

# Making downstairs enclosures legal

Dealing with bevy of approvals needed isn't that hard

By DICK CONKLIN  
Keys Sunday contributor

They are almost as common to the Keys as iguanas. If you have one, you can either ignore it, disguise it or legalize it.

Downstairs enclosures are built under elevated homes that some people use as guest rooms — or would like to. Many downstairs enclosures are illegal, since a storm surge could easily flood them, endangering the people inside.

Some are grandfathered in, but most are not. If the room isn't legal — meaning the floor is a specified height above the local flood plain and the rest of the room is up to code — it can't be used for sleeping quarters. You can't include it in your real estate listing if you put your house up for sale, and you probably won't be able to get flood insurance for it, determined by



Once the permit was approved, we started work on the most critical part of the project — raising the floor to meet FEMA minimum flood requirements. The door to the outside (left) was raised next.

Federal Emergency Management Agency regulations.

Our downstairs room was once used as a workshop and later as a storage space. During Hurricane Wilma, we piled everything up high to avoid the rising waters. That's when we

decided to take the big step and make it legal. It made perfect sense — the money spent on converting that room to a legal third bedroom and third bath would be more than compensated by our home's increase in value. A good investment, right?

We had never taken on a home improvement job of this magnitude. We didn't have the skills to do it ourselves, so we decided to hire contractors — general (carpenters), electrical and plumbing, as well as an architect and surveyor. Somehow

we would orchestrate the project so that everything would move along smoothly and we would finish on schedule.

Advice to others wanting to take on a project of this magnitude: As the first step, find a qualified psychiatrist to determine if you're ready to ride this emotional roller coaster. A marriage counselor might also be a good idea, since this kind of undertaking will put pressure on even the best of marriages.

We are strong believers in preparation: Do the homework, get all the facts, lay out the plan, and get everyone to agree before starting.

On the Web, visit the local municipality's site for the building or planning department. We live in Marathon, but most of this will also apply to Islamorada, Layton, Key Colony Beach, Key West and, of course, Monroe County.

We filled a large, three-ring notebook with Web page printouts, the permit application, state health department regulations, and e-mail addresses and phone numbers for the key people we would be dealing with. We

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## New downstairs ready for guests

### ENCLOSURE / From 5

can call Odalys Mayan in the Monroe County Building Department at 289-2583 or stop at their office at 2798 Overseas Highway, Suite 300, in Marathon, where they keep records of county-licensed contractors and any complaints filed against them.

The next step was to find a local architect who had worked on projects like ours. First we called the original architect who had designed our home. Although he was booked up for several months, he took the time to prepare a rough sketch of our planned project, adding a signed statement saying that in his opinion it was doable — that is, the

floor could be raised enough to satisfy the flood requirements. Then we shopped around for a local architect who drew up the engineering plans that were needed for the permit application.

Once the permit was approved and posted outside, we were ready to begin. We met with contractors to determine the scope of carpentry and other work, how much time each week that they could devote to it, and how long it would take to finish. We got the architect and carpenter to talk to the plumber and electrician about a timeline, so they could coordinate their work. Since a new elevation certificate was required, we asked the city to explain the roles of the architect and surveyor in meeting this requirement.

If the architect's plans are not followed exactly, one contractor's work may turn out to be incompatible with another contractor's work and rework might be needed. (Contractors are not always the best communicators. They are trained to work with their hands, not hold hands, and they may fail to warn you about some of the bumps in the road.)

Put as much in writing as you can at the start. If your contractor won't agree to a legal or semi-legal contract, write all of the detailed steps in a letter and send it to them. Update it along the way. At least you will have your assumptions down on paper and give them an opportunity to disagree. Keep an on-site job book on hand, where you can add comments and special

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### On the Web . . .

- ◆ Monroe County Property Appraisals: [www.mcpafl.org/departments/appraisals.asp](http://www.mcpafl.org/departments/appraisals.asp)
- ◆ Monroe County Building Department: [monroecofl.virtualtownhall.net/Pages/MonroeCoFL\\_BuildingDept/index](http://monroecofl.virtualtownhall.net/Pages/MonroeCoFL_BuildingDept/index)
- ◆ Marathon Building Department: [www.ci.marathon.fl.us/index.asp?NID=20](http://www.ci.marathon.fl.us/index.asp?NID=20)
- ◆ Islamorada Building Department: [www.islamorada.fl.us/newsite/building\\_forms/default.asp](http://www.islamorada.fl.us/newsite/building_forms/default.asp)
- ◆ City of Layton: [www.cityoflayton.com/](http://www.cityoflayton.com/)
- ◆ Key West Building Department: [www.keywestcity.com/departments/index.asp?fDD=4-0](http://www.keywestcity.com/departments/index.asp?fDD=4-0)
- ◆ Key Colony Beach building permits: [www.keycolonybeach.net/permits.html](http://www.keycolonybeach.net/permits.html)
- ◆ Florida Building Codes: [www.floridabuilding.org/BCISold/bc/default.asp](http://www.floridabuilding.org/BCISold/bc/default.asp)
- ◆ Florida Contractor Licensing: [www.myflorida.license.com](http://www.myflorida.license.com)
- ◆ Florida Contractor Complaints: [www.myflorida.license.com/sto/unlicensedactivity/default.asp?SID=](http://www.myflorida.license.com/sto/unlicensedactivity/default.asp?SID=)
- ◆ FEMA Flood Insurance Requirements: [www.floodsmart.gov/floodsmart/pages/fastfacts.jsp](http://www.floodsmart.gov/floodsmart/pages/fastfacts.jsp)

instructions as you think about them and your contractors can read them and leave notes of their own. Meet with your contractors as often as necessary. Never assume anything. Hold the final payment until the work is done.

You may want to open a project charge account at a local home improvement center or lumber yard, where your contractor can charge job-related purchases. You can go online as needed to track the charges. We kept a detailed spreadsheet to record all of our costs throughout the project.

We tried to do as much as possible ourselves, things like painting the walls and putting the grout between the tiles. We installed some of the bathroom hardware, painted the doors and added the doorknobs.

We also hauled away the trash. Since our local garbage

service charged a hefty fee to pick up leftover construction materials, we hauled them up to the Long Key Transfer Station, where they weigh your car or truck full of trash, wait for you to dump it out, and then weigh you again and charge you for the difference. Generally it cost us around \$10 to \$15 for each load.

Our new bedroom and bathroom are now finished. We put the shower stall in a space once reserved for a dumb waiter. The front and back doors to the room (one in the garage and the other outside) were raised to the level of the new floor, with two sets of stairs for access.

Yes, there were many moments of stress when things didn't go as planned.

Now that it's over, we feel a great sense of relief. Our old downstairs enclosure is now legal and useful, ready for any out-of-town guests.

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