

## How Did It Come to This for Liveboards in Garrison Bight?

In 1998, the City of Key West argued to the Governor that “*Houseboat Row is an affordable residential community in a city that can’t afford to lose affordable housing*” (The Keys Citizen\*). By 2000, the State helped relocate those residents to City Marina at Garrison Bight\*—a site deeded “solely for public purpose.” (\*See attached documentation, below.)

Liveboard rent rates at the marina have risen steadily with CPI—a 21% increase in just the past four years. According to the City’s financial reports, this system has produced 20–30% annual profits over the past decade and accumulated \$5.6 million in cash reserves for future repairs, per the City’s Finance Director. No tax dollars have funded marina operations.

In 2023, Port & Marine Services proposed a two-tier rent system increasing rents up to 75%, projected to raise \$300K annually. When residents raised concerns about displacement, especially for the elderly, the proposal changed in 2024: a flat 85% increase was proposed, aiming to raise over \$700K by nearly doubling everyone’s rents. That, too, was opposed—now by local workforce. (Tenants also pay all floating home ownership/maintenance costs.)

Today, a new proposal of 133% in rent increases is on the table—pushing to raise 1.25M/year that would price out even more residents. According to the City’s Planning Director’s memos last year regarding the Key West’s “affordable housing crisis,” this new proposal will deepen the problem—effectively replacing local workforce and the elderly with wealthier tenants in a marina intended only for “public purpose” use.

It’s now in the hands of our elected leaders, who are scheduled to vote during the June 4 City Commission meeting.

We understand how it came to this.

What no one can explain is—why?

Joseph A. Miccio  
Vessel: FIREFIGHTER MIKE CARLO  
City Marina at Garrison Bight  
[FDNYjoe@aol.com](mailto:FDNYjoe@aol.com)

### **ATTACHED BELOW:**

**\* 1998 Keys Citizen: City argues to keep Houseboat Row affordable housing.**

**\*\* State Certificate: Garrison Bight “Public Purpose” & moving “Houseboat Row” there.**

June 7, 1998, The Keys Citizen

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# Former enemy controls Row future

by STEVE SCHROER

KEY WEST - It is probably too late, but the city will lead the final fight to save Houseboat Row. On July 28, Gov. Lawton Chiles and cabinet members will hear the city's arguments on saving Houseboat Row just days after a state-won ejectment order against 26 boats on the South Roosevelt sea-island is enforced. Houseboat Row ran out of legal options two

## City leads the charge to save Key West attraction

weeks ago when Florida's Supreme Court refused to hear an appeal on the case. Now, the Row is at the mercy of the governor.

Ironically, the city, which has fought the Row for years, will now back the floating neighborhood as directed in January's referendum vote using the same arguments against the state as Houseboat Row used

against the city.

Among the reasons:

1) Houseboat Row has existed for more than 40 years and has become an historic part of Key West.

2) Houseboat Row, while not a tourist attraction, represents part of the charm visitors have come to expect of Key West.

3) Houseboat Row is an affordable residential community in a city that can't afford to lose affordable housing.

To bolster its case, and prior to any lease agreement for Houseboat Row bay bottom, the city promises the following:

1) Row residents will hook up to the city sewer system, as promised, and the number of boats may not exceed 26.

2) The city will develop a management

plan for liveaboard vessels island-wide.

3) The city will complete a water quality study as requested by the Florida Department of Environmental Protection.

4) The city will seek approval from the state Department of Community Affairs to amend the city's comprehensive land use plan to allow Houseboat Row. The plan now does not allow the use.

The city will ask the state to postpone ejectment for 18 months, until January 2000, so it can fulfill those promises.

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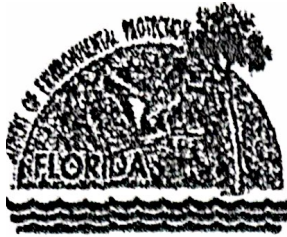
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Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Cardillo  
Secretary

STATE OF FLORIDA

COUNTY OF LEON

## CERTIFICATE

I, Cynthia Muir, do hereby certify that the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, met on October 3, 2006, and approved the following Item 1 on the agenda for that date.

### Item 1 City of Key West Deed Restriction Modification

**REQUEST:** Consideration of a request for a partial modification of a deed restriction on approximately 3 acres of submerged lands contained in Board of Trustees Deed Number 19259-A to the City of Key West.

**COUNTY:** Monroe

**APPLICANT:** City of Key West (City)

**LOCATION:** Section 33, Township 67 South, Range 25 East

### **STAFF REMARKS:**

#### Site History

On April 11, 1947, the Board of Trustees conveyed approximately 92 acres of sovereignty submerged land, known as Garrison Bight (Bight), to the City. The Board of Trustees approved the sale, subject to a reversionary clause whereby the land would revert should it ever be used for other than public purposes; however, the public purpose clause was not included when Deed Number 19259 (original deed) was issued to the City.

A series of correspondence from July 1959 shows that the City became aware of the omission and notified the Director of the Trustees of the Internal Improvement Trust Fund that the City had previously leased portions of the Bight, and intended to lease another portion of the Bight to a private entity for a public marina. Attorney General R.W. Ervin opined that the City was bound to use the property for public purposes and suggested that the City Commission should retain the authority to revoke or terminate the lease in the event that any development should occur that was not in the public's interest.



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At the October 8, 1963 Board of Trustees' meeting discussion of the proposed lease, the City inquired as to whether the public purpose restrictions on the Bight would hinder the State Road Department's construction of a causeway and bridge. Attorney General Ervin suggested amending the original deed to (1) include the public purpose clause, (2) add specific reference to the road construction and marina, and (3) require that the Board of Trustees review and approve the lease terms and design for the marina. DEP staff recommended that the Attorney General, rather than the Board of Trustees, approve the lease provisions which would ensure the public purpose requirement was met. This recommendation was approved by the Board of Trustees, and Attorney General Ervin subsequently granted approval of the lease on October 22, 1963.

On July 1, 1965, the Board of Trustees issued Corrective Deed Number 19259-A (corrective deed), which superseded the original deed and added the reversionary language on the 92 acres originally conveyed. Soon after, the City requested a release of the public purpose clause from a 0.446-acre portion of the 92 acres that was partially filled during construction of the causeway, but outside of the right-of-way. The request was approved by the Board of Trustees on August 10, 1965, and Deed Number 19259-B was issued upon the City's consideration payment of \$500.

On July 18, 1967, the City requested a release of the public purpose clause on an additional 2.41 acres that are adjacent to the 0.446-acre parcel, for the purpose of leasing the parcel to a tenant to fill and construct a dry storage for pleasure boats. The City submitted \$2,892 for consideration of the release. At the October 12, 1967 Board of Trustees meeting, the Board of Trustees denied the City's request and the consideration was returned.

#### Current Status

Since the late 1960s, several private docks have been constructed along the western shoreline of the Bight between the Palm Avenue Causeway and Roosevelt Boulevard without consideration of the public purpose clause in the corrective deed. Of the five existing docks within the three-acre parcel, two are private multi-slip docks that exceed the 40:1 ratio, one of which was erroneously issued a Department of Environmental Protection permit in 2005 for the installation of two new finger piers for two slips. Mr. Ed Swift, the owner of the parcel located at 719 Eisenhower Drive, applied to expand his existing dock, which was constructed sometime between 1991 and 1994 prior to his ownership, but the permitting process was halted when the deed restriction was discovered.

While the City is committed to maintaining public access to the water within the Bight, it is also interested in allowing existing structures to remain to provide additional docking facilities in the area. The continuing demand for docking facilities in and around the City remains a significant issue, which was clearly demonstrated when the City and DEP relocated the liveaboards in Houseboat Row to the Bight.



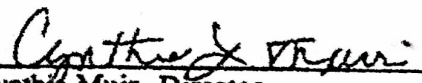
Until such time as the issue is addressed, no permits can be issued to reconfigure docks or repair dock facilities that may be damaged as a result of storms. Staff is recommending that the Board of Trustees grant the partial modification of the deed restriction on approximately 3 acres along the shoreline between the Palm Avenue Causeway and Roosevelt Boulevard. All existing structures within the 3-acre area will be allowed to remain, with any future expansion of a structure being subject to chapter 18-21, Florida Administrative Code. In addition, the City shall utilize all revenue generated through the leasing of the submerged land to fund the operation of water-related activities for the general public. This would allow the historic use to continue at those facilities that were constructed many years ago thereby maintaining the docking space currently available in the area, allowing modifications to the configuration of existing docks within the subject area and performance of necessary repairs in the case of storm damage, and finally, generating revenue that will fund activities for the general public.

A consideration of the status of the local government comprehensive plan was not made for this item. The Department of Environmental Protection has determined that the proposed action is not subject to the local government planning process.

**RECOMMEND APPROVAL**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Board of Trustees of the Internal Improvement Trust Fund on this 3rd day of October A.D., 2006.



  
Cynthia Muir, Director  
Office of Cabinet Affairs