VILLAGE OF KEY BISCAYNE

Office of the Village Manager

Village Council
Franklin H. Caplan, *Mayor*
Michael E. Kelly, *Vice Mayor*
Michael W. Davey
Enrique Garcia
Robert Gusman
Mayra P. Lindsay
James S. Taintor

Village Manager
John C. Gilbert

DT: June 26, 2012

TO: Honorable Mayor and Members of the Village Council

FR: John C. Gilbert, Village Manager

RE: Site Plan Review: 101 Sunrise Drive

RECOMMENDATION

It is recommended that the Village Council approve the attached site plan for a four (4) story 11 unit development at 101 Sunrise Drive. This recommendation is subject to the conditions as set forth in the attached memorandum from the Building, Zoning, and Planning Director. The recommendation is based on the Director's determination that the project is consistent with the review criteria.

BACKGROUND

The applicant has filed an application for Site Plan approval for a four (4) story 11 unit apartment building at 101 Sunrise Drive. For this type of project, the Zoning and Land Development Regulations require approval of a site plan by the Village Council. The Regulations contain criteria to evaluate Site Plan applications. The Building, Zoning, and Planning Director has compared the application with the criteria. The Director found that the request is consistent with the review criteria and has recommended approval of the application subject to the conditions as set forth in the attached memorandum.

RESOLUTION NO. 2012-

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A SITE PLAN CONSISTING OF AN 11 UNIT RESIDENTIAL DEVELOPMENT FOR PROPERTY LOCATED AT 101 SUNRISE DRIVE, AS FURTHER SHOWN ON EXHIBIT "A;" PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; PROVIDING FOR RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Real Equity Assets and Consolidators, LLC (the "Applicant") is the owner of approximately .66 acres of real property located at 101 Sunrise Drive, Key Biscayne, Florida (the "Property"); and

WHEREAS, pursuant to Section 30-73 of the Village Code of Ordinances (the "Village Code"), the Applicant has submitted a Planning & Zoning Application seeking approval of a site plan for the development of an 11 unit residential development bearing Public Hearing # SP-20 (the "Application"); and

WHEREAS, after proper public notice, the Village Council has conducted a public hearing and considered all testimony and other evidence presented and otherwise made part of the record.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The recitals set forth above are hereby adopted and confirmed.

Section 2. Findings. The Village Council, based upon the competent substantial evidence presented, finds that the Application is consistent with Village of Key Biscayne Master Plan and that the Applicant has met all of the applicable requirements within the Village's Zoning Code, and in particular Section 30-73 of the Village Code.

Section 3. **Site Plans Approved.** The site plan, attached as Exhibit "A," prepared by Gabriel Lopez Architect, P.A. entitled "R.E.A.C. 101 Sunrise," dated May 22, 2012, and consisting of 7 pages (the "Site Plan") is hereby approved.

Section 4. **Conditions.** The approval granted by this Resolution is subject to compliance with the following conditions, to which the Applicant stipulated and agreed to at the public hearing:

1. The dumpster shall be constructed of concrete block and stucco. The building material for the gate shall only be comprised of metal.

2. The Building, Zoning and Planning Director shall approve the design of the aluminum picket fence which surrounds the Property, sliding gates at the two (2) entrances to the parking garages and the dumpster enclosure.

3. The Property contains 14 mature coconut trees and two (2) gumbo limbo trees. These trees shall be retained and used on the Property. The plans shall contain this note on the landscape plan that is submitted by the Applicant for a building permit.

Section 5. **Recording.** This Resolution shall be recorded, prior to the issuance of a building permit, by the Applicant at its expense in the public records of Miami-Dade County. A copy of the proof of recordation shall be submitted to the Building, Zoning and Planning Department prior to the issuance of any building permits.

Section 6. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 26nd day of June, 2012.

_____
MAYOR FRANKLIN CAPLAN

ATTEST:

_____

CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____

VILLAGE ATTORNEY

VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council
Franklin H. Caplan, *Mayor*
Michael E. Kelly, *Vice Mayor*
Michael W. Davey
Enrique Garcia
Robert Gusman
Mayra P. Lindsay
James S. Taintor

Director
Jud Kurlancheek, AICP

Chief Building Official
Eugenio M. Santiago, P.E.

DT: June 26, 2012

TO: John C. Gilbert, Village Manager

FR: Jud Kurlancheek, AICP, Director
Building, Zoning, and Planning Department

RE: Site Plan Review: 101 Sunrise Drive

APPLICATION SUMMARY

Applicant	Real Equity Assets and Consolidators, LLC
Request	Site Plan Approval for a 11 Unit Development
Site Address	101 Sunrise Drive
Master Plan	Multiple Family Medium Density
Zoning District	RM-16 Multiple Family Medium Density
File Number	SP - 20 Filed May 24, 2012
Recommendation	Approval with Conditions

Purpose of Site Plan Review: Site plan review is designed to achieve the following objectives:

1. To insure that infrastructure (water, sewer, and roads) is in place at the time the development is completed.

2. To encourage logic, imagination, and variety in the design process.

3. To insure that projects are compatible, both aesthetically and functionally, with the surrounding area.

4. To promote excellence in urban design.

88 West McIntyre Street • Suite 250 • Key Biscayne, Florida 33149 • (305) 365-5512 • Fax (305) 365-5556
MISSION STATEMENT: "TO PROVIDE A SAFE, QUALITY COMMUNITY ENVIRONMENT FOR ALL ISLANDERS THROUGH RESPONSIBLE GOVERNMENT."
www.keybiscayne.fl.gov

5. To encourage buildings that are consistent with the high quality environment associated with the Village.

The Application: The applicant has filed an application for Site Plan approval for 11 apartment units.

Site Plan Review Criteria: In order for the project to move forward, the Village's Zoning and Land Development Regulations require the site plan for the above captioned project be approved by the Village Council. In order to approve a site plan, the Council must find that the project is consistent with the following criteria:

Criteria 1 *Natural Environment.* All proposed development shall be designed in such a manner as to preserve, perpetuate and improve the existing natural character of the site. Existing trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state, and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, and to conceal unattractive uses. In all instances the Village's tree protection, landscaping and all other applicable regulations shall be fully complied with as minimum standards.

Analysis: The submission includes a Landscape Plan which is marked AL. The Landscape Plan includes a variety of trees including Buttonwoods (11), Native Pitch Apples (4), Green Malayan Coconuts (19), Glossy Privet (6) and Live Oaks (10). The existing site does not contain any trees that have significant value. The Landscape Plan also includes a variety of shrubs which will add interest and variety to the project. The type and location of the trees and shrubs compliment the project.

The site contains 14 mature coconut trees and a two (2) gumbo limbo tree. These trees should be retained and used on the property.

Finding: Consistent

Criteria 2 *Open space.* Adequate landscaped open space shall be provided which meets the particular needs and demands of the proposed development and all specific zoning district requirements.

a. Passive open spaces (those areas not planned for intensive activity) shall be arranged as to enhance internal spatial relationships between proposed structures, to provide buffers between the project and adjacent less intensive uses, to facilitate pedestrian movements within the development, and to improve the overall visual quality of the site.

b. Active open spaces (those areas containing activities such as playgrounds, tennis courts, swimming pools and other active recreational facilities) shall be located so as to permit easy access to all residents or users within a development. Private recreational facilities and activities within specific projects shall, wherever possible, complement rather than duplicate, nearby public recreational activities.

Analysis:

a. Passive Open Spaces are located in the front, rear and sideyards which are easily accessible and provide the ability to walk around the project. The roof top deck provides an opportunity to suntan or use a Jacuzzi type facility for rest and relaxation.

b. Active Open Space is located on the rooftop deck which includes a pool for active recreation along with the passive facilities.

Finding: Consistent

Criteria 3 *Circulation and parking.* All circulation systems and parking facilities within a proposed development shall be designed and located in such a manner as to comply with the following:

a. A clearly defined vehicular circulation system shall be provided which allows free movement within the proposed development while discouraging excessive speeds. Said systems shall be separated insofar as practicable from pedestrian circulation systems. Pavement widths and access points to peripheral streets shall be provided which adequately serve the proposed development and which are compatible and functional with circulation systems outside the development.

b. Whenever possible in proposed residential developments, living units should be located on residential streets or courts that are designed to discourage non-local through traffic.

c. Off-street parking areas shall be provided which adequately accommodate maximum vehicle storage demands for the proposed project and are located and designed in such a manner so as to conveniently serve the uses to which they are accessory and not create incompatible visual relationships.

d. Safe and efficient access to all areas of the proposed development shall be provided for emergency and service vehicles, as required by Chapter 52.11 of the Florida Building Code.

e. Sidewalks shall be provided as required by the Village regulations.

f. Handicapped Accessibility shall be provided as required by all applicable regulations.

Analysis: The following analysis is alphabetically keyed to the above criteria.

a. The vehicular circulation system provides for two way ingress and egress from Sunrise Drive to the building. Parking is located at grade below the building.

b. Sunrise Drive is a residential street that only provides for local traffic.

c. Parking is located at grade below the building. There are 30 parking spaces while 17 are required. This count includes two (2) handicap parking spaces. There are two elevators which provide easy access to the east and north areas of the parking garage.

d. During the permitting process, inspectors will review the plans to insure the project is consistent with the Florida Building Code.

e. All sidewalks and walkways shall meet or exceed Village standards.

f. There are two (2) handicap parking spaces which are consistent with the requirements.

Finding: Consistent

Criteria 4 *Community services and utilities.* All proposed developments shall be designed and located in such a manner as to insure the adequate provision, use and compatibility of necessary community services and utilities.

a. An adequate sanitary sewer collection system including all necessary extensions and connections shall be provided in accordance with Village standards for location and design. Where necessitated by the size of the development and/or by the unavailability of Village treatment facilities, sanitary sewage treatment and disposal systems must be provided in accordance with Village and state standards and regulations.

b. An efficient solid waste collection system, including the provision of an adequate number of properly screened local receptacles in locations which afford maximum use and collection convenience, shall be provided in accordance with all applicable Village standards.

c. A well designed internal system for fire protection, including the provisions of an adequate number of properly located fire hydrants and an efficient

access arrangement for emergency fire vehicles, shall be provided to ensure the safety of all persons within the project.

Analysis: The following analysis is alphabetically keyed to the above criteria.

a. When the plans are submitted for a building permit, the Village and Miami-Dade County Sewer Water Authority will require the appropriate connections.

b. The proposed build has one enclosed trash room on each side of the building and as well as the dumpster.

c. During the review of the plans for building permit, the Fire Department will insure that the project meets all of the applicable fire related life safety codes.

Finding: Consistent.

Criteria 5 *Building and other structures.* All buildings and structures proposed to be located within a development shall be oriented and designed in such a manner as to enhance, rather than detract from, the overall quality of the site and its immediate environment. The following guidelines shall be followed in the review and evaluation of all buildings and structures:

a. Proposed buildings and structures shall be related harmoniously to the terrain, other buildings and the surrounding neighborhood, and shall not create through their location, style, color or texture, incompatible physical or visual relationships.

b. All buildings and structures shall be designed and oriented in a manner insuring maximum privacy of residential uses and related activities both on the site being developed and property adjacent thereto.

c. All permanent outdoor identification features which are intended to call attention to proposed projects and/or structures shall be designed and located in such a manner as to be an integral part of the total project and/or structural design and shall not exceed a size and scale necessary for the recognition from vehicles moving along adjacent streets at prescribed legal speeds.

Analysis: The following analysis is alphabetically keyed to the above criteria.

a. The building is located in a neighborhood that has mostly three (3) to five (5) story buildings. The proposed building has three (3) levels of apartments over a one (1) story garage. A description of the project and architectural style was submitted as part of the application.

b. Like all the other buildings in this neighborhood, the entrance to the building faces the street. There are windows on all sides of the building but only the front has balconies. This is consistent with other buildings in the neighborhood.

c. Signage will be located on the building which is consistent with the Zoning and Land Development Regulations.

Finding: Consistent.

Criteria 6 All applicants are required to prove that the project meets the Village's Concurrency Level of Service Standards for Roads, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Recreation and Open Space.

Analysis: The current building contains 22 units and the proposed building will have 11 units. The Level of Service standards are set forth in Article VI Concurrency Management. As this building has a reduction in the number of units, it is exempt from the Level of Service standards. This is set forth in Section 30-164 (a)(6) Exemptions which states "any new construction that results in a reduction in square footage or density".

Miami-Dade County Public Schools has determined that "the applicable Level of Service standards of 100% Florida Inventory of School Housing (FISH) have not been impacted since the new multi-family residential project consists of less residential units than the existing residential complex being demolished" (See attached June 7, 2012 letter).

Finding: Consistent

Criteria 7 *Other Requirements.* Requirements and recommendations as provided in the Village tree and landscape regulations shall be observed as will the requirements of all applicable standards and regulations.

Analysis: The project exceeds the landscape requirements that are set forth in the Zoning and Land Development Regulations.

Finding: Consistent

RECOMMENDATION

Staff recommends approval of the project subject to the following conditions:

1. The dumpster shall be constructed of concrete block and stucco. The building material for the gate shall only be comprised of metal.

2. The Building, Zoning and Planning Director shall approve the design of the aluminum picket fence which surrounds the Property, sliding gates at the two (2) entrances to the parking garages and the dumpster enclosure.

3. The Property contains 14 mature coconut trees and two (2) gumbo limbo trees. These trees shall be retained and used on the Property. The plans shall contain this note on the landscape plan that is submitted by the Applicant for a building permit.

Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Perla Tabares Hantman, Chair
Dr. Lawrence S. Feldman, Vice Chair
Dr. Dorothy Bendross-Mindingall
Carlos L. Curbelo
Renier Diaz de la Portilla
Dr. Wilbert "Tee" Holloway
Dr. Martin Karp
Dr. Marta Pérez
Raquel A. Regalado

June 7, 2012

VIA ELECTRONIC MAIL

Rafael Pechhio, c/o
Real Equity Assests & Consolidators, LLC
240 Crandon Blvd., Suite 250
Key Biscayne, FL 33149

RE: SCHOOL CONCURRENCY DETERMINATION
REAL EQUITY ASSEST & CONSOLIDATORS, LLC – SP-20
SITE PLAN APPROVAL OF REDEVELOPMENT RESIDENTIAL PROJECT
LOCATED AT NORTHEAST CORNER OF CRANDON BLVD. AND SUNRISE DRIVE
SP2412052500201 – Folio No. 2452050140010

Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced residential redevelopment application was reviewed for compliance with Public School Concurrency (**SP2412052500201**). The applicable Level of Service (LOS) standards of 100% Florida Inventory of School Housing (FISH) have not been impacted since the new multi-family residential project consists of less residential units than the existing residential complex being demolished.

Therefore, the application has complied with the requirements of public school concurrency and no further action is required at this time.

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,

Ivan M. Rodriguez, R.A.
Director I

IMR:ir
L591

cc: Mr. Ana Rijo-Conde
Ms. Vivian G. Villaamil
Village of Key Biscayne
School Concurrency Master File

Facilities Planning, Design and Sustainability
Ana Rijo-Conde, AICP, Eco-Sustainability Officer • 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net

VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council
Franklin H. Caplan, Mayor
Michael E. Kelly, Vice Mayor
Michael W. Davey
Enrique Garcia
Robert Gusman
Mayra P. Lindsay
James S. Tiernor

Director
Joel Kurlancheek, AICP

Chief Building Official
Eugenio M. Santiago, P.E.

PLANNING AND ZONING APPLICATION

Date Filed: 5-24-12

File # SP-20
to be completed by staff

1. REQUEST FOR:

( ) SUPERVISORY VARIANCE
( ) ADMINISTRATIVE VARIANCE
( ) REGULATORY VARIANCE
( ) APPEAL OF AN ADMINISTRATIVE DECISION
(X) SITE PLAN APPROVAL
( ) UNUSUAL USE
( ) OTHER _____
( ) AMENDMENT TO ZONING ORDINANCE
( ) SPECIAL EXCEPTION
( ) AMENDMENT TO THE COMPREHENSIVE PLAN
( ) ZONING DISTRICT CHANGE

Explain your request:

Obtain site approval for a new development on 101 Sunrise Dr.

2. Street Address of Property: 101 Sunrise Drive, Key Biscayne FL 33149

Legal Description: Lot(s) 1 Block 1

Subdivision: 4-5 55 42 RUTGERS SUB PB 76-62 LOT 1 BLK 1 LOT SIZE 28791 SQUARE FEET

3. Name of Applicant. REAL EQUITY ASSESTS & CONSOLIDATORS, LLC

Mailing Address of Applicant: 240 CRANDON BLVD, SUITE 250, KEY BISCAYNE, FL 33149

E Mail address of Applicant: rpecchio@gmail.com

Business Telephone: 786-360-5149 Cell 786-320-4005 Fax _____

4. Name of Property Owner if Different from Applicant: 101 GETTYSBURG LLC

Address of Property Owner if Different from Applicant: c/o Alan Levine, 1110 Brickell Ave # 700. Mia, FL

E Mail Address of Property Owner if Different from Applicant: awl@levinelawfirm.com

Business Telephone: 305-372-1350 Home _____ Fax _____

5. Contact Person: Name RAFAEL PECCHIO Address 240 Crandon Blvd, suite 250. KB, FL

E Mail Address: rpecchio@gmail.com

Phone Number: 786-320-4005 Fax N/A

6. Name/address of anyone else who should receive notice of the hearing?

Owner, as per number 4 above

7. If applicant is owner, indicate date purchased: N/A

8. If applicant is lessee, indicate date leased: N/A Years _____

9. Is there an option to purchase the property? Yes (X) No ( )

10. Is the request the result of a violation notice? NO If yes, attach a copy of the violation.

11. Existing use of property RESIDENTIAL If residential, how many apartments 20 hotel units N/A. If commercial, how many sq. ft. N/A in your space. Single family home? Yes ( ) No ( )

12. If this application pertains to an Appeal of a Administrative Decision, indicate the basis of the appeal. (If necessary attach additional explanation)

N/A

13. If this is a request for a variance, the Code requires that you substantiate why this request should be granted. In order to do this properly, please indicate how your request complies with the following standards:

a. Maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community.

N/A

b. Is compatible with the surrounding land uses and would not be detrimental to the community.
N/A

14. If this is a request for any other type of application, please see staff for a listing of the evaluation criteria.

15. All supporting data and exhibits submitted with this application become a permanent part of the public records.

16. If you are a lobbyist as described in the Village Code, please contact the Village Clerk at 305 365 5506.

SUPERVISORY VARIANCES ONLY

The Supervisory procedure requires the nearest abutting property owner to approve your request and your certification that the work was not performed by you. Your signature on this application constitutes your certification that you did not perform the work. The next step is to request the nearest property owner to sign below or provide a letter approving your request. Their signature certifies that they have read this application and approves of the request.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for a Supervisory Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date	Name (Type or Print	Address	Signature

ADMINISTRATIVE VARIANCES ONLY

The Administrative Variance procedures require all abutting property owners to approve your request. The attached map will assist you in identifying who must sign the below petition. It is suggested you meet with staff prior to circulating your petition.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for and Administrative Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date	Name (Type or Print	Address	Signature
Date	Name (Type or Print	Address	Signature
Date	Name (Type or Print	Address	Signature

Date	Name (Type or Print	Address	Signature
Date	Name (Type or Print	Address	Signature
Date	Name (Type or Print	Address	Signature

If you need additional signatures please use the above format.

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the Zoning Regulations. (I)(we) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(we) understand that the application and attachments become part of the official records of the Village and are not returnable.

Signature of Applicant: _____ Date 5-24-12.

Signature of Owner: _____ Date 5-23-12

Application Received by: _____ Date 5-24-12

Approved by: _____ Date _____

Requires Council Action
5-24-12

AFFIDAVITS

Complete one or more of the following that relates to your request.

Tenant or Owner Affidavit (if tenant is applicant then owner must sign owner/power of attorney affidavit)
I,_____, being first duly sworn, depose and say that I am the owner/tenant of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I,_____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

_____
Signature of Applicant

Sworn to (or affirmed) and subscribed before me this
_____ day of _____, by _____.
Name of person making statement

_____
Signature of Notary Public - State of Florida

_____
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced_____

****

Corporation Affidavit

I,_____, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Ass't. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application and all supplemental data attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I,_____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

_____
Signature of President (Corp. Seal)

Sworn to (or affirmed) and subscribed before me this
_____ day of _____, by _____.
Name of person making statement

_____
Signature of Notary Public - State of Florida

_____
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced_____

Owner/Power of Attorney Affidavit

I, being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for: Site Plan Approval filed by the contract buyer Real Equity & Assets Consolidators, LLC ("Applicant")

relative to my property, which is hereby made by me OR I am here by authorizing Applicant to be my legal representative before the Village Council.

I, ALAN W. LEVINE ~~DIEGO ORTEGA~~ of 101 Gettysburg, LLC, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Owner
Manager of 101 Gettysburg, LLC

Sworn to (or affirmed) and subscribed before me this 22nd day of May by Alan W. Levine.
Name of person making statement

Signature of Notary Public - State of Florida

Grace Rufin
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

GRACE RUFIN
MY COMMISSION # DD 841971
EXPIRES: December 27, 2012
Bonded Thru Notary Public Underwriters

GABRIEL LOPEZ ARCHITECT, PA
AA26001622
ARCHITECTURAL SERVICES
TEL. 305 479 4956
FAX. 786 242 8398
7400 SW 141 TER. MIAMI, FL. 33158
gl@gabriellopezarchitect.com

Miami June 15, 2012

Description for proposed new Project for 101 Sunrise Blvd.

The site, located at the corner of Sunrise Drive and Crandon Boulevard will be the home to the proposed multiple family residential structure. The site is currently occupied by a two story residential bearing wall structure in the midcentury Spanish Colonial style. The existing building contains 20 apartments of 1 & 2 bedroom unit types. Each apartment contains a one bathroom.

We propose the existing building be removed and a new contemporary residential building with a reduced number of residential units be constructed. A total of 11 residential units, 30 ground floor parking spaces, and a total built area of 23,032 square feet. Typical units will be 3 bedrooms with individual baths, and twelve foot high ceilings.

The buildings main entrance will be along Sunrise Drive. Residents and visitors will approach the entry via a covered bridge, well-landscaped area on either side. The first floor lobby will be 1,370 square feet, with a concierge desk and restroom. Two passage elevators accessible from the lobby will be provided. Two additional elevators will be accessible from the parking area.

The building's design features include deep balconies and floor to ceiling glazing along Sunrise Drive, providing outdoor areas and shading for the residents within. The entire façade will be framed in white stucco reinforced concrete, creating a current interpretation of the horizontal lines and framed elements commonly associated with the contemporary style.

Amenities include rooftop swimming pool, wood decking and planted areas for resident use. These features will also help reflect and absorb solar heat gain. Two handicap accessible restrooms are proposed at this level. Roof top mechanical equipment will be screened so that the neighbors' sightlines will be minimally impacted with unattractive views.

Cordially,

Gabriel López C.

101 SUNRISE

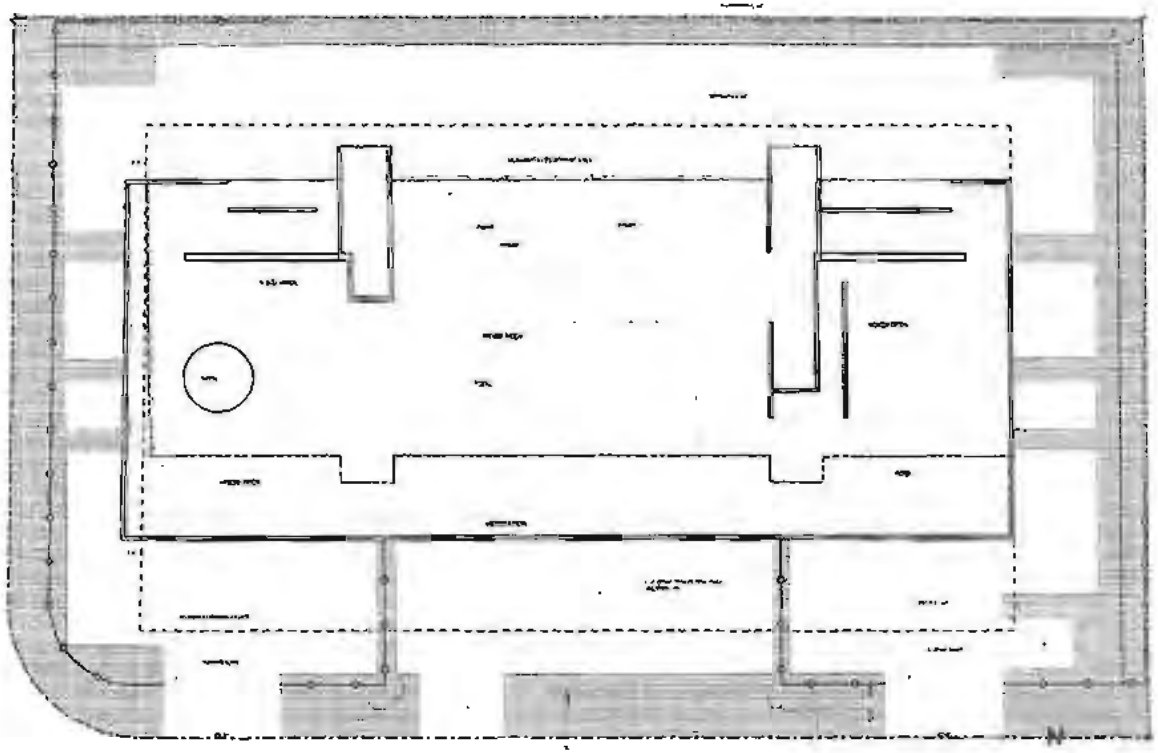
CONSULTANTS

R.E.A.C.
101 SUNRISE
101 SUNRISE BLVD.
KEY BISCAYNE, FLORIDA 33149

30

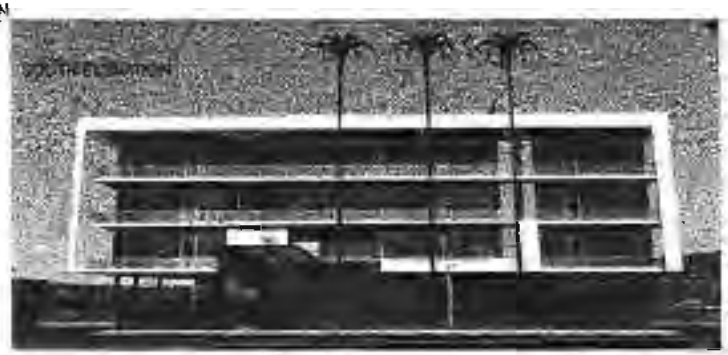
A-0

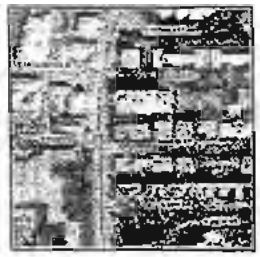
CRANDON BOULEVARD



SUNRISE DRIVE

SITE PLAN





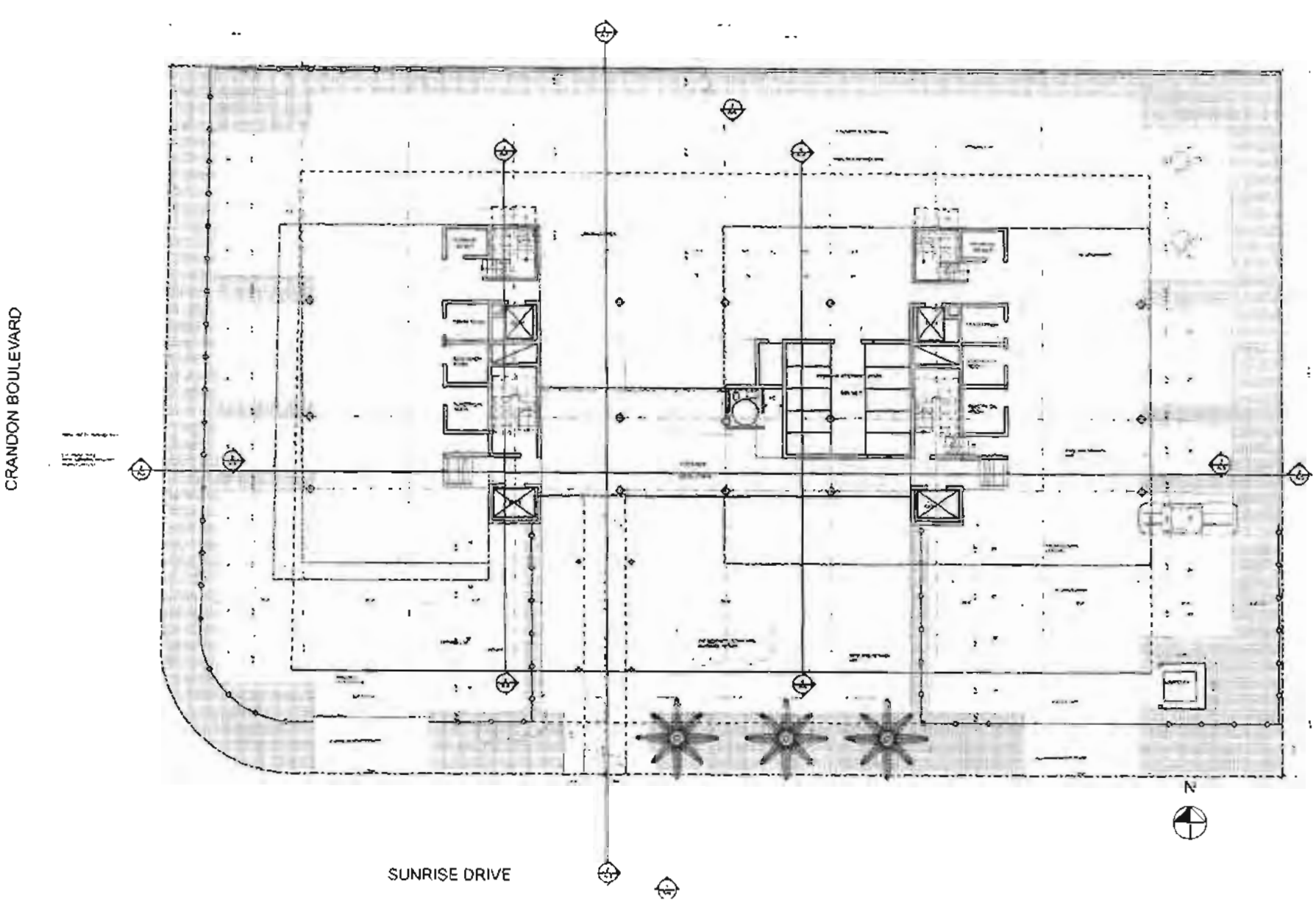
LOCATION PLAN N.T.S.

CONSULTANTS

R.E.A.C.
101 SUNRISE
101 SUNRISE BLVD.
KEY BISCAYNE, FLORIDA 33149

SITE PLAN

A-1



GROUND LEVEL

CONSULTANTS

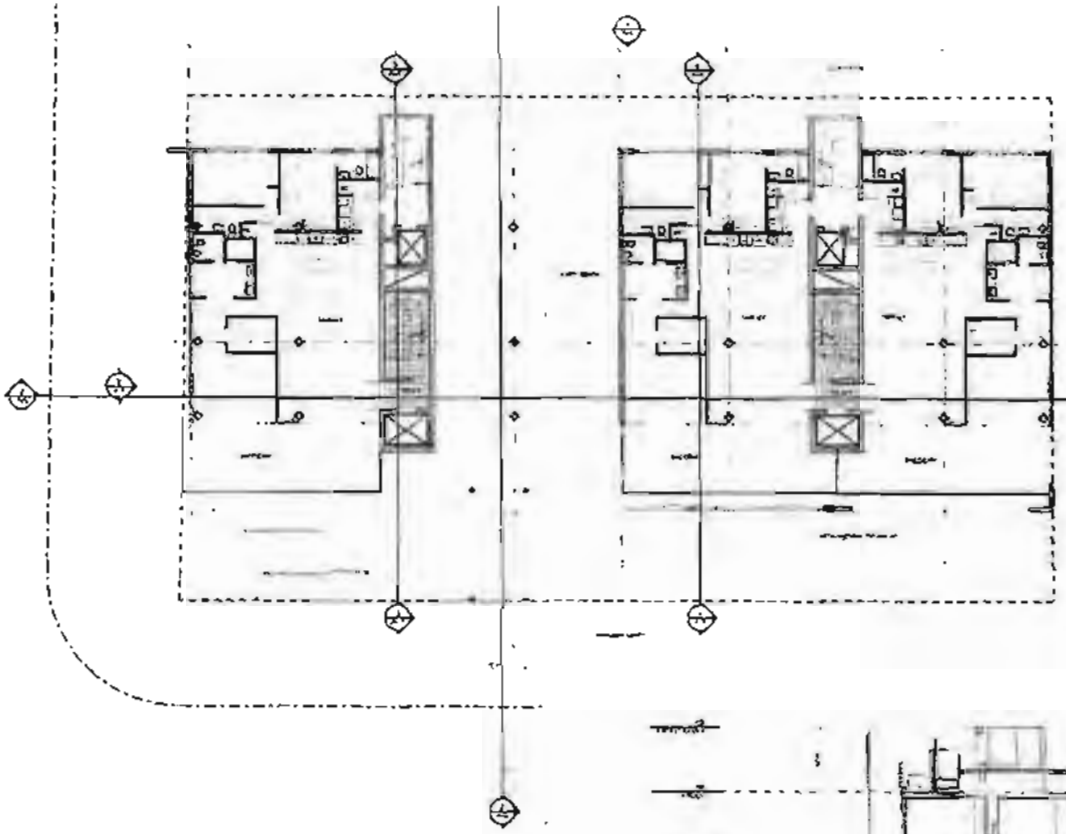
R.E.A.C.
101 SUNRISE
101 SUNRISE BLVD.
KEY BISCAYNE, FLORIDA 33149

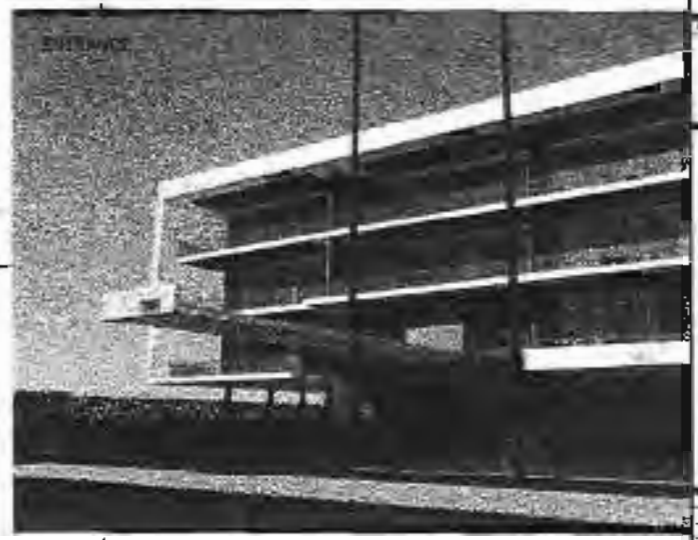
GROUND FLOOR

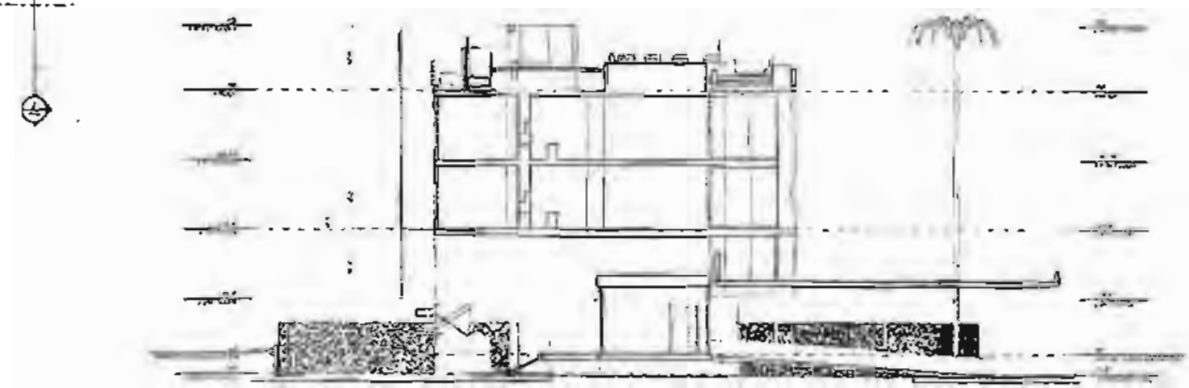
A-2

2nd FLOOR

A-3







2 SECTION

A-3

R.E.A.C.

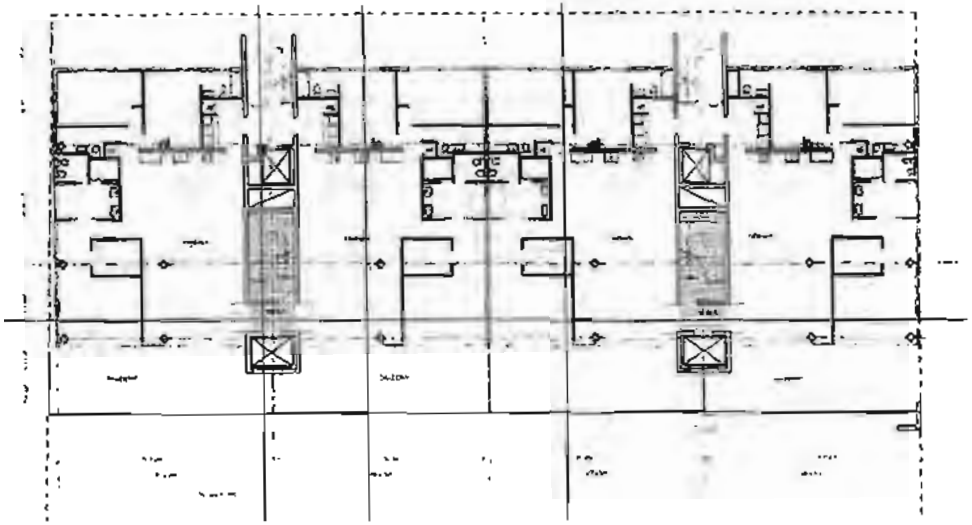
101 SUNRISE

101 SUNRISE BLVD.

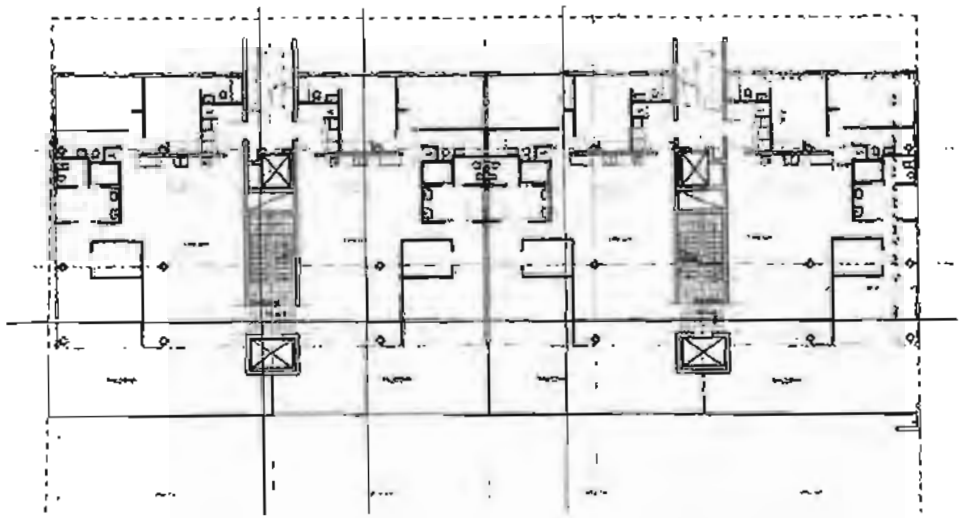
KEY BISCAYNE, FLORIDA 33149

SECOND FLOOR

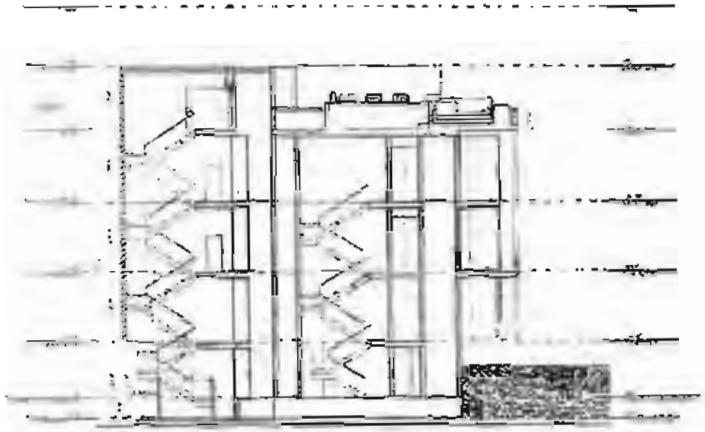
A-3



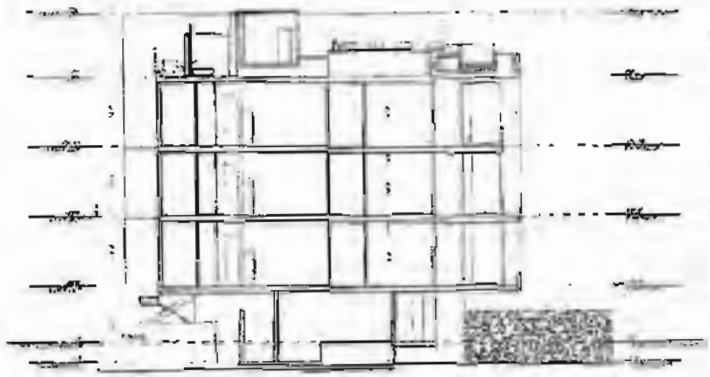
1 3rd FLOOR



2 4TH FLOOR



3 SECTION



4 SECTION

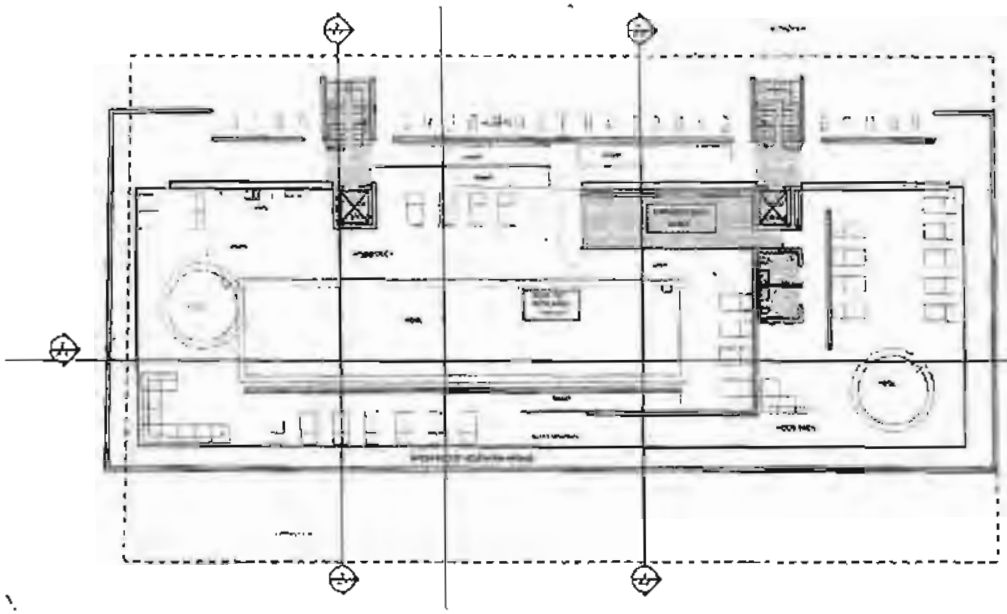
CONSULTANTS

R.E.A.C

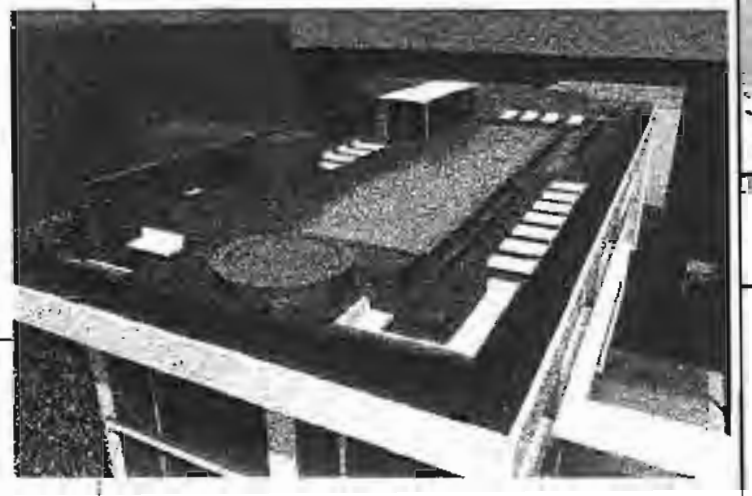
101 SUNRISE

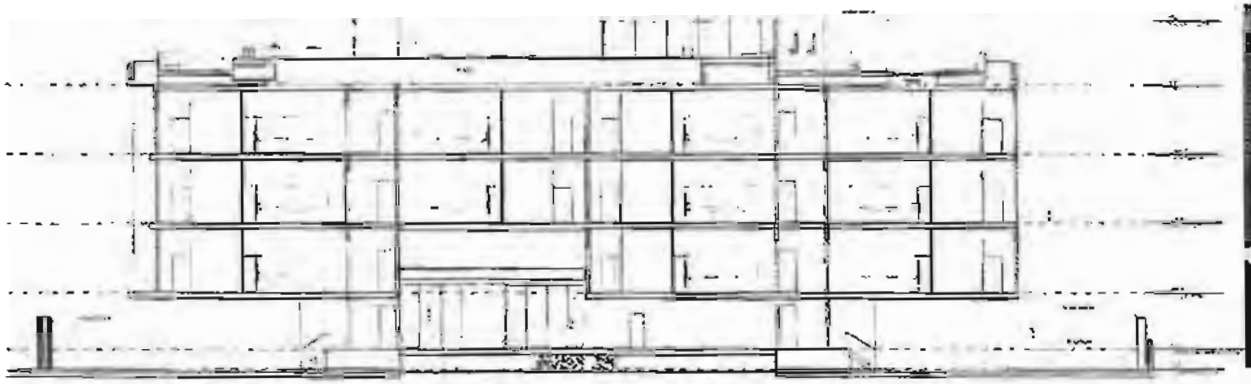
3 AND 4 FLOORS

A-4

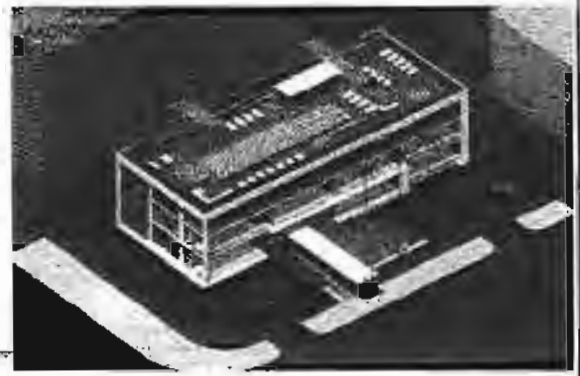


1 ROOF
A-5





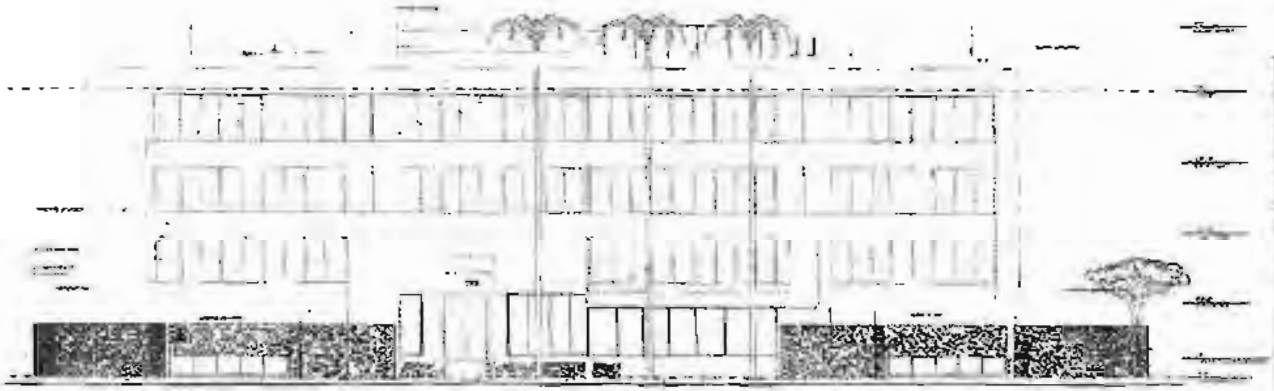
2 SECTION
A-5



R E A.C.
101 SUNRISE
101 SUNRISE BLVD
KEY BISCAYNE, FLORIDA 33149

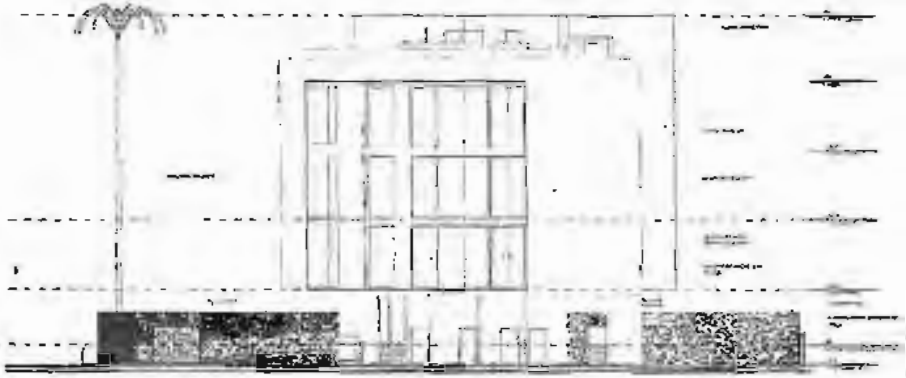
FOURTH FLOOR

A-5

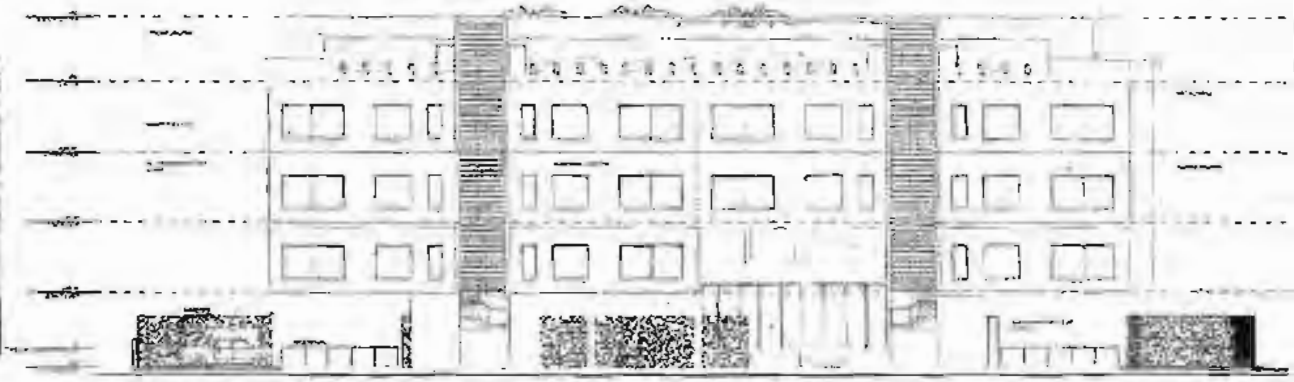


1 SOUTH ELEVATION
A-6

2 WEST ELEVATION
A-6



3 EAST ELEVATION
A-6



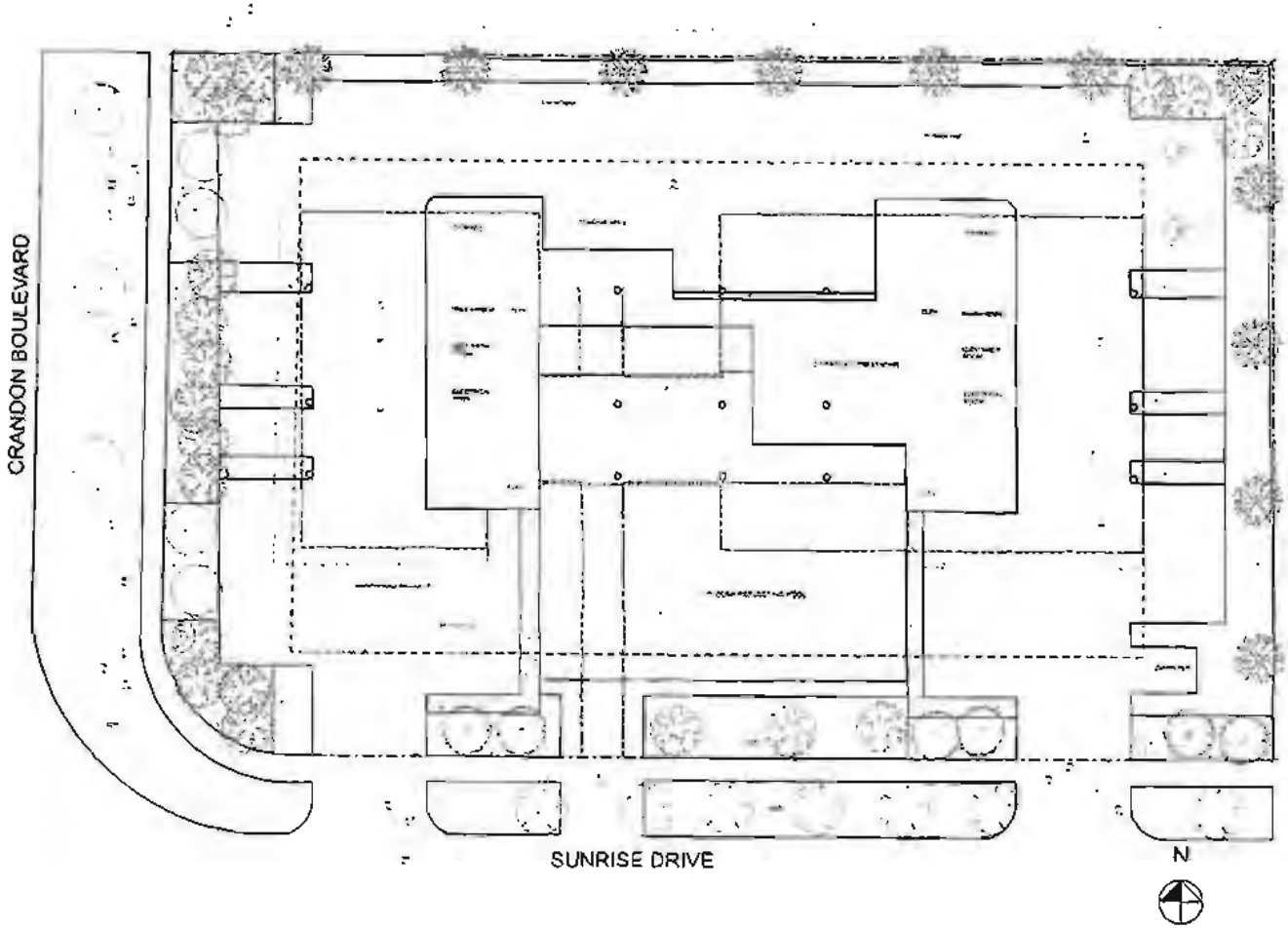
4 NORTH ELEVATION

CONSULTANTS

R.E.A.C.
101 SUNRISE
101 SUNRISE BLVD.
KEY BISCAYNE, FLORIDA 33149

ELEVATIONS

A-6



1 GROUND LEVEL PLANTING PLAN
AL

PLANT LIST

CONSULTANTS

R.E.A.C.
101 SUNRISE
101 SUNRISE BLVD.
KEY BISCAYNE, FLORIDA 33149

LANDSCAPE PLAN

AL

FOLIO#: 2452050140010

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

ELEVATION CERTIFICATE

Important: Read the Instructions on pages 1 - 7.

O.M.B. No. 3067-0077
Expires December 31, 2005

4-0010929

SECTION A - PROPERTY OWNER INFORMATION

For Insurance Company Use
Policy Number
Company NAIC Number

BUILDING OWNER'S NAME
101 GETTYSBURG, LLC

BUILDING STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NO.
101 SUNRISE DR

CITY: KEY BISCAYNE | STATE: FL | ZIP CODE: 33149

PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Lot 1 Block 1 of RUTGERS SUBDIVISION according to the plat thereof as recorded in Plat Book 76 at Page 62 of the public records of MIAMI-DADE County, Florida.

BUILDING USE (e.g. Residential, Non-residential, Addition, Accessory, etc. Use Comments section if necessary.)
RESIDENTIAL

LATITUDE/LONGITUDE (OPTIONAL) (## - ## - ##.## or ##.#####) | HORIZONTAL DATUM: [ ] NAD 1927 [ ] NAD 1983 | SOURCE: [ ] GPS (Type): [ ] USGS Quad Map [X] Other: NGVD 1929

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER	B2. COUNTY NAME	B3. STATE
KEY BISCAYNE 120648	MIAMI-DADE	FL

B4. MAP AND PANEL NUMBER	B5. SUFFIX	B6. FIRM INDEX DATE	B7. FIRM PANEL EFFECTIVE/REVISED DATE	B8. FLOOD ZONE(S)	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding)
12025C0281	J	07/17/1995	03/02/1994	AE	9FT

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.
[ ] FIS Profile [X] FIRM [ ] Community Determined [ ] Other (Describe):

B11. Indicate the elevation datum used for the BFE in B9: [X] NGVD 1929 [ ] NAVD 1988 [ ] Other (Describe):

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? [ ] Yes [X] No
Designation Date: _____

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: [ ] Construction Drawings* [ ] Building Under Construction* [X] Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number 1 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO
Complete Items C3.a-i below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.
Datum NGVD 1929 Conversion/Comments N/A
Elevation reference mark used 60 Does the elevation reference mark used appear on the FIRM? [X] Yes [ ] No

[ ]	a) Top of bottom floor (including basement or enclosure)	6.90	ft.(m)
[ ]	b) Top of next higher floor	9.26	ft.(m)
[ ]	c) Bottom of lowest horizontal structural member (V zones only)	N/A	ft.(m)
[ ]	d) Attached garage (top of slab)	N/A	ft.(m)
[ ]	e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area.)	N/A	ft.(m)
[ ]	f) Lowest adjacent (finished) grade (LAG)	5.15	ft.(m)
[ ]	g) Highest adjacent (finished) grade (HAG)	5.37	ft.(m)
[ ]	h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade	N/A	
[ ]	i) Total area of all permanent openings (flood vents) in C3.h	N/A	sq. in. (sq. cm)

License Number, Embossed Seal, Signature, and Date
#5204 09/16/2004

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.
I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.
I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME	LICENSE NUMBER	
John Ibarra	5204	
TITLE: Professional Land Surveyor	COMPANY NAME: NOVA SURVEYORS, INC.	
ADDRESS: 5502 N.W. 7TH STREET, SUITE 202	CITY: MIAMI	STATE: FL	ZIP CODE: 33126
SIGNATURE	DATE: 09/16/2004	TELEPHONE: (305) 264-2660

IMPORTANT: In these spaces, copy the corresponding information from Section A.		4-0010929	For Insurance Company Use:
BUILDING STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NO. 101 SUNRISE DR			Policy Number
CITY KEY BISCAYNE	STATE FL	ZIP CODE 33149	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS

| | Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete Items E1 through E4. *If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.*

E1. Building Diagram Number (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

E2. The top of the bottom floor (including basement or enclosure) of the building is | | ft.(m) | | in.(cm) | | above or | | below (check one) the highest adjacent grade. (Use natural grade, if available.)

E3. For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is | | ft.(m) | | in.(cm) above the highest adjacent grade. Complete Items C3.h and C3.i on front of form.

E4. The top of the platform of machinery and/or equipment servicing the building is | | ft.(m) | | in.(cm) | | above or | | below (check one) the highest adjacent grade. (Use natural grade, if available.)

E5. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? | | Yes | | No | | Unknown. The local official must certify this information in Section

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, C (Items C3.h and C3.i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, C, and E are correct to the best of my knowledge.*

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME
101 GETTYSBURG, LLC

ADDRESS	CITY	STATE	ZIP CODE
101 SUNRISE DR	KEY BISCAYNE	FL	33149
SIGNATURE	DATE	TELEPHONE	

COMMENTS

| | Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E) and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

G1. | | The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

G2. | | A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

G3. | | The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. PERMIT NUMBER	G5. DATE PERMIT ISSUED	G6. DATE CERTIFICATE OR COMPLIANCE/OCCUPANCY ISSUED

G7. This permit has been issued for: | | New Construction | | Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building is: _____ ft.(m) Datum: _____

G9. BFE or (in ZONE AO) depth of flooding at the building site is: _____ ft.(m) Datum: _____

LOCAL OFFICIAL'S NAME	TITLE
COMMUNITY NAME	TELEPHONE
SIGNATURE	DATE

COMMENTS

| | Check here if attachments

5382 N.W. 7th STREET SUITE 202
MIAMI, FLORIDA 33126
TELEPHONE: (305) 228-3777
FAX: (305) 554-0285

Nova Surveyors Inc.

LAND SURVEYORS

SURVEY No. 4-0010929

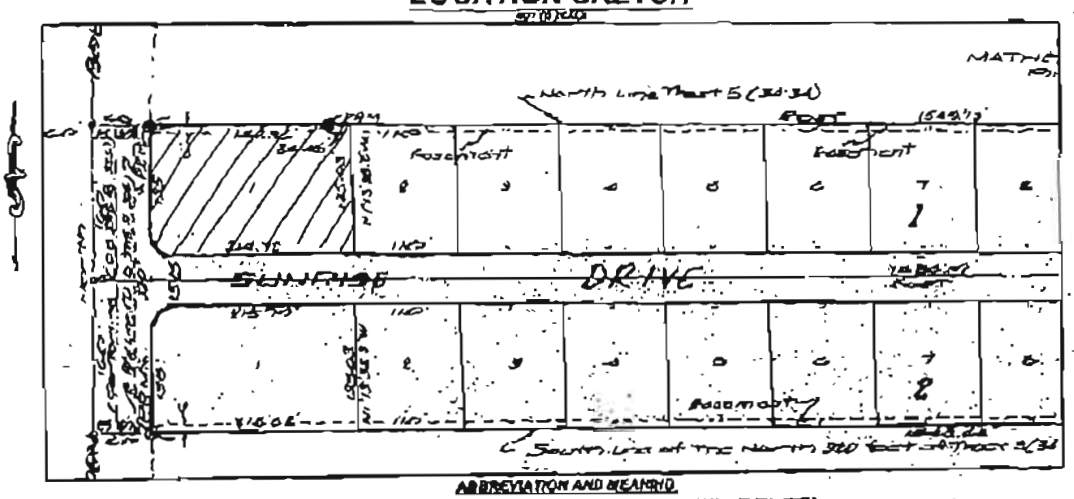
SHEET No. 1 OF 2

DRAWN BY: NO.

Survey of Lot: 1 Block: 1
Subdivision: RUTGERS SUBDIVISION
According to the Plat thereof as recorded in the Plat Book No. 76 at Page No. 62 of the public records of MIAMI-DADE County, Florida.

Property Address: 101 SUNRISE DR, KEY BISCAYNE, FL 33149
For: 101 GRETTYSBURG, LLC Date: 09/15/2004

LOCATION SKETCH



ABBREVIATION AND MEANING

A = ARC.
A/C = AIR CONDITIONER PAD.
A.B. = ANCHOR BOLDCOUT.
A/R = ALUMINUM ROOF.
A/S = ALUMINUM SIDING.
ATTY. = ATTORNEY.
B.C. = BLOCK CORNER.
BLDG. = BUILDING.
B.M. = BENCH MARK.
C.D.R. = DADE COUNTY RECORDS.
D.B. = DEED OF MEANINGS.
C = CALCULATED.
Δ.δ = DELTA DEGREE.
C.B.S. = CONCRETE BLOCK STRUCTURE.
C.B.W. = CONCRETE BLOCK WALL.
CP = CARPORT.
C.L.F. = CHAIN LINK FENCE.
CL = CLEAR.
C.L.F. = CHAIN LINK FENCE.
D.E. = DRAINAGE EASEMENT.
CONC. = CONCRETE.
C.P. = CARPORT.
C.B. = CONCRETE BLOCK.
D.E. = DRAINAGE EASEMENT.
D.H.E. = DRAINAGE MAINTENANCE EASEMENT.
DRIVE = DRIVEWAY.
= DEGREES.
E.V.P. = ELECTRICAL TRANSFORMER PAD.
ELEV. = ELEVATION.
ENCR. = ENCROACHMENT.
F.H. = FIRE HYDRANT.
F.F.P. = FINISHED FLOOR PLAN.
F.F.E. = FINISHED FLOOR ELEVATION.
F.W.O. = FOUND NAIL & CAPS.
FF = FEED.
FNTY. = FEDERAL NATIONAL INSURANCE PROGRAM.
F.N. = FOUND NAIL.
N. = NAIL (NO DISK)
FN. NAC. = FOUNDS AND NAILS CLEARED.
L.F. = LINEAR FEET.
L.F.P. = LOWEST FLOOR ELEVATION.
L.M.E. = LAKE MAINTENANCE EASEMENT.

' = MINUTES.
M. = MEASURED DISTANCE.
M/S = MASONRY.
N.S.P. = NOT A PART OF.
NGVD = NATIONAL GEODETIC VERTICAL DATUM.
N.T.S. = NOT TO SCALE.
P.NO. = PERMIT.
O/S = OFFSET.
O.R. = OFFICIAL
O.R.L. = OFFICIAL RECORD LEGAL.
O.R.B. = OFFICIAL RECORD BOOK.
OPP = OPPOSITE.
PROP. = PROPERTY.
PL = PLANTER.
P/L = PROPERTY LINE.
P.C.C. = POINT OF COMPOUND CURVE.
P.C. = POINT OF CURVE.
P.T. = POINT OF TANGENT.
P.O.C. = POINT OF COMMENCEMENT.
P.O.B. = POINT OF BEGINNING.
P.O.R. = POINT OF REFERENCE.
PROP = PROPERTY.
PRM = PERMANENT REFERENCE MONUMENT.
P.L.S. = PROFESSIONAL LAND SURVEYOR.
R.L. = RECORD DEVIATION.
RR = RAIL ROAD.
REF. = REFERENCE.
R/W = RIGHT-OF-WAY.
RAD = RADIUS OF BEARING.
REM. = REMOVE.
R.O.E. = ROOF OVERHANG EASEMENT.
SEC. = SECTION.
SPT = SPOT.
TYP. = TYPICALLY.
F.I.P. = SET PROP PIPE S.S. SEAL.
= NOTED.
= RECORDED.
= TANGENT.
CNT = TOWNSHIP.
UTIL. = UTILITY.
U.E. = UTILITY EASEMENT.
U.P. = UTILITY POLE.

W.V. = WATER VALVE.
W.P. = WOOD POLE.
W.F.S. = WOOD SIDE.
W.R. = WOOD ROOF.
= BOUNDARY LINE.
= CENTER LINE.
= CENTRAL ANGLE.
Δ = ANGLE.

LEGEND TYPICAL

= OVERHEAD UTILITY LINES
C.B.S. = BALL (CBS)
C.L.F. = CHAIN LINK FENCE.
I.F. = IRON FENCE.
W.F. = WOOD FENCE.
= BOUNDARY LOCATIONS.

SURVEYOR'S NOTES

1. IF SHOWN, BEARINGS ARE REFERENCED TO AN ASSUMED BEARING BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY. IF NOT, THEY BEARINGS ARE REFERENCED TO COUNTY, TOWNSHIP MAPS.
2. IF SHOWN, ELEVATIONS ARE REFERENCED TO _____ DATUM _____ FEET OF MEAN SEA LEVEL.
3. THIS IS A BOUNDARY SURVEY.
4. THE ELEVATION IN THE BOUNDARY BORING IS ABOVE GRADE FT.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY OF THE PROPERTY DESCRIBED HEREON WAS RECENTLY MADE AND REVISED AND DRAWN UNDER MY SUPERVISION AND COMPLIED WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

GEORGE NAVARRA DATE OF SURVEY 9-16-04

PROFESSIONAL LAND SURVEYOR NO. 2534
STATE OF FLORIDA

(NOT VALID UNLESS OF THIS DRAWING HAS THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR)

REVISED ON: _____

REVISED ON: _____

REVISED ON: _____

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY (SURVEY):

1) THE LINE OF THE BUILDINGS AS SHOWN ON THE PUBLIC RECORDS HAS NOT BEEN ON THIS SURVEY.
2) THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING A TITLE INSURANCE AND MORTGAGE AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
3) LOCATIONS OF THE ABSTRACT OF TITLE HAVE TO BE MADE TO DETERMINE ACCURATE BOUNDARIES, RIGHT OF WAYS, EASEMENTS AFFECTING THE PROPERTY.
4) THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD.
5) LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
6) BOUNDARY SURVEY MEANS A DRAWING AND/OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A MINIMUM SCALE AND/OR NOT TO SCALE.
7) EASEMENTS AS SHOWN ARE PER PLAT BOOK UNLESS OTHERWISE STATED.
8) THE TERMS "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS.
9) ANYONE IS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS, SETBACKS AND THEY BE RESPONSIBLE OF COMPLYING IN OF PLANS WITH THE COMPETENT MUNICIPALITY FOR PERMITTING FOR AUTHORITY FOR AUTHORIZATION TO AUTHORIZATION A NEW CONSTRUCTION.
10) UNLESS OTHERWISE NOTED, THIS PLAN HAS NOT ATTEMPTED TO SHOW FOOTING AND/OR FOUNDATIONS.
11) TREES OR VEGETATION NOT DEPICTED.
12) THIS PLAN OF SURVEY, THE SEAL AFFIXED AND THE EXECUTION DATE OF THIS CERTIFICATE NAMED HEREON, TYPE OR SPECIFIC DOES NOT EXTEND TO ANY OTHER DATE.
13) THE FLOOD ELEVATION HAS BEEN DETERMINED THE HORIZONTAL DATUM FOR FEET.

Situated in Zone: AE Community/Panel/Suffix: 120648-0281-J
Date of Firm: 07/17/1995 Base Flood Elevation: 9FT
Certified to: 101 GRETTYSBURG, LLC
ATTORNEYS' TITLE INSURANCE FUND, INC.
LEVINE AND PARTNERS, P.A.
TOTAL BANK, ITS SUCCESSORS AND/OR ASSIGNS

SEAL

5582 N.W. 7th STREET SUITE 202
MIAMI, FLORIDA 33126
TELEPHONE: (305) 220-3171
FAX: (305) 264-0238

Nova Surveyors Inc.

LAND SURVEYORS

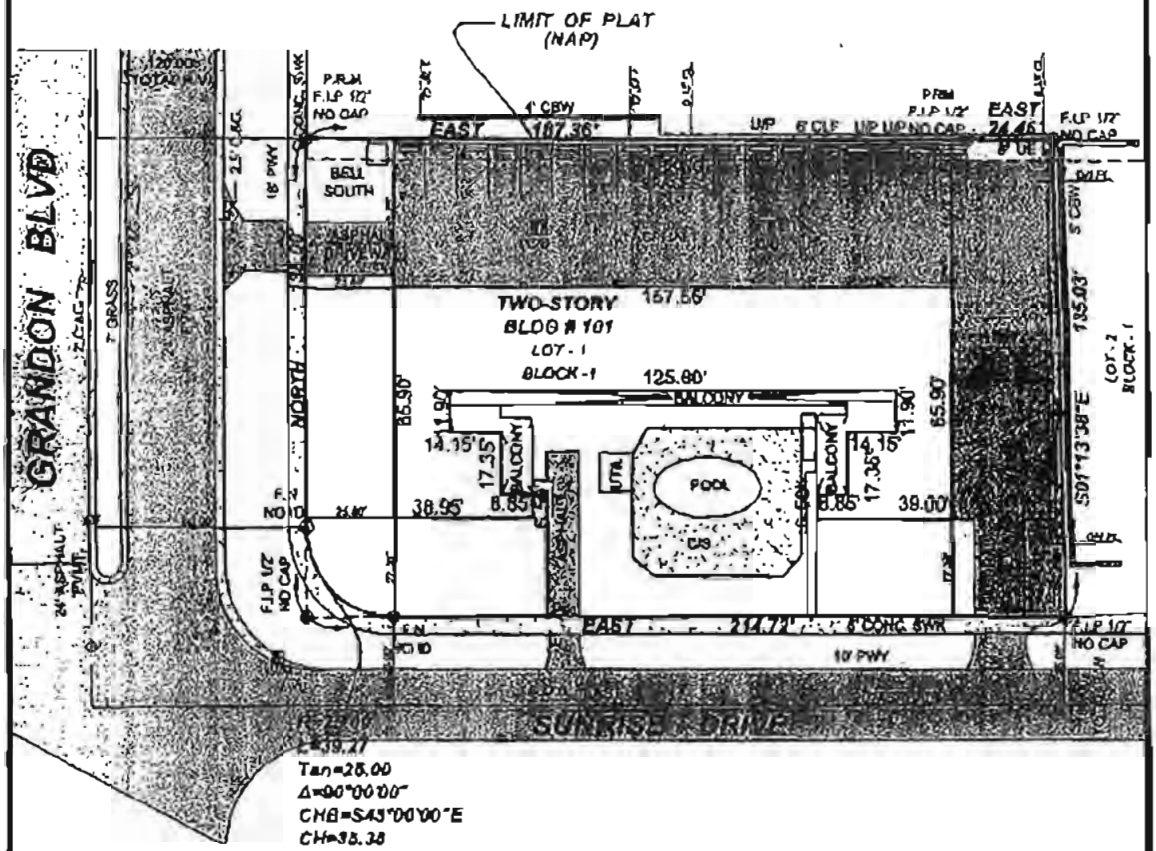
SURVEY No. 04-10929

DRAWN BY: NG.

SHEET No. 2 OF 3

BOUNDARY SURVEY

SCALE = 1" : 40'



SURVEYOR'S NOTE:

- There may be Easements recorded in the Public Records not shown on this Survey.
- The purpose of this Survey is for use in obtaining Title Insurance and Financing and should not be used for Construction purposes.