



Islamorada, Village of Islands LAND USE VILLAGE COUNCIL MEETING

June 11, 2026 - 5:30 PM
Founders Park Community Center
87000 Overseas Highway
Islamorada, FL 33036

Virtual participation is available to the public. Please see the last page of the agenda for participation details.

AGENDA

- I. **CALL TO ORDER / ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **AGENDA: Requests for Deletion / Emergency Additions**
- IV. **MAYOR / COUNCIL COMMUNICATIONS**
- V. **VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS**
- VI. **PUBLIC COMMENT**

This is general public comment. It provides an opportunity for the public to speak about matters that are pertinent to the Village but not scheduled elsewhere on the agenda. The mayor opens public comment on agenda items throughout the meeting.)

VII. **QUASI-JUDICIAL**

- A. Administrative Relief for 183 E Ridge Rd **TAB A** Jennifer DeBoisbriand , Planning Director
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY RUSSELL A. YAGEL ESQ., AGENT FOR OWNER, SETH ELLINGTON, FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 183 E RIDGE RD, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.
- B. Administrative Relief for 207 Pearl Ave **TAB B** Jennifer DeBoisbriand , Planning Director
A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY CBT CONSTRUCTION, AGENT FOR OWNER, RAY VAUGHN, FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT

ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 207 PEARL AVE, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT “A”; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Ordinance Amending Future Land Use Map for 80839 Old Hwy TAB C Daniel Parobok, Senior Environmental Planner/Biologist
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JAMES S LUPINO, ESQ, AGENT FOR ROBERT E. MAU FLORIDA RESIDENCE TRUST 05/01/2017 AND KATHY G. MAU FLORIDA RESIDENCE TRUST 05/01/2017 TO AMEND THE VILLAGE’S FUTURE LAND USE MAP FROM RESIDENTIAL HIGH (RH) TO RESIDENTIAL MEDIUM (RM) FOR THE SUBJECT PROPERTIES, ON OLD HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00096240-000000 AND 00096240-000100 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.**
- D. Ordinance Amending Official Zoning Map for 80839 Old Hwy TAB D Daniel Parobok, Senior Environmental Planner/Biologist
AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JAMES S LUPINO, ESQ, AGENT FOR ROBERT E. MAU FLORIDA RESIDENCE TRUST 05/01/2017 AND KATHY G. MAU FLORIDA RESIDENCE TRUST 05/01/2017 TO AMEND THE OFFICIAL ZONING MAP FROM MULTIFAMILY (MF) TO SETTLERS RESIDENTIAL (SR) FOR THE SUBJECT PROPERTIES, ON OLD HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00096240-000000 AND 00096240-000100 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.**

VIII. ADJOURNMENT

Options for Viewing the Village Council Meeting:

The public is encouraged to watch the meeting on Monroe County’s MCTV Comcast Channel 77. Alternatively, the public may view the meeting streamed live on the Village website from their personal computer, tablet or phone via the following link:

https://www.islamorada.fl.us/departments/communications/live_village_broadcast_meeting.php

Public Participation through Public Comment:

The public may provide public comment on items of a general nature or items specific to the agenda. Below are the guidelines for submitting public comments:

Option 1: Email your comments.

1. Public comment should be submitted via email to: public.comment@islamorada.fl.us
2. The email should contain "Public Comment" in the subject line.
3. The name and address of the submitter shall be included in the email.
4. Public comment should be submitted by 9 a.m. the day before the meeting. Public comment will be sent to the Village Councilmembers for consideration prior to the meeting. Public comments will not be read during the meeting.

Option 2: Call in During the Meeting.

1. If phoning in, dial 305-224-1968 and enter the webinar ID: **911 0656 4166** followed by #. When the Mayor opens public comment pertaining to the agenda item you are interested in dial *9 to be recognized by the Zoom meeting monitor. The Monitor will call you by the last four digits of your phone number. **Please be sure to unmute your phone when you are called upon.**
2. If watching online via Zoom: Open the Zoom webinar link <https://zoom.us/j/91106564166> and follow the prompts to join the webinar. When the Mayor opens public comment use the "raise your hand" feature to be recognized by the meeting monitor. Public comments will be heard in the order in which they are received.

ADA Assistance:

These meetings are open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at (305) 664-6448 or by email at ADA@islamorada.fl.us at least 48 hours before the scheduled meeting.



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: June 11, 2026
SUBJECT: **Administrative Relief for 183 E Ridge Rd TAB A**

Background:

Russell A. Yagel, Esq. (the “Applicant”) on behalf of owner, Seth Ellington (“Property Owner”), has applied for Administrative Relief (the “Application”) from the Village of Islamorada’s (“Village”) Building Permit Allocation System (the “BPAS”) pursuant to Section 30-477 of the Code of Ordinances (the “Code”). Village Code Section 30-477 requires that a public hearing be held, during which the Village Council shall consider all evidence presented regarding the Application, and shall follow the procedures, standards and criteria found within Code Sections 30-552, Beneficial Use Determination, and 30-553, Procedures, Standards And Criteria For Relief . The Applicant has the burden of establishing a need for relief.

The subject property (the “Property”) is located at 183 E Ridge Rd and legally described in Exhibit “A” of the proposed Resolution. The Application was entered into the BPAS on January 31, 2022. The Application has been considered in four (4) consecutive annual allocation periods and has failed to receive an allocation award. At the close of Quarter 1 of 2026, the Application was ranked 37th with ten (10) points. Pursuant to the requirements set forth in Code Section 30-477(a), the Applicant was eligible to apply for Administrative Relief between 12:01 PM on April 1, 2026, and 12:00 PM on July 1, 2026. The Applicant submitted the Application for Administrative Relief on April 1, 2026.

The proposed development is a single-family home containing one-bedroom, one and 1/2-bathrooms, and approximately 1,083 square feet of living area.

The application site is approximately 15,410 square feet with permitted clearing and associated mitigation subject to habitat-based regulations.

Analysis:

Pursuant to Code Section 30-553, when considering an application for relief, the Village Council shall consider the factors listed below, and the complimentary guidelines found within the Village’s Comprehensive Plan.

Code Section 30-553 (a). “Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest.”

Comprehensive Plan Policy 1-2.3.3: Residential Medium (RM). “This designation is intended to provide stable, single-family neighborhoods and allow for uses which further the peaceful

enjoyment and high-quality residential character valued by Village residents. Areas designated Residential Medium (RM) on the Future Land Use Map shall include one (1) single family unit on one lot of record, and duplexes. Duplexes shall only be permitted in Zoning Districts where legally permitted duplexes currently exist. Notwithstanding the density limitations, duplexes, triplexes and fourplexes shall be permitted on RM lots fronting U.S. 1, pursuant to the Building Permit Allocation System, if approved as affordable housing. The RM Future Land Use Map designation shall allow home occupations. Supportive community facilities ancillary to the residential uses may be located within areas designated RM. The Land Development Regulations shall provide regulatory procedures for considering the above-noted uses.”

Code Section 30-684 Residential Single-Family (R1) And (R1M) Zoning District. The section dictates that the purpose and intent of the R1 Zoning District: “. . . is to accommodate homes, homeowners' parks, and open space in single-family residential neighborhoods located in subdivisions and on streets where the primary land use is single-family residential. . . .”

Analysis. The Applicant has not challenged relationship between the Village’s Comprehensive Plan and/or Land Development Regulations (“LDRs”) to a legitimate government interest..

Code Section 30-553 (b). “Whether the [C]omprehensive [P]lan or [LDRs] in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property.”

Analysis. There are no existing structures located on the Property. At the time of the filing, the Application had a score of ten (10) points. With zero allocations remaining, Staff estimates that if the Application were to remain in the BPAS, the Property Owner may never receive an allocation because it is currently ranked number 37 on the BPAS list.

Code Section 30-553 (c). “Relevant parcel.

(1) Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on ‘the parcel as a whole and not on particular segments or portions of the parcel. The village council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

a. The ‘physical contiguity’ of the lots;

b. The ‘unity of ownership’ of the lots (i.e., does the applicant own all of the lots in question);

c. The ‘unity of use’ between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

1. Was it the intent of the landowner to use the lots for a single use?

2. What is the suitability of the lots for a single or separate use versus a combined use?

3. Are the lots dependent on each other for the ability to have a single use?
4. Is there a reasonable economic use of the lots if unified?
5. What is the current zoning of each lot?
6. What is the physical size and appearance of the lots and how are adjacent properties used or developed?
7. What is the actual current use of the lots?
8. What is the possibility of the lots being used together in the next ten years?"

Analysis. With Respect to 30-553 (c)(1), the Property Owner owns the lot adjacent to this parcel due to a recent acquisition.

Code Section 30-553 (c)(2). "The [V]illage council shall not consider anything less than a platted lot to be the parcel of real property."

Analysis. The Property is a platted lot which meets the density of the Residential Single Family (R1/R1M) Zoning District.

Code Section 30-553 (d). "Once the relevant parcel is determined, the village council must analyze the following factors for that parcel:

- (1) The economic impact of the regulation on the parcel; and . . ."

Analysis. Due to the scoring and ranking system implemented in the BPAS, the Code has effectively rendered the construction of a single-family home on the Property not possible for the previous four (4) years.

"(2)The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:

- a. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?) . . ."

Analysis. The Property was purchased for \$10 via Quit Claim Deed on December 8, 2025, and is currently developed with a seawall and two electrically operated boat lifts. The Property is 15,410 square feet and has no habitat map.

- b. The history of the development of the parcel (i.e., What was built on the parcel and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?) . . ."

Analysis. The Property is in a legally platted subdivision recorded in Plat Book 4, Page 36. The Property is minimally developed, and both Village electricity and potable water services are available to serve the Property.

- c. The history of zoning and regulation (i.e., How, and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?) . . ."

Between 1963 and 1986, the Property was zoned RU-1-(Single-Family Residential). After the effective date of the 1986 Monroe County Comprehensive Plan, the Property was zoned "Improved Subdivision Detached Dwellings Duplexes" (IS D), which established areas of low

to medium density residential uses characterized principally by single-family detached dwellings; the referenced zoning district permitted detached residential dwellings, along with accessory structures. Since 2002, the Property has been zoned Residential Single Family (R1), which permits the development of one (1) single-family detached dwelling unit.

“d. How development changed when title was passed . . .”

Analysis. The Property has remained unchanged since the Property Owner purchased it.

“e. What is the present nature and extent of the use of the parcel . . .”

Analysis. Presently, the Property has accessory uses and meets the minimum lot size and density for the Residential Single Family (R1) zoning district in which it is located.

“f. What were the reasonable expectations of the landowner under Florida common law . . .”

Analysis. A landowner’s reasonable expectations regarding the use and development of property are assessed in light of the property’s condition, development potential, and applicable regulations at the time of acquisition. The owner bears the burden of demonstrating that the property has been deprived of all, or substantially all, economically beneficial use. This determination is inherently fact-specific and must be made on an individual basis, considering all relevant circumstances, including, but not limited to, the following factors:

1. Whether there is a physical invasion of the property.
2. The degree to which there is a diminution in value of the property. Or stated another way, whether the regulation precludes all economically reasonable use of the property.
3. Whether the regulation confers a public benefit or prevents a public harm.
4. Whether the regulation promotes the health, safety, welfare, or morals of the public.
5. Whether the regulation is arbitrarily and capriciously applied.
6. The extent to which the regulation curtails investment-backed expectations.

There is no set value assigned to any individual factor. In the instant case, the Property Owner purchased the Property in substantially the same state as it exists today. Under common law, evaluation of the factors should be made as they apply to the Property.

Here, there has been no physical invasion of the Property. The total value (per Monroe County Property Appraiser) of the Property is as follows:

TAX YEAR	Total Assessed Value (Before & After Date of Purchase)
2015	\$3,807
2022 (Entered BPAS)	\$24,084
2023 (In BPAS)	\$26,492
2024 (In BPAS)	\$29,141
2025 (In BPAS/Before Purchased)	\$32,055

The Comprehensive Plan regulations confer a public benefit by maintaining the character of the area and preserving the density of the area. The regulations promote the health, safety, and welfare of the public by providing stability and preserving the natural conditions found in these areas. The regulations have been uniformly applied and there has been no arbitrary or capricious government action.

Given that the Property has been minimally developed since its purchase by the previous Property Owner, there is nothing to indicate the owner had any investment-backed expectations when the Property was purchased other than the submission of an application into the BPAS.

“g. What were the reasonable expectations of the neighboring landowners under Florida common law . . .”

Analysis. Neighboring landowners have the reasonable expectation that the land surrounding them will be developed in character with the existing development and land use and zoning regulations. The Property is currently minimally developed. It is reasonable to assume that the neighboring landowners could expect the development of a single-family dwelling unit but only after demonstration of compliance with the applicable regulations and the receipt of a required allocation through the BPAS.

“h. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation; and . . .”

Analysis. The total assessed value of the Property in 2025 was \$32,055, just prior to the current property owner purchasing the property. The Village’s BPAS regulations were in effect at the time the Property Owner submitted the application into the BPAS and therefore do not result in a diminution in the investment-backed expectation of the Property Owner. Furthermore, prior to the adoption of the BPAS regulation, the Property was within the jurisdictional boundaries of Monroe County and was subject to the County’s Rate of Growth Ordinance (ROGO).

“i. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation?”

Analysis. The total assessed value of the Property in 1997 was \$11,380. In 2002, the total assessed value was \$10,347. In 2025, the just market value of the Property, according to the Monroe County Property Appraiser’s Office is \$96,652.

Additional Information provided by the Applicant:

- The Property Owner has complied with all requirements of the Building Permit Allocation System (BPAS).
- The BPAS application has not been withdrawn at any time.
- The Property Owner has not applied for a deferral.
- The Applicant, as stated, is seeking an allocation award.

Code Section 30-477(f). “Action by village council. At the conclusion of the public hearing, the Village Council may take any or a combination of the following actions:

(1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period.

(2) Offer to purchase the property at its fair market value.

(3) Suggest such other relief as may be necessary and appropriate.”

Analysis. The Village currently has six (6) allocations available for administrative relief.

Budget Impact:

Budget impact will be determined by the council's decision.

Staff Impact:

Staff impact will be determined by the council's decision.

Recommendation:

Staff recommends awarding the administrative relief allocation.

- Attachments:**
1. Reso 183 E Ridge Rd jd edits
 2. 183 E Ridge Rd File Backup
 3. PLLCB20200347_Gregg_NOA_Recorded

RESOLUTION NO. 26-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY RUSSELL A. YAGEL, ESQ., AGENT FOR OWNER SETH ELLINGTON, FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 183 E RIDGE RD, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 30, Article IV, Division 11 "Building Permit Allocation System," Section 30-477 "Administrative Relief," of the Code of Ordinances (the "Code") of Islamorada, Village of Islands (the "Village"), Russell A. Yagel, Esq. (the "Applicant") on behalf of Seth Ellington ("Property Owner"), has applied to the Village Council for administrative relief from the Village Building Permit Allocation System (the "BPAS") for property located at 183 E Ridge Road, having parcel ID number 00412230-000000, 00412140-000000, and 00093580-000200 ¹ on Plantation Key, as legally described in Exhibit "A", and

WHEREAS, the Applicant applied through the BPAS on four (4) consecutive annual allocation periods and has failed to receive an allocation award; and

WHEREAS, Section 30-477(a) of the Village Code provides that the Applicant became eligible to apply for administrative relief between April 1, 2026, and July 1, 2026; and

WHEREAS, the Applicant submitted an application for administrative relief seeking approval to develop one (1) single-family residence on the Property ("Application"); and

WHEREAS, pursuant to the Lot Combination, ORB 3071 / 87, the Application for a single

¹ / On January 25, 2021, the Property Owner's predecessor in interest filed a Notice of Approval: Lot Combination ("Lot Combination"), File No. PLLCB20200347, Recorded in the Official Records of Monroe County, Book 3071, Page 87. The Notice combined three parcels, identified for tax purposes as 00412140-000000, 00412230-000000, and 00093580-000200 (collectively referred to as the "Property").

family residence, and this Resolution shall apply to the entire Property²;

WHEREAS, on June 11, 2026, a duly noticed public hearing was held by the Village Council to consider the application for administrative relief; and

WHEREAS, following the public hearing, upon review and examination of the record, the Village Council finds that pursuant to the requirements of the Village Code and existing case law, the Application demonstrates a beneficial use providing economic benefit to the Property Owner.

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

Section 1. Findings. The Village Council, having considered the testimony and evidence presented by all parties, including the Applicant, does hereby find and determine that:

- (1) The hearing was properly noticed, the Application and the supporting documents and materials were properly before the Village Council for consideration, and all interested parties concerned in the matter were given the opportunity to be heard.
- (2) The Application, based on the evaluation meets the standards set forth in Sections 30-477 and 30-553 of the Village Code to require remedial action to provide for administrative relief in the form of a building permit allocation.

Section 2. Conclusions of Law.

- (1) That granting of the Application is consistent with the Village Code and will not be detrimental to the community as a whole.
- (2) That in rendering its decision as reflected in this Resolution, the Village Council has:
 - a. Accorded procedural due process;
 - b. Observed the essential requirements of the law; and

² / The Application only references real estate number 00412230-000000, a portion of the Property, however this Resolution applies to the entire Property.

c. Supported its decision by competent substantial evidence of record.

(3) Approval of administrative relief is hereby granted.

(4) Approval is also conditioned upon full and final payment of all fees owed to the Village, including but not limited to those owed pursuant to section 30-332 of the Village Code.

Section 3. Transmittal To The Department Of Commerce. Following the thirty (30) days after this Resolution is filed with the Village Clerk, the Resolution shall be transmitted to the Florida Department of Commerce ("DOC") pursuant to Chapter 73C-44.002 of the Florida Administrative Code. During the forty-five (45) days following the rendition to the DOC, the DOC may appeal this Resolution to the Florida Land and Water Adjudicatory Commission, and such an appeal shall stay the effectiveness of this Resolution until the appeal is resolved by agreement or order.

Section 4. Effective Date. This Resolution shall not take effect until (30) days after the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code. Additionally, following the expiration of the thirty (30) day period, this Resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Florida Department of Commerce ("DOC"), as provided in Chapter 73C-44.002 of the Florida Administrative Code. At the end of the forty-five (45) day period, if this resolution has not been reversed, then it will be effective immediately.

Remainder of this page intentionally left blank.

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

Mayor Don Horton _____

Vice Mayor Sharon Mahoney _____

Councilwoman Deb Gillis _____

Councilman Steve Friedman _____

Councilwoman Anna Richards _____

PASSED AND ADOPTED THIS 11th DAY OF JUNE 2026.

DON HORTON, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN QUICK, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this ____ day of _____, 2026.

EXHIBIT "A"
(LEGAL DESCRIPTION AS REFLECTED IN NOTICE OF APPROVAL ORB 3071/87)

Parcel ID: 00412230-000000, 00412140-000000, and 00093580-000200

The "Private Road", North of and adjacent to Lot 1, Toner's Nautical Shores, as shown on the Plat thereof, as recorded in Plat Book 4, at Page 36, of the Public Records of Monroe County, Florida.

LESS AND EXCEPTING THEREFROM:

A parcel of land being a part of a 20 foot wide "Private Road", shown on the Plat of Toner's Nautical Shores, recorded in Plat Book 4, at Page 36 of the Public Records of Monroe County, Florida, said road being adjacent to and abutting the southerly line of Lot 23, Block 1, of the plat of Plantation Ridge, recorded in Plat Book 3, at Page 43, of the Public Records of Monroe County, Florida and being more particularly described as follows: Begin at the Southwest corner of said Lot 23; thence run in a Southeasterly direction along the northerly line of said 20 foot Private Road for a distance of 143.90 feet to a point on the West line of Section 19, Township 63 South, Range 37 East; thence run in a Southwesterly direction, deflecting 89°57'47" to the right from the last described course, along said West line of Section 19 for a distance of 1.48 feet to a point; thence run in a Northwesterly direction, deflecting 97°57'07" to the right from the last described course for a distance of 143.89 feet to a pipe on the southerly prolongation of the west line of said Lot 23; thence run Northerly on said prolongation for a distance of 1.58 feet to the Point of Beginning.

ALSO:

(Parcel A)

A parcel of filled sovereignty land in the Atlantic Ocean abutting Section 24, Township 63 South, Range 37 East and Section 19, Township 63 South, Range 38 East, Plantation Key, Monroe County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 19; thence South 275 feet along the West line of said Section 19; thence South 40° East 150 feet; thence South 44°50' West 35 feet to the existing mean high water line of the Atlantic Ocean and the Point of Beginning; thence Southerly, Southwesterly, Westerly, Northwesterly and Northeasterly 263 feet, more or less along said existing mean high water line to its intersection with the Southeasterly line of a parcel of sovereignty land conveyed by Trustees of the Internal Improvement Fund Deed No. 21,588; thence North 44°50' East 75 feet to the Point of Beginning.

ALSO:

(Parcel B)

A parcel of filled sovereignty land in the Atlantic Ocean in theoretical Section 19, Township 63 South, Range 38 East, and abutting Section 24, Township 63 South, Range 37 East, Plantation Key, Monroe County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 19; thence South 257 feet along the West line of said Section 19 to the Point of Beginning; thence continue South 18 feet along the West line of said Section 19; thence South 40° East 60 feet, more or less to the existing mean high water line of the Atlantic Ocean; thence Northwesterly 75 feet, more or less along said mean high water line to the Point of Beginning.

Captioned premises are embraced within the East 325 feet of Section 24, Township 63 South, Range 37 East and submerged lands Southerly thereof and a part of submerged lands within Section 19, Township 63 South, Range 38 East, South of Government Lot 1 in Section 19, Township 63 South, Range 38 East.

ALSO:

(Parcel C)

A parcel of submerged land being a portion of that land deeded and described in THE STATE OF FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND, Deed No. 25120 (2291-44) recorded in Official Records Book 457, at Page 349, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:

As a point of reference Commence at the Southeast corner of Lot 23, Block 1, PLANTATION RIDGE, according to the Plat thereof, as recorded in Plat Book 3, at Page 43, of the Public Records of Monroe County, Florida, said point being 227.50 feet South of the Northwest corner of Section 19, Township 63 South, Range 38 East as shown on the unrecorded plat of Plantation Lake Estates as surveyed by Frank H. Uherek, Registered Land Surveyor No. 2410 and dated November 1976; thence run SOUTH along the West line of said Section 19, a distance of 1.48 feet for the Point of Beginning of the herein described parcel; thence run S.82°00'40"E. a distance of 20.00 feet; thence run S.28°02'56"E. a distance of 58.55 feet; thence run S.24°21'19"E. a distance of 118.92 to a corner of said Deed No. 25120, said corner being also a corner of the boundary of Plat of TONER'S NAUTICAL SHORES, according to the Plat thereof, as recorded in Plat Book 4, at Page 36, of the Public Records of Monroe County, Florida; thence run N.40°00'00"W. along said Plat and Deed line a distance of 90 feet; thence leaving the Plat boundary but following the deed line, run Northwesterly along the mean high water line, per the Deed, for a distance of 75 feet more or less to its intersection with the West line of said Section 19; thence run NORTH along said West line of Section 19 a distance of 29.50 feet to the Point of Beginning. Contains 3657 square feet more or less.



AGENT AUTHORIZATION LETTER

Islamorada, Village of Islands, Florida • Planning and Development Services Department
86800 Overseas Highway • Islamorada, Florida 33036 • 305-664-6400 • www.islamorada.fl.us

Note: Pursuant to Section 30-212(d)(2) of the Code of Ordinances of Islamorada, Village of Islands, Florida (the "Village"), all owners and any person having a contractual interest in the land shall give their permission for every application for a development permit. Therefore, more than one agent authorization letter must be submitted if there are multiple owners or persons having a contractual interest in the site.

Date: 03/25/2026

I hereby authorize RUSSELL A. YAGEL, ESQ., 88539 OVERSEAS HIGHWAY, TAVERNIER, FL 33070 (305) 852-8440
(Name, Address and Phone Number of Authorized Agent)

to be listed as authorized agent on behalf of SETH ELLINGTON
(Name of Owner or Person Having Contractual Interest)

for the purpose of conducting all business necessary to process and obtain approval from the Village Planning and Development Services Department, in regard to:

ADMINISTRATIVE RELIEF APPLICATION
(Project Name / Application Type)

Property Address: 183 E. RIDGE ROAD, ISLAMORADA, FL 33036

Real Estate Number(s): 00412230-000000

This authorization shall be effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned owner. This authorization acts as a durable power of attorney only for the purposes stated herein.

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility, thus holding the Village harmless, for any and all of the actions of the agent named, related to the acquisition of development permits for the aforementioned owner/applicant.

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.

Property Owner Signature: *[Handwritten Signature]*

Printed Name: SETH ELLINGTON

STATE OF Florida
COUNTY OF Monroe

Sworn to and subscribed before me by means of physical appearance or online notarization, this 25th day of March, 2026, by Seth Ellington (name of person signing the application) as _____ (type of authority e.g. officer, manager / member, trustee, attorney in fact) for _____ (name of entity or party on behalf of whom application was executed).

[Handwritten Signature]
Signature of Notary Public - State of Florida

SEAL:

Personally Known Produced Identification Type of ID _____





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

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

APPLICATION FOR ADMINISTRATIVE RELIEF

Pursuant to Code Section 30-477
Application Fee: \$1,500.00
Deposit: \$1,000.00

An application for administrative relief shall be filed with the Planning and Development Services Department **no earlier than the conclusion of the fourth annual allocation period and no later than 120 days following the close of the fourth annual allocation period.**

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. **See list of required submittals and documents below.**

APPLICANT / 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: Russell A. Yagel, Esq.
Mailing Address: 88539 Overseas Highway, Tavernier FL 33070
Primary Phone: (305) 852-8440 Fax: 305- 852-8848
Email: RYagel@HLYlaw.com

PROPERTY OWNER:

Name: SETH ELLINGTON
Mailing Address: 179 E RIDGE ROAD, ISLAMORADA FL 33036
Primary Phone: (740) 334-8156 Fax: _____
Email: seth@wasinvest.com

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

Physical Address: 183 E RIDGE ROAD, ISLAMORADA, FL 33036 Mile Marker: 87
Lot: 1 & 2 Block: _____ Subdivision: TONER'S NAUTICAL SHORES
 Plantation Key Windley Key Upper Matecumbe Key Lower Matecumbe Key
Real Estate (RE) Number: 00412230-000000 Alternate Key: 1506460

CRITERIA FOR ADMINISTRATIVE RELIEF: Has the applicant complied with all requirements of the building permit allocation system (BPAS)? Yes No

Comments: _____

Has the subject application been withdrawn at any time? Yes No

Comments: _____

Has the subject application been considered in at least four (4) consecutive annual allocation periods and failed to receive an allocation award? Please provide appropriate information below.

Application for Administrative Relief

Date of most recent BPAS application: 9/23/2020 Permit Number: Application Number: PRSFC202001140

What type of administrative relief are you seeking? Please check a box.

- Allocation award
- Purchase of property at fair market value
- Other (please specify): _____

Please provide responses to the following:

Pursuant to Code Sections 30-552 and 30-553, in making the proposed beneficial use determination, the Village Council will consider, in addition to those guidelines in the comprehensive plan, the following:

Please see attached Exhibit "A" for responses

1. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest. _____

2. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property. _____

3. Relevant parcel. (IF APPLICABLE)

a. Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on "the parcel as a whole" and not on particular segments or portions of the parcel. The Village Council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

1. The "physical contiguity" of the lots: _____

2. The "unity of ownership" of the lots (i.e., does the applicant own all of the lots in question): _____

3. The "unity of use" between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

i. Was it the intent of the landowner to use the lots for a single use? _____

ii. What is the suitability of the lots for a single or separate use versus a combined use? _____

- iii. Are the lots dependent on each other for the ability to have a single use? _____

- iv. Is there a reasonable economic use of the lots if unified? _____

- v. What is the current zoning of each lot? _____

- vi. What is the physical size and appearance of the lots and how are adjacent properties used or developed? _____

- vii. What is the actual current use of the lots? _____

- viii. What is the possibility of the lots being used together in the next ten years? _____

b. The Village Council shall not consider anything less than a platted lot to be the parcel of real property.

4. Once the relevant parcel is determined, the Village Council must analyze the following factors for that parcel:

- a. The economic impact of the regulation on the parcel; and
- b. The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:

1. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?): _____

2. The history of the development of the parcel (i.e., What was built on the parcel and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?): _____

Application for Administrative Relief

-
-
3. The history of zoning and regulation (i.e., How and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?): _____
-
-
4. How development changed when title was passed: _____
-
-
5. What is the present nature and extent of the use of the parcel: _____
-
-
6. What were the reasonable expectations of the landowner under Florida common law: _____
-
-
7. What were the reasonable expectations of the neighboring landowners under Florida common law: _____
-
-
8. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation: _____
-
-
9. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation: _____
-
-

Please submit the following with all applications:

- Correct fee (check or money order to “Islamorada, Village of Islands”)
- Current property record card from the Monroe County Property Appraiser
- Proof of ownership (i.e. warranty deed)

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

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.

Application for Administrative Relief

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]
Signature of Applicant

04/01/26
Date

Print Name: Russell A. Yagel

STATE OF Florida

COUNTY OF Manatee

Sworn to and subscribed before me by means of physical appearance or online notarization, this 1st day of April 2026, by Russell A. Yagel (name of person signing the application) as Agent (type of authority e.g. officer, manager / member, trustee, attorney in fact) for Jerrington (name of entity or party on behalf of whom application was executed).

[Signature]
Signature of Notary Public

SEAL:

Personally Known Produced Identification

Type of ID _____



EXHIBIT "A"

APPLICATION FOR ADMINISTRATIVE RELIEF

Property Owner: Seth Ellington

Please provide responses to the following:

Pursuant to Code Sections 30-552 and 30-553, in making the proposed beneficial use determination, the Village Council will consider, in addition to those guidelines in the comprehensive plan, the following:

1. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest.

RESPONSE: The government has an interest in allocating the remaining housing units subject to the terms of the comprehensive plan and Village LDC.

2. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property.

RESPONSE: The subject of the property is residentially zoned and has no other use. Denial of the administrative relief will deny all reasonable economic use.

3. Relevant parcel. **(IF APPLICABLE)**

a. Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on "the parcel as a whole" and not on particular segments or portions of the parcel. The Village Council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

1. The "physical contiguity" of the lots:

RESPONSE: N/A

2. The "unity of ownership" of the lots (i.e., does the applicant own all of the lots in question):

RESPONSE: N/A

3. The "unity of use" between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

i. Was it the intent of the landowner to use the lots for a single use?

RESPONSE: N/A

ii. What is the suitability of the lots for a single or separate use versus a combined use?

RESPONSE: N/A

iii. Are the lots dependent on each other for the ability to have a single use?

RESPONSE: No

iv. Is there a reasonable economic use of the lots if unified?

RESPONSE: N/A

v. What is the current zoning of each lot?

RESPONSE: N/A

vi. What is the physical size and appearance of the lots and how are adjacent properties used or developed?

RESPONSE: N/A

vii. What is the actual current use of the lots?

RESPONSE: Vacant/ Park

viii. What is the possibility of the lots being used together in the next ten years?

RESPONSE: None

b. The Village Council shall not consider anything less than a platted lot to be the parcel of real property.

RESPONSE: The Property is a platted lot zoned R1 which mean its meets the density of the Residential Single Family (R1/R1M) Zoning District.

4. Once the relevant parcel is determined, the Village Council must analyze the following factors for that parcel:

a. The economic impact of the regulation on the parcel; and

RESPONSE: Due to the scoring and ranking system implemented in the BPAS, the Code has effectively rendered the construction of a single-family home on the Property not possible for the previous four (4) years.

b. The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:

1. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?):

RESPONSE: The Parcel was purchased by the BPAS applicant in 1999 and by the current owner in January of 2026. The parcel size is approximately 15,410 square feet. Title by the BPAS, Mark Gregg, was acquired on or about November 30, 1999 via a warranty deed recorded in the public records of Monroe County, Florida at Bk 1608, pg. 1180.

Title to the current owner and successor in interest, Seth Ellington, was acquired by Warranty Deed recorded in the public records in and for Monroe County, Florida at OR. Book 3362, pg. 1283.

2. The history of the development of the parcel (i.e., What was built on the parcel

and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?):

RESPONSE: The property is in a legally platted subdivision. No residence is on the property. The only improvement to the property are a seawall and two electrically operated boat lifts. Potable water and wasterwater disposal is also available.

3. The history of zoning and regulation (i.e., How and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?):

RESPONSE: Parcel is presently zoned R1. The use is for a Single Family Residence.

4. How development changed when title was passed:

RESPONSE: Only development after purchase by the BPAS Applicant was the addition of 2 boat lifts.

5. What is the present nature and extent of the use of the parcel:

RESPONSE: Park/ Boat Lifts.

6. What were the reasonable expectations of the landowner under Florida common law:

RESPONSE: The expectations of the BPAS applicant were to develop a single-family residence on the subject parcel given its location in a platted subdivision, the surrounding existing development, prior approvals and the availability of electrical and water utilities to the property.

7. What were the reasonable expectations of the neighboring landowners under Florida common law:

RESPONSE: Neighboring landowners have the reasonable expectation that the land surrounding them will be developed in character with the existing development and land use and zoning regulations. The Property is currently undeveloped. It is reasonable to assume that the neighboring landowners could expect the development of a single-family dwelling unit.

8. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation:

RESPONSE: Although the property was subject to the Monroe County Rate of Growth Ordinance and the Village BPAS regulations after the incorporation of the Village, given the location of the property, the condition of the property and the availability of utilities, the BPAS applicant and this applicant had a reasonable expectation that he would be able to develop the property with a residence.

9. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation:

RESPONSE: unknown to applicant.

ADDITIONAL INFORMATION:

- The BPAS applicant has complied with all requirements of the Building Permit Allocation System (BPAS);
- The BPAS application has not been withdrawn at any time;
- The BPAS applicant has not applied for a deferral; and
- The Applicant, as stated, is seeking an allocation award.

RECEIPT OF PAYMENT

Receipt Number: 2026082009
Receipt Date: 04/01/2026
Date Paid: 04/01/2026
Full Amount: \$2,575.00

Payment Details:	Payment Method	Amount Tendered	Check Number
	Credit Card	\$2,575.00	

Amount Tendered: \$2,575.00

Change / Overage: \$0.00

Contact: Theresa Davis, Address: 88539 Overseas Highway, Phone: (305) 852-8440

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Administrative Relief	PLAR20260045	\$1,500.00	\$1,500.00
Administrative Relief - Deposit	PLAR20260045	\$1,000.00	\$1,000.00
Convenience Fee	PLAR20260045	\$75.00	\$75.00

ASSIGNMENT

Know all men by these presents: MARK H. GREGG, party of the first part, in consideration of the sum of Ten Dollars & no/100ths and other good and valuable consideration, lawful money of the United States, to them in hand paid by SETH ELLINGTON, party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over and by these presents does grant, bargain, sell, assign, transfer and set over unto the said party of the second part:

1. Any and all permit and development rights and applications for permit or development rights associated with the parcel, land and/or submerged lands identified by the Monroe County Property Appraiser as Parcel ID 00412230-000000 (183 East Ridge Rd.), including but not limited to that permit and/or application pending with Islamorada, Village of Islands, with a permit or application number of PRSFC202001140.
2. Any and all permit and development rights and applications for permit or development rights associated with the parcel, land and/or submerged lands identified by the Monroe County Property Appraiser as Parcel ID 00412140-000000 (185 East Ridge Rd.), including but not limited to that permit and/or application pending with Islamorada, Village of Islands, with a permit or application number of PRSFC201901127.

In Witness Whereof, I have hereunto set my hand and seal, the 15th day of January, 2025.

Signed, sealed and delivered in presence of:

Seth Ellington
SETH ELLINGTON, Buyer

State of Florida
County of Monroe

The foregoing instrument was acknowledged by means of physical presence or online
notarization, this 15th day of January, 2025, by SETH ELLINGTON, who is personally known to me or
who presented _____ as identification.

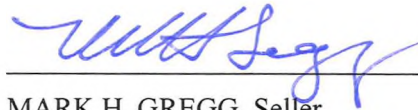
Theresa L. Davis
Notary Public

SEAL

Printed Notary Name
My Commission Expires: 1/04/27



Signed, sealed and delivered in presence of:

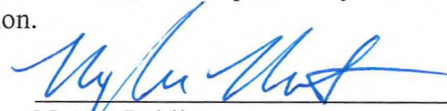


MARK H. GREGG, Seller

State of Florida

County of Monroe

The foregoing instrument was acknowledged by means of physical presence or [] online notarization, this 17 day of January, 2025, by MARK H. GREGG, who is personally known to me or who presented Florida Drivers license as identification.



Notary Public

Meghan Miller

Printed Notary Name

My Commission Expires: 2/18/2029

SEAL

Prepared by:

Lesley Rhyne
Cunningham Miller Rhyne, P.A.
10075 Overseas Highway
Marathon, FL 33050
305-743-9428
File No 26-LR-00007

Return to:

Hershoff, Lupino & Yagel, LLP
88539 Overseas Highway
Tavernier FL 33070
305-852-8440
File No 2025-02834

Parcel Identification No: 00412150-000000

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WARRANTY DEED
(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the **15th day of January, 2026** between **Mark H. Gregg, an unmarried man**, whose post office address is 118 Pippin Drive, Islamorada, FL 33036, of the County of Monroe, Florida, Grantor, to **Seth Ellington, an unmarried man**, whose post office address is 179 E Ridge Rd., Islamorada FL 33036, of the County of Monroe, Florida, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) 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, Florida**, to-wit:

Lots 1 and 2, and the Private Park adjacent thereto, Toner's Nautical Shores, according to the map or plat thereof as recorded in Plat Book 4, Page 36, Public Records of Monroe County, Florida;
ALSO

The "Private Road", North of and adjacent to Lot 1, Toner's Nautical Shores, according to the map or plat thereof as recorded in Plat Book 4, Page 36, Public Records of Monroe County, Florida;

LESS AND EXCEPT THEREFROM:

A parcel of land being a part of a 20' wide "Private Road", shown on the Plat of Toner's Nautical Shores, recorded in Plat Book 4, Page 36, of the Public Records of Monroe County Florida, said road being adjacent to and abutting the southerly line of Lot 23, Block 1 of the plat of Plantation Ridge, recorded in Plat Book 3, Page 43, of the Public Records of Monroe County, Florida and being more particularly described as follows:

Begin at the Southwest corner of said Lot 23; thence run in a Southeasterly direction along the northerly line of said 20' Private Road for a distance of 143.90 feet to a point on the West line of Section 19, Township 63 South, Range 37 East; thence run in a Southwesterly direction, deflecting 89°57'47" to the right from the last described course, along said West line of Section 19 for a distance of 1.48 feet to a point; thence run in a Northwesterly direction, deflecting 97°57'07" to the right from the last described course for a distance of 143.89 feet to a pipe on the southerly prolongation of the west line of said Lot 23; thence run Northerly on said prolongation for a distance of 1.58 feet to the Point of Beginning.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2026 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

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

And Grantor hereby covenant with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor have good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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:

[Signature]
Mark H. Gregg

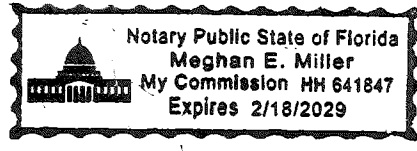
12
WITNESS
PRINT NAME: Jocelyn Tiedemann
Witness Address: 129 Coconut Row
Javerhier, FL 33070

[Signature]
WITNESS
PRINT NAME: Meghan Miller
Witness Address: 314 Lakeview Blvd
Delray Beach, FL 33445

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization, this 14 day of January, 2026, by Mark H. Gregg, () who is personally known to me or (X) who has produced Florida Drivers License as identification.

[Signature]
Signature of Notary Public
meghan miller
Print, Type/Stamp Name of Notary



Prepared by:

Lesley Rhyne
Cunningham Miller Rhyne, P.A.
10075 Overseas Highway
Marathon, FL 33050
305-743-9428
File No 26-LR-00007

Return to:

Hershoff, Lupino & Yagel, LLP
88539 Overseas Highway
Tavernier FL 33070
305-852-8440
File No 2025-02834

Parcel Identification No 00412230-000000

00412140-000000

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this **8th** day of **December, 2025** between **Mark H. Gregg, an unmarried man**, whose post office address is 118 Pippin Drive, Islamorada, FL 33036, of the County of Monroe, Florida, Grantor, to **Seth Ellington, an unmarried man**, whose post office address is 179 E Ridge Rd., Islamorada FL 33036, of the County of Monroe, Florida, Grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **Monroe County, Florida** to-wit:

A parcel of filled sovereignty land in the Atlantic Ocean abutting Section 24, Township 63 South, Range 37 East and Section 19, Township 63 South, Range 38 East, Plantation Key, Monroe County, Florida. being more particularly described as follows:

Commence at the Northwest corner of said Section 19; thence South 275 feet along the West line of said Section 19; thence South 40° East 150 feet; thence South 44°50' West 35 feet to the existing mean high water line of the Atlantic Ocean and a Point of Beginning; thence Southerly, Southwesterly, Westerly, Northwesterly and Northeasterly 263 feet, more or less along said existing mean high water line to its intersection with the Southeasterly line of a parcel of Sovereignty land conveyed by Trustees of the Internal Improvement Fund Deed No. 21.588; thence North 44°50' East 75 Feet to the Point of Beginning
ALSO

A parcel of filled sovereignty land in the Atlantic Ocean in Theoretical Section 19, Township 63 South, Range 38 East, and abutting Section 24, Township 63 South, Range 37 East, Plantation Key, Monroe County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 19; thence South 257 feet along the West Line of said Section 19 to the Point of Beginning; thence continue South 18 feet along the West line of said Section 19; thence South 40° East 60 feet, more or less, to the existing mean high water line of the Atlantic Ocean; thence

Northwesterly 75 feet, more or less, along said mean high water line to the Point of Beginning. Captioned premises are embraced within the East 325 feet of Section 24, Township 63 South, Range, 37 East and submerged land Southerly thereof and a part of submerged lands within Section 19, Township 63 South, Range 38 East, South of Government Lot 1 in Section 19, Township 63 South, Range 38 East.

ALSO:

A parcel of submerged land being a portion of that land deeded and described in THE STATE OF FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND, Deed No. 25120 (2291-44) recorded in Official Records Book 457, at Page 349, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:

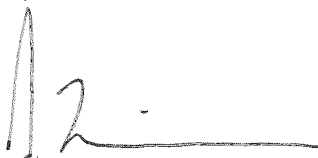
As a point of reference Commence at the Southeast corner of Lot 23, Block 1, Plantation Ridge, according to the Plat thereof, as recorded in Plat Book 3, at Page 43, of the Public Records of Monroe County, Florida, said point being 227.50 feet South of the Northwest corner of Section 19, Township 63 South, Range 38 East, as shown on the unrecorded plat of Plantation Lake Estates as surveyed by Frank H. Uherek, Registered Land Surveyor No. 2410 and dated November 1976; thence run South along the West line of said Section 19, a distance of 1.48 feet for the Point of Beginning of the herein described parcel; thence run S.82°00'40"E. a distance of 20.00 feet; thence run S.28°02'56"E. a distance of 58.55 feet; thence run S.24°21'19"E. a distance of 118.92 to a corner of said Deed No. 25120, said corner being also a corner of the boundary of Plat of Toner's Nautical Shores, according to the Plat thereof, as recorded in Plat Book 4, at Page 36, of the Public Records of Monroe County, Florida; thence run N.40°00'00"W. along said Plat and Deed line a distance of 90 feet; thence leaving the Plat boundary but following the deed line, run Northwesterly along the mean high water line, per the Deed, for a distance of 75 feet, more or less, to its intersection with the West line of said Section 19; thence run North along said West line of Section 19, a distance of 29.50 feet to the Point of Beginning.


Subject to taxes for 2026 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.


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:




Mark H. Gregg

WITNESS
PRINT NAME: Jocelyn Tiedemann
Witness Address: 127 Coconut Row
Tavernier, FL 33070


WITNESS
PRINT NAME: meghan miller
Witness Address: 3MI Lakewood Blvd
Delray Beach, FL 33445

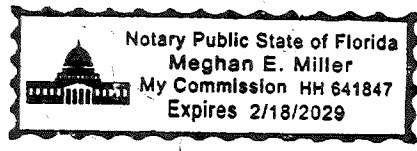
STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 19 day of January, 2026, by Mark H. Gregg, who is personally known to me or who has produced Florida Drivers License as identification.

Meghan Miller
Signature of Notary Public

meghan miller
Print, Type/Stamp Name of Notary



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 00412230-000000
Account# 1506460
Property ID 1506460
Millage Group 50VI
Location 183 E RIDGE Rd, PLANTATION KEY
Address
Legal PRIVATE PARK LYING ELY LTS 1-2 TONERS NAUTICAL SHORES PLANTATION KEY PB4-36 AND ROAD EASEMENT AND PT SOVEREIGNTY
Description LAND (19 63 38) OR103-183(II DEED 21558) OR443-105 OR463-930(II DEED 25155) OR848-775 OR889-1903 OR889-1904 CASE83-270-CP-12 OR1608-1180 OR1608-1182 OR3362-1285
(Note: Not to be used on legal documents.)
Neighborhood 1551
Property Class MINING (9200)
Subdivision TONER'S NAUTICAL SHORES
Sec/Twp/Rng 24/63/37
Affordable No
Housing



Owner

[ELLINGTON SETH](#)
 179 E Ridge Rd
 Islamorada FL 33036

Valuation

	2025 Certified Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$74,731	\$76,118	\$77,495	\$78,882
+ Market Land Value	\$21,921	\$21,921	\$21,921	\$21,921
= Just Market Value	\$96,652	\$98,039	\$99,416	\$100,803
= Total Assessed Value	\$32,055	\$29,141	\$26,492	\$24,084
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$96,652	\$98,039	\$99,416	\$100,803

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$21,921	\$0	\$76,118	\$98,039	\$29,141	\$0	\$98,039	\$0
2023	\$21,921	\$0	\$77,495	\$99,416	\$26,492	\$0	\$99,416	\$0
2022	\$21,921	\$0	\$78,882	\$100,803	\$24,084	\$0	\$100,803	\$0
2021	\$21,921	\$0	\$74,778	\$96,699	\$21,895	\$0	\$96,699	\$0
2020	\$21,921	\$0	\$76,063	\$97,984	\$19,905	\$0	\$97,984	\$0
2019	\$21,921	\$0	\$0	\$21,921	\$18,096	\$0	\$21,921	\$0
2018	\$16,451	\$0	\$0	\$16,451	\$16,451	\$0	\$16,451	\$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
RESIDENTIAL PARK (010P)	15,410.00	Square Foot	0	0
(9500)	0.39	Acreage	0	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
SEAWALL	2019	2020	3 x 360	1	1080 SF	1
SEAWALL	2019	2020	3 x 214	1	642 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
12/8/2025	\$100	Quit Claim Deed	2528846	3362	1285	11 - Unqualified	Improved		

Permits

Number	Date Issued	Status	Amount	Permit Type	Notes
PRELT201801751	10/15/2018	Completed	\$2,450	Residential	INSTALL ELECT SVC FOR BOAT LIFT/LIGHTING

View Tax Info

[View Taxes for this Parcel](#)

Photos



Map



TRIM Notice

[2025 TRIM Notice \(PDF\)](#)

No data available for the following modules: Buildings, Sketches (click to enlarge).

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 Last Data Upload: 3/11/2026, 2:15:47 AM

[Contact Us](#)



This instrument prepared by:
Hank Flores, AICP, CFM
Senior Planner
Islamorada, Village of Islands
Planning and Development Services Department
86800 Overseas Highway
Islamorada, Florida 33036

After recording, please return to:
Planning and Development Services Department
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036



Filed and Recorded in Official Records of
MONROE COUNTY KEVIN MADOK, CPA

Notice of Approval: Lot Combination (File No.: PLLCB20200347)

Applicant:	Mark H. Gregg
Parcels 1, 2, and 3: Real Estate Numbers:	00412140-000000, 00412230-000000, and 00093580-000200
LEGAL DESCRIPTION AFTER LOT COMBINATION:	
<p>The 'Private Road', North of and adjacent to Lot 1, Toner's Nautical Shores, as shown on the Plat thereof, as recorded in Plat Book 4, at Page 36, of the Public Records of Monroe County, Florida. LESS AND EXCEPTING THEREFROM: A parcel of land being a part of a 20 foot wide 'Private Road', shown on the Plat of Toner's Nautical Shores, recorded in Plat Book 4, at Page 36 of the Public Records of Monroe County, Florida, said road being adjacent to and abutting the southerly line of Lot 23, Block 1, of the plat of Plantation Ridge, recorded in Plat Book 3, at Page 43, of the Public Records of Monroe County, Florida and being more particularly described as follows: Begin at the Southwest corner of said Lot 23; thence run in a Southeasterly direction along the northerly line of said 20 foot Private Road for a distance of 143.90 feet to a point on the West line of Section 19, Township 63 South, Range 37 East; thence run in a Southwesterly direction, deflecting 89°57'47" to the right from the last described course, along said West line of Section 19 for a distance of 1.48 feet to a point; thence run in a Northwesterly direction, deflecting 97°57'07" to the right from the last described course for a distance of 143.89 feet to a pipe on the southerly prolongation of the west line of said Lot 23; thence run Northerly on said prolongation for a distance of 1.58 feet to the Point of Beginning. ALSO: (Parcel A) A parcel of filled sovereignty land in the Atlantic Ocean abutting Section 24, Township 63 South, Range 37 East and Section 19, Township 63 South, Range 38 East, Plantation Key, Monroe County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Section 19; thence South 275 feet along the West line of said Section 19; thence South 40° East 150 feet; thence South 44°50' West 35 feet to the existing mean high water line of the Atlantic Ocean and the Point of Beginning; thence Southerly, Southwesterly, Westerly, Northwesterly and Northeasterly 263 feet, more or less along said existing mean high water line to its intersection with the Southeasterly line of a parcel of sovereignty land conveyed by Trustees of the Internal Improvement Fund Deed No. 21,588; thence North 44°50' East 75 feet to the Point of Beginning. ALSO: (Parcel B) A parcel of filled sovereignty land in the Atlantic Ocean in theoretical Section 19, Township 63 South, Range 38 East, and abutting Section 24, Township 63 South, Range 37 East, Plantation Key, Monroe County, Florida, being more particularly described as follows: Commence at the Northwest corner of said Section 19; thence South 257 feet along the West line of said Section 19 to the Point of Beginning; thence continue South 18 feet along the West line of said Section 19; thence South 40° East 60 feet, more or less to the existing mean high water line of the Atlantic Ocean; thence Northwesterly 75 feet, more or less along said mean high water line to the Point of Beginning. Captioned premises are embraced within the East 325 feet of Section 24, Township 63 South, Range 37 East and submerged lands Southerly thereof and a part of submerged lands within Section 19, Township 63 South, Range 38 East, South of Government Lot 1 in Section 19, Township 63 South, Range 38 East.</p>	

ALSO:
(Parcel C)
 A parcel of submerged land being a portion of that land deeded and described in THE STATE OF FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND, Deed No. 25120 (2291-44) recorded in Official Records Book 457, at Page 349, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:

As a point of reference Commence at the Southeast corner of Lot 23, Block 1, PLANTATION RIDGE, according to the Plat thereof, as recorded in Plat Book 3, at Page 43, of the Public Records of Monroe County, Florida, said point being 227.50 feet South of the Northwest corner of Section 19, Township 63 South, Range 38 East as shown on the unrecorded plat of Plantation Lake Estates as surveyed by Frank H. Uherek, Registered Land Surveyor No. 2410 and dated November 1976; thence run SOUTH along the West line of said Section 19, a distance of 1.48 feet for the Point of Beginning of the herein described parcel; thence run S.82°00'40"E. a distance of 20.00 feet; thence run S.28°02'56"E. a distance of 58.55 feet; thence run S.24°21'19"E. a distance of 118.92 to a corner of said Deed No. 25120, said corner being also a corner of the boundary of Plat of TONER'S NAUTICAL SHORES, according to the Plat thereof, as recorded in Plat Book 4, at Page 36, of the Public Records of Monroe County, Florida; thence run N.40°00'00"W. along said Plat and Deed line a distance of 90 feet; thence leaving the Plat boundary but following the deed line, run Northwesterly along the mean high water line, per the Deed, for a distance of 75 feet more or less to its intersection with the West line of said Section 19; thence run NORTH along said West line of Section 19 a distance of 29.50 feet to the Point of Beginning. Contains 3657 square feet more or less.

Description of Lot Line Combination: Previously platted properties under three (3) Parcel Identification Numbers. This application combines the parcels into one single lot of record as depicted on the survey prepared by MASSEY-RICHARDS SURVEYING AND MAPPING, LLC., last field surveyed on 02/08/2019 and revised on 04/03/2020.

Effective Date: January 11, 2021

Pursuant to Section 30-431(e) of the Code of Ordinances of Islamorada, Village of Islands, Florida, if a plat has been previously approved and recorded, technical or minor changes to the plat may be approved by the Director of Planning and Development Services (The Director). The Director has determined that the proposed Lot Combination prepared for the subject properties, as prepared on a survey dated February 2, 2019 and revised on April 3, 2020, by Massey-Richardson Surveying & Mapping, LLC. (David S. Massey, P.S.M. #5125), depicting the conditions of the three properties, meet the requirements for a technical or minor change to the plat pursuant to Code Section 30-431(e). The Lot Line Combination shall run with the land.

This approval does not constitute an assurance that the newly created or reconfigured lots can be built upon or developed in the future. The issuance of a Notice of Approval by the Village and recording thereof does not constitute a transfer of title. Separate deed(s) to this effect may need to be prepared by the applicant and recorded with Monroe County.


Signed, witnessed and executed on this 11th day of January, 2021.

WITNESS:

DIRECTOR OF PLANNING:



Hank Flores, AICP, CFM



Ty Harris, Esq.

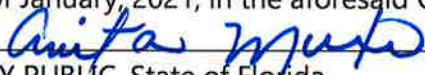
STATE OF FLORIDA

)SS

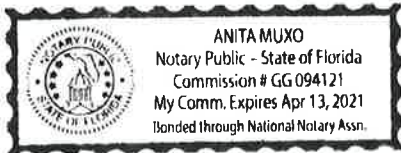
COUNTY OF MONROE

The foregoing instrument was acknowledged before me by Ty Harris as Director of Planning of Islamorada, Village of Islands, Florida, a Municipal Corporation. He is personally known to me.

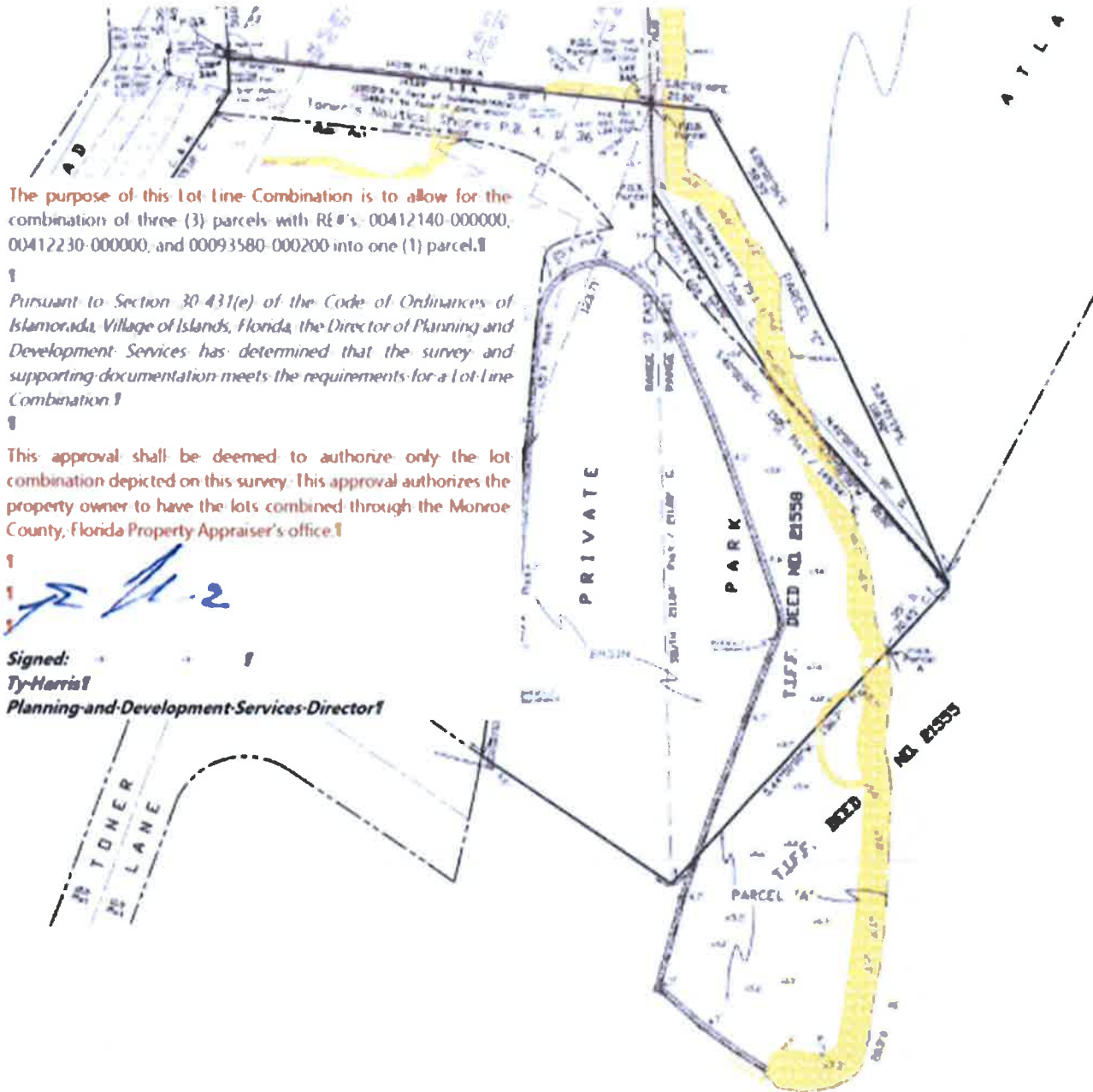
Witness my signature and official seal this 11th day of January, 2021, in the aforesaid County and State.



NOTARY PUBLIC, State of Florida



Print Name: Anita Muxo
Commission No.: GG 094121
Commission Expires: 4-13-21



The purpose of this Lot Line Combination is to allow for the combination of three (3) parcels with RE #'s. 00412140-000000, 00412230-000000, and 00093580-000200 into one (1) parcel.¶

¶ Pursuant to Section 30.431(e) of the Code of Ordinances of Islamorada, Village of Islands, Florida, the Director of Planning and Development Services has determined that the survey and supporting documentation meets the requirements for a Lot Line Combination.¶

¶ This approval shall be deemed to authorize only the lot combination depicted on this survey. This approval authorizes the property owner to have the lots combined through the Monroe County, Florida Property Appraiser's office.¶

¶ 

Signed: Ty Harris
Planning and Development Services Director¶



Council Communication

To: Mayor and Village Council
From: Jennifer DeBoisbriand , Planning Director
Date: June 11, 2026
SUBJECT: **Administrative Relief for 207 Pearl Ave TAB B**

Background:

CBT Construction and Development Inc. (the “Applicant”), on behalf of owner, Ray Vaughn, (“Property Owner”) has applied for Administrative Relief (the “Application”) from the Village of Islamorada’s (“Village”) Building Permit Allocation System (the “BPAS”) pursuant to Section 30-477 of the Code of Ordinances (the “Code”). Village Code Section 30-477 requires that a public hearing be held, during which the Village Council shall consider all evidence presented regarding the Application, and shall follow the procedures, standards and criteria found within Code Sections 30-552, Beneficial Use Determination, and 30-553, Procedures, Standards And Criteria For Relief . The Applicant has the burden of establishing a need for relief.

The subject property (the “Property”) is located at 207 Pearl Ave and legally described in Exhibit “A” of the proposed Resolution. The Application was entered into the BPAS on November 1, 2021. The Application has been considered in four (4) consecutive annual allocation periods and has failed to receive an allocation award. At the close of Quarter 4 of 2025, the Application was ranked 11th with nineteen (19) points. Pursuant to the requirements set forth in Code Section 30-477(a), the Applicant was eligible to apply for Administrative Relief between 12:01 PM on January 1, 2026, and 12:00 PM on May 1, 2026. The Applicant submitted the Application for Administrative Relief on April 30, 2026.

The proposed development is a single-family home, containing three-bedrooms, two-bathrooms, and approximately 1,855.3 square feet of living area.

The site is approximately 5,500 square feet with permitted clearing and associated mitigation subject to habitat-based regulations.

Analysis:

Pursuant to Code Section 30-553, when considering an application for relief, the Village Council shall consider the factors listed below, and the complimentary guidelines found within the Village’s Comprehensive Plan.

Code Section 30-553 (a). “Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest.”

Comprehensive Plan Policy 1-2.3.3: Residential Medium (RM). “This designation is intended to provide stable, single-family neighborhoods and allow for uses which further the peaceful

enjoyment and high-quality residential character valued by Village residents. Areas designated Residential Medium (RM) on the Future Land Use Map shall include one (1) single family unit on one lot of record, and duplexes. Duplexes shall only be permitted in Zoning Districts where legally permitted duplexes currently exist. Notwithstanding the density limitations, duplexes, triplexes and fourplexes shall be permitted on RM lots fronting U.S. 1, pursuant to the Building Permit Allocation System, if approved as affordable housing. The RM Future Land Use Map designation shall allow home occupations. Supportive community facilities ancillary to the residential uses may be located within areas designated RM. The Land Development Regulations shall provide regulatory procedures for considering the above-noted uses.”

Code Section 30-684 Residential Single-Family (R1) And (R1M) Zoning District. The section dictates that the purpose and intent of the R1 Zoning District: “. . . is to accommodate homes, homeowners' parks, and open space in single-family residential neighborhoods located in subdivisions and on streets where the primary land use is single-family residential. . . .”

Analysis. The Applicant has not asserted challenged relationship between the Village’s Comprehensive Plan and/or Land Development Regulations (“LDRs”) to a legitimate government interest.

Code Section 30-553 (b). “Whether the [C]omprehensive [P]lan or [LDRs] in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property.”

Analysis. There are no existing structures located on the Property. At the time of the filing, the Application had a score of nineteen (19) points. With zero allocation remaining, Staff estimates that if the Application were to remain in the BPAS, the Property Owner may never receive an allocation because it is currently ranked number 11 on the BPAS list.

Code Section 30-553 (c). “Relevant parcel.

(1). Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on ‘the parcel as a whole’ and not on particular segments or portions of the parcel. The village council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

a. The ‘physical contiguity’ of the lots;

b. The ‘unity of ownership’ of the lots (i.e., does the applicant own all of the lots in question);

c. The ‘unity of use’ between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

1. Was it the intent of the landowner to use the lots for a single use?

2. What is the suitability of the lots for a single or separate use versus a combined use?
3. Are the lots dependent on each other for the ability to have a single use?
4. Is there a reasonable economic use of the lots if unified?
5. What is the current zoning of each lot?
6. What is the physical size and appearance of the lots and how are adjacent properties used or developed?
7. What is the actual current use of the lots?
8. What is the possibility of the lots being used together in the next ten years?"

Analysis. 30-553 (c)(1). is not applicable to the Property.

Code Section 30-553 (c)(2). "The [V]illage council shall not consider anything less than a platted lot to be the parcel of real property."

Analysis. The Property is a platted lot which meets the density of the Residential Single Family (R1/R1M) Zoning District.

Code Section 30-553 (d). "Once the relevant parcel is determined, the village council must analyze the following factors for that parcel:

- (1)The economic impact of the regulation on the parcel; and . . ."

Analysis. Due to the scoring and ranking system implemented in the BPAS, the Code has effectively rendered the construction of a single-family home on the Property not possible for the previous four (4) years.

"(2) The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:

- a. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?) . . ."

Analysis. The Property was purchased for \$10 via Warranty Deed on December 23, 2015, and is currently undeveloped. The Property is 5,500 square feet and has a low-quality hammock habitat map.

"b.The history of the development of the parcel (i.e., What was built on the parcel and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?) . . ."

Analysis. The Property is in a legally platted subdivision recorded in Plat Book 4, Page 32. The Property is undeveloped, and both Village electricity and potable water services are available to serve the Property.

"c.The history of zoning and regulation (i.e., How, and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?) . . ."

Between 1963 and 1986, the Property was zoned RU-1-(Single-Family Residential). After the effective date of the 1986 Monroe County Comprehensive Plan, the Property was zoned

“Improved Subdivision” (IS), which established areas of low to medium density residential uses characterized principally by single-family detached dwellings; the referenced zoning district permitted detached residential dwellings, along with accessory structures. Since 2002, the Property has been zoned Residential Single Family (R1), which permits the development of one (1) single-family dwelling unit.

“d. How development changed when title was passed . . .”

Analysis. The Property has remained unchanged since the Property Owner purchased it.

“e. What is the present nature and extent of the use of the parcel . . .”

Analysis. Presently, the Property is undeveloped and meets the minimum lot size and density for the Residential Single Family (R1) zoning district in which it is located.

“f What were the reasonable expectations of the landowner under Florida common law . . .”

Analysis. A landowner’s reasonable expectations regarding the use and development of property are assessed in light of the property’s condition, development potential, and applicable regulations at the time of acquisition. The owner bears the burden of demonstrating that the property has been deprived of all, or substantially all, economically beneficial use. This determination is inherently fact-specific and must be made on an individual basis, considering all relevant circumstances, including, but not limited to, the following factors:

1. Whether there is a physical invasion of the property.
2. The degree to which there is a diminution in value of the property. Or stated another way, whether the regulation precludes all economically reasonable use of the property.
3. Whether the regulation confers a public benefit or prevents a public harm.
4. Whether the regulation promotes the health, safety, welfare, or morals of the public.
5. Whether the regulation is arbitrarily and capriciously applied.
6. The extent to which the regulation curtails investment-backed expectations.

There is no set value assigned to any individual factor. In the instant case, the Property Owner purchased the Property in substantially the same state as it exists today. Under common law, evaluation of the factors should be made as they apply to the Property.

Here, there has been no physical invasion of the Property. The total value (per Monroe County Property Appraiser) of the Property is as follows:

TAX YEAR	Total Assessed Value (Before & After Date of Purchase)
2015 (Before Purchased)	\$13,176
2016 (After Purchased)	\$68,750
2021 (Entered BPAS)	\$91,507
2022 (In BPAS)	\$100,658
2023 (In BPAS)	\$110,724
2024 (In BPAS)	\$121,796
2025 (In BPAS)	\$133,976

The Comprehensive Plan regulations confer a public benefit by maintaining the character of

the area and preserving the density of the area. The regulations promote the health, safety, and welfare of the public by providing stability and preserving the natural conditions found in these areas. The regulations have been uniformly applied and there has been no arbitrary or capricious government action.

Given that the Property has been undeveloped since its purchase by the previous Property Owner, there is nothing to indicate the owner had any investment-backed expectations when the Property was purchased other than the submission of an application into the BPAS.

“g What were the reasonable expectations of the neighboring landowners under Florida common law . . .”

Analysis. Neighboring landowners have the reasonable expectation that the land surrounding them will be developed in character with the existing development and land use and zoning regulations. The Property is currently undeveloped. It is reasonable to assume that the neighboring landowners could expect the development of a single-family dwelling unit but only after demonstration of compliance with the applicable regulations and the receipt of a required allocation through the BPAS.

“h. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation; and . . .”

Analysis. The total assessed value of the Property in 2015 was \$13,176 when the current property owner purchased the property. The Village’s BPAS regulations were in effect at the time the Property Owner submitted the application into the BPAS and therefore do not result in a diminution in the investment-backed expectation of the Property Owner. Furthermore, prior to the adoption of the BPAS regulation, the Property was within the jurisdictional boundaries of Monroe County and was subject to the County’s Rate of Growth Ordinance (ROGO).

“i. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation?”

Analysis. The total assessed value of the Property in 1997 was \$10,340. In 2002, the total assessed value was \$18,769. In 2025, the just market value of the Property, according to the Monroe County Property Appraiser’s Office, is \$213,125.

Additional Information provided by the Applicant:

- The Property Owner has complied with all requirements of the Building Permit Allocation System (BPAS).
- The BPAS application has not been withdrawn at any time.
- The Property Owner has not applied for a deferral.
- The Applicant, as stated, is seeking an allocation award.

Code Section 30-477(f). “Action by village council. At the conclusion of the public hearing, the Village Council may take any or a combination of the following actions:

- (1) Grant the applicant an allocation award for all or part of the allocation requested in the next succeeding allocation period.
- (2) Offer to purchase the property at its fair market value.
- (3) Suggest such other relief as may be necessary and appropriate.

Analysis. The Village currently has six (6) allocations available for administrative relief.

Budget Impact:

Budget impact will be determined by the council's decision.

Staff Impact:

Staff impact will be determined by the council's decision.

Recommendation:

Staff recommends awarding the administrative relief allocation.

- Attachments:**
1. Reso 207 Pearl Ave jd edits
 2. 207 Pearl Ave Backup File

RESOLUTION NO. 26-

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY CBT CONSTRUCTION, AGENT FOR OWNER, RAY VAUGHN, FOR ADMINISTRATIVE RELIEF FROM THE VILLAGE BUILDING PERMIT ALLOCATION SYSTEM (BPAS) FOR PROPERTY LOCATED AT 207 PEARL AVE, PLANTATION KEY, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 30, Article IV, Division 11 "Building Permit Allocation System," Section 30-477 "Administrative Relief," of the Code of Ordinances (the "Code") of Islamorada, Village of Islands (the "Village"), CBT Construction and Development Inc. (the "Applicant") on behalf of Ray Vaughn ("Property Owner"), , has applied to the Village Council for administrative relief from the Village Building Permit Allocation System (the "BPAS") for property located at 207 Pearl Ave, having parcel ID number 00433470-000000 located in the Edenaire subdivision on Plantation Key, as legally described in Exhibit "A", and

WHEREAS, the Applicant applied through the BPAS on four (4) consecutive annual allocation periods and has failed to receive an allocation award; and

WHEREAS, Section 30-477(a) of the Village Code provides that the Applicant became eligible to apply for administrative relief between January 1, 2026, and May 1, 2026; and

WHEREAS, the Applicant submitted an application for administrative relief seeking approval to develop one (1) single-family residence on the Property ("Application"); and **WHEREAS**, on June 11, 2026, a duly noticed public hearing was held by the Village Council to consider the application for administrative relief; and

WHEREAS, following the public hearing, upon review and examination of the record, the Village Council finds that pursuant to the requirements of the Village Code and existing case law, the

Application demonstrates a beneficial use providing economic benefit to the Property Owner.

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

Section 1. Findings. The Village Council, having considered the testimony and evidence presented by all parties, including the Applicant, does hereby find and determine that:

- (1) The hearing was properly noticed, the Application and the supporting documents and materials were properly before the Village Council for consideration, and all interested parties concerned in the matter were given the opportunity to be heard.
- (2) The Application, based on the evaluation meets the standards set forth in Sections 30-477 and 30-553 of the Village Code to require remedial action to provide for administrative relief in the form of a building permit allocation.

Section 2. Conclusions of Law.

- (1) That granting of the Application is consistent with the Village Code and will not be detrimental to the community as a whole.
- (2) That in rendering its decision as reflected in this Resolution, the Village Council has:
 - a. Accorded procedural due process;
 - b. Observed the essential requirements of the law; and
 - c. Supported its decision by competent substantial evidence of record.
- (3) Approval of administrative relief is hereby granted.
- (4) Approval is also conditioned upon full and final payment of all fees owed to the Village, including but not limited to those owed pursuant to section 30-332 of the Village Code.

Section 3. Transmittal To The Department Of Commerce. Following the thirty (30) days after this Resolution is filed with the Village Clerk, the Resolution shall be transmitted to the

Florida Department of Commerce ("DOC") pursuant to Chapter 73C-44.002 of the Florida Administrative Code. During the forty-five (45) days following the rendition to the DOC, the DOC may appeal this Resolution to the Florida Land and Water Adjudicatory Commission, and such an appeal shall stay the effectiveness of this Resolution until the appeal is resolved by agreement or order.

Section 4. **Effective Date.** This Resolution shall not take effect until (30) days after the date it is filed with the Village Clerk, during which time the Request herein shall be subject to appeal as provided in the Code. Additionally, following the expiration of the thirty (30) day period, this Resolution shall not be effective or acted upon by the Applicant until forty-five (45) days following the rendition to the Florida Department of Commerce ("DOC"), as provided in Chapter 73C-44.002 of the Florida Administrative Code. At the end of the forty-five (45) day period, if this resolution has not been reversed, then it will be effective immediately.

Remainder of this page intentionally left blank.

Motion to adopt by _____, seconded by _____.

FINAL VOTE AT ADOPTION

Mayor Don Horton _____

Vice Mayor Sharon Mahoney _____

Councilwoman Deb Gillis _____

Councilman Steve Friedman _____

Councilwoman Anna Richards _____

PASSED AND ADOPTED THIS 11th DAY OF JUNE 2026.

DON HORTON, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN QUICK, VILLAGE ATTORNEY

This Resolution was filed in the Office of the Village Clerk of this ____ day of _____, 2026.

EXHIBIT "A"
(LEGAL DESCRIPTION)

Parcel ID: 00433470-000000

Lot 8, Block 1 Edenaire, according to the plat thereof as recorded in Plat Book 4, Pages(s) 32, Public Records of Monroe County, Florida.



AGENT AUTHORIZATION LETTER

Islamorada, Village of Islands, Florida • Planning and Development Services Department
86800 Overseas Highway • Islamorada, Florida 33036 • 305-664-6400 • www.islamorada.fl.us

Note: Pursuant to Section 30-212(d)(2) of the Code of Ordinances of Islamorada, Village of Islands, Florida (the "Village"), all owners and any person having a contractual interest in the land shall give their permission for every application for a development permit. Therefore, more than one agent authorization letter must be submitted if there are multiple owners or persons having a contractual interest in the site.

Date: 5/21/26

I hereby authorize Vivian Sadar - CBT Construction - P.O. Box 1057, Tavernier, FL. 33070/305-852-3002
(Name, Address and Phone Number of Authorized Agent)

to be listed as authorized agent on behalf of Ray Vaughn
(Name of Owner or Person Having Contractual Interest)

for the purpose of conducting all business necessary to process and obtain approval from the Village Planning and Development Services Department, in regard to:

207 Pearl Ave, Single Family Residence
(Project Name / Application Type)

Property Address: 207 Pearl Ave, Islamorada, FL

Real Estate Number(s): 00433470-000000

This authorization shall be effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned owner. This authorization acts as a durable power of attorney only for the purposes stated herein.

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility, thus holding the Village harmless, for any and all of the actions of the agent named, related to the acquisition of development permits for the aforementioned owner/applicant.

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.

Property Owner Signature: Ray Vaughn

Printed Name: Ray Vaughn

STATE OF Florida

COUNTY OF Monroe

Sworn to and subscribed before me by means of physical appearance or online notarization, this 21 day of May, 2026, by Ray Vaughn (name of person signing the application) as owner (type of authority e.g. officer, manager / member, trustee, attorney in fact) for Ray Vaughn (name of entity or party on behalf of whom application was executed).

Victoria Blais
Signature of Notary Public - State of Florida



Personally Known Produced Identification Type of ID _____



Islamorada, Village of Islands
Planning & Development Services

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

APPLICATION FOR ADMINISTRATIVE RELIEF

Pursuant to Code Section 30-477
Application Fee: \$1,500.00
Deposit: \$1,000.00

An application for administrative relief shall be filed with the Planning and Development Services Department no earlier than the conclusion of the fourth annual allocation period and no later than 120 days following the close of the fourth annual allocation period.

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See list of required submittals and documents below.

APPLICANT / 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: CBT Construction and Development
Mailing Address: P.O. Box 1057, Tavernier, Fl 33070
Primary Phone: 305-852-3002
Email: admin@cbtconstruction.com

PROPERTY OWNER:

Name: Ray Vaughn
Mailing Address: P.O. Box 464 Tavernier, Fl. 33070
Primary Phone: 305 522 5426

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

Physical Address: 207 Pearl Avenue, Tavernier, Fl. 33070
Lot: 8 Block: 1 Subdivision: EDENAIRE
Plantation Key Windley Key Upper Matecumbe Key Lower Matecumbe Key
Real Estate (RE) Number: 00433470-000000 Alternate Key: 1531316

CRITERIA FOR ADMINISTRATIVE RELIEF: Has the applicant complied with all requirements of the building permit allocation system (BPAS)? Yes No

Comments:

Has the subject application been withdrawn at any time? Yes No

Comments:

Has the subject application been considered in at least four (4) consecutive annual allocation periods and failed to receive an allocation award? Please provide appropriate information below.

Application for Administrative Relief

Date of most recent BPAS application: 7/9/2021 Permit Number: PRSFC202100954

What type of administrative relief are you seeking? Please check a box.

- Allocation award
- Purchase of property at fair market value
- Other (please specify): _____

Please provide responses to the following:

Pursuant to Code Sections 30-552 and 30-553, in making the proposed beneficial use determination, the Village Council will consider, in addition to those guidelines in the comprehensive plan, the following:

1. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application are rationally related to a legitimate government interest. _____

The lot is residential

2. Whether the comprehensive plan or land development regulations in effect at the time of the filing of the beneficial use application deny all reasonable economic use of the parcel of real property. _____

Yes, the property is zoned R1M and can't be used for it's intended purpose (SFR) without an allocation

3. Relevant parcel. **(IF APPLICABLE)**

a. Platted lots: If an applicant owns more than one platted lot, a question may exist as to whether more than one of the applicant's platted lots should be considered together as one parcel for the beneficial use determination. In determining the relevant parcel, the Village Council should focus on "the parcel as a whole" and not on particular segments or portions of the parcel. The Village Council shall consider three factors to determine whether individual platted lots should be combined and considered as one parcel for the purpose of the beneficial use determination:

1. The "physical contiguity" of the lots: _____

Lots on both sides of the house are SFR. The lot in the back is a SFR. The street is on the front of the lot. (Pearl)

2. The "unity of ownership" of the lots (i.e., does the applicant own all of the lots in question): _____

Yes

3. The "unity of use" between the lots, i.e., platted urban lots should generally be considered as separate uses, but can be combined for purposes of a beneficial use determination if the lots are part of a larger property, based on an analysis of the following factors, which must be applied to the particular facts and circumstances on a case-by-case basis:

i. Was it the intent of the landowner to use the lots for a single use? Yes

ii. What is the suitability of the lots for a single or separate use versus a combined use? _____

Single

- iii. Are the lots dependent on each other for the ability to have a single use? No
- iv. Is there a reasonable economic use of the lots if unified? N/A
- v. What is the current zoning of each lot? R1
- vi. What is the physical size and appearance of the lots and how are adjacent properties used or developed? About 5,500 SF, SFR surrounding the lot
- vii. What is the actual current use of the lots? Vacant Lot
- viii. What is the possibility of the lots being used together in the next ten years? N/A

b. The Village Council shall not consider anything less than a platted lot to be the parcel of real property.

4. Once the relevant parcel is determined, the Village Council must analyze the following factors for that parcel:

- a. The economic impact of the regulation on the parcel; and
- b. The extent to which the regulation has interfered with the applicant's investment-backed expectations for the parcel, including any relevant factors such as:

1. The history of the parcel (i.e., When was it purchased? How much land was purchased? Where was the parcel located? What was the nature of title? What was the natural character of the land and how was it initially used?): Purchased 12/23/2015, Located in Plantation Key, approx 5,500 sf was purchased. The lot was and still is vacant

2. The history of the development of the parcel (i.e., What was built on the parcel and by whom? How was it subdivided and to whom, when and at what price was it sold? What plats were applied for or approved? What infrastructure is in place?): The land is vacant, no infrastructure in place

Application for Administrative Relief

Warranty Claim deed attached.

- 3. The history of zoning and regulation (i.e., How and when was the parcel classified? How was the use proscribed? What changes in classifications occurred?): The land is zoned R1
- 4. How development changed when title was passed: The property is vacant
- 5. What is the present nature and extent of the use of the parcel: The land is vacant
- 6. What were the reasonable expectations of the landowner under Florida common law: Build an SFR
- 7. What were the reasonable expectations of the neighboring landowners under Florida common law: Build an SFR
- 8. What was the diminution in the investment-backed expectations of the landowner, if any, after passage of the regulation: N/A
- 9. What was the appraised fair market value of the parcel immediately before and immediately after the effective date of the regulation: 2021 the land value was \$114,125, in 2022 it was \$165,000

Please submit the following with all applications:

- Correct fee (check or money order to “Islamorada, Village of Islands”)
- Current property record card from the Monroe County Property Appraiser
- Proof of ownership (i.e. warranty deed)

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

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.

Application for Administrative Relief

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.

[Handwritten Signature]

4/28/26

Signature of Applicant

Date

Print Name: Christopher Trentino

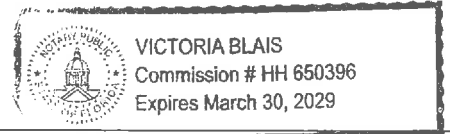
STATE OF Florida
COUNTY OF Monroe

Sworn to and subscribed before me by means of physical appearance or online notarization, this 28 day of April 20 26, by Christopher Trentino (name of person signing the application) as Pres (type of authority e.g. officer, manager / member, trustee, attorney in fact) for CBT Construction + DM (name of entity or party on behalf of whom application was executed).

Victoria Blais

Signature of Notary Public

SEAL:



Type of ID

Personally Known Produced Identification

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Sonia Wiseman
Hershoff, Lupino & Yagel, LLP
90130 Old Highway
Tavernier, Florida 33070
Property Appraisers Parcel Identification (Folio) Numbers:
00433470-000000

12/31/2015 11:03AM
DEED DOC STAMP CL: CYNT \$420.00

Doc# 2058848
Bk# 2776 Pg# 1053

Florida Documentary Stamps in the amount of \$420.00 have been paid hereon

_____ Space Above This Line For Recording Data _____

THIS WARRANTY DEED, made the 23 day of **December, 2015** by **Marc Bellefleur, a married man**, whose post office address is **109 Plantation Shores Drive, Tavernier, FL 33070** herein called the grantor, to **Ray Vaughn, a single man**, whose post office address is **147 Kahiki Drive, Tavernier, FL 33070**, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MONROE County, State of Florida, viz.:

Lot 8, Block 1, Edenaire, according to the plat thereof as recorded in Plat Book 4, Page(s) 32, Public Records of Monroe County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2016 and thereafter.

The Grantor herein, hereby certifies that the above described property is vacant land and is not the Grantor's homestead as defined by the constitution of the State of Florida, and that the Grantor resides at 109 Plantation Shores Drive, Tavernier, FL 33070

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2015.

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

Signed, sealed and delivered in the presence of:

Beth J Miller
Witness #1 Signature

Marc E Bellefleur
Marc Bellefleur

BETH MILLER
Witness #1 Printed Name

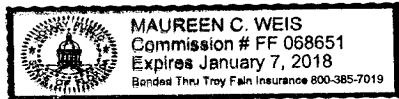
Maureen C. Weis
Witness #2 Signature

MAUREEN C. Weis
Witness #2 Printed Name

**STATE OF FLORIDA
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 23 day of December, 2015 by Marc Bellefleur who is personally known to me or has produced FDL as identification.

SEAL



Maureen C. Weis
Notary Public

Printed Notary Name

My Commission Expires:

**MONROE COUNTY
OFFICIAL RECORDS**

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 00433470-000000
 Account# 1531316
 Property ID 1531316
 Millage Group 50VI
 Location 207 PEARL Ave, PLANTATION KEY
 Address
 Legal BK 1 LT 8 EDENAIRE-PLANTATION KEY PB4-32 OR278-117/118 OR787-1105/1106 CASE NO 79-100-CP-12 OR827-2456 OR886-1089 OR913-544/45 OR1442-1626 OR1442-1627 OR1554-844 OR2776-1053
 Description (Note: Not to be used on legal documents.)
 Neighborhood 1667
 Property Class VACANT RES (0000)
 Subdivision EDENAIRE
 Sec/Twp/Rng 33/62/38
 Affordable No
 Housing



Owner

VAUGHN RAY
 PO Box 464
 Tavernier FL 33070

Valuation

	2025 Certified Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$213,125	\$213,125	\$206,250	\$165,000
= Just Market Value	\$213,125	\$213,125	\$206,250	\$165,000
= Total Assessed Value	\$133,976	\$121,796	\$110,724	\$100,658
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$213,125	\$213,125	\$206,250	\$165,000

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$213,125	\$0	\$0	\$213,125	\$121,796	\$0	\$213,125	\$0
2023	\$206,250	\$0	\$0	\$206,250	\$110,724	\$0	\$206,250	\$0
2022	\$165,000	\$0	\$0	\$165,000	\$100,658	\$0	\$165,000	\$0
2021	\$114,125	\$0	\$0	\$114,125	\$91,507	\$0	\$114,125	\$0
2020	\$123,750	\$0	\$0	\$123,750	\$83,188	\$0	\$123,750	\$0
2019	\$111,375	\$0	\$0	\$111,375	\$75,625	\$0	\$111,375	\$0
2018	\$68,750	\$0	\$0	\$68,750	\$68,750	\$0	\$68,750	\$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
RESIDENTIAL DRY UNPERMITTED (01DM)	5,500.00	Square Foot	50	110

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Grantor	Grantee
12/23/2015	\$60,000	Warranty Deed		2776	1053	37 - Unqualified		
12/21/1998	\$12,000	Warranty Deed		1554	844	Q - Qualified		
2/1/1997	\$24,500	Warranty Deed		1442	1627	M - Unqualified		
2/1/1981	\$21,800	Warranty Deed		827	2456	U - Unqualified		

View Tax Info

[View Taxes for this Parcel](#)

Photos



Map



TRIM Notice

[2025 TRIM Notice \(PDF\)](#)

No data available for the following modules: Buildings, Yard Items, Permits, Sketches (click to enlarge).

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: 4/24/2026, 11:09:50 PM

Contact Us



RECEIPT OF PAYMENT

Receipt Number: 202682452
Receipt Date: 04/30/2026
Date Paid: 04/30/2026
Full Amount: \$2,500.00

Payment Details:	Payment Method	Amount Tendered	Check Number
	OpenEdge	\$2,500.00	

Amount Tendered: \$2,500.00

Change / Overage: \$0.00

Contact: CBT CONSTRUCTIONS & DEVELOPMENT INC, Address: 87889 OVERSEAS HWY

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Administrative Relief	PLAR20260056	\$1,500.00	\$1,500.00
Administrative Relief - Deposit	PLAR20260056	\$1,000.00	\$1,000.00



Council Communication

To: Mayor and Village Council
From: Daniel Parobok, Senior Environmental Planner/Biologist
Date: June 11, 2026
SUBJECT: Ordinance Amending Future Land Use Map for 80839 Old Hwy TAB C

Background:

The applicant, James Lupino, Esq. on behalf of the property owners Robert E. Mau Florida Residence Trust 05/01/2017 and Kathy G. Mau Florida Residence Trust 05/01/2017, has submitted a map amendment application requesting approval for a Future Land Use Map (FLUM) Amendment from Residential High (RH) to Residential Medium (RM) on the subject properties, located at 80839 Old Highway, having Parcel ID# and 00096240-000100 and 80739 Old Highway, having Parcel ID#00096240-000000 ("Properties"), comprising approximately 2.75 acres of land area. The current use of the Properties are residential, with a single-family home, pool, and other hardscaping located on each. This FLUM amendment has a companion application for a Zoning Map Amendment, which proposes a change from Multifamily (MF) District to Settlers Residential (SR) District, and the FLUM amendment cannot be approved without approval of the companion Zoning Map Amendment. The applicant's agent has submitted a needs analysis detailing the map amendment request.

This item was heard at the May 18, 2026, Local Planning Agency meeting and received a unanimous recommendation for approval.

The subject Properties currently have existing Residential High (RH) and Residential Medium (RM) FLUM designations. The properties to the north, across Old Highway, are designated Mixed Use (MU). Nearby properties to the east are designated Residential Medium (RM). The properties to the west are designated Residential High (RH). The character of the surrounding area is mostly residential with some commercial uses to the north, across Old Highway.

The Properties are mostly scarified and contain no protected habitat. The Properties are not recognized as habitat to any state or federal listed animal species. Pursuant to the Village's GIS data and records, the Properties do not contain any mapped habitats.

Analysis:

Pursuant to Section 30-691, the purpose of the Settlers Residential (SR) zoning district is to protect the unique residential character of the pre-FIRM single-family neighborhoods within and adjacent to the Upper Matecumbe village activity center. Single-family or multifamily residential uses, homeowners parks, and municipal utilities infrastructure are permitted uses.

The proposed FLUM amendment would alter the development potential of the subject Properties. The following table is a comparison of the maximum residential density between

the existing RH FLUM and the proposed RM FLUM.

Existing FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Residential High (RH)		
Single Family	6 units per acre	-
TDRs or Affordable Housing	12 units per acre	-
Proposed FLUM Category	Maximum Residential Density	Maximum Non-Residential Intensity (FAR)
Residential Medium (RM)		
Single Family	1 unit per lot	-
Duplex	2 units per lot	-
Triplex for Affordable Housing	3 units per lot	-
Fourplexes for Affordable Housing	4 units per lot	-

Maximum Residential Density: The proposed RM FLUM designation would decrease market-rate residential density from 6 units per acre to one single family unit or two units (duplex) per lot. The proposed RM FLUM designation would decrease affordable housing residential density from 12 units per acre to 3 units (Triplex) or up to 4 units (Fourplex) per lot.

Impact on Public Facilities: The request for a FLUM change is to bring an already developed site into conformance with the existing use. There is no anticipated additional impact on public facilities.

Wastewater: The Village has adopted level of service (LOS) standards for wastewater management systems as required by Federal and State regulations. Currently, any permitted or replacement on-site wastewater treatment facility with a design flow less than or equal to 100,000 gallons per day (GPD) within the Village must comply with the 10/10/10/1 Best Available Technology (BAT) standard, as well as require approval from the Monroe County Health Department and/or the Florida Department of Environmental Protection.

Potable Water: The Village has adopted LOS standards for potable water. The LOS standard for the Village are 371.7 gallons per equivalent residential unit (ERU) per day. Based on water use data provided by FCAA, the current amount of water consumed by an ERU in Monroe County is 219.42 gallons per day (GPD). Therefore, the actual demand is lower than the Village’s LOS standard for ERUs of 371.7 GPD.

Solid Waste: The Village has adopted LOS standards for solid waste management. Pursuant to Comprehensive Plan Policies 4-1.1.4 and 9-1.2.3, minimum disposal quantity is 12.2 pounds per day per equivalent residential unit (ERU). The Village’s solid waste LOS also requires that sufficient capacity shall be available at a solid waste disposal site to accommodate all existing and approved development for a period of three years from the projected date of completion of the proposed development or use. Islamorada has no facilities within its jurisdiction for the disposal of solid waste. All solid waste generated from the Village is currently managed through a contract with Island Disposal and disposed of through existing authorized Monroe County and Miami-Dade County solid waste facilities.

Stormwater: The Village has adopted LOS standards for stormwater management as currently mandated by State agencies, as defined in the Village’s adopted Stormwater Management Master Plan, and as implemented in the Village’s LDRs and Stormwater Design Criteria

Technical Manual. Any additional development associated with the proposed FLUM amendment would be subject to these standards and is required to meet or exceed them as a condition of development approval.

Recreation and Open Space: The Village has adopted a minimum LOS standard for recreation and open space of 3.79 acres per 1,000 population, pursuant to Comprehensive Plan Policy 9-1.2.3. According to the Village's most recent Public Facilities Capacity Assessment, there is an estimated functional population of 11,280 persons in 2012. Therefore, 42.75 acres of recreation and open space are required to meet the adopted LOS. The existing supply of recreation and open space area in the Village is 132.3 acres, which exceeds the adopted LOS standard and provides for 11.73 acres per 1,000 persons. Therefore, the proposed FLUM amendment is not projected to decrease the existing recreation and open space LOS below the adopted standards, as provided in Comprehensive Plan Policy 9-1.2.3.

Roadways: The Village has adopted minimum LOS standards for roadways, pursuant to Comprehensive Plan Policy 9-1.2.3. The Property is located adjacent to Overseas Highway which shall have sufficient available capacity to operate at or above LOS as measured by peak hours volumes at all intersections including but not limited to all intersections of U.S.1.

Schools: The Comprehensive Plan does not establish a LOS standard for schools, but Monroe County and state law require that school classroom capacity be available to accommodate all school-age children generated by proposed development or use. According to the 2012 Monroe County Public Facilities Capacity Assessment Report, all schools have adequate capacity to serve the growth anticipated in 2012 at the County's adopted LOS standard.

Compatibility with Comprehensive Plan Policies:

Policy 1-1.1.1: Protect Residential Areas From Incompatible Development
Policy 1-2.1.4: Restrict Density And Intensity Of Development
Policy 1-2.1.14: Criteria for Future Land Use Map (FLUM) Amendments
Policy 1-2.3.3: Residential Medium (RM)

Comprehensive Plan Policy 1-1.11: Protect Residential Areas From Incompatible Development. The policy states that stable residential areas shall be protected from encroachment by incompatible development.

Analysis. The proposed amendment protects the surrounding Residential Medium (RM) areas from the higher allowable density of Residential High (RH). The proposed amendment changes an area of RH that is surrounded on three sides by RM. The higher density allowed by RH is not compatible with the current use of the Properties, which is single family residential.

Comprehensive Plan Policy 1-2.1.4: Restrict Density And Intensity Of Development. The policy states that the maximum range of allocated density and/or intensity (FAR) stated in the Comprehensive Plan and in the Land Development Regulations, for permitted uses in each future land use map category shall not exceed the thresholds established in accordance with the policy.

Analysis. The proposed amendment neither increases the density nor intensity of development on the subject Properties. The proposed amendment decreases the maximum density based on the companion FLUM amendment to amend the FLUM on a portion of the Properties from

Residential High (RH) to Residential Medium (RM). By proposing this change, the density decreases from 12 units per acre to one single family unit, two units (duplex), or up to 4 affordable units (affordable quadplex) per lot.

Comprehensive Plan Policy 1-2.1.14: Criteria for Future Land Use Map (FLUM) Amendments.

The policy states that Islamorada, Village of Islands, shall maintain specific criteria for amending the Future Land Use Map that are consistent with the general procedures delineated in Chapter 163.3177, 163.3184 and 163.3189, Florida Statutes and the principles for guiding development in areas of critical state concern. The Village Council shall make its determination on proposed FLUM amendments on legitimate public purpose based on one or more of the following factors; however, in no event shall an amendment be approved which would result in an adverse community change.

Analysis. It is the staff's opinion that is request is compatible with the two policies as it does not result in an adverse community change. A portion of the Properties exists as a single-family residence and the other portion used to contain large communication equipment prior to the combination of the properties. The change has been requested to bring the Properties into compliance with the current use, under a single zoning district.

Comprehensive Plan Policy 1-2.3.3: Residential Medium (RM). The policy states that this designation is intended to provide stable, single family neighborhoods and allow for uses which further the peaceful enjoyment and high quality residential character valued by Village residents. Areas designated Residential Medium (RM) on the Future Land Use Map shall include one (1) single family unit on one (1) lot of record, and duplexes. Duplexes shall only be permitted in Zoning Districts where legally permitted duplexes currently exist. Notwithstanding the density limitations, duplexes or two (2) single-family deed-restricted detached dwelling units, triplexes or three (3) single-family deed-restricted detached dwelling units, and fourplexes or four (4) single-family deed-restricted detached dwelling units shall be permitted on RM lots fronting U.S. 1, pursuant to the Building Permit Allocation System, if approved as affordable housing. The RM Future Land Use Map designation shall allow home occupations. Supportive community facilities ancillary to the residential uses may be located within areas designated RM. The Land Development Regulations shall provide regulatory procedures for considering the above-noted uses.

Analysis. The existing single-family use is in compliance with this policy. Any future development will be held to all applicable policies and land development regulations.

Compatibility with the Principles for Guiding Development:

The following shall be the principles with which any plan amendments must be consistent pursuant to the Florida Keys Area of Critical State Concern designation as set out in Chapter 380.0552(7), Florida Statutes.

Please note, the criterion is provided and staff response is provided immediately below. The Applicant has provided his responses to the criteria in his analysis attached.

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

Village Staff Response:

The proposed FLUM is consistent with Principle (a) of the Principles for Guiding Development the lot is already developed and in use as single family residential.

(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

Village Staff Response:

The proposed FLUM is consistent with Principle (b) of the Principles for Guiding Development as there would be no negative impact on shoreline or marine resources.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

Village Staff Response:

The proposed FLUM is consistent with Principle (c) of the Principles for Guiding Development. The Properties do not contain any protected habitat.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

Village Staff Response:

The proposed FLUM is consistent with Principle (d) of the Principles for Guiding Development. Bringing the subject Properties' zoning into conformance with its current use would support the maximum well-being of the Florida Keys citizens and the economic health of the area.

(e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.

Village Staff Response:

The proposed FLUM is consistent with Principle (e) of the Principles for Guiding Development as there is no impact to the quality of water throughout the Florida Keys.

(f) Enhancing natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

Village Staff Response:

The proposed FLUM is consistent with Principle (f) of the Principles for Guiding Development. Any future development will adhere to all applicable Land Development Regulations and Comprehensive Plan Policies and Objectives.

(g) Protecting the historical heritage of the Florida Keys.

Village Staff Response:

The proposed FLUM is consistent with Principle (g) of the Principles for Guiding Development as there are no known archaeological or historical artifacts on the Properties.

(h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. *The Florida Keys Aqueduct and water supply facilities;*
2. *Sewage collection, treatment and disposal facilities;*
3. *Solid waste treatment, collection and disposal facilities;*
4. *Key West Naval Air Station and other military facilities;*
5. *Transportation facilities;*
6. *Federal parks, wildlife refuges, and marine sanctuaries;*
7. *State parks, recreation facilities, aquatic preserves, and other publicly owned properties;*
8. *City electric service and the Florida Keys Electric Co-op; and*
9. *Other utilities, as appropriate.*

Village Staff Response:

The proposed FLUM is consistent with Principle (h) of the Principles for Guiding Development. The proposed FLUM amendment would not adversely impact the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.

(i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.

Village Staff Response:

The proposed FLUM is consistent with Principle (i) of the Principles for Guiding Development. The proposed FLUM amendment would not adversely affect storm water management facilities, central sewage collection, treatment and disposal facilities, or the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.

(j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of § 381.0065(4)(1) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

Village Staff Response:

The proposed FLUM is consistent with Principle (j) of the Principles for Guiding Development. Any future development will adhere to all applicable Land Development Regulations and Comprehensive Plan Policies and Objectives.

(k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

Village Staff Response:

The proposed FLUM amendment will not have adverse impacts on the environmental resources of the Florida Keys. The Properties do not contain any protected habitat.

(l) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

Village Staff Response:

The proposed FLUM is consistent with Principle (l) of the Principles for Guiding Development as there will be no impact.

(m) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post-disaster reconstruction plan.

Village Staff Response:

The proposed FLUM is consistent with Principle (m) of the Principles for Guiding Development. The proposed FLUM amendment would not affect the provision of adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post-disaster reconstruction plan. Furthermore, all structures built within the Village must meet the requirements of the Village's Code of Ordinances and the Florida Building Code.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

Village Staff Response:

The proposed FLUM is consistent with Principle (n) of the Principles for Guiding Development. The proposed FLUM amendment would not negatively affect the health, safety, or welfare of the citizens of the Florida Keys.

Budget Impact:

None.

Staff Impact:

None.

Recommendation:

Staff has reviewed the request for FLUM Amendment from Residential High to Residential Medium and determined that the request meets the criteria. Therefore, staff recommends approval of the map amendment.

- Attachments:**
1. 80839 Old ORD FLUM jd edits
 2. MergedDocument (1)

ORDINANCE NO. 26-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JAMES S LUPINO, ESQ, AGENT FOR ROBERT E. MAU FLORIDA RESIDENCE TRUST 05/01/2017 AND KATHY G. MAU FLORIDA RESIDENCE TRUST 05/01/2017 TO AMEND THE VILLAGE'S FUTURE LAND USE MAP FROM RESIDENTIAL HIGH (RH) TO RESIDENTIAL MEDIUM (RM) FOR THE SUBJECT PROPERTIES, ON OLD HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00096240-000000 AND 00096240-000100 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

WHEREAS, the Official Future Land Use Map of Islamorada, Village of Islands (the "Village") became effective April 30, 2002; and

WHEREAS, the applicant, James S Lupino, Esq, agent for Robert E. Mau Florida Residence Trust 05/01/2017 and Mau Kathy G. Mau Florida Residence Trust 05/01/2017, has requested an official Future Land Use Map amendment from Residential High (RH) to Residential Medium (RM) for a parcel consisting of approximately 2.75 acres of land, with Real Estate numbers 00096240-000000 and 00096240-000100 ("Properties"), as legally described below; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code of Ordinances (the "Village Code"), the Village Local Planning Agency publicly considered the Future Land Use Map Amendment during a duly noticed public hearing held on April 13, 2026; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearings has been given for the proposed adoption of this Ordinance; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") finds that the adoption of the Official Future Land Use Map Amendment is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

WHEREAS, the Village Council has determined that the proposed Future Land Use Map Amendment is consistent with the Village Comprehensive Plan; and

WHEREAS, the Village Council desires to adopt the proposed Future Land Use Map Amendment in accordance with State law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval/Denial of Future Land Use Map Amendment. The Official Future Land Use Map Amendment is hereby **approved/denied** as part of the Official Future Land Use Map of the Village. A copy of the Official Future Land Use Map Amendment is attached as Exhibit "A" and incorporated herein by this reference, for the Properties as legally described in Exhibit "B."

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce for approval in accordance with Section 380.05(6), Florida Statutes.

Section 4. Effective Date. This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Commerce pursuant to Section 163.3184, Florida Statutes

or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by_____, who moved for its adoption on first reading. This motion was seconded by_____, and upon being put to a vote, the vote was as follows:

Mayor Don Horton

Vice Mayor Sharon Mahoney

Councilman Steve Friedman

Councilwoman Deb Gillis

Councilwoman Anna Richards

PASSED/FAILED on the first reading this 11th day of June 2026.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its adoption on second reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Don Horton

Vice Mayor Sharon Mahoney

Councilman Steve Friedman

Councilwoman Deb Gillis

Councilwoman Anna Richards

PASSED AND ADOPTED on the second reading this ____ day of _____, 2026.

Don Horton, Mayor

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY

EXHIBIT "A"
(FUTURE LAND USE MAP AMENDMENT)

EXHIBIT "B"
(LEGAL DESCRIPTION)

Parcel ID 00096240-000000:

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbre Key, Monroe County, Florida, said Plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows,

Commencing at the Intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear $N.53^{\circ}25'30''E.$ along the south-easterly right of way line for a distance of 579.64 feet, thence bear $S.25^{\circ}43'30''E.$ for a distance of 112.00 feet to the Point of Beginning of the parcel of land hereinafter described, from said Point of Beginning continue $S.25^{\circ}43'30''E.$ for a distance of 88.00 feet, thence bear $S.53^{\circ}25'30''W.$ and parallel with Old State Highway No. 4A for a distance of 172.20 feet, thence bear $N.25^{\circ}43'30''W.$ for a distance of 88.00 feet, thence bear $N.53^{\circ}25'30''E.$ and parallel to Old State Highway No. 4A for a distance of 172.20 feet back to the Point of Beginning.

Containing 14,882.3 square feet.

Parcel ID 00096240-000100:

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbre Key, Monroe County, Florida, said plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows,

Commencing at the Intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear $N.53^{\circ}25'30''E.$ along the south-easterly right of way line for a distance of 407.44 feet to the Point of Beginning of the parcel of land hereinafter described, from said Point of Beginning continue $N.53^{\circ}25'30''E.$, along the southeasterly right of way line of Old State Highway No. 4A for a distance of 172.20 feet to a point, thence bear $S.25^{\circ}43'30''E.$ for a distance of 112.00 feet, thence bear $S.53^{\circ}25'30''W.$ and parallel with Old State Highway No. 4A for a distance of 172.20 feet, thence bear $N.25^{\circ}43'30''W.$ for a distance of 112.00 feet, back to the Point of Beginning. Containing 18,942 square feet.



AGENT AUTHORIZATION LETTER

Islamorada, Village of Islands, Florida • Planning and Development Services Department
86800 Overseas Highway • Islamorada, Florida 33036 • 305-664-6400 • www.islamorada.fl.us

Note: Pursuant to Section 30-212(d)(2) of the Code of Ordinances of Islamorada, Village of Islands, Florida (the "Village"), all owners and any person having a contractual interest in the land shall give their permission for every application for a development permit. Therefore, more than one agent authorization letter must be submitted if there are multiple owners or persons having a contractual interest in the site.

Date: 02/12/2026

I hereby authorize James S. Lupino, Esq.
(Name, Address and Phone Number of Authorized Agent)

to be listed as authorized agent on behalf of MAU ROBERT E FLORIDA RESIDENCE TRUST & MAU KATHY G FLORIDA RESIDENCE TRUST 5/1/2017
(Name of Owner or Person Having Contractual Interest)

for the purpose of conducting all business necessary to process and obtain approval from the Village Planning and Development Services Department, in regard to:

Map Amendment Application
(Project Name / Application Type)

Property Address: 80839 Old Hwy Islamorada, FL 33036 & 80739 OLD Hwy Islamorada, FL 33036

Real Estate Number(s): 00096240-000000 & 00096240-000100

This authorization shall be effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned owner. This authorization acts as a durable power of attorney only for the purposes stated herein.

The undersigned understands the liabilities involved in the granting of this agency and accepts full responsibility, thus holding the Village harmless, for any and all of the actions of the agent named, related to the acquisition of development permits for the aforementioned owner/applicant.

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.

Property Owner Signature: Kathy Mau

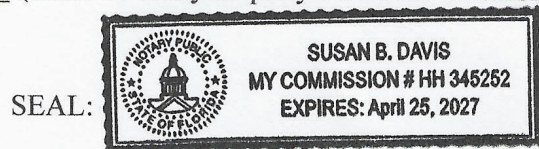
Printed Name: Kathy MAU

STATE OF FLORIDA

COUNTY OF MONROE

Sworn to and subscribed before me by means of physical appearance or online notarization, this 17 day of February, 2026, by Kathy Mau (name of person signing the application) as owner (type of authority e.g. officer, manager / member, trustee, attorney in fact) for _____ (name of entity or party on behalf of whom application was executed).

Susan B. Davis
Signature of Notary Public - State of Florida



Personally Known Produced Identification Type of ID _____

Property Description

The Land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

ALL OF THAT CERTAIN PART OF LOT 6 OF A "PLAT OF A PART OF GOVERNMENT LOT 1, ALL OF LOTS 2 AND 3, SECTION 32, T. 63 S., R. 37 E., AND ALL OF LOT 1, SECTION 5, 64 S., R. 37 E., ON UPPER MATECUMBE KEY, MONROE COUNTY, FLORIDA SAID PLAT BEING RECORDED IN PLAT BOOK 1, PAGE 41, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF LOT 6 AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD STATE HIGHWAY NO. 4A, BEAR NORTH 53 DEGREES, 25 MINUTES AND 30 SECONDS EAST ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD STATE HIGHWAY NO. 4A FOR A DISTANCE OF 404.37 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; FROM SAID POINT OF BEGINNING, CONTINUE BEARING NORTH 53 DEGREES, 25 MINUTES AND 30 SECONDS EAST ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF OLD STATE HIGHWAY NO. 4A FOR A DISTANCE OF 172.20 FEET TO A POINT; THENCE BEAR SOUTH 25 DEGREES, 43 MINUTES AND 30 SECONDS EAST FOR A DISTANCE OF 200.0 FEET TO A POINT; THENCE BEAR SOUTH 53 DEGREES, 25 MINUTES AND 30 SECONDS WEST AND PARALLEL WITH OLD STATE HIGHWAY NO. 4A FOR A DISTANCE OF 172.20 FEET TO A POINT; THENCE BEAR NORTH 25 DEGREES, 43 MINUTES AND 30 SECONDS WEST FOR A DISTANCE OF 200.0 FEET, BACK TO THE POINT OF BEGINNING.

Prepared by and return to:
James S. Lupino, Esq.
Hershoff, Lupino & Yagel, L.L.P.
88539 Overseas Highway
Tavernier, FL 33070
(305) 852-8440

Florida Documentary Stamps in the amount of \$0.70 have been paid heron.

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 25 day of February, 2025 between Robert E. Mau, Trustee of the Robert E. Mau Florida Residence Trust 05/01/2017 and Kathy G. Mau, Trustee of the Kathy G. Mau Residence Trust 05/01/2017 whose post office address is 3537 21st Street SE, Minot, ND 58701, grantor(s), and Robert E. Mau, Trustee of the Robert E. Mau Florida Residence Trust 05/01/2017 and Kathy G. Mau, Trustee of the Kathy G. Mau Residence Trust 05/01/2017 each as to an undivided one half (1/2) interest whose post office address is 3537 21st Street SE, Minot, ND 58701, grantee(s):

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration 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:

Parcel Number: 00096280-000000 is to be divided as set forth on the attached Massey-Richards Surveying & Mapping, LLC surveys Exhibit "A".

This parcel described as Exhibit "B" as subject parcel is to be joined with Parcel Number 0009640-000100.

The grantee(s) and grantor(s) as Trustee(s) of the above-named Trust(s) have full power and authority to protect, to conserve, to sell, to lease, to encumber and otherwise to manage and dispose of the real property described in this deed, in accordance with the provisions of §689.073(1), Florida Statutes

THIS INSTRUMENT WAS PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION OR TITLE INSURANCE.

The properties herein are already titled in the Grantee's name and there is no new consideration, therefore only minimal doc stamps are due.

Subject to easements, restrictions and reservations of record and taxes for the year 2025 and thereafter

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2024.

GRANTOR SIGNATURE PAGE TO FOLLOW

In Witness Whereof, grantor(s) have hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:



Witness

Printed Name: _____

P.O. Address: _____



Robert E. Mau



Witness

Printed Name: Casey Dooley

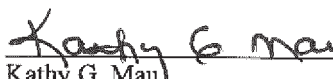
P.O. Address: 88511 Overseas Hwy
Tavernier FL 33070



Witness

Printed Name: _____

P.O. Address: _____



Kathy G. Mau



Witness

Printed Name: Casey Dooley

P.O. Address: 88511 Overseas Hwy
Tavernier FL 33070

State of Florida
County of MONROE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25 day of February, 2025 by Robert E. Mau who is personally known or has produced a driver's license as identification.

[Seal]



Susan B. Davis
Notary Public
Print Name: SUSAN B. DAVIS
My Commission Expires: 4/25/27

State of Florida
County of MONROE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25 day of February, 2025 by Kathy G. Mau who is personally known or has produced a driver's license as identification.

[Seal]



Susan B. Davis
Notary Public
Print Name: SUSAN B. DAVIS
My Commission Expires: 4/25/27

EXHIBIT "A"
Massey-Richards Surveying & Mapping, LLC
Survey 20247

EXHIBIT "B"
Legal Description (Survey 20247)

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbre Key, Monroe County, Florida, said plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows,

Commencing at the Intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear $N.53^{\circ}25'30"E$, along the south-easterly right of way line for a distance of 407.44 feet to the Point of Beginning of the parcel of land hereinafter described, from said Point of Beginning continue $N.53^{\circ}25'30"E$, along the southeasterly right of way line of Old State Highway No. 4A for a distance of 172.20 feet to a point, thence bear $S.25^{\circ}43'30"E$ for a distance of 112.00 feet, thence bear $S.53^{\circ}25'30"W$ and parallel with Old State Highway No. 4A for a distance of 172.20 feet, thence bear $N.25^{\circ}43'30"W$ for a distance of 112.00 feet, back to the Point of Beginning. Containing 18,942 square feet.

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 00096240-000000
 Account# 1111881
 Property ID 1111881
 Millage Group 50VI
 Location 80739 OLD Hwy, UPPER MATECUMBE KEY
 Address
 Legal Description 5 64 37 PT LT 6 ISLAND OF UPPER MATECUMBE PB1-41 OR155-407 OR216-353 OR449-353 OR449-357 OR495-294 OR638-290 OR638-547 OR660-835 OR776-734 OR788-308 OR796-168 OR846-192 OR1764-1339 OR2276-1298 OR2277-997D/C OR2309-1099 OR2309-1103 OR2311-1329 OR2320-2344P/R OR2544-2318 OR2544-2318 OR2544-2330 OR2876-213 OR2904-120 OR3194-1267 OR3332-0711
 (Note: Not to be used on legal documents.)
 Neighborhood 4450
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision
 Sec/Twp/Rng 05/64/37
 Affordable No
 Housing



Owner

[MAU ROBERT E FLORIDA RESIDENCE TRUST](#)
[5/1/2017](#)
 3537 21st St SE
 Minot ND 58701

[MAU KATHY G FLORIDA RESIDENCE TRUST 5/1/2017](#)
 3537 21st St SE
 Minot ND 58701

Valuation

	2025 Certified Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
+ Market Improvement Value	\$328,197	\$323,376	\$272,843	\$275,746
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$1,112,357	\$459,632	\$422,220	\$347,396
= Just Market Value	\$1,440,554	\$783,008	\$695,063	\$623,142
= Total Assessed Value	\$740,905	\$673,550	\$612,318	\$556,653
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,440,554	\$783,008	\$695,063	\$623,142

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$459,632	\$323,376	\$0	\$783,008	\$673,550	\$0	\$783,008	\$0
2023	\$422,220	\$272,843	\$0	\$695,063	\$612,318	\$0	\$695,063	\$0
2022	\$347,396	\$275,746	\$0	\$623,142	\$556,653	\$0	\$623,142	\$0
2021	\$267,228	\$238,820	\$0	\$506,048	\$506,048	\$0	\$506,048	\$0
2020	\$267,228	\$241,308	\$0	\$508,536	\$503,393	\$0	\$508,536	\$0
2019	\$250,341	\$243,796	\$0	\$494,137	\$457,630	\$0	\$494,137	\$0
2018	\$233,825	\$246,283	\$0	\$480,108	\$416,027	\$0	\$480,108	\$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
RESIDENTIAL DRY (010D)	7,423.00	Square Foot	0	0
RESIDENTIAL DRY (010D)	14,882.00	Square Foot	0	0

Buildings

Building ID	6888	Exterior Walls	C.B.S.
Style	GROUND LEVEL	Year Built	2014
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2017
Building Name		Foundation	CONC PILINGS
Gross Sq Ft	1980	Roof Type	IRR/CUSTOM
Finished Sq Ft	1620	Roof Coverage	METAL
Stories	1 Floor	Flooring Type	CERM/CLAY TILE
Condition	GOOD	Heating Type	FCD/AIR DUCTED with 0% NONE
Perimeter	154	Bedrooms	2
Functional Obs	0	Full Bathrooms	2
Economic Obs	0	Half Bathrooms	0
Depreciation %	7	Grade	550
Interior Walls	DRYWALL	Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	360	0	106
FLA	FLOOR LIV AREA	1,620	1,620	162
TOTAL		1,980	1,620	268

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
4/26/2018	\$100	Warranty Deed	2166778	2904	120	11 - Unqualified	Improved		
9/7/2017	\$100	Warranty Deed	2140821	2876	213	30 - Unqualified	Improved	MAU ROBERT E AND KATHY G	
11/11/2011	\$100	Quit Claim Deed		2544	2330	11 - Unqualified	Improved		
11/11/2011	\$1,850,000	Warranty Deed		2544	2318	05 - Qualified	Improved		
1/1/1982	\$185,000	Warranty Deed		846	192	Q - Qualified	Improved		
6/1/1979	\$152,000	Conversion Code		796	168	Q - Qualified	Improved		

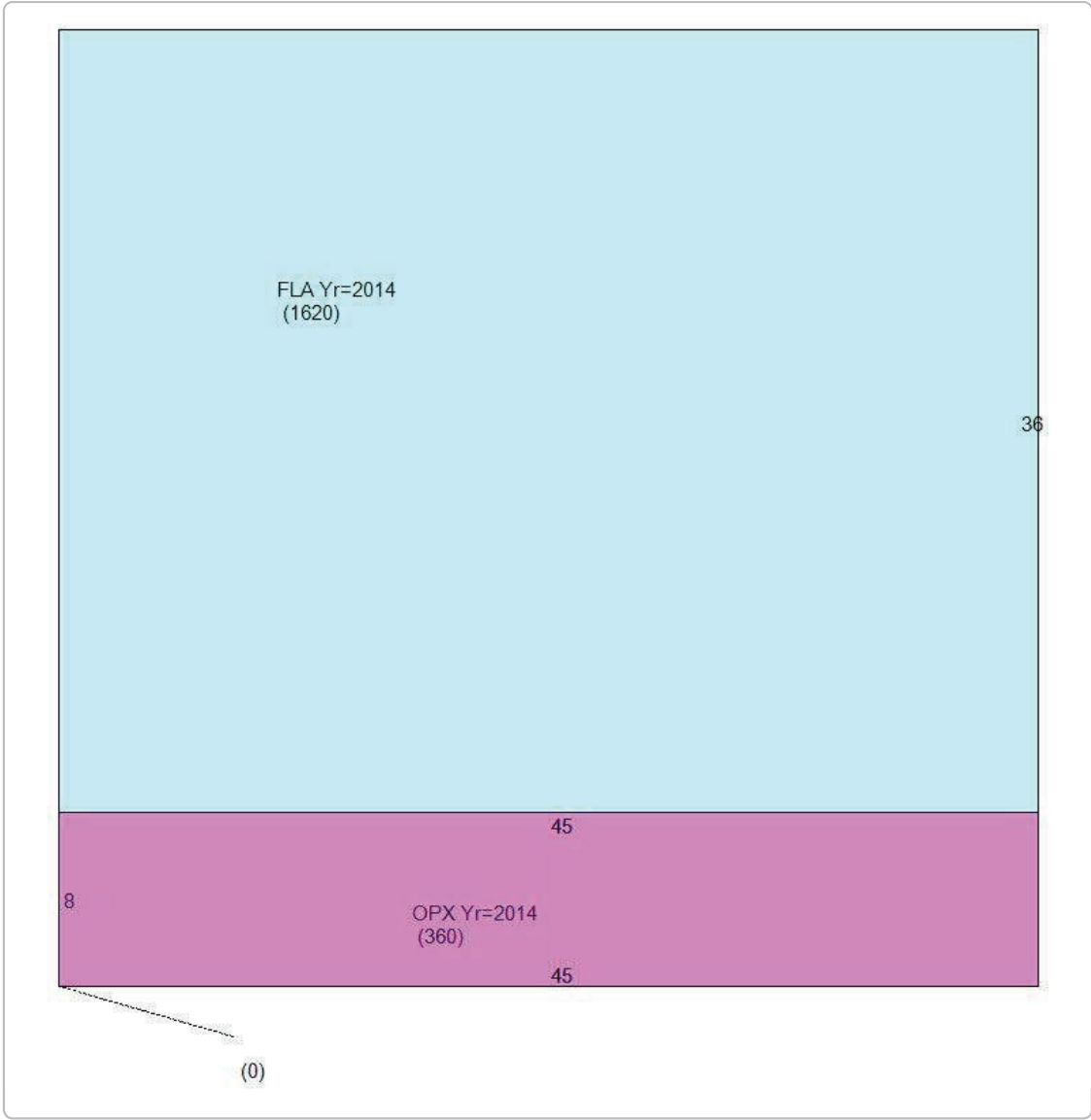
Permits

Number	Date Issued	Status	Amount	Permit Type	Notes
PRRFG202201414	12/22/2022	Completed	\$89,000	Residential	R/R ROOF (METAL SHINGLES)
FWR201300732	09/19/2013	Expired	\$1		CONCRETE FENCE
SFC201300268	06/03/2013	Completed	\$1		SFR - REPLACEMENT
FWR201200134	02/22/2012	Expired	\$1		REMOVE & RELOCATE EXISTING FENCE & ADD ON ELECTRIC SLIDING GATE 192.5 LF
2007143	01/31/2007	Completed	\$1		RE-ROOF TO METAL
9533255	01/01/1996	Completed	\$1		DOCK

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



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 00096240-000100
 Account# 8689667
 Property ID 8689667
 Millage Group 50VI
 Location 80839 OLD Hwy, UPPER MATECUMBE KEY
 Address
 Legal Description 5 64 37 PT LT 6 PB1-41 ISLAND OF UPPER MATECUMBE AND ADJ BAY BTM - II DEED NO 27949 OR155-407 OR216-353 OR265-24(II DEED 22284) OR449-350(II DEED 22285) OR449-353 OR449-356/357 OR479-382 OR495-294 OR638-290 OR638-547 OR660-835 OR695-768 OR695-770 OR695-772 OR776-734 OR788-308 OR796-168 OR796-170 OR813-80 OR846-192 OR846-194T/C OR848-473 OR960-861 OR1016-2069 OR1234-1873C/T OR1656-2096 OR1764-1339 OR1804-1932 OR1804-1936 OR1804-1940MT OR2276-1298 OR2277-997D/C OR2309-1099 OR2309-1103 OR2311-1329 OR2320-2344P/R OR2544-2303C OR2544-2310 OR2544-2314 OR2544-2318 OR2544-2330 OR2544-2332 OR2544-2334E OR2544-2318 OR2544-2322 OR2544-2326 OR2544-2330 OR2577-558 OR2876-213 OR2904-116 OR2904-120C OR3194-1267 OR3332-717
 (Note: Not to be used on legal documents.)
 Neighborhood 4450
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision
 Sec/Twp/Rng 05/64/37
 Affordable No
 Housing



Owner

MAU ROBERT E FLORIDA RESIDENCE TRUST 5/1/2017 3537 21st SE St SE Minot ND 58701
 MAU KATHY G FLORIDA RESIDENCE TRUST 5/1/2017 3537 21st St SE Minot ND 58701

Valuation

	2025 Certified Values	2024 Certified Values	2023 Certified Values	2022 Certified Values
+ Market Improvement Value	\$1,971,473	\$1,980,068	\$1,931,115	\$1,929,576
+ Market Misc Value	\$446,821	\$423,813	\$420,167	\$425,322
+ Market Land Value	\$5,869,378	\$5,329,111	\$4,904,673	\$4,079,377
= Just Market Value	\$8,287,672	\$7,732,992	\$7,255,955	\$6,434,275
= Total Assessed Value	\$6,885,877	\$5,765,250	\$5,241,136	\$4,764,669
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$8,287,672	\$7,732,992	\$7,255,955	\$6,434,275

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$5,329,111	\$1,980,068	\$423,813	\$7,732,992	\$5,765,250	\$0	\$7,732,992	\$0
2023	\$4,904,673	\$1,931,115	\$420,167	\$7,255,955	\$5,241,136	\$0	\$7,255,955	\$0
2022	\$4,079,377	\$1,929,576	\$425,322	\$6,434,275	\$4,764,669	\$0	\$6,434,275	\$0
2021	\$2,605,633	\$1,747,728	\$437,233	\$4,790,594	\$4,331,517	\$0	\$4,790,594	\$0
2020	\$2,605,633	\$1,766,036	\$442,930	\$4,814,599	\$3,937,743	\$0	\$4,814,599	\$0
2019	\$2,169,405	\$1,784,343	\$455,131	\$4,408,879	\$3,579,766	\$0	\$4,408,879	\$0
2018	\$1,969,789	\$1,802,648	\$439,106	\$4,211,543	\$3,254,333	\$0	\$4,211,543	\$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
RES WATERFRONT (010W)	81,310.00	Square Foot	0	0
RESIDENTIAL DRY UNPERMITTED (01DM) (9500)	18,942.00 0.95	Square Foot Acreage	0 0	0 0

Buildings

Building ID	62588	Exterior Walls	CUSTOM
Style	STILT 2 STORY	Year Built	2014
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2015
Building Name		Foundation	CONC PILINGS
Gross Sq Ft	13075	Roof Type	IRR/CUSTOM
Finished Sq Ft	5679	Roof Coverage	METAL
Stories	3 Floor	Flooring Type	CERM/CLAY TILE
Condition	GOOD	Heating Type	FCD/AIR DUCTED
Perimeter	0	Bedrooms	3
Functional Obs	0	Full Bathrooms	3
Economic Obs	0	Half Bathrooms	1
Depreciation %	10	Grade	760
Interior Walls	WD PANL/CUSTOM	Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	4,575	0	1,353
FLA	FLOOR LIV AREA	5,679	5,679	569
GBF	GAR FIN BLOCK	1,314	0	156
PTO	PATIO	448	0	90
SBF	UTIL FIN BLK	1,059	0	136
TOTAL		13,075	5,679	2,304

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
CH LINK FENCE	2011	2012	5 x 235	1	1175 SF	1
SEAWALL	1986	2012	3 x 85	1	255 SF	4
CH LINK FENCE	1980	1981	6 x 272	1	1632 SF	2
CH LINK FENCE	2023	2024	6 x 157	1	942 SF	2
BOAT LIFT	2014	2018	0 x 0	1	1 UT	3
BOAT LIFT	2014	2018	0 x 0	1	1 UT	4
HOT TUB	2014	2018	0 x 0	1	1 UT	5
RES ELEVATOR	2014	2018	0 x 0	1	1 UT	2
CUSTOM POOL	2014	2018	25 x 50	1	1250 SF	1
BRICK PATIO	2014	2018	0 x 0	1	13490 SF	1
TIKI	2014	2018	12 x 17	1	204 SF	2
ASPHALT PAVING	2014	2018	14 x 208	1	2912 SF	2
FENCES	2014	2018	8 x 420	1	3360 SF	4
FENCES	2014	2018	8 x 44	1	352 SF	5
CUSTOM PATIO	2014	2018	0 x 0	1	3926 SF	4
DET CABANA	2014	2018	23 x 32	1	736 SF	4
WOOD DOCKS	2014	2018	4 x 188	1	752 SF	3
RW2	2014	2018	3 x 285	1	855 SF	4
BOAT LIFT	2025	2026	0 x 0	1	1 UT	5

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
5/24/2018	\$100	Warranty Deed	2166778	2904	120	11 - Unqualified	Improved		
4/26/2018	\$100	Quit Claim Deed	2166776	2904	116	11 - Unqualified	Improved		
9/7/2017	\$100	Warranty Deed	2140821	2876	213	30 - Unqualified	Improved	MAU ROBERT E AND KATHY G	
11/11/2011	\$100	Quit Claim Deed		2544	2330	11 - Unqualified	Improved		
11/11/2011	\$100	Quit Claim Deed		2544	2326	11 - Unqualified	Improved		
11/11/2011	\$100	Quit Claim Deed		2544	2322	11 - Unqualified	Improved		
11/11/2011	\$1,850,000	Warranty Deed		2544	2318	05 - Qualified	Improved		
11/11/2011	\$100	Quit Claim Deed		2544	2314	11 - Unqualified	Improved		
11/11/2011	\$100	Quit Claim Deed		2544	2310	11 - Unqualified	Improved		

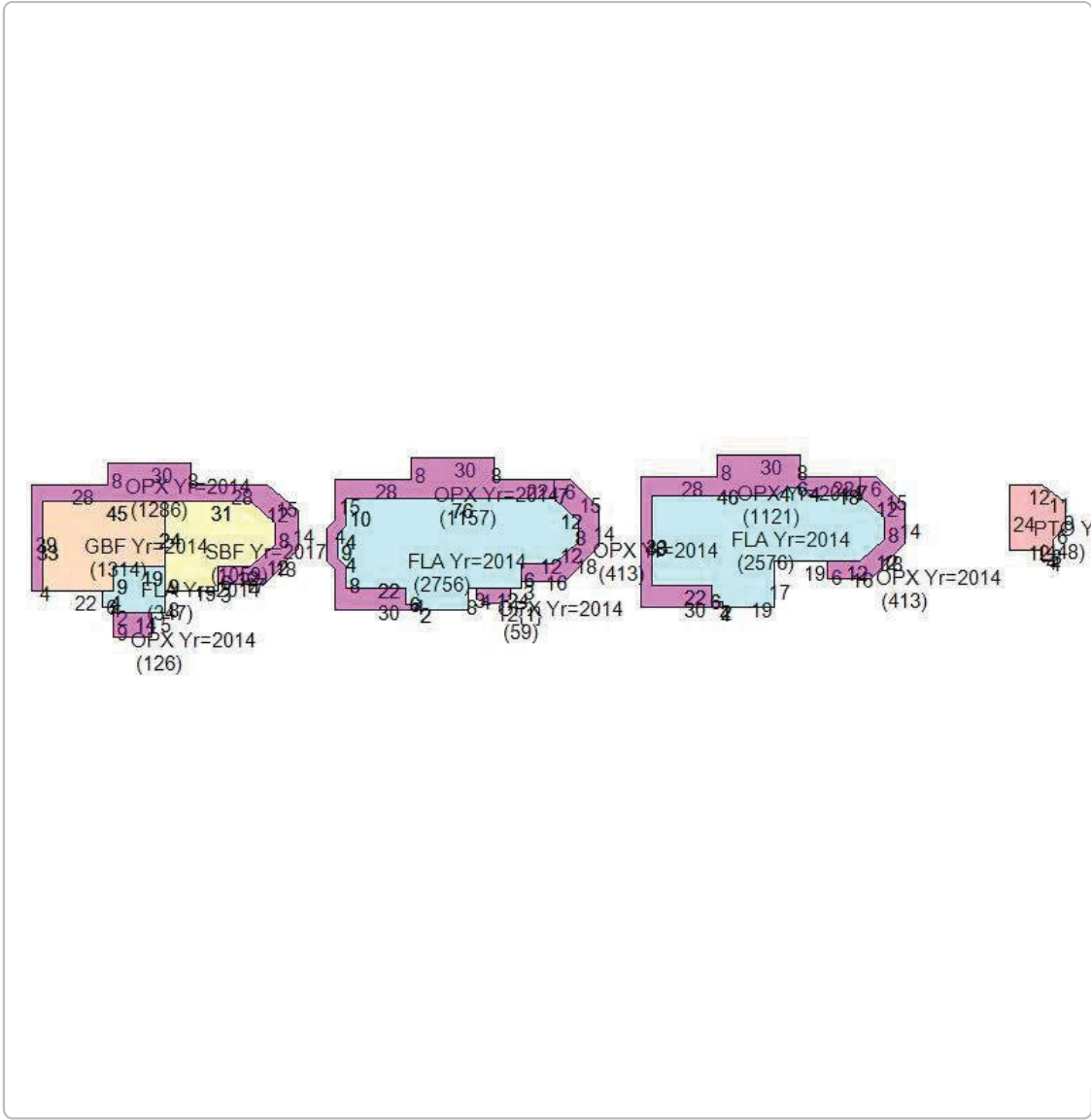
Permits

Number	Date Issued	Status	Amount	Permit Type	Notes
PRBLD202400797	10/08/2024	Completed	\$38,000	Residential	40K BOAT LIFT / 8 NEW 12' O.D. WOOD PILINGS
PRBLD202301219	03/08/2024	Canceled	\$10,000	Residential	BUILD NEW ENTRY WOOD & METAL VEHICULAR GATE AND PEDESTRIAN GATE AND NEW 33' OF CMU WALL ON PROPERTY LINE WITH DECORATIVE ROCK CLADDING.
PRBLD202300184	03/08/2023	Completed	\$2,000	Residential	157 LF OF 6' TALL GREEN CHAIN LINK FENCE & 15' TALL GREEN CHAIN LINK ROLLER GATE
PRBLD202201407	01/18/2023	Completed	\$25,000	Commercial	DEMO AND REMOVE EXISTING STRUCTURES ON PROPERTY
PRBLD20161000	04/06/2016	Expired	\$15,000		ASPHALT DRIVEWAY - 3,000 SF
BRE201300699	09/19/2013	Expired	\$1		ELECTRICAL EQUIPMENT BUILDING & GENERATOR
FWR201300709	09/19/2013	Expired	\$1		CONCRETE FENCE WITH ELECTRIC GATE
PAR201300604	08/28/2013	Expired	\$1		PAVER DRIVEWAY
BLR201200626	10/01/2012	Expired	\$1		REPAIR DOCK & INSTALL (2) BOAT LIFTS
FWR201200697	09/18/2012	Completed	\$1		FENCE AND ROLLER GATE
SFC201200256	08/13/2012	Completed	\$1		(REV 1ST & 2ND 01/04/13) REPLACE HOME (3RD REV 2/24/14 - POOL & CABANA)
DMR201100954	01/25/2012	Completed	\$1		DEMO EXISTING HOME
FWR201100996	01/12/2012	Completed	\$1		TEMPORARY FENCE
20071900	10/23/2007	Completed	\$1		RE-ROOF WITH METAL

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

2025 TRIM Notice (PDF)

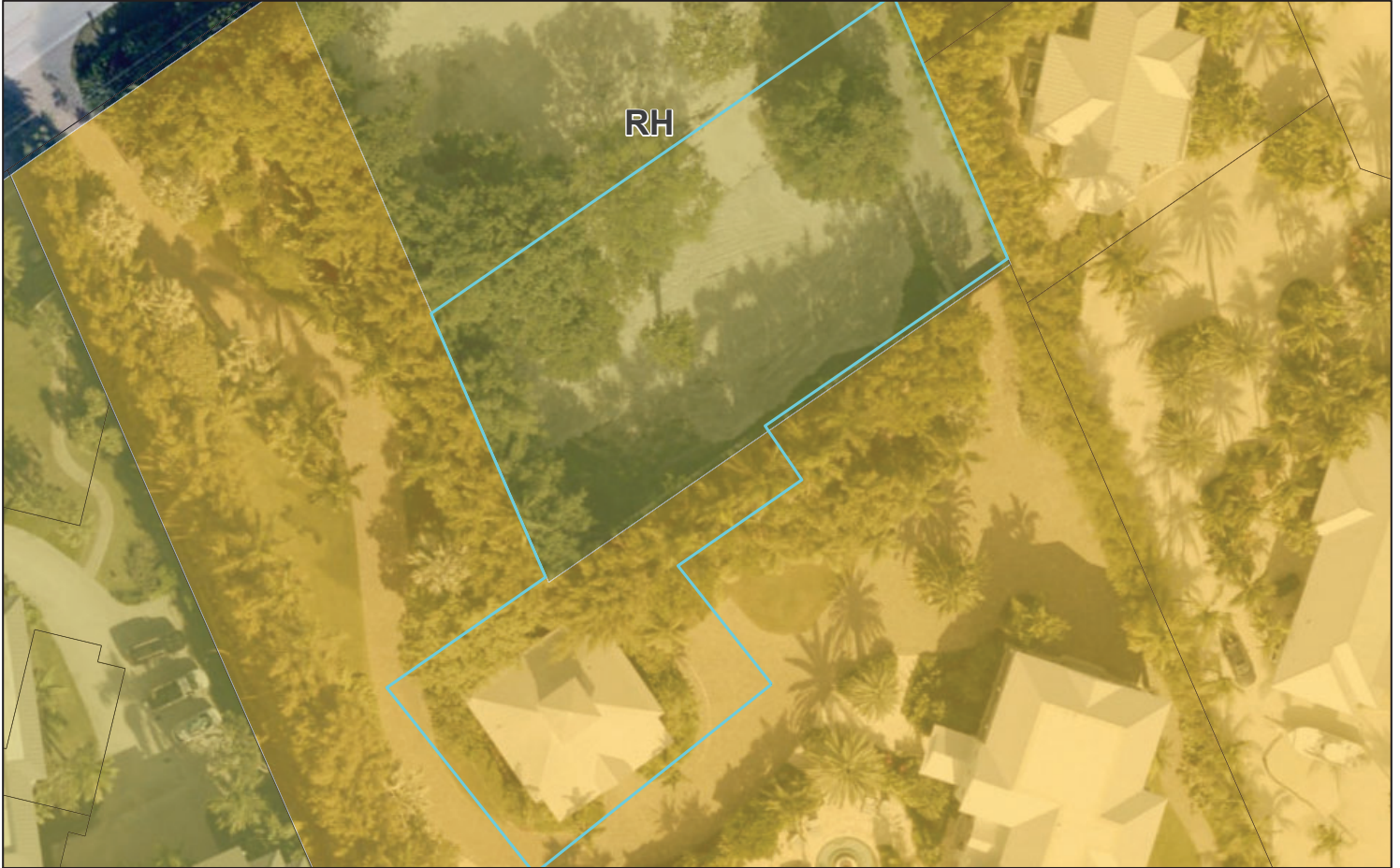
The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its 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: 2/10/2026, 2:04:34 AM




Contact Us

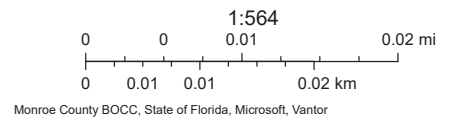
Developed by
 **SCHNEIDER**
GEO SPATIAL

00096240-000000 FLUM Map



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- FLUM
-  Residential High (RH)
 -  Residential Medium (RM)
 -  Parcels



Web AppBuilder for ArcGIS
Monroe County BOCC, State of Florida, Microsoft, Vantor | Florida Natural Areas Inventory |

00096240-000100 FLUM Map

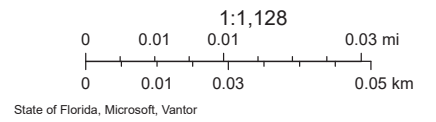


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FLUM

- Residential Low (RL)
- Residential High (RH)
- Residential Medium (RM)

- Mixed Use (MU)
- Streets
- Parcels



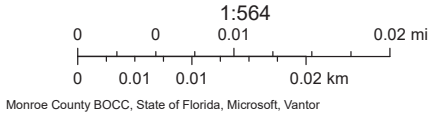
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State of Florida, Microsoft, Vantor | Florida Natural Areas Inventory |

00096240-000000 Zoning Map



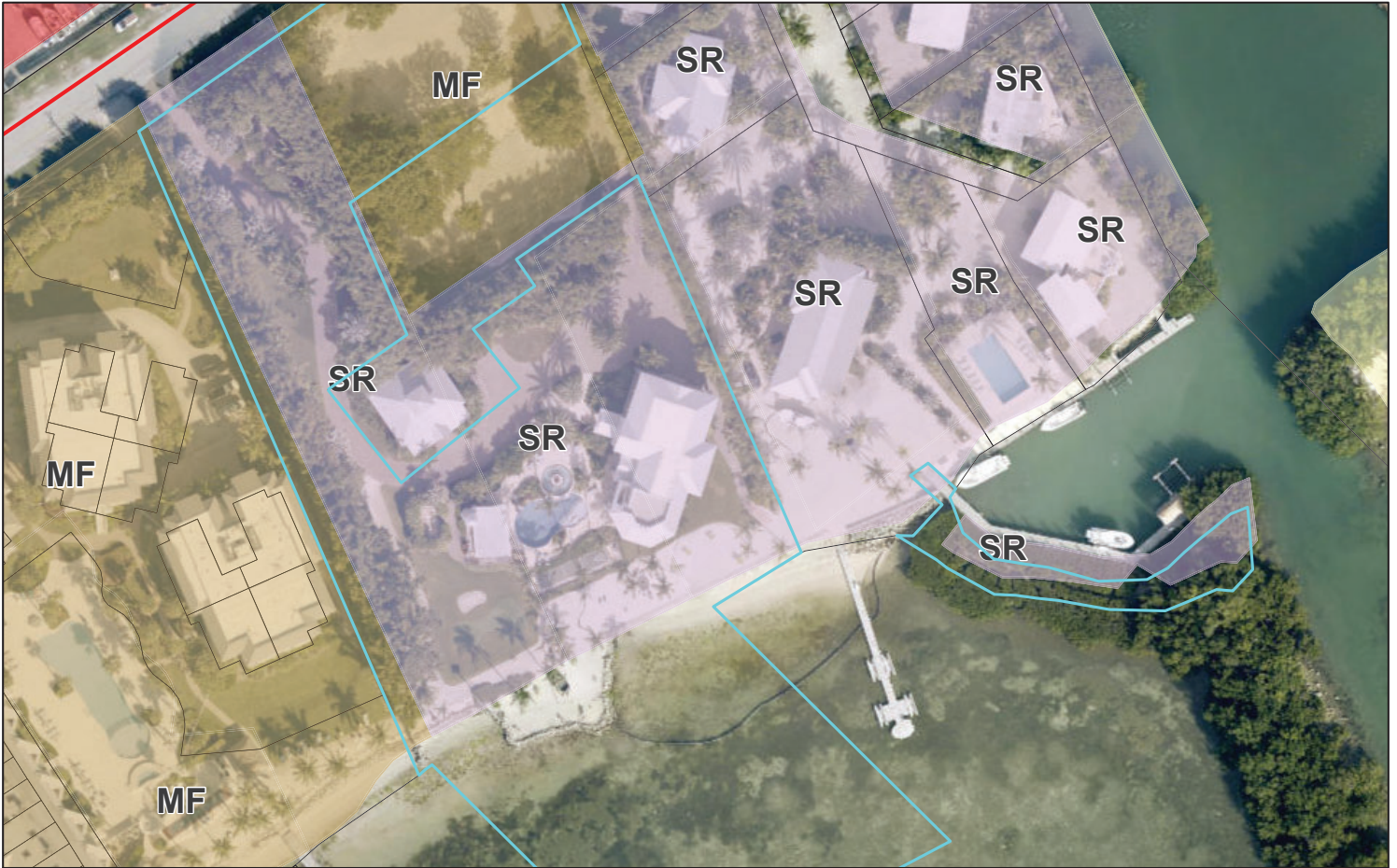
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- Zoning
- Settlers Residential (SR)
 - Multifamily (MF)
 - Parcels




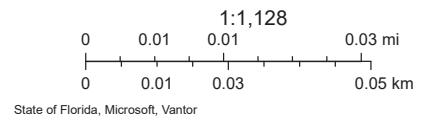
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00096240-000100 Zoning Map



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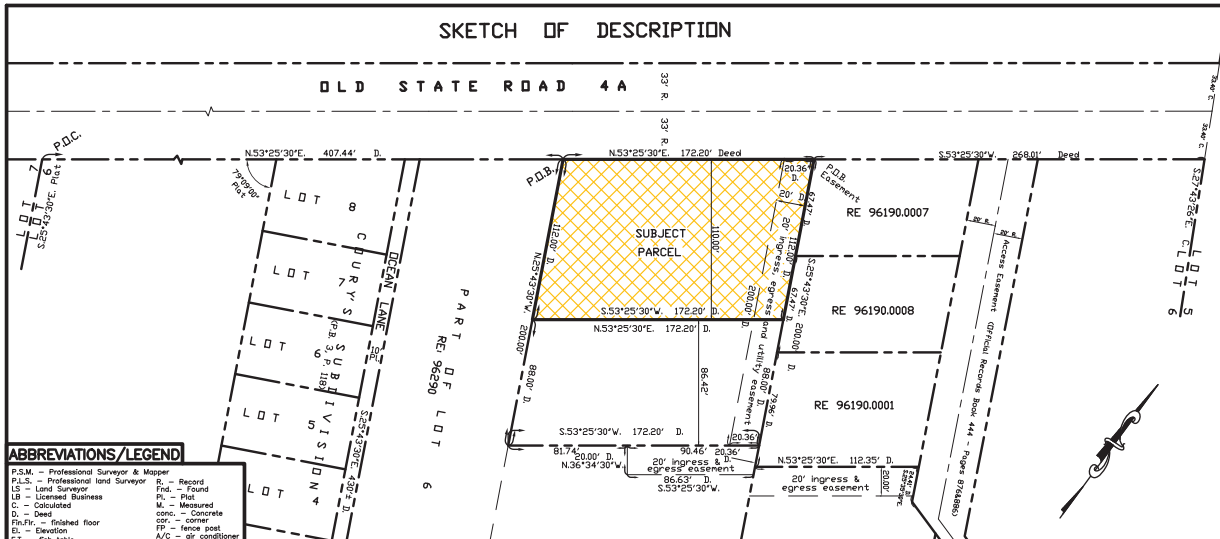
- | | | |
|--|---|---|
| Zoning |  Settlers Residential (SR) |  Streets |
|  Residential Estate (RE) |  Highway Commercial (HC) |  Parcels |
|  Multifamily (MF) | | |



Web AppBuilder for ArcGIS
State of Florida, Microsoft, Vantor | Florida Natural Areas Inventory |

SKETCH OF DESCRIPTION

OLD STATE ROAD 4A



ABBREVIATIONS/LEGEND

P.S.M. - Professional Surveyor & Mapper	R. - Record
P.L.S. - Professional Land Surveyor	Fnd. - Found
LS - Land Surveyor	PK. - Plat
LB - Licensed Business	M. - Measured
C. - Calculated	conc. - Concrete
D. - Deed	cgr. - corner
Fd.F. - finished floor	FP - fence post
Fd.U. - finished floor	FP - fence post
F.1. - fall table	A/C - air conditioner
PK - PARKER KALON FASTENERS	Cond. - Conduit
M.C. - Magnetic Nail	F.S. - frame sheet
U.G.E. - Underground Electric	M.S. - metal shed
P.B. - Plat Book, P - Page	P.S. - plastic shed
W. - Buried waterline	ADD - addition
C.B.S. - concrete block shed	PI - pier
EPG - liquid petroleum gas tank	R.O.W. - right of way
P.O.B. - Point of Beginning	L.P. - telephone riser
ROA/R.A. - Road/Road-Block	Bldg. - building
P.C.P. - Point of Commencement	Res. - residence
N.S.E. - North, South, East, West	O.A. - open area
P.C.P. - permanent control point	M.W. - manhole
P.C.C. - Point of Curvature	M.W. - manhole
P.C.C. - Point of Compound Curve	M.W. - manhole
P.C.V. - Point of Curvature/Tangency	M.W. - manhole
P.M. - permanent reference monument	M.W. - manhole
NVD - National Geodetic Vertical Datum	M.W. - manhole
NAVD - North American Vertical Datum	M.W. - manhole
F.S. - Florida State Survey	M.W. - manhole
F.S.D. - Florida Department of Transportation	M.W. - manhole
F.S.D. - Florida Department of Transportation	M.W. - manhole

Note: All pipes set are 7/8" (outside diameter) with cap stamped LB #7882 registration number. All PK. nail/flag or 604 spikes set are with discs stamped with LB#7882 (outside diameter).
Unless indicated, points have no identification.

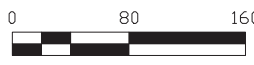
DESCRIPTION:

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbe Key, Monroe County, Florida, said Plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows:

Commencing at the intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear N53°25'30"E, along the southeasterly right of way line for a distance of 407.44 feet to the Point of Beginning of the parcel of land hereinafter described; from said Point of Beginning continue N53°25'30"E, along the southeasterly right of way line of Old State Highway No. 4A for a distance of 172.20 feet to a point; thence bear S25°43'30"E, for a distance of 112.00 feet; thence bear S53°25'30"W, and parallel with Old State Highway No. 4A for a distance of 172.20 feet; thence bear N25°43'30"W, for a distance of 112.00 feet, back to the Point of Beginning, Containing 18,942 square feet.

TOGETHER WITH AND SUBJECT TO:
An Easement for the purpose of ingress, egress and utility distribution and maintenance over the Northeasterly 20.00 feet of the above described parcel.

- NOTES:**
1. This sketch represents a 'SKETCH OF DESCRIPTION' and is 'NOT A BOUNDARY SURVEY'.
 2. The Bearing Base for this Sketch is the Southeasterly right of way line of Old State Highway No. 4A having a Bearing of N53°25'30"E, and was derived from Descriptions in the Public Records of Monroe County, Florida.
 3. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.



MASSEY-RICHARDS SURVEYING & MAPPING, LLC

Phone: (305)853-0066 / Fax: (305)853-0233
88888 Overseas Highway / P.O. Box 619, Tavernier, FL 33070

Florida Certificate of Authorization No. LB 7882
I hereby certify that the survey herein was performed under my direct supervision and is true and correct to the best of my knowledge and belief.

David S. Massey
P.S.M. # 5125
Date: 2024.09.16 08:24:02 -04'00'

Client: Mau
Section 5 - Township 64 South, Range 37 East
Upper Matecumbe Key
Monroe County, Florida
Drafted: 9/15/24
Fieldbook No. N.A.
Drawing No. 20247
Drawn By: DSM
Scale: 1" = 80'

DATA & ANALYSIS

The property has already been combined (with approval of the Village of Islamorada) to be unified with the owners' adjacent residential parcels; therefore, a change in zoning and future land use map is appropriate to match the existing SR for the parcels with which the subject parcels are unified. The intended residential use has heretofore been explained and identified to village staff in pre-application meetings. The residential use, combined with the existing residential structures, creates less demand on public facilities than would otherwise be required/allowed under Residential High usage. The compatibility of the property with the adjacent Residential Property is wholly consistent with the neighborhood and presents a more appropriate use than Residential High.

EXPLANATION

- a) As a result, the change in zoning and Future Land Use Maps strengthens the local government's capabilities for managing land use and development so that the Village of Islamorada is able to achieve its objectives without continuing the area of critical state concern designation. It actually improves local standing in that regard.
- b) The change will not negatively affect any marine more wildlife habitat.
- c) The change will not negatively affect any tropical biological communities', wetlands or tropical vegetation.
- d) The change ensures the maximum well-being of the Florida Keys and its citizens and is consistent with sound economic development for the Village of Islamorada.
- e) The change limits adverse impacts of development on the quality of water throughout the Florida Keys and in fact improves that possibilities as it reduces density.
- f) The change is a benefit to the local community as it is compatible with the character of the Florida Keys and the neighboring properties as opposed to historic use and any possible multifamily use under Residential High. The neighborhood is in favor of this change.
- g) There is no change to the historical heritage of the Florida Keys, and the proposed use improves the intentions for a more beautiful Islamorada as opposed to the previous use of the property.
- h) The proposed change is a positive, efficient and cost effective improvement to the
 - a. Florida Keys aqueduct and water supply facilities and in fact lessens demand from currently allowed uses;
 - b. Sewage collection treatment and disposal facilities and in fact lessens demand from currently allowed uses;
 - c. Solid waste treatment collection and disposal facilities and in fact lessens demand from currently allowed uses;

Further;

- d. It has no effect on the US Naval Air Station or other military facilities

- e. It has no negative effect on transportation facilities and in fact, lessens transportation requirements.
- f. It has no negative effect on federal parks, wildlife refuges or marine sanctuaries. The smaller environmental impact is a positive rather than what would be allowed under current zoning.
- g. It has no negative effect on state parks, recreational facilities, aquatic preserves or other publicly owned properties. The smaller environmental impact is a positive rather than what would be allowed under current zoning.
- h. It lessens the impact on city electrical services and the Florida Keys Electric Cooperative from otherwise available uses under Residential High use as well as previous uses.
- i. It lessens the impact on any and all other utilities from what is currently allowed.

NEEDS ANALYSIS

The proposed changes are needed and required to conform the subject parcels which have been unified with the adjacent parcels, which have SR zoning / FLUM. These changes were approved by the Village of Islamorada, which now requires this conformity to proceed with the known/long-planned project of additions to existing residential development.



**Islamorada, Village of Islands,
Planning and Development Services Department**

APPLICATION FOR MAP AMENDMENT

Pursuant to Chapter 30, Article IV, Divisions 8 & 9

	Application Type	Application Fee	Deposit	Total Fee Due
<input checked="" type="checkbox"/>	Future Land Use and Zoning	\$5,120.00	\$3,000.00	\$8,120.00
<input type="checkbox"/>	Zoning Only	\$2,500.00	\$3,000.00	\$5,500.00

Request concurrent Future Land Use and Zoning Hearings pursuant to 163.3184(12), Florida Statutes

An application must be deemed complete and in compliance with the Village Code by Staff prior to the items being scheduled for review. See the Submittal Requirements below for a list of required submittals and documents.

APPLICANT / 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: MAU ROBERT E FLORIDA RESIDENCE TRUST & MAU KATHY G FLORIDA RESIDENCE TRUST 5/1/2017 C/O James S. Lupino, Esq.as agent
Mailing Address: 9350 S. Dixie Hwy Suite 1470 Miami, FL 33156
Primary Phone: 305-852-8440 Fax: N/A
Email: JLupino@hlylaw.com & GPereyra@hlylaw.com

PROPERTY OWNER:

Name: MAU ROBERT E FLORIDA RESIDENCE TRUST & MAU KATHY G FLORIDA RESIDENCE TRUST 5/1/2017
Mailing Address: 3537 21st SE St SE Minot, ND 58701
Primary Phone: 305-852-8440 Fax: N/A
Email: JLupino@hlylaw.com & GPereyra@hlylaw.com

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

Physical Address: 80839 Old Hwy Islamorada, FL 33036 & 80739 OLD Hwy Islamorada, FL 33036 Mile Marker: _____
Lot: _____ Block: _____ Subdivision: _____
 Plantation Key Windley Key Upper Matecumbe Key Lower Matecumbe Key
Real Estate (RE) Number: 00096240-000000 & 00096240-000100 Alternate Key: 1111881 & 8689667

Please refer to attached tab "C" for full legal description

PROPERTY DESCRIPTION:

Total Land Area: 33824.3 Square Feet Approx. 2.33 Acres
Existing Use of Property: Vacant LAnd but unified with residential
Has an Application for Map Amendment been submitted for this site within the past two (2) years? Yes No
If yes, provide name and date of application: _____

PROPOSED MAP AMENDMENT:

Current Future Land Use Map Category: RH Current Zoning District: MF
Proposed Future Land Use Map Category: RM Proposed Zoning District: SR

SUBMITTAL REQUIREMENTS:

- Correct application fee.** Check or money order to "Islamorada, Village of Islands".
- Notarized agent authorization letter**, if applicable, including the agent's name, address and phone number authorizing the applicant/agent to act on all property owners' behalf.
- Proof of ownership** e.g. warranty deed, lease or pending sale contract.
- Property record card** from the Monroe County Property Appraiser.
- Copy of current Future Land Use Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- Copy of current Official Zoning Map** clearly marking the boundaries of the property. Map may be request from Planning and Development Service Department prior to application submittal.
- Photographs** of the site taken from adjacent streets.
- Signed and sealed survey** prepared by a Florida registered surveyor. The survey shall include elevations and location of all existing structures, paved areas, location of all utility structures, all easements, all bodies of water on and adjacent to the site, docks, piers, mean high water line and total acreage by habitat (**please provide a digital copy in addition to the signed and sealed survey**).
- Data and analysis (including a land use need analysis)** pursuant to Comprehensive Plan Policy 1-2.1.13, demonstrating there is a need for the amount of development allowed by the proposed FLUM designations in order to accommodate the Comprehensive Plan's projected population growth within the planning timeframe of the Comprehensive Plan.
- Explanation** of how the application satisfies each of the applicable criteria in the Land Development Regulations, Comprehensive Plan and Principles for Guiding Development pursuant to § 380.0552(7), Florida Statutes. See **Attachment A** for list of criteria.

If deemed necessary to complete a full review of the application, the Planning and Development Services Department reserves the right to request additional information.

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 2/24/26


Print Name: James Lupino, as Agent for owner

STATE OF Florida
 COUNTY OF Miami-Dade

Sworn to and subscribed before me by means of physical appearance or _____ online notarization, this 25 day of February, 20 26, by JAMES S. LUPINO (name of person signing the application) as Attorney/Agent (type of authority e.g. officer, manager / member, trustee, attorney in fact) for Mau Robert E Florida (name of entity or party on behalf of whom application was executed).

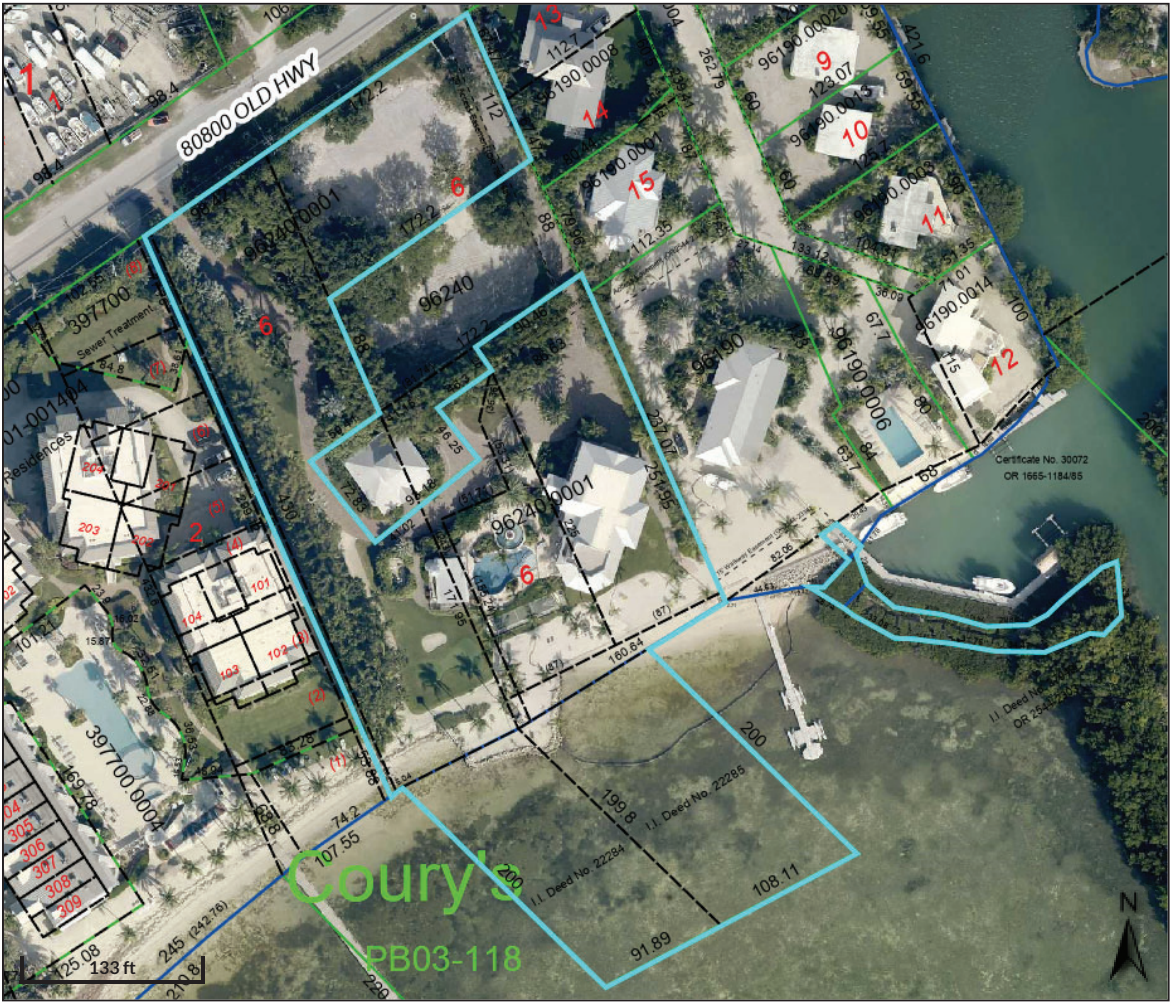
Mau Kathy G Florida Residence trust 5/1/2017

Signature of Notary Public _____

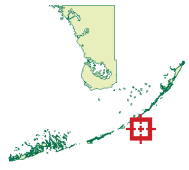
SEAL: 

Personally Known Produced Identification

Type of ID _____



Overview



Legend

- Centerline
- Easements
- Hooks
- - - Lot Lines
- Road Center
- - - Rights of Way
- Shoreline
- [] Condo Building
- Key Names
- Parcels

Parcel ID	00096240-000100	Alternate ID	8689667	Owner Address	MAU ROBERT E FLORIDA RESIDENCE TRUST 5/1/2017 3537 21st SE St SE Minot, ND 58701
Sec/Twp/Rng	05/64/37	Class	SINGLE FAMILY RESID		
Property Address	80839 OLD Hwy UPPER MATECUMBE KEY				
District	50VI				
Brief Tax Description	5 64 37 PT LT 6 PB1-41 ISLAND OF UPPER MATECUMBE AND ADJ BAY BTM - II DEED NO 27949 OR155-407 OR216-353 OR265-24(II DEED 22284) OR449-350(II DEED 22285) OR449-353 OR449-356/357 OR479-382 OR495-294 OR638-290 OR638-547 OR660-835 OR695-768 OR695-770 OR695-772 OR776-734 OR788-308 OR796-168 OR796-170 OR813-80 OR846-192 OR846-194T/C OR848-473 OR960-861 OR1016-2069 OR1234-1873C/T OR1656-2096 OR1764-1339 OR1804-1932 OR1804-1936 OR1804-1940MT OR2276-1298 OR2277-997D/C OR2309-1099 OR2309-1103 OR2311-1329 OR2320-2344P/R OR2544-2303C OR2544-2310 OR2544-2314 OR2544-2318 OR2544-2330 OR2544-2332 OR2544-2334E OR2544-2318 OR2544-2322 OR2544-2326 OR2544-2330 OR2577-558 OR2876-213 OR2904-116 OR2904-120C OR3194-1267 OR3332-717				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 2/27/2026
Last Data Uploaded: 2/27/2026 1:58:32 AM

Developed by SCHNEIDER
GEOSPATIAL



Overview



Legend

- Centerline
- Easements
- Hooks
- - Lot Lines
- Road Center
- - Rights of Way
- Shoreline
- [] Condo Building
- Key Names
- Parcels

Parcel ID	00096240-000000	Alternate ID	1111881	Owner Address	MAU ROBERT E FLORIDA RESIDENCE TRUST 5/1/2017 3537 21st St SE Minot, ND 58701
Sec/Twp/Rng	05/64/37	Class	SINGLE FAMILY RESID		
Property Address	80739 OLD Hwy UPPER MATECUMBE KEY				
District	50VI				
Brief Tax Description	5 64 37 PT LT 6 ISLAND OF UPPER MATECUMBE PB1-41 OR155-407 OR216-353 OR449-353 OR449-357 OR495-294 OR638-290 OR638-547 OR660-835 OR776-734 OR788-308 OR796-168 OR846-192 OR1764-1339 OR2276-1298 OR2277-997D/C OR2309-1099 OR2309-1103 OR2311-1329 OR2320-2344P/R OR2544-2318 OR2544-2318 OR2544-2330 OR2876-213 OR2904-120 OR3194-1267 OR3332-0711				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 2/27/2026
Last Data Uploaded: 2/27/2026 1:58:32 AM



Islamorada, Village of Islands
 86800 Overseas Highway
 Islamorada, FL 33036
 Phone: (305) 664-6400 www.islamorada.fl.us

POSTING OF PROPERTY AFFIDAVIT

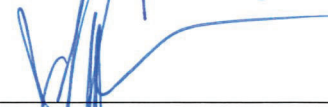
This affidavit is required from the Planning and Development Services Department staff when the provisions of Chapter 30 of Code of Ordinances of Islamorada, Village of Islands, Florida require that notice be posted on a property subject to the application or to notice a scheduled public hearing. This affidavit shall serve to demonstrate that the applicant is in compliance with the applicable notice requirements as stated below.

1. The undersigned is the applicant or agent requesting the public hearing;
2. The applicant or agent has posted the sign(s) with the required notice;
3. Sign(s) have been placed on the subject property at a minimum of at least 15 days prior to the required or requested public hearing;
4. The sign(s) have been placed along each street that is adjacent to or runs through the subject property at intervals of no more than two hundred (200) feet in a manner that makes them clearly visible to adjacent residents and passers-by;
5. The sign(s) have been placed no more than twenty-five (25) feet from the street so that the lettering is visible. Where land does not have frontage on a street, the sign(s) were placed on the nearest street, with an attached notation indicating generally the direction and distance to the subject property; and,
6. Photographic evidence has been submitted to the Village Planning and Development Services Department showing the location of the sign(s) on the subject property and a close-up clearly indicating the lettering on the sign(s).

Failure to comply with the applicable notice requirements shall result in the postponement and re-noticing of the public hearing. All costs of re-noticing the public hearing shall be borne by the applicant failing to comply with the applicable notice requirements.

I certify that on the 29 day of April, 2020 the Notice of Public Hearing signs in accordance with Village Code and other applicable guidelines were posted on the property located with Real Estate numbers 00096240-000000 and 00096240-000100, so as to be clearly seen from the right-of-way providing primary vehicular access. File Number: PLMA20260030.

Sworn and subscribed before me this 29 day of April, 2020 Personally know/produced identification. Type of ID produced: personally known



Signature of Applicant or Agent

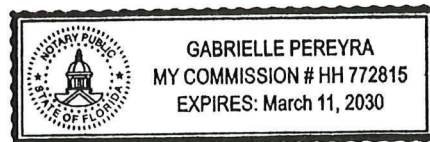
James S. Lupino

Printed Name



Signature of Notary Public

SEAL:

















Council Communication

To: Mayor and Village Council
From: Daniel Parobok, Senior Environmental Planner/Biologist
Date: June 11, 2026
SUBJECT: Ordinance Amending Official Zoning Map for 80839 Old Hwy TAB D

Background:

The applicant, James Lupino, Esq. on behalf of the property owners Robert E. Mau Florida Residence Trust 05/01/2017 and Kathy G. Mau Florida Residence Trust 05/01/2017, has submitted a map amendment application requesting approval for a Future Land Use Map (FLUM) Amendment from Residential High (RH) to Residential Medium (RM) on the subject properties, located at 80839 Old Highway, having Parcel ID# and 00096240-000100 and 80739 Old Highway, having Parcel ID#00096240-000000 ("Properties"), comprising approximately 2.75 acres of land area. The current use of the Properties are residential, with a single-family home, pool, and other hardscaping located on each. This Zoning Map amendment has a companion application for a Future Land Use Map (FLUM) Amendment, which proposes a change from Residential High (RH) to Residential Medium (RM) Designation, and the Zoning Map amendment cannot be approved without approval of the companion FLUM Amendment. The applicant's agent has submitted a needs analysis detailing the map amendment request.

This item was heard at the May 18, 2026, Local Planning Agency meeting and received a unanimous recommendation for approval.

The subject Properties currently have existing Settlers Residential (SR) and Multifamily (MF) Zoning District designations. The properties to the North, across Old Highway, are designated Settlers Residential (SR) and Highway Commercial (HC). Properties to the east are designated Settlers Residential (SR). The properties to the west are designated Multifamily (MF). The character of the surrounding area is mostly residential with some commercial uses to the north, across Old Highway.

The Properties are mostly scarified and contain no protected habitat. The Properties are not recognized as habitat to any state or federal listed animal species. Pursuant to the Village's GIS data and records, the parcel does not contain any mapped habitats.

Analysis:

Pursuant to Section 30-691, the purpose of the Settlers Residential (SR) zoning district is to protect the unique residential character of the pre-FIRM single-family neighborhoods within and adjacent to the Upper Matecumbe village activity center. Single-family or multifamily residential uses, homeowners parks, and municipal utilities infrastructure are permitted uses.

Compatibility with Comprehensive Plan Policies:

Policy 1-1.11, Protect Residential Areas From Incompatible Development

Policy 1-2.1.4, Restrict Density And Intensity Of Development

Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments

Policy 1-2.3.2, Residential Medium (RM)

Comprehensive Plan Policy 1-1.11, Protect Residential Areas From Incompatible Development, states that stable residential areas shall be protected from encroachment by incompatible development.

The proposed amendment protects the surrounding Residential Medium (RM) areas from the higher allowable density of Residential High (RH). The proposed amendment changes an area of RH that is surrounded on three sides by RM. The higher density allowed by RH is not compatible with the current use of property, which is single family residential.

Comprehensive Plan Policy 1-2.1.4, Restrict Density And Intensity Of Development, states that the maximum range of allocated density and/or intensity (FAR) stated in the Comprehensive Plan and in the Land Development Regulations, for permitted uses in each future land use map category shall not exceed the thresholds established in accordance with the policy.

The proposed amendment neither increases the density nor intensity of development on the subject property. The proposed amendment decreases the maximum density based on the companion FLUM amendment to amend the FLUM on a portion of the property from Residential High (RH) to Residential Medium (RM). By proposing this change, the density decreases from 12 units per acre to one single family unit, two units (duplex), or up to 4 affordable units (affordable quadplex).

Comprehensive Plan Policy 1-2.1.14, Criteria for Future Land Use Map (FLUM) Amendments, states that Islamorada, Village of Islands, shall maintain specific criteria for amending the Future Land Use Map that are consistent with the general procedures delineated in Chapter 163.3177, 163.3184 and 163.3189, Florida Statutes and the principles for guiding development in areas of critical state concern. The Village Council shall make its determination on proposed FLUM amendments on legitimate public purpose based on one or more of the following factors; however, in no event shall an amendment be approved which would result in an adverse community change.

It is the staff's opinion that is request is compatible with the two policies as it does not result in an adverse community change. A portion of the property exists as a single-family residence and the other portion used to contain large communication equipment prior to the combination of the properties. The change has been requested to bring the property into compliance with the current use, under a single zoning district.

Comprehensive Plan Policy 1-2.3.3, Residential Medium (RM) states that this designation is intended to provide stable, single family neighborhoods and allow for uses which further the peaceful enjoyment and high quality residential character valued by Village residents. Areas designated Residential Medium (RM) on the Future Land Use Map shall include one (1) single family unit on one (1) lot of record, and duplexes. Duplexes shall only be permitted in Zoning Districts where legally permitted duplexes currently exist. Notwithstanding the density limitations, duplexes or two (2) single-family deed-restricted detached dwelling units, triplexes or three (3) single-family deed-restricted detached dwelling units, and fourplexes or four (4)

single-family deed-restricted detached dwelling units shall be permitted on RM lots fronting U.S. 1, pursuant to the Building Permit Allocation System, if approved as affordable housing. The RM Future Land Use Map designation shall allow home occupations. Supportive community facilities ancillary to the residential uses may be located within areas designated RM. The Land Development Regulations shall provide regulatory procedures for considering the above-noted uses.

The existing single-family use is in compliance with this policy. Any future development will be held to all applicable policies and land development regulations.

Procedures for Amendments to Zoning Map:

Pursuant to Section 30-411(d)(4)(b) of the Code of Ordinances, the Village Council must find that the application is consistent with the Comprehensive Plan, that the applicant has complied with all procedural requirements of this section, and that the maintenance of the existing zoning on the property does not accomplish a legitimate public purpose. The Village Council shall make its determination on a finding of legitimate public purpose based on one or more of the following factors:

1. Demand for the proposed Zoning District in the Village in relation to the amount of land currently zoned and available to accommodate that demand.

Finding: Pursuant to the Village's GIS data and records, there are approximately 165 parcels that are designated within the Settlers Residential (SR) District, which represents approximately 2.32 percent of the 7,108 total parcels within Islamorada, Village of Islands. Of the 165 parcels that are designated within the Settlers Residential (SR) District, 17 parcels are vacant, which equates to approximately 10.30 percent of the total parcels.

2. Compatibility of the site's physical, geological, hydrological and other environmental features, with the uses permitted in the proposed Zoning designation.

Finding: The site is mostly scarified and currently developed as single-family residential. The site does not contain any protected habitats. This use is compatible with the proposed zoning designation.

3. Data errors, including errors in mapping, vegetative types and natural features described in the comprehensive plan.

Finding: There is no evidence that there are any errors in the Villages GIS data, records and other resources.

4. New Issues.

Finding: No new issues exist at the time of review.

5. Recognition of a need for additional detail or comprehensiveness.

Finding: The Village is currently undergoing an update to the Comprehensive Plan. That should be completed within the year. This change will be incorporated into any update.

6. Compatibility of the proposed district with the property surrounding the site of the

requested rezoning and any applicable neighborhood or redevelopment plan.

Finding: The proposed zoning change to Settlers Residential is compatible with the surrounding properties. The adjacent properties to the east are also Settlers Residential.

Budget Impact:

None

Staff Impact:

None

Recommendation:

Staff recommends approval.

Attachments: 1. 80839 Old Zoning ORD jd edits

After recording return to:
Planning and Development Services Dept.
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada Florida 33036

ORDINANCE NO. 26-

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST OF JAMES S LUPINO, ESQ, AGENT FOR ROBERT E. MAU FLORIDA RESIDENCE TRUST 05/01/2017 AND KATHY G. MAU FLORIDA RESIDENCE TRUST 05/01/2017 TO AMEND THE OFFICIAL ZONING MAP FROM MULTIFAMILY (MF) TO SETTLERS RESIDENTIAL (SR) FOR THE SUBJECT PROPERTIES, ON OLD HIGHWAY LOCATED ON UPPER MATECUMBE KEY, WITH REAL ESTATE NUMBERS 00096240-000000 AND 00096240-000100 AS LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF COMMERCE; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF COMMERCE.

WHEREAS, the Official Zoning Map of Islamorada, Village of Islands (the "Village") became effective April 30, 2002; and

WHEREAS, the applicant, James S Lupino, Esq, agent for Robert E. Mau Florida Residence Trust 05/01/2017 and Mau Kathy G. Mau Florida Residence Trust 05/01/2017, has requested an Official Zoning Map amendment from the Multifamily (MF) District to the Settlers Residential (SR) Zoning District for a parcel consisting of approximately 2.75 acres of land, with Real Estate numbers 00096240-000000 and 00096240-000100 ("Properties"), as legally described below; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code of Ordinances (the "Village Code"), the Village Local Planning Agency publicly considered the Official Zoning Map Amendment during a duly noticed public hearing held on April 13, 2026; and

WHEREAS, pursuant to Section 166.041, Florida Statutes and Sections 30-101 and 30-213 of the Village Code, the Village Local Planning Agency publicly considered the Zoning Map Amendment during a duly noticed public hearing held on April 13, 2026; and

WHEREAS, in accordance with Section 166.041, Florida Statutes, and Section 30-213 of the Village Code, notice of the public hearing(s) has been given for the proposed adoption of this Ordinance; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") finds that the adoption of the Official Zoning Map Amendment is in the best interest of the Village and does comply with all applicable laws, as well as promotes the general health, safety, and welfare of the Village residents; and

WHEREAS, the Village Council has determined that the proposed Zoning Map Amendment is consistent with the Village Comprehensive Plan; and

WHEREAS, the Village Council desires to consider the proposed Zoning Map Amendment in accordance with State law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval/Denial of Zoning Map Amendment. The Official Zoning Map Amendment is hereby [**approved / denied**] as part of the Official Zoning Map of the Village. A copy of the Official Zoning Map Amendment is attached as Exhibit "A" and incorporated herein by this reference, for the Properties as legally described in Exhibit "B."

Section 3. Transmittal. The Village Clerk is hereby authorized to forward a copy of this Ordinance to the State Department of Commerce for approval in accordance with Section 380.05(6), Florida Statutes.

Section 4. Effective Date. This Ordinance shall not become effective until approved pursuant to Final Order by the Florida Department of Commerce pursuant to Section 163.3184, Florida Statutes, or if the Final Order is challenged, until the challenge to the order is resolved pursuant to Chapter 380.05, Florida Statutes.

The foregoing Ordinance was offered by _____, who moved for its adoption on first reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Don Horton
Vice Mayor Sharon Mahoney
Councilman Steve Friedman
Councilwoman Deb Gillis
Councilwoman Anna Richards

PASSED on the first reading this ____ day of _____, 2026.

[Remainder of this page intentionally left blank]

The foregoing Ordinance was offered by _____, who moved for its adoption on second reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Don Horton
Vice Mayor Sharon Mahoney
Councilman Steve Friedman
Councilwoman Deb Gillis
Councilwoman Anna Richards

PASSED AND ADOPTED on the second reading this ____ day of _____, 2026.

DON HORTON, MAYOR

ATTEST:

MARNE MCGRATH, VILLAGE CLERK

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

JOHN J. QUICK, VILLAGE ATTORNEY

EXHIBIT "A"
(ZONING MAP AMENDMENT)

EXHIBIT "B"
(LEGAL DESCRIPTION)

Parcel ID 00096240-000000:

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbe Key, Monroe County, Florida, said Plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows,

Commencing at the Intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear $N.53^{\circ}25'30"E$. along the south-easterly right of way line for a distance of 579.64 feet, thence bear $S.25^{\circ}43'30"E$. for a distance of 112.00 feet to the Point of Beginning of the parcel of land hereinafter described, from said Point of Beginning continue $S.25^{\circ}43'30"E$. for a distance of 88.00 feet, thence bear $S.53^{\circ}25'30"W$. and parallel with Old State Highway No. 4A for a distance of 172.20 feet, thence bear $N.25^{\circ}43'30"W$. for a distance of 88.00 feet, thence bear $N.53^{\circ}25'30"E$. and parallel to Old State Highway No. 4A for a distance of 172.20 feet back to the Point of Beginning.

Containing 14,882.3 square feet.

Parcel ID 00096240-000100:

All of that certain part of Lot 6 of a Plat of part of Government Lot 1, all of Lots 2 and 3, Section 32, T-63-S, R-37-E, and all of Lot 1, Section 5, T-64-S, R-37-E, on Upper Matecumbe Key, Monroe County, Florida, said plat being recorded in Plat Book 1, Page 41, of the Public Records of Monroe County, Florida, and being more particularly described by metes and bounds as follows,

Commencing at the Intersection of the Westerly line of Lot 6 and the Southeasterly right of way line of Old State Highway No. 4A, bear $N.53^{\circ}25'30"E$. along the south-easterly right of way line for a distance of 407.44 feet to the Point of Beginning of the parcel of land hereinafter described, from said Point of Beginning continue $N.53^{\circ}25'30"E$. along the southeasterly right of way line of Old State Highway No. 4A for a distance of 172.20 feet to a point, thence bear $S.25^{\circ}43'30"E$. for a distance of 112.00 feet, thence bear $S.53^{\circ}25'30"W$. and parallel with Old State Highway No. 4A for a distance of 172.20 feet, thence bear $N.25^{\circ}43'30"W$. for a distance of 112.00 feet, back to the Point of Beginning. Containing 18,942 square feet.