

RESOLUTION NO. 09-208

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, NOMINATING PROPERTY LOCATED AT 817, 818, 819, 820 WASHINGTON STREET FOR ACQUISITION BY THE MONROE COUNTY LAND AUTHORITY FOR WORKFORCE HOUSING; PROVIDING REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS it is the desire of the City Commission of the City of Key West, Florida to provide additional workforce housing within the City.

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

Section 1: The City Commission hereby nominates the property located at 817, 818, 819, 820 Washington Street (hereinafter "subject property") for inclusion on the Land Authority Acquisition List as a potential affordable housing site to be acquired by the Monroe County Land Authority.

Section 2: In the event the Land Authority is able to acquire the subject property, the City Commission hereby requests that the Land Authority subsequently convey the subject property to the Housing Authority of the City of Key West to operate as workforce housing rental units.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by

the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 4th day of August, 2009.

Authenticated by the presiding officer and Clerk of the Commission on August 5, 2009.

Filed with the Clerk August 5, 2009.



MORGAN MCPHERSON, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



Housing Authority of the City of Key West, Florida

1400 Kennedy Drive, Key West, FL 33040
Phone: (305) 296-5621 Fax: (305) 296-0932

Board of Commissioners

Frank Toppino
Bob Dean
Juanita Mingo
John G. Parks, Jr.
Roosevelt Sands, Jr.

Executive Director

J. Manuel Castillo, Sr.

PROPOSED ACQUISITION

Property Name: Washington Street Apartments

Property Address: 817 & 819 Washington St.
818 & 820 Washington St.

Property Owner: Pfund Family Trust

Demographics: Four - 2 Story Buildings
16- 2 Bedroom / 1 Bath Units,
Laundry facility and 3 mini-storage units

Current Rents: \$1,500 to \$1,600 per month

Brief Summary: Propose the above property to the City Commission for authorization to request the Monroe County Comprehensive Land Authority to consider for acquisition to be used for workforce housing. Property would be owned and managed by the Housing Authority.

Shawn D. Smith

From: Teri Johnston
Sent: Friday, June 26, 2009 12:10 PM
To: Shawn D. Smith
Subject: FW: City Commission Agenda Item

FYI

Teri Johnston
City Commissioner-District 5
(305)-797-0955

From: "J. Manuel Castillo, Sr., Executive Director" <CastilloM@kwha.org>
Sent: Fri, 6/26/2009 11:23am
To: Teri Johnston <tjohnsto@keywestcity.com>
Subject: RE: City Commission Agenda Item

Teri,

I had to go out of town unexpectedly and just heard from the owner's rep. The asking price is \$205,000 per unit. She would like to clear \$200,000 per unit.

I think establishing consistent criteria would be very helpful to everyone. Please let me know if I can assist in any way.

Thanks,
Manuel

J. Manuel Castillo, Sr.
Executive Director
Ph: (305) 292-6143
Fax: (305) 295-6529
castillom@kwha.org

From: Teri Johnston [mailto:Johnston@keywestcity.com]
Sent: Wednesday, June 24, 2009 9:09 AM
To: J. Manuel Castillo, Sr., Executive Director
Subject: RE: City Commission Agenda Item

Thanks Manuel. Actually, I would like to take a more active role in creating consistent criteria for passing along properties to the Land Authority. It is very evident that we have in the past recommended properties based on very little information or with very little discussion regarding what we would like to accomplish as a city through our recommendations.

I look forward to the additional information on the Washington St. proposal.

Thanks,

6/26/2009

Teri

Teri Johnston
City Commissioner-District 5
(305)-797-0955

From: "J. Manuel Castillo, Sr., Executive Director" <CastilloM@kwha.org>
Sent: Tue, 6/23/2009 5:53pm
To: Teri Johnston <tjohnsto@keywestcity.com>
Subject: RE: City Commission Agenda Item

Teri,

I am waiting on a call from the owner's representative with the price. However, I don't pay to much attention to that because Mark from the Land Authority will rely on their independent appraisal to negotiate with the owner.

I will let you know their asking price as soon as I hear from them.

Thanks,
Manuel

J. Manuel Castillo, Sr.
Executive Director
Ph: (305) 292-6143
Fax: (305) 295-6529
castillom@kwha.org

From: Teri Johnston [mailto:Johnston@keywestcity.com]
Sent: Tuesday, June 23, 2009 4:07 PM
To: J. Manuel Castillo, Sr., Executive Director
Subject: RE: City Commission Agenda Item

Manuel,

What is the asking price of Washington Street?

Thanks,

Teri

Teri Johnston
City Commissioner-District 5
(305)-797-0955

From: "J. Manuel Castillo, Sr., Executive Director" <CastilloM@kwha.org>
Sent: Tue, 6/23/2009 9:54am
To: Shawn D. Smith <sdsmith@keywestcity.com>

6/26/2009

To: Shawn D. Smith <sdsmith@keywestcity.com>
Cc: Sue Harrison <Sharriso@keywestcity.com> ; Teri Johnston <johnston@keywestcity.com>
Subject: RE: City Commission Agenda Item

Shawn,

The attached summary is the only information I have. If approved by the City and the Land Authority Advisory Board, they will negotiate with the owner.

Thanks,
Manuel

J. Manuel Castillo, Sr.
Executive Director
Ph: (305) 292-6143
Fax: (305) 295-6529
castillom@kwha.org

From: Shawn D. Smith [mailto:sdsmith@keywestcity.com]
Sent: Monday, June 22, 2009 3:00 PM
To: J. Manuel Castillo, Sr., Executive Director
Cc: Sue Harrison; Teri Johnston
Subject: RE: City Commission Agenda Item

Manny

I have the resolution, but no back-up information. I'm preparing the agenda packets this week. Do you have anything you can provide? I'm also copying Sue Harrison from the clerk's office in the event something was given to the community housing committee that would have been retained as a public record.

Thanks
Shawn

From: J. Manuel Castillo, Sr., Executive Director [mailto:CastilloM@kwha.org]
Sent: Wednesday, June 03, 2009 8:30 AM
To: Teri Johnston; Shawn D. Smith
Subject: City Commission Agenda Item

Commissioner Johnston,

Per our meeting on Monday, attached please find the proposed resolution for City Commission consideration.

This is the Washington St. property that was taken before and approved by the City's Community housing Committee.

I will attend the meeting to address any questions.

Thank you,
Manuel

J. Manuel Castillo, Sr.
Executive Director
Ph: (305) 292-6143

6/26/2009



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

July 28, 2009

VIA U.S. Mail and Email

Omar Garcia, Chairman.
Key West Community Housing Committee
1204 17th Terrace
Key West, Florida 33040

**RE: 817, 818, 819, 820 Washington Street
Real Estate Numbers 00037860-000000, 00037470-000000, 00037870-000000, 00037460-000000
Pre-Application Letter**

Dear Mr. Garcia,

The purpose of this letter is to respond to your request that the Planning Department issue a pre-application letter regarding properties located at 817, 818, 819, and 820 Washington Street. Recently, these properties were nominated by the Community Housing Committee for consideration by the City Commission for acquisition by the Monroe County Land Authority. The purpose of this review is to provide preliminary information regarding the properties.

Currently, each property is licensed as having four non-transient residential units per site. According to City Licensing Records (Attachment A), these licenses have been maintained on the properties since 1976. Because City documentation substantiates that the units were established prior to the implementation of the building permit allocation system, it appears that the units are exempt from regulation under the system.

The properties are located in the Historic Medium Density Residential (HMDR) zoning district. Pursuant to Section 122-597 of the Land Development Regulations, multiple-family residential dwellings are a permitted use in this zoning district. It appears that the existing units are legally nonconforming to the density requirements cited in Section 122-600 of the Code. However, as long as the density is not increased, it is acceptable to maintain the existing number of units on the site.

As part of the pre-application research, the Planning Department also reviewed available file history on these properties. It appears that in January of 1993, the Board of Adjustment denied an application for Special Exception to allow transient use of the 16 units (Attachment B). The Special Exception was denied due to the Board's finding that the proposed transient rentals would not be reasonably compatible with surrounding uses.

In July of 2005, a letter was submitted to the Planning Department as notification of a Condominium Conversion for the properties located at 818 and 820 Washington Street (Attachment C). To date, the Planning Department is not aware of any other City approvals that the properties may have obtained. File documentation provided an unsealed copy of a boundary survey, dated June 30, 2004, completed for the

properties located at 818 and 820 Washington Street. However, the available files do not provide a survey for the properties at 817 or 819 Washington Street.

In summary, the proposal to provide affordable housing units on the properties may be adequate based on the existing land use and zoning classification. However, please note that this information is provided for the benefit of the Housing Committee on a preliminary basis and does not constitute a formal finding. The Land Authority is encouraged to obtain a Zoning Determination or Build-Back Letter from the Department prior to acquisition of the property if a more detailed assessment is needed.

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

Sincerely,

Handwritten signature of Ashley Monnier in cursive script.

Ashley Monnier
Planner

Attachments:

City Licensing Records (Attachment A)
Special Exception Denial (Attachment B)
Condominium Conversion (Attachment C)

Xc:

Amy Kimball Murley, AICP, Planning Director
Sue Harrison, Senior Deputy City Clerk
Carolyn Walker, Licensing Official
GEO Files

**Attachment
A**

THE CITY OF KEY WEST - OL
License File Changes - General Information

Type information, press Enter.

Business control 5160

Last activity:

Updated: 07/21/09 by KEYWKGP

Business name & address

Mailing address

PFUND, GENE
817 WASHINGTON ST 1
KEY WEST FL 33040

1017 WHITE ST
KEY WEST FL 33040

License number : 09 00005155

Appl, issue, expir 73008 73008 93009

License status (F4) . . . 1N FIRST RENEWAL MAILED

Classification (F4) . . . 10B RENTAL-NON-TRANSIENT RESIDENTIAL

Exemption (F4)

License comments FOUR NON-TRANSIENT RENTAL UNITS

License restrictions

Gross receipts

Reprint this license . N Y=Yes, N=No

Additional charges . . N * Y=Yes, N=No

Extra requirements . . N * Y=Yes, N=No

Miscellaneous . . . N Y=Yes, N=No

Sub codes N Y=Yes, N=No

More...

F3=Exit F5=Code description
F10=Business maintenance

F9=Applicant/Qualifier
F12=Cancel

F24=More keys

Type information, press Enter.

Business control number	5160			
Location ID	4449	817 WASHINGTON ST 1		
		KEY WEST	FL 33040	
Business status		A	A=Active, I=Inactive	
Business name		PFUND, GENE		
Mailing address 1		1017 WHITE ST		
Address 2				
Zip code (F4), delivery pt		33040	KEY WEST	FL
Date opened		91376		
Federal tax ID number				
Type of ownership (F4)		SP	SOLE PROPRIETOR	
Contractor		-	Y=Yes	
Business, emergency phone				

Maintain miscellaneous info _ * Y=Yes

F3=Exit F4=Prompt F9=Zip code maintenance
 F10=Location ID search F11=Branch maintenance F12=Cancel F24=More keys

Type information, press Enter.

Last activity:

Business control 5162

Updated: 07/21/09 by KEYWKGP

Business name & address

Mailing address

PFUND, GENE
818 WASHINGTON ST 1
KEY WEST FL 33040

1017 WHITE ST
KEY WEST FL 33040

License number : 09 00005157

Appl, issue, expir . . . 73008 73008 93009

License status (F4) . . . IN FIRST RENEWAL MAILED

Classification (F4) . . . 10B RENTAL-NON-TRANSIENT RESIDENTIAL

Exemption (F4)

License comments FOUR NON-TRANSIENT RENTAL UNITS

License restrictions . . .

Gross receipts

Reprint this license . N Y=Yes, N=No

Additional charges . . N * Y=Yes, N=No

Miscellaneous . . . N Y=Yes, N=No

Extra requirements . . N * Y=Yes, N=No

Sub codes N Y=Yes, N=No

More...

F3=Exit F5=Code description

F9=Applicant/Qualifier

F10=Business maintenance

F12=Cancel

F24=More keys

Type information, press Enter.

Business control number	5162		
Location ID	4403	818 WASHINGTON ST 1	
		KEY WEST	FL 33040
Business status		A	A=Active, I=Inactive
Business name		PFUND, GENE	
Mailing address 1		1017 WHITE ST	
Address 2			
Zip code (F4), delivery pt	33040	KEY WEST	FL
Date opened	91376		
Federal tax ID number			
Type of ownership (F4)	SP	SOLE PROPRIETOR	
Contractor	-	Y=Yes	
Business, emergency phone			

Maintain miscellaneous info _ * Y=Yes

F3=Exit F4=Prompt F9=Zip code maintenance
 F10=Location ID search F11=Branch maintenance F12=Cancel F24=More keys

Type information, press Enter.

Business control 5164

Last activity:

Updated: 07/21/09 by KEYWKGP

Business name & address

Mailing address

PFUND, GENE
819 WASHINGTON ST 1
KEY WEST FL 33040

1017 WHITE ST
KEY WEST FL 33040

License number : 09 00005159

Appl, issue, expir 73008 73008 93009

License status (F4) 1N FIRST RENEWAL MAILED

Classification (F4) 10B RENTAL-NON-TRANSIENT RESIDENTIAL

Exemption (F4)

License comments FOUR NON-TRANSIENT RENTAL UNITS

License restrictions

Gross receipts

Reprint this license . N Y=Yes, N=No

Additional charges . . N * Y=Yes, N=No

Extra requirements . . N * Y=Yes, N=No

Miscellaneous . . . N Y=Yes, N=No

Sub codes N Y=Yes, N=No

More...

F3=Exit F5=Code description

F10=Business maintenance

F9=Applicant/Qualifier

F12=Cancel

F24=More keys

Type information, press Enter.

Business control number	5164		
Location ID	16417	819 WASHINGTON ST 1	
		KEY WEST	FL 33040
Business status	A	A=Active, I=Inactive	
Business name	PFUND, GENE		
Mailing address 1	1017 WHITE ST		
Address 2			
Zip code (F4), delivery pt	33040	KEY WEST	FL
Date opened	91376		
Federal tax ID number			
Type of ownership (F4)	SP	SOLE PROPRIETOR	
Contractor	-	Y=Yes	
Business, emergency phone			

Maintain miscellaneous info _ * Y=Yes

F3=Exit F4=Prompt F9=Zip code maintenance
 F10=Location ID search F11=Branch maintenance F12=Cancel F24=More keys

Type information, press Enter.

Business control 5168

Last activity:

Updated: 07/21/09 by KEYWKGP

Business name & address

Mailing address

PFOND, GENE
820 WASHINGTON ST 1
KEY WEST FL 33040

1017 WHITE ST
KEY WEST FL 33040

License number : 09 00005162

Appl, issue, expir 73008 73008 93009

License status (F4) IN FIRST RENEWAL MAILED

Classification (F4) 10B RENTAL-NON-TRANSIENT RESIDENTIAL

Exemption (F4)

License comments FOUR NON-TRANSIENT RENTAL UNITS

License restrictions

Gross receipts

Reprint this license . N Y=Yes, N=No

Additional charges . . N * Y=Yes, N=No

Extra requirements . . N * Y=Yes, N=No

Miscellaneous . . . N Y=Yes, N=No

Sub codes N Y=Yes, N=No

More...

F3=Exit F5=Code description

F9=Applicant/Qualifier

F10=Business maintenance

F12=Cancel

F24=More keys

Type information, press Enter.

Business control number . . .	5168		
Location ID	<u>16369</u>	820 WASHINGTON ST 1	
		KEY WEST	FL 33040
Business status	A	A=Active, I=Inactive	
Business name	<u>PFUND, GENE</u>		
Mailing address 1	<u>1017 WHITE ST</u>		
Address 2	_____		
Zip code (F4), delivery pt . .	<u>33040</u>	KEY WEST	FL
Date opened	<u>91376</u>		
Federal tax ID number	_____		
Type of ownership (F4)	<u>SP</u>	SOLE PROPRIETOR	
Contractor	-	Y=Yes	
Business, emergency phone	_____	_____	_____

Maintain miscellaneous info _ * Y=Yes

F3=Exit F4=Prompt F9=Zip code maintenance
 F10=Location ID search F11=Branch maintenance F12=Cancel F24=More keys

**Attachment
B**

RESOLUTION NO. 93-37

A RESOLUTION MAKING FINDINGS
PURSUANT TO §12.02 DENYING SPECIAL
EXCEPTION FOR 817, 818, 819 and 820
WASHINGTON STREET; PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the Board of Adjustment denied the application requesting a special exception for 817, 818, 819, and 820 Washington Street to allow transient use of 16 living units; and

WHEREAS, the Key West Code of Ordinances §12.02 requires the Board of Adjustment to consider the special exception application in light of nine prescribed criteria; and

WHEREAS, the Board of Adjustment did consider those matters which a special exception may adversely affect;

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the City of Key West, as follows:

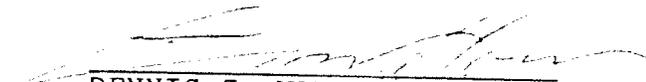
Section 1. A special exception is hereby denied pursuant to §12.02 of the City of Key West Code of Ordinances and the Board of Adjustment makes the following finding:

1. The Board finds that the Applicant has not made satisfactory provision and arrangement concerning:
 - a. The economic effects of the special exception on adjoining properties generally in the district;
 - b. The noise effects of the special exception on adjoining properties generally in the district;

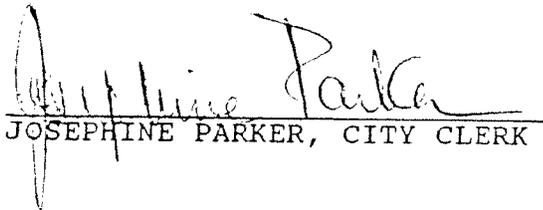
- c. Screening and buffering of the proposed project from adjoining properties generally in the district.
2. The Board finds that the use as transient rentals proposed by the special exception will not be reasonably compatible with surrounding uses in the neighborhood and zoning district in which it is located, in that the vast majority of surrounding uses are private residence.
3. The Board finds, based on its findings above, that the proposed change of use will adversely affect the public interest.

Section 2. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 19th day of January, 1993.

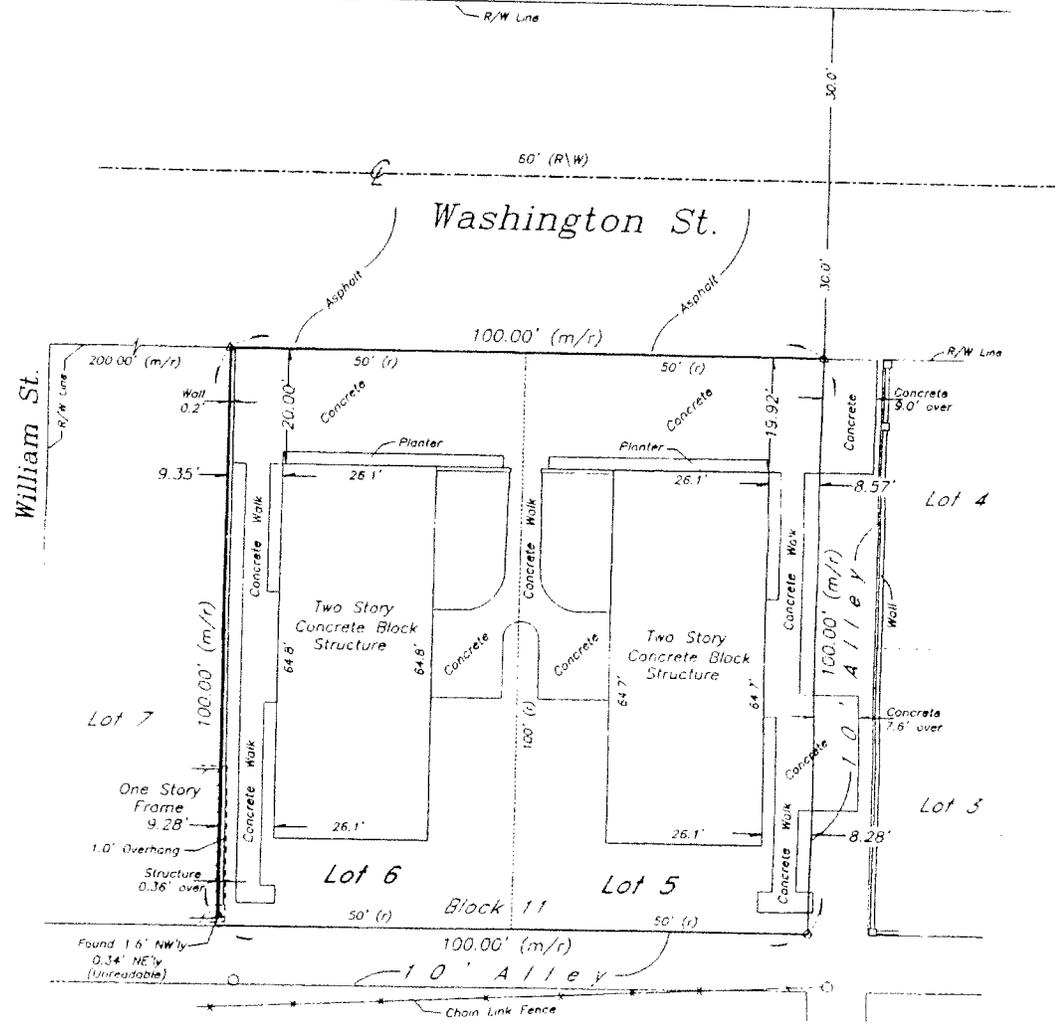
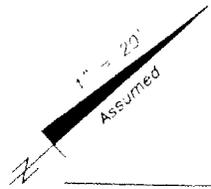

DENNIS J. WARDLOW, CHAIRMAN

ATTEST:


JOSEPHINE PARKER, CITY CLERK

**Attachment
C**

Boundary Survey Map of Lots 5 & 6, Block 11, Tract 17,
Key West Investment Company's Plat, Island of Key West



LEGEND

- Set #5 rebar w/cap (LB 7131)
- Found 1/2" iron Rod (No ID)
- ▲ Found Nail & Disc (Unreadable) (2863)
- △ Set Nail & Disc (LB 7131)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R/W Right of Way
- ⊕ Centerline
- ⊙ Wood Utility Pole
- ⊠ Concrete Utility Pole

Sheet One of Two Sheets

NORBY & O'FLYNN
Surveying, Inc.
Professional Land Surveyors
LB No. 7131
3430 Luck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 293-9824

Boundary Survey Report of Lots 5 & 6, Block 11, Tract 17,
Key West Investment Company's Plat, Island of Key West

NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 819-820 Washington Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Error of closure exceeds one part in 10,000.
9. Date of field work: June 24, 2004.
10. Ownership of fences is undeterminable, unless otherwise noted.

BOUNDARY SURVEY OF: On the Island of Key West and known on the Plat of the Key West Investment Company recorded in Plat Book 1 at Page 69 as Lots 5 and 6 in Block 11 of Tract 17 and more particularly described as follows:

COMMENCING at a point on the Southeasterly side of Washington Street distant 200' in a Northeasterly direction from the corner of the intersection of William Street and Washington Street and running thence along the Southeasterly side of Washington Street in a Northeasterly direction 100' to a ten foot alley; thence at right angles in a Southeasterly direction and along said alley 100' to a 10 foot alley; thence at right angles in a Southwesterly direction 100' along said last mentioned alley; thence at right angles in a Northwesterly direction 100' to the Point or Place of Beginning on Washington Street.

BOUNDARY SURVEY FOR: Mary Pfund;
First State Bank of the Florida Keys;
Chicago Title of the Florida Keys,

NORBY & O'FLYNN SURVEYING, INC.


Lynn O'Flynn, PSM
Florida Reg. #6298

June 30, 2004

Sheet Two of Two Sheets

NORBY & O'FLYNN
Surveying, Inc.
Professional Land Surveyors
LP No. 7131
3430 Duck Ave., Key West, FL 33040
(305) 294-7422 FAX (305) 293-9924