## Transient BTR

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  Division of Hotels and Restaurants  LEGAL NOTICE  LODGING INSPECTION REPORT    Division of Hotels and Restaurants  LEGAL NOTICE   LODGING INSPECTION REPORT   page of	DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION Division of Hotels and Restaurants Northwood Centre, 1940 North Monre Street. Tallahassee, Florida 32399-1015  **RECEIPT FOR LICENSE**  **License Control Number**  **License Control Number**  **License Control Number**  **License Control Number**  **License Salution of Buildings   3	SA
City of Key West, Florida  50013643016  THIS LICENSE MUST BE PROMINENTLY DISPLAYED LICENSE PERIOD BEGINNING 10/01/95  THROUGH  PENALTY SCHEDULE  60.00  66.00  69.00  72.00  75.00  JANUARY  902 TRUNAN AVE  TOTAL UNITS 3  E TOTAL UNITS 3  TRANSIENT RESIDENTIAL RENTAL; PER UNIT  BARBARA KNOWLES CIRILO HERRERA & YOLANDA HERRERA JOHN B. S. BARBARA KNOWLES  E-0-04-DE-ISLAND REALTY  3326 FLAGLER AVENUE  KEY WEST, FLORIDA 33040  TY:		Food  Yes  J Yes  J No

#### Transient Unit

Policy 1-1.16.3: Permit Allocation System Ratios by Structure Type. The permit allocation system shall be sensitive to differing trip generating characteristics of permanent and transient residential units as well as single-family units, accessory apartment units and multi-family residential units. The annual allocation shall be ninety-one units (91) single-family units based on the Transportation Interface for Modeling Evacuations (TIME) Model. The permit allocation system shall incorporate a series of equivalent single-family unit (ESFU) values in applying the annual permit allocation threshold established in the building permit allocation ordinance as hereinafter explained.

**Table 1-1.16.3** 

Residential Structure Type	Equivalent Single-Family Unit Value (ESFU)
Single-Family	1.00
Accessory Apt./SRO	.78
Multi-Family	1.00
Transient Unit	.86

# No Prohibition on Re-issuing Transient BTRs

ORDINANCE NO. 23-04

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING COMPREHENSIVE PLAN INTRODUCTION, ENTITLED "INTRODUCTION CITY OF KEY WEST

Policy 3-1.1.4: Building Permit Allocation System.

The City no longer allocates residential building permits for

transient units. During Year One (July 2013-2014), 48 of the

Commissioner Billy Wardlow

Yes

Commissioner Jimmy Weekley

RI JOHNSTON, MAYOR

Smoth

## Unique Characteristics

- This is a request to reinstate transient BTRs, this is not a request for new transient ROGO units or new transient BTRs - the property was recognized with 3 transient units on the effective date of ROGO and had duly issued transient BTRs.
- The real property has been continuously owned by the Herrera family since prior to the effective date of ROGO.
- No additional ROGO has been assigned to the property converting the units from transient (0.86 ESFU) to non-transient (1.0 ESFU) for hurricane evacuation system.
- The family was advised by the city to convert the transient rental BTRs to non-transient to stop code enforcement action related to life-safety requirements.
- The family was never advised, nor was there any indication, that the transient rental BTRs would not be reinstated if it was changed to non-transient.
- The family was never advised that the transient rental BTRs could have been held in "Unassigned" or "No Use Permitted" status for reinstatement in the future.
- The family never agreed, nor intended, to permanently "relinquish" their transient rental rights on the property, as asserted in the former city planner's denial.
- No Special Treatment no request for relief from any regulatory provision of code

## Licensing Notes

12/26/2001 12:00:00 AM

RMRK: OWNER'S DAUGHTER SAID HE WANTS TO CHANGE TO NON-TRANS, I ADVISED I NEED THIS IN WRITING, SHE SAID SHE WILL FAX

12/27/2001 12:00:00 AM

RMRK: REC'D LETTER REQUESTING TO CHANGE TO NON-TRANSIENT, CHANGED.

The remark indicates the property owner requested the change to non-transient status through his daughter and this request was received in writing via facsimile. A copy of the original document was not provided by the current property owner, your office, nor could the City of Key West locate a hard copy of the original request.

# City Planner's Denial

In conclusion, Ana H. Jacobo has solely owned the subject property since July 15, 2005 and has knowingly and continuously renewed the non-transient business tax receipts on an annual basis since that time.

Further, the transient licenses were voluntarily relinquished to the City on December 27, 2001. Therefore, we cannot grant your request for reinstatement.

Regards,

Karie P. Halloran

Planning Director