

*Year 12 BPAS*



# **510 Southard Street**

## **5 MARKET-RATE UNITS**



**BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION**  
**(YEAR 12: JULY 1, 2024 – JUNE 30, 2025) – MARKET RATE**  
**CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT**

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: <https://www.cityofkeywest-fl.gov/336/Building-Permit-Allocation-System-BPAS>



**Application Fee Schedule**

Small project – (1-4 units)	\$ 1,273.39
Mid-size project – (5-10 units)	\$ 2,546.78
Large projects – (greater than or equal to 11 Units)	\$ 3,820.16

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

Name: Owen Trepanier

Mailing Address: 1421 First Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-293-8983

Email: owen@owentrepanier.com

**PROPERTY OWNER:**

Name: Conch Republic PR, LLC

Mailing Address: c/o 1421 First Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: c/o 305-293-8983

Email: c/o owen@owentrepanier.com

**PROPERTY DESCRIPTION AND ZONING INFORMATION:**

Site Address: 510 Southard Street

Parcel ID RE#: 00012280-000000 Alternate Key: 1012611

Zoning District: HRCC-1 Parcel Size: 9,882 sq. ft. (0.23 ac.)

Permitted Density: 5.0 (22 du/ac) Commercial Floor Area: existing: 5,821 sq ft Permitted FAR: 9,882 sq. ft. (1.0 FAR)

**B. EXISTING DEVELOPMENT:**

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

Renovate existing commercial building into five (5) market-rate dwelling units.

EXISTING AND PROPOSED DWELLING UNIT INFORMATION			
Dwelling Unit Description	NUMBER OF DWELLING UNITS:		
	EXISTING	LICENSED RECOGNIZED	PROPOSED
Market-Rate Residential Dwelling Unit(s)*	0	0	5
Affordable Residential Dwelling Unit(s)	0	0	0
Transient Unit(s)	0	0	N/A
Accessory Dwelling Unit(s)	0	0	0
Single Room Occupancy Unit(s)	0	0	0
Nursing Home Unit(s)	0	0	0
Total Number of Units Requested			5

*\*Pursuant to Ordinance 23-03 and 23-04, 75% of units allocated following Year 10 shall be deed-restricted affordable, including any units recovered by the City due to failure to obtain building permits within two years of a BPAS award or otherwise voluntarily released to the City. Deed-restricted affordable allocations shall not have a maximum annual allocation limit.*

- Standalone Affordable Housing projects are subject to Section 122-1467(c), (d), (e), and (f) of the Workforce Housing Ordinance. Applicant Eligibility Requirements are subject to Section 122-1469 (1) through (15) of the Workforce Housing Ordinance. Affordable housing projects enabled by federal tax credit housing are not subject to 122-1467(c).
- Accessory dwelling units in the SF zoning district are subject to Sections 122-231 through 122-238 of the Land Development Regulations.

**C. PROPOSED DEVELOPMENT:**

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

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

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

Is this property located within a Historic Zoning District?

Yes	No
X	

Are buildings on the property listed as contributing historic structures?

Yes	No
	X

Is the proposal for mixed residential and commercial use?

Yes	No
X	

Are density bonuses proposed?

Yes	No
	X

Advanced affordable allocation request?

Yes	No
	X

Will the allocation require development review?  Yes  No

If yes, please specific what type of development review will be required: \_\_\_\_\_

Per Sec. 108-91 A.(2)(a), major development plan is required for  
addition of 5+ units within the historic district.

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

**BPAS Application**  
**510 Southard Street, Key West, FL**  
 (RE# 00012280-000000)

TREPANIER



**& ASSOCIATES INC**  
 LAND USE PLANNING  
 DEVELOPMENT CONSULTANTS



This application is a request for 5 non-transient market rate BPAS allocation to renovate an existing commercial building into an apartment building at 510 Southard.

**DESCRIPTION OF PROPOSED DEVELOPMENT AND USE:**  
**(Sec. 108-226-108-232)**

**Sec. 108-227 – 108-228**

**Identification of Key Persons:**

Name of development:..... 510 Southard Street  
 Owners Authorized Agent:..... Trepanier & Associates, Inc.  
 Scale:..... As noted on Plans  
 Preparation and revision dates:..... As noted on plans  
 Location:..... 510 Southard Street  
 Owner:..... Conch Republic PR, LLC  
 Managed by: Capital Partners Management, LLC  
 Managing Agent: Juan Carlos Pernas  
 Architect/ Engineer:..... Pope-Scarborough-Architects

**Project Description (Sec. 108-229):**

This proposed project site consists of an existing commercial building with seven (7) onsite parking spaces at 510 Southard Street. This site has a code permitted density of 5.0 dwelling units. The proposed project consists of renovating the building into 5 non-transient, market-rate units. This project will require major development approval since it is located in the historic district.

All required parking will be provided onsite.

**SITE DATA:**

Site Data	Permitted / Required	Existing	Proposed
Zoning	HRCC-1	HRCC-1	No Change
FLUM	HC	HC	No Change
FEMA	X-zone	X-zone	No Change
Site Size	9,882 sq ft	9,882 sq ft	No Change
Height	40 ft	22 ft	No Change
Building Coverage	50% (4,941 sq ft)	50% (4,941 sq. ft.)	No Change
Impervious Surface	70% (6,917 sq ft)	0%	49% (1,241 sq ft)
Open Space	Existing: 20% (1,976 sq ft) Proposed: 35% (3,459 sq ft)	12.1% (1,192 sq ft)	No Change
Landscaping	20% (1,976 sq ft)	12.1% (1,192 sq ft)	No Change
Density	22 du/acre (5.0 du)	0 du	5 du
FAR	1.0 (9,882 sq ft)	0.6 FAR (5,821 sq ft)	0 (0 sq ft)
Front Setback	0.0 ft	0.0	No Change
Side Setback	2.5 ft	2.5 ft	No Change
Side Setback	2.5 ft	2.5 ft	No Change
Rear Setback	10.0 ft	10.0 ft	No Change
Auto Parking	Existing: 19.4 spaces Proposed: 5 spaces	7 spaces	≥5 spaces
Bicycle-Scooter Parking	Existing: 4.9 spaces Proposed: 0.5 spaces	0 spaces	≥1 space

**FLOOD ZONE:**

The property is located within the X-zone.

**FUTURE LAND USE MAP DESIGNATION (“FLUM”):**

The property’s FLUM designation is Historic Commercial (“HC”).

**ZONING (“HRCC-1”):**

The Historic Residential Commercial Core-Duval Street Gulf Side (HRCC-1) incorporates the city’s intensely vibrant tourist commercial entertainment center which is characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient residential accommodations. The core of the commercial entertainment center spans generally from the Pier House south to Petronia Street as specifically referenced on the official zoning map. This segment of Duval Street is the most intense activity center in the historic commercial core.

**Residential Developments (Sec. 108-231):**

The proposed project consists of renovating an existing commercial building into 5 non-transient, market-rate units.

**Intergovernmental Coordination (Sec. 108-232):**

All intergovernmental coordination, as applicable, will occur through the permit review process.

## **SOLUTION STATEMENT:**

Key West and the Florida Keys are facing an ever-increasing housing shortage, due to increasing second home market. This application seeks to create a mixed-use commercial-residential structure. This BPAS application requests five market rate residential dwelling unit allocation be assigned to 510 Southard Street, within the HRCC-1 zoning district.

### **Per Sec. 108-997 (b) Prerequisites**

- a. All new units are to be constructed in compliance with and obtain green building certification as per attached point sheet.
- b. No new building is proposed. The proposed five dwelling units will be located within the existing onsite building.
- c. No new building is proposed. The proposed five dwelling units will be located within the existing onsite building.

As well as:

- Achieving Baseline Green Building Certification;
- Minimizing waste disposal and maximizing recycling;
- Improving onsite parking situation.

### **Density**

HRCC-1 zoning allows for 22 dwelling units per acre. Sites less than a half-acre in size may develop 100% of permitted density and 100% of permitted floor area. With a site size of 0.23 ac (9,882 sq. ft.), the permitted number of residential units is 5.0 dwelling units. This property currently has 0 residential units on site and proposes to renovate the existing commercial building into 5 apartment units.

### **Open space and Landscaping**

Code requires 20% (1,976 sq ft) landscaping and with the proposed project, code requires 35% (3,459 sq ft) open space. The existing developed property is 12.1% (1,192 sq. ft.) landscaping and open space.

### **Storm water and Surface Water Management (Article VIII):**

Stormwater management will be improved as well as appropriate landscape design.

### **Parking**

The property has an existing noncomplying parking situation, with 7 auto spaces (5 standard + 2 ADA) and 0 bicycle-scooter spaces. The current use(s) require 19.4 auto parking spaces and 4.9 bicycle-scooter spaces. The proposed project will improve and bring parking into compliance, requiring 5 auto spaces and 0.5 bicycle-scooter spaces.





# **ESTIMATED SCORE SHEET**





# **FGBC CHECKLIST**

	A	B	C
1	<b>Florida Green Home Standard</b>		
2	<a href="#">Version 11 Rev 0.0</a>		
3	<b>Instructions</b>		
4	Effective January 1, 2018 (Required January 1, 2019)		
5	Revised 3-27-18		
6			
7	Please read the "Standard & Policies" document for complete compliance requirements and operating principles.		
8	<b>FOR NEW HOMES</b>		
9	Each home must comply with the three prerequisites in order to be eligible for certification. Select items to obtain the minimum number of points listed for each category (category minimums). (The sum of the minimums totals 80 points.) Accumulate at least an additional 20 points of your choice to obtain the required 100 TOTAL* to qualify for the program.		
10	* If any category minimums cannot be achieved, point deficiencies may be added to the total minimum required score of 100, creating an "adjusted project minimum required points" (the points YOUR project must achieve for certification). (Example: Applicant elects to achieve only 10 points from a category with a minimum of 15. Project may still qualify if: total points equal or exceed 100 + [15-10] = 105.) <b>Note that category maximums cannot be exceeded at any time. Some items require submittals that are colored red.</b> Suggested submittals for other items are colored black.		
11	<b>FOR EXISTING HOMES (REMODELS)</b>		
12	Existing homes are exempt from the three prerequisites and the category minimums that are required for new construction. Please refer to the "Standards & Policies" document Section 2 for the Standards definition of an existing home. <a href="#">Use Tabs 15 (Existing Home Application)</a> . Homes meeting the following requirements will receive a <b>Green Remodel Designation</b> . <ul style="list-style-type: none"> <li>- Existing homes must accumulate a total of 100 points to achieve certification</li> <li>- Each existing home/remodel <b>MUST</b> achieve the required 13 REMODEL points (found in the General category)</li> <li>- The remaining 87 points required for certification may be earned using any combination of credits.</li> <li>- Category maximums can not be exceeded at any time.</li> <li>- The minimum HERS Index to qualify for the FGBC Green Remodel Designation is 80.</li> </ul> <b>Some items require submittals that are colored red.</b> Suggested submittals for other items are colored in black.		
13	<b>FOR MULTI-FAMILY PROJECTS</b>		
14	For Multi-family projects. Use this checklist and the application form found on Tab 18. Green Home Certification is awarded to each individual unit that accumulates the appropriate number of points toward certification. Each unit is treated as a "home." <ul style="list-style-type: none"> <li>- Please refer to the Reference Guide for additional details regarding how to score common spaces for multi-family projects</li> <li>- Please refer to the Standards &amp; Policies document, Section 2-k. for additional information on streamlined submittal options.</li> </ul>		
15	<b>IMPORTANT GUIDELINES:</b>		
16	1. The FGBC Home Standard Version in effect when the home is permitted is the checklist that must be used to certify the home. However, you may opt to use a newer version if available and applicable. <b>Any application submitted using a previous version of the standard must provide a copy of the building permit.</b>		
17	2. Checklists and supporting documentation must be submitted by an Active FGBC Certifying Agent (CA).		
18	3. If this Excel file is altered in any way, the application will not be accepted. Altered files will be returned unprocessed to the submitter.		
19	4. During the review process, the project evaluator may request additional information and/or copies of "suggested submittals" indicated in the Reference Guide to verify that the project has achieved the credit point.		
20	<b>FGBC CERTIFICATION LEVELS</b>		
21	The FGBC Green Home Certification program uses a tiered rating system. Certification is awarded at different levels according to points achieved over the minimum point threshold.		
22	Bronze	0-30 points over the project's required minimum	
23	Silver	31-60 points over the project's required minimum	
24	Gold	61-90 points over the project's required minimum	
25	Platinum	91 + points over the project's required minimum	
26	<b>FEES</b>		
27	<b>Single Family New and Existing Home Fees</b>		
28	Fee	Builder or Homeowner Must Be Member	
29	\$75	Member of FGBC and FHBA	
30	\$100	Member of FGBC or FHBA	
31	\$125	Non Member	
32	<b>Multi-Family Fees</b>		
33	Members	\$100 application fee + \$100 per building + \$25 per unit	
34	Non Members	\$100 application fee + \$100 per building + \$35 per unit	
35	<b>Additional Options</b>		
36	\$50	Pre-Application (next tab) use to receive your "application pending" yard sign, fee is deducted from your final application cost	
37	\$38	FGBC Certified Home Bronze Plaque	
38	<b>Instructions for Submission:</b>		
39	<b>Electronic Submissions (Required)</b>		
40	Complete the credit card authorization above.		
41	(Note: Payment by check is acceptable - see mailing instructions below)		
42	Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as <b>one zipped file</b> .		
43	<a href="https://spaces.hightail.com/uplink/certifications">https://spaces.hightail.com/uplink/certifications</a>		
44	<b>Mailing Instructions</b>		
45	Make check payable to "FGBC" based on fee schedule OR submit credit card payment information		
46	Mail fees and a printed copy of the completed application with an electronic version of the Checklist and supporting documents to:		
47	Florida Green Building Coalition (FGBC)		
48	25 E. Central Blvd.		
49	Orlando, FL 32801		

**For Additional Information:**  
 Contact your Certifying Agent  
 or  
 Contact FGBC: [www.FloridaGreenBuilding.org](http://www.FloridaGreenBuilding.org)  
 PH: 407-777-4914  
 Email: [info@FloridaGreenBuilding.org](mailto:info@FloridaGreenBuilding.org)



# Florida Green Home Standard

Version 11 Rev 0.0

## Pre-Application & Request for Yard Sign

(Use this form to order an "Application Pending Yard Sign for site use during construction)

### Builder Information

FGBC # \_\_\_\_\_ FHBA #: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City / Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 DBPR License #: \_\_\_\_\_

### Home Information

Address: 510 Southard \_\_\_\_\_  
 City/ST: Key West, FL \_\_\_\_\_  
 Zip Code: 33040 \_\_\_\_\_

### Certifying Agent Information

Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City / Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Amount Due:** \$75 (Will be Applied to Final Application Fee)

### Payment Information

Credit Card Payment: \_\_\_\_\_ Visa \_\_\_\_\_ Mcard \_\_\_\_\_ Amex \_\_\_\_\_ Discover  
 Card Number: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_ Billing Zip Code \_\_\_\_\_  
 Name on Card: \_\_\_\_\_  
 Cardholder Signature: \_\_\_\_\_

**Send To:**  
 FGBC, 25 E. Central Blvd.,  
 Orlando, FL 32801  
 PH: 407-777-4914  
 Fax: 407-777-4915

Email: [info@floridagreenbuilding.org](mailto:info@floridagreenbuilding.org)

# FGBC Green Home Standard

Version 11 Rev 0.0

## Application

Effective January 1, 2018 (Required January 1, 2019)

Revised 3-27-18

**Instructions for Submission:**

**Electronic Submissions (Required)**

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

Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.  
<https://spaces.hightail.com/uplink/certifications>

**Mailing Instructions**

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:  
 FGBC  
 25 E. Central Blvd.  
 Orlando, FL 32801

**FEES**

**Single Family New and Existing Home Fees**

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

**Multi-Family Fees**

Multi-family applications: Use TAB 18

**Additional Options**

\$38	FGBC Certified Home Bronze Plaque
\$40	Florida Water Star Certification
Free	FGBC Certified Home Yard Sign (Electronic Version)

**Builder Information**

Name: To Be Determined

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/ST/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

DBPR License #: \_\_\_\_\_

FGBC Member #: \_\_\_\_\_

FHBA Member #: \_\_\_\_\_

Signature: \_\_\_\_\_

**Certifying Agent Information**

Name: To Be Determined

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City / Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

CA Registration #: \_\_\_\_\_

Signature: \_\_\_\_\_

**PAYMENT**

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

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

CC#: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Billing Zip Code: \_\_\_\_\_

Signature: \_\_\_\_\_

**Home Information**

Address: 510 Southard St

City/ST/Zip: Key West FL 33040

County: Monroe

Development: 510 Southard

**Please answer the following questions:**

Existing	Is the home New or Existing?
Multi	Is this Single Family or Multi-Family?
No	Is this home Affordable? List Funding Source
\$1,164	Total Square Footage of home/unit
1,164	Conditioned Square Footage of home/unit
TBD	Sales Price

**Optional Information**

Owner: Conch Republic PR, LLC

Company: Conch Republic PR, LLC

Address: 510 Southard St

City/ST/Zip: Key West FL 33040

Phone: c/o 305-293-8983

E-mail: Owen@owentrepanier.com

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

Date: 11/07/2024

**Project Point Summary**

<b>Minimum Points to Qualify (may be over 100 if a category minimum is missed)</b>	<b>100</b>
<b>Points Toward Qualification (points over category maximums excluded)</b>	<b>135</b>
<b>Total Points Achieved</b>	<b>139</b>

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

Category	Your Score	Required Min - Max
Category 1: Energy	75	30 - 75
Category 2: Water	15	15 - 40
Category 3: Lot Choice	10	0 - 15
Category 4: Site	5	5 - 30
Category 5: Health	15	15 - 35
Category 6: Materials	10	10 - 35
Category 7: Disaster Mitigation	5	5 - 30
Category 8: General	0	0 - 40
Total:	<b>135</b>	
Total Needed:	<b>100</b>	
<b>Certified Home Score</b>	<b>135</b>	
<b>Certification Level</b>	<b>Silver</b>	

**PREREQUISITES:**

**Prerequisite 1: Swimming Pool / Spa**

- P1.01 N/A Sanitation system that reduces chlorine use
- P1.02 N/A Pool Cover
- P1.03 N/A Solar pool heating system
- P1.04 N/A Dedicated PV's to run pool equipment
- P1.05 Yes Home has no pool or spa

**Prerequisite 2: Waterfront Considerations**

- P2.01 N/A Use of native aquatic vegetation in shoreline area
- P2.02 Yes No turf adjacent to water (Low maintain plants instead)
- P2.03 Yes Use of terraces, swales, or berms to slow storm water
- P2.04 Yes Home site does not border natural water body

**Prerequisite 3: No Invasive Exotic Species**

- P3.01 Yes Landscape Considerations
- Existing Is the landscape existing or new

**CATEGORY 1: ENERGY**

Category Minimum 30 / Category Maximum 75

**HERS Index - Energy Rating**

E1.01 **75** 3 - 75 **Confirmed Florida HERS Rating - 3 points for each HERS Index point below 80**

**Yes** :Does the Home have a confirmed HERS Index  
**0** :Confirmed HERS Index

**Design, Finishes, Amenities**

- E2.01 **0** 1 **Thermal Bypass Inspection**
- E2.02 **-** 1 Ductwork joints sealed with mastic
- E2.03 **-** 1 **Ductwork smoke tested allowing leaks to be sealed prior to drywall**
- E2.04 **-** 1 Cross vent and ceiling fans code credit
- E2.05 **0** 1 Roofed porch, Min 100ft<sup>2</sup> AND 3 sides open
- E2.06 **0** 1 Passive solar space heating system
- E2.07 **0** 1 Passive solar day-lighting
- E2.08 **0** 1 Deciduous trees on south
- E2.09 **0** 1 - 4 House shaded on east and west by trees  
 0 % of the designated wall areas (average of east and west walls) that are shaded by trees.
- E2.10 **0** 1 Washer and dryer outside of conditioned space
- E2.11 **0** 1 Floor joist perimeter insulated and sealed
- E2.12 **-** 1 Light colored exterior walls (80% minimum)  
**79** Enter the Solar Reflective Index (SRI) of Paint
- E2.13 **2** 1 - 2 Light colored interior walls, ceilings, carpet/floors  
**Yes** all major living spaces wall and ceiling surfaces have a reflectance of at least 50%  
**0** Enter the Light Reflectance Value (LRV) of Paint  
**Yes** bedrooms and all major living spaces have floors, walls, & ceilings are light-colored  
**0** Enter the Light Reflectance Value (LRV) of Paint
- E2.14 **-** 1 Max 100W fixtures in bathrooms
- E2.15 **0** 1 Pre-plumb for solar hot water
- E2.16 **0** 2 **Install a State Certified rated solar hot water system**
- E2.17 **0** 1 **Insulate all hot water pipes**
- E2.18 **0** 1 Energy-efficient clothes dryers
- E2.19 **0** 1 Energy-efficient ovens/ranges
- E2.20 **0** 1 Energy Star® clothes washers
- E2.21 **0** 1 Efficient well pumping
- E2.22 **0** 1 Efficient envelope volume  
**0** Total Gross Wall Area  
**5821** Conditional Square Footage  
**1** Number of Stories
- E2.23 **0** 1 Dwelling unit attached, zero lot-line, row house
- E2.24 **0** 1-2 Ceiling Penetrations: No penetrations in ceiling (2 points), No penetrations in the thermal envelope (1 point)
- E2.25 **-** 3 Energy Star® Advanced Lighting Package
- E2.26 **2** 2 Outdoor lights are energy efficient.
- E2.27 **0** 1 Install motion sensors on a minimum of 60% of the hard wired lighting fixtures
- E2.28 **-** 1 Energy Efficient Sheathing

**79** 112 Total Points

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

Name of HERS Rater: **To be determined**

Certifying Agent Category 1: **0**

**CATEGORY 2: WATER**

Category Minimum 15 / Category Maximum 40

New  Is the landscape existing or new

**W1 FIXTURES AND APPLIANCES**

W1.01	N/A	3	Water saving clothes washer
W1.02	N/A	1	Low-flow shower heads (must be ≤ 2.0 gpm)
W1.03	N/A	1	All showers equipped with only 1 showerhead per shower (1 showerhead/15sf allowed)
W1.04	1	1 - 2	All lavatory sink faucets have flow rates of ≤ 1.5 gpm (all ≤ 1.0 gpm = 2 pts)
W1.05	N/A	2 - 3	High Efficiency Dual-flush or Single Flush Toilets ( all toilets ≤ 1.28 gpf)
W1.06		1	Water Closet with UNAR MaP Rating of 600 g
W1.07	0	1	Compact Hot Water Distribution

**W2 Greywater Reuse**

W2.01	0	1 - 3	Greywater System Installed
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**W3 Rainwater Harvesting**

W3.01	0	1 - 3	Rainwater Harvesting System installed with dedicated use
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**W4 Reclaimed Water Reuse**

W4.01	0	2	Water for irrigation
W4.02	0	2	Meter on reclaimed irrigation system
W4.03	0	2	Volume-based pricing arrangement
W4.04	0	2	For toilet flushing

**W5 Installed Landscape**

W5.01	N/A	2 - 3	Drought-tolerant turf, no turf in densely shaded areas
W5.02	0	1 - 3	60%, 80%,100%, of plants/trees from drought-tolerant list 0% :Percentage of drought tolerant plant
W5.03	N/A	2	All plants/trees selected to be compatible with their location in the landscape
W5.04	3	3	Turf less then 50% of landscape
W5.05	N/A	2	No turf in densely shaded areas
W5.06	N/A	2	Plants with similar maintenance requirements grouped together
W5.07	1	1	Mulch applied 3 - 4 inches deep around plants / no volcano mulch
W5.08	0	1	Non-Cypress mulch used
W5.09	0	2	Soil tested and amended where necessary

**W6 Installed Irrigation**

W6.01	10	10	No permanent installed irrigation system
W6.02	0	2	Innovative irrigation technology
W6.03	0	3	Landscape irrigated to FGBC standard 0 Separate zones for turf and landscape beds - multi program controller 0 High-volume irrigation does not exceed 60% of landscape area 0 Head to head coverage for rotor/spray heads 0 Micro-irrigation only in landscape beds and narrow areas 0 Provide owner & FGBC with plan and instructions
W6.04	0	1	Pressure compensating spray heads installed in spray zones Pressure regulating valves are installed for spray zones
	OR	0	
W6.05	0	1	In poor drainage (low) areas, heads are installed with check valves
W6.06	0	2	High volume irrigated areas have matched precipitation rates
W6.07	0	1	Pop-up sprinkler heads significantly rise above turf grass height

**W7 Additional Water Certification Requirements**

W7.01	0	5	Meet or exceed Florida Water Star™ or WaterSense standards:
W7.02	0	2	Florida Friendly Landscape™ Program New Construction Certification
	15	56	Total Points

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

Certifying Agent Category 2:	To be determined.
Landscape Auditor:	To be determined.
Credentials of Auditor:	

**CATEGORY 3: LOT CHOICE**

Category Minimum 0 / Category Maximum 15

LC1.01	0	1 - 6	House built within designated FGBC green land development
			- Name of FGBC Green Development
			0 % of land development that scored beyond the minimum compliance of FGBC standard
LC1.02	0	2	Home within a certified green local government
LC1.03	0	2	Built on an infill site
LC1.04	1	1	Site within 1/8 mile of existing infrastructure
LC1.05	2	2	Site within 1/4 mile to mass transit
LC1.06	2	2	Site within 1/2 mile of public open/green space
LC1.07	5	2	Site within 1/4 mile or 1/2 mile of existing basic community resources
			Yes Arts and entertainment center
			0 Bank
			0 Community or civic center
			0 Convenience store
			Yes Daycare center
			0 Fire station
			0 Fitness center or gym
			0 Laundry or dry cleaner
			0 Library
			0 Medical or dental office
			Yes Pharmacy
			Yes Police station
			0 Post office
			Yes Place of worship
			Yes Restaurant
			0 School
			0 Supermarket
			- Other Neighborhood-serving retail
			#REF! Other office building or major employment center
LC1.08	0	2	Site located in small lot cluster development
LC1.09	0	2	Brownfield site
	10	21	Total Points

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

Certifying Agent Category 3: 0

**CATEGORY 4: SITE**

Version 11 Rev 0.0

Category Minimum 5 / Category Maximum 30

Revised 3-27-18

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

**Native Tree and Plan Preservation**

- S1.01 0 2 Maximize tree survivability
- S1.02 0 1 - 2 Minimize soil compaction  
Restrict all construction equipment from driving on site during construction except for ?
- S1.03 0 2 Replant or donate removed vegetation
- S1.4 0 1 - 9 Preserve or create wildlife habitat / shelter  
0 % of property that was created or preserved as a wildlife habitat or shelter

**On Site Use of Cleared Materials**

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

**Erosion Control / Topsoil Preservation**

- S3.1 0 2 Develop and Implement an Erosion Control Site Plan
- S3.2 0 1 Stabilize disturbed soil
- S3.3 0 2 Stage disturbance
- S3.4 1 1 Control sediment runoff during construction
- S3.5 0 1 Save and reuse any removed topsoil

**Drainage / Retention**

- S4.1 2 2 Onsite designated retention area
- S4.2 0 2 Direct filtered rooftop runoff to planted area(s)
- S4.3 2 1 - 4 Maintain pervious surface area (If not taking points input 1 for Total Lot Area)  
Partial Pervious
 

60	% Pervious Material	5136	Total Lot Area (sq. ft.)
0	Coverage Area (sq. ft.)	2900	100% Pervious sq. ft.
0	Equivalent Pervious Area -->	2900	Equivalent Pervious Area (semi-pervious)
2	Total points for pervious area		

5 34 Total Points

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

Certifying Agent Category 4: 0

**CATEGORY 5: HEALTH**

Category Minimum 15 / Category Maximum 35

**Combustion**

H1.01	3	3	Detached or Air Sealed Garage or Carport or "NO" Garage
H1.02	0	1	Garage (attached or detached)- exhaust fan on motion sensor and timer
H1.03	1	1	Interior Fireplace - Direct vent, sealed combustion w/electronic ignition, factory built wood burning or no fireplace
H1.04	2	1 - 2	No unsealed space or water heating combustion located inside the conditioned area - or electric

**Space Heating**

Yes	Electric
0	Sealed combustion equipment
0	Sealed combustion closet

**Water Heating**

0	Electric
0	Sealed combustion equipment
0	Sealed combustion closet
Yes	Outside of conditioned space

**Moisture Control**

H2.01	0	1	Drainage tile on and around top of footing
H2.02	0	1	Drainage board for below grade walls
H2.03	0	1	Gravel bed beneath slab on grade floors
H2.04	1	1	Seal slab penetration
H2.05	0	1	Capillary break between foundation and framing
H2.06	0	3	Central dehumidification system
H2.07	0	1	No vapor barrier on inside of assemblies
H2.08	0	1	Moisture control for tub/shower and shower surrounds
H2.09	0	1	Seal Entire Slab

**Source Control**

H3.01	0	1	No exposed urea-formaldehyde wood products
H3.02	0	1 - 2	Low or Zero VOC paints, stains, and finishes
H3.03	1	1	Low VOC sealants and adhesives
H3.04	2	1 - 2	Minimize carpet use (<50% 1pt, No wall to wall carpet 2pts)
H3.05	0	1	Healthy flooring
H3.06	0	1	Healthy insulation
H3.07	1	1	Protect ducts, range hood, and bath exhaust fans during construction
H3.08	0	3	<b>Integrated pest management plan</b>

**Cleanability**

H4.01	0	1 - 2	Central vacuum system	0	System roughed in	0	Installed with exhaust outdoor
				0		0	Installed with exhaust indoor thru HEPA filter
H4.02	0	1	Useable entry area				

**Universal Design**

H5.01	0	1 - 3	Universally designed living area
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**Ventilation**

H6.01	0	2 - 4	<b>Controlled mechanical ventilation</b>
H6.02	0	1	Radon/Soil gas vent system installed
H6.03	1	1	Floor drain sealed
H6.04	0	1	Energy Star <sup>®</sup> bath fans with timer or humidistat
H6.05	1	1	Kitchen range hood vented to exterior
H6.06	0	1	Laundry rooms inside conditioned space must have a make-up air source
H6.07	0	3	Whole house positive filtration
H6.08	1	1 - 2	Efficient HVAC filter
H6.09	0	1	HVAC filter easily accessible
H6.10	1	1	Install screens on all windows and doors
H6.11	0	1	<b>Manual D duct design</b>

15 53 Total Points

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

Certifying Agent Category 5:

0

**CATEGORY 6: MATERIALS**

Category Minimum 10 / Category Maximum 35

**Components**

M1.01	0	1	Recycled content roof material
M1.02	0	2 - 3	Certified sustainable lumber 0 homes with minimum of 1 story wood frame exterior walls have 80% of all lumber certified 0 home has no exterior wood walls & 80% of remaining lumber used for the home is certified.
M1.03	0	1	Engineered / alternative material for outdoor living
M1.04	0	1	Concrete with fly ash or blast furnace slag
M1.05	0	1	Recycled content siding or soffit material
M1.06	1	1	Eco-friendly insulation
M1.07	0	1	Recycled content drywall
M1.08	0	1	Recycled content paint
M1.09	0	1	Steel interior studs
M1.10	-	1	Eco-friendly flooring material
M1.11	0	1	Eco-friendly ceiling materials
M1.12	0	1 - 3	Locally produced materials 0 minimum 80% of all new windows & doors are from local manufacturers & are operable 0 50% of all doors are reused doors or 50% of all windows are reused windows 0 80% of all structural components are from local sources - includes panelized & modular systems

**Waste Reduction**

M2.01	0	3	Resource efficient wall system with integral insulation
M2.02	2	2	Develop a construction and demolition waste management plan
M2.03	0	2 - 4	Implement job site waste management 0 # of items implemented 0
M2.04	1	1	Compost bin/built in collection of recyclables
M2.05	0	1 - 2	Engineered roof and floor components 0 80% of floor (or code allowance)      0 80% of roof (or code allowance)
M2.06	0	1	Finger jointed or laminated products
M2.07	-	1	Eco-friendly trim
M2.08	-	1	Perimeter based on 2 foot dimensions
M2.09	0	1	Each interior wall adheres to 2-foot dimensions for minimum of 50% of the interior walls
M2.10	0	1	Stack framing
M2.11	0	1	2-stud corners with drywall clips
M2.12	0	1	T-wall with drywall clips and/or ladder type exterior tee framing

**Durability**

M3.01	1	1	Roof slope $\geq$ 3:12 but $\leq$ 6:12
M3.02	0	1	Large overhangs (eave and gable)
M3.03	0	1	Air admittance vents
M3.04	0	1	Wood frame house and/or wood frame 2nd floors designed with vented rain screen
M3.05	-	1	Siding and exterior trim primed all sides
M3.06	1	1	Plants/turf minimum of 2ft. from foundation
M3.07	1	1	Sprinklers and emitters are located a minimum of 2 ft from foundation
M3.08	1	1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances
M3.09	2	2	Automatic in home water sensor/shut off system installed
M3.10	0	1	Access panel to non-accessible plumbing fixture installed
M3.11	-	1	Laundry room below living floor or drain installed
	10	47	Total Points

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

Certifying Agent Category 6:   0

**CATEGORY 7: DISASTER MITIGATION**

Category Minimum 5 / Category Maximum 30

**DM1 Hurricane (wind, rain, storm surge)**

DM1.01	0	2	Safe room
DM1.02	-	2	Unvented attic or No attic
DM1.03	2	2	Window, door, and skylight protection or impact resistant type
DM1.04	-	1	Attached garage and exterior door protection
DM1.05	1	1	Exterior structures and equipment properly anchored
DM1.06	-	2	Secondary water protection installed on roof
DM1.07	0	2	Adhesive applied to roof sheathing
DM1.08	0	2	Roof Shingles
DM1.09	2	2	Raised Slab or Pier Foundation
DM1.10	0	5	Comply with Fortified For Safer Living Standards

**DM2 Flood (must incorporate all three)**

DM2	0	3	Yes	Finished floor level at least 12" above 100 yr flood plain
			-	Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage
			-	Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor

**Fire (must incorporate all three for 3.1)**

DM3.01	0	3	0	Fire resistant exterior wall cladding
			Yes	Fire resistant roof covering or sub-roof
			0	Fire resistant soffit and vent material
DM3.02	0	3	-	Fire Sprinkler System

**Lightning & Electronics Protection**

DM4	0	1 - 2	Installed Surge Suppression or Lightning Protection System
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**Termites (must comply w/required credits listed below AND EITHER DM 4.01 OR DM 4.02 OR DM 4.03 to receive points)**

- 10 Seal slab penetrations (Health: H2.4)
- required Vegetation > 2 ft. from foundation (Materials: M3.6)
- required Sprinklers & emitters are 2 feet from house (Materials: M3.7) OR no installed irrigation (Water: W6.1)

DM 5.01	0	10	<b>DM 5.01: Chemical Soil Treatment Used</b>
			0 Exterior cladding installed to prohibit intrusion
			- Rain gutters installed (downspouts discharge a minimum of 3' from home) <b>OR</b> meet large overhangs (≥2')
			0 Condensate line(s) discharge a min of 2' from home & are located 5' or more from dryer vent
			0 Irrigation/sprinkler water does not hit building
			0 Damage replacement warranty issued and available for annual renewal

OR

DM 5.02		10	<b>DM 5.02: Chemical Soil Treatment Avoided</b>
			0 Chemical soil treatment avoided
			0 Alternative Florida Building Code approved method of foundation protection employed

OR

DM 5.03		12	<b>DM 5.03: Treated wood products</b>
			0 All wood products serving structural or exterior finish purposes are borate or ACQ treated
DM5.04	0	1	80% of Cellulose insulation used is Borate treated

DM6.01	0	2	Mold Prevention - ASTM D3273
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5	47	Total Points
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**5** Total points for Category 7 ( 5 min / 30 max)

Certifying Agent Category 7:

0

**CATEGORY 8: GENERAL**

Category Minimum 0 / Category Maximum 40

**Small House Credit**

G1.01  0 - 25 Conditioned house size (*enter no if not claiming any points*)  
 :square feet of conditioned area

**Adaptability**

G2.01  2 Roof trusses designed for addition  
 G2.02  1 - 2 Unfinished rooms 1point for >100 SF, 2 points for > 200 SF  
 G2.03  1 Install a minimum of 2 upgraded automation system

**Renewable Power Generation**

G3.01  1 - 5 Reduce peak demand or annual load  
 1 point for each 2kW system size

**Remodel**

G4.01  10 Remodeling structure (HERS Index < 80)  
 G4.02  3 Water Closets 1.6 gpf and showers 2.5 gpm or less  
 G4.03  2 Upgrade existing installed irrigation with rain gauge, timer and code irrigation heads  
 G4.04  2 Existing homes with pools - upgrade pump to variable speed or dual speed  
 G4.05  2 Roof to wall connection upgrades

**Other**

G5.01  1 - 2 Home builder/designer/architect/landscape architect member of FGBC  
 :Number of members on the team that are members of FGBC  
 G5.02  2 Homeowner's manual, including information, benefits, operations - per reference guide  
 G5.03  2 FGBC Green Homeowner Checklist  
 G5.04  1 Plan for edible landscape/food garden  
 G5.05  2 Guaranteed energy bills  
 G5.06  2 FGBC Certified Professional  
 G5.07  5 Energy Star Qualified Home  
 G5.08  1 - 5 INNOVATIVE CREDITS

Description of innovation:

56 Total Points

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

Certifying Agent Category 8:

**FGBC Home Score**

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

Total: **135**

Total Need: **100**

**Certified Home Score 135**

Certification Level:

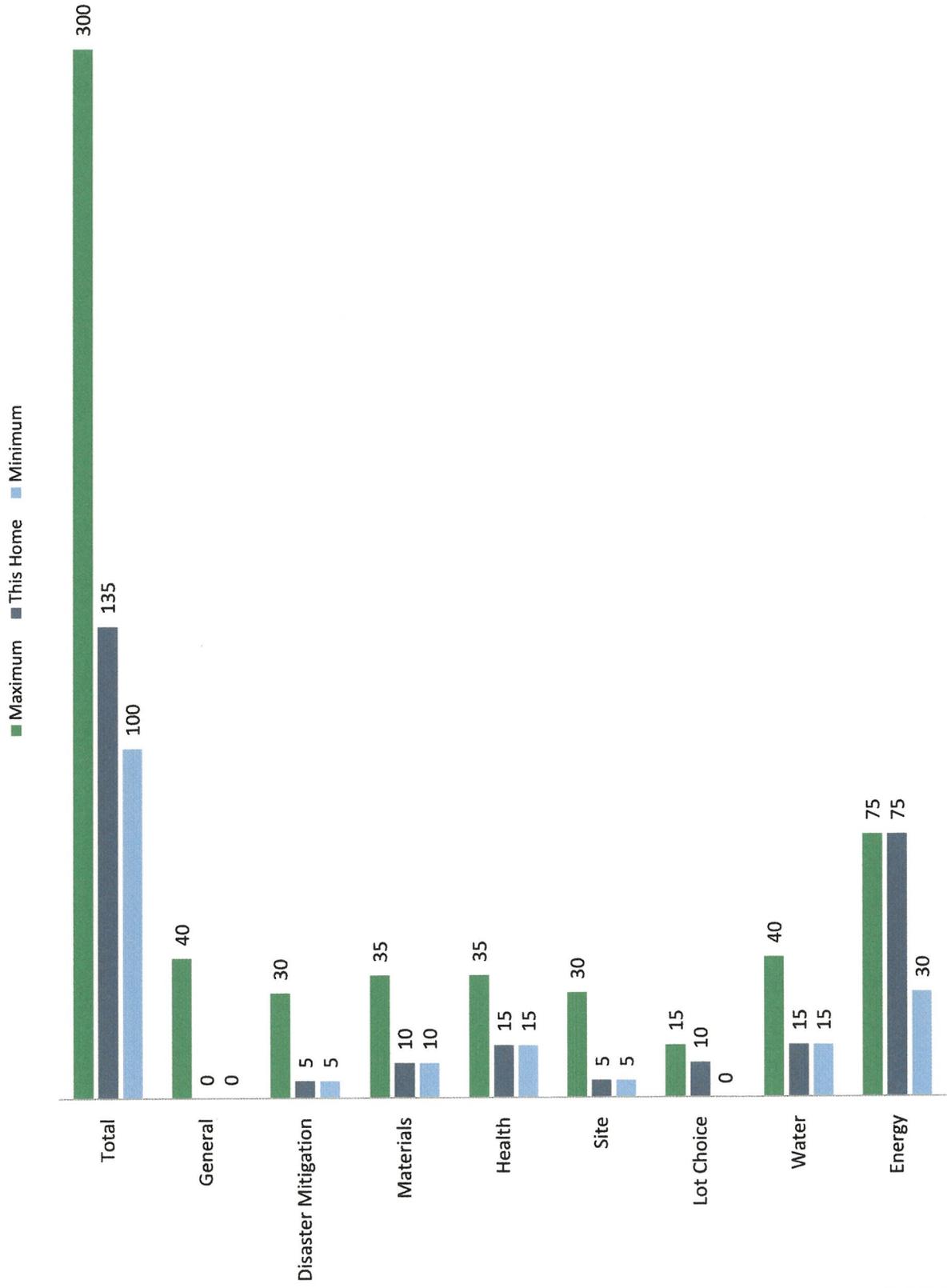
**Silver**

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

Home Address

510 Southard St  
Key West FL 33040

# FGBC Green Home Certification Summary Chart



	A	B	C	D	E	F
1	<b>FGBC Green Home Standard</b>					
2	Version 11 Rev 0.0					
3	<b>Existing Home Application</b>					
4	Effective January 1, 2018 (Required January 1, 2019)					
5	Revised 3-27-18					
6	<b>Instructions for Submission:</b>					
7	<b>Electronic Submissions (preferred)</b>					
8	• Complete the credit card authorization below or pay online					
9	(Note: Payment by check is acceptable - see mailing instructions below)					
10	Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.					
11	<a href="https://dropbox.hightail.com/certifications">https://dropbox.hightail.com/certifications</a>					
12	<b>Mailing Instructions</b>					
13	• Make check payable to "FGBC" based on fee schedule OR submit credit card payment information					
14	• Mail fees, application, and electronic version of checklist with supporting documents on CD to:					
15	Florida Green Building Coalition (FGBC)					
16	25 E. Central Blvd.					
17	Orlando, FL 32801					
18	<b>FEES</b>					
19	<b>Single Family New and Existing Home Fees</b>			<b>PAYMENT</b>		
20	Fee	Builder or Homeowner Must Be Member	_____	_____	Do You Want A Yard Sign? (Free)	
21	\$75	Member of FGBC and FHBA	_____	_____	Home Fees	
22	\$100	Member of FGBC or FHBA	_____	_____	Bronze Plaques	
23	\$125	Non Member	_____	_____	Florida Water Star Certification	
24			_____	\$0.00	Total Amount Authorized	
25	<b>Multi-Family Fees</b>			<b>or Authorize Credit Card Here: (Visa/MC/AX)</b>		
26	Multi-family applications: Use TAB 18			CC#:		
27				Expiration Date:		
28	<b>Additional Options</b>			Name on Card:		
29	\$38	FGBC Certified Home Bronze Plaque	_____	Billing Zip Code:		
30	\$40	Florida Water Star Certification	_____	Signature:		
31	Free	FGBC Certified Home Yard Sign (Electronic Version)	_____	<b>Home Information</b>		
32	<b>Builder Information</b>			Address:		
33	Name:	_____	_____	City/ST/Zip:		
34	Company:	_____	_____	County:		
35	Address:	_____	_____	Development:		
36	City/ST/Zip:	_____	_____			
37	Phone:	_____	_____			
38	E-mail:	_____	_____			
39	DBPR License #:	_____	_____	<b>Please answer the following questions:</b>		
40	FGBC Member #:	_____	_____	New	Is the home New or Existing?	
41	FHBA Member #:	_____	_____	Multi	Is this Single Family or Multi-Family?	
42	Signature	_____	_____	No	Is this home Affordable? List Funding Source	
43				2800	Square Footage of home/unit	
44	<b>Certifying Agent Information</b>			_____	Sales Price	
45	Name:	_____	_____			
46	Company:	_____	_____	<b>Optional Information</b>		
47	Address:	_____	_____	Owner:		
48	City / Zip:	_____	_____	Company		
49	Phone:	_____	_____	Address:		
50	Fax:	_____	_____	City/ST/Zip:		
51	E-mail:	_____	_____	Phone:		
52	CA Registration #:	_____	_____	E-mail:		
53	Signature:	_____	_____			
54	<b>Required Signatures:</b> All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.					
55	Date: _____					
56	<b>Project Point Summary</b>					
57	Minimum Points to Qualify (may be over 100 if a category minimum is missed)			100	Please refer to Standards Documents and Green Home Reference Guide for additional information.	
58	Points Toward Qualification (points over category maximums excluded)			135		
59	Total Points Achieved			139		
60						
61	Category		Your Score		Required Min - Max	
62	Category 1: Energy		75		30 - 75	
63	Category 2: Water		15		15 - 40	
64	Category 3: Lot Choice		10		0 - 15	
65	Category 4: Site		5		5 - 30	
66	Category 5: Health		15		15 - 35	
67	Category 6: Materials		10		10 - 35	
68	Category 7: Disaster Mitigation		5		5 - 30	
69	Category 8: General		0		0 - 40	
70	Total:		135			
71	Total Needed:		100			
72	<b>Certified Home Score</b>		<b>135</b>			
73	<b>Certification Level</b>		<b>Silver</b>			
74						
75						

1	<b>FGBC Green Home Standard</b>				
2	Version 11 Rev 0.0				
3	<b>Multi-Family Home Application</b>				
4	Effective January 1, 2018 (Required January 1, 2019)				
5	Revised 3-27-18				
6	<b>Instructions for Submission:</b>				
7	<b>Electronic Submissions (preferred)</b>				
8	• Complete the credit card authorization below or pay online				
9	(Note: Payment by check is acceptable - see mailing instructions below)				
10	Upload the application, checklist and supporting documents via the FGBC link below. All application packages must be submitted as one zipped file.				
11	<a href="https://dropbox.hightail.com/certifications">https://dropbox.hightail.com/certifications</a>				
12					
13	<b>Mailing Instructions</b>				
14	• Make check payable to "FGBC" based on fee schedule OR submit credit card payment information				
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16	Florida Green Building Coalition (FGBC)				
17	25 E. Central Blvd.				
18	Orlando, FL 32801				
19	<b>FEES</b>		<b>PAYMENT</b>		
20	<b>Multi-Family Fees</b>		_____ Do You Want A Yard Sign? (Free)		
21	Members	\$100 applicaion fee + \$100 per building + \$25 per unit	_____ Home Fees		
22	Non Members	\$100 application fee + \$100 per building + \$35 per unit	_____ Bronze Plaques		
23			_____ Florida Water Star Certification		
24	Enter your project information below:		_____ \$0.00 Total Amount Authorized		
25	_____	Number of Buildings	<u>Pay Online</u> or <u>Authorize Credit Card Here: (Visa/MC/AX)</u>		
26	_____	Number of Units	CC#:		
27			Expiration Date:		
28	\$100	MEMBER Fee	Name on Card:		
29	\$100	NON MEMBER Fee	Billing Zip Code:		
30			Signature:		
31					
32	<b>Builder Information</b>		<b>Home Information</b>		
33	Name:	To Be Determined	Address: 510 Southard Street		
34	Company:	_____	City/ST/Zip: Key West FL 33040		
35	Address:	_____	County: Monroe		
36	City/ST/Zip:	_____	Development: 510 Southard		
37	Phone:	_____			
38	E-mail:	_____			
39	DBPR License #:	_____	<b>Please answer the following questions:</b>		
40	FGBC Member #:	_____	New	Is the home New or Existing?	
41	FHBA Member #:	_____	Multi	Is this Single Family or Multi-Family?	
42	Signature	_____	No	Is this home Affordable? List Funding Source	
43			_____		
44	<b>Certifying Agent Information</b>		1,164	Square Footage of home/unit	
45	Name:	To Be Determined	TBD	Sales Price	
46	Company:	_____			
47	Address:	_____	<b>Optional Information</b>		
48	City / Zip:	_____	Owner: Conch Republic PR, LLC		
49	Phone:	_____	Company: Conch Republic PR, LLC		
50	Fax:	_____	Address: 510 Southard Street		
51	E-mail:	_____	City/ST/Zip: Key West FL 33040		
52	CA Registration #:	_____	Phone: c/o 305-293-8983		
53	Signature:	_____	E-mail: <a href="mailto:Owen@owentrepanier.com">Owen@owentrepanier.com</a>		
54	Required Signatures: All parties signing this application acknowledge that each of the measures intended to qualify the home for the Florida Green Home Certification has been incorporated into construction/renovation of the home.				
55			Date: 11/07/2024		
56	<b>Project Point Summary</b>				
57	Minimum Points to Qualify (may be over 100 if a category minimum is missed)		100	Please refer to Standards Documents and Green Home Reference Guide for additional information.	
58	Points Toward Qualification (points over category maximums excluded)		135		
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67	Category 6: Materials	10		10 - 35	
68	Category 7: Disaster Mitigation	5		5 - 30	
69	Category 8: General	0		0 - 40	
70	Total:	135			
71	Total Needed:	100			
72	<b>Certified Home Score</b>	<b>135</b>			
73	<b>Certification Level</b>	<b>Silver</b>			
74					
75					

*Year 12 BPAS*



# **AUTHORIZATION & VERIFICATION FORMS**



**City of Key West  
Planning Department**

**Authorization Form**  
*(Where Owner is a Business Entity)*

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

I, Juan Carlos Pernas \_\_\_\_\_ as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Authorized Agent \_\_\_\_\_ of Capital Partners Management, LLC, manager of:  
Conch Republic PR, LLC \_\_\_\_\_  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Owen Trepanier & Associates, Inc. \_\_\_\_\_  
*Please Print Name of Representative*

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

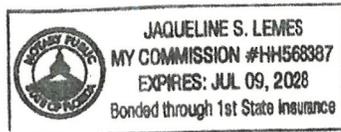
[Signature] \_\_\_\_\_  
*Signature of person with authority to execute documents on behalf of entity owner*

Subscribed and sworn to (or affirmed) before me on this November 7, 2024 \_\_\_\_\_  
*Date*

by Juan Carlos Pernas \_\_\_\_\_  
*Name of person with authority to execute documents on behalf of entity owner*

He/She is personally known to me or has presented NA \_\_\_\_\_ as identification.

[Signature] \_\_\_\_\_  
*Notary's Signature and Seal*



Jaqueline S. Lemes \_\_\_\_\_  
*Name of Acknowledger typed, printed or stamped*

HH568387 \_\_\_\_\_  
*Commission Number, if any*



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

I, Owen Trepanier, in my capacity as President  
*(print name) (print position; president, managing member)*

of Trepanier & Associates Inc  
*(print name of entity)*

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

510 Southard Street, Key West, FL 33040  
*Street address of subject property*

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

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

*[Handwritten Signature]*

*Signature of Applicant*

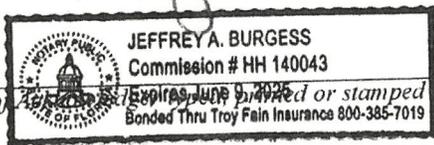
Subscribed and sworn to (or affirmed) before me on this JUNE 20, 2024 by  
*date*

Owen Trepanier  
*Name of Applicant*

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

*[Handwritten Signature]*

*Notary's Signature and Seal*



Name of *[Signature]* *Notary Public*  
*Notary Public State of Florida*  
*Expires June 9, 2025*  
*Bonded Thru Troy Fain Insurance 800-385-7019*

*Commission Number, if any*

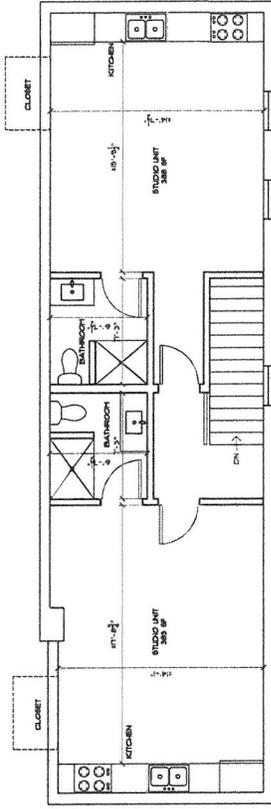
*Year 12 BPAS*



# **SITE PLANS**

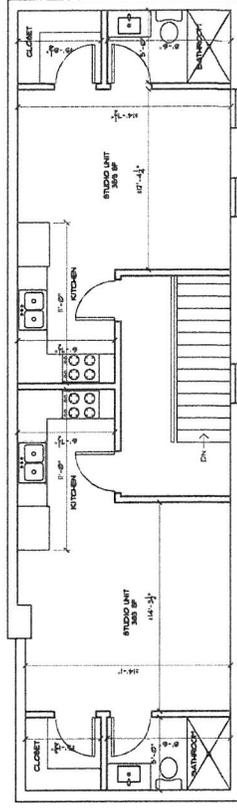






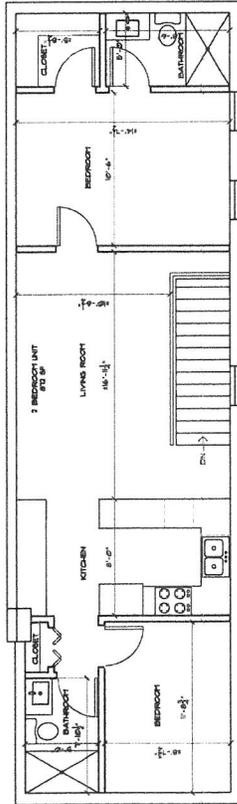
**Two Unit Option 1**  
**Floor Plan**

1/4" = 1'-0"



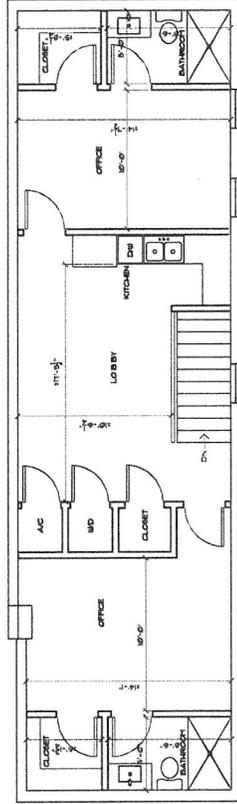
**Two Unit Option 2**  
**Floor Plan**

1/4" = 1'-0"



**Two Bedroom Option 1**  
**Floor Plan**

1/4" = 1'-0"



**Existing**  
**Floor Plan**

1/4" = 1'-0"

510 Southard St

510 Southard St

Key West, FL

POPE-SCARBROUGH-ARCHITECTS  
THOMAS R. POPE, P.A.

(305) 296 8611

610 White St, Key West FL

date: 07/23/24  
revision:

sheet:

A1.1

*Year 12 BPAS*



# Property Card

# Monroe County, FL

## \*\*PROPERTY RECORD CARD\*\*

### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00012280-000000  
**Account#** 1012611  
**Property ID** 1012611  
**Millage Group** 10KW  
**Location** 510 SOUTHARD St, KEY WEST  
**Address**  
**Legal** KW PT LT 3 SQR 61 SOUTHARD ST 61 FT X 162FT OR233-164  
**Description** OR237-252 OR1186-69 OR1415-2246 OR3132-0325 OR3136-1693 OR3286-0037  
*(Note: Not to be used on legal documents.)*  
**Neighborhood** 32040  
**Property Class** RETAIL-SINGLE TENANT (1100)  
**Subdivision**  
**Sec/Twp/Rng** 06/68/25  
**Affordable Housing** No



### Owner

CONCH REPUBLIC PR LLC  
 30 N Gould St  
 Ste R  
 Sheridan WY 82801

### Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
+ Market Improvement Value	\$344,498	\$850,519	\$850,519	\$1,007,252	\$1,007,252	\$1,048,087
+ Market Misc Value	\$10,004	\$10,004	\$10,004	\$10,004	\$10,004	\$10,004
+ Market Land Value	\$1,561,909	\$2,645,906	\$2,178,981	\$1,712,057	\$1,369,645	\$1,182,875
= Just Market Value	\$1,916,411	\$3,506,429	\$3,039,504	\$2,729,313	\$2,386,901	\$2,240,966
= Total Assessed Value	\$1,916,411	\$3,343,454	\$3,039,504	\$2,625,591	\$2,386,901	\$2,240,966
- School Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,916,411	\$3,506,429	\$3,039,504	\$2,729,313	\$2,386,901	\$2,240,966

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$1,561,909	\$344,498	\$10,004	\$1,916,411	\$1,916,411	\$0	\$1,916,411	\$0
2023	\$2,645,906	\$850,519	\$10,004	\$3,506,429	\$3,343,454	\$0	\$3,506,429	\$0
2022	\$2,178,981	\$850,519	\$10,004	\$3,039,504	\$3,039,504	\$0	\$3,039,504	\$0
2021	\$1,712,057	\$1,007,252	\$10,004	\$2,729,313	\$2,625,591	\$0	\$2,729,313	\$0
2020	\$1,369,645	\$1,007,252	\$10,004	\$2,386,901	\$2,386,901	\$0	\$2,386,901	\$0
2019	\$1,182,875	\$1,048,087	\$10,004	\$2,240,966	\$2,240,966	\$0	\$2,240,966	\$0
2018	\$1,164,100	\$938,374	\$6,110	\$2,108,584	\$2,108,584	\$0	\$2,108,584	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1100)	9,882.00	Square Foot	61	162

Buildings

Building ID	39536	Exterior Walls	C.B.S.	
Style	2 STORY ON GRADE	Year Built	1963	
Building Type	1 STORY STORES / 11C	Effective Year Built	1995	
Building Name		Foundation	CONCRETE SLAB	
Gross Sq Ft	6565	Roof Type	FLAT OR SHED	
Finished Sq Ft	5821	Roof Coverage	TAR & GRAVEL	
Stories	2 Floor	Flooring Type	CERM/CLAY TILE	
Condition	GOOD	Heating Type	FCD/AIR DUCTED	
Perimeter	480	Bedrooms	0	
Functional Obs	30	Full Bathrooms	0	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	38	Grade	350	
Interior Walls	DRYWALL	Number of Fire PI	0	
Code	Description	Sketch Area	Finished Area	Perimeter
EPA	ENCL PORCH WD	524	0	0
OPX	EXC OPEN PORCH	220	0	0
FLA	FLOOR LIV AREA	5,821	5,821	0
<b>TOTAL</b>		<b>6,565</b>	<b>5,821</b>	<b>0</b>

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
FENCES	1973	1974	8 x 64	1	512 SF	5
ASPHALT PAVING	1979	1980	0 x 0	1	3477 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
7/22/2024	\$2,200,000	Warranty Deed	2469414	3286	0037	36 - Unqualified	Improved		
10/15/2021	\$1,757,000	Warranty Deed	2344410	3132	0325	37 - Unqualified	Improved		
9/1/1991	\$700,000	Warranty Deed		1186	69	Q - Qualified	Improved		

Permits

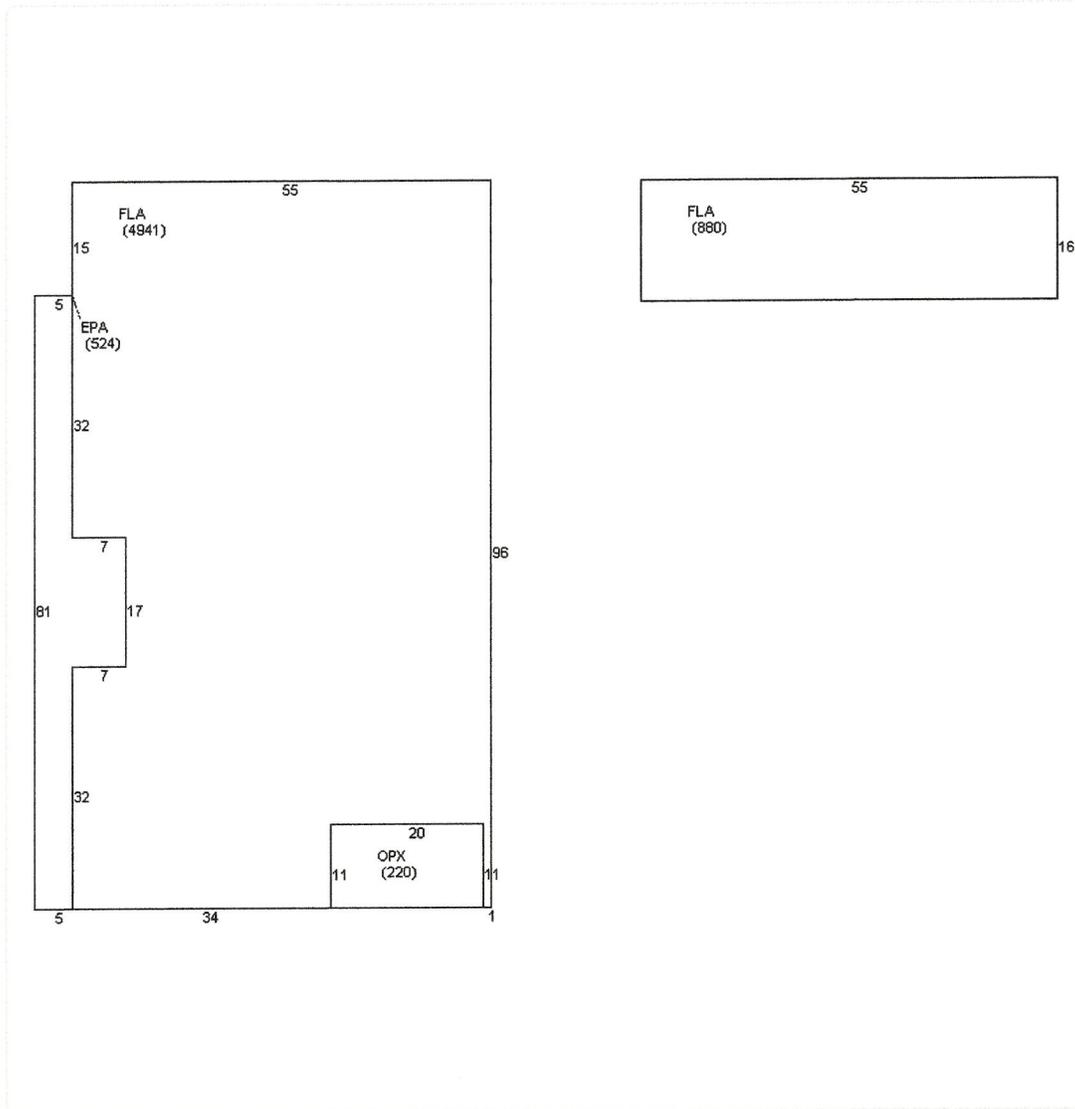
Number	Date Issued	Status	Amount	Permit Type	Notes
14-3798	08/07/2014	Completed	\$20,000	Commercial	Demo existing non-ADA compliant sidewalk within BOA property and adjacent sidewalk. Construct new ADA compliant landing, ramp and sidewalk. dwn
14-3737	08/05/2014	Completed	\$24,350	Commercial	RELOCATE EXISTING FIXTURES: ONE (1) LAV ONE (1) BI-LEVEL, ONE (1) KITCHEN SINK, ONE (1) SERV SINK. (CAP EXISTING ROUGH INS NO LONGER BEING USED (NOC under GC
14-3702	07/31/2014	Completed	\$2,500	Commercial	INSTALL TWELVE (12) LIGHTS & THREE (3) SWITCHES AS PER PLANS. (NOC EXEMPT)
14-2482	06/24/2014	Completed	\$175,000	Commercial	INTERIOR/EXTERIOR ADA ACCESSIBILITY IMPROVEMENTS MC For entry doors, parking & ramp
07-0789	02/21/2007	Completed	\$24,177	Commercial	REPLACE 15 TON A/C-AFTER THE FACT
03-3526	10/06/2003	Completed	\$800	Commercial	REMOVED ROLL DOWN GATE

Number	Date Issued	Status	Amount	Permit Type	Notes
00-2845	09/25/2000	Completed	\$1,200	Commercial	REPAIRS TO FACIA
00-1927	07/11/2000	Completed	\$1	Commercial	CHANGEOUT AC
00-1672	07/10/2000	Completed	\$8,500	Commercial	ELECTRICAL
00-0659	04/11/2000	Completed	\$1	Commercial	INSTALL 2 ATM'S
99-4152	01/06/2000	Completed	\$3,000	Commercial	REPLACE SIGN
98-2732	11/13/1998	Completed	\$1,500	Commercial	REPLACE SIGN
98-1889	06/18/1998	Completed	\$1,500	Commercial	ROOF TOP A/C
98-1124	05/08/1998	Completed	\$30,000	Commercial	RE-ROOFING
96-0558	01/01/1996	Completed	\$12,000	Commercial	ELECTRICAL
E95-4364	12/01/1995	Completed	\$1,500	Commercial	ELECTRICAL
E95-3768	11/01/1995	Completed	\$600	Commercial	FEE/INSPECTION
M95-3992	11/01/1995	Completed	\$2,100	Commercial	INST. 4 DROPS
E95-3381	10/01/1995	Completed	\$5,000	Commercial	FIRE ALARM
E95-3414	10/01/1995	Completed	\$6,000	Commercial	ELECTRICAL
P95-3621	10/01/1995	Completed	\$7,200	Commercial	PLUMBING
B95-2618	08/01/1995	Completed	\$200,000	Commercial	RENOVATIONS
B94-0699	03/01/1994	Completed	\$1,605	Commercial	REPLACE MISSING CORAL

#### View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice



[User Privacy Policy](#) [GDPR Privacy Notice](#)  
Last Data Upload: 11/7/2024, 5:30:59 AM



# **CERTIFICATION FORM**



# BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION EXHIBIT D - BPAS CERTIFICATION FORM

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)

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete, and accurate. I certify that all information required has been provided.

I certify that my total estimated points are 0. I certify that if I am awarded one or more Building Permit Allocations and am unable to achieve all prerequisites and/or achieve the total amount of points represented on the Score Sheet, a Certificate of Occupancy will not be issued for the project.

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

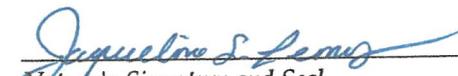
  
\_\_\_\_\_  
Signature of applicant

11/07/2024  
\_\_\_\_\_  
Date

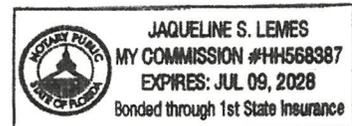
Owen Trepanier  
\_\_\_\_\_  
Print name of Applicant

Subscribed and sworn to (or affirmed) before me on this 7 day of November, 2024,  
by Owen Trepanier (name of person signing the application)  
as Agent (type of authority...e.g. officer, manager/member, trustee,  
attorney)  
for Conch Republic PR, LLC (name of entity or party on behalf of whom application was  
executed).

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

  
\_\_\_\_\_  
Notary's Signature and Seal

SEAL



Jaqueline S. Lemes  
\_\_\_\_\_  
Name of Acknowledger typed, printed or stamped

HH568387  
\_\_\_\_\_  
Commission Number, if any

*Year 12 BPAS*



**SunBiz**



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

## Detail by Entity Name

Florida Limited Liability Company  
CONCH REPUBLIC PR LLC

### Filing Information

<b>Document Number</b>	L24000299846
<b>FEI/EIN Number</b>	NONE
<b>Date Filed</b>	07/03/2024
<b>Effective Date</b>	07/03/2024
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

7901 4TH ST N  
STE 300  
ST. PETERSBURG, FL 33702

### Mailing Address

7901 4TH ST N  
STE 300  
ST. PETERSBURG, FL 33702

### Registered Agent Name & Address

REGISTERED AGENTS INC  
7901 4TH ST N  
STE 300  
ST. PETERSBURG, FL 33702

### Authorized Person(s) Detail

#### **Name & Address**

Title AR  
  
CAPITAL PARTNERS MANAGEMENT  
30 N GOULD ST. STE R  
SHERIDAN, WY 82801

### Annual Reports

**No Annual Reports Filed**

### Document Images

[07/03/2024 -- Florida Limited Liability](#) [View image in PDF format](#)

**STATE OF WYOMING \* SECRETARY OF STATE  
BUSINESS DIVISION**

Herschler Bldg East, Ste.100 & 101, Cheyenne, WY 82002-0020  
Phone: 307-777-7311 · Website: <https://sos.wyo.gov> · Email: [business@wyo.gov](mailto:business@wyo.gov)

**Filing Information**



**Please note that this form CANNOT be submitted in place of your Annual Report.**

<b>Name</b>	<b>Capital Partners Management, LLC</b>		
<b>Filing ID</b>	<b>2017-000767509</b>		
<b>Type</b>	Limited Liability Company	<b>Status</b>	Active

---

**General Information**

Old Name		Sub Status	Current
Fictitious Name		Standing - Tax	Good
		Standing - RA	Good
Sub Type		Standing - Other	Good
Formed in	Wyoming	Filing Date	09/04/2017 8:38 AM
Term of Duration	Perpetual	Delayed Effective Date	
		Inactive Date	

**Principal Address**

---

30 N Gould St. STE R  
Sheridan, WY 82801

**Mailing Address**

---

30 N Gould St STE R  
Sheridan, WY 82801

**Registered Agent Address**

---

Registered Agents Inc  
30 N Gould St Ste R  
Sheridan, WY 82801

**Parties**

Type	Name / Organization / Address
Organizer	Registered Agents Inc. 412 N Main St Ste 100 Buffalo, WY 82834

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**Notes**

Date	Recorded By	Note
------	-------------	------

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## Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	<b>Capital Partners Management, LLC</b>		
Filing ID	<b>2017-000767509</b>		
Type	Limited Liability Company	Status	Active

### Most Recent Annual Report Information

Type	Original	AR Year	2024
License Tax	\$60.00	AR Exempt	N
AR Date	8/27/2024 8:25 AM		
Web Filed	Y		

### Officers / Directors

Type	Name / Organization / Address
------	-------------------------------

#### Principal Address

30 N Gould St. STE R  
Sheridan, WY 82801

#### Mailing Address

30 N Gould St STE R  
Sheridan, WY 82801

### Annual Report History

Num	Status	Date	Year	Tax
03779687	Original	08/22/2018	2018	\$50.00
04911028	Original	08/16/2019	2019	\$50.00
05880793	Original	08/04/2020	2020	\$50.00
06654018	Original	08/30/2021	2021	\$60.00
07750822	Original	10/17/2022	2022	\$60.00
09040141	Original	08/28/2023	2023	\$60.00
10340184	Original	08/27/2024	2024	\$60.00

### Amendment History

ID	Description	Date
2024-004843123	RA Information Change	06/10/2024
2022-003816416	Delinquency Notice - Tax	09/02/2022
2018-002440676	RA Address Change	12/11/2018
2017-002181832	RA Address Change	11/16/2017
See Filing ID	Initial Filing	09/04/2017

*Year 12 BPAS*



# **WARRANTY DEED**

# CAPITAL PARTNERS MANAGEMENT, LLC

30 N Gould St SteR Sheridan WY 82801

## CORPORATE RESOLUTION

August 12, 2024

Purpose of Resolution: **Designation of Authorized Agent, Juan Carlos Pernas**

We, the undersigned, being all the directors of this corporation consent and agree that the following corporate resolution was made on:

Date: **July 3, 2024**

We do hereby consent to the adoption of the following as if it was adopted at a regularly called meeting of the board of directors of this corporation. In accordance with State law and the bylaws of this corporation, by unanimous consent, the board of directors decided that the Authorized Agent for Conch Republic PR, LLC shall be:

### **Juan Carlos Pernas**

**Juan Carlos Pernas, whose address is 534 Margaret St, Key West, FL 33040, is the Authorized Agent for Conch Republic PR, LLC of Florida, LLC incorporated July 3, 2024, shall. Juan Carlos Pernas is authorized to execute any and all documents necessary in connection with the ongoing affairs of Conch Republic PR, LLC. This authority is not limited in any scope and extends to all operations, including but not limited to property management, taxation, employment, design, permitting and construction, leasing, sub-leasing, banking, and any and all aspects necessary at the sole discretion of Juan Carlos Pernas.**

Therefore, it is resolved, that the corporation shall:

**Adopt Juan Carlos Pernas as the Authorized Agent for Conch Republic PR, LLC.**

*Walter Lista*

Director/ Member  
Signature

*Walter Lista*

Printed Name

*08-13-2024*

Date

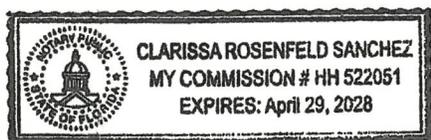
STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that on this day, before me, by means of  physical presence or  online notarization an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Walter Lista, of Capital Partners Management, LLC, a Wyoming limited liability company, who is well known to me and who did take an oath and acknowledged executing the same freely and voluntarily under authority duly vested in him.

WITNESS my hand and official seal in the County and State last aforesaid this *12* day of August, 2024.

*[Signature]*  
NOTARY PUBLIC, State of Florida at Large

My Commission expires:



*Clarissa Rosenfeld Sanchez*  
(Print Name)

Doc # 2469414 Bk# 3286 Pg# 37 Electronically Recorded 7/24/2024 at 2:15 PM Pages 5  
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK  
Electronically REC: \$44.00 Deed Doc Stamp \$15,400.00

THIS INSTRUMENT PREPARED BY:  
RMS Properties III, L.L.C.  
1111 N. Plaza Drive, Suite 200  
Schaumburg, Illinois 60173

WHEN RECORDED RETURN TO:  
William M. Karney  
Attorney at Law  
Moraitis, Karney, Moraitis & Quailey  
915 Middle River Drive, Suite 506  
Fort Lauderdale, FL 33304

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, is executed this 22<sup>nd</sup> day of July, 2024, by RMS Properties III, L.L.C., an Illinois limited liability company ("Grantor"), whose mailing address is 1111 North Plaza Drive, Suite 200, Schaumburg, Illinois 60173, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, in favor of CONCH REPUBLIC PR LLC, a Florida Limited Liability Company ("Grantee"), whose address is 30 N. Gould Street, Suite R, Sheridan, WY 82801.

Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, the Property, as more particularly described in **Exhibit A**, which is attached hereto, together with all improvements thereon.

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise; provided, however that this conveyance is made by Grantor and accepted by Grantee subject to: (a) all of the title exceptions revealed in or by the recorded documents and other matters affecting the Property as set forth in **Exhibit B** attached hereto and incorporated herein by reference; (b) Rights or claims of parties in possession not shown by the public records; (c) Easements or claims of easements, not shown by the public records; (d) Zoning, restrictions, and other regulatory laws and ordinances, prohibitions and other requirements imposed by governmental authority ; (e) All matters of survey; and (f) all standby fees, taxes and assessments by any taxing authority for the current and all subsequent years, and all liens securing the payment of any of the foregoing.

[Remainder of this page intentionally left blank; signature page to follow]

[Signature Page to Special Warranty Deed]

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered as to all Grantors in the presence of:

RMS PROPERTIES III, L.L.C.  
an Illinois limited liability company  
By: RMS Holding Group Inc.,  
an Illinois corporation  
Its: Manager

[Signature]  
Signature of Witness 1

By: [Signature]  
ROSHAN SHOFFET, President

Kimberly Sisson  
Name of Witness 1

32801 US 441 N Okeechobee, FL  
Address of Witness 1

[Signature]  
Signature of Witness 2

Kathryn Robinson  
Name of Witness 2

42 wescott lane, south Barrington, IL 60010  
Address of Witness 2

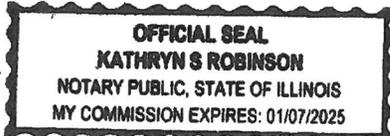
State of Illinois

County of Cook

The foregoing instrument was acknowledged before me by means of X physical presence or \_\_\_ online notarization, this 19 day of July, 2024 by ROSHAN SHOFFET, President of RMS HOLDING GROUP INC., an Illinois corporation, which corporation is the Manager of RMS PROPERTIES III, L.L.C., an Illinois limited liability company, on behalf of the company, who is ~~personally known~~ to me or who has produced drivers license as identification.

(SEAL)

[Signature]  
Notary Public  
My Commission Expires: 1/7/25



**EXHIBIT A TO SPECIAL WARRANTY DEED**  
**LEGAL DESCRIPTION OF THE PROPERTY**

The land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

ON THE ISLAND OF KEY WEST AND IS PART OF LOT 3, SQUARE 61, ACCORDING TO WILLIAM A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN 1829 AND IS MORE PARTICULARLY DESCRIBE AS FOLLOWS:

PARCEL 1:

FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SIMONTON STREET AND THE SOUTHEASTERLY LINE OF SOUTHARD STREET GO SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SOUTHARD STREET A DISTANCE OF 268.95 FEET TO A POINT, WHICH POINT IS THE POINT OF BEGINNING AND IS FURTHER IDENTIFIED AS POINT A; THENCE CONTINUE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SOUTHARD STREET A DISTANCE OF 43.10 FEET TO A POINT; THENCE SOUTHEASTERLY AND AT RIGHT ANGLES A DISTANCE OF 162 FEET TO A POINT; THENCE NORTHEASTERLY AND AT RIGHT ANGLES A DISTANCE OF 43.10 FEET TO A POINT; THENCE NORTHWESTERLY AND AT RIGHT ANGLES A DISTANCE OF 162 FEET BACK TO THE POINT OF BEGINNING.

PARCEL 2:

FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SIMONTON STREET AND THE SOUTHEASTERLY LINE OF SOUTHARD STREET GO SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SOUTHARD STREET A DISTANCE OF 268.95 FEET TO A POINT, WHICH POINT IS THE POINT OF BEGINNING AND IS FURTHER IDENTIFIED AS POINT A; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SOUTHARD STREET A DISTANCE OF 17.90 FEET TO A POINT; THENCE SOUTHEASTERLY AND AT RIGHT ANGLES A DISTANCE OF 162 FEET TO A POINT; THENCE SOUTHWESTERLY AND AT RIGHT ANGLES A DISTANCE OF 17.90 FEET A POINT; THENCE NORTHWESTERLY AND AT RIGHT ANGLES A DISTANCE OF 162 FEET BACK TO POINT OF BEGINNING.

Address: 510 Southard St., Key West, FL 33040

Monroe County Tax Property ID: 1012611

**EXHIBIT B TO SPECIAL WARRANTY DEED****EXCEPTIONS**

1. Rights of parties in possession, if any.
2. Governmental rights of police power or eminent domain unless notice of the exercise of such rights appears in the public records as of the date hereof; and the consequences of any law, ordinance or governmental regulation including, but not limited to, building and zoning ordinances.
3. Defects, liens, encumbrances, adverse claims or other matters (a) not known to the Grantor or not shown by the public records but known to the Grantee as of the date hereof and not disclosed in writing by the Grantee to the Grantor prior to the date hereof; (b) resulting in no loss or damage to the Grantee; or (c) attaching or created subsequent to the date hereof.
4. Visible and apparent easements and all underground easements, the existence of which may arise by unrecorded grant or by use.
5. Zoning and building regulations, restrictions and ordinances now or hereafter adopted or imposed by any governmental body having jurisdiction over the Property or any part thereof.
6. Taxes and assessments for the year of closing and subsequent years, which are not yet due or payable.
7. Utility declarations, easements and other agreements of record and rights of utility companies to use and maintain pipes, drains, mains, wires, cables, terminal boxes, lines, service connections and facilities, located in, on, over and/or under the Property.
8. Any state of facts which an accurate survey or inspection of the Property would show or reveal, including inland/tidal wetlands designation if applicable.
9. All notes or notices of violations of law, regulations, or municipal ordinances, orders or requirements heretofore or hereafter noted in or issued by any governmental or quasigovernmental departments and/or agencies against or affecting the Property or any portion thereof.
10. Encroachments of stoops, areas, cellar steps, trims and cornices, if any, upon any street or highway or adjoining premises; variations between record line and fences, hedges and retaining walls; encroachments of adjoining premises upon the Property.
11. Variations between description of Property herein and tax map description.
12. Covenants, restrictions, licenses, easements, rights, agreements, and rights-of-way of record, if any.
13. Any and all unrecorded leases, if any, and rights of parties therein.

14. All judgments, liens (excluding construction liens), assessments, code enforcement liens, encumbrances, declarations, mineral reservations, covenants, restrictions, reservations, easements, agreements and any other matters as shown on the public records.
15. Any liens for municipal betterments assessed after the date of the within Special Warranty Deed and/or orders for which assessments may be made after the date of the within Special Warranty Deed
16. The leases, licenses or occupancy agreements relating to the Property, and any memoranda thereof, and rights of parties therein.
17. The existence of Uniform Commercial Code financing statements which were filed or last extended on a day more than five years prior to the Closing.
18. Without limiting the foregoing, all covenants, conditions, restrictions and other matters of record recorded or filed in the applicable records of Monroe County, Florida with respect to the real property conveyed hereby.
19. Any adverse ownership claims by the State of Florida by right of sovereignty to any portion of the Land insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.
20. Any loss due to lack of direct access to a public road.



# **PRELIMINARY DRAFT RANKING**



*Year 12 BPAS*



# **PRELIMINARY RANKING RESPONSE**



## THE CITY OF KEY WEST

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

January 16, 2025

VIA ELECTRONIC MAIL

Owen Trepanier  
1421 First Street  
Key West, Florida 33040

**Re: Preliminary Ranking for Year 12 (2024-2025) Building Permit Allocation System (BPAS) Application  
510 Southard Street, Key West, Florida (RE #00012280-000000)**

Dear Mr. Trepanier,

The following letter is in response to a request for five (5) market rate residential dwelling BPAS units received by the Planning Department on November 8<sup>th</sup>, for property located at 510 Southard Street, Key West, Florida, more specifically RE #00012280-000000. The application has been reviewed for compliance with the criteria established in Chapter 108, Article X of the Land Development Regulations (LDRs) of the City's Code of Ordinances and reviewed for completeness with the application submittal requirements. The following are the Planning Department staff comments related to the review of the application.

### **Completeness / BPAS Prerequisites**

- Please provide information on how project will comply with current affordable housing requirements for projects under 10 units pursuant to section 122-1467.

### **BPAS Scoring Criteria**

- The applicant claimed 0 points in Exhibit C "*Applicant's Estimated Score Sheet*" and Exhibit D "*BPAS Certification Form*".
- **Applicant Action:** Optional submittal of updated Exhibits C and D to certify additional points.

### **Additional Documentation & Comments**

- Final BPAS applications are pending final density/zoning review for compliance with the City of Key West Land Development Regulations.
- The project will require a Major Development Plan process within the historic district pursuant to Section 108-91

### **General Information**



## THE CITY OF KEY WEST

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

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**Draft Rankings:** A preliminary draft copy of the Year 12 BPAS application rankings are attached, to provide a snapshot of your project ranking relative to other proposals. All BPAS applications are scored and ranked with the highest scoring projects awarded first. Market-rate unit requests compete separately from affordable-rate unit requests. You may make changes to your project that improve the Estimated BPAS Score Sheet at this time. After the deadline below, changes to the Estimated BPAS Score Sheet will no longer be allowed.

**Deadline:** All applicants shall be provided one (1) month to submit revisions to their applications. The deadline date is February 17th, 2025. Please submit one (1) paper copy or an electronic copy of your response and the requested revisions to the Planning Department no later than 5:00 p.m. on Tuesday, February 17th, 2025. Final allocations will be announced and awarded at the May 15th Planning Board meeting consistent with Sec. 108-997 of City code.

**Assistance:** Please contact us with any questions or clarifications. Planning staff are available to meet with you to discuss your application in greater detail. More information is available at [www.cityofkeywest-fl.gov/bpas](http://www.cityofkeywest-fl.gov/bpas).

**Note:** Pursuant to Section 108-995 "*After year ten (10), 75 percent of units shall be deemed restricted affordable,*" At this time given the City has received only three (3) affordable unit applications, staff may only be able to allocate one (1) market rate unit during the Year 12 BPAS cycle to maintain a ratio of 75% affordable to 25% market rate units.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Gagnon", is written over a light blue horizontal line.

Ben Gagnon  
Planning Department  
City of Key West  
1300 White Street  
Key West, FL 33040

*Year 12 BPAS*



# **FINAL RANKING**

CITY OF KEY WEST BUILDING PERMIT ALLOCATION SYSTEM (BPAS)

YEAR 12 PRELIMINARY RANKINGS

	Units Requested*	Equivalent Single-Family Unit (ESFU) Factor	Total ESFUs	Major/Minor Renovation	Sec. 108-997 (c)(1)a. Building more than 1.5' higher than the BFE (+5)	Sec. 108-997 (c)(1)b. Exceeding the minimum required percentage... (+30)	Sec. 108-997(c)(1)c. Voluntarily providing affordable housing... (+40)	Sec. 108-997(c)(1)d. Voluntarily providing affordable housing... (+60)	Sec. 108-997(c)(1)e. Achieving GBC Upgrade 1 (FGBC Silver) (+20)	Sec. 108-997(c)(1)f. Achieving GBC Upgrade 2 (FGBC Gold) (+27)	Sec. 108-997(c)(1)g. Voluntary contribution to the AIPP or Tree... (+40)	Sec. 108-997(c)(1)h. Providing electrical high voltage... (+5)	Sec. 108-997(c)(1)i. Using light colored, high reflectivity materials... (+5)	TOTAL BPAS POINTS: CLAIMED PER APPLICANT**
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YEAR 12 MARKET-RATE BPAS APPLICATIONS																
5555 College Road	3	1.00	3	Major	5	30	40	0	0	0	0	5	0	0	10	90
1114 White Street	1	1.00	1	Minor	5	0	0	0	0	0	0	0	5	0	10	10
510 Southard Street	5	1.00	5	Major	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL REQUESTED:</b>	<b>9</b>		<b>9.00</b>													
YEAR 12 AFFORDABLE-RATE BPAS APPLICATIONS																
5555 College Road	10	1.00	10	Major	5	30	40	0	0	0	0	5	0	0	10	90
<b>TOTAL REQUESTED:</b>	<b>10</b>		<b>10</b>													
<b>TOTAL OF ALL UNITS REQUESTED</b>	<b>19</b>															

**NOTES:**  
**Year 12 Units Available: 13.84**  
**75% Of All Units Awarded Must Be Affordable Per Section 108-995**  
 - In the event that two applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee.

**\*\*Points in red require action from the applicant. Applicants in this category must adjust their score sheets consistent with Planning staff recommendations contained in their preliminary letters.**

CITY OF KEY WEST BUILDING PERMIT ALLOCATION SYSTEM (BPAS)

YEAR 12 PRELIMINARY RANKINGS

	Units Requested*	Equivalent Single-Family Unit (ESFU) Factor	Total ESFUs	Major/Minor Renovation	Sec. 108-997 (c)(1)a. Building more than 1.5' higher than the BFE (+5)	Sec. 108-997 (c)(1)b. Exceeding the minimum required percentage... (+30)	Sec. 108-997(c)(1)c. Voluntarily providing affordable housing... (+40)	Sec. 108-997(c)(1)d. Voluntarily providing affordable housing... (+60)	Sec. 108-997(c)(1)e. Achieving GBC Upgrade 1 (FGBC Silver) (+20)	Sec. 108-997(c)(1)f. Achieving GBC Upgrade 2 (FGBC Gold) (+27)	Sec. 108-997(c)(1)g. Voluntary contribution to the AIPP or Tree... (+40)	Sec. 108-997(c)(1)h. Providing electrical high voltage... (+5)	Sec. 108-997(c)(1)i. Using light colored, high reflectivity materials... (+5)	TOTAL BPAS POINTS: CLAIMED PER APPLICANT**
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YEAR 12 MARKET-RATE BPAS APPLICATIONS																
5555 College Road	3	1.00	3	Major	5	30	40	0	0	0	0	5	0	0	10	90
1114 White Street	1	1.00	1	Minor	5	0	0	0	0	0	0	0	5	0	10	
510 Southard Street	5	1.00	5	Major	0	0	0	0	0	0	0	0	0	0	0	
<b>TOTAL REQUESTED:</b>	<b>9</b>		<b>9.00</b>													
YEAR 12 AFFORDABLE-RATE BPAS APPLICATIONS																
5555 College Road	10	1.00	10	Major	5	30	40	0	0	0	0	5	0	0	10	90
<b>TOTAL REQUESTED:</b>	<b>10</b>		<b>10</b>													
<b>TOTAL OF ALL UNITS REQUESTED</b>	<b>19</b>															

**NOTES:**  
**Year 12 Units Available: 13.84**  
**75% Of All Units Awarded Must Be Affordable Per Section 108-995**  
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**\*\*Points in red require action from the applicant. Applicants in this category must adjust their score sheets consistent with Planning staff recommendations contained in their preliminary letters.**

*Year 12 BPAS*



**1114 White Street**

**1 MARKET-RATE UNIT**

**SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING, PLLC**

ATTORNEYS AND COUNSELORS AT LAW  
500 FLEMING STREET  
KEY WEST, FLORIDA 33040

JOHN M. SPOTTSWOOD, JR.  
ERICA HUGHES STERLING  
ROBERT A. SPOTTSWOOD, JR.  
RICHARD J. McCHESNEY  
ROBERT H. GEBALDE

Telephone | 305-294-9556  
Facsimile | 305-504-2696

OF COUNSEL:

JOHN M. SPOTTSWOOD (1920 – 1975)



November 8, 2024

VIA HAND DELIVERY

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

RE: BPAS Application  
1114 White Street, Key West, FL 33040  
Parcel # 00032750-000000

Dear Ms. Halloran,

Please allow this letter and supporting documentation to serve as Grazeland Aviation, LLC's ("Applicant") application for a BPAS market rate unit to be located at 1114 White Street, Key West, Florida 33040 (the "Property"). The Applicant proposes a minor renovation to replace existing commercial square footage with a second residential dwelling unit.

**Project Description**

This mixed-use Property is a single, one-story cbs structure within the Historic Neighborhood Commercial (HNC-1) zoning district. The Property currently features a retail space upon entering the commercial front with a yoga studio and nail tech housed within the interior. The commercial area includes a small kitchen area as accessory use to the retail & spa services.

One residential unit is situated at the rear of the building. The residential unit is a 1 bd/2 ba with full kitchen, living area, laundry area and den/office space. Residential use, single and two-family, is a permitted use within the HNC-1 zoning district. One off-street parking space exists at the side of the structure.

Historically, the 1100 block of White Street was riddled with dwelling units. By 1948, White Street began a transformation into a commercial corridor with a combination of residential and commercial activities.

Although many of the residential structures remain along the 1000 – 1400 blocks of White Street, the majority have been converted to include commercial activity.

**Minor Renovation**

The proposal is to eliminate the commercial use and replace the approximate 2,000 sq. ft. space with a second market rate unit. With density at 1.91 u/ac this Property allows for 2 units and the City has established precedence for rounding up with other similar projects.

The existing commercially used bathrooms and kitchen area will require renovations to adapt to residential use. Minor renovations will include creating interior space to be used for three bedrooms, and adapting existing bathrooms to two full baths, adding a laundry area and appliances to existing kitchen.

Existing:

Unit 1: 1 bd/2 ba Residential unit

Unit 2: 2,000 sq. ft. commercial space (2 half baths & one kitchen)

Proposed: 2 residential units

Unit 1: 1 bd/2 ba

Unit 2: 3 bd/2 1/2 ba

0 commercial space

**Solution Statement**

Despite the efforts of neighbors and events such as the Walk on White, this portion of White Street struggles to thrive commercially. The owner has continued the commercial use as a yoga studio and has supported additional small businesses such as a nail technician and retailer, however, the need for housing in the community outweighs the benefit of these endeavors. Commercial use of the Property has floundered over the past couple of years and a residential unit appears to be the highest and best use of the space.

With the many commercial uses permitted within HNC-1 zoning, a replacement to residential use would diminish the likelihood of commercial noise, odor and other environmental impacts.

**Identification of Key Persons (Sec 108-228):**

- a. Owner: Grazeland Aviation, LLC
- b. Authorized Agent: Spottswood, Spottswood, Spottswood & Sterling
- c. Engineer: N/A
- d. Architect: Phillip Badalamenti, Little Red Rooster
- e. Surveyor: O’Flynn Surveying, Inc.
- f. Landscape Architect: N/A
- g. Consultant: N/A
- h. The undersigned certifies that all individuals with a legal and equitable interest in the Property are as follows: Kelly Zwinggi

**Existing Conditions:**

- A. **Survey:** Please find a copy of the survey for the subject Property included in this application.

- B. **Existing size, type and location of trees, hedges and other features:** No change to existing exterior conditions are planned at this time.
- C. **Existing stormwater retention areas and drainage flows:** No change to existing exterior conditions are planned at this time.
- D. **Adjacent land uses, buildings and driveways:** The Property is located along a commercial corridor. Residential, commercial and mixed-use properties surround this Property.

**Proposed Development:**

- A. **Site Plan:** Please find a copy of the site plan included in this application.
- B. **Building Elevations:** Not applicable.
- C. **Drainage Plan:** Not applicable. No change to impervious surface ratio.
- D. **Landscape Plan:** Not applicable. No change to existing landscape.

Project Data Summary				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Variance Required?
Zoning District	HNC-1			
Flood Zones	X-2%			
Minimum Lot Size	4,000 SF	5,201 SF	No Change	NA
Minimum Lot Width	40 FT	47 FT	No Change	NA
Minimum Lot Depth	100 FT	111 FT	No Change	NA
Maximum Floor Area Ratio	1.0 (5,201 SF)	2,000 SF	0 SF	No
Maximum Density	16 du/acre (1.91)	1	2	No
Maximum Height	35'-0"	NA	No Change	NA
Maximum Building Coverage	50%	NA	No Change	NA
Maximum Impervious Surface	60%	NA	No Change	NA
Minimum Open Space Ratio	35%	NA	No Change	NA
Minimum Setback				
Front	5'-0"	NA	No Change	NA
Side	5'-0"	NA	No Change	NA
Street Side	7.5'-0"	NA	No Change	NA
Rear	15'-0"	NA	No Change	NA
Off-Street Parking (Vehicles)	1 sp/du = (2) 1 sp/45 sq. ft. of commercial = (44)	1 – residential 0 – commercial	1	Improvement

Project Data Summary				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Variance Required?
Bicycle	10% (0.2)	0	2	No

Best regards,



Richard J. McChesney

encl.



**BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION**  
**(YEAR 12: JULY 1, 2024 – JUNE 30, 2025) – MARKET RATE**  
**CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT**

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: <https://www.cityofkeywest-fl.gov/336/Building-Permit-Allocation-System-BPAS>



Application Fee Schedule

Small project – (1-4 units)	\$ 1,273.39
Mid-size project – (5-10 units)	\$ 2,546.78
Large projects – (greater than or equal to 11 Units)	\$ 3,820.16

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

Name: Richard J. McChesney/Spottswood Law Firm

Mailing Address: 500 Fleming Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-294-9556

Email: Richard@spottswoodlaw.com

**PROPERTY OWNER:**

Name: Grazeland Aviation LLC

Mailing Address: PO Box 149

City: Lindsay State: TX Zip: 76250

Home/Mobile Phone: 940-390-0040

Email: kzwinggi@yahoo.com

**PROPERTY DESCRIPTION AND ZONING INFORMATION:**

Site Address: 1114 White Street

Parcel ID RE#: 00032750-000000 Alternate Key: 1033511

Zoning District: HNC-1 Parcel Size: 5,201 SF

Permitted Density: 1.91 ua Commercial Floor Area: 2,058 SF

**B. EXISTING DEVELOPMENT:**

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

This is currently a mixed-use property with commercial in the front and one residential unit in the rear portion. The commercial area houses retail, yoga studio and a nail salon.

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

*\*Pursuant to Ordinance 23-03 and 23-04, 75% of units allocated following Year 10 shall be deed-restricted affordable, including any units recovered by the City due to failure to obtain building permits within two years of a BPAS award or otherwise voluntarily released to the City. Deed-restricted affordable allocations shall not have a maximum annual allocation limit.*

- Standalone Affordable Housing projects are subject to Section 122-1467(c), (d), (e), and (f) of the Workforce Housing Ordinance. Applicant Eligibility Requirements are subject to Section 122-1469 (1) through (15) of the Workforce Housing Ordinance. Affordable housing projects enabled by federal tax credit housing are not subject to 122-1467(c).
- Accessory dwelling units in the SF zoning district are subject to Sections 122-231 through 122-238 of the Land Development Regulations.

**C. PROPOSED DEVELOPMENT:**

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

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

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

**Is this property located within a Historic Zoning District?**

Yes	No
x	
Yes	No
x	
Yes	No
	x
Yes	No
	x
Yes	No
	x

**Are buildings on the property listed as contributing historic structures?**

**Is the proposal for mixed residential and commercial use?**

**Are density bonuses proposed?**

**Advanced affordable allocation request?**

**Will the allocation require development review?**      Yes    No    x

If yes, please specific what type of development review will be required: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

*Year 12 BPAS*



# **WARRANTY DEED**

Doc # 2374738 Bk# 3172 Pg# 1912 Recorded 5/10/2022 at 9:35 AM Pages 2  
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK  
REC: \$18.50 Deed Doc Stamp \$13,230.00

Prepared by and return to:  
Richard J. McChesney

Spottswood, Spottswood, Spottswood & Sterling, PLLC  
500 Fleming Street  
Key West, FL 33040  
305-294-9556  
File Number: 1574-22.0135 RM  
Will Call No.:

\$ 1,890,000

[Space Above This Line For Recording Data]

### Warranty Deed

**This Warranty Deed** made this 6th day of May, 2022 between Messery Properties, LLC, a Florida limited liability company whose post office address is 15850 Pine Ridge Road, Suite 5, Fort Myers, FL 33908-2613, grantor, and Grazeland Aviation, LLC, a Texas limited liability company whose post office address is P.O. Box 149, Lindsay, TX 76250, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

On the Island of Key West, known as William A. Whitehead's map delineated in February, A.D. 1829, as part of said Tract 13, but now better known and described as a part of Lot 6 of Square 2 of Subdivision of Tract 13, recorded in Deed Book "O", Page 195 of the Public Records of Monroe County, Florida. Said Land conveyed commences 157 feet, 2 inches from the corner of Virginia and White Streets and runs thence along White Street in a Southeasterly direction 47 feet; thence at right angles in a Southwesterly direction 110 feet, 8 inches; thence at right angles in a Northwesterly direction 47 feet; thence at right angles in a Northeasterly direction 110 feet, 8 inches to the Place of Beginning.

Parcel Identification Number: 00032750-000000

Subject to taxes for 2021 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

DoubleTime®

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

Signed, sealed and delivered in our presence:

Ennis M Haney  
Witness Name: Ennis M Haney  
Duan O White  
Witness Name: Duan O White

Messery Properties, LLC  
By: Keith Messery  
Keith Messery, Authorized Member

Ennis M Haney  
Witness Name: Ennis M Haney  
Duan O White  
Witness Name: Duan O White

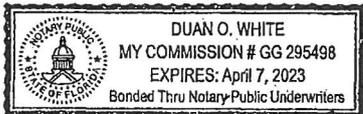
By: Gwynne Messery  
Gwynne Messery, Authorized Member

State of Florida  
County of Lee

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 05 day of May, 2022 by Keith Messery, Authorized Member and Gwynne Messery, Authorized Member of Messery Properties, LLC, on behalf of the company, who  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]

Duan O White  
Notary Public  
Printed Name: Duan O White  
My Commission Expires: 04-07-2023



*Year 12 BPAS*



# **Sunbiz and Property Card**



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

## Detail by Entity Name

Foreign Limited Liability Company

GRAZELAND AVIATION, LLC

### Filing Information

<b>Document Number</b>	M22000006596
<b>FEI/EIN Number</b>	81-1887420
<b>Date Filed</b>	04/05/2022
<b>State</b>	TX
<b>Status</b>	ACTIVE

### Principal Address

631 FM 3108  
LINDSAY, TX 76240

### Mailing Address

PO BOX 149  
LINDSAY, TX 76250

### Registered Agent Name & Address

GUERRA, KRYSTIN  
815 PEACOCK PLAZA  
KEY WEST, FL 33040

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

ZWINGGI, KELLY  
PO BOX 149  
LINDSAY, TX 76240

Title MBR

ZWINGGI, KELLY  
PO BOX 149  
LINDSAY, TX 76240

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
2023	01/26/2023

2024

04/17/2024

**Document Images**

<a href="#">04/17/2024 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/26/2023 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/05/2022 -- Foreign Limited</a>	<a href="#">View image in PDF format</a>

# \*\*PROPERTY RECORD CARD\*\*

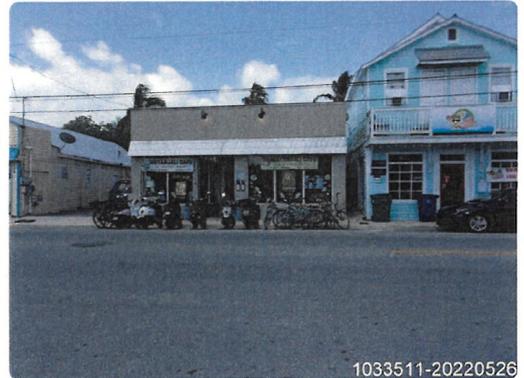
### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

## Monroe County, FL

**Parcel ID** 00032750-000000  
**Account#** 1033511  
**Property ID** 1033511  
**Millage Group** 10KW  
**Location** 1114 WHITE St, KEY WEST  
**Address**  
**Legal Description** KW GWYNN SUB O-195 PT LOT 6 SQR 2 TR 13 OR446-110 OR237-504 OR446-110 OR653-500 OR840-2292 OR840-2294 OR1206-1855 OR1357-988 OR1357-990 OR2478-2355 OR2481-1905 OR2700-1030 OR3172-1912  
*(Note: Not to be used on legal documents.)*  
**Neighborhood** 32080  
**Property Class** RETAIL-SINGLE TENANT (1100)  
**Subdivision**  
**Sec/Twp/Rng** 05/68/25  
**Affordable Housing** No



### Owner

GRAZELAND AVIATION LLC  
 PO Box 149  
 Lindsay TX 76250

### Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$484,249	\$474,614	\$474,614	\$434,219
+ Market Misc Value	\$1,163	\$1,203	\$1,242	\$1,282
+ Market Land Value	\$1,167,104	\$1,167,104	\$650,125	\$598,115
= Just Market Value	\$1,652,516	\$1,642,921	\$1,125,981	\$1,033,616
= Total Assessed Value	\$1,652,516	\$1,642,921	\$1,125,981	\$1,033,616
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,652,516	\$1,642,921	\$1,125,981	\$1,033,616

### Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2023	\$1,167,104	\$474,614	\$1,203	\$1,642,921	\$1,642,921	\$0	\$1,642,921	\$0
2022	\$650,125	\$474,614	\$1,242	\$1,125,981	\$1,125,981	\$0	\$1,125,981	\$0
2021	\$598,115	\$434,219	\$1,282	\$1,033,616	\$1,033,616	\$0	\$1,033,616	\$0
2020	\$598,115	\$434,219	\$1,321	\$1,033,655	\$1,021,645	\$0	\$1,033,655	\$0
2019	\$754,145	\$434,219	\$1,361	\$1,189,725	\$928,769	\$0	\$1,189,725	\$0
2018	\$731,521	\$402,189	\$1,400	\$1,135,110	\$844,336	\$0	\$1,135,110	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1100)	5,201.00	Square Foot	47	111

**Buildings**

Building ID	40047	Exterior Walls	REIN CONCRETE
Style	GROUND LEVEL	Year Built	1945
Building Type	1STY STORE-B/11B	EffectiveYearBuilt	2005
Building Name		Foundation	CONCRETE SLAB
Gross Sq Ft	3882	Roof Type	FLAT OR SHED
Finished Sq Ft	3660	Roof Coverage	MIN/PAINT CONC
Stories	1 Floor	Flooring Type	SFT/HD WD
Condition	GOOD	Heating Type	
Perimeter	328	Bedrooms	0
Functional Obs	0	Full Bathrooms	3
Economic Obs	0	Half Bathrooms	1
Depreciation %	23	Grade	400
Interior Walls	DRYWALL	Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
CPF	COVERED PARKING FIN	180	0	0
FLA	FLOOR LIV AREA	3,660	3,660	0
OPF	OP PRCH FIN LL	42	0	0
<b>TOTAL</b>		<b>3,882</b>	<b>3,660</b>	<b>0</b>

**Yard Items**

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
WALL AIR COND	1983	1984	0 x 0	1	1 UT	2
CH LINK FENCE	1989	1990	6 x 20	1	120 SF	2
BRICK PATIO	1994	1995	0 x 0	1	240 SF	1

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
5/6/2022	\$1,890,000	Warranty Deed	2374738	3172	1912	01 - Qualified	Improved		
8/18/2014	\$800,000	Warranty Deed		2700	1030	01 - Qualified	Improved		
8/9/2010	\$0	Warranty Deed		2481	1905	11 - Unqualified	Improved		
8/9/2010	\$475,000	Warranty Deed		2478	2355	01 - Qualified	Improved		
6/1/1995	\$300,000	Warranty Deed		1357	0990	Q - Qualified	Improved		
4/1/1992	\$300,000	Warranty Deed		1206	1855	Q - Qualified	Improved		
2/1/1970	\$20,000	Conversion Code		653	500	Q - Qualified	Improved		

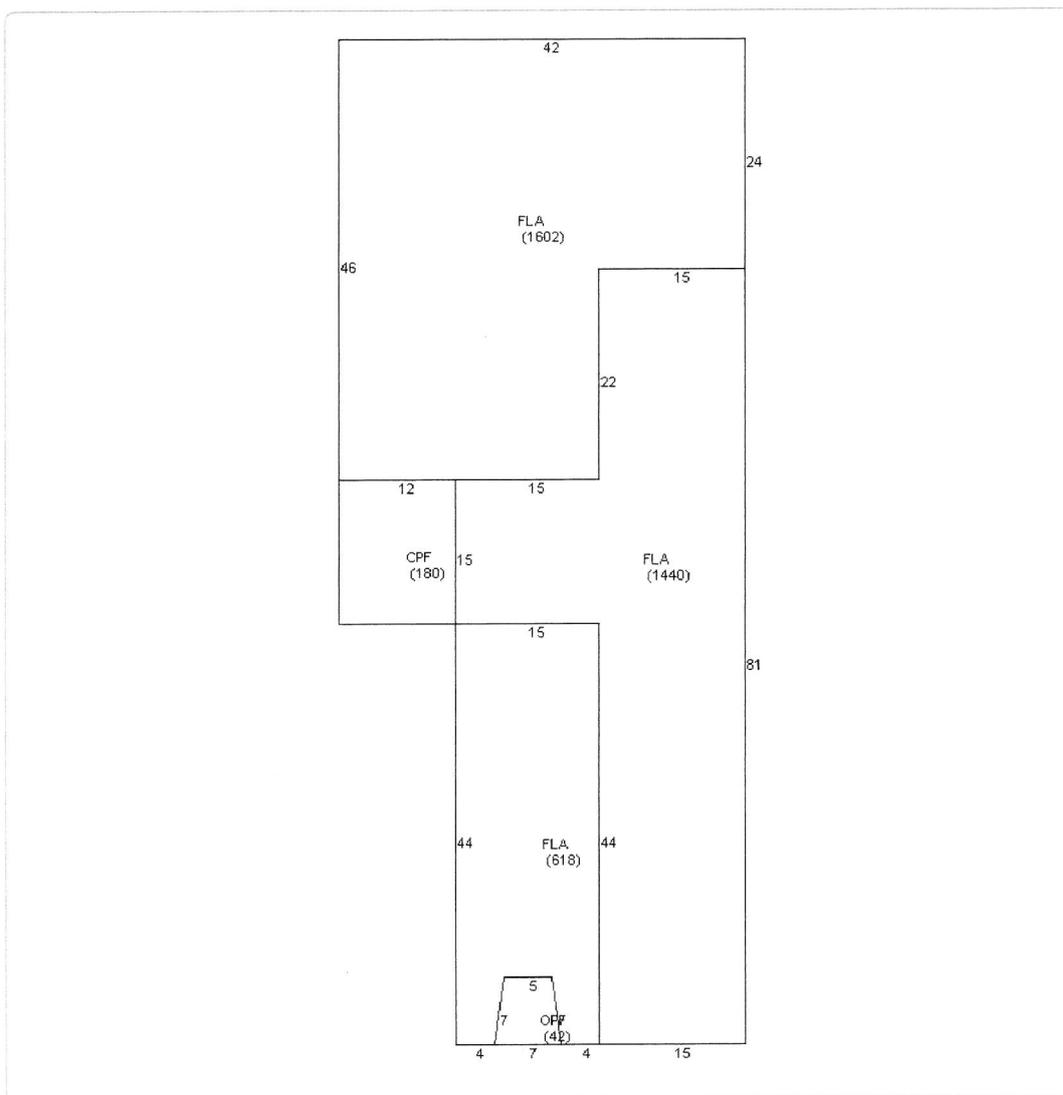
**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
24-0317	2/7/2024	5/3/2024	\$7,500	Commercial	Install 1 sign "Mustard seed" 1 sign to be HDU
BLD2023-2028	7/11/2023		\$7,800	Commercial	
BLD2023-0754	3/16/2023	3/21/2023	\$100	Commercial	Residential unit at rear of commercial building. LUD APPROVAL(LAWFUL UNIT DETERMINATION).
13-0644	2/26/2013		\$125	Commercial	INSTALL A HANGING SIGN 40" X 8" DIGITAL PRINT ON SIGNBOARD. SIGN COPY "SHAKTI YOGA"
11-0548	2/23/2011		\$500	Commercial	INSTALL WALL SIGN
11-0502	2/14/2011		\$1,200	Commercial	INSTALL LOW VOLTAGE CABLING FOR TELECOMMUNICATION/DATA CABLE TV WITH ASSOCIATED BOXES AND DEVICES.
10-3919	12/9/2010		\$4,380	Commercial	PROVIDE AND INSTALL SIX NEW FIXTURES, 2 SINKS, 1 SHOWER, 2 TOILETS, 1 WATER HEATER.
10-3834	12/3/2010		\$12,800	Commercial	INSTALL 2 5 TON A/C WITH DROPS AND 2 EXHAUST FANS.
10-3343	11/1/2010		\$25,000	Commercial	ELECTRIC INSTALLATION
10-3186	10/1/2010	7/19/2011	\$40,000	Commercial	INTERIOR REMODELTWO NEW BATHROOMS, STORE FRONT GLASS REPLACE WITH IMPACT WINDOWS, REPLACE GARAGE DOOR WITH STORE FRONT IMPACT GLASS, REMOVE NON LOAD BEARING WALL, REPLACE ENTRY DOOR WITH SAME
06-3543	6/9/2006	9/29/2006	\$2,400	Commercial	REPLACE DOORS & INSTALL STORM PANELS.
04-1142	4/8/2004	11/18/2004	\$1,500	Commercial	REPIPE RESTROOM
9900366	2/1/1999	8/17/1999	\$700	Commercial	PLUMBING
9802752	11/13/1998	12/31/1998	\$500	Commercial	REPLACE OLD SIGN
9802753	11/13/1998	12/31/1998	\$250	Commercial	PAINT STORE FRONT
9603725	9/1/1996	11/1/1996	\$1	Commercial	ROOF
E953351	10/1/1995	12/1/1995	\$1,500	Commercial	ELECTRICAL
M953528	10/1/1995	12/1/1995	\$6,000	Commercial	5 TON A/C W/9 DUCTS
P953327	10/1/1995	12/1/1995	\$1,200	Commercial	PLUMBING
B953082	9/1/1995	12/1/1995	\$12,000	Commercial	ADD 2FIX BATH DROP CEILING

**View Tax Info**

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



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# Exhibit B

(Floor Plan)



# **FGBC CHECKLIST**



# Florida Green Home Standard

Version 12 Rev 2.0

## Pre-Application & Request for Yard Sign

(Use this form to order an "Application Pending Yard Sign for site use during construction)

### Builder Information

FGBC # \_\_\_\_\_ FHBA #: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City / Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 DBPR License #: \_\_\_\_\_

### Home Information

Address: 1114 White Street  
 City/ST Key West, FL  
 Zip Code 33040

### Certifying Agent Information

Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City / Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Amount Due:** \$75 (Will be Applied to Final Application Fee)

### Payment Information

Credit Card Payment: \_\_\_\_\_ Visa \_\_\_\_\_ Mcard \_\_\_\_\_ Amex \_\_\_\_\_ Discover  
 Card Number: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_ Billing Zip Code \_\_\_\_\_  
 Name on Card: \_\_\_\_\_  
 Cardholder Signature: \_\_\_\_\_

### Send To:

FGBC  
 222 2nd Street North  
 St. Petersburg, FL 33701  
 PH: 407-777-4914

Email: [info@floridagreenbuilding.org](mailto:info@floridagreenbuilding.org)

Fax: 407-777-4915

## FGBC Green Home Standard

Version 12 Rev 2.0

### Application

Effective January 1, 2021 (Required January 1, 2022)  
Revised 7 23 2024

**Instructions for Submission:**

**Electronic Submissions (Required)**

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

Upload the application, checklist and supporting documents to BuilderTrend via the FGBC link below.  
<https://buildertrend.net>

**Mailing Instructions**

- Make check payable to "FGBC" based on fee schedule OR submit credit card payment information
- Mail fees, application, and electronic version of checklist with supporting documents on CD to:  
FGBC  
222 2nd Street North  
St. Petersburg, FL 33701

**FEES**

**Single Family New and Existing Home Fees**

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

**Multi-Family Fees**

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

**Additional Options**

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

**Builder Information**

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

**Certifying Agent Information**

Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City / State/ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 CA Registration # \_\_\_\_\_

Signature: \_\_\_\_\_

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

**PAYMENT**

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

**FEES**

Enter your project information below:

1	Number of Buildings
1	Number of Units
\$225	MEMBER Fee
\$235	NON MEMBER Fee

**Home Information**

Address: 1114 White Street  
 City/ST/Zip: Key West, FL 33040  
 County: Monroe  
 Development: \_\_\_\_\_

**Please answer the following questions:**

Existing	Is the home New or Existing?
Single	Is this Single Family or Multi-Family?
No	Is this home Affordable? List Funding Source
2,491	Total Square Footage of home/unit
2,287	Conditioned Square Footage of home/unit
	Sales Price

**Optional Information**

Owner: Kelly Zwinggi  
 Company: Grazeland Aviation  
 Address: PO Box 149  
 City/ST/Zip: Lindsay, TX 76250  
 Phone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

Date: \_\_\_\_\_

**Project Point Summary**

Minimum Points to Qualify (may be over 100 if a category minimum is missed)	115	Please refer to Standards Documents and Green Home Reference Guide for additional information.
Points Toward Qualification (points over category maximums excluded)	115	
Total Points Achieved	115	

Category	Your Score	Required Min - Max
Category 1: Energy	17	30 - 75
Category 2: Water	22	15 - 40
Category 3: Lot Choice	14	0 - 15
Category 4: Site	3	5 - 30
Category 5: Health	23	15 - 35
Category 6: Materials	11	10 - 35
Category 7: Disaster Mitigation	14	5 - 30
Category 8: General	11	0 - 40

Total: **115**

Total Needed: **115**

**Certified Home Score 100**

**Certification Level Bronze**

**PREREQUISITES:**

**Prerequisite 1: Swimming Pool / Spa**

P1.01	N/A	Sanitation system that reduces chlorine use
P1.02	N/A	Pool Cover
P1.03	N/A	Solar pool heating system
P1.04	N/A	Dedicated PV's to run pool equipment
P1.05	Yes	Home has no pool or spa

**Prerequisite 2: Waterfront Considerations**

P2.01	N/A	Use of native aquatic vegetation in shoreline area
P2.02	N/A	No turf adjacent to water (Low maintain plants instead)
P2.03	N/A	Use of terraces, swales, or berms to slow storm water
P2.04	Yes	Home site does not border natural water body

**Prerequisite 3: No Invasive Exotic Species**

P3.01	Yes	Landscape Considerations
	Existing	Is the landscape existing or new

**CATEGORY 1: ENERGY**

Category Minimum 30 / Category Maximum 75

**HERS Index - Energy Rating**

E1.01 **0** 3 - 75 **Confirmed Florida HERS Rating - 3 points for each HERS Index point below 80**

No	:Does the Home have a confirmed HERS Index
0	:Confirmed HERS Index

**OR, For Multi-Family Prescriptive Energy Option**

E1.01.b **0** 1 - 57 **See E1.01b Tab for Multi-Family Energy Options, score will automatically be transferred to this page**

**Design, Finishes, Amenities**

E2.01	0	1	<b>Thermal Bypass Inspection</b>
E2.02	1	1	Ductwork joints sealed with mastic
E2.03	1	1	<b>Ductwork smoke tested allowing leaks to be sealed prior to drywall</b>
E2.04	N/A	1	Cross vent and ceiling fans code credit
E2.05	N/A	1	Roofed porch, Min 100ft <sup>2</sup> AND 3 sides open
E2.06	N/A	1	Passive solar space heating system
E2.07	N/A	1	Passive solar day-lighting
E2.08	N/A	1	Deciduous trees on south
E2.09	0	1 - 4	House shaded on east and west by trees 0 % of the designated wall areas (average of east and west walls) that are shaded by trees.
E2.10	N/A	1	Washer and dryer outside of conditioned space
E2.11	N/A	1	Floor joist perimeter insulated and sealed
E2.12	1	1	Light colored exterior walls (80% minimum) <b>80</b> Enter the Solar Reflective Index (SRI) of Paint
E2.13	2	1 - 2	Light colored interior walls, ceilings, carpet/floors <b>Yes</b> all major living spaces wall and ceiling surfaces have a reflectance of at least 50% <b>50</b> Enter the Light Reflectance Value (LRV) of Paint <b>Yes</b> bedrooms and all major living spaces have floors, walls, & ceilings are light-colored <b>50</b> Enter the Light Reflectance Value (LRV) of Flooring
E2.14	1	1	Max 52W fixtures in bathrooms
E2.15	0	1	Credit Relocated to Category 8: General
E2.16	2	2	<b>Install a State Certified rated solar hot water system</b>
E2.17	1	1	<b>Insulate all hot water pipes</b>
E2.18	0	1	Credit Removed
E2.19	1	1	Energy-efficient ovens/ranges
E2.20	0	1	Credit Removed
E2.21	NA	1, 3, 4	Efficient well pumping
E2.22	0	1	Efficient envelope volume <b>35415</b> Total Gross Wall Area <b>2287</b> Conditional Square Footage <b>1</b> Number of Stories
E2.23	N/A	1	Dwelling unit attached, zero lot-line, row house
E2.24	2	1-2	Ceiling Penetrations: No penetrations in ceiling (2 points), No penetrations in the thermal envelope (1 point)
E2.25	3	3	Energy Star® Advanced Lighting Package

E2.26	2	2	Outdoor lights are energy efficient.	
E2.27	N/A	1	Install motion sensors on a minimum of 60% of the hard wired lighting fixtures	
E2.28	-	1	Energy Efficient Sheathing	
	17	112	Total Points	

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

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

**CATEGORY 2: WATER**

Version 12 Rev 2.0  
 Revised 7 23 2024

Category Minimum 15 / Category Maximum 40

N/A Is the landscape existing or new

**W1 FIXTURES AND APPLIANCES**

W1.01	3	3	Water saving clothes washer
W1.02	1	1	Low-flow shower heads (must be ≤ 2.0 gpm)
W1.03	1	1	All showers equipped with only 1 showerhead per shower (1 showerhead/15sf allowed)
W1.04	1	1 - 2	All lavatory sink faucets have flow rates of ≤ 1.5 gpm (all ≤ 1.0 gpm = 2 pts)
W1.05	3	2 - 3	High Efficiency Dual-flush or Single Flush Toilets ( all toilets ≤ 1.28 gpf)
W1.06	N/A	1	Water Closet with UNAR MaP Rating of 600 g
W1.07	N/A	1	Compact Hot Water Distribution

**W2 Greywater Reuse**

W2.01 N/A 1 - 3 Greywater System Installed

**W3 Rainwater Harvesting**

W3.01 NA 1, 2, 3, 5 Rainwater Harvesting System installed with dedicated use

**W4 Reclaimed Water Reuse**

W4.01	N/A	2	Water for irrigation
W4.02	N/A	2	Meter on reclaimed irrigation system
W4.03	N/A	2	Volume-based pricing arrangement
W4.04	N/A	2	For toilet flushing

**W5 Installed Landscape**

W5.01	3	2 - 3	Drought-tolerant turf, no turf in densely shaded areas
W5.02	0	1 - 3	60%, 80%, 100%, of plants/trees from drought-tolerant list - :Percentage of drought tolerant plant
W5.03	N/A	2	All plants/trees selected to be compatible with their location in the landscape
W5.04	N/A	3	Turf less then 50% of landscape
W5.05	N/A	2	No turf in densely shaded areas
W5.06	N/A	2	Plants with similar maintenance requirements grouped together
W5.07	N/A	1	Mulch applied 3 - 4 inches deep around plants / no volcano mulch
W5.08	N/A	1	Non-Cypress mulch used
W5.09	N/A	2	Soil tested and amended where necessary

**W6 Installed Irrigation**

W6.01	10	10	No permanent installed irrigation system
W6.02	N/A	2	Innovative irrigation technology
W6.03a	0	3	Landscape irrigated to FGBC standard
W6.03b	0	5	100% micro-irrigation - Landscape irrigated to FGBC standard
W6.04	N/A	1	Pressure compensating spray heads installed in spray zones
W6.05	N/A	1	In poor drainage (low) areas, heads are installed with check valves
W6.06	N/A	2	High volume irrigated areas have matched precipitation rates
W6.07	N/A	1	Pop-up sprinkler heads significantly rise above turf grass height

**W7 Additional Water Certification Requirements**

W7.01	N/A	5	Meet or exceed Florida Water Star™ or WaterSense standards:
W7.02	N/A	2	Florida Friendly Landscape™ Program New Construction Certification

22 56 Total Points

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

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

**CATEGORY 3: LOT CHOICE**

Category Minimum 0 / Category Maximum 15

LC1.01	NA	1 - 6	House built within designated FGBC green land development 0 Name of FGBC Green Development
LC1.02	N/A	2	Home within a certified green local government
LC1.03	2	2	Built on an infill site
LC1.04	1	1	Site within 1/8 mile of existing infrastructure
LC1.05	4	2	Site within 1/4 mile to mass transit
LC1.06	2	2	Site within 1/2 mile of public open/green space
LC1.07	5	2	Site within 1/4 mile or 1/2 mile of existing basic community resources No Arts and entertainment center No Bank Yes Community or civic center No Convenience store No Daycare center Yes Fire station Yes Fitness center or gym Yes Laundry or dry cleaner No Library Yes Medical or dental office No Pharmacy Yes Police station No Post office No Place of worship Yes Restaurant Yes School No Senior Care Facility Yes Supermarket No Theater Yes Other Neighborhood-serving retail No Other office building or major employment center
LC1.08	N/A	2	Site located in small lot cluster development
LC1.09	N/A	2	Brownfield site
	14	21	Total Possible Points

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

Certifying Agent Category 3: 0

**CATEGORY 4: SITE**

Category Minimum 5 / Category Maximum 30

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

**Native Tree and Plan Preservation**

S1.01	N/A	2	Maximize tree survivability
S1.02	2	1 - 2	Minimize soil compaction Restrict all construction equipment from driving on site during construction except for area of future driveway
S1.03	N/A	2	Replant or donate removed vegetation
S1.4	0	1 - 9	Preserve or create wildlife habitat / shelter 0 % of property that was created or preserved as a wildlife habitat or shelter

**On Site Use of Cleared Materials**

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

**Erosion Control / Topsoil Preservation**

S3.1	N/A	2	Develop and Implement an Erosion Control Site Plan
S3.2	N/A	1	Stabilize disturbed soil
S3.3	N/A	2	Stage disturbance





M3.08	1	1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances
M3.09	0	2	Automatic in home water sensor/shut off system installed
M3.10	1	1	Access panel to non-accessible plumbing fixture installed
M3.11	1	1	Laundry room below living floor or drain installed
	11	47	Total Points

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

Certifying Agent Category 6:   0

**CATEGORY 7: DISASTER MITIGATION**

Version 12 Rev 2.0

Category Minimum 5 / Category Maximum 30

Revised 7 23 2024

**DM1 Hurricane (wind, rain, storm surge)**

DM1.01	N/A	2	Safe room
DM1.02	2	2	Unvented attic or No attic
DM1.03	N/A	2	Window, door, and skylight protection or impact resistant type
DM1.04	N/A	1	Attached garage and exterior door protection
DM1.05	N/A	1	Exterior structures and equipment properly anchored
DM1.06	N/A	2	Secondary water protection installed on roof
DM1.07	N/A	2	Adhesive applied to roof sheathing
DM1.08	N/A	2	Roof Shingles
DM1.09	N/A	2	Raised Slab or Pier Foundation
DM1.10	N/A	5	Comply with Fortified For Safer Living Standards

**DM2 Flood (must incorporate all three)**

DM2	0	3	N/A	Finished floor level at least 12" above 100 yr flood plain
			N/A	Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage
			N/A	Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor

**Fire (must incorporate all three for 3.1)**

DM3.01	0	3	Yes	Fire resistant exterior wall cladding
			No	Fire resistant roof covering or sub-roof
			No	Fire resistant soffit and vent material
DM3.02	0	3	-	Fire Sprinkler System

**Lightning & Electronics Protection**

DM4	-	1 - 2	Installed Surge Suppression or Lightning Protection System
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**Termites (must comply w/required credits listed below AND EITHER DM 4.01 OR DM 4.02 OR DM 4.03 to receive points)**

- 10 Seal slab penetrations (Health: H2.4)
- required Vegetation > 2 ft. from foundation (Materials: M3.6)
- required Sprinklers & emitters are 2 feet from house (Materials: M3.7) OR no installed irrigation (Water: W6.1)

DM 5.01	12	10	<b>DM 5.01: Chemical Soil Treatment Used</b>
			No Exterior cladding installed to prohibit intrusion
			No Rain gutters installed (downspouts discharge a minimum of 3' from home) OR meet large overhangs (≥2')
			No Condensate line(s) discharge a min of 2' from home & are located 5' or more from dryer vent
			N/A Irrigation/sprinkler water does not hit building
			No Damage replacement warranty issued and available for annual renewal

OR

DM 5.02		10	<b>DM 5.02: Chemical Soil Treatment Avoided</b>
			No Chemical soil treatment avoided
			No Alternative Florida Building Code approved method of foundation protection employed

OR

DM 5.03		12	<b>DM 5.03: Treated wood products</b>
			Yes All wood products serving structural or exterior finish purposes are borate or ACQ treated

DM5.04	N/A	1	80% of Cellulose insulation used is Borate treated
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DM6.01	N/A	2	Mold Prevention - ASTM D3273
DM6.02	NA	1-3	Water Leak Detection and Shut Off System
DM6.03	N/A	2	Gas Leak Detection and Shut Off System
DM7.01	N/A	1	Radon/Soil Gas Vent System

**14** 47 Total Points

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

Certifying Agent Category 7: 0

**CATEGORY 8: GENERAL**

Version 12 Rev 2.0

Category Minimum 0 / Category Maximum 40

Revised 7 23 2024

**Small House Credit**

G1.01 0 0 - 25 Conditioned house size (*enter no if not claiming any points*)  
2,287 :square feet of conditioned area

**Adaptability**

- G2.01 N/A 2 Roof trusses designed for addition
- G2.02 N/A 1 - 2 Unfinished rooms 1point for >100 SF, 2 points for > 200 SF
- G2.03 1 1 Install a minimum of 2 upgraded automation system
- G2.04 N/A 1 Pre-Plumb for Solar Hot Water
- G2.05 3 3 Zero Energy Ready Home
- G2.06 N/A 2 Provide Future Connection to Public or Private Utility
- G2.07 2 1-3 Electric Vehicle Charging

**Renewable Power Generation**

G3.01 0 1 - 5 **Reduce peak demand or annual load**  
0 1 point for each 2kW system size

**Remodel**

- G4.01 0 10 **Remodeling structure (HERS Index < 80)**
- G4.02 0 3 Water Closets 1.6 gpf and showers 2.5 gpm or less
- G4.03 0 2 Upgrade existing installed irrigation with rain gauge, timer and code irrigation heads
- G4.04 0 2 Existing homes with pools - upgrade pump to variable speed or dual speed
- G4.05 0 2 Roof to wall connection upgrades

**Other**

- G5.01 1 1 - 2 Home builder/designer/architect/landscape architect member of FGBC  
1 :Number of members on the team that are members of FGBC
- G5.02 2 2 **Homeowner's manual, including information, benefits, operations - per reference guide**
- G5.03 2 2 **FGBC Green Homeowner Checklist**
- G5.04 0 1 Plan for edible landscape/food garden
- G5.05 0 2 **Guaranteed energy bills**
- G5.06 0 2 **FGBC Certified Professional**
- G5.07 0 5 **Energy Star Qualified Home**
- G5.08 0 1 - 5 **INNOVATIVE CREDITS**

Description of innovation:

0

11 56 Total Points

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

Certifying Agent Category 8: 0

**FGBC Home Score**

Version 12 Rev 2.0

Category	Your Score	Required Min - Max
Category 1: Energy	17	30 - 75
Category 2: Water	22	15 - 40
Category 3: Lot Choice	14	0 - 15
Category 4: Site	3	5 - 30
Category 5: Health	23	15 - 35
Category 6: Materials	11	10 - 35
Category 7: Disaster Mitigation	14	5 - 30
Category 8: General	11	0 - 40

Total: 115

Total Need: 115

Certified Home Score 100

**Bronze**

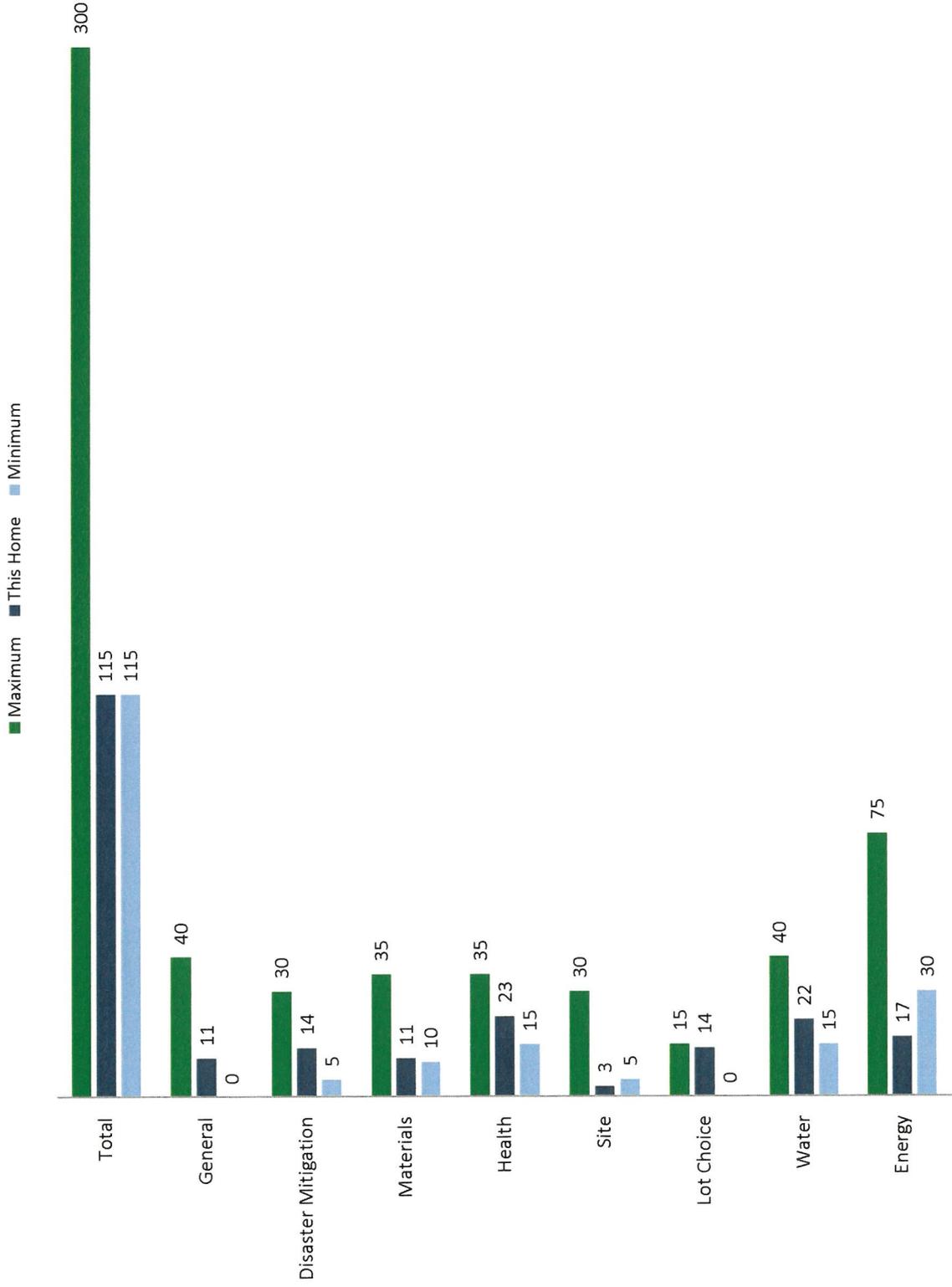
The Total Need number will automatically adjust as points are earned for each criteria in the checklist.

Home Address

Certification Level:


1114 White Street  
Key West, FL 33040

# FGBC Green Home Certification Summary Chart



Revised 7/23/2024

**PREREQUISITES:**

At least one measure from each of the following:  
 Required: One item from each of the following 3 or equivalencies MUST be incorporated in the home for FGBC Certification

Prerequisite #	Swimming Pool / Spa	Certify Agent Notes
P1.01	N/A	Sanitization System that Reduces Chlorine Use
P1.02	N/A	Pool Cover
P1.03	N/A	Solar pool heating system
P1.04	N/A	Dedicated Pumps for pool equipment
P1.05	Yes	Home has no pool or spa
Prerequisite #	Waterfront Consideration	Certify Agent Notes
P2.01	N/A	Use of materials with wet-dock-in-absence seal
P2.02	N/A	Not adjacent to natural water (adjacent to natural water)
P2.03	N/A	Use of tree species, swales, or berms to slow storm water
P2.04	Yes	Home site does not border natural water body
Prerequisite #	No Invasive Exotic Species	Certify Agent Notes
P3.01	Yes	Landscape considerations
	Existing	Is the landscape existing or new

NOTE: You must do one prerequisite from P1.01-P1.05  
 You must do one prerequisite from P2.01-P2.04  
 And comply with P3.01

Submitted

Prerequisite #	Swimming Pool / Spa	Submit
P1.01		0
P1.02		0
P1.03		0
P1.04		0
P1.05		0
Prerequisite #	Waterfront Consideration	Submit
P2.01		0
P2.02		0
P2.03		0
P2.04		1
Prerequisite #	No Invasive Exotic Species	Submit
P3.01		1
	Landscape plan, and plant list and an inspection/approval by an FVBN or a certified Florida Water Star Agent, or master gas diver (only for homes with existing landscapes)	1

**CATEGORY 1: ENERGY**

Category Minimum 30 / Category Maximum 75				Revised 7/23/2024
Points Achieved	Points Possible	Criteria	Certifying Agent Notes	
<b>E1. HERS Index - Energy Rating</b>				
0	3 - 75	Confirmed Florida HERS Rating - 3 points for each HERS Index point below 75		
		No : Does the Home have a confirmed HERS Index		
		: Confirmed HERS Index		
<b>OR, For Multi-Family Prescriptive Energy Option</b>				
0		See E1.01b Tab for Multi-Family Energy Options, score will automatically be transferred to this page		
<b>E2 ENERGY – DESIGN, FIELD TESTING AND INSPECTIONS, FINISHES, AMENITIES</b>				
0	1	Thermal Enclosure System Inspection - This credit is NOT available if you claim E1.01.b or G5.07		
1	1	Ductwork joints sealed with mastic		
1	1	Ductwork smoke tested allowing leaks to be sealed prior to drywall		
N/A	1	Cross vent and ceiling fans code credit		
N/A	1	Roofed porch, Min 100ft^2 AND meets cross-ventilation requirements		
N/A	1	Passive solar space heating system		
N/A	1	Passive solar day-lighting		
N/A	1	Deciduous trees on south		
0	1 - 4	House shaded on east and west by trees		
		% of the designated wall areas (average of east and west walls) that are shaded by trees.		
N/A	1	Washer and dryer outside of conditioned space		
N/A	1	Floor joist perimeter insulated and sealed		
1	1	Light colored exterior walls (80% minimum)		
2	1 - 2	Enter the Solar Reflective Index (SRI) of Paint		
		Light colored interior walls, ceilings, carpet/floors		
		Yes all major living spaces wall and ceiling surfaces have a reflectance of at least 50%		
		50.0 Enter the Light Reflectance Value (LRV) of Paint		
		Yes bedrooms and all major living spaces have floors, that are light-colored		
		50.0 Enter the Light Reflectance Value (LRV) of floor		
1	1	Maximum 52w Fixtures in Bathrooms		
2	2	Credit relocated to Category 8: General		
1	1	Install a State Certified rated solar hot water system		
		Insulate all hot water pipes		
1	1	Credit Removed		
1	1	Energy-efficient ovens/ranges		
		Credit Removed		

E2.21	NA	1, 3, 4	Efficient well pumping 1 Point: Efficient Well Pump 3 Points: Efficient Pool Pump 4 Points: Both
E2.22	0	1	Efficient envelope volume 35415 Total Gross Wall Area 2287 Conditional Square Footage 1 Number of Stories
E2.23	N/A	1	Dwelling unit attached, zero lot-line, row house
E2.24	2	1 - 2	Ceiling Penetrations: No penetrations in ceiling (2 points), No penetrations in the thermal envelope (1 point)
E2.25	3	3	Energy Star® Ceiling Fans
E2.26	2	2	Outdoor lights are energy efficient.
E2.27	N/A	1	Install motion sensors on a minimum of 60% of the hard wired lighting fixtures
E2.28	N/A	1	Energy Efficient Sheathing
	17	112	Total Possible Points
	17		Total points for Category 1 ( 30 min / 75 max)
Name of HERS Rater:			
Certifying Agent Category 1:			

#### A NOTE ABOUT ENERGY

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

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

**CATEGORY 2: WATER**

Category Minimum 15 / Category Maximum 40

Revised 7 23 2024

N/A		Is the landscape existing or new		Criteria	
Points Achieved	Points Possible				
<b>W1 Fixtures and Appliances</b>					<b>Certifying Agent Notes</b>
W1.01	3	3		Water saving clothes washer	
W1.02	1	1		Low-flow shower heads (must be ≤ 2.0 gpm)	
W1.03	1	1		All showers equipped with only 1 showerhead per shower (1 showerhead/15sf allowed)	
W1.04	1	1 - 2		All lavatory sink faucets have flow rates of ≤ 1.5 gpm (all ≤ 1.0 gpm = 2 pts)	
W1.05	3	2 - 3		High-efficiency Water Closets, Dual Flush or Single-Flush toilets (3 points if all WC ≤ 1.1 gpf)	
W1.06	N/A	1		Water Closet with UNAR MaP Rating of 600 gpf or greater	
W1.07	N/A	1		Compact Hot Water Distribution	
<b>W2 Greywater Reuse</b>					<b>Certifying Agent Notes</b>
W2.01	N/A	1 - 3		Greywater system installed 1 point is available for a preplumbed partial or full system 1 point is available if the air conditioner condensate is reused 2 points are available if a vanity water collection system is installed for toilet flushing 3 points are available if a Whole house greywater system is installed	
<b>W3 Rainwater Harvesting</b>					<b>Certifying Agent Notes</b>
W3.01	NA	1 - 5		Rainwater harvesting system installed with dedicated use 1 Point: Rain Barrel 2 Points: Non Potable 500 Gallon System 3 Points: Potable 500 Gallon System 5 Points: Potable 2,500 Gallon System	
<b>W4 Reclaimed Water Reuse</b>					<b>Certifying Agent Notes</b>
W4.01	N/A	1 - 2		Water for irrigation	
W4.02	N/A	1		Meter on reclaimed irrigation system	
W4.03	N/A	1		Volume-based pricing arrangement	
W4.04	N/A	2		For toilet flushing	
<b>W5 Installed Landscape</b>					<b>Certifying Agent Notes</b>
W5.01	3	2 - 3		No turf or Drought-Tolerant Turf Installed	
W5.02	0	1 - 3		60%, 80%,100%, of plants/trees from drought-tolerant list	
				- :Percentage of drought tolerant plant	
W5.03	N/A	2		All plants/trees selected to be compatible with their location in the landscape	
W5.04	N/A	3		Turf is less then 50% of landscape	
W5.05	N/A	2		No turf installed in densly shaded areas	
W5.06	N/A	2		Plants with similar sun and water requirements grouped together	
W5.07	N/A	1		Mulch applied 3 - 4 inches deep around plants (no volcano mulch)	
W5.08	N/A	1		Non-cypress mulch used	
W5.09	N/A	2		Soil tested and amended where necessary	
<b>W6 Installed Irrigation</b>					<b>Certifying Agent Notes</b>
W6.01	10	10		No permanent in-ground irrigation system	
W6.02	N/A	2		Innovative irrigation technology	
W6.03a	0	3		Landscape irrigated to FGBC standard - Separate zones for turf and landscape beds - multi program controller - High-volume irrigation does not exceed 60% of landscape area - Head to head coverage for rotor/spray heads - Micro-irrigation only in landscape beds and narrow areas - Provide owner & FGBC with plan and instructions	
OR					
W6.03b	0	5		100% Micro-irrigation: Landscape irrigated to FGBC standard - All Irrigation installed must be micro-irrigation - System must include rain sensor and controller - Provide owner and FGBC with irrigation plan, management plan and instructions	
W6.04	N/A	1		Pressure Compensating Spray Heads OR Pressure Regulating Irrigation Components	
W6.05	N/A	1		In poor drainage (low) areas, heads are installed with check valves	
W6.06	N/A	1		High volume irrigated areas have matched precipitation rates	
W6.07	N/A	1		Pop-up sprinkler heads significantly rise above turf grass height	
<b>W7 Additional Water Certification Requirements</b>					<b>Certifying Agent Notes</b>
W7.01	N/A	5		Meet or exceed Florida Water Star <sup>SM</sup> or WaterSense standards	
W7.02	N/A	2		Florida Friendly Landscape <sup>TM</sup> Program new construction certification	
	22	56		Total Possible Points	

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

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

**CATEGORY 3: LOT CHOICE**

Revised 7 23 2024

Category Minimum 0 / Category Maximum 15

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
<b>L1 Lot Choice</b>				
LC1.01	NA	2 - 6	House built within designated FGBC green land development	Name of FGBC Green Development
LC1.02	N/A	2	Home within a certified green local government	
LC1.03	2	2	Built on an infill site	
LC1.04	1	1	Site within 1/8 mile of existing infrastructure	
LC1.05	4	2 - 4	Site within 1/4 mile to mass transit	
LC1.06	2	2	Site within 1/2 mile of public open/green space	
LC1.07	5	1 - 5	<b>Site within 1/2 Mile of EXISTING Basic Community Resources</b>	
			No Arts and entertainment center	
			No Bank	
			Yes Beauty Shop	
			No Bike Share Station	
			No Civic Center	
			Yes Community Center	
			Yes Convenience store	
			Yes Daycare center	
			No Dry Cleaners	
			Yes Fire station	
			No Fitness center or gym	
			Yes Laundromat	
			No Library	
			Yes Local Government Facility	
			No Medical or dental office	
			No Pharmacy	
			Yes Place of worship	
			Yes Police station	
			No Post office	
			Yes Restaurant	
			Yes School	
			No Senior Care Facility	
			Yes Supermarket	
			No Theater	
			Yes Other Neighborhood-serving retail	
			No Other office building or major employment center	
LC1.08	N/A	2	Site located in small lot cluster development	
LC1.09	N/A	2	Brownfield site	
	14	26	Total Possible Points	
	14		Total points for Category 3 ( 0 min / 15 max)	
Certifying Agent Category 3:				

**CATEGORY 4: SITE**

Category Minimum 5 / Category Maximum 30

Revised 7 23 2024

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

Points Achieved	Points Possible	Criteria	Certifying Agent Notes
<b>S1 Native Tree and Plant Preservation</b>			
N/A	2	Maximize tree survivability	
2	1 - 2	Minimize soil compaction	
		Restrict all construction equipment from driving on site during construction except for area of future driveway	
N/A	2	Replant or donate removed vegetation	
0	1 - 9	Preserve or create wildlife habitat / shelter	
		% of property that was created or preserved as a wildlife habitat or shelter	
<b>S2 On Site Use of Cleared Materials</b>			
N/A	2	Mill clear trees	
0	1 - 2	Reuse cleared materials for mulch / landscape	
		Mulch is both cleared and reused:	
<b>S3 Erosion Control / Topsoil Preservation</b>			
N/A	2	Develop and Implement an Erosion Control Site Plan	
N/A	1	Stabilize disturbed soil	
N/A	2	Stage disturbance	
N/A	1	Control sediment runoff during construction	
N/A	1	Save and Reuse All Removed Topsoil	
<b>S4 Drainage / Retention</b>			
N/A	2	Onsite designated retention area	
N/A	2	Direct filtered rooftop runoff to planted area(s)	
1	1 - 4	Maintain pervious surface area (if not taking points input 1 for Total Lot Area)	
		Partial Pervious	
		% Pervious Material	5201 Total Lot Area (sq. ft.)
		Coverage Area (sq. ft.)	1053 100% Pervious sq. ft.
		Equivalent Pervious Area -->	0 1053 Equivalent Pervious Area (semi-pervious)
		Total points for pervious area	1
3	34	Total Possible Points	
3	Total points for Category 4 ( 5 min / 30 max)		
Certifying Agent Category 4:			

**CATEGORY 5: HEALTH**

Category Minimum 15 / Category Maximum 35

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
<b>H1 Combustion</b>				
H1.01	3	3	Detached or Air Sealed Garage or Carport or "NO" Garage	
H1.02	N/A	1	Garage (attached or detached) - Exhaust Fan on Motion Sensor and Timer	
H1.03	1	1	Fireplace	
H1.04	2	1 - 2	No unsealed space or water heating combustion located inside the conditioned area - or electric	
			Space Heating	Water Heating
			Yes Electric	Yes Electric
			N/A Sealed combustion equipment	N/A Sealed combustion equipment
			N/A Sealed combustion closet	N/A Sealed combustion closet
				N/A Outside of conditioned space
<b>H2 Moisture Control</b>				
H2.01	N/A	1	Drainage tile on and around top of footing	
H2.02	N/A	1	Drainage board for below grade walls	
H2.03	1	1	Gravel bed beneath slab on grade floors	
H2.04	1	1	Seal Slab on grade Penetrations.	
H2.05	N/A	1	Capillary break between foundation and framing	
H2.06	N/A	3	Central dehumidification system	
H2.07	1	1	No vapor barrier on inside of assemblies	
H2.08	1	1	Moisture control for tub/shower and shower surrounds	
H2.09	1	1	Seal Entire Slab on grade	
<b>H3 Source Control</b>				
H3.01	1	1	No exposed urea-formaldehyde wood products	
H3.02	N/A	2	Zero VOC Paints, Stains, and Finishes	
H3.03	1	1	Low VOC Paints, Stains, and Finishes	
H3.04	1	1	Low VOC Sealants and Adhesives	
H3.05	2	1 - 2	Minimize Carpet Use	
H3.06	N/A	1	Healthy Flooring	
H3.07	1	1	Healthy Insulation	
H3.08	1	1	Protect ducts, range hood, and bath exhaust fans during construction	
H3.09	N/A	3	Integrated Pest Management	
<b>H4 Cleanability</b>				
H4.01	0	1 - 2	Central vacuum system	
<b>Certifying Agent Notes</b>				

		N/A	System roughed in	N/A	Installed with exhaust outdoor	
H4.02	N/A	1	Useable entry area	N/A	Installed with exhaust indoor thru HEPA filter	
<b>H5 Universal Design</b>						
H5.01	-	1 - 3	Universally designed living area			Certifying Agent Notes
<b>H6 Ventilation</b>						
H6.01	N/A	2 - 4	Controlled mechanical ventilation			Certifying Agent Notes
H6.02			Moved to Category 7: Disaster Mitigation			
H6.03	1	1	Floor Drains Sealed			
H6.04	N/A	1	Properly Installed Energy star® bath fans with timer or humidistat			
H6.05	1	1	Kitchen range hood vented to exterior			
H6.06	1	1	Laundry rooms inside conditioned space must have a make-up air source			
H6.07	NA	3-5	Whole house filtration 3 Points: Whole House HEPA Filtration 5 Points Whole House HEPA Filtration with UV			
H6.08	-	1 - 2	Efficient HVAC filter			
H6.09	1	1	HVAC filter easily accessible			
H6.10	N/A	1	Install screens on all windows and doors			
H6.11	1	1	Manual D duct design			
	23	55	Total Possible Points, Category is capped at 35 points.			
	<b>23</b>		Total points for Category 5 ( 15 min / 35 max)			
Certifying Agent Category 5:						



M3 Durability		Certifying Agent Notes		
M3.01	N/A	1	Roof slope $\geq 3$ in 12 but $\leq 6$ in 12	
M3.02	N/A	1	Large overhangs (eave and gable)	
M3.03	N/A	1	Air admittance vents	
M3.04	N/A	1	Wood frame house and/or wood frame 2nd floors designed with vented rain screen	
M3.05	N/A	1	Siding and exterior trim primed all sides	
M3.06	1	1	Plants/turf minimum of 2-ft. from foundation	
M3.07	N/A	1	Sprinklers and emitters are located a minimum of 2 ft from foundation	
M3.08	1	1	Use armored, PEX, or metal hoses (except copper) from service to all fixtures/appliances	
M3.09			Credit Relocated to Category 7: Disaster Mitigation	
M3.10	1	1	Access panel to non-accessible plumbing fixture installed	
M3.11	1	1	Laundry room below living floor or drain installed	
	11	47	Total Possible Points	
	<b>11</b>		Total points for Category 6 ( 10 min / 35 max)	
Certifying Agent Category 6:				

**CATEGORY 7: DISASTER MITIGATION**

Category Minimum 5 / Category Maximum 30

Revised 7/23/2024

	Points Achieved	Points Possible	Criteria	Certifying Agent Notes
<b>DM1 Hurricane (wind, rain, storm surge)</b>				
DM1.01	N/A	2	Safe room	
DM1.02	2	2	Unvented attic or No attic	
DM1.03	N/A	2	Window, door, and skylight protection or impact resistant type	
DM1.04	N/A	1	Attached garage and exterior door protection	
DM1.05	N/A	1	Exterior structures and equipment properly anchored	
DM1.06	N/A	2	Secondary water protection installed on roof	
DM1.07	N/A	2	Adhesive applied to roof sheathing	
DM1.08	N/A	2	Roof Shingles	
DM1.09	N/A	2	Raised Slab or Pier Foundation	
DM1.10	N/A	5	<b>Comply with Fortified For Safer Living Standards</b>	
<b>DM2 Flood (must incorporate all three)</b>				
DM2.01	0	3	N/A Finished floor level at least 12" above 100 yr flood plain	
			N/A Bottom of slab at least 8" above the top of backfilled dirt, graded for proper drainage	
			N/A Garage floor & driveway sloped to drain out. Garage floor at least 4" lower than living floor	
<b>DM3 Fire (must incorporate all three for 3.1)</b>				
DM3.01	0	3	Yes Fire resistant exterior wall cladding	
			No Fire resistant roof covering or sub-roof	
			No Fire resistant soffit and vent material	
DM3.02	0	3	No <b>Fire Sprinklers installed to cover 100% of living area of home</b>	
<b>DM4 Lightning &amp; Electronics Protection</b>				
DM4.01	-	1 - 2	Installed Surge Suppression or Lightning Protection System	
<b>DM5 Termites (must comply w/required credits listed below AND EITHER DM 5.1 OR DM 5.2 OR DM 5.3 to receive points)</b>				
		required	Yes Seal slab penetrations (Health: H2.04)	
		required	Yes Vegetation > 2 ft. from foundation (Materials: M3.06)	
		required	Yes Sprinklers & emitters are 2 feet from house (Materials: M3.07) OR no installed irrigation (Water: W6.01)	
DM 5.01	12	10	<b>DM 5.01: Chemical Soil Treatment Used</b>	
			No <b>Exterior cladding installed to prohibit intrusion</b>	
			No <b>Rain gutters installed (downspouts discharge a minimum of 3' from home) OR meet large overhangs (≥2')</b>	
			No <b>Condensate line(s) discharge a min of 2' from home &amp; are located 5' or more from dryer vent</b>	
			N/A <b>Irrigation/sprinkler water does not hit building</b>	
			No <b>Damage replacement warranty issued and available for annual renewal</b>	
<b>OR</b>				

DM 5.02	10	DM 5.02: Chemical Soil Treatment Avoided No No	Chemical soil treatment avoided Alternative Florida Building Code approved method of foundation protection employed	
		OR		
DM 5.03	12	DM 5.3: Treated wood products Yes	Treated wood products All wood products serving structural or exterior finish purposes are borate or ACQ treated	
DM5.04	1	N/A	80% of Cellulose insulation used is Borate treated	
<b>DM6 Mold and Leak Damage Prevention</b>				
DM6.01	2	N/A	Mold Prevention - ASTM D3273 Install Water Leak Detection and Shut Off System	
DM6.02	1-3	NA	1 Point: Leak Detection with Automatic Shut Off 2 Points: Leak Detection System Installed and tied to Mobile Smart Application 3 Points: Leak Detection AND Automatic Shut Off Systems Installed and tied to Mobile Smart Application	
DM6.03	2	N/A	Install Gas Leak Detection and Shut Off System that is tied to Mobile Smart Application	
<b>DM7 Radon</b>				
DM7.01	2	N/A	Install a radon/soil gas vent system in the home	
	14	47	Total Possible Points	
	14	Total points for Category 7 ( 5 min / 30 max)		
Certifying Agent Category 7:				
Certifying Agent Notes				

**CATEGORY 8: GENERAL**

Category Minimum 0 / Category Maximum 40

Revised 7/23/2024

Points Achieved	Points Possible	Criteria	Certifying Agent Notes
<b>G1 - Small House Credit</b>			
0	0 - 25	Conditioned house size (enter <b>no</b> if not claiming any points) 2,287 Square feet of conditioned area (pulls from Application Tab)	
<b>G2 - Adaptability</b>			
N/A	2	Roof trusses designed for addition	
N/A	1 - 2	Unfinished rooms 1 point for >100 SF, 2 points for > 200 SF	
1	1	Install a minimum of 2 upgraded automation system	
N/A	1	Pre-Plumb for Solar Hot Water	
3	3	Zero Energy Ready Home	
N/A	2	Provide Future Connection to Public or Private Utility	
2	2 - 3	Electric Vehicle Charging	
<b>G3 - Renewable Power Generation</b>			
0	1 - 5	Reduce peak demand or annual load Enter size of PV System in kW (1 point for each 2kW)	
<b>G4 - Remodel &amp; Existing Homes - NOTE: Credits G4.1 - G4.5 are ONLY available for EXISTING homes</b>			
	10	Remodeling structure (HERS Index ≤ 80)	
	3	Water Closet 1.6 gpf and showers 2.5 gpm or less	
	2	Upgrade existing installed irrigation with rain gauge, timer and code irrigation heads	
	2	Existing homes with pools - Upgrade pump to variable speed or dual speed	
	2	Improve roof to wall connections	
<b>G5 - Other / ADDITIONAL CREDITS</b>			
1	1 - 2	Home builder/designer/architect/landscape architect member of FGBC	
2	2	1: Number of members on the team that are members of FGBC Homeowner's manual, including information, benefits, operations - per reference guide	
2	2	FGBC Green Homeowner Checklist	
1	1	Plan for edible landscape/food garden	
2	2	Guaranteed energy bills	
2	2	FGBC Certified Professional	
5	5	Energy Star Qualified Home	
1 - 5	1 - 5	INNOVATIVE CREDITS	

	Description of innovation:
11	84
Total Possible Points (56 for new homes, 73 for existing homes)	
11	Total points for Category 8 (0 min / 40 max)
Certifying Agent Category 8:	

**BPAS Application – Minor Renovation  
1114 White Street, Key West**

**Energy and Water 15% Reduction Plan**

This document can be used to help Major Renovations quantify their required 15% reduction in water and energy use. It is a mix of easily quantifiable upgrades, as well as a host of qualitative upgrades which are known to improve efficiencies but are harder to affix exact numbers to without engineering software.

**Part One – Actual Fixture Volume and Wattages**

Upgrades are expected to be either EPA EnergyStar or EPA Water Sense rated (because they are 3<sup>rd</sup> party verified for both efficiency and quality of product). If you have an older appliance, it might be harder for you to find its water flow and energy wattage. In this case, we just ask that you research and estimate the consumption to the best of your ability.

**Water Fixture Efficiencies**

This is an existing building with current water utilities in place, therefore existing consumption is based on what could have existed using Post-EPA 1992 requirement. Currently in place for the commercial portion of the structure is 1 - half bath and 1 full bath and one partial kitchen with refrigerator.

<b>Quantifiable Fixtures</b>	<b>Post-EPA 1992 Requirement (gallons per minute, flush, or load)</b>	<b>Upgrade consumption (gallons per minute)</b>	<b>Percent Change (Upgrade minus Existing divided by Existing)</b>
Bathroom 1 Faucet	2.2 gpm	1.5 gpm	-46%
Bathroom 1 Toilet	1.6 gpf	1.28 gpf	-25%
Bathroom 1 Shower	2.5 gpm	1.5 gpm	-40 %
Bathroom 2 Faucet	2.2 gpm	1.5 gpm	-46%
Bathroom 2 Toilet	1.6 gpf	1.28 gpf	-25%
Bathroom 2 Shower (addition)	2.5 gpm	1.5 gpm	0
Bathroom 2 Faucet	2.2 gpm	1.5 gpm	-46%
Bathroom 2 Toilet	1.6 gpf	1.28 gpf	-25%
Kitchen Faucet	2.4 gpm	1.5 gpm	-34%
Dishwasher	10-15 gpc	3-5 gpc	-68%
Clothes Washer 2 (addition)	0 gpl	10.5 gpl	0

## BPAS Application – Minor Renovation 1114 White Street, Key West

### Energy Fixture Efficiencies - Using energy metrics for single family occupancy:

Commercial lighting will be replaced with lower emittance energy efficient fixtures practical for residential use. All commercial consumption is based on what could have existed using Post-EPA 1992 requirement unless otherwise noted.

:

Energy Fixtures	Post-EPA 1992 Consumption (wattage or kWh/year)	Upgrade Consumption (wattage or kWh/year)	Percent Change (reduction)
Lightbulb, Type 1 (#_4_)	40w <i>Incandescent</i>	3w – 6w <i>LED</i>	-85%
Lightbulb, Type 2 (#_2_)	100w <i>Incandescent</i>	15-20w <i>LED</i>	- 54%
Clothes Washer	164.3 <i>kwh/yr</i>	42 <i>kwh/yr</i>	0
Clothes Dryer	2-6 <i>kwh</i>	1.8-5 <i>kwh</i>	-10%
Refrigerator	2,000 <i>kwh/yr</i>	300-800 <i>kwh/yr</i>	- 82.5%
Air conditioner	900H	8.5w <i>LED</i> * 329 <i>KWH/yr.</i>	-86%-90%
Water Heater	<i>Source: Dept of Energy. Based on an average of 41 gal/day usage</i>		-24% - 34%

**BPAS Application – Minor Renovation  
1114 White Street, Key West**

Energy or Water Feature	Existing Condition versus Intended Replacement:
Fixed Windows	<p><b>Existing Condition:</b> Commercial glass fixed storefront windows.</p> <p><b>*Intended Replacement:</b> Energy Star rated window with U-Factor <math>\leq 0.40</math> and SHGC <math>\leq 0.25</math> Or comparable</p>
Front Door	<p><b>Existing Condition:</b> Single glass commercial style door</p> <p><b>*Intended Replacement:</b> Single Energy Star rated impact front door <math>\leq</math> lite with U-Factor <math>\leq 0.25</math> and SHGC <math>\leq 0.25</math> Or comparable; w/energy efficient coating</p>
Water Heater	<p><b>Existing Condition:</b> Tank water heater</p> <p><b>Intended Replacement:</b> Tank-less Energy Star water heater. DOE estimates 24% - 34% annual energy savings.</p>

\* [https://www.energystar.gov/products/residential\\_windows\\_doors\\_and\\_skylights/key\\_product\\_criteria](https://www.energystar.gov/products/residential_windows_doors_and_skylights/key_product_criteria)

**BPAS Application – Minor Renovation  
1114 White Street, Key West**

**Appendix A – Possible Conservation Upgrades**

<b>PLUMBING FIXTURE OR FIXTURE FITTING</b>	<b>Code &amp;/Or Common Non-Conservation Status</b>	<b>Possible Upgrades</b>
Showerhead	2.5 gallons / minute	Water sense -2.0 gpm
Bathroom Sink faucet	2.2 gpm	Water sense -1.5 gpm
Kitchen sink	2.4 gpm	Water sense -1.5 gpm
Toilet	1.6 gpf	Water sense -1.28 gpf
Dishwasher	10.5 gallons per load.	7 gallons / load (efficient) 6 gallons / load (high efficiency)
Clothes Washer	27 gallons per load	22 gallons / load (efficient) 16 gallons / load (high efficiency)
Insulation in Ceilings without Attics	None	R-30 for ceiling insulation. R-19 for radiant barrier.
Roof color	Any	Cool Roof Standards: Flat Roof: 0.90 reflectance
Insulation in Common walls / floors	None	R-30
Air Barriers (See Table 4.4.2)	None	Caulk, seal, gasket, weatherstrip. Blower Door Test to find leaks.
Programmable Thermostat	None	80 degrees while away ≥76 degrees while home.
Air Conditioner Ductwork	None	R-8 or higher Blower Door Test to find leaks.
Water Heater Efficiencies	None	Tankless water heater installed Insulate hot water pipes. Temperature Set at 120 degrees
Air Conditioning Air Handling Unit	Commercial	Split units

**BPAS Application – Minor Renovation  
1114 White Street, Key West**

**Appendix B**

**Florida Building Code: 2010 Energy Conservation Code**

**Table 402.4.2: Air Barrier and Insulation Inspection Component Criteria**

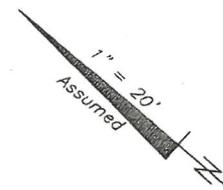
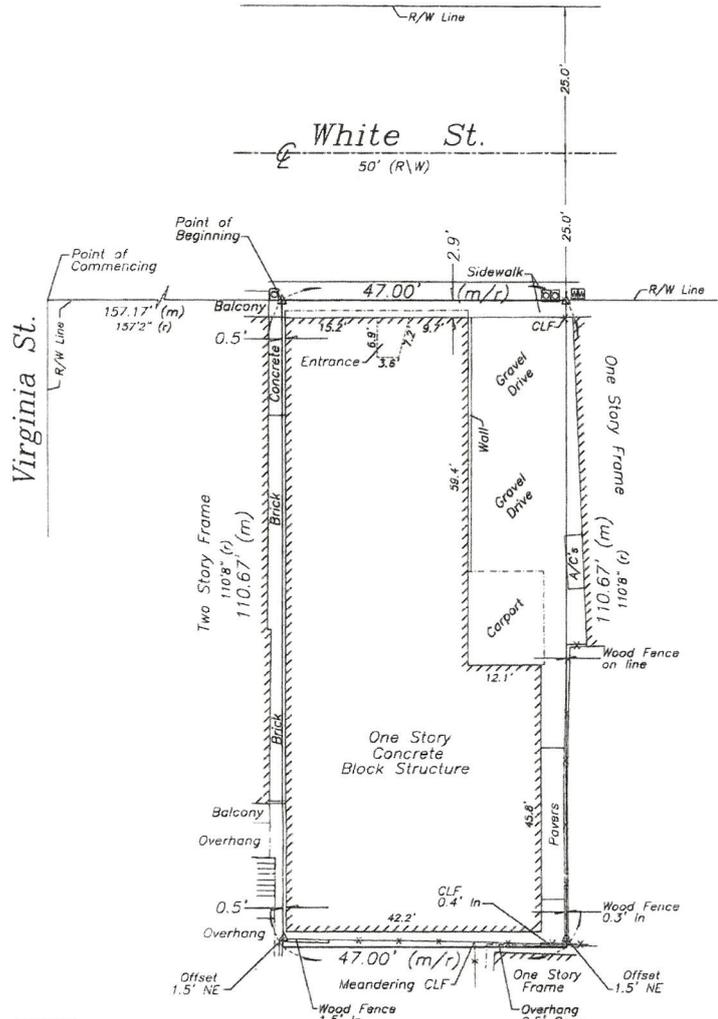
<b>COMPONENT</b>	<b>CRITERIA</b>
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material. Air-permeable insulation is inside of an air barrier.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed. Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of insulation.
Crawl space walls	Insulation is permanently attached to walls. Exposed earth in unvented crawl spaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Recessed lighting	Recessed light fixtures are air tight, IC rated, and sealed to drywall. Exception-fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical box on exterior walls	Air barrier extends behind boxes or air sealed-type boxes are installed.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.

*Year 12 BPAS*



# **BOUNDARY SURVEY**

# Boundary Survey Map of Part of Lot 6, Square 2, Tract 13



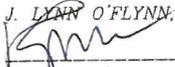
### LEGEND

- ⊙ Found 2" Iron Pipe (Fence Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (2863)
- ▲ Found Nail & Disc (PTS)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines
- ⊞ Sewer Cleanout
- ⊞ Water Meter

- NOTES:**
1. The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
  2. Underground foundations and utilities were not located.
  3. All angles are 90° (Measured & Record) unless otherwise noted.
  4. Street address: 1114 White Street, Key West, FL.
  5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
  6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
  7. North Arrow is assumed and based on the legal description.
  8. Date of field work: August 12, 2014
  9. Ownership of fences is undeterminable, unless otherwise noted.
  10. Adjoiners are not furnished.

**BOUNDARY SURVEY OF:** On the Island of Key West, known on William A. Whitehead's map delineated in February, A.D. 1829, as a part of Tract 13, but now better known and described as a part of Lot 6 of Square 2 of subdivision of said Tract 13, recorded in Deed Book "O", page 195, Public Records of Monroe County, Florida. SAID LAND CONVEYED COMMENCES 157 feet, 2 inches from the corner of Virginia and White Streets and runs thence along White Street in a Southeasterly direction 47 feet; thence at right angles in a Southwesterly direction 110 feet, 8 inches; thence at right angles in a Northwesterly direction 47 feet; thence at right angles in a Northeasterly direction 110 feet, 8 inches to the Place of Beginning.

**BOUNDARY SURVEY FOR:** Messery Properties, LLC;  
 FineMark National Bank & Trust;  
 Spottswood, Spottswood & Spottswood;  
 Chicago Title Insurance Company;

J. LYNN O'FLYNN, INC.  
  
 J. Lynn O'Flynn, PSM  
 Florida Reg. #6298  
 August 13, 2014

THIS SURVEY  
 ASSIGNABLE  
 IS NOT

**J. LYNN O'FLYNN, Inc.**

Professional Surveyor & Mapper

3430 Duck Ave., Key West, FL 33040  
 (305) 296-7422 FAX (305) 296-2244

*Year 12 BPAS*



# **AUTHORIZATION & VERIFICATION FORMS**



**City of Key West  
Planning Department**

**Authorization Form**  
*(Where Owner is a Business Entity)*

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

I, Kelly Zwinggi as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Manager of Grazeland Aviation LLC  
*Name of office (President, Managing Member) Name of owner from deed*

authorize Richard J. McChesney/Spottswood Law Firm  
*Please Print Name of Representative*

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

[Signature]  
*Signature of person with authority to execute documents on behalf of entity owner*

Subscribed and sworn to (or affirmed) before me on this October 31, 2021  
*Date*

by Kelly Zwinggi  
*Name of person with authority to execute documents on behalf of entity owner*

He/She is personally known to me or has presented Texas Driver License as identification.

[Signature]  
*Notary's Signature and Seal*



Angelica Aurora Gonzales, Texas Notary  
*Name of Acknowledger typed, printed or stamped*

131448405  
*Commission Number, if any*



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

I, Richard J. McChesney, in my capacity as Member  
*(print name)* *(print position: president, managing member)*  
of Spottswood Law Firm  
*(print name of entity)*

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

1114 White Street  
*Street address of subject property*

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

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

*Richard J. McChesney*  
*Signature of Applicant*

Subscribed and sworn to (or affirmed) before me on this 10/29/24 by  
*date*

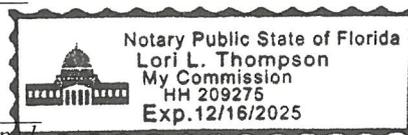
RICHARD J. McCHESNEY  
*Name of Applicant*

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

*Lori L. Thompson*  
*Notary's Signature and Seal*

**Lori Thompson**

*Name of Acknowledger typed, printed or stamped*



\_\_\_\_\_  
*Commission Number, if any*



# **CERTIFICATION FORM**



# BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION EXHIBIT D – BPAS CERTIFICATION FORM

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)

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete, and accurate. I certify that all information required has been provided.

I certify that my total estimated points are 10. I certify that if I am awarded one or more Building Permit Allocations and am unable to achieve all prerequisites and/or achieve the total amount of points represented on the Score Sheet, a Certificate of Occupancy will not be issued for the project.

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

10/29/24

Signature of applicant

Date

Richard J. McChesney

Print name of Applicant

Subscribed and sworn to (or affirmed) before me on this 29 day of October, 2024  
by Richard J. McChesney (name of person signing the application)  
as attorney (type of authority...e.g. officer, manager/member, trustee,  
attorney)  
for Grazeland Aviation LLC (name of entity or party on behalf of whom application was  
executed).

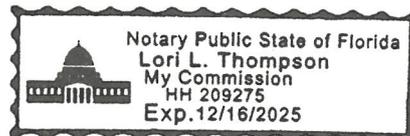
He/She is personally known to me or has presented \_\_\_\_\_ as identification.

Notary's Signature and Seal

SEAL

Lori Thompson

Name of Acknowledger typed, printed or stamped



Commission Number, if any



# **ESTIMATED SCORE SHEET**



*Year 12 BPAS*



# **PRELIMINARY RANKING RESPONSE**

January 16, 2025

VIA ELECTRONIC MAIL

Richard McChesney  
500 Fleming Street  
Key West, Florida 33040

**Re: Preliminary Ranking for Year 12 (2024-2025) Building Permit Allocation System (BPAS) Application  
1114 White Street, Key West, Florida (RE #00032750-000000)**

Dear Mr. McChesney,

The following letter is in response to a request for one (1) market rate residential dwelling BPAS unit received by the Planning Department on November 8<sup>th</sup>, for property located at 1114 White Street, Key West, Florida, more specifically RE #00032750-000000. The application has been reviewed for compliance with the criteria established in Chapter 108, Article X of the Land Development Regulations (LDRs) of the City's Code of Ordinances and reviewed for completeness with the application submittal requirements. The following are the Planning Department staff comments related to the review of the application.

**Completeness / BPAS Prerequisites**

**BPAS Scoring Criteria**

- The applicant claimed 10 points in Exhibit C "*Applicant's Estimated Score Sheet*" and Exhibit D "*BPAS Certification Form*".
- **Applicant Action:** Optional submittal of updated Exhibits C and D to certify additional points.

**Additional Documentation & Comments**

- Final BPAS applications are pending final density/zoning review for compliance with the City of Key West Land Development Regulations.

**General Information**

**Draft Rankings:** A preliminary draft copy of the Year 12 BPAS application rankings are attached, to provide a snapshot of your project ranking relative to other proposals. All BPAS applications are scored and ranked with the highest scoring projects awarded first. Market-rate unit requests compete separately from affordable-rate unit requests. You may make changes to your project that improve the Estimated BPAS Score Sheet at this time. After the deadline below, changes to the Estimated BPAS Score Sheet will no longer be allowed.

**Deadline:** All applicants shall be provided one (1) month to submit revisions to their applications. The deadline date is February 17th, 2025. Please submit one (1) paper copy or an electronic copy of your response and the requested revisions to the Planning Department no later than 5:00 p.m. on Tuesday, February 17th, 2025. Final allocations will be announced and awarded at the May 15th Planning Board meeting consistent with Sec. 108-997 of City code.

**Assistance:** Please contact us with any questions or clarifications. Planning staff are available to meet with you to discuss your application in greater detail. More information is available at [www.cityofkeywest-fl.gov/bpas](http://www.cityofkeywest-fl.gov/bpas).

**Note:** Pursuant to Section 108-995 "*After year ten (10), 75 percent of units shall be deed restricted affordable,*" At this time given the City has received only three (3) affordable unit applications, staff may only be able to allocate one (1) market rate unit during the Year 12 BPAS cycle to maintain a ratio of 75% affordable to 25% market rate units.

Sincerely,



Ben Gagnon  
Planning Department  
City of Key West  
1300 White Street  
Key West, FL 33040

*Year 12 BPAS*



# **SITE PLANS**

**SHEET NOTES/CODED NOTES**

**GENERAL NOTES:**

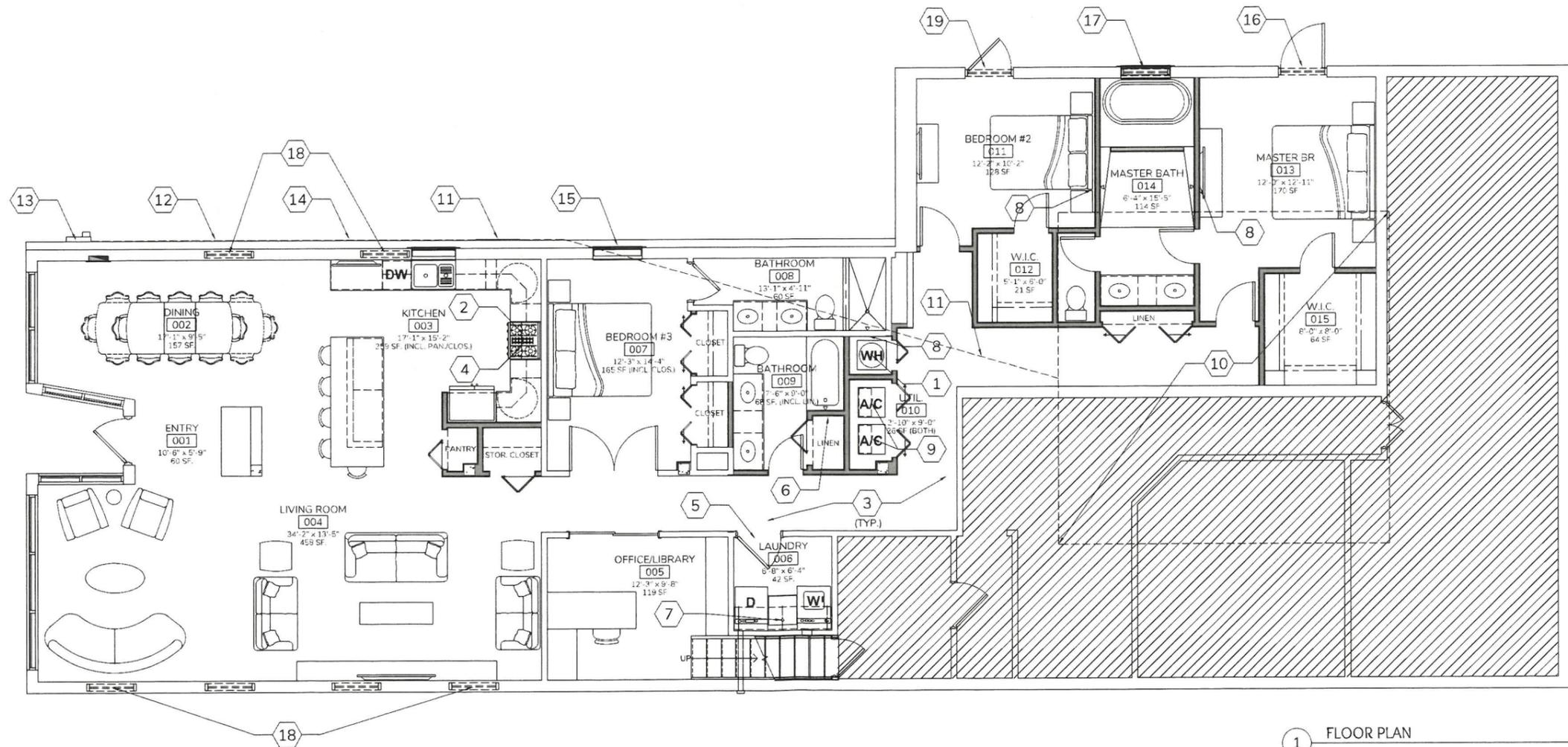
1. Prep, prime, and paint all existing exterior walls. Color: Sherwin-Williams #7106 "Honed White" (LRV 86) with Sherwin-Williams #7551 "Green Villa" trim (LRV 84)
2. All interior walls painted with colors with minimum LRV of 50
3. New windows, where indicated, impact glazed with low-e glazing
4. Existing windows to receive low-e film typical
5. Existing landscaping to remain. No changes to existing site.
6. All ductwork to meet Manual D requirements with joints sealed with mastic and and smoke tested for leakage prior to drywall installation.
7. Max 52 V. light fixtures typical in all bathrooms
8. All hot water pipes insulated
9. All lighting suspended or ceiling mounted, no recessed lights.
10. All ceiling fans energy star rated
11. Install motion sensors on all bathroom, bedroom, closet, hallway, laundry, and utility lighting (minimum 60% of all lighting)
12. Seal all slab-on grade penetrations including floor drains prior to finished flooring installation.
13. All lumber framing certified sustainable
14. All flooring and trim material eco-friendly
15. GC to develop and institute a construction and demolition waste management plan
16. Plumber to connect all fixtures to service line with armored, PEX, or metal hoses
17. All cellulose insulation borate-treated
18. All exterior wood siding and trim borate or ACQ treated
19. All switching for lighting to be "smart" technology rated for remote control/access

**LEGEND:**



**PLAN NOTES:**

1. State Certified Solar water heater.
2. Energy efficient range
3. Patch/repair/seal entire slab prior to finished floor install
4. Microwave with vent over range. Vent through exterior wall with 6-inch diameter duct
5. Provide lower door at laundry room
6. Access panel for tub plumbing in closet
7. Floor drain under utility sink
8. Provide access panel for plumbing access
9. Mechanical units "smart" technology enabled with smart thermostats
10. Dashed line represents 500 sq ft open roof area above available for future solar array. Roof structure to be reinforced, if necessary, to accept 6 lbs./sq ft of future load
11. Proposed inverter location for future PV system with 1" conduit and pullstring to proposed array location (refer to codes note 10)
12. 1" conduit and pullstring from future inverter location to existing electrical service panel location
13. Install new 70A two-pole breaker in existing electrical service panel for future PV system connection and 1-inch conduit with pullstring capped at each end, for future connection to PV system
14. NEMA 14-50 outlet on 220-240 VAC circuit from 50A two-pole dedicated circuit in house panel
15. New single-hung window meeting the emergency egress and rescue opening requirements of FBC-R 2023
16. New door, or window if door is not permitted
17. New fixed window under existing fixed window
18. Existing high fixed windows to remain (typ.)
19. Existing door to remain if permitted



1 FLOOR PLAN

Scale: 1/4" = 1'-0"

**CONSULTANTS:**

THE ENGINEER P.E.  
STRUCTURAL ENGINEER P.E.  
ARCHITECTURAL ENGINEER P.E.  
ELECTRICAL ENGINEER P.E.



FL LIC. AR99860 exp. 2/28/2025

**PROPOSED RESIDENCE**  
1114 White Street  
Key West, FL 33040  
**GRAZELAND AVIATION**  
PO Box 149  
Lindsay, TX 76250

SHEET TITLE  
FLOOR PLAN

ORIGINAL SIZE: 24 x 36  
PROJECT NUMBER: 24025  
DRAWN BY: pdb  
CHECKED BY: pdb

CREATION DATE:	10/30/2024
ISSUED FOR:	DATE
0001	10/31/2024

REVISION	DATE

SHEET NUMBER:

**A-2.00**



# **PRELIMINARY DRAFT RANKING**



*Year 12 BPAS*



# **FINAL RANKING**

CITY OF KEY WEST BUILDING PERMIT ALLOCATION SYSTEM (BPAS)

YEAR 12 PRELIMINARY RANKINGS

	Units Requested*	Equivalent Single-Family Unit (ESFU) Factor	Total ESFUs	Major/Minor Renovation	Sec. 108-997 (c)(1)a. Building more than 1.5' higher than the BFE (+5)	Sec. 108-997 (c)(1)b. Exceeding the minimum required percentage... (+30)	Sec. 108-997(c)(1)c. Voluntarily providing affordable housing... (+40)	Sec. 108-997(c)(1)d. Voluntarily providing affordable housing... (+60)	Sec. 108-997(c)(1)e. Achieving GBC Upgrade 1 (FGBC Silver) (+20)	Sec. 108-997(c)(1)f. Achieving GBC Upgrade 2 (FGBC Gold) (+27)	Sec. 108-997(c)(1)g. Voluntary contribution to the AIPP or Tree... (+40)	Sec. 108-997(c)(1)h. Providing electrical high voltage... (+5)	Sec. 108-997(c)(1)i. Using light colored, high reflectivity materials... (+5)	TOTAL BPAS POINTS: CLAIMED PER APPLICANT**
--	------------------	---	-------------	------------------------	--	--	--	--	--	--	--	--	---	--

YEAR 12 MARKET-RATE BPAS APPLICATIONS																
5555 College Road	3	1.00	3	Major	5	30	40	0	0	0	0	5	0	0	10	90
1114 White Street	1	1.00	1	Minor	5	0	0	0	0	0	0	0	5	0	10	
510 Southard Street	5	1.00	5	Major	0	0	0	0	0	0	0	0	0	0	0	
<b>TOTAL REQUESTED:</b>	<b>9</b>		<b>9.00</b>													
YEAR 12 AFFORDABLE-RATE BPAS APPLICATIONS																
5555 College Road	10	1.00	10	Major	5	30	40	0	0	0	0	5	0	0	10	90
<b>TOTAL REQUESTED:</b>	<b>10</b>		<b>10</b>													
<b>TOTAL OF ALL UNITS REQUESTED</b>	<b>19</b>															

**NOTES:**  
**Year 12 Units Available: 13.84**  
**75% Of All Units Awarded Must Be Affordable Per Section 108-995**  
 - In the event that two applications are determined to have the same numerical ranking score, and units are not available to provide awards to both projects, a drawing of lots will determine the awardee.

**\*\*Points in red require action from the applicant. Applicants in this category must adjust their score sheets consistent with Planning staff recommendations contained in their preliminary letters.**

*Year 12 BPAS*



# **5555 College Road**

**10 AFFORDABLE RATE UNITS**

RECEIVED

NOV 08 2024



**BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION**  
**(YEAR 12: JULY 1, 2024 – JUNE 30, 2025) – AFFORDABLE RATE**  
**CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT**

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: <https://www.cityofkeywest-fl.gov/336/Building-Permit-Allocation-System-BPAS>

**Application Fee Schedule**

x Small project – (1-4 units)	\$ 578.81
Mid-size project – (5-10 units)	\$ 868.22
Large projects – (greater than or equal to 11 Units)	\$ 1,157.63

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

Name: Smith Hawks, PL

Mailing Address: 138 Simonton St.

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-296-7227

Email: aj@smithhawks.com / bart@smithhawks.com

**PROPERTY OWNER:**

Name: Stockrock KW LLC

Mailing Address: 5555 College Road

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-296-7227

Email: leslie@pelagicpropertymanagement.com

**PROPERTY DESCRIPTION AND ZONING INFORMATION:**

Site Address: 5555 College Road

Parcel ID RE#: 00072083-000300 Alternate Key: 9104100

Zoning District: General Commercial Parcel Size: 4.2 acres upland

Permitted Density: 16/acre market rate; 40/acre affordable Commercial Floor Area: \_\_\_\_\_

**B. EXISTING DEVELOPMENT:**

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

See cover letter

<b>EXISTING AND PROPOSED DWELLING UNIT INFORMATION</b>			
Dwelling Unit Description	NUMBER OF DWELLING UNITS:		
	EXISTING	LICENSED RECOGNIZED	PROPOSED
Market-Rate Residential Dwelling Unit(s)*	23	23	33
Affordable Residential Dwelling Unit(s)	43	43	46
Transient Unit(s)	0	0	N/A
Accessory Dwelling Unit(s)			
Single Room Occupancy Unit(s)			
Nursing Home Unit(s)			
<b>Total Number of Units Requested</b>			

*\*Pursuant to Ordinance 23-03 and 23-04, 75% of units allocated following Year 10 shall be deed-restricted affordable, including any units recovered by the City due to failure to obtain building permits within two years of a BPAS award or otherwise voluntarily released to the City. Deed-restricted affordable allocations shall not have a maximum annual allocation limit.*

- Standalone Affordable Housing projects are subject to Section 122-1467(c), (d), (e), and (f) of the Workforce Housing Ordinance. Applicant Eligibility Requirements are subject to Section 122-1469 (1) through (15) of the Workforce Housing Ordinance. Affordable housing projects enabled by federal tax credit housing are not subject to 122-1467(c).
- Accessory dwelling units in the SF zoning district are subject to Sections 122-231 through 122-238 of the Land Development Regulations.

**C. PROPOSED DEVELOPMENT:**

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

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

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

**Is this property located within a Historic Zoning District?**

Yes	No ✓
-----	---------

**Are buildings on the property listed as contributing historic structures?**

Yes	No ✓
-----	---------

**Is the proposal for mixed residential and commercial use?**

Yes ✓	No
----------	----

**Are density bonuses proposed?**

Yes	No ✓
-----	------

**Advanced affordable allocation request?**

Yes	No ✓
-----	------

**Will the allocation require a development review?**      Yes      No

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**D. APPLICANTS MUST ATTACH ALL DOCUMENTATION REQUESTED BELOW:**

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

6. Copy of City licensing records for existing units.
7. Signed and Notarized Verification and Authorization Forms (*Exhibit A*).
8. Existing and Proposed Site Plan and Floor Plan (Section 108-237) shall include a completed Site Data Table (*Exhibit B*).
9. Completed BPAS Estimated Score Sheet and Estimated total Points to be achieved (*Exhibit C*).
10. Signed and Notarized BPAS Certification Form (*Exhibit D*).
11. Copy of LEED or FGBC Score Sheet (*Exhibit E*) or a copy of the required energy and water baseline report as described in Attachment 2. Solution Statement (b.) B above.

\*An applicant may request to be exempted from the rainwater catchment requirement if:

- (i) The applicant is voluntarily providing affordable housing at the median or low-income classification, which exceeds the requirements of section 122-1467 by at least twentypercent.
- (ii) The applicant seeks to create an accessory unit(s), but the impervious surface and/or building coverage ratio maximums for the parcel have been met or exceeded, and the applicant contributes a fee of \$2 per required gallon in mitigation to the City's stormwater fund.

*Year 12 BPAS*



# **Declaration of Affordable Housing**

Doc# 2116958 03/31/2017 4:16PM  
Filed & Recorded in Official Records of  
MONROE COUNTY KEVIN MADOK

Prepared by and Return to:  
George B. Wallace, Esq.  
P.O. Box 1409  
Key West, FL 33041-1409  
(305) 809-3770

Doc# 2116958  
Bk# 2346 Pg# 2336

**DECLARATION OF AFFORDABLE HOUSING RESTRICTIONS**

This Declaration of Affordable Housing Restrictions (hereinafter "Declaration") is made and entered into this 31<sup>st</sup> day of March, 2017, by STOCK ISLAND APARTMENTS, LLC, a Delaware limited liability company (hereinafter "Declarant").

This Declaration applies to thirty-seven (37) of the units which are or may be located on the real property located at 5555 College Road, in Key West, Florida, which is more fully described in the Legal Description attached hereto and incorporated herein as Exhibit A (hereinafter "Property").

**WHEREAS**, the Property is subject to regulation pursuant to Sections 122-1465 through 122-1500 of the Code of Ordinances of the City of Key West, Florida, (2014) ("Work Force Housing Ordinance"), which ordinance establishes affordable housing categories to facilitate the development of housing designed to meet the needs of people employed by the local economy, establishes eligibility requirements for occupants of work force housing, restricts the sales or lease price of the Property, and requires that the Property be sold or leased at a price substantially less than fair market value to a purchaser or tenant within a specific income range; and

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

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

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

**NOW, THEREFORE**, the Declarant agrees that the Property shall be held, conveyed, or leased subject to the following affordable housing restrictions,

Doc# 2116958  
Bk# 2846 Pg# 2337

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

## **I. DEFINITIONS**

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

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

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

D. "Income" shall mean gross income.

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

## **II. TERM AND ENFORCEABILITY**

A. This Declaration shall run with the Property and bind the Declarant, his or her heirs, legal representatives, executors, successors in interest and assigns, for a period of fifty (50) years from the effective date of this Declaration. At any time during the final year of the restriction, the City, at its sole discretion, may act by Resolution to renew this Declaration for an additional 50-year term

B. The Property is held and hereafter shall be held, conveyed, encumbered, used, rented, leased and occupied subject to these covenants, conditions, restrictions and limitations. All of the herein-stated covenants, conditions, restrictions and limitations are intended to constitute both equitable servitudes and covenants running with the land.

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Bk# 2846 Pg# 2338

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

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

### **III. IDENTIFICATION OF THE UNITS AFFECTED**

A. Within 30 days of the date of execution of this Declaration, the Declarant shall identify and specify the 37 units which shall be subject to this Declaration. Further, the Declarant shall specify which affordable housing classification (low, median, moderate, or middle) each unit shall be operated under. The Declarant shall identify the affected units and classification pursuant to an amendment to this Declaration made by the Declarant alone, executed with the formalities of a deed, and recorded in the Public Records of Monroe County, Florida.

B. Pursuant to Section 122-1467(c) of the Work Force Housing Ordinance, the total rental for all the affected units shall be based on each unit being affordable housing (moderate income). The rental may be mixed among affordable housing (low income), (median income), (moderate income) and (middle income) in order that the total value of rental does not exceed ten percent of the rental of all the affected units as affordable housing (moderate income).

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Bk# 2346 Pg# 2339

#### **IV. OCCUPANCY, SALE, LEASING AND USE OF THE PROPERTY**

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

1. Occupancy shall be restricted to households or persons who derive at least 70 percent of its or his/her total income from gainful employment in Monroe County.

2. At the time an affordable housing (low income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 80 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 120 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 80 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (low income) shall mean a dwelling unit whose sales price shall not exceed two and one-half times the annual median household income Monroe County, Fl. (adjusted for family size as provide in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time).

3. At the time an affordable housing (median income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 100 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 140 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 100 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (median income) shall mean a dwelling unit whose sales price shall not exceed three and one-half times the annual median household income Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time)

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Bk# 2346 Pg# 2340

4. At the time an affordable housing (middle income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 140 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 180 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 140 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, (middle income) shall mean a dwelling unit whose sales price shall not exceed six and one-half times the annual median household income for Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time.)

5. At the time an affordable housing (moderate income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 120 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 160 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 120 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (moderate income) shall mean a dwelling unit whose sales price shall not exceed five times the annual median household income Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the City of Key West Code of Ordinances as amended from time to time.)

6. Eligibility is based on proof of legal residence in Monroe County for at least one consecutive year.

7. Priority shall be given to families of four or more members for larger sized affordable work force housing units.

8. The income of eligible households shall be determined by counting only the first and highest paid 40 hours of employment per week of each unrelated adult. For a household containing adults related by marriage or a domestic partnership registered with the City, only the highest 60 hours of combined employment shall be counted.

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Bk# 2346 Pg# 2341

The income of dependents regardless of age shall not be counted in calculating a household's income.

9. In the event that a tenant's income shall exceed the maximum allowable income under this section and such shall occur for the first time during the last three months of a tenancy, then the landlord and tenant may extend a lease for a period of one year at the affordable rate.

10. The planning board may review a household's income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included.

11. (a) *New market-rate multifamily residential housing.* At least ten percent of all new multifamily residential units constructed each year shall be low income affordable housing of at least 400 square feet each, as defined herein and 20 percent shall be affordable housing (median income) housing of at least 400 square feet each, as defined herein. Residential or mixed use projects of less than ten residential or mixed use units shall be required to develop at least 30 percent of units of at least 400 square feet each as affordable (median income), but may contribute a fee in lieu for each unit to the affordable work force housing trust fund, if approved by the city commission. The per unit fee shall be \$200,000.00 (representing construction cost, less land cost, of a 400 square foot unit). The 30 percent affordability requirement shall be determined on a project by project basis and not on a city-wide basis. Vested units shall be subject to this subsection if not otherwise governed by law or agreement. For every required affordable housing (median income) unit, a developer may increase the sales or rental rates to affordable housing (middle income) so long as another unit's sales or rental rate is decreased to affordable housing (low income).

(b) Seven (7) of the new affordable units shall comply with Section 122-1467 (a), and the remaining Thirty (30) affordable units shall comply with Section 122-1467 (c).

## V. DEFAULTS AND REMEDIES: ASSIGNMENT OF RENTS

A. Upon any violation of the provisions of this Declaration the City may declare a default under this Declaration by delivering written notice thereof to the Declarant. After providing written notice of default, the City may apply to a court

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Bk# 2846 Pg# 2342

of competent jurisdiction for specific performance of the Declaration, for an injunction prohibiting a proposed sale or transfer or lease in violation of this Declaration, for a declaration that a prohibited transfer or lease is void, or for any such other relief as may be appropriate.

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

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

## **VI. REQUIREMENTS FOR WRITTEN REPORTS FROM DECLARANT**

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

## **VII. GENERAL PROVISIONS**

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

B. If any action is brought to enforce the terms of this Declaration, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

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

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

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Bk# 2846 Pg# 2343

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

#### **VIII. CONVERSION TO CONDOMINIUM FORM OF OWNERSHIP**

In the event the Declarant or any subsequent owner or transferee proposes to convert ownership of the Property to condominium or a similar form of ownership, prior to the conversion, Declarant expressly agrees herein to execute an amended Declaration restricting the use, ownership, resale price, and occupancy of the affected thirty-seven (37) units located on the Property in accordance with the provisions of the Work Force Housing Ordinance.

#### **IX. MORTGAGE SUBORDINATION**

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

**[Signatures on next page]**

Doc# 2116958  
BK# 2846 Pg# 2344

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

Signed, sealed and delivered in the presence of:

STOCK ISLAND APARTMENTS, LLC, a Delaware limited liability company

By: [Signature]  
Robert Pabian, Manager

Tiffany Gracia  
Witness #1 Signature

Tiffany Gracia  
Witness #1 Printed Name

[Signature]  
Witness #2 Signature

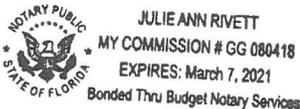
Bryan Hawks  
Witness #2 Printed Name

STATE OF FLORIDA:  
COUNTY OF MONROE:

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March, 2017, by, Robert Pabian, Manager of STOCK ISLAND APARTMENTS, LLC, a Delaware limited liability company, on behalf of the company, who ( ) is personally known to me or (x) has produced [Signature] as identification.

NOTARY SEAL:

[Signature]  
NOTARY PUBLIC



Doc# 2116958  
Bk# 2846 Pg# 2345

**EXHIBIT A**

Condominium Unit Nos. 1 and 4 of SUNSET PARCELS, a Condominium, according to the Declaration of Condominium thereof, recorded March 29, 2017, in Official Records Book 2846, at Page 122, of the Public Records of Monroe County, Florida, together with an undivided interest in the common elements.

**MONROE COUNTY  
OFFICIAL RECORDS**

Doc# 1776532 02/04/2010 1:19PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and Return to:  
Larry R. Erskine, Esq.  
P.O. Box 1409  
Key West, FL 33041-1409  
(305) 809-3770

Doc# 1776532  
Bk# 2451 Pg# 1626

**DECLARATION OF AFFORDABLE HOUSING RESTRICTIONS**

This Declaration of Affordable Housing Restrictions (hereinafter "Declaration") is made and entered into this 1st day of February, 2010, by Sunset Ventures of Key West, Inc. a Florida corporation (hereinafter "Declarant"), whose principal mailing address is 5555 College Road, Key West, Florida, 33040.

This Declaration applies to the 4 rental units on the top floor of the sales and service building on the real property located at 5555 College Road, in Key West, Florida (hereinafter "Rental Units"), which sales and service building is depicted on the sketch attached hereto and incorporated herein as Exhibit A and which real property is more fully described in the Legal Description attached hereto and incorporated herein as Exhibit B (hereinafter "Property").

**WHEREAS**, the Rental Units located on the Property are subject to regulation pursuant to Planning Board Resolution No. 2002-003 dated February 5, 2002; and

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

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

**WHEREAS**, the intent of Declarant is to preserve through this Declaration the affordability of the Rental Units located on the Property and to assign to the City the right to enforce compliance with this Declaration; and

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

RM:6723544:4

Doc# 1776532  
Bk# 2451 Pg# 1627

## **I. DEFINITIONS**

- A. "Declarant" shall mean the owner of the Property and any subsequent purchaser, devisee, transferee, grantee or holder of title of the Property or any portion of the Property.
- B. "Transfer" means any sale, assignment or transfer, voluntary, involuntary or by operation of law (whether by deed, contract of sale, gift, devise, bequest, trustee's sale, deed in lieu of foreclosure, or otherwise) of any interest in the Property, including but not limited to, a fee simple interest, a joint tenancy interest, a life estate, a leasehold interest, or an interest evidenced by a land contract by which possession of the Property is transferred and Declarant retains title.
- C. "Transferee" shall mean an individual, or individuals, who receive a Transfer of the Property from the Declarant.

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

## **II. TERM AND ENFORCEABILITY**

A. This Declaration shall run with the Property and bind the Declarant, his or her heirs, legal representatives, executors, successors in interest and assigns, for a period of twenty-five (25) years from the effective date of Planning Board Resolution No. 2002-003 dated February 5, 2002.

B. The Rental Units located on the Property are held and hereafter shall be held, conveyed, encumbered, used, rented, leased and occupied subject to these covenants, conditions, restrictions and limitations. All of the herein-stated covenants, conditions, restrictions and limitations are intended to constitute both equitable servitudes and covenants running with the land.

C. Any transferee or purchaser of the Property, or of any portion of or interest in the Property, by the acceptance of a deed therefore, whether from Declarant or from any subsequent purchaser of the Property, or by the signing of a contract or agreement to purchase the same, shall, by the acceptance of such deed or by the signing of such contract or agreement, be deemed to have consented to and accepted the covenants, conditions, restrictions and limitations set forth herein. Any written instrument attempting or purporting to sell, convey, grant, transfer, exchange or assign any legal or equitable rights or interests to the Property shall be deemed null and void, where such instrument purports or evidences an attempt to sell, convey, grant, transfer, exchange or assign any right or interest to the Property where such instrument

RM:6723544:4

Doc# 1776532  
Bk# 2451 Pg# 1628

is inconsistent with or contrary to the conditions or covenants contained herein. Any deed or instrument of conveyance executed by or on behalf of Declarant or any subsequent grantee, devisee, heir, assignee or other transferee shall expressly set forth verbatim this and the foregoing reservations, restrictions and covenants or, in lieu thereof, incorporate them by specific reference to this Declaration by Book and Page number(s) where recorded in the Public Records of Monroe County, Florida.

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

### **III. OCCUPANCY, LEASING AND USE OF THE RENTAL UNITS PROPERTY**

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

1. Occupancy shall be restricted to households or persons who derive at least 70 percent of its or his/her total income from gainful employment in Monroe County.
2. At the time the subject unit is leased, the total income of the eligible household or persons shall not exceed 100 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 140 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term.
3. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 100 percent of the monthly median household income of Monroe County (adjusted for family size).
4. Eligibility is based on proof of legal residence in Monroe County for at least one consecutive year.

RM:6723544:4

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Bk# 2451 Pg# 1629

- 5. Priority shall be given to families of four or more members for larger sized affordable work force housing units.
- 6. The income of eligible households shall be determined by counting only the first and highest paid 40 hours of employment per week of each unrelated adult. For a household containing adults related by marriage or a domestic partnership registered with the City, only the highest 60 hours of combined employment shall be counted. The income of dependents regardless of age shall not be counted in calculating a household's income.
- 7. In the event that a tenant's income shall exceed the maximum allowable income under this section and such shall occur for the first time during the last three months of a tenancy, then the landlord and tenant may extend a lease for a period of one year at the affordable rate.
- 8. The board of adjustment may review a household's income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included.

**IV. CONVERSION TO CONDOMINIUM FORM OF OWNERSHIP OR REDEVELOPMENT**

A. In the event the Declarant or any subsequent owner or transferee proposes before the termination of this Declaration to convert ownership of the Rental Units to condominium or a similar form of ownership, prior to the conversion, an amended Declaration shall be executed restricting the use, ownership, resale price, and occupancy of the Rental Units, in accordance with the provisions contained in Sections 122-1465 through 122-1500 of the Code of Ordinances of the City of Key West, Florida, as amended from time to time.

B. In the event the Declarant or any subsequent owner or transferee proposes before the termination of this Declaration to redevelop the Property and obtains the City's approval as part of the redevelopment to relocate the affordable units to another site on the Property, an amended Declaration shall be executed as part of the development review process restricting the use, ownership, resale price, and occupancy of four residential units, in accordance with the provisions contained in Sections 122-1465 through 122-1500 of the Code of Ordinances of the City of Key West, Florida, as amended from time to time.

RM:6723544:4

Doc# 1776532  
Bk# 2451 Pg# 1630

#### **V. DEFAULTS AND REMEDIES: ASSIGNMENT OF RENTS**

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

B. Assignment of rents: Declarant hereby assigns to City the right to receive the rents due or collected during the entire period the Rental Units are occupied in violation of any of the terms of this Declaration.

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

#### **VI. REQUIREMENTS FOR WRITTEN REPORTS FROM DECLARANT**

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

#### **VII. GENERAL PROVISIONS**

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

B. If any action is brought to enforce the terms of this Declaration, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

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

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

RM:6723544:4

Doc# 1776532  
Bk# 2451 Pg# 1631

E. All notices required herein shall be sent by certified mail, return receipt requested, to the Declarant at 5555 College Road, Key West, Florida, 33040 and to the City or its designee at 525 Angela Street, Key West, Florida, 33040 or such other address that the City may subsequently provide in writing to the Declarant.

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

**DECLARANT: SUNSET VENTURES  
OF KEY WEST, INC.**

By: Marlyn G. Erickson  
Marlyn G. Erickson, President

STATE OF:  
COUNTY OF:

Sworn to or affirmed and subscribed before me this 1st  
day of February, 2010, by Marlyn G. Erickson, who is  
personally known to me or has produced  
\_\_\_\_\_ as  
identification.

NOTARY SEAL:

Joanne E. Alexander  
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA  
Joanne E. Alexander  
Commission # DD562072  
Expires: JULY 28, 2010  
BONDED THRU ATLANTIC BONDING CO., INC.



Doc# 1776532  
BK# 2451 Pg# 1633

Exhibit B

**Legal Description**

**PARCEL A:** A tract of land, a portion of which is submerged in Section 27, Township 67 South, Range 25 East, off-shore from the Northwestery shoreline of Stock Island in Monroe County, Florida, more particularly described as follows: Commence at the intersection of the centerline of U.S. Highway No. 1 and "Old Country Club Road"; thence Northwestery along the centerline of said "Old Country Club Road" for a distance of 1400 feet; thence North 60° West (N60°18'48"W Calc.), 200 feet to the Point of Beginning (P.O.B.), from said P.O.B.; thence North 60° West (N60°18'48"W Calc.), 1584 feet; thence at right angles to the last named course North 30° East (N29°41'12"E Calc.), 1100 feet; thence at right angles to the last named course South 60° East (S60°18'48"E Calc.), 1584 feet; thence at right angles to the last named course South 30° West (S29°41'12"W Calc.), 1100 feet to the P.O.B. first above described. Lying and being in Section 27, Township 67 South, Range 25 East, Monroe County, Florida.

**Less and Except the Following Described Property:**

All of Sunset Marina Dockminium of Key West, according to the Declaration of Condominium thereof, as recorded in Official Records Book 1671, Page 1734 of the Public Records of Monroe County, Florida.

MONROE COUNTY  
OFFICIAL RECORDS

Doc# 2121770 05/04/2017 4:32PM  
Filed & Recorded in Official Records of  
MONROE COUNTY KEVIN MADOK

Doc# 2121770  
Bk# 2352 Pg# 1802

Prepared by and Return to:  
George B. Wallace, Esq.  
P.O. Box 1409  
Key West, FL 33041-1409  
(305) 809-3770

**DECLARATION OF AFFORDABLE HOUSING RESTRICTIONS**

This Declaration of Affordable Housing Restrictions (hereinafter "Declaration") is made and entered into this 31<sup>st</sup> day of March, 2017, by SUNSET MARINA, LLC, a Florida limited liability company (hereinafter "Declarant").

This Declaration applies to two (2) of the units which are or may be located on the real property located at 5555 College Road, in Key West, Florida, which is more fully described in the Legal Description attached hereto and incorporated herein as Exhibit A (hereinafter "Property").

**WHEREAS**, the Property is subject to regulation pursuant to Sections 122-1465 through 122-1500 of the Code of Ordinances of the City of Key West, Florida, (2014) ("Work Force Housing Ordinance"), which ordinance establishes affordable housing categories to facilitate the development of housing designed to meet the needs of people employed by the local economy, establishes eligibility requirements for occupants of work force housing, restricts the sales or lease price of the Property, and requires that the Property be sold or leased at a price substantially less than fair market value to a purchaser or tenant within a specific income range; and

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

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

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

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

00086181 - v1

Doc# 2121770  
Bk# 2852 Pg# 1803

## **I. DEFINITIONS**

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

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

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

D. "Income" shall mean gross income.

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

## **II. TERM AND ENFORCEABILITY**

A. This Declaration shall run with the Property and bind the Declarant, his or her heirs, legal representatives, executors, successors in interest and assigns, for a period of fifty (50) years from the effective date of this Declaration. At any time during the final year of the restriction, the City, at its sole discretion, may act by Resolution to renew this Declaration for an additional 50-year term

B. The Property is held and hereafter shall be held, conveyed, encumbered, used, rented, leased and occupied subject to these covenants, conditions, restrictions and limitations. All of the herein-stated covenants, conditions, restrictions and limitations are intended to constitute both equitable servitudes and covenants running with the land.

C. Any transferee, mortgagee or purchaser of the Property, or of any portion of or interest in the Property, by the acceptance of a deed therefore, whether from Declarant or from any subsequent purchaser of the Property, or by the signing of a contract or agreement to purchase the same, shall, by the acceptance of such deed or mortgage, or by the signing of such contract or agreement, be deemed to have consented to and accepted the covenants, conditions, restrictions and limitations set forth herein. Any written instrument attempting or purporting to sell, convey, grant, transfer, exchange, assign or mortgage any legal or equitable

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Bk# 2852 Pg# 1804

rights or interests to the Property shall be deemed null and void, where such instrument purports or evidences an attempt to sell, convey, grant, transfer, exchange or assign any right or interest to the Property where such instrument is inconsistent with or contrary to the conditions or covenants contained herein. Any deed or instrument of conveyance executed by or on behalf of Declarant or any subsequent grantee, devisee, heir, assignee or other transferee shall expressly set forth verbatim this and the foregoing reservations, restrictions and covenants or, in lieu thereof, incorporate them by specific reference to this Declaration by Book and Page number(s) where recorded in the Public Records of Monroe County, Florida.

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

### **III. IDENTIFICATION OF THE UNITS AFFECTED**

A. Within 30 days of the date of execution of this Declaration, the Declarant shall identify and specify the 2 units which shall be subject to this Declaration. Further, the Declarant shall specify which affordable housing classification (low, median, moderate, or middle) each unit shall be operated under. The Declarant shall identify the affected units and classification pursuant to an amendment to this Declaration made by the Declarant alone, executed with the formalities of a deed, and recorded in the Public Records of Monroe County, Florida.

B. Pursuant to Section 122-1467(c) of the Work Force Housing Ordinance, the total rental for all the affected units shall be based on each unit being affordable housing (moderate income). The rental may be mixed among affordable housing (low income), (median income), (moderate income) and (middle income) in order that the total value of rental does not exceed ten percent of the rental of all the affected units as affordable housing (moderate income).

### **IV. OCCUPANCY, SALE, LEASING AND USE OF THE PROPERTY**

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

1. Occupancy shall be restricted to households or persons who derive at least 70 percent of its or his/her total income from gainful employment in Monroe County.
2. At the time an affordable housing (low income) unit is sold or

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leased, the total income of the eligible household or persons shall not exceed 80 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 120 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 80 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (low income) shall mean a dwelling unit whose sales price shall not exceed two and one-half times the annual median household income Monroe County, Fl. (adjusted for family size as provide in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time).

3. At the time an affordable housing (median income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 100 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 140 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 100 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (median income) shall mean a dwelling unit whose sales price shall not exceed three and one-half times the annual median household income Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time)

4. At the time an affordable housing (middle income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 140 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 180 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 140 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied

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Bk# 2852 Pg# 1806

dwelling unit, (middle income) shall mean a dwelling unit whose sales price shall not exceed six and one-half times the annual median household income for Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the Code of Ordinances of the City of Key West as amended from time to time.)

5. At the time an affordable housing (moderate income) unit is sold or leased, the total income of the eligible household or persons shall not exceed 120 percent of the median household income for Monroe County (adjusted for family size). During the occupancy of the rental unit, the household's income may increase to an amount not to exceed 160 percent of the median household income for Monroe County (adjusted for family size). In such event, the tenant's occupancy shall terminate at the end of the existing lease term. The monthly rent for the rental unit, not including utilities, shall not exceed 30 percent of that amount which represents 120 percent of the monthly median household income of Monroe County (adjusted for family size). For an owner-occupied dwelling unit, affordable housing (moderate income) shall mean a dwelling unit whose sales price shall not exceed five times the annual median household income Monroe County, Fl. (adjusted for family size as provided in Section 122-1472 of the City of Key West Code of Ordinances as amended from time to time.)

6. Eligibility is based on proof of legal residence in Monroe County for at least one consecutive year.

7. Priority shall be given to families of four or more members for larger sized affordable work force housing units.

8. The income of eligible households shall be determined by counting only the first and highest paid 40 hours of employment per week of each unrelated adult. For a household containing adults related by marriage or a domestic partnership registered with the City, only the highest 60 hours of combined employment shall be counted. The income of dependents regardless of age shall not be counted in calculating a household's income.

9. In the event that a tenant's income shall exceed the maximum allowable income under this section and such shall occur for the first time during the last three months of a tenancy, then the landlord and tenant may extend a lease for a period of one year at the affordable rate.

10. The planning board may review a household's income and unique circumstances to determine eligibility and conformance with

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Bk# 2852 Pg# 1807

the intent of this ordinance to assure that people in need are not excluded and people without need are not included.

11. (a) *New market-rate multifamily residential housing.* At least ten percent of all new multifamily residential units constructed each year shall be low income affordable housing of at least 400 square feet each, as defined herein and 20 percent shall be affordable housing (median income) housing of at least 400 square feet each, as defined herein. Residential or mixed use projects of less than ten residential or mixed use units shall be required to develop at least 30 percent of units of at least 400 square feet each as affordable (median income), but may contribute a fee in lieu for each unit to the affordable work force housing trust fund, if approved by the city commission. The per unit fee shall be \$200,000.00 (representing construction cost, less land cost, of a 400 square foot unit). The 30 percent affordability requirement shall be determined on a project by project basis and not on a city-wide basis. Vested units shall be subject to this subsection if not otherwise governed by law or agreement. For every required affordable housing (median income) unit, a developer may increase the sales or rental rates to affordable housing (middle income) so long as another unit's sales or rental rate is decreased to affordable housing (low income).

(b) The two (2) new affordable units shall comply with with Section 122-1467 (c).

## V. DEFAULTS AND REMEDIES: ASSIGNMENT OF RENTS

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

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

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

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Bk# 2852 Pg# 1808

## **VI. REQUIREMENTS FOR WRITTEN REPORTS FROM DECLARANT**

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

## **VII. GENERAL PROVISIONS**

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

B. If any action is brought to enforce the terms of this Declaration, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

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

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

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

## **VIII. CONVERSION TO CONDOMINIUM FORM OF OWNERSHIP**

In the event the Declarant or any subsequent owner or transferee proposes to convert ownership of the Property to condominium or a similar form of ownership, prior to the conversion, Declarant expressly agrees herein to execute an amended Declaration restricting the use, ownership, resale price, and occupancy of the affected two (2) units located on the Property in accordance with the provisions of the Work Force Housing Ordinance.

Doc# 2121770  
Bk# 2852 Pg# 1809

**IX. MORTGAGE SUBORDINATION**

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

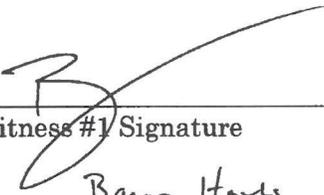
**[Signatures on next page]**

Doc# 2121770  
Bk# 2852 Pg# 1810

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

Signed, sealed and delivered in the presence of:

SUNSET MARINA, LLC, a Florida limited liability company

  
\_\_\_\_\_  
Witness #1 Signature

Byron Hanks  
\_\_\_\_\_  
Witness #1 Printed Name

  
\_\_\_\_\_  
Witness #2 Signature

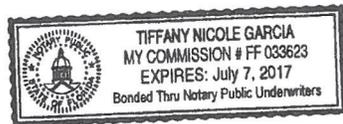
Tiffany Garcia  
\_\_\_\_\_  
Witness #2 Printed Name

By:   
\_\_\_\_\_  
Barton Smith, Authorized Signatory

STATE OF FLORIDA:  
COUNTY OF MONROE:

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March, 2017, by, Barton Smith, Authorized Signatory of SUNSET MARINA, LLC, a Florida limited liability company, on behalf of the company, who  is personally known to me or ( ) has produced \_\_\_\_\_ as identification.

NOTARY SEAL:



  
\_\_\_\_\_  
NOTARY PUBLIC

Doc# 2121770  
Bk# 2852 Pg# 1811

**EXHIBIT A**

Condominium Unit No. 3 of SUNSET PARCELS, a Condominium, according to the Declaration of Condominium thereof, recorded March 29, 2017, in Official Records Book 2846, at Page 122, of the Public Records of Monroe County, Florida, together with an undivided interest in the common elements.

**MONROE COUNTY  
OFFICIAL RECORDS**

00086181 - v1

*Year 12 BPAS*



# **AUTHORIZATION & VERIFICATION FORMS**



**City of Key West  
Planning Department**

**Authorization Form**  
*(Where Owner is a Business Entity)*

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

I, **Barton W. Smith** as  
*Please Print Name of person with authority to execute documents on behalf of entity*

**Manager** of **Stockrock KW LLC**  
*Name of office (President, Managing Member) Name of owner from deed*

authorize **SMITH HAWKS, PL**  
*Please Print Name of Representative*

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

  
*Signature of person with authority to execute documents on behalf of entity owner*

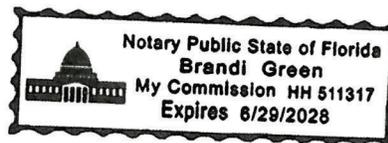
Subscribed and sworn to (or affirmed) before me on this **November 8, 2024**  
*Date*

by **Barton W. Smith as Manager of Stockrock KW LLC**  
*Name of person with authority to execute documents on behalf of entity owner*

He/She is personally known to me or has presented **N/A** as identification.

  
*Notary's Signature and Seal*

**Brandi Green**  
*Name of Acknowledger typed, printed or stamped*



**06/29/2028**  
*Commission Number, if any*



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

I, Anthony Davila, in my capacity as Attorney  
*(print name) (print position; president, managing member)*

of Smith Hawks, PL  
*(print name of entity)*

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

5555 College Rd., Key West, FL 33040  
*Street address of subject property*

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

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

*Anthony Davila*  
*Signature of Applicant*

Subscribed and sworn to (or affirmed) before me on this November 8, 2021 by  
*date*

Smith Hawks, PL  
*Name of Applicant*

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

*Tori Elizabeth Solano*  
*Notary's Signature and Seal*



Tori Solano  
*Name of Acknowledger typed, printed or stamped*

HH 490180  
*Commission Number, if any*

*Year 12 BPAS*



# **WARRANTY DEED**

Doc # 2375084 Bk# 3173 Pg# 631 Electronically Recorded 5/11/2022 at 12:35 PM Pages 5  
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK  
Electronically REC: \$44.00 Deed Doc Stamp \$126,000.00

This instrument prepared by and  
after recording return to:  
Bryan Hawks  
Smith Hawks, PL  
138 Simonton Street  
Key West, FL 33040

Real Estate No.: 00072083-000100 and 00072083-000400

[Space Above For Recording Purposes Only]

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made as of May 9<sup>th</sup>, 2022, by and between **STOCK ISLAND APARTMENTS, LLC**, a Delaware limited liability company and/or its affiliates or assigns, whose address is 1209 Orange Street, Wilmington, Delaware 19801 ("**Grantor**"), to **STOCKROCK SI LLC**, a Delaware limited liability company, as to an undivided 75.33% interest, whose address is 5555 College Road, Key West, Florida 33040 and **STOCKROCK KW LLC**, a Delaware limited liability company, as to an undivided 24.67% interest, whose address is 5555 College Road, Key West, Florida 33040 (collectively, the "**Grantee**").

**WITNESSETH**, that Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and legal sufficiency of which is acknowledged, hereby transfers and conveys to the Grantee, Grantee's successors and assigns forever, that certain parcel of real property located in Monroe County, Florida having a street address of 5555 College Road, Key West, Florida 33040, more particularly described in Exhibit "A" attached hereto and made a part hereof (the "**Property**").

**SUBJECT TO** ad valorem taxes for the current tax year and subsequent years; any applicable zoning and other regulations and ordinances imposed by governmental authority; and conditions, restrictions, reservations, limitations, easements, agreements and other matters of record shown on Exhibit "B" attached hereto and made a part hereof; but without intent to reimpose any of the foregoing.

**TO HAVE AND TO HOLD** the said Property unto the Grantee, its successors and assigns, together with all and singular the easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto its successors and assigns forever, pursuant to those ownership interests specified above.

And Grantor covenants with Grantee that the Property is free from all encumbrances made by Grantor at the time of the delivery of this deed and Grantor will warrant and defend against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other.

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IN WITNESS WHEREOF, the Grantor through its authorized representative, has hereto set its signature and seal.

Witness the following signatures:

**GRANTOR:**

Amanda White  
Signature of Witness #1

**Stock Island Apartments, LLC** a Delaware limited liability company.

By: Robert Pabian  
Robert Pabian, Manager

Amanda White  
Printed Name of Witness #1

Kelly Poythress  
Signature of Witness #2

Kelly Poythress  
Printed Name of Witness #2

STATE OF NORTH CAROLINA

COUNTY OF Watauga

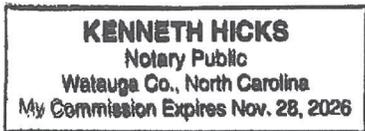
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 6th day of May, 2022 by Robert Pabian, as Manager of **STOCK ISLAND APARTMENTS, LLC**, a Delaware limited liability company, who  is personally known or  has produced a driver's license as identification.

(AFFIX NOTARY SEAL)

Notary Public: Kenneth Hicks

Print Name: Kenneth Hicks

My Commission Expires: 11/28/2026



**EXHIBIT "A"**

**Legal Description of Property**

Condominium Units Nos. 1 and 4 of SUNSET PARCELS, a Condominium, according to the Declaration of Condominium thereof, recorded March 29, 2017, in Official Records Book 2846, at Page 122, of the Public Records of Monroe County, Florida, together with an undivided interest in the common elements.

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