THE CITY OF KEY WEST PLANNING BOARD Staff Report

To:

Chair and Planning Board Members

From:

Kevin Bond, AICP, LEED Green Associate, Planner II

Through:

Donald Leland Craig, AICP, Planning Director

Meeting Date:

July 24, 2014

Agenda Item:

Variance - 760 Washington Street (RE # 00037560-000000; AK # 1038300) A request for variance to minimum street side setback for the construction of an interior stairway for an existing single-family residential dwelling on property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to Sections 90-395 and 122-600(6)d. of the Land

Development Regulations of the Code of Ordinances of the City of Key West,

Florida

Request:

Variance approval to reduce the minimum street side setback from 7.5 feet

to 3'-9" for an interior stairway addition to a single-family residence.

Applicant:

Adele V. Stones, Stones & Cardenas

Property Owner:

Stuart M. Kaufman

Location:

760 Washington Street (RE # 00037560-000000; AK # 1038300)

Zoning:

Historic Medium Density Residential (HMDR)



Background:

The property, which is located at the southern corner of Washington and William Streets, is comprised of a two-story, single-family residential dwelling with common accessory structures. Although the property is not located within the Key West Historic District, Certificates of Appropriateness are required within all historic zoning districts. The Applicant proposes a small addition to the existing house to accommodate a new interior stairway, which would replace an existing spiral staircase. The existing residence is nonconforming to the minimum rear and street side setbacks. The proposed addition would increase the nonconformity of the three-dimensional building envelope within the minimum street side setback, which would require a variance. The property is within the AE-6 and X FEMA flood zones. The following table summarizes the requested variance and site conditions.

Relevant HMDR Zoning District Dimensional Requirements: Code Section 122-600					
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change / Variance Required?	
Maximum density	16 dwelling units per acre	1 unit	1 unit	No change	
Maximum floor area ratio	1.00	None	None	No change	
Maximum height	30 feet	21'-4"	21'-4"	No change	
Maximum building coverage	40%	38%	38.16%	+0.16	
Maximum impervious surface	60%	44.05%	44.21%	+0.16	
Minimum lot size	4,000 SF	10,000 SF	10,000 SF	No change	
Minimum lot width	40 feet	100 feet	100 feet	No change	
Minimum lot depth	90 feet	100 feet	100 feet	No change	
Minimum front setback	10 feet	14 feet	14 feet	No change	
Minimum side setback	5 feet	7.5 feet	7.5 feet	No change	
Minimum rear setback	15 feet	2 feet	2 feet	No change; nonconforming	
Minimum street side setback	7.5 feet	5.5 feet	3'-9"	-1'-9" variance required to increase nonconformity	

Process:

Development Review Committee: June 5, 2014 Planning Board: July 24, 2014

Analysis – Evaluation for Compliance With The Land Development Regulations:

The standards for considering variances are set forth in Section 90-395(a) of the City of Key West (the "City") Land Development Regulations ("LDRs"). Before any variance may be granted, the Planning Board must find all of the following:

(1) Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

The land, structures and buildings involved are located on the property within the HMDR Zoning District, and were developed prior to the adoption of the current land development regulations (LDRs). Thus, all the existing nonconformities were established prior to the current LDRs. However, many other land, structures and buildings within the HMDR Zoning District were also developed prior to the adoption of the current LDRs. Therefore, there are no special conditions or circumstances that exist peculiar to the land, structures or buildings involved. NOT IN COMPLIANCE.

(2) Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

The existing nonconformities were not created by the Applicant. However, the Applicant is proposing to enlarge the nonconforming structure, which would thereby increase setback nonconformity on the property. This is a circumstance resulting from the proposed action of the Applicant. Therefore, some of the conditions are created by the Applicant. NOT IN COMPLIANCE.

(3) Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

Granting the requested variance would confer special privileges upon the Applicant that are denied by the LDRs to other lands, buildings and structures in the HMDR Zoning District. NOT IN COMPLIANCE.

(4) Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

The Applicant currently enjoys the use of the property as a single-family residential dwelling with common accessory structures, which are common permitted uses within the HMDR Zoning District. The Applicant wishes to construct a small addition in order to replace an existing interior spiral staircase with a conventional stairway, as has been similarly requested and approved without variances at similar single-family residential dwellings in the same zoning district. Denial of the requested variance would not deprive the Applicant of rights commonly enjoyed by other properties in the HMDR Zoning District. NOT IN COMPLIANCE.

(5) Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The proposed development could be designed in a way so as to reduce or eliminate the requested variances. Furthermore, the Applicant currently has reasonable use of the land, building and structures prior to the proposed development. NOT IN COMPLIANCE.

(6) Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

Due to not being in compliance with all of the standards for considering variances, the granting of the requested variances would be injurious to the area involved and otherwise detrimental to the public interest. NOT IN COMPLIANCE.

(7) Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The Applicant has not used existing nonconforming uses of other property in the HMDR Zoning District or permitted uses of property in other zoning districts as the grounds for approval of the requested variances. IN COMPLIANCE.

Concurrency Facilities and Other Utilities or Service (Code Section 108-233):

Based on comments received at the DRC, it does not appear that the requested variances would trigger any public facility capacity issues.

<u>Pursuant to Code Section 90-395(b), the Planning Board shall make factual findings</u> regarding the following:

(1) That the standards established by Code Section 90-395 have been met by the applicant for a variance.

The standards for the granting of variances established by Code Section 90-395 have not all been met by the Applicant.

(2) That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.

As of the writing of this report, public notices were not yet required. Staff is not aware of any objections at this time.

Recommendation:

Based on the above analysis of the standards for considering variances established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the requested variance be **DENIED.** However, if the Planning Board approves the requested variance, the Planning Department recommends the following conditions:

General Conditions:

1. The proposed development shall be consistent with the plans signed and sealed on May 1, 2014 by Lawrence Albert Marek, Registered Architect.

Conditions required to be completed prior to issuance of a building permit:

2. The owner shall obtain a Certificate of Appropriateness for the proposed development.

PLANNING BOARD RESOLUTION NO. 2014-

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS A VARIANCE TO THE MINIMUM STREET SIDE SETBACK ON PROPERTY LOCATED AT 760 WASHINGTON STREET (RE # 00037560-000000; AK # 1038300) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) ZONING DISTRICT PURSUANT TO SECTIONS 90-395 AND 122-600(6)D. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, the applicant proposes to construct a small addition to an existing single-family residential dwelling to accommodate a new interior staircase on property located at 760 Washington Street (RE # 00037560-000000; AK # 1038300); and

WHEREAS, the existing structure is currently nonconforming to the minimum rear and street side setbacks within the Historic Medium Density Residential (HMDR) Zoning District; and

WHEREAS, Section 122-600 of the Land Development Regulations (the "LDRs") of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that the minimum street side yard setback is 7.5 feet; and

WHEREAS, the proposed street side yard setback is 3'-9"; and

WHEREAS, the applicant requests a variance to the minimum street side setback; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 24, 2014; and

WHEREAS, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land,

Page 1 of 5 Resolution No. 2014-

	Chairm	nan
 Pla	anning Direc	tor

structures or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the

action or negligence of the applicant; and

WHEREAS, the Planning Board finds that granting the variances requested will not confer

upon the applicant any special privileges denied by the land development regulations to other lands,

buildings or structures in the same zoning district; and

WHEREAS, the Planning Board finds that literal interpretation of the provisions of the land

development regulations would deprive the applicant of rights commonly enjoyed by other properties

in this same zoning district under the terms of this ordinance and would work unnecessary and undue

hardship on the applicant; and

WHEREAS, the Planning Board finds that the variances granted are the minimum variances

that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Planning Board finds that the granting of the variances will be in harmony

with the general intent and purpose of the land development regulations and that such variances will

not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands,

structures, or buildings in the same district, and no permitted use of lands, structures or buildings in

other districts are grounds for the issuance of the requested variances; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a "good neighbor

policy" by contacting or attempting to contact all noticed property owners who have objected to the

variance application, and by addressing the objections expressed by these neighbors.

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 Chairman
 _ Planning Director

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West,

Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth

herein.

Section 2. An approval by Resolution of the Key West Planning Board for a variance to

allow the construction of an addition to accommodate a new interior staircase for the existing single-

family dwelling per the attached plans signed and sealed on May 1, 2014 by Lawrence Albert Marek,

Registered Architect, on property located at 760 Washington Street (RE # 00037560-000000; AK #

1038300) in the HMDR Zoning District pursuant to Sections 90-395 and 122-600(6)d. of the City of

Key West Land Development Regulations with the following conditions:

1. The proposed development shall be consistent with the plans signed and

sealed on May 1, 2014 by Lawrence Albert Marek, Registered Architect.

Conditions required to be completed prior to issuance of a building permit:

2. The owner shall obtain a Certificate of Appropriateness for the proposed

development.

Section 3. It is a condition of this variance that full, complete and final application for all

conditions of this approval for any use and occupancy for which this variance is wholly or partly

necessary, shall be submitted in their entirety within two years after the date hereof; and further, that

no application shall be made after expiration of the two-year period without the applicant obtaining

an extension from the Planning Board and demonstrating that no change of circumstances to the

property or its underlying zoning has occurred.

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Chairman
 Planning Director

Section 4. The failure to fully and completely apply the conditions of approval for

permits for use and occupancy pursuant to this variance in accordance with the terms of the approval

as described in Section 3 hereof, shall immediately operate to terminate this variance, which variance

shall be of no force or effect.

Section 5. This variance does not constitute a finding as to ownership or right to

possession of the property, and assumes, without finding, the correctness of applicant's assertion of

legal authority respecting the property.

Section 6. This Resolution shall go into effect immediately upon its passage and adoption

and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 7. This Resolution is subject to appeal periods as provided by the City of Key

West Code of Ordinances (including the Land Development Regulations). After the City appeal

period has expired, this permit or development order will be rendered to the Florida Department of

Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not

effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and

applications attached to or incorporated by reference in this approval; that within the forty five (45)

day review period, the DEO can appeal the permit or development order to the Florida Land and

Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until

the appeal is resolved by agreement or order.

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Chairman
Planning Director

Read and passed on first reading at a regularly scheduled meeting held this	day of
, 2014.	_
Authenticated by the Chairman of the Planning Board and the Planning Director;	
Richard Klitenick, Planning Board Chairman	Date
Attest:	
Donald Leland Craig, AICP, Planning Director	Date
Filed with the Clerk:	
Cheryl Smith, City Clerk	Date

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Chairmar
Planning Director

Application



Application Fee: \$1,150.00 / After-the-Fact: \$2,150.00 (includes \$100.00 advertising/noticing fee and \$50.00 fire review fee)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3720.

PROPERTY DESCI	RIPTION: 760 Washington Street, Ke	w West Florida				
Zoning District:		Real Estate (RE) #:0			 00037560-000000	
Property located wi	thin the Historic District?					
	☐ Owner	uthorized Repre				
Mailing Address:	221 Simonton Street					
City: Key V	Vest		_State: _FL	Z	ip: <u>33040</u>	
Home/Mobile Phon	e:	Office: (305)	294-0252	Fax:(30	05) 292-5442	
Email:	ginny@keyslaw.net					
Name: Stuar Mailing Address:	760 Washington Street					
Home/Mobile Phon	e: <u>(248)</u> 568-6643	Office:		Fax:		
Email:						
conventional interio	osed Construction, Develop r stairway to replace existin suffers from sight loss.					
	e specific variance(s) being i k variance from 7.5' required		nçade), 5.1' (dr	ripline), prop	posed 3.9' (dripline),	
4.1' (façade wall)						
	ents, deed restrictions or otle e and attach relevant docume			4.00 P. C. P. P. C. P. C. P. C. P. P. C. P		

City of Key West • Application for Variance

Will any work be within the dripline (canopy) of any tree on or off the property? If yes, provide date of landscape approval, and attach a copy of such approval.	□ Yes	⊠ No
Is this variance request for habitable space pursuant to Section 122-1078?	☐ Yes	⊠ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

	Site	Data Table		
	Code	Existing	Proposed	Variance Request
	Requirement			
Zoning	HMDR			
Flood Zone	AE			
Size of Site	4000 sf	10,000	10,000	
Height	30'	21' 4"	21' 4"	
Front Setback	10'	10'	10'	
Side Setback (R)	5'	i i	15	
Side Setback				
Street Side Setback (L)	7.5'	5' 1"	3' 10"	1' 3"
Rear Setback	15'	15'	15'	
F.A.R	N/A			
Building Coverage	40%	38%	38.16%	
Impervious Surface	60%	44.05%	44.21%	
Parking	N/A			
Handicap Parking	N/A			
Bicycle Parking	N/A			
Open Space/Landscaping	N/A			
Number and type of units	1	1	1	
Consumption Area or			-	
Number of seats				

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at http://www.municode.com/Library/FL/Key_West under Subpart B.

^{*}Please note, variances are reviewed as quasi-judicial hearings, and it is improper for the owner or applicant to speak to a Planning Board member or City Commissioner about the hearing.

Standards for Considering Variances

Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met:

1.	Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.
	The structure was originally built utilizing a metal spiral staircase for access to the second floor. The
	interior of the residence will not reasonably accommodate the installation of a traditional staircase except
	in the proposed location, necessitating an additional 15" encroachment to the side setback.
2.	Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.
	The property was acquired with the spiral stairway which cannot be safely used by the homeowner's wife
	due to a congenital condition leaving her with significant sight impairment in one eye and no depth
	perception. The existing spiral staircase presents a safety issue for the occupants.
3.	Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.
	Utilizing the variance application process will not grant special privilege(s) not available to other lands,
	buildings, or structures.
4.	Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.
	Without the grant of variance for reduced side setback, applicant will be unable to locate a suitable interior
	staircase.
5.	Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.
	The replacement staircase has been designed to require the minimum impact on side setback
	encroachment. All other dimensional aspects of the property have been maintained in conformity with the
	Land Development Regulations.

City of Key West • Application for Variance

	Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.
	The grant of variance will have no negative impact on public interest or welfare.
7.	Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.
	Other existing nonconformities are not the basis for this request.
Th	e Planning Board and/or Board of Adjustment shall make factual findings regarding the following: That the standards established in Section 90-395 have been met by the applicant for a variance.
	Planning Board and/or Board of Adjustment shall make factual findings regarding the following: That the standards established in Section 90-395 have been met by the applicant for a variance. That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."
• • RE	That the standards established in Section 90-395 have been met by the applicant for a variance. That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections

Verification Form

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form." I, Adele V. Stones _____, being duly sworn, depose and say Name(s) of Applicant(s) that: I am (check one) the Owner x Owner's Legal Representative for the property identified as the subject matter of this application: 760 Washington Street, Key West, Florida Street Address and Commonly Used Name if any All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information. Signature of Owner/Legal Representative Signature of Joint/Co-owner FBN#331880 Subscribed and sworn to (or affirmed) before me on April 30, 2014 (date) by Adele V. Stones _____(name). He/She is personally known to me or has presented personally known identification. Name of Acknowledger typed, printed or stamped Title or Rank Commission Number, if any



Doc# 1966586 01/27/2014 11:52AM Filed & Recorded in Official Rec MONROE COUNTY AMY HEAVILIN

01/27/2014 11:52AM DEED DOC STAMP CL: Krys

\$13,422.50

Susan Mary Cardenas Attorney at Law Stones & Cardenas 221 Simonton Street Key West, FL 33040

Prepared by and return to:

305-294-0252

File Number: 13-341-Domanski

Doc# 1966586 Bk# 2668 Pg# 1794

[Space Above This Line For Recording Data] **Warranty Deed**

This Warranty Deed made this 27th day of January, 2014 between Kenneth Joseph Domanski and Margaret Dietz Domanski, husband and wife whose post office address is 1107 Key Plaza #270, Key West, FL 33040, grantor, and Stuart M. Kaufman as Trustee of the Stuart M. Kaufman Revocable Inter-Vivos Trust dated October 4, 1988 whose post office address is 760 Washington Street, Key West, FL 33040, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

On the Island of Key West and known as Lot 1, in Block 12, as shown on the Plat of the City of Key West Investment Company's Subdivision of part of Tract 17, according to the Plat thereof recorded in Plat Book 1, Page 69 of the Public Records of Monroe County, Florida.

AND ALSO:

In the City of Key West and is known as Lot 2, in Block 12, as shown on the Plat of Key West Investment Company's Subdivision of part of Tract 17, according to the Plat thereof, recorded in Plat Book 1, Page 69 of the Public Records of Monroe County, Florida, and which lot is bounded and described as follows, viz:

Commencing at the corner of Washington and William Streets and running thence along Washington Street in a Southwesterly direction 100 feet; thence at right angles in a Southeasterly direction 100 feet; thence at right angles in a Northeasterly direction 50 feet, thence in a Northwesterly direction 100 feet; thence in a Southwesterly direction along Washington Street 50 feet.

Parcel Identification Number: 00037560-000000

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

Doc# 1966586 Bk# 2668 Pg# 1795

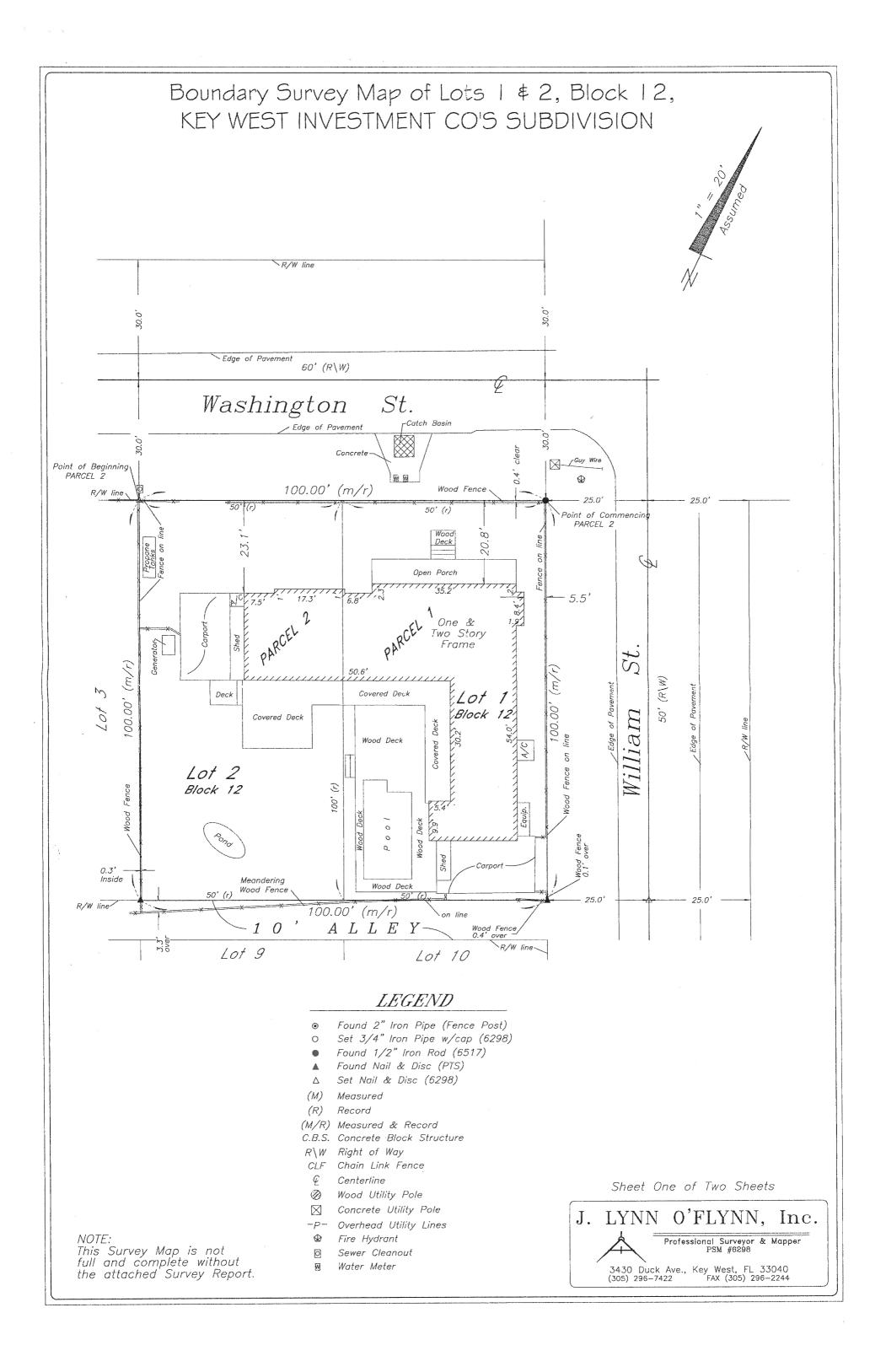
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence: (Seal) Witness Name: eth Joseph Domanski eal Margaret Dietz Domansk Witness Name: Mary E. Turso State of Florida County of Monroe Anowledg

are person

ARY E. TUS

AND 16, 25 The foregoing instrument was acknowledged before me this 31st day of January, 2014 by Kenneth Joseph Domanski and Margaret Dietz Domanski, who [] are personally known or [X] have produced a driver's license as identification. [Notary Seal] Mary E. Turso Printed Name: My Commission Expires:





Boundary Survey Report of Lots 1 \$ 2, Block 12, KEY WEST INVESTMENT CO'S SUBDIVISION

NOTES:

1. The legal description shown hereon was furnished by the client or their agent.

2. Underground foundations and utilities were not located.

3. All angles are 90° (Measured & Record) unless otherwise noted.

4. Street address: 760 Washington Street, Key West, FL.

5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.

7. North Arrow is assumed and based on the legal description.

8. Date of field work: December 9, 2013.

9. Ownership of fences is undeterminable, unless otherwise noted.

10. Adjoiners are not furnished.

11. The Survey Report is not full and complete without the attached Survey Map.

BOUNDARY SURVEY OF:

PARCEL 1: On the Island of Key West and known as Lot 1, in Block 12, as shown on the Plat of the City of Key West Investment Company's Subdivision of part of Tract 17, according to the Plat thereof recorded in Plat Book 1, Page 69 of the Public Records of Monroe County, Florida.

PARCEL 2: In the City of Key West and is known as Lot 2, in Block 12, as shown on the Plat of the Key West Investment Company's Subdivision of part of Tract 17, according to the Plat thereof, recorded in Plat Book 1, Page 69 of the Public Records of Monroe County, Florida, and which lot is bounded and described as follows, viz: COMMENCING at the corner of Washington and William Streets and running thence along Washington Street in a Southwesterly direction 100 feet to the Point of Beginning; thence at right angles in a Southwesterly direction 100 feet; thence at right angles in a Northwesterly direction 100 feet; thence in a Southwesterly direction along Washington Street 50 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: Stuart M. Kaufman Irrevocable Trust; Stones & Cardenas; Chicago Title Insurance Company;

J. LYNN O'FLYNN, INC.

J Lynn O'Flynn, PSM Florida Reg. #6298

December 10, 2013

THIS SURVEY
IS NOT
ASSIGNABLE

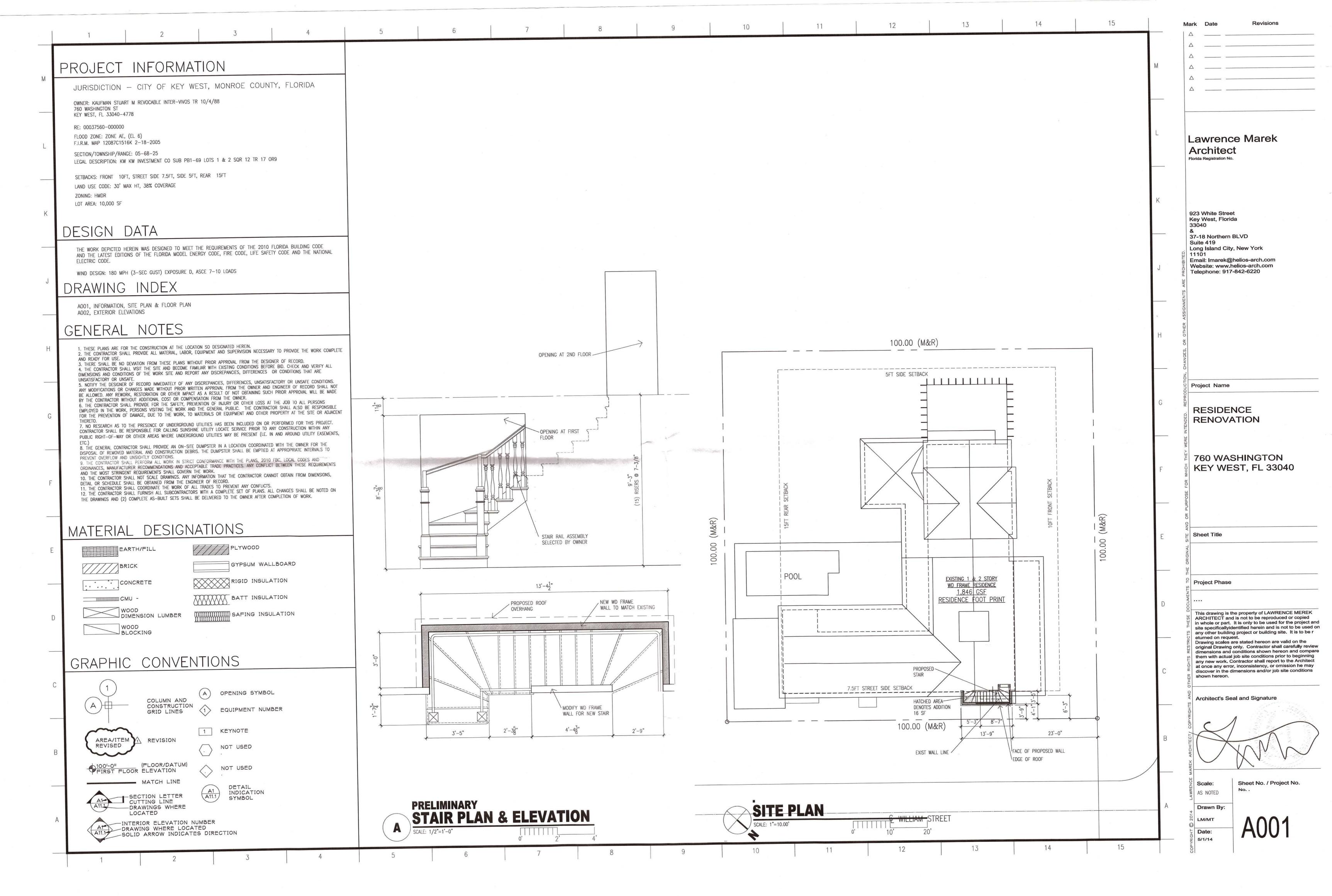
Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.

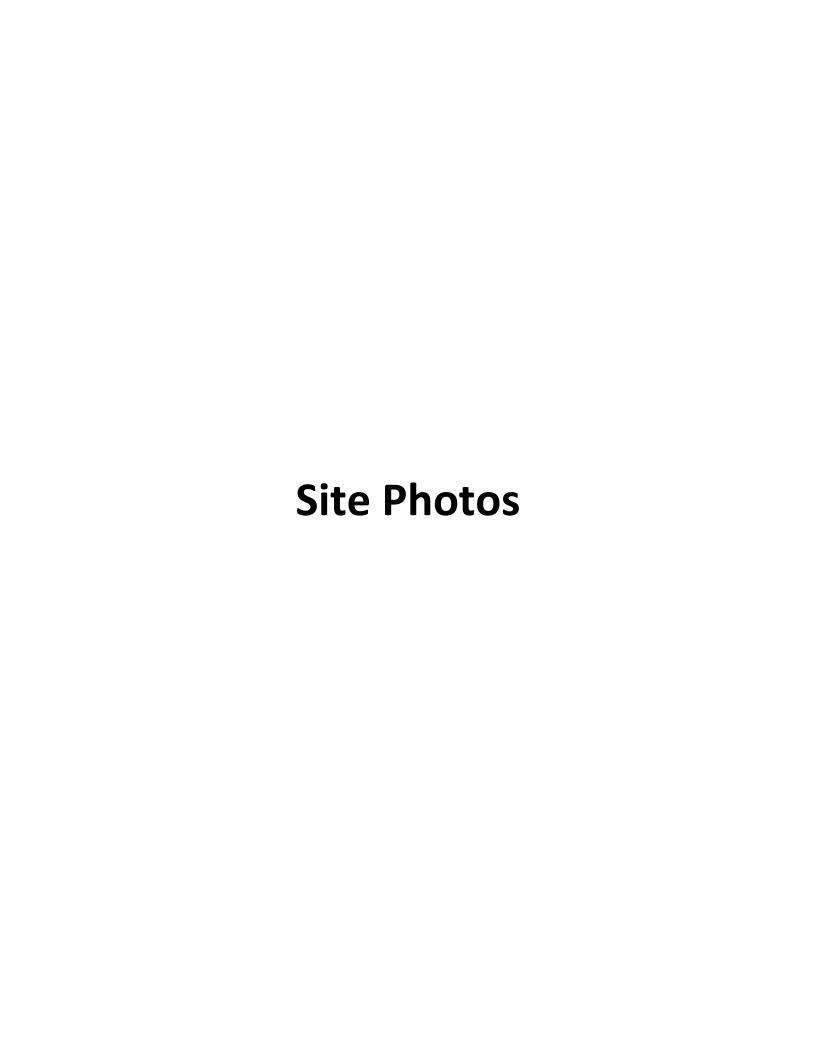
Professional Surveyor & Mapper PSM #6298

3430 Duck Ave., Key West, FL 33040 (305) 296-7422 FAX (305) 296-2244













DRC Minutes/Comments

June 5, 2014 Minutes of the Development Review Committee

DRC MEMBER COMMENTS:

ART IN PUBLIC PLACES:

No comment.

URBAN FORESTRY MANAGER:

Ms. DeMaria advised the trees must be protected during demolition and construction. Watch out for tree roots from tree nearby, permits may be required if roots are to be cut and call her if they have concerns prior to digging around existing trees.

HARC PLANNER:

Ms. Torregrosa stated the blurb for the pool needed revision as it was confusing to read. Her concern was the configuration was changed and the specific guidelines protect the historic building roof? Remove the word proposed prior to the words "Site Plan"

PLANNING DIRECTOR:

Mr. Craig stated the survey shows a fence on the plans that goes onto the neighbor's property. The Concrete fence is what exists.

ENGINEERING:

Ms. Ignaffo inquired about an underground propane tank (buried) in the off-street parking space and driveway. She would like to see a drainage plan for the site. The applicant advised there is a well and existing cistern on site. City Planner Craig advised the City's Code requires registering all wells and cisterns. Ms. Ignaffo requested the Propane tank installation be below parking areas. Installation shall be in accordance with NFPA 58, International Fire Code, Chapter 61, and Florida Building Code, Fuel Gas. Carbon Monoxide Protection shall be provided, in accordance with Florida Building Code, Building, and Section 916. Ms. Ignaffo requested the dimensions for the off-street parking space, including width length, and distance from structure, mechanical equipment and trash storage fence. Please provide Drainage Plan that provides stormwater treatment within new landscape areas. Direct roof gutter downspouts into swale and landscape areas. For abandonment or retention of the cistern, please complete an application and submit to the Building Department. Please indicate if well water is in use for purposes that are connected to the sanitary sewer.

FIRE DEPARTMENT:

Mr. Barroso stated setbacks are a concerned with life safety and to make it as safe as possible. He also requested they contact the Fire office to set up a meeting for review of the project.

KEYS ENERGY:

No objection

7. Variance - 760 Washington Street (RE # 00037560-000000; AK # 1038300) - A request for variance to minimum side setback for the construction of an interior stairway for an existing single-family residential dwelling on property located within the Historic Medium Density

June 5, 2014 Minutes of the Development Review Committee

Residential (HMDR) Zoning District pursuant to Sections 90-395 and 122-600(6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Planner Kevin Bond gave members an overview of the Variance request.

The applicant, Ginny Stones from Stones & Cardenas, gave members an overview of the Variance request.

DRC MEMBER COMMENTS:

ART IN PUBLIC PLACES:

No comment.

URBAN FORESTRY MANAGER:

Ms. DeMaria commented the Trees must be protected during demolition and construction and also the palm trees immediately adjacent to the proposed work area.

HARC PLANNER:

No comment

PLANNING DIRECTOR:

Mr. Craig asked the applicant how the current owner goes to the 2nd story bedroom.

ENGINEERING:

No comment

FIRE DEPARTMENT:

Mr. Barroso inspected the property with the Fire Marshal and had concerned about secondary means of egress window for the 2nd floor and Ms. Stones mentioned a redesign with the egress had been addressed. Mr. Barroso also requested the bedroom area meets current building code and requested they contact the Fire office to set up a meeting for review of the project.

KEYS ENERGY:

No objection.

8. Administrative Variance - 618 Petronia Street (RE # 00016350-000000, AK # 1016748) -

Administrative Variance to the side-yard setback requirements for property located within the Historic High Density Residential (HHDR) zoning district per Sections 90-398 and 122-630(6)b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Planner Brendon Cunningham gave members an overview of the Administrative Variance request.

The applicant gave members an overview of the Administrative Variance request.

DRC MEMBER COMMENTS:

Property Appraiser Record Card



Key West (305) 292-3420 Marathon (305) 289-2550 Plantation Key (305) 852-7130

Website tested on IE8, IE9, &

Maps are now launching the new map application version. Requires Adobe Flash 10.3 or higher

Alternate Key: 1038300 Parcel ID: 00037560-000000

Ownership Details

Mailing Address:

KAUFMAN STUART M REVOCABLE INTER-VIVOS TR 10/4/88 760 WASHINGTON ST KEY WEST, FL 33040-4778

Property Details

PC Code: 01 - SINGLE FAMILY

Property Record Card -

Millage Group: 10KW

Affordable No
Housing:
SectionTownship- 05-68-25

Range:

Property 760 WASHINGTON ST KEY WEST Location:

Legal KW KW INVESTMENT CO SUB PB1-69 LOTS 1 & 2 SQR 12 TR 17 OR91-112/113 OR392-66/68 OR877-1499WILL OR883-Description: 820D/C PROB83-83-CP-12 OR882-317/18 OR937-223/24 OR996-500/01 OR1041-1538/39R/S OR1088-2496/97 OR1094-1041/42 OR1112-1652/53 OR1177-418/19 OR1345-2433/5 OR1758-2051/53 OR1784-2432/33 OR1784-2437/38 OR2668-

1794/95

Click Map Image to open interactive viewer



Exemptions

Exemption	Amount
44 - ADDL HOMESTEAD	25,000.00
39 - 25000 HOMESTEAD	25,000.00

Land Details

Land Use Code	Frontage	Depth	Land Area
01SD - RES SUPERIOR DRY	0	0	10,000.00 SF

Building Summary

Number of Buildings: 1 Number of Commercial Buildings: 0 Total Living Area: 2331 Year Built: 1987

Building 1 Details

Building Type R1 Condition G Quality Grade 650

Effective Age 11 Perimeter 286 Depreciation % 10

Year Built 1987 Special Arch 0 Grnd Floor Area 2,331

Functional Obs 0 Economic Obs 0

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type IRR/CUSTOM Roof Cover METAL Foundation CONC BLOCK
Heat 1 FCD/AIR DUCTED Heat 2 NONE Bedrooms 4
Heat Src 1 ELECTRIC Heat Src 2 NONE

Extra Features:

 2 Fix Bath
 0
 Vacuum
 0

 3 Fix Bath
 1
 Garbage Disposal
 0

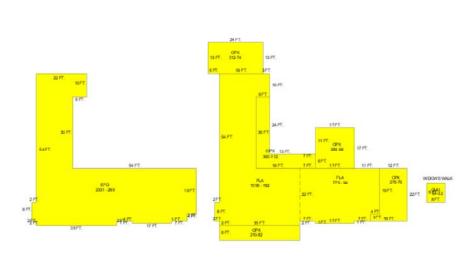
 4 Fix Bath
 1
 Compactor
 0

 5 Fix Bath
 0
 Security
 1

 6 Fix Bath
 0
 Intercom
 0

 7 Fix Bath
 0
 Fireplaces
 0

 Extra Fix
 1
 Dishwasher
 0



Sections:

Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	6 Finished Basement %	Area
0	EFD		1	1987					2,331
1	FLA	10:CUSTOM/HARDIE BD	1	2003	N	Υ	0.00	0.00	1,556
2	OPX		1	1990			0.00	0.00	210
3	OPX		1	1990			0.00	0.00	300
5	CPX		1	1999			0.00	0.00	312
6	FLA	10:CUSTOM/HARDIE BD	1	1987	N	Υ	0.00	0.00	775
8	OPX		1	2003			0.00	0.00	289
9	CPX		1	2003			0.00	0.00	276
11	OUU		1	2003			0.00	0.00	64

Misc Improvement Details

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	UB3:LC UTIL BLDG	90 SF	10	9	1984	1985	1	30
2	FN2:FENCES	800 SF	200	4	1984	1985	2	30
5	PO4:RES POOL	320 SF	0	0	1986	1987	4	50
6	WD2:WOOD DECK	1,200 SF	0	0	1999	2000	3	40
8	FN2:FENCES	600 SF	6	100	1984	1985	2	30
9	PT3:PATIO	612 SF	34	18	1986	1987	2	50

Appraiser Notes

2003-04-03 - FROM THE 1990 THRU 2001 TAX ROLLS THIS PARCEL WAS ASSESSED UNDER RE 3755. NOW HAS BEEN RE-ACTIVATED FOR THE 2002 TAX ROLL. IT IS NOW COMBINED WITH THIS PARCEL FOR THE 2003 TAX ROLL FOR ASSESSMENT PURPOSES. LG

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	P952816	08/01/1995	12/01/1995	500	Residential	12/D METER
	9800246	01/22/1998	08/04/1999	2,500	Residential	REPLACE AC
	9800934	03/25/1998	08/07/1998	6,000	Residential	RESURFACE DECK
	9802058	07/20/1998	08/04/1999	7,880	Residential	CARPORT
	9901508	05/03/1999	08/04/1999	5,700	Residential	AC DUCTWORK
	02-1473	06/04/2002	10/09/2002	22,200	Residential	RENOVATION
	03-0421	03/11/2003	10/03/2003	161,670	Residential	ADDITION,CARPORT & A/C
	03-1414	04/21/2003	10/03/2003	1,000	Residential	SEWER LATERAL
	03-1581	05/09/2003	10/03/2003	750	Residential	UPGRADE SECURITY SYSTEM
	05-4006	09/23/2005	09/26/2006	17,935	Residential	INSTALL 2,500 SF OF V-CRIMP ROOFING.

Parcel Value History

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2013	418,932	30,936	868,125	1,317,993	878,396	25,000	853,396
2012	423,485	31,932	611,160	1,066,577	863,713	25,000	838,713
2011	423,485	33,096	381,975	838,556	838,556	25,000	813,556
2010	428,039	34,091	643,230	1,105,360	1,105,360	25,000	1,080,360
2009	475,377	35,255	871,934	1,382,566	1,207,233	25,000	1,182,233
2008	436,710	36,326	950,000	1,423,036	1,206,027	25,000	1,181,027
2007	573,636	33,222	1,100,000	1,706,858	1,170,900	25,000	1,145,900
2006	813,767	31,111	900,000	1,744,878	1,142,341	25,000	1,117,341
2005	809,461	32,106	650,000	1,491,567	1,109,069	25,000	1,084,069
2004	543,808	32,958	500,000	1,076,766	1,076,766	25,000	1,051,766
2003	632,336	33,954	257,500	923,790	923,790	25,000	898,790
2002	511,206	33,778	128,750	673,734	673,734	0	673,734
1989	0	0	62,500	62,500	62,500	0	62,500
1988	0	0	51,250	51,250	51,250	0	51,250
1987	0	0	37,250	37,250	37,250	0	37,250
1986	0	0	36,000	36,000	36,000	0	36,000
1985	0	0	23,950	23,950	23,950	0	23,950
1984	0	0	23,950	23,950	23,950	0	23,950
1983	0	0	23,950	23,950	23,950	0	23,950
1982	0	0	23,200	23,200	23,200	0	23,200

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
1/27/2014	2668 / 1794	1,917,500	WD	02

5/15/2002	1784 / 2437	1,050,000	WD	<u>Q</u>
11/1/1989	1112 / 1652	1	WD	<u>M</u>
2/1/1988	1041 / 1538	1	WD	<u>M</u>
12/1/1986	996 / 500	75,000	WD	Q
3/1/1985	937 / 223	1	WD	<u>M</u>
6/1/1983	882 / 317	1	WD	<u>M</u>

This page has been visited 133,217 times.

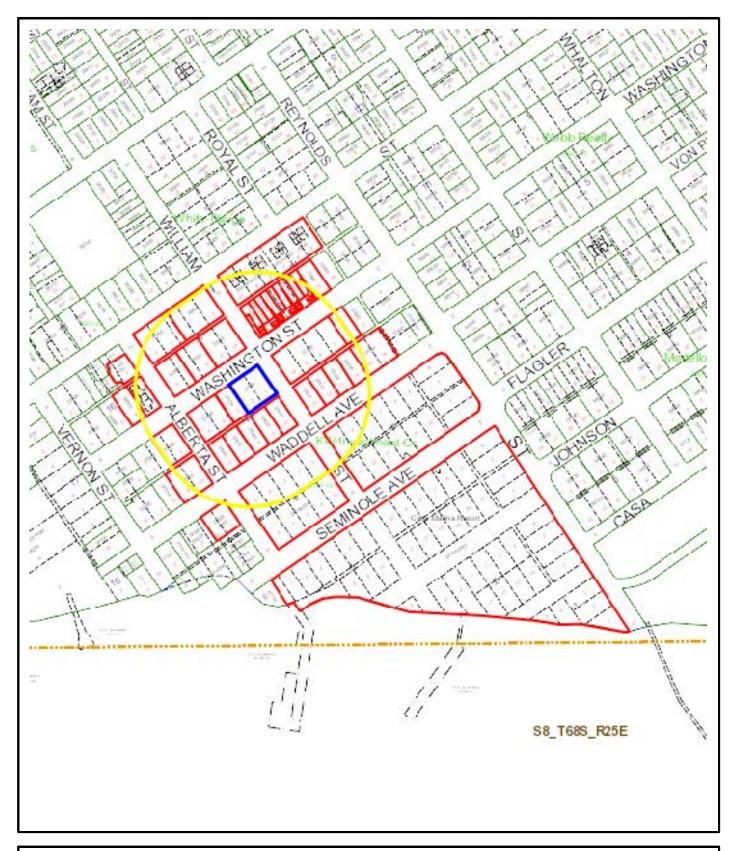
Monroe County Monroe County Property Appraiser Scott P. Russell, CFA P.O. Box 1176 Key West, FL 33041-1176



Owner Name	Address1	Address2	City	State	Zip Country
DIGBY STEVEN JAMES AND LISA	Addicasi	4 MOUNT VIEW	ILFRACOMBE	DEVON	EX34PD ENGLAND
MCMANE DAVID AND ARALYNN		259 RUE DU FAUBOURG ST ANTOINE	PARIS	DEVOIV	75011 FRANCE
1-3 LLC		341 KILMAYNE DR STE 201	CARY	NC	27511-4490
709 WASHINGTON LLC	C/O WEISSBERG CORP	28 BLACKWELL PARK LN	WARRENTON	VA	20186-2685
714 SOUTH STREET LLC	C/O WEISSBERG CORF	714 SOUTH ST	KEY WEST	FL	33040
BAHLKE WILLIAM P AND ALMEDA ALLEN		804 SOUTH ST APT 4	KEY WEST	FL	33040-4762
BRE/FL DEVELOPMENT LLC	C/O BLACKSTONE REAL ESTATE ACQUISTIONS IV LLC	345 PARK AVE	NEW YORK	NY	10154
BRYAN JOSEPH MCKINLEY JR	C/O BLACKSTONE REAL ESTATE ACQUISTIONS TO ELC	2317 PRINCESS ANN	GREENSBORO	NC	27408
CANNON ROGER F TRUST AGREEMENT 9/6/2005		3240 HAVENWOOD CT	PALATINE	IL	60067-9054
CASA ALBERTA LLC		1101 JOHNSON ST	KEY WEST	FL	33040-4827
	C/O VENACARE OF FLORIDA KEYS		KEY WEST	FL	33040-4827
CASA ALBERTA LLC	C/O VENACARE OF FLORIDA REYS	615 1/2 DUVAL ST 1101 JOHNSON ST		FL	33040-4827
CASA ALBERTA LLC			KEY WEST	NJ	
CASA MARINA OWNER LLC		PO BOX 437	BROADWAY	_	08808-0437
CASA VACATIONS LLC		1419 REYNOLDS ST	KEY WEST	FL	33040-4782
CHAPUIS RALPH A		812 SOUTH ST APT 1	KEY WEST	FL	33040-4764
COBO LUIS E AND ANA A		1101 JOHNSON ST	KEY WEST	FL	33040-4827
COCONUT BEACH DEVELOPMENT CORP		500 FLEMING ST	KEY WEST	FL	33040
CORNFIELD NEIL		17 BEVERLY RD	PORT WASHINGTON	NY	11050-3017
CORTINAS ANGELICA MARIE		816 SOUTH ST APT 404	KEY WEST	FL	33040-4765
CUNNINGHAM DAVID A ESTATE	C/O CUNNINGHAM JON M CO-EXECUTOR	2150 VICKI LN	CUMMING	GA	30041
DEDRICK WARREN WILLIAM	C/O MCCANN MICHELLE CPA	180 SUGARLOAF DR	SUMMERLAND KEY	FL	33042-3673
DEVAULT DARLENE AND KENNETH E JR		1212 SE 2ND CT APT 305	FORT LAUDERDALE	FL	33301-3941
DIBIASIO JAMES AND LINDA		804 SOUTH ST APT 3	KEY WEST	FL	33040-4762
DICKERSON ONNIE D III		1203 CALAIS LN	KEY WEST	FL	33040
EATON MELVIN H		1721 FLAGLER AVE	KEY WEST	FL	33040
FREEMAN PETER R		706 ORIENT LN	ORIENTAL	NC	28571
GONZALEZ ANGEL T JR AND TRACEY TOPPER		240 E 55TH ST APT 14B	NEW YORK	NY	10022-4021
GROOMS MARY LOUISA P		719 WASHINGTON ST	KEY WEST	FL	33040-4777
GULFSTREAM APARTMENTS OF KEY WEST LLC		500 FLEMING ST	KEY WEST	FL	33040-6891
HOLST LESLIE K AND ELLEN R		1415 ALBERTA ST	KEY WEST	FL	33040-4757
HOUSING AUTHORITY OF THE CITY OF KEY WEST FLORIDA		1400 KENNEDY DR	KEY WEST	FL	33040-4055
HOUSING AUTHORITY OF THE CITY OF KEY WEST FLORIDA		1400 KENNEDY DR	KEY WEST	FL	33040-4055
HSBC BANK USA NA	C/O SELECT PORTFOLIO SERVICING INC	3815 S WEST TEMPLE	SALT LAKE CITY	UT	84115-4412
INFOTECH INC		1320 ROYAL ST APT 3	KEY WEST	FL	33040-4766
KAUFMAN STUART M REVOCABLE INTER-VIVOS TR 10/4/88		760 WASHINGTON ST	KEY WEST	FL	33040-4778
KELLER JANINE C AND DAVID M		8048 PRESTBURY DR	ORLANDO	FL	32832-6306
KOONTZ BONNIE W TRUST 7/24/2013		8407 BROECKER BLVD	LOUISVILLE	KY	40241-6101
LUKEN CLAIRE S LIVING TRUST 4/26/2000		3400 N LAKE SHORE DR APT 4A	CHICAGO	IL	60657-2801
MACNELLY SUSAN M REVOCABLE TRUST 1/28/2012		PO BOX 188	FLINT HILL	VA	22627-0188
MARCUS BARBARA		927 S WINDSOR BLVD	LOS ANGELES	CA	90019
NORMAC INC		800 WASHINGTON ST	KEY WEST	FL	33040-4799
POTTER MARY SUE QPRT 02/05/08		1801 GULF SHORE BLVD N	NAPLES	FL	34102-4915
PRUETT RANDY B AND CINDY C		2383 NICOLE DR	SHREVEPORT	LA	71107
RAGUSO REBECCA		111 HOLIDAY LN	CANANDAIGUA	NY	14424-1427
REINKING ANDREW J		812 SOUTH ST APT 3	KEY WEST	FL	33040-4764
RYAN TIMOTHY J		1007 SIMONTON ST	KEY WEST	FL	33040
SCHOLL DIANE E		PO BOX 29	LAKE PLACID	NY	12946-0029
SCHOOLER RHONDA E		521 EMERICK ST	YPSILANTI	MI	48198
SHEPANZYK DEREK AND KRISTINA		410 CANADA ST	LAKE GEORGE	NY	12845-1129
SOUTH STREET HOSPITALITY LLC		830 TRUMAN AVE	KEY WEST	FL	33040-6426
SPRIGGS LECIA E		127 CLAIBORNE CV	RIDGELAND	MS	39157-9707
TEPE VICKI L		816 SOUTH ST APT 3	KEY WEST	FL	33040-4765
TEPE VICKI L		010 300 IU 31 API 3	NET WEST	FL	33040-4703

760 Washington

Owner Name	Address1	Address2	City	State	Zip Country
VALENZUELA STACE V		812 SOUTH ST APT 2	KEY WEST	FL	33040-4764
WADDELL PROPERTIES LLC		403 RUTH RD	SYRACUSE	NY	13212-1942
WHERTY JAMES		5511 WINCHESTER AVE	VENTNOR CITY	NJ	08406-2351



Monroe County, Florida MCPA GIS Public Portal

Printed:Jul 09, 2014

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County.

The Monroe County Property Appraiser's office cannot guarante its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



YOU ARE A PROPERTY OWNER WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will hold a Public Hearing to consider the following request:

Variance - 760 Washington Street (RE # 00037560-000000; AK # 1038300) - A request for variance to minimum side setback for the construction of an interior stairway for an existing single-family residential dwelling on property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to Sections 90-395 and 122-600(6)b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Applicant: Adele V. Stone, Stones & Cardenas Owner: Stuart Kaufman, Trustee

Locations: 760 Washington Street Date of Hearing: July 24, 2014 Time of Hearing: 6:00 PM

Location of Hearing: Old City Hall, 510 Greene Street, City Commission Chambers

Interested parties may appear at the public hearing and be heard with respect to the application. Packets can be viewed online, the Friday before the meeting at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to: Kevin Bond, Planner II

E-mail: kbond@keywestcity.com; Phone: 305-809-3722; Fax 305-809-3978; Mail: PO Box 1409, Key West FL 33041-1409

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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The Key West Planning Board will hold a public hearing at 6:00 p.m., July 24, 2014 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Variance - 760 Washington Street (RE # 00037560-000000; AK # 1038300) - A request for variance to minimum side setback for the construction of an interior stairway for an existing single-family residential dwelling on property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to Sections 90-395 and 122-600(6)b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

