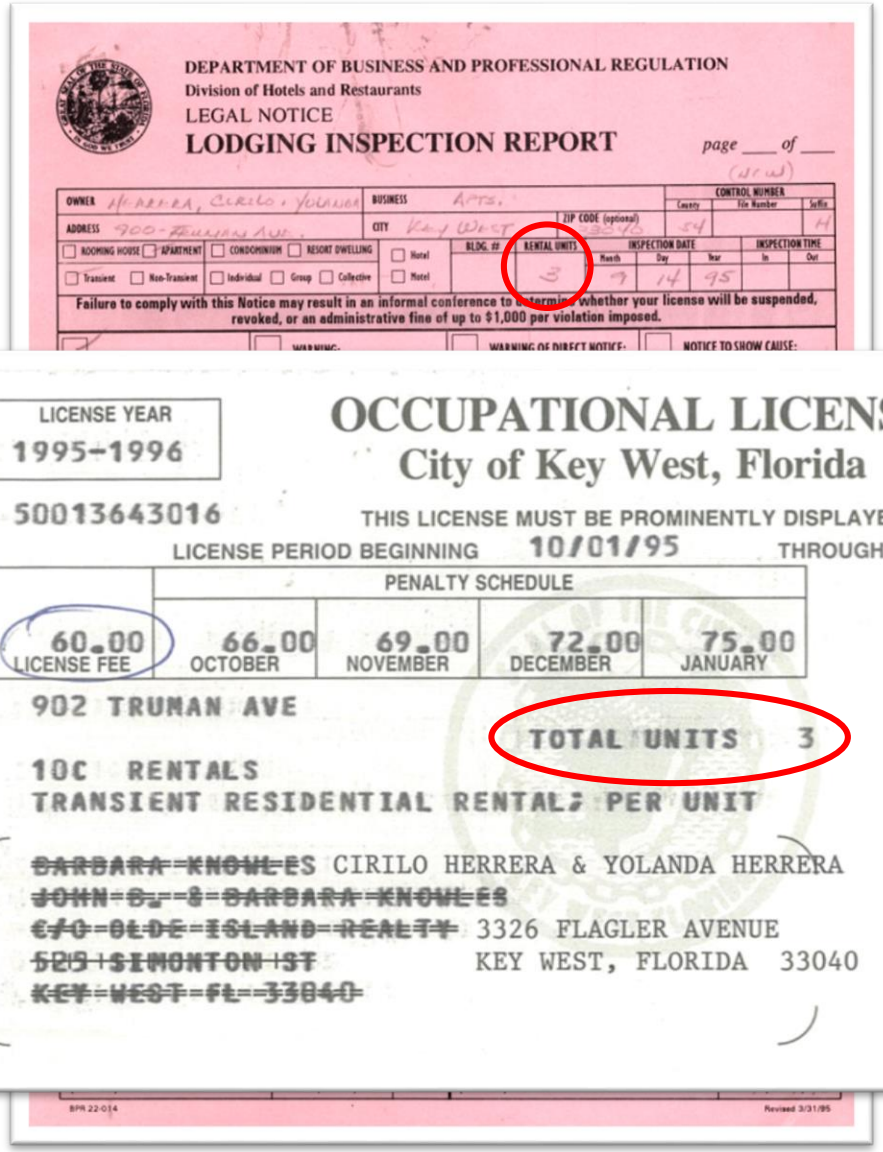
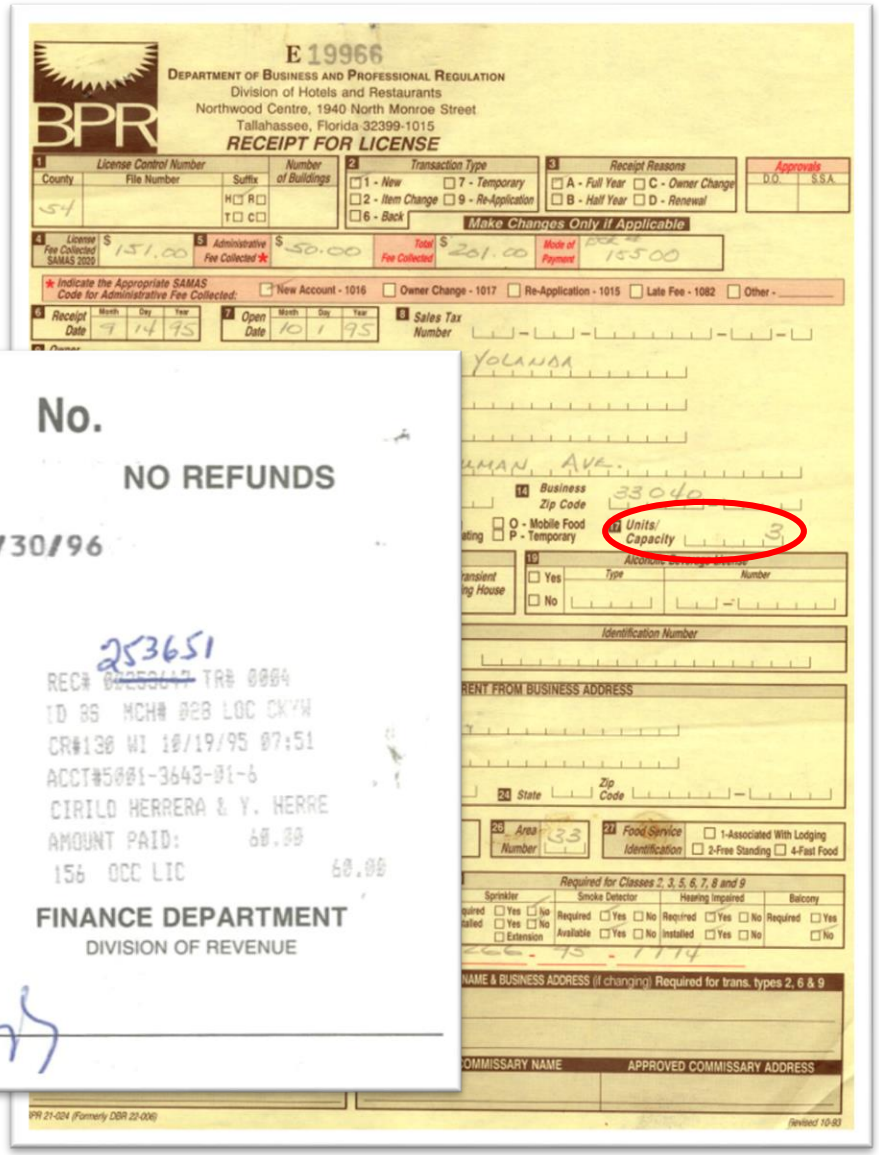
Transient BTR



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants
LEGAL NOTICE
LODGING INSPECTION REPORT

page ___ of ___

Failure to comply with this Notice may result in an informal conference to determine whether your license will be suspended, revoked, or an administrative fine of up to $1,000 per violation imposed.



E 19966
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants
Northwood Centre, 1940 North Monroe Street
Tallahassee, Florida 32399-1015
RECEIPT FOR LICENSE

LICENSE YEAR
1995-1996

OCCUPATIONAL LICENSE No.
City of Key West, Florida

NO REFUNDS

50013643016

THIS LICENSE MUST BE PROMINENTLY DISPLAYED

LICENSE PERIOD BEGINNING 10/01/95 THROUGH 09/30/96

PENALTY SCHEDULE				
60.00 LICENSE FEE	66.00 OCTOBER	69.00 NOVEMBER	72.00 DECEMBER	75.00 JANUARY

902 TRUMAN AVE

TOTAL UNITS 3

10C RENTALS
TRANSIENT RESIDENTIAL RENTALS PER UNIT

~~BARBARA KNOWLES~~ CIRILO HERRERA & YOLANDA HERRERA
~~JOHN B. & BARBARA KNOWLES~~
~~C/O OLDE ISLAND REALTY~~ 3326 FLAGLER AVENUE
~~525 SIMONTON ST~~ KEY WEST, FLORIDA 33040
~~KEY WEST FL 33040~~

253651
REC# ~~0025064~~ TR# 0004
ID BS MCH# 02B LOC CKYW
CR#130 WI 10/19/95 07:51
ACCT#5001-3643-01-6
CIRILO HERRERA & Y. HERRE
AMOUNT PAID: 60.00
156 OCC LIC 60.00

FINANCE DEPARTMENT
DIVISION OF REVENUE

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 Yes

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

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,

Katie P. Halloran
Planning Director