

# **Application**



# Application for Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

**Application Fee: \$2,300.00 / After-the-Fact: \$4,300.00**

(includes \$200.00 advertising/noticing fee and \$100.00 fire review fee)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3764.

## PROPERTY DESCRIPTION:

Site Address: 13 Hilton Haven Dr.

Zoning District: MDR & C

Real Estate (RE) #: 00001870-000000

Property located within the Historic District? ☐ Yes ☒ No

**APPLICANT:** ☐ Owner ☒ Authorized Representative

Name: Trepanier & Associates, Inc.

Mailing 1421 First Street #101

Address:

City: Key West State: FL 33040 Zip:

Home/Mobile Phone: NA Office: 305-293-8983 Fax: 305-293-8748

Email: owen@owentrepanier.com

## PROPERTY OWNER: (if different than above)

Name: William R Grosscup Rev Trust

Mailing 13 Hilton Haven Road

Address:

City: Key West State: FL 33040 Zip:

Home/Mobile Phone: NA Office: c/o 325-293-8983 Fax: c/o 305-293-8748

Email: c/o owen@owentrepanier.com

## Description of Proposed Construction, Development, and Use:

Construct a 1,339.5 sq. ft. single family residence.

### List and Describe the specific variance(s) being requested:

Front Yard Setback - Sec. 122-270(6)a.1. of 10.9ft from the 23.4ft required to the 12.5ft proposed. Coastal Construction Control Line - Sec. 122-1148(a)2. of 30ft from the 30ft required to the 0ft proposed. Impervious Surface. 122-270(4)b.1. of 47.5% from the 50% allowed to the 97.5% proposed. Wetland Buffer Zone - Sec. 110-91. of 25ft from the 25ft required to the 0ft proposed; Landscaping - Sec. 108-412(a) from the 20% required to the 1.9% proposed; Open Space - Sec. 108-346 (6) from the 21% required to the 1.9% proposed.

Are there any easements, deed restrictions or other encumbrances attached to the property? ☒ Yes ☐ No

If yes, please describe and attach relevant documents:

Resolution 10-236 and Access Easement

Will any work be within the dripline (canopy) of any tree on or off the property?

☒ Yes ☐ No

If yes, provide date of landscape approval, and attach a copy of such approval.

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☒ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. *provide square footages and percentages.*

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning				
Flood Zone				
Size of Site				
Height				
Front Setback				
Side Setback				
Side Setback				
Street Side Setback				
Rear Setback		Please See attached Data table		
F.A.R				
Building Coverage				
Impervious Surface				
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
Consumption Area or Number of seats				

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at [http://www.municode.com/Library/FL/Key\\_West](http://www.municode.com/Library/FL/Key_West) under Subpart B.

**\*Please note, variances are reviewed as quasi-judicial hearings, and it is improper for the owner or applicant to speak to a Planning Board member or City Commissioner about the hearing.**

13 Hilton Haven Dr.

Site Data	Required/ Allowed		Existing	Proposed	Comments	Required/ Allowed		Existing	Proposed	Compliance	Required/ Allowed		Existing	Proposed	Compliance
Zoning	Combined					MDR					C-OW				
FEMA	NA		AE-8 & AE-9	No Change	Complies	NA		AE-8	No Change	Complies	NA		AE-9	No Change	Complies
Site Size	457,380.0		36,366.0	No Change	Complies	21,780.0		3,380.5	No Change	Complies	435,600.0		32,985.5	No Change	Complies
Building Coverage	Varies	2,832.5	1323.0	2,823.0	Complies	35%	1,183.2	0.0	1,500.0	NonCompliant	5%	1,649.3	1,323.0	No Change	Complies
Front Setback	Varies	23.4	23.4	12.5	Variance	23.4		23.4	12.5	NonCompliant	NA		0.0	No Change	Complies
Side Setback	Varies	7.0	7.0	No Change	Complies	7.0		7.0	No Change	Complies	NA		7.0	No Change	Complies
Rear Setback	Varies	20.0	+20.0	No Change	Complies	20.0		NA	No Change	Complies	NA		+20.0	No Change	Complies
Shoreline Setback	Varies	30.0	0.0	No Change	Complies	30.0		0.0	No Change	Complies	NA		0.0	No Change	Complies
FAR	Varies	329.9	0.0	No Change	Complies	0.0		0.0	No Change	Complies	0.01	329.9	0.0	No Change	Complies
Density	Varies	1.24	1	No Change	Complies	16	1.24	1	No Change	Complies	0.1%	0.0	0.0	No Change	Complies
Building Height	Varies		Varies	Varies	Complies	30.0		<30.0	26.1	Complies	25.0		<25.0	No Change	Complies
Impervious Ratio	Varies	3,677.6	35,040.5	35,465.5	Variance	60%	2,028.3	61%	78%	NonCompliant	5%	1,649.3	100%	No Change	Complies
Landscape		21% 7,636.86	1.4%	1.9%	Variance	20%	676.1	15%	20%	Complies	20%	6,597.10	0%	No Change	Complies
Open Space		20% 7,273.20	1.4%	1.9%	Variance	35%	1,183.2	15%	22%	Improvement	20%	6,597.10	0%	No Change	Complies



14

1 STORY C.B.S.

NO. 13  
F.F.L. 13.70'  
(ON CONCRETE COLUMNS)APPROXIMATE  
MEAN HIGH WATER  
AND SHORE LINEFND. NAIL & DISC  
NO. 2749  
OFFSET 2.3' S.

60.00' VERY IRR. WOOD FENCE

CONCRETE BOLDER RIP RAP

7ft  
Side  
Setback23ft  
Front  
Setback7ft  
Side  
Setback

HILTON HAVEN DRIVE

82.50' M. &amp; R.

WOOD DECK  
3" COCONUT  
3" PANDANUS  
SILVER BUTTWOOD  
CONCRETE  
BALCONY34.10'  
11.05'  
12.05'  
16.05'  
12.00'  
18.0'

BALCONY

FND. NAIL & DISC  
NO. 2749  
OFFSET 2.3' S.

12

5" SEAGRASS

WROUGHT IRON  
FENCE  
6" COCONUT(2) 8"  
BUTTWOOD

ACCESS EAS

NORTH LINE OF

N.E. CORNER  
TRACT 13  
P.O.B. BAY BOTTOM

4" TREE (UNKNOWN)

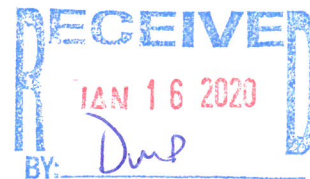
FLOATING  
(PARTIAL)DETAIL (A)  
SPOT ELEVATIONS



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## PROPERTY OWNER: (if different than above)

Name: William R Grosscup Rev Trust

Mailing 13 Hilton Haven Road

Address:

City: Key West

State: FL 33040 Zip:

Home/Mobile Phone: NA

Office: c/o 325-293-8983

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## Description of Proposed Construction, Development, and Use:

Construct a 1,339.5 sq. ft. single family residence.

## List and Describe the specific variance(s) being requested:

Front Yard Setback - Sec. 122-270(6)a.1. of 10.9ft from the 23.4ft required to the 12.5ft proposed. Coastal Construction Control Line - Sec. 122-1148 (a)2. of 30ft from the 30ft required to the 0ft proposed. Impervious Surface. 122-270(4)b.1. of 49.98% from the 50% allowed to the 99.98% proposed. Wetland Buffer Zone - Sec. 110-91. of 25ft from the 25ft required to the 0ft proposed.

Are there any easements, deed restrictions or other encumbrances attached to the property? ☒ Yes ☐ No

If yes, please describe and attach relevant documents:

Resolution 10-236 and Access Easement

Will any work be within the dripline (canopy) of any tree on or off the property?

☒ Yes ☐ No

If yes, provide date of landscape approval, and attach a copy of such approval.

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☒ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. *provide square footages and percentages.*

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning	MDR			
Flood Zone	AE 9			
Size of Site	36,366 SF			
Height	35'			
Front Setback	23.4'*	23.4'*	12.5'	Variance
Side Setback	7.0'	7.0'	7.0'	
Side Setback	7.0'	7.0'	7.0'	
Street Side Setback	NA			
Rear Setback	20.0'	20.0'	20.0'	
F.A.R	NA		NA	
Building Coverage	35%	1,270 SF (3%)	2,670 SF (7%)	
Impervious Surface	50%	34,773 SF (96%)	35,256.5 SF (97%)	Variance
Parking	1	0	1	
Handicap Parking	0	0	0	
Bicycle Parking	0	0	0	
Open Space/ Landscaping	35%	33,275 SF (91%)	32,791 SF (90%)	
Number and type of units	16 du/acre	0	1 SFR	
Consumption Area or Number of seats	NA			

\*122-270(6)a.1. Front setback is average depth of front yards within 100 ft.

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at [http://www.municode.com/Library/FL/Key\\_West](http://www.municode.com/Library/FL/Key_West) under Subpart B.

\*Please note, variances are reviewed as quasi-judicial hearings, and it is improper for the owner or applicant to speak to a Planning Board member or City Commissioner about the hearing.

### Standards for Considering Variances

**Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met: Please print your responses.**

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

Please see attached Findings of Fact.

2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

Please see attached Findings of Fact.

3. Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

Please see attached Findings of Fact.

4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

Please see attached Findings of Fact.

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.

Please see attached Findings of Fact.



6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

Please see attached Findings of Fact.

7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

Please see attached Findings of Fact.

**The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:**

- That the standards established in Section 90-395 have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

**REQUIRED SUBMITTALS: All of the materials listed below must be submitted in order to have a complete application. Applications will not be processed until all materials are provided. Please submit one (1) paper copy of the materials to the Planning Department along with one (1) electronic copy of materials on a flash drive.**

- x ☐ Correct application fee. Check may be payable to "City of Key West."
- x ☐ Notarized verification form signed by property owner or the authorized representative.
- x ☐ Notarized authorization form signed by property owner, if applicant is not the owner.
- x ☐ Copy of recorded warranty deed
- x ☐ Monroe County Property record card
- x ☐ Signed and sealed survey (Survey must be within 10 years from submittal of this application)
- x ☐ Site plan (plans **MUST** be signed and sealed by an Engineer or Architect)
- x ☐ Floor plans
- x ☐ Stormwater management plan

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
**13 Hilton Haven Drive**

**In accordance with Section 90-274, the applicant respectfully submits the following FINDINGS OF FACT AND CONCLUSIONS OF LAW for inclusion into the record of proceedings, for consideration by the Planning Board as it pertains to the requested variance of 30ft from Coastal Construction Control Line ("CCCL") requirements per Section 122-1148(2).**

Pursuant to Sec. 90-273, the applicant hereby respectfully submits the following substantial competent evidence to support granting this variance. By making these findings, the Planning Board substantiates the ruling that this variance approval accomplishes the legitimate public purpose of allowing beneficial use of land within the City of Key West.

**Sec. 90-394. - Action.**

1. Granting of this variance permits a use permitted by right in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district.
2. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts is considered grounds for the authorization of this variance.
3. Granting of this variance does not increase or have the effect of increasing density or intensity of a use beyond that permitted by the comprehensive plan or these LDRs.

**Sec. 90-395. - Standards, findings.**

The following standards for a variance have been met by the applicant in an affirmative manner:

1. Existence of special conditions or circumstances.

The existence of special conditions and circumstances which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district evidenced by the following:

CCCL - There is no natural shoreline, beach or dune system within the MDR zoned area subject to this variance request. Hilton Haven is historically filled land originally created and used by East Coast Railways. This area is a location where structures and people were located in close proximity to the water's edge. Many regulations encourage structures and uses to be located away from the water's edge to reduce potential negative impacts such as stormwater runoff and beach/ dune degradation. In the case of this Hilton Haven property, the edge of the shoreline is artificially created by historic dredge and fill activity.

The purpose of the CCCL according to the Comprehensive Plan (5-1.3) is to protect the natural shoreline and the very limited beach/dune system. Hilton Haven happens to fall within the CCCL however it clearly has no natural shoreline or beach dune system. Hilton

Haven's shoreline is a historical working waterfront originally filled for the purposes of hauling freight via rail. Thus, in this particular special case, there is no rational nexus between the CCCL public benefit and its resulting restriction on the property rights of Hilton Haven. Approximately 2/3 of the upland area is located within the Coastal Construction Control Line setback area making any development on the site impossible due to the overlap of the various setback restrictions.

The three setbacks on the property, CCCL, Front Setback, Wetland Buffer Zone, collectively consume the entire property and leave no developable land.

Front Setback – The front setback for this property is approximately 23.4ft.<sup>1</sup> The entire depth of the upland portion of the property is approximately 40ft. The front setback alone consumes 59% of the developable upland. As with the CCCL rationale above, the three setbacks on the property, CCCL, Front Setback, Shoreline Buffer, collectively consume the entire property and leave no developable land.

Impervious Surface – Code Sec. 122-1143. defines impervious surface to include "waterbodies". This property is 90% waterbody, the MDR allows 50% impervious surface, therefore the site, with no upland development is, by code, 90% impervious. There is no definition of "water body", however, the application of such in the past has been to apply to pools, artificial landscape ponds, etc. Obviously, a natural water body is previous, however the literal application of code would prevent the reasonable development of this property.

Wetland Buffer Zone - The Wetland Buffer Zone for this property is approximately 25ft. measured from the MHW. The entire depth of the upland portion of the property is approximately 40ft. The Wetland Buffer Zone alone consumes more than 63% of the developable upland. As with the CCCL rationale above, the three setbacks on the property, CCCL, Front Setback, Wetland Buffer Zone, collectively consume the entire property and leave no developable land.

2. Conditions not created by applicant.

Special conditions and circumstances do not result from the action or negligence of the applicant as evidenced by the following:

Hilton Haven was developed long before the applicant, or even the owner, came to be involved with it. The property is a legal lot of record and so enjoys the right to beneficial use. The lot predates CCCL, Front Setback, and Wetland Buffer Zone requirements and is located in the AE-zone. The applicant is responding to the historical and functional relationship created within Hilton Haven over time. The proposed design is considerate of and sympathetic to the close waterfront proximity of this neighborhood.

3. Special privileges not conferred.

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<sup>1</sup> Code Sec. 122-270(6)a.1. Front setback: 30 ft or the average depth of front yards within 100 ft of the subject lot but not less than 20 ft.

Granting the variance requested does not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district as evidenced by the following:

Granting of the proposed variances will allow the functional development of the site in a beneficial and appropriate manner. A special privilege in this case would be to allow development in contradiction to the intent of the CCCL, Front Setback, and Wetland Buffer Zone.

4. Hardship conditions exist.

Literal interpretation of the provisions of the land development regulations deprives the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant as evidenced by the following:

Under a literal interpretation of the LDRs, this property cannot be used in a beneficial manner as contemplated under the Comprehensive Plan or the MDR Zone. Both the plan and the zone contemplate residential development of existing lots of record. This proposal seeks reasonable development of a single-family home on this residential lot.

The purpose of the Coastal Construction Control Line according to the Comprehensive Plan (5-1.3) is to protect the natural shoreline and the very limited beach/dune system. Hilton Haven happens to fall within the CCCL; however, no natural shoreline or beach dune system exists. Hilton Haven's shoreline is a historical working waterfront. A literal interpretation of the Sec. 122-1148 would prevent the property owner from reasonable beneficial use with no furthering of the goals and intent of the CCCL. The three setbacks on the property, CCCL, Front Setback, Wetland Buffer Zone, collectively consume the entire property and leave no developable upland.

5. Only minimum variance granted.

The variances requested are the minimum necessary that will make possible the reasonable use of the land, building or structure as evidenced by the following:

Variances will allow a single-family home to be built on a residentially zoned lot of record. There is no expansion of non-conforming uses or non-conforming structures.

6. Not injurious to the public welfare.

The grant of the variance is in harmony with the general intent and purpose of the land development regulations and as such, the variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare as evidenced by the following:

The request is in compliance with all of the standards for considering variances and accomplishes the legitimate public purpose of allowing beneficial use of land. The project is not injurious to the adjacent property owners' rights.



There will be no increase in potential density. Section 122-28(g) requires the City to consider the economic base of the community when evaluating petitions for variances. The construction of a single-family home on this parcel will increase the ad valorem tax base in the community.

7. No nonconforming use.

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts is considered grounds for the issuance of this variance

**Good Neighbor Policy:**

The applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners.

RESOLUTION NO. 10-236

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF KEY WEST, FLORIDA, APPROVING THE  
SETTLEMENT IN THE CASE OF WILLIAM R.  
GROSSCUP V. CITY OF KEY WEST; PROVIDING FOR  
AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY  
WEST, FLORIDA, AS FOLLOWS:

Section 1: That the settlement of the circuit court  
case of William R. Grosscup v. City of Key West in accordance  
with the terms in the attached Settlement Agreement is hereby  
approved.

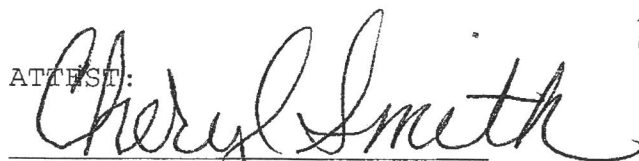
Section 2: That this Resolution shall go into effect  
immediately upon its passage and adoption and authentication by  
the signature of the presiding officer and the Clerk of the  
Commission.

Passed and adopted by the City Commission at a meeting held  
this 3rd day of August, 2010.

Authenticated by the presiding officer and Clerk of the  
Commission on August 4, 2010.

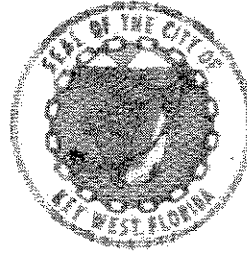
Filed with the Clerk August 4, 2010.

ATTEST:

  
CHERYL SMITH, CITY CLERK

  
CRAIG CATES, MAYOR

## Executive Summary



**To:** James K. Scholl, City Manager

**From:** Larry R. Erskine, Chief Assistant City Attorney

**Date:** July 19, 2010

**Subject:** Approval of Settlement Agreement in Bert Harris Act claim  
13 Hilton Haven Drive/William Grosscup

### **Action Statement:**

This is a request for the City Manager and Commission to consider and approve the attached Settlement Agreement in the matter referenced above.

### **Background:**

In April of 2005, the improvements located on William R. Grosscup's property at 13 Hilton Haven Drive were destroyed by fire. City records, as well as aerial photographs, indicate that a floating home and a pile-supported, two-story structure existed on the property at the time of the fire. In July of 2005, the Florida Department of Environmental Protection (DEP) approved the replacement of the pilings located on the bay bottom adjacent to the property. Sometime prior to February of 2006, Mr. Grosscup began construction of a single family dwelling approximately 3,200 square feet in size on concrete support pilings located partially over the bay bottom. On February 8, 2006, the City's Code Compliance Department issued a stop work order based on Mr. Grosscup's failure to obtain a building permit from the City.

In March of 2006, Mr. Grosscup applied to DEP for a permit to construct the dwelling which was the subject of the stop work order on pilings located partially over the bay bottom. The Florida Department of Community Affairs (DCA) objected to the permit, which DEP later denied. In November of 2006, Mr. Grosscup provided notice to DEP and DCA of his intention to file a claim pursuant to Section 70.001, Florida Statutes, more commonly known as the Bert Harris Act. Mr. Grosscup alleged that the actions of DEP and DCA caused an inordinate burden to him. At that time, the City was not made a party to the claim. The provisions contained in the Bert Harris Act require government entities to make good faith settlement offers in response to claims. DCA offered a settlement which called for Mr. Grosscup to rebuild the original dock structure with a second story facility used exclusively for storage and to allow the replacement of the floating home, both in the original footprint. In its response, DEP indicated that it needed additional information in order to properly analyze the proposed project. On May 22, 2007, Mr. Grosscup rejected the settlement proposed by DCA and DEP, and filed suit in circuit court. The City was not a party to the litigation at that time.

In April of 2008, Mr. Grosscup presented the City Planner a proposal to construct the dwelling which was the subject of the stop work order. On April 16, 2008, the City Planner provided Mr. Grosscup with a memorandum outlining the City Planning Department's analysis of the proposed development which outlined the steps necessary to permit the structure which was the subject of the stop work

order. That same day, Mr. Grosscup requested to move forward as outlined in the memorandum. On May 20, 2008, the City Commission passed Resolution No. 08-157, granting permission to initiate a development agreement for the proposed project. However, on May 28, 2008, Mr. Grosscup forwarded the City Planner an email objecting to a number of the issues discussed in her memorandum. The City Planner responded to that email, which Mr. Grosscup attempted to appeal to the City Commission as an administrative interpretation. It was the position of City staff that the City Planner's response was not appealable. However, Mr. Grosscup obtained an order from the Circuit Court directing the City Commission to consider his appeal of the City Planner's determination. After a public hearing on the matter, the Commission upheld the City Planner's interpretation.

On October 24, 2008, Mr. Grosscup provided the City his notice of intention to file a claim pursuant to the Bert Harris Act. In his claim, Mr. Grosscup alleged that the City's failure to recognize his build-back rights constituted a denial of his vested rights, a denial of his right to due process, and also caused an inordinate burden to him and his property. The Bert Harris Act defines "inordinate burden" or "inordinately burdened" as a governmental action which "has directly restricted or limited the use of the real property such that the property owner is permanently unable to attain the reasonable, investment-backed expectation for the existing use of the real property or a vested right to a specific use of the real property with respect to the real property as a whole, or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large."

Pursuant to the provisions of the Bert Harris Act, after receipt of the notice of Mr. Grosscup's claim, the Commission approved a settlement offer which called for Mr. Grosscup to replace the preexisting pilings as well as the floating structure. The offer also called for him to replace the preexisting storage structure without expansion.

On May 28, 2009, Mr. Grosscup rejected the City's settlement offer and filed his circuit court action against the City. Thereafter, Mr. Grosscup's lawsuit against DCA and DEP was consolidated with his cause of action against the City. In addition, earlier this year, Mr. Grosscup filed suit in federal court against, DCA, DEP, the City, and the Army Corp of Engineers based on the same allegations present in the circuit court action.

From the beginning, the parties have acknowledged that Mr. Grosscup has the right to build back the improvements which existed prior to the 2005 fire. However, DCA, DEP, and the City did not initially agree with Mr. Grosscup's position regarding the size of the demolished storage structure. Mr. Grosscup's initial offer to settle the lawsuits called for him to rebuild a storage structure which DCA, DEP, and the City believed to be larger than the original structure. Further, the proposed structure was to be located almost entirely over water. However, as the litigation progressed, Mr. Grosscup reduced the size of the proposed storage structure several times. DCA, DEP, and City staff believe that the storage structure depicted in Mr. Grosscup's last revision is approximately the same size as the original structure.

The proposed settlement agreement provides that Mr. Grosscup may construct a pile supported concrete deck structure with a total footprint not to exceed 1250 square feet with a non-habitable storage enclosure on the deck with a footprint not to exceed 650 square feet. In addition, he may rebuild his dock and replace the houseboat which previously existed. The agreement calls for Mr.

Grosscup to execute a deed restriction in perpetuity in favor of the City, preventing use of the storage space for living, sleeping, or cooking. Further, he would be required to dismiss with prejudice his state and federal lawsuits against DCA, DEP, and the City, with each party liable for its costs and attorneys' fees. DCA and DEP have agreed to the proposed settlement.

**Recommendation:**

Approve the attached Settlement Agreement.

RECEIVED

SEP 08 2010

City Attorney's Office

WILLIAM R. GROSSCUP,

Plaintiffs,

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MONROE COUNTY, FLORIDA

v.

CASE NO. 2007-CA-680-K

FLORIDA DEPARTMENT OF  
COMMUNITY AFFAIRS, FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION and CITY OF  
KEY WEST,

Defendants.

**SETTLEMENT AGREEMENT AND STIPULATION FOR  
ENTRY OF AGREED ORDER APPROVING SETTLEMENT AGREEMENT**

Plaintiff, WILLIAM R. GROSSCUP ("GROSSCUP"), and Defendants, FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS ("DCA"), FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("DEP") and CITY OF KEY WEST ("KEY WEST"), by and through their undersigned representatives, hereby submit their Settlement Agreement and Stipulation for Entry of Agreed Order Approving Settlement Agreement, and state:

**RECITALS**

Whereas, on or about May 22, 2007, GROSSCUP brought this action against DCA and DEP for declaratory judgment and damages pursuant to Section 70.001, *Florida Statutes*.

Whereas, on or about May 28, 2009, GROSSCUP brought a related action against KEY WEST for declaratory judgment and damages pursuant to Section 70.001, *Florida Statutes*. On September 17, 2009, Plaintiff's cases against DCA, DEP, and KEY WEST were consolidated.

RECEIVED SEP 08 2010

RECEIVED SEP 08 2010

Whereas, the parties now desire to amicably resolve their litigation.

**NOW THEREFORE**, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. All of the above-contained recitals are true and correct and are incorporated herein by reference.

2. The parties have agreed to settle, fully and finally, all differences and disputes arising out of the consolidated cases styled, *Grosscup v. Florida Department of Community Affairs and Florida Department of Environmental Protection*, Case No. 2007-CA-680-K and *Grosscup v. City of Key West*, Case No. 2009-CA-925-K. Therefore, the parties hereby stipulate that all matters raised by the pleadings, or which could have been raised, between the parties in the consolidated cases have been amicably settled.

3. In full and final settlement of the consolidated cases, the parties agree as follows:

(a) The DCA, DEP and KEY WEST agree that GROSSCUP shall be entitled to construct on his property a pile supported concrete deck structure (total footprint not to exceed 1250') with non-habitable storage enclosure on deck (not to exceed 650'); and permanently moor his floating home (habitable) to the pile supported deck structure in accordance with the engineering plans/drawings attached as **Composite Exhibit "A"** (hereafter the "Project").

(b) DCA shall withdraw its objection to the Environmental Resource Permit and DEP shall cause within thirty days of the Court's approval of this Settlement

Agreement, the issuance of permits from DEP authorizing GROSSCUP to construct the Project.

(c) Key West shall cause within fifteen days of issuance of permits from both DEP and Army Corps of Engineers for the Project, the issuance of permits from KEY WEST authorizing GROSSCUP to construct the Project.

(d) DCA shall withdraw its objection to the Environmental Resource Permit and DEP and KEY WEST shall cause the issuance of any additional approvals, waivers, variances, special exceptions, permits and/or extensions that may be required to complete the Project and that are within their control to grant. The DCA will write a letter indicating that no appeal will be taken during the 45 day period identified in Rule 9J-1, F.A.C.

(e) GROSSCUP acknowledges that he may not begin construction of the Project until he obtains a permit from the United States Army Corps of Engineers ("USACE"). DCA, DEP and KEY WEST agree they will cooperate with GROSSCUP and will not interfere with his efforts to obtain a permit from USACE.

(f) Prior to the final inspection of the Project and issuance of certificate of occupancy, GROSSCUP expressly agrees herein to execute a restrictive covenant in perpetuity in favor of KEY WEST in a form acceptable to the City Attorney, preventing use of the storage space as habitable space as that term is defined in the residential section of the Florida Building Code. Specifically, GROSSCUP shall be prohibited from utilizing the storage area for living, sleeping, eating or cooking.

(g) To the extent GROSSCUP may be required by other agencies to obtain consents, approvals, waivers, variances, special exceptions, permits and/or



extensions to complete the Project, DCA, DEP and KEY WEST agree they will cooperate with GROSSCUP and will not interfere with his efforts to obtain them.

4. Upon the Court's approval of this Settlement Agreement and GROSSCUP's receipt of permits for the Project from DEP and KEY WEST, the parties agree to exchange the General Releases attached as **Composite Exhibit "B."** Further, upon the Court's approval of this Settlement Agreement, GROSSCUP expressly agrees herein to dismiss with prejudice its claims against DCA, DEP and KEY WEST in the matter styled, *Grosscup v. Colonel Alfred Pantano, Jr., District Commander for the Army Corps of Engineers, Jacksonville District, United States Army Corps of Engineers, Florida Department of Community Affairs, Florida Department of Environmental Protection, City of Key West and United States*, Case No. 10-10015-CIV-MARTINEZ/ BROWN in the United States District Court for the Southern District of Florida, with each party to bear their own costs, expenses and attorney's fees.

5. The parties herein expressly agree that this Settlement Agreement is contingent upon Court approval. In the event the Settlement Agreement is not approved by the Court for any reason whatsoever, this Settlement Agreement and the provisions herein shall be void and of no further force and effect.

6. The parties hereby submit themselves to the jurisdiction of the Sixteenth Judicial Circuit Court in and for Monroe County, Florida for all purposes relating to this Agreement, including, but not limited to, its enforcement.

7. This Agreement is binding upon the parties and their respective successors, heirs and assigns and relates solely to the approved engineering plans/ drawings attached as **Composite Exhibit "A."** Plaintiff will cure any material

deviations from the approved plans within 30 days notice from KEY WEST or DCA or DEP. The Court shall retain jurisdiction over this matter for the purpose of enforcing the terms of this Agreement. Each party shall bear its own attorney's fees and costs.

8. The parties agree that in the event any case or controversy arises in connection with this Agreement or the settlement of this Action, they consent to venue and jurisdiction in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida.

9. The parties stipulate that the Court may enter the proposed Agreed Order Approving Settlement Agreement, which is attached as *Exhibit "C."*

IN WITNESS WHEREOF, the parties hereto have caused this Settlement Agreement and Stipulation for Entry of Agreed Order Approving Settlement to be executed on this 5<sup>th</sup> day of August, 2010.

By: [Signature]  
WILLIAM R. GROSSCUP

STATE OF FLORIDA     )  
                                      )SS  
COUNTY OF MONROE    )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of Aug, 2010, by WILLIAM R. GROSSCUP, who is personally known to me or who has produced [Signature] as identification.

[Signature]  
Notary Public  
Commission No. [Signature]  
[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires: 3-8-12

SEAL



Notary  
Sherry L. Tarr

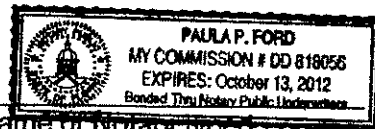
FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

By Thomas G. Pelham  
its Secretary

STATE OF FLORIDA )  
                                  )SS  
COUNTY OF Leon )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of August, 2010, by Thomas G. Pelham who is personally known to me or who has produced N/A as identification.

Paula P. Ford  
Notary Public  
Commission No.



[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires:

SEAL

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By [Signature]  
Jon M. IGLEHART its DIRECTOR MGMT

STATE OF FLORIDA )  
COUNTY OF LEE )SS

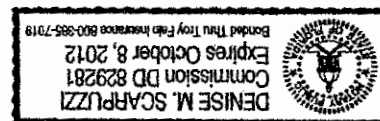
The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of AUGUST, 2010, by Jon M. IGLEHART, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Denise M. Scarpuzzi  
Notary Public  
Commission No.

DENISE M. SCARPUZZI  
[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires: 10-8-2012

SEAL



CITY OF KEY WEST

By J.K. Scholl  
JIM SCHOLL its CITY MANAGER

STATE OF FLORIDA )  
 )SS  
COUNTY OF Monroe )

The foregoing instrument was acknowledged before me this 9 day of August, 2010, by Jim Scholl, who is personally known to me or who has produced \_\_\_\_\_ as identification.



My Commission  
Expires:

Maria G. Ratcliff  
Notary Public  
Commission No.

Maria G. Ratcliff  
[Name of Notary typed,  
Printed or stamped]

SEAL

# COMPOSITE EXHIBIT B

GENERAL RELEASE

**KNOW ALL MEN BY THESE PRESENTS:**

That **WILLIAM R. GROSSCUP** ("first party"), for and consideration of good and valuable consideration, received from, or on behalf of **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS** and **CITY OF KEY WEST**, a municipal corporation ("second party"), the receipt of which is hereby acknowledged:

HEREBY irrevocably remises, releases, acquits, satisfies, and forever discharges the said **second party**, as well as all past and present agents, servants, attorneys, employees, directors, officers, successors, heirs, executors, administrators, and all other persons, firms, corporations, associations or partnerships, or any other entity associated therewith, of and from any and all claims, defenses, actions, causes of actions, demands, obligations, liens, rights, damages, costs, loss or service, expense and/or compensation, of any nature whatsoever, which the **first party** has or could have against **second party**, including, but not limited to, the claims that were raised and/or could have been raised in the cases styled, *Grosscup v. Florida Department of Community Affairs and Florida Department of Environmental Protection*, Case No. 2007-CA-680-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; *Grosscup v. City of Key West*, Case No. 2009-CA-925-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; and *Grosscup v. Colonel Alfred A. Pantano, Jr., District Commander for the Army Corps and Engineers, Jacksonville District, United States Army Corps of Engineers, Florida Department of Community Affairs, Florida Department of Environmental Protection and United States*, Case No. 10-10015-CIV-MARTINEZ/BROWN in the United States District Court for the Southern District of Florida. This Release does not release any claims **first party** may have against the Federal Defendants in Case No. 10-10015-CIV-MARTINEZ/BROWN.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2010.

By \_\_\_\_\_  
WILLIAM R. GROSSCUP

(Notary Certification follows)

STATE OF FLORIDA           )  
  )SS  
COUNTY OF MONROE        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2010 by **WILLIAM R. GROSSCUP**, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
Commission No.

\_\_\_\_\_  
[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires:

SEAL



GENERAL RELEASE

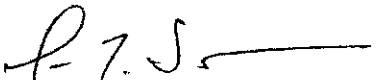
**KNOW ALL MEN BY THESE PRESENTS:**

That **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION** ("first party"), for and consideration of good and valuable consideration, received from, or on behalf of **WILLIAM GROSSCUP** ("second party"), the receipt of which is hereby acknowledged:

HEREBY irrevocably remises, releases, acquits, satisfies, and forever discharges the said **second party**, as well as all past and present agents, servants, attorneys, employees, directors, officers, successors, heirs, executors, administrators, and all other persons, firms, corporations, associations or partnerships, or any other entity associated therewith, of and from any and all claims, defenses, actions, causes of actions, demands, obligations, liens, rights, damages, costs, loss or service, expense and/or compensation, of any nature whatsoever, which the **first party** has or could have against **second party**, including, but not limited to, the claims that were raised and/or could have been raised in the cases styled, *Grosscup v. Florida Department of Community Affairs and Florida Department of Environmental Protection*, Case No. 2007-CA-680-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; *Grosscup v. City of Key West*, Case No. 2009-CA-925-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; and *Grosscup v. Colonel Alfred A. Pantano, Jr., District Commander for the Army Corps and Engineers, Jacksonville District, United States Army Corps of Engineers, Florida Department of Community Affairs, Florida Department of Environmental Protection and United States*, Case No. 10-10015-CIV-MARTINEZ/BROWN in the United States District Court for the Southern District of Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31<sup>ST</sup> day of AUGUST, 2010.

**FLORIDA DEPARTMENT OF ENVIRONMENT PROTECTION**

By   
J. M. VALENTINI, District Manager

(Notary Certification follows)

STATE OF FLORIDA                     )  
   )SS  
COUNTY OF LEE                     )

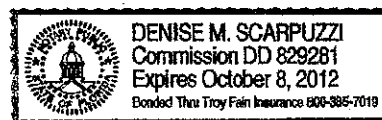
The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of August, 2010 by **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Denise M. Scarpuzzi  
Notary Public  
Commission No.

DENISE M. SCARPUZZI  
[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires: 10-8-2012

SEAL



GENERAL RELEASE

**KNOW ALL MEN BY THESE PRESENTS:**

That **FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS** ("first party"), for good and valuable consideration, received from, or on behalf of **WILLIAM GROSSCUP** ("second party"), the receipt of which is hereby acknowledged:

HEREBY irrevocably remises, releases, acquits, satisfies, and forever discharges the said **second party**, as well as all past and present agents, servants, attorneys, employees, directors, officers, successors, heirs, executors, administrators, and all other persons, firms, corporations, associations or partnerships, or any other entity associated therewith, of and from any and all claims, defenses, actions, causes of actions, demands, obligations, liens, rights, damages, costs, loss or service, expense and/or compensation, of any nature whatsoever, which the **first party** has or could have against **second party**, including, but not limited to, the claims that were raised and/or could have been raised in the cases styled, *Grosscup v. Florida Department of Community Affairs* and *Florida Department of Environmental Protection*, Case No. 2007-CA-680-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; *Grosscup v. City of Key West*, Case No. 2009-CA-925-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; and *Grosscup v. Colonel Alfred A. Pantano, Jr., District Commander for the Army Corps and Engineers, Jacksonville District, United States Army Corps of Engineers, Florida Department of Community Affairs, Florida Department of Environmental Protection and United States*, Case No. 10-10015-CIV-MARTINEZ/BROWN in the United States District Court for the Southern District of Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23<sup>rd</sup> day of August, 2010.

**FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS**

By Thomas A. Pelham  
its Secretary

(Notary Certification follows)

STATE OF FLORIDA )  
COUNTY OF Leon )SS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of August, 2010 by **FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS**, who is personally known to me or who has produced MT as identification.

Paula P. Ford  
Notary Public  
Commission No.



[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires:

SEAL

GENERAL RELEASE

**KNOW ALL MEN BY THESE PRESENTS:**

That **CITY OF KEY WEST**, a municipal corporation ("**first party**"), for good and valuable consideration, received from, or on behalf of **WILLIAM GROSSCUP** ("**second party**"), the receipt of which is hereby acknowledged:

HEREBY irrevocably remises, releases, acquits, satisfies, and forever discharges the said **second party**, as well as all past and present agents, servants, attorneys, employees, directors, officers, successors, heirs, executors, administrators, and all other persons, firms, corporations, associations or partnerships, or any other entity associated therewith, of and from any and all claims, defenses, actions, causes of actions, demands, obligations, liens, rights, damages, costs, loss or service, expense and/or compensation, of any nature whatsoever, which the **first party** has or could have against **second party**, including, but not limited to, the claims that were raised and/or could have been raised in the cases styled, *Grosscup v. Florida Department of Community Affairs and Florida Department of Environmental Protection*, Case No. 2007-CA-680-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; *Grosscup v. City of Key West*, Case No. 2009-CA-925-K in the Sixteenth Judicial Circuit Court in and for Monroe County, Florida; and *Grosscup v. Colonel Alfred A. Pantano, Jr., District Commander for the Army Corps and Engineers, Jacksonville District, United States Army Corps of Engineers, Florida Department of Community Affairs, Florida Department of Environmental Protection and United States*, Case No. 10-10015-CIV-MARTINEZ/BROWN in the United States District Court for the Southern District of Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2010.

**CITY OF KEY WEST**

By \_\_\_\_\_  
\_\_\_\_\_ its \_\_\_\_\_

*(Notary Certification follows)*

STATE OF FLORIDA            )  
                                      )SS  
COUNTY OF MONROE        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2010 by **CITY OF KEY WEST**, a municipal corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
Commission No.

\_\_\_\_\_  
[Name of Notary typed,  
Printed or stamped]

My Commission  
Expires:

SEAL

# EXHIBIT C

WILLIAM R. GROSSCUP,

Plaintiffs,

v.

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MONROE COUNTY, FLORIDA

CASE NO. 2007-CA-680-K

FLORIDA DEPARTMENT OF  
COMMUNITY AFFAIRS, FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION and CITY OF  
KEY WEST,

Defendants.

---

**AGREED ORDER APPROVING SETTLEMENT AGREEMENT**

**THIS CAUSE** having come before the Court upon the parties' Settlement Agreement and Stipulation for Entry of Agreed Order Approving Settlement Agreement, and the Court having reviewed the Settlement Agreement and Stipulation of the parties and being otherwise fully advised in the premises, it is hereby:

**ORDERED and ADJUDGED:** The Settlement Agreement is approved and the parties are ordered to comply with its terms. Further, Defendant City of Key West shall not be required to comply with the regulatory procedures provided for in the Code of Ordinances of the City of Key West prior to the issuance of the approvals, waivers, variances, special exceptions, permits and/or exceptions referenced in the Settlement Agreement. To the extent that the relief provided to the Plaintiff has the effect of a modification, variance, or a special exception to the application of a rule, regulation, or ordinance as it would otherwise apply to the Plaintiff's property, the Court finds that the relief provided for in the Settlement Agreement protects the public interest being served by the regulations at issue and otherwise complies with Section 70.001, *Florida Statutes*. The relief being given is also appropriate to prevent the governmental



regulatory effort from inordinately burdening the subject real property. Each party shall bear its own attorney's fees and costs. The Court retains jurisdiction for the limited purpose of enforcing the Settlement Agreement. The Clerk shall close this case.

**DONE and ORDERED** in chambers in Key West, Monroe County, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

---

MARK JONES  
Circuit Court Judge

Copies furnished to:

**John M. Siracusa, Esquire**  
Rosenbaum, Mollengarden, Janssen,  
& Siracusa, PLLC  
250 Australian Avenue South, 5<sup>th</sup> floor  
West Palm Beach, FL 33401  
*Attorneys for Plaintiff, William R. Grosscup*

**Larry Erskine, Esq.**  
**Shawn D. Smith, Esq.**  
City Attorney's Office  
City of Key West  
P.O. Box 1409  
Key West, Florida 33041-1409  
Telephone (305) 809-3770  
Facsimile (305) 809-3771  
Email [lerskine@keywestcity.com](mailto:lerskine@keywestcity.com)  
*Attorney for Defendant, City of Key West*

**Jonathan A. Glogau, Esquire**  
Office of Attorney General  
Chief, Complex Litigation  
PL-01, The Capitol  
Tallahassee, FL 32399-1050  
Telephone: 850-414-3300, ext. 4817  
Facsimile: 850-414-9650  
[Jon.glogau@myfloridalegal.com](mailto:Jon.glogau@myfloridalegal.com)

Case No. 2007-680-K  
***Agreed Order Approving Settlement Agreement***

*Attorney for Defendants, Florida Department of Community Affairs and  
Florida Department of Environmental Protection*

130167302

## ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name William R. Grosscup, REV. TRUST				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13 Hilton Haven Road				Company NAIC Number:	
City Key West		State Florida		ZIP Code 33040	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) N. side of Hilton Haven Sub, P.B. 2, Pg. 138, I.D. No. 00001870-000000					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Accessory ( Boat House/ Storage)</u>					
A5. Latitude/Longitude: Lat. <u>24.562928 N</u> Long. <u>81.780086 W</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>5</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>0</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A8.b <u>0</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>0</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A9.b <u>0</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number City of Key West 120168			B2. County Name Monroe		B3. State Florida
B4. Map/Panel Number 12087C1509	B5. Suffix K	B6. FIRM Index Date 02/18/2005	B7. FIRM Panel Effective/ Revised Date 02/18/2005	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 9'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13 Hilton Haven Road			Policy Number:
City Key West	State Florida	ZIP Code 33040	Company NAIC Number

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings\* ☐ Building Under Construction\* ☒ Finished Construction

\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: Bayou Vertical Datum: NGVD 1929

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source:

Datum used for building elevations must be the same as that used for the BFE.

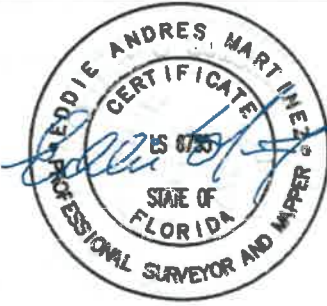

Check the measurement used.

- |   |      |  |
|---|------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)   | 13.7 | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor   | n/a  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   | n/a  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab)  | n/a  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments) | 13.7 | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | 4.3  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | 4.5  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                  | 4.4  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name Eddie A. Martinez, PSM	License Number LS6755	
Title PROFESSIONAL SURVEYOR & MAPPER		
Company Name Monroe County Surveying & Mapping, Co.		
Address 1100 Truman Avenue		
City Key West	State Florida	
Signature 	Date 07/31/2019	Telephone (305) 293-0466

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

A5. COORDINATES OBTAINED BY GPS OBSERVATION, USING A TOPCON HIPER V SURVEY GRADE GPS UNIT, ON THE STATE OF FLORIDA'S FDOT FPRN GPS/GNSS RTK NETWORK.  
C2.e) HOT WATER HEATER INSIDE BOAT HOUSE AT ELEVATION 17.8.  
BUILDING "TYPE" REVISED TO ACCESSORY ON 07/31/2019

**ELEVATION CERTIFICATE**OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13 Hilton Haven Road			Policy Number:
City Key West	State Florida	ZIP Code 33040	Company NAIC Number

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)  
FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

**SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address	City	State	ZIP Code
---------	------	-------	----------

Signature	Date	Telephone
-----------	------	-----------

Comments

☐ Check here if attachments.

**ELEVATION CERTIFICATE**OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13 Hilton Haven Road			Policy Number:
City Key West	State Florida	ZIP Code 33040	Company NAIC Number
<b>SECTION G – COMMUNITY INFORMATION (OPTIONAL)</b>			
The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.			
G1. <input type="checkbox"/> The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)			
G2. <input type="checkbox"/> A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.			
G3. <input checked="" type="checkbox"/> The following information (Items G4–G10) is provided for community floodplain management purposes.			
G4. Permit Number 10-3911	G5. Date Permit Issued 07 Aug 2011	G6. Date Certificate of Compliance/Occupancy Issued 04 Sep 2019	
G7. This permit has been issued for: <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement			
G8. Elevation of as-built lowest floor (including basement) of the building: <u>13.7</u> <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters Datum <u>NGVD-29</u>			
G9. BFE or (in Zone AO) depth of flooding at the building site: <u>9.0</u> <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters Datum <u>NGVD-29</u>			
G10. Community's design flood elevation: <u>10.0</u> <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters Datum <u>NGVD-29</u>			
Local Official's Name Scott G. Fraser		Title Floodplain Administrator	
Community Name Key West, City of		Telephone 305-809-3810	
Signature		Date 08 Aug 2019	
Comments (including type of equipment and location, per C2(e), if applicable)  Earlier EC rejected as line A4 entry was "Residential" which wasn't permitted as this was to be a storage only boat house.			
<input type="checkbox"/> Check here if attachments.			

# ELEVATION CERTIFICATE

## BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November 30, 2018

**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

**FOR INSURANCE COMPANY USE**

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
13 Hilton Haven Road

Policy Number:

City  
Key West

State  
Florida

ZIP Code  
33040

Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption Front View (6/18/19)



Photo Two

Photo Two Caption Rear View (6/18/19)

## ELEVATION CERTIFICATE

## BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2018

**IMPORTANT: In these spaces, copy the corresponding information from Section A.****FOR INSURANCE COMPANY USE**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.  
13 Hilton Haven Road

Policy Number:

City  
Key WestState  
FloridaZIP Code  
33040

Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

Photo One

Photo One Caption

Photo Two

Photo Two Caption



# **Warranty Deed**

This instrument prepared by:  
MARGARET TOBIN MILLS, ESQ.  
509 Whitehead St. Suite 1,  
Key West, FL 33040  
Prop.App. I.D. #00001870  
Grantee's SSN:

MONROE COUNTY  
OFFICIAL RECORDS

FILE #988962  
BK#1442 PG#2436

RCD Feb 13 1997 01:51PM  
DANNY L KOLHAGB, CLERK

THIS QUIT CLAIM DEED, made the 12<sup>th</sup> day of January, 1997, by  
BILL GROSSCUP  
first party, to WILLIAM R. GROSSCUP, as Trustee of the William R. Grosscup  
Revocable Trust,  
whose post office address is 13 Hilton Haven Dr. Key West, FL  
33040,  
second party

DEED DOC STAMPS 0.70  
02/13/1997 DEP CLK

WITNESSETH, That the first party, for and in consideration of the sum of  
\$ 10.00 in hand paid by the said second party, the receipt of which is hereby  
acknowledged, does hereby remise, release, and quit claim unto the second party  
forever, all right, title, interest, claim and demand which the said first party  
has in and to the following described lot, piece or parcel of land, situate,  
lying and being in Monroe County, State of Florida, to wit:

The North 40.8 feet of Tract 13 and the North 40.8 feet of the  
East 22 feet 6 inches of Tract 14, all in the AMENDED PLAT OF  
HILTON HAVEN, SECTION 2, a Subdivision on the Island of Key West,  
Monroe County, Florida, according to the Plat thereof, as recorded  
in Plat Book 2, Page 138 of Monroe County, Florida Records and a  
parcel of submerged land Northerly and adjacent to Tract 13 and a  
part of Tract 14, HILTON HAVEN, SECTION NO. 2, Island of Key West,  
Monroe County, Florida as recorded in Plat Book 2, Page 138, Monroe  
County Records and more particularly described as:

Beginning at the Northeasterly corner of Tract 13 according to  
said Plat of HILTON HAVEN, SECTION NO. 2, thence northerly along  
the Easterly line of Tract 13 extended a distance of 400 feet to a  
point; thence Westerly and at right angles a distance of 82.5 feet  
to a point; thence Southerly and at right angles a distance of 400  
feet to a point on the northerly line of said HILTON HAVEN; thence  
easterly and at right angles and along said Northerly line a  
distance of 82.5 feet back to the point of beginning.

TO HAVE and to HOLD the same together with all and singular the  
appurtenances thereunto belonging or in anywise appertaining, and all the estate,  
right, title, interest, lien, equity and claim whatsoever of the said first  
party, either in law or equity, to the only proper use, benefit and behoof of the  
said second party forever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents  
the day and year first above written.

Signed, sealed and delivered in  
the presence of:

Witness Signature

JOSEPH M. RULLAN

Witness Printed Name

Witness Signature

Michael J DRASHER

Witness Printed Name

Grantor Signature

BILL GROSSCUP  
Grantor Printed Name

13 Hilton Haven Dr., Key West, FL 33040  
Grantor P. O. Address

STATE OF FLORIDA

COUNTY OF MONROE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized  
to administer oaths and take acknowledgements, personally appeared WILLIAM R.  
GROSSCUP known to me to be the person described in and who executed the foregoing  
instrument, who acknowledged to me that he executed the same, and an oath was not  
taken. Said person provided the following identification Florida Driver's Lic.  
No. PERSONALLY KNOWN TO ME.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last aforesaid  
this 12<sup>th</sup> day of January, 1997.

FEBRUARY

Notary Public



FINBAR GITTELMAN  
COMMISSION # CC 478100  
EXPIRES AUG 18, 1999  
BONDED THRU  
ATLANTIC BONDING CO., INC.

MONROE COUNTY  
OFFICIAL RECORDS

# Verification Form

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an Entity)

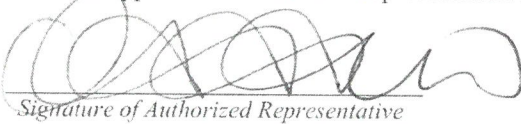
I, Owen Trepanier, in my capacity as President  
(print name) (print position; president, managing member)  
of Trepanier & Associates, Inc.  
(print name of entity serving as Authorized Representative)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

13 Hilton Haven Dr.

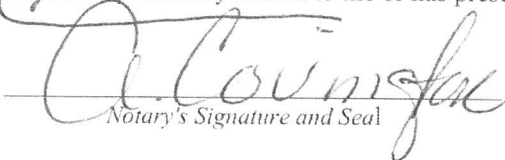
Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

  
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this Jan 10, 2020 by  
owen Trepanier  
Name of Authorized Representative

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

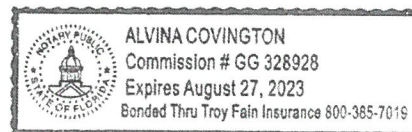
  
Notary's Signature and Seal

Alvina Covington

Name of Acknowledger typed, printed or stamped

GG328928

Commission Number, if any



# **Authorization Form**

## Commission Number, if any

# Site Plans

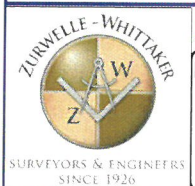


ABBREVIATIONS:	
A	= ARC
A/C	= AIR CONDITIONER
BLDG.	= BUILDING
CB	= CATCH BASIN
CH	= CONCRETE, BLOCK, STUCCO
CH BR	= CHORD
C & G	= CHORD BEARING
CLF	= CURB AND GUTTER
CLF	= CHAIN LINK FENCE
CLR	= CLEAR
CONC	= CONCRETE
CP	= CONCRETE POST
D	= DEGREE
DIP	= DELTA
E	= DUCTILE IRON PIPE
EB	= EAST
ELEV	= ENGINEERING BUSINESS NUMBER
ELECT	= ELEVATION
ENC	= ENCROACHMENT
ENP	= ENCROACHMENT
FIP	= FOUND IRON PIPE
FPL	= FLORIDA POWER AND LIGHT
FND	= FOUND
I.P.	= IRON PIPE
L	= LENGTH
LB	= SURVEYOR BUSINESS NUMBER
M & R	= MEASURED AND RECORD
MEAS	= MEASURED
MH	= MAHOLE
N	= NORTH
NO.	= NUMBER
N & DISC	= NAIL AND DISC
NO ID.	= NO IDENTIFICATION NUMBER
N.T.S.	= NOT TO SCALE
OBV	= OBSERVED ANGLE
O/E	= OVERHEAD ELECTRIC
O/E	= OVERHEAD ELECTRIC
ORB	= OFFICIAL RECORDS BOOK
O	= MINUTE OR FEET
O"	= SECOND OR INCH
P	= PLAT
PAV	= PAVEMENT
PB	= PLAT BOOK
PCC	= POINT OF COMPOUND CURVATURE
PC	= POINT OF CURVATURE
PG	= PAGE
PL	= PLANTER
PLS	= PROFESSIONAL LAND SURVEYOR
PI	= POINT OF INTERSECTION
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCE
PT	= POINT OF TERMINATION
PRC	= POINT OF REVERSE CURVATURE
PSM	= PROFESSIONAL SURVEYOR AND MAPPER
R	= RADIUS OR RECORD
REG	= REGULAR
RNG	= RANGE
RLS	= REGISTERED LAND SURVEYOR
R/W	= RIGHT OF WAY
S	= SOUTH
SEC	= SECTION
STA	= STATION
SWK	= SIDEWALK
T	= TANGENT
SS	= SANITARY SEWER
TWP	= TOWNSHIP
W	= WEST
W	= WITH
WF	= WOOD FENCE
WM	= WATER METER
WV	= WATER VALVE
ZW	= ZURWELLE-WHITTAKER, INC.

FLOOD INFORMATION:	
COMMUNITY NUMBER	125129
PANEL NUMBER	12087C0919K
SUFFIX	K
DATE OF FIRM	02-18-2005
FIRM ZONE	AE
BASE FLOOD ELEVATION	8'

FIELD WORK INFORMATION:	
DATE FIELD WORK	05-06-2019
DATE DRAFTING	05-08-2019
DATE SIGNED AND SEALED	02-10-2019
REVISED FIELD SURVEY	N/A

SYMBOL LEGEND:	
	LIGHT POLE
	CONC. POLE
	ELECTRIC BOX
	TRAFFIC SIGNAL BOX
	FIRE HYDRANT
	STORM SEWER/CATCH BASIN
	WATER METER
	SIGN
	TELEPHONE BOX
	WATER VALVE
	ELEVATIONS
	TRAFFIC LANE FLOW
	CENTER LINE
	MONUMENT LINE
	DIAMETER.



**MONROE COUNTY SURVEYING & MAPPING, INC.**  
**SURVEYORS & MAPPERS, CIVIL ENGINEERS**  
A DIVISION OF ZURWELLE-WHITTAKER, INC. (ESTAB. 1926)  
100 TRUMAN AVENUE, KEY WEST, FL 33040  
PHONE: (305) 534-4668 OR (305) 293-0468 FAX: (305) 531-4589  
MEMBER: FLORIDA LAND SURVEYOR'S COUNCIL, FLORIDA SURVEYING AND MAPPING SOCIETY

**SURVEYOR'S NOTES:**

1. EXAMINATION OF THE ABSTRACT OF THE TITLE WILL HAVE TO BE MADE TO DETERMINE RECORD INSTRUMENTS IF ANY, AFFECTING THE PROPERTY.
2. LOCATION AND IDENTIFICATION OF UNDERGROUND ENCROACHMENTS OR UTILITIES ON AND/OR ADJACENT TO THE PROPERTY WERE NOT SECURED AS SUCH INFORMATION WAS NOT REQUESTED.
3. NO SEARCH OF PUBLIC RECORDS HAS BEEN MADE (BY THIS OFFICE) FOR ACCURACY AND OR OMISSIONS.
4. THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM FROM ENCUMBRANCES. "TITLE" ABSTRACT NOT REVIEWED.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
6. THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF ENTITIES NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTY.
7. DIMENSIONS, BEARINGS OR ANGLES INDICATED HEREIN ARE MEASURED AND ARE THE SAME AS PLAT VALUES UNLESS OTHERWISE INDICATED BEARINGS ARE BASED ON SHOWN PLAT VALUES (IF ANY) OR AN ASSUMED VALUE.
8. ALL RIGHTS OF WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED
9. UTILITY FACILITIES WITHIN UTILITY EASEMENTS NOT NOTED AS VIOLATIONS. DRIVEWAYS OR PORTIONS THEREOF WITHIN ROADWAYS NOT NOTED AS VIOLATIONS OR ENCROACHMENTS.
10. THE LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT
11. THIS DRAWING IS PROPERTY OF ZURWELLE-WHITTAKER, INC AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT
12. THE ELEVATION INFORMATION SHOWN HEREON (IF ANY) IS RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM, (N.G.V.D.), OF 1929 UNLESS OTHERWISE NOTED.
13. BENCHMARK USED: NGS BENCHMARK & FPRN (SEE BENCHMARK INFO.)
14. COORDINATES SHOWN ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983/90 AS BASED ON THE STATE OF FLORIDA'S D.O.T. FLORIDA PERMANENT REFERENCE NETWORK (F.P.R.N.) A GPS/IGSS REFERENCE NETWORK. BASE STATION USED: FLPK (ISLAMORADA STATION)
15. COORDINATE CONVERSIONS (IF ANY) HAVE BEEN CONVERTED USING CORPSCON VERSION 6.6.1, FROM U.S. ARMY CORPS OF ENGINEERS, ALEXANDRIA, VIRGINIA.
16. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS DRAWING SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
17. ACCURACY OF HORIZONTAL CONTROL: (FOR EXPECTED USE OF LAND AS DEFINED BY (5J-17)) THE FIELD MEASUREMENTS VERIFIED BY CALCULATIONS OF A CLOSED GEOMETRIC FIGURE BASED UPON FIELD INFORMATION TAKEN IN THE FIELD BY TOTAL STATION AND OR GPS.

☒ COMMERCIAL/HIGH RISK  
☒ SUBURBAN  
☐ RURAL

LINEAR: 1 FOOT IN 10,000 FEET  
LINEAR: 1 FOOT IN 7,500 FEET  
LINEAR: 1 FOOT IN 5,000 FEET

## LOCATION MAP (N.T.S.)



BENCHMARK INFORMATION:	
National Geodetic Survey - Retrieval Date = APRIL 11, 2018	
DESIGNATION - D 121	
PID - AA0020	
STATE/COUNTRY - FL/MONROE	
COUNTRY - US	
USGS QUAD - KEY WEST (1971)	
CURRENT SURVEY CONTROL	
NAD 83(1986) POSITION: 24 33 28.47 (N) 081 47 17.55 (W) HD_HELD1	
NAVD 88 ORTHO HEIGHT - 0.783 (meters) 2.57 (feet) ADJUSTED	
GEOD128	
DYNAMIC HEIGHT - 0.781 (meters) 2.56 (feet) COMP	
MODELED GRAVITY - 978.8541 (mgal) NAVD 88	
SUPERSEDED SURVEY CONTROL	
NGVD 29 (77/77/92) 1.193 (m) 3.91 (ft) SUPERSEDED 1.2	
NGVD 29 (09/01/92) 1.193 (m) 3.91 (ft) ADJUSTED 1.2	

SURVEYORS NOTE:	
THIS IS SHEET 1 OF 2	
DRAWING SCALE 1"= 30'	
SHEET SIZE 13"X19"	

## LEGAL DESCRIPTIONS:

### Total Bay Bottom

The North 40.8 feet of Tract 13 and the North 40.8 feet of the East 22 feet 6 inches of Tract 14, all in the AMENDED PLAT OF HILTON HAVEN, SECTION 2, a subdivision on the Island of Key West, Monroe County, Florida, according to the Plat thereof, as recorded in Plat Book 2, Page 138 of Monroe County, Florida Records and a parcel of submerged land Northerly and adjacent to Tract 13 and a part of Tract 14, HILTON HAVEN, SECTION NO. 2, Island of Key West, Monroe County, Florida as recorded in Plat Book 2, Page 138, Monroe County Records and more particularly described as:

Beginning at the Northeasterly corner of Tract 13 according to said Plat of HILTON HAVEN, SECTION NO. 2, thence northerly along the Easterly line of Tract 13 extended a distance of 400 feet to a point; thence Westerly and at right angles a distance of 82.5 feet to a point; thence Southerly and at right angles a distance of 400 feet to a point on the northerly line of said HILTON HAVEN; thence easterly and at right angles and along said Northerly line a distance of 82.5 feet back to the point of beginning.

National Geodetic Survey  
Retrieval Date = APRIL 11, 2018

DESIGNATION - D 121  
PID - AA0020  
STATE/COUNTRY - FL/MONROE  
COUNTRY - US  
USGS QUAD - KEY WEST (1971)  
CURRENT SURVEY CONTROL  
NAD 83(1986) POSITION: 24 33 28.47 (N) 081 47 17.55 (W) HD\_HELD1  
NAVD 88 ORTHO HEIGHT - 0.783 (meters) 2.57 (feet) ADJUSTED  
GEOD128  
DYNAMIC HEIGHT - 0.781 (meters) 2.56 (feet) COMP  
MODELED GRAVITY - 978.8541 (mgal) NAVD 88  
SUPERSEDED SURVEY CONTROL  
NOVD 29 (77/77/92) 1.193 (m) 3.91 (ft) SUPERSEDED 1.2  
NOVD 29 (09/01/92) 1.193 (m) 3.91 (ft) ADJUSTED 1.2

**PROJECT:**

**WILLIAM R. GROSSCUP**  
**13 HILTON HAVEN DRIVE**  
**KEY WEST, FL 33040**

**EDDIE A. MARTINEZ**  
PROFESSIONAL SURVEYOR AND  
MAPPER NO. LS6755  
STATE OF FLORIDA

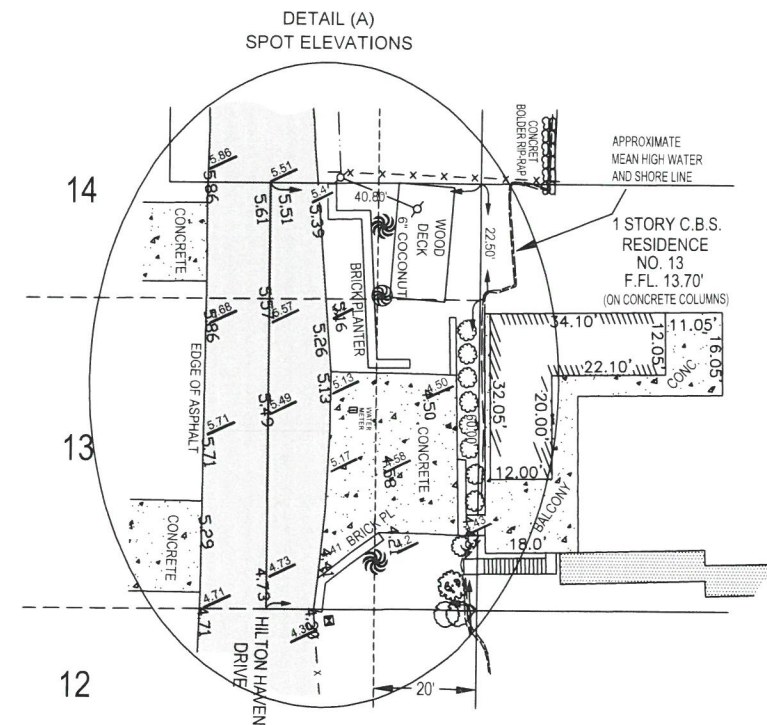
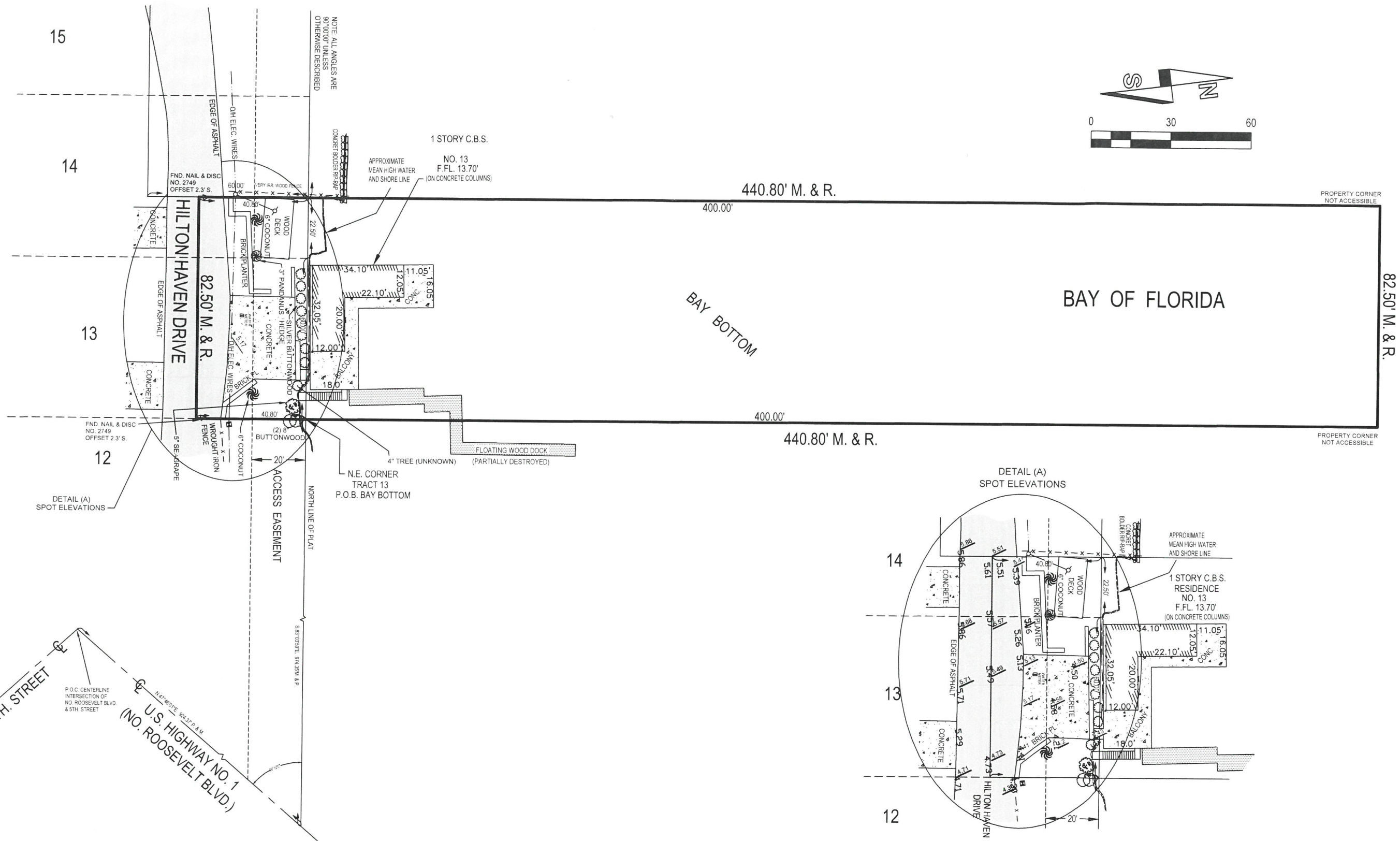
JOB No.	N/A
FIELD BOOK	N/A
SCALE	1"=30'
DRAWN:	DRF
REVISED:	EAM
SHEET No.	1 OF 2

### SURVEYOR'S CERTIFICATE:

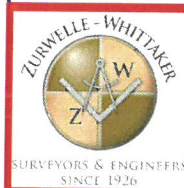
I HEREBY CERTIFY THAT THE ATTACHED "BOUNDARY SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027. ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN HEREON.

CAD FILE:  
\\Fred\Island Surveying Data\Data\MSM\Drawings\Key West\Hilton Haven\13 HILTON HAVEN 5.7.19.dwg





SURVEYORS NOTE:  
THIS IS SHEET 2 OF 2, FOR LEGAL DESCRIPTION NOTES, ABBREVIATIONS,  
LOCATION MAP AND ETCETERA PLEASE SEE SHEET 1 OF 2  
DRAWING SCALE 1"= 30' SHEET SIZE 13"X19"



**MONROE COUNTY SURVEYING & MAPPING, INC**  
SURVEYORS & MAPPERS, CIVIL ENGINEERS  
A DIVISION OF ZURWELLE-WHITTAKER, INC (ESTAB. 1926)  
1100 TRUMAN AVENUE, KEY WEST, FL 33040 CERTIFICATE OF AUTHORIZATION NO. LB8236  
PH: (305) 534-4668 OR (305) 293-0466 FAX: (305) 531-4589 WWW.MCSMCO.COM  
MEMBER: FLORIDA LAND SURVEYOR'S COUNCIL, FLORIDA SURVEYING AND MAPPING SOCIETY

PROJECT:

**WILLIAM R. GROSSCUP**  
**13 HILTON HAVEN DRIVE**  
**KEY WEST, FL 33040**

*Eddie A. Martinez*  
**EDDIE A. MARTINEZ**  
PROFESSIONAL SURVEYOR AND  
MAPPER NO. LS6755  
STATE OF FLORIDA

JOB No.	N/A	DRAWN:	FHH/DRF
FIELD BOOK:	N/A	REVISED:	EAM
SCALE:	1"=30'	SHEET No.	2 OF 2

REVISIONS

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED "BOUNDARY SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027. ALSO THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN HEREON.

CAD FILE:  
\\Fred\Island Surveying Data\Drawings\Key West\Hilton Haven\13 HILTON HAVEN 5.7.19.dwg



GENERAL NOTES

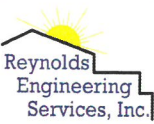
1. THESE PLANS ARE FOR THE CONSTRUCTION AT THE LOCATION SO DESIGNATED HEREIN.  
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.  
3. THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.  
4. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID, CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.  
5. NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS, ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED, ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL WILL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.  
6. THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THE WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.  
7. NO RESEARCH AS TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED ON OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND UTILITY EASEMENTS, ETC.).  
8. THE GENERAL CONTRACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSIGHTLY CONDITIONS.  
9. THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2017 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.  
10. SHOP DRAWINGS OF ALL PREFABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2017 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.  
11. THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.  
12. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.  
13. THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND (2) COMPLETE AS-BUILT SETS SHALL BE DELIVERED TO THE OWNER AFTER COMPLETION OF WORK.  
14. THESE PLANS, AS DRAWN AND NOTED, COMPLY WITH THE BUILDING ENVELOPE ENERGY REQUIREMENTS OF THE FLORIDA MODEL ENERGY CODE. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE GOVERNING CODE IN ITS ENTIRETY AND BUILD IN ACCORDANCE WITH ALL PROVISIONS OF THIS CODE.

SITE DATA

SITE ADDRESS: 13 HILTON HAVEN DR, KEY WEST, FL  
RE: 00001870-000000  
ZONING: MDR  
FLOOD ZONE: AE9  
F.I.R.M. - COMMUNITY#12087C; MAP & PANEL #1509 SUFFIX K. DATE:02-18-05  
SECTION/TOWNSHIP/RANGE: 32-67-25  
LEGAL DESCRIPTION: KW PT SEC 32 TWP 67S RGE 25E N SIDE OF HILTON HAVEN SUB PB2-138 N 40.8FT TR 13 & N 40.8FT OF EAST 22FT 6IN TR 14 & FILLED BAY BOTTOM  
OCCUPANCY: R-3 (RESIDENTIAL SINGLE FAMILY)  
TYPE OF CONSTRUCTION: VB

DESIGN DATA

THE WORK DEPICTED HEREIN WAS DESIGNED TO MEET THE REQUIREMENTS OF THE 6TH EDITION OF THE FLORIDA RESIDENTIAL BUILDING CODE (2017) AND THE LATEST EDITIONS OF THE FLORIDA MODEL ENERGY CODE: FIRE CODE, LIFE SAFETY CODE AND THE NATIONAL ELECTRIC CODE.  
THE FOLLOWING LOADINGS WERE USED:  
DESIGN LOADS: ASCE 7-10  
WIND LOAD: 180 mph; 3 sec gust; EXPOSURE D, ROOF LIVE LOAD 20 PSF, DEAD LOAD 15 PSF, FLOOR LL 40 PSF  
SOIL BEARING CAPACITY ASSUMED 2000LBS PER SQ.FT.  
FEMA FLOOD DESIGN PER ASCE 24-14  
RISK CATEGORY 2  
STRUCTURE TYPE: ENCLOSED

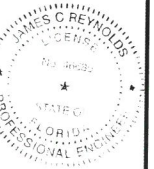


REVISIONS		
No.	DATE	REMARKS

Reynolds Engineering Services, Inc  
Fl. C.A. No. 26597  
24478 Overseas Highway  
Summerland Key, Fl. 33042  
305-394-5987  
jim@reynoldsengeerservices.com

SITE PLAN  
for  
Grosscup Residence  
13 Hilton Haven Drive, Key West, Fl.

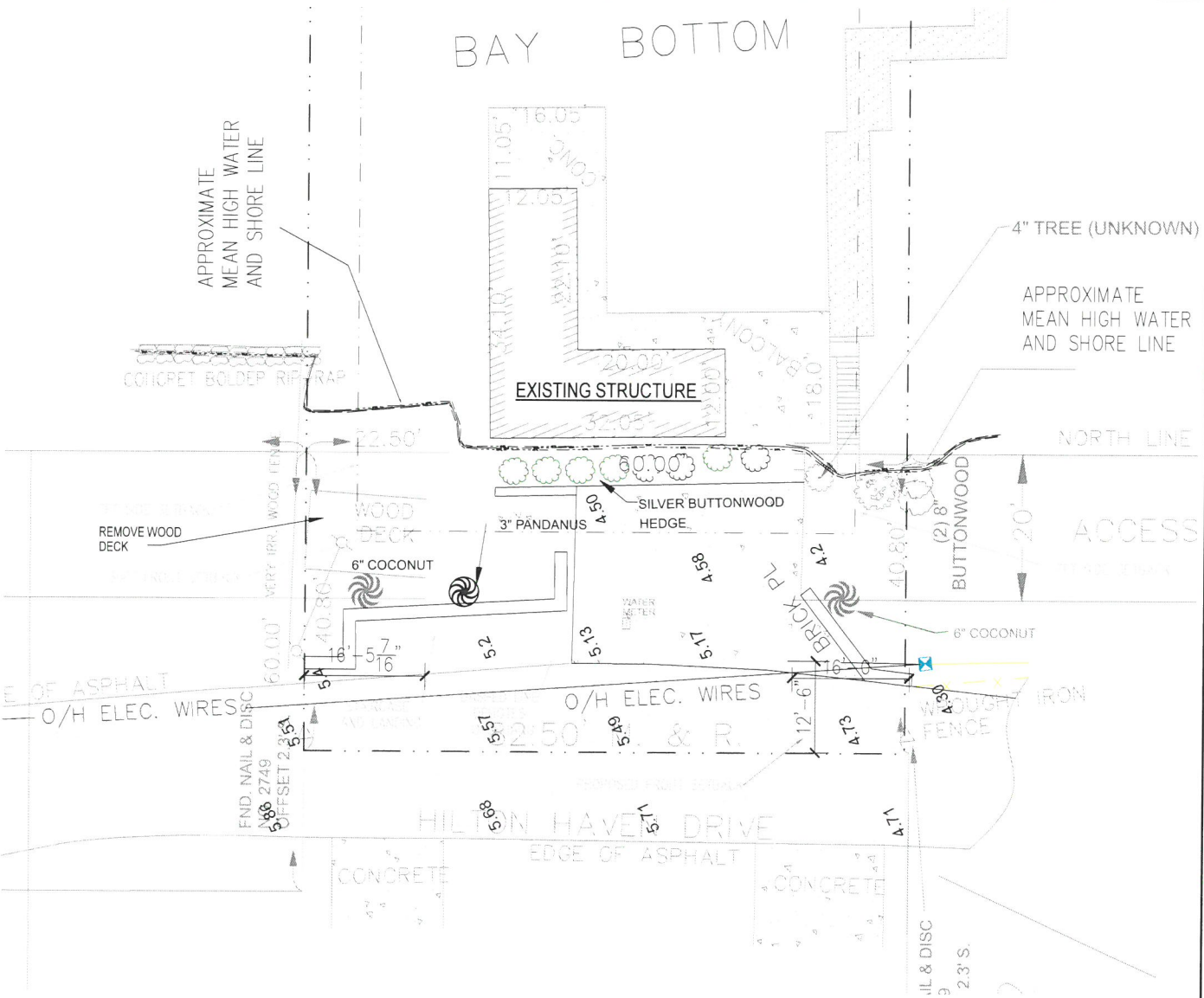
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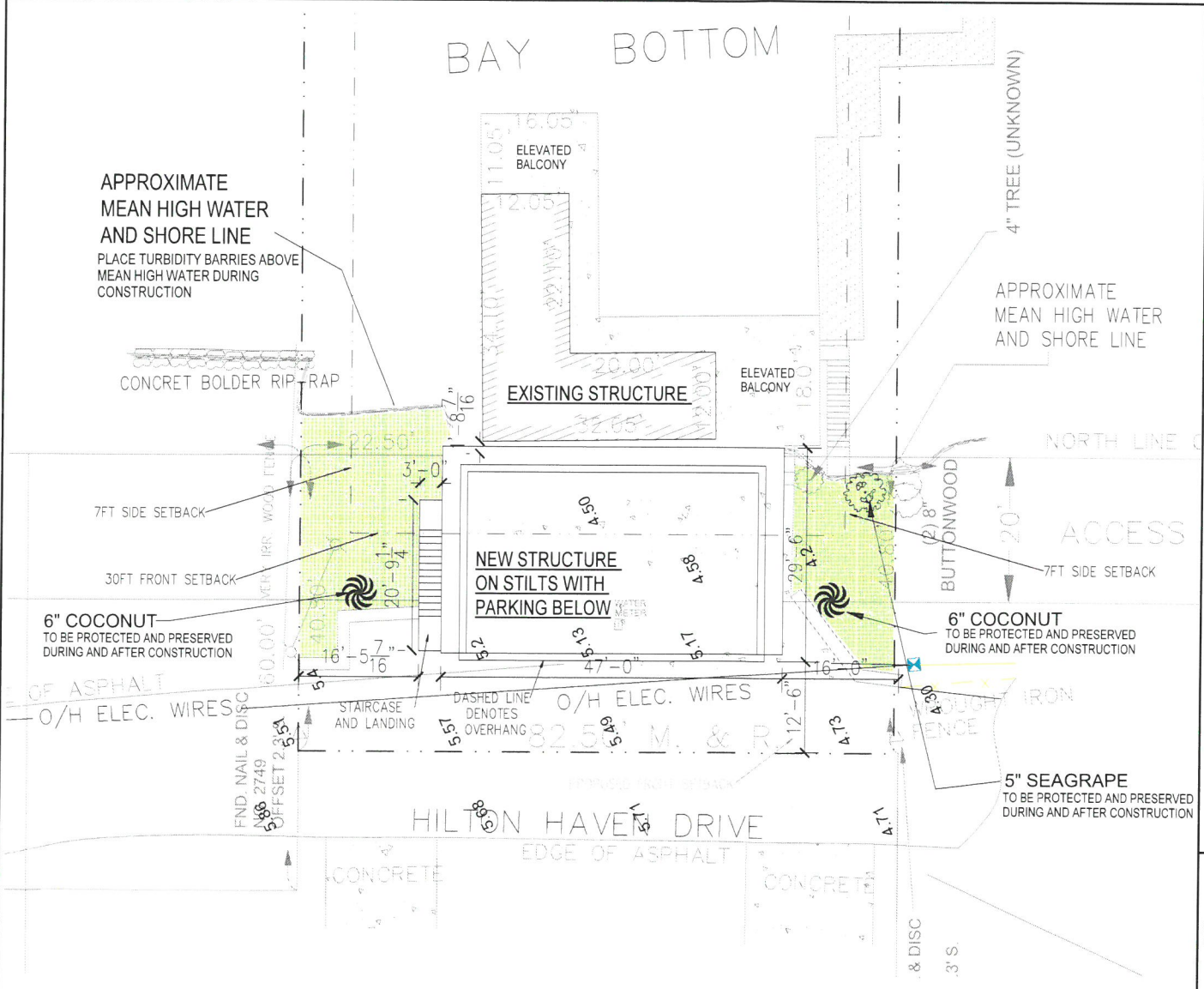
James C. Reynolds, PE  
Fl. License No. 46685

Date:  
10/21/2019

Page:  
1 of 1



EXISTING SITE PLAN  
SCALE: 1"=10'

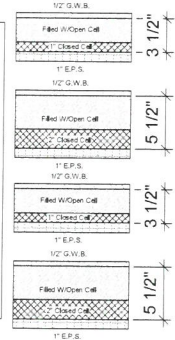


PROPOSED SITE PLAN  
SCALE: 1"=10'

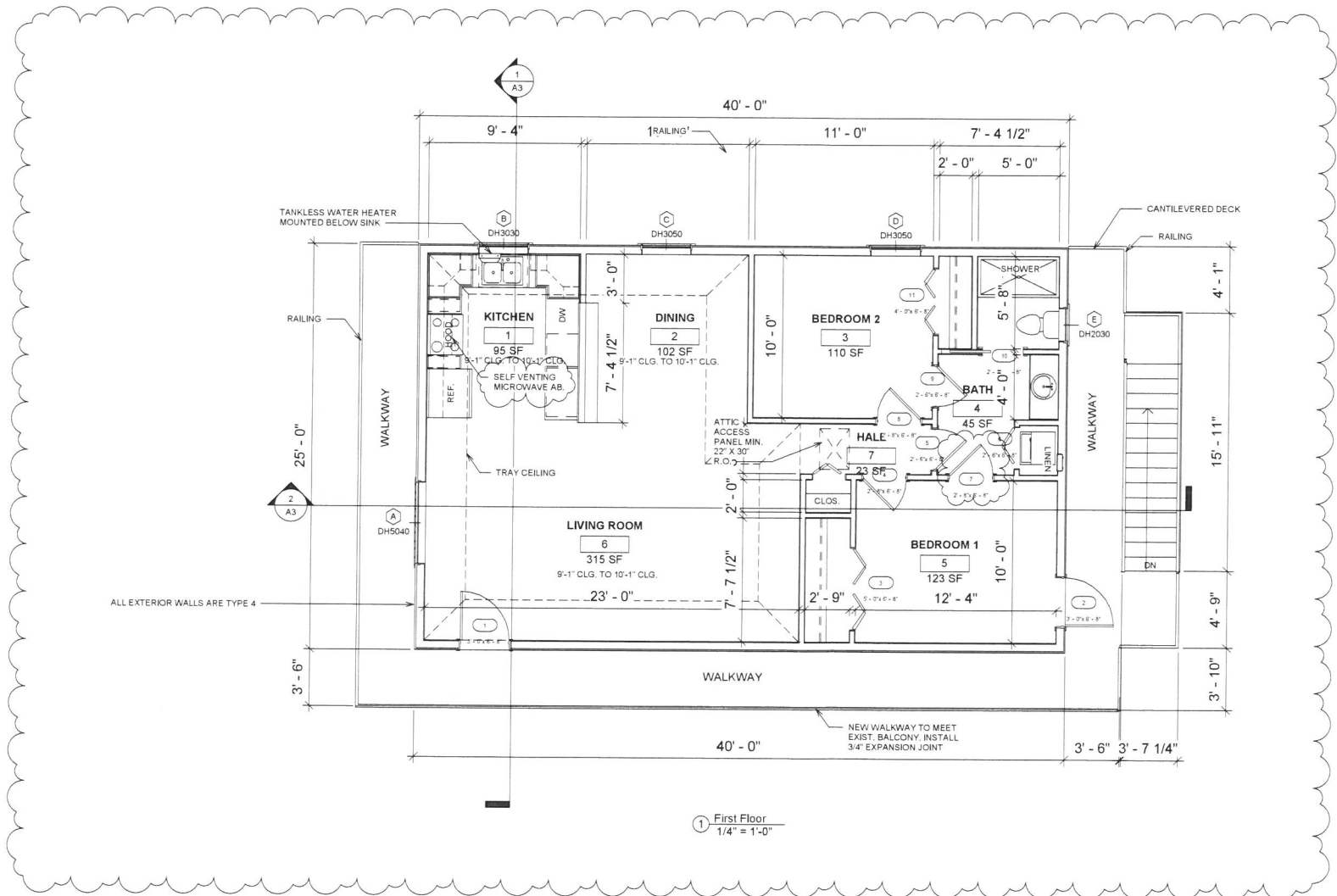
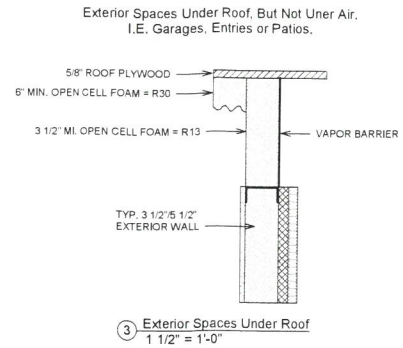




Nexgen X4 & X4+ Wall System Wall Board/Insulation Value Table				
Type	Stud Spacing			
1. 3 1/2" Exterior Wall & Garage Common	X4	24" O.C. Single Stud	1" E.P.S. + 1" Closed Cell Foam = R12	Optional Open Cell Foam up to R21
2. 5 1/2" Exterior Wall & Garage Common	X4	24" O.C. Single Stud	1" E.P.S. + 2" Closed Cell Foam = R18	Optional Open Cell Foam up to R31
3. 3 1/2" Exterior Wall & Garage Common	X4+	24" O.C. Double Stud	1" E.P.S. + 1" Closed Cell Foam = R12	Optional Open Cell Foam up to R21
4. 5 1/2" Exterior Wall & Garage Common	X4+	24" O.C. Double Stud	1" E.P.S. + 2" Closed Cell Foam = R18	Optional Open Cell Foam up to R31

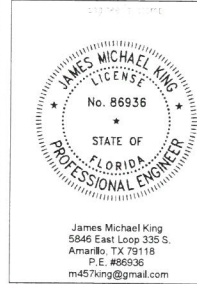


2 Wall Board/Insulation Value Table  
1 1/2" = 1'-0"



1 First Floor  
1/4" = 1'-0"

No.	Description	Date
1	City Comments	10/8/2019



James Michael King  
5846 East Loop 335 S.  
Amarillo, TX 79118  
P.E. #86936  
m457king@gmail.com

Tracking No.  
William R. Grosscup  
13 Hilton Haven Rd.  
Key West, FL 33040

Grosscup Residence  
Floor Plan  
Client Approval  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Client approval required prior to permitting and product changes requested by the client after approval shall be made by **Change order only**.

Project number  
Z:\projects\projects\2018\2018.046 Captain Bill\Captain Bill.rvt  
Date Started 7/12/2018  
Drawn by RCJ  
Checked by RCJ  
Scale As indicated

A1

# **Shoreline & Near-shore Waters Protection Plan**

*of a Proposed Single-Family Residence Construction*

*on*

**Parcel – 13 Hilton Haven Drive, N Side - Hilton Haven Sub-division  
Key West - RE# 00001870-000000; Sec 32 Twn 67 Rng 25**

*Provided by*

**Biosurveys, Inc.**

P.O. Box 500043 Marathon, Florida 33050

**February 25, 2020**

## **Introduction:**

The property owner – Mr. (Capt.) William Grosscup plans to build a single-family residence on his Lot located at 13 Hilton Haven Drive in Key West. The Lot includes a significant amount of riparian bay bottom on the north end beyond the shoreline. A stilt concrete storage facility with a surrounding deck is located immediately off-shore of the upland portion of the Lot. This structure is waterward of the approximate MHW line along the north end of the property. A concrete parking area or drive measuring 40 feet by 24 feet in size is located approximately centered landward of the MHW line on the Lot. Land area with light vegetation is found on the two sides abutting the property boundary lines to the east and west. The project as proposed will add a stilt structure covering the concrete parking / drive and a portion of land on the west side of the Lot. The ground level condition is not to be affected significantly and will afford parking / storage access under the new residence structure.

This protection plan is presented to comply with the Key West building permit policy to assure that the building application includes an analysis of existing environmental conditions, any potential impacts to natural resources, any pollution points, proposed design criteria for mitigating any impacts, and short term near-shore waters protection during the construction phase of the planned project.

## **Existing Conditions:**

The current shoreline area of the Lot consists of small boulder and cobble covered slope with a low angle of entry to the MHW line. The cobble banks are barren of significant ground vegetation with a row planting of Silver Buttonwood (*Conocarpus erectus var serica*) parallel to the shore for 53 feet. The Buttonwood shrubs are an average 8 feet in height. A 23 ft. section of the upland shoreline has a thick hedge of the invasive exotic – Beach Naupaka (*Scaevola taccada*). This is a State listed Class I pest plant and it should be eradicated and the area replanted with Mangroves in its place. Another pest plant is located near the shore on the northeast corner of the proposed structure. This tree is a Sea Hibiscus and classified as a Class II invasive exotic tree by the State. It is recommended that this tree also be removed for the development of a stormwater swale in its location.

Two Green Buttonwood Trees and a Sea Grape shrub are native plants found in this northeast corner of the upland area of the Lot. A large Gumbo Limbo tree with a trunk DBH of eight (8) inches is adjacent to a brick planter on the southwest corner of the Lot frontage. Also, immediately behind the planter and more centered is a nine (9) ft. high Pony Tail Palm (*Beaucarnea recurvata*) that will need to be removed for the planned SFR construction. This exotic plant could be transplanted elsewhere if the owner wishes. The existing brick planter contains various exotic landscape plants. These plants will remain with the planned construction. A row of hedge trimmed Silver Buttonwood will remain with the planned construction. A single Coconut Palm in the frontage is to remain.

Copy of Boundary Survey of Land Area – 13 Hilton Haven Dr.

bottom. The following aquatic macro algae plants were identified on hard surfaces within the near-shore bay bottom area:

### **Macro Algae Vegetation Plant Species Identified on Bay Bottom**

#### **Green Algae**

*Acetabularia calyculus*  
*Arrainvillea elliotii*  
*Batophora oerstedii*  
*Caulerpa sertularioides*  
*Halimeda incrassata*  
*Penicillus capitatus*

#### **Brown Algae**

*Dictyota divaricata*

#### **Red Algae**

*Chondria littoralis*  
*Laurencia poitei*  
*Spyridia hypnoides*

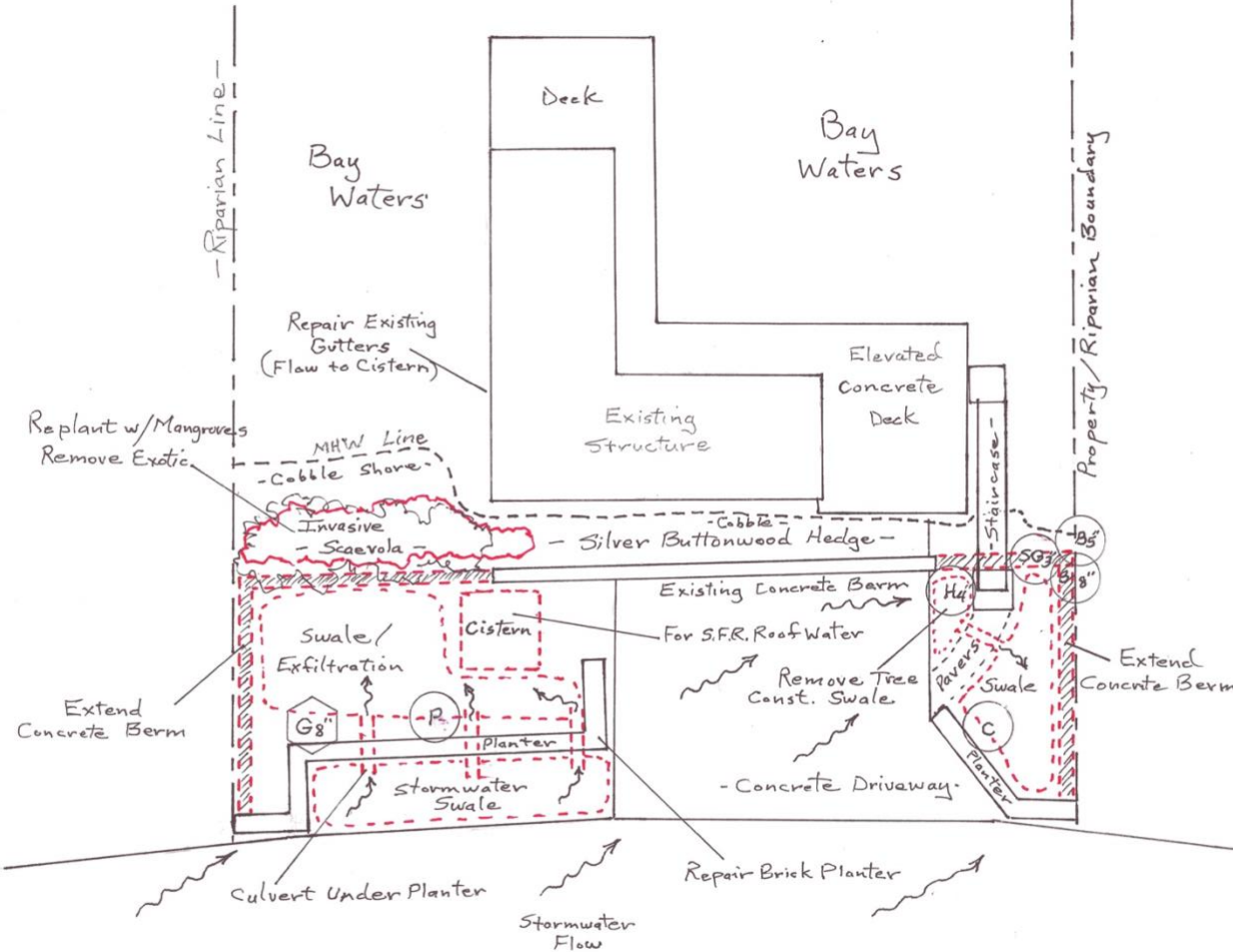
This inventory of underwater plants indicates a suitable level of dissolved oxygen and low levels of turbidity in the water. Bay bottom siltation appears low and there is no indication of severe erosion along the shoreline of the Lot. Indicators of surface water flow channels running into the bay water were not present or observed on this Lot during the assessment.

An existing eight (8) inch high by eight (8) wide concrete berm is located at the extend of the north end of the concrete parking / drive area of the Lot. This berm with a strong and wide base foundation currently acts to contain and slow stormwater as it sheets toward the shoreline of the Lot. The structure is probably responsible for partial protection of the Lot shoreline from non-point pollutants or turbidity running off of the street and drive. The row of Silver Buttonwood shrubs is located waterward between this berm and the MHW line. A continuation of this berm is recommended from lot-line to lot-line for long term retention and direction of stormwater on the Lot. A discussion of this key structure and the role it plays follows later in the assessment.

The southeast side of the property contains a staircase pad with an entrance gate and a brick planter along the frontage of the Lot – ending at the east property line. This planter forms a diversion for stormwater onto the concrete parking area and into ground area near the staircase pad. A Coconut Palm tree (*Cocos nucifera*) is located waterward of the planter. Numerous landscape plants are found in the open ground area and planter. This side of the property is over a foot lower than the west lot side. The street elevation is higher than that of the Lot. Sheet stormwater flows from the street into the subject Lot and toward this lower east side. Protection strategy must detain, retain, and treat this surface flow on the upland areas of the Lot. See diagram of treatment recommended.

# Near-shore Water/Shoreline Protection

13 Hilton Haven Dr. - Key West, Proposed Project



## Legend:

- Canopy Tree  
Gumbo Limbo 8" DBH
  - B - Green Buttonwood
  - C - Coconut Palm
  - H - Sea Hibiscus
  - P - Pony Tail Palm - Exotic
  - SG - Sea Grape
  - Remove - Sea Hibiscus - Category II
  - Remove - Invasive Exotic
  - Remove - Scaevola t. - Cat. I
  - Invasive Exotic
- Note: Silver Buttonwood to Remain Along Shoreline per Owner

- To be Constructed

- Paved Hilton Haven Drive -

2/25/20  
Biosurveys, Inc.



### **Protection Plan of Action for Lot Shoreline and Near-shore Water:**

The above Lot diagram using the land survey as a base, presents the recommended bay water quality treatment for the proposed building project. A comprehensive assessment identified the BMP means to provide swales or berms to detain and retain surface stormwater from migrating into the shoreline area ultimately reaching the bay waters. These structures would be easily constructed along with soil holding plant cover to prevent shoreline soil erosion. This will reach the objective of reasonable assurance that adverse water-resource related impacts will not originate from this property both pre and post construction. The proposed building project would provide water quality treatment volume based on the surface water flow during rain events. The amount of impervious structures will be off-set by the proposed upland swales and berms. Major actions recommended are:

1. Continue the concrete berm across the Lot and turning it toward the frontage to continue up each side property line. This action would detain stormwater from crossing the Lot at all points and divert it to treatment sites shown in dashed red on the above diagram.
2. Form relative low grade elevation swales to hold and treat stormwater in ground areas of the Lot.
3. Install flow culverts or pipes under the west side brick planter & the east paver walkway (to be constructed) to connect & balance water flow treatment in the separated swales.
4. Remove the invasive Sea Hibiscus tree identified on the above diagram to aid in swale development.
5. Remove the pest plant – Beach Naupaka located on the west shoreline and replace it with nursery grown Mangroves. Red Mangroves planted along the MHW line and Black Mangroves landward on the shoreline NTE eight feet in planted width. 3 gal. pots should be used and planted on 3 foot centers. Ground cover planting is to hold soils in place until Mangrove establishment.
6. Install or construct an appropriate cistern under the proposed structure to receive roof water through a gutter system designed to move rainwater off of both the existing storage structure and the new proposed SFR. (see below site plan with red markup of a roof gutter cistern system).
7. Upgrade roof line gutter system on the existing storage facility for implementing a cistern collection system for rainwater.



**Construction Measures for Shoreline / Water Quality:**

Silt screens and synthetic absorption bales or other sediment control products shall be used during all construction action on the Lot site. Properly anchored along the upland shoreline, this control will assure retention and treatment of turbidity from freshly disturbed soils and ground cover. It is to be placed parallel to the MHW line. This measure needs to be installed prior to commencement of any clearing or construction and remain in place until all construction ceases and the CO granted. Replanting should immediately follow construction to prevent erosion along the shoreline. Swales should be planted with appropriate ground cover such as grasses and low shrubs to hold soils.

**Recommended Planting Table**

Planting Inventory – for Shoreline Pest Plant Replacement  
& Swale Soils Cover

Scientific Name	Common Name	Form	Count	Units
<i>Avicennia germinans</i>	Black Mangrove	Canopy	20	3g. Pots
<i>Laguncularia racemosa</i>	White Mangrove	Canopy	5	“
<i>Rhizophora mangle</i>	Red Mangrove	Canopy	32	“
<i>Borrchia spp.</i>	Sea Daisy/Oxeye	Ground Cover	15.	1g. Pots
<i>Distichlis spicata</i>	Seashore Saltgrass	Grass	45	Pods*
<i>Sporobolus virginicus</i>	Seashore Dropseed	Grass	40.	Pods
<i>Spartina patens</i>	Saltmeadow Cordgrass	Grass	50	Pods

\*20 oz.Containers

**Post Planting Care and Maintenance:**

Following the replanting action of this Plan, the Lot owner is responsible for necessary irrigation, exotic weed control, pest insect or disease monitoring, and any storm event damage. Any irrigation needs would be temporary to make certain the plants become well established. The goal is to ensure that the mangroves and ground cover plants are maintained to perpetuate natural habitat in optimal conditions and to prevent any impacts from occurring to the new vegetation. This will involve long term vigilance to prevent encroachment of the plants by invasive exotic vegetation, fire hazard, any use as material storage, non-use of herbicides, or other adverse activity that could jeopardize the new habitat health.



## Lot Photos – Existing Conditions



**Lot View frm. Hilton Haven Dr. – Conc. Drive.**



**West Frontage Brick Planter & Proposed Swale Area in the Front. Street Edge Visible.**



**East Side – Brick Planter & Swale Area Behind. Sea Hibiscus Tree to left in Photo.**



**View Unfinished Conc. Berm at Rear of Drive Pad**



**Silver Buttonwood & Berm Below – Rear of Drive.**



**Shoreline & Base of Silver Buttonwood Hedge**





**Pest Plant *Scaevola t.* at the West Shoreline of Lot.  
(State Listed Class I Invasive Exotic Plant).**



**Shoreline Area at Base of the Invasive Plant.  
On SW Side of Lot.**



**Typical Shoreline Condition & Replanting Area.  
*Scaevola t.* is to the Right in Photo.**



**Water & Shoreline at Gang Ramp of Balcony**



**Staircase Base on Shoreline & Ramp to Right.**



**Sea Hibiscus Tree to be Removed for Swale Const.  
(Tree is a Class II State Invasive Exotic)**



Date created: 2/26/2020  
Last Data Uploaded: 2/26/2020 2:11:14 AM

**Site Visit**





















































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13

65R 011742





























# **Additional Information**



### Summary

**Parcel ID** 00001870-000000  
**Account#** 1001970  
**Property ID** 1001970  
**Millage Group** 10KW  
**Location** 13 HILTON HAVEN Dr, KEY WEST  
**Address**  
**Legal** KW PT SEC 32 TWP 67S RGE 25E N SIDE OF HILTON HAVEN SUB PB2-138 N 40.8FT TR 13 & N 40.8FT OF EAST 22FT 6IN TR 14 & FILLED BAY BOTTOM  
**Description** OR204-475(II DEED NO 22677) OR400-409/410 OR673-465/467 OR815-1693/1695 OR871-1671Q/C OR1332-1287/1303-E(RES NO 94-484)OR1437-2393Q/C OR1437-2394(BILL OF SALE) OR1442-2436Q/C  
*(Note: Not to be used on legal documents.)*  
**Neighborhood** 6225  
**Property Class** VACANT RES (0000)  
**Subdivision**  
**Sec/Twp/Rng** 32/67/25  
**Affordable Housing** No

### Owner

GROSSCUP WILLIAM R REV TR  
 13 Hilton Haven Rd  
 Key West FL 33040

### Valuation

	2019	2018	2017	2016
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$4,928	\$4,928	\$4,928	\$4,928
+ Market Land Value	\$206,093	\$142,169	\$142,169	\$142,169
= Just Market Value	\$211,021	\$147,097	\$147,097	\$147,097
= Total Assessed Value	\$161,807	\$147,097	\$147,097	\$139,637
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$211,021	\$147,097	\$147,097	\$147,097

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
VACANT WATERFRONT (00MW)	2,254.80	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	0.67	Acreage	0	0
EASEMENT (000E)	1.00	Lot	0	0

### Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CONC PATIO	1975	1976	1	450 SF	2
FENCES	1975	1976	1	819 SF	3

### Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
7/1/1995	\$90,000	Quit Claim Deed		1437	2393	O - Unqualified	Improved
7/1/1980	\$55,000	Warranty Deed		815	1693	Q - Qualified	Improved
2/1/1976	\$3,000	Conversion Code		673	465	Q - Qualified	Improved

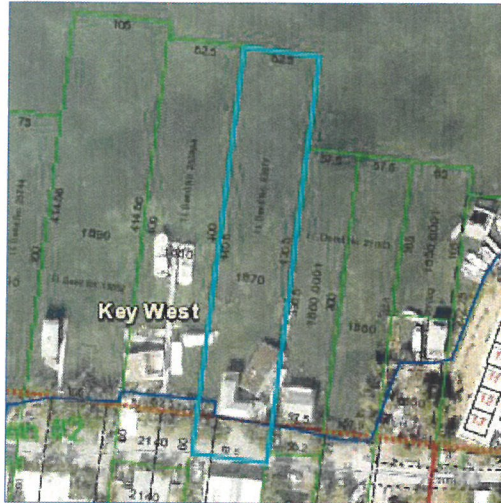
### Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
11-0409	2/9/2011	1/23/2011	\$2,300	Residential	NEW W/H, WASHER, VANITY SHOWER AND MOP SINK IN NEW CONSTRUCTION.
10-3911	1/11/2011	12/30/2011	\$80,000	Residential	TO CONSTRUCT A CONCRETE DECK AND STORAGE AREA AS PER DRAWINGS
04-1687	5/25/2004		\$5,140	Residential	RED TAGGED TO BUILD ADDITIONAL STORAGE
9702025	7/1/1997	7/1/1997	\$1,000	Residential	MOORING PILINGS (2)

### View Tax Info

[View Taxes for this Parcel](#)

## Map



## TRIM Notice

[Trim Notice](#)**2019 Notices Only**

No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Exemptions, Sketches (click to enlarge), Photos.

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

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Version 2.3.31