

Substantial Improvement Analysis

1413 Flagler Ave, Key West

September 17, 2019

Building Permit: #19-3125

Plumbing #19-3127

Electrical #19-3133

Mechanical #19-3126

Roofing #19-0444



Scott G. Fraser, Floodplain Administrator
City of Key West
1300 White Street
Key West, FL 33040
305-809-3810
sfraser@CityofKeyWest-FL.gov

Scope:

This building permit application is for extensive renovations to a residential two-story CBS pre-FIRM¹ structure originally constructed during 1948. This building is separate from and behind a two-unit single-floor residence on the same lot; the front building has assigned street addresses of 1409-1411 Flagler Ave.

This building is within a FEMA designated AE-6 flood zone². It's not a contributing historic structure.

No Elevation Certificate for this building was submitted. An earlier certificate for the adjacent front building shows the highest adjacent grade at an elevation of +4.0-ft NGVD. The first finished floor is slab-on-grade very close to the ground level. Absent certified elevations, this building is approximately -3-ft below the Design Flood Elevation for this site. Plans submitted³ show the ground floor as inhabited space.



1 April 30, 2019

¹ NFIP FIRM 2/18/2005

² FIRMette Attachment D

³ Plans page A101 dated 8/21/19

History:

February 7, 2019 – Building permit #BLD2019-0444⁴ was issued for:

“Remove existing roofing on accessory structure and replace plywood as necessary, replace fascia. Install Grace Ice and Water shield and V-Crimp panels. 530 sq. ft.”

March 18, 2019 – Building permit #BLD2019-1029 was issued to replace the mid-level and top tie beams.

April 30, 2019 – Upon receipt of complaints that buildings at this flood zone location were being renovated beyond the 50% Substantial Improvement threshold without elevation to the Design Flood Elevation, the Floodplain Administrator conducted a site visit.

The front building was determined to be a Substantial Improvement, with elevation required.

This rear building did not yet have a renovations permit submitted, only the tie-beam repair permit referenced above and exploratory demolition permit #BLD2019-0471. Thus, no Substantial Improvement Determination was made. However, the building was flagged for review when renovation applications are submitted and the following day the contractor (Gary the Carpenter) was notified of this status.

September 3, 2019 – Building Permit Application #BLD2019-3125 was submitted for:

“RENOVATION TO UPSTAIRS & DOWNSTAIRS UNITS NEW KITCHEN BATH AND BEDROOM REPLACE WINDOWS & ENTRANCE DOORS.”

September 17, 2019 - The City Floodplain Administrator (Fraser) reviewed the application⁵, and performed a Substantial Improvement analysis⁵.

The plans didn’t indicate any intended elevation of the existing first finished floor to the Design Flood Elevation.

Building Value:

The building value was established by the Property Appraiser’s value of improvements, adjusted plus-15% per established procedure. Individual building values were obtained from the Property Appraiser’s office, with this building valued at \$105,452.

P.A. Building Value	105,452
Plus 15%	<u>\$15,818</u>
Building Value:	\$121,270

Value of Improvements:

The permit values submitted are as follows, with one (roofing) appearing considerably under-valued:

- Demolition, Exploratory \$2,000
- Tie-beam repairs \$10,000
- Renovations \$14,500

⁴ Photographs in Attachment D

⁵ City of Key West Ordinances Sec. 34-125(4) Duties and powers of the floodplain administrator

- Electrical \$8,252
- Plumbing \$10,800
- Roof \$3,445 (*apparently under-valued*)
- Mechanical \$6,600

The entire building – both floors – have been gutted. A new roof is being applied, some - if not all - the roof rafters have been replaced and major repairs to two tie-beams have occurred.

The self-declared value of improvements is \$154,537.

Summary:

Based upon the information known to-date, the Floodplain Administered determines⁵ this building is destined to be a Substantial Improvement once completed. [Calculations, Attachment A]

However, options still available to the homeowner include:

- Submit an acceptable private appraisal for this structure showing a different market value upon which the Substantial Improvement analysis may be reconsidered.
- Apply to the City Planning Board for a floodplain variance⁶.
- Appeal this Substantial Improvement determination to the City Commission⁷.

Should it ultimately be reassessed that this project equates to less than a 50% improvement, the owners will be required to sign - under a Notary - a standard Substantial Improvement warning letter acknowledging the advancing 50% Substantial Improvement threshold and future consequences. [sample letter Attachment D]

Relevant Data:

Owner:

1409-1413 FLAGLER LLC
 PO Box 1527
 Key West FL 33041 LLC
 PO Box 1527
 Key West FL 33041

Florida Limited Liability Company

1409-1413 FLAGLER, LLC

Filing Information

Document Number

L19000021708

FEI/EIN Number

NONE

Date Filed

01/25/2019

State

FL

Status

ACTIVE

⁶ City of Key West Ordinances Sec. 34-129(1) Variances and appeals

⁷ City of Key West Ordinances Sec. 34-129(2) Variances and appeals

Principal Address
1409-1413 FLAGLER AVE
KEY WEST, FL 33040
Mailing Address
500 FLEMING ST
KEY WEST, FL 33040
Authorized Person(s) Detail
Name & Address

PO BOX 1527
KEY WEST, FL 33040
Registered Agent Name & Address
STERLING, ERICA HUGHES

Title MGR
ROSSI FAMILY LLLP
1409-1413 FLAGLER AVE
KEY WEST, FL 33040

Attachments

Substantial Improvement Analysis

1413 Flagler Ave, Key West

September 17, 2019

Attachment A

Substantial Improvement Calculations
1413 Flagler Ave

9/17/2019

Building Value: **\$121,270**

Square-Foot Construction Costs	
W/O Foundation changes	\$185
W/Foundation changes	\$200

Permit Number	Permit Values		Percent Improvements
BLD2019-1029	\$ 10,000	RENOVATION EXTERIOR	
BLD2019-3125	\$ 114,240	RENOVATION EXTERIOR	
BLD2019-3126	\$ 6,600	MECHANICAL HVAC	
BLD2019-3127	\$ 10,000	PLUMBING	
BLD2019-3133	\$ 8,252	ELECTRICAL	
TREE2019-0253	\$ -	CANOPY DICOT	
BLD2019-0444	\$ 3,445	Roofing	
BLD2019-0471	\$ 2,000	Demo, exploratory	

Notes:

Area	SF	Rate	Sub-Total
	714		
Existing		\$185	\$132,090
Proposed		\$200	\$0
Proposed		\$185	\$0
	714		\$132,090

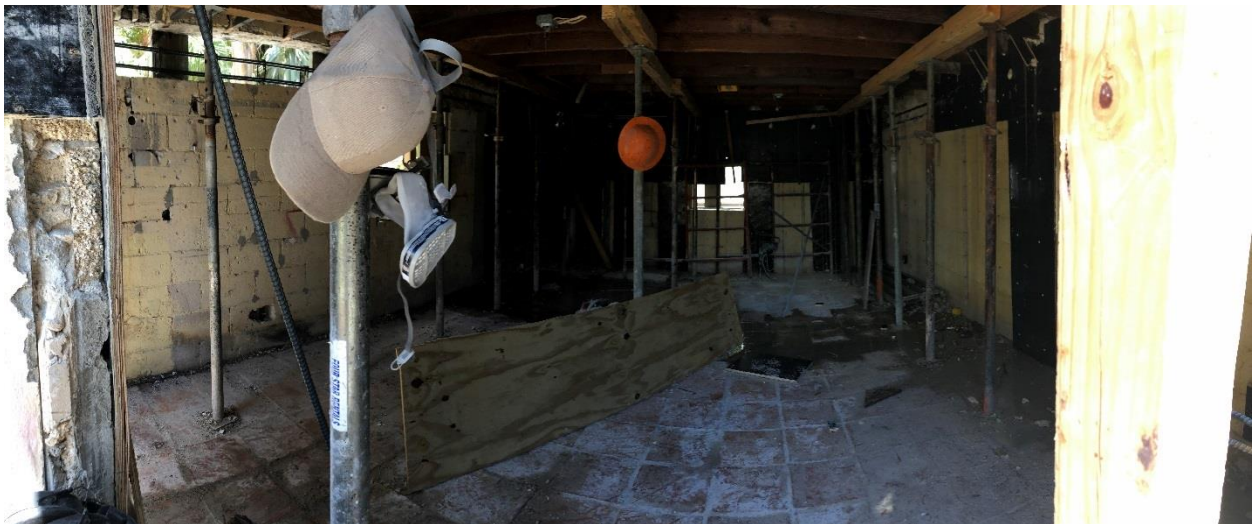
Square foot area calcs		
Dimension 1	Dimension 2	Totals
0	0	0
0	0	0
0	0	0
		0

\$ 164,637	Total Improvements	127.4%
	50% Threshold	\$60,635
	Excess of 50%	\$93,902
P.A. Building Value	105,452	
Plus 15%	\$15,818	
Building Value:	\$121,270	

Attachment B



2 April 30, 2019



3 April 30, 2019



4 May 7, 2019



5 May 7, 2019

Attachment C



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3810

July 24, 2019

[Redacted]
[Redacted]
Key West, FL 33040

Re: Building Permits for [Redacted] Key West, Florida

It is with great trepidation, heightened concern and high warnings that the City is prepared to approve the floodplain management aspect of your latest Building Permit Application (#BLD2018 [Redacted]).

The City's participation in the National Flood Insurance Program is an asset to everyone who lives or owns property within the city. Absent this participation, flood insurance would be ten to twenty times more expensive.

The City has recently obtained a communitywide discount for all flood insurance policy holders and is already pursuing methods to increase that discount one year from now. Our continued enrolment in this discount program and future discounts hinges upon compliance with FEMA's standards, which it ensures with periodic inspections. A finding by FEMA that the City isn't adhering to its agreement would be economically devastating to the entire community.

Your application for a building permit, involves a structure located within FEMA's Special Flood Hazard Area; more specifically in an "AE-7" flood zone. This building was grandfathered at its original elevation as of 1974, but by FEMA standards when it's Substantially Improved (50% or greater of the building's value during the past five-years), it must come into compliance with the Flood Damage Protection requirements, which would mean elevation of this building to the minimum flood level.

Your latest application, coupled with earlier permits, equates at an improvement value of [Redacted]%, just \$[Redacted] short of the Substantial Improvement 50% threshold. There is little room for error, unexpected cost over-runs, price increases or any other contingency that could thrust this building into compliance with current floodplain management requirements.

If you are to proceed with improvements that are later found to be valued at 50% or greater, you'd face the huge burden and tremendous cost of then having to elevate you're newly renovated building after it was finished and bring the structure into compliance with all additional aspects of Substantial Improvement requirements. A Certificate of Occupancy or final inspection couldn't be issued until these requirements were met. Allowing the building to be inhabited under such conditions would result in legal action against the owner, contractor and occupants.

Throughout this process, you can expect city staff to closely monitor this project's progress. This heightened oversight will likely include a continuous stream of requests for documents certifying suppliers, contractors and their related costs. Failure to produce the requested information/documents will result in immediate sanctions that may jeopardize the project's continuation.

Upon final inspections having been achieved, the remaining margin will be in-place for the next five years. Any new repairs or improvements for any reason will calculate toward this 50% threshold. Meeting that threshold will require the entire building be elevated to required floodplain heights for this site.

The City will need an authorized notarized signature of each owner upon this document showing receipt and acknowledgement of this warning.

Yours truly,

Scott Fraser, Floodplain Administrator

Who Produced Identification _____ Type of Identification _____

Produced _____

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this

_____ day of _____ 2019, by [Redacted]

