCE
9801698	03/22/1999	Completed	\$350	Commercial	SIGN
9704207	12/16/1997	Completed	\$9,000	Commercial	REM ASPHALT PUT PAVERS
9703563	10/21/1997	Completed	\$12,500	Commercial	METAL ROOF
9702141	07/07/1997	Completed	\$8,720	Commercial	REPAIRS, EXTERIOR
9701966	07/01/1997	Completed	\$5,400	Commercial	CENTRAL A/C
9701825	06/11/1997	Completed	\$487	Commercial	AWNINGS
9701812	06/06/1997	Completed	\$700	Commercial	4 WATER METERS

**Copies of city directory entries  
on or about April 1, 2010**



WHITE ST. - WHITEHEAD ST

**WHITE ST. Cont'd**  
• Swafford Todd D ..... 305-296-7368  
• Todd Vynish ..... 305-296-7368  
1411 BERMAN MICHAEL MD chryslers & automobiles ..... 305-294-5400  
1412 Evans Harold S [1] ..... 305-295-0800  
1414 Wilcox Robert G [1] ..... 305-295-7813  
• **WASHINGTON ST INTERSECTS**  
1416 Galscher Robert E [1] ..... 305-294-5953  
Vincent William M [1] ..... 305-294-6026  
1419 CHURCH OF GOD churches ..... 305-296-8844  
TREE OF LIFE book & retail ..... 305-290-8844  
1420 Moran Craig P [1] .....  
1421 Cunningham Caroline [1] ..... 305-296-3911  
Cunningham David ..... 305-296-3911  
• **VONPHISTER ST INTERSECTS**  
1424 Davlin Joseph P [1] .....  
1425 Demchuk Michail W & Laura M [1] ..... 305-292-5011  
1428 Sinagra Jack G [1] ..... 305-292-5011  
Sinagra Patrick J ..... 305-292-5011  
1430 Gaffney Michael J & Branda [1] ..... 305-295-6194  
1434 Rockwood W K [1] ..... 305-296-8598  
• **FLAGLER AVE INTERSECTS**  
• ZIP CODE 33040 CAR-RT C043  
1500 Kabela Frank & Patricia A [1] ..... 305-294-2560  
1501 Rivera Jose [1] .....  
1505 @ Robbins Stephanie H .....  
1520 Fifield William O [1] ..... 305-296-2515  
• **JOHNSON ST INTERSECTS**  
• **JOHNSON ST INTERSECTS**  
1529 Goodrich Adrian I [1] .....  
Goodrich Terri H .....  
1531 Allard Thomas [1] .....  
• **CASA MARINA CT ENDS**  
• **LAIRD ST INTERSECTS**  
1601 Dick Howard M [1] ..... 305-293-0406  
1617 Ross Guy A [1] ..... 305-295-7412  
1701 Hatch Richard W III [1] ..... 305-293-6697  
• **ATLANTIC BLVD INTERSECTS**  
1801 @ McAlonan Diane M .....  
**BUSINESSES 70** **HOUSEHOLDS 271**

**WHITEHEAD ST (KEY WEST)-FROM 601 SAMARITAN LN SOUTHEAST**  
• ZIP CODE 33040 CAR-RT C027  
1 CARIBBEAN CARGO gift shops ..... 305-292-8974  
CONCH STORE gift merchandise-retail ..... 305-292-8955  
ISLAND JUICE BAR juices-retail ..... 305-292-8936  
KEY WEST AQUARIUM amusement & recreation ..... 305-296-2051  
KEY WEST SHIPWRECK HISTOREUM amusement & recreation ..... 305-292-8890  
SHELL WAREHOUSE gift shops ..... 305-294-5168  
SUSNET GLASSBLOWER glass-blowers ..... 305-292-1282  
• **WALL ST CONTINUES**  
33 Southernmost Brewery [1] .....  
• **FRONT ST INTERSECTS**  
105 J & S OF KEY WEST INC souvenirs-retail ..... 305-295-5253  
111 ISLAND GIFTS gift shops ..... 305-292-9684  
• **GREENE ST INTERSECTS**  
• ZIP CODE 33040 CAR-RT C001  
205 AUDUBON GALLERY museums ..... 305-294-2116  
AUDUBON HOUSE & TROPICAL GARDN museums ..... 305-294-2116  
215 Montanari Robert [1] ..... 305-295-0839  
Smith Harry G [1] .....  
218 CAFE TROPICAL restaurants ..... 305-294-7622  
Dugan Jason M [1] .....  
KNITWITS knit goods-retail ..... 305-295-7565  
2 Anderson Scott A [1] .....  
2 Nakonechny Stephen P [1] .....  
2 PORT SANDAL SHOPPE shoes-retail ..... 305-296-0001  
• @ Pisor Paul F .....  
UP @ Belcher Angelo L .....  
219 Griffith Richard P & Melanie S [1] ..... 305-294-1537  
• **CAROLINE ST INTERSECTS**  
301 KELLY'S CARIBBEAN BAR restaurants ..... 305-293-8484  
• 303 Tillman Fred W Jr (2 Hses) [1] .....  
305 Dixie H [1] ..... 305-296-2783  
Lohr Sheri L [1] ..... 305-296-5782  
3 Hilton Jon F [1] ..... 305-296-8554  
309 JOSEPH M ALBURY PA attorneys ..... 305-292-7272  
317 ALL SOUTH VACATION HOMES vacation rentals ..... 305-296-7559  
Derek V H [1] ..... 305-296-5876  
MORGAN & HENDRICK attorneys ..... 305-296-5876  
• Vasek Vera .....  
322 Arnold Stuart W [1] .....  
323 BANYAN RESORT REALTY INC resorts ..... 305-296-1230  
Hagler Wendu G II [1] .....  
324 Taylor Robert M & Sandra T [1] ..... 305-296-1330  
326 Maynard David M & Susan M [1] .....  
328 Hallick John N [1] ..... 305-295-7507  
330 TIB BANK OF THE KEYS banks ..... 305-294-6330

WHITEHEAD ST Cont'd

• **EATON ST INTERSECTS**  
• ZIP CODE 33040 CAR-RT C002  
400 AMERICAN POSTAL WORKERS UNION labor org ..... 305-294-6596  
• @ Apied A P ..... 305-294-6596  
NATIONAL ASSN-LETTER CARRIERS labor org ..... 305-294-6596  
SOUTHERNMOST BRANCH labor org ..... 305-296-0012  
US POST OFFICE post offices ..... 305-294-6539  
401 @ Burnett Judy L .....  
403 @ Burnole Jamie L .....  
MILLIGAN CHARLES M attorneys ..... 305-294-6865  
407 Newhouse Paula L [1] ..... 305-296-9843  
• **FLEMING ST INTERSECTS**  
500 CHILD SUPPORT ENFORCEMENT state government .....  
CIRCUIT COURT CLERK state government- courts .....  
CIRCUIT COURT JUDGES state government- courts ..... 305-292-3550  
COUNTY COMMISSIONERS BOARD government ..... 305-292-3422  
COUNTY JUDGES county government- courts ..... 305-292-3440  
COUNTY OF MONROE FINANCE government .....  
offices-county .....  
COUNTY PASSPORT government offices-county .....  
COURT REPORTER government offices-state .....  
FINANCE DEPT county government ..... 305-292-3534  
HONORABLE MARK JONES government offices-state ..... 305-292-3422  
Knight Harry F [1] ..... 305-294-4641  
MONROE COUNTY V CIRCUIT COURT .....  
government- courts .....  
MONROE COUNTY CLERKS OFFICE .....  
government- courts .....  
MONROE COUNTY COURTHOUSE .....  
offices-county .....  
MONROE COUNTY JURY CLERK government ..... 305-292-3432  
offices-county .....  
MONROE COUNTY PAYROLL DEPT government ..... 305-292-3432  
offices-county .....  
MONROE COUNTY PROBATE COURT .....  
government- courts .....  
MONROE COUNTY RECORDING government .....  
offices-county ..... 305-292-3540  
MONROE COUNTY SMALL CLAIMS government .....  
offices-county .....  
MONROE COUNTY TRAFFIC BUREAU government .....  
offices-county ..... 305-292-3545  
MONROE PROPERTY APPRAISER government .....  
offices-county ..... 305-292-3420  
SHERIFF'S DEPT-PROPERTY SCTN sheriff .....  
305-292-7144  
STATE CIRCUIT COURT CLERK state government- courts .....  
TOWER GROUP FREEMAN JUSTICE nonclassified .....  
establishments ..... 305-296-2521  
501 DILORENZO PATRICE P attorneys ..... 305-293-1172  
JASON R SMITH LAW OFFICES attorneys ..... 305-296-1484  
RODEL CHARITABLE FOUNDATION nonclassified .....  
establishments ..... 305-296-0244  
502 HONORABLE PEARY S FOWLER government .....  
offices-county ..... 305-292-3517  
MONROE COUNTY ATTORNEY county government ..... 305-292-3470  
MONROE COURT ADMINISTRATOR county .....  
government- courts ..... 305-292-3423  
SHERIFF'S DEPT-CIVIL DIV sheriff ..... 305-295-3675  
101 HONORABLE WAYNE MILLER government .....  
offices-county ..... 305-292-3424  
101 MONROE COUNTY COURT JUDGES county .....  
government- courts ..... 305-292-3424  
302 CIRCUIT COURT ADMINISTRATION state .....  
government- courts ..... 305-292-3423  
400 HONORABLE SANDRA TAYLOR government .....  
offices-state ..... 305-292-3480  
402 HONORABLE RICHARD PAYNE government .....  
offices-state ..... 305-292-3433  
505 Deal Michell [1] ..... 305-295-7209  
Muldoon Francis H Jr [1] .....  
507 @ Abraham John A .....  
509 ASSOCIATED COURT REPORTERS nonclassified .....  
establishments ..... 305-294-6631  
513 AMY LANDRY REPORTING secretarial & court .....  
reporting ..... 305-294-0816  
Milligan Charles M [1] .....  
515 Fielder Lynne H [1] ..... 305-295-0042  
GARCIA & SMITH PA attorneys ..... 305-292-1437  
Garcia Manuel E [1] .....  
Smith Laura K [1] ..... 305-292-1437  
517 Maadors David L [1] ..... 305-295-3569  
• **APPLEROUTH LN INTERSECTS**  
529 @ Young Danise M .....  
530 Meyers Paul [1] .....  
MONROE COUNTY COMMISSIONERS government .....  
offices-county ..... 305-292-3430  
MONROE COUNTY ELECTIONS government offices-county ..... 305-292-3416  
MONROE COUNTY SUPERVISOR-ELECT county .....  
government ..... 305-296-6017

WHITEHEAD ST Cont'd

STATE ATTORNEY state government- legal counsel ..... 305-292-3400  
• **SOUTHWARD ST INTERSECTS**  
400 ALL KEYS REPORTING secretarial & court reporting ..... 305-294-2001  
JEANNA COURTHOUSE GROC & DELI ..... 305-294-2679  
KRIEGER WAYNE attorneys ..... 305-292-4184  
101 PARADISE STAFFING SOLUTIONS employment .....  
agencies/opportunit ..... 305-292-7054  
101 REALTY MORTGAGE CORP real estate loans .....  
companies ..... 305-293-9222  
203 INDEPENDENT MORTGAGE A FINANCE real .....  
estate loans ..... 305-294-5101  
204 INDEPENDENT ABSTRACT & TITLE title .....  
companies ..... 305-294-6131  
601 GREEN PARROT BAR bars ..... 305-292-4322  
604 GRANT KARLEEN A attorneys ..... 305-294-4358  
608 HORAN & WALLACE attorneys ..... 305-294-4358  
Horan Karen R .....  
611 COCOPLUM INN bed & breakfast accommodations ..... 305-295-2951  
Glaser Philip M & Lynn [1] .....  
• **MICKENS LN BEGINS**  
614 RICHARD WUNSCH LAW OFFICE attorneys ..... 305-296-7060  
• @ Peterson Jack E .....  
615 Glaser Keith E [1] .....  
Glaser Philip ..... 305-296-1342  
615 1/2 Leesfield Ira [1] .....  
616 Anthony David A [1] .....  
617 Allen Joseph B III [1] .....  
Allen William N ..... 305-294-4440  
618 Keaster Kenneth C Jr [1] .....  
• **ARONOVITZ LN BEGINS**  
621 No Current Listing .....  
624 Davidson Judith H [1] .....  
Davidson Robert N .....  
624 DAVIDSON REAL ESTATE GROUP real estate .....  
Saunders Fred Jr [1] ..... 305-293-6634  
SCHOONER LIBERTY boats-excursions ..... 305-295-0095  
625 Harper Jonathan A [1] .....  
PRANA SPA spa-beauty & day ..... 305-295-0100  
626 22 Hall Zachary [1] .....  
26 Bernard James C [1] .....  
631 KEYS TITLE & ABSTRACT CO title companies ..... 305-294-2558  
PERKINS INVESTMENTS investments ..... 305-294-1978  
Perkins Al [1] ..... 305-293-7019  
Perkins William A III ..... 305-293-7019  
• **ANGELA ST INTERSECTS**  
701 KEY WEST BANK banks ..... 305-294-3540  
702 CORNISH MEMORIAL AME ZION churches ..... 305-294-2350  
Thornion James F [1] ..... 305-293-6681  
708 Gallagher William E & Patricia F [1] .....  
709 White Grace N & James C [1] ..... 305-294-3048  
713 Holt William W [1] ..... 305-296-2955  
720 Fortuna Michael [1] ..... 305-294-9688  
6B @ Mingo J .....  
6C @ Massey Annette .....  
6C Pyles Evelyn B [1] ..... 305-295-0504  
6D Butler Victoria L [1] .....  
6D Butler Chamette K .....  
6E Knighten Maximina V [1] ..... 305-294-3162  
6E Knighten Yul A ..... 305-294-3162  
7D Ramsey Marshae A [1] .....  
• **SAMARITAN LN BEGINS**  
723 Forbes Nathaniel B & Elavise F [1] ..... 305-296-4754  
725 Carey Roosevelt M [1] .....  
728 6A Staffray Kawana J [1] .....  
6C @ Pyles Evelyn B .....  
7A Winters Charles S & Carmen S [1] ..... 305-292-5032  
7B @ Ferguson Betty J .....  
7B @ Fingusor Mansorie .....  
7C Muly Marc [1] .....  
7D Blackshear Gloria J [1] ..... 305-296-5351  
729 Schultz Kenneth [1] ..... 305-292-3076  
730 Ferguson Carolyn M [1] ..... 305-294-0975  
Ferguson Villanoe D ..... 305-294-0975  
733 Grazette Kristin [1] ..... 305-295-2444  
1 Polidore Andrew A [1] ..... 305-292-4926  
2 Walton Rudolph [1] ..... 305-296-3359  
2 Walton Leonard R ..... 305-296-3359  
3 @ Cardoze Robert A .....  
4 @ Hollowell Barbara A .....  
• **PETRONIA ST INTERSECTS**  
• ZIP CODE 33040 CAR-RT C041  
801 Ginsberg Marc R [1] ..... 305-296-3999  
MANDINA & GINSBERG attorneys ..... 305-296-3999  
Mandina Philip J [1] ..... 305-296-3999  
MICHAEL R BARNES PA attorney ..... 305-296-5287  
802 STRAW HAT MAMA'S gift shops ..... 305-296-2610  
803 No Current Listing



**Demonstration of Legal Permissibility  
under the current or any former zoning requirements of the  
applicable district in which the unit is located**

Sec. 122-927. - Uses permitted.



Uses permitted in the historic residential/office district (**HRO**) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Group homes with less than or equal to six residents as provided in [section 122-1246](#).
- (3) Multiple-family residential dwellings.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Parking lots and facilities.
- (7) Medical services.
- (8) Veterinary medical services, without outside kennels.
- (9) Commercial retail low and medium intensity less than or equal to 5,000 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (10) Commercial retail high intensity less than or equal to 2,500 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (11) Hotels, motels, and transient lodging within the Appelrouth Business Corridor.
- (12) Restaurants, excluding drive-through, within the Appelrouth Business Corridor.

(Ord. No. 97-10, § 1(2-5.5.6(B)), 7-3-1997; Ord. No. 18-15, § 1, 8-7-2018; Ord. No. 18-16, § 1, 8-7-2018)

**Rental, occupancy or lease records  
from before and including April 1, 2010, indicating the  
number, type and term of the rental or occupancy**

REW Property Enterprises, LLC  
614 Whitehead Street  
Key West, Florida 33040  
Phone: (305) 296-7060

## TWELVE MONTH LEASE AGREEMENT

**PROPERTY:** 614 Whitehead Street, Apt. 1, Key West, Florida 33040

**MOVE IN DATE:** January 1, 2010

**TENANTS NAME** Kenneth Kukac

**VEHICLE YEAR/MAKE/MODEL/COLOR:** \_\_\_\_\_

**BICYCLE MODEL/COLOR:** \_\_\_\_\_

This is a Twelve (12) Year Lease Agreement (hereinafter referred to as the "Lease") is made and entered into, and shall become effective on 1st day of January, 2010, by and between *Richard L. Dunsen*, hereinafter referred to as "Landlord", whose address is 614 Whitehead Street, Suite 2 Key West, Florida 33040 and contact number is (305) 296-7060 and Kenneth Kukac hereinafter referred to as "Tenant", whose current home address is 614 Whitehead St. Apt. 1, Key West, FL 33040 and contact number is 704.617.2885.

### **WITNESSETH:**

**WHEREAS**, the Landlord of the real estate property being, lying and situated at 614 Whitehead Street, Apt. 1, Key West, located in the County of Monroe in the State of Florida with the zip code of 33040 (hereinafter referred to as the "Premises")

### **TWELVE MONTHS**

The rental of the Premises shall be on 12-month basis, commonly known as a "Twelve Month Tenancy," and may be terminated by providing advance written notice of at least 300 days, to become effective on the last day of the next rental period.

**TIME IS OF THE ESSENCE** as to each provision of the - 12 Month Tenancy

REW Property Enterprises, LLC  
614 Whitehead Street  
Key West, Florida 33040  
Phone (305) 296-7000

## **RENT**

The monthly rent for the premises shall be \$1,500.00 due on the First day of each calendar month. Rental payment shall be made payable to Richard F. Wunsch and sent to the aforementioned landlord address. In addition, a Damage Deposit in the amount of \$1,000.00 shall be paid in advance prior to Tenants taking possession of the aforementioned property (paid).

## **LATE PAYMENT OF RENT**

In the event that any rent payment required to be paid by Tenants hereunder is not paid IN FULL by the start of the SECOND (2<sup>ND</sup>) DAY OF EACH MONTH, Tenants shall pay to the Landlord, in addition to such payment or other charges due hereunder, an initial late fee as additional rent in the amount of 5% OF THE MONTHLY RENT AMOUNT. Further, a Subsequent late fee of TWENTY-FIVE DOLLARS (\$25.00) PER DAY will be incurred by the Tenants for every day payment is delayed after the 2<sup>ND</sup> day of the month.

All future payments will be allocated first to any outstanding balances other than rent. Any remaining monies will be allocated lastly to any rent balance.

## **ADDITIONAL FEES**

### **DISHONORED/ RETURNED CHECKS/ INSUFFICIENT FUNDS & NSF FEES-**

Dishonored checks will be subject to additional rent of 5% of the check amount or a \$40.00 charge as additional rent, whichever is greater. All returned or dishonored checks shall all be deemed additional rent under the Lease and treated equally the same as rent. Failure to pay or reimburse the Landlord all sums owed by Tenants, shall be considered a failure to pay rent and Landlord may include all such amounts of additional rent in any statutory notice to Tenant for payment of rent or to vacate Premises. The imposition of late fees and/or



RTW Property Enterprises, LLC  
614 Whitehead Street  
Key West, Florida 33040  
Phone: (305) 296-7060

### **UTILITIES**

The Tenant shall pay, all monthly utility bills for Keys Energy and Florida Keys Aqueduct charges, Waste Management, and all telephone, cable, and internet utilities, which are to be established and furnished to the Tenant directly.

### **OCCUPANCY, USE, ASSIGNMENT & SUBLETTING**

The Premises shall be used solely for residential purposes for the occupancy of (2) persons. The number of occupants shall not exceed limits established by law, regulation, or ordinance. Should the Tenant desire or anticipate a change in occupancy of the premises due to the adoption, birth of a child or otherwise, the Tenant shall notify the Landlord at least (30) days written notice in advance of the changing event. The Tenant shall not assign any of said Tenant's rights under this Agreement and shall not sublet all or part of a condominium, apartment building or other multiple unit dwelling, the Tenant agrees to abide by all rules and regulations governing such dwelling. The Tenant agrees not to use or permit the Premises to be used for any improper or unlawful purpose and agrees to limit the use of the Premises so that it does not disturb or interfere with the comfort, safety or enjoyment of other tenants living nearby.

### **CLEANLINESS, ALTERATION & REPAIRS**

The Tenant shall at all times maintain the Premises in a clean and sanitary condition and in the same condition as it was at the beginning of the tenancy, reasonable use and wear excepted. The Landlord shall maintain and repair all fixtures, equipment and appliances included in the lease of the Premise at the time the Agreement was made. The Tenant shall notify the Landlord at 614 Whitehead Street, Suite 2, Key West, Florida 33040 (305) 296-7060 of any maintenance or repair issues which require attention.

The Tenant shall not paint or wallpaper any part of the Premises without the Landlord's prior written consent and approval, nor shall the Tenant make any interior or exterior alterations or changes in the Premises. The Tenant shall not change any lock or re-key

REW Property Enterprises, LLC  
 611 Whitehead Street,  
 Key West, Florida 33040  
 Phone: (305) 296-7060

any lock without the prior written approval and consent of the Landlord. Should a new lock be installed, or an existing lock be altered or re-keyed, the Tenant shall immediately deliver a duplicate key to the Landlord at Tenant's sole expense.

The Tenant shall be responsible for all damages or losses caused to the Premises by or through any willful or negligent act or actions of the Tenant, the Tenant's guests or invitees, with the exception of any actions of God or any injury or loss caused by the Landlord or for which the Landlord is statutorily liable.

### USE OF PROPERTY

The Tenant acknowledges there is a common wall shared by Tenant, as designated below as C-1, and Landlord, as designated below as C-2. The Tenant recognizes that Unit C-2 operates as a Law Practice. The Tenant agrees to refrain from engaging in conduct including but not limited to loud music or undue traffic that interferes with the Law Practice during business hours.



### FIRE & CASUALTY

RFW Property Enterprises, LLC  
614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

In the event the Premises or any common area providing a necessary egress to the Premises are damaged by fire or other casualty which materially interferes with Tenant's use of or access to the Premises, the Landlord may terminate this Agreement. If the Landlord has not exercised the option to terminate, the rent shall be reduced to the fair rental value of the Premises until said Premises are restored to its former condition. If the Landlord has not restored the Premises or egress access within 30 days, the Tenant may give notice of termination of this Agreement to become effective at the end of the ten-current month.

### **INSURANCE**

The Tenant shall have the obligation to procure and maintain any renter's insurance coverage on personal property of the Tenant from fire or Casualty.

### **PETS:**

The tenant is permitted one (1) dog.

### **ENTRY & INSPECTION**

The Landlord or his agent(s) or designee(s) shall be permitted to enter the Premises at reasonable times and with reasonable notice of the Tenant for the purpose of inspecting the Premises, maintaining or repairing the Premises, ensuring compliance with any statute, code or regulation; or the for purpose of showing the Premises to any real estate agent, appraiser, mortgagee, prospective buyer, prospective tenant or inspector/contractor for prospective buyer/tenant.

### **BREACH & ABANDONMENT**

In the event that the Tenant breaches this Agreement by failure to pay rent when due to by non-compliance with any term and condition of this Agreement, the Landlord may terminate this Agreement by providing the Tenant with an advance 30 days written Notice to Quit for nonpayment of rent pursuant to applicable law. Entry by Landlord shall not be required before termination. Issuance of a notice pursuant to his paragraph

REW Property Enterprises, LLC  
617 Whitehead Street  
Key West, Florida 33040  
Phone: (305) 296-7060

shall be without waiver or prejudice to any other right or remedy of the Landlord. In the event of such termination the Tenant shall be obligated to pay the Landlord a sum equal to the balance of the rent due together with (ii) all costs and expenses reasonably incurred by the Landlord to restore the Premises to the same condition as they were at the beginning of the Month-to-Month Tenancy, including cleaning and painting, (iii) any other damages permitted to be received and (iv) interest at the legal rate from the date of the breach, cost and attorney fees. Delay or failure of the Landlord to commence legal proceedings shall not constitute a waiver of any right or remedy.

### **INDEMNIFICATION**

The Tenant agrees to indemnify, defend and hold harmless the Landlord from any injury, loss or damage suffered by the Tenant or by any person visiting the Premises, or in any common area during this Agreement, except for any injury, loss or damage which may be caused by the direct negligence or unlawful act of the Landlord or for which the Landlord may be statutorily liable.

### **ATTORNEY'S FEES**

In the event that the Landlord reasonably requires the services of an attorney to enforce the terms of this Agreement or to seek to recover the possession of the Premises or recover for damages, the Tenant shall be liable to pay the Landlord's reasonable attorney's fee incurred and all costs, whether or not a summary process action or other civil action is commenced or judgment is obtained.

### **NOTICES**

All notices required or permitted to be made under this Agreement, including any notice of violation of any terms and conditions, of law or the need for care, maintenance or repair, shall be done so in writing and may be delivered by hand, sent by certified mail, return receipt requested, or sent by the United State Postal Service overnight Express Mail or other overnight delivery service, addressed to the Landlord or Tenant or their



RFW Property Enterprises, LLC  
614 Whitehead Street  
Key West, Florida 33040  
Phone: (305) 290-7100

authorized representative as set forth within this section or to the Tenant within the Premises during the term of the tenancy.

Said notice shall be deemed to have been given delivery, or if sent by certified mail on the date of delivery set forth in the receipt or in the absence of a receipt to be three (3) business days after deposit or if sent by Express Mail or overnight mail or delivery, the next business day after deposited with the overnight mail or delivery, the next business day after deposited with the overnight or delivery service, whether or not a signature is required or received. Acceptance of any notice, whether by deliver or mail, shall be sufficient if accepted or signed by a person having express or implied authority to receive same. Notice shall also be deemed adequate if given in any other form permitted by law.

#### **COPY OF AGREEMENT**

The Landlord shall deliver a copy of this Agreement, duly executed by Landlord or his authorizing agent, to Tenant within (7) days after a copy hereof, has been duly executed by the Tenant, and has been delivered to the Landlord.

#### **REPRISALS PROHIBITED**

The Landlord acknowledges that provisions of applicable law forbid a Landlord from threatening to take or taking reprisals against any Tenant for seeking to assert his/her legal rights.

***IN WITNESS WHEREOF*** the aforementioned said parties hereunto and to another instrument of like tenor, have set their hands and seals on the aforementioned effective date.

\_\_\_\_\_  
(LANDLORD SIGNATURE)

\_\_\_\_\_  
(TENANT SIGNATURE)

Copies of state, county, and city licenses  
on and about April 1, 2010, indicating the number and types  
of rental units

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      REW PROPERTY ENTERPRISE LLC  
Location Addr      614 614 WHITEHEAD ST 3  
Lic NBR/Class      19962                      PROPERTY RENTAL  
Issued Date      8/12/2024                      Expiration Date:    September 30, 2025  
NON TRANSIENT RESIDENTIAL

Comments:      FOUR NON-TRANSIENT RENTAL UNITS

Restrictions:    COVERS UNITS 3, 4, 5, AND 6

REW PROPERTY ENTERPRISE LLC  
614 WHITEHEAD ST #1

KEY WEST, FL 33040

This document must be prominently displayed.

REW PROPERTY ENTERPRISE  
LLC

## Add History

**19962***10/18/1997 12:00:00 AM*

AC#: NEW LICENSE

*3/18/1998 12:00:00 AM*

RMK: UPGRADED FROM ONE TO FOUR NONTRANSIENT RENTAL UNITS

*5/13/1999 12:00:00 AM*

RMK: CHANGED OWNER FROM ROSEMARIE BARRETT TO WALKER KEY WEST PROPERTIES TWO INC. DOUGLAS WALKER PRES

*3/28/2006 12:00:00 AM*

RMK: CHANGED FROM WUNSCH TO REW PROPERTY ENTERPRISE LLC

*3/5/2008 12:00:00 AM*

RMK: SENT FINAL NOTICE

*2/25/2009 12:00:00 AM*

RMK: SENT FINAL NOTICE AND GAVE TO CODE

*5/3/2010 12:00:00 AM*

RMK: SENT FINAL NOTICE AND GAVE TO CODE. LLC NEEDS TO BE VERIFIED IF STILL CURRENT.

*5/20/2010 12:00:00 AM*

RMK: CHECK BEING MAILED



# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      WUNSCH, RICHARD  
Location Addr      614 614 WHITEHEAD St 2  
Lic NBR/Class      15501      STATE LICENSED PROFESSIONAL  
Issued Date      8/12/2024      Expiration Date:      September 30, 2025

ATTORNEY, PHYSICIAN OR OTHER STATE LICENSED  
PROFESSIONAL

Comments:      ATTORNEY

Restrictions:      BAR CARD 81779

WUNSCH, RICHARD  
614 WHITEHEAD ST #1  
KEY WEST, FL 33040

This document must be prominently displayed.

WUNSCH, RICHARD

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      WALKER KEY WEST PROPERTIES TWO  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      10893      MISCELLANEOUS OTHER SERVICES  
Issued Date      8/12/2005      Expiration Date:    September 30, 2006  
MISCELLANEOUS OTHER SERVICE

Comments:      OFFICE CENTER

Restrictions:

WALKER KEY WEST PROPERTIES  
TWO  
422 FLEMING ST  
KEY WEST, FL 33040

This document must be prominently displayed.

WALKER KEY WEST PROPERTIES  
TWO

Add Notes

**10693**

7/27/1999 12:00:00 AM  
AC#: NEW LICENSE

8/8/2006 12:00:00 AM  
RMRK: OB, PER OWNER

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      THURMOND, CRAIG R. & ASSOCIATE  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      10694      MISCELLANEOUS OTHER SERVICES  
Issued Date      9/29/1999      Expiration Date:      September 30, 2000

MISCELLANEOUS OTHER SERVICE

Comments:      PLANNING CONSULTANT

Restrictions:

THURMOND, CRAIG R. & ASSOCIATE  
213 HARRISON AVE STE 6

PANAMA CITY, FL 32401

This document must be prominently displayed.

CRAIG R. THURMOND & ASSOC  
INC



Add Notes

**10694**

7/27/1999 12:00:00 AM  
AC#: NEW LICENESE

5/13/2001 12:00:00 AM  
RMRK: SENT FINAL NOTICE

6/4/2001 12:00:00 AM  
RMRK: CB PER OWNER

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      KEYS WEALTH MANAGEMENT  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      12750      MISCELLANEOUS OTHER SERVICES  
Issued Date      10/3/2006      Expiration Date:      September 30, 2007

MISCELLANEOUS OTHER SERVICE

Comments:      FINANCIAL CONSULTANT / MANAGER

Restrictions:

KEYS WEALTH MANAGEMENT  
614 WHITEHEAD ST #200

This document must be prominently displayed.

KEY WEST, FL 33040

CAWOOD, M. CAMPBELL

## Add Notes

**12750**

8/24/1998 12:00:00 AM

AC#: NEW LICESE

3/12/1999 12:00:00 AM

RM/RK: CHANGED LOCAT ON FROM 213 SOUTHARD ST TO 61 SUNSET KEY

1/30/2001 12:00:00 AM

RM/RK: CHANGED FROM 61 SUNSET KEY TO 614 WH

3/14/2003 12:00:00 AM

RM/RK: ADDED DBA TO LICESE

2/7/2008 12:00:00 AM

RM/RK: SENT FINAL NOTICE

2/23/2009 12:00:00 AM

RM/RK: SENT FINAL NOTICE AND GAVE TO CODE

2/25/2009 12:00:00 AM

RM/RK: OB OPENED NEW LICENSE AT 320 PEACON LN CONTROL NUMBER 15291

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



**614 Whitehead Street**

Owen, Gricel <Gricel.Owen@KeysEnergy.com>

Thu 5/16/2024 10:19 AM

To: Jackie (Office Staff) <office@owentrepanier.com>

Hi Jackie,

Per our conversation below are the unit numbers and corresponding account numbers:

Unit 1: account number 01051203, services started in 1983.

Unit 2: account number 01051204, services started in 1983.

Unit 3: account number 01051199, services started in 1984.

Unit 4: account number 01051198, services started in 1988.

Unit 5: account number 01051202, services started in 1983.

Unit 6: account number 01051201, services started in 1983.

Hope this helps!!

Thank you,

**Gricel Owen** 

Human Resources/Records Coordinator

Keys Energy Services

Phone 305-295-1067

Fax 305-295-1070

[Gricel.Owen@Keysenergy.com](mailto:Gricel.Owen@Keysenergy.com)



Please consider the environment before printing this email

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

1288

**REAL PROPERTY RECORD CARD**  
MONROE COUNTY, FLORIDA

QUARTER	TYPE-DESC	SIZE-AREA	UNIT PRICE	CF	PRICE PER AC (PRICE/100)	VALUE
<b>TOTAL</b>						

.000

PAYNE, RICHARD G. ET UX ETAL  
2014 FOGARTY AVE.  
KEY WEST, FLORIDA 33040

**KV**  
**PT LOT 2**  
**049-469-470**  
**OR714-535-535**

**50R 63**  
**OR376-811-612**  
**OR703-252**

17



VALUATION TOTALS			
1944	LAND		
	IMPROVEMENTS		
	TOTAL		
1952	LAND		
	IMPROVEMENTS		
	TOTAL		
1960	LAND		
	IMPROVEMENTS		
	TOTAL		
1968	LAND		
	IMPROVEMENTS		
	TOTAL		
1976	LAND		
	IMPROVEMENTS		
	TOTAL		
1984	LAND		
	IMPROVEMENTS		
	TOTAL		
1992	LAND		
	IMPROVEMENTS		
	TOTAL		
2000	LAND		
	IMPROVEMENTS		
	TOTAL		
2008	LAND		
	IMPROVEMENTS		
	TOTAL		
2016	LAND		
	IMPROVEMENTS		
	TOTAL		
NOTES			
Assessment Changed			
From 1992 to 2000			
OR Speculation 10			





**Monroe County Property Record Card** (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

614 WHITEHEAD MASTER PROPERTY OWNERS ASSOCIATION

617 WHITEHEAD ST  
KEY WEST FL 33040

Parcel 00012880-000000-06-68-25 Nhd 32060

Alt Key 1013269 Mill Group 10KW

Affordable Housing No PC 2800

FEMA Injunction ALL

Inspect Date Dec 17, 2004 Next Review

Business Name

Physical Addr PARKING SPACES WHITEHEAD ST, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
614 WHITEHEAD MASTER PROPERTY OWNERS ASSOCIATION,		Owner	100.00000

**Legal Description**

KW PT LOT 2 SQR 63 (A/K/A COMMON PROPERTIES SHARED BY HARDIE CONDO AND 614 WHITEHEAD CONDO) G49-469 OR376-811/812 OR703-252 OR714-535/536 OR815-2407/2409 OR939-2281Q/C OR978-1517/1518Q/C OR978-1519/1520Q/C OR992-1287/1288Q/C OR993-927/928 OR1105-301/302 OR1408-1012/17(AGREEMENT) OR1460-635/637 OR1484-914/920(RES NO 97-232) OR1575-329/330 OR2160-1792/1856DEC/RESTOR2381-1432/35

**Land Data 1.**

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
1430	100D			No	2,937.90	SF	0.00	112.50	1.00	1.00	1.00	1.11		N	0	365,548
																365,548
																Total Just Value

**Miscellaneous Improvements**

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
8	FN2:FENCES	35	SF	0.00	0	0	1999	2000	2	30	123	86
7	PT5:TILE PATIO	1,642	SF	0.00	0	0	1997	1998	1	50	10,673	8,325
5	FN2:FENCES	35	SF	0.00	5	7	1997	1998	2	30	123	77
2	PT3:PATIO	135	SF	0.00	27	5	1977	1978	2	50	1,080	432
												8,920
												Total Depreciated Value

**Appraiser Notes**

TPP 8920695 - 4 RENTAL UNITS TPP 9012477 - RICHARD E WUNSCH PA (ATTORNEY) #1

THIS LAND CONSISTS OF PARKING SPACES AND BRICK PATIOS WHICH ARE SHARED BETWEEN HARDIE CONDOMINIUM AND 614 WHITEHEAD CONDOMINIUM. SEE DECLARATION OF RESTRICTIONS FILED IN OR2160-1792/1856

# Monroe County Property Record Card (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9701825	Jun 11 1997 12:00AM	Dec 3 1998 12:00AM	487	Commercial	AWNINGS
	9701866	Jul 1 1997 12:00AM	Dec 3 1998 12:00AM	5,400	Commercial	CENTRAL A/C
	9702141	Jul 7 1997 12:00AM	Dec 3 1998 12:00AM	8,720	Commercial	REPAIRS, EXTERIOR
	9701812	Jun 6 1997 12:00AM	Dec 3 1998 12:00AM	700	Commercial	4 WATER METERS
	9703563	Oct 21 1997 12:00AM	Dec 3 1998 12:00AM	12,500	Commercial	METAL ROOF
	9704207	Dec 16 1997 12:00AM	Dec 3 1998 12:00AM	9,000	Commercial	REM ASPHALT PUT PAVERS
	9801698	Mar 22 1999 12:00AM	Dec 4 1999 12:00AM	350	Commercial	SIGN
	9901012	Mar 25 1999 12:00AM	Dec 4 1999 12:00AM	100	Commercial	FENCE
	0200437	Feb 22 2002 12:00AM	Oct 11 2002 12:00AM	2,000	Commercial	INSTALL SMOKE DETECTORS
	05-0638	Feb 28 2005 12:00AM	Dec 22 2005 12:00AM	2,400	Commercial	INSTALL WATER LINE & METER
	04-3579	Nov 19 2004 12:00AM	Dec 17 2004 12:00AM	3,000	Commercial	DRAINAGE
	05-5684	Dec 13 2005 12:00AM	Sep 28 2006 12:00AM	2,400	Commercial	RELOCATE SEWER LINE UNDER BUILDING

## Just Value

Bldg ID	Building Value	Land
		365,548
		Bldg 0
		Misc 8,920
		Just 100

## Value

Value Method	Override	Special Use Code
--------------	----------	------------------

# Monroe County Property Record Card (185)

Alternate Key: 1013269 Roll Year 2009  
Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2009F	O	365,548	0	0	8,920	100	100	0	N	100
2008F	O	367,238	0	0	9,141	100	100	0	N	100
2007F	O	367,238	0	0	9,386	100	100	0	N	100
2006F	C	50,000	0	0	9,627	100	100	0	N	100
2005F	C	364,050	0	317,149	10,852	692,051	692,051	0	N	692,051
2004F	O	339,780		334,074	11,155	589,934	589,934	0	N	589,934
2003F	O	145,620		334,074	11,459	589,934	589,934	0		589,934
2002F	O	145,620		334,074	11,762	561,842	561,842	0		561,842
2001F	O	145,620		297,855	12,066	561,842	561,842	0		561,842
2000F	O	131,058		297,855	4,868	501,842	501,842	0		501,842
1999F	C	131,058		290,918	4,960	426,936	426,936	0		426,936
1998F	C	131,058		173,678	1,047	305,783	305,783	0		305,783
1997F	C	121,350		186,324	1,054	308,728	308,728	308,728		0
1996F	C	121,350		169,386	1,060	291,796	291,796	291,796		0
1995F	C	121,350		175,088	1,069	297,507	297,507	297,507		0
1994F	C	121,350		175,088	1,079	297,517	297,517	297,517		0
1993F	C	121,350		175,088	1,089	297,527	297,527	297,527		0
1992F	C	121,350		175,088	1,138	297,576	297,576	297,576		0
1991F	C	121,350		175,088	1,239	297,677	297,677	297,677		0
1990F	C	98,294		175,088	1,340	274,722	274,722	274,722		0
1989F	C	97,080		157,139	0	254,219	254,219	254,219		0
1988F	C	87,372		142,163	0	229,535	229,535	229,535		0
1987F	O	53,515		140,074	0	180,092	180,092	180,092		0
1986F	O	52,423		140,898	0	180,092	180,092	0		180,092
1985F	C	40,774		136,009	0	176,783	176,783	0		176,783
1984F	C	40,774		93,798	0	134,572	134,572	0		134,572
1983F	C	23,083		41,195	0	64,278	64,278	0		64,278
1982F	C	14,584		39,460	0	54,044	54,044	0		54,044

# Monroe County Property Record Card (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
714	535	2/1/1977	Conversion Code	0	Q	I	31,500
993	927	11/1/1986	Warranty Deed	0	M	I	308,000
1460	0635	5/1/1997	Warranty Deed	0	O	I	330,100
1575	0329	5/5/1999	Warranty Deed	0	M	I	700,000

## Total Values

Bldg Value	0	Misc Value	8,920	Land Value	365,548	(Classified Value + Non-Ag Land Just Value)	365,548	New Const Value	0
Total Just Value	100	Total Expt Value	0	Taxable Value	100	Prev Tax Value	100	Previous Just	100

# Monroe County Property Record Card (185)

Alternate Key: 9085217  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:56 AM

Roll Year 2010

## HARDIE CONDOMINIUM

Parcel 00012881-000000-06-68-25 Nbhhd 8149  
Alt Key 9085217 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 02, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT C1-C2, KEY WEST

## Associated Names

Name	DBA	Role	% Own
HARDIE CONDOMINIUM,		Owner	100.00000

## Legal Description

HARDIE CONDOMINIUM (F/K/A PART OF RE 00012880-000000 AK 1013269) OR2160-1792/1856DEC/REST OR2160-1857/1934DEC

## Just Value

Bldg ID	Building Value	Land
	0	0
	0	0
	0	0
	0	0

## Value

Value Method	Market Oriented Cost	Special Use Code	CONDOMINIUM HEADER
--------------	----------------------	------------------	--------------------

## Total Values

Bldg Value	0	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	0	Total Expt Value	0	Taxable Value	0	Classified Value	0	Prev Tax Value	0



# Monroe County Property Record Card (185)

Alternate Key: 9085219 Roll Year 2010  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	1	1

Total Values									
Bldg Value	97,336	Misc Value	0	Land Value	0	Classified Value	0	New Const Value	0
Total Just Value	97,336	Total Expt Value	0	Taxable Value	0	Prev Tax Value	97,336	Previous Just	118,703

(Classified Value + Non-Ag Land Just Value)

**Monroe County Property Record Card (185)**

Alternate Key: 9085220 Roll Year 2010  
 Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
 KEY WEST FL 33040

Parcel 00012881-000200-06-68-25 Nbrhd 8149  
 Alt Key 9085220 Mill Group 10KW  
 Affordable Housing No PC 1700  
 FEMA Injunction  
 Inspect Date Jul 02, 2010 Next Review  
 Business Name  
 Physical Addr 614 WHITEHEAD ST, UNIT C-2, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.000000

**Legal Description**

UNIT C-2 HARDIE CONDOMINIUM OR2171-2351

**Condominium Details**

Year Built 1971 Footage 830

**Just Value**

Bldg ID	Building Value	Land
	164,875	0
	0	0
	164,875	

**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		164,875	0	164,875	164,875	0	N	164,875
2009F	N	0		201,068	0	201,068	201,068	0	N	201,068
2008F	N	0		307,858	0	307,858	307,858	0	N	307,858
2007F	N	0		332,000	0	332,000	332,000	0	N	332,000
2006F	C	0		181,250	0	181,250	181,250	0		181,250

# Monroe County Property Record Card (185)

Alternate Key: 9085220 Roll Year 2010  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	1	1

## Total Values

Bldg Value	164,875	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	164,875	Total Expt Value	0	Taxable Value	0	Classified Value	0	Prev Tax Value	201,068
						164,875	201,068	Previous Just	201,068

# Monroe County Property Record Card (185)

Alternate Key: 9085221  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

Roll Year 2010

## 614 WHITEHEAD CONDOMINIUM

Parcel 00012882-000000-06-68-25 Nbrhd 8150  
Alt Key 9085221 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 01, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT R1-R4, KEY WEST

### Associated Names

Name	DBA	Role	% Own
614 WHITEHEAD CONDOMINIUM,		Owner	100.00000

### Legal Description

614 WHITEHEAD CONDOMINIUM (F/K/A PART OF RE 00012880-000000 AK 1013269) OR2160-1792/1856DEC/REST OR2160-1935/2022DEC

### Appraiser Notes

07-01-10 5 YEAR CHECK CONDO IS 1/2 OF ANOTHER BUILDING RESIDENTIAL CONDOS IN THE REAR OF EXISTING BUILDING SHARED ENTRY WAY DOWNSTAIRS UNITS ARE CBS UPSTAIRS UNITS ARE WOOD FRAME (SGS)

### Just Value

Bldg ID	Building Value	Land
	0	0
	0	0
	0	0
	0	0

### Value

Value Method	Market Oriented Cost	Special Use Code	CONDOMINIUM HEADER
--------------	----------------------	------------------	--------------------

### Total Values

Bldg Value	0	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0

# Monroe County Property Record Card (185)

Alternate Key: 9085223

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000100-06-68-25 Nbhd 8150  
Alt Key 9085223 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 01, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT R-1, KEY WEST

Associated Names		DBA	Role	% Own
Name				
REW PROPERTY ENTERPRISES LLC.			Owner	100.00000

Legal Description  
UNIT R-1 614 WHITEHEAD CONDOMINIUM OR2171-2351  
Condominium Details

Year Built 1971 Footage 569

Just Value		Building Value		Land
Bldg ID				0
			161,733	
			0	
			161,733	

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		161,733	0	161,733	161,733	0	N	161,733
2009F	N			0		202,166	0	202,166	202,166	0	N	202,166
2008F	N			0		251,113	0	251,113	251,113	0	N	251,113
2007F	N			0		270,275	0	270,275	270,275	0	N	270,275
2006F	C			0		181,250	0	181,250	181,250	0		181,250



## Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

[illegible]

		(Classified Value + Non-Ag Land Just Value)			
		Land Value	Classified Value	Prev Tax Value	New Const Value
<b>Total Values</b>		0	0	0	0
<b>Bldg Value</b>	161,733	Misc Value			
<b>Total Just Value</b>	161,733	Total Expt Value	161,733	202,166	202,166

# Monroe County Property Record Card (185)

Alternate Key: 9085224  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000200-06-68-25 Nbhd 8150  
Alt Key 9085224 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 01, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT R-2, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-2 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 371

## Just Value

Bldg ID	Building Value	Land
	105,453	0
	0	0
	105,453	

## 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		105,453	0	105,453	105,453	0	N	105,453
2009F	N	0		131,816	0	131,816	131,816	0	N	131,816
2008F	N	0		163,731	0	163,731	163,731	0	N	163,731
2007F	N	0		176,225	0	176,225	176,225	0	N	176,225
2006F	C	0		181,250	0	181,250	181,250	0		181,250

Exhibit A

# Monroe County Property Record Card (185)

Alternate Key: 9085224

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	1	
<b>Total Values</b>							
Bldg Value		105,453	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)
Total Just Value		105,453	Total Expt Value	0	Taxable Value	0	Classified Value
						105,453	Prev Tax Value
							131,816
							New Const Value
							0
							Previous Just
							131,816

**Monroe County Property Record Card** (185)

Alternate Key: 9085225 Roll Year 2010  
 Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

 614 WHITEHEAD ST UNIT 1  
 KEY WEST FL 33040

Parcel 00012882-000300-06-68-25 Nbhd 8150  
 Alt Key 9085225 Mill Group 10KW  
 Affordable Housing No PC 0400  
 FEMA Injunction  
 Inspect Date Jul 01, 2010 Next Review  
 Business Name  
 Physical Addr 614 WHITEHEAD ST, UNIT R-3, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

**Legal Description**

UNIT R-3 614 WHITEHEAD CONDOMINIUM OR2171-2351

**Condominium Details**

Year Built	Footage
1971	516

**Just Value**

Bldg ID	Building Value	Land
	146,668	0
	0	0
	146,668	

**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		146,668	0	146,668	146,668	0	N	146,668
2009F	N	0		183,335	0	183,335	183,335	0	N	183,335
2008F	N	0		227,723	0	227,723	227,723	0	N	227,723
2007F	N	0		245,100	0	245,100	245,100	0	N	245,100
2006F	C	0		181,250	0	181,250	181,250	0		181,250

# Monroe County Property Record Card (185)

Alternate Key: 9085225 Roll Year 2010  
 Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	1	1

## Total Values

Bldg Value	146,668	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	146,668	Total Expt Value	0	Taxable Value	0	Classified Value	146,668	Prev Tax Value	183,335
								Previous Just	183,335



# Monroe County Property Record Card (185)

Alternate Key: 9085226 Roll Year 2010  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000400-06-68-25 Nbhd 8150  
Alt Key 9085226 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 01, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT R-4, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-4 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 504

## Just Value

Bldg ID	Building Value	Land
	143,257	0
		143,257
		0
	143,257	

## 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		143,257	0	143,257	143,257	0	N	143,257
2009F	N	0		179,071	0	179,071	179,071	0	N	179,071
2008F	N	0		222,427	0	222,427	222,427	0	N	222,427
2007F	N	0		239,400	0	239,400	239,400	0	N	239,400
2006F	C	0		181,250	0	181,250	181,250	0		181,250

# Monroe County Property Record Card (185)

Alternate Key: 9085226 Roll Year 2010  
Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM


## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	1	1,450,000
<b>Total Values</b>							
<b>Bldg Value</b>		143,257	<b>Misc Value</b>	0	<b>Land Value</b>	0	<b>New Const Value</b>
<b>Total Just Value</b>		143,257	<b>Total Expt Value</b>	0	<b>Taxable Value</b>	143,257	<b>Prev Tax Value</b>
							<b>Previous Just</b>
							179,071
							179,071


(Classified Value + Non-Ag Land Just Value)

Similar documentation as listed above  
Affidavits

I, Kenneth Kuker, resided at 614 Whitehead St. Apt. 1, Key West, FL 33040 from January 1, 2010  
December 31, 2010. From January 2011 – December 2015 I continued to reside in the apartment  
on a month-to-month basis with my then girlfriend Laura Rolston. From 2015 – 2020 Laura  
Rolston resided in the apartment on her own.

  
Kenneth Kuker

Sworn to and subscribed before me this  
1<sup>st</sup> day of March 2024

  
\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Identification Type \_\_\_\_\_  
Identification No. \_\_\_\_\_  
Or Personally known to me ☒





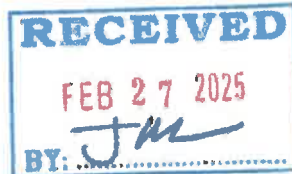
# LAWFUL UNIT DETERMINATION APPLICATION

## CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)



### Application Fee Schedule

Lawful Unit Determination Application \$ 2,431.01

For each additional unit on the same parcel there is an additional fee of \$607.75

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: 614 Whitehead Street

Real Estate (RE) #: 00012881-000100

Zoning District: HRO

Total Land Area (sq ft): 5,751 sq. ft.

Property located within the Historic District?

☒ Yes ☐ No

### APPLICANT:

☐ Owner

☒ Authorized Representative

Name: Owen Trepanier of Trepanier & Associates Inc

Mailing Address: 1421 First Street, Unit 101

City: Key West

State: Florida

Zip: 33040

Home/Mobile Phone: \_\_\_\_\_

Office: 305-293-8983

Fax: 305-293-8748

Email: owen@owentrepanier.com

### PROPERTY OWNER: (if different than above)

Name: REW Property Enterprises, LLC

Mailing Address: 614 Whitehead Street Ste 1

City: Key West

State: Florida

Zip: 33040

Home/Mobile Phone: \_\_\_\_\_

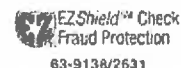
Office: c/o 305-293-8983

Fax: c/o 305-293-8748

Email: c/o owen@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 MISDEMEANOR OF THE SECOND-DEGREE PUNISHABLE PER SECTION 775.082 OR 775.083.

Owen Trepanier & Associates Inc  
1421 1st Street, Ste 101  
Key West, FL 33040-3648  
305-293-8983



001378

PAY TO THE  
ORDER OF

City of Key West

DATE 2/27/2025

\$ 2,431.01

Two Thousand Four Hundred Thirty One and 01/100

DOLLARS

Truist  
1010 Kennedy Dr Ste 100  
Key West, FL 33040-4133

MEMO Wunsch - 614 Whitehead - LUD App Fee





# LAWFUL UNIT DETERMINATION APPLICATION

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Property located within the Historic District?

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State: Florida

Zip: 33040

Home/Mobile Phone: \_\_\_\_\_

Office: 305-293-8983

Fax: 305-293-8748

Email: owen@owentrepanier.com

PROPERTY OWNER: (if different than above)

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Mailing Address: 614 Whitehead Street Ste 1

City: Key West

State: Florida

Zip: 33040

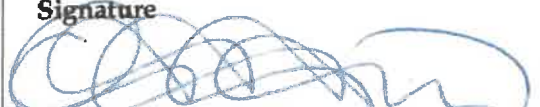
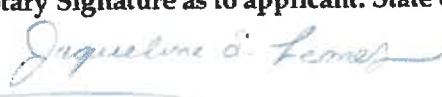

Home/Mobile Phone: \_\_\_\_\_

Office: c/o 305-293-8983

Fax: c/o 305-293-8748

Email: c/o owen@owentrepanier.com

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<b>Print Name of property owner or agent or licensed contractor</b>  Owen Trepanier	<b>Signature</b> 
<b>Notary Signature as to applicant. State of Florida, County of Monroe. Sworn to and subscribed before me.</b> <div style="display: flex; align-items: center;">  <div style="border: 1px solid black; padding: 5px; text-align: center;">  <p>JAQUELINE S. LEMES MY COMMISSION #HH568387 EXPIRES: JUL 09, 2028 Bonded through 1st State Insurance</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span><b>Personally known or produced</b></span> <span><b>as identification.</b></span> </div>	

Official Use Only:

Is this request based on a code case?

☐ Yes

☒ No

Case Number: \_\_\_\_\_

UNIT TYPE	NUMBER OF UNITS	
	EXISTING	LICENSED <sup>1</sup> / RECOGNIZED
Market-Rate Residential Dwelling Units	5	4
Affordable Residential Dwelling Units <sup>2</sup>	0	0
Transient Units	0	0
Commercial Units	1	2

<sup>1</sup> Please provide City Licensing Records from the Building Department

<sup>2</sup> 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.

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

Doc# 1555561 12/09/2005 3:51PM  
 Filed & Recorded in Official Records of  
 MONROE COUNTY DANNY L. KOLHAGE

This instrument prepared by:  
 John R. Allison, III  
 The Allison Firm, P.A.  
 6803 Overseas Highway  
 Marathon, Florida 33050

12/09/2005 3:51PM  
 DEED DOC STAMP CL: LINDAR \$10,150.00

Doc# 1555561  
 Bk# 2171 Pg# 2351

**SPECIAL WARRANTY DEED**

SPECIAL WARRANTY DEED, made this 3 day of December, 2005, between WALKER KEY WEST PROPERTIES TWO, INC., a Florida corporation, (hereinafter called "Grantor"), and REW PROPERTY ENTERPRISES, LLC, a Florida limited liability company, whose address is 614 Whitehead Street #1, Key West, Florida 33040 (hereinafter called "Grantee").

**WITNESSETH:**

That Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable considerations to it in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to Grantee, its successor and assigns forever, the following described Condominium Units, lying and being in Monroe County, Florida, to-wit:

UNITS C-1 and C-2, in HARDIE CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2160 at Page 1857 of the Public Records of Monroe County, Florida, and any amendments thereto, together with an undivided interest in the Common Elements appurtenant thereto, as identified in the Declaration.

AND

UNITS R-1, R-2, R-3 and R-4, in 614 WHITEHEAD CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2160 at Page 1935 of the Public Records of Monroe County, Florida, and any amendments thereto, together with an undivided interest in the Common Elements appurtenant thereto, as identified in the Declaration.

This conveyance is subject to the following:

1. Real estate taxes and assessments for the year 2006 and all subsequent years;
2. Covenants, conditions, easements, restrictions, of record, including without limitation the aforesaid Declarations of Condominium, and all amendments and supplements to said Declarations; and
3. Covenants, conditions, easements, restrictions, of record, including without limitation the Declaration of Covenants, Restrictions and Easements for 614 Whitehead Development as recorded in Official Records Book 2160 at Page 1792 of the Public Records of Monroe County, Florida, and all amendments and supplements to said Declaration, and any Rules and Regulations now or hereafter adopted by the 614 Whitehead Master Property Owners' Association, Inc.; and
4. Laws and ordinances of all appropriate governmental authorities, including without limitation existing zoning ordinances and the Florida Condominium Act, Chapter 718, Florida Statutes.

Grantor hereby fully warrants title to the aforescribed Condominium Unit and will defend same against the lawful claims of all persons claiming by, through or under Grantor, but none other.

Grantee, by acceptance and recordation of this Deed, expressly and specifically accepts, covenants and agrees to be bound by and to assume performance of all of the applicable provisions and requirements set forth in the Declarations, if and when applicable, which provisions and requirements are acknowledged to be reasonable, and all of which are incorporated herein by this reference.

Witnesses:

*Eleanor Lynn Williams*  
*John R. Allison, III*

WALKER KEY WEST PROPERTIES TWO, INC.,  
 a Florida corporation

By: *Douglas G. Walker*  
 Douglas G. Walker, President

Address of Grantor: 63 Two Turtles Lane  
 Shark Key, Florida 33040

STATE OF FLORIDA )  
 COUNTY OF MONROE )

BEFORE ME, the undersigned authority, a notary public, authorized to administer oaths in the State of Florida, personally appeared Douglas G. Walker, President of WALKER KEY WEST PROPERTIES TWO, INC., a Florida corporation ( ) to me known to be the individual described in, or ( ) who produced Florida driver's licenses for identification, and ( ) did ( ) did not take an oath.

SWORN and subscribed to before me this 3 day of December, 2005.

My commission expires:

Notary Public, State of Florida at Large

MONROE COUNTY  
 OFFICIAL RECORDS



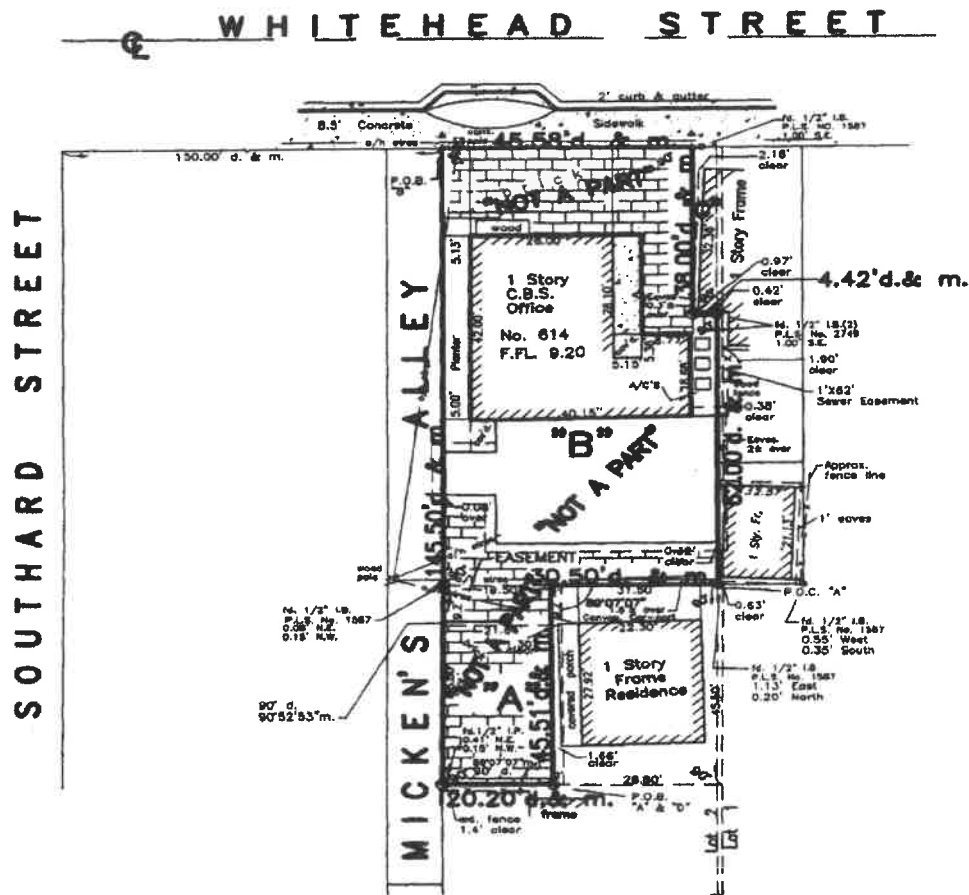
John R. Allison, III  
 Commission #DD329824  
 Expires: JULY 19, 2008  
 www.AARONNOTARY.com



Doc# 1547875  
 Bk# 2160 Pg# 1910

Survey

# HARDIE CONDOMINIUM BOUNDARY SURVEY



SHEET 5 OF 10

Hardie Condominium

614 Whitehead Street Key West FL. 33040

CONDOMINIUM SURVEY

Dwg No  
04-549

Scale 1"= 30'

Ref.

180-87-89

Flood Panel No 1718 H

Dwn By CMC

Date 3/10/05

Flood Zone X

Flood Elev

REVISIONS AND/OR ADDITIONS

c:\drawings\key west\block 56\614 whitehead street

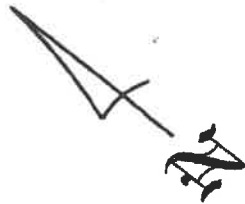
 FREDERICK H. HILDEBRANDT  
 ENGINEER PLANNER SURVEYOR

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

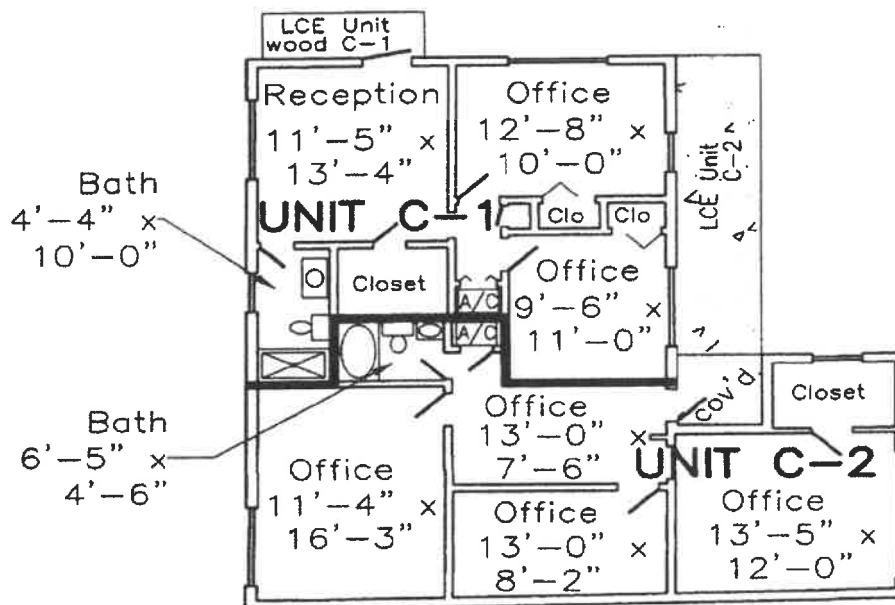
## Floor Plan

# HARDIE CONDOMINIUM

## UNIT LAYOUTS

 Doc# 1547875  
 Bkn 2160 Pgt 1912


WHITEHEAD STREET

NOTE: DIMENSIONS  $\pm$  6"

SHEET 7 OF 10

 Hardie Condominium  
 614 Whitehead Street Key West FL. 33040

## CONDOMINIUM SURVEY

 Dwg. No.  
 04-549

Scale 1"= 10'

 Ref.  
 180-67-66

Flood Panel No. 1716 H

Dwn. By CMC

Date 3/10/05

Flood Zone X

Flood Elev .

REVISIONS AND/OR ADDITIONS

 FREDERICK H. HILDEBRANDT  
 ENGINEER PLANNER SURVEYOR

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

c:\drawing\key west\block 56\614 whitehead street

### **Survey Affidavit**

Before me, the undersigned Notary Public, personally appeared Richard Wunsch, Mmbr - REW Property Enterprises, LLC (hereinafter "Affiants"), states that they have personal knowledge of the facts and matters set forth herein.

1. They are the owners of the following described property (the "Property"):  
614 Whitehead Street
2. They have reviewed a copy of the attached survey map of the Property prepared by Fredrick Hildebrandt, dated 03/10/05 under Job Number , which depicts the dwelling currently located on the Property, together with any and all other improvements currently located on the Property, whether belonging to Affiants or to any neighbor.
3. Since the date of the survey map, there have been no additional improvements constructed on the Property and there have been no modifications or additions to the improvements shown on the survey map, EXCEPT as follows:  
NA - No Changes
4. Since the date of the survey map, there have been no improvements or fences erected on any adjacent property.
5. Affiants have not granted any easement of any nature across the Property.

Remainder of this page left blank intentionally

8. Affiants further state that they are each familiar with the nature of an oath, and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiants further certify that they have read, or have heard read to them, the full facts of this affidavit, and understand its contents.

Affiants have caused this Affidavit to be executed this 6 day of February, 2025.

Affiant: [Signature]

Affiant: \_\_\_\_\_

STATE OF Florida  
COUNTY OF Monroe

Sworn to and subscribed before me this 6 day of February, 2025, by \_\_\_\_\_

[Signature]  
Notary Public

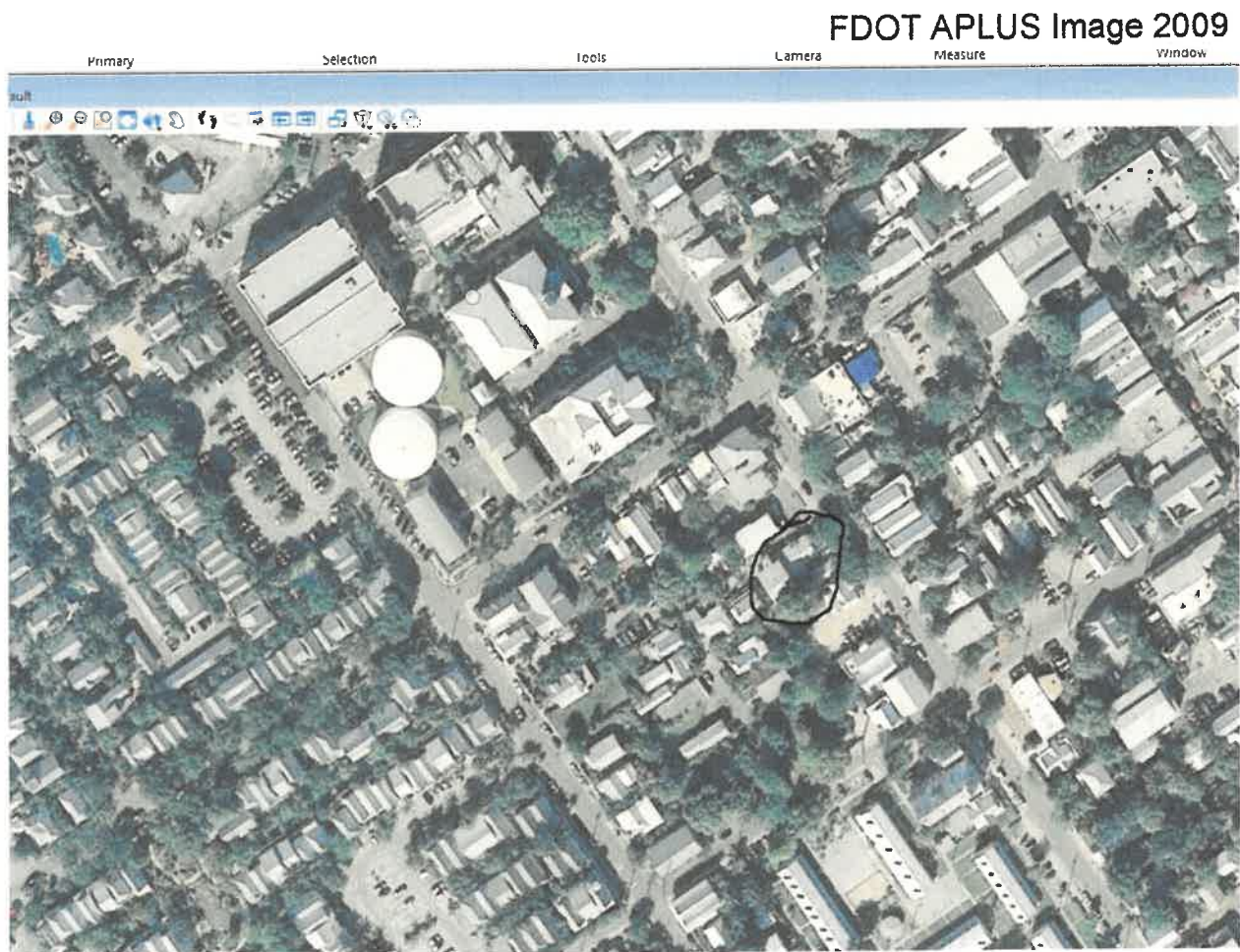


Print, type or stamp commissioned name of Notary Public: \_\_\_\_\_

☒ Personally Known OR ☐ Produced Identification

Type of Identification Produced \_\_\_\_\_

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

Number	Date Issued	Status	Amount	Permit Type	Notes
05-5684	12/13/2005	Completed	\$2,400	Commercial	RELOCATE SEWER LINE UNDER BUILDING
05-0638	02/28/2005	Completed	\$2,400	Commercial	INSTALL WATER LINE & METER
04-3579	11/19/2004	Completed	\$3,000	Commercial	DRAINAGE
0200437	02/22/2002	Completed	\$2,000	Commercial	INSTALL SMOKE DETECTORS
9901012	03/25/1999	Completed	\$100	Commercial	FENCE
9801698	03/22/1999	Completed	\$350	Commercial	SIGN
9704207	12/16/1997	Completed	\$9,000	Commercial	REM ASPHALT PUT PAVERS
9703563	10/21/1997	Completed	\$12,500	Commercial	METAL ROOF
9702141	07/07/1997	Completed	\$8,720	Commercial	REPAIRS.EXTERIOR
9701966	07/01/1997	Completed	\$5,400	Commercial	CENTRAL A/C
9701825	06/11/1997	Completed	\$487	Commercial	AWNINGS
9701812	06/06/1997	Completed	\$700	Commercial	4 WATER METERS

Copies of city directory entries  
on or about April 1, 2010

# WHITE ST - WHITEHEAD ST

## WHITE ST Cont'd

- Swofford Todd Q .....305-298-7308
- Todd Vivian .....305-298-7399
- 1411 BERMAN MICHAEL MD physicians & surgeons .....305-294-5400
- 1412 Evans Harold S [1] .....305-295-0800
- 1414 Wilcox Robert G [1] .....305-295-7813
- WASHINGTON ST INTERSECTS
- 1416 Galaher Robert E [1] .....305-294-5953
- 1419 CHURCH OF GOD churches .....305-294-6025
- TREE OF LIFE book dks-retail .....305-296-8844
- 1420 Moran Craig P [1] .....305-296-8844
- 1421 Cunningham Caroline [1] .....305-296-3911
- Cunningham David .....305-296-3911
- VONPHISTER ST INTERSECTS
- 1424 Devlin Joseph P [1] .....305-292-5011
- 1425 Demchak Michail W & Laura M [1] .....305-292-5011
- 1426 Sinagra Jack G [1] .....305-295-6194
- Sinagra Patrick J .....305-295-6194
- 1430 Gaffney Michael J & Brenda [1] .....305-295-6194
- 1434 Rockwood W K [1] .....305-296-8598
- FLAGLER AVE INTERSECTS
- ZIP CODE 33040 CAR-RT C043
- 1500 Kabela Frank & Patricia A [1] .....305-294-2580
- 1501 Rivera Jose [1] .....305-294-2580
- 1505 Robbins Stephanie H .....305-296-2515
- 1520 Fifield William O [1] .....305-296-2515
- JOHNSON ST INTERSECTS
- JOHNSON ST INTERSECTS
- 1529 Goodrich Adrian I [1] .....305-296-2515
- Goodrich Terri H .....305-296-2515
- 1531 Allard Thomas [1] .....305-296-2515
- CASA MARINA CT ENDS
- LAIRD ST INTERSECTS
- 1601 Dick Howard M [1] .....305-293-0406
- 1617 Ross Guy A [1] .....305-295-7412
- 1701 Hatch Richard W III [1] .....305-293-6897
- ATLANTIC BLVD INTERSECTS
- 1801 McAlonan Diane M .....305-293-6897
- BUSINESSES 70

## HOUSEHOLDS 271

### WHITEHEAD ST (KEY WEST)-FROM 601 SAMARITAN LN SOUTHEAST

- ZIP CODE 33040 CAR-RT C027
- 1 CARIBBEAN CARGO gift shops .....305-292-8974
- CONCH STORE gent merchandise-retail .....305-292-8955
- ISLAND JUICE BAR juices-retail .....305-292-8936
- KEY WEST AQUARIUM amusement & recreation .....305-296-2051
- KEY WEST SHIPWRECK HISTOREUM amusement & recreation .....305-292-8990
- SHELL WAREHOUSE gift shops .....305-294-5168
- SUSNET GLASSBLOWER glass-blowers .....305-292-1282
- WALL ST CONTINUES
- 33 Southernmost Brewery [1] .....305-295-5253
- FRONT ST INTERSECTS
- 105 J & S OF KEY WEST INC souvenirs-retail .....305-292-9694
- 111 ISLAND GIFTS gift shops .....305-292-9694
- GREENE ST INTERSECTS
- ZIP CODE 33040 CAR-RT C001
- 205 AUDUBON GALLERY museums .....305-294-2116
- AUDUBON HOUSE & TROPICAL GARDN museums .....305-294-2116
- 215 Montanari Robert [1] .....305-295-0839
- Smith Harry G [1] .....305-294-7622
- 218 CAFE TROPICAL restaurants .....305-294-7622
- Dugan Jason M [1] .....305-295-7565
- KNITWITS knit goods-retail .....305-295-7565
- 2 Anderson Scott A [1] .....305-295-0839
- 2 Nakonechny Stephen P [1] .....305-296-0001
- 2 PORT SANDAL SHOPPE shoes-retail .....305-296-0001
- 4 Pilser Paul F .....305-296-0001
- UP • Belcher Angelo L .....305-294-1537
- 219 Griffith Richard P & Melanie S [1] .....305-294-1537
- CAROLINE ST INTERSECTS
- 301 KELLY'S CARIBBEAN BAR restaurants .....305-293-8484
- 303 Tillman Fred W Jr (2 Hses) [1] .....305-296-2793
- 305 Dixie H [1] .....305-296-5762
- Lohr Sheri L [1] .....305-296-9554
- 3 Hilton Jon F [1] .....305-292-7272
- 309 JOSEPH M ALBURY PA attorneys .....305-296-7559
- 317 ALL SOUTH VACATION HOMES vacation rentals .....305-296-5676
- Derek V H [1] .....305-296-5676
- MORGAN & HENDRICK attorneys .....305-296-5676
- Vasek Vera .....305-296-1230
- 322 Arnold Stuart W [1] .....305-296-1330
- 323 BANYAN RESORT REALTY INC resorts .....305-295-7507
- Hagler Wendul G II [1] .....305-294-6330
- 324 Taylor Robert M & Sandra T [1] .....305-295-7507
- 326 Maynard David M & Susan M [1] .....305-294-6330
- 328 Hallick John N [1] .....305-294-6330
- 330 TIB BANK OF THE KEYS banks .....305-294-6330

## WHITEHEAD ST Cont'd

### EATON ST INTERSECTS

- ZIP CODE 33040 CAR-RT C002
- 400 AMERICAN POSTAL WORKERS UNION labor org .....305-294-9896
- Apted A P .....305-294-9896
- NATIONAL ASSN-LETTER CARRIERS labor org .....305-294-9896
- SOUTHERNMOST BRANCH labor org .....305-294-9896
- US POST OFFICE post offices .....305-294-9896
- 401 • Burrell Judy L .....305-294-9896
- 403 • Burriola Jamie L .....305-294-9896
- MILLIGAN CHARLES M attorneys .....305-294-9896
- 407 Newhouse Paula L [1] .....305-296-9843
- FLEMING ST INTERSECTS
- 500 CHILD SUPPORT ENFORCEMENT state government .....305-292-3550
- CIRCUIT COURT CLERK state government- courts .....305-292-3422
- CIRCUIT COURT JUDGES state government- courts .....305-292-3422
- COUNTY COMMISSIONERS BOARD government offices-county .....305-292-3440
- COUNTY JUDGES county government- courts .....305-292-3440
- COUNTY OF MONROE FINANCE government offices-county .....305-292-3440
- COUNTY PASSPORT government offices-county .....305-292-3440
- COUNTY REPORTER government offices-county .....305-292-3440
- FINANCE DEPT county government .....305-292-3440
- HONORABLE MARK JONES government offices-county .....305-292-3440
- Knight Harry F [1] .....305-294-4641
- MONROE COUNTY CIRCUIT COURT government- courts .....305-292-3440
- MONROE COUNTY CLERKS OFFICE government offices-county .....305-292-3440
- MONROE COUNTY COURTHOUSE government offices-county .....305-292-3440
- MONROE COUNTY JURY CLERK government offices-county .....305-292-3440
- MONROE COUNTY PAYROLL DEPT government offices-county .....305-292-3440
- MONROE COUNTY PROBATE COURT county government- courts .....305-292-3440
- MONROE COUNTY RECORDING government offices-county .....305-292-3440
- MONROE COUNTY SMALL CLAIMS government offices-county .....305-292-3440
- MONROE COUNTY TRAFFIC BUREAU government offices-county .....305-292-3440
- MONROE PROPERTY APPRAISER government offices-county .....305-292-3440
- SHERIFF'S DEPT-PROPERTY SCTN sheriff offices-county .....305-292-3440
- STATE CIRCUIT COURT CLERK state government- courts .....305-292-3440
- TOWER GROUP FREEMAN JUSTICE nonclassified establishments .....305-296-2521
- 501 DILORENZO PATRICE P attorneys .....305-293-1172
- JASON R SMITH LAW OFFICES attorneys .....305-296-1484
- RODEL CHARITABLE FOUNDATION nonclassified establishments .....305-296-0244
- 502 HONORABLE PEARY S FOWLER government offices-county .....305-292-3517
- MONROE COUNTY ATTORNEY county government offices-county .....305-292-3470
- MONROE COURT ADMINISTRATOR county government- courts .....305-292-3423
- SHERIFF'S DEPT-CIVIL DIV sheriff offices-county .....305-295-3675
- 101 HONORABLE WAYNE MILLER government offices-county .....305-292-3424
- 101 MONROE COUNTY COURT JUDGES county government- courts .....305-292-3424
- 302 CIRCUIT COURT ADMINISTRATION state government- courts .....305-292-3423
- 400 HONORABLE SANDRA TAYLOR government offices-county .....305-292-3480
- 402 HONORABLE RICHARD PAYNE government offices-county .....305-292-3433
- 505 Deal Michell [1] .....305-295-7209
- Mukdoon Francis H Jr [1] .....305-295-7209
- 507 • Abraham John A .....305-294-6831
- 509 ASSOCIATED COURT REPORTERS nonclassified establishments .....305-294-6831
- 513 AMY LANDRY REPORTING secretarial & court reporting .....305-294-0816
- Milligan Charles M [1] .....305-295-0042
- 515 Fielder Lynne H [1] .....305-292-1437
- GARCIA & SMITH PA attorneys .....305-292-1437
- Garcia Manuel E [1] .....305-292-1437
- Smith Laura K [1] .....305-292-1437
- 517 Meadors David L [1] .....305-295-3589
- APPLEROUTH LN INTERSECTS
- 529 • Young Danisse M .....305-295-3589
- 530 Meyers Paul [1] .....305-295-3589
- MONROE COUNTY COMMISSIONERS government offices-county .....305-292-3430
- MONROE COUNTY ELECTIONS government offices-county .....305-292-3416
- MONROE COUNTY SUPERVISOR-ELECT county government .....305-295-3589

## WHITEHEAD ST Cont'd

- STATE ATTORNEY state government- legal counsel .....305-292-3400
- SOUTHAUD ST INTERSECTS
- 600 ALL KEYS REPORTING secretarial & court reporting .....305-294-2501
- JEANNA COURTHOUSE GROC & DELI delicatessens .....305-294-2929
- KRUEER WAYNE attorneys .....305-292-4184
- 101 PARADISE STAFFING SOLUTIONS employment agencies/opportunit .....305-292-7654
- 101 REALTY MORTGAGE CORP real estate loans .....305-293-8222
- 203 INDEPENDENT MORTGAGE & FINANCE real estate loans .....305-294-5105
- 204 INDEPENDENT ABSTRACT & TITLE title companies .....305-294-6131
- 601 GREEN PARROT BAR bars .....305-292-4929
- 604 GRANT KARLEEN A attorneys .....305-294-4585
- 608 HORAN & WALLACE attorneys .....305-294-4585
- Horan David P [1] .....305-294-4585
- Horan Karen R .....305-294-4585
- 611 COCOPLUM INN bed & breakfast accommodations .....305-296-2955
- Glaser Philip M & Lynn [1] .....305-296-2955
- MICKENS LN BEGINS
- 614 1 RICHARD WUNSCH LAW OFFICE attorneys .....305-296-7060
- 4 • Peterson Jack E .....305-296-1342
- 615 Glaser Keith E [1] .....305-296-1342
- Glaser Philip .....305-296-1342
- 615 1/2 Leesfield Ira [1] .....305-296-1342
- 616 Anthony David A [1] .....305-296-1342
- 617 Allen Joseph B III [1] .....305-296-1342
- Allen William N .....305-296-1342
- COLE SCOTT & KISSANE attorneys .....305-294-4440
- 618 Kessler Kenneth C Jr [1] .....305-294-4440
- ARONOVITZ LN BEGINS
- 621 No Current Listing
- 624 Davidson Judith H [1] .....305-293-6834
- Davidson Robert N .....305-293-6834
- 624 DAVIDSON REAL ESTATE GROUP real estate .....305-293-6834
- Saunders Fred J Jr [1] .....305-293-6834
- SCHOONER LIBERTY boats-excursions .....305-295-0096
- 625 Harper Jonathan A [1] .....305-295-0100
- PRANA SPA spas-beauty & day .....305-295-0100
- 626 22 Hall Zachary [1] .....305-295-0100
- 26 Bernard James C [1] .....305-295-0100
- 631 KEYS TITLE & ABSTRACT CO title companies .....305-294-2558
- PERKINS INVESTMENTS investments .....305-294-1979
- Perkins Al [1] .....305-293-7019
- Perkins William A III .....305-293-7019
- ANGELA ST INTERSECTS
- 701 KEY WEST BANK banks .....305-294-3540
- 702 CORNISH MEMORIAL AME ZION churches .....305-294-2350
- Thornton James F [1] .....305-293-6881
- 708 Gallagher William E & Patricia F [1] .....305-294-3046
- 709 White Grace N & James C [1] .....305-294-3046
- 713 Holt William W [1] .....305-294-3046
- 720 Fortuna Michael [1] .....305-294-8688
- 6B • Mingo J .....305-295-0504
- 6C • Massay Annette .....305-295-0504
- 6C Pyles Evelyn B [1] .....305-295-0504
- 6D Butler Victoria L [1] .....305-295-0504
- 6D Butler Charmette K .....305-294-3162
- 6E Knighten Madmina V [1] .....305-294-3162
- 6E Knighten Yul A .....305-294-3162
- 7D Ramsey Marsha A [1] .....305-294-3162
- SAMARITAN LN BEGINS
- 723 Forbes Nathaniel B & Ellavise F [1] .....305-296-4754
- 725 Carey Roosevelt M [1] .....305-296-4754
- 728 6A Staffney Kawana J [1] .....305-296-4754
- 6C • Pyles Evelyn B .....305-296-4754
- 7A Winters Charles S & Carmen S [1] .....305-296-4754
- 7B • Ferguson Betty J .....305-296-4754
- 7B • Fingusor Mansorie .....305-296-4754
- 7C Multy Marc [1] .....305-296-4754
- 7D Blackshear Gloria J [1] .....305-296-5351
- 729 Schultz Kenneth [1] .....305-292-3076
- 730 Ferguson Carolyn M [1] .....305-294-0975
- Ferguson Villamae D .....305-294-0975
- 733 Grazette Kristin [1] .....305-294-2444
- 1 Polidore Andrew A [1] .....305-292-4926
- 2 Walton Rudolph [1] .....305-296-3359
- 2 Walton Leonard R .....305-296-3359
- 3 • Cardoza Robert A .....305-296-3359
- 4 • Hollowell Barbara A .....305-296-3359
- PETRONIA ST INTERSECTS
- ZIP CODE 33040 CAR-RT C041
- 801 Ginsberg Marc R [1] .....305-296-3999
- MANDINA & GINSBERG attorneys .....305-296-3999
- Mandina Philip J [1] .....305-296-3999
- MICHAEL R BARNES PA attorneys .....305-296-5297
- 802 STRAW HAT MAMA'S gift shops .....305-296-2610
- 803 No Current Listing

## Demonstration of Legal Permissibility under the current or any former zoning requirements of the applicable district in which the unit is located

### Sec. 122-927. - Uses permitted.



Uses permitted in the historic residential/office district (HRO) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Group homes with less than or equal to six residents as provided in [section 122-1246](#).
- (3) Multiple-family residential dwellings.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Parking lots and facilities.
- (7) Medical services.
- (8) Veterinary medical services, without outside kennels.
- (9) Commercial retail low and medium intensity less than or equal to 5,000 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (10) Commercial retail high intensity less than or equal to 2,500 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
- (11) Hotels, motels, and transient lodging within the Appelrouth Business Corridor.
- (12) Restaurants, excluding drive-through, within the Appelrouth Business Corridor.

(Ord. No. 97-10, § 1(2-5.5.6(B)), 7-3-1997; Ord. No. 18-15, § 1, 8-7-2018; Ord. No. 18-16, § 1, 8-7-2018)

Rental, occupancy or lease records  
from before and including April 1, 2010, indicating the  
number, type and term of the rental or occupancy



RFW Property Enterprises, LLC  
614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

## TWELVE MONTH LEASE AGREEMENT

**PROPERTY:** 614 Whitehead Street, Apt. 1, Key West, Florida 33040

**MOVE IN DATE:** January 1, 2010

**TENANTS NAME:** Kenneth Kukec

**VEHICLE YEAR/MAKE/MODEL/COLOR:** \_\_\_\_\_

**BICYCLE MODEL/COLOR:** \_\_\_\_\_

This is a Twelve (12) Year Lease Agreement (hereinafter referred to as the "Lease") is made and entered into, and shall become effective on 1st day of January, 2010, by and between *Richard E. Wunsch*, (hereinafter referred to as "Landlord"), whose address is 614 Whitehead Street, Suite 2 Key West, Florida 33040 and contact number is (305) 296-7060 and Kenneth Kukec (hereinafter referred to as "Tenant"), whose current home address is 614 Whitehead St. Apt. 1, Key West, FL 33040 and contact number is 704.617.2885.

### **WITNESSETH:**

**WHEREAS**, the Landlord of the real estate property being, lying and situated at 614 Whitehead Street, Apt.1, Key West, located in the County of Monroe in the State of Florida with the zip code of 33040 (hereinafter referred to as the "Premises")

### **TWELVE MONTHS**

The rental of the Premises shall be on 12-month basis, commonly known as a "Twelve Month Tenancy," and may be terminated by providing advance written notice of at least (30) days, to become effective on the last day of the next rental period

**TIME IS OF THE ESSENCE** as to each provision of the – 12 Month Tenancy.



REW Property Enterprises, LLC  
614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

## **RENT**

The monthly rent for the premises shall be \$1,300.00 due on the First day of each calendar month. Rental payment shall be made payable to Richard E. Wunsch and sent to the aforementioned landlord address. In addition, a Damage Deposit in the amount of \$1,000.00 shall be paid in advance prior to Tenants taking possession of the aforementioned property (paid).

## **LATE PAYMENT OF RENT**

In the event that any rent payment required to be paid by Tenants hereunder is not paid IN FULL by the start of the SECOND (2<sup>nd</sup>) DAY OF EACH MONTH, Tenants shall pay to the Landlord, in addition to such payment or other charges due hereunder, an initial late fee as additional rent in the amount of 5% OF THE MONTHLY RENT AMOUNT. Further, a Subsequent late fee of TWENTY-FIVE DOLLARS (\$25.00) PER DAY will be incurred by the Tenants for every day payment is delayed after the 2<sup>nd</sup> day of the month.

All future payments will be allocated first to any outstanding balances other than rent. Any remaining monies will be allocated lastly to any rent balance.

## **ADDITIONAL FEES**

### **DISHONORED/ RETURNED CHECKS/ INSUFFICIENT FUNDS & NSF FEES-**

Dishonored checks will be subject to additional rent of 5% of the check amount or a \$40.00 charge as additional rent, whichever is greater. All returned or dishonored checks shall all be deemed additional rent under the Lease and treated equally the same as rent. Failure to pay or reimburse the Landlord all sums owed by Tenants, shall be considered a failure to pay rent and Landlord may include all such amounts of additional rent in any statutory notice to Tenant for payment of rent or to vacate Premises. The imposition of late fees and or

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614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

### **UTILITIES**

The Tenant shall pay, all monthly utility bills for Keys Energy and Florida Keys Aqueduct charges, Waste Management, and all telephone, cable, and internet utilities, which are to be established and furnished to the Tenant directly.

### **OCCUPANCY, USE, ASSIGNMENT & SUBLETTING**

The Premises shall be used solely for residential purposes for the occupancy of (2) persons. The number of occupants shall not exceed limits established by law, regulation, or ordinance. Should the Tenant desire or anticipate a change in occupancy of the premises due to the adoption, birth of a child or otherwise, the Tenant shall notify the Landlord at least (30) days written notice in advance of the changing event. The Tenant shall not assign any of said Tenant's rights under this Agreement and shall not sublet all or part of a condominium, apartment building or other multiple unit dwelling, the Tenant agrees to abide by all rules and regulations governing such dwelling. The Tenant agrees not to use or permit the Premises to be used for any improper or unlawful purpose and agrees to limit the use of the Premises so that it does not disturb or interfere with the comfort, safety or enjoyment of other tenants living nearby.

### **CLEANLINESS, ALTERATION & REPAIRS**

The Tenant shall at all times maintain the Premises in a clean and sanitary condition and in the same condition as it was at the beginning of the tenancy, reasonable use and wear excepted. The Landlord shall maintain and repair all fixtures, equipment and appliances included in the lease of the Premise at the time the Agreement was made. The Tenant shall notify the Landlord at 614 Whitehead Street, Suite 2, Key West, Florida 33040 (305) 296.7060 of any maintenance or repair issues which require attention.

The Tenant shall not paint or wallpaper any part of the Premises without the Landlord's prior written consent and approval, nor shall the Tenant make any interior or exterior alterations or changes in the Premises. The Tenant shall not change any lock or re-key

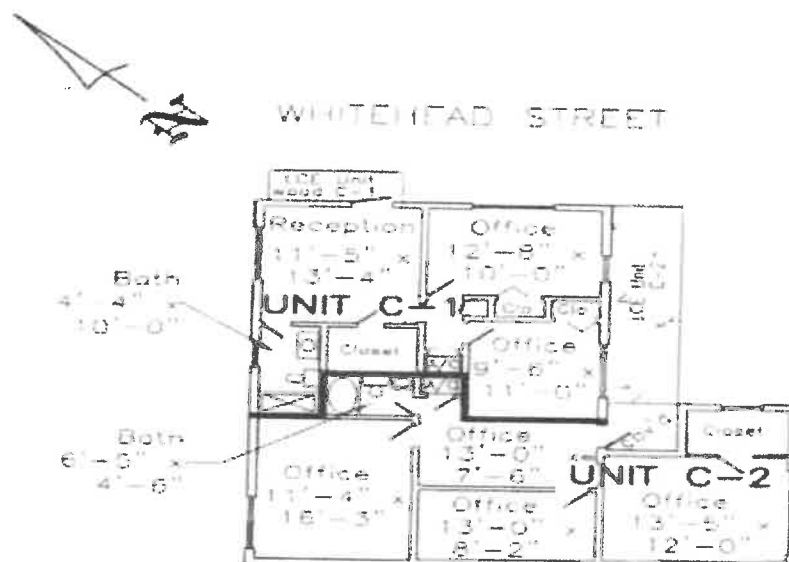
REW Property Enterprises, LLC  
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Key West, Florida 33040  
Phone: (305) 296-7060

any lock without the prior written approval and consent of the Landlord. Should a new lock be installed, or an existing lock be altered or re-keyed, the Tenant shall immediately deliver a duplicate key to the Landlord at Tenant's sole expense.

The Tenant shall be responsible for all damages or losses caused to the Premises by or through any willful or negligent act or actions of the Tenant, the Tenant's guests or invitees, with the exception of any actions of God or any injury or loss caused by the Landlord or for which the Landlord is statutorily liable.

### USE OF PROPERTY

The Tenant acknowledges there is a common wall shared by Tenant, as designated below as C-1, and Landlord, as designated below as C-2. The Tenant recognizes that Unit C-2 operates as a Law Practice. The Tenant agrees to refrain from engaging in conduct including but not limited to loud music or undue traffic that interferes with the Law Practice during business hours.



### FIRE & CASUALTY

REW Property Enterprises, LLC  
614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

In the event the Premises or any common area providing a necessary egress/access to the Premises are damaged by fire or other casualty which materially interferes with Tenant's use of or access to the Premises, the Landlord may terminate this Agreement. If the Landlord has not exercised the option to terminate, the rent shall be reduced to the fair rental value of the Premises until said Premises are restored to its former condition. If the Landlord has not restored the Premises or egress/access within 30 days, the Tenant may give notice of termination of this Agreement to become effective at the end of the ten-current month.

### **INSURANCE**

The Tenant shall have the obligation to procure and maintain any renter's insurance coverage on personal property of the Tenant from fire or Casualty.

### **PETS:**

The tenant is permitted one (1) dog.

### **ENTRY & INSPECTION**

The Landlord or his agent(s) or designee(s) shall be permitted to enter the Premises at reasonable times and with reasonable notice of the Tenant for the purpose of inspecting the Premises, maintaining or repairing the Premises, ensuring compliance with any statute, code or regulation, or the for purpose of showing the Premises to any real estate agent, appraiser, mortgagee, prospective buyer, prospective tenant or inspector/contractor for prospective buyer/tenant.

### **BREACH & ABANDONMENT**

In the event that the Tenant breaches this Agreement by failure to pay rent when due to by non-compliance with any term and condition of this Agreement, the Landlord may terminate this Agreement by providing the Tenant with an advance 30 days written Notice to Quit for nonpayment of rent pursuant to applicable law. Entry by Landlord shall not be required before termination. Issuance of a notice pursuant to his paragraph

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Key West, Florida 33040  
Phone (305) 296-7060

shall be without waiver or prejudice to any other right or remedy of the Landlord. In the event of such termination the Tenant shall be obligated to pay the Landlord a sum equal to the balance of the rent due together with (i) all costs and expenses reasonably incurred by the Landlord to restore the Premises to the same condition as they were at the beginning of the Month-To-Month Tenancy, including cleaning and painting; (iii) any other damages permitted to be received and (iv) interest at the legal rate from the date of the breach, cost and attorney fees. Delay or failure of the Landlord to commence legal proceedings shall not constitute a waiver of any right or remedy.

#### **IDEMNIFICATION**

The Tenant agrees to indemnify, defend and hold harmless the Landlord from any injury, loss or damage suffered by the Tenant or by any person visiting the Premises, or in any common area during this Agreement, except for any injury, loss or damage which may be caused by the direct negligence or unlawful act of the Landlord or for which the Landlord maybe statutorily liable.

#### **ATTORNEY'S FEES**

In the event that the Landlord reasonable requires the services of an attorney to enforce the terms of this Agreement or to seek to recover the possession of the Premises or recover for damages, the Tenant shall be liable to pay the Landlord's reasonable attorney's fee incurred and all costs, whether or not a summary process action or other civil action is commenced or judgment is obtained.

#### **NOTICES**

All notices required or permitted to be made under this Agreement, including any notice of violation of any terms and conditions, of law or the need for care, maintenance or repair, shall be done so in writing and maybe delivered by hand, sent by certified mail, return receipt requested, or sent by the United State Portal Service overnight Express Mail or other overnight delivery service, addressed to the Landlord or Tenant or their

RFW Property Enterprises, LLC  
614 Whitehead Street,  
Key West, Florida 33040  
Phone: (305) 296-7060

authorized representative as set forth within this section or to the Tenant on the Premises during the term of the tenancy.

Said notice shall be deemed to have been given delivery, or if sent by certified mail on the date of delivery set forth in the receipt or in the absence of a receipt to be three (3) business days after deposit or if sent by Express Mail or overnight mail or delivery, the next business day after deposited with the overnight mail or delivery, the next business day after deposited with the overnight or delivery service, whether or not a signature is required or received. Acceptance of any notice, whether by deliver or mail, shall be sufficient if accepted or signed by a person having express or implied authority to receive same. Notice shall also be deemed adequate if given in any other form permitted by law.

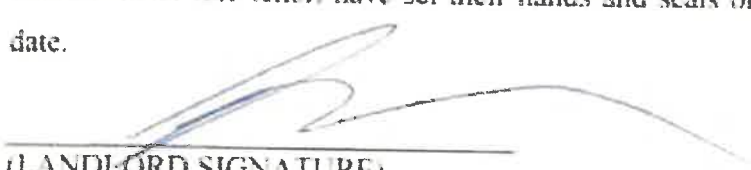
#### **COPY OF AGREEMENT**

The Landlord shall deliver a copy of this Agreement, duly executed by Landlord or his authorizing agent, to Tenant within (7) days after a copy, hereof, has been duly executed by the Tenant, and has been delivered to the Landlord.

#### **REPRISALS PROHIBITED**

The Landlord acknowledges that provisions of applicable law forbid a Landlord from Threatening to take or taking reprisals against any Tenant for seeking to assert his/her legal rights.

**IN WITNESS WHEREOF**, the aforementioned said parties hereunto and to another instrument of like tenor, have set their hands and seals on the aforementioned effective date.

  
(LANDLORD SIGNATURE)

  
(TENANT SIGNATURE)



Copies of state, county, and city licenses  
on and about April 1, 2010, indicating the number and types  
of rental units

---

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      REW PROPERTY ENTERPRISE LLC  
Location Addr      614 614 WHITEHEAD ST 3  
Lic NBR/Class      19962                      PROPERTY RENTAL  
Issued Date      8/12/2024                      Expiration Date:    September 30, 2025  
NON TRANSIENT RESIDENTIAL

Comments:      FOUR NON-TRANSIENT RENTAL UNITS

Restrictions:      COVERS UNITS 3, 4, 5, AND 6

REW PROPERTY ENTERPRISE LLC  
614 WHITEHEAD ST #1

This document must be prominently displayed.

KEY WEST, FL 33040

REW PROPERTY ENTERPRISE  
LLC

Add Notes

19962

10/18/1997 12:00:00 AM

AC#: NEW LICENSE

3/18/1998 12:00:00 AM

RMRK: UPGRADED FROM ONE TO FOUR NONTRANSIENT RENTAL UNITS

5/12/1999 12:00:00 AM

RMRK: CHANGED OWNER FROM ROSEMARIE BARRETT TO WALKER KEY WEST  
PROPERTIES TWO INC. DOUGLAS WALKER PRES

3/28/2006 12:00:00 AM

RMRK: CHANGED FROM WUNSCH TO REW PROPERTY ENTERPRISE LLC

3/5/2008 12:00:00 AM

RMRK: SENT FINAL NOTICE

2/25/2009 12:00:00 AM

RMRK: SENT FINAL NOTICE AND GAVE TO CODE

5/3/2010 12:00:00 AM

RMRK: SENT FINAL NOTICE AND GAVE TO CODE.LLC NEEDS TO BE VERIFIED IF STILL  
CURRENT.

5/20/2010 12:00:00 AM

RMRK: CHECK BEING MAILED

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      WUNSCH, RICHARD  
Location Addr      614 614 WHITEHEAD St 2  
Lic NBR/Class      15501      STATE LICENSED PROFESSIONAL  
Issued Date      8/12/2024      Expiration Date:    September 30, 2025

ATTORNEY, PHYSICIAN OR OTHER STATE LICENSED  
PROFESSIONAL

Comments:      ATTORNEY

Restrictions:      BAR CARD 81779

WUNSCH, RICHARD  
614 WHITEHEAD ST #1  
KEY WEST, FL 33040

This document must be prominently displayed.

WUNSCH, RICHARD

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      WALKER KEY WEST PROPERTIES TWO  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      10693      MISCELLANEOUS OTHER SERVICES  
Issued Date      8/12/2005      Expiration Date:      September 30, 2006

MISCELLANEOUS OTHER SERVICE

Comments:      OFFICE CENTER

Restrictions:

WALKER KEY WEST PROPERTIES  
TWO  
422 FLEMING ST  
KEY WEST, FL 33040

This document must be prominently displayed.

WALKER KEY WEST PROPERTIES  
TWO

Add Notes

10693

SERVICE 7/27/1999 12:00:00 AM  
AC#: NEW LICENSE

SERVICE 8/8/2006 12:00:00 AM  
RMRK: OB, PER OWNER





# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      THURMOND, CRAIG R. & ASSOCIATE  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      10694      MISCELLANEOUS OTHER SERVICES  
Issued Date      9/29/1999      Expiration Date:    September 30, 2000

MISCELLANEOUS OTHER SERVICE

Comments:      PLANNING CONSULTANT

### Restrictions:

THURMOND, CRAIG R. & ASSOCIATE  
213 HARRISON AVE STE 6  
PANAMA CITY, FL 32401

This document must be prominently displayed.

CRAIG R. THURMOND & ASSOC  
INC

Add Notes

10694

VIC 7/27/1999 12:00:00 AM  
AC#: NEW LICNESE

VIC 5/17/2001 12:00:00 AM  
RMRK: SENT FINAL NOTICE

6/4/2001 12:00:00 AM  
RMRK: OB PER OWNER

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

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

Business Name      KEYS WEALTH MANAGEMENT  
Location Addr      614 WHITEHEAD ST 1&2  
Lic NBR/Class      12750      MISCELLANEOUS OTHER SERVICES  
Issued Date      10/3/2006      Expiration Date:      September 30, 2007  
MISCELLANEOUS OTHER SERVICE

Comments:      FINANCIAL CONSULTANT / MANAGER

Restrictions:

KEYS WEALTH MANAGEMENT  
614 WHITEHEAD ST #200  
KEY WEST, FL 33040

This document must be prominently displayed.

CAWOOD, M. CAMPBELL

## Add Notes

**12750**

SERVICE 8/24/1998 12:00:00 AM  
AC#: NEW LICNESE

SERVICE 3/12/1999 12:00:00 AM  
RMRK: CHANGED LOCATION FROM: 213 SOUTHARD ST TO 61 SUNSET KEY

1/30/2001 12:00:00 AM  
RMRK: CHANGED FROM 61 SUNSET KEY TO 614 WH

3/14/2005 12:00:00 AM  
RMRK: ADDED DBA TO LICNESE

2/7/2008 12:00:00 AM  
RMRK: SENT FINAL NOTICE

2/23/2009 12:00:00 AM  
RMRK: SENT FINAL NOTICE AND GAVE TO CODE

2/25/2009 12:00:00 AM  
RMRK: OB, OPENED NEW LICENSE AT 320 PEACON LN CONTROL NUMBER 15291

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

**614 Whitehead Street**

Owen, Gricel <Gricel.Owen@KeysEnergy.com>

Thu 5/16/2024 10:19 AM

To: Jackie (Office Staff) <office@owentrepanier.com>

Hi Jackie,

Per our conversation below are the unit numbers and corresponding account numbers:

Unit 1: account number 01051203, services started in 1983.

Unit 2: account number 01051204, services started in 1983.

Unit 3: account number 01051199, services started in 1984.

Unit 4: account number 01051198, services started in 1988.

Unit 5: account number 01051202, services started in 1983.

Unit 6: account number 01051201, services started in 1983.

Hope this helps!!

Thank you,

**Gricel Owen** 

Human Resources/Records Coordinator

Keys Energy Services

Phone 305-295-1067

Fax 305-295-1070

[Gricel.Owen@Keysenergy.com](mailto:Gricel.Owen@Keysenergy.com)



Please consider the environment before printing this email



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

000

17



17/32

LAND COMPUTATIONS						
QUAN - TYPE-DESC	SIZE - AREA	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
-252						
17					TOTAL	

DATE	12-1-57	TIME	10:00
LOCATION	1000 10th St. S.W. - 10th St. S.W.		
DESCRIPTION	1000 10th St. S.W. - 10th St. S.W.		
TOTAL	1000 10th St. S.W. - 10th St. S.W.		

MONROE COUNTY, FLORIDA  
00012880-00000

VALUATION TOTALS	
	LAND
1966	IMPROVEMENTS
	TOTAL
	LAND
1972	IMPROVEMENTS
	TOTAL
	LAND
1974	IMPROVEMENTS
	TOTAL
	LAND
1975	IMPROVEMENTS
	TOTAL
	LAND
1976	IMPROVEMENTS
	TOTAL
	LAND
1977	IMPROVEMENTS
	TOTAL
	LAND
1978	IMPROVEMENTS
	TOTAL
	LAND
1979	IMPROVEMENTS
	TOTAL
	LAND
1980	IMPROVEMENTS
	TOTAL

- NOTES -

7714-20 0623-25

12,600 / 2 = 6,300

*[Faint handwriting]*

From \_\_\_\_\_ By \_\_\_\_\_

10

2000

\_\_\_\_\_

--

7-24-11-10-192

CARD 1 SCALE 1" = 10' LAND USE CODE

PLOTTED BY DATE

RANDOM CLASSIFIED BY DATE

CONSTRUCTION DATA				
IMPROVEMENT	1	2	3	4
TYPE OF STRUCTURE	100	200		
YEAR BUILT	1971			
ROOMS				
Total Rooms				
RM. Apts				
RM. Apts				
No. of Baths				
No. of Rest Rms				
First R. Rm.				
First R. Rm.				
Total Rooms				
FOUNDATION				
Continuous Wall				
Piers				
Piling				
ADJUSTMENTS				
Frame				
Height				
Frame & Interior				
Appl. Equip.				
Partitions				
Exterior Wdg.				
EXTERIOR WALLS				
Wallboard				
Corr. Metal				
Corr. Asbestos				
Wd. Fr. Sheds				
Wd. Fr. Asbestos				
C.B. Plank				
C.B. Sheds				
Wd. Fr. Sheds				
Tile Sheds				
Brick				
Reinf. Conc.				
Panel, Glass, Mtl.				
ROOF TYPE				
Flat, Shed				
Hip, Gable				
Box, Corral				
Wood Truss				
Prestressed				
Steel Truss				
ROOF MATERIAL				
Shl. Mtl. Rpt.				
T.B.S. D.V.				
Shing., Rd. Etc.				
Shing., Asbestos				
Tile, Cement				
Tile, Clay				
Bermuda				
Slats				
System				
IMPROVEMENT				
Unfinished				
Wd. or Cell. Sds				
Wallboard				
Plaster, No Furring				
Plaster, Furring				
Stucco				
Wd. Panel				
INTERIOR FINISH				
None				
Single Pine				
Parquet				
Conc. Arch. Tile				
Conc. Terrazzo				
Double Pine				
Double Hardwood				
Precast Conc.				
Parquet				
Conc. O. Tile				
Conc. Cor. Tile				
Mosaic				
FLOORS				
None				
Single Pine				
Parquet				
Conc. Arch. Tile				
Conc. Terrazzo				
Double Pine				
Double Hardwood				
Precast Conc.				
Parquet				
Conc. O. Tile				
Conc. Cor. Tile				
Mosaic				
PLUMBING				
None				
Plumb				
Good, Plain				
Good, Tile				
HEATING				
None				
Unit Heat				
Cent. Heating				
Cent. Cooling				
Cent. Cool & Heat				
ELECTRICITY				
None				
Poor				
Average				
Good				
CLASS & SCALE				
CONST. UNITS				
CLASS UNITS				
TOTAL UNITS				
BASE RATE				
ADJ. RATE				
AREA				
E.F.				
REP. COST NEW				
CONDITION				
DEP. REP. VALUE				
DEPRECIATION ADJUSTMENT				
NO	PHY	ADJUSTMENT	% COND.	
1				
2				
3				
4				

**Monroe County Property Record Card** (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

614 WHITEHEAD MASTER PROPERTY OWNERS ASSOCIATION

617 WHITEHEAD ST  
KEY WEST FL 33040

Parcel 00012880-000000-06-68-25

Nbhd 32060

Alt Key 1013269

Mill Group 10KW

Affordable Housing No

PC 2800

FEMA Injunction ALL

Inspect Date Dec 17, 2004

Next Review

Business Name

Physical Addr PARKING SPACES WHITEHEAD ST, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
614 WHITEHEAD MASTER PROPERTY OWNERS ASSOCIATION,		Owner	100.00000

**Legal Description**

KW PT LOT 2 SQR 63 (A/K/A COMMON PROPERTIES SHARED BY HARDIE CONDO AND 614 WHITEHEAD CONDO) G49-469 OR376-811/812 OR703-252 OR714-535/536 OR815-2407/2409 OR939-2281Q/C OR978-1517/1518Q/C OR978-1519/1520Q/C OR992-1287/1288Q/C OR993-927/928 OR1105-301/302 OR1408-1012/17 (AGREEMENT) OR1460-635/637 OR1464-914/920 (RES NO 97-232) OR1575-329/330 OR2160-1792/1856 DEC/RESTOR 2381-1432/35

**Land Data** 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value
1430	100D			No	2,937.90	SF	0.00	112.50	1.00	1.00	1.00	1.11		N	0	365,548
Total Just Value																365,548

**Miscellaneous Improvements**

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
8	FN2:FENCES	35	SF	0.00	0	0	1999	2000	2	30	123	86
7	PT5:TILE PATIO	1,642	SF	0.00	0	0	1997	1998	1	50	10,673	8,325
5	FN2:FENCES	35	SF	0.00	5	7	1997	1998	2	30	123	77
2	PT3:PATIO	135	SF	0.00	27	5	1977	1978	2	50	1,080	432
Total Depreciated Value												8,920

**Appraiser Notes**

TPP 8920695 - 4 RENTAL UNITS TPP 9012477 - RICHARD E WUNSCH PA (ATTORNEY) #1

THIS LAND CONSISTS OF PARKING SPACES AND BRICK PATIOS WHICH ARE SHARED BETWEEN HARDIE CONDOMINIUM AND 614 WHITEHEAD CONDOMINIUM. SEE DECLARATION OF RESTRICTIONS FILED IN OR2160-1792/1856

# Monroe County Property Record Card (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9701825	Jun 11 1997 12:00AM	Dec 3 1998 12:00AM	487	Commercial	AWNINGS
	9701966	Jul 1 1997 12:00AM	Dec 3 1998 12:00AM	5,400	Commercial	CENTRAL A/C
	9702141	Jul 7 1997 12:00AM	Dec 3 1998 12:00AM	8,720	Commercial	REPAIRS, EXTERIOR
	9701812	Jun 6 1997 12:00AM	Dec 3 1998 12:00AM	700	Commercial	4 WATER METERS
	9703563	Oct 21 1997 12:00AM	Dec 3 1998 12:00AM	12,500	Commercial	METAL ROOF
	9704207	Dec 16 1997 12:00AM	Dec 3 1998 12:00AM	9,000	Commercial	REM ASPHALT PUT PAVERS
	9801698	Mar 22 1999 12:00AM	Dec 4 1999 12:00AM	350	Commercial	SIGN
	9901012	Mar 25 1999 12:00AM	Dec 4 1999 12:00AM	100	Commercial	FENCE
	0200437	Feb 22 2002 12:00AM	Oct 11 2002 12:00AM	2,000	Commercial	INSTALL SMOKE DETECTORS
	05-0638	Feb 28 2005 12:00AM	Dec 22 2005 12:00AM	2,400	Commercial	INSTALL WATER LINE & METER
	04-3579	Nov 19 2004 12:00AM	Dec 17 2004 12:00AM	3,000	Commercial	DRAINAGE
	05-5684	Dec 13 2005 12:00AM	Sep 28 2006 12:00AM	2,400	Commercial	RELOCATE SEWER LINE UNDER BUILDING

## Just Value

Bldg ID	Building Value	Land	365,548
		Bldg	0
		Misc	8,920
		Just	100

## Value

Value Method	Override	Special Use Code
--------------	----------	------------------

# Monroe County Property Record Card (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2009F	O	365,548	0	0	8,920	100	100	0	N	100
2008F	O	367,238	0	0	9,141	100	100	0	N	100
2007F	O	367,238	0	0	9,386	100	100	0	N	100
2006F	C	50,000	0	0	9,627	100	100	0	N	100
2005F	C	364,050	0	317,149	10,852	692,051	692,051	0	N	692,051
2004F	O	339,780		334,074	11,155	589,934	589,934	0	N	589,934
2003F	O	145,620		334,074	11,459	589,934	589,934	0		589,934
2002F	O	145,620		334,074	11,762	561,842	561,842	0		561,842
2001F	O	145,620		297,855	12,066	561,842	561,842	0		561,842
2000F	O	131,058		297,855	4,868	501,842	501,842	0		501,842
1999F	C	131,058		290,918	4,960	426,936	426,936	0		426,936
1998F	C	131,058		173,678	1,047	305,783	305,783	0		305,783
1997F	C	121,350		186,324	1,054	308,728	308,728	308,728		0
1996F	C	121,350		169,386	1,060	291,796	291,796	291,796		0
1995F	C	121,350		175,088	1,069	297,507	297,507	297,507		0
1994F	C	121,350		175,088	1,079	297,517	297,517	297,517		0
1993F	C	121,350		175,088	1,089	297,527	297,527	297,527		0
1992F	C	121,350		175,088	1,138	297,576	297,576	297,576		0
1991F	C	121,350		175,088	1,239	297,677	297,677	297,677		0
1990F	C	98,294		175,088	1,340	274,722	274,722	274,722		0
1989F	C	97,080		157,139	0	254,219	254,219	254,219		0
1988F	C	87,372		142,163	0	229,535	229,535	229,535		0
1987F	O	53,515		140,074	0	180,092	180,092	180,092		0
1986F	O	52,423		140,898	0	180,092	180,092	0		180,092
1985F	C	40,774		136,009	0	176,783	176,783	0		176,783
1984F	C	40,774		93,798	0	134,572	134,572	0		134,572
1983F	C	23,083		41,195	0	64,278	64,278	0		64,278
1982F	C	14,584		39,460	0	54,044	54,044	0		54,044



# Monroe County Property Record Card (185)

Alternate Key: 1013269

Roll Year 2009

Effective Date: 10/26/2009 11:59:59 PM Run: 05/16/2017 10:44 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
714	535	2/1/1977	Conversion Code	0	Q	I	31,500
993	927	11/1/1986	Warranty Deed	0	M	I	308,000
1480	0635	5/1/1997	Warranty Deed	0	O	I	330,100
1575	0329	5/5/1999	Warranty Deed	0	M	I	700,000

## Total Values

						(Classified Value + Non-Ag Land Just Value)			
Bldg Value	0	Misc Value	8,920	Land Value	365,548	Classified Value	365,548	New Const Value	0
Total Just Value	100	Total Expt Value	0	Taxable Value	100	Prev Tax Value	100	Previous Just	100

**Monroe County Property Record Card** (185)

Alternate Key: 9085217

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:56 AM

HARDIE CONDOMINIUM

Parcel 00012881-000000-06-68-25 Nbrhd 8149  
Alt Key 9085217 Mill Group 10KW  
Affordable Housing No PC 0400  
FEMA Injunction  
Inspect Date Jul 02, 2010 Next Review  
Business Name  
Physical Addr 614 WHITEHEAD ST, UNIT C1-C2, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
HARDIE CONDOMINIUM,		Owner	100.00000

**Legal Description**

HARDIE CONDOMINIUM (F/K/A PART OF RE 00012880-000000 AK 1013269) OR2160-1792/1856DEC/REST OR2160-1857/1934DEC

**Just Value**

Bldg ID	Building Value	Land
		0
		Bldg 0
		Misc 0
		Just 0

**Value**

Value Method	Special Use Code
Market Oriented Cost	CONDOMINIUM HEADER

**Total Values**

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

**Monroe County Property Record Card** (185)

Alternate Key: 9085219

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

**Sales History**

<u>Book</u>	<u>Page</u>	<u>Sale Date</u>	<u>Instrument</u>	<u>Transfer Code</u>	<u>Q/ U</u>	<u>Vacant</u>	<u>Sale Price</u>
2171	2351	12/3/2005	Warranty Deed	0	M	I	1
<b>Total Values</b>							
<b>Bldg Value</b>		97,336	<b>Misc Value</b>	0	<b>Land Value</b>	0	(Classified Value + Non-Ag Land Just Value)
<b>Total Just Value</b>		97,336	<b>Total Expt Value</b>	0	<b>Taxable Value</b>	97,336	<b>Classified Value</b> 0 <b>New Const Value</b> 0
						<b>Prev Tax Value</b> 118,703	<b>Previous Just</b> 118,703

**Monroe County Property Record Card** (185)

Alternate Key: 9085220

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012881-000200-06-68-25

Nbhd 8149

Alt Key 9085220

Mill Group 10KW

Affordable Housing No

PC 1700

FEMA Injunction

Inspect Date Jul 02, 2010

Next Review

Business Name

Physical Addr 614 WHITEHEAD ST, UNIT C-2, KEY WEST

**Associated Names**

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

**Legal Description**

UNIT C-2 HARDIE CONDOMINIUM OR2171-2351

**Condominium Details**

Year Built 1971 Footage 830

**Just Value**

Bldg ID	Building Value	Land
		0
		Bldg 164,875
		Misc 0
		Just 164,875

**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		164,875	0	164,875	164,875	0	N	164,875
2009F	N	0		201,068	0	201,068	201,068	0	N	201,068
2008F	N	0		307,858	0	307,858	307,858	0	N	307,858
2007F	N	0		332,000	0	332,000	332,000	0	N	332,000
2006F	C	0		181,250	0	181,250	181,250	0		181,250

**Monroe County Property Record Card** (185)

Alternate Key: 9085220

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

**Sales History**

<u>Book</u>	<u>Page</u>	<u>Sale Date</u>	<u>Instrument</u>	<u>Transfer Code</u>	<u>Q/ U</u>	<u>Vacant</u>	<u>Sale Price</u>
2171	2351	12/3/2005	Warranty Deed	0	M	I	1

**Total Values**

				(Classified Value + Non-Ag Land Just Value)					
<b>Bldg Value</b>	164,875	<b>Misc Value</b>	0	<b>Land Value</b>	0	<b>Classified Value</b>	0	<b>New Const Value</b>	0
<b>Total Just Value</b>	164,875	<b>Total Expt Value</b>	0	<b>Taxable Value</b>	164,875	<b>Prev Tax Value</b>	201,068	<b>Previous Just</b>	201,068

# Monroe County Property Record Card (185)

Alternate Key: 9085221      Roll Year 2010  
 Effective Date: 10/21/2010 11:59:59 PM      Run: 05/05/2017 03:57 AM

614 WHITEHEAD CONDOMINIUM

Parcel 00012882-000000-06-68-25      Nbhd 8150  
 Alt Key 9085221      Mill Group 10KW  
 Affordable Housing No      PC 0400  
 FEMA Injunction  
 Inspect Date Jul 01, 2010      Next Review  
 Business Name  
 Physical Addr 614 WHITEHEAD ST, UNIT R1-R4, KEY WEST

## Associated Names

Name	DBA	Role	% Own
614 WHITEHEAD CONDOMINIUM,		Owner	100.00000

## Legal Description

614 WHITEHEAD CONDOMINIUM (F/K/A PART OF RE 00012880-000000 AK 1013269) OR2160-1792/1856DEC/REST OR2160-1935/2022DEC

## Appraiser Notes

07-01-10 5 YEAR CHECK CONDO IS 1/4 OF ANOTHER BUILDING RESIDENTIAL CONDOS IN THE REAR OF EXISTING BUILDING SHARED ENTRY WAY DOWNSTAIRS UNITS ARE CBS UPSTAIRS UNITS ARE WOOD FRAME (SGS)

## Just Value

Bldg ID	Building Value	Land	
		Bldg	0
		Misc	0
		Just	0

## Value

Value Method	Market Oriented Cost	Special Use Code	CONDOMINIUM HEADER

## Total Values

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



# Monroe County Property Record Card (185)

Alternate Key: 9085223

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000100-06-68-25

Nbhd 8150

Alt Key 9085223

Mill Group 10KW

Affordable Housing No

PC 0400

FEMA Injunction

Inspect Date Jul 01, 2010

Next Review

Business Name

Physical Addr 614 WHITEHEAD ST, UNIT R-1, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-1 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 569

## Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
		0	161,733	0	161,733

## 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		161,733	0	161,733	161,733	0	N	161,733
2009F	N	0		202,166	0	202,166	202,166	0	N	202,166
2008F	N	0		251,113	0	251,113	251,113	0	N	251,113
2007F	N	0		270,275	0	270,275	270,275	0	N	270,275
2006F	C	0		181,250	0	181,250	181,250	0		181,250

**Monroe County Property Record Card** (185)

Alternate Key: 9085223

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

**Sales History**

<u>Book</u>	<u>Page</u>	<u>Sale Date</u>	<u>Instrument</u>	<u>Transfer Code</u>	<u>Q/ U</u>	<u>Vacant</u>	<u>Sale Price</u>
2171	2351	12/3/2005	Warranty Deed	0	M	I	1
<b>Total Values</b>							
<b>Bldg Value</b>	161,733	<b>Misc Value</b>	0	<b>Land Value</b>	0	(Classified Value + Non-Ag Land Just Value)	
<b>Total Just Value</b>	161,733	<b>Total Expt Value</b>	0	<b>Taxable Value</b>	161,733	<b>Classified Value</b>	0
						<b>Prev Tax Value</b>	202,166
						<b>New Const Value</b>	0
						<b>Previous Just</b>	202,166

# Monroe County Property Record Card (185)

Alternate Key: 9085224

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000200-06-68-25

Nbhd 8150

Alt Key 9085224

Mlll Group 10KW

Affordable Housing No

PC 0400

FEMA Injunction

Inspect Date Jul 01, 2010

Next Review

Business Name

Physical Addr 614 WHITEHEAD ST, UNIT R-2, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-2 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 371

## Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
		0	105,453	0	105,453

## 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		105,453	0	105,453	105,453	0	N	105,453
2009F	N	0		131,816	0	131,816	131,816	0	N	131,816
2008F	N	0		163,731	0	163,731	163,731	0	N	163,731
2007F	N	0		176,225	0	176,225	176,225	0	N	176,225
2006F	C	0		181,250	0	181,250	181,250	0		181,250

**Monroe County Property Record Card** (185)

Alternate Key: 9085224

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

**Sales History**

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	I	1

**Total Values**

Bldg Value	105,453	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	105,453	Total Expt Value	0	Taxable Value	105,453	Prev Tax Value	131,816	Previous Just	131,816

# Monroe County Property Record Card (185)

Alternate Key: 9085225

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000300-06-68-25

Nbhd 8150

Alt Key 9085225

Mill Group 10KW

Affordable Housing No

PC 0400

FEMA Injunction

Inspect Date Jul 01, 2010

Next Review

Business Name

Physical Addr 614 WHITEHEAD ST, UNIT R-3, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-3 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 516

## Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
		0	146,668	0	146,668

## 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		146,668	0	146,668	146,668	0	N	146,668
2009F	N	0		183,335	0	183,335	183,335	0	N	183,335
2008F	N	0		227,723	0	227,723	227,723	0	N	227,723
2007F	N	0		245,100	0	245,100	245,100	0	N	245,100
2006F	C	0		181,250	0	181,250	181,250	0		181,250

**Monroe County Property Record Card** (185)

Alternate Key: 9085225

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

**Sales History**

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	I	1
<b>Total Values</b>							
<b>Bldg Value</b>		146,668	<b>Misc Value</b>	0	<b>Land Value</b>		(Classified Value + Non-Ag Land Just Value)
<b>Total Just Value</b>		146,668	<b>Total Expt Value</b>	0	<b>Taxable Value</b>		146,668
				0	<b>Classified Value</b>		0
					<b>Prev Tax Value</b>		183,335
					<b>New Const Value</b>		0
					<b>Previous Just</b>		183,335



# Monroe County Property Record Card (185)

Alternate Key: 9085226

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

REW PROPERTY ENTERPRISES LLC

614 WHITEHEAD ST UNIT 1  
KEY WEST FL 33040

Parcel 00012882-000400-06-68-25

Nbhd 8150

Alt Key 9085226

Mil Group 10KW

Affordable Housing No

PC 0400

FEMA Injunction

Inspect Date Jul 01, 2010

Next Review

Business Name

Physical Addr 614 WHITEHEAD ST, UNIT R-4, KEY WEST

## Associated Names

Name	DBA	Role	% Own
REW PROPERTY ENTERPRISES LLC,		Owner	100.00000

## Legal Description

UNIT R-4 614 WHITEHEAD CONDOMINIUM OR2171-2351

## Condominium Details

Year Built 1971 Footage 504

## Just Value

Bldg ID	Building Value	Land	Bldg	Misc	Just
		0	143,257	0	143,257

## 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		143,257	0	143,257	143,257	0	N	143,257
2009F	N	0		179,071	0	179,071	179,071	0	N	179,071
2008F	N	0		222,427	0	222,427	222,427	0	N	222,427
2007F	N	0		239,400	0	239,400	239,400	0	N	239,400
2006F	C	0		181,250	0	181,250	181,250	0		181,250

# Monroe County Property Record Card (185)

Alternate Key: 9085226

Roll Year 2010

Effective Date: 10/21/2010 11:59:59 PM Run: 05/05/2017 03:57 AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/ U	Vacant	Sale Price
2171	2351	12/3/2005	Warranty Deed	0	M	I	1,450,000

## Total Values

Bldg Value	143,257	Misc Value	0	Land Value	0	(Classified Value + Non-Ag Land Just Value)	0	New Const Value	0
Total Just Value	143,257	Total Expt Value	0	Taxable Value	143,257	Prev Tax Value	179,071	Previous Just	179,071


Similar documentation as listed above

Affidavits

I, Kenneth Kukec, resided at 614 Whitehead St. Apt. 1, Key West, FL 33040 from January 1, 2010 - December 31, 2010. From January 2011 - December 2015 I continued to reside in the apartment on a month-to-month basis with my then girlfriend Laura Rolston. From 2015 - 2020 Laura Rolston resided in the apartment on her own.

  
Kenneth Kukec

Sworn to and subscribed before me this  
7<sup>th</sup> day of March, 2024.

  
Notary Public, State of \_\_\_\_\_  
Identification Type \_\_\_\_\_  
Identification No. \_\_\_\_\_  
Or Personally known to me ☒



*Ord. I abolished and  
repealed by Ord 6929  
7/9/69*

Chapter 32

ZONING\*

Art. I. In General, §§ 32-1—32-31

Art. II. Airport Zoning, §§ 32-32—32-48.

Article I. In General

Sec. 32-1. Definitions.

Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meaning herein indicated:

*Generally.* Words used in the singular number include the plural and vice versa, and the word "building" includes the word "structure."

*Accessory building.* A subordinate building, which is located on the same lot as the main building or on an adjacent lot, the use of which building is clearly incidental to the use of the main building.

*Advertising signs, generally.* A posted advertisement which does not apply to premises or any use of premises whereon such sign is located.

*Alley.* Any roadway, place or public way dedicated to public use and twenty feet or less in width.

*Apartment house.* A building which is used or intended to be used as a home or residence for more than two families, living in separate apartments.

*Apartment garage.* A dwelling with living quarters on the second floor above a "private garage."

*Apartment hotel.* An apartment building, under resident supervision, which maintains an inner lobby through which all tenants must pass to gain access to the apartment, and which may furnish dining room service.

*Billboard.* A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises whereon it is displayed.

\*Annotation—For case construing sections of zoning ordinance, see State ex rel Lacedonia v. Harvey, et al., 68 So. (2d) 818.

State law reference—For state law as to municipal zoning, see Florida Statutes, ch. 176.  
Supp. No. 1

CASE NO.

PLAINTIFF'S EX

DATE

*79-1044CA 479*  
*#7*  
*11-26-80*

*Boardinghouse.* A building other than a hotel, where lodging and meals, for five or more persons, are provided and served for compensation.

*Building area.* The aggregate of the maximum horizontal cross section area of a building on a lot, excluding cornices, eaves, or gutters projecting not more than thirty inches, steps, one story open porches, bay windows not extending through more than one story and not projecting more than five feet, chimneys, balconies and terraces.

*Building height.* The height of a building shall be measured from the mean level of the ground surrounding the building to a point midway between the highest and the lowest points of the roof; provided, that chimneys, spires, towers, elevator penthouses, tank and similar projections shall not be included in the height.

*Carport.* A carport is a structure under roof open on at least two sides.

*Club, private.* The term "private club" shall pertain to and include those associations and organizations of a fraternal or social character, not operated or maintained for profit. "Private club" shall not include casinos, nightclubs or other institutions operated as a business.

*Family.* One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a boardinghouse, a lodging house or hotel as herein defined.

*Fowl.* Any guineas, peafowls, pheasants or pigeons.

*Garage, community.* A series of private garages, not more than one story in height, located jointly on a parcel of land under a single or joint ownership.

*Garage, mechanical.* Any premises where automotive vehicles are mechanically repaired, rebuilt or reconstructed, except those described as a private storage garage and except duly authorized agencies for the sale of new automobiles.

*Garage, private.* A garage building separate and apart from the principal residential building and in which no business, service or industry connected directly or indirectly with motor vehicles is carried on.

*Garage, storage.* Any premises, except those described as a private garage, used for the storage only of automotive vehicles, or where any such vehicles are kept for remuneration, hire or sale.

*Gasoline and oil filling stations.* A structure or place where gasoline, oil and greases are supplied and dispensed to the motor vehicle trade, but no mechanical service performed.

*Hotel.* A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals and in which there are twenty-five or more sleeping rooms of not less than one hundred ten square feet in area each, with no provision made for cooking in any individual room or apartment.

*Lot, area.* A parcel of land occupying, or designed to be occupied, by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are arranged and designed to be used in connection with such buildings. A lot may be or may not be the land shown as a lot on a duly recorded plat.

*Lot, corner.* A lot abutting on two or more streets at their intersection.

*Lot, interior.* A lot other than a corner lot.

*Lot, depth.* The depth of a lot is the mean distance from the front street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

*Main building.* The principal building on the lot which determines the character of lot use.

*Multiple dwelling or apartment.* A building, not a single-family dwelling or a two-family dwelling, designed for and occupied exclusively for dwelling purposes.

*Nonconforming use.* A nonconforming use is a use which does not comply with the regulations of the district use in which it is situated.

*Place of business.* Any building, vehicle, structure, yard, lot, premises or part thereof or any other place in which one or more persons are engaged in gainful occupation.



*Poultry.* Any chickens, turkeys, ducks or geese.

*Public garage.* A building, other than a private or a community garage, one or more stories in height used for the storage and repair of automobiles.

*Residence, one family.* A building originally designed to be permanently left on its foundations and used or intended to be used as a home or residence, in which all living rooms are accessible to each other from within the building, and in which such living rooms are accessible without using a common entrance vestibule, stairway or hallway designed for more than one family, and in which the use, arrangement and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting, other than public or community service, are under one control.

*Residence, two family.* A building used or intended to be used as a place of residence for not more than two families, with the same definition for each place of residence within the building, or upon the same lot as applies to "one family residence," as set out in the foregoing paragraph.

*Restaurant.* A building or room not operated as a dining room in connection with a hotel, where food is prepared and served for pay and consumption on the premises.

*Rooming house.* A residential building used, or intended to be used, as a place where sleeping or housekeeping accommodations are furnished or provided for pay to transient or permanent guests or tenants, in which less than ten and more than three rooms are used for the accommodations of such guests or tenants, but which does not maintain a public dining room or cafe in the same building, nor in any building in connection therewith.

*Service station.* A building where gasoline, oil and greases are supplied and dispensed to the motor vehicle trade; also where battery, tire and other similar services are rendered.

*Setback.* A minimum distance between the street line and the front line or side line of a building excluding steps, terraces and overhead balconies.

*Street.* The word "street" as used hereafter in this chapter means a street over 20 feet in width.

*Tent.* Any structure or enclosure, the roof and one-half or more of the sides which are of silk, cotton, canvas or a light material.

*Tourist cottage.* A tourist cottage shall include, in addition to tourist cottages as they are commonly known, house cars, camp cars and trailers used for or adaptable to be used for living quarters.

*Tourist park or camp.* Any plot of ground upon which three or more single family camp cottages are located and maintained for the accommodation of transients by the day, week or month, where a charge is or is not made.

*Yard.* An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

*Yard, front.* The required open space between the street line and the nearest part of any building on the lot, excluding cornices, eaves or gutters projecting not more than twenty-four inches, steps, one story open porches, porticoes, and bay windows not extending through more than one story and not projecting more than five feet beyond the main building; chimneys, open balconies, and terraces, except as otherwise stated.

*Yard, rear.* An unoccupied area extending across the full width of a lot between the rear line of any main building and the rear line of the lot, and measured at its least dimension.

*Yard, side.* An unoccupied area between a main building and the side line of the lot and extending from the street line to the rear yard, measured at its least dimension.

*Yard, corner lots.* For purposes of this chapter, corner lots shall be considered as having three side yards and one front yard. (Code 1952, § 34.1)

**Sec. 32-2. Zoning map.**

The city is hereby divided into districts according to the official zoning map on file in the office of the city clerk and a copy of which shall be on file in the office of the building official which map is hereby declared to be a part of this chapter.

**Sec. 32-3. Districts generally.**

*Designated.* For the purpose of this chapter, the city is hereby divided into classes of districts, which shall be designated as follows:

- Residence "AA" Districts.
- Residence "A" Districts.
- Residence "A-1" Districts.
- Residence "B" Districts.
- Residence "B-1" Districts.
- Residence "AB" Districts.
- Residence "C" Districts.
- Business "A" Districts.
- Business "A-1" Districts.
- Business "B" Districts.
- Industrial "A" Districts.

**Sec. 32-4. Residence "AA" Districts.**

In a Residence "AA" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used, for any of the following purposes and for no other:
  - (1) A one family residence which may include a private garage and attached structure designed for servants' quarters only; such one family residence includes every use not inconsistent therewith.

- (2) Signs, not more than five square feet in area, when placed in connection with the sale or rental of, or construction or improvement of such premises.
  - (3) Municipal recreation buildings, playgrounds, parks or reservations owned and operated by the city.
  - (4) Churches and other places of worship.
  - (5) Boat piers or slips for the docking of private yachts or small privately owned or used watercraft of any sort.
  - (6) The minimum size of buildings in Residence "A" Districts shall be 1200 square feet for all floors including garages and porches as one-half their actual areas.
- (b) *Building area.* The total ground floor area of all buildings shall not exceed 40 per cent of the lot area.
  - (c) *Front yards.* There shall be a front yard which shall have a depth of at least 20 feet.
  - (d) *Side yards.* There shall be two side yards, one on each side of the main building. In the case of lots 50 feet or more in width these yards shall be not less than seven feet each. Where lots are less than 50 feet in width each side yard may be reduced to a minimum width of not less than 15 per cent of the total width of the lot, but in no case shall any side yard be less than 5 feet. In the case of corner lots the side yard abutting the street shall be not less than 10 feet in width.
  - (e) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 20 feet as measured from the main building.
  - (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory building. No accessory building shall be within 30 feet of any street. If, however, such building shall

be within a side yard it shall not be erected nearer than 50 feet to the street on which the main building fronts. No accessory building shall be erected nearer than 5 feet to either the rear or side lot lines, except when they are designed in conformity with the architecture of the main building and only upon approval of the planning commission and provided they be not nearer to the side lot lines than the clearance required under subsection (d) of this section, nor closer than 20 feet from the front lot line, such buildings being not permitted to include apartments. (Code 1952, § 34.4)

**Sec. 32-5. Residence "A" Districts.**

In a Residence "A" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used, for any of the following purposes and for no other:
  - (1) A one family residence which may include a private garage and attached structure designed for servants' quarters only; such one family residence includes every use not inconsistent therewith.
  - (2) Office of physician, dentist, surgeon or other professional person when located in the dwelling used by such person as his private residence, provided, that not more than twenty-five per cent of the floor area of such dwelling is used for such office.
  - (3) Signs, not more than five square feet in area, when placed in connection with the sale or rental, of, or construction or improvement of such premises.
  - (4) Municipal recreation buildings, playgrounds, parks or reservations owned and operated by the city.

- (5) Churches and other places of worship.
- (6) Boat piers or slips for the docking of private yachts or small privately owned or used watercraft of any sort.
- (b) *Building area.* The total ground floor area of all buildings shall not exceed 30 per cent of the lot area.
- (c) *Front yards.* There shall be a front yard which shall have a depth of at least 20 feet.
- (d) *Side yards.* There shall be two side yards, one on each side of the main building. In case of lots 50 feet or more in width these yards shall not be less than seven feet. Where lots are less than 50 feet in width each side yard may be reduced to a minimum width of not less than 15 per cent of the total width of the lot, but in no case shall any side yard be less than 5 feet. In the case of corner lots the side yard abutting the street shall be not less than 10 feet in width.
- (e) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 20 feet as measured from the main building.
- (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within 30 feet of any street. No accessory building shall be erected nearer than 5 feet to either the rear or side lot lines. (Code 1952, § 34.3)

**Sec. 32-6. Residence "A-1" Districts.**

In a Residence "A-1" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used, for any of the following purposes and for no other:
  - (1) Any use as a one-family residence which may include a separate garage and such garage may in-



clude a garage apartment on the second floor only. The area of such a house when the garage is separate is to be not less than 700 square feet with porches counted as half their actual area. A single family residence may include a garage attached to the house but the floor area of the house must then be not less than 800 square feet with garages and porches counted as half their actual area. Such attached garage may include one garage apartment; provided, that off street parking is provided for at least two automobiles; also provided, that the same clearances as required under subsection (d) of this section are complied with.

- (2) Any two-family or four-family dwelling with not more than two families on any one floor and not more than two stories in height; provided, that the living area in each unit of such a multiple unit dwelling shall be not less than 550 square feet for a one bedroom apartment with 100 square feet additional for each additional bedroom, these areas to be exclusive of garage and porch space; and provided, that each unit of a duplex or four-plex dwelling shall have a front and rear entrance so arranged as to present no eyesore to the street; and provided, that plans for all multiple unit dwellings shall be presented to the planning commission for approval of external architectural arrangement; and provided, that all such multiple unit dwellings shall provide off street parking for space in the ratio of one automobile for each apartment; and provided, that this shall in no way be construed to allow any hotels, boarding-houses, tourist homes, rooming houses, tourist courts, tourist camps, motels, trailers, trailer camps or any use as a transient dwelling where rental occupants pay rent on any other basis than weekly, monthly, or longer units of time. Approval of plans by the planning commission



shall be contingent on their prior approval by the state hotel commission when dwellings are subject to the jurisdiction of that commission.

- (3) Signs, not more than five square feet in area, when placed in connection with the sale or rental of, or construction or improvement of such premises.
- (4) Municipal recreation buildings, playgrounds, parks or reservations owned and operated by the city.
- (5) Churches and other places of worship.
- (6) Boat piers or slips for the docking of private yachts or small privately owned or used watercraft of any sort.
- (7) Any building or use permitted in residence A districts.
- (b) *Building area.* The total ground floor area of all buildings shall not exceed 40 per cent of the lot area.
- (c) *Front yards.* There shall be a front yard which shall have a depth of at least 20 feet.
- (d) *Side yards.* There shall be two side yards, one on each side of the main building. In the case of lots 50 feet or more in width these yards shall be not less than seven feet each. Where lots are less than 50 feet in width each side yard may be reduced to a minimum width of not less than 15 per cent of the total width of the lot, but in no case of any lot to be less than 5 feet. In the case of corner lots the side yard abutting the street shall not be less than 10 feet in width.
- (e) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 20 feet as measured from the main building.
- (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within 30 feet

of any street. No accessory building shall be erected nearer than 5 feet to either the rear or side lot lines, except when they are designed in conformity with the architecture of the main building and only upon approval of the planning commission and provided they be not nearer to the side lot lines than the clearance required under subsection (d) of this section nor closer than 20 feet from the front lot line, such buildings being not permitted to include apartments. (Code 1952, § 34.5; Ord. No. 566, § 1, 5-21-56)

#### Sec. 32-7. Residence "B" Districts.

In a Residence "B" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other:
- (1) Any building or use permitted in the preceding Residence "A" District.
  - (2) Every use as a two-family residence, including two private garages which may include two accessory apartments attached thereto designed for servants' quarters only.
  - (3) Every use as a secondary or subordinate single-family residence or one-family garage apartment on the rear portion of a lot; provided, that there is one single-family residence on the front portion of such lot.
  - (4) Buildings of civic assembly, club, lodge or community house, except where the principal activity is one customarily carried on as a business.
  - (5) Educational, religious or philanthropic uses, including dormitories, except correctional institutions.

- (6) Professional offices which would be in the best interest of public health and welfare, said professions to be approved or disapproved upon application to the planning commission and to be further approved or disapproved by the city commission; private hospitals having not over 30 beds.
- (7) Boardinghouses having not more than 12 sleeping rooms.
- (8) A multiple dwelling or apartment house or hotel; providing, that such building shall not have an aggregate gross area of all floors greater than the area of the lot.
- (9) Plant and tree nurseries provided no stock is offered for sale within 15 feet of the front lot line.
- (b) *Building area.* The total ground floor of all buildings shall not exceed 35 per cent of the lot area.
- (c) *Front yards.* There shall be a front yard which shall have a depth of at least 15 feet; provided, that a variance of front yard setback restrictions for the construction of a single-family building approximately 6 feet from the property line of part of Tract 5, Island of Key West, known as 749 Windsor Lane, Key West, Florida, shall be permitted.
- (d) *Side yards.* There shall be two side yards, one on each side of the main building, neither of which shall be less than 5 feet; provided however, that in the case of a corner lot the side yard abutting the street shall not be less than 10 feet.
- (e) *Rear yards.* There shall be a rear yard the depth of which shall be at least 20 feet measured from the main building.
- (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within 25 feet of any street. If, however, such building shall be within a side yard, it shall not be erected nearer than 50 feet to the street on which the main building fronts. No accessory building shall be erected nearer than 2½ feet to either the rear or side lot lines, except in the case of garage apartment or servant's quar-

ters which shall not be erected nearer than 5 feet to either the rear or side lot lines; provided, that a variance of setback restrictions for the construction of a building connecting two existing buildings, which original buildings are closer to the property line than existing side yard setback restrictions permit, on part of Lot 21, Square 1, Tract 27, 1410 Newton Street shall be permitted. (Code 1952, § 34.6; Ord. No. 790, § 1, 1-17-62; Ord. No. 65-31, § 1, 9-1-65)

Amendment note—Ord. No. 790, § 1, 1-17-62, amended § 32-7(b) by increasing the total ground area from 30% to 35%. Ord. No. 65-31, § 1, amended § 32-7(a)(6) to delete a provision which had required a 30 foot setback from adjacent side yard property for private hospitals having not over 30 beds.

#### Sec. 32-8. Residence "AB" Districts.

In the apartment house and Hotel "AB" Districts, the following regulations will apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used, for any of the following purposes and for no other:
- (1) Any building or use permitted in the preceding Residence "A" and Residence "B" Districts.
  - (2) Every use as an apartment house or multiple dwelling.
  - (3) Apartment-Hotel Building.
  - (4) Hotels.
  - (5) Hospitals and sanitariums; provided, that they are located not less than 30 feet from adjacent side property lines.
  - (6) Community garages; provided, that they are erected not less than 35 feet from the nearest street curb line and no part of such building shall be nearer than 2½ feet of any property lot line; provided further, that a garage for more than five cars shall be at least 5 feet from each

lot line except a rear lot line; and provided further that the location and the plans and specifications of buildings or other improvements to be placed thereon are first approved by the planning commission of the city.

- (7) Parking lots; provided, that no vehicle shall be parked in a front yard area of at least 10 feet in depth and a side lot area having a minimum depth of 5 feet; further provided, that any type of improvement to be placed thereon, other than paving, shall be first approved by the planning commission and the city commission.
- (8) Buildings of civic assembly.
- (9) Public art gallery, public library, public museum.
- (b) *Building area.* The building area shall not exceed 50 per cent of the lot area.
- (c) *Front yards.* There shall be a front yard which shall have a depth of at least 10 feet.
- (d) *Side yards.* For buildings other than residences there shall be two side yards, one on each side of the main building. Each side yard shall have a minimum width of 8 feet; provided, however, that in the case of a corner lot the side yard abutting the street shall not be less than 10 feet; provided further, that any portion of a building having an elevation above 40 feet shall be set back from the side and rear lot lines, an additional distance of one foot horizontally for each additional 10 feet in height of the building. Residences in Residence "AB" Districts, shall have same side yard requirements that are applicable in Residence "C" Districts. (See subsection (d), Residence "C" District.)
- (e) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 10 feet for motels, apartment houses or hotels. Single-family residence shall conform to setbacks of Residence "C", which shall be 20 feet for rear yard; provided, also, that no acces-



sory building shall be within 2½ feet of the rear or side lot lines, except in the case of a garage apartment or other living quarters which shall not be erected nearer than 5 feet to either the rear or side lot lines; provided, that a variance of rear yard setback restrictions for the erection of a garage on the property line of Lot 1, Block 10, Tract 17, Island of Key West, Florida, shall be permitted.

- (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory buildings. (Code 1952, § 34.8; Ord. No. 412, §§ 2, 3, 10-5-53; Ord. No. 450, § 1, 7-19-54)

#### Sec. 32-9. Residence "C" Districts.

In a Residence "C" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other:
- (1) Any building or use permitted in the preceding Residence "B" District.
  - (2) Community garage; provided, that the location and the plans and specifications of buildings or other improvements to be placed thereon are first approved by the planning commission and the city commission.
  - (3) Tourist cabins; provided, that they comply with the rules and regulations of the Florida state board of health and the state hotel commission.
  - (4) Retail stores and salesrooms.
  - (5) Funeral parlors and mortuaries.
  - (6) Poultry and fowl may be kept, bred and maintained; provided, that they are confined within an area not in excess of 30 per cent of the lot area or the premises; provided further, that the person keeping such poultry or fowl shall remove

same from such premises within thirty days after half of the residents within 100 feet of the place where such poultry or fowl are kept shall have filed with the building inspector written objections to the keeping of such poultry or fowl on the grounds that same is a nuisance.

- (b) *Building area.* The building area shall not exceed 50 per cent of the lot area.
- (c) *Front yards.* There shall be a front yard which shall have a depth of at least 10 feet; provided, that a variance of setback restrictions for the construction of a building five feet from the front and back property lines, on lot 16, square 1, tract 12, 806 Catherine Street, shall be permitted.
- (d) *Side yards.* There shall be two side yards, one on each side of main building, neither of which shall be less than 5 feet; provided however, that in the case of a corner lot, the side yard abutting the street shall not be less than 10 feet.
- (e) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 20 feet as measured from the main building; provided, that a variance of setback restrictions for the construction of a building five feet from the front and back property lines, on lot 16, square 1, tract 12, 806 Catherine Street, shall be permitted.
- (f) *Accessory buildings.* Not more than 25 per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within 20 feet of any street. No accessory building shall be erected nearer than 2½ feet to either the rear or side lot lines, except in the case of a garage apartment or other living quarters which shall not be erected nearer than 5 feet to either the rear or side lot lines. (Code 1952, § 34.7; Ord. No. 412, 10-5-53)

#### Sec. 32-10. Residence "B-1" Districts.

In Residence "B-1" District, the following regulations shall apply:

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- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other:
- (1) Any building or use permitted in the preceding Residence "B" District.
- (b) *In general.* The restrictions in regard to total ground floor of building, depth of front, side and rear yards shall be the same as found in the restrictions applicable to Residence "B". (Code 1952, § 34.9)

**Sec. 32-11. Garages and carports location.**

It shall be unlawful for any person to construct any carport having a roof line less than 1 foot from property lines in residential districts of the city. (Ord. No. 535, § 1, 10-3-55)

**Sec. 32-12. Business "A" Districts.**

In a Business "A" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other:
- (1) Apartment house, apartment hotel or hotels; provided, that the ground floor area of which is used for any of the following hereinafter mentioned permissible Business "A" uses, except that a lobby of the apartment house, apartment hotel or hotel may be located on the ground floor.
  - (2) Retail stores, salesrooms and billiard parlors provided each billiard parlor has installed at least fifteen (15) billiard tables and provided no alcoholic beverages are sold, served and/or consumed on the said premises.
  - (3) Professional, financial, and commercial offices, banks, restaurants and similar uses.
  - (4) Manufacturing incidental and accessory to the preparation of articles sold at retail on the premises if not occupying more than 25 per cent of the floor space.

- (5) Buildings of civic assembly.
  - (6) Theaters and motion picture houses.
  - (7) Community garage; provided, that it is set back at least 50 feet from the nearest street.
  - (8) A one-family residence, provided that there shall be a front yard which shall have a depth of at least 15 feet and two side yards which shall be not less in width than 15 per cent of the total width of the lot, but in no case less than 5 feet on either side of the building, and a rear yard of not less than 15 feet as measured from the main building; provided further that in Business "A" Districts the construction of residences shall conform in all other respects to the requirements as set forth in section 32-5 of this Code.
  - (9) Printing and publishing houses.
- (b) *Building area.* The area of any one floor of a building used for residential purposes shall not exceed 60 per cent of the lot area.
- (c) *Rear yards.* There shall be a rear yard, the depth of which shall be at least 5 feet. Any portion of a building having an elevation above 30 feet shall be set back from the rear lot line an additional distance of two feet horizontally for each additional 10 feet in height of the building.
- (d) *Set back.* Any portion of a building having an elevation above 30 feet shall have a minimum set back at or below the 30 foot level of 5 feet from the side lot line and also an additional set back of one foot horizontally for each additional ten feet by which the height exceeds 50 feet.
- (e) *Accessory buildings.* Not more than 50 per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within 2½ feet of the rear lot lines. (Code 1952, § 34.10; Ord. No. 423,

§ 1, 12-21-53; Ord. No. 434, § 1, 3-15-54; Ord. No. 484, § 1, 2-21-55; Ord. No. 706, § 1, 12-1-58; Ord. No. 845, § 1, 4-3-63)

**Amendment note**—Section 32-12 was amended by § 1 of Ord. No. 706 enacted on December 1, 1958, to delete subparagraph (6) from subsection (a) relating to gasoline filling stations; the remainder of the subparagraphs were renumbered to keep numerical order. Inasmuch as paragraph (c) was reserved on basic codification, the editors deleted same and re-lettered subsequent paragraphs as hereinabove set out. Ord. No. 845, § 1, 4-3-63 amended § 32-12(a)(2) by adding all that following "salesrooms."

**Cross reference**—Restrictions on sale of alcoholic beverages, § 4-2.

#### Sec. 32-12.1. Business "A-1" Districts.

In Business "A-1" Districts, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for the following purposes and for no other:
- (1) One-family residences which may include a separate private garage and servant quarters on the premises. Minimum square feet area 1000 square feet, exclusive of porches, carports, garage, servants' quarters, or steps. Offstreet parking must be provided.
  - (2) Apartment house, apartment hotel, hotel or motel; provided, the ground floor area of which is used for any of the following hereinafter mentioned permissible restricted business uses. Provided further, that apartment buildings have a minimum floor space for each floor of 2000 square feet, and parking space of 200 square feet must be provided for each apartment. Motels have a minimum floor area of 2000 square feet for each floor, and parking space of 200 square feet for each unit. Hotels must have a minimum floor space of 2000 square feet for each floor, and 200 square feet parking area to be provided for each three sleeping rooms. Cocktail lounges or bars located in hotels or motels shall be sound proofed or air conditioned and said lounges or bars shall not have outside entrances but shall have ingress and egress from within the hotel or motel structure.

- (3) Professional offices, commercial offices, i. e., insurance, banks, etc., salesrooms and restaurants. Provided, that there be a minimum floor space of 2000 square feet for any building, and one parking berth for each 200 square feet of floor space. Cabanas and swimming pools.
- (4) Municipal recreation buildings, playgrounds, parks, swimming pools, or reservations owned, operated or leased by the city, provided necessary parking area for type of recreation is furnished.
- (5) Buildings of civic or religious assembly, one parking berth for each 200 square feet of floor space.
- (6) Theaters and motion picture houses, except drive-in theaters, provided one automobile parking space is provided for each five seats.
- (b) *Setbacks for parking areas.* A twenty (20) foot setback from the property line or existing curb line of the south side and north side of North Roosevelt Boulevard is required to provide parking areas.
- (c) *Rear yards.* There shall be a rear yard the depth of which shall be at least seven (7) feet. Any portion of a building having an elevation above thirty (30) feet shall be set back from the rear lot line an additional distance of two (2) feet horizontally for each additional ten (10) feet in height of the building.
- (d) *Building set-back.* Buildings shall have side set-backs of five feet.
- (e) *Accessory buildings.* Not more than fifty per cent of the required rear yard shall be occupied by accessory buildings. No accessory building shall be within five feet of the rear lot lines.
- (f) *Submission of plans.* The nature and type of business, as well as the plans for the construction to house such business and the required set-back of not less than thirty feet, must be submitted to the planning commission for its approval and then to the city plan board for approval prior to the time building permit

for construction of said building is issued. (Code 1952, § 34.101; Ord. No. 370, § 3, 9-22-52; Res. No. 53-61, § 1, 8-10-61; Res. No. 44-61, § 1, 4-13-61)

Amendment note—Res. No. 53-61, § 1, 8-10-61, amended § 32-12.1(a) (2) by deleting the words; “except that a lobby of the apartment house, apartment hotel or motel may be located on the ground floor.” Res. No. 44-61, § 1, 4-13-61, amended § 32-12.1(b),(c) by reducing front and side yard setbacks.

#### Sec. 32-13. Business “B” Districts.

In a Business “B” District, the following regulations shall apply:

(a) *Uses permitted.* A building may be erected, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other:

- (1) Any building or use permitted in Business “A” District.
- (2) Apartment and multiple-family dwelling.
- (3) Hotels having 25 or more sleeping rooms.
- (4) Public garages for the storage of automobiles and for the repair of same.
- (5) Manufacturing when not occupying more than the ground floor area of the building.

- (6) Funeral parlors and mortuaries.
- (7) Buildings and premises for amusement and entertainment.
- (8) Storage and marine warehouses.
- (9) Boat slips, docks and marine railways.
- (10) Poultry markets where fowl are kept for sale only.
- (11) Gasoline filling stations.
- (b) *Building area.* The building area of a building used in whole or part as a dwelling shall not exceed 60 per cent of the lot area.
- (c) *Front yards.* A setback of the dwelling or a front yard of at least 6 feet is required, which may be used for an open areaway and overhung by a balcony or a projecting shelter, which shall not be supported by columns or other means other than at the building wall itself.
- (d) *Side yards.* Dwellings shall conform to the side yard regulations for Residence "C" Districts, namely:
  - (1) In case of a dwelling there shall be two side yards, one on each side of the main building, neither of which shall be less than 5 feet; provided, however, that in the case of a corner lot the side yard abutting the street shall not be less than 10 feet.
- (e) *Rear yards; accessory buildings.* There shall be a rear yard, the depth of which shall be at least 5 feet. Where the height of a building is over 30 feet, this depth shall be increased 5 feet for each 10 feet, or portion thereof, by which the height exceeds 30 feet. In Business "B" Districts not more than 50 per cent of the required rear yard shall be occupied by accessory buildings.

- (f) *Height of buildings.* The height of any building shall not exceed 150 feet. A four foot or less parapet wall shall not be included in determining the height. (Code 1952, § 34.11; Ord. No. 706, § 2, 12-1-58)

Amendment note—Section 2 of Ord. No. 706 enacted on December 1, 1958, amended § 32-13 hereof to add item (11) to subparagraph (a).

#### Sec. 32-14. Industrial "A" Districts.

In an Industrial "A" District, the following regulations shall apply:

- (a) *Uses permitted.* A building may be erected, altered, designed or used, and a lot or premises may be used for any of the following purposes and for no other:
- (1) Any manufactory occupying one or more floors of a building except any trade, business or industry that is noxious or offensive by reason of the emission of odor, dust, vapor, smoke, gas, noise or vibration unless approved by the zoning board.
  - (2) Any building or use permitted in Residence "C" District.
- (b) *Building area.* The building area of a building used in whole or part as a dwelling shall not exceed 50 per cent of the lot area.
- (c) *Front, side and rear yards.* Dwellings shall conform to the front, side and rear yard regulations for Residence "C" Districts, namely:
- (1) In case of a dwelling, there shall be a front yard which shall have a depth of at least 10 feet.
  - (2) In case of a dwelling, there shall be two side yards, one on each side of the main building, neither of which shall be less than 5 feet; provided however, in the case of a corner lot the side yard abutting the street shall not be less than 10 feet.



- (3) In case of a dwelling, there shall be a rear yard, the depth of which shall be at least 20 feet as measured from the main building.
- (4) In case of a dwelling, not more than 25 per cent of the required rear yard shall be occupied by accessory buildings.
- (5) In case of a dwelling, no accessory building shall be within 20 feet of any street. No accessory building shall be erected nearer than  $21\frac{1}{2}$  feet to either the rear or side lot lines, except in the case



of a garage apartment or other living quarters which shall not be erected nearer than 5 feet to either the rear or side lot lines.

- (d) *Rear yards.* There shall be a rear yard the depth of which shall be at least 15 feet. In Industrial "A" Districts, not more than 50 per cent of the required rear yard shall be occupied by accessory buildings. (Code 1952, § 34.12)

**Sec. 32-15. Changes, by planning commission; hearings, notice.**

The planning commission of the city, duly appointed and acting, is hereby authorized and directed to hold all preliminary public hearings, after fifteen days' notice, on any proposed changes to the zoning regulations and restrictions of said city, and shall make recommendations to this commission after said hearings are held, for action by this commission, after notice has been given by this commission for a hearing to be held at the time the ordinance affecting the changes recommended by the planning commission is read on its final reading. (Ord. No. 408, § 1, 9-8-53)

**Sec. 32-16. Subdivision development plan.**

REPEALED BY  
ORD. No. 065-01

The owner of any subdivided or undeveloped land not less than three acres in area or of subdivided areas of not less than two acres under their control, shall submit to the planning commission of the city a development plan or subdivision plat for preliminary approval by said commission. Such development plan or subdivision plat shall show the following:

- (a) Topography.
- (b) Existing and proposed streets and buildings lines, with provision for sixty (60) feet minimum right-of-way, with thirty (30) feet wide surface treatment, curbing and four (4) feet wide sidewalks, according to specifications and grade acceptable to the city.
- (c) Relation to surrounding subdivision or connecting streets or thoroughfares.
- (d) Storm and sanitary sewer engineering plan, with 12 inch minimum storm drains, and 8 inch minimum sanitary sewers of materials, grade, and connecting planning with adjacent properties approved by the city.

- (e) Parks and other public or private permanent open spaces, however, subdividers shall not be required to dedicate any areas for parks or children's playgrounds unless said undeveloped land exceeds eight (8) acres in area.
- (f) Size of lots (said lots to have a frontage of not less than 50 feet and a minimum area of not less than 5000 square feet). Provision for three foot easements, as required, across individual lots for public utilities.

It shall be the duty of such planning commission to carefully examine said development plan or subdivision plat as regards its nature and purpose; the principal width, character and location of such streets and alleys and such subdivisions, and size, material, manner of laying water mains, storm and sanitary sewer lines, and then transmit such development plan or subdivision plat, with all plans and data, to the city commission with its recommendations thereon in writing, and the city commission, with the assistance of the city manager and the city attorney, shall also carefully examine said development plan or subdivision plat to determine if same meets the requirements set forth in this section before approving same by resolution, and the city clerk of the city shall cause to be delivered all development plans or subdivision plats so approved to the proper county officials for recording in the public records of Monroe County, Florida. (Code 1952, § 34.13; Ord. No. 586, § 1, 9-17-56; Ord. No. 809, § 1, 8-1-62)

**Amendment note**—Ord. No. 809, § 1, 8-1-62, amended § 32-16(b) by adding the requirement for sidewalks and curbing, and § 32-16(e), by removing the requirement for at least 5% for parks unless the area exceeds 8 acres.

**Sec. 32-17. Undeveloped districts.**

REPEALED BY ORD. No. 065-01
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Tracts of more than 3 acres, not subdivided into building lots at the time of the adoption of these regulations, and used as woodland or for other purposes, which do not permanently determine the legal quality of these areas for various purposes, shall be classed as undeveloped districts. (Code 1952, § 34.14)

**Editor's note**—The ordinance from which this section was derived was enacted May 28, 1940.  
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**Sec. 32-18. Excavations and fills, approval of plans.**

Any person causing the filling of land, or excavation of land in subdivisions now in existence or in areas over one-quarter acre in size, shall submit plans for such proposed fill or excavation to the building official, and such plans must be approved by the said building official prior to the actual commencement of operations. That for the cost of inspection of said filling or excavation, the applicant shall pay to the City of Key West, Florida, the sum of \$5.00 for each \$1,000.00, or fraction thereof, for the cost of fill or excavation. (Code 1952, § 8.14; Ord. No. 500, § 1, 5-2-55; Ord. No. 892, § 1, 4-15-64)

Amendment note—Ord. No. 892, § 1, 4-15-64, amended § 32-18 by decreasing the land area from  $\frac{1}{2}$  to  $\frac{1}{4}$  acre and by providing for inspection, etc.

Cross reference—For provisions relating to excavations, see chs. 23 and 27.

**Sec. 32-19. Existing buildings and uses.**

Nothing in this chapter shall effect the existing use of any building, lot or premises, or the height or yards of any building as such now exist. (Code 1952, § 34.15)

Editor's note—The ordinance from which this section was derived was enacted May 28, 1940.

**Sec. 32-20. Reduction of lot area.**

No lot area shall be so reduced that the dimensions of the yards or open spaces shall be smaller than herein prescribed. (Code 1952, § 34.16)

**Sec. 32-21. Nonconforming uses.**

The lawful use of a building or premises existing on the effective date of this chapter, or authorized by a building permit issued 90 days prior thereto, may be continued, although such use does not conform with the provisions of this chapter, and such use may hereafter be extended or moved to any part of a plant which was arranged or designed for such use prior to such effective date. A nonconforming use may be changed to a use of the same or higher classification according to the provisions of this chapter. Whenever a district shall hereafter be changed, any then existing nonconforming

use may be continued or changed, to a use of a similar or higher classification or to a conforming use, such use shall not thereafter be changed to a use of a lower classification except as hereinbefore provided. (Code 1952, § 34.17)

Editor's note—The ordinance from which this section was derived was enacted May 28, 1940.

#### **Sec. 32-22. Restoration of existing buildings.**

Nothing in this chapter shall prevent the restoration of a building wholly or partly destroyed by fire, explosion, act of God or act of the public enemy or prevent the continuance of the use of such building, or part thereof, as such use existed at the time of such destruction of such building or part thereof. (Code 1952, § 34.18)

#### **Sec. 32-23. Accessory buildings.**

In Residence A and B Districts, no garage, garage apartment, tent or outbuilding shall be erected or used for residential purposes except concurrently with or subsequent to the construction of the main building. (Code 1952, § 34.19)

#### **Sec. 32-24. Billboards and general advertising signs.**

Billboards and general advertising signs shall not be permitted in Residence A, B, or AB Districts nor in Business A Districts nor in undeveloped Districts within 150 feet of Roosevelt Boulevard. Billboards and general advertising signs shall only be permitted within other districts at such locations and in such manner as will not constitute a traffic hazard or eyesore. Where the rear of any sign would be visible from any street or from any adjoining district of a residence classification, the exposed structural members of such sign shall be concealed by painted lattice work or planting and such back-screening shall be properly maintained. For any sign having an area of more than twenty-five square feet, a cash bond of ten dollars shall be posted unless the company erecting such sign can be definitely established as being financially responsible; and for signs of twenty-five square feet or less in area, a five dollar cash bond shall be posted. This bond shall be used to insure proper maintenance and to apply

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toward the cost of removal where such removal becomes necessary. The city reserves the right to remove any billboard or advertising sign which shows neglect or becomes dilapidated. Where any such billboard is located in a nonconforming area and such billboard or advertising sign becomes damaged by fire or storm or the elements to an extent of seventy-five per cent or more of the value of such board, it shall not again be re-erected or replaced. (Code 1952, § 34.20)

**Sec. 32-25. Setback requirements of lots fronting on alley.**

None of the front yard setback requirements, as set up in this chapter, shall be applicable to lots fronting on an alley. (Code 1952, § 34.22)

**Sec. 32-26. Fences—General requirements.**

(a) In residential zones in the city the following restrictions as to height and construction of fences shall apply:

- (1) Solid or open fences not exceeding four (4) feet in height constructed of any kind of material may be permitted on the front, rear and side yard property lines of any parcel of land.
- (2) Fences up to six (6) feet in height may be constructed on the front, rear and side yard property lines of any parcel of land, provided that the upper two (2) feet of said six (6) foot fence has openings of at least fifty per cent (50%) or more in the construction of same, however, at corner lot a six (6) foot fence may be constructed provided that said fence will be constructed on a radius squaring from ten (10) feet in each direction from the intersecting property lines to furnish a line of sight at corners; solid fences up to six (6) feet in height may be constructed on rear and side yard property lines of any parcel of land provided such solid six (6) foot fence is not constructed on property lines intersecting at street corners and that the adjoining property owners file their written consent with the building department of the city consenting to the construction of said six (6) foot solid fence.
- (3) In the event there are located utility electrical transformer banks, water towers or other facilities owned



or leased by a public utility in residential zones which require the fencing of same for safety precautions, the fence around said facilities shall be at least six (6) feet in height and barbed wire may be used on the top of said six (6) foot fence.

(b) In business or industrial zones in the city, the following restrictions as to height and construction of fences shall apply:

- (1) Wire mesh or chain link fences may be constructed at any height on any property lines, and barbed wire may be used on said fences, provided the barbed wire portion of said fence does not extend outside and beyond the property line of said property, and said fence is at least six (6) feet high.
- (2) Solid fences not exceeding ten (10) feet in height may be permitted on the property lines of any parcel of land. (Code 1952, § 20.14; Ord. No. 447, § 1, 5-17-54; Ord. No. 584, § 1, 8-20-56; Ord. No. 723, § 1, 6-15-59; Res. No. 12-60, § 1, 3-10-60; Ord. No. 802, § 1, 6-6-62; Ord. No. 882, § 1, 1-22-64; Ord. No. 65-6, § 1, 3-10-65)

Amendment note—Ord. No. 882, § 1, 1-22-64, amended § 32-26 by adding that provision appearing at the end of subparagraph (2) of paragraph (a) having to do with fences on corner lots. Ord. No. 802, § 1, amended the section into a detailed regulation as it now appears, as amended by Ord. No. 882. Ord. No. 65-6, § 1, amended § 32-26(b) to add subparagraph (2).

#### **Sec. 32-27. Same—Barbed wire.**

It shall be unlawful for any person to build, construct, use or maintain any fence or barrier consisting of or made of barbed wire within the city along the line of or in or upon or along any street, alley or public or private walk or drive. The provisions of this section shall not apply to any fence or barrier if the barbed wire used in said fence or barrier is at least six feet above the surface of the ground. (Code 1952, § 20.141; Ord. No. 373, § 2, 10-20-52)

#### **Sec. 32-28. Enforcement of chapter; application for and issuance of building permits.**

It shall be the duty of the building official, and he is hereby given the power and authority, to enforce the provisions of

this chapter. The building official shall require that the application for a building permit and the accompanying plot plan shall contain all the information necessary to enable him to ascertain whether the proposed building complies with the provisions of this chapter. No building permit shall be issued until the building inspector has certified that the proposed building or alterations comply with the provisions of this chapter. In the event bona fide construction or bona fide alterations are not commenced under any building permit issued under the terms of this chapter within thirty days from the date of such permit, such building permit shall thereupon become automatically void and shall stand forthwith cancelled. It shall be unlawful for any person to commence work for the erection or alteration of any building until a building permit has been duly issued therefor. (Code 1952, § 34.23)

**Sec. 32-29. Interpretation and purpose.**

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, comfort, convenience, prosperity or general welfare. It is not intended by this chapter to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of law or ordinance, or with any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of buildings or premises; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises, or upon height of buildings, or requires larger yards, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance, or by such rules, regulations or permits, the provisions of this chapter shall control. (Code 1952, § 34.24)

**Sec. 32-30. Application pending for building permits.**

Nothing herein contained shall require any change in the plans, construction, size or designated use of a building, for which a building permit has been granted or for which plans were on file with the building inspector before the effective



date of this chapter and the construction of which from such plans shall have been started.

It shall be the duty of the building official and he is hereby given the power and authority, to refuse to issue building permits for the construction of buildings in an area within the corporate limits of the city which is under consideration by the planning commission for any change in regulations, restrictions or boundaries in respect to zoning which will raise the restrictions or the zoning classification, and such change has been recommended to the city plan board. In the event the city plan board refuses to call a public hearing and take action on the recommended change of zoning within forty-five days after receipt of same from the planning commission, the building official shall forthwith issue building permits in such area, upon approval of the plans on file and payment of the proper fees. (Code 1952, § 34.25)

Editor's note—The ordinance from which this section was derived was enacted May 28, 1940.

*Amended 8/3/66*  
**Sec. 32-31. Charges for publication of notice.** *Ord. No. 66-30*

Owners of land seeking a change of zoning for their land, which the city commission of the city has agreed to call for public hearings, are hereby required to furnish to the city clerk of the city the funds necessary for giving publication in a newspaper of the notice of such public hearing, as required by section 4, article II, chapter G of the Charter. (Code 1952, § 34.26) *\$50.00 Variance or zone change*

## Article II. Airport Zoning\*

### Sec. 32-32. Title.

This article shall be known and may be cited as the "Airport Zoning Ordinance of The City of Key West, Florida." (Ord. No. 674, § 1, 5-19-58)

\*Editor's note—Art. II, §§ 32-32 through 32-48, is derived from Ord. No. 674 enacted on May 19, 1958. Ord. No. 663 enacted on February 17, 1958, which created the airport zoning commission for the purpose of promulgating the rules and regulations contained in this article is not included herein.

Cross reference—Alcoholic beverage license for airport, § 4-34.  
 Supp. No. 1

**Sec. 32-33. Definitions.**

As used in this article, unless the context otherwise requires:

- (a) *Airport* means the Key West International Airport.
- (b) *Airport hazard* means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking-off at the airport or is otherwise hazardous to such landing or taking-off of aircraft.
- (c) *Nonconforming use* means any structure, tree, or use of land which does not conform to a regulation prescribed in this article or an amendment thereto, as of the effective date of such regulations.
- (d) *Person* means any individual, firm, co-partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.
- (e) *Structure* means any object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, and overhead transmission lines.
- (f) *Landing area* means the area of the airport used for the landing, take-offs, or taxiing of aircraft.
- (g) *Tree* means any object of natural growth. (Ord. No. 674, § 2, 5-19-58)

**Sec. 32-34. Zones designated; map adopted.**

In order to carry out the purposes of this article, all of the land within the boundaries of the Key West International Airport and within three miles of the landing area of the airport, is hereby divided into airport approach zones, airport turning zones and airport transition zones, the boundaries of which are shown on the Key West International Airport Approach Plan numbered 10-56, and dated Novem-  
Supp. No. 1

ber thirty, nineteen hundred and fifty-six, which is attached hereto and hereby made a part hereof. (Ord. No. 674, § 3, 5-19-58)

**Editor's note**—The map referred to in §§ 32-34 and 32-35 is not set out in this Code but can be found on file in the office of the city clerk.

#### Sec. 32-35. Height limits.

Except as otherwise provided in this article, no structure or tree shall be erected, altered, allowed to grow, or maintained in any airport approach zone or airport turning zone to a height in excess of the height limit herein established for such zone as shown on the attached map entitled Airport Zoning Map, Drawing No. 10-56, dated November thirty, nineteen hundred and fifty-six. For the purposes of this regulation the following definitions are hereby given for each of the zones in question:

- (1) *Approach Surfaces (Zone "A")*. The approach surface is an inclined plane located directly above the approach area. The dimensions of the approach area are measured horizontally.
  - (a) *Length*. The approach has a length of ten thousand feet beginning two hundred feet outward from each end of the runway and extending outward, ending at a point ten thousand two hundred feet from the end of the runway on the extended centerline of the runway.
  - (b) *Width*. The approach area is symmetrically located with respect to the extended runway centerline. It has a width of five hundred feet at the end adjacent to the runway and flares uniformly to a total width of two thousand five hundred feet at the approach end.
  - (c) *Slope*. The slope of the approach zone along the runway centerline extended is 50:1.
- (2) *Horizontal surface (Zone "B")*. The horizontal surface is a plane, circular in shape, with its height one hundred and fifty feet above the established airport eleva-

tion (4 feet MSL) and having a radius from the airport reference point of eight thousand five hundred feet.

- (3) *Conical surface (Zone "C")*. The conical surface extends upward and outward from the periphery of the horizontal surface with a slope of 20:1 measured in a vertical plane passing through the airport reference point. Measured radially outward, from the periphery of the horizontal surface, the conical surface extends for a horizontal distance of five thousand feet.
- (4) *Transitional surfaces (Zone "D")*. The transitional surfaces are inclined planes with a slope of 7:1 measured upward and outward in a vertical plane at right angles to the centerline of the runway. The transitional surfaces, symmetrically located on either side of the runway, extend upward and outward from a line on either side of the runway which is parallel to and level with the runway centerline. These parallel lines are at a horizontal distance of two hundred fifty feet from the runway centerline. Transitional surfaces extend from the edges of all approach surfaces upward and outward to the intersection with the horizontal surface or the conical surface. (Ord. No. 674, § 4, 5-19-58)

Note—See editor's note following § 32-34.

#### Sec. 32-36. Use restrictions.

Notwithstanding any other provisions of this article, no use may be made of land within any airport approach zone, airport turning zone or airport transition zone, in such a manner as to create electrical interference with radio communication between the airport and aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the Airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, taking-off, or maneuvering of aircraft. (Ord. No. 674, § 5, 5-19-58)



**Sec. 32-37. Nonconforming uses.**

The regulations prescribed in sections 32-35 and 32-36 of this article shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of May 19, 1958, or otherwise interfere with the continuance of any change in the construction, alteration or intended use of any structure the construction or alteration of which was begun prior to May 20, 1958, and is diligently prosecuted and completed within two years thereof. (Ord. No. 674, § 6, 5-19-58)

**Sec. 32-38. Variances.**

Any person desiring to erect any structure or increase the height of any structure, or permit the growth of any tree, or use his property, not in accordance with the regulations prescribed in this article, may apply for a variance therefrom. Such variance shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of this article. (Ord. No. 674, § 7, 5-19-58)

**Sec. 32-39. Permits.**

(a) *Future uses.* No material change shall be made in the use of land, and no structure or tree shall be erected, altered, planted, or otherwise established, in any airport approach zone, airport turning zone or airport transition zone, unless a permit therefor shall have been applied for and granted. Each such application shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit applied for shall be granted.

(b) *Existing uses.* Before any existing use, structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, within any

airport approach zone, airport turning zone or airport transition zone, a permit must be secured authorizing such replacement, change or repair. No such permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this article or than it is when the application for a permit is made. Except as indicated, all applications for a permit for replacement, change or repair of existing use, structure, or tree shall be granted. (Ord. No. 674, § 8, 5-19-58)

#### **Sec. 32-40. Hazard marking and lighting.**

Any permit or variance granted under section 32-38 or 32-39 may, if such action is deemed advisable to effectuate the purposes of this article and reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the county of Monroe, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard. (Ord. No. 674, § 9, 5-19-58)

#### **Sec. 32-41. Appeals.**

(a) Any person aggrieved, or taxpayer affected, by any decision of the airport zoning commission made in its administration of this article, if of the opinion that a decision of the airport zoning commission is an improper application of this article, may appeal to the board of adjustment for which provision is made in section 32-43.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the rules of the board, by filing with the airport zoning commission and with the board, a notice of appeal specifying the grounds thereof. The airport zoning commission shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(c) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the airport zoning commission certified to the board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by order of the board on notice to the airport zoning commission and on due cause shown.

(d) The board shall fix a reasonable time for the hearing of the appeal, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

(e) The board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or modify, the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the airport zoning commission.

(f) The board shall make written findings of fact and conclusions of law giving the facts in reversing, or affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this article.

(g) The concurring vote of a majority of the members of the board shall be sufficient to reverse any order, requirement, decision, or determination of the airport zoning commission, or to decide in favor of the applicant on any matter upon which it is required to pass under this article, or to affect any variation in this article. (Ord. No. 674, § 10, 5-19-58)

#### **Sec. 32-42. Administrative agency.**

The city planning commission sitting as the airport zoning commission is hereby designated the administrative agency charged with the duty of administering and enforcing the regulations herein prescribed. The duties of the airport zoning commission shall include that of hearing and de-

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ciding all permits under section 32-39, but the airport zoning commission shall not have or exercise any of the powers or duties herein delegated to the board of adjustment. (Ord. No. 674, § 11, 5-19-58)

**Sec. 32-43. Board of adjustment—Creation, powers.**

There is hereby created a board of adjustment to have and exercise the following powers:

- (a) To hear and decide appeals from any order, requirement, decision, or determination made by the airport zoning commission in the enforcement of this article;
- (b) To hear and decide special exceptions to the terms of this article upon which such board may be required to pass by subsequent ordinances;
- (c) To hear and decide specific variances under section 32-39. (Ord. No. 674, § 12(1), 5-19-58)

**Sec. 32-44. Same—Composition, appointment, term.**

The board of adjustment shall consist of five members, each to be appointed for a term of three years and to be removable for cause by the city commission upon written charges and after public hearing. In the first instance, one member shall be appointed for a term of three years, two for a term of two years, and two for a term of one year. Thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed and qualified. (Ord. No. 674, § 12(2), 5-19-58)

**Sec. 32-45. Same—Rules of procedure, meetings, administration of oaths, hearings, minutes.**

The board of adjustment shall adopt rules for its governance and procedure in harmony with the provisions of this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board shall be public. The

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board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the board and shall be a public record. (Ord. No. 674, § 12(3), 5-19-58)

**Sec. 32-46. Judicial review.**

Any person aggrieved, or taxpayer affected, by any decision of the board of adjustment, or the airport zoning commission, may appeal to the circuit court of Monroe County. (Ord. No. 674, § 13, 5-19-58)

**Sec. 32-47. Violations and penalties therefor.**

Each violation of this article or of any regulation, order or ruling promulgated hereunder shall be punishable by a fine of not more than two hundred and fifty dollars or imprisonment for not more than sixty days, or both such fine and imprisonment, and each day a violation continues shall be a separate offense. (Ord. No. 674, § 14, 5-19-58)

**Sec. 32-48. Conflicting regulations.**

Where this article imposes a greater or more stringent restriction upon the use of land than is imposed or required by any other ordinance or regulation, the provisions of this article shall govern. (Ord. No. 674, § 15, 5-19-58)

*Sec. 32.49 Striker tie down regulations  
See Ord. 68-11, 3/6/68*



Outlook

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**Fw: [EXTERNAL] 614 Whitehead - LUD**

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**From** Owen Trepanier <owen@owentrepanier.com>  
**Date** Thu 7/24/2025 12:38 PM  
**To** Jackie (Office Staff) <office@owentrepanier.com>

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Owen Trepanier <owen@owentrepanier.com>  
**Sent:** Friday, May 2, 2025 10:01 AM  
**To:** Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>  
**Subject:** Re: [EXTERNAL] 614 Whitehead - LUD

Great, thanks for the update.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>  
**Sent:** Friday, May 2, 2025 9:54 AM  
**To:** Owen Trepanier <owen@owentrepanier.com>  
**Subject:** RE: [EXTERNAL] 614 Whitehead - LUD

I just started working on this one, Kendal just gave us her comments on 902 Truman and so I will edit and print for Katie.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Friday, May 2, 2025 9:53 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] 614 Whitehead - LUD

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ben,  
Following up on this LUD as well.  
Thanks.  
Owen

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Owen Trepanier  
**Sent:** Wednesday, April 30, 2025 10:06 AM  
**To:** Benjamin Gagnon  
**Subject:** 614 Whitehead - LUD

Hi Ben,  
Can you give me an update on this one?  
Thanks a lot.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, April 17, 2025 11:45 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** Re: [EXTERNAL] 614 Whitehead - LUD

Great, thanks for the update.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---



**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Thursday, April 17, 2025 11:43 AM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] 614 Whitehead - LUD

I am aiming to have it to Katie end of next week,

Thank you!

Ben

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, April 17, 2025 11:05 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] 614 Whitehead - LUD

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Hey Ben,  
Any update that I can share with the client about the 614 Whitehead LUD?

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Wednesday, March 19, 2025 11:25 AM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] 614 Whitehead - LUD

Sure!

I am free pretty much all day next Tuesday and Wednesday, or Monday afternoon.

Ben

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Wednesday, March 19, 2025 9:47 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] 614 Whitehead - LUD

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ben,  
Would you like to schedule a site visit for this LUD?  
Thanks.  
Owen

---

**Trepanier & Associates, Inc.**  
1421 First Street, KW, FL 33040  
305-293-8983



---

**Fw: 614 Whitehead**

---

**From:** Owen Trepanier <owen@owentrepanier.com>

**Date:** Thu 7/10/2025 8:57 AM

**To:** Richard Wunsch <rick@keywestdefense.com>; Jackie (Office Staff) <office@owentrepanier.com>

**From:** Owen Trepanier <owen@owentrepanier.com>

**Sent:** Thursday, July 10, 2025 8:56 AM

**To:** Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>

**Subject:** Re: 614 Whitehead

Hi Ben,

Checking in. Will Patrick be able to make the decision in Katie's absence?

Thanks.

Owen Trepanier

---

**Trepanier & Associates, Inc.**

305-293-8983

---

**From:** Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>

**Sent:** Monday, July 7, 2025 1:15 PM

**To:** Owen Trepanier <owen@owentrepanier.com>

**Subject:** RE: [EXTERNAL] Re: [EXTERNAL] Re: 614 Whitehead

No I just followed up again.

Ben Gagnon

Planner

City of Key West

1300 White Street

Key West, FL 33040

305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <owen@owentrepanier.com>

**Sent:** Monday, July 7, 2025 10:31 AM

**To:** Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>

**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: 614 Whitehead

**CAUTION:** This email originated from outside of the organization. Do not click links or open

attachments unless you recognize the sender and know the content is safe.

Hi good morning, Ben. Just following up.  
Thanks.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Thursday, July 3, 2025 1:08 PM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] Re: 614 Whitehead

No word,

I will get with Patrick in person on Monday.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, July 3, 2025 9:11 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] Re: 614 Whitehead

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Goodmorning Ben,

Following up. Any movement?

Thanks.  
Owen

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Monday, June 30, 2025 11:18 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** Re: [EXTERNAL] Re: 614 Whitehead

Thank you!

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Monday, June 30, 2025 11:16 AM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] Re: 614 Whitehead

Just sent it to him, stand by.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Monday, June 30, 2025 11:11 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] Re: 614 Whitehead

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ben,  
Can Patrick give the approval to release the LUD?  
Thanks.  
Owen

---

**Trepanier & Associates, Inc.**

305-293-8983

---

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Tuesday, June 24, 2025 11:46 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** Re: [EXTERNAL] Re: 614 Whitehead

Thank you. I appreciate it.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Tuesday, June 24, 2025 11:45 AM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] Re: 614 Whitehead

I will see if Patrick can help get this through with Katie out.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Tuesday, June 24, 2025 11:43 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] Re: 614 Whitehead

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ben,  
Checking in on this LUD. Any news?

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, June 5, 2025 12:34 PM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** Re: [EXTERNAL] Re: [EXTERNAL] Re: 614 Whitehead

Ok, thanks for letting me know.

Owen Trepanier

---

**Trepanier & Associates, Inc.**  
305-293-8983

---

**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Thursday, June 5, 2025 12:32 PM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] Re: [EXTERNAL] Re: 614 Whitehead

No its not infront of her yet,still with me.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, June 5, 2025 12:32 PM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] Re: [EXTERNAL] Re: 614 Whitehead

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Oh Great! So it's waiting on Katie's review?

Owen Trepanier

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**Trepanier & Associates, Inc.**  
305-293-8983



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**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Thursday, June 5, 2025 12:30 PM  
**To:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** RE: [EXTERNAL] Re: 614 Whitehead

I can't make any promises prior to June PB – but the letter is pretty much done. Will take some time for edits and signature.

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Thursday, June 5, 2025 12:24 PM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** [EXTERNAL] Re: 614 Whitehead

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ben,

I'm sure you must be buried at the moment. So I certainly don't mean to add to your stress. My client is wondering if there is any update about this LUD?

Thanks.  
Owen Trepanier

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**Trepanier & Associates, Inc.**  
305-293-8983

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**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Tuesday, May 20, 2025 9:48 AM  
**To:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Subject:** Re: 614 Whitehead

5,751 sq. ft.

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Thanks!

Ben Gagnon  
Planner  
City of Key West  
1300 White Street  
Key West, FL 33040  
305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)

