

**LAND AUTHORITY GOVERNING BOARD  
AGENDA ITEM SUMMARY**

**Meeting Date:** February 20, 2008

**Division:** Land Authority

**Bulk Item:** Yes  No

**Contact / Phone #:** Mark Rosch / 295-5180

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**Agenda Item Wording:** Approval to purchase property for conservation – Block 14, Lot 8, Bowens Addition to Riviera Village subdivision on Key Largo.

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**Item Background:** This acquisition is proposed pursuant to County Commission Resolution 560-2007 to provide administrative relief under ROGO (the rate of growth ordinance).

The subject property consists of a 7,000 square foot lot zoned Improved Subdivision on Bowen Drive near MM 105 on the bayside of Key Largo. The property consists of tropical hardwood hammock and is designated Tier 1.

The Land Authority's standard purchase contract will be used for this transaction. The agenda packet spreadsheet lists the legal description, purchase price, and estimated closing costs.

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**Advisory Committee Action:** On January 24, 2008 the Land Authority Advisory Committee voted 4/0 to approve this item.

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**Previous Governing Board Action:** Sitting as the County Commission, the Board approved Resolution 560-2007 on December 19, 2007.

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**Contract/Agreement Changes:** None.

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**Staff Recommendation:** Approval.

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**Total Cost:** \$65,446.00

**Budgeted:** Yes  No .

**Cost to Land Authority:** \$65,446.00

**Source of Funds:** Land Authority  
(Tourist Impact Tax and State Park Surcharge)

**Approved By:** Attorney  County Land Steward .

**Documentation:** Included:  To Follow:  Not Required: .

**Disposition:** \_\_\_\_\_

Agenda Item \_\_\_\_\_

**PURCHASE CONTRACTS**  
**02/20/08**

<u>Property</u>	<u>Purchase Price</u>	<u>Envr. Audit, Survey or Clean-up</u>	<u>Title Insurance</u>	<u>Attorney Fee</u>	<u>Recording Fee</u>	<u>Total Costs</u>
<b>Bowens Addition to Riviera Village Block 14, Lot 8 (Bowen, LLC)</b>	\$64,400.00	\$0.00	\$527.50	\$500.00	\$18.50	\$65,446.00

**RESOLUTION NO.560-2007**

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS **APPROVING THE REQUEST FOR ADMINISTRATIVE RELIEF MADE BY BOWEN, LLC ON PROPERTY DESCRIBED AS LOT 8, BLOCK 14, BOWENS ADDITION TO RIVIERA VILLAGE SUBDIVISION, KEY LARGO, RE # 00513130.000000 IN THE FORM OF PURCHASE FROM THE LAND AUTHORITY.**

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**WHEREAS**, Bowen, LLC submitted an application for administrative relief under Sec. 9.5-122(f) of the Monroe County Land Development Regulations; and

**WHEREAS**, the Monroe County Board of County Commissioners makes the following findings of fact and conclusions of law:

1. The application for administrative relief from Bowen, LLC is for Lot 8, Block 14, Bowens Addition to Riviera Village Subdivision, Key Largo in Monroe County, Florida having RE# 00513130.000000.
2. The date of the ROGO application is 10/8/2003.
3. The ROGO allocation application has been in the ROGO system for at least four (4) consecutive years and qualifies for administrative relief under Policy 101.6.1 of the Monroe County Year 2010 Comprehensive Plan.
4. Monroe County Code (MCC) Section 9.5-122.2(f) provides a mechanism whereby an applicant who has not received an allocation award in ROGO may apply to the Board of County Commissioners for administrative relief.
5. The Board of County Commissioners (BOCC) has the authority to grant administrative relief under Section 9.5-122.2(f)(6) and may grant the applicant a building allocation, offer to purchase the property at fair market value, or provide such other relief as may be necessary and appropriate.
6. The applicant applied for administrative relief on 8/17/05, under Section 9.5-122.2(f) of the MCC and Policy 101.6.1 of the 2010 Comprehensive Plan.
7. Policy 101.6.5 of the 2010 Comprehensive Plan and Ordinance 009-2006 provides criteria to be used for determining lands that are appropriate for acquisition which includes proposing development in a Tier I designated area and the subject parcel is located in a designated Tier 1 area.
8. The subject property has the land use district designation of Improved Subdivision (IS), is located in the Bowens Addition to Riviera Village Subdivision and is environmentally sensitive.
9. Board of County Commissioners Resolution #223-2004 directs staff to identify small parcels with indigenous hammock or pinelands.
10. The subject property is in an area of indigenous hammock.
11. The property qualifies under all criteria established by Resolution #223-2004 for purchase by the Monroe County Land Authority of small parcels with indigenous hammock and pinelands.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

Administrative relief is granted to Bowen, LLC, for Lot 8, Block 14, Bowens Addition to Riviera Village Subdivision, Key Largo in the form of purchase by the Monroe County Land Authority.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 19th day of December 2007.

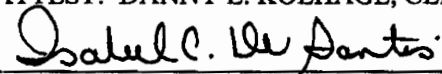
Mayor Mario Di Gennaro	<u>Yes</u>
Mayor Pro Tem, Dixie Spehar	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Charles "Sonny" McCoy	<u>Yes</u>
Commissioner Sylvia J. Murphy	<u>Yes</u>

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

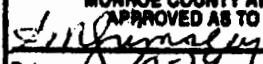
BY   
Mayor

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

  
DEPUTY CLERK

FILED FOR RECORD  
2008 JAN 14 PM 3:52  
DANNY L. KOLHAGE  
CLK. CIR. CL.  
MONROE COUNTY, FLA.

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
  
Date: 12-29-07

Block 14, Lot 8, Bowens Addition to Riviera Village  
Key Largo

BONITA

BAY

BISCAYNE

BOWDEN



OVERSEAS

TAYLOR