



VILLAGE OF KEY BISCAYNE

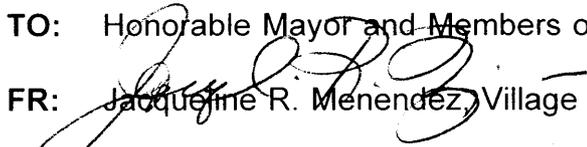
Office of the Village Manager

Village Council

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Jorge E. Mendia, *Vice Mayor*
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Enrique Garcia
Steve Liedman
Thomas Thornton
Patricia Weinman

Village Manager

Jacqueline R. Menendez

DT: February 7, 2007
TO: Honorable Mayor and Members of the Village Council
FR:  Jacqueline R. Menendez, Village Manager
RE: Hotel Condominium Presentation

At the January 30, 2007 Council Meeting, the Village Council requested that staff provide the Council with a presentation on how other municipalities regulate hotel condominiums. The attached presentation provides this information.

HOTEL CONDOMINIUM

TYPICAL REGULATIONS USED IN OTHER MUNICIPALITIES

FEBRUARY 13, 2007
Village Council Meeting

CONDOMINIUM IS A FORM OF OWNERSHIP

- CONDOMINIUM IS NOT A LAND USE – How the condominium is used becomes the land use and whether it is consistent with zoning regulations
- APARTMENT CONDOMINIUMS – many in the Village
- OFFICE CONDOMINIUMS – Offices on Mashta Drive
- RETAIL CONDOMINIUMS – The Square and Wynn-Dixie Shopping Centers
- WAREHOUSE CONDOMINIUMS – None on Key
- HOTEL CONDOMINIUMS – The Ritz Hotel (approved as DRI – pre-Village zoning code)

WHY HOTEL CONDOMINIUM ORDINANCES ARE BEING ADOPTED BY CITIES

- INSURE BUILDINGS ARE OPERATED AS HOTELS AND NOT RESIDENCES
- IMPACT ON COMMERCIAL BASE
- DENSITY
- SCHOOL ENROLLMENT
- IMPACT ON PUBLIC FACILITIES: COMMUNITY CENTER AND SCHOOLS

CITIES IN FLORIDA WHICH HAVE ADOPTED HOTEL CONDOMINIUM REGULATIONS

- Hollywood
- Indian Wells
- Flagler Beach
- Dunedin
- Gulf Shores
- Madeira Beach

COMPONENTS OF A HOTEL CONDOMINIUM DEFINITION

- Room (s) are owned by an individual, a corporation, or other legal entity
- Operated substantially in the same manner as traditional hotels
- Residential use is strictly inconsistent with hotel transient use
- Land use and business operation remain as commercial enterprise and not residential
- Considered to be a transient use and not a residential use

TYPICAL CONDOMINIUM HOTEL REGULATIONS

- Owner Occupancy Restrictions - Maximum continuous days and number of days in one year
- Size of Unit - Maximum size limitations
- Fixtures, Furniture, and Decor Restrictions - Standard furniture and decor in every room
- Appliance Restrictions - limitations on appliances such as 5.5 cubic ft. refrigerator, cooking facilities limited to a microwave oven, and no washers and dryers
- Private Storage Closets - prohibited

- Operational Controls - Unified Management Plan, uniform key entry systems, central mailbox, central telephone system with no direct lines to the units, daily maid and hospitality services, 24 hour front desk, central reservation system and a central lobby, concierge, parking and bellman services
- City Inspection and Verification Requirements - annual affidavits of compliance inspection of hotel rooms, proper licenses, and hotel registration books open for inspection
- Hotel Manager Unit - one unit available as the hotel manager's residence

- Front Desk and Lobby - internally orientated and easily accessible to the general public and staffed 24 hours a day all year
- Occupational License - each hotel room must have a hotel license. No home occupational licenses can be issued to the owner of a hotel unit
- Hotel Signage - visible to the public with copy reading "Hotel"
- Prohibition on Homestead Exemption - address not to be used to establish residency for homestead exemption

OTHER RESTRICTIONS

- Warranty Deed – must include a statement that the property is a hotel unit
- One electric meter for all of the hotel units. No unit will receive a separate electric bill
- One water meter for all of the hotel units. No unit will receive a separate water bill
- Limit capacity of the electrical system and drainage and water pipes in each unit to only permit the approved appliances
- Address not to be used to obtain a Florida Drivers License or register to vote