



Federal Emergency Management Agency

Washington, D.C. 20472

DEC - 9 1999

The Honorable James Weekly
 Mayor of the City of Key West
 P.O. Box 1409
 Key West, Florida 33041

Case No.: 99-04-5110C
 Community: CITY OF KEY WEST,
 MONROE COUNTY, FLORIDA
 Community Number: 120168

Dear Mayor Weekly:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property would be located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our comment is shown on the attached Conditional Letter of Map Revision based on Fill (CLOMR-F) Comment Document. This document provides additional information regarding the effective NFIP map, the legal description of the property, and our comments regarding this proposed project.

Additional documents are enclosed which provide information regarding the subject property and CLOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, P.O. Box 2210, Merrifield, VA 22116-2210.

Sincerely,

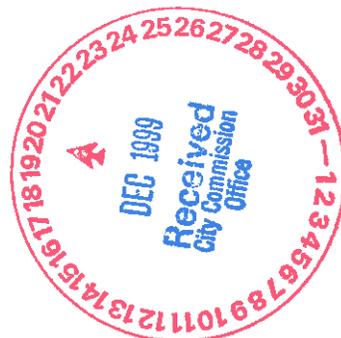
Matthew B. Miller

Matthew B. Miller, P.E., Chief
 Hazards Study Branch
 Mitigation Directorate

List of Enclosures

CLOMR-F-DEN Comment Document and Attachment; Pages 1 and 2

Cc: Ms. Lik Boik, Flagship Financial Services, Inc.
 Mr. Thomas M. Mulhall, SPC Developers, L.L.C.





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CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

| COMMUNITY AND MAP PANEL INFORMATION | | LEGAL PROPERTY DESCRIPTION |
|-------------------------------------|--|--|
| COMMUNITY | CITY OF KEY WEST, MONROE COUNTY, FLORIDA | A parcel of land (proposed as SaltPonds Condominiums), as described and recorded in Quit Claim Deed File No. 1110924, Book 1563, Pages 635-637, filed on March 2, 1999, by the Monroe County Clerk |
| | COMMUNITY NO: 120168 | |
| MAP PANEL AFFECTED | NUMBER: 12087C1717 G | |
| | NAME: MONROE COUNTY, FLORIDA AND INCORPORATED AREAS | |
| | DATE: MARCH 3, 1997 | |
| FLOODING SOURCE: ATLANTIC OCEAN | | APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 24.559028, -81.752836 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 3.0 DATUM: NAD83 |

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

| LOT | BLOCK/ SECTION | SUBDIVISION | STREET ADDRESS | OUTCOME WHAT WOULD NOT BE REMOVED FROM THE SFHA | FLOOD ZONE | 1% ANNUAL CHANCE FLOOD ELEVATION (NGVD29) | LOWEST ADJACENT GRADE ELEVATION (NGVD29) (Proposed) | LOWEST FLOOR ELEVATION (NGVD29) (Proposed) | LOWEST LOT ELEVATION (NGVD29) (Proposed) |
|-----|-------------------|--|-----------------------|--|---------------|---|--|--|--|
| — | — | SaltPonds Condominiums- proposed | 3635 SeaSide Drive | Structure | AE | 8.0 feet | 4.0 feet | 4.0 feet | — |
| — | — | SaltPonds Condominiums- proposed | 3655 SeaSide Drive | Structure | AE | 8.0 feet | 4.0 feet | 4.0 feet | — |

Special Flood Hazard Area (SFHA) – The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

DETERMINATION TABLE (CONTINUED)

CONDITIONAL

SOURCE OF BASE FLOOD ELEVATION

This document provides the Federal Emergency Management Agency's comment regarding a request for a Conditional Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the proposed structures on the property would be located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) if built as proposed. Therefore, flood insurance would be required for the property described above. If fill is placed for construction of a structure to raise the elevation of the lowest adjacent grade to the structure above the Base Flood Elevation (BFE) after the effective date of the first NFIP map showing the property in the SFHA, then the elevations of both the lowest adjacent grade to the structure and the lowest floor (including basement/crawl space) must be at or above the BFE for the structure to be outside the SFHA.

This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request and information regarding your options for obtaining a Letter of Map Revision based on Fill. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, P.O. Box 2210, Merrifield, VA 22116-2210.

Matthew B. Miller

Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate



Federal Emergency Management Agency

Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

DETERMINATION DOCUMENT TABLE CONTINUED

| LOT | BLOCK/ SECTION | SUBDIVISION | STREET ADDRESS | OUTCOME WHAT WOULD NOT BE REMOVED FROM THE SFHA | FLOOD ZONE | 1% ANNUAL CHANGE FLOOD ELEVATION (NGVD29) | LOWEST ADJACENT GRADE ELEVATION (NGVD29) (Proposed) | LOWEST FLOOR ELEVATION (NGVD29) (Proposed) | LOWEST LOT ELEVATION (NGVD29) (Proposed) |
|-----|-------------------|--|-----------------------|--|---------------|---|--|--|--|
| — | — | SaltPonds Condominiums- proposed | 3675 SeaSide Drive | Structure | AE | 8.0 feet | 4.0 feet | 4.0 feet | — |

Special Flood Hazard Area (SFHA) – The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

CONDITIONAL

Comments regarding this conditional request are based on the flood data presently available. Our final determination will be made upon receipt of this comment document, certified as-built elevations and/or survey. If this document is for a Conditional Letter of Map Revision based on Fill, the "Certification of Fill Placement" and "Community Acknowledgement of Requests Involving Fill" forms must be completed and submitted. The "Certification of Fill Placement" form must be completed by a professional engineer, an accredited soils engineer, or the community's National Flood Insurance Program permit official. Additional data may be required for a final as-built determination.

This letter does not relieve Federal agencies of the need to comply with Executive Order 11988 on Floodplain Management in carrying out their responsibilities and providing Federally undertaken, financed, or assisted construction and improvements, or in their regulating or licensing activities.

SOURCE OF BASE FLOOD ELEVATION

Attached is a copy of the source of the Base Flood Elevation that we used in our determination for the subject property. This information represents the best flood data available at this time.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the Federal Emergency Management Agency Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, P.O. Box 2210, Merrifield, VA 22116-2210.

Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate

ADDITIONAL INFORMATION REGARDING DENIALS OF REQUESTS FOR CONDITIONAL LETTERS OF MAP AMENDMENT AND CONDITIONAL LETTERS OF MAP REVISION BASED ON FILL

For Conditional Letters of Map Amendment (CLOMAs) and Conditional Letters of Map Revision based on the placement of fill (CLOMR-Fs), the Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requestors should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requestors also should be aware that FEMA's conditional denial of a request to remove a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined that the property would be subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) if built as proposed. As mentioned earlier, this determination is based on the flood hazard information available at the time. If more detailed property or flood hazard information becomes available, and the requestor believes the information will support removing the proposed property from the SFHA, the requestor may submit that information to FEMA at any time and request that FEMA reconsider its determination. In areas where base flood elevations (BFEs) shown on the effective National Flood Insurance Program (NFIP) map were used for the original determination, new BFEs cannot be used until they have been proposed and finalized through the community appeal process. The appeal process is described in detail in Part 67 of the NFIP regulations.

If FEMA denies a request for a CLOMA because the proposed elevation of the lowest adjacent grade to a structure (the lowest ground touching a structure) will be below the BFE, then the proposed elevation of the structure may be raised to or above the BFE by the placement of proposed fill material. The requestor may submit the appropriate supporting data and request a CLOMR-F in accordance with Paragraph 65.5(a)(4) of the NFIP regulations. In this circumstance, if both the proposed elevation of the lowest ground touching the structure *and* the proposed elevation of the lowest floor (including basement/crawl space) are at or above the BFE, FEMA will issue a CLOMR-F to remove the proposed structure from the SFHA. If fill material will be used to elevate the lowest ground touching the structure and the lowest floor (including basement/crawl space) to or above the BFE, the requestor also must submit a completed copy of Form 4, "Community Acknowledgment of Requests Involving Fill," from the MT-1 application/certification forms package that must be used for all CLOMR-F requests.

The NFIP regulations provide a requestor with a period of 90 days from the date of a denial letter to submit data and request that FEMA reconsider its determination without repayment of review and processing fees. Data submitted after 90 days, or data which show that a project has been significantly altered in design or scope other than as necessary to respond to findings made in FEMA's original determination, are subject to all submittal/payment procedures.

Effective October 1, 1996, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. Under this schedule, FEMA established a flat review and processing fee for each type of request. All requests dated October 1, 1996, or later will be processed under this new schedule.

The review and processing fees for CLOMAs, CLOMR-Fs, and Letters of Map Revision based on the placement of fill (LOMR-Fs) are shown below. There are no review and processing fees for Letters of Map Amendment.

| | |
|---|-------|
| Single-lot/single-structure LOMR-Fs (following a CLOMR-F) | \$300 |
| Single-lot/single-structure CLOMAs, CLOMR-Fs, and LOMR-Fs | \$400 |
| Multiple-lot/multiple-structure CLOMAs | \$700 |
| Multiple-lot/multiple-structure LOMR-Fs (following a CLOMR-F) | \$700 |
| Multiple-lot/multiple-structure CLOMR-Fs and LOMR-Fs | \$800 |

The fee must be received before FEMA can begin processing a request. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card. The payment must be forwarded to the following address:

Federal Emergency Management Agency
Fee-Collection System Administrator
P.O. Box 3173
Merrifield, VA 22116-3173

81° 45' 00"

24° 33' 45"

SALT PONDS
CONDOMINIUM



3635-3675
SEASIDE DR

Handwritten signature
6/17/99



ZONE AE
(EL 10)

ZONE AE
(EL 9)

ZONE VE
(EL 11)

ZONE VE
(EL 10)

S ROOSEVELT BLVD

CITY OF KEY WEST
MONROE COUNTY

ZONE VE
(EL 9)