

Year 11 BPAS



916 POHALSKI
1 MARKET-RATE UNIT



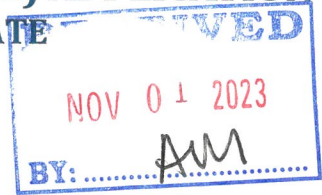
BUILDING PERMIT ALLOCATION SYSTEM (BPAS) APPLICATION
(YEAR 11: JULY 1, 2023 – JUNE 30, 2024) – MARKET RATE
CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Email: planning-dept@cityofkeywest-fl.gov

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



| Application Fee Schedule | |
|--|-------------|
| Small project – (1-4 units) | \$ 1,212.75 |
| Mid-size project – (5-10 units) | \$ 2,425.50 |
| Large projects – (greater than or equal to 11 Units) | \$ 3,638.25 |

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

Name: Gregory S. Oropeza, Esq.

Mailing Address: 221 Simonton Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-294-0252

Email: greg@oropezastonescardenas.com

PROPERTY OWNER:

Name: Telesphorus Holdings, LLC, a Florida limited liability company

Mailing Address: 1500 Atlantic Boulevard, Apt. 201

City: Key West State: FL Zip: 33040

Home/Mobile Phone: c/o (305) 294-0252

Email: c/o greg@oropezastonescardenas.com

PROPERTY DESCRIPTION AND ZONING INFORMATION:

Site Address: 916 Pohalski Avenue, Key West, FL 33040

Parcel ID RE#: 0021080-000000 Alternate Key: 1021822

Zoning District: HHDR Parcel Size: 1,572.15

Permitted Density: 1 (22 DU/Acre; 0.04 acres) Commercial Floor Area: N/A

B. EXISTING DEVELOPMENT:

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

The property is currently used as a health and wellness center.

| EXISTING AND PROPOSED DWELLING UNIT INFORMATION | | | |
|--|---------------------------|---------------------|----------|
| Dwelling Unit Description | NUMBER OF DWELLING UNITS: | 0 | |
| | EXISTING | LICENSED RECOGNIZED | PROPOSED |
| Market-Rate Residential Dwelling Unit(s)* | 0 | 0 | 1 |
| 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 | 0 | 0 | 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 Section 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: HARC review will be required.

| | |
|----------------------------------|---|
| Variance(s) | |
| Lawful Unit Determination | |
| Minor Development Plan | |
| Major Development Plan | |
| Beneficial Use | |
| Transient Transfer | |
| Conditional Use | |
| HARC | X |
| Tree Commission | |
| Other | |

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



GREGORY S. OROPEZA | ADELE V. STONES [Retired] | SUSAN M. CARDENAS, of Counsel
LISA MARIE KEHOE | KAI A. MURPHY

VIA HAND DELIVERY

November 1, 2023

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

RE: Request for Market Rate Building Permit Allocation System Allocations for 916 Pohalski Avenue, Key West, Florida 33040

Dear Mrs. Halloran:

Please allow this correspondence to serve as an application for one (1) residential Building Permit Allocation System (“BPAS”) unit on behalf of TELESPHORUS HOLDINGS, LLC (“TH LLC” or “Applicant”). TH LLC intends to develop the BPAS Unit at the real property located at 916 Pohalski Avenue, Key West, Florida 33040 (the “Property”). As counsel for TH LLC, my firm submits the following application and supporting documents for your consideration:

Title Block:

- | | |
|-------------------------------|--------------------------------|
| a. Name of Owner: | TELESPHORUS HOLDINGS, LLC |
| b. Scale: | 1/4” = 1’ |
| c. North Arrow: | As identified on the site plan |
| d. Preparation/Revision Date: | October 17, 2023 |

Identification of Key Persons:

- | | |
|---|---|
| a. Owner: | TELESPHORUS HOLDINGS, LLC |
| b. Owner’s Authorized Agent: | Oropeza, Stones & Cardenas, PLLC |
| c. Architect: | A2O Architecture |
| d. Surveyor: | Florida Keys Land Surveying |
| e. Environmental Consultant: | Two Trails Sustainable Building Consultants |
| f. The undersigned certifies that all individuals/entities with a legal and equitable interest in the Property are as follows: TELESPHORUS HOLDINGS, LLC is the sole owner of the Property. Edward T. McGinley is the Authorized Member of TELEPHORUS HOLDINGS, LLC, a Florida limited liability company. | |

Project Description: The proposed project is a conversion of one (1) commercial unit into one (1) single-family residential unit.

Other Project Information:

- a. Proposed Phases of Development and Target Dates:
 - i. Single Phase – Completion of the conversion of one (1) commercial unit into one (1) single family residential unit.
- b. Expected Date of Completion – On or before two (2) years from the award of the building permit.

Intergovernmental Coordination:

All intergovernmental coordination shall be completed as required by the City.

Description of Proposed Development and Use:

The proposed development shall consist of the conversion of the property currently consisting of one (1) commercial unit into one (1) residential single-family unit. The Property is currently a commercial unit.

Solution Statement:

The proposed market rate unit development shall be designed and constructed utilizing methods and techniques which will allow the Applicant to achieve the Gold Standard for Florida Green Building Code; the Applicant's sustainable building consultant is LEED certified and will coordinate the FGBC certification process, providing the FGBC certification of Gold or greater prior to the issuance of a Certificate of Occupancy. All development shall incorporate mitigative standards and techniques to minimize any adverse impacts to surrounding properties and environmental concerns. The storm water plan and the landscape plan for the Property shall meet or exceed the requirements of the Code.

Thank you for your consideration of this application and attendant documents. We look forward to working with you and Planning staff on this project.

Very truly yours,



Gregory S. Oropeza, Esq.

Year 11 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 Edward T. McGinley as
Please Print Name of person with authority to execute documents on behalf of entity

Authorized Member _____ of Telesphorus Holdings, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Oropeza, Stones & Cardenas, PLLC
Please Print Name of Representative

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

E. McGinley
Signature of person with authority to execute documents on behalf of entity owner

Subscribed and sworn to (or affirmed) before me on this 10/30/23
Date

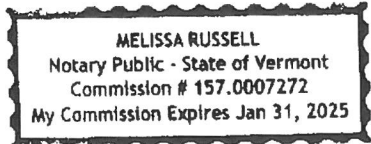
by Oropeza, Stones & Cardenas, PLLC
Name of person with authority to execute documents on behalf of entity owner

He/She is personally known to me or has presented FL Drivers License as identification.

Melissa Russell
Notary's Signature and Seal

Melissa Russell
Name of Acknowledger typed, printed or stamped

157.0007272
Commission Number, if any





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


I, Gregory S. Oropeza, in my capacity as Managing Partner
(print name) *(print position; president, managing member)*
of Oropeza, Stones & Cardenas, PLLC
(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:

916 Pohalski Avenue, 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.


Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this 11/1/23 by
date
Gregory S. Oropeza
Name of Applicant

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


Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



Year 11 BPAS



LICENSING RECORDS



THE CITY OF KEY WEST

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

July 20, 2023

Gregory Oropeza, Esq.
221 Simonton Street
Key West, FL 33040

RE: Zoning Verification Letter
916 Pohalski Ave (RE# 00021080-000000)

Dear Mr. Oropeza,

This following letter is a response to a request for a Zoning Verification Letter for the property located at 916 Pohalski Ave, identified by RE# 00021080-000000. In particular, the request was to verify the following:

The subject property is located within the Historic High Density Residential (HHDR) zoning district and consists of 1,572.15 square feet, or 0.04 of an acre. As the HHDR zoning district permits 22 dwelling units per acre, the property has a density of 0.88 units, which would equate to 1 dwelling unit.

The subject property is located in the Historic High Density Residential (HHDR) zoning district. The HHDR zoning district has a maximum density requirement of 22 units per acre, which equates to a requirement of 1977.27 square feet per dwelling unit. The minimum lot size is 4,000 square feet.

Section 122-31 of the City of Key West Land Development Regulations states: "In any district in which single-family dwellings are allowed, a single-family may be erected on any legal nonconforming single lot that is in existence on January 1, 1994, and that is in different ownership from the adjoining property. This subsection shall apply even though such lot fails to meet the requirements for area, depth or width, provided that all other zoning requirements shall apply."

Section 122-1079 states:

Any legally platted lot of record, which conformed with the regulations and procedures governing subdivision of lots, at the time of the adoption of the ordinance from which this section derives which contains less lot area or width than required in the district in which it is located may be used for a use permitted in such district. The provision shall not be construed to permit more than one dwelling unit on a lot with less area per family than required for the district in which such lot is located. However, if the substandard lot adjoins other land under the same ownership which if used could correct the nonconforming lot area or width:



THE CITY OF KEY WEST

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

- (1) The substandard lot shall not be permitted a vested development right unless the nonconformity is remedied; and
- (2) Any subsequent sale or ownership transfer of the substandard lot, adjoining lot, or portion thereof shall not result in a vested development right in the subject substandard lot unless the transaction corrects deficiencies in the substandard lot.

The subject lot is a historic lot of record, known more specifically as Lot 12 of W.A. Gwyn's plat of Subdivision of Tract 6, recorded in Plat Book 1, Page 46 of the Public Records of Monroe County, Florida, said lot having a front on Pohalski Street of 28'6", and a depth of 54', 6" on Nicholas Avenue.

This lot, as described above, was recorded in a warranty deed in 1987. The Grantee was Penny Mallot. A preliminary review of public records from the Monroe County Clerk of Courts indicates that Penny Mallott did not own the adjoining lots 10, 11, 13, 14, or 16 in 1994. A plat map from 2000 identifies the lot in the same configuration.

Therefore, although the site does meet the minimum lot size of 4,000, and does not meet the maximum density requirement of 22 dwelling units per acre (or 1,922.27 square feet per unit), the subject property can accommodate a maximum density of one (1) residential unit in accordance with Section 122-31 and 122-1079.

There are currently no recognized dwelling units on the property. Any development on the property is subject to the City of Key West Land Development Regulations, including Regulation Chapter 108, Article X – Building Permit Allocation System. This letter does not grant unit allocations from the City of Key West's Building Permit Allocation System (BPAS) pool.

Please contact this office with any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katie P. Halloran", is written over a horizontal line.

Katie P. Halloran
Planning Director

Attachments:
1987 Warranty Deed



THE CITY OF KEY WEST

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

2000 Plat Map

City of Key West Land Development Regulations Chapter 122, Division 6, Subdivision IV

Subpart B - LAND DEVELOPMENT REGULATIONS
Chapter 122 - ZONING
ARTICLE IV. - DISTRICTS
DIVISION 6. - HISTORIC PRESERVATION DISTRICTS
Subdivision IV. Historic High Density Residential District (HHDR)

Subdivision IV. Historic High Density Residential District (HHDR)¹

Sec. 122-626. Intent.

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

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

Sec. 122-627. Uses permitted.

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

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

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

Sec. 122-628. Conditional uses.

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

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Cultural and civic activities.
- (3) Educational institutions and day care.

¹Cross reference(s)—Historic preservation, ch. 102.

-
- (4) Nursing homes, rest homes and convalescent homes.
 - (5) Parks and recreation, active and passive.
 - (6) Places of worship.
 - (7) Protective services.
 - (8) Public and private utilities.
 - (9) Parking lots and facilities.

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

Sec. 122-629. Prohibited uses.

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

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

Sec. 122-630. Dimensional requirements.

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

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

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

Secs. 122-631—122-655. Reserved.

Year 11 BPAS



DEEDS

FORM 1104 WARRANTY DEED-(Statutory Form.)

FUTBLANK OF THE STATE OF FLORIDA

This Indenture,

550.00
1-4-87
550.00

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties herein; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.

REC 1031 PAGE 1477

513220

THIS INSTRUMENT, PREPARED BY:
MELIX H. KELLY
THE LAW OFFICE OF
MARK H. KELLY, P.A.
324 SOUTHARD STREET
KEY WEST, FLORIDA 33040

Made this 22ND day of September A. D. 1987
Between GERALD DESMOND and DOROTHY A. QUIGLEY, husband and wife,

of the County of Saratoga in the State of New York
party of the first part, and PENNY MALLOT, a single woman over the age of eighteen (18) years, whose address is: 313 Peacon Lane, Key West, FL 33040
of the County of Monroe in the State of Florida
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of Monroe State of Florida, to wit:

On the Island of Key West, and known as Lot 12, of W. A. Gwynn's plat of Subdivision of Tract 6, recorded in Plat Book 1, Page 46 of the Public Records of Monroe County, Florida. Said Lot having a front on Pholaski Street of twenty-eight feet, six inches and a depth of fifty-four feet, six inches on Nicholas Avenue.

FILED
NOV -4 P 1:19
CLERK
MONROE

De Paid 550.00 Date 1-4-87
MONROE COUNTY
DANNY L. KOLLAGE, CLERK CTR C1
By Samuel D. Strand, Jr. Esq. D.C.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In witness whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Margaret J. Callaway
Witness
Margaret J. Callaway
Witness
John A. Peacock
Linda J. Curley

Gerald Desmond L.S.
GERALD DESMOND
Dorothy A. Quigley L.S.
DOROTHY A. QUIGLEY
Samuel D. Strand, Jr. Esq. L.S.

State of NEW YORK
County of SARATOGA

Recorded in Official Record Book
to the...
1987 11 23 10 10 AM
Clerk

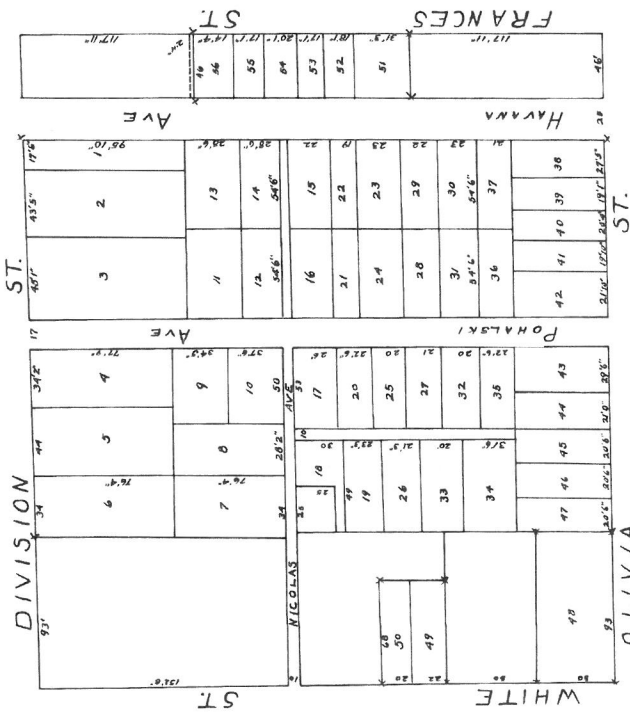
I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,
GERALD DESMOND and DOROTHY A. QUIGLEY, husband and wife,

to me well known and known to me to be the individual^s described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at Saratoga City of Saratoga and State of NY, this 22nd day of September, A. D. 1987.

(SEAL)
Sworn to before me and in my presence
Notary Public, State of New York
Residing Saratoga Co. #7939909
My Commission Expires 3-31-88

Christophe G. Miller
Notary Public



Surveyed and Sub Divided
By W.A. Gwyn,
City Engineer.

Recorded April 26, 1906
E.W. Russell,
Clerk

Prepared by and Return To:

Mark S. Weinberg, Esquire
GRAY ROBINSON, P.A.
333 SE 2nd Avenue – Suite 3200
Miami, Florida 33131

05/24/2016 11:16AM
DEED DOC STAMP CL: Krys \$3,150.00

Doc# 2076918
Bk# 2798 Pg# 398

Folio Number: 0002108000000056825

Grantee's TIN #: _____

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 19th day of May, 2016 between **Capital Bank Corporation, a North Carolina chartered commercial bank f/k/a Capital Bank, N.A., a national association f/k/a NAFH National Bank, successor by merger with TIB Bank (the "Grantor")**, whose mailing address is 6435 Naples Blvd., Naples, FL 34109, and **Edward McGinley (the "Grantee")**, whose mailing address is 1500 Atlantic Boulevard, Unit 201, Key West, Florida 33049.

W I T N E S S E T H

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, its successors and assigns the following property (the "**Property**") lying and being in MONROE COUNTY, Florida, and more particularly described as follows:

SEE ATTACHED EXHIBIT "A".

Subject, however, to: (i) taxes and assessments for the current year and subsequent years; (ii) covenants, restrictions and public utility easements of record, without intending to reimpose any of the foregoing, and (iii) existing zoning and governmental regulations.

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by its duly authorized signatory on the day and year first above written.

GRANTOR:

Capital Bank Corporation, a North Carolina chartered commercial bank

Signed, sealed and delivered in the presence of these witnesses:

Witness: *Alan Clapp*
Print Name: Alan Clapp

By: *Roger L. Denny*
Name: Roger L. Denny
Title: Vice President

Witness: *Glynnis Tilley*
Print Name: Glynnis Tilley

[Seal]

STATE OF Tennessee)
COUNTY OF Blount) ss.:

The foregoing instrument was acknowledged before me this 17th day of May, 2016 by Roger L. Denny as Vice President of Capital Bank Corporation, a North Carolina chartered commercial bank f/k/a Capital Bank, N.A., a national association f/k/a NAFH National Bank, successor by merger with TIB Bank, on behalf of the bank. He is personally known to me OR Produced _____ as identification.

C Nichole Garrett
Print or Stamp Name: C Nichole Garrett
Notary Public
Commission No.:
My Commission Expires: 9-25-2017

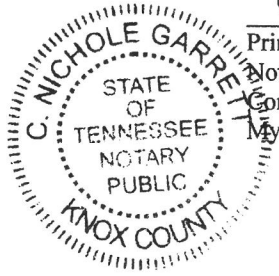


Exhibit "A"

Legal Description

ON THE ISLAND OF KEY WEST AND KNOWN AS LOT 12, OF W.A. GWYNN'S PLAT OF SUBDIVISION OF TRACT 6, RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; SAID LOT HAVING A FRONT ON POHALSKI STREET OF TWENTY EIGHT FEET, SIX INCHES AND A DEPTH OF FIFTY FOUR FEET, SIX INCHES ON NICHOLAS AVENUE.

ALSO:

A PARCEL OF LAND ON THE ISLAND OF KEY WEST AND KNOWN AS LOT 14, OF PART OF TRACT 6, ACCORDING TO A DIAGRAM WHICH IS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF THE SAID LOT 14 AND RUN THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY LINE OF THE SAID LOT 14 FOR A DISTANCE OF 27.0 FEET TO THE SOUTHEASTERLY FACE OF AN EXISTING ONE STORY METAL BUILDING; THENCE SOUTHWESTERLY WITH A DEFLECTION ANGLE OF 90°25'28" TO THE RIGHT ALONG SAID BUILDING FOR A DISTANCE OF 0.8 FEET TO THE SOUTHERLY CORNER OF SAID BUILDING; THENCE NORTHWESTERLY AND AT RIGHT ANGLES ALONG THE SOUTHWESTERLY FACE OF SAID BUILDING FOR A DISTANCE OF 27.0 FEET TO THE NORTHWESTERLY BOUNDARY LINE OF THE SAID LOT 14: THENCE NORTHEASTERLY AND ALONG THE SAID BOUNDARY LINE FOR A DISTANCE OF 0.6 FEET BACK TO THE POINT OF BEGINNING.

Prepared by and return to:
Gregory S. Oropeza, Esq.
Oropeza Stones Cardenas, PLLC
221 Simonton Street
Key West, FL 33040
305-294-0252
File Number: 17-326

08/21/2017 9:18AM
DEED DOC STAMP CL: Krys \$0.70

Doc# 2135721
Bk# 2369 Pg# 2025

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 18th day of August, 2017 between EDWARD MCGINLEY, a single man, grantor, and TELESFORUS HOLDINGS LLC, whose post office address is 1500 Atlantic Boulevard, Unit 201, Key West, Florida 33040, 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 TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Monroe County, Florida to-wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN

Subject to taxes for 2017 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

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:

Gar Banist
Witness Name: Gar Banist

Terry Clark
Witness Name: Terry Clark

Edward McGinley
Edward McGinley

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 18th day of August, 2017 by Edward McGinley who is personally known or has produced a driver's license as identification.

[Notary Seal]

Terry Clark
Notary Public

Printed Name: Terry Clark

My Commission Expires: June 21, 2021

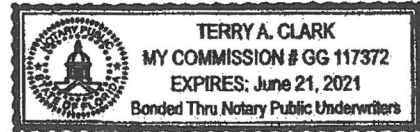




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ON THE ISLAND OF KEY WEST AND KNOWN AS LOT 12, OF W.A. GWYNN'S PLAT OF SUBDIVISION OF TRACT 6, RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; SAID LOT HAVING A FRONT ON POHALSKI STREET OF TWENTY EIGHT FEET, SIX INCHES AND A DEPTH OF FIFTY FOUR FEET, SIX INCHES ON NICHOLAS AVENUE.

ALSO:

A PARCEL OF LAND ON THE ISLAND OF KEY WEST AND KNOWN AS LOT 14, OF PART OF TRACT 6, ACCORDING TO A DIAGRAM WHICH IS RECORDED IN PLAT BOOK 1, PAGE 46, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF THE SAID LOT 14 AND RUN THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY LINE OF THE SAID LOT 14 FOR A DISTANCE OF 27.0 FEET TO THE SOUTHEASTERLY FACE OF AN EXISTING ONE STORY METAL BUILDING; THENCE SOUTHWESTERLY WITH A DEFLECTION ANGLE OF 90°25'28" TO THE RIGHT ALONG SAID BUILDING FOR A DISTANCE OF 0.8 FEET TO THE SOUTHERLY CORNER OF SAID BUILDING; THENCE NORTHWESTERLY AND AT RIGHT ANGLES ALONG THE SOUTHWESTERLY FACE OF SAID BUILDING FOR A DISTANCE OF 27.0 FEET TO THE NORTHWESTERLY BOUNDARY LINE OF THE SAID LOT 14; THENCE NORTHEASTERLY AND ALONG THE SAID BOUNDARY LINE FOR A DISTANCE OF 0.6 FEET BACK TO THE POINT OF BEGINNING.

MONROE COUNTY
OFFICIAL RECORDS

MONROE COUNTY
OFFICIAL RECORDS





BOUNDARY SURVEY

MAP OF BOUNDARY SURVEY

BEARING BASE:
ALL BEARINGS ARE BASED
ON S24°45'55"E ASSUMED
ALONG THE CENTERLINE OF
POHALSKI AVENUE.

ALL ANGLES DEPICTED
ARE 90 DEGREES UNLESS
OTHERWISE INDICATED

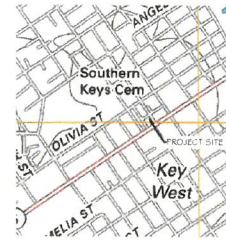
ALL UNITS ARE SHOWN IN
U.S. SURVEY FEET

ADDRESS:
916 POHALSKI AVENUE
KEY WEST, FL 33040

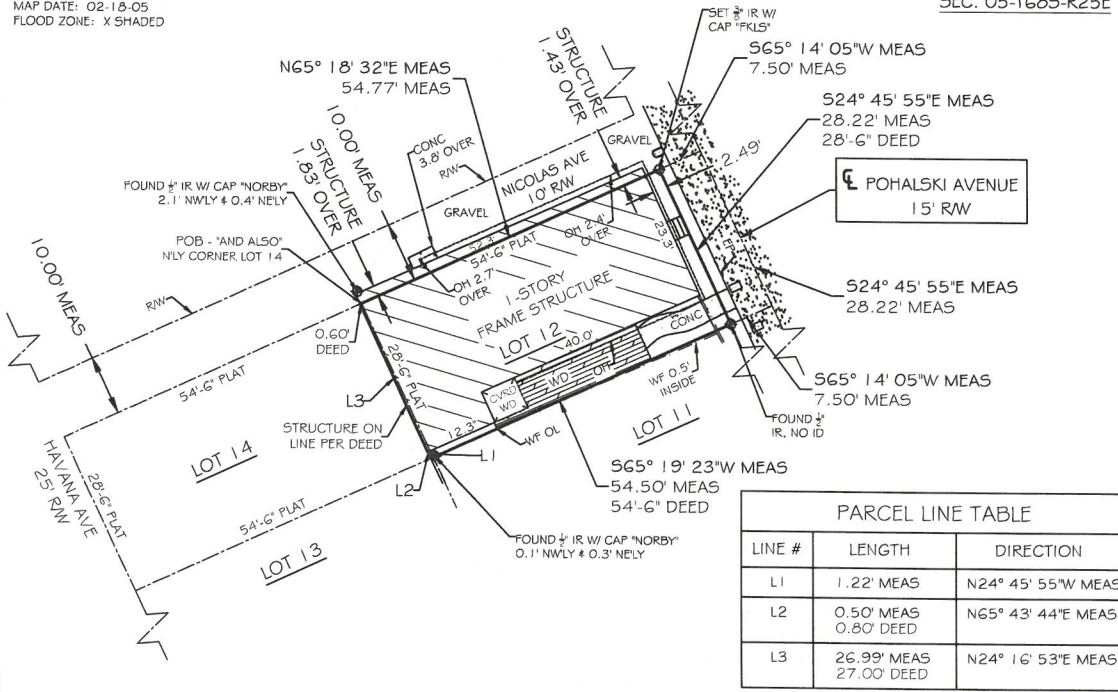
COMMUNITY NO.: 120168
MAP NO.: 12087C-1516K
MAP DATE: 02-18-05
FLOOD ZONE: X SHADED

LEGEND

- WATER METER
- SANITARY SEWER CLEAN OUT
- MAILBOX
- WOOD POWER POLE
- CONCRETE POWER POLE



LOCATION MAP - NTS
SEC. 05-T685-R25E



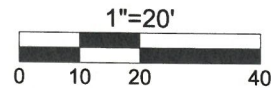
| PARCEL LINE TABLE | | |
|-------------------|----------------------------|--------------------|
| LINE # | LENGTH | DIRECTION |
| L1 | 1.22' MEAS | N24° 45' 55"W MEAS |
| L2 | 0.50' MEAS 0.80' DEED | NG5° 43' 44"E MEAS |
| L3 | 26.99' MEAS 27.00' DEED | N24° 16' 53"E MEAS |

LEGAL DESCRIPTION -

On the island of Key West and known as Lot 12, of W.A. GWYNN'S PLAT OF SUBDIVISION OF TRACT 6, recorded in Plat Book 1, Page 46, of the Public Records of Monroe County, Florida; said lot having a front on Pohalski Street of twenty eight feet, six inches and a depth of fifty four feet, six inches on Nicholas Avenue.

"AND ALSO"

A parcel of land on the island of Key West, and known as part of Lot 14, of part of Tract 6, according to a diagram which is recorded in Plat Book 1, Page 46, of the Public Records of Monroe County, Florida; said parcel being more particularly described by metes and bounds as follows: BEGIN at the Northern corner of the said Lot 14 and run thence Southeasterly along the Northeasterly boundary line of the said Lot 14 for a distance of 27.0 feet to the Southeasterly face of an existing one story metal building; thence Southwesterly with a deflection angle of 90°25'28" to the right along said building for a distance of 0.8 feet to the Southern corner of said building; thence Northwesterly and at right angles along the Southwesterly face of said building for a distance of 27.0 feet to the Northwesterly boundary line of the said Lot 14; thence Northeasterly and along the said boundary line for a distance of 0.6 feet back to the Point of Beginning.



TOTAL AREA = 1,547.95 SQFT ±

CERTIFIED TO -

Edward McGinley;

- NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.
THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.
- | | | |
|-----------------------------------|--|--------------------------------------|
| BFP = BACK-FLOW PREVENTER | GLW = GUY WIRE | PCC = POINT OF COMMENCEMENT |
| BO = BLOW OUT | HIS = HOSE BIB | PRC = POINT OF REVERSE CURVE |
| C 4 G = 2" CONCRETE CURB & GUTTER | IP = IRON PIPE | PRM = PERMANENT REFERENCE MONUMENT |
| CB = CONCRETE BLOCK | IR = IRON ROD | PT = POINT OF TANGENT |
| CBW = CONCRETE BLOCK WALL | L = ARC LENGTH | R = RADIUS |
| CL = CENTERLINE | LS = LANDSCAPING | RAW = RIGHT OF WAY LINE |
| CFP = CHAINING FENCE | M = MAILBOX | SSCO = SANITARY SEWER CLEAN OUT |
| CM = CONCRETE MONUMENT | MEAS = MEASURED | SM = SIDE WALL |
| CONC = CONCRETE | MF = METAL FENCE | TD = TOE OF SLOPE |
| CPP = CONCRETE POWER POLE | MHWL = MEAN HIGH WATER LINE | TB = TEMPORARY BENCHMARK |
| COVD = COVERED | NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929) | TOB = TOE OF BANK |
| DELT = CENTRAL ANGLE | NTS = NOT TO SCALE | TOC = TOE OF SLOPE |
| DEASE = DRAINAGE EASEMENT | OH = ROOF OVERHANG | TR = TRAFFIC SIGN |
| EL = ELEVATION | OHV = OVERHEAD WIRE | TRF = TYPICAL |
| ENC = ENCLOSURE | PC = POINT OF CURVE | UE = UTILITY EASEMENT |
| EP = EDGE OF PAVEMENT | PFI = PARKING METER | WD = WOOD DECK |
| FF = FINISHED FLOOR ELEVATION | PCP = PERMANENT CONTROL POINT | WF = WOOD FENCE |
| PH = FIRE HYDRANT | PK = PARKER SALON HALL | WL = WOOD LANDING |
| PI = FENCE INSIDE | PBS = POINT OF BEGINNING | WM = WATER METER |
| PO = POINT | PI = POINT OF INTERSECTION | WPP = WOOD POWER POLE |
| POB = POINT OF BEGINNING | PP = POINT OF INTERSECTION | WRACK LINE = LINE OF DEBRIS ON SHORE |
| POC = POINT OF COMMENCEMENT | | WV = WATER VALVE |

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS. ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. THE BOLD LINE SHOWN HEREON REPRESENTS THE SURVEYORS OPINION OF THE DEED LINES. THE MEAN HIGH WATER LINE WAS NOT DETERMINED FOR THIS SURVEY, THE APPARENT MEAN HIGH WATER LINE IS SHOWN FOR REFERENCE ONLY.

| | |
|------------------|------------|
| SCALE: | 1"=20' |
| FIELD WORK DATE: | 12/11/2015 |
| REVISION DATE: | XXXX/XXXX |
| SHEET: | 1 OF 1 |
| DRAWN BY: | MPB |
| CHECKED BY: | ----- |
| JOB NO.: | 15-120 |

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, FLORIDA STATUTES.

SIGNED:
ERIC A. ISAACS, #6783, PROFESSIONAL SURVEYOR AND MAPPER, LB# 7847

NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.



**FLORIDA KEYS
LAND SURVEYING**
19960 OVERSEAS HIGHWAY
SUGARLOAF KEY, FL 33042
PHONE: (305) 394-3690
FAX: (305) 509-7373
EMAIL: FKL5email@Gmail.com

Year 11 BPAS



SITE PLANS



Exhibit B – Site Data Table

Building Permit Allocation System Application

305-809-3720 • www.cityofkeywest-fl.gov

SITE DATA TABLE

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

| Site Data Table | | | | |
|-------------------------------------|-------------------|----------------------|----------------------|------------------------|
| | Code Requirement | Existing | Proposed | Variance Request (y/n) |
| Zoning | HHDR | | | |
| Flood Zone | | | | |
| Size of Site | 4,000 SF | | | |
| Height | 30 FT | 20' 6" | No Change | No |
| Front Setback | 10" | 2'8" | No Change | No |
| Side Setback | 5' | 1'3" | No Change | No |
| Side Setback | N/A | N/A | N/A | No |
| Street Side Setback | 5' | 1'11" | No Change | No |
| Rear Setback | 20' | 0'0" on line | No Change | No |
| Residential Floor Area | 1.00 | 0 | 1.00 | N/A |
| Density | 22 DU/Acre (0.88) | 0 | 1 | N/A |
| Commercial Floor Area | 1.00 | 1.00 | 0 | N/A |
| F.A.R (Commercial) | | | | No |
| Building Coverage | 50% | 78.06% (1,208.49 SF) | No Change | No |
| Impervious Surface | 60% | 81.15% (1,256.21 SF) | 80.44% (1,245.25 SF) | No |
| Parking | | | | No |
| Handicap Parking | | | | N/A |
| Bicycle Parking | | | | No |
| Open Space/ Landscaping | 20% | 5.59% (85.55 SF) | 7.49% (116.00 SF) | No |
| Number and type of units | | 1 commercial | 1 DU | N/A |
| Consumption Area or Number of seats | N/A | N/A | N/A | N/A |

MAP OF BOUNDARY SURVEY

BEARING SURVEY
ALL BEARINGS ARE BASED
ON 2011 MEASUREMENTS
AND ARE ASSUMED TO BE
CORRECT UNLESS OTHERWISE
NOTED.

ALL ANGLES EXCEPTED
ARE 90 DEGREE ANGLES
UNLESS OTHERWISE NOTED.

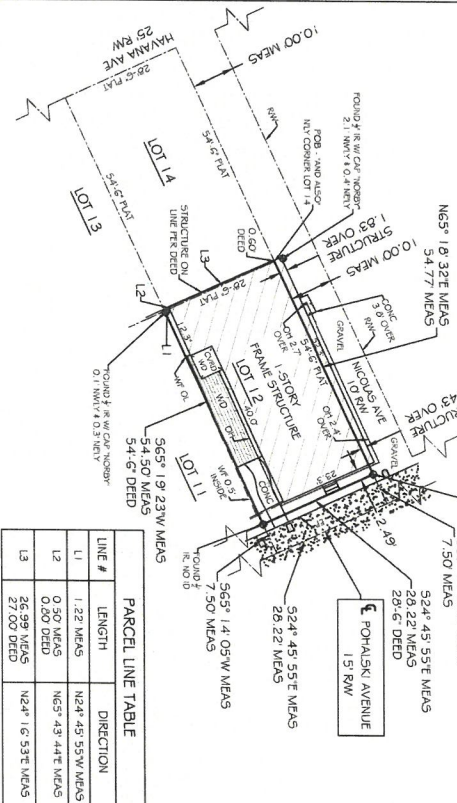
ALL UNITS ARE SHOWN IN
U.S. SURVEY FEET

ADDITIONAL INFORMATION
PROJECT NO. 2203
DATE: 10/17/2023

- LEGEND**
- WATER METERS
 - SANITARY SEWER CLEAN OUT
 - MAILBOX
 - WOOD TOWER POLE
 - CONCRETE TOWER POLE
- ASSUMED



LOCATION MAP - M19
SEC. 05 T68S R25E



PARCEL LINE TABLE

| LINE # | LENGTH | DIRECTION |
|--------|------------|---------------------|
| L1 | 1.22 MEAS | N24° 49' 55" W MEAS |
| L2 | 0.59 MEAS | N65° 43' 44" MEAS |
| L3 | 22.89 MEAS | N24° 16' 53" MEAS |
| L4 | 27.00 MEAS | N24° 16' 53" MEAS |



TOTAL AREA = 1,547.95 SQFT ±

LEGAL DESCRIPTION

On the island of Key West and known as Lot 12, of W.A. GOWNS PLAN OF SUBDIVISION OF TRACT 6, recorded in Plat Book 1, Page 46, of the Public Records of Monroe County, Florida, and parcel being more particularly described by a diagram which is recorded in Plat Book 1, Page 46, of the Public Records of Monroe County, Florida, and parcel being more particularly described by a diagram which is recorded in Plat Book 1, Page 46, of the Public Records of Monroe County, Florida, the North-South boundary line of the said Lot 14 for a distance of 27.0 feet to the Southwesterly line of an existing one-story metal building; thence Southwesterly with a deflection angle of 90°25'28" to the right along said building for a distance of 0.6 feet to the Southwesterly corner of said building; thence Northwesterly and at right angles along the Southwesterly line of said Lot 14, thence Northwesterly and along the said boundary line for a distance of 0.6 feet back to the front of beginning.

CERTIFIED TO

Edward McGilley

NOTICE: THIS DOCUMENT IS A PRELIMINARY SURVEY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE SURVEYOR'S OFFICE IS LOCATED AT 151-120 15TH AVENUE, SUITE 101, KEY WEST, FLORIDA 33040. PHONE: (305) 509-7373. FAX: (305) 509-7373. EMAIL: FLSURV@GMAIL.COM

FLORIDA KEYS LAND SURVEYING

19960 OVERSEAS HIGHWAY
SUITE 101
KEY WEST, FLORIDA 33040
PHONE: (305) 509-7373
FAX: (305) 509-7373
EMAIL: FLSURV@GMAIL.COM

RESIDENTIAL CONVERSION

BRAS APPLICATION
PROJECT ADDRESS: 916 POHALSKI AVENUE, KEY WEST, FLORIDA, 33040

SCOPE OF WORK

INTERIOR RENOVATION OF AN EXISTING STRUCTURE TO CONVERT COMMERCIAL SPACE INTO A RESIDENTIAL USE

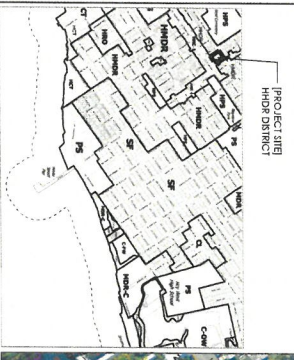
CODE INFORMATION

APPLICABLE CODES:
FLORIDA BUILDING CODE THE EDITION 2008 WITH ALL AMENDMENTS

FLSA (FEDERAL EMERGENCY MANAGEMENT AGENCY) REQUIREMENTS
Project is located within X-Zone

SHEET INDEX

- 001 COVER W/ COPY OF SURVEY
- A1 SITE PLAN
- A21 EXISTING FLOOR PLANS
- A22 PROPOSED FLOOR PLANS
- A31 EXISTING ELEVATION ELEVATIONS
- A32 PROPOSED ELEVATION ELEVATIONS



Monroe County, Florida
MCPA GIS Public Portal

MONROE COUNTY PROPERTY
MCPA GIS PUBLIC PORTAL

151878
DATE: 6/22/2018

ARCHITECTURE A2O

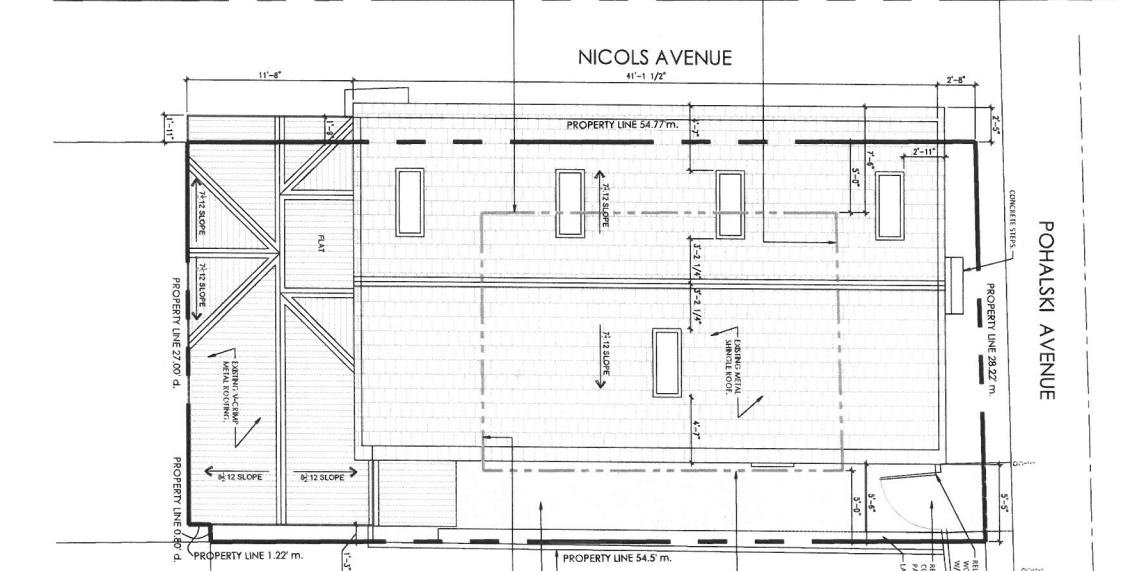
ARCHITECT: [Logo]

PROJECT # 2203

DATE: OCT 17, 2023

916 POHALSKI AVENUE, KEY WEST, FLORIDA 33040

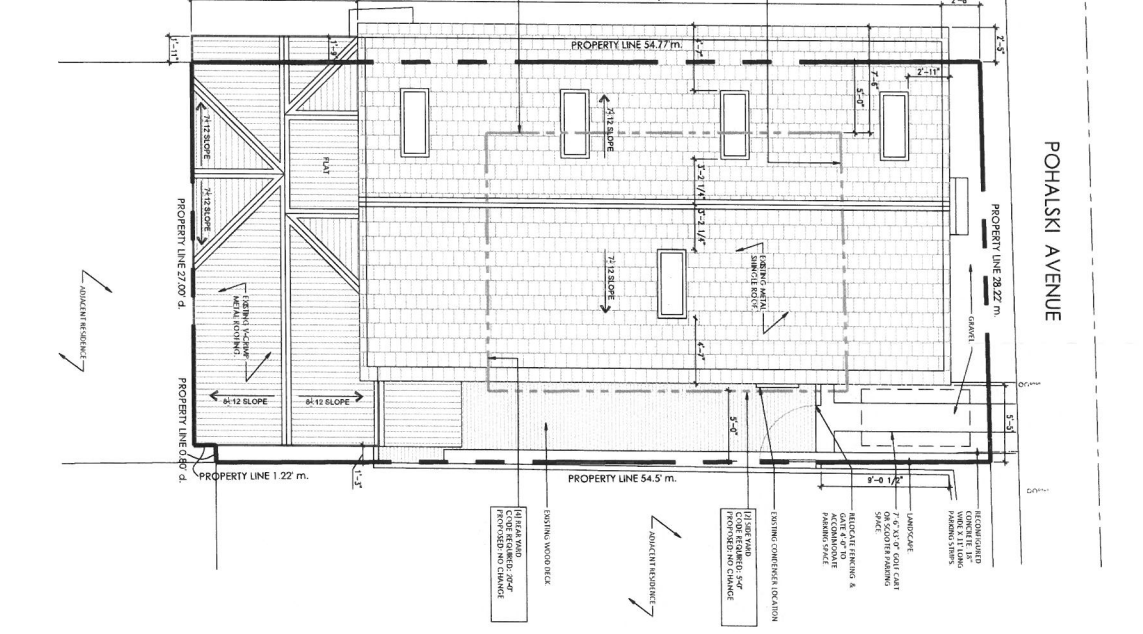
1 EXISTING SITE PLAN
SCALE: 1/8"=1'-0"



| SITE DATA | | | |
|--------------------|------------------------|-------------------------------|--------------------|
| CODE | EXISTING | PROPOSED | VARIANCE REQUESTED |
| ZONING DISTRICT | HHDR | | |
| LOT SIZE | 4,000 SF (371.01 SQ M) | 5,488 SF (507.11 SQ M) | |
| SETBACKS: | | | |
| FRONT YARD | 10' | 2'-0" | NO |
| SIDE YARD | 5' | 1'-3" | NO |
| STREET SIDE YARD | 5' | 1'-1" (1.0' of Property Line) | NO |
| REAR YARD | 20' | 0'-0" (On Property Line) | NO |
| BUILDING COVERAGE | | | |
| | 50% | 78.8% (1,208.49 SF) | NO CHANGE |
| LANDSCAPE COVERAGE | | | |
| | 60% | 81.15% (1,258.21 SF) | NO IMPROVEMENTS |
| TOTAL SPACE | | | |
| | 20% | 7.49% (118.00 SF) | NO IMPROVEMENTS |

- Notes:
 1. Calculations are based on the survey dated 12/11/2015.
 2. The building is located partially outside of its property line. This square footage is not included in the building or property coverage.

2 PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"



| | | |
|--------------------|-----------------|-------------|
| DATE: OCT 17, 2023 | PROJECT #: 2203 | SHEET: A1.1 |
|--------------------|-----------------|-------------|

RESIDENTIAL CONVERSION

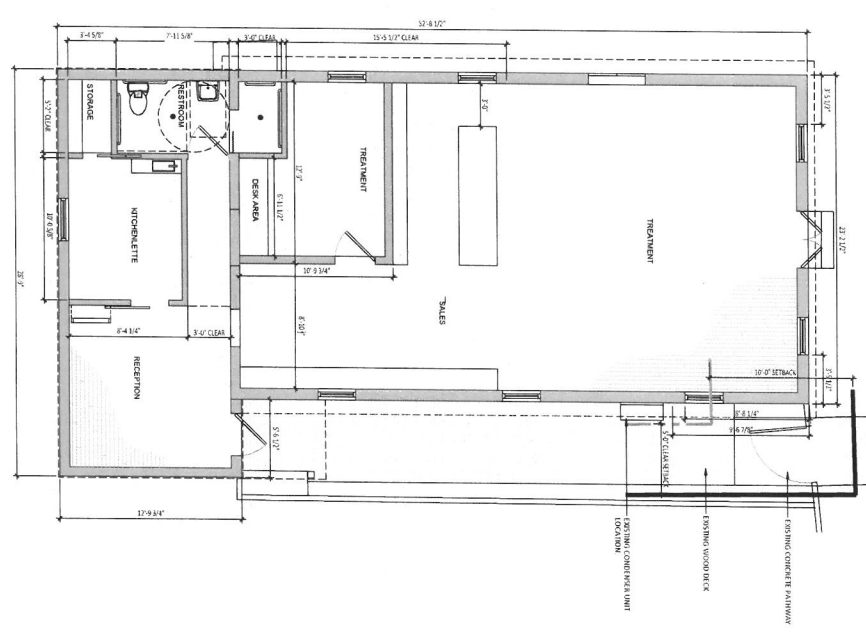
916 POHALSKI AVENUE, KEY WEST, FLORIDA 33040

A2O ARCHITECTURE
 ARCHITECTS
 1537-34-4400
 1537-34-4400
 1537-34-4400

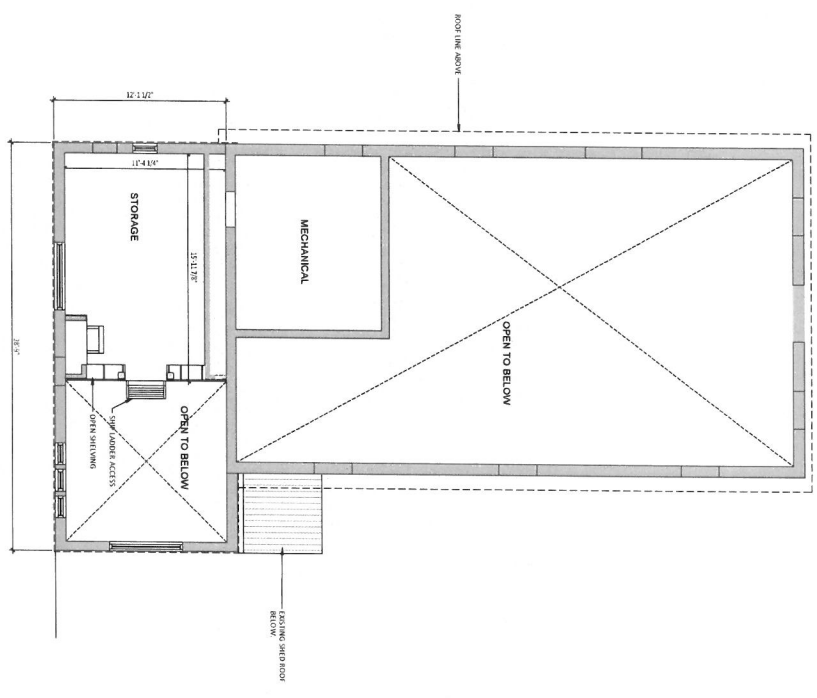
FLOOR PLAN LEGEND

| | |
|--|--------------------------------------|
| | EXISTING WALL |
| | EXISTING ROOM TO REMAIN, SIZE VARIES |
| | EXISTING WINDOW |

1 EXISTING FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"
GRAPHIC SCALE: 1/4"=1'-0"



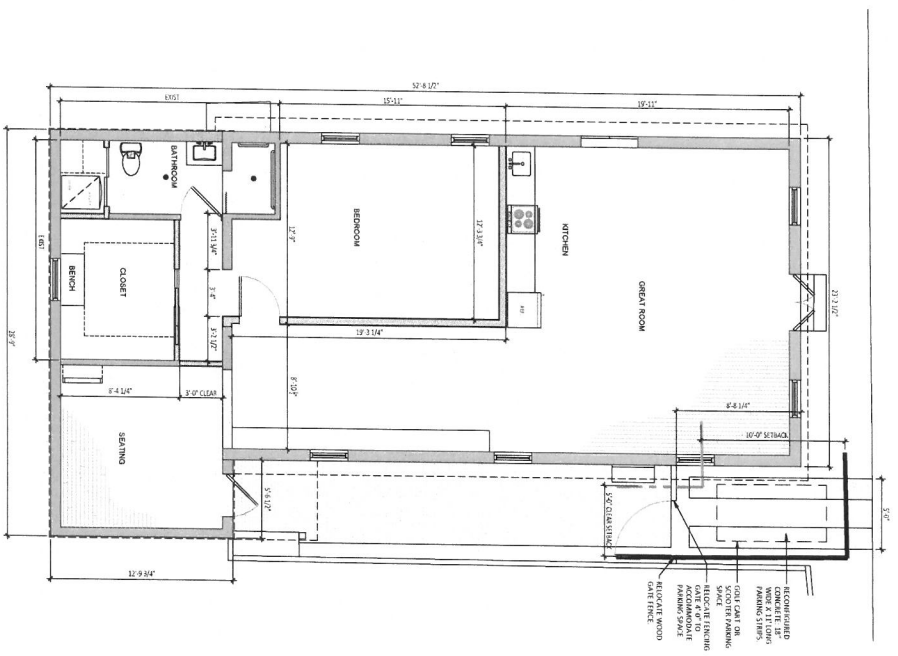
2 EXISTING SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"
GRAPHIC SCALE: 1/4"=1'-0"



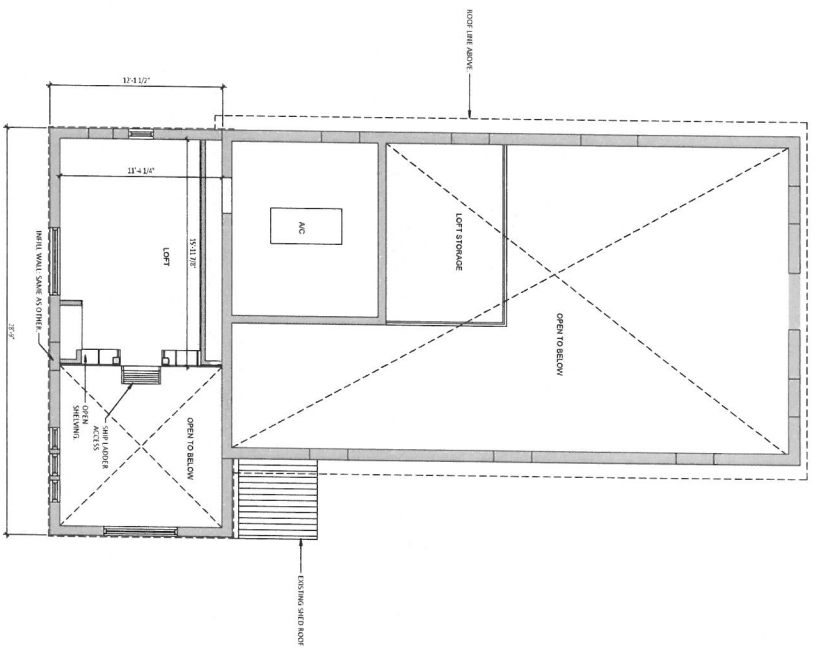
APPROVALS:
SUBMISSIONS:
PROJECT #: 22203
SHEET: A2.2

TITLE:
PROPOSED
FLOOR PLANS

OCT 17, 2023

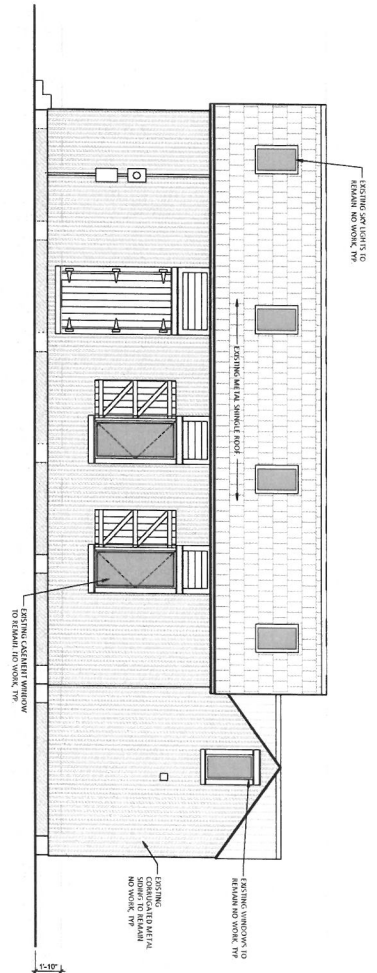


1
SCALE: 1/8" = 1'-0"

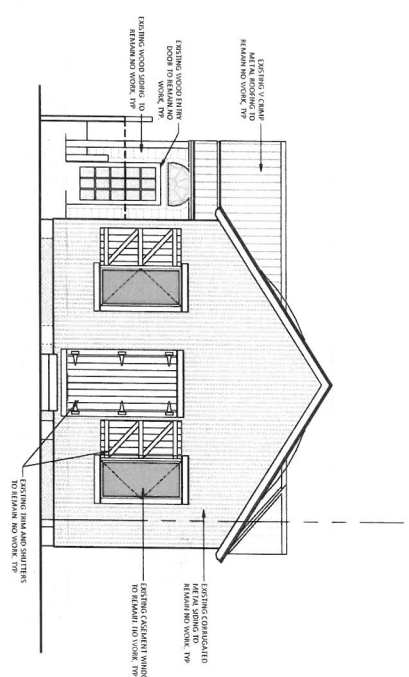


2
SCALE: 1/8" = 1'-0"

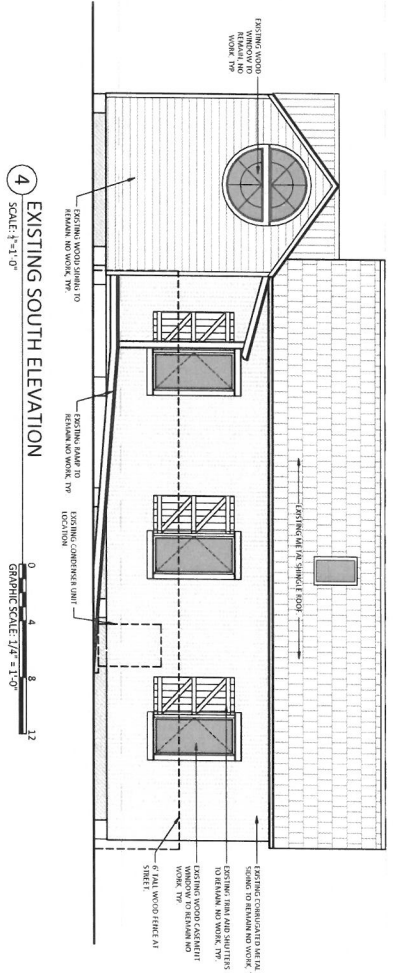
| FLOOR PLAN LEGEND | DESCRIPTION |
|-------------------|---|
| [Symbol] | EXISTING WALL/PART |
| [Symbol] | INTERIOR WALL 1/2" O.C. OR 2x4 AT 16" O.C. FINISHES 3/4" MIN. OVER 1/2" MIN. FINISHES |
| [Symbol] | NEW 2x4 AT 16" O.C. FINISHES 3/4" MIN. OVER 1/2" MIN. FINISHES |
| [Symbol] | EXISTING DOOR TO REMAIN, SIZE VARI. |
| [Symbol] | INTERIOR DOOR |
| [Symbol] | WINDOW |



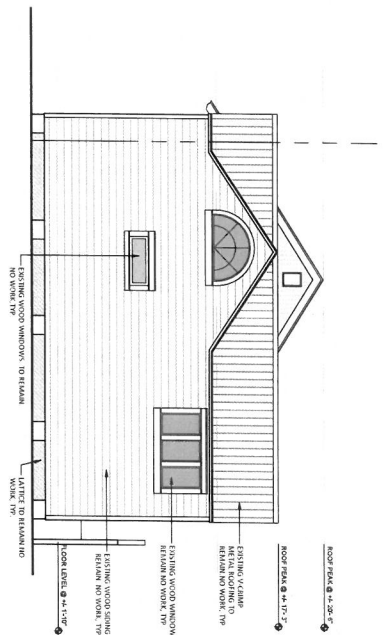
2 EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



1 EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



4 EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"

RESIDENTIAL CONVERSION

916 POHALSKI AVENUE, KEY WEST, FLORIDA 33040

ARCHITECT: A2O ARCHITECTURE

PROJECT #: 22103

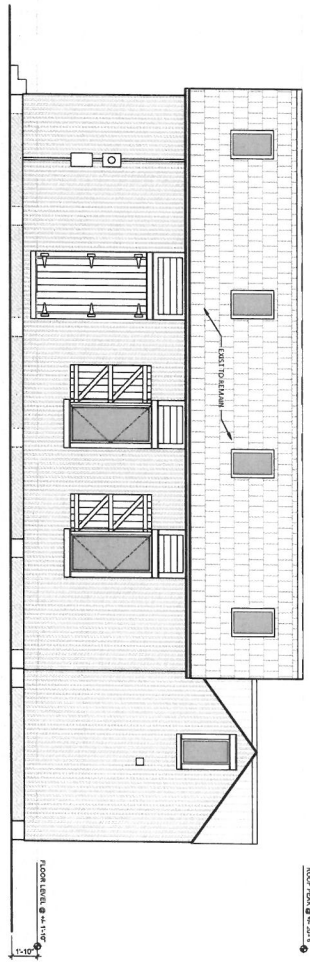
SHEET: EXISTING EXTERIOR ELEVATIONS

DATE: OCT 17, 2023

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

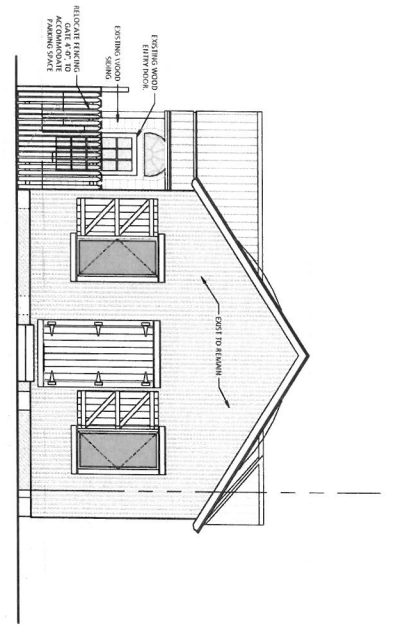
GRAPHIC SCALE: 1/4" = 1'-0"

A3.1



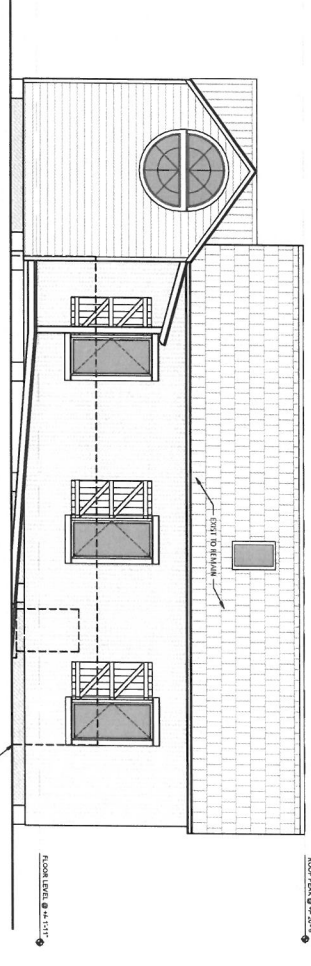
2 NORTH ELEVATION
NO CHANGE

SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



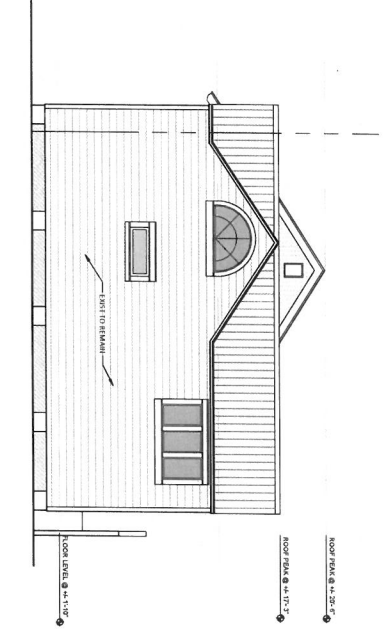
1 PROPOSED EAST ELEVATION
NO CHANGE

SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



4 PROPOSED SOUTH ELEVATION
NO CHANGE

SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"



3 WEST ELEVATION
NO CHANGE

SCALE: 1/4" = 1'-0"
GRAPHIC SCALE: 1/4" = 1'-0"

RESIDENTIAL CONVERSION

916 POHALSKI AVENUE, KEY WEST, FLORIDA 33040

A2O
ARCHITECTURE

ARCHITECT
Dustin A. O'Brien
1538 46 40 00

PROPOSED EAST ELEVATION
NO CHANGE
OCT 17, 2023

SUBMISSIONS:

APPROVALS:

TITLE:
PROPOSED EXTERIOR
ELEVATIONS

PROJECT #: 2203

A3.2

OCT 17, 2023



ENERGY RENOVATIONS

| FIGURE/APPLIANCE | MAXIMUM FLOW RATE OR QUANTITY PER CODE | CONSERVATION | APPLIANCE/FIXTURE TO BE INSTALLED | ENERGY CALCULATION |
|--|---|---|--|------------------------------------|
| Bathroom faucet (1) | 2.2 gpm | 1.5 gpm | 1.2 gpm | (1.2 - 2.2) / 2.2 = 45% |
| Showerhead (1) | 2.5 gpm | 1.5 gpm | 1.5 gpm | (1.5 - 2.5) / 2.5 = 40% |
| Kitchen sink faucet (1) | 2.5 gpm | 1.5 gpm | 1.5 gpm | (1.5 - 2.5) / 2.5 = 40% |
| Toilet (1) | WaterSense® Certified (1.28 gallons per flushing cycle) | 1.2 gpf | 1.00 gpf (model No. 745A111.XXX) | (1.00 - 1.28) / 1.28 = 22% |
| Dishwasher (1) | 6 gpl | 3.5 gpl | 2.57-3.2 gpl | (2.57 - 3.5) / 3.5 = 27% |
| Clothes Washer, Top Loading (1 or 0) | 6.5 WF | 4.3 WF | 3.2 WF | (3.2 - 6.5) / 6.5 = 51% |
| Clothes Washer, Front Loading (1 or 0) | 4.7 WF | 3.2 WF | 2.9 WF | (2.9 - 4.7) / 4.7 = 38% |
| Ceiling Fans (4) | < 38.03 cfm/w | N/A | 363.8 cfm/w | 38.03 / 363.8 = 105% greater |
| Central AC (1) | 12 SEER | 15 Seer or greater per Keys Energy | 18-20 SEER | 12/18 = 67% greater |
| Hot Water Heater (1) | 0.9359 UEF | Must be energy star rated per Keys Energy | 3.35 UEF (per 10 CFR 429.17, the higher the UEF, the more efficient the water heater is) | 3.35 / 0.9359 = 3.58 times greater |
| Programmable Thermostat (1) | N/A | Must be energy star rated per Keys Energy | <1 kWh/month | N/A |
| Refrigerator (1) | 527 kWh/yr | Must be energy star rated per Keys Energy | 369 kWh/yr | (369-527) / 527 = 29% |
| Energy Efficient Recessed Lighting (tbd) | N/A | Energy Star Rated | 56.7 - 60.6 lm/W | N/A |
| Bathroom Lighting (1) | N/A | Energy Star Rated | 54.3 lm/W | N/A |
| Wall Mounted Lighting (4, if any) | N/A | Energy Star Rated | 61.9 - 70.0 lm/W | N/A |
| Light Bulbs | N/A | Energy Star Rated | 60 Watt LED- 88.9 lm/W; 40 Watt LED- 85.7 lm/W | N/A |



ESTIMATED SCORE SHEET



Exhibit C – Applicant’s Estimated Score Sheet Building Permit Allocation System Application

305-809-3720 • www.cityofkeywest-fl.gov


The purpose of the Estimated Score Sheet is to provide the applicant with the understanding that if a BPAS Allocation(s) is awarded the total amount of points represented on the Estimated Score Sheet and finalized through the official staff ranking process is required to be permanently maintained throughout the lifecycle of the project. Because the total amount of points is not linked to one specific criterion, the applicant has flexibility in the construction phase in the event that certain point system criteria, for which the application is ranked, need to be substituted.

In the event that the Prerequisites and/or the total points are not achieved, a Certificate of Occupancy will not be issued for the project.

Applicant: Gregory S. Oropeza **Site Address:** 916 Pohalski Avenue, Key West, FL 33040

Number and type of Units Requested: Market Rate 1 Affordable _____

Prerequisite Development Type: Major Construction/ Renovation _____
Minor Renovation X

Please acknowledge that the Prerequisites required for the proposed project shall be met in accordance with the solution statement provided: 
Initial here

The following criteria and point system shall be utilized in the ranking of applications for development of non-transient units as follows:

- a. Building more than 1.5’ higher than the base flood elevation (+5) Points _____
- b. Exceeding the minimum required percentage of affordable housing (+30) Points _____
- c. Voluntarily providing affordable housing which exceeds the requirements of section 122-1467 at median income classification (+40) Points _____
- d. Voluntarily providing affordable housing which exceeds the requirements of section 122-1467 at low income classification (+60) Points _____
- e. Achieving Green Building Certification Upgrade 1 (+20) Points 20
- f. Achieving Green Building Certification Upgrade 2 (+27) Points _____
- g. Achieving Green Building Certification Upgrade 3 (+40) Points _____
- h. Voluntary contribution to the arts in public places fund or tree fund in the amount of \$2,500 or more (+5) Points 5
- i. Providing electrical high-voltage sized conduit for future electric car charging station near parking area (+5) Points _____
- j. Using light-colored, high-reflectivity materials for all non-roof areas with a Solar Reflectance Index (SRI) of at least 29 (+5) Points _____
- k. Providing on-site recreational amenities or exceeding the open space requirements of section 108-346 (b) of article V of Chapter 108 (+10) Points _____
- l. Using light-colored, high-reflectivity roofing materials with a Solar Reflectance Index (SRI) of at least 29 (+5) Points _____

TOTAL ESTIMATED POINTS 25



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

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 25. 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.

[Handwritten Signature]

11.1.2023

Signature of applicant

Date

Gregory S. Oropeza

Print name of Applicant

Subscribed and sworn to (or affirmed) before me on this 1st day of November, 2023,
by Gregory Oropeza (name of person signing the application)
as Attorney (type of authority...e.g. officer, manager/member, trustee,
attorney)
for Telephonic Holdings, 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.

[Handwritten Signature]

Notary's Signature and Seal

SEAL

Name of Acknowledger typed, printed or stamped

Commission Number, if any





PRELIMINARY DRAFT RANKING

CITY OF KEY WEST BUILDING PERMIT ALLOCATION SYSTEM (BPAS)
 YEAR 11 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... (+40)
 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. Achieving GBC Upgrade 3 (FGBC Platinum) (+40)
 Sec. 108-997 (c)(1)h. Voluntary contribution to the ALPP or Tree... (+5)
 Sec. 108-997 (c)(1)i. Providing electrical high voltage... (+5)
 Sec. 108-997 (c)(1)j. Using light colored, high reflectivity materials... (+5)
 TOTAL BPAS POINTS: CLAIMED PER APPLICANT**

| YEAR 11 MARKET-RATE BPAS APPLICATIONS | | | | | | | | | | | | | | | | |
|---|-----|------|--------|-------|---|----|----|----|----|---|---|---|---|---|----|----|
| MARKET-RATE PROJECTS | | | | | | | | | | | | | | | | |
| 6450 College Rd | 2 | 1.00 | 2 | Minor | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 15 |
| 1213 14th Street | 68 | 1.00 | 68 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 201 Front St | 14 | 1.00 | 14 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 638 United St | 4 | 1.00 | 4 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1817 Staples Ave | 2 | 1.00 | 2 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3228 Flagler Ave | 5 | 1.00 | 5 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3704 Flagler Ave | 1 | 1.00 | 1 | Major | 5 | 0 | 0 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 25 |
| 916 Pohalski Ave | 1 | 1.00 | 1 | Minor | 0 | 0 | 0 | 0 | 20 | 0 | 0 | 5 | 0 | 0 | 0 | 25 |
| 1405.1407.1409 United St | 3 | 1.00 | 3 | Major | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| TOTAL REQUESTED: | 100 | | 100.00 | | | | | | | | | | | | | |
| YEAR 11 AFFORDABLE-RATE BPAS APPLICATIONS | | | | | | | | | | | | | | | | |
| AFFORDABLE-RATE PROJECTS | | | | | | | | | | | | | | | | |
| 2709 Staples Ave | 1 | 0.78 | 0.78 | Minor | 5 | 0 | 0 | 60 | 0 | 0 | 0 | 0 | 5 | 5 | 0 | 75 |
| 920 Virginia St | 1 | 1.00 | 1 | Minor | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 930 Catherine St | 1 | 1.00 | 1 | Minor | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3101 N Roosevelt Blvd | 45 | 1.00 | 45 | Major | 5 | 0 | 40 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 65 |
| 1213 14th Street | 204 | 1.00 | 204 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1817 Staples Ave | 1 | 1.00 | 1 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3228 Flagler Ave | 3 | 1.00 | 3 | Major | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1110 Truman Ave | 1 | 0.78 | 0.78 | Minor | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 |
| 3400 Duck Ave | 54 | 1.00 | 54 | Major | 5 | 0 | 0 | 60 | 20 | 0 | 0 | 0 | 0 | 0 | 10 | 95 |
| 3504 Duck Ave | 1 | 0.78 | 0.78 | Minor | 5 | 0 | 40 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 45 |
| TOTAL REQUESTED: | 312 | | 311.34 | | | | | | | | | | | | | |
| TOTAL OF ALL UNITS REQUESTED | 412 | | | | | | | | | | | | | | | |

NOTES:
 Year 11 Units Available: 212.40
 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.
 - All new units shall be constructed in compliance with and obtain a baseline green building certification
 - All final BPAS applications are subject to final density/zoning review.
 *The number of units for each application is subject to change based on a final density/zoning review. Requests for units above the maximum permitted density within the underlying zoning district will not be considered
 **Points in red require action from the applicant. Applicants that are in this category must adjust their score sheets consistent with Planning staff recommendations contained in their preliminary response letters.



PRELIMINARY RANKING RESPONSE



GREGORY S. OROPEZA | ADELE V. STONES [Retired] | SUSAN M. CARDENAS, of Counsel
LISA MARIE KEHOE | KAI A. MURPHY

VIA HAND DELIVERY

April 29, 2024

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

RE: Supplemental Documents for BPAS Application- 916 Pohalski Ave., Key West, FL 33040

Dear Mrs. Halloran:

Please allow this correspondence to serve as the Successor Applicant Rick Lindsey's response to the March 28, 2024 Preliminary Ranking for Year 11 BPAS Applications related to the real property located at 916 Pohalski Avenue, Key West, Florida 33040 (the "Property"). The Successor Applicant, Rick Lindsey, has purchased the Property from the former Applicant, Telesphorus Holdings, LLC, and has opted to proceed with the BPAS application as submitted.

As you are aware, the proposed project is a conversion of one (1) commercial unit into one (1) single-family residential unit.

Applicant's Responses to the Preliminary Ranking Letter

It was noted in the "Completeness" section of the Preliminary Ranking Letter that the Application, as submitted, was missing the "Florida Green Building Coalition (FGBC) Scoresheet at level 3 / Energy and Water demonstration." It is further noted that the provided Efficiency Table requires the addition of source information. Please allow the following to address the Completeness:

- Florida Green Building Coalition energy standards
 - o It is the understanding of the Application, following several discussions with the Planning Department, that a Home Retrofit Checklist should be provided to comply with the energy standards requirement. The Applicant has since obtained the requested Home Retrofit Checklist, which is attached hereto as Exhibit "A" in completed form. The Applicant is ready, willing and able to complete the 15 required upgrades such that the proposed project meets the Level 3 Retrofit Level.
 - o The Applicant shall complete the following 5 Energy upgrades:
 - Replacement of a minimum of 75% of the installed light bulbs with CFL or LED light bulbs;
 - Replacement of the thermostat with a programmable thermostat;
 - Adding window tint film to decrease heat gain from the sun into the Property;
 - Installation of Energy Star ceiling fans in the main living area and 75% of the bedrooms; and

- Replacement of the hot water heater with an Energy Star hot water heating system.
 - The Applicant shall complete the following 4 Water upgrades:
 - Replacement of showerheads with 2.0 gallons per minute (gpm) or lower flow rate;
 - Replacement of the dishwasher with Energy Star appliance using less than or equal to 5.8 gallons per cycle (gpc); and
 - Replace toilets with WaterSense or minimum MaP 350, dual flush or maximum 1.28 gpf toilets; and
 - Install rain barrels for rainwater harvesting.
 - The Applicant shall complete the following 4 Health upgrades:
 - Use green cleaning products;
 - Replace existing bathroom exhaust fans with Energy Star labeled exhaust fans that include a timer or humidistat;
 - Use low-VOC paints, stains, finishes, as designed in the Reference Guide, on all interior surfaces; and
 - Install carbon monoxide alarms: entrance to garage and all sleeping areas.
 - The Applicant shall complete the following Materials upgrade:
 - Dedicated recycling bins in place.
 - The Applicant shall complete the following 2 Durability upgrades:
 - Have a hurricane plan and a hurricane kit available; and
 - Attic sealed to prevent water intrusion and to mitigate uplift.
- Efficiency Table- sources for the data needed
- Please see the attached Exhibit “B,” which has been updated with all source information.

The provided Home Retrofit Checklist attached hereto as Exhibit A also addresses the Applicant Action under the BPAS Prerequisites, which seeks documentation showing evidence of compliance with the Level 3 standard set forth in the Home Retrofit Checklist. As discussed above, the Applicant will completed 16 of the listed upgrades, thus exceeding the 15 upgrade requirement for Level 3. The Applicant will complete 5 total energy upgrades, 4 total water upgrades (3 interior and 1 exterior), 4 health upgrades, 1 materials upgrade, and 2 durability upgrades.

Additionally, please note that the Applicant is comfortable proceeding with the total estimated points and will not be adding additional points to Exhibits C and D at this time.

Thank you for your consideration of this memorandum in response to the Preliminary Ranking for Year 11 BPAS Applications and attendant documents. We look forward to working with you and Planning staff on this project.

Very truly yours,



Gregory S. Oropeza, Esq.

EXHIBIT A

Florida Green Home Retrofit Guidelines Checklist

Florida Green Home Retrofit Guidelines
Version 1
Checklist - Choose Your Upgrades!

Revised 2/13/12

ENERGY

- E1 Weatherize home by doing ALL of the following:
 1. Replace weather-stripping on exterior doors
 2. Remove HVAC vent covers (diffusers) and install gaskets or caulk behind them, reinstall
 3. Remove trim around recessed can lighting and install gaskets or caulk behind them, reinstall
 4. Remove electrical outlet covers on exterior walls and install gaskets or caulk behind them, reinstall
- E2 Replace a minimum of 75% of installed light bulbs with CFL or LED light bulbs
- E3 Replace thermostat with a programmable thermostat
- E4 Increase attic insulation to a minimum of R-38 at the ceiling
- E5 Add a radiant barrier in the attic to the underside of the roof sheathing
- E6 Add window tint film to decrease heat gain from the sun into your home
- E7 Install/replace with motion/light sensors to all exterior lighting
- E8 Replace an old refrigerator with a new ENERGY STAR® refrigerator
- E9 Replace an old dishwasher with a new ENERGY STAR® dishwasher
- E10 Replace an old clothes washer with a new ENERGY STAR® clothes washer
- E11 Install new ENERGY STAR® ceiling fans in the main living area and 75% of bedrooms
- E12 In all bathrooms without exhaust fans, install new ENERGY STAR® exhaust fans
- E13 Install and set timer on water heater
- E14 Replace hot water heater with state certified solar or ENERGY STAR® hot water heating system
- E15 Replace HVAC system with new, properly sized per current or manual J calculations, air conditioning system with SEER 15 and 8.5 HSPF minimum efficiency
- E16 Seal ductwork and joints with mastic to prevent leaks
- E17 Have duct work smoke tested for leaks and sealed by a professional if necessary
- E18 Spray foam, minimum R-19, to the bottom of the roof deck to create an unvented attic
- E19 Re-roof: replace with roofing that is ENERGY STAR® labeled
- E20 Repaint home exterior in a color with light reflective value of greater than 50
- E21 Change existing pool heater to solar
- E22 Replace pool pump with ENERGY STAR® pool pump
- E23 Plant trees for shade East/West; in North Florida deciduous trees, based on coverage with 5 years in ground growth
- 5 TOTAL (Minimum 3 for Level 1, Minimum 5 for Level 2, Minimum 5 for Level 3)



WATER

Interior Water Saving

- W1 Change rubber hoses to reinforced hoses
- W2 Replace showerheads with 2.0 gallons per minute (gpm) or lower flow rate showerheads
- W3 Install aerators for bathroom faucets (1.5 gpm)
- W4 Replace dishwasher with ENERGY STAR® appliance using less than or equal to 5.8 gallons per cycle (gpc)
(Note: if you claim this point in ENERGY, you cannot claim it again in WATER)
- W5 Replace clothes washer with ENERGY STAR® labeled water saving clothes washer
(Note: if you claim this point in ENERGY, you cannot claim it again in WATER)
- W6 Re-plumb residence with PEX manifold type system
- W7 Add on demand (button or switch triggered) water recirculation pump to existing system
- W8 Remove existing garbage disposal
- W9 Replace toilets with WaterSense® or minimum MaP 350, dual flush or maximum 1.28 gpf toilets
- W10 Install grey water collection on bathroom sinks to reuse for toilet flushing

Exterior Water Saving

- W11 Install a rain gauge that will shut off irrigation during rain events
 - W12 Update irrigation controller to a programmable controller
 - W13 Install cistern(s), minimum 250 gallons total capacity, for irrigation
 - W14 Turf area less than 50% of landscaped area
 - W15 50% of all landscape plants are on the Florida Friendly Plants list
 - W16 Replace a minimum of 200 square feet of turf with Florida Friendly Plants
 - W17 Install rain barrels for rainwater harvesting
 - W18 Add a pool cover to an existing pool
 - W19 Have an irrigation professional perform a "check up" on existing irrigation system
 - W20 Permanently abandon existing irrigation system
- 4 TOTAL** (Minimum 2 for Level 1, Minimum 3 for Level 2 and Minimum 3 for Level 3)

HEALTH

- H1 Use green cleaning products
 - H2 Replace existing bathroom exhaust fans with ENERGY STAR® labeled exhaust fans that include a timer or humidistat
 - H3 Use low-VOC paints, stains, finishes, as defined in the Reference Guide, on all interior surfaces
 - H4 Replace at least 50% of existing carpet with healthy flooring, as defined in the Reference Guide
 - H5 Seal wall/openings between garage and conditioned residence
 - H6 Install fixed exhaust fan with motion sensor and timer in garage
 - H7 Install carbon monoxide alarms: Entrances to garage and to all sleeping areas
 - H8 Install dehumidifier in HVAC system
 - H9 Install make-up air source to laundry room located within the conditioned envelope
 - H10 Replace range hood with exterior ducted, ENERGY STAR® labeled range hood
 - H11 Tape and mastic any air handler located in unconditioned space
 - H12 Make or install a mud room or otherwise usable entry area
- 4 TOTAL** (Minimum 0 for Level 1, Minimum 0 for Level 2, Minimum 1 for Level 3)



MATERIALS

- M1 Dedicated recycling bins in place
- M2 Use locally sourced materials
- M3 Use non-cypress mulch
- M4 Develop a construction and demolition waste management plan
- M5 Implement a recycle, reuse, repurpose plan for construction
- M6 Engineered/alternative materials for outdoor living

 ¹ TOTAL (Minimum 0 for Level 1, Minimum 0 for Level 2, Minimum 1 for Level 3)

DURABILITY

- D1 Have a hurricane plan and a hurricane kit available
- D2 Attic sealed to prevent water intrusion and to mitigate uplift
- D3 Exterior structures properly anchored
- D4 Improve tie-downs of house trusses and foundation
- D5 Brace gable roofs
- D6 Add a hurricane system, other than plywood or OSB, for window and door protection
- D7 Replace garage door and tracks with hurricane resistant system
- D8 Re-roofing: Install secondary water protection
- D9 Install gutters and downspouts to divert water at least 3' away from foundation

 ² TOTAL (Minimum 0 for Level 1, Minimum 0 for Level 2, Minimum 1 for Level 3)

Determine Your Project Retrofit Level

| Level 1: 5 Upgrades Required | Level 2: 10 Upgrades Required | Level 3: 15 Upgrades Required |
|--|--|---|
| Number of Upgrades Completed | Number of Upgrades Completed | Number of Upgrades Completed |
| Energy Upgrades <u> </u> (3 Min.) | Energy Upgrades <u> </u> (5 Min.) | Energy Upgrades <u> 5 </u> (5 Min.) |
| Water Upgrades <u> </u> (2 Min.) | Water Upgrades <u> </u> (3 Min.) | Water Upgrades <u> 4 </u> (3 Min.) |
| Health Upgrades <u> </u> (0 Min.) | Health Upgrades <u> </u> (0 Min.) | Health Upgrades <u> 4 </u> (1 Min.) |
| Materials Upgrades <u> </u> (0 Min.) | Materials Upgrades <u> </u> (0 Min.) | Materials Upgrades <u> 1 </u> (1 Min.) |
| Durability Upgrades <u> </u> (0 Min.) | Durability Upgrades <u> </u> (0 Min.) | Durability Upgrades <u> 2 </u> (1 Min.) |
| Additional Upgrades <u> </u> (0 Min.) | Additional Upgrades <u> </u> (2 Min.) | Additional Upgrades <u> 4 </u> (4 Min.) |
| Total Upgrades <u> </u> | Total Upgrades <u> </u> | Total Upgrades <u> 16 </u> |

FGBC Reviewer: _____

Signature: _____

Date Reviewed: _____



EXHIBIT B

**Minor Construction Appliances/Fixtures
Energy Efficiency Table**

| FIXTURE/APPLIANCE | MAXIMUM FLOW RATE OR QUANTITY PER CODE | CONSERVATION | APPLIANCE/FIXTURE TO BE INSTALLED | ENERGY CALCULATION |
|---|---|---|--|------------------------------------|
| Bathroom faucet (1) | 2.2 gpm | 1.5 gpm | 1.2 gpm | (1.2 - 2.2) / 2.2 = 45% |
| Showerhead (1) | 2.5 gpm | 1.5 gpm | 1.5 gpm | (1.5 - 2.5) / 2.5 = 40% |
| Kitchen sink faucet (1) | 2.5 gpm | 1.5 gpm | 1.5 gpm | (1.5 - 2.5) / 2.5 = 40% |
| Toilet (1) | WaterSense® Certified (1.28 gallons per flushing cycle) | 1.2 gpf | 1.00 gpf (model No. 745AA111.XXX) | (1.00 - 1.28) / 1.28 = 22% |
| Dishwasher (1) | 6 gpl | 3.5 gpl | 2.57-3.2 gpl | (2.57 - 3.5) / 3.5 = 27% |
| Clothes Washer, Top Loading (1 or 0) | 6.5 WF | 4.3 WF | 3.2 WF | (3.2 - 6.5) / 6.5 = 51% |
| Clothes Washer, Front Loading (1 or 0) | 4.7 WF | 3.2 WF | 2.9 WF | (2.9 - 4.7) / 4.7 = 38% |
| Ceiling Fans (4) | < 38.03 cfm/w | N/A | 363.8 cfm/w | 38.03 / 363.8 = 105% greater |
| Central AC (1) | 12 SEER | 15 Seer or greater per Keys Energy | 18-20 SEER | 12/18 = 67% greater |
| Hot Water Heater (1) | 0.9359 UEFF | Must be energy star rated per Keys Energy | 3.35 UEFF (per 10 CFR 429.17, the higher the UEFF, the more efficient the water heater is) | 3.35 / 0.9359 = 3.58 times greater |
| Programmable Thermostat (1) | N/A | Must be energy star rated per Keys Energy | <1 kWh/month | N/A |
| Refrigerator (1) | 527 kWh/yr | Must be energy star rated per Keys Energy | 369 kWh/yr | (369-527) / 527 = 29% |
| Energy Efficient Recessed Lighting (tbd) | N/A | Energy Star Rated | 56.7 - 60.6 lm/W | N/A |
| Bathroom Lighting (1) | N/A | Energy Star Rated | 54.3 lm/W | N/A |
| Wall Mounted Lighting (4, if any) | N/A | Energy Star Rated | 61.9 - 70.0 lm/W | N/A |
| Light Bulbs | N/A | Energy Star Rated | 60 Watt LED- 88.9 lm/W; 40 Watt LED- 85.7 lm/W | N/A |
| Sources for the above: | | Source used for: | | |
| Product Finder EPA ENERGY STAR | | Locate available energy star appliances and obtain applicable energy usages | | |
| WaterSense Product Search - Bathroom Sink Faucets/Accessories (epa.gov) | | To locate available water sense fixtures | | |
| New Water Conservation Policies Key West, FL (cityofkeywest-fl.gov) | | To determine the City's code requirement re energy use | | |
| Home Depot | | To determine product availability | | |