



# Council Communication

**To:** Mayor and Village Council  
**From:** Jennifer DeBoisbriand , Planning Director  
**Date:** October 7, 2025  
**SUBJECT:** **Administrative Appeal of Dwelling Unit Determination for 82925 and 82929 Overseas Hwy TAB C**

## **Background:**

The subject properties are located at 82935, 82929 and 82925 Overseas Highway with the Real Estate Numbers 00403650-000000, 00403640-000000 and 00403630-000000 (the "Property"), and are within the Village Center (VC) zoning district.

In December of 2023, the Applicant requested a dwelling unit determination for the three properties he owns. After some research and a couple meetings the Village issued a determination recognizing two (2) legally established market rate dwelling units and 3,456 square feet of non-residential floor area. After the determination was issued the applicant requested reconsideration. The Planning Director was on vacation so to preserve their appeal rights the filed an appeal about a week later. As staff is not able to reconsider its decision, the applicant has asked that the appeal proceed.

## **Analysis:**

Staff's complete analysis of the dwelling unit determination for the three lots owned by the Applicant can be found in the letter dated June 7, 2024. I will highlight some points here. The Village Comprehensive Plan, Chapter 3: Housing Element Data Inventory and Analysis table 3-13: Inventory of Existing Mobile Home Parks did not include or recognize the subject property(s) a lawfully established mobile home park.

The Monroe County zoning regulations did not allow for dwelling units without a primary commercial use. Mobile Homes/Trailer Parks were considered residential under the Monroe County Code.

Village Code Section 30-473 identifies certain criteria used to determine the existence of legally established dwelling units. For property 1 Criteria 1 & 3 have not been met. Property 1 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village does not recognize any legally established dwelling units on Property 1. For property 2 criteria 1 & 3 have not been met. Property 2 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village recognizes one dwelling unit, although the county regulations did not allow it without commercial use, there is some indication a portion of the garage addition was used in conjunction with the auto shop on Property 3. For property 3, Criteria 1 has been met. The Village recognizes one legally established dwelling unit and 3,456 square feet of non-residential floor area on Property 3.

In total the Village recognizes two (2) legally established dwelling units and 3,456 square feet of non-residential floor area.

That Applicant argues that "Howells Trailer Park" was licensed by the Department of Health and FL DBPR as early as 1977. However, our code requires licenses and permits from either Monroe County or the Village and there is a significant lapse in licensing. The licensing stopped sometime in the mid 1980's until about 2013.

The applicant refers to an email from the Florida Keys Electric Cooperative (FKEC) regarding the number of meters on the property. As many of us know, electric meters can be installed on a property for a variety of reasons. Having a meter does not mean there is a separate dwelling unit. That is why the code requires bills/receipts from the utility company.

Finally, the Applicant makes an estoppel argument based on wastewater connections. The number of Equivalent Dwelling Units (EDU's) for wastewater is calculated based on existing usage regardless of permitted uses/structures. Usage is typically calculated by using water records to estimate EDU's. There is no connection between usage and legally established dwelling units.

To succeed on an estoppel claim, the Applicant must show: (1) the Applicant relied in good faith; (2) upon a material act or omission of the Village; and (3) the Applicant made such a substantial change in position or incurred such extensive obligations and expenses in reliance on the act or omission that it would be highly inequitable and unjust to destroy the right the Applicant acquired. Essentially, the Applicant needs to prove that an act or omission by the Village caused the Applicant to expend such a significant amount of funds that not granting them the nine (9) additional dwelling units would be highly inequitable and unjust. The Village is unaware of an act or omission which Applicant relied upon in good faith which would support a claim for equitable estoppel.

After review with legal counsel, staff do not believe that an estoppel argument applies in this case.

**Budget Impact:**

None

**Staff Impact:**

None

**Recommendation:**

Based on the staff analysis and compliance with the Village Code, Staff recommends denial of the appeal.

**Attachments:**

1. Bologna Appeal CC Back up
2. 4BH1508-PLPRE20230193 Bologna Reso Final v.2





**Islamorada, Village of Islands**  
**Planning & Development Services**

86800 Overseas Highway, Islamorada, FL 33036  
T: 305-664-6400, F: 305-664-6467

**APPLICATION FOR ADMINISTRATIVE APPEAL**

Pursuant to Code Chapter 30, Article IV, Division 4

Application Type:	Fee:	*Deposit:	Total Fee:
Residential	\$1,800.00	\$500.00	\$2,300.00
Nonresidential	\$3,900.00	\$500.00	\$4,400.00

\* A deposit is required for development approval or permits which necessitate additional review and processing, and/or public hearing and notice requirements. Applicants are required to pay a cost recovery deposit which shall be credited toward the fee charged for such additional review and processing and shall pay additional deposits as may be required from time to time. A debit based upon the actual time expended in reviewing an application and the applicable actual amount charged to the Village shall be charged against the cost recovery deposit.

Any person aggrieved by an administrative decision or interpretation of the Director of Planning and Development Services, the Building Official or other Village administrative official regarding the provisions of Chapter 30, Land Development Regulations, of the Code of Ordinances of Islamorada, Village of Islands, may appeal such decision or interpretation. The appeal shall be initiated within 30 days of the date of the administrative decision or interpretation by filing this application with the Director.

**APPELLANT:**

Name: Gino Bologna and Piera Bologna  
Mailing Address: Joanne Marie Pereira, Esq. 88539 Overseas Highway, Tavernier FL 33070  
Primary Phone: 305-852-8440 Fax: 305-852-8848  
Email: jpereira@hlylaw.com

**AGENT (if applicable):** Property owner must submit a **notarized** letter authorizing the applicant/agent to act on their behalf including the agent's name, address and phone number.

Name: Joanne Marie Pereira, Esq.  
Mailing Address: 88539 Overseas Highway, Tavernier FL 33070  
Primary Phone: 305-852-8440 Fax: 305-852-8848  
Email: jpereira@hlylaw.com

**PROPERTY OWNER:**

Name: Gino Bologna and Piera Bologna  
Mailing Address: Joanne Marie Pereira, Esq. 88539 Overseas Highway, Tavernier FL 33070  
Primary Phone: 305-852-8440 Fax: 305-852-8848  
Email: jpereira@hlylaw.com

**LEGAL DESCRIPTION OF PROPERTY:** If in metes and bounds, attach legal description on separate sheet.

Physical Address: 82935 OVERSEAS Hwy, 82929 OVERSEAS Hwy and 82925 OVERSEAS Hwy Mile Marker: 82

Lot: 15 Block: 1 Subdivision: Ocean View

☐ Plantation Key ☐ Windley Key ☒ Upper Matecumbe Key ☐ Lower Matecumbe Key

Real Estate (RE) Number: 00403650-000000 - 00403640-000000 - 00403630-000000 Alternate Key: 1495964 - 1495956 - 1495948

Zoning District: Village Center (VC) Future Land Use Category: MU

Application for Administrative Appeal

Are there any pending codes violations on the property? ☐ Yes (Case # \_\_\_\_\_) ☒ No

**A COPY OF THE BASIS FOR THE APPEAL IN THE NATURE OF AN INITIAL BRIEF AND ANY EVIDENCE INCLUDING TESTIMONY, AFFIDAVITS AND THE CURRICULUM VITAE OF ANY EXPERT WITNESS THAT WILL BE CALLED MUST BE ATTACHED TO THIS APPLICATION.** The brief must at a minimum state all grounds for the appeal, including but not limited to, the law being appealed and any facts necessary for the interpretation of those laws. (Attach additional sheets of paper.)

**All of the following must be submitted in order to have a complete application:**

- ☒ Correct fee – Total Fee (check or money order to “Islamorada, Village of Islands”, or payment online through the portal)
- ☒ Proof of ownership (i.e. warranty deed)
- ☒ Current property record card(s) from the Monroe County Property Appraiser
- ☒ A copy of the document(s), which comprise the administrative decision being appealed
- ☒ Any evidence and record which forms the basis for the appeal must be submitted with this application
- ☐ Names and addresses of all expert witnesses that you propose to call at the hearing
- ☒ Photograph(s) of site from adjacent roadway(s)
- ☒ Notarized agent authorization letter from all owners of the subject property (if applicable)
- ☐ Signed and sealed boundary survey (if applicable)

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information. If new evidence, or the basis for appeal, is submitted at the hearing, Staff shall request that the hearing be continued to the next meeting so that Staff has the opportunity to prepare a response to the new evidence. If the applicant does not submit the basis for the appeal with the application, Staff will recommend denial of the appeal.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate. I certify that all information required has been provided.

Digital signatures do not require notarization when they can be verified by a Trusted Certificate issued by a third-party Certificate Authority. If you are not using a “verifiable digital signature”, print this document and have it notarized.

Signature of Applicant

Date

Print Name:

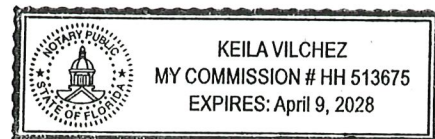
STATE OF

COUNTY OF

Sworn to and subscribed before me by means of ☒ physical appearance or ☐ online notarization, this 8<sup>th</sup> day of July, 20 24, by Joanne Marie Pereira (name of person signing the application) as Agent (type of authority e.g. officer, manager / member, trustee, attorney in fact) for Gino Bologna (name of entity or party on behalf of whom application was executed).

Signature of Notary Public

SEAL:



☒ Personally Known ☐ Produced Identification

Type of ID \_\_\_\_\_





82935 Overseas Hwy



82935 Overseas Hwy



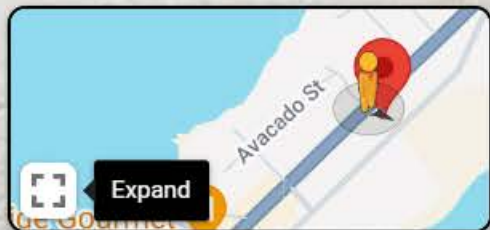
Islamorada, Florida



Google Street View

Jun 2023

[See more dates](#)



Google







<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
List Misc. Improvements No Existing Misc.	Add to Misc. Improvements	Delete Existing Misc. Improvements Add New Data	X Indicates Flat Value	

Type Code	X if Notes	Number of Units	Unit Type	Economic Life	Year Built	Grade	Length	Width	Depreciated Value
MISCELLANEOUS IMPROVEMENTS									



OCEAN VIEW  
58.1 LOT 13

RE: 403 630 - 00000  
8-20-86

Appraiser	Date of Appraisal	MONTH	DAY	YEAR
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NOTES
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D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction
BUILDING PERMITS					



OCEAN VIEW #00403630  
4-4-90

old road  
manotkion

(Howells TRAILER PARK)

32'	32'	32'
24'-01		
32'		

FAMILY

$$\begin{array}{r} 32 \\ \times 32 \\ \hline \end{array}$$

FIELD NOTES

SITS ON HWY  
FRONTAGE  
US#1  
CLASSIC



ORDER VIEW

12  
FLA  
32  
32  
12

FOR REFERENCE ONLY

D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction

RECHECK ON THIS ENTIRE PARCEL

NOTES

YEAR	DAY	MONTH
------	-----	-------

Date of Appraisal

Appraiser

Type Code	X if Notes	Number of Units	Unit Type	Economic Life	Year Built	Grade	Length	Width	Depreciated Value
No Data									

FIELD NOTES

List Misc. Improvements No Existing Misc.	<input type="checkbox"/>	Add to Misc. Improvements	<input type="checkbox"/>	Delete Existing Misc. Improvements Add New Data	<input type="checkbox"/>	X Indicates Flat Value	<input type="checkbox"/>
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12  
39  
39  
FLA  
12

FOR RETIREMENT ONLY

D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction
BUILDING PERMITS					

NOTES

Appraiser

Date of Appraisal

MONTH DAY YEAR

Type Code	X If Notes	Number of Units	Unit Type	Economic Life	Year Built	Grade	Length	Width	Depreciated Value										
<p>Handwritten signature: J. B. G. G. G.</p>																			

FIELD NOTES

List Misc. Improvements	Add to Misc. Improvements	Delete Existing Misc. Improvements	X Indicates Flat Value
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AK: 1495948

RE: 00403630

PARCEL OR PROPERTY IDENTIFICATION NUMBER

RP
RP
RP
TAG NUMBER

## DECLARATION OF MOBILE HOME AS REAL PROPERTY

To the Appraiser and Collector of Monroe County, Florida:

I, the undersigned, request that the mobile home described below be assessed as real property. Said mobile home, of which I am the registered owner, was previously licensed as a motor vehicle.

DESCRIPTION OF MOBILE HOME: SINGLE WIDE ☒ DOUBLE WIDE ☐ TRIPLE WIDE ☐  
Does your mobile home have an attachment or utility building? Yes ☐ No ☐

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED		
CLAS		83		
IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER		
GDOCF150829375		20302886		
YEAR PURCHASED	PRICE NEW	PRICE USED	LENGTH & WIDTH	CONDITION
	\$	\$	36	( ) NEW ( ) FAIR ( ) ( ) GOOD ( ) POOR REPOSSESSED

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

### DESCRIPTION OF LAND:

Ocean View , Upper Matecumbe  
lot 13, Square 1  
RP: as 1987

Mobile Home Assessed For Year(s) \_\_\_\_\_

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained are true to the best of my knowledge and belief.

DATE 3-16-90

Gino D. Bologna  
SIGNATURE OF APPLICANT

Gino Bologna  
P. O. Box 451  
Islamorada, Fl. 33036

### PROPERTY APPRAISER TO COMPLETE THIS PORTION

Owner has presented Registration Certificate at time of application. ( ) YES ( ) NO  
Owner has presented Bill of Sale at time of application. ( ) YES ( ) NO

I certify that the foregoing return was filed in the office of the property appraiser addressed, and that the above described mobile home is included in an assessment for ad valorem taxation of the property of the person described above as the registered owner of such mobile home.

DATE 3-16-90

Jeannie N. Johnson  
PROPERTY APPRAISER Deputy

PROPERTY APPRAISER'S COPY

AK:

DR-402  
R. 6/83

AK: 1495948

RE: 00403630

PARCEL OR PROPERTY IDENTIFICATION NUMBER

RP
RP
RP
TAG NUMBER

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DESCRIPTION OF MOBILE HOME: SINGLE WIDE ☒ DOUBLE WIDE ☐ TRIPLE WIDE ☐  
Does your mobile home have an attachment or utility building? Yes ☐ No ☐

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED
Marathon		1955
IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER
E493252		8694605
YEAR PURCHASED	PRICE NEW	PRICE USED
	\$	\$
LENGTH & WIDTH	CONDITION	
	( ) NEW ( ) FAIR ( )	
	( ) GOOD ( ) POOR REPOSSESSED	

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

## DESCRIPTION OF LAND:

Ocean View, Upper Matecumbe

Lot 13, Square 1

RP: as of 1990

Mobile Home Assessed For Year(s) \_\_\_\_\_

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained herein are true to the best of my knowledge and belief.

3-16-90  
DATE

Gino D. Bologna  
SIGNATURE OF APPLICANT

Gino Bologna

P. O. Box 451

Islamorada, Fl. 33036

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3-16-90  
DATE

Jeanne N. Johnson  
PROPERTY APPRAISER

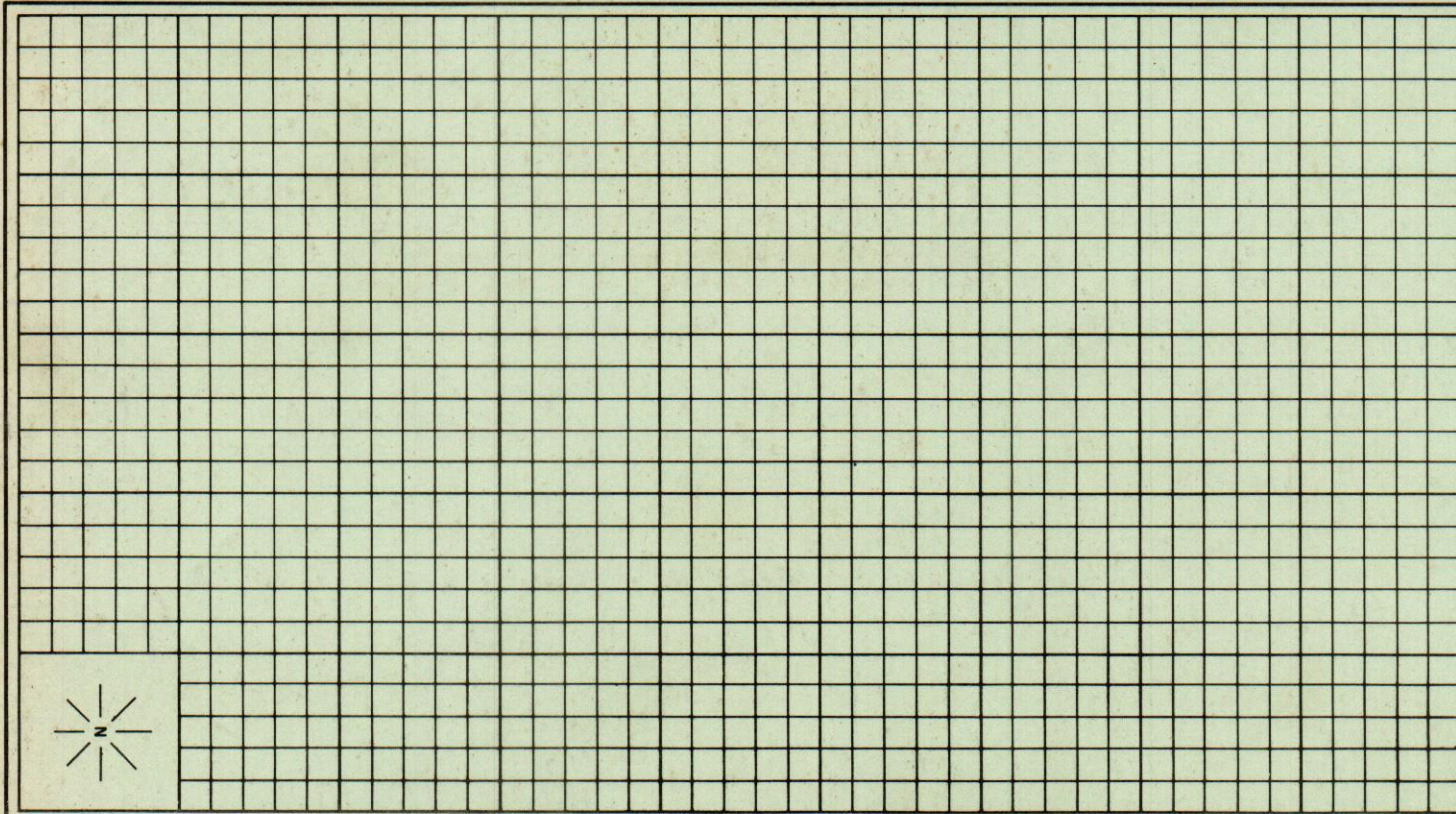
Deputy

APPRaiser's COPY









CARD	/	SCALE 1" =	LAND USE CODE
PLOTTED		FLOWK. BY	DATE
RANDOM		CLASSED BY	DATE

CONSTRUCTION DATA									
IMPROVEMENT	1	2	3	4	IMPROVEMENT	1	2	3	4
TYPE OF STRUCTURE						INTERIOR FINISH			
					Unfinished				
					Wd. or Cell. Bds.				
					Wallboard				
					Plaster, No Furring				
YEAR BUILT					Plaster, Furring				
					Drywall				
					Wood Panel				
ROOMS									
Total Rooms						FLOORS			
Eff. Apts.					None				
— Rm. Apts.					Single Pine				
— Rm. Apts.					Concrete				
No. of Baths					Conc., Asph. Tile				
No. of Rest Rms.					Conc., Terrazzo				
— Fixt. R. Rms.					Double Pine				
— Fixt. R. Rms.					Double Hardwood				
Total Fixtures					Precast Conc.				
FOUNDATION									
Continuous Wall					Parquet				
Piers					Conc. Q. Tile				
Piling					Conc. Car. Tile				
ADJUSTMENTS									
Frame					Marble				
Height									
Front & Interior					PLUMBING				
Apt. Equiv.					None				
Partitions					Poor				
Special Use					Good, Plain				
					Good, Tile				
HEATING									
					None				
					Unit Heat				
					Chfri. Heating				
					Chfri. Cooling				
					Chfri. Cool & Heat				
ELECTRICITY									
					None				
					Poor				
					Average				
					Good				
					CLASS & SCALE				
					CONST. UNITS				
					CLASS UNITS				
					TOTAL UNITS				
					BASE RATE				
					ADJ. RATE				
					AREA				
					E.F.				
					E.F.				
					REP. COST NEW				
					CONDITION				
					DEP. REP. VALUE				
DEPRECIATION ADJUSTMENT									
	NO.	PHY.			ADJUSTMENT		COND.		
	1								
	2								
	3								
	4								
ROOF TYPE									
Flat, Shed									
Hip, Gable									
Bar Joist									
Wood Truss									
Prestressed									
Steel Truss									
ROOF MATERIAL									
Sht. Mtl. Roll									
T. & G. B.U.									
Shing., Wd., Etc.									
Shing., Asbestos									
Tile, Cement									
Tile, Clay									
Bermuda									
Slate									
Gypsum									



HOWELLS CHARLES & ANNA M.  
P.O. BOX 451  
ISLAMORADA 33038

OCEAN VIEW  
UPPER MATECUMBE  
LOT 14 SQR 1  
OR 722-735-736  
OR 727-484  
OR 732-374

TRAILER PARK

LAND COMPUTATIONS						
QUAN. - TYPE - DESC.	SIZE - AREA	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
Lot 14	50x150					5300
						6400
						9950
TOTAL						14400



FEB '61

PHOTO  
IMP # 3



11-3-66

PHOTO  
IMP # 4

# REAL PROPERTY RECORD CARD

MONROE COUNTY, FLORIDA  
AK: 1495956

VALUATION TOTALS		
1966	LAND	4000
	IMPROVEMENTS	8396
	TOTAL	12396
1947	LAND	4000
	IMPROVEMENTS	14,700
	TOTAL	18,700
1921	LAND	5300
	IMPROVEMENTS	14,700
	TOTAL	20000
1921	LAND	6400
	IMPROVEMENTS	14,700
	TOTAL	21100
1974	LAND	9950
	IMPROVEMENTS	19,700
	TOTAL	29650
19__	LAND	
	IMPROVEMENTS	
	TOTAL	
19__	LAND	
	IMPROVEMENTS	
	TOTAL	

NOTES

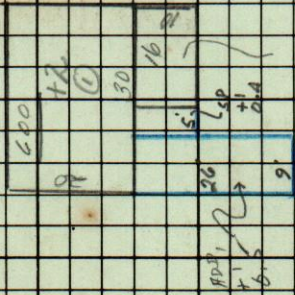
[REDACTED]

7/8/77 W.C.

47,500/77 08 2645  
Re 40364 & 40363

61,500/77 2645  
Re 40363, 40364





CONSTRUCTION DATA				
IMPROVEMENT	1	2	3	4
TYPE OF STRUCTURE	Res	Addition 9x26		
		1966		
YEAR BUILT	ROOMS			
Total Rooms				
Eff. Apts.				
— Rm. Apts.				
— Rm. Apts.				
No. of Baths				
No. of Rest Rms.	3			
— Fxt. R. Rms.				
— Fxt. R. Rms.				
Total Fixtures				
Continuous Wall				
Piers				
Piling				
Frame				
Height				
Front & Interior				
Apt. Equiv.				
Partitions				
Special Use				
ADJUSTMENTS				
FOUNDATION				
Continuous Wall				
Piers				
Piling				
Frame				
Height				
Front & Interior				
Apt. Equiv.				
Partitions				
Special Use				
EXTERIOR WALLS				
Wallboard				
Corr. Metal				
Corr. Asbestos				
Wd. Fr. Stucco				
Wd. Fr. Asbestos				
C.B. Plain				
C.B. Stucco				
Wd. Fr. Siding				
Tile Stucco				
Brick				
Reinf. Conc.				
Panel, Glass, Mtl.				
ROOF TYPE				
Flat, Shed				
Hip, Gable				
Bar Joist				
Wood Truss				
Prestressed				
Steel Truss				
ROOF MATERIAL				
Sht. Mtl. Roll				
T. & G. B.U.				
Shing., Wd., Etc.				
Shing., Asbestos				
Tile, Cement				
Tile, Clay				
Bermuda				
Slate				
Gypsum				







A black and white photograph of a building with a car in front, oriented upside down. The building has a flat roof and a large window. A car is parked in front of the building. The photograph is oriented upside down.

BUILDING PERMITS					
D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction

NOTES

Date of Appraisal

MONTH	DAY	YEAR
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MISCELLANEOUS IMPROVEMENTS

FIELD NOTES

List Misc. Improvements  
No Existing Misc.

Add to Misc. Improvements

Delete Existing  
Misc. Improvements  
Add New Data

X indicates



#1-UBa(a) Alum. SHED 6' x 4'



Ocean View Sq. 1 Lot 14

32' 14' 14' 32'

RACE MAKER

FOR REFERENCE ONLY

D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction

BUILDING PERMITS

NOTES

YEAR	DAY	MONTH
------	-----	-------






Date of Appraisal

Appraiser

[illegible]

MISCELLANEOUS IMPROVEMENTS

FIELD NOTES

List Misc. Improvements No Existing Misc.	
Add to Misc. Improvements	
Delete Existing Misc. Improvements Add New Data	
X Indicates Flat Value	
	

Key Dicit

FIELD NOTES

BUILDING CHARACTERISTICS									
Building Number 4 of 4	Quality Grade 3 0 0		Improvement Type R1 Single Family R2 Duplex R3 Triplex R4 Quadplex R 1						
Effective Age Group Residential 0 - 4 years 5 - 12 years 13 - 20 years 21 - 40 years 41 - 50 years 51 + years	Actual Year Built 1 9 7 8		Functional Obsolescence % (Explain In Notes)						
SPECIAL ARCHITECTURAL CODES									
Condition G Good A Average P Poor	Mobile Home 6	Multi Family 1	Locational Obsolescence % (Explain In Notes)						
Appraiser 0 0 4	Date of Appraisal MONTH DAY YEAR 0 8 2 0 8 6		Perimeter _____						
BUILDING REFINEMENTS									
Roof Type 1 Flat or Shed 2 Gable or Hip 3 Mansard 4 Irregular - Custom 5 Reinforced Concrete 6 Prestress Concrete 7 Steel Truss	Heating Type/Method 1 None 2 Wall Heaters 3 Floor Furnace 4 Convection 5 Forced Air Non-Ducted 6 Forced Air Ducted 7 Electric Radiant 8 Hot Water/Steam		Foundation 1 Wood Piers 2 Concrete Pads - Wood 3 Concrete Block 4 Concrete Slab 5 Continuous Conc. Footer 6 Conc. Pilings - Auger Holes						
Roof Cover 1 Asphalt/Composition Rolled 2 Metal 3 Asphalt/Composition Shingle 4 Tar & Gravel 5 Wood Shingle 6 Concrete/Clay Tile 7 Minimum	Heating Fuel/Source 1 Electric 2 Gas 3 Oil 4 None 5 Solar		Number of Fireplaces Interior Wall/Ceiling 1 Masonry - Minimum 2 Wall Board 3 Dry Wall 4 Plastered 5 Plywood Panel 6 Wood or Custom						
Number of Bedrooms 0 1	Interior Flooring 1 Plywood - Press Board 2 Softwood - Hardwood 3 Concrete Slab 4 Concrete Above Grade 5 Terrazzo 6 Ceramic or Clay Tile 7 Marble		Air Conditioning No						
Baths: 4 Fixtures	3 Fixtures	2 Fixture	Extra Fixture						
Built-Ins ("Y" if Yes) Range/Oven Dishwasher	Garbage Disposal	Intercom	Compactor	Vacuum System					
Security									



(Howells Trailer Park)



OCEAN VIEW Sq. 1 Lot 14

RF: 403640-000000 8-20-86

38' 12' 38' 12'

Lyons

BUILDING PERMITS					
D.P. Number	Permit Number	Date Completed	Date Issued	Amount	Description of Construction

BUILDING PERMITS

NOTES

YEAR	DAY	MONTH
------	-----	-------



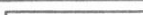


Date of Appraisal

Appraiser

[illegible]

MISCELLANEOUS IMPROVEMENTS

FIELD NOTES

List Misc. Improvements No Existing Misc.		Add to Misc. Improvements		Delete Existing Misc. Improvements Add New Data		X Indicates Flat Value		
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DR-402  
R. 6/83

RE:00403640-000000 Alt. 1495956

PARCEL OR PROPERTY IDENTIFICATION NUMBER

RP  
RP  
RP

TAG NUMBER

**DECLARATION OF MOBILE HOME AS REAL PROPERTY**To the Appraiser and Collector of Monroe County, Florida:

I, the undersigned, hereby request that the mobile home described below be assessed as real property. Said mobile home, of which I am the registered owner, was previously licensed as a motor vehicle.

DESCRIPTION OF MOBILE HOME: SINGLE WIDE ☐ DOUBLE WIDE ☐ TRIPLE WIDE ☐  
Does your mobile home have an attachment or utility building? Yes ☐ No ☐

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED
FAMI		<del>1980</del> 1981
IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER
FH5268		21161358
YEAR PURCHASED	PRICE NEW	PRICE USED
	\$	\$
		LENGTH & WIDTH
		38 L
CONDITION		
( ) NEW ( ) FAIR ( )		
( ) GOOD ( ) POOR REPOSSESSED		

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

**DESCRIPTION OF LAND:**

OCEAN VIEW Square 1 Lot 14

Mobile Home Assessed For Year(s) RP as of 1/1/87

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained herein are true to the best of my knowledge and belief.

Jan. 14, 1987  
DATE

X Anna M Howells  
SIGNATURE OF APPLICANT  
Anna M. Howells  
P.O. Box 451 (Howells Jct.)  
Islamorada, Fla. 33036

**PROPERTY APPRAISER TO COMPLETE THIS PORTION**

Owner has presented Registration Certificate at time of application. ( ) YES ( ) NO

Owner has presented Bill of Sale at time of application. ( ) YES ( ) NO

I hereby certify that the foregoing return was filed in the office of the property appraiser addressed, and that the above described mobile home is included in an assessment for ad valorem taxation of the property of the person described above as the registered owner of such mobile home.

Jan. 14, 1987  
DATE

E. Hanson Dep. Appr.  
PROPERTY APPRAISER

APPRAISER'S COPY

DR 402  
R. 7/81

RE:403640-000000 Alt. 1495956

RP

PARCEL OR PROPERTY IDENTIFICATION NUMBER

TAG NUMBER

## DECLARATION OF MOBILE HOME AS REAL PROPERTY

To the Appraiser and Collector of Monroe County, Florida:

I, the undersigned, hereby request that the mobile home described below be assessed as real property. Said mobile home, of which I am the registered owner, was previously licensed as a motor vehicle.

### DESCRIPTION OF MOBILE HOME:

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED		
EMBA		<del>XX</del> 1984		
IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER		
GDOCFL418310178		20954555		
YEAR PURCHASED	PRICE NEW	PRICE USED	LENGTH & WIDTH	CONDITION
	\$	\$	32 L	( ) NEW ( ) FAIR ( ) ( ) GOOD ( ) POOR REPOSSESSED

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

### DESCRIPTION OF LAND:

OCEAN VIEW SQUARE 1 Lot 14

Mobile Home Assessed For Year(s) ~~XXXXXX~~ Jan. 1, 1987

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained herein are true to the best of my knowledge and belief.

Jan. 14, 1987

DATE

Anna M. Howells  
SIGNATURE OF APPLICANT

Anna M. Howells  
P.O. Box 451 (Howells Jct.)  
Islamorada, Fla. 33036

### PROPERTY APPRAISER TO COMPLETE THIS PORTION

Owner has presented Registration Certificate at time of application. ( ) YES ( ) NO

Owner has presented Bill of Sale at time of application. ( ) YES ( ) NO

I hereby certify that the foregoing return was filed in the office of the property appraiser addressed, and that the above described mobile home is included in an assessment for ad valorem taxation of the property of the person described above as the registered owner of such mobile home.

Jan. 14, 1987

DATE

E. Hanson  
PROPERTY APPRAISER

Dep. Appr.

APPRAISER'S COPY

DR-402  
R. 6/83

00403640-000000

Alt. 1495956

PARCEL OR PROPERTY IDENTIFICATION NUMBER

RP

RP

RP

TAG NUMBER

**DECLARATION OF MOBILE HOME AS REAL PROPERTY**To the Appraiser and Collector of Monroe County, Florida:

I, the undersigned, hereby request that the mobile home described below be assessed as real property. Said mobile home, of which I am the registered owner, was previously licensed as a motor vehicle.

DESCRIPTION OF MOBILE HOME: SINGLE WIDE ☐ DOUBLE WIDE ☐ TRIPLE WIDE ☐  
Does your mobile home have an attachment or utility building? Yes ☐ No ☐

XXXX

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED
PACE		1982

IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER
GDOCFL45818369		21681706

YEAR PURCHASED	PRICE NEW	PRICE USED	LENGTH & WIDTH	CONDITION
	\$	\$	32 L	( ) NEW ( ) FAIR ( ) ( ) GOOD ( ) POOR REPOSSESSED

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

**DESCRIPTION OF LAND:**

OCEAN VIEW Square 1 Lot 14

Mobile Home Assessed For Year(s) Jan. 1, 1987

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained herein are true to the best of my knowledge and belief.

DATE Jan. 14, 1987

Anna M Howells  
SIGNATURE OF APPLICANT

Anmna M. Howells

P.O. Box 451 (Howells Jct.)

Islamorada, Fla. 33036

**PROPERTY APPRAISER TO COMPLETE THIS PORTION**

Owner has presented Registration Certificate at time of application. ( ) YES ( ) NO

Owner has presented Bill of Sale at time of application. ( ) YES ( ) NO

I hereby certify that the foregoing return was filed in the office of the property appraiser addressed, and that the above described mobile home is included in an assessment for ad valorem taxation of the property of the person described above as the registered owner of such mobile home.

DATE Jan. 14, 1987

E. Hanson Dep. Appraiser  
PROPERTY APPRAISER

APPRAISER'S COPY



DR 402  
R. 7/81  
MM

Alt. 1495956  
RE;00403640-000000

PARCEL OR PROPERTY IDENTIFICATION NUMBER

RP

TAG NUMBER

## DECLARATION OF MOBILE HOME AS REAL PROPERTY

To the Appraiser and Collector of Monroe County, Florida:

I, the undersigned, hereby request that the mobile home described below be assessed as real property. Said mobile home, of which I am the registered owner, was previously licensed as a motor vehicle.

### DESCRIPTION OF MOBILE HOME:

NAME OF MODEL	MANUFACTURER	YEAR MANUFACTURED		
<del>XXX</del> Family		1980		
IDENTIFICATION NUMBER	SERIAL NUMBER	TITLE NUMBER		
FH4416		17577687		
YEAR PURCHASED	PRICE NEW	PRICE USED	LENGTH & WIDTH	CONDITION
	\$	\$	38C	( ) NEW ( ) FAIR ( ) ( ) GOOD ( ) POOR REPOSSESSED

The said mobile home was permanently affixed on January 1 of the current year, is now permanently affixed, and it is my intention that the same remain permanently affixed to the following lands owned by me. An assessment for ad valorem taxation has been made on said lands for the current tax year.

### DESCRIPTION OF LAND:

OCEAN VIEW Square 1 ~~XXXX~~ Lot 14

Mobile Home Assessed For Year(s) RP as of 1/1/87

I hereby make application for the issuance of an "RP" License Plate to identify the above described mobile home as real property.

The statements contained herein are true to the best of my knowledge and belief.

Jan. 14, 1987  
DATE

Anna M Howells  
SIGNATURE OF APPLICANT

Anna M. Howells

P.O. Box 451 (Howells Jct.)  
Islamorda, Fla. 33036

### PROPERTY APPRAISER TO COMPLETE THIS PORTION

Owner has presented Registration Certificate at time of application. ( ) YES ( ) NO  
Owner has presented Bill of Sale at time of application. ( ) YES ( ) NO

I hereby certify that the foregoing return was filed in the office of the property appraiser addressed, and that the above described mobile home is included in an assessment for ad valorem taxation of the property of the person described above as the registered owner of such mobile home.

Jan. 14, 1987  
DATE

S. Hanson  
PROPERTY APPRAISER

Dep. Appr.

APPRAISER'S COPY

MONROE COUNTY  
OFFICIAL RECORDSFILE #1 1 2 3 8 7 7  
BK#1 5 7 6 PG#6 6 2RCD May 13 1999 03:37PM  
DANNY L KOLHAGE, CLERKDEED DOC STAMP 490.00  
05/13/1999 DEP CLKRETURN TO:  
This Document prepared by:  
WILLIAM S. WOOD, ESQ.  
Attorney at Law  
P.O.Box 3365,  
Tampa, FL 33469

TITLE TO DEMISED PROPERTY HAS NOT BEEN EXAMINED AT REQUEST OF SELLER AND BUYER

**WARRANTY DEED**THIS WARRANTY DEED made and executed the 28th day of April, 1999, by  
MARION T. BOLOGNA, a single person, also known as MARIAN T. BOLOGNA,  
hereinafter called the Grantor\*,  
to GINO S. BOLOGNA and PIERA BOLOGNA, Husband and Wife,whose Social Security Numbers are [REDACTED] and [REDACTED],  
respectively; and  
whose address is: 451 HARS WAY JUNO BEACH, FL, 33408  
hereinafter called the Grantee\*:

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

## TAX ID NO.

Lot 15, Block 1, OCEAN VIEW SUBDIVISION, according to the Plat thereof, recorded in Plat Book 1, Page 193, of the Public Records of Monroe County, Florida.

SUBJECT TO: restrictions, reservations, easements of record and taxes levied subsequent to December 31, 1998.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor covenants with the Grantee that it is lawfully seized of said land in fee simple; it has good right and lawful authority to sell and convey said land; it hereby fully warrants the title to said land and will defend it against the lawful claim of all persons whomsoever.

\*\*Grantor\* and \*Grantee\* are used for singular or plural, as context requires.

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

Signed, sealed and delivered by all in our presence:

Sign Name

Print Name

Sign Name

Print Name

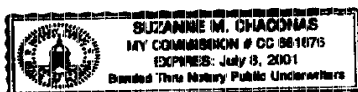
MARION T. BOLOGNA, a/k/a MARIAN T. BOLOGNA

900 Juno Ocean Walk, No. A-83,  
Juno Beach, FL 33408  
AddressSTATE OF FLORIDA  
COUNTY OF PALM BEACH

I CERTIFY that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared MARION T. BOLOGNA, a single person, a/k/a MARIAN T. BOLOGNA, who is personally known to me or who has produced a driver's license as identification, to be the person(s) described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 28th day of April, 1999.

(NOTARY SEAL)



Sign Name

Print Name

Notary Public, State of Florida at Large

RECEIVED 5/2/99 AL PK  
SENT TO KEY WEST FOR RECORDINGMONROE COUNTY  
OFFICIAL RECORDS

524920

REC 1040 PAGE 2477

This instrument was prepared by:

600  
825.00

ANDREW M. TOBIN  
Attorney at Law  
P.O. Box 620  
TAVERNIER, FLORIDA 33070

**Warranty Deed**

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 3rd day of February 19 88, Between

ANNA M. HOWELLS, an unmarried widow,

of the County of Monroe, State of Florida, grantor\*, and

GINO S. BOLOGNA,

whose post office address is P.O. Box 46, Islamorada, Florida 33036

of the County of Monroe, State of Florida, grantee\*,

Witnesseth, That said grantor, for and in consideration of the sum of Ten and no/100 Dollars-----  
----- (\$10.00) ----- Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lots 13 and 14, Block 1, OCEAN VIEW, a subdivision of Upper Matecumbe, Florida, the same being part of Lots 2 and 3, in Section 28, Township 63 South, Range 37 East, according to the Plat thereof, as recorded in Plat Book 1, at Page 193, of the Public Records of Monroe County, Florida.

Subject to taxes for the current and subsequent years, easements for public utilities, restrictions of record, if any, and a purchase money first mortgage.

825.00 2-8-88  
DANNY L. BOGARDUS, Clerk  
By *India Madala*

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\* "Grantor" and "grantee" are used for singular or plural, as context requires.

**In Witness Whereof,**

Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*Marlene S. Weeks*  
Witness  
*[Signature]*  
Witness

*Anna M. Howells*  
ANNA M. HOWELLS (Seal)

MONROE CLERK  
DANNY L. BOGARDUS  
FEB -8 NO 46  
FILED and RECORDED  
(Seal)

STATE OF Florida

COUNTY OF Monroe

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared:

Anna M. Howells

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of February, 19 88.

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. MAR. 5, 1991  
BONDED THRU GENERAL INS. UND.

Recorded in Official Records Book  
in the County of Monroe  
Florida  
DANNY L. BOGARDUS  
Notary Public

*Marlene S. Weeks*  
Notary Public  
(SEAL)

# Monroe County, FL

## \*\*PROPERTY RECORD CARD\*\*

### Disclaimer

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 data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00403650-000000  
**Account#** 1495964  
**Property ID** 1495964  
**Millage Group** 50VI  
**Location Address** 82935 OVERSEAS Hwy, UPPER MATECUMBE KEY  
**Legal Description** BK 1 LT 15 OCEAN VIEW PB1-193 UPPER MATECUMBE OR591-34 OR1556-1807D/C OR1576-662  
(Note: Not to be used on legal documents.)  
**Neighborhood** 10024  
**Property Class** STORE COMBO (1200)  
**Subdivision** OCEAN VIEW  
**Sec/Twp/Rng** 28/63/37  
**Affordable** No  
**Housing**



### Owner

[BOLOGNA GINO S](#)  
 PO Box 451  
 Islamorada FL 33036

[BOLOGNA PIERA](#)  
 PO Box 451  
 Islamorada FL 33036

### Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$216,245	\$216,245	\$216,245	\$243,276
+ Market Misc Value	\$9,695	\$9,695	\$9,695	\$9,695
+ Market Land Value	\$325,238	\$325,238	\$325,238	\$325,238
= Just Market Value	\$551,178	\$551,178	\$551,178	\$578,209
= Total Assessed Value	\$534,534	\$485,940	\$441,764	\$401,604
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$551,178	\$551,178	\$551,178	\$578,209

### Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$325,238	\$216,245	\$9,695	\$551,178	\$485,940	\$0	\$551,178	\$0
2021	\$325,238	\$216,245	\$9,695	\$551,178	\$441,764	\$0	\$551,178	\$0
2020	\$325,238	\$243,276	\$9,695	\$578,209	\$401,604	\$0	\$578,209	\$0
2019	\$278,775	\$194,621	\$9,695	\$483,091	\$365,095	\$0	\$483,091	\$0
2018	\$215,625	\$180,377	\$8,855	\$404,857	\$331,905	\$0	\$404,857	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1200)	7,500.00	Square Foot	50	150

Buildings

Building ID	43015	Exterior Walls	C.B.S.	
Style		Year Built	1975	
Building Type	APTS-D / 03D	EffectiveYearBuilt	1975	
Building Name		Foundation		
Gross Sq Ft	5610	Roof Type		
Finished Sq Ft	3312	Roof Coverage		
Stories	2 Floor	Flooring Type		
Condition	FAIR	Heating Type		
Perimeter	328	Bedrooms	0	
Functional Obs	0	Full Bathrooms	0	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	60	Grade	250	
Interior Walls		Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	3,312	3,312	0
OUF	OP PRCH FIN UL	498	0	0
PTO	PATIO	1,800	0	0
TOTAL		5,610	3,312	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
CH LINK FENCE	1975	1976	6 x 400	1	2400 SF	2
ASPHALT PAVING	1975	1976	15 x 50	1	750 SF	2
CONC PATIO	1980	1981	0 x 0	1	1400 SF	2

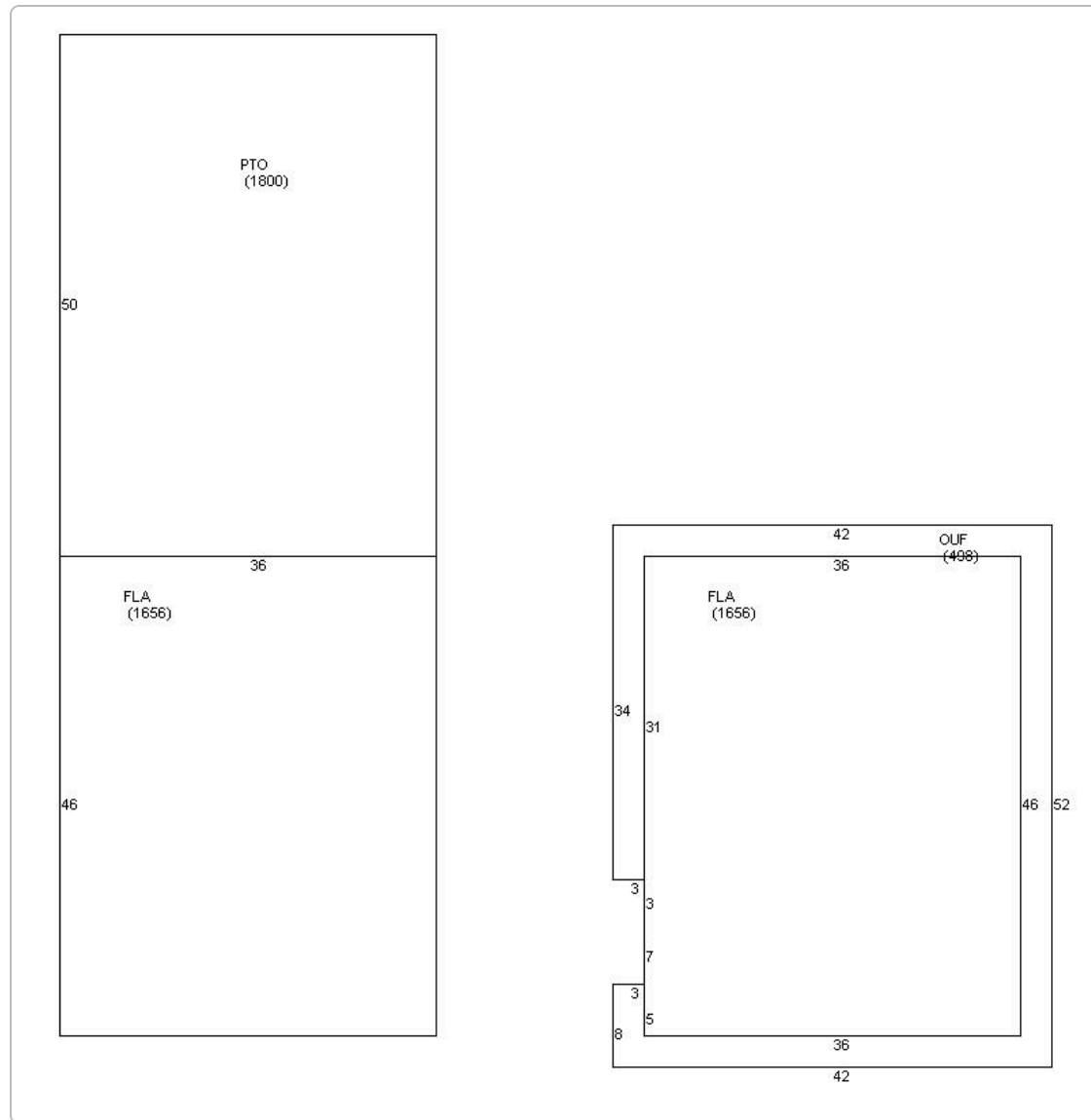
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
4/28/1999	\$70,000	Warranty Deed		1576	662	K - Unqualified	Improved		
2/1/1974	\$16,000	Conversion Code		591	34	Q - Qualified	Improved		

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



### Photos



## Map



## TRIM Notice

[2023 TRIM Notice \(PDF\)](#)

No data available for the following modules: Permits.

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

[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
Last Data Upload: 6/27/2024, 5:21:59 AM

[Contact Us](#)

Developed by  
 **Schneider**  
GEOSPATIAL



# Monroe County, FL

## \*\*PROPERTY RECORD CARD\*\*

### Disclaimer

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 data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00403640-000000  
**Account#** 1495956  
**Property ID** 1495956  
**Millage Group** 50VI  
**Location** 82929 OVERSEAS Hwy, UPPER MATECUMBE KEY  
**Address**  
**Legal** BK 1 LT 14 OCEAN VIEW PB1-193 UPPER MATECUMBE OR425-866/867 OR472-735/736 OR727-484 OR732-374 UNRECORDED D/C ON FILE OR928-15/17 CASE#84-365-CP-23 OR1040-2477 OR1127-654  
**Description** (Note: Not to be used on legal documents.)  
**Neighborhood** 4450  
**Property Class** MULTI-FAMILY 5 UNITS (0805)  
**Subdivision** OCEAN VIEW  
**Sec/Twp/Rng** 28/63/37  
**Affordable** No  
**Housing**



### Owner

[BOLOGNA GINO S](#)  
 PO Box 451  
 Islamorada FL 33036

[BOLOGNA PIERA](#)  
 PO Box 451  
 Islamorada FL 33036

### Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$241,765	\$245,939	\$181,722	\$185,218
+ Market Misc Value	\$5,059	\$5,059	\$7,099	\$7,099
+ Market Land Value	\$190,369	\$158,194	\$131,381	\$131,381
= Just Market Value	\$437,193	\$409,192	\$320,202	\$323,698
= Total Assessed Value	\$387,444	\$352,222	\$320,202	\$323,698
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$437,193	\$409,192	\$320,202	\$323,698

### Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$158,194	\$245,939	\$5,059	\$409,192	\$352,222	\$0	\$409,192	\$0
2021	\$131,381	\$181,722	\$7,099	\$320,202	\$320,202	\$0	\$320,202	\$0
2020	\$131,381	\$185,218	\$7,099	\$323,698	\$323,698	\$0	\$323,698	\$0
2019	\$130,463	\$193,717	\$7,147	\$331,327	\$331,327	\$0	\$331,327	\$0
2018	\$123,375	\$196,719	\$6,814	\$326,908	\$326,908	\$0	\$326,908	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES HWY (080H)	7,500.00	Square Foot	50	150

### Buildings



Building ID	21741	Exterior Walls	C.B.S. with 2% WD FRAME	
Style	MANUFACTURED HOME	Year Built	1963	
Building Type	M.F. - R2 / R2	EffectiveYearBuilt	1980	
Building Name		Foundation	CONCRETE SLAB	
Gross Sq Ft	1896	Roof Type	FLAT OR SHED	
Finished Sq Ft	1362	Roof Coverage	ASPHALT SHINGL	
Stories	2 Floor	Flooring Type	CERM/CLAY TILE	
Condition	POOR	Heating Type	FCD/AIR NON-DC with 0% NONE	
Perimeter	252	Bedrooms	4	
Functional Obs	0	Full Bathrooms	2	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	42	Grade	500	
Interior Walls	DRYWALL	Number of Fire Pl	0	

Code	Description	Sketch Area	Finished Area	Perimeter
EPB	ENCL PORCH BLK	160	0	52
FLA	FLOOR LIV AREA	1,362	1,362	236
OUF	OP PRCH FIN UL	168	0	52
PTO	PATIO	60	0	33
PUF	SC PRCH FIN UL	50	0	30
SBF	UTIL FIN BLK	96	0	56
TOTAL		1,896	1,362	459

Building ID	21742	Exterior Walls	METAL/ALUM	
Style		Year Built	1980	
Building Type	S.F.R. - M1 / M1	EffectiveYearBuilt	1980	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	448	Roof Type	FLAT OR SHED	
Finished Sq Ft	448	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type		
Condition	POOR	Heating Type	NONE with 0% NONE	
Perimeter	92	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	71.4	Grade	250	
Interior Walls	DRYWALL	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	448	448	0
TOTAL		448	448	0

Building ID	21743	Exterior Walls	METAL/ALUM	
Style		Year Built	1980	
Building Type	S.F.R. - M1 / M1	EffectiveYearBuilt	1980	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	448	Roof Type	FLAT OR SHED	
Finished Sq Ft	448	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type		
Condition	POOR	Heating Type	NONE with 0% NONE	
Perimeter	92	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	71.4	Grade	250	
Interior Walls	DRYWALL	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	448	448	0
TOTAL		448	448	0

Building ID	21744	Exterior Walls	METAL/ALUM	
Style		Year Built	1978	
Building Type	S.F.R. - M1 / M1	EffectiveYearBuilt	1978	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	456	Roof Type	FLAT OR SHED	
Finished Sq Ft	456	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type		
Condition	POOR	Heating Type	NONE with 0% NONE	
Perimeter	100	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	74.8	Grade	250	
Interior Walls	DRYWALL	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	456	456	0
TOTAL		456	456	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
CONC PATIO	1977	1978	12 x 38	1	456 SF	1
CONC PATIO	1990	2010	0 x 0	1	318 SF	1
ASPHALT PAVING	1995	2010	0 x 0	1	340 SF	2
FENCES	2000	2010	3 x 28	1	84 SF	2
WALL AIR COND	1998	2010	0 x 0	1	9 UT	1

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
2/1/1988	\$150,000	Warranty Deed		1040	2477	M - Unqualified	Improved		

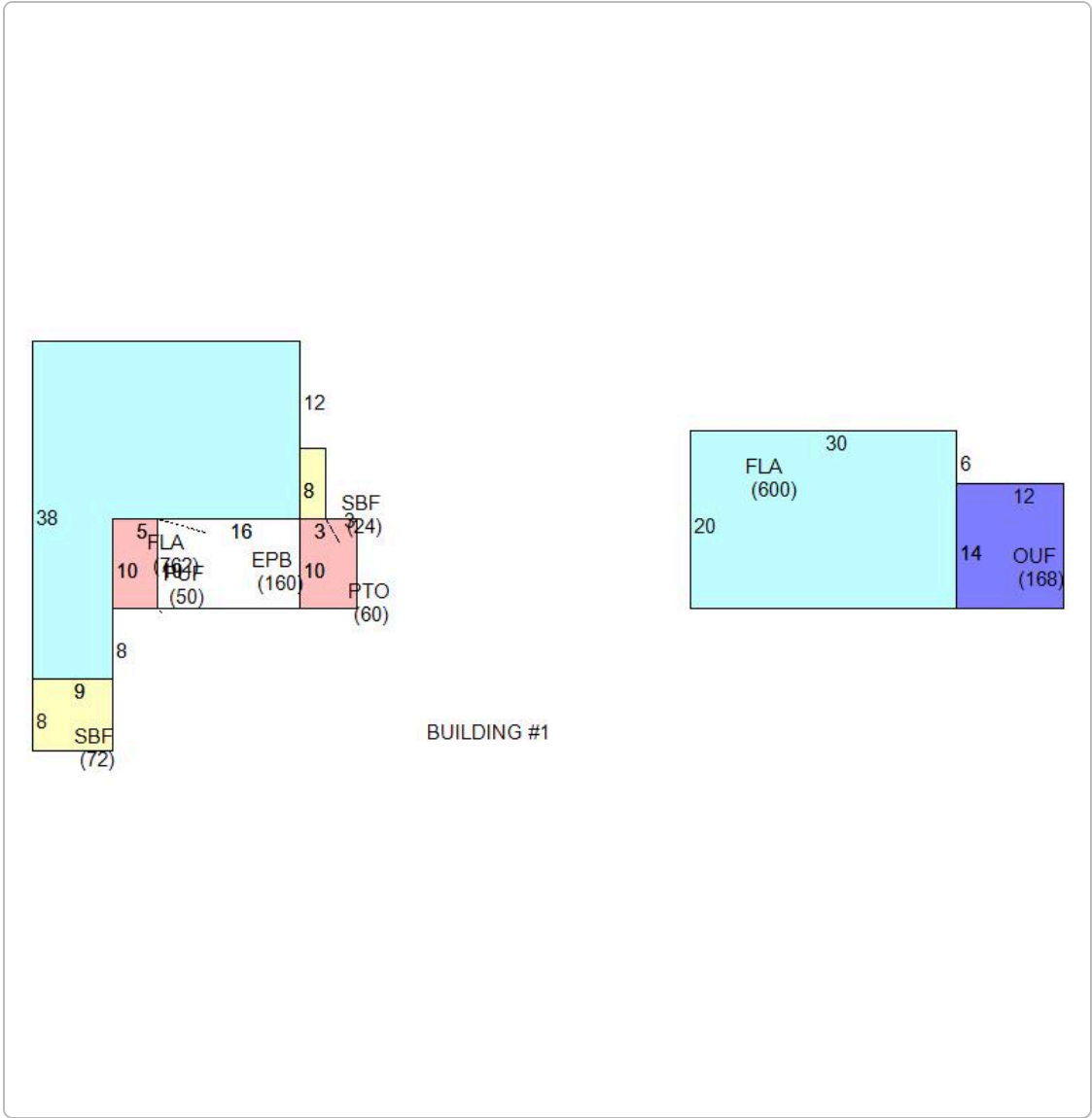
Permits

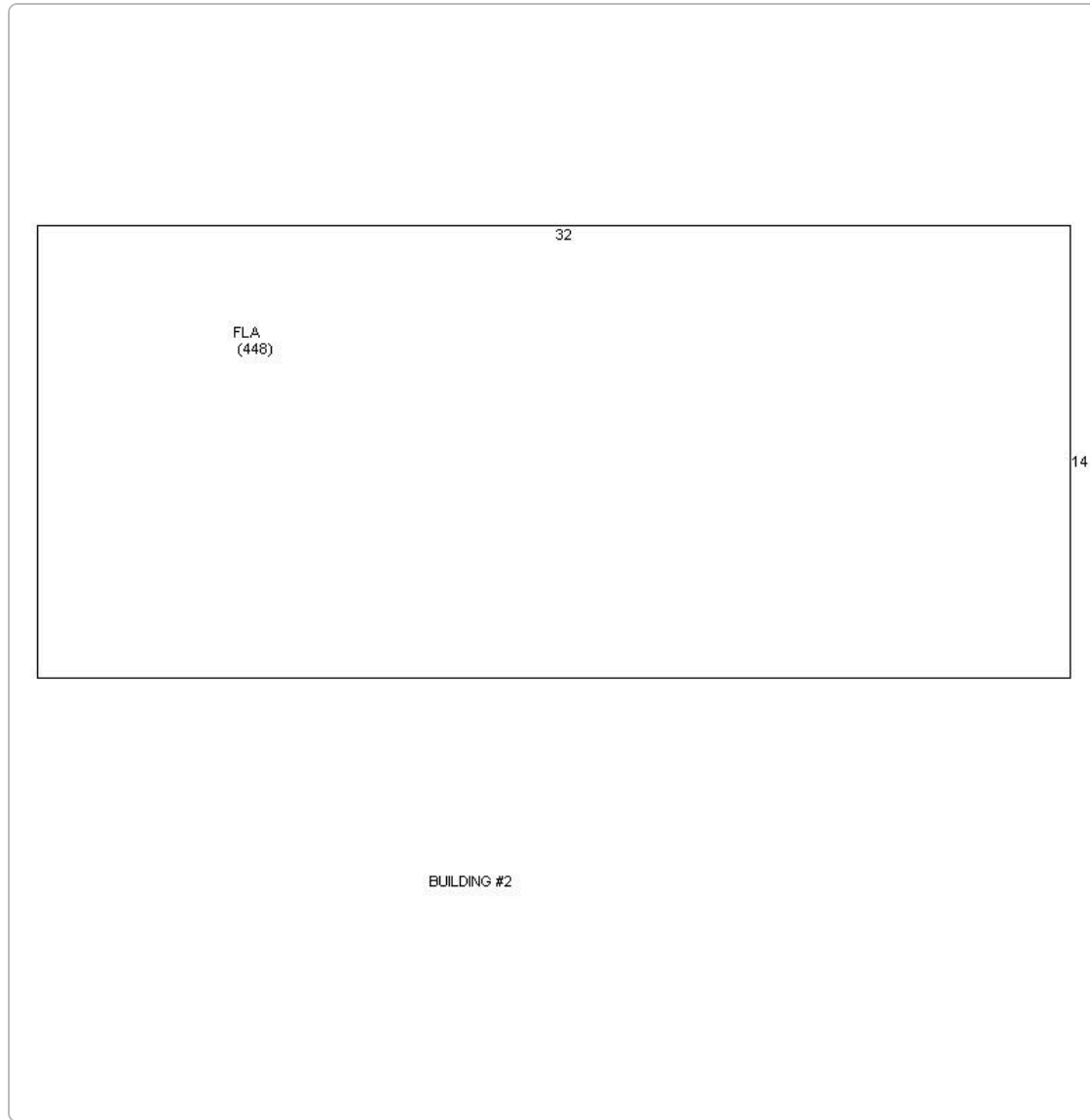
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
PRBLD202300817	9/18/2023		\$400	Residential	DEMO 3 RV ELECTRIC HOOK-UP POLES, REMOVE WATER & ELECTRIC FROM SITES, CAPPING OFF THE WASTEWATER BACK AT THE MAILIN LINE OF THE RV SPOTS
200800387	4/14/2008	1/21/2009	\$1		INTERIOR RENOVATIONS

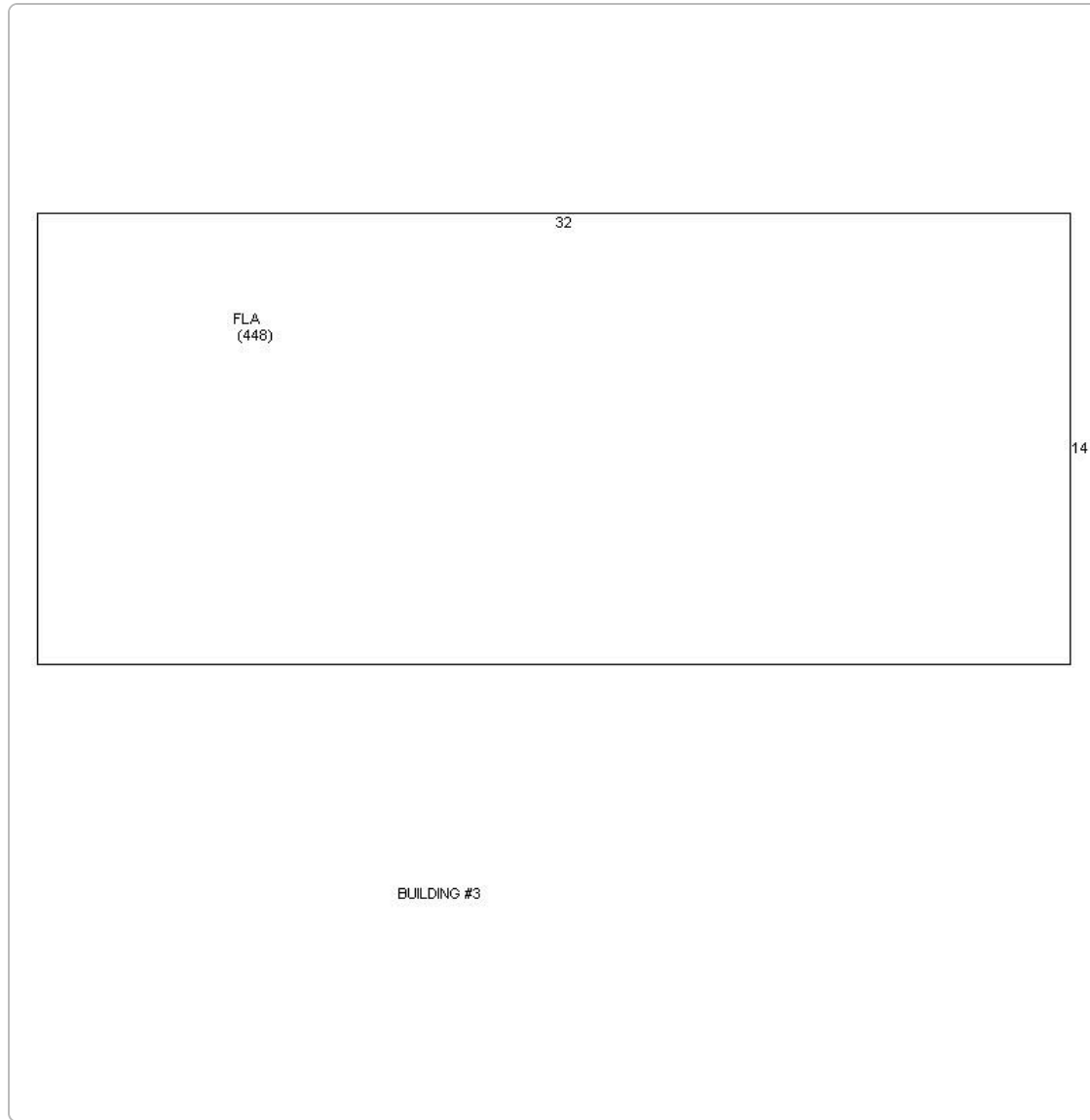
View Tax Info

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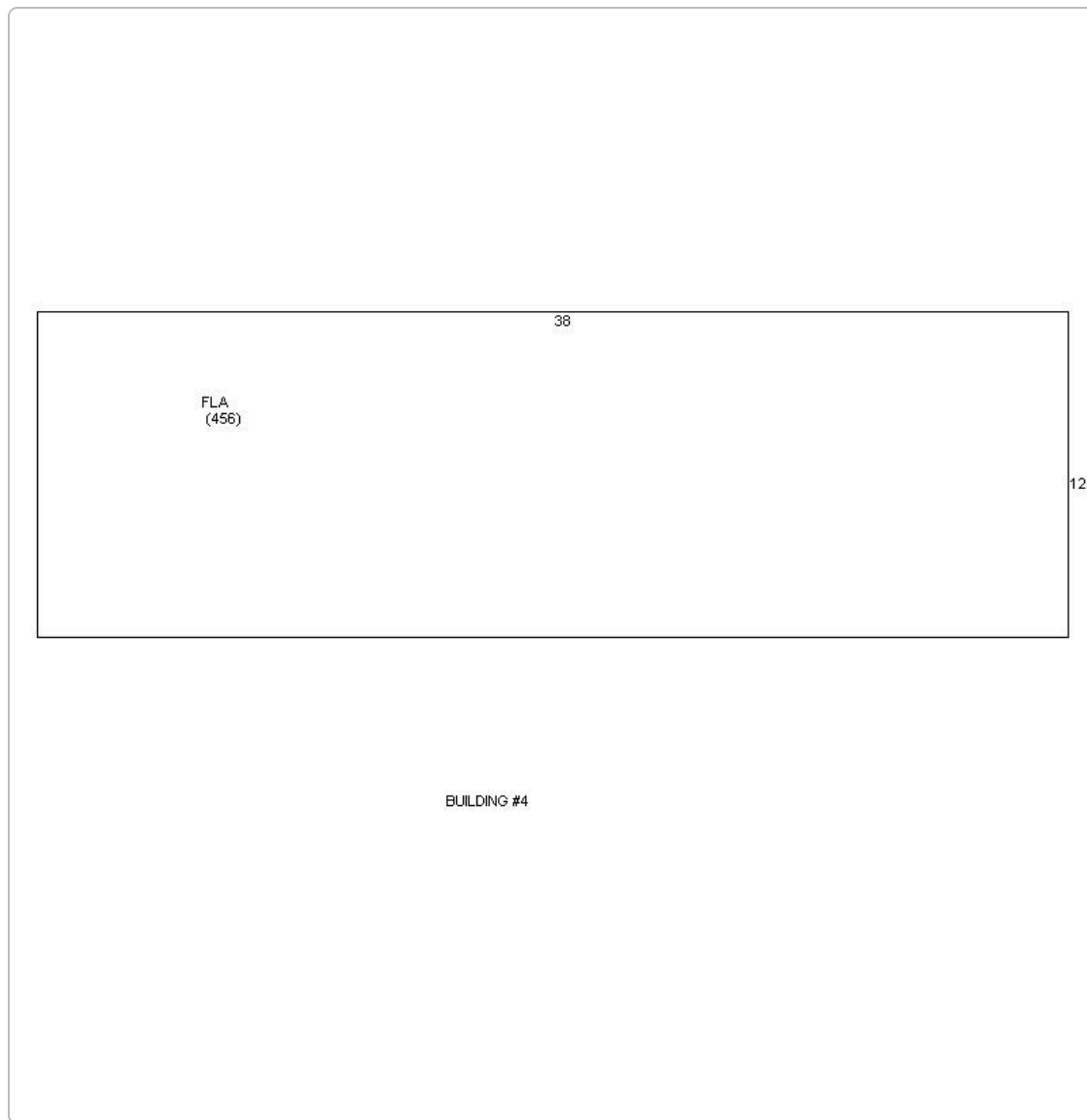
Sketches (click to enlarge)











## Photos





### Map



### TRIM Notice

[2023 TRIM Notice \(PDF\)](#)

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# Monroe County, FL

## \*\*PROPERTY RECORD CARD\*\*

### Disclaimer

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By continuing into this site you assert that you have read and agree to the above statement.

### Summary

Parcel ID 00403630-000000  
 Account# 1495948  
 Property ID 1495948  
 Millage Group 50VI  
 Location 82925 OVERSEAS Hwy, UPPER MATECUMBE KEY  
 Address  
 Legal BK 1 LT 13 OCEAN VIEW PB1-193 UPPER MATECUMBE  
 Description OR425-866/867 OR472-735/736 OR727-484 OR732-374  
 OR928-15/17 CASE84-365-CP-23 OR1040-2477 OR1127-654  
 (Note: Not to be used on legal documents.)  
 Neighborhood 4450  
 Property Class MULTI-FAMILY TRIPLEX (0803)  
 Subdivision OCEAN VIEW  
 Sec/Twp/Rng 28/63/37  
 Affordable No  
 Housing



### Owner

[BOLOGNA GINO S](#)

PO Box 451  
 Islamorada FL 33036

[BOLOGNA PIERA](#)

PO Box 451  
 Islamorada FL 33036

### Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$86,461	\$87,479	\$67,822	\$69,068
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$190,369	\$158,194	\$131,381	\$131,381
= Just Market Value	\$276,830	\$245,673	\$199,203	\$200,449
= Total Assessed Value	\$241,035	\$219,123	\$199,203	\$200,449
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$276,830	\$245,673	\$199,203	\$200,449

### Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$158,194	\$87,479	\$0	\$245,673	\$219,123	\$0	\$245,673	\$0
2021	\$131,381	\$67,822	\$0	\$199,203	\$199,203	\$0	\$199,203	\$0
2020	\$131,381	\$69,068	\$0	\$200,449	\$200,449	\$0	\$200,449	\$0
2019	\$130,463	\$69,846	\$0	\$200,309	\$200,309	\$0	\$200,309	\$0
2018	\$123,375	\$70,211	\$0	\$193,586	\$193,586	\$0	\$193,586	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES HWY (080H)	7,500.00	Square Foot	50	150

### Buildings



Building ID	21738	Exterior Walls	METAL/ALUM	
Style	MANUFACTURED HOME	Year Built	1978	
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	1998	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	304	Roof Type	FLAT OR SHED	
Finished Sq Ft	304	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type	CERM/CLAY TILE	
Condition	POOR	Heating Type	FCD/AIR DUCTED with 0% NONE	
Perimeter	92	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	32	Grade	350	
Interior Walls	DRYWALL	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	304	304	0
TOTAL		304	304	0

Building ID	21739	Exterior Walls	METAL/ALUM	
Style		Year Built	1983	
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	1983	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	384	Roof Type	FLAT OR SHED	
Finished Sq Ft	384	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type	SFT/HD WD	
Condition	POOR	Heating Type	NONE with 0% NONE	
Perimeter	88	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	40	Grade	350	
Interior Walls	MASONRY/MIN	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	384	384	0
TOTAL		384	384	0

Building ID	21740	Exterior Walls	METAL/ALUM	
Style		Year Built	1960	
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	1960	
Building Name		Foundation	CONC BLOCK	
Gross Sq Ft	468	Roof Type	FLAT OR SHED	
Finished Sq Ft	468	Roof Coverage	METAL	
Stories	1 Floor	Flooring Type	SFT/HD WD	
Condition	POOR	Heating Type	NONE with 0% NONE	
Perimeter	102	Bedrooms	1	
Functional Obs	0	Full Bathrooms	1	
Economic Obs	0	Half Bathrooms	0	
Depreciation %	57	Grade	350	
Interior Walls	MASONRY/MIN	Number of Fire Pl	0	
Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	468	468	0
TOTAL		468	468	0

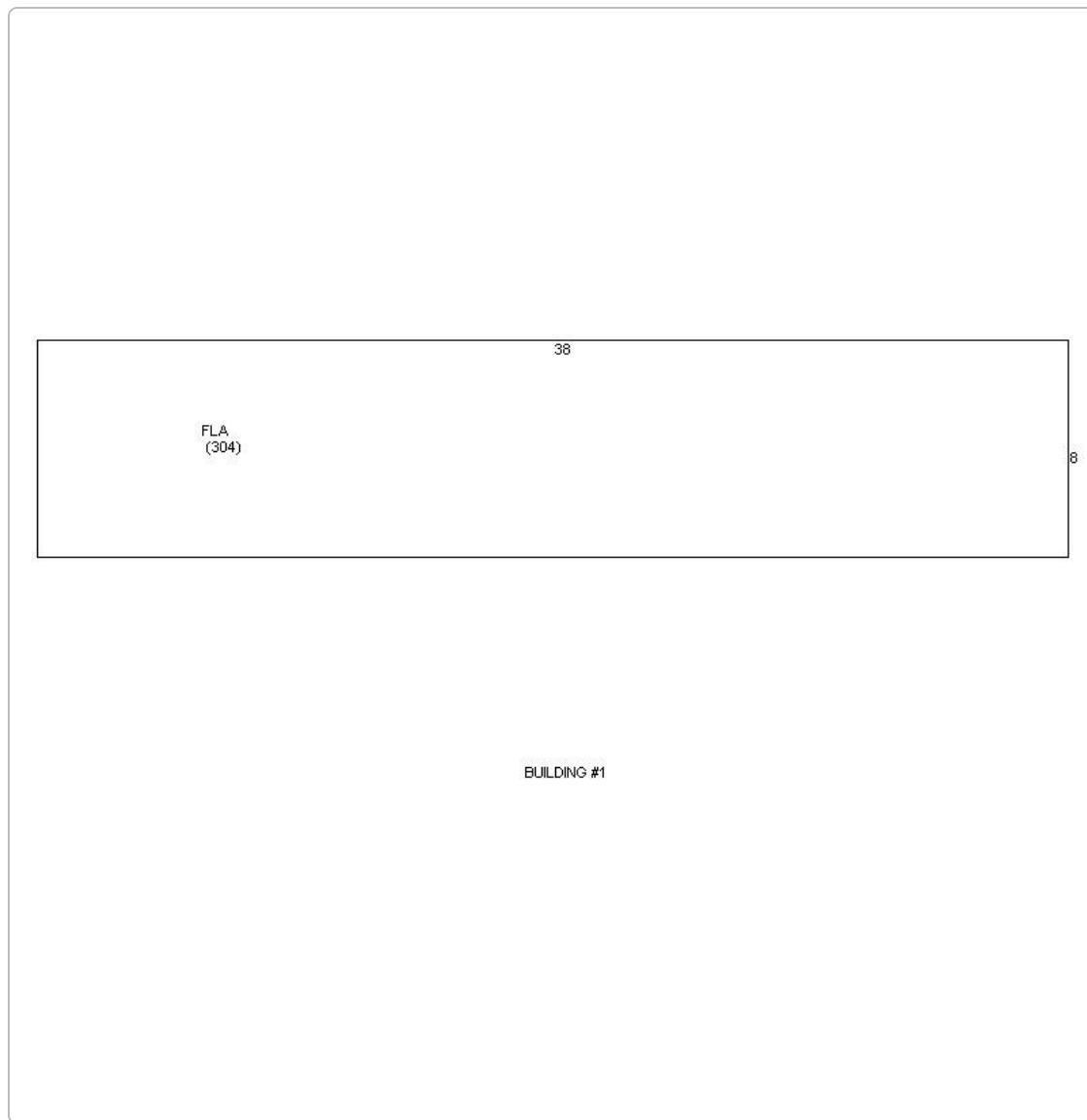
Sales

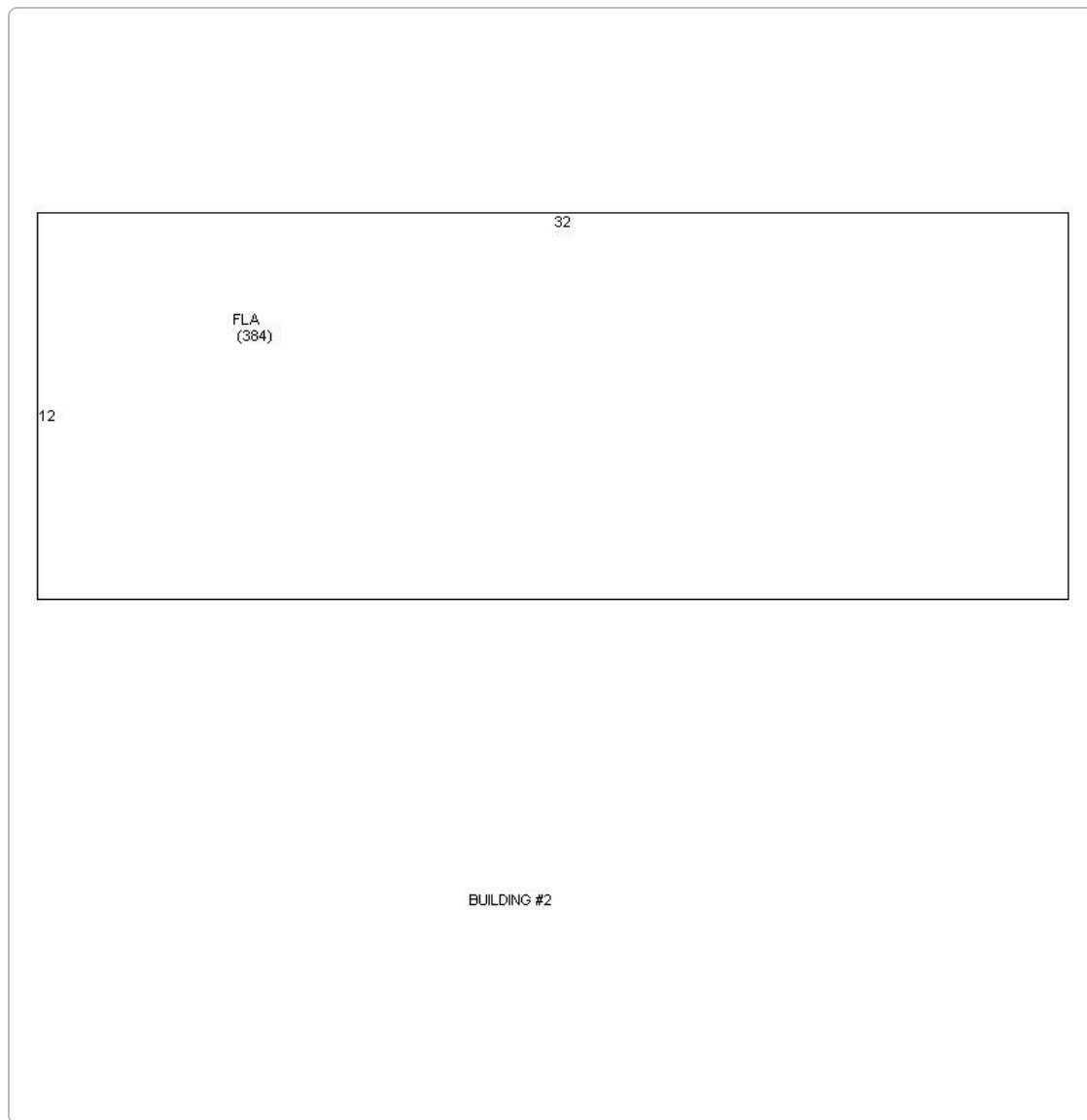
Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
2/1/1988	\$1	Warranty Deed		1040	2477	M - Unqualified	Improved		

View Tax Info

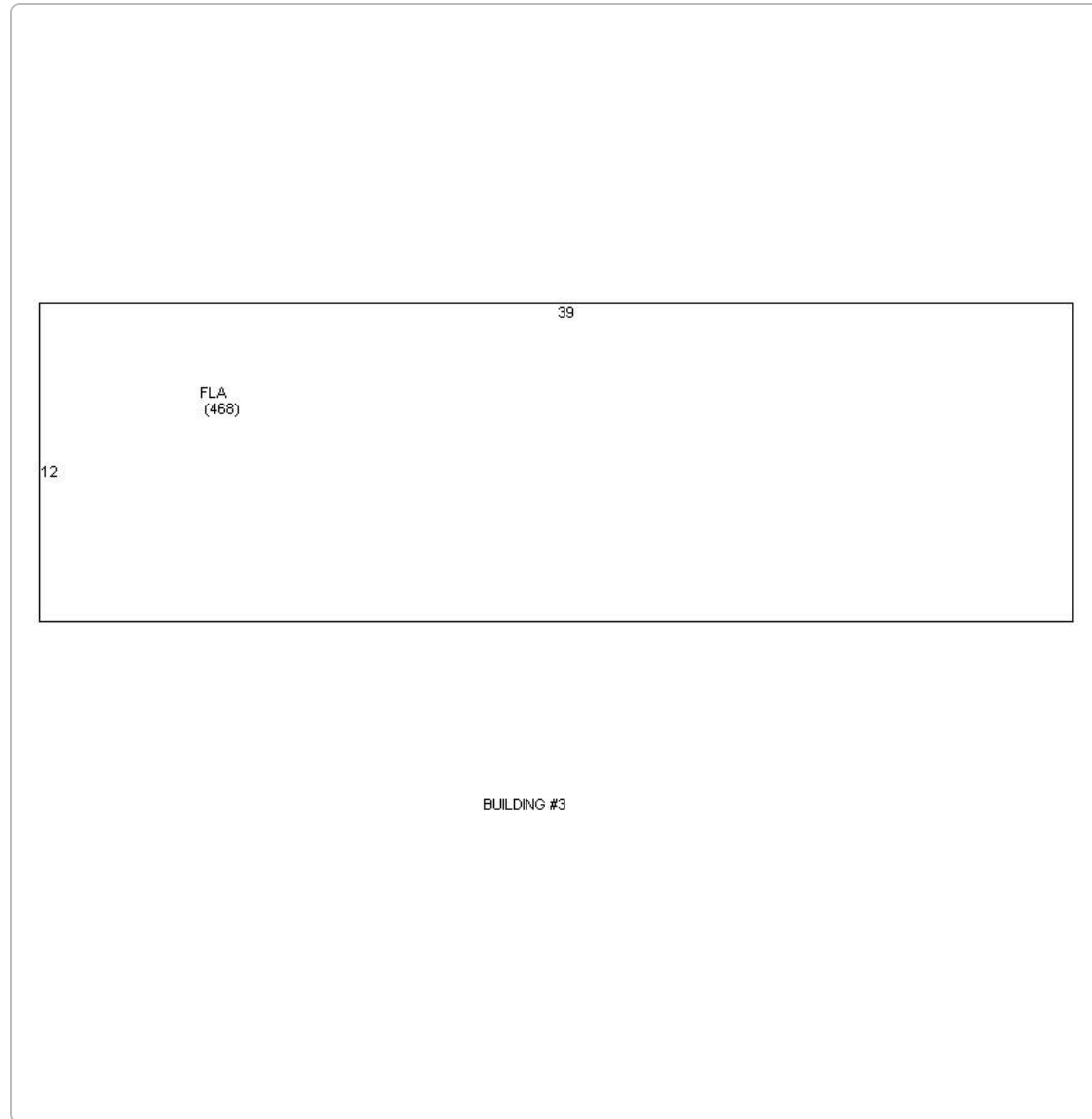
[View Taxes for this Parcel](#)

Sketches (click to enlarge)









## Photos



Map



TRIM Notice

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No data available for the following modules: Yard Items, Permits.

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June 7, 2024

Russell Yagel, Esq.

**Sent via CityView Portal**

Subject: Pre-Application (File No. PLPRE20230193)

Dear Mr. Yagel,

Thank you for your Application for a Pre-Application Conference ("Application"). The following is the Planning and Development Services Department's ("Staff") analysis of your questions and a summary of the meeting held on January 3, 2024. The purpose of the Pre-Application Conference is to familiarize the applicant with the applicable provisions of Chapter 30, Land Development Regulations (LDRs), of the Code of Ordinances ("Code") of Islamorada, Village of Islands, Florida (the "Village"), the processes required to determine the lawfully established dwelling unit rights on the subject property(s).

For the purposes of this dwelling unit determination, each property will be individually assessed and discussed.

Parcel # 00403630-000000, Lot 13 located on Upper Matecumbe Key, FL ("Property 1").

Parcel # 00403640-000000, Lot 14, located on Upper Matecumbe Key, FL ("Property 2").

Parcel # 00403650-000000, Lot 15, located on Upper Matecumbe Key, FL ("Property 3").

The subject Properties are categorized within the Future Land Use Map (FLUM) as Mixed Use (MU) and are within the Village Center (VC) Zoning District.

**Background Zoning:**

1963 Zoning: BU-2 (Medium Business District) Commercial use as a primary use – living quarters for watchmen and caretakers only permitted as an accessory use. Prohibited any residential use.

1986 Zoning: SC (Sub Urban Commercial District) Commercial uses as a primary use – apartments involving less than six dwelling units in conjunction with a permitted commercial use.



The Village Comprehensive Plan, Chapter 3: Housing Element Data Inventory and Analysis table 3-13: Inventory of Existing Mobile Home Parks did not include or recognize the subject property(s) a lawfully established mobile home park.

**TABLE 3-13: INVENTORY OF EXISTING MOBILE HOME PARKS**

<b>MOBILE HOME PARK</b>	<b>LOCATION</b>	<b>NUMBER OF MOBILE HOME SPACES</b>
Vacation Village	Plantation Key	26
Plantation Tropical Park	Plantation Key	52
Harris Ocean Park Estates 1 <sup>st</sup> Addition	Plantation Key	45
San Pedro Trailer Park	Plantation Key	41
Seabreeze Trailer Park	Plantation Key	101
Windley Key Mobile Home Park	Windley Key	42
Peaceful Palms Mobile Home Park	Windley Key	15
Coral Bay	Upper Matecumbe Key	17
Key Lantern Motel and Trailer Park	Upper Matecumbe Key	21
Village Mobile Park	Upper Matecumbe Key	32
Pelican Palms Mobile Home Park	Upper Matecumbe Key	35
<b>Total</b>		<b>427</b>

Source: Florida Department of Health, 1999

**Additional Documentation/Evidence Provided by Applicant:**

The applicant provided the following permits from the State of Florida Department of Health and Rehabilitative Services:

- 1977 operating permit for six (6) independent mobile homes
- Approved application for mobile home park in 2013 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2014 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2015 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2015 for five (5) mobile homes and (3) Recreational Vehicles (RV) – expiration date 9/30/2016.

The applicant provided State of Florida Department of Business Regulations License for Lodging of four (4) units – expiration date 10/1/1983.

The applicant provided Monroe County Occupational License for “trailer park serv” for five (5) employees – expiration date of 9/30/1987.



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The following questions were presented by the applicant:

What is the number of lawfully established dwelling units associated with the property?

See Dwelling Unit Analysis provided.

What is the character of those lawfully established dwelling units (e.g. residential market rate or transient)?

There are no transient units on the property. See Dwelling Unit Analysis provided.

What is the current allowed density on the property?

Each lot is 7500 square feet. The maximum FAR for each lot is .35.

The allowed use density is up to six dwelling units per acre, or up to 12 dwelling units per acre with TDRs or up to 15 deed restricted affordable housing dwelling units per acre; however, on commercially developed parcels of land, the density requirements for affordable housing provided herein shall not exceed 15 deed restricted affordable housing dwelling units per acre, regardless of any nonresidential floor area or FAR, or market rate residential dwelling units.

If the number of lawfully established dwelling units exceeds the current allowed density, is the historical non-conforming density preserved?

As defined in Village LDRs section 30-732:

Nonconforming use means any use lawfully being made of any land, water or structure (other than a sign) on the effective date of the regulations in this chapter (or of any amendment which renders such use nonconforming), which does not comply with all of the requirements of this chapter as they may be amended. The casual, temporary, or illegal use of land or structures, or land and structures in combination, shall not be sufficient to establish the existence of a nonconforming use or to create rights in the continuance of such use.

Nonconforming structure means any structure (other than a sign) lawfully existing on the effective date of the regulations in this chapter (or of any amendment which renders such structure nonconforming), which does not comply with restrictions on lot area, lot coverage, height, setbacks, location on the lot, or any such requirements of this chapter as they may be amended (other than use regulations).

The Monroe County zoning regulations did not allow for dwelling units without a primary commercial use.

Property 1 and Property 2 have no evidence of existing commercial use, and therefore were not lawful under 1963 or 1986 zoning regulations.

Property 3 had a commercial use and dwelling unit above it allowed by the 1963 and 1986 zoning regulations. The current Village LDRs allow for a single-family dwelling unit without commercial use, the building with one market rate (upstairs) and commercial square footage (downstairs) is conforming use of the property. However, a determination by the Building Official must be made as to the conformity of building codes in the existing building.

If the owner obtains affordable allocations for some of the dwelling units on the property and retains some units as market rate units, what is the maximum number of units allowed on the property?

Each lot individually has less density than if the lots were to be unified. Individually each of the lots could accommodate one market rate dwelling unit. Unified, the property can accommodate up to seven (7) deed restricted affordable units.

### **Dwelling Unit Analysis:**

#### **Property 1**

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The Village does not have any building permits for Property 1 for residential or commercial use. There are no official approvals from Monroe County indicating the units were accounted for in Monroe County Ordinance 016-1992 as amended. **Criteria 1 has not been met.**





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2. If a permit or other official approval is not available, for residential dwelling units or nonresidential floor area, the criteria listed below shall be used to establish proof that the residential dwelling unit or nonresidential floor area was legally established:
  - a. The structure in which the unit or nonresidential floor area is located is currently habitable as determined by the building official, or utility invoices/receipts from Florida Keys Electric Cooperative or Florida Keys Aqueduct Authority are provided that clearly indicate by separate meter that the unit or nonresidential building was being served during April 1990, or Monroe County property record card showing the existence of the unit or nonresidential floor area in 1990, or occupational license or other state license for 1990 for a nonresidential use of a property, or insurance policy records for the building for a nonresidential use of a property that clearly delineate the amount of floor area; and

The Monroe County Property Appraisers property record card from 1986 shows one mobile home on Property 1. The property record card in 1990 shows two mobile homes on Property 1.

The applicant provided a copy of a "Declaration of Mobile Home As Real Property" form submitted to the Property Appraisers office dated 3/16/1990 for two mobile homes.

The applicant provided a copy of an FKAA work order to replace water meter servicing "9 units" dated 1/29/1993. Does not provide detail of how many units were serviced by the water meter on Property 1.

The applicant submitted an email from FKEC stating there was a valid FKEC account dating back to 1988 with 10 meters – this has not been verified and does not designate how many meters were serving units on Property 1.

- b. Aerial photograph(s) or signed and sealed survey(s) clearly showing existence of the dwelling unit or nonresidential structure either in 1990, or if not available for 1990 then both prior to and subsequent to 1990; and
- 1985 aerial shows two mobile homes, and the 1986 property record card states one.
  - 1997 aerial shows one, possibly two mobile homes.
  - 2000 & 2003 aerial shows one clearly visible in the same location as the 1985 aerial. The lot is mostly covered with vegetation obstructing the view of the aerial.
  - 2006 aerial shows possibly three mobile homes on the lot.
  - 2009 aerial shows one clearly, however the aerial photo is obstructed by vegetation.

- 2018 aerial shows three units on the lot.

Aerial photographs show the existence of dwelling units on Property 1. There is clear evidence of two mobile homes prior to 1990 and just after.

- c. A determination by the village that the use could have been legally permitted under the zoning and building codes in effect for the parcel at the time the structure was constructed, or the business was established. This not only refers to the type of use but also to the parameters of the building construction;

The zoning from 1963 through incorporation of the Village did not allow residential use of the property without commercial use as the primary use of the property. There are no records of permitted commercial use of Property 1.

The current zoning allows for residential use; however, it does not allow construction type of mobile homes or recreational vehicles.

3. Additional information shall be required to establish the number of units for mobile homes or recreational vehicles ("RVs") if such units are located in either a mobile home park or RV park; including:
  - a. The number of mobile homes and RVs approved by the State of Florida Department of Health as shown on the approved prospectus or any other documents on file with the State of Florida Department of Health for either the mobile home park or RV park;
  - b. Notwithstanding the number of mobile homes and RVs provided in subsection a., the total units recognized shall not exceed the number of mobile home spaces as shown in chapter 3 of the village comprehensive plan data inventory and analysis; and
  - c. A demolition permit(s) for each mobile that has been removed.

The units are not recognized in the data inventory and analysis of the village comprehensive plan. **Criteria 3 has not been met.**

Property 1 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village does not recognize any legally established dwelling units on Property 1.

## Property 2

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor



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area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The following building permit records were found:

- Permit #4024, dated 1962 for an addition to an existing structure – the file is incomplete and does not include approved plans.
- Permit #1020, not dated, is a site drawing for at 40'x10' concrete slab, the file is incomplete.
- Permit #10051, dated 1965, electrical permit replacing two metered trailer outlets damaged by the storm – incomplete file.

It is unclear from the permit records exactly how many, if any, units were accounted for in the 1990 census. **Criteria 1 has not been met.**

2. If a permit or other official approval is not available, for residential dwelling units or nonresidential floor area, the criteria listed below shall be used to establish proof that the residential dwelling unit or nonresidential floor area was legally established:
  - a. The structure in which the unit or nonresidential floor area is located is currently habitable as determined by the building official, or utility invoices/receipts from Florida Keys Electric Cooperative or Florida Keys Aqueduct Authority are provided that clearly indicate by separate meter that the unit or nonresidential building was being served during April 1990, or Monroe County property record card showing the existence of the unit or nonresidential floor area in 1990, or occupational license or other state license for 1990 for a nonresidential use of a property, or insurance policy records for the building for a nonresidential use of a property that clearly delineate the amount of floor area; and



The Monroe County Property Appraisers property record card from 1961 shows a two-story building on Property 2 indicating a Single-Family Residence (SFR) with three rooms (there were no records of the original building permit to verify the number of rooms).

The property record card from 1966 shows the permitted 9'x26' addition (permit #4024).

The property record card from 1986 shows a two-story building, garage addition, and two mobile homes on Property 2.

The applicant provided a copy of a "Declaration of Mobile Home As Real Property" form submitted to the Property Appraisers office dated 3/16/1990 for four mobile homes.

The applicant provided a copy of an FCAA work order to replace water meter servicing "9 units" dated 1/29/1993. Does not provide detail of how many units were serviced by the water meter on Property 2.

The applicant submitted an email from FKEC stating there was a valid FKEC account dating back to 1988 with 10 meters – this has not been verified and does not designate how many meters were serving units on Property 2.

- b. Aerial photograph(s) or signed and sealed survey(s) clearly showing existence of the dwelling unit or nonresidential structure either in 1990, or if not available for 1990 then both prior to and subsequent to 1990; and
  - 1975 aerial shows the 1961-1966 building, garage addition, and three mobile homes.
  - 1985 aerial shows the building, garage addition, and three mobile homes – the property record card confirms the building, the garage addition and two mobile homes.
  - 1997 aerial shows the building, the garage addition and three mobile homes.
  - 2000, 2003, 2006, 2009, 2012 aerials show the building, the garage addition, and three mobile homes.
  - 2015 aerial shows the building, the garage addition, and four mobile homes and a smaller unit (possibly an RV).
  - 2018 aerial shows the building, the garage addition, four mobile homes and an RV.

Aerial photographs show the existence of dwelling units on Property 2. There is clear evidence of one SFR, one garage addition and three mobile homes prior to and just after 1990.

- c. A determination by the village that the use could have been legally permitted under the zoning and building codes in effect for the parcel at the time the structure was constructed, or the business was established. This not only refers to the type of use but also to the parameters of the building construction;



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The zoning from 1963 through incorporation of the Village did not allow residential use of the property without commercial use as the primary use of the property. There are no records of permitted commercial use of Property 1.

The current zoning allows for residential use; however, it does not allow construction type of mobile homes or recreational vehicles.

3. Additional information shall be required to establish the number of units for mobile homes or recreational vehicles ("RVs") if such units are located in either a mobile home park or RV park; including:
  - a. The number of mobile homes and RVs approved by the State of Florida Department of Health as shown on the approved prospectus or any other documents on file with the State of Florida Department of Health for either the mobile home park or RV park;
  - b. Notwithstanding the number of mobile homes and RVs provided in subsection a., the total units recognized shall not exceed the number of mobile home spaces as shown in chapter 3 of the village comprehensive plan data inventory and analysis; and
  - c. A demolition permit(s) for each mobile that has been removed.

The units are not recognized in the data inventory and analysis of the village comprehensive plan. **Criteria 3 has not been met.**

Property 2 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village recognizes **one dwelling unit**, although the county regulations did not allow it without commercial use, there is some indication a portion of the garage addition was used in conjunction with the auto shop on Property 3.

### Property 3

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The following building permit records were found:

- Permit #C-233, issued in 1974 permitted a two-story building with a two-bedroom SFR on the top and garage/storage on the ground level.
- Permit #C-1895 issued in 1976 permitted a covered porch on the 2<sup>nd</sup> floor of the existing building.
- Permit #C-9330, issued in 1981 permitted an addition to the existing ground floor for "Tony's Body Shop" – commercial use.
- Permit #0005131, issued in 2000, permitted a change of copy for commercial use on the lower level for an art gallery.

**Criteria 1 has been met.** The Village recognizes **one legally established dwelling unit and 3,456 square feet of non-residential floor area** on Property 3.

In summary, the Village recognizes **two (2)** legally established market rate dwelling units and **3,456 square feet** of non-residential floor area.

This pre-application letter is based solely upon the information provided by the applicant and is only intended to familiarize the applicant with the provisions of the land development regulations currently in effect that may be applicable to the development project proposed by the applicant. The information provided herein is subject to change based upon the adoption of new policies or regulations, the repeal of existing policies or regulations, submission of additional information, or a determination that incomplete/inaccurate information or misstatements of fact were provided by the applicant. This letter is not a development approval, order or permit, and nothing contained herein shall be construed or interpreted as conveying, conferring, granting or denying any building, development or vested rights. This is not an administrative decision or interpretation regarding the provisions of the comprehensive plan or land development regulations. A final





**ISLAMORADA, VILLAGE OF ISLANDS**  
**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

86800 Overseas Highway ♦ Islamorada, Florida 33036 ♦ 305-664-6400 ♦  
[www.islamorada.fl.us](http://www.islamorada.fl.us)

decision or interpretation of the applicable policies and regulations cannot be made until the applicant submits a complete development application for review.

Pursuant to Section 30-281(a) of the Code of Ordinances: Any person aggrieved by an administrative decision or interpretation of the director of planning and development services, the building official or other village administrative official regarding the provisions of this chapter may appeal such decision or interpretation. The appeal shall be initiated within 30 days of the date of receipt by the aggrieved person of mailed, or posted, or published notice of the administrative decision or interpretation by filing an appeal with the director in a form specified by the planning and development services department for reviewing the application, and shall be accompanied by an application fee that is established by the village council from time to time to defray the actual cost of processing the appeal. Failure to file an appeal within the timeframe specified, and exhaust all administrative remedies provided for in this chapter, shall constitute a waiver of all rights to appeal any interpretation or determination made by the village.

If you require additional information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Jamie Terry".

Jamie Terry  
Planning & Zoning Technician  
86800 Overseas Highway  
Islamorada, FL 33036  
Telephone: (305) 664-6426  
E-mail: [jamie.terry@islamorada.fl.us](mailto:jamie.terry@islamorada.fl.us)

**APPEAL TO THE GOVERNING COUNCIL OF ISLAMORADA, VILLAGE OF  
ISLANDS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**

**APPELANTS: Gino Bologna &  
Piera Bologna**

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**STATEMENT OF APPEAL AND INITIAL BRIEF**

This appeal arises out of a pre-application letter submitted on June 7, 2024 (“LOU”) issued by Ms. Jamie Terry - Planning & Zoning Technician following a pre-application conference held on January 3, 2024. For the reasons explained more fully below, such LOU makes an incorrect dwelling unit determination on the following properties:

- Parcel # 00403630-000000, Lot 13 located on Upper Matecumbe Key, FL (“Property 1”).
- Parcel # 00403640-000000, Lot 14, located on Upper Matecumbe Key, FL (“Property 2”).
- Parcel # 00403650-000000, Lot 15, located on Upper Matecumbe Key, FL (“Property 3”).

**A. The Elements of the Village Islamorada Code Sec. 30-473 (d) (2)(a) and (b) have been met**

First, it is noted that Sec 30-473 (b)1 provides as follows:

*Type of residential development not affected.*

1. Redevelopment or rehabilitation which replaces, but which does not increase the number of legally established residential dwelling units above

the number existing **on the site** prior to redevelopment or rehabilitation as determined pursuant to the criteria contained in subsection (d) below.

In this instance, the **site** consists, collectively, of Lots 13 and 14 of Ocean View and should be analyzed as such. Anna M. Howell, the former owner/operator of Howells Trailer Park operated both of such lots as Howells Trailer Park, and we have demonstrated, unequivocally, Howells was licensed to operate as such by the Department of Health and Rehabilitative Services (“Dept. of Health”) as early as 1977 (copy enclosed). That license also reveals that the park was authorized to have six (6) mobile homes on the site. We also know that the six (6) mobile home units are separate from the four (4) apartments being operated in the structure located on Lot 14 as the operation of those units had to be and were licensed by the State of Florida, Department of Business and Professional Regulation, Division of Hotels and Restaurants (“DPBR”). A copy of the license issued for the apartment units dated 10/01/1983 is also enclosed<sup>1</sup>. Thus, the evidence is clear at that the time the current owner purchased the site, there were 10 units on the **site** (Lots 13 and 14): six (6) mobile homes and four (4) apartments, and these units were undeniably established no later than 1983<sup>2</sup>. This is confirmed by the billing records research provided by the Florida Keys Electric Cooperative (copy enclosed) which revealed there has been a total of ten (10) individual electric meters in service at the above site since at least 1988, the year the current owner purchased the property<sup>3</sup>.

Although the LOU states “there is clear evidence of two (2) mobile homes on Lot 13 prior to 1990 (pg. 6 of 11), we respectfully submit the provided property card and other documents clearly reflect three (3) mobile homes existed on that

---

<sup>1</sup> The subdivision of the building into multiple smaller dwelling units did not require any “allocations” or “development rights” since it pre-dated the establishment of ROGO and was an allowable use in the zoning district as an accessory use to the commercial operation, Howells Junction.

<sup>2</sup> This is not to say the units were not licensed prior to this date; however, records related to this period are not available. The enclosed record was in possession of the current owner.

<sup>3</sup> As noted above, Property 3 was not acquired until 1999, and the Florida Keys Electric Co-Op has confirmed that property is separately metered. A copy of the confirming e-mail is enclosed.



site prior to 1990. The 1990 property card for Lot 13 (copy enclosed) reflects there were three (3) “buildings” on the property (the data sheet for building 1 of 3 was not provided by the property appraiser’s office and is not otherwise available). Additionally, the 1985 aerial photograph (copy enclosed) reveals there were three (3) mobile homes on Property 1 in 1985.

With respect to Property 2, which is also part of the Howells Trailer Park, as noted in the LOU (p. 8 of 11), “[t]here is clear evidence of one SFR, one garage addition and 3 mobile homes prior to and just after 1990”.

In short, the property cards taken for the 1990 tax roll confirm the existence of three (3) mobile homes on Property 1 as do the aerial photographs. Additionally, the aerial photographs of Property 2 taken in 1975, 1985 and post 1990 (1997) confirm the building, garage and three (3) mobile homes existed on Property 2 as early as 1975. This evidence is corroborated by the total units set forth in the licenses issued to Howells Junction by the Department of Health (six (6) mobile homes), and DBPR (license for the operation of four (4) apartments). These conclusions are further substantiated by the billing data provided by the Florida Keys Electric Co-Operative which stated there were ten (10) separately metered electric connections as early as 1988 (the year the current owner purchased the property).

Clearly, the elements of Sec 30-473 (d) (2)(a) and (b) have been met.

**B. The Operations Held At The Site Were Allowed Under Both The 1963 1986 Zoning In Compliance With The Village Islamorada Code Sec. 30-473(d)(2)(c)**

With respect to Sec 30-473(d)(2)(c), such section requires a determination by the Village that the use could have been permitted under the zoning and building codes in effect at the time the structure was constructed or the business established. Per the LOU, the zoning history for the site is as follows:

**1963 Zoning:** BU-2 (Medium Business District) Commercial use as a primary use – living quarters for watchmen and caretakers only permitted as an accessory use. Prohibited any residential use.

**1986 Zoning:** SC (Sub Urban Commercial District) Commercial uses as a primary use – apartments involving less than six dwelling units in conjunction with a permitted commercial use.

As noted earlier, the evidence provided included a 1977 license to operate Howells Junction, a trailer park, issued by the Florida Dept. of Health, and a Monroe County occupational license issued in 1983 for the operation of Howells Junction. The Monroe County license reflects *the business* employed some 5 persons (see enclosed copy). Accordingly, it is clear the **site** and both parcels which make up the **site** were used for a commercial purpose: the operation of Howells Junction, a trailer park licensed by the State of Florida. This commercial operation was an allowable commercial use under both the 1963 zoning and the 1986 zoning. Likewise, because the parcels were both used for a commercial purpose, the apartments licensed by the State of Florida were also an allowable use under both the 1963 zoning and the 1986 zoning.

**C. The Village Islamorada Code Sec. 30-473 (d) (3) Does Not Apply To The Instant Case**

The requirements of subsection (3) do not apply to the applicant. Specifically, subsection (3) provides in pertinent part:

(3) Additional information shall be required to establish the number of units for mobile homes or recreational vehicles ("RVs") *if such units are located in either a mobile home park or RV park*; including:

- a. The number of mobile homes and RVs approved by the State of Florida Department of Health as shown on the approved prospectus or any other documents on file with the State of Florida Department of Health for either the mobile home park or RV park;
- b. Notwithstanding the number of mobile homes and RVs provided in subsection a., the total units recognized shall not exceed the number of mobile home spaces as shown in chapter 3 of the village comprehensive plan data inventory and analysis; and
- c. A demolition permit(s) for each mobile home that has been removed.

In 1990, Howells Junction apparently did not have a current license to operate as a mobile home or RV park which is precisely why it was not recognized in the inventory of mobile home spaces as contained in chapter 3 of the Village Comprehensive Plan. Furthermore, since it was not licensed as such for that year, the provision has no application since it's apparent that requirement only related to then licensed mobile home and RV parks.

This does not change the outcome, however, since all of the mobile homes were and/or "could have been permitted under the zoning and building codes in effect for the parcel at the time ***the structure was constructed or the business established***". Sec. 30-473 (d)(2)(c). As demonstrated by all of the above, there is no doubt the operation of Howells Junction, which consisted of both Property 1 and Property 2, was a lawful and permissible use under the applicable zoning when the mobile homes and structure were constructed and the business (Howells Junction) was established and had existed there for many years prior to 1990.

**D. The Village Of Islamorada Is Estopped From Pursuing With The Determinations Contained In The LOU**

In addition to the foregoing, the Village is estopped from taking enforcement action against the Appellant and/or acknowledging the long established development on the site. The elements of estoppel are: (1) the party against whom estoppel is sought must have made a representation about a material fact that is contrary to a position it later asserts; (2) the party claiming estoppel must have relied on that representation; and (3) the party seeking estoppel must have changed his position to his detriment based on the representation and his reliance on it. *Lewis v. Dep't of Health & Rehab. Servs.*, 659 So.2d 1255, 1256-57 (Fla. 4th DCA 1995).

As stated in *Castro v. Miami-Dade County Code Enforcement*:

Stripped of the legal jargon which lawyers and judges have obfuscated it with, the theory of estoppel amounts

to nothing more than an application of the rules of fair play. One party will not be permitted to invite another onto a welcome mat and then be permitted to snatch the mat away to the detriment of the party induced or permitted to stand thereon. A citizen is entitled to rely on the assurances or commitments of a zoning authority and if he does, the zoning authority is bound by its representations, whether they be in the form of words or deeds....

*Castro v. Miami-Dade Cnty. Code Enforcement*, 967 So. 2d 230, 234 (Fla. 3<sup>rd</sup> DCA 2007), quoting *Coral Springs St. Sys.*, 371 F.3d at 1334-35 (quoting *Imperial Homes*, 309 So.2d at 573)(applying Florida law); *Equity Res.*, 643 So.2d at 1119-20 (quoting *Imperial Homes*, 309 So.2d at 573).

In this instance, the rules of fair play mandate the Village recognize the lawfully established development rights of the Appellant since it lulled the Appellants into believing the development on the property was lawful through its conduct, specifically, on August 30, 2018, the building official specifically approved a site plan for the property. Such site plan, which is attached for your reference, explicitly designates (seven) 7 trailers and a separate apartment building as part of the approved layout. In reliance on that approval from the Village, the Appellants spent significant funds of money to add the required wastewater connections to the Village wastewater system; money it would never have expended has it known the Village would later claim the units serviced by the wastewater connections were not lawful and had to be removed. Additionally, the Wastewater Utility Department has historically collectively 17.21 EDUs for all three (3) properties and has assessed (and continues to assess) over \$177,000.00 based upon occupancy.

By refusing to recognize the historical development rights associated with the subject site, the Village is trying to do precisely what the Third District said it was prohibited from doing in the *Castro* decision: it invited the Appellants onto the welcome mat by demanding and approving the Appellants connect to the Village wastewater system, only to now try and snatch the mat away after the



Appellants expended significant funds complying with the Village's prior mandate.

### **CONCLUSION**

Based upon the foregoing, we respectfully request the LOU be reversed to allow for the following:

- (1) Property 1 (Lot 13): three (3) legally established market rate residential dwelling units;
- (2) Property 2 (Lot 14): seven (7) legally established market rate residential dwelling units (four (4) apartments and three (3) mobile homes); and
- (3) Property 3: two (2) legally established market rate dwelling units on and 3456 square feet of non-residential floor area

Dated: July 8, 2024

Respectfully Submitted,

**Hershoff, Lupino & Yagel, LLP**

90130 Old Highway

Tavernier, FL 33070

(305) 852-8440 B

By: /s/ Joanne Marie Pereira

JOANNE M. PEREIRA, ESQ

Florida Bar No. 1015381

RUSSELL A. YAGEL

Florida Bar No. 727090



State of Florida  
Department of Health and Rehabilitative Services

TALLAHASSEE, FLORIDA

OPERATING PERMIT

County: **Monroe**  
Permit No. **44-90-77**

This certifies that **Trailer Park**

Name **Howells Jct.**  
Address of Location **M.M. 83, Islamorada, Fl. 33036**  
Owner or Operator **Charles & Anna M. Howells**  
Address **P.O. Box 451, Islamorada, Fl. 33036**  
STREET AND NO. P.O. BOX OR ROUTE

has been inspected by the undersigned, a duly authorized representative of the Department of Health and Rehabilitative Services and found to conform to the Health Laws and Regulations promulgated under authority of Chapters 381 and 513, Florida Statutes, where applicable.

This permit grants authority to operate the establishment as long as the Health Laws and Regulations of the Department of Health and Rehabilitative Services are observed. This permit is revokable at any time by any authorized representative of this Department for failure to properly operate the same.

**6-Independent Mobile Homes**

Approval shall be obtained from the County Health Department and Dept. of Health & Rehabilitative Services prior to any increase in number of spaces or other extensions or alterations of this trailer park. (Ref: 513.05 FS and 10D-26.33 F.A.C.)

Granted this **4th** day of **November** 19 **77**.

**Monroe** County Health Department

per

*Mae P. Bottum*  
District Administrator

THIS PERMIT IS NOT TRANSFERABLE AND IT MUST BE DISPLAYED CONSPICUOUSLY.

DBR 203003294

STATE OF FLORIDA DEPARTMENT OF BUSINESS REGULATION  
DIVISION OF HOTELS AND RESTAURANTS TALLAHASSEE, FLORIDA 32301

LICENSE

ISSUED  
TO

HOWELLS CHARLES & ANNA M  
HOWELLS JCT  
ISLAMORADA OVERSEAS HWY FL 33036

MAILED  
TO

CHARLES & ANNA M HOWELLS  
PO BOX 451  
ISLAMORADA FL 33036

DISPLAY IN A CONSPICUOUS PLACE  
THIS LICENSE IS NOT TRANSFERABLE FROM PLACE OR INDIVIDUAL TO ANOTHER

LICENSE NUMBER

54 00102H

LODGING	
CLASS	UNITS
APT	4

FOOD SERVICE	
SEATS	SERVICES

HEP FEE \$ 3.00  
LICENSE FEE \$ 30.00  
LATE RENEWAL \$ .00

TOTAL FEE PAID \$ 33.00

EXPIRATION DATE 10/01/83

*Sherman S. Winn*  
Sherman S. Winn, Director

AUDIT CONTROL NO 23654



013776

471-147-07

NUMBER OF EMPLOYEES: 5  
ENTER CURRENT NBR OF EMPLOYEES HERE: -----

COUNTY OCCUPATIONAL LICENSE 1986-1987  
MONROE COUNTY-STATE OF FLORIDA  
THIS LICENSE EXPIRES SEPTEMBER 30, 1987

TAX 22.00  
COST AND PENALTY  
TRANSFER FEE  
TOTAL DUE 22.00

MAKE  
CHECKS  
PAYABLE  
TO

STATE CERTIFICATE NUMBER  
HARRY F. KNIGHT  
TAX COLLECTOR 294-8403  
P.O. BOX 1129  
KEY WEST, FL 33041-1129

LICENSEE:  
HOWELLS JCT  
HOWELLS CHARLES & ANNA M  
BOX 451  
ISLAMORADA, FL 33036

PLEASE SEE BACK OF FORM

LOCATION: US #1 MM 83

THE ABOVE LICENSEE IS HEREBY LICENSED TO ENGAGE IN THE BUSINESS  
PROFESSION OR OCCUPATION OF :  
TRAILER PARK SERV

HFK/gkb

ACCOUNT NUMBER IS 02441

\*\*\*PAID\*\*\*HARRY F. KNIGHT\*\*\*

22.00 CK 09/03/86 19\*0C\*06\*000000\*016609

THIS LICENSE MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS LICENSE IS FURNISHED IN  
PURSUANCE OF FLORIDA STATUTES



**From:** [Veronica Ornelas](#)  
**To:** [Vicky Velunza](#)  
**Subject:** Billing Records Research  
**Date:** Tuesday, August 11, 2020 12:33:50 PM  
**Attachments:** [image001.jpg](#)

---

**Re: FKEC Billing Records Research Request  
82929 Overseas Hwy (Ocean View B1L14)**

Good afternoon,

Please find this email as verification that our billing records indicate there is a total of ten (10) individual electric meters in service at the above referenced location dating back 1988.

Feel free to contact me if you need any additional assistance.

Sincerely,

*Veronica Ornelas*

Member Service Representative

Florida Keys Electric Cooperative Assoc., Inc.  
P.O. Box 377  
Tavernier FL 33070  
305.852.2431 x 216  
[www.fkec.com](http://www.fkec.com)



$$\begin{array}{r} \text{FLA} \\ \hline 32 \end{array}$$
[illegible]

BUILDING REFINEMENTS					
<b>Roof Type</b> 1 Flat or Shed 2 Gable or Hip 3 Mansard 4 Irregular - Custom 5 Reinforced Concrete 6 Prestress Concrete 7 Steel Truss	<b>Heating Type/Method</b> 1 None 2 Wall Heaters 3 Floor Furnace 4 Convection 5 Forced Air Non-Ducted 6 Forced Air Ducted 7 Electric Radiant 8 Hot Water/Steam	<b>Foundation</b> 1 Wood Piers 2 Concrete Pads - Wood 3 Concrete Block 4 Concrete Slab 5 Continuous Conc. Footer 6 Conc. Pilings - Auger Holes			
<b>Roof Cover</b> 1 Asphalt/Composition Rolled 2 Metal 3 Asphalt/Composition Shingle 4 Tar & Gravel 5 Wood Shingle 6 Concrete/Clay Tile 7 Minimum	<b>Heating Fuel/Source</b> 1 Electric 2 Gas 3 Oil 4 None 5 Solar	<b>Number of Fireplaces</b>			
<b>Number of Bedrooms</b>	<b>Interior Flooring</b> 1 Plywood - Press Board 2 Softwood - Hardwood 3 Concrete Slab 4 Concrete Above Grade 5 Terrazzo 6 Ceramic or Clay Tile 7 Marble	<b>Interior Wall/Ceiling</b> 1 Masonary - Minimum 2 Wall Board 3 Dry Wall 4 Plastered 5 Plywood Panel 6 Wood or Custom			
<b>Baths:</b>		<b>Air Conditioning</b>			
4 Fixtures	3 Fixtures	2 Fixture	Extra Fixture		
<b>Built-Ins ("Y" if Yes)</b>		<b>Security</b>			
Range/Oven Dishwasher	Garbage Disposal Intercom	Compactor Vacuum System	Security		





12	FLA	39	12
		39	

[illegible]

Built-Ins ("Y" if Yes)	Range/Oven	<input type="checkbox"/>	Garbage Disposal	<input type="checkbox"/>	Compactor	<input type="checkbox"/>	Security	<input type="checkbox"/>
	Dishwasher	<input type="checkbox"/>	Intercom	<input type="checkbox"/>	Vacuum System	<input type="checkbox"/>		









**From:** [Member Service](#)  
**To:** [Theresa Davis](#)  
**Cc:** [Veronica Ornelas](#)  
**Subject:** FKEC - Property records request 82935 Overseas Highway  
**Date:** Monday, June 24, 2024 11:19:08 AM  
**Attachments:** [image003.png](#)

---

Hi Theresa,

I can confirm that there is a singular separate meter located on the property at 82935 Overseas Highway, Islamorada FL.

If you require more information, we can access our archived records as we clear our software system every couple of years.

Sincerely,

*Alie Garcia*

Member Service Representative

Florida Keys Electric Cooperative Assoc., Inc.

P.O. Box 377

Tavernier, FL 33070

(305) 852-2431 ext. 217

(305) 433-9316 Direct

(305) 853-8381 Fax

[www.fkec.com](http://www.fkec.com)



---

**From:** Theresa Davis <[tdavis@hlylaw.com](mailto:tdavis@hlylaw.com)>  
**Sent:** Monday, June 24, 2024 10:11 AM  
**To:** Alie Garcia <[alie.garcia@fkec.com](mailto:alie.garcia@fkec.com)>  
**Subject:** [External]82935 Overseas Highway

You don't often get email from [tdavis@hlylaw.com](mailto:tdavis@hlylaw.com). [Learn why this is important](#)

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.

Good morning Alie,

I left you a voicemail about this request as well.

We would like to make a public records request as follows:

**We need something in writing from FKEC confirming the property at 82935 Overseas Highway, Islamorada, FL is on a separate account or has separate meters from 82929 Overseas Hwy and further we would like to know how many separate meters there are for the 82935 property?**

Please let me know if you need anything else.

Thank you.

**Theresa L. Davis**

Legal Assistant to  
Russell A. Yagel, Esq.



88539 Overseas Highway  
Tavernier, FL 33070  
(305) 852-8440  
[tdavis@hlylaw.com](mailto:tdavis@hlylaw.com)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Russell A. Yagel, Esq.

[ryagel@hlylaw.com](mailto:ryagel@hlylaw.com)

Hershoff, Lupino & Yagel, LLP

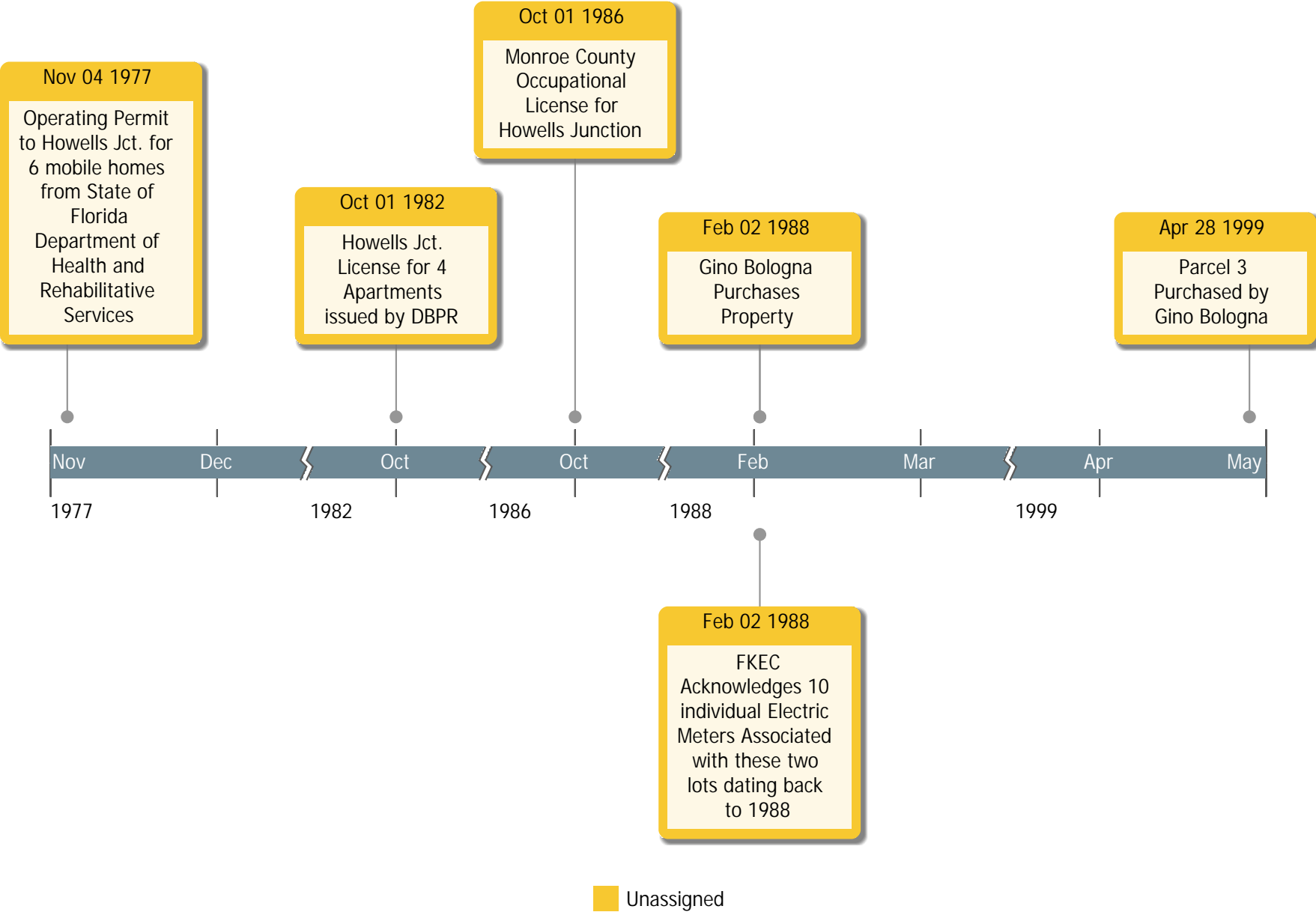
88539 Overseas Highway

Tavernier, Fl. 33070

Phone: 305-852-8440

Fax: 305-852-8848

# Untitled





PROPERTY OWNER / ADDRESS:  
BOLOGNA GINO S AND PIERA  
PO BOX 451  
ISLAMORADA, FL. 33036

PROJECT LOCATION:  
82929 OVERSEAS HIGHWAY  
ISLAMORADA, FLORIDA

RE# - 00403640-000000  
ALTERNATE KEY - 1495956

LEGAL DESCRIPTION:  
OCEAN VIEW UPPER MATECUMBE LOT 14 SQR 1,  
ACCORDING TO THE PLAT THEREOF RECORDED  
IN PLAT BOOK 1, PAGE 193, AS RECORDED IN THE  
PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

FLOOD ZONE CRITERIA:  
FLOOD ZONE - AE  
BASE FLOOD ELEVATION - 10.0 (NGVD 29)

SCOPE OF WORK:  
1. CENTRAL SEWER TIE IN CONNECTION

LOCATION OF PUBLIC WATER SYSTEM MAINS  
IN ACCORDANCE WITH F.A.C. RULE 62-555.31

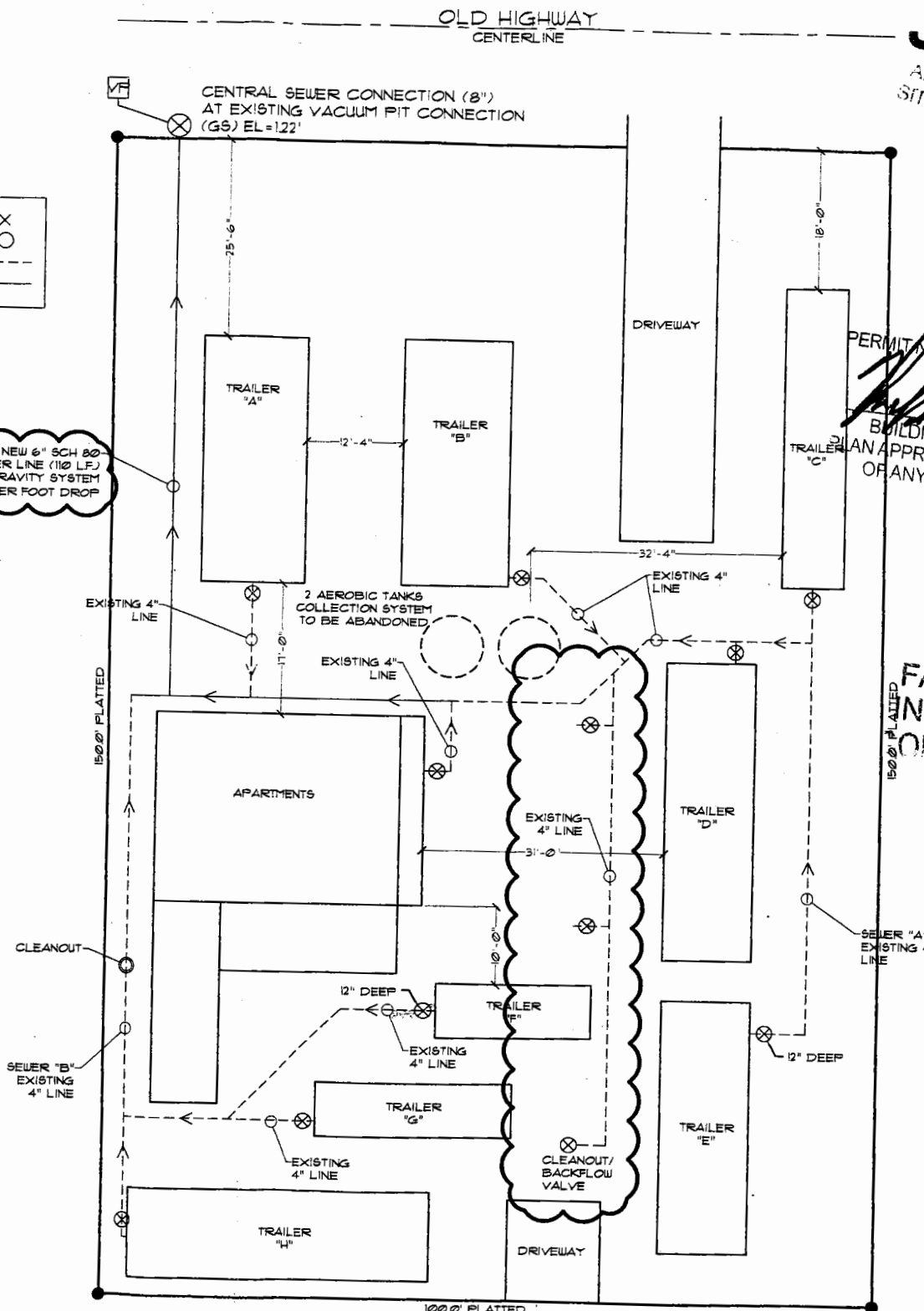
OTHER PIPE	HORIZONTAL SEPARATION	CROSSING (1)	JOINT SPACING @ CROSSING (FULL JOINT CENTERED)
STORM SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER (2)	WATER MAIN 12"	WATER MAIN 10" IS THE MIN EXCEPT FOR STORM SEWER, THEN 6" IS MIN. 12" IS PREFERRED	WATER MAIN 3"
VACUUM SANITARY SEWER	WATER MAIN 12" PREFERRED 6" MIN.	WATER MAIN 12" PREFERRED 6" MIN.	WATER MAIN 3"
GRAVITY OR PRESSURE SANITARY SEWER, SANITARY SEWER FORCE MAIN, RECLAIMED WATER (4)	WATER MAIN 12" PREFERRED 6" MIN. (5)	WATER MAIN 12" IS THE MIN EXCEPT FOR GRAVITY SEWER, THEN 6" IS MIN. 12" IS PREFERRED	WATER MAIN 3"
ON-SITE SEWAGE TREATMENT & DISPOSAL SYSTEM	10" MIN.		

NOTES:  
1. WATER MAIN SHOULD CROSS ABOVE OTHER PIPE WHEN MAIN MUST BE BELOW OTHER PIPE, THE MIN SEPARATION IS 12".  
2. RECLAIMED WATER REGULATED UNDER PART II OF CHAPTER 62-610 F.A.C.  
3. THREE FEET FOR GRAVITY SANITARY SEWER WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST 6" ABOVE THE TOP OF GRAVITY SEWER LINE.  
4. RECLAIMED WATER NOT REGULATED UNDER PART III OF CHAPTER 62-610 F.A.C.  
5. ADDITIONAL INFORMATION UNDER PARAGRAPH 3g OF 62-604.600 F.A.C.

# LEGEND:

BACKFLOW VALVE: X  
CLEANOUT: O  
EXISTING 4" SEWER LINE: ---  
NEW 6"/8" SEWER LINE: —

NEW 6" SCH 80  
SEWER LINE (110 LF)  
GRAVITY SYSTEM  
• 1/8" PER FOOT DROP



# SITE PLAN

SCALE @ 1" = 20'-0"

US-1 OVERSEAS HIGHWAY  
CENTERLINE

# JOB COPY

APPROVED PLANS TO BE AT JOB  
SITE FOR REQUIRED INSPECTIONS.

APPROVED

PERMIT NO. 1801801691  
DATE 10/30/18  
BUILDING OFFICIAL  
PLAN APPROVAL DOES NOT AUTHORIZE VIOLATION  
OF ANY TECHNICAL CODES, LOCAL, STATE,  
OR FEDERAL LAWS

NOTICE  
ALL PERMITS REQUIRE  
A FINAL INSPECTION.  
FAILURE TO OBTAIN A FINAL  
INSPECTION WILL RESULT IN  
CODE ENFORCEMENT ACTION

10/24/18



KEYS ENGINEERING  
DARYLE L. OSBORN  
P.E. NO. FL 71428

9100 SUITE 11 OVERSEAS HIGHWAY  
TAVERNIER, FLORIDA 33070 - PH. (305) 852-0262

DATE	REVISION	NO.	AS SHOWN	SCALE
5/10/2016	READY FOR PERMITTING	0	5/10/2016	DATE
10/20/2016	REVISION 1	1	A.S.	DWG BY:
11/19/2016	REVISION 2	2	J.A.	REVISOR:
10/22/2018	REVISION 3	3		BIDS DATE:
				ACAD FILE:

TITLE: SITE PLAN  
PROJECT: BOLOGNA RESIDENCE  
82929 OVERSEAS HIGHWAY  
ISLAMORADA, FLORIDA  
DRAWING No: C-1  
PROJECT No: D-16-108

PROPERTY OWNER / ADDRESS:  
BOLOGNA GINO S AND PIERA  
PO BOX 451  
ISLAMORADA, FL. 33036

PROJECT LOCATION:  
82929 OVERSEAS HIGHWAY  
ISLAMORADA, FLORIDA

RE\* - 00403640-000000  
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IN ACCORDANCE WITH F.A.C. RULE 62-555.31

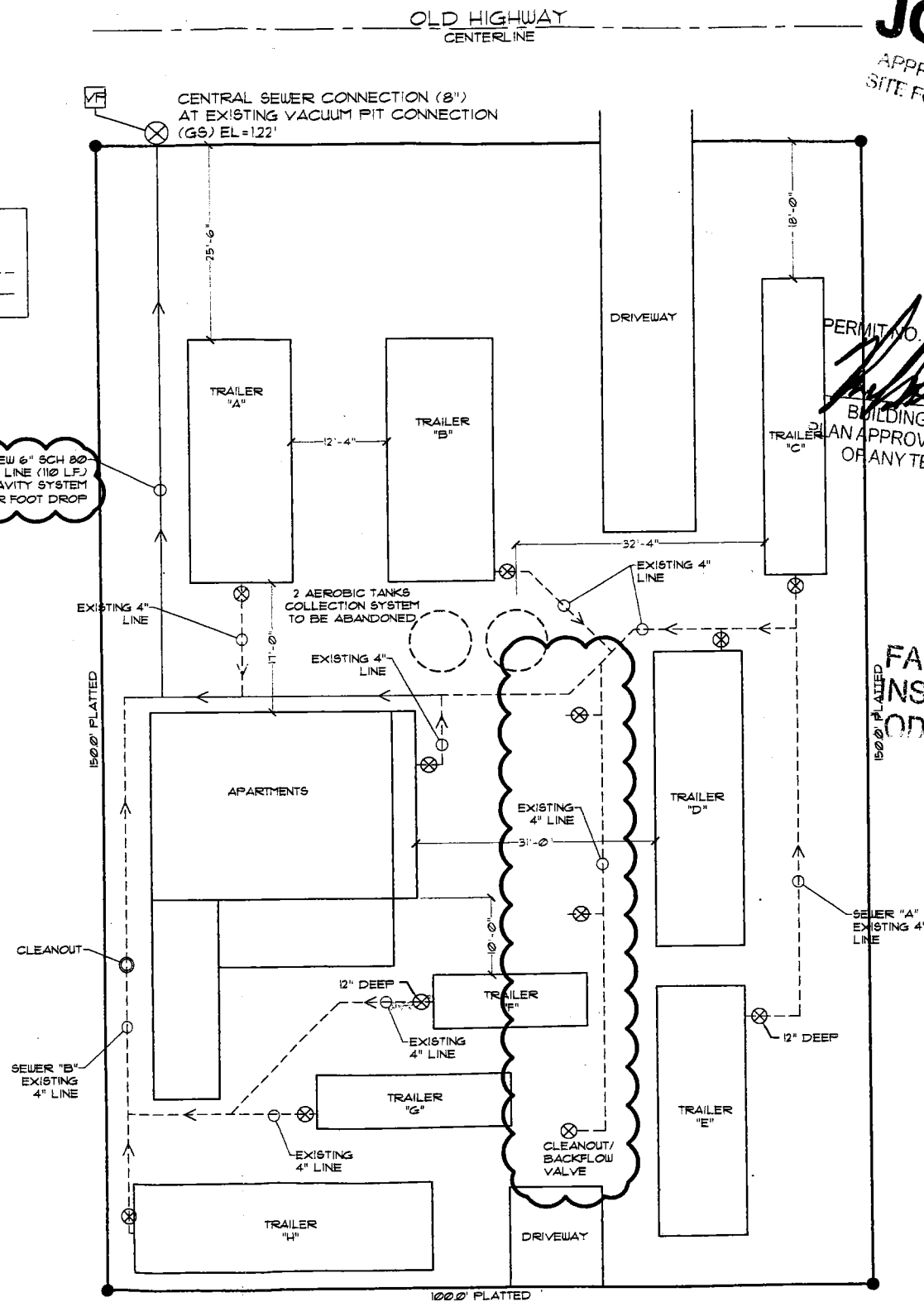
OTHER PIPE	HORIZONTAL SEPARATION	CROSSING (1)	JOINT SPACING @ CROSSING (FULL JOINT CENTERED)
STORM SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER (2)	WATER MAIN 12" MIN.	WATER MAIN 12" IS THE MIN EXCEPT FOR STORM SEWER, THEN 6" IS MIN. 12" IS PREFERRED	WATER MAIN 5' MIN.
VACUUM SANITARY SEWER	WATER MAIN 12" PREFERRED 5' MIN.	WATER MAIN 12" PREFERRED 5' MIN.	WATER MAIN 5' MIN.
GRAVITY OR PRESSURE SANITARY SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER (4)	WATER MAIN 12" PREFERRED 5' MIN. (3)	WATER MAIN 12" IS THE MIN EXCEPT FOR GRAVITY SEWER, THEN 6" IS MIN. 12" IS PREFERRED	WATER MAIN 5' MIN.
ON-SITE SEWAGE TREATMENT & DISPOSAL SYSTEM	10' MIN.		

NOTES:  
1. WATER MAIN SHOULD CROSS ABOVE OTHER PIPE WHEN MAIN MUST BE BELOW OTHER PIPE, THE MIN SEPARATION IS 12".  
2. RECLAIMED WATER REGULATED UNDER PART II OF CHAPTER 62-610 F.A.C.  
3. THREE FEET FOR GRAVITY SANITARY SEWER WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST 6" ABOVE THE TOP OF GRAVITY SEWER LINE.  
4. RECLAIMED WATER NOT REGULATED UNDER PART III OF CHAPTER 62-610 F.A.C.  
5. ADDITIONAL INFORMATION UNDER PARAGRAPH 3g OF 62-604.600 F.A.C.

LEGEND:

BACKFLOW VALVE: X  
CLEANOUT: O  
EXISTING 4" SEWER LINE: ---  
NEW 6" 8" SEWER LINE: —

NEW 6" SCH 80  
SEWER LINE (110 LF.)  
GRAVITY SYSTEM  
• 1/8" PER FOOT DROP



SITE PLAN

SCALE @ 1" = 20'-0"

US-1 OVERSEAS HIGHWAY  
CENTERLINE

JOB COPY

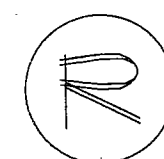
APPROVED PLANS TO BE AT JOB  
SITE FOR REQUIRED INSPECTIONS.

APPROVED

PERMIT NO. 1501801691  
DATE 16/30/18  
BUILDING OFFICIAL  
AN APPROVAL DOES NOT AUTHORIZE VIOLATION  
OF ANY TECHNICAL CODES, LOCAL, STATE,  
OR FEDERAL LAWS

NOTICE  
ALL PERMITS REQUIRE  
A FINAL INSPECTION.  
FAILURE TO OBTAIN A FINAL  
INSPECTION WILL RESULT IN  
CODE ENFORCEMENT ACTION

10/22/18



KEYS ENGINEERING

DARYLE L. OSBORN

P.E. No. FL 27428

3100 SUITE 11 OVERSEAS HIGHWAY  
TAVERNER, FLORIDA 33070 - FL (305) 852-0262

TITLE: SITE PLAN

PROJECT: BOLOGNA RESIDENCE  
82929 OVERSEAS HIGHWAY  
ISLAMORADA, FLORIDA

DRAWING No:

C-1

PROJECT No:  
D-16-108

**From:** [Veronica Ornelas](#)  
**To:** [Vicky Velunza](#)  
**Subject:** Billing Records Research  
**Date:** Tuesday, August 11, 2020 12:33:50 PM  
**Attachments:** [image001.jpg](#)

---

**Re: FKEC Billing Records Research Request  
82929 Overseas Hwy (Ocean View B1L14)**

Good afternoon,

Please find this email as verification that our billing records indicate there is a total of ten (10) individual electric meters in service at the above referenced location dating back 1988.

Feel free to contact me if you need any additional assistance.

Sincerely,

*Veronica Ornelas*

Member Service Representative

Florida Keys Electric Cooperative Assoc., Inc.  
P.O. Box 377  
Tavernier FL 33070  
305.852.2431 x 216  
[www.fkec.com](http://www.fkec.com)



**From:** [Veronica Ornelas](#)  
**To:** [Vicky Velunza](#)  
**Subject:** Billing Records Research  
**Date:** Tuesday, August 11, 2020 12:33:50 PM  
**Attachments:** [image001.jpg](#)

---

**Re: FKEC Billing Records Research Request  
82929 Overseas Hwy (Ocean View B1L14)**

Good afternoon,

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Feel free to contact me if you need any additional assistance.

Sincerely,

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Member Service Representative

Florida Keys Electric Cooperative Assoc., Inc.  
P.O. Box 377  
Tavernier FL 33070  
305.852.2431 x 216  
[www.fkec.com](http://www.fkec.com)





524920

REC 1040 PAGE 2477

This instrument was prepared by:

600  
825.00

ANDREW M. TOBIN  
Attorney at Law  
P.O. Box 620  
TAVERNIER, FLORIDA 33070

# Warranty Deed (STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 3rd day of February 19 88, Between

ANNA M. HOWELLS, an unmarried widow,

of the County of Monroe, State of Florida, grantor\*, and

GINO S. BOLOGNA,

whose post office address is P.O. Box 46, Islamorada, Florida 33036

of the County of Monroe, State of Florida, grantee\*,

Witnesseth, That said grantor, for and in consideration of the sum of Ten and no/100 Dollars-----  
----- (\$10.00) ----- Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lots 13 and 14, Block 1, OCEAN VIEW, a subdivision of Upper Matecumbe, Florida, the same being part of Lots 2 and 3, in Section 28, Township 63 South, Range 37 East, according to the Plat thereof, as recorded in Plat Book 1, at Page 193, of the Public Records of Monroe County, Florida.

Subject to taxes for the current and subsequent years, easements for public utilities, restrictions of record, if any, and a purchase money first mortgage.

825.00 2-8-88  
DANNY L. BOGARDUS  
By *India Madala*

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\* "Grantor" and "grantee" are used for singular or plural, as context requires.

## In Witness Whereof,

Signed, sealed and delivered in our presence:

*Marlene S. Weeks*  
Witness  
*[Signature]*  
Witness

*Anna M. Howells*  
ANNA M. HOWELLS (Seal)

MONROE CLERK  
DANNY L. BOGARDUS  
FEB -8 10 45  
FILED  
(Seal)  
(Seal)  
(Seal)

STATE OF Florida  
COUNTY OF Monroe

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared:

Anna M. Howells

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 3rd day of February, 19 88.

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. MAR. 5, 1991  
BONDED THRU GENERAL INS. UND.

Recorded in Official Records Book  
in the County of Monroe  
Florida  
DANNY L. BOGARDUS  
Notary Public

*Marlene S. Weeks*  
Notary Public  
(SEAL)

Search for Permits

Search:

bologna

GO!

Begin typing a permit number, address, Parcel number or name/address of a contact on the permit and we will search existing permits. If the item you are searching for appears, please select it from the list.

Permit Applications

**Permit Number:** PRBLD202300817  
**Permit Type:** BUILDING  
**Status:** Issued  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRBLD202300562  
**Permit Type:** BUILDING  
**Status:** Returned for Correction  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRELT201801796  
**Permit Type:** ELECTRICAL  
**Status:** Closed  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRPLB201801691  
**Permit Type:** PLUMBING  
**Status:** Closed  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRELT201701676  
**Permit Type:** ELECTRICAL  
**Status:** Closed  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRSCP201601591  
**Permit Type:** SEWER CONNECTION  
**Status:** Closed  
**Locations:** 82929 OLD HWY  
00403640-000000  
  
Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** PRSCP201601587  
**Permit Type:** SEWER CONNECTION  
**Status:** Closed  
**Locations:** 82935 OVERSEAS HWY  
00403650-000000  
  
Permit Status

Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** ERE200800504  
**Permit Type:** ELECTRICAL RESIDENTIAL  
**Status:** Closed  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000

Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** INR200800387  
**Permit Type:** INTERIOR & EXTERIOR RENOVATION/RES  
**Status:** Closed  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000

Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

**Permit Number:** BRE200800329  
**Permit Type:** BUILDING RESIDENTIAL  
**Status:** Cancelled  
**Locations:** 82929 OVERSEAS HWY  
00403640-000000

Permit Status  
Inspections can only be requested online for this permit application by contacts who are on the application. Please sign in if you are a contact on the application and want to request an inspection.

#003263

INITIATED BY \_\_\_\_\_

## FKAA WORK ORDER

28408

WORK ORDER NO.

DP 01 06 93  
ORIG. MO. DAY YR.

DATE TO WORK \_\_\_\_\_

WORK DESCRIPTION

ACCOUNT 03263 30

AREA 04

BOOK 066-4

PAGE 0465

9  
NO. UNITS

GINO BOLOGNA/DBA/HOWELLS JCT

NAME L13414 B1 TRAILER PK MM82.9 O/S

LOT BLK SUB-DIVISION  
OCEANVIEW, ISLAMORADA

STREET APT.

CITY/KEY

MOVED TO OLD ROAD

LOCATION CODE

- ☐ New Installation  
☐ Turn-On  
☐ Unhook Mtr  
☐ Drop-In  
☐ Tap No  
☐ Read Mtr  
☐ Reconnect Mtr  
☐ Transfer to

DELIVERED, JAN 29 1993

- ☐ Turn-Off  
☐ Refund Deposit  
☐ Turn-Off  
☐ Read-Active  
☐ Lock Mtr  
☐ Remove Mtr  
☐ Read Only

- ☐ Correct Tap-Off  
☐ Water Used Not Disposed  
☐ Tap-Off  
☐ Turn-Off  
☐ Deling Turn-On  
☐ Date

DC

- ☐ Install Master Meter  
☐ Change Tap Master Meter  
☐ Repair Master Meter  
☐ Repair Service Meter  
☐ Other

- ☐ Change Service Meter  
☐ Service Relocation  
☐ Replace Meter Box  
☐ Replace Meter Lid

- ☐ Reconnect Customer Master Meter  
☐ Remove Customer Master Meter  
☐ Change Customer Master Meter  
☐ Meter Test - Tandem  
☐ Meter Test - Field

## METER DATA

## Removed Meter

Maker: RK Size: 5/8" Type: SR

Reading: 185316 Meter No.: 348200510  
Customer Master Meter Pointer: NONE

## Installed Meter

Maker: XARK Size: 5/8" Type: SR

Reading: 957756 Meter No.: 33962848-9

## NEW INSTALLATION

- ☐ Locate Meter Left Side ☐ Right Side ☐ Where Staked  
☐ Septic Tank Located Left Side ☐ Right Side ☐ Other

## CONSUMPTION DATA

Date \_\_\_\_\_ Reading \_\_\_\_\_ Consumption \_\_\_\_\_  
Final Bill Date \_\_\_\_\_ Final Bill Reading \_\_\_\_\_

- ☐ Line Installation ☐ Hydrant Installation ☐ Distribution Line Reading  
☐ Line Repair ☐ Hydrant Repair ☐ Special Inspection ☐ Service Line Repair

## LEAK INVESTIGATION HISTORY

- ☐ Transmission ☐ Distribution ☐ Service  
 Pipe Size: \_\_\_\_\_ Material Type: ☐ PVC ☐ CI ☐ AC ☐ Galv ☐ Copp ☐ TT ☐ DI ☐ Steel  
 Break Type: ☐ Hole ☐ Vertical Crack ☐ Lateral Crack

## MAINTENANCE

- ☐ Transmission ☐ Distribution Code: \_\_\_\_\_  
☐ Preventative ☐ Daily ☐ Weekly ☐ Monthly ☐ Semi-Annual ☐ Annual  
☐ Unscheduled

DATA

- ☐ Leak Survey ☐ Locate Pipe ☐ Street Patch ☐ Sidewalk Patch ☐ Trouble Call ☐ Other

JAN 29 1993

Work Description \_\_\_\_\_

PROCESSING

9 UNITS - ✓

## REMARKS

ROUTINE METER CHANGE PS

## WORK ASSIGNMENT SUMMARY

ASSIGNED TO: \_\_\_\_\_  
☐ Locked ☐ Sealed  
 L 27 93  
 MO DAY YEAR  
 DATE COMPLETED





Monroe County Health Department  
102050 Overseas Hwy Key Largo, FL 33037

PAYING ON: PERMIT #: 44-54-1459064 BILL DOC #: 44-BID-3251660

RECEIVED FROM: Gino S Bologna AMOUNT PAID: \$ 100.00

PAYMENT FORM: CREDIT CARD PAYMENT DATE: 08/30/2016

MAIL TO: **Gino Bologna**  
571 Ocean Dr  
Juno Beach, FL 33408

FACILITY NAME : Howells Junction Trailer Park

PROPERTY LOCATION:

82929 Overseas Hwy  
Islamorada, FL 33036

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Property ID: \_\_\_\_\_

EXPLANATION or DESCRIPTION:	QUANTITY	FEE
1170 - MHP - Operating Permit	1	\$ 100.00

RECEIVED BY: CoxCX

AUDIT CONTROL NO. 44-PID-3059488

Note: GINO BOLOGNA



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2902864**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 01/22/2016  
Issued Date: 10/01/2015

**Permit Expires On: 09/30/2016**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County

(305) 453-8750

Owner: Bologna, Gino

**Mobile Home Spaces:** 5

**Recreational Vehicle Spaces:** 3

**Migrant Spaces:** 0

**Tent Spaces:** 0

**Total Beds:** 0

**Total Spaces for Billing:** 8

Original Customer: Howells Junction Trailer Park (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2902864**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 01/22/2016  
Issued Date: 10/01/2015

**Permit Expires On: 09/30/2016**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County

Owner: Bologna, Gino

(305) 453-8750



Monroe County Health Department  
P.O. Box 6193 Key West, FL 33041

PAYING ON: PERMIT #: 44-54-1459064 BILL DOC #: 44-BID-2902864

RECEIVED FROM: Gino S Bologna AMOUNT PAID: \$ 100.00

PAYMENT FORM: CREDIT CARD PAYMENT DATE: 01/22/2016

MAIL TO: **Gino Bologna**  
571 Ocean Dr  
Juno Beach, FL 33408

FACILITY NAME : Howells Junction Trailer Park

PROPERTY LOCATION:

82929 Overseas Hwy  
Islamorada, FL 33036

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Property ID: \_\_\_\_\_

EXPLANATION or DESCRIPTION:	QUANTITY	FEE
1170 - MHP - Operating Permit	1	\$ 100.00

RECEIVED BY: Whitel

AUDIT CONTROL NO. 44-PID-2881363



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2620097**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 08/28/2014  
Issued Date: 10/01/2014

**Permit Expires On: 09/30/2015**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County

(305) 453-8750

Owner: Bologna, Gino

**Mobile Home Spaces:** 5

**Recreational Vehicle Spaces:** 3

**Migrant Spaces:** 0

**Tent Spaces:** 0

**Total Beds:** 0

**Total Spaces for Billing:** 8

Original Customer: Howells Junction Trailer Park (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2620097**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 08/28/2014  
Issued Date: 10/01/2014

**Permit Expires On: 09/30/2015**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County

(305) 453-8750

Owner: Bologna, Gino





STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2254179**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 09/16/2013  
Issue Date: 10/01/2013

**Permit Expires On: 09/30/2014**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County  
102050 Overseas Highway Box 10  
Key Largo, FL 33037  
(305) 453-8750

Owner: Bologna, Gino

**Mobile Home Spaces:** 5

**Recreational Vehicle Spaces:** 3

**Migrant Spaces:** 0

**Tent Spaces:** 0

**Total Beds:** 0

**Total Spaces for Billing:** 8

Original Customer: Howells Junction Trailer Park (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
Operating Permit

**44-54-1459064**

**Mobile Home Parks - Mobile Home Park**

**44-BID-2254179**

Issued To: Howells Junction Trailer Park  
82929 Overseas Highway  
Islamorada, FL 33036

County: **Monroe**  
Amount Paid: \$100.00  
Date Paid: 09/16/2013  
Issue Date: 10/01/2013

**Permit Expires On: 09/30/2014**

Mail To: Gino Bologna  
571 Ocean Drive  
Juno Beach, FL 33408

Issued By:  
Department of Health in Monroe County  
102050 Overseas Highway Box 10  
Key Largo, FL 33037  
(305) 453-8750

Owner: Bologna, Gino



Key Largo Environmental Health Office  
102050 Overseas Hwy Key Largo, FL 33037

PAYING ON: PERMIT #: 44-54-1459064 BILL DOC #: 44-BID-2254179

RECEIVED FROM: Gino S Bologna AMOUNT PAID: \$ 100.00

PAYMENT FORM: CHECK 525 PAYMENT DATE: 09/16/2013

MAIL TO: **Gino Bologna**  
571 Ocean Dr  
Juno Beach, FL 33408

FACILITY NAME : Howells Junction Trailer Park

PROPERTY LOCATION:

82929 Overseas Hwy  
Islamorada, FL 33036

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Property ID: \_\_\_\_\_

EXPLANATION or DESCRIPTION:	QUANTITY	FEE
-1 - MHP - Operating Permit	1	\$ 100.00

RECEIVED BY: DensonBX

AUDIT CONTROL NO. 44-PID-2259035



STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
APPLICATION FOR MOBILE HOME PARK, MOBILE HOME PARK HOUSING MIGRANT FARMWORKERS,  
LODGING PARK, RECREATIONAL VEHICLE PARK AND RECREATIONAL CAMP

Authority: Chapter 513 & 381, FS, Chapter 64E-15, FAC

DATE 3-4-13

Current Permit Number 44-54-1459064

Check type of permit for which application is made. Application is hereby made to the Department of Health for a ( ) mobile home park, ( ) \*mobile home park with farmworkers, ( ) recreational vehicle park, ( ) lodging park, or ( ) recreational camp permit.

\*A mobile home park which houses 5 or more migrant farmworkers.

<b>PERMIT IS REQUIRED AS FOLLOWS:</b>		<input type="checkbox"/> Ownership change: From _____ to below	
<input checked="" type="checkbox"/> Annual Renewal <u>2 quarters</u>		<input type="checkbox"/> Park or Camp Name Change: From _____ to below	
<input type="checkbox"/> Capacity Change: From _____ to _____ spaces		<input checked="" type="checkbox"/> New or Modified Park or Camp	

Name of Park or Camp Howells Junction TRAIL PARK (561) 317-2507  
Location of Park or Camp 82929 Overseas Hwy ISLAND ROAD K1 53036  
Owner's Name & Address Gino Bologna 571 Ocean Drive (561) 317-2507  
Manager's Name & Address (same)

MOBILE HOME		Migrant Spaces	LODGING	RECREATIONAL VEHICLE		RECREATIONAL CAMPS			
				RV	Tent	Barracks	Cabins	Tents	Total Occupants
<u>5</u>	<u>36</u>			<u>3</u>					

**SANITARY FACILITIES AT RECREATIONAL VEHICLE PARK OR RECREATIONAL CAMP**  
TOILETS LAVATORIES SHOWERS URINALS WATER SUPPLY STATIONS SEWAGE DUMP STATIONS

MALE \_\_\_\_\_  
FEMALE \_\_\_\_\_

EACH MOBILE HOME/RV HAS ITS OWN TOILET/SHOWER

It is hereby certified that the water supply system and the sewage system have been installed in accordance with the plans and specifications approved by the Department of Environmental Protection and/or the Department of Health. It is agreed that the undersigned owner and manager is familiar with and will adhere to the provisions of Chapter 513, Florida Statutes, as well as Chapter 64E-15, Florida Administrative Code.

Gino Bologna  
Signature of Owner, Manager or Agent

**FOR COMPLETION BY HEALTH DEPARTMENT STAFF**

INSTRUCTIONS: Circle the appropriate number that applies to the water system and sewage system being used.

WATER SUPPLY	SEWAGE DISPOSAL
<input type="checkbox"/> 1 Community Offsite	<input type="checkbox"/> 1 Municipal
<input checked="" type="checkbox"/> 2 Community/Public Drinking Water System Onsite	<input type="checkbox"/> 2 Central System Serving Only Park or Camp
<input type="checkbox"/> 3 Non-Community Public Drinking Water System	<input checked="" type="checkbox"/> 3 Septic Tanks or (Other Individual System) <u>Atu</u>
<input type="checkbox"/> 4 Non-Transient Non-Community	<input type="checkbox"/> 4 Combination of Central System & Septic Tank
<input type="checkbox"/> 5 Other Public Drinking Water Systems (10D-4)	<input type="checkbox"/> 5 Combination of Municipal and Septic Tank

RECOMMENDATION: Approval ☒  
Disapproval ☐

[Signature]  
Signature of Health Official



Monroe County Health Department  
102050 Overseas Hwy Key Largo, FL 33037

PAYING ON: PERMIT #: 44-54-1459064 BILL DOC #: 44-BID-2149883

RECEIVED FROM: Gino S Bologna AMOUNT PAID: \$ 112.50

PAYMENT FORM: CHECK 515 PAYMENT DATE: 03/04/2013

MAIL TO: **Gino Bologna**  
451 Mars Way  
North Palm Beach, FL 33408

FACILITY NAME : Howells Junction Trailer Park

PROPERTY LOCATION:

82929 Overseas Hwy  
Islamorada, FL 33036

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Property ID: \_\_\_\_\_

EXPLANATION or DESCRIPTION:	QUANTITY	FEE
-1 - MHP - Operating Permit (2Qtr)	1	\$ 50.00
-1 - Mobile Home County Fee (2Qtr)	1	\$ 62.50

RECEIVED BY: GivenBM

AUDIT CONTROL NO. 44-PID-2098922





**ISLAMORADA, VILLAGE OF ISLANDS**  
**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**  
86800 Overseas Highway ♦ Islamorada, Florida 33036 ♦ 305-664-6400 ♦  
[www.islamorada.fl.us](http://www.islamorada.fl.us)

June 7, 2024

Russell Yagel, Esq.

**Sent via CityView Portal**

Subject: Pre-Application (File No. PLPRE20230193)

Dear Mr. Yagel,

Thank you for your Application for a Pre-Application Conference ("Application"). The following is the Planning and Development Services Department's ("Staff") analysis of your questions and a summary of the meeting held on January 3, 2024. The purpose of the Pre-Application Conference is to familiarize the applicant with the applicable provisions of Chapter 30, Land Development Regulations (LDRs), of the Code of Ordinances ("Code") of Islamorada, Village of Islands, Florida (the "Village"), the processes required to determine the lawfully established dwelling unit rights on the subject property(s).

For the purposes of this dwelling unit determination, each property will be individually assessed and discussed.

Parcel # 00403630-000000, Lot 13 located on Upper Matecumbe Key, FL ("Property 1").

Parcel # 00403640-000000, Lot 14, located on Upper Matecumbe Key, FL ("Property 2").

Parcel # 00403650-000000, Lot 15, located on Upper Matecumbe Key, FL ("Property 3").

The subject Properties are categorized within the Future Land Use Map (FLUM) as Mixed Use (MU) and are within the Village Center (VC) Zoning District.

**Background Zoning:**

1963 Zoning: BU-2 (Medium Business District) Commercial use as a primary use – living quarters for watchmen and caretakers only permitted as an accessory use. Prohibited any residential use.

1986 Zoning: SC (Sub Urban Commercial District) Commercial uses as a primary use – apartments involving less than six dwelling units in conjunction with a permitted commercial use.

The Village Comprehensive Plan, Chapter 3: Housing Element Data Inventory and Analysis table 3-13: Inventory of Existing Mobile Home Parks did not include or recognize the subject property(s) a lawfully established mobile home park.

**TABLE 3-13: INVENTORY OF EXISTING MOBILE HOME PARKS**

<b>MOBILE HOME PARK</b>	<b>LOCATION</b>	<b>NUMBER OF MOBILE HOME SPACES</b>
Vacation Village	Plantation Key	26
Plantation Tropical Park	Plantation Key	52
Harris Ocean Park Estates 1 <sup>st</sup> Addition	Plantation Key	45
San Pedro Trailer Park	Plantation Key	41
Seabreeze Trailer Park	Plantation Key	101
Windley Key Mobile Home Park	Windley Key	42
Peaceful Palms Mobile Home Park	Windley Key	15
Coral Bay	Upper Matecumbe Key	17
Key Lantern Motel and Trailer Park	Upper Matecumbe Key	21
Village Mobile Park	Upper Matecumbe Key	32
Pelican Palms Mobile Home Park	Upper Matecumbe Key	35
<b>Total</b>		<b>427</b>

Source: Florida Department of Health, 1999

**Additional Documentation/Evidence Provided by Applicant:**

The applicant provided the following permits from the State of Florida Department of Health and Rehabilitative Services:

- 1977 operating permit for six (6) independent mobile homes
- Approved application for mobile home park in 2013 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2014 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2015 for five (5) mobile homes and (3) Recreational Vehicles (RV).
- Mobile Home Park operating permit in 2015 for five (5) mobile homes and (3) Recreational Vehicles (RV) – expiration date 9/30/2016.

The applicant provided State of Florida Department of Business Regulations License for Lodging of four (4) units – expiration date 10/1/1983.

The applicant provided Monroe County Occupational License for “trailer park serv” for five (5) employees – expiration date of 9/30/1987.



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The following questions were presented by the applicant:

What is the number of lawfully established dwelling units associated with the property?

See Dwelling Unit Analysis provided.

What is the character of those lawfully established dwelling units (e.g. residential market rate or transient)?

There are no transient units on the property. See Dwelling Unit Analysis provided.

What is the current allowed density on the property?

Each lot is 7500 square feet. The maximum FAR for each lot is .35.

The allowed use density is up to six dwelling units per acre, or up to 12 dwelling units per acre with TDRs or up to 15 deed restricted affordable housing dwelling units per acre; however, on commercially developed parcels of land, the density requirements for affordable housing provided herein shall not exceed 15 deed restricted affordable housing dwelling units per acre, regardless of any nonresidential floor area or FAR, or market rate residential dwelling units.

If the number of lawfully established dwelling units exceeds the current allowed density, is the historical non-conforming density preserved?

As defined in Village LDRs section 30-732:

Nonconforming use means any use lawfully being made of any land, water or structure (other than a sign) on the effective date of the regulations in this chapter (or of any amendment which renders such use nonconforming), which does not comply with all of the requirements of this chapter as they may be amended. The casual, temporary, or illegal use of land or structures, or land and structures in combination, shall not be sufficient to establish the existence of a nonconforming use or to create rights in the continuance of such use.

Nonconforming structure means any structure (other than a sign) lawfully existing on the effective date of the regulations in this chapter (or of any amendment which renders such structure nonconforming), which does not comply with restrictions on lot area, lot coverage, height, setbacks, location on the lot, or any such requirements of this chapter as they may be amended (other than use regulations).

The Monroe County zoning regulations did not allow for dwelling units without a primary commercial use.

Property 1 and Property 2 have no evidence of existing commercial use, and therefore were not lawful under 1963 or 1986 zoning regulations.

Property 3 had a commercial use and dwelling unit above it allowed by the 1963 and 1986 zoning regulations. The current Village LDRs allow for a single-family dwelling unit without commercial use, the building with one market rate (upstairs) and commercial square footage (downstairs) is conforming use of the property. However, a determination by the Building Official must be made as to the conformity of building codes in the existing building.

If the owner obtains affordable allocations for some of the dwelling units on the property and retains some units as market rate units, what is the maximum number of units allowed on the property?

Each lot individually has less density than if the lots were to be unified. Individually each of the lots could accommodate one market rate dwelling unit. Unified, the property can accommodate up to seven (7) deed restricted affordable units.

### **Dwelling Unit Analysis:**

#### **Property 1**

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The Village does not have any building permits for Property 1 for residential or commercial use. There are no official approvals from Monroe County indicating the units were accounted for in Monroe County Ordinance 016-1992 as amended. **Criteria 1 has not been met.**



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2. If a permit or other official approval is not available, for residential dwelling units or nonresidential floor area, the criteria listed below shall be used to establish proof that the residential dwelling unit or nonresidential floor area was legally established:
  - a. The structure in which the unit or nonresidential floor area is located is currently habitable as determined by the building official, or utility invoices/receipts from Florida Keys Electric Cooperative or Florida Keys Aqueduct Authority are provided that clearly indicate by separate meter that the unit or nonresidential building was being served during April 1990, or Monroe County property record card showing the existence of the unit or nonresidential floor area in 1990, or occupational license or other state license for 1990 for a nonresidential use of a property, or insurance policy records for the building for a nonresidential use of a property that clearly delineate the amount of floor area; and

The Monroe County Property Appraisers property record card from 1986 shows one mobile home on Property 1. The property record card in 1990 shows two mobile homes on Property 1.

The applicant provided a copy of a "Declaration of Mobile Home As Real Property" form submitted to the Property Appraisers office dated 3/16/1990 for two mobile homes.

The applicant provided a copy of an FKAA work order to replace water meter servicing "9 units" dated 1/29/1993. Does not provide detail of how many units were serviced by the water meter on Property 1.

The applicant submitted an email from FKEC stating there was a valid FKEC account dating back to 1988 with 10 meters – this has not been verified and does not designate how many meters were serving units on Property 1.

- b. Aerial photograph(s) or signed and sealed survey(s) clearly showing existence of the dwelling unit or nonresidential structure either in 1990, or if not available for 1990 then both prior to and subsequent to 1990; and
- 1985 aerial shows two mobile homes, and the 1986 property record card states one.
  - 1997 aerial shows one, possibly two mobile homes.
  - 2000 & 2003 aerial shows one clearly visible in the same location as the 1985 aerial. The lot is mostly covered with vegetation obstructing the view of the aerial.
  - 2006 aerial shows possibly three mobile homes on the lot.
  - 2009 aerial shows one clearly, however the aerial photo is obstructed by vegetation.



- 2018 aerial shows three units on the lot.

Aerial photographs show the existence of dwelling units on Property 1. There is clear evidence of two mobile homes prior to 1990 and just after.

- c. A determination by the village that the use could have been legally permitted under the zoning and building codes in effect for the parcel at the time the structure was constructed, or the business was established. This not only refers to the type of use but also to the parameters of the building construction;

The zoning from 1963 through incorporation of the Village did not allow residential use of the property without commercial use as the primary use of the property. There are no records of permitted commercial use of Property 1.

The current zoning allows for residential use; however, it does not allow construction type of mobile homes or recreational vehicles.

3. Additional information shall be required to establish the number of units for mobile homes or recreational vehicles ("RVs") if such units are located in either a mobile home park or RV park; including:
  - a. The number of mobile homes and RVs approved by the State of Florida Department of Health as shown on the approved prospectus or any other documents on file with the State of Florida Department of Health for either the mobile home park or RV park;
  - b. Notwithstanding the number of mobile homes and RVs provided in subsection a., the total units recognized shall not exceed the number of mobile home spaces as shown in chapter 3 of the village comprehensive plan data inventory and analysis; and
  - c. A demolition permit(s) for each mobile that has been removed.

The units are not recognized in the data inventory and analysis of the village comprehensive plan. **Criteria 3 has not been met.**

Property 1 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village does not recognize any legally established dwelling units on Property 1.

## Property 2

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor



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area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The following building permit records were found:

- Permit #4024, dated 1962 for an addition to an existing structure – the file is incomplete and does not include approved plans.
- Permit #1020, not dated, is a site drawing for at 40'x10' concrete slab, the file is incomplete.
- Permit #10051, dated 1965, electrical permit replacing two metered trailer outlets damaged by the storm – incomplete file.

It is unclear from the permit records exactly how many, if any, units were accounted for in the 1990 census. **Criteria 1 has not been met.**

2. If a permit or other official approval is not available, for residential dwelling units or nonresidential floor area, the criteria listed below shall be used to establish proof that the residential dwelling unit or nonresidential floor area was legally established:
  - a. The structure in which the unit or nonresidential floor area is located is currently habitable as determined by the building official, or utility invoices/receipts from Florida Keys Electric Cooperative or Florida Keys Aqueduct Authority are provided that clearly indicate by separate meter that the unit or nonresidential building was being served during April 1990, or Monroe County property record card showing the existence of the unit or nonresidential floor area in 1990, or occupational license or other state license for 1990 for a nonresidential use of a property, or insurance policy records for the building for a nonresidential use of a property that clearly delineate the amount of floor area; and

The Monroe County Property Appraisers property record card from 1961 shows a two-story building on Property 2 indicating a Single-Family Residence (SFR) with three rooms (there were no records of the original building permit to verify the number of rooms).

The property record card from 1966 shows the permitted 9'x26' addition (permit #4024).

The property record card from 1986 shows a two-story building, garage addition, and two mobile homes on Property 2.

The applicant provided a copy of a "Declaration of Mobile Home As Real Property" form submitted to the Property Appraisers office dated 3/16/1990 for four mobile homes.

The applicant provided a copy of an FCAA work order to replace water meter servicing "9 units" dated 1/29/1993. Does not provide detail of how many units were serviced by the water meter on Property 2.

The applicant submitted an email from FKEC stating there was a valid FKEC account dating back to 1988 with 10 meters – this has not been verified and does not designate how many meters were serving units on Property 2.

- b. Aerial photograph(s) or signed and sealed survey(s) clearly showing existence of the dwelling unit or nonresidential structure either in 1990, or if not available for 1990 then both prior to and subsequent to 1990; and
  - 1975 aerial shows the 1961-1966 building, garage addition, and three mobile homes.
  - 1985 aerial shows the building, garage addition, and three mobile homes – the property record card confirms the building, the garage addition and two mobile homes.
  - 1997 aerial shows the building, the garage addition and three mobile homes.
  - 2000, 2003, 2006, 2009, 2012 aerials show the building, the garage addition, and three mobile homes.
  - 2015 aerial shows the building, the garage addition, and four mobile homes and a smaller unit (possibly an RV).
  - 2018 aerial shows the building, the garage addition, four mobile homes and an RV.

Aerial photographs show the existence of dwelling units on Property 2. There is clear evidence of one SFR, one garage addition and three mobile homes prior to and just after 1990.

- c. A determination by the village that the use could have been legally permitted under the zoning and building codes in effect for the parcel at the time the structure was constructed, or the business was established. This not only refers to the type of use but also to the parameters of the building construction;



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The zoning from 1963 through incorporation of the Village did not allow residential use of the property without commercial use as the primary use of the property. There are no records of permitted commercial use of Property 1.

The current zoning allows for residential use; however, it does not allow construction type of mobile homes or recreational vehicles.

3. Additional information shall be required to establish the number of units for mobile homes or recreational vehicles ("RVs") if such units are located in either a mobile home park or RV park; including:
  - a. The number of mobile homes and RVs approved by the State of Florida Department of Health as shown on the approved prospectus or any other documents on file with the State of Florida Department of Health for either the mobile home park or RV park;
  - b. Notwithstanding the number of mobile homes and RVs provided in subsection a., the total units recognized shall not exceed the number of mobile home spaces as shown in chapter 3 of the village comprehensive plan data inventory and analysis; and
  - c. A demolition permit(s) for each mobile that has been removed.

The units are not recognized in the data inventory and analysis of the village comprehensive plan. **Criteria 3 has not been met.**

Property 2 meets the criteria listed in criteria 2 subsections a and b, but not c. The Village recognizes **one dwelling unit**, although the county regulations did not allow it without commercial use, there is some indication a portion of the garage addition was used in conjunction with the auto shop on Property 3.

### Property 3

Sec 30-473(d) Criteria. Criteria for determining the existence of a legally established residential dwelling unit or nonresidential floor area. A dwelling unit or an amount of nonresidential floor area shall be determined to legally exist if the parcel meets at a minimum all of the criteria of either (1) or (2) below:

1. A permit or other official approval was issued by the village or Monroe County for the unit(s) or floor area for residential dwelling units or nonresidential floor area and the unit(s) or floor area was accounted for in the village comprehensive plan building permit allocation system and ROGO [Rate of Growth Ordinance (Monroe County Ordinance 016-1992 as amended)], which shall be proof that the residential units(s) or amount of floor area was in existence and included in the April 1990 Census or was issued a certificate of occupancy subsequent to April 1990.

The following building permit records were found:

- Permit #C-233, issued in 1974 permitted a two-story building with a two-bedroom SFR on the top and garage/storage on the ground level.
- Permit #C-1895 issued in 1976 permitted a covered porch on the 2<sup>nd</sup> floor of the existing building.
- Permit #C-9330, issued in 1981 permitted an addition to the existing ground floor for "Tony's Body Shop" – commercial use.
- Permit #0005131, issued in 2000, permitted a change of copy for commercial use on the lower level for an art gallery.

**Criteria 1 has been met.** The Village recognizes **one legally established dwelling unit and 3,456 square feet of non-residential floor area** on Property 3.

In summary, the Village recognizes **two (2)** legally established market rate dwelling units and **3,456 square feet** of non-residential floor area.

This pre-application letter is based solely upon the information provided by the applicant and is only intended to familiarize the applicant with the provisions of the land development regulations currently in effect that may be applicable to the development project proposed by the applicant. The information provided herein is subject to change based upon the adoption of new policies or regulations, the repeal of existing policies or regulations, submission of additional information, or a determination that incomplete/inaccurate information or misstatements of fact were provided by the applicant. This letter is not a development approval, order or permit, and nothing contained herein shall be construed or interpreted as conveying, conferring, granting or denying any building, development or vested rights. This is not an administrative decision or interpretation regarding the provisions of the comprehensive plan or land development regulations. A final





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decision or interpretation of the applicable policies and regulations cannot be made until the applicant submits a complete development application for review.

Pursuant to Section 30-281(a) of the Code of Ordinances: Any person aggrieved by an administrative decision or interpretation of the director of planning and development services, the building official or other village administrative official regarding the provisions of this chapter may appeal such decision or interpretation. The appeal shall be initiated within 30 days of the date of receipt by the aggrieved person of mailed, or posted, or published notice of the administrative decision or interpretation by filing an appeal with the director in a form specified by the planning and development services department for reviewing the application, and shall be accompanied by an application fee that is established by the village council from time to time to defray the actual cost of processing the appeal. Failure to file an appeal within the timeframe specified, and exhaust all administrative remedies provided for in this chapter, shall constitute a waiver of all rights to appeal any interpretation or determination made by the village.

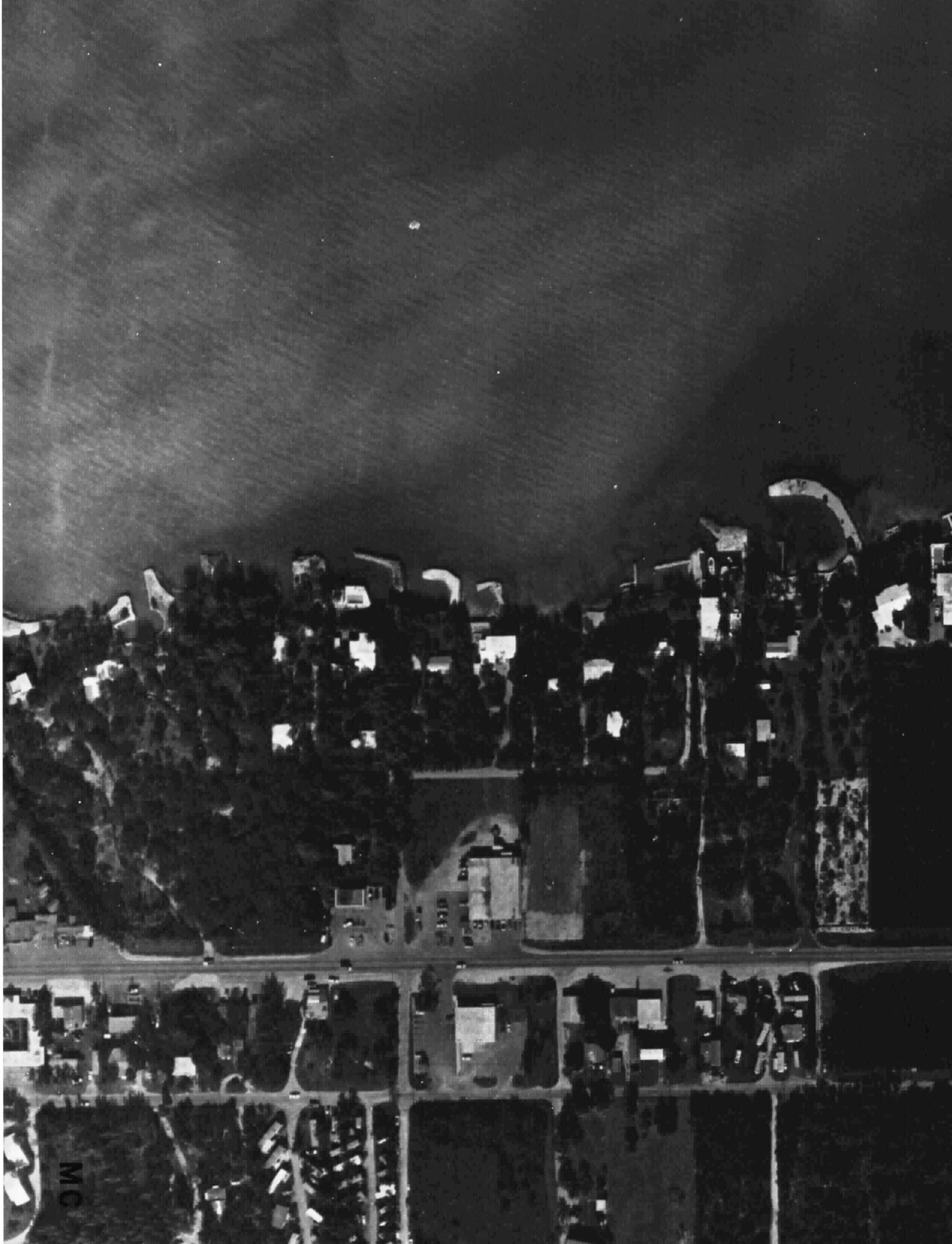
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Sincerely,

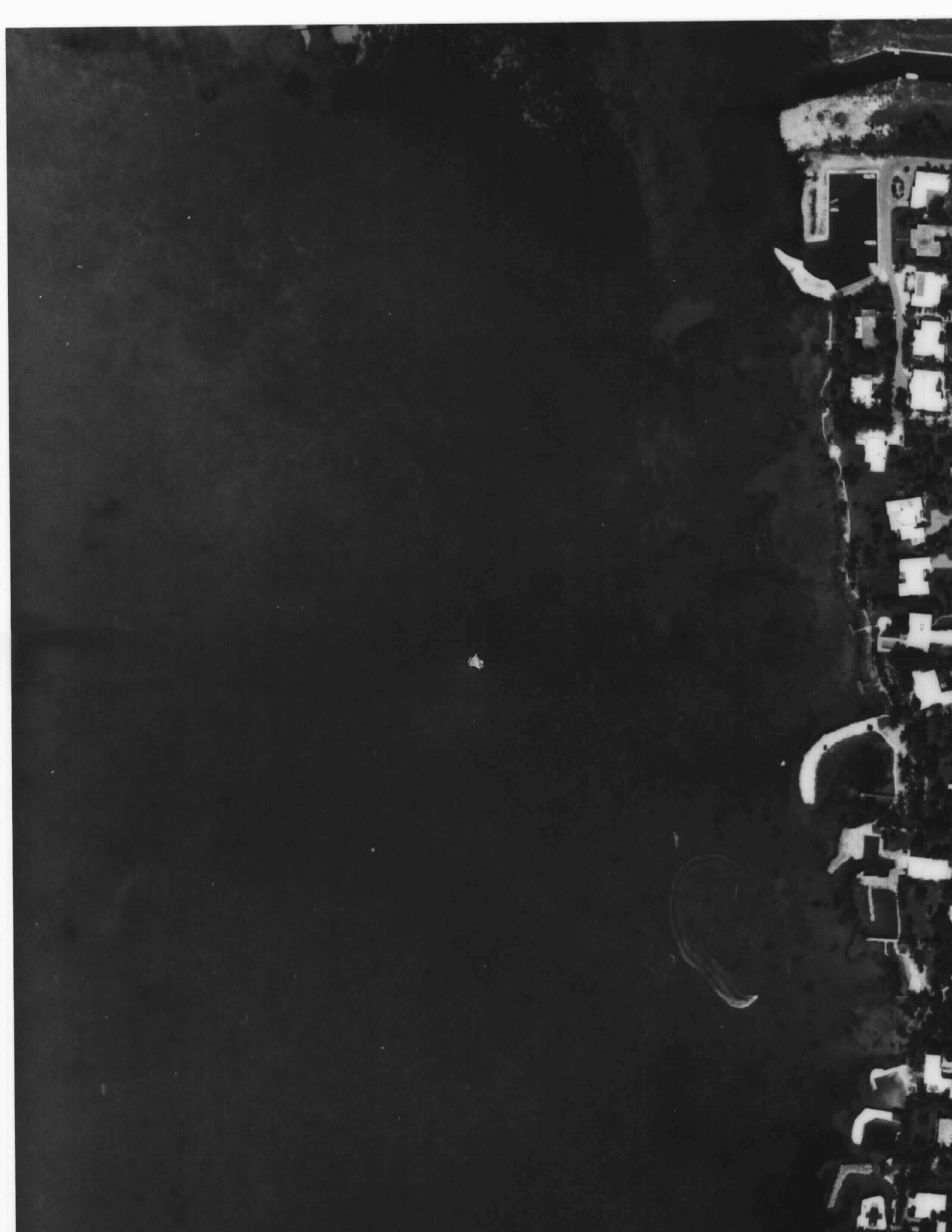
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Jamie Terry  
Planning & Zoning Technician  
86800 Overseas Highway  
Islamorada, FL 33036  
Telephone: (305) 664-6426  
E-mail: [jamie.terry@islamorada.fl.us](mailto:jamie.terry@islamorada.fl.us)

































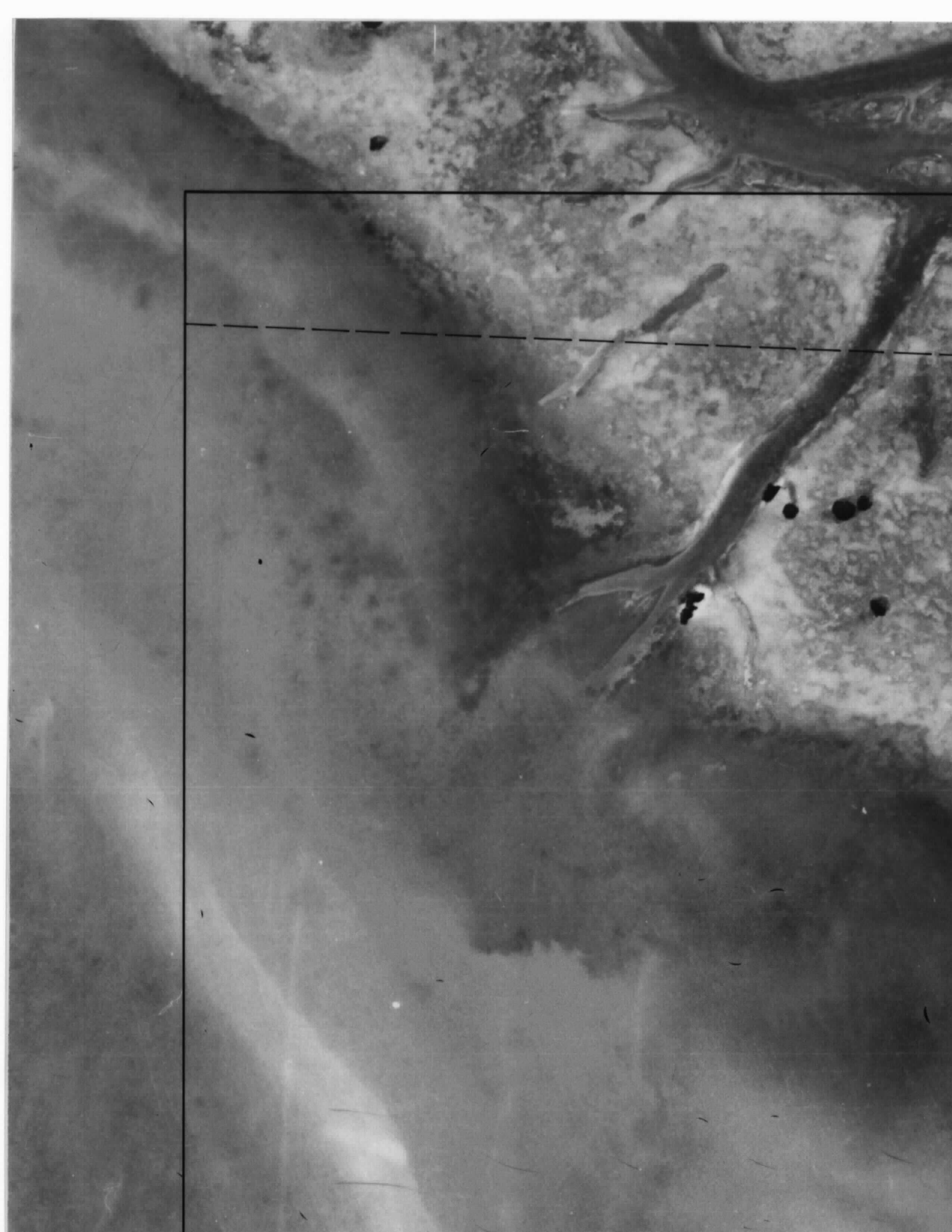




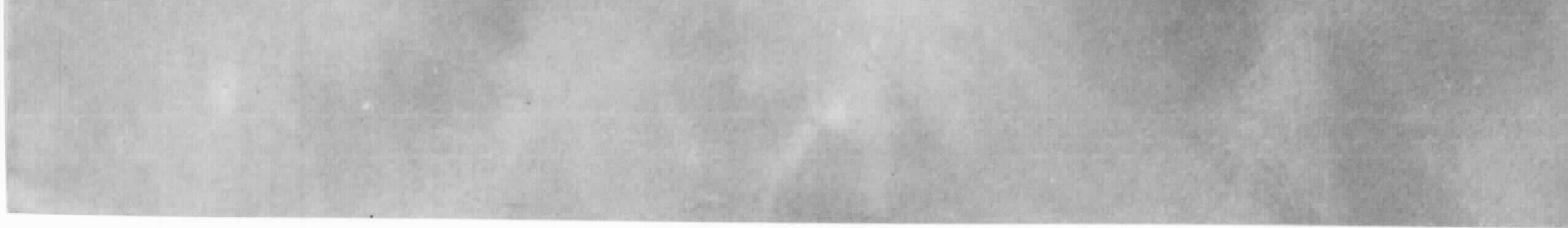




















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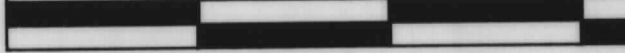






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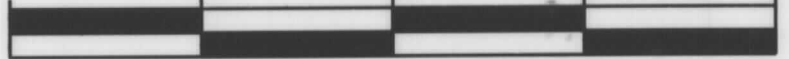
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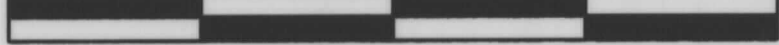
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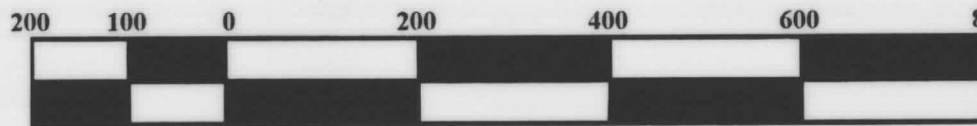




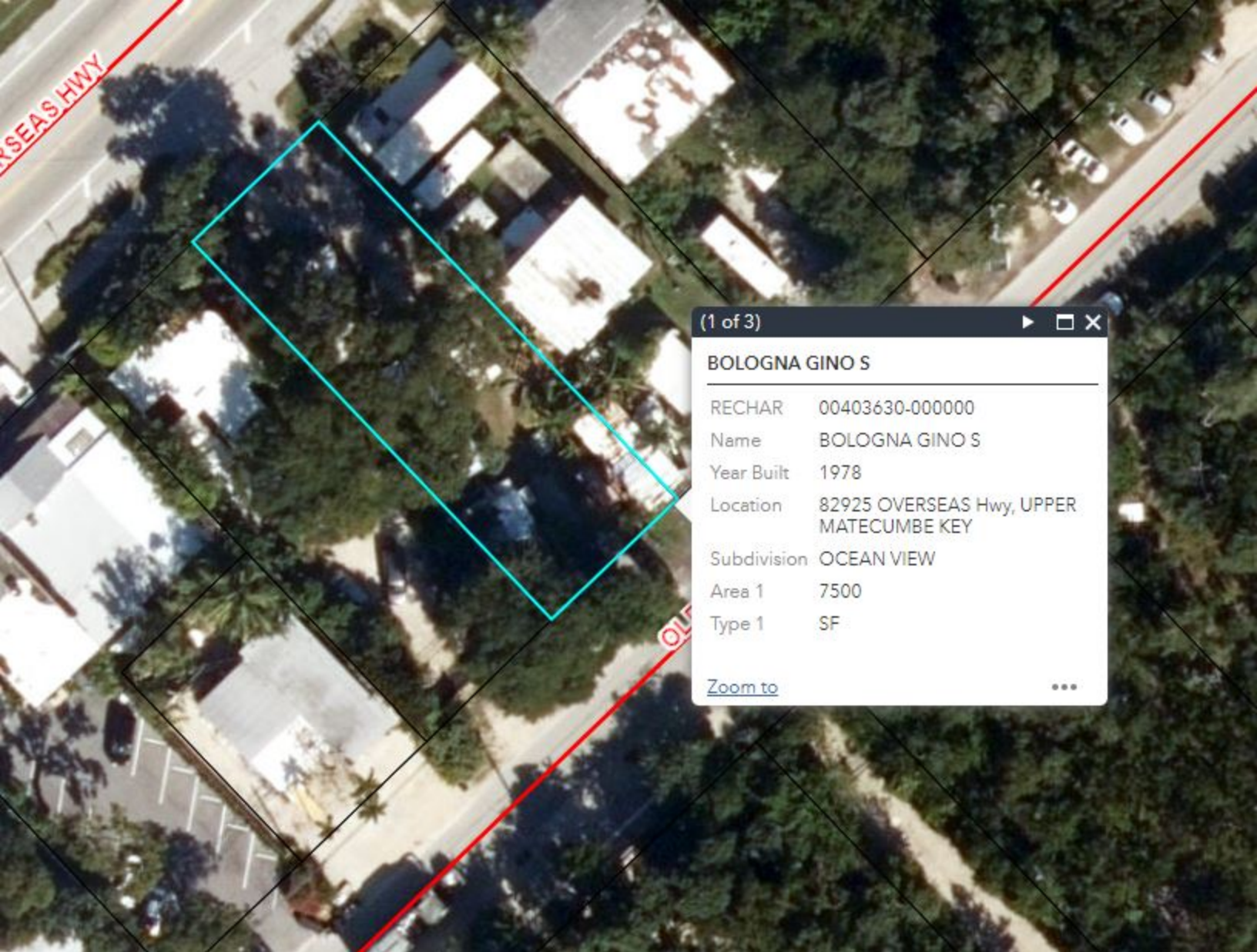




Prepared by: **KUCERA SOUTH INC.**  
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(1 of 3)



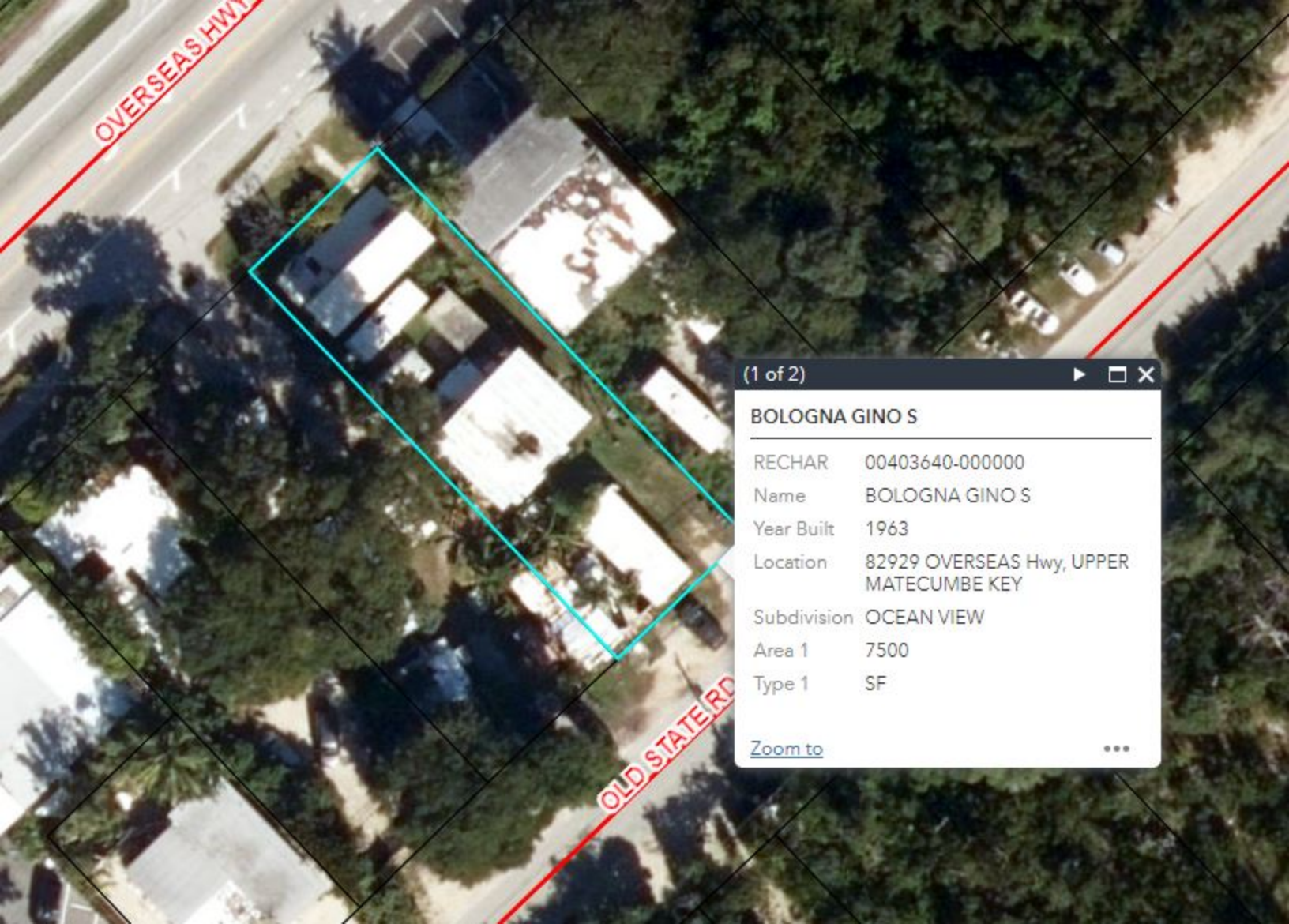
### BOLOGNA GINO S

RECHAR	00403630-000000
Name	BOLOGNA GINO S
Year Built	1978
Location	82925 OVERSEAS Hwy, UPPER MATECUMBE KEY
Subdivision	OCEAN VIEW
Area 1	7500
Type 1	SF

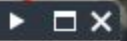
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(1 of 2)



### BOLOGNA GINO S

RECHAR	00403640-000000
Name	BOLOGNA GINO S
Year Built	1963
Location	82929 OVERSEAS Hwy, UPPER MATECUMBE KEY
Subdivision	OCEAN VIEW
Area 1	7500
Type 1	SF

[Zoom to](#)





**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING ADMINISTRATIVE APPEAL OF NO. PLPRE20230193 FILED BY JOANNE M. PEREIRA, AGENT FOR GINO AND PIERA BOLOGNA (APPELLANT) RELATING TO A DWELLING UNIT DETERMINATION BY THE DIRECTOR OF PLANNING FOR PROPERTY LOCATED AT 82935 OVERSEAS HWY, 82925 OVERSEAS HWY AND 82929 OVERSEAS HWY, HAVING REAL ESTATE NUMBERS 00403650-000000, 00403630-000000 AND 00403640-000000, ON UPPER MATECUMBE KEY; AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS RESOLUTION TO THE STATE DEPARTMENT OF COMMERCE AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS RESOLUTION FROM THE STATE DEPARTMENT OF COMMERCE.**

**WHEREAS**, Gino and Piera Bologna, (the "Appellant") filed Administrative Appeal to Application No. PLPRE20230193 (the "Appeal") pursuant to Section 30-281 of the Code of Ordinances of Islamorada, Village of Islands (the "Village"); and

**WHEREAS**, the purpose of the Appeal is to seek the Village Council's review of a determination made by the Director of Planning (the "Director") regarding a pre-application conference requesting a dwelling unit determination of the Appellant's property located at 82925 and 82929 Overseas Highway, as legally described in Exhibit "A" attached hereto; and

**WHEREAS**, on June 7, 2024, the Planning and Development Services Department issued a determination recognizing two (2) legally established market rate dwelling units and 3,456 square feet of non-residential floor area; and

**WHEREAS**, on June 25, 2024, the Appellant requested the Director to reconsider the determination; and

**WHEREAS**, on July 9, 2024, the Appellant filed the Appeal of the Director's decision; and

**WHEREAS**, thereafter, the Appellant requested that that the Director delay presenting this Appeal to the Village Council; and

**WHEREAS**, on July 24, 2025, a public hearing was held before the Village Council pursuant to Section 30-281 of the Village Code of Ordinances (the "Code").

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, AS FOLLOWS:**

**Section 1.**     **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2.**     **Findings of Fact.**

The Village Council having considered the testimony and evidence presented by all parties, including the Appellant and the Director, does hereby find and determine:

- (1)     The Council heard the Appeal on July 24, 2025.
- (2)     The hearing was duly noticed pursuant to Section 30-213(j) of the Code and all interested parties concerned in the matter were given an opportunity to be heard.
- (3)     The Director presented the written recommendation of the Village Staff dated July 24, 2025, to the Village Council.
- (4)     The criteria required pursuant to Section 30-473(d)(1) of the Village Code (**has / has not**) been satisfied by the Appellant.
- (5)     The criteria required pursuant to Section 30-473(d)(2) of the Village Code (**has / has not**) been satisfied by the Appellant.
- (6)     The criteria required pursuant to Section 30-473(d)(3) of the Village Code (**has / has not**) been satisfied by the Appellant.

(7) The granting of the appeal **(is / is not)** supported by the facts and documents presented.

**Section 3. Conclusions of Law.**

Based upon the above Findings of Fact, the Village Council does hereby make the following Conclusions of Law:

- (1) The Appeal has been processed in accordance with the Village's Comprehensive Plan and Land Development Regulations, including Section 30-281 of the Village Code; and
- (2) In rendering its decision, as reflected in this Resolution, the Village Council has:
  - (a) Accorded procedural due process; and
  - (b) Observed the essential requirements of the law; and
  - (c) Supported its decision by competent substantial evidence of record; and
- (3) In accordance with Sections 30-281(d), (e) and (f) of the Village Code, the Administrative Appeal submitted by the Appellant is hereby **[DENIED/GRANTED]**.

**Section 4. Effective Date.**

This Resolution shall not take effect until after thirty (30) days following the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Village Code.

Motion to adopt by\_\_\_\_\_, second by\_\_\_\_\_.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:**

Mayor Sharon Mahoney

Vice Mayor Don Horton

Councilmember Deb Gillis

Councilmember Steve Friedman

Councilmember Anna Richards

**PASSED AND ADOPTED THIS 24th DAY OF JULY 2025.**

---

SHARON MAHONEY, MAYOR

ATTEST:

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MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE  
USE AND BENEFIT OF ISLAMORADA, VILLAGE OF  
ISLANDS ONLY

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JOHN J. QUICK, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this \_\_\_\_ day of \_\_\_\_\_, 2025.