

**APPLICATION
CITY OF KEY WEST
PLANNING DEPARTMENT**



Request for a Letter of Lawful Unit Determination (LUD)

Application Fee: \$400.00

Please print or type a response to the following:

1. Site Address _____
2. Name of Applicant _____
3. Applicant is Owner _____ Authorized Representative _____
(please submit Verification & Authorization Forms)
4. Address of Applicant _____

5. Phone # of Applicant _____ Mobile# _____ Fax# _____
6. E-Mail Address _____
7. Name of Owner, if different than above _____
8. Address of Owner _____

9. Phone Number of Owner _____ Fax# _____
10. E-mail Address _____
11. Zoning District of Parcel _____ RE# _____
12. If this request is based on a code case, please provide case number and name of code officer:

Number of known Permanent Residential Dwelling Units on Property _____

Number of Licensed Permanent Residential Dwelling Units on Property _____
(please provide City Licensing Records from the Building Department)

Number of known Transient Residential Units on Property _____

Number of Licensed Transient Residential Units on Property _____
(please provide City Licensing Records from the Building Department)

Other uses (i.e. commercial) on Property: _____

APPLICATION

Please submit the following to ensure application completeness:

(Please check as you attach each required item to the application)

- \$400.00 check made out to The City of Key West;
- Proof of ownership;
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)
- Copies of state, county, and city licenses on and about April 1, 1990, indicating the number and types of rental units;
- Documentation for Keys Energy Service and Florida Keys Aqueduct Authority indicating the type of service (residential or commercial) provided and the number of meters on or about April 1, 1990;
- Documentation for the Monroe County Property Appraiser's Office for the time on or about April 1, 1990 (Green Card);
- Building permits issued prior to April 1, 1990;
- Rental, occupancy or lease records from before and including April 1, 1990, indicating the number, type and term of the rental or occupancy;
- Other records that indicate the existence of residential units (please see the attached Code of Ordinances Section 108-991, BPAS Ordinance for procedures, requirements and guidance)
- Aerial photographs and original dated photographs showing that the structure existed on or about April 1, 1990;
- Copies of City Directory entries on or about April 1, 1990;
- Site visits which indicate that the age of the structure and associated improvements likely pre-date 1990.

A site visit by City Staff is required to complete application processing. If deemed necessary the Planning Department may request additional information. Please submit the complete application package to the City of Key West Planning Department, 3140 Flagler Avenue, Key West Florida, 33040.

Units in existence at the time the April 1, 1990 Census was prepared are presumed not to be affected by BPAS. The Administrative Official shall review available documents to determine if a body of evidence exists to support the existence of units on or about April 1, 1990.

Provision of affidavits to support the existence of a unit is allowed, but cannot be the sole record upon which a decision is based. **Provision of documents is the responsibility of the applicant.** The Administrative Official's decision shall be rendered to the Department of Economic Opportunity (DEO) for a determination of consistency with the Principals for Guiding Development.

Units which are determined not to be affected by the Building Permit Allocation System per section 108-991 but which have not been previously acknowledged by the Administrative Official are presumed to be lawfully established per Chapter 122, Article II, Nonconformities, if the additional following requirements are met:

- a. The applicant satisfies the Building Department that the unit meets the Florida Building Code, through as built certifications or other means acceptable to the Building Official; and
- b. All back fee payments, including impact fee payments, from 1990 onward, as determined by the Building Department, are made in full.

Transient units which meet the criteria in section 108-991 will be licensed by the City.

**City of Key West
Planning Department**



Authorization Form
(Individual Owner)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, _____ authorize
Please Print Name(s) of Owner(s) (as appears on the deed)

Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

Signature of Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this _____ by
date

Name of Authorized Representative

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

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any