

Application



Application For Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3720 • www.cityofkeywest-fl.gov

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: 715 Fleming Street

Zoning District: HMDR Real Estate (RE) #: 00006200-000000

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Kevin Melloncamp

Mailing Address: 3 Casa Roma Lane #3

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-294-7776 Office: _____ Fax: _____

Email: kevin@toolboxgc.com

PROPERTY OWNER: (if different than above)

Name: 5 Higgs Lane LLC

Mailing Address: 3 Higgs Lane

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 443-520-9240 Office: _____ Fax: _____

Email: _____

Description of Proposed Construction, Development, and Use: _____

Construct new in ground pool, New 1 Story Covered Porch

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

Building Coverage 52%, Rear Setback 14'-4"

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	HMDR			
Flood Zone	X			
Size of Site	3,200 Sq.Ft.			
Height				
Front Setback	10"			
Side Setback	5'		5'-0"	
Side Setback				
Street Side Setback				
Rear Setback	15'		14'-4"	
F.A.R				
Building Coverage	40%	48%	52%	12% (378 Sq.Ft.)
Impervious Surface	60%	52%	56%	
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping	35%	48%	42%	
Number and type of units		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.

This property is an unusually small lot
leaving insufficient space for the required setbacks.

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 structure occupies more that the allowable Building Coverage.

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.

No special privileges will be conferred.

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.

Hardship condition is that the existing kitchen is inadequate - Addition required for new kitchen.

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.

This requested variance would allow the minimum space requirement for a new kitchen.

City of Key West • Application for Variance

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 minimal dimensions of the requested variance will have minimal impact and will not be detrimental to the public interest.

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.

Existing nonconforming uses of other properties are not the basis for this request.

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



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company
 5 HIGGS LANE, LLC

Filing Information

Document Number L14000010656
FEI/EIN Number 46-4724577
Date Filed 01/21/2014
Effective Date 01/20/2014
State FL
Status ACTIVE

Principal Address

5 HIGGS LANE
 KEY WEST, FL 33040

Mailing Address

3 HIGGS LANE
 KEY WEST, FL 33040

Registered Agent Name & Address

DESCOTEAU, DAVID A
 3 HIGGS LANE
 KEY WEST, FL 33040

Authorized Person(s) Detail

Name & Address

Title AMBR

 DESCOTEAU, DAVID A
 3 HIGGS LANE
 KEY WEST, FL 33040

Title AMBR

 DESCOTEAU, JUDITH L
 3 HIGGS LANE
 KEY WEST, FL 33040

Annual Reports

Report Year	Filed Date
2016	03/28/2016
2017	01/20/2017

2018

01/14/2018

Document Images

[01/14/2018 -- ANNUAL REPORT](#)

View image in PDF format

[01/20/2017 -- ANNUAL REPORT](#)

View image in PDF format

[03/28/2016 -- ANNUAL REPORT](#)

View image in PDF format

[03/19/2015 -- ANNUAL REPORT](#)

View image in PDF format

[01/21/2014 -- Florida Limited Liability](#)

View image in PDF format

Florida Department of State, Division of Corporations

Warranty Deed

Doc# 2177274 07/10/2018 11:33AM
Filed & Recorded in Official Records of
MONROE COUNTY KEVIN MADOK

Prepared by and return to:
Gregory S. Oropeza, Esq.
Attorney at Law
Oropeza Stones Cardenas, PLLC
221 Simonton Street
Key West, FL 33040
305-294-0252
File Number: 18-334
Consideration: \$776,000.00

07/10/2018 11:33AM
DEED DOC STAMP CL: Krys \$5,432.00

Doc# 2177274
Bk# 2916 Pg# 631

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 9th day of July, 2018 between Lewis Philippe Skaife Phillips, a single man whose post office address is 4516 Marcell St, Montreal, QC, H4A 3A1 Canada, grantor, and 5 Higgs Lane, LLC, a Florida limited liability company whose post office address is 3 Higgs Lane, 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, and known as a part of Lot 4 in Square 35, according to William A. Whitehead's map of the Island of Key West, delineated in February A.D. 1829:

Commencing at a point on Fleming Street, distant 150 feet from the corner of Elizabeth and Fleming Streets, and running along Fleming Street, in a Northeasterly direction 50 feet; thence at right angles in a Northwesterly direction 64 feet; thence at right angles in a Southwesterly direction 50 feet; thence at right angles in a Southeasterly direction 64 feet to the place of beginning.

Parcel Identification Number: 00006200-000000

Subject to taxes for 2018 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

THE PROPERTY CONVEYED HEREIN IS NEITHER THE DOMICILE NOR THE HOMESTEAD OF GRANTOR, NOR GRANTOR'S SPOUSE, NOR ANY OF GRANTOR'S IMMEDIATE HOUSEHOLD, AS DEFINED BY THE LAWS OF THE STATE OF FLORIDA. GRANTOR RESIDES AT THE ADDRESS SHOWN ABOVE.

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, 2017**.

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

DoubleTime®

Signed, sealed and delivered in our presence:

Mary E. Turso
Witness Name: MARY E. TURSO

Diane T. Castillo
Witness Name: Diane T. Castillo

Lewis Philippe Skaife Phillips by Richard J. McChesney
(Seal)
Lewis Philippe Skaife Phillips, by Richard J. as attorney in fact
McChesney his attorney-in-fact

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 9th day of July, 2018 by Richard J. McChesney, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Mary E. Turso
Notary Public

Printed Name: MARY E. TURSO

My Commission Expires: 5/16/21

MONROE COUNTY
OFFICIAL RECORDS

Verification Form

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, Kevin Melloncamp, 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:

715 Fleming Street

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.

[Signature]
Signature of Authorized Representative

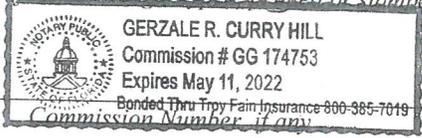
Subscribed and sworn to (or affirmed) before me on this Sept 7, 2018 by

Kevin Melloncamp.
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal

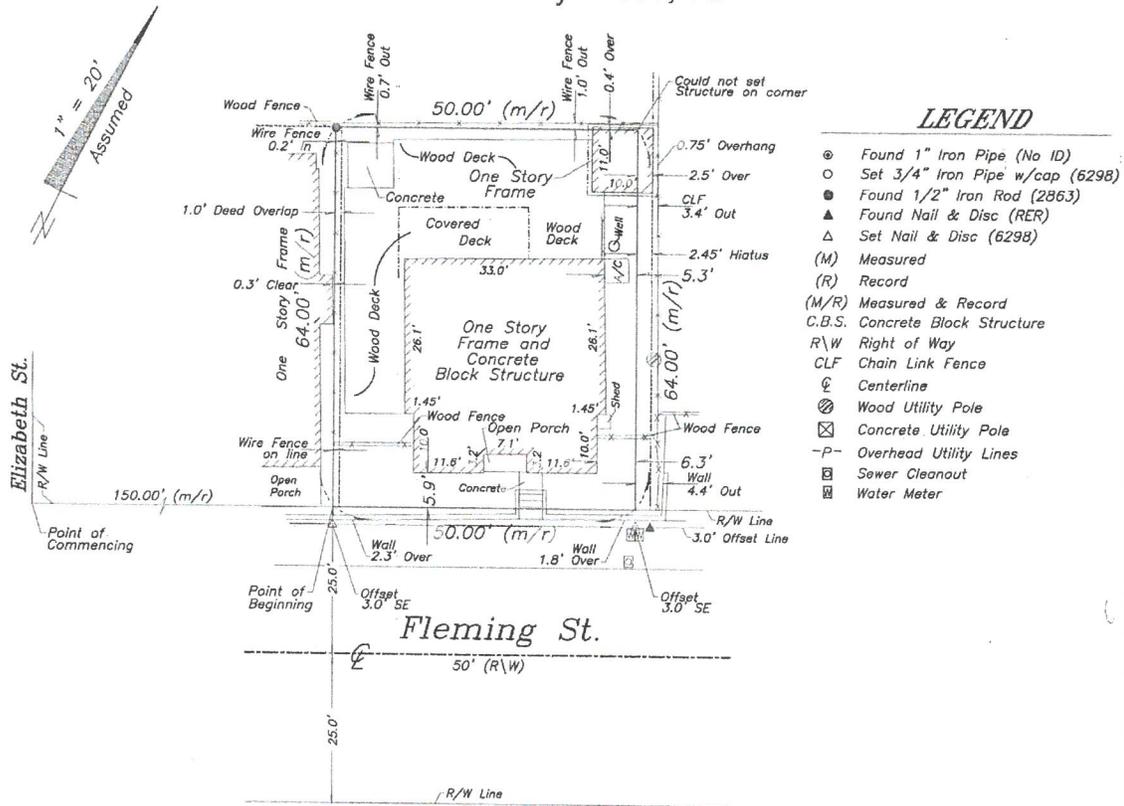
Gerzale R Curry Hill
Name of Acknowledger typed, printed or stamped



Authorization Form

Site Plans

Boundary Survey Map of part of Lot 4, Square 35, Island of Key West, FL



- NOTES:**
1. The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
 2. Underground foundations and utilities were not located.
 3. All angles are 90° (Measured & Record) unless otherwise noted.
 4. Street address: 715 Fleming 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: July 3, 2018
 9. Ownership of fences is undeterminable, unless otherwise noted.
 10. Adjoiners are not furnished.

BOUNDARY SURVEY OF: In the City of Key West, and known as a part of Lot 4 in Square 35, according to William A. Whitehead's map of the Island of Key West, delineated in February A.D. 1829; Commencing at a point on Fleming Street, distant 150 feet from the corner of Elizabeth and Fleming Streets, and running along Fleming Street, in a Northeasterly direction 50 feet; thence at right angles in a Northwesterly direction 64 feet; thence at right angles in a Southwesterly direction 50 feet; thence at right angles in a Southeasterly direction 64 feet to the place of beginning.

BOUNDARY SURVEY FOR: 5 Higgs Lane, LLC; David & Judith Descoteau;
Oropeza Stones Cardenas, PLLC;
Chicago Title Insurance Company;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

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

July 6, 2018

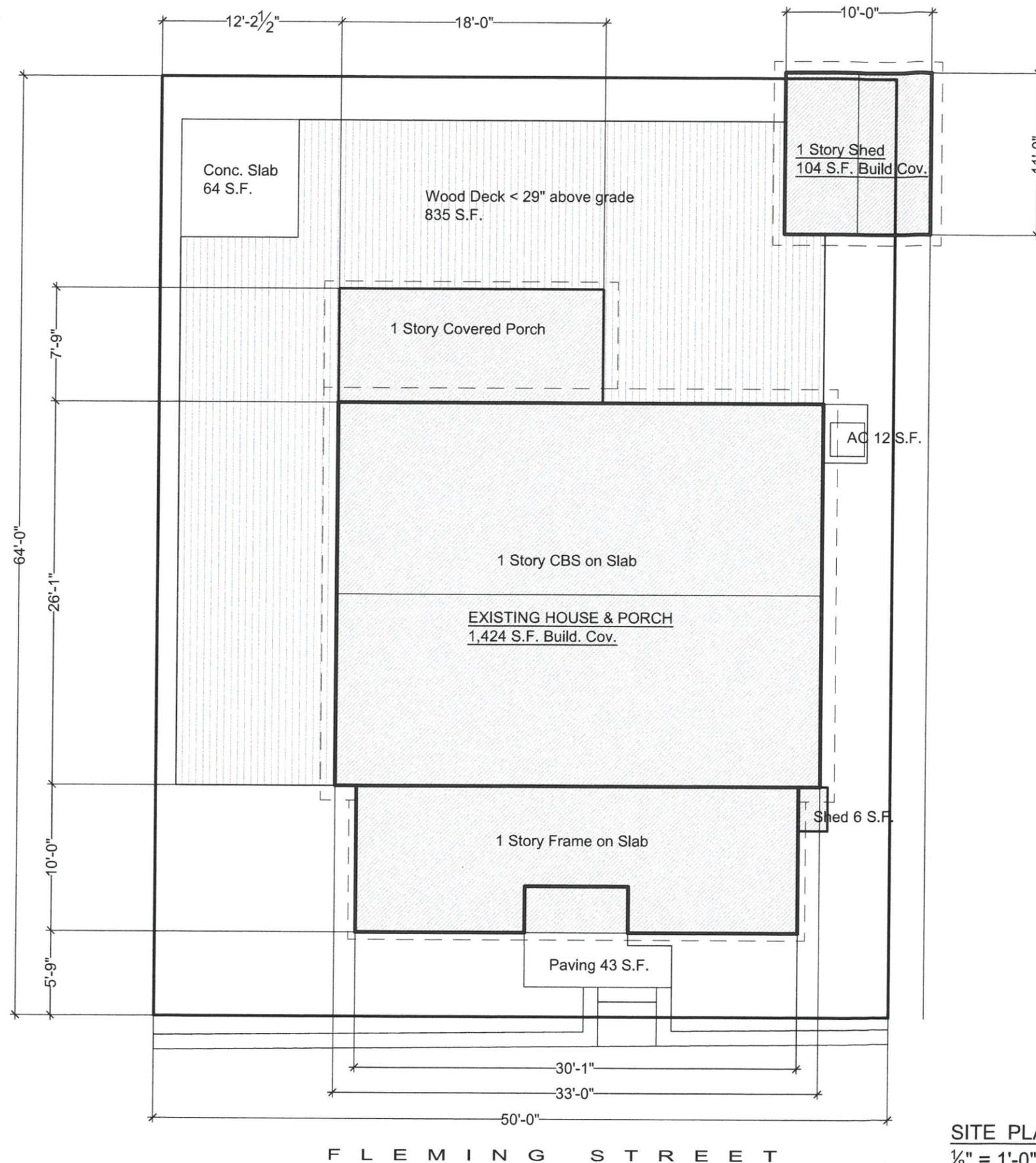
THIS SURVEY
IS NOT
ASSIGNABLE

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #8298

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



SITE DATA

ZONING: HMDR
 FLOOD ZONE: X
 SETBACKS: F 10', S 5', R 15', SS 7.5"

LOT SIZE: 50' X 64' = 3,200 Sq.Ft.
 DENSITY: 22 DU / ACRE
 FAR: N/A

BUILDING COVERAGE (Dripline):
 EXISTING: 1,534 Sq.Ft. / 3,200 = 48% > 40%

IMPERVIOUS SURFACE COVERAGE:
 EXISTING: 1,653 Sq. Ft. / 3,200 = 52% < 60%

OPEN SPACE (Green Area):
 EXISTING : 1,537 Sq.Ft. / 3,200 = 48% > 35%

SITE PLAN
 1/8" = 1'-0"



SP1x

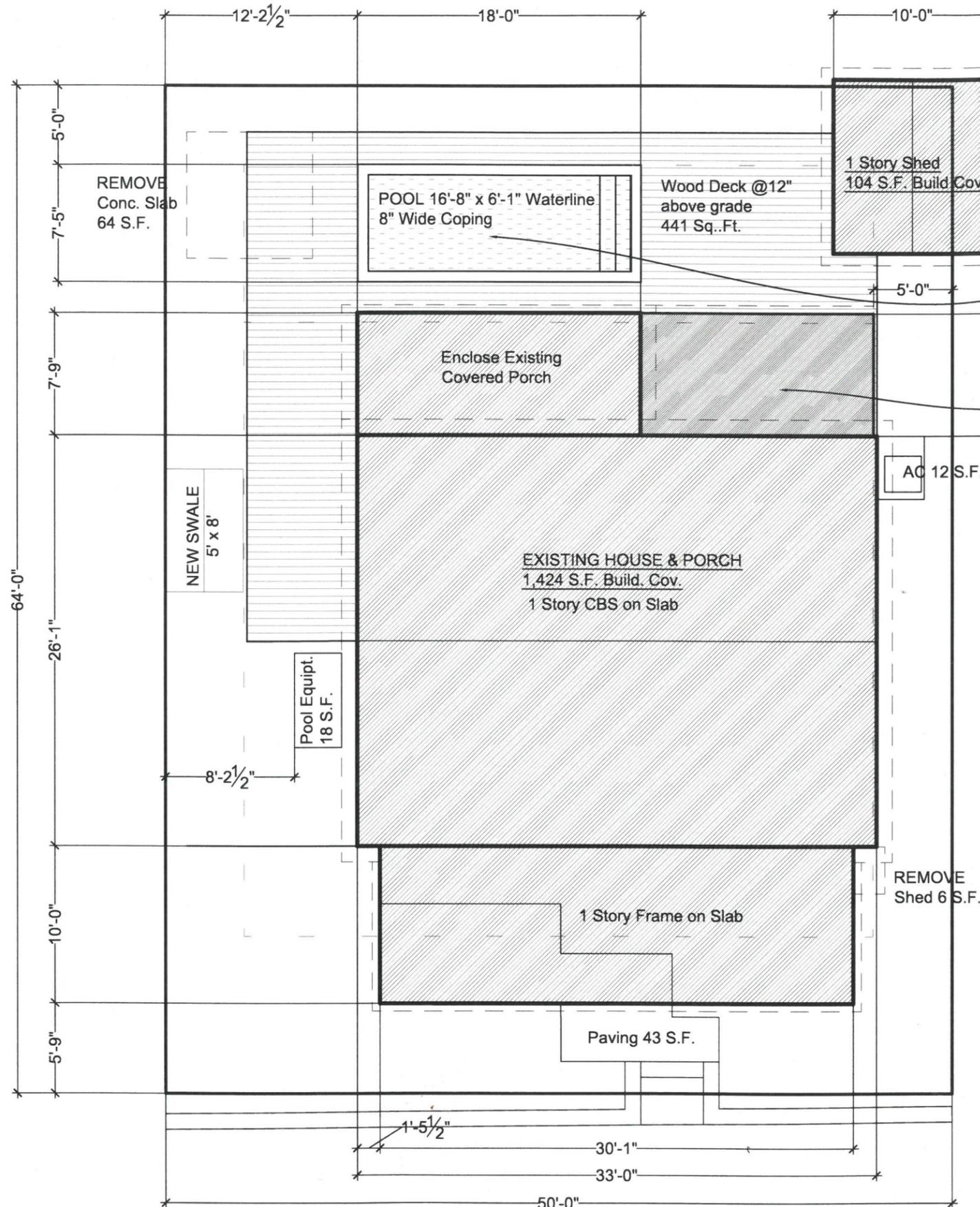
7-12-2018

Architect Design Builders Inc.

Architect Hugo Araque #AR94477

7115 SW 109 Terrace - Pinecrest, FL 33156

305-281-9433



FLEMING STREET

NEW IN-GROUND POOL
134 Sq.Ft. Impersious.Cov.

NEW 1 STORY COVERED PORCH
124 Sq.Ft. Build.Cov.

SITE DATA

ZONING: HMDR
FLOOD ZONE: X
SETBACKS: F 10', S 5', R 15', SS 7.5"

LOT SIZE: 50' X 64' = 3,200 Sq.Ft.
DENSITY: 22 DU / ACRE
FAR: N/A

BUILDING COVERAGE (Dripline):

EXISTING: 1,534 Sq.Ft. / 3,200 = 48% > 40%
PROPOSED: Add 142 Sq.Ft.

1,676 Sq.Ft. / 3,200 = 52% > 40% VARIANCE

IMPERVIOUS SURFACE COVERAGE:

EXISTING: 1,653 Sq. Ft. / 3,200 = 52% < 60%
PROPOSED: 1,834 Sq.Ft. / 3,200 = 57% < 60% OK

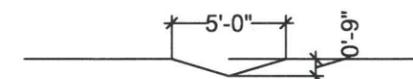
OPEN SPACE (Green Area):

EXISTING : 1,537 Sq.Ft. / 3,200 = 48% > 35%
PROPOSED: 1,292 Sq.Ft. / 3,200 = 40% > 35% OK

STORM WATER MANAGEMENT CALCULATIONS

ADDITIONAL IMPERVIOUS AREA = 181 Sq.Ft.
LOT AREA = 3,200 Sq.Ft.
5% COVERAGE (Additional impervious area / lot area)
181 Sq.Ft. < 40% (Sq.Ft. x 1" / 12") = 15 C.F. DETENTION REQUIRED

15 C.F. / 1.875 = 8 Lin.Ft. SWALE REQUIRED



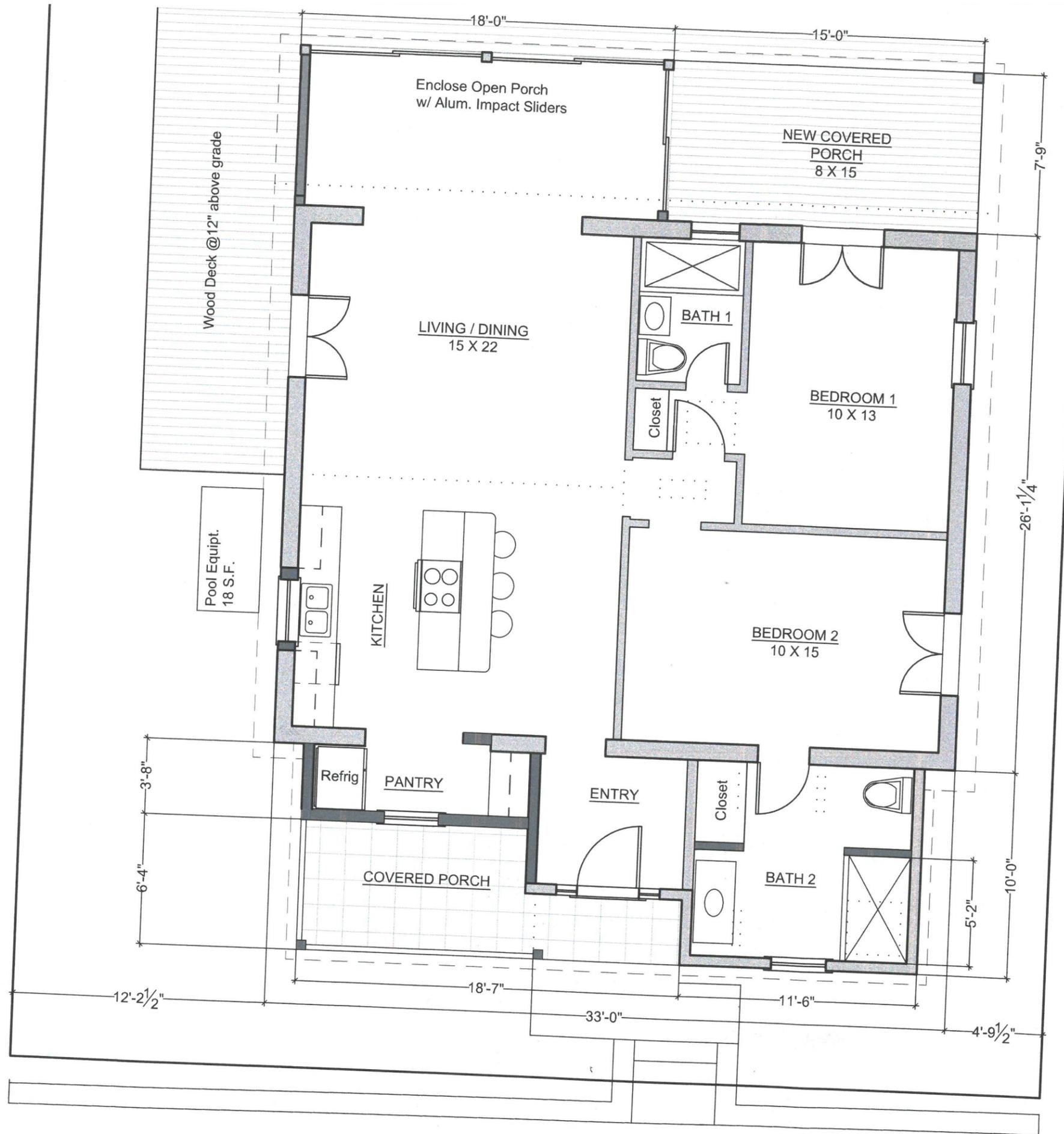
SWALE DETAIL
Not to Scale

SITE PLAN

1/8" = 1'-0"

SP1b

2-6-2019

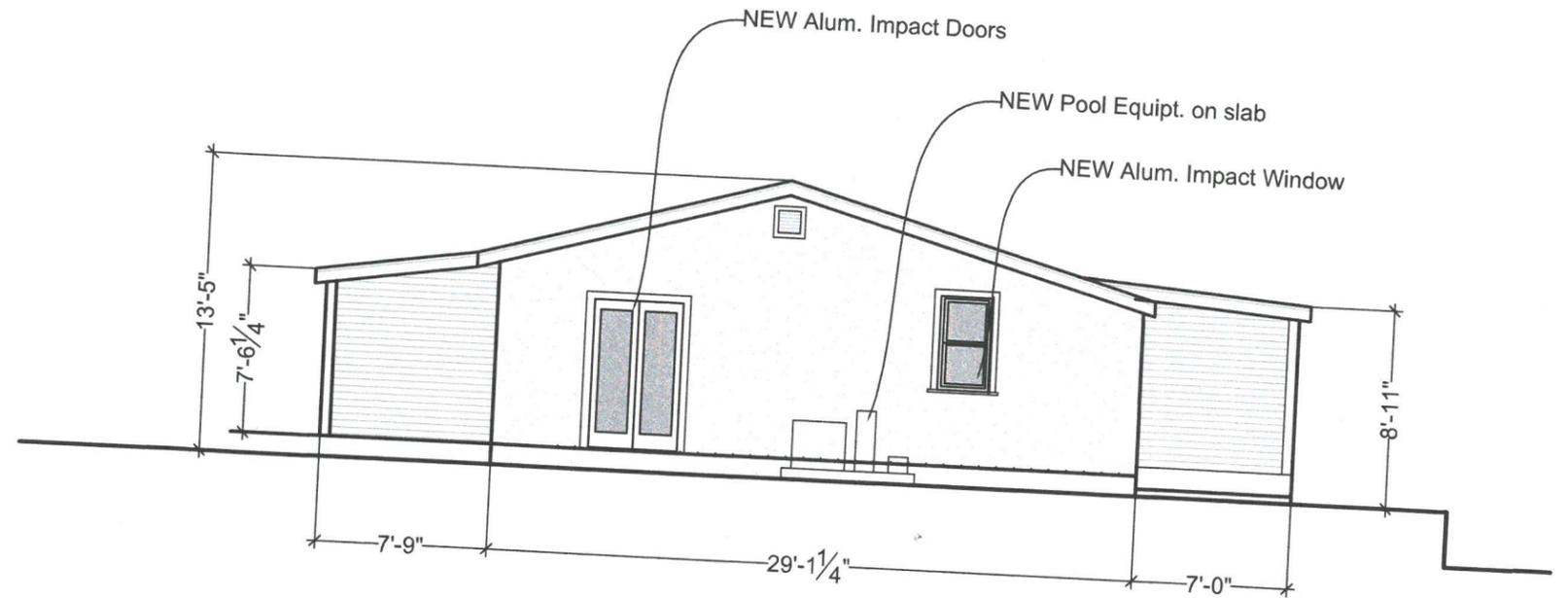


1st FLOOR PLAN
3/16" = 1'-0"

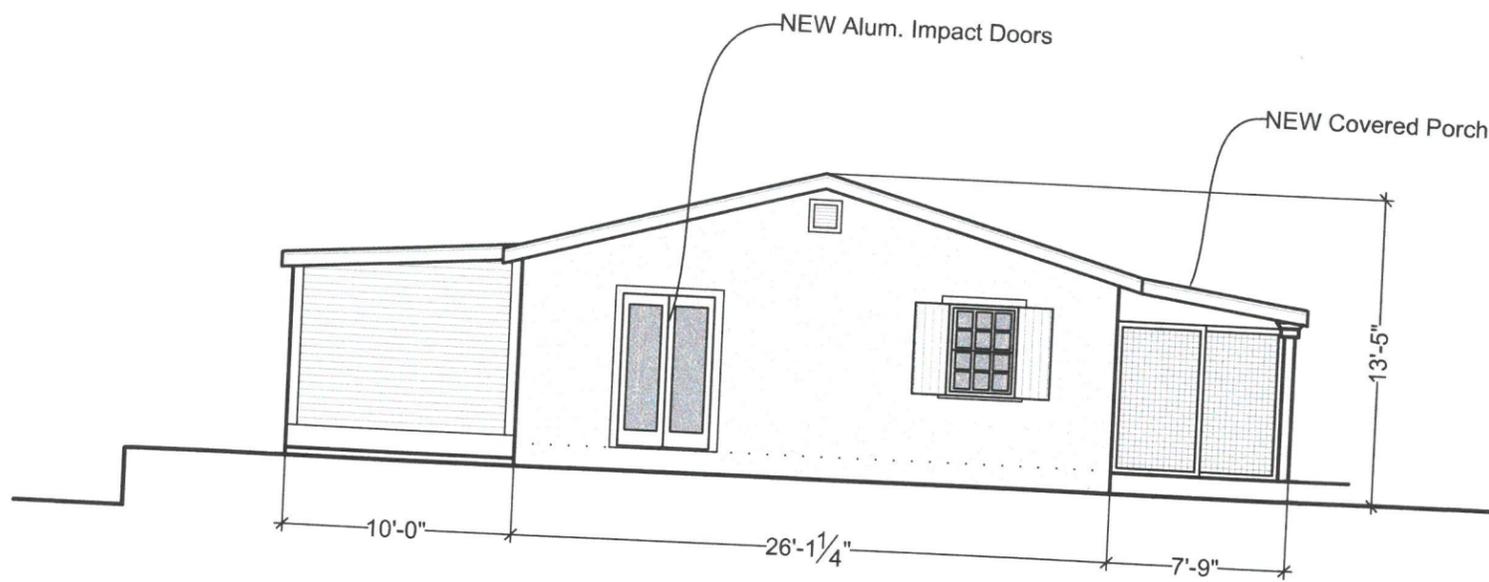




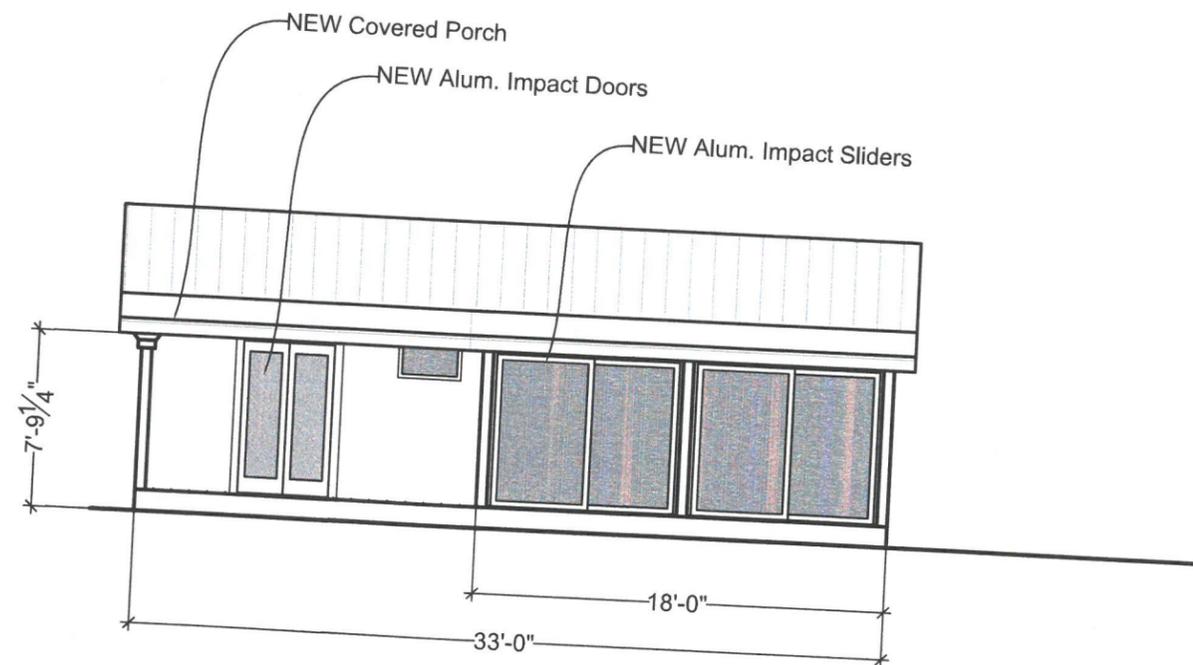
FRONT ELEVATION
 $\frac{1}{8}'' = 1'-0''$



LEFT SIDE ELEVATION
 $\frac{1}{8}'' = 1'-0''$



RIGHT SIDE ELEVATION
 $\frac{1}{8}'' = 1'-0''$



REAR ELEVATION
 $\frac{1}{8}'' = 1'-0''$

Site Visit

715 Fleming Street, Key West, Florida 33040
SITE VISIT



715 Fleming Street, Key West, Florida 33040
SITE VISIT



715 Fleming Street, Key West, Florida 33040
SITE VISIT



Additional Information

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 guarantee 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.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00006200-000000
 Account # 1006424
 Property ID 1006424
 Millage Group 10KW
 Location Address 715 FLEMING St., KEY WEST
 Legal KW PT LOT 4 SQR 35 E1-112 OR280-423/24 OR755-1090 OR756-239/41
 Description OR922-164 OR1098-740 OR2916-631/632
 (Note: Not to be used on legal documents)
 Neighborhood 6108
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing



Owner

5 HIGGS LANE LLC
 3 Higgs Ln
 Key West FL 33040

Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$175,023	\$142,436	\$124,193	\$129,252
+ Market Misc Value	\$589	\$589	\$589	\$512
+ Market Land Value	\$580,488	\$580,488	\$516,135	\$413,624
= Just Market Value	\$756,100	\$723,513	\$640,917	\$543,388
= Total Assessed Value	\$686,963	\$624,512	\$567,738	\$516,126
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$756,100	\$723,513	\$640,917	\$543,388

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	3,216.00	Square Foot	0	0

Buildings

Building ID 406
 Style 1 STORY ELEV FOUNDATION
 Building Type S.F.R. - R1 / R1
 Gross Sq Ft 2371
 Finished Sq Ft 1137
 Stories 1 Floor
 Condition GOOD
 Perimeter 144
 Functional Obs 0
 Economic Obs 0
 Depreciation % 13
 Interior Walls DRYWALL

Exterior Walls ABOVE AVERAGE WOOD
 Year Built 1948
 EffectiveYearBuilt 2005
 Foundation CONCR FTR
 Roof Type GABLE/HIP
 Roof Coverage METAL
 Flooring Type CONC S/B GRND
 Heating Type FCD/AIR NON-DC with 0% NONE
 Bedrooms 2
 Full Bathrooms 2
 Half Bathrooms 0
 Grade 500
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	21	0	0
DUF	FIN DET UTILIT	110	0	0
FLA	FLOOR LIV AREA	1,137	1,137	0
OPU	OP PR UNFIN LL	943	0	0
OPF	OP PRCH FIN LL	160	0	0

Code	Description	Sketch Area	Finished Area	Perimeter
TOTAL		2,371	1,137	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
RW2	1975	1976	1	92 SF	3
FENCES	1986	1987	1	96 SF	2

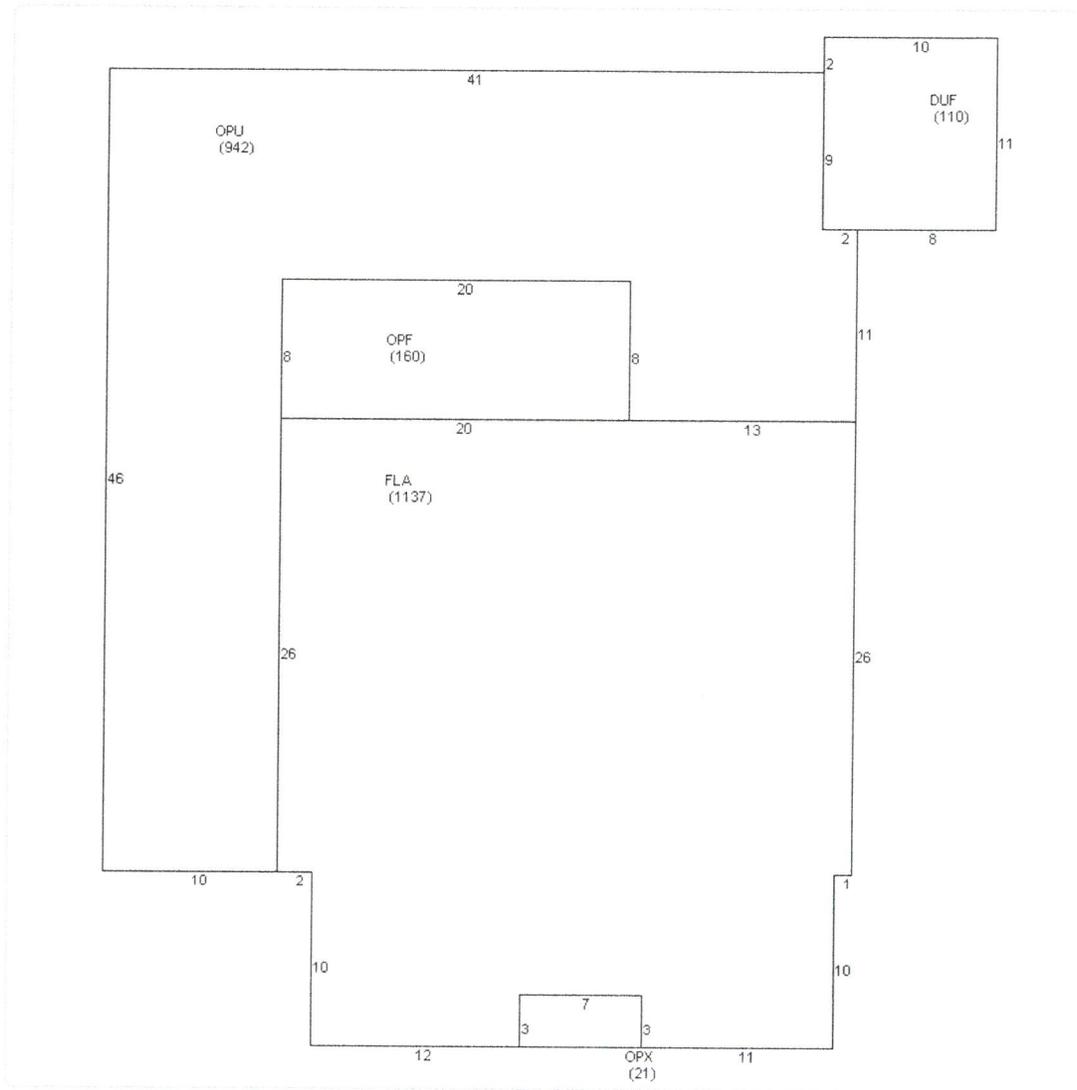
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
7/9/2018	\$776,000	Warranty Deed	2177274	2916	631	01 - Qualified	Improved
7/1/1989	\$181,000	Warranty Deed		1098	740	Q - Qualified	Improved
9/1/1984	\$68,000	Warranty Deed		922	164	U - Unqualified	Improved

Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
0000539	3/2/2000	7/19/2000	\$8,867		1100 SF V-CRIMP

Sketches (click to enlarge)



Photos

