



## THE CITY OF KEY WEST

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May 20, 2009

VIA U.S. MAIL and EMAIL

Mark J. Rosch, Executive Director  
Monroe County Land Authority  
1200 Truman Avenue, Suite 207  
Key West, Florida 33040

**RE: 712 - 716 Eisenhower Drive  
Real Estate (RE) Number 00023300-000000  
Build-back Letter**

Dear Mr. Rosch,

The purpose of this letter is to respond to your request that the Planning Department issue a determination letter regarding the property at 712 - 716 Eisenhower Drive and 703 - 705 Pearl Street, Real Estate Number 00023300-000000.

Regarding the property's suitability for your project, from a practical stand point, this is an existing apartment building that alleviates the need to both acquire land and construct a building/s. While the buildings are somewhat worn, they are in relatively good shape considering their age. Clearly, some renovations are needed. This property would seem to be appropriate for the proposed use considering the central location between Old Town and New Town. This increases accessibility to local employment throughout the city. Additionally, the property offers a comfortable environment with the extensive landscaping, common areas and open porches.

The following are direct responses to the questions in your letter.

- 1) Building Permit Allocation System (BPAS) units: A 1986 Polk City Directory lists 716 Eisenhower Drive as having ten units and Pearl Street as having one unit (Attachment 1). This indicates that the number of units predates the BPAS determination date of 1990 used in calculations for the hurricane evacuation model. Further, the Monroe County Property Appraiser's Office records show a sales history dating back to 1980 (Attachment 2).
- 2) Number of units: The property is licensed for eleven non-transient residential units with individual sewer and solid waste accounts, according to the Licensing Division of the Building Department (Attachment 3). According to Keys Energy Services, there are ten active accounts and one vacancy. A site visit confirmed that there are actually twelve meters, one being for exterior lighting and possibly hot water heaters (Attachment 4).
- 3) Code Issues: this is a legal non-conforming property. If the buildings are involuntarily destroyed, they may be reconstructed in the original footprint at the current non-complying density. However, if the cost of replacement exceeds 50% of the assessed value of the buildings, FEMA

flood elevation requirements will need to be met. Further, if any proposed renovations will exceed 66% of the assessed value of the structure, all legal non-conformities will require variances.

- The survey provided with your letter shows the finished floor elevation for the buildings is seven feet plus. The FEMA flood elevation required for this property is six feet (AE 6). The buildings are one foot over the requirement and thus meet FEMA regulations (Attachment 5).
  - The property is located in the Historic Medium Density Residential (HMDR) zoning district. Multiple-family residential dwellings are a permitted use in this district, although not to the existing density (Attachment 6).
  - Parking requirements are currently not being met. There are no parking spaces shown on site. Again, this is a legal non-conforming property.
  - Dimensional limitations are currently not being met. Required setbacks and coverages are affected by a substantial City Right-of-Way that runs across the property along Eisenhower Drive. This removes a large area of required pervious surface and also places a portion of the front building in the City Right-of-Way (ROW) (see Attachment 7).
- 4) Eisenhower Drive ROW: The City of Key West maintains possession of the ROW. An easement will be required for that portion of the front building that is within the ROW. Stormwater improvements may be required with any approval of an easement application.

This determination is based on information available from the City Building Department records, the Monroe County Property Appraiser's Office, Sanborn Maps, City Directory information, City licensing records, and the 1991 Land Use Inventory.

In summary, this letter establishes that eleven non-transient residential units exist on the property. This letter does not grant unit allocations, but rather recognizes eleven existing non-transient residential units on the property. Subsequently, this document will be sent to the Department of Community Affairs (DCA) for their review. It is possible that the DCA may object to or provide direction regarding these findings.

Please do not hesitate to call me with any questions or comments.

Sincerely,



Brendon Cunningham

Attachments

Xc:

Amy Kimball Murley, AICP, Planning Director  
Carolyn Walker, Licensing Official  
Rebecca Jetton, Florida Department of Community Affairs  
GEO Files