County Commission Meeting  
August 21, 2019  
Agenda Item Number: P.13  
Agenda Item Summary #5910

BULK ITEM: Yes  
DEPARTMENT: County Attorney's Office

TIME APPROXIMATE: N/A  
STAFF CONTACT: Paunece Scull (305) 295-3170

AGENDA ITEM WORDING: Approval of a contract to purchase a less than fee interest in Block 2, Lot 15, Torchwood West Unit Two (PB 6-74) with parcel number 00243622-002800 and a purchase price of $85,500 for density reduction purposes.

ITEM BACKGROUND: This acquisition is proposed pursuant to BOCC Resolution 438-2018 (the Less Than Fee Acquisition Program) to protect property rights, to reduce density, and to reduce the County’s potential liability for takings suits.

The subject property consists of a 6,000 square foot canal lot on Egret Lane on Big Torch Key near mile marker 28. The property is designated Tier 1 – Natural Area and is zoned Improved Subdivision. The property is a mowed lot with native landscaping and no accessory structures other than a picnic table.

The Planning and Environmental Resources Department has confirmed the property has the potential to be developed with one dwelling unit and the Land Authority has prepared and negotiated the proposed purchase contract on behalf of the BOCC. The property owner has agreed to retire the development rights for dwelling units and detached habitable space on the property. The purchase price for this less than fee interest is $85,500, which is the current market land value indicated on the Monroe County Property Appraiser’s website. The estimated closing costs for this transaction will be approximately $1,250.

Once the proposed transaction closes, the Seller will continue to own the lot and may use it in conjunction with his existing house on his adjoining parcel but will be precluded from developing the lot with a dwelling unit or other detached habitable space.

PREVIOUS RELEVANT BOCC ACTION: The Board budgeted funds for purchases which are intended to reduce density and to reduce the County’s potential exposure to property rights’ related lawsuits through voluntary purchases.

CONTRACT/AGREEMENT CHANGES:
STAFF RECOMMENDATION: Approval

DOCUMENTATION:
KauffmanContract
KauffmanMCPAData

FINANCIAL IMPACT:

Effective Date: August 21, 2019
Expiration Date: None

Total Dollar Value of Contract: $85,500.00 plus estimated closing costs of $1,250.00
Total Cost to County: $86,750.00
Current Year Portion: $86,750.00
Budgeted: Yes
Source of Funds: 304 Funds infrastructure sales surtax
CPI: N/A
Indirect Costs: N/A
Estimated Ongoing Costs Not Included in above dollar amounts: N/A

Revenue Producing: No
Grant: No
County Match: N/A
Insurance Required: N/A
Additional Details: $85,500.00 plus closing costs estimated to be approximately $1,250.00

08/21/19 NEW COST CENTER ADDED $86,750.00

REVIEWED BY:
Charles Pattison Completed 08/05/2019 1:40 PM
Paunce Scull Skipped 08/05/2019 3:59 PM
Bob Shillinger Completed 08/05/2019 4:03 PM
Budget and Finance Completed 08/06/2019 2:50 PM
Maria Slavik Completed 08/06/2019 2:56 PM
Kathy Peters Completed 08/06/2019 3:00 PM
Board of County Commissioners Pending 08/21/2019 9:00 AM