

# Staff Report

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chairman and Planning Board Members

**Through:** Thaddeus Cohen, Planning Director

**From:** Melissa Paul-Leto, Planner Analyst

**Meeting Date:** July 16, 2015

**Agenda Item:** **Variance – 618 Free School Lane (RE # 00009000-000000; AK # 1009261)** – A request for a variance to the minimum side yard setback in order to construct an addition to an existing single-family residence on property located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 90-395 and 122-630(6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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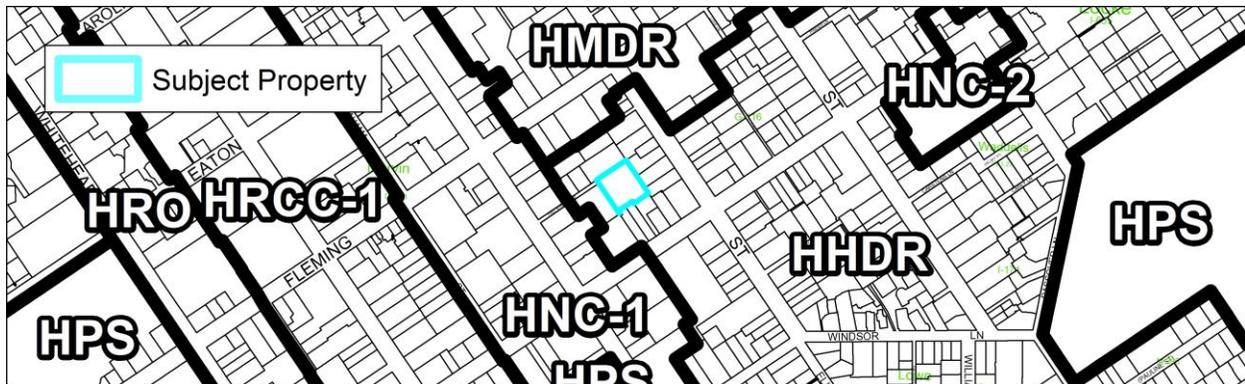
**Request:** To reduce the side setback from 11 feet to 5 feet in order to create an addition on an existing house.

**Applicant:** Thomas Kelly

**Property Owner:** Kate Miano, DBA Miano Group Investments LTD.

**Location:** 618 Free School Lane (RE # 00009000-000000; AK # 1009261)

**Zoning:** Historic High Density Residential (HHDR)



**Background:**

The property at 618 Free School Lane has an existing one bedroom single family residential structure located to the rear of the property at the end of Free School Lane. The property is located within the Historic High Density Residential (HHDR) Zoning District.

The applicant is proposing to construct an addition on a non-contributing private residence to increase from one bedroom to three bedrooms. The existing structure is approximately 1,093 square feet. The addition will add 2,172 square feet, making a total of 3,265 square feet of building coverage. The need for the variance is triggered due to the proposed expansion of the house into the side yard setback.

<b>Relevant HHDR Zoning District Dimensional Requirements: Code Section 122-630</b>				
<b>Dimensional Requirement</b>	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change / Variance Required?</b>
Maximum height	30 feet	13 feet	22 feet – 4 inches	In compliance
Minimum lot size	4,000 SF	10,556.59 SF	10,556.59 SF	No change, In conformance
Maximum density	22 dwelling units per acre	1 du / 0.22 ac= 7.19	1 du / 0.22 ac= 7.19	In compliance 1 du recognized
Maximum floor area ratio	1.0	N/A	N/A	In compliance
Maximum building coverage	50%	10.2% (1,093sf)	30.4% (3265 sf)	In compliance
Maximum impervious surface	60%	19.3% (2,074sf)	45.8% (4,920sf)	In compliance
Minimum Open Space	35%	80%	53%	In compliance
Minimum front setback	10 feet	58.1 feet	10 feet	In compliance
Minimum Street side setback	5 feet	N.A.	N.A.	n/a
Minimum NW side setback	11 feet	46 feet	37 feet	In compliance
Minimum SE side setback (addition)	11 feet	11 feet	5 feet	<b>Variance Required -6 feet</b>
Minimum rear setback	20 feet	14 feet 9 inches To house	11 feet To new deck 14 feet 9 inches to house	Nonconforming In compliance

**Process:**

<b>Development Review Committee Meeting:</b>	April 23, 2015
<b>Planning Board Meeting:</b>	July 16, 2015
<b>HARC:</b>	TBD
<b>Local Appeal Period:</b>	30 days
<b>DEO Review Period:</b>	up to 45 days

**Analysis – Evaluation for Compliance with the Land Development Regulations:**

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board before granting a variance 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 expansion of the existing building creating a non-conforming setback is not the result of a circumstance that is peculiar to the land structure or building involved. There is a large tree the applicant wants to avoid yet the addition could be designed in a manner that does not interrupt the side setback. Therefore, special conditions or circumstances do not exist.

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 request to expand the existing building within the existing side setback is generated from specific actions initiated by the applicant wanting to have an addition and is not a special condition or circumstance.

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.*

Section 122-27 of the Land Development Regulations discourages the expansion of nonconforming structures. The addition could be designed within the framework to conform to setbacks. Therefore, allowing the proposed expansion of the building envelope into the required side yard setback would confer special privileges upon the applicant.

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.***

Denial of the requested variance would not deprive the applicant of rights commonly enjoyed by other properties in the HHDR Zoning District. There is enough land on the property to construct an addition without creating a non-conforming side setback. Therefore, hardship conditions do not exist.

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.***

Has reasonable use now, and could without a variance. The variance requested is not the minimum required that would make possible the reasonable use of the land, building, or structure. A smaller addition could be created.

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 variance 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.***

Existing non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for this request.

IN COMPLIANCE.

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

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

**The Planning Board shall make factual findings regarding the following:**

*That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.*

The standards established by Section 90-395 of the City Code have not been fully met by the applicant for the variances requested.

*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.*

The Planning Department has not received any public comment for the variance request as of the date of this report.

Pursuant to Code Section 90-392, in granting such application the Planning Board must make specific affirmative findings respecting each of the matters specified in Code Section 90-394.

*The planning board shall not grant a variance to permit a use not permitted by right or as a conditional use in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district.*

No use not permitted by right or as a conditional use in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district would be permitted.

*No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.*

No such grounds were considered.

*No variance shall be granted that increases or has the effect of increasing density or intensity of a use beyond that permitted by the comprehensive plan or these LDRs.*

No density or intensity of a use would be increased beyond that permitted by the comprehensive plan or these LDRs.

**RECOMMENDATION:**

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variance be **denied**.

# Draft Resolution

**PLANNING BOARD  
RESOLUTION NO. 2015-\_\_**

**A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD [GRANTING / GRANTING WITH CONDITIONS / DENYING] A VARIANCE TO MINIMUM SIDE YARD SETBACKS ON PROPERTY LOCATED AT 618 FREE SCHOOL LANE (RE # 00009000-000000; AK # 1009261) IN THE HISTORIC HIGH DENSITY RESIDENTIAL (HHDR) ZONING DISTRICT PURSUANT TO SECTIONS 90-395 AND 122-630(6) A. & B. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.**

**WHEREAS**, the applicant proposes to add an addition to single family residence on the property located at 618 Free School Lane (RE # 00009000-000000; AK # 1009261); and

**WHEREAS**, Section 122-630 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 side yard setback is 11 feet; and

**WHEREAS**, the proposed southeast side yard setback is 5 feet from the 11 feet minimum required; and

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

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on July 16, 2015; 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, structures or buildings in the same district; and

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

**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 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; 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 variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

**WHEREAS**, the Planning Board finds 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; 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 variance; 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.

**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 side yard setback variance for the construction of an addition on the property located at 618 Free School Lane (RE # 00009000-000000; AK # 1009261) in the HHDR Zoning District pursuant to Sections 90-395 and 122-630(6) a. & b. of the City of Key West Land Development Regulations is hereby [granted / granted with conditions / denied].

**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.

**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 Resolution 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.

Read and passed on first reading at a regularly scheduled meeting held this 16th day of July 2015.

Authenticated by the Chairman of the Planning Board and the Planning Director;

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Richard Klitenick, Planning Board Chairman

Date

**Attest:**

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Thaddeus Cohen, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

# Application



# Application For Variance

City of Key West, Florida • Planning Department

3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com

**RECEIVED**

MAR 31 2015

CITY OF KEY WEST  
PLANNING DEPT.

**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 DESCRIPTION:

Site Address: 618 FREE SCHOOL LANE, KEY WEST

Zoning District: \_\_\_\_\_ Real Estate (RE) #: \_\_\_\_\_

Property located within the Historic District?  Yes  No

APPLICANT:  Owner  Authorized Representative

Name: THOMAS KELLY

Mailing Address: 19141 ROCKY ROAD

City: SUGARLOAF KEY State: FL. Zip: 33042

Home/Mobile Phone: 305-304-1984 Office: SAME Fax: N/A

Email: THOMASCKELLY1@BELL SOUTH.NET

### PROPERTY OWNER: (if different than above)

Name: KATE MIANO DBA MIANO GROUP INVESTMENTS LTD.

Mailing Address: 526 ANGELA STREET

City: KEY WEST State: FL. Zip: 33040

Home/Mobile Phone: 305-923-4617 Office: 294-2661 Fax: \_\_\_\_\_

Email: KEYSKBE@AOL.COM

Description of Proposed Construction, Development, and Use: SINGLE FAMILY RESIDENCE.

List and describe the specific variance(s) being requested:

TO EXPAND A NONCOMPLYING STRUCTURE

Are there any easements, deed restrictions or other encumbrances attached to the property?  Yes  No

If yes, please describe and attach relevant documents: \_\_\_\_\_

Will any work be within the dripline (canopy) of any tree on or off the property?  Yes  No  
 If yes, provide date of landscape approval, and attach a copy of such approval.

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 Requirement	Existing	Proposed	Variance Request
Zoning	HHDR			
Flood Zone	X-ZONE			
Size of Site	4000	10737 S.F.		
Height	30'	13'	22'-4"	
Front Setback	10'	58.1'	10'-0"	
Side Setback	5'	11'	5'-0"	
Side Setback	5'	46'	37'-0"	
Street Side Setback	5'	N/A	N/A	
Rear Setback	20'	11'-0"	14'-9"	X
F.A.R.	100%	8.1%	26.3%	
Building Coverage	50%	10.2%	30.4%	
Impervious Surface	60%	19.3%	45.8%	
Parking	1	2	2	
Handicap Parking	N/A	N/A	N/A	
Bicycle Parking	N/A	N/A	N/A	
Open Space/ Landscaping	75%	80%	51%	
Number and type of units	1	1	1	
Consumption Area or Number of seats	N/A	N/A	N/A	

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](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.

THIS PROPERTY HAS AN EXISTING SINGLE FAMILY RESIDENCE THAT DOES NOT COMPLY TO THE REAR SET BACK

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

EXISTING BUILDING WAS NOT BUILT BY OWNER.

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.

WITH EXCEPTION OF THE EXISTING STRUCTURE, ALL IMPROVEMENTS WILL COMPLY WITH SECTION 122-107B

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 PROPERTY IS A LARGE LOT WITH A SMALL RESIDENCE THAT DOES NOT COMPLY WITH THE REAR SET BACK

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.

ALL IMPROVEMENTS WILL COMPLY WITH SECTION 122-107B

6. 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 GRANTING OF THE VARIANCE WOULD BE IN HARMONY WITH THE GENERAL INTENT OF THE LAND DEVELOPMENT REGULATIONS

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.

AGREED

The 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."

**REQUIRED SUBMITTALS:** All of the following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- Correct application fee. Check may be payable to "City of Key West."
- Notarized verification form signed by property owner or the authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Property record card
- Signed and sealed survey
- Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- Floor plans
- Stormwater management plan

# Verification

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, THOMAS KELLY being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

618 FREESCHOOL LANE

Street address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

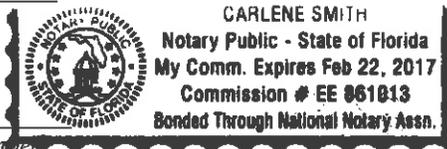
Thomas Kelly  
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 6/19/15 by \_\_\_\_\_  
date

Tom Kelly  
Name of Authorized Representative

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

Carlene Smith  
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

\_\_\_\_\_  
Commission Number, if any

# Authorization



Deed

Prepared by and return to:  
Susan Mary Cardenas  
Attorney at Law  
Stones & Cardenas  
221 Simonton Street  
Key West, FL 33040  
305-294-0252  
File Number: 14-003-Tromble

Doc# 1969975 02/24/2014 12:33PM  
Filed & Recorded in Official Records of  
MONROE COUNTY AMY HEAVILIN

02/24/2014 12:33PM  
DEED DOC STAMP CL: Krys \$8,680.00

Doc# 1969975  
Bk# 2672 Pg# 732

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 21st day of February, 2014 between Rick A. Tromble and Michele L. Tromble, husband and wife whose post office address is 6310 Manasota Key Road, Englewood, FL 34223, grantor, and Miano Group Investments, Ltd., a Florida limited partnership whose post office address is 526 Angela 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:

In the City of Key West, being a part of Lot 1 in Square 49, according to Whitehead's plan of the City delineated in February 1829, and more fully described as follows: COMMENCING on Elizabeth Street at the dividing line between Lots 1 and 2 in Square 49 and running thence along said dividing line a distance of 102 feet for a Point of Beginning. Continue along said dividing line a distance of 99 feet to the dividing line between Lots 1 and 4; thence along said dividing line of Lots 1 and 4 a distance of 110 feet more or less; thence at right angles in a Northeasterly direction parallel with the dividing line of Lots 1 and 2 a distance of 99 feet; thence at right angles in a Northwesterly direction parallel with the dividing line of Lots 1 and 4 a distance of 110 feet more or less, to the Point of Beginning.

LESS

Parcel "E":

A parcel of land on the Island of Key West and known as a part of Lot 1, Square 49, according to W.A. Whitehead's Map delineated in February, A.D., 1829, said parcel being more particularly described as follows: COMMENCE at the intersection of the Southwesterly right of way line of Elizabeth Street with the Northwesterly right of way line of Southard Street and run thence Southwesterly along the Northwesterly right of way line of Southard Street for a distance of 177 feet; thence Northwesterly and at right angles for a distance of 112 feet to the Point of Beginning; thence continue Northwesterly along the previously described course for a distance of 7.1 feet to an existing chain link fence; thence Southwesterly with a deflection angle of 88°57'13" to the left and along said fence for a distance of 21.9 feet to a fence corner; thence Southeasterly and at right angles and along said fence for a distance of 7.5 feet to a point, said point being 112 feet Northwesterly of the Northwesterly right of way line of Southard Street; thence Northeasterly for a distance of 22.05 feet back to the Point of Beginning.

LESS

Parcel "F":

A parcel of land on the Island of Key West, Monroe County, Florida and being more particularly described as follows: COMMENCE at the intersection of the Southwesterly right of way line of

Elizabeth Street with the Northwesterly right of way line of Southard Street and run thence Southwesterly along the Northwesterly right of way line of Southard Street for a distance of 152.00 feet; thence Northwesterly and at right angles for a distance of 112 feet to the Point of Beginning of the parcel of land being described herein; thence continue Northwesterly along the prolongation of the preceding course for a distance of 6.80 feet; thence Southwesterly and along a fine deflected 88°10" to the left for a distance of 25.01 feet; thence Southeasterly and along the line deflected 91°50' to the left for a distance of 7.00 feet; thence Northeasterly and at right angles for a distance of 25.00 feet back to the Point of Beginning.

Parcel Identification Number: 000090000-000000

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.

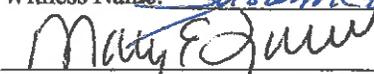
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Rick A. Tromble (Seal)

  
Witness Name: Susan M. Cardenas  
  
Witness Name: Mary E. Turso

  
Michele L. Tromble (Seal)

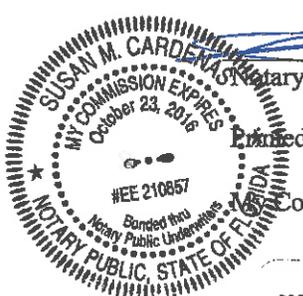
  
Witness Name: Susan M. Cardenas  
  
Witness Name: Mary E. Turso

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 21st day of February, 2014 by Rick A. Tromble and Michele L. Tromble, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]

  
Notary Public  
Printed Name: Susan M. Cardenas  
Commission Expires: 10.23.2016

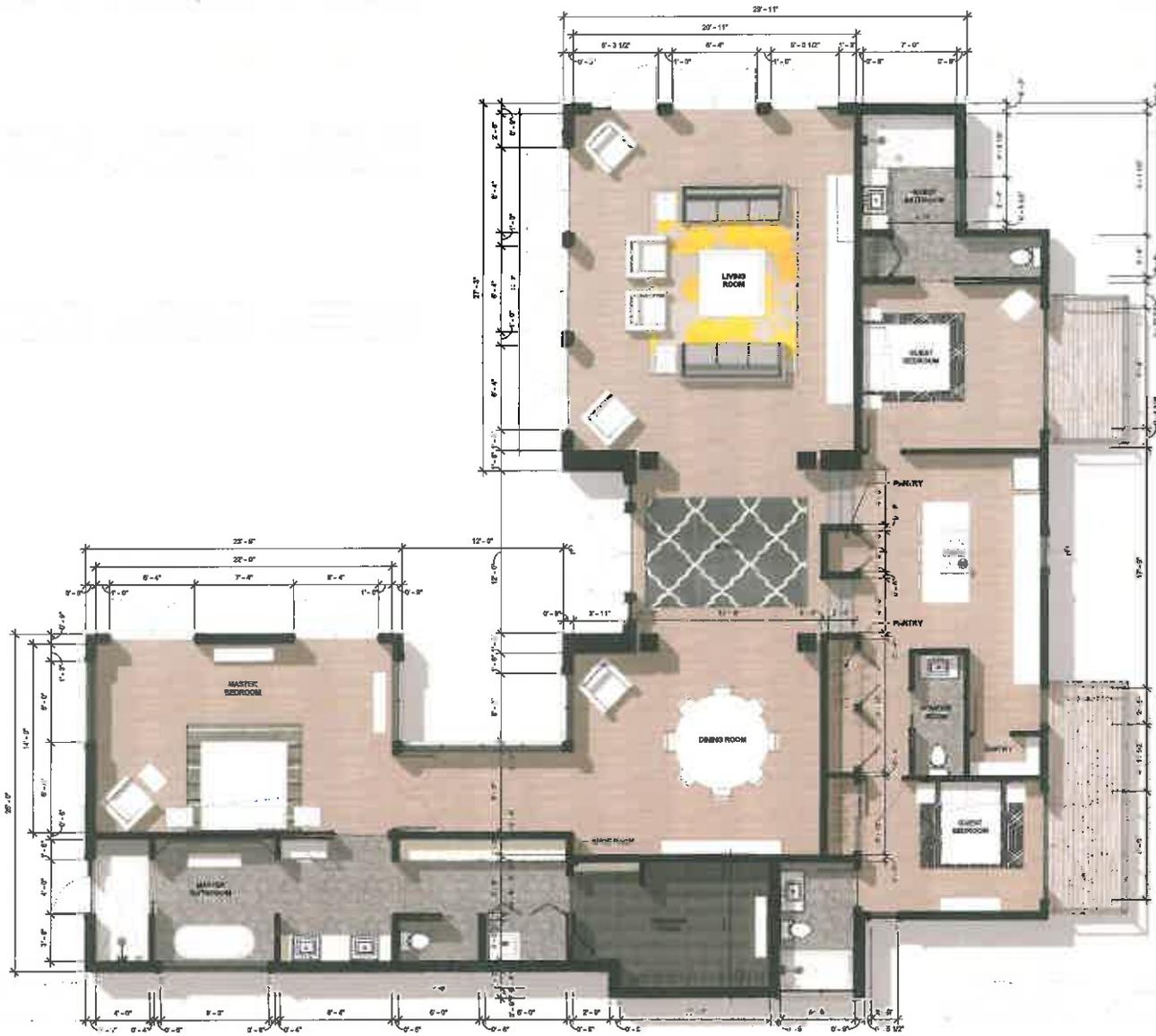


# Survey



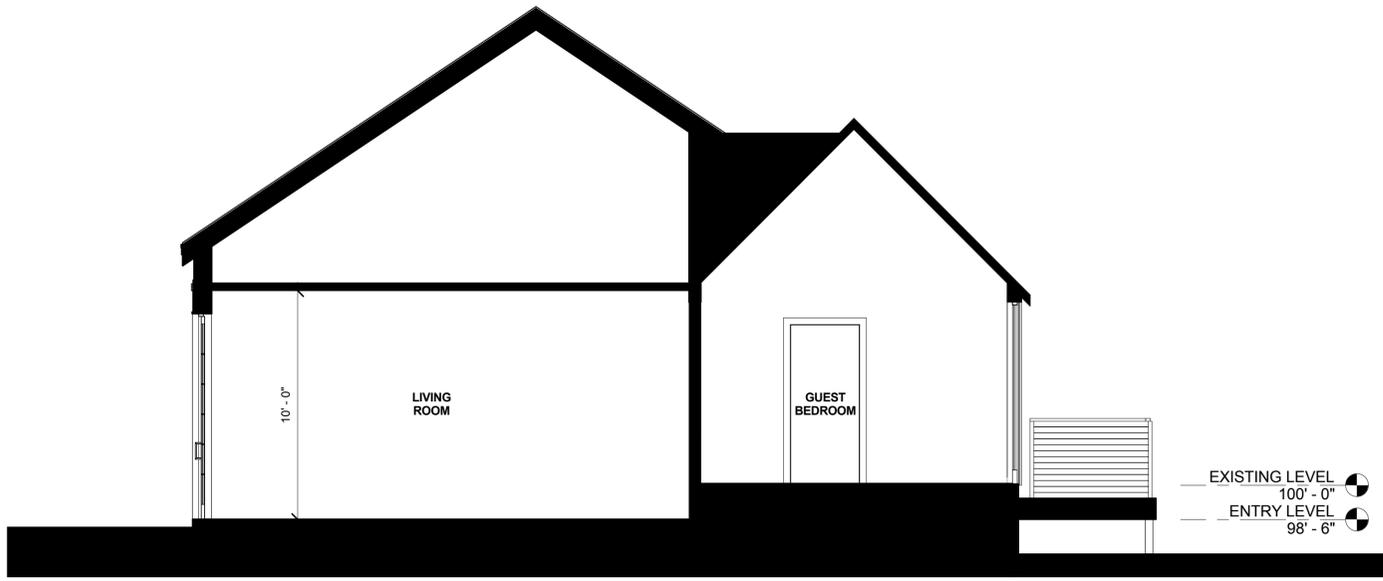
# Site Plans





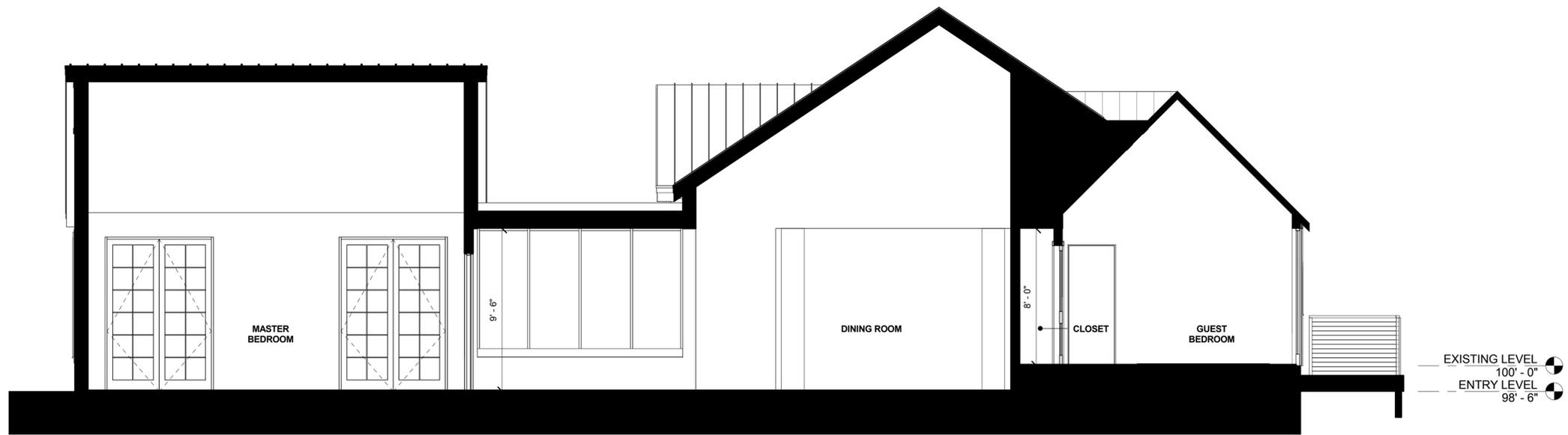
① OVERALL FLOOR PLAN  
 EXISTING SF: 728 SF  
 ADDITION SF: 2247 SF





Ⓐ BUILDING SECTION A  
1/4" = 1'-0"

Ⓑ BUILDING SECTION B  
1/4" = 1'-0"

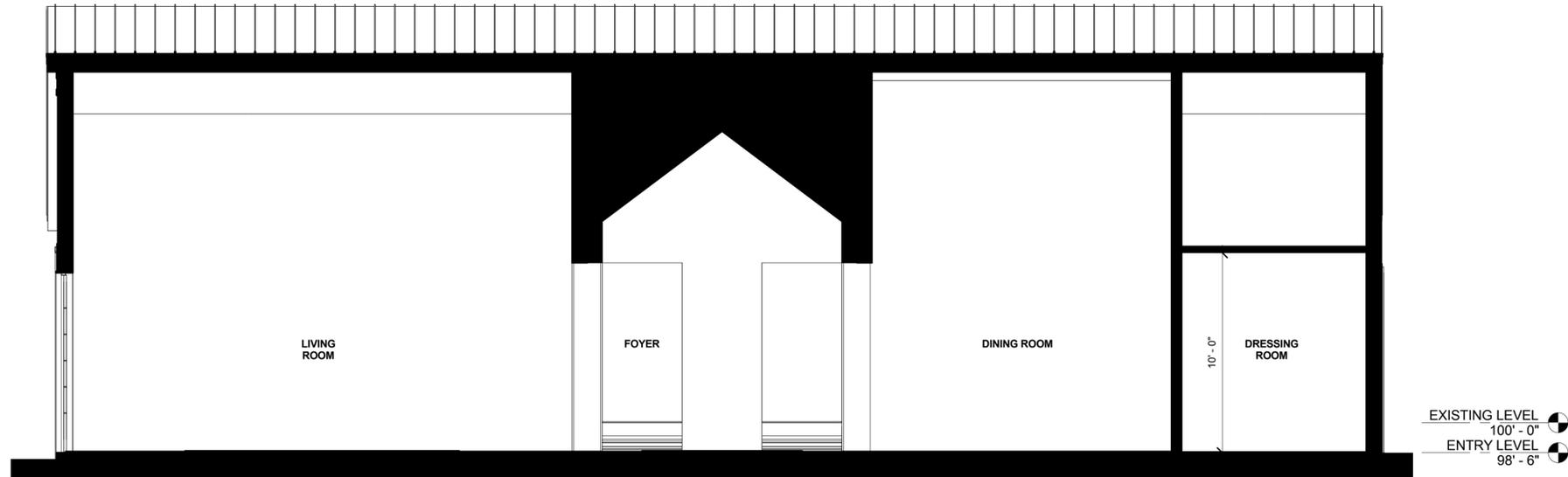


Ⓒ BUILDING SECTION C  
1/4" = 1'-0"



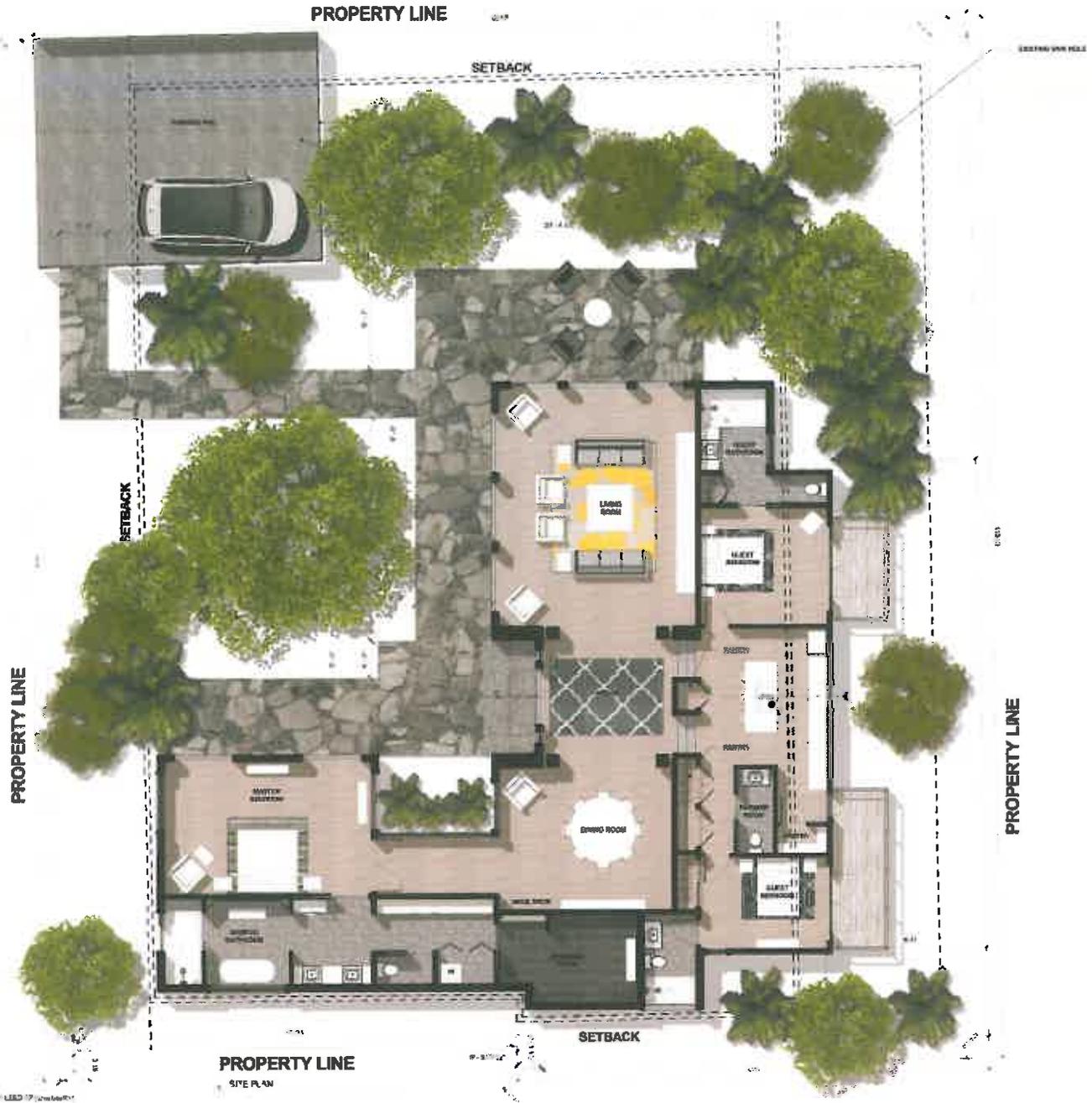


① BUILDING SECTION 1  
1/4" = 1'-0"



② BUILDING SECTION 2  
1/4" = 1'-0"

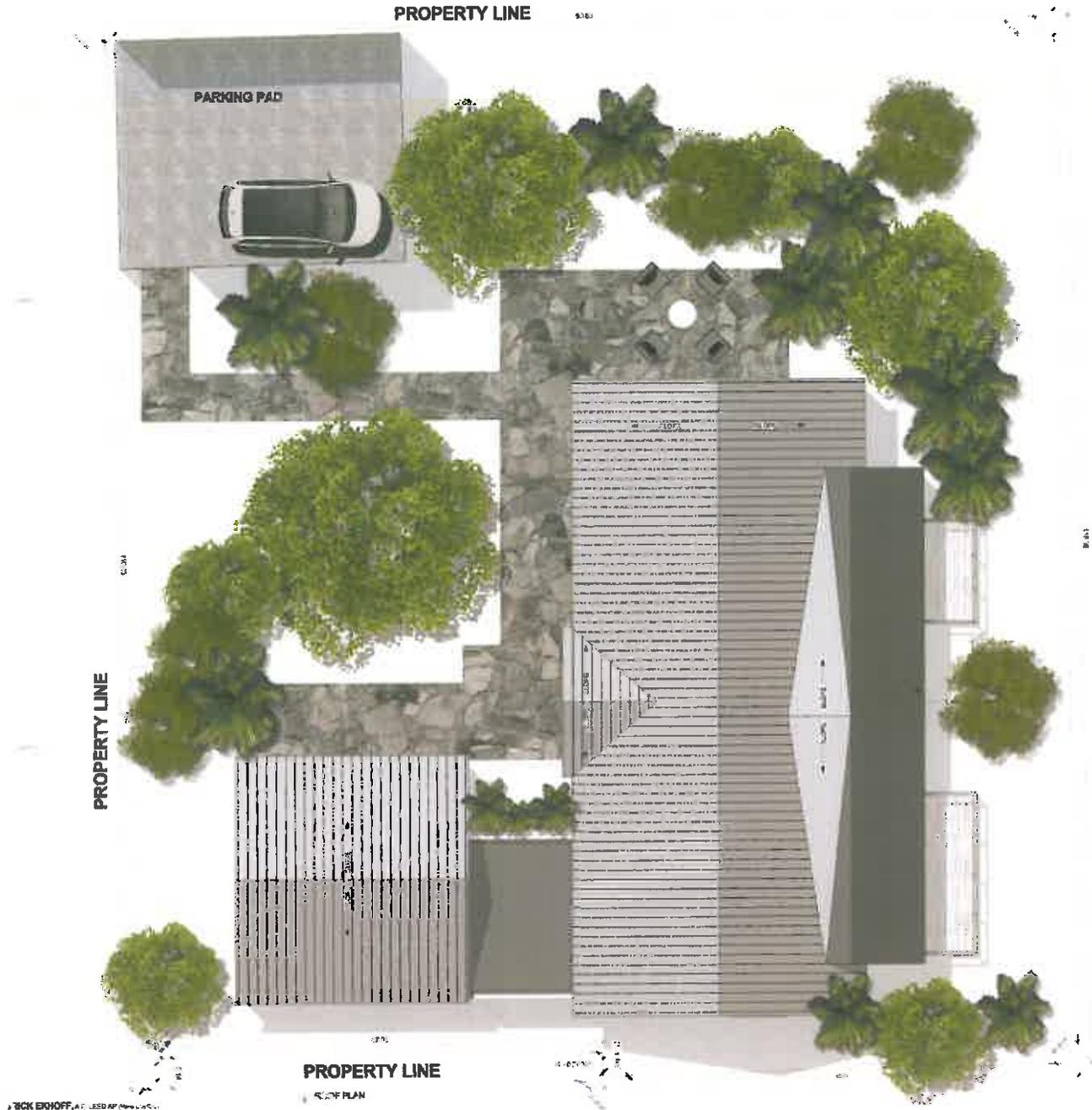




**PROPERTY LINE**  
SITE PLAN



**KATE MIANO RESIDENCE**  
#18 FREE-SCHOOL LAW  
KEY WEST, FL 33061



PROPERTY LINE

PARKING PAD

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

SCALE PLAN



**KATE MIANO RESIDENCE**  
 6-3 PRESENTATION  
 REVISED 11.2024



## Site Photos













## DRC Minutes/Comments

## Melissa Paul-Leto

---

**From:** Rod Delostrinos  
**Sent:** Monday, April 20, 2015 8:51 AM  
**To:** Venetia A. Flowers; Carlene Smith; Kevin Bond  
**Cc:** dickmoodyffa@bellsouth.net; Mary Anderson; Maria.Abreu@keysenergy.com; Alfonso, Matthew; Jason Barroso; Elizabeth Ignoffo; Steve Torrence; Gary Volenec; Ron Wampler; Karen DeMaria; Enid Torregrosa; Norman Whitaker; Alison Higgins; Scott Fraser; Peg Corbett; John Wilkins; Gary Volenec; Marcus A. Davila  
**Subject:** RE: DRC Meeting Agenda April 23

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning Venetia,

I have reviewed the DRC's April 23rd agenda and determined that the Community Services Department has no substantive comment. Therefore, there will be no Community Services Department representation at the meeting. Thanks and have a nice day.

Very Respectfully,

Rod Delostrinos  
Director of Community Services  
City of Key West  
O: 305.809.3767  
C: 305.304.6860

---

**From:** Venetia A. Flowers  
**Sent:** Friday, April 17, 2015 5:29 PM  
**To:** Carlene Smith; Kevin Bond  
**Cc:** dickmoodyffa@bellsouth.net; Mary Anderson; Maria.Abreu@keysenergy.com; Alfonso, Matthew; Rod Delostrinos; Jason Barroso; Elizabeth Ignoffo; Steve Torrence; Gary Volenec; Ron Wampler; Karen DeMaria; Enid Torregrosa; Norman Whitaker; Alison Higgins; Scott Fraser; Peg Corbett; John Wilkins; Gary Volenec  
**Subject:** DRC Meeting Agenda April 23

Please find attached the DRC Meeting Agenda for April 23. There will be additions made to the agenda on Monday April 20 as we are still waiting on associated documents. You may find the agenda here : [DRC Agenda April 23](#)

If you have any questions please contact me directly.

**Venetia A Flowers** | Planning Department | City of Key West | P.O. Box 1409 | Key West, FL 33041

Tel: 305-809-3764 | Fax: 305-809-3978 | [vflowers@cityofkeywest-fl.gov](mailto:vflowers@cityofkeywest-fl.gov) | [www.keywestcity.com](http://www.keywestcity.com)

DRC Meeting – Thursday, April 23, 2015  
Engineering Services – Review Comments  
Gary Volenec, P.E.

1 Lot Split - 805-809 Truman Avenue

Response: No Comment

2 Lot Split - 4 Lopez / 816 Eaton

Response: No Comment

3 Minor Development Plan - 700 Eaton Street (RE # 00006120-000000; AK # 1006343) - A request for minor development plan approval for a new mixed use development on property located within Historic Neighborhood Commercial (HNC-2) zoning district

Response: 90 degree vehicular parking requires a drive aisle of 24 feet in width; site plan appears deficient.

4 Variance - 700 Eaton Street (RE # 00006120-000000; AK # 1006343) - A request for variance to maximum impervious surface ratio in order to construct a new mixed use building on property located within Historic Neighborhood Commercial (HNC-2) zoning district.

Response: No Comment

5 Conditional Use - 801 Eaton Street (RE # 00003340-000000; AK # 1003476) - A request for conditional use approval to allow a take-out restaurant on property located within the Historic Neighborhood Commercial (HNC-2) zoning district

Response: No Comment

6 Variance - 1028-1030 Truman Avenue (RE # 00033280-000000; AK # 1034045 and RE # 00033280-000000; AK # 1034045) - A request for variance to off-street parking requirements and front and side yard setbacks in order to construct a new mixed use development on property located within the Historic Neighborhood Commercial - Truman/Simonton (HNC-1) Zoning District

Response: Standard Parking requires a total stall and aisle depth of 42 feet; Site Plan appears to be providing only 38 feet. Automatic Gate provides no off street queuing while waiting for gate to open; may back up vehicles on Truman Avenue while waiting. Truman Avenue is a FDOT Road and will require a permit application from FDOT for a driveway cut; there is no assurance it will be granted.

DRC Meeting – Thursday, April 23, 2015  
Engineering Services – Review Comments  
Gary Volenec, P.E.

- 7** Major Development Plan - Mallory Square (RE # 00072082-001100, AK# 8757778; RE # 00072082-001400, AK # 8757808 and RE # 0072082-003700; AK # 8801131) - A Major Development Plan application for redevelopment of four city-owned areas on Mallory Square to include a restaurant, public plaza, open space and use of an existing historic structure on property located in the HPS zoning district

Response: No Comment

- 8** Minor Development Plan - 3500 North Roosevelt Blvd (RE #00064960-000000; AK # 1065480) - A request for minor development plan for the reconfiguration and reconstruction of sales and service areas on property located within the General Commercial (CG) zoning district

Response: No Comment

- 9** Variance - 2201 Staples Avenue (RE # 00046660-000000; AK # 1047261) - A request for variance to maximum building coverage, maximum impervious surface ratio, minimum open space requirements and front, side and rear yard setbacks in order to construct a covered walkway and carport by adding L-shaped wraparound covering to an existing carport structure on property located within the Single-Family Residential (SF) Zoning District

Response: Only 24 foot wide driveway is allowed. Driveway must be 20 feet minimum from the lot corner to meet line of sight setback. Site Plan is unclear as to driveway location/dimensions; project appears to be a 4 bay wide carport; it is not allowed to have greater than 24 foot wide driveway connect to City Street.

- 10** Revocable License - 1415 Olivia Street (RE # 00023940-000000, AK # 1024741) - A request for a revocable license for a nonpermanent use of City property to maintain ± 212 square feet of landscaping and pavers on property located within the Historic Medium Density Residential (HMDR) zoning district

Response: No Comment

- 11** Revocable License - 801 Duval Street (RE # 00016650-000000; AK # 1017051) - A request for a revocable license for a nonpermanent use of City property to place four (4) stools on property located within the Historic Residential Commercial Core - Duval Street Oceanside (HRCC-3) zoning district

Response: No objection providing that stools are kept located against building and a minimum of 48" clear space is maintained to accommodate ADA requirements

DRC Meeting – Thursday, April 23, 2015  
Engineering Services – Review Comments  
Gary Volenec, P.E.

- 12** Revocable License - 730 Duval Street (RE # 00016140-000000; AK # 1016527) - A request for a revocable license for a nonpermanent use of City property to place three (3) high top tables and six (6) stools on property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) zoning district

Response: Object to use of City ROW for dining/drinking directly alongside roadway. Planning should also consult with City Risk Management on proposal before any decision is made.

- 13** Variance - 524 Front Street (RE # 00000330-000000; AK # 1000329) - A request for variance to building coverage in order to construct a covered entryway over an existing second floor entrance on property located in the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) zoning district

Response: No Comment

- 14** Conditional Use - 1100 Truman Avenue (RE # 00033290-000100; AK # 9032222) - A request for conditional use approval for the renovation of 850 square feet of existing commercial space for restaurant use on property located within the Historic Neighborhood Commercial - Truman/Simonton (HNC-1) Zoning District

Response: No Comment

- 15** Variance - 618 Free School Lane (RE # 00009000-000000; AK # 1009261) - A request for variance to minimum side yard setbacks in order to construct a single-family residence on property located within the Historic High Density Residential (HHDR) zoning district

Response: No Comment

- 16** Variance - 706 Catherine Street (RE # 00030900-000109; AK # 8761708) - A request for variances to minimum side yard setbacks, maximum building coverage and impervious surface ratio in order to construct a two-story residential addition on property located within the Historic Medium Density Residential (HMDR) zoning district

Response: No Comment

- 17** Variance - 830-832 Johnson Lane (RE # 00020260-000000; AK # 1021008 and AK # 00020270-000000; AK # 1021016) - A request for variances to maximum building coverage, maximum impervious surface ratio and minimum rear yard setback in order to construct an addition and decking on a rear structure on property located within the Historic High Density Residential (HHDR) zoning district

Response: No Comment

DRC Meeting – Thursday, April 23, 2015  
Engineering Services – Review Comments  
Gary Volenec, P.E.

- 18** Change of Non-Conforming Use - 2215 Flagler Avenue (RE # 00045470-000000; AK # 1046060)  
A request for change of non-conforming use in order to change the use from a dry cleaners to professional offices on property located within the Single-Family Residential (SF) Zoning District

Response: Building size would require 4 parking spaces for professional office (1 ADA). Suggest that 2 spaces against the building be converted to 12' wide ADA space with 5' wide aisle to comply with Code. Remaining 4 spaces could be striped at 9' to better accommodate parking; this would result in a reduction setback of parking along Flagler Avenue from 10' to 8' but would be acceptable as current pavement extends completely to roadway. This would result in a total of 5 compliant parking spaces.

- 19** Conditional Use - 1103-1107 Simonton Street (RE # 00027500-000000, AK # 1028282; RE # 00027510-000000, AK # 1028291 and RE # 00027490-000000, AK # 1028274) - A request for conditional use approval in order to add electric bicycle sales and rentals on property located within the Historic Neighborhood Commercial - Truman /Simonton (HNC-1) Zoning District

Response: No Comment



**OFFICE OF THE FIRE MARSHAL  
MEMORANDUM**

**DATE:** 04/23/2015  
**TO:** DRC  
**FROM:** Jason Barroso, Fire Inspector

**SUBJECT: DRC- April, 2015-Summary**

- ✚ 805-809 Truman Ave. – Lot Split – 5 ft. clearance with new lot split; maintain 5 ft. clearance of obstructions for new lot split
- ✚ 4 Lopez/816 Eaton St. – Lot Split – Postponed - 5 ft. clearance with new lot split; maintain 5 ft. clearance of obstructions for new lot split
- ✚ 700 Eaton St. – Minor Development Plan – 1) Fire Sprinkler system shall be installed. 2) Fire Alarm shall be installed. 3) Shall provide Life Safety Plan prior to Planning Board with additional comments to follow
- ✚ 700 Eaton St. – Variance – 1) Fire Sprinkler system shall be installed. 2) Fire Alarm shall be installed. 3) Shall provide Life Safety Plan prior to Planning Board with additional comments to follow
- ✚ 801 Eaton St. – Conditional Use – Come into compliance with Life Safety codes. Hood/ANSUL system needed.
- ✚ 1028-1030 Truman Ave. – Variance – 1) Possible fire sprinkler. 2) Look at side setback variance. 3) Accessibility to structure in back. 4) Life Safety plan
- ✚ Mallory Square – Major Development Plan – 1) Fire Sprinkler system shall be required & Alarm. 2) Accessibility. 3) Life Safety Plan needed
- ✚ 3500 N. Roosevelt Blvd. – Minor Development Plan – Life Safety plan needed
- ✚ 2201 Staples Ave. – Variance – Need information on setback variance; will require 5 ft. setback free & clear of any obstructions for accessibility

- # 1415 Olivia St. – Revocable License – No comments at this time
- # 801 Duval St. – Revocable License – Fire Marshal has a Life Safety issue and needs information from Planning Dept. on master plan for Duval St. corridor.
- # 730 Duval St. – Revocable License - Fire Marshal has a Life Safety issue and needs information from Planning Dept. on master plan for Duval St. corridor.
- # 524 Front St. – Variance – Maintain 2.5 ft. code requirement setback free & clear of any obstructions for accessibility
- # 1100 Truman Ave. – Conditional Use – Come into compliance with Life Safety codes and Building Codes change of use.
- # 618 Free School Ln – Variance – No comments at this time.
- # 706 Catherine St. – Variance – Life Safety concerns for accessibility; maintain 5 ft. setback free & clear of any obstructions including any utilities
- # 830-832 Johnson Ln – Variance – Maintain 5 ft. setbacks free & clear of any obstructions; Life Safety concerns with accessibility
- # 2215 Flagler Ave. – Change of Non-Conforming Use – Come into compliance with Life Safety codes prior to any occupancy.
- # 1103-1107 Simonton St. – Conditional Use – Come into compliance with Life Safety codes prior to occupancy with Fl. Life Safety codes.



(305) 295-1000  
1001 James Street  
PO Box 6100  
Key West, FL 33040-6100  
[www.KeysEnergy.com](http://www.KeysEnergy.com)

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UTILITY BOARD OF THE CITY OF KEY WEST

April 22, 2015

Planning Director  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE  
KEYS ENERGY SERVICES COMMENTS FOR MEETING OF APRIL 23, 2015

Dear Planning Director:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for April 23, 2015. KEYS reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 805-809 Truman Avenue – Lot Split  
COMMENT: KEYS has no objections to the lot split.
2. LOCATION: 4 Lopez/816 Eaton – Lot Split  
COMMENT: KEYS has no objections to the lot split.
3. LOCATION: 700 Eaton Street – Minor Development Plan  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power.
4. LOCATION: 700 Eaton Street – Variance  
COMMENT: KEYS has no objections to the variance request.
5. LOCATION: 801 Eaton Street – Conditional Use  
COMMENT: KEYS has no objections to the conditional use request.
6. LOCATION: 1028-1030 Truman Avenue – Variance  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power.

7. LOCATION: Mallory Square – Major Development Plan  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power. KEYS recommends the installation of underground high voltage distribution facilities to a pad mount transformer.
8. LOCATION: 3500 North Roosevelt Blvd – Minor Development Plan  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power. This information will help determine if a new transformer needs to be installed.
9. LOCATION: 2201 Staples Avenue – Variance  
COMMENT: KEYS has no objections to the variance request.
10. LOCATION: 1415 Olivia Street – Revocable License  
COMMENT: KEYS has no objections to the revocable license.
11. LOCATION: 801 Duval Street – Revocable License  
COMMENT: KEYS has no objections to the revocable license.
12. LOCATION: 730 Duval Street – Revocable License  
COMMENT: KEYS has no objections to the revocable license.
13. LOCATION: 524 Front Street – Variance  
COMMENT: KEYS objects to this application. The installation of this new awning will limit or eliminate KEYS' access to our pad mounted transformer. KEYS needs to have full access by truck to be able to work on our equipment, and feel this will be a safety hazard for our personnel.
14. LOCATION: 1100 Truman Avenue – Conditional Use  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power.
15. LOCATION: 618 Free School Lane – Variance  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power.
16. LOCATION: 706 Catherine Street – Variance  
COMMENT: The service drop to the first meter center will need to be relocated and upgraded to a new location. In addition, KEYS is requesting a full set of plans and a project review form.
17. LOCATION: 830-832 Johnson Lane – Variance  
COMMENT: KEYS has no objections to the variance request.
18. LOCATION: 2215 Flagler Avenue – Change of Non-Conforming Use  
COMMENT: KEYS has no objections to the change of non-conforming use.
19. LOCATION: 1103-1107 Simonton Street – Conditional Use  
COMMENT: KEYS is requesting a full set of plans and a project review form to ensure the applicant and surrounding customers with adequate power.

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295.1055.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Alfonso". The signature is fluid and cursive, with the first name "Matthew" being larger and more prominent than the last name "Alfonso".

Matthew Alfonso  
Supervisor of Engineering  
[Matthew.Alfonso@KeysEnergy.com](mailto:Matthew.Alfonso@KeysEnergy.com)

MA/mpa

Copied via electronic mail:

L. Tejada, General Manager & CEO

J. Wetzler, Asst. General Manager & CFO

D. Finigan, Director of Engineering & Control

E. Zarate, Director of Customer Services

File: PLI-132

## MEMORANDUM

RE: DRC Comments 4-23-15 meeting

FROM: Karen DeMaria, Urban Forestry Manager, City of Key West

1. 805-809 Truman Ave: No Comment
3. 700 Eaton St: Watch out for impacts to existing tree roots from neighboring properties. I have been onsite and applications have been submitted for tree removals. Must incorporate tree replacements required with tree removal permits in with landscaping plan. Large Royal Poinciana tree on property line still needs permitting. Need additional information regarding landscape plan-details especially shrubs and groundcover.
4. 700 Eaton St Variance: No Comment
5. 801 Eaton St: No Comment
6. 1028-1030 Truman Ave: No comment regarding variance. Be careful during demolition and construction regarding potential tree impacts to roots and canopy of any trees near the work area, on or off the property.
7. Mallory Square: Need to verify existing tree map. Project will have to be reviewed by the Tree Commission twice-first time for conceptual landscape plan with tree removal prior to Planning Board and HARC and then once Planning Board and HARC approvals have been given, a second time prior to City Commission for final landscape plan with tree removal approval. Need a proper landscape plan showing at least 70% native. Landscape plan waivers? Must supply a plan for tree protection during demo and construction.
8. 3500 N. Roosevelt Blvd: Have looked at preliminary landscape plans for the area to be redeveloped. 2007 Development Plan conditions?
9. 2201 Staples Ave: Object to variance. Encroaching into 10 ft wide City Alley in back of property.
10. 1415 Olivia St: I need to review landscaping plant species. Once plant species reviewed, a memo will be placed in the file. Must maintain clear, safe access for pedestrians on sidewalk.
11. 801 Duval St: How are the seats attached? To the building? Clear access to sidewalk must be maintained.

12. 730 Duval St: Object to license. Proposed staging area is a tree planting area.
13. 524 Front St: No Comment-Variance.
14. 1100 Truman Ave: No Comment-Conditional Use.
15. 618 Freeschool Lane: Need to accurately locate existing trees on the survey within the proposed work area and location of existing sink hole. Swale appears to be close to sink hole. Additional tree permits might be needed.
16. 706 Catherine: No comment regarding variance. Watch out for potential tree issues. Potential impacts from the construction to tree roots and tree canopies on the property and on neighboring properties.
17. 830-832 Johnson Lane: Request an on-site meeting to discuss potential impacts to trees on the property and on adjoining properties prior to variance issuance.
18. 2215 Flagler Ave: No Comment.
19. 1103-1107 Simonton St: No Comment.



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

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Development Review Committee  
April 23, 2015  
Utilities Comments

**805-809 Truman Avenue**

**Lot Split**

No comments.

**4 Lopez Lane / 816 Eaton Street**

**Lot Split**

No comments.

**700 Eaton Street**

**Minor Development Plan**

Property record card lists parcel size to be 5,578 s.f. Site data table lists parcel size 4,557 s.f. Please address and correct.

Solid Waste

Please provide a revised site plan that shows trash and recycling storage in accordance with Sec. 108-279, where storage areas are screened from adjacent properties and the public view.

Please indicate how the residential and commercial trash and recycling materials will be managed for pick up under separate accounts.

Sanitary Sewer

Please revise the site plan to show a grease interceptor for food service operations. Floor plan shows tables and bar. Application states retail space.

Stormwater

Please provide stormwater management plan calculations, and revise site plan to show exfiltration trench inlets. Please indicate how the cistern overflow will integrate with drainage management plan.

Potable Water

Please coordinate backflow prevention device with the Florida Keys Aqueduct Authority, due to use of rainwater harvested water use for toilet flushing. Piping from the cistern must be separate from the potable water supply. Please refer to FL Building Code Residential Section P2902.

**700 Eaton Street**

**Impervious Variance**

No comments.

**801 Eaton Street**

**Conditional Use**

Solid Waste

Trash containers are placed in the side yard. Please provide a site plan that shows trash and recycling storage area screened from adjacent properties and the public view.

Please contact Waste Management commercial services representative to set up recycling account.

**Significant cost savings will be realized by recycling.**

Sanitary Sewer

Please install a grease interceptor to receive flows from the kitchen, separate from restrooms. Grease interceptor sizing shall be based on kitchen fixture capacity or in accordance with FL Building Code: Plumbing Section 1003.

**1028-1030 Truman Avenue**

**Off-street Parking Variance**

No comments.

**Mallory Square**

**Major Development Plan**

Solid Waste

Please provide a site plan that shows trash and recycling storage in accordance with Sec. 108-279, where storage areas are screened from public view.

Sanitary Sewer

Please install a grease interceptors to receive flows from the kitchen and bar, separate from restrooms. Grease interceptor sizing shall be based on kitchen fixture capacity or in accordance with FL Building Code: Plumbing Section 1003.

Stormwater

Please provide stormwater management plan with calculations. Please provide information regarding 8" PVC outfall. Is outfall existing? Will it be retained?

**3500 North Roosevelt Boulevard**

**Minor Development Plan**

Please provide updated survey.

**2201 Staples Avenue**

**Building Coverage, Impervious Surface Ratio, Front, Side, Rear Yard, Open Space Variances**

No comments.

**1415 Olivia Street**

**Revocable License**

No comments.

**801 Duval Street**

**Revocable License**

No comments.

**730 Duval Street**

**Revocable License**

No comments.

**524 Front Street**

**Building Coverage Variance**

Please confirm rainwater runoff from new roof will not fall onto adjacent property.

**1100 Truman Avenue**

**Conditional Use**

Solid Waste

Please provide a site plan that shows the location for trash and recycling storage. In accordance with Sec. 108-279, trash and recycling storage areas shall be screened from adjacent property and public view. **Significant cost savings will be realized by recycling.**

Sanitary Sewer

Please install a grease interceptors to receive flows from the kitchen, separate from restrooms. Grease interceptor sizing shall be based on kitchen fixture capacity or in accordance with FL Building Code: Plumbing Section 1003.

**618 Free School Lane**

**Side Yard Setback Variance**

Stormwater

Please provide stormwater management plan that provides one-inch of treatment volume for the lot area, allowing for a 50% credit for the utilization of swales, 447 cubic feet of swale volume. Please provide dimension detail section for each swale.

**706 Catherine Street**

**Building Coverage, Impervious Surface Ratio, and Side Yard Setback Variances**

Please install roof gutters and direct downspouts back onto property, into landscaped areas.

**830-832 Johnson Lane**

**Building Coverage, Impervious Surface Ratio, Rear Yard Setback, Open Space Variances**

Please provide stormwater management plan that provides one-inch of treatment volume for the lot area.

Please install roof gutters and direct downspouts back onto property, into swales and landscaped areas.

**2215 Flagler Avenue**

**Change of Non-Conforming Use**

Solid Waste

Please provide a site plan that shows the location for trash and recycling storage. In accordance with Sec. 108-279, trash and recycling storage areas shall be screened from adjacent property and public view. **Significant cost savings will be realized by recycling.**

**1103-1107 Simonton Street**

**Conditional Use**

No comments.

## Additional Information

To Whom It May Concern:

I own the property known as 618 Free School Lane in Key West which is currently an approximately 750 sf single family home. This property has a transient license issued by the City of Key West. I am in the process of obtaining permission from the City to expand the size of this house which I fully intend to become my primary residence upon its completion.

I have no use for the transient license to remain in this location after I obtain the Planning Department approval, HARC approval and once final plans have been approved by the City of Key West. At such time my intent is to remove the license from this location to be used at a future date and transferred to a location where it is permitted to be used, or sold. It makes no sense for me to move the license from it's current grandfathered location unless I am certain that I will be able to build my house on the lot which I will not be certain of until it has gone through the entire approval process with the City.

I promise that once this happens, I will remove the transient license from it's current location.

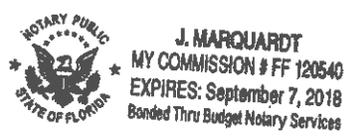
Respectfully submitted,



Kate Miano  
526 Angela  
Key West, FL 33040

State of FLORIDA  
County of MONROE  
On this 8<sup>th</sup> day of JULY, 2015  
before me personally appeared  
KATE MIANO

to me known to be the person who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.  
SEAL (signed) J. Marquardt  
Notary Public



J. MARQUARDT  
MY COMMISSION # FF 120540  
EXPIRES: September 7, 2018  
Bonded Thru Budget Notary Services



THE CITY OF KEY WEST  
 Tree Commission  
 Post Office Box 1409 - Key West, FL 33041-1409  
 Telephone: 305-809-3723

March 10, 2015

Kate Miano  
 526 Angela Street  
 Key West, FL 33040

Your request for Tree Commission ruling is being processed. The tree(s) on the application will be measured and evaluated for tree replacement caliper inches as per **Section 110-324** Key West City code.

Per **Key West City Code Sec.110-323 Application of criteria**, the Tree Commission shall determine whether to approve each tree removal permit application by weighing its findings made pursuant to **Sections 110-327, 110-328, and 110-329**. Determinations of equivalency shall include evaluation of the species, age, condition, historical significance, dimension and setting of the tree.\*

This request will be considered at the **March 10, 2015**, Tree Commission Meeting, 5:00 pm, Old City Hall, 510 Greene Street.

You can use the following link to review the meeting's agenda package under the Tree Commission Calendar <http://keywest.legistar.com/Calendar.aspx>.

\*\*\*\*\*

**618 Free School Alley/T15-7293/Kate Miano**

Removal: 1-Gumbo Limbo and 3-Unknown Non-Native Fruiting Trees

Tree(s)		Tree Value	x	Diameter	=	Replacement Caliper(dbh) inches
1-Gumbo Limbo and	-	70%	x	30.5"	=	38.2
1-Unknown Non-Native Fruiting Trees		60%		13"		
1-Unknown Non-Native Fruiting Trees		60%		4.4"		
1-Unknown Non-Native Fruiting Trees		60%		10.8"		

Tree replacements will be planted in area of choice within the property line of tree address.

\*\*\*\*\*

If you have any questions, please call the office at (305) 809-3723.

Karen DeMaria  
 Urban Forestry Manager  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)

**\* Tree Commission will make final determination. The values charged may be different than what is expressed herein the preliminary worksheet.**



**THE CITY OF KEY WEST**  
**Tree Commission**  
 Post Office Box 1409 - Key West, FL 33041-1409  
 Telephone: 305-809-3723

March 10, 2015

Kate Miano  
 526 Angela Street  
 Key West, FL 33040

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 Removal: 1-Gumbo Limbo and 3-Unknown Non-Native Fruiting Trees

Tree(s)		Tree Value	x	Diameter	=	Replacement Caliper(dbh) inches
1-Gumbo Limbo and	-	70%	x	30.5"	=	38.2
1-Unknown Non-Native Fruiting Trees		60%		13"		
1-Unknown Non-Native Fruiting Trees		60%		4.4"		
1-Unknown Non-Native Fruiting Trees		60%		10.8"		

Tree replacements will be planted in area of choice within the property line of tree address.  
 \*\*\*\*\*

If you have any questions, please call the office at (305) 809-3723.

Karen DeMaria  
 Urban Forestry Manager  
[kdemaria@cityofkeywest-fl.gov](mailto:kdemaria@cityofkeywest-fl.gov)

**\* Tree Commission will make final determination. The values charged may be different than what is expressed herein the preliminary worksheet.**



DESCRIPTION (continued)

Chimney: No. \_\_\_ Chimney Material(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_  
Structural System(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_  
Foundation Type(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_  
Foundation Material(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_  
Main Entrance (stylistic details) \_\_\_\_\_

Porch Descriptions (types, locations, roof types, etc.) \_\_\_\_\_

Condition (overall resource condition):  excellent  good  fair  deteriorated  ruinous

Narrative Description of Resource \_\_\_\_\_

Archaeological Remains \_\_\_\_\_  Check if Archaeological Form Completed

RESEARCH METHODS (check all that apply)

- FMSF record search (sites/surveys)
- FL State Archives/photo collection
- property appraiser / tax records
- cultural resource survey (CRAS)
- other methods (describe) Google Earth
- library research
- city directory
- newspaper files
- historic photos
- building permits
- occupant/owner interview
- neighbor interview
- interior inspection
- Sanborn maps
- plat maps
- Public Lands Survey (DEP)
- HABS/HAER record search

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed) \_\_\_\_\_

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually?  yes  no  insufficient information

Appears to meet the criteria for National Register listing as part of a district?  yes  no  insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed) Replacement or altered; non contributing resource to the Key West Historic District.

Area(s) of Historical Significance (see National Register Bulletin 15, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

- 1. \_\_\_\_\_ 3. \_\_\_\_\_ 5. \_\_\_\_\_
- 2. \_\_\_\_\_ 4. \_\_\_\_\_ 6. \_\_\_\_\_

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

- 1) Document type \_\_\_\_\_ Maintaining organization \_\_\_\_\_  
Document description \_\_\_\_\_ File or accession #'s \_\_\_\_\_
- 2) Document type \_\_\_\_\_ Maintaining organization \_\_\_\_\_  
Document description \_\_\_\_\_ File or accession #'s \_\_\_\_\_

RECORDER INFORMATION

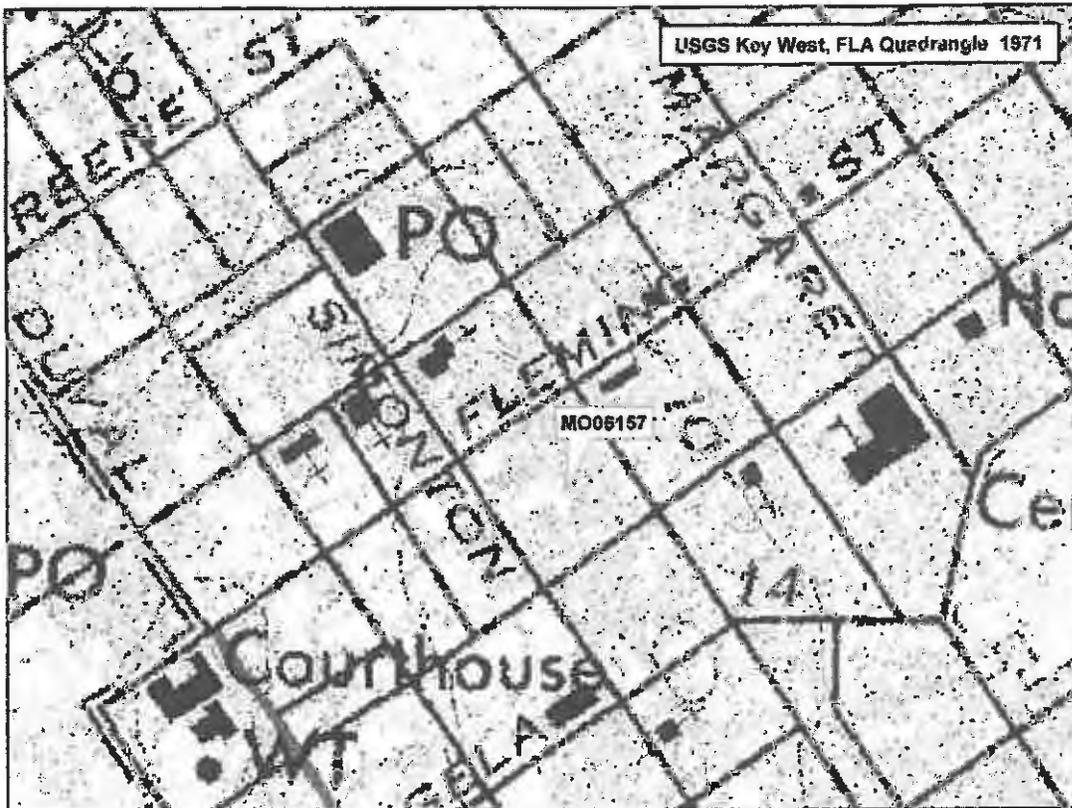
Recorder Name Stacey Griffin and Christine Longiaru Affiliation PanAmerican Consultants, Inc.

Recorder Contact Information 2619 University Blvd, Tuscaloosa, AL 35401, 205-556-3096/205-556-1144, sgriffin@pana  
(address / phone / fax / e-mail)

Required Attachments

- ① USGS 7.5' MAP WITH STRUCTURE LOCATION PINPOINTED IN RED
- ② LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)
- ③ PHOTO OF MAIN FACADE, ARCHIVAL B&W PRINT OR DIGITAL IMAGE FILE  
If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable).  
Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

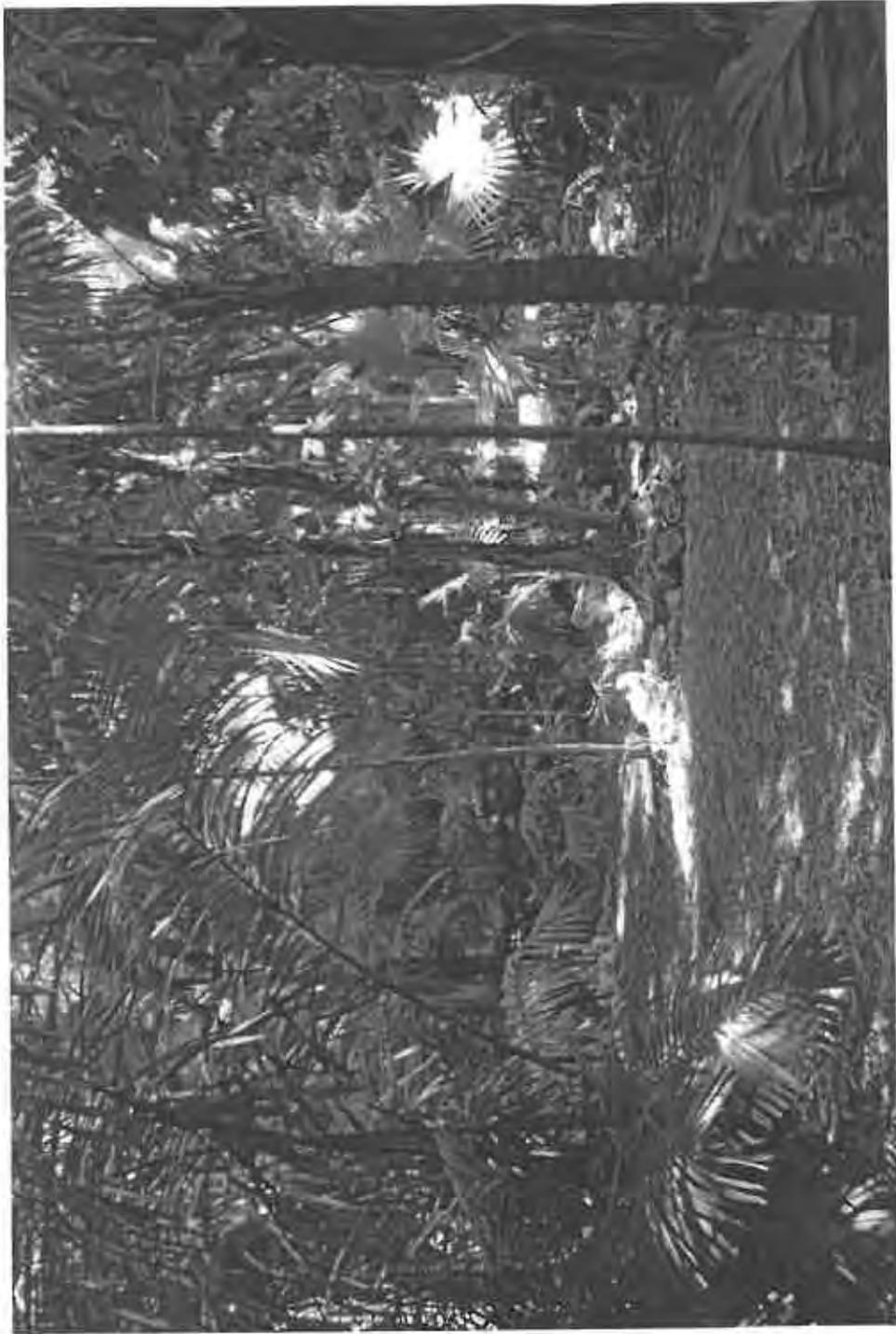
USGS Key West, FLA Quadrangle 1871



MO05157  
End of Free School Lane  
10/20/2011







# Property Appraiser



**Scott P. Russell, CFA**  
**Property Appraiser**  
**Monroe County, Florida**

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

## Property Record Card -

**Maps are now launching the new map application version.**

Website tested on IE8,  
IE9, & Firefox.  
Requires Adobe Flash  
10.3 or higher

Alternate Key: **1009261** Parcel ID: **00009000-000000**

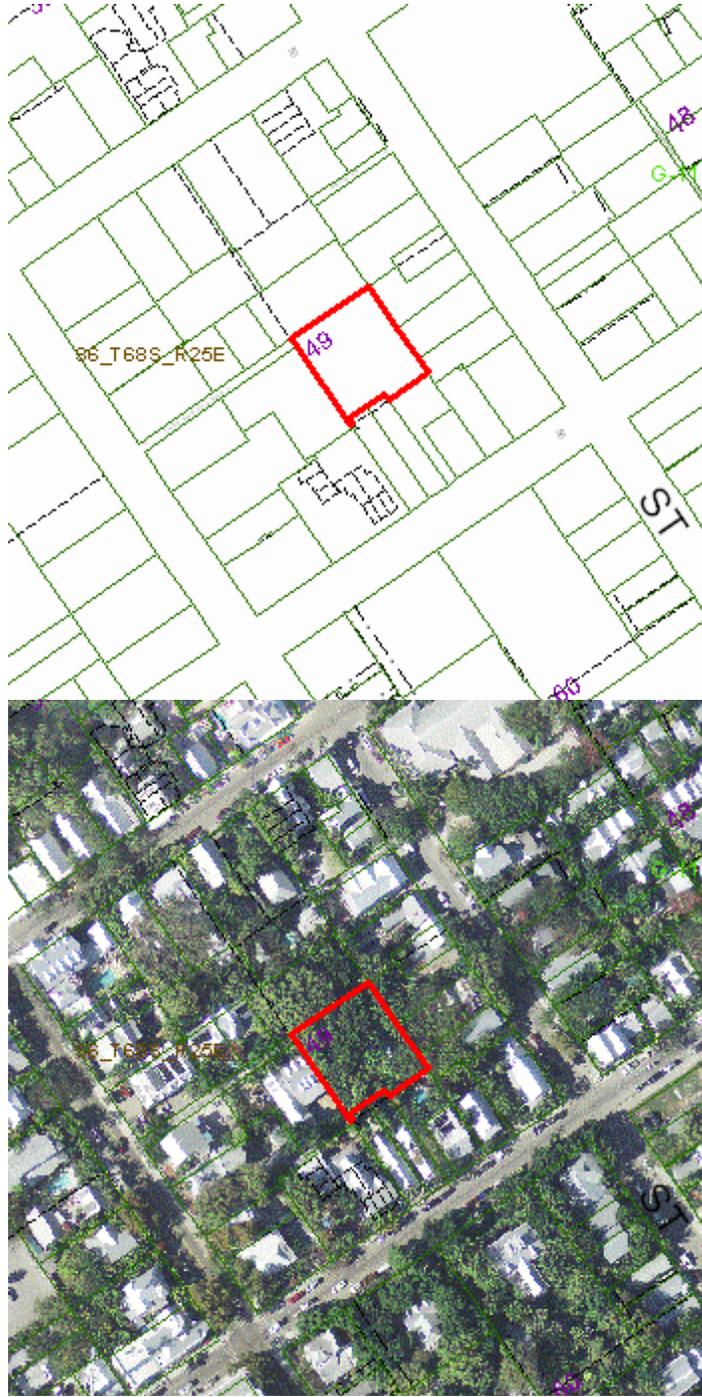
### Ownership Details

**Mailing Address:**  
MIANO GROUP INVESTMENTS LTD  
526 ANGELA ST  
KEY WEST, FL 33040-7433

### Property Details

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 618 FREE SCHOOL ALLEY KEY WEST  
**Legal Description:** KW PT LTS 1-3 SQR 49 OR463-649/650 OR549-1063/64 OR623-615 OR623-618 (F/J ON CASE 81-97-CA-04) OR781-879 OR1191-2127 OR1192-1573/4AFF OR2328-2289 OR2530-1929/30 OR2536-1526/28C OR2600-2143/45 OR2672-732/33

[Click Map Image to open interactive viewer](#)



### Land Details

Land Use Code	Frontage	Depth	Land Area
01SD - RES SUPERIOR DRY			10,556.59 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 0

Total Living Area: 750  
Year Built: 1924

### Building 0 Details

Building Type R1  
Effective Age 6  
Year Built 1924  
Functional Obs 0

Condition G  
Perimeter 130  
Special Arch 0  
Economic Obs 0

Quality Grade 450  
Depreciation % 4  
Grnd Floor Area 750

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

Roof Type  
Heat 1  
Heat Src 1

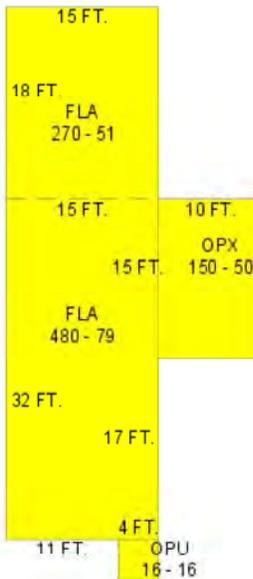
Roof Cover  
Heat 2  
Heat Src 2

Foundation  
Bedrooms 1

Extra Features:

2 Fix Bath 0  
3 Fix Bath 0  
4 Fix Bath 0  
5 Fix Bath 0  
6 Fix Bath 0  
7 Fix Bath 0  
Extra Fix 0

Vacuum 0  
Garbage Disposal 0  
Compactor 0  
Security 1  
Intercom 0  
Fireplaces 0  
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	<u>OPX</u>		1	2011					150
0	<u>OPU</u>		1	2011					16
0	<u>FLA</u>	2:B & B	1	1924		Y			480
0	<u>FLA</u>	2:B & B	1	2011		Y			270

## Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	PT2:BRICK PATIO	1,066 SF	0	0	2012	2013	2	50
0	FN2:FENCES	900 SF	150	6	2012	2013	5	30

## Appraiser Notes

2012-03-26 MLS \$2,495,000 1/1 FOR 43 YEARS NANCY FORRESTER HAS WORKED PASSIONATELY TO PRESERVE THE LAST UNDEVELOPED, WOODED PARCEL OF LAND IN OLD TOWN. ALMOST 18,000 SQ FT OF LARGE SPECIMEN PALMS, BAMBOO AND NATIVE TREES FILL THIS ENCHANTING TOPOGRAPHY. THE NEWLY RENOVATED ONE BEDROOM GUEST COTTAGE IS READY FOR YOU TO MOVE INTO WHILE YOU CONTEMPLATE BUILDING YOUR DREAM HOME NESTLED IN THE HEART OF EDEN

2012-02-16 PERMITS FOR REHAB WERE PULLED UNDER ADDRESS OF 518 ELIZABETH ST REAR RE 00008950-000000 AK 1009211. DKRAUSE

2010-12-01 PARCEL REVIEW DISCOVERED AN IMPROVEMENT LOCATED ON THIS PARCEL.THE IMPROVEMENT WAS PREVIOUSLY APPRAISED ON CONTIGUOUS RE 00008950-000000 AK 1009211. THE IMPROVEMENT WILL BE DELETED FROM RE 00008950-000000 AK 1009211 AND PLACED ON CONTIGUOUS PARCEL RE 00009000-000000 AK 1009261 FOR THE 2011 ROLL. DKRAUSE.

## Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
1 11-0916	03/28/2011	10/15/2011	2,860		INSTALL 2.5 TON AC WITH 8 DROPS
1 11-0610	03/29/2011	10/15/2011	0		DEMO INTERIOR WALLS,KITCHEN AND BATHROOM ONLY (REAR COTTAGE)
1 11-0855	03/29/2011	10/15/2011	46,478		INTERIOR RENOVATION OF THE BATHROOM AND KITCHEN ALSO EXTERIOR COVER AND PORCH AND STAIRS
1 11-0920	03/28/2011	10/15/2011	4,874		ELECTRICAL RENOVATION OF WIRING AND LOAD CENTER PANEL AS PER PLANS INCLUDING ELECTRICAL CHANGES AND UPGRADES TO THE REAR COTTAGE ONLY
1 11-0951	03/23/2011	10/15/2011	5,470		ROUGH AND TRIM 1 TOILET,1LAV,1TUB,I KITCH SINK, 1 TANKLESS LP HEATER
1 11-1715	05/26/2011	10/15/2011	1,500		INSTALL CONCH SHINGLES TO NEW CONSTRUCTION. TITANIUM EAVES DRIP FLASHING CONCH SHINGLES & RIDGE CAP
1 11-1500	05/06/2011	10/15/2011	900		INSTALL SECURITY SYSTEM
1 12-2444	07/16/2012	10/12/2012	4,800		696sf OLD CHICAGO BRICK PARKING AREA SET ON SAND
1 12-1998	06/14/2012	10/12/2012	6,750		150lf SHADOW BOX FENCE AND GATE. DEMO 110lf CHAIN LINK FENCE
1 12-2444	08/14/2012	08/14/2012	7,800	Commercial	ADDING WALKWAY TO DRIVEWAY 370 SF
1 13-0841	03/01/2013	03/01/2013	1,510	Commercial	AFTER THE FACT: REPLACE EXISTING HEATER AND WASHING MACHINE
1 13-0840	03/01/2013	03/01/2013	1,770	Commercial	AFTER THE FACT: DEMO ONLY A 2' x 4' WOOD FRAMED LAUNDRY ROOM
1 13-0842	03/01/2013	03/01/2013	745	Commercial	AFTER THE FACT: REMOVE & DISCONNECT ONE 220V RECEP FOR DRYER & 2 110V RECEP FOR WATER HEATER AND WASHING MACHINE AND EXTERIOR LIGHTING
1 13-0899	03/08/2013	03/08/2013	370	Commercial	INSTALL TWO (2) EMERGENCY LIGHTS ONLY

1	13-0900	03/08/2013	03/08/2013	1,794	Commercial	INSTALL THREE (3) CAMERAS OUSIDE & ONE (1) INSIDE
	12-2444	08/14/2012	12/18/2014	7,800		ADD WALKWAY TO DRIVEWAY 370SF

## 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
2014	86,410	13,846	1,222,360	1,322,616	1,064,158	0	1,322,616
2013	87,472	14,220	865,725	967,417	967,417	0	967,417
2012	89,416	0	768,179	857,595	531,079	0	857,595
2011	51,938	0	399,409	451,347	451,347	0	451,347
2010	0	1,022	510,390	511,412	511,412	0	511,412
2009	0	1,030	793,940	794,970	794,970	0	794,970
2008	0	1,040	1,247,261	1,248,301	1,248,301	0	1,248,301
2007	0	1,047	1,662,663	1,663,710	1,663,710	0	1,663,710
2006	0	1,055	1,002,876	1,003,931	1,003,931	0	1,003,931
2005	0	1,065	802,301	803,366	803,366	0	803,366
2004	0	1,072	749,518	750,590	750,590	0	750,590
2003	0	1,080	295,585	296,665	296,665	0	296,665
2002	0	1,090	295,585	296,675	296,675	0	296,675
2001	0	1,098	295,585	296,683	296,683	0	296,683
2000	0	571	213,771	214,342	214,342	0	214,342
1999	0	575	192,394	192,969	192,969	0	192,969
1998	0	578	195,317	195,895	195,895	0	195,895
1997	0	580	176,027	176,607	176,607	0	176,607
1996	0	584	176,027	176,611	176,611	0	176,611
1995	0	202	176,027	176,229	176,229	0	176,229
1994	0	202	176,027	176,229	176,229	0	176,229
1993	0	202	176,027	176,229	176,229	0	176,229
1992	0	202	176,027	176,229	176,229	0	176,229
1991	0	202	178,868	179,070	179,070	0	179,070
1990	0	202	145,926	146,128	146,128	0	146,128
1989	0	202	143,748	143,950	143,950	0	143,950
1988	0	202	139,392	139,594	139,594	0	139,594
1987	0	202	100,733	100,935	100,935	0	100,935
1986	0	202	57,600	57,802	57,802	0	57,802
1985	0	202	64,886	65,088	65,088	0	65,088
1984	0	202	64,886	65,088	65,088	0	65,088
1983	0	202	64,886	65,088	65,088	0	65,088
1982	0	202	64,886	65,088	65,088	0	65,088

## 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
2/21/2014	2672 / 732	1,240,000	WD	02
11/29/2012	2600 / 2143	1,100,000	WD	02
10/3/2011	2536 / 1526	100	WD	11
9/3/2010	2530 / 1929	375,000	WD	37
2/1/1969	781 / 879	6,000	00	Q

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