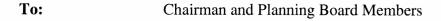
THE CITY OF KEY WEST PLANNING BOARD

Staff Report



From: **Brendon Cunningham**

Through: Donald Leland Craig, AICP, Interim Planning Director

Meeting Date: March 17, 2011

Agenda Item: An application for a variance to side-yard setback requirements in

> the Historic High Density Residential zoning district for property located at 607-609 Ashe Street (RE#00010270-000000), per Section 122-630 (6) b. as required when the renovation exceeds 66% of the assessed or appraised value of the structure per Section 122-28 (b) of the Land Development Regulations of the Code of

Ordinances of the City of Key West, Florida.

Request: To consider a variance for non-conforming, contributing structures

listed in the historic architectural survey with proposed renovations and construction that exceed 66% of the value of the existing

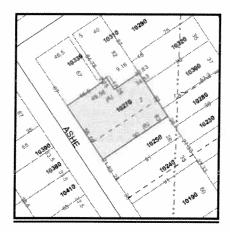
structures.

Applicant: Jay Scott

Property Owner: The Studios of Key West

Location: 607-609 Ashe Street, RE# 00010270-000000

Zoning: Historic High Density Residential District





Background:

The property is legally nonconforming regarding side-yard setback requirements. The property is located within the historic district. The plans for the renovation of the structures will exceed 66% of their current value. The Monroe County Property Appraiser has the structures valued at \$185,731. The estimated cost of the renovations will be in excess of \$175,000. As such, the structures are subject to Section 122-28(b), which requires an application for all necessary variances to legal non-conformities.

Request:

The existing structures are in poor condition and the applicant intends to renovate the structures. To do so, per Section 122-28(b), the applicant is requesting a variance to existing side-yard setback requirements since the cost of the proposed renovations exceeds 66% of the assessed value as proscribed in the code.

	Allowed/Required	Existing	Proposed
Building Coverage	50%	30.95%	Same
Impervious Surface	60%	39.85%	37.89%
Front	10'	12'	Same
Right Side	5'	2.62'	Same
Left Side	5'	28.23	Same
Rear	20'	24'	Same

Process:

HARC October 19, 2010

Development Review Committee Meeting: February 24, 2011

Planning Board Meeting: March 17, 2011

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, building or structure involved and which are not applicable to other land, buildings or structures in the same zoning district.

Numerous properties within the historic districts have legal non-conforming coverages and setbacks. This particular structure and property does not meet the dimensional requirements outlined in Section 122-630. As such, special conditions do not exist that are not applicable to other land, buildings or structures.

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

The owner purchased the property in its current configuration. The applicant proposes a renovation project in excess of 66% of the structure's current assessed value. The scope of the project drives the cost and is a condition created by the applicant.

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, structures or structures in the same zoning district.

Granting the variance request will confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district.

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.

While the code limits the improvements that can be made to the site without seeking variances, we have no evidence that the applicant would be deprived of reasonable use of the land and the existing structure without the specific renovations proposed

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

The variance requested is the minimum variance needed to make reasonable use of the land and existing structure.

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.

The restoration of these contributing structures does not appear injurious to the public welfare. In fact, the restoration of these structures will be an asset to the community and its historic character.

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

This request is not based on existing conditions on surrounding properties.

The Planning Board shall make factual findings regarding the following:

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

The applicant does not meet all of the standards established by the City Code of Ordinances for a variance request.

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

The Planning Department has not received any public input to date.

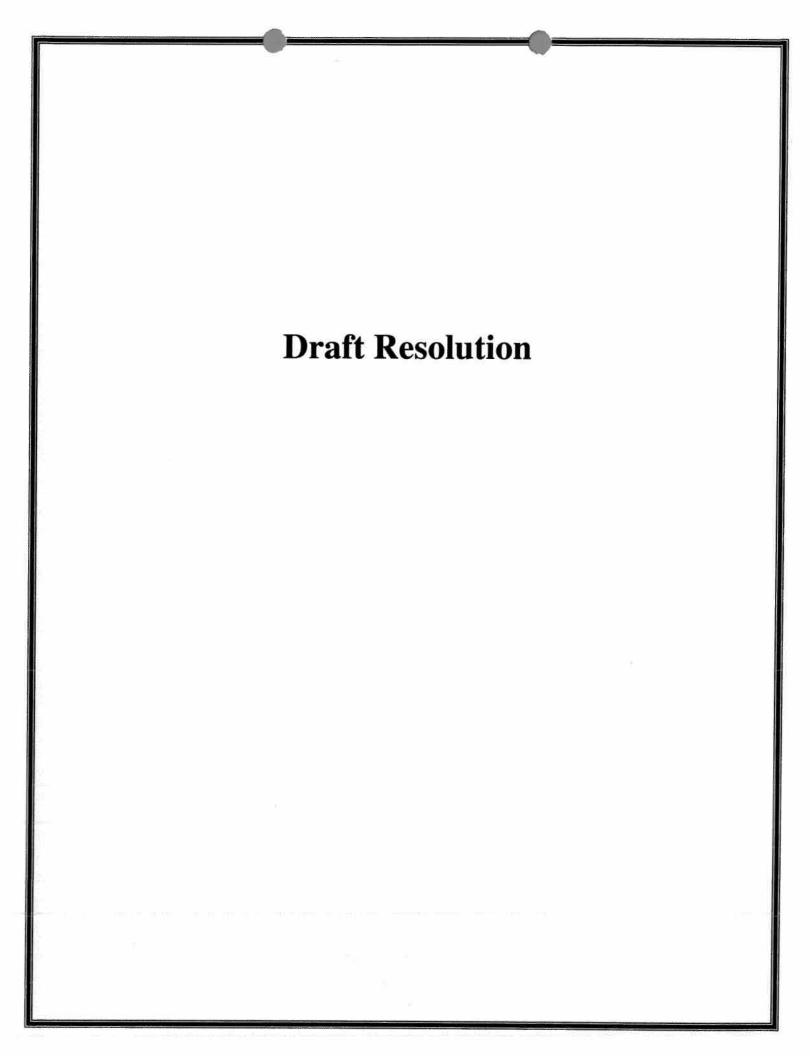
Concurrency Facilities and Other Utilities or Service (Section 108-233):

The applicant intends to make improvements to drainage through best management practices.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for variance be **denied**. However, should the Planning Board choose to approve this request, staff recommends the following condition:

That the applicant install and actively maintain the proposed swale shown on the plans for stormwater management purposes.



RESOLUTION NO- 2011-

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 607-609 ASHE STREET (RE#00010270-000000), PURSUANT TO SECTION 122-630 (6) b. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-630 (6) b. of the Code of Ordinances provides that the minimum side-yard building setback in the HHDR zoning district is five feet on each side; and

WHEREAS, the applicant requested a variance to side yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 17, 2011; and

Page 1 of 6 Resolution Number 2011-

		Chairmai
-	Interim Plannin	g Directo

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

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 grant of the variance will be in harmony with

Page 2 of 6 Resolution Number 2011-

_____ Chairman

____Interim Planning Director

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 shall be considered grounds for the issuance of any variance; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those 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. That a variance for a non-conforming contributing building listed in the historic architectural survey for side yard setback requirements, for a renovation project in the Historic High Density Residential (HHDR) zoning district for property located at 607-609 Ashe Street (RE #

Page 3 of 6 Resolution Number 2011-

***************************************	Chairmar
Interim Plannin	g Director

00010270-000000), per Section 122-28 (b), Sections 122-630 (6) b., of the Land Development

Regulations of the Code of Ordinances of the City of Key West, Florida, as shown on the attached

plan set dated December 17, 2010.

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

permits required for any new construction for any use and occupancy for which this variance is

wholly or partly necessary, whether or not such construction is suggested or proposed in the

documents presented in support of this variance, shall be submitted in its entirety within two years

after the date hereof; and further, that no application or reapplication for new construction for which

the variance is wholly or partly necessary 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 submit a full and complete application for permits for new

construction for which this variance is wholly or partly necessary, or the failure to complete new

construction for use and occupancy pursuant to this variance in accordance with the terms of a City

building permit issued upon timely application as described in Section 3 hereof, shall immediately

operate to terminate this variance, which the variance shall be of no force or effect.

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

Page 4 of 6 Resolution Number 2011-

_____ Chairman
_____ Interim Planning Director

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 Community

Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty

five (45) days after it has been properly rendered to the DCA with all exhibits and applications

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

period the DCA 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

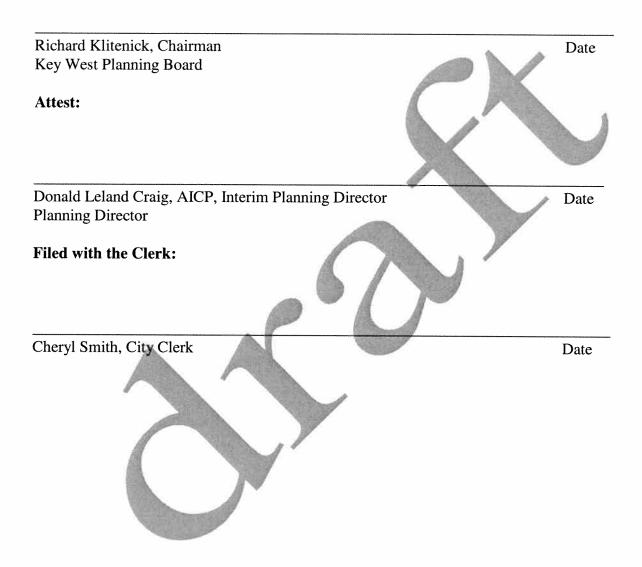
appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 17th day March, 2011.

Authenticated by the Chairman of the Planning Board and the Interim Planning Director.

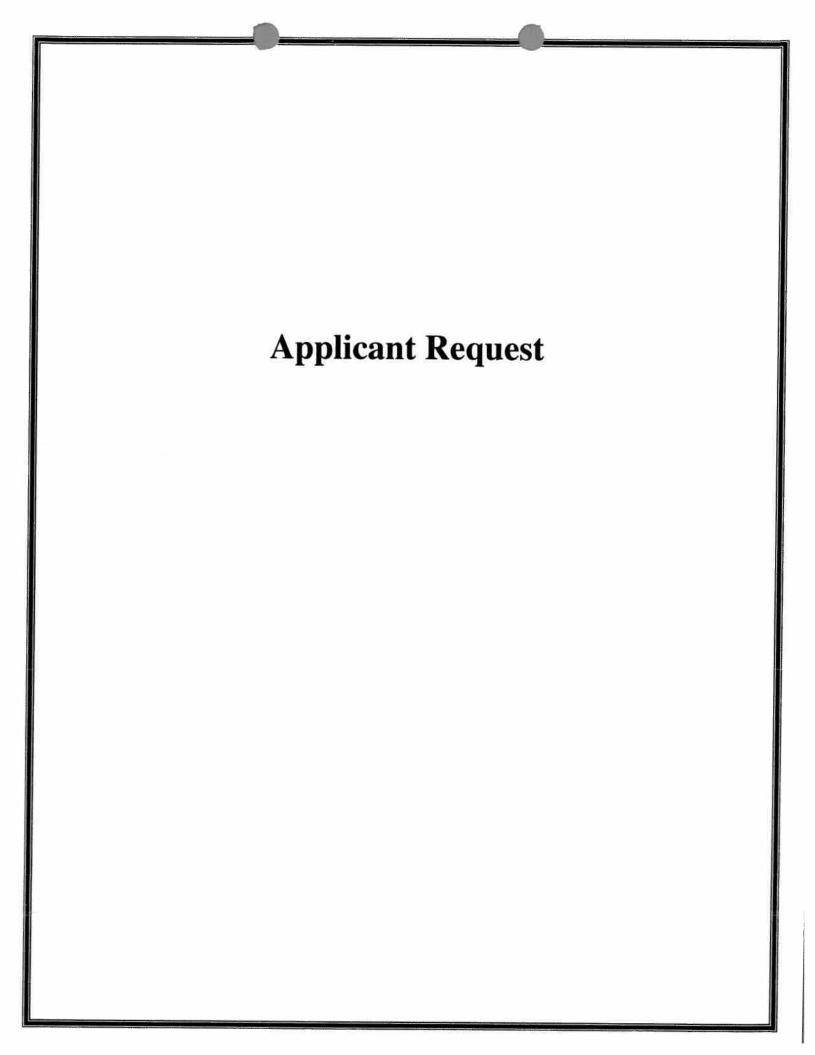
Page 5 of 6 Resolution Number 2011-

_____ Chairman
_____ Interim Planning Director



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	Chairman
Interim Plannin	g Director



VARIANCES ARE QUASI-JUDICIAL HEARINGS AND IT IS IMPROPER TO SPEAK TO A PLANNING BOARD AND/OR BOARD OF ADJUSTMENT MEMBER ABOUT THE VARIANCE OUTSIDE THE HEARING

Variance Application

City of Key West Planning Department

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Please p	orint or type a r		ne following	:		MON	ROE CON
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4. A	Address of App	licant	15 HA	ached Authoriz NGARET	zation Form	n must be comp	oleted)
					ps.5090	090 Fax#(301)	296 - 520
	-Mail Address				<i></i>		
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FOI	n 609 41+	16 STNER	T SIDE	. SETBACK	ONLY.	(SPR PLA	NI).
13. <u>R</u> e	equired inform	ation: (applica	ation will no	<u>ot move forwar</u>	d until all ir	nformation is pr	ovided)
		Requi	ired	Existi	ng	Request	ted
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Side Setb	oack	5'		28.2	3'	28.	23'
Rear Setb	oack	20)	2	7 '	24'	

Building Coverage
Open Space
Requirements
Impervious Surface

14.	Is Subject Property located within the Historic District? Yes No If Yes, indicate date of HARC approval as well as the HARC Approval Number. minutes of the meeting.
	Date HARC #H10 - 01 - 515
15.	Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes No If Yes, please describe and attach relevant documents
16.	Will the 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.

Check List (to be completed by Planning Staff and Applicant at time of submittal)

Applicant Initials	Staff Initials	The following must be included with this application
600	<u> </u>	Copy of the most recent recorded deed showing ownership and a legal description of the subject property
600	<u> </u>	Application Fee (to be determined according to fee schedule)
GAU	6	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
6A0		Floor Plans of existing and proposed development (8.5 x 11)
640	<u> </u>	Copy of the most recent survey of the subject property
6x0		Elevation drawings as measured from crown of road
	<u>_</u> (b	Stormwater management plan
600	Œ	HARC Approval (if applicable)
GAO	\$-	Notarized Verification Form
6AV	6	A PDF or compatible electronic copy of the complete application on a compact disk

Please note that all architecture or engineering designs must be prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Two signed and sealed copies will be required at time of submittal.

Standards for Considering Variances

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

1.	Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.
	THE BUILDING DOES NOT COMPLY
	WITH REQUIRED SIDE SETBACK, THEREFORE.
	THE SPECIAL CONDITIONS ARE HOT CREATED BY
	THE APPLICANT.
2.	Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.
***************************************	CONDITIONS ARE HOT CREATED BY APPLICANT.
	EXUTING LOCATION OF THE PROPERTY DOES
	NOT COMPLY WITH SIDE SETBACK : BUILDING
	DOES NOT COMPLY WITH NEGRINED BYLLDING CODE! AND
	IT WILL BE UPDATED TO CUMENT BUILDING CODE STANDARD
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.
	IS LANGE NUMBER OF PROPERTIES IN
	OLD TOWN. OO NOT COMPLY TO REPUILED
	SETBACKS AND HAVE TO GO THROUGH EXTENSIVE
	NENOVATION ON HAINTENANCE WORK
1.	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

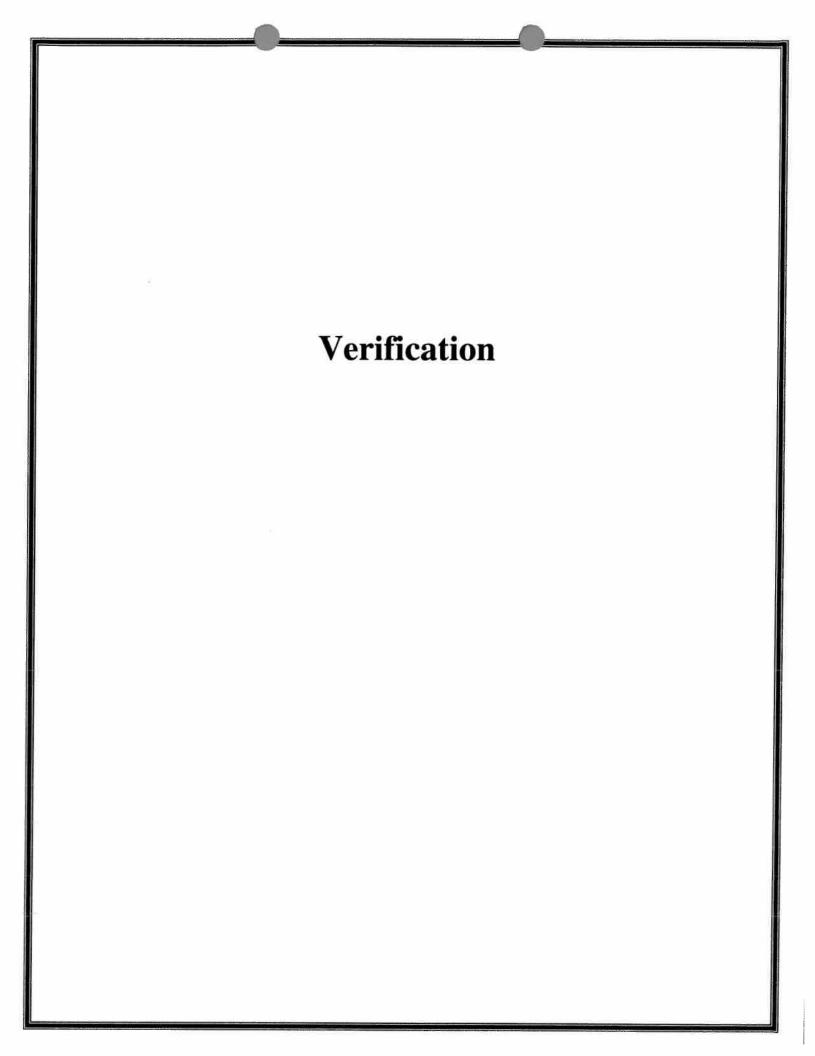
work unnecessary and undue hardship on the applicant.

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5.	Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.
	THE ONLY YAMANCE THAT WE ARE REQUESTING
	IS THE SIDE VANIANCE. BLE THE OTHER
	IMPROVEMENTS TO THE PROPERTY WE ARE
***************************************	COMPLYING. TO CURRENT PROMINEMENTS.
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 GASNITING OF THIS VAMANCE WILL NOT PRODUCE DAY PUNTHER IMPACT THAT IS LIOT SURELDY PRODUCED AND WOULD
	NOT PRODUCE DAY FUNTHER IMPACT THAT
	15 LIOT SCREEDY PRODUCED AND WOULD
	OWLY IMPROVE THE NEICHBORHOOD.
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. THE HAIN REASON FOR THE VANIANCE
	IL TO MANTAIN THE PROPERTY IN IT'S

The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

- That the standards established in subsection (a) 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.

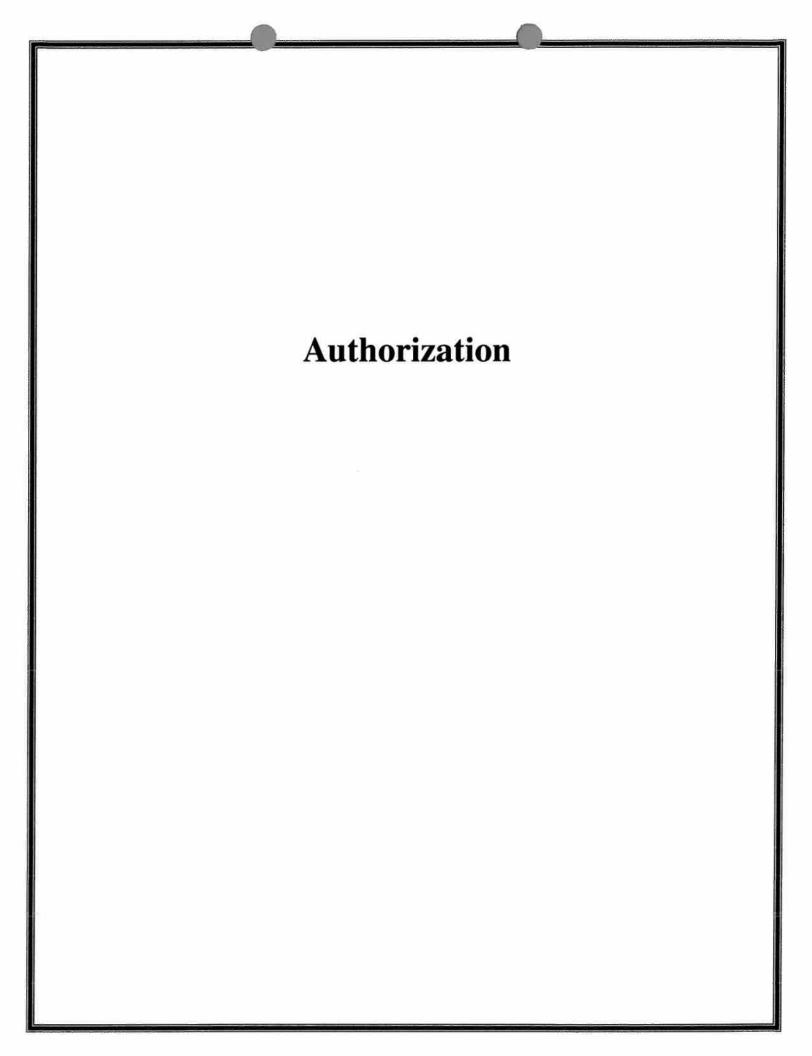


Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, Jay Scott/Stiblios of Name(s) of Applicant(s)	Hey West being duly sworn, depose and say
for the property identified as the subje	• •
607/609 Ashe Street Address	and Commonly Used Name (if any)
make up this application, are true and	stions, drawings, plans and any other attached data which discorrect to the best of my knowledge and belief and that if vocation of any action reliant on said information.
Signature of Owner/Legal Representa	Signature of Joint/Co-owner
Subscribed and sworn to (or affirmed)	before me on
Jay Soot	(name). He/She is personally known to me or has
presented	as identification.
E. MERCER MY COMMISSION # EE028001 EXPIRES October 03, 2014 Notany & Signature and Seal	- EM
	Name of Acknowledger typed, printed or stamped
Title or Rai	nk Commission Number (if any)



City of Key West Planning Department



Authorization Form

(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.	
I, ROSI WOVEas Please Print Name of person with authority to execute documents on behalf of entity	
Board Chair pesson of The Studios of Key West Name of office (President, Managing Member) Name of owner from deed authorize Jay 50th	
Please Print Name of Representative to be the representative for this application and act on my/our behalf before the City of Key West.	
Signature of person with authority to execute documents on behalf on entity owner Subscribed and sworn to (or affirmed) before me on this	
Name of Authorized Representative	
He/She is personally known to me or has presented FI ID as identification.	
Notary's Signature and Seal CARLENE COWART Commission # DD 863203 Expires February 22, 2013	
Name of Acknowledger typed, printed or stamped Bonded Thru Troy Fain Insurance 800-385-7019 WAR 10 2011	
Commission Number, if any	Ś

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Florida Non Profit Corporation

THE STUDIOS OF KEY WEST, INC.

Filing Information

Document Number

N06000006886

FEI/EIN Number

205116495

Date Filed

06/26/2006

State

FL

Status

ACTIVE

Last Event

CANCEL ADM DISS/REV

Event Date Filed

10/06/2009

Event Effective Date NONE

Principal Address

600 WHITE STREET KEY WEST FL 33040

Changed 01/17/2007

Mailing Address

600 WHITE STREET KEY WEST FL 33040

Changed 01/17/2007

Registered Agent Name & Address

SCOTT, JAY

600 WHITE STREET

KEY WEST FL 33040 US

Name Changed: 01/26/2011

Address Changed: 01/17/2007

Officer/Director Detail

Name & Address

Title ST

MCMANNIS, SANDRA 3624 SUNRISE DRIVE KEY WEST FL 33040

Title T



TROXEL, FRED P.O BOX 430180 BIG PINE KEY FL 33043

Title VP

SHELBY, KERRY 1611 VON PHISTER STREET KEY WEST FL 33040

Title P

WARE, ROSI 1400 OLIVIA STREET KEY WEST FL 33040

Annual Reports

Report Year Filed Date

2009 10/06/2009 2010 01/07/2010 2011 01/26/2011

Document Images

01/26/2011 -- ANNUAL REPORT View image in PDF format

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10/06/2009 -- REINSTATEMENT View image in PDF format

02/11/2008 -- ANNUAL REPORT View image in PDF format

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06/26/2006 - Domestic Non-Profit View image in PDF format

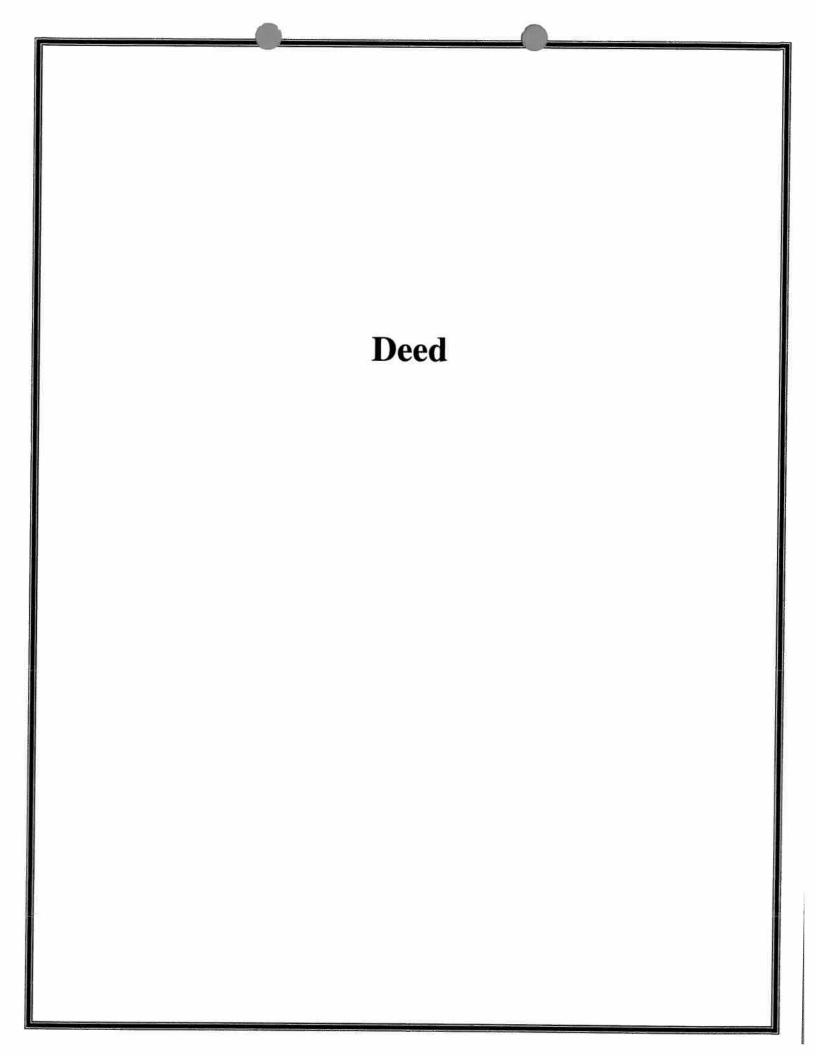
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State of Florida, Department of State



Prepared by and return to: ERICA N. HUGHES Attorney at Law Spottswood, Spottswood & Spottswood 500 Fleming Street Key West, FL 33040 305-294-9556

File Number: 06-253-ED

Parcel Identification No. 00010270-000000



[Space	Above	This Line	For	Recording	Data]
**	7			-	

Warranty Deed (STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 30th day of June, 2006 between Sheila Ann Gootee Allen, a married woman, joined by her husband, Douglas A. Allen and Marvin Bruce Gootee, a married man and Anthony Ray Gootee, a single man and Jay Lawrence Gootee, a married man and David Allen Gootee, a married man whose post office address is 607 Ashe Street, Key West, FL 33040 of the County of Monroe, State of Florida, grantor*, and The Studios Key West, Inc., a Florida not for profit corporation whose post office address is 501 Whitehead Street, Key West, FL 33040 of the County of Monroe, State of Florida, grantee*,

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:

A parcel of land in a part of Lot 2, Square 55, in the City of Key West, Florida, according to Wm. A. Whitehead's Map of the Island of Key West and being more particularly described by metes and bounds as follows:

(PARCEL A)

Commencing at the intersection of the Southeasterly property line of Southard Street and the Northeasterly property line of Ashe Street, bear Southeasterly along the Northeasterly property line of Ashe Street for a distance of 67.0 feet to the point of beginning of the land hereinafter described from said point of beginning continue bearing Southeasterly along the Northeasterly property line of Ashe Street for a distance of 56.18 feet to a point; thence at right angles and Northeasterly for a distance of 90.00 feet to a point; thence at right angles and Northwesterly for a distance of 41.18 feet to a point; thence at right angles and Southwesterly for a distance of 34.83 feet to a point thence at right angles and Northwesterly for a distance of 17.25 feet to a point; thence at right angles and Southeasterly for a distance of 2.25 feet to a point; thence at right angles and Southeasterly for a distance of 49.56 feet back to the point of beginning.

(PARCEL B)

Commencing at the intersection of the Southeasterly property line of Southard Street and the Northeasterly property line of Ashe Street, bear Southeasterly along the Northeasterly property line of Ashe Street for a distance of 123.18 feet to the point of beginning of the parcel of land hereinafter described; from said point of beginning continue bearing Southeasterly along the Northeasterly property line of Ashe Street for a distance of 21.82 feet to a point; thence at right angles and Northeasterly for a distance of 90.00 feet to a point; thence at right angles and Southwesterly for a distance of 90.00 feet back to the point of beginning.

Subject to taxes for 2006 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

The property herein conveyed Does constitute the Homestead property of the Grantor, Sheila Ann Gootee Allen, as defined under the Florida Constitution.

The property herein conveyed does Not constitute the Homestead property of the Grantor(s), David Allen Gootee, as defined under the Florida Constitution. The Grantor(s) homestead address of the grantor is 15 Beechwood Drive, Key West, Florida 33040.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

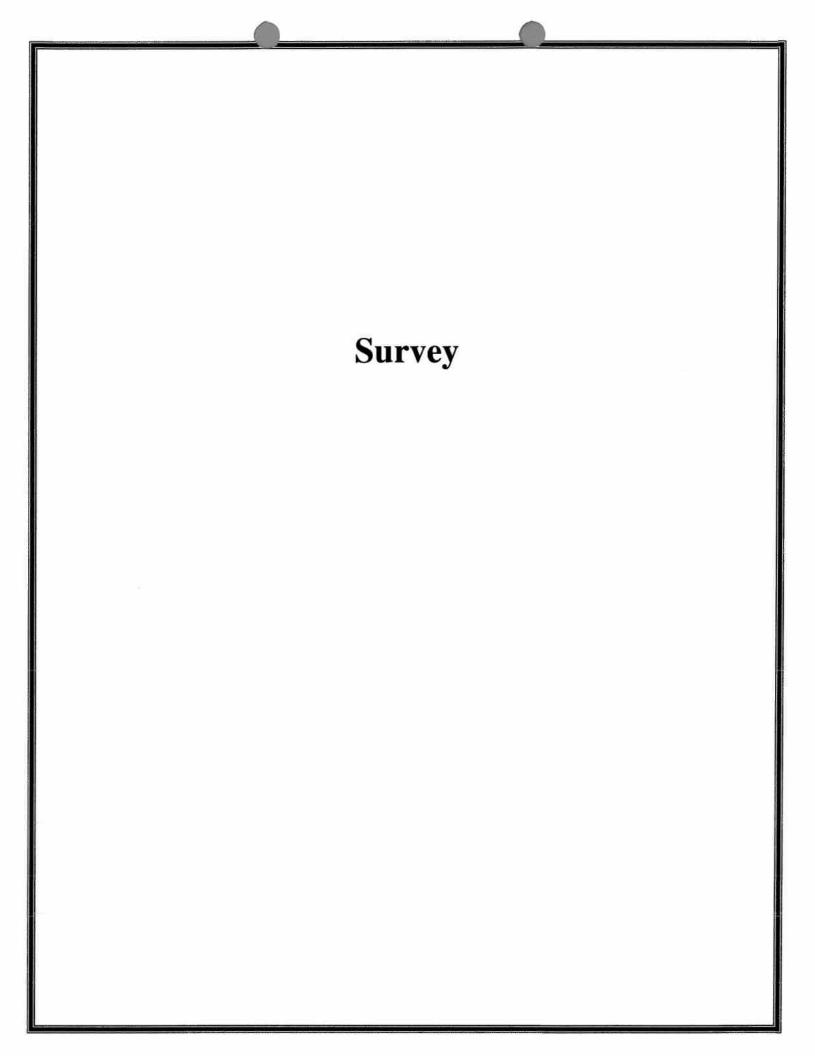
* "Grantor" and "Grantee" are used for singular or plural, as context requires.

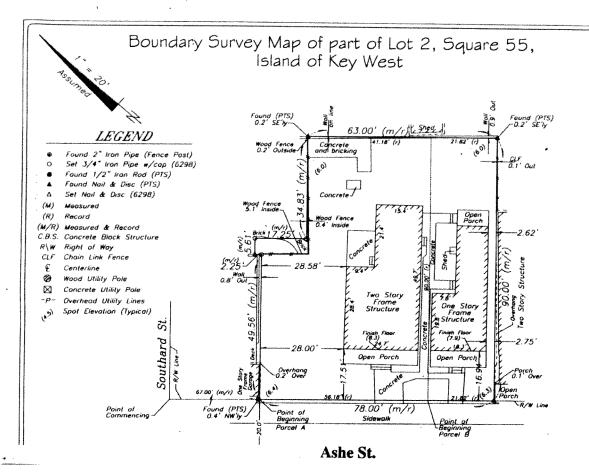
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

1. 1. 2
Skeila ann Gooteellan (Seal)
Sheila Ann Gootee Allen
Touclas a aller by
Dauglas a allar fry Skeila ann Gostle allar, PA
Douglas A. Allen, by Sheila Ann Gootee Allen
As Power of Attorney in Fact.
Mar in Bruce State
- 4 (Seal)
Marvin Bruce Gootee
Calm Har hat a
Anthony Ray Gootee (Seal)
Δ
Seal)
Jay Lawrence Gootee
1) aunellan look
David Allen Gootee
/

State of Florida County of Monroe

The foregoing instrument was acknowledged before me this day of June, 2006 by Sheila Ann Gootee Allen, Douglas A. Allen, by Sheila Ann Gootee Allen, as Power of Attorney in Fact, Marvin Bruce Gootee, Sheryl H. Gootee, Anthony Ray Gootee, Jay Lawrence Gootee, Diane S. Gootee, David Allen Gootee and Marisa A. Gootee, who I have personally known







NOTES:

1. The legal descriptions shown hereon were furnished by the client or their agent.

2. Underground foundations and utilities were not located.

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

4. Street address: 607-609 Ashe Street, Key West, FL.

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

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

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

8. Date of field work: December 15, 2010.

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

10. Adjoiners are not furnished.

11. Elevations are shown in parenthesis and refer to Mean Sen Level NGVD 1929 Determined.

11. Elevations are shown in parenthesis and refer to Mean Sea Level N.C.V.D. 1929 Datum.

BOUNDARY SURVEY OF: A parcel of land in a part of Lot 2, Square 55, in the City of Key West, Florids, according to Wm. A. Whitehead's Map of the Island of Key West and being more particularly described by metes and bounds as follows:

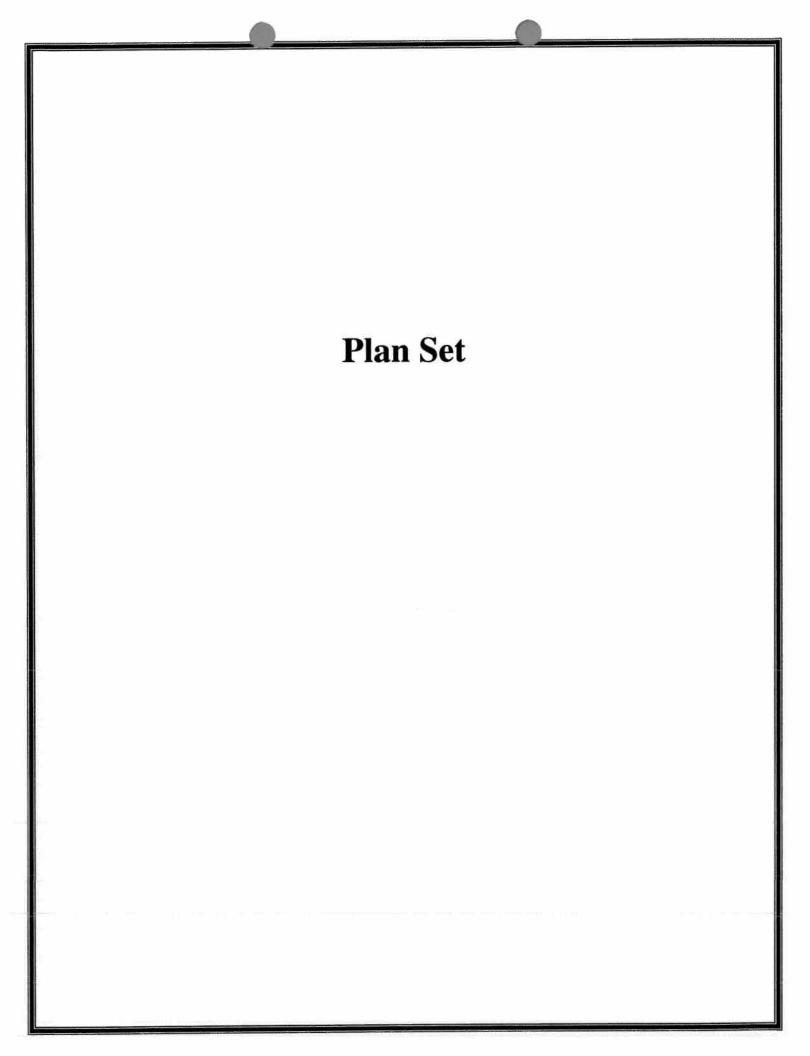
(PARCEL A)
Commencing at the intersection of the Southeasterly property line of Southard Street and the Northeasterly property line of Ashe Street, bear Southeasterly along the Northeasterly property line of Ashe Street for a distance of 67.0 feet to the Point of Beginning of the land hereinafter described from said point of beginning continue bearing Southeasterly along the Northeasterly property line of Ashe Street for a distance of 56.8 feet to a point, thence at right angles and Northeasterly for a distance of 90.00 feet to a point; thence at right angles and Northeasterly for a distance of 41.18 feet to a point: thence at right angles and Southeasterly for a distance of 17.25 feet to a point; thence at right angles and Southeasterly for a distance of 5.61 feet to a point; thence at right angles and Southeasterly for a distance of 49.56 feet back to the Point of Beginning.

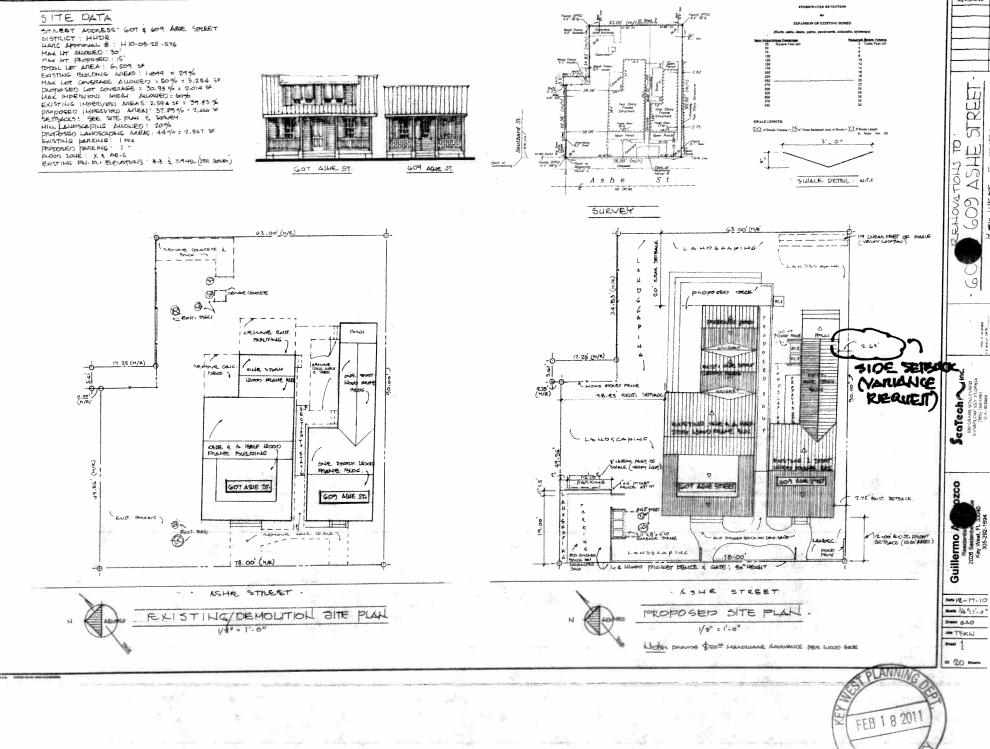
(PARCEL B)
Commencing at the intersection of the Southeasterly property line of Southard Street and the Northeasterly property line of Ashe Street, bear Southeasterly along the Northeasterly property line of Ashe Street for a distance of 123.16 feet to the Point of Beginning of the percel of land hereinafter described; from said point of beginning continue bearing Southeasterly along the Northeasterly property line of Ashe Street for a distance of 21.82 feet to a point; thence at right angles and Northeasterly for a distance of 90.00 feet to a point; thence at right angles and Northeasterly for a distance of 21.82 feet to a point; thence at right angles and Southwesterly for a distance of 90.00 feet back to the Point of Beginning.

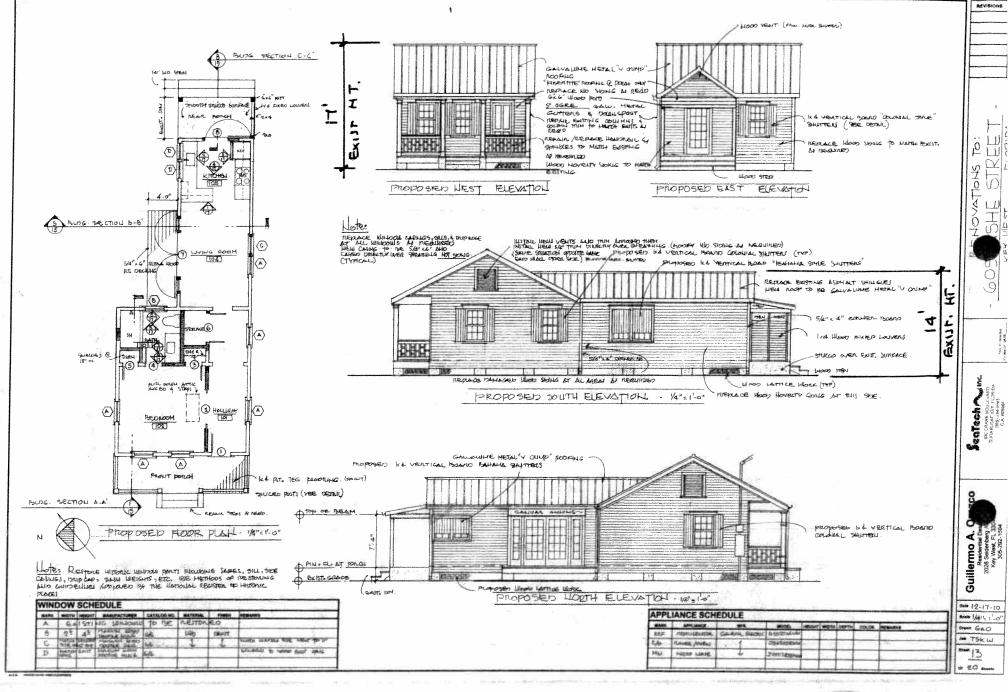
BOUNDARY SURVEY FOR: Studios of Key West;



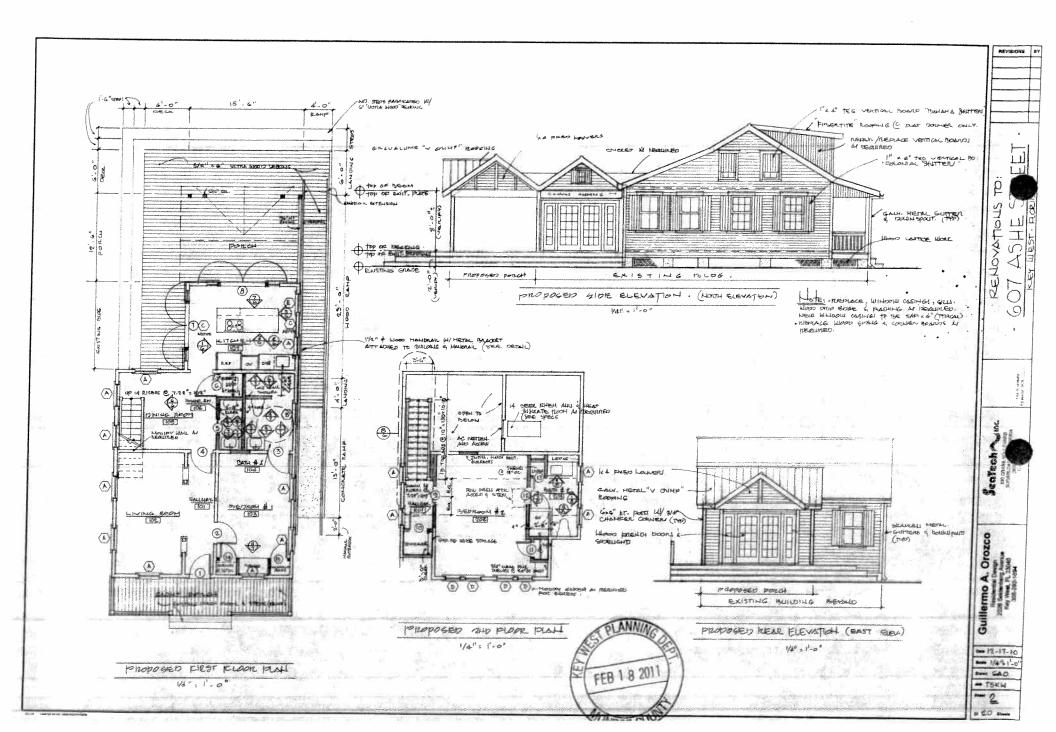


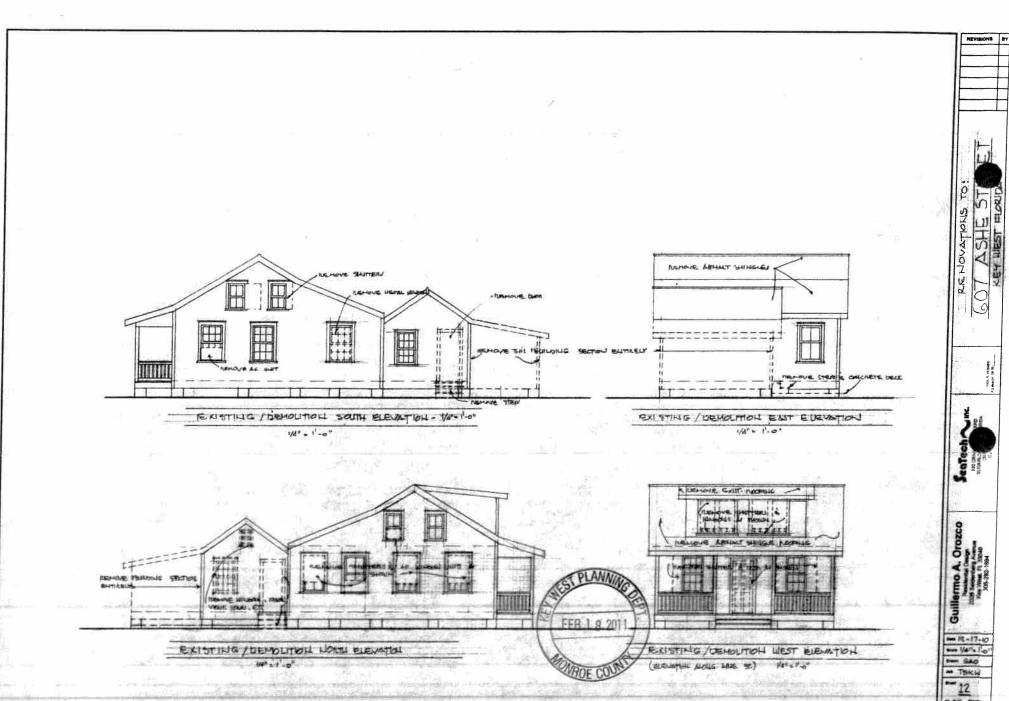




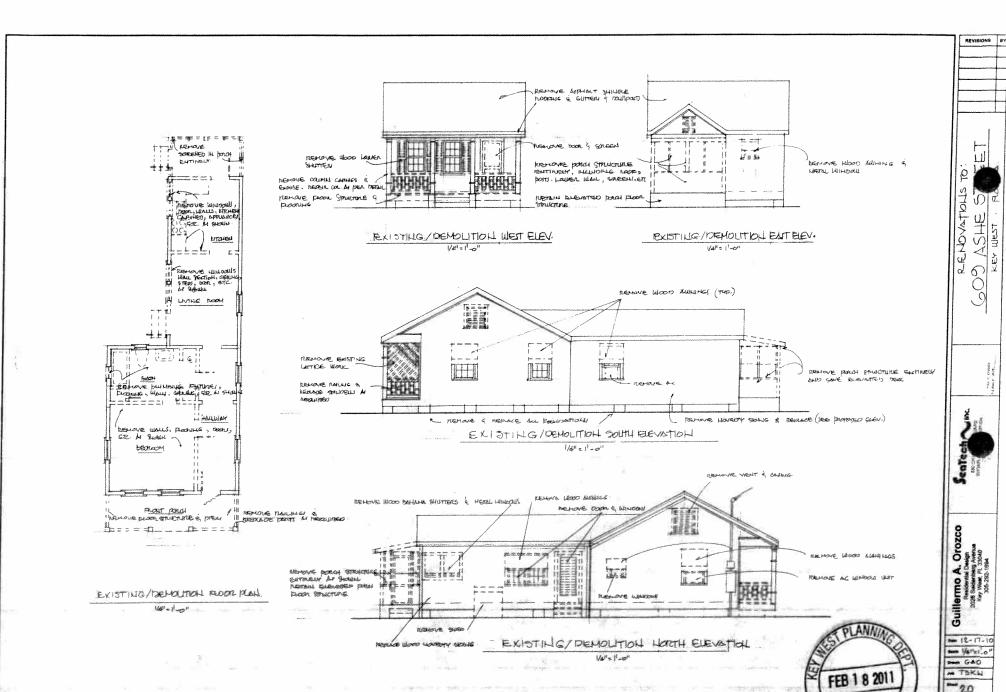








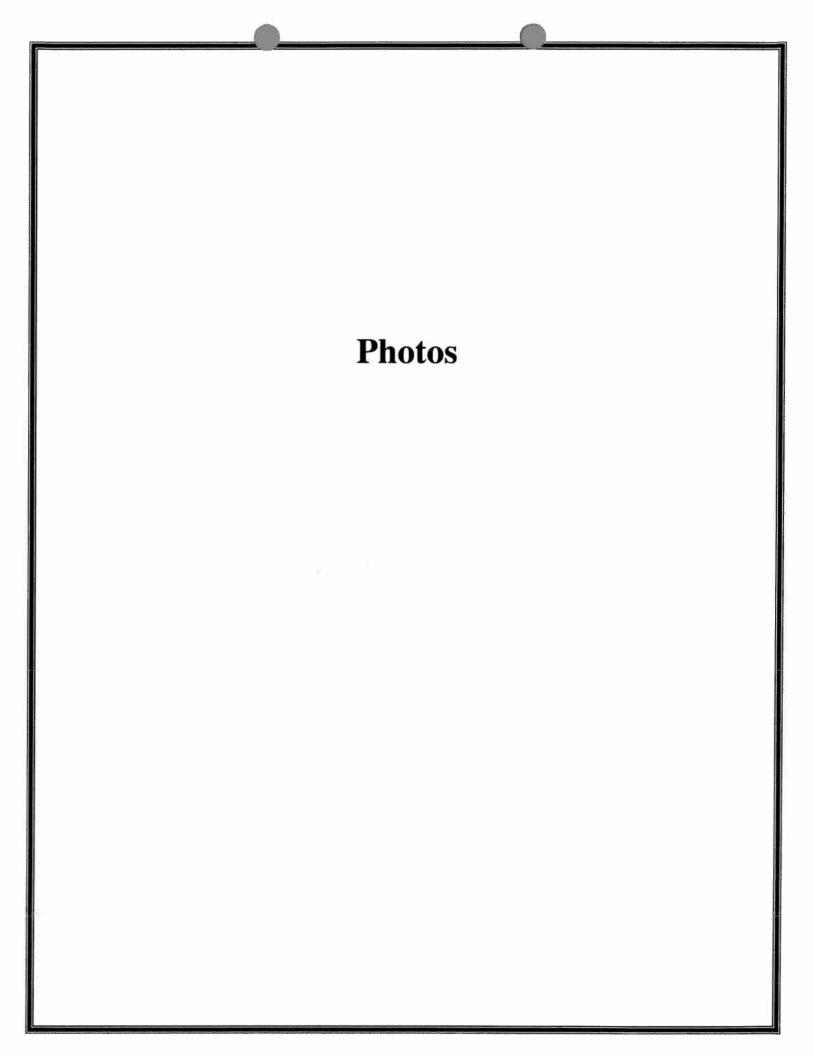
THAT A STANSON



Oa O ASHE KEY WEST.

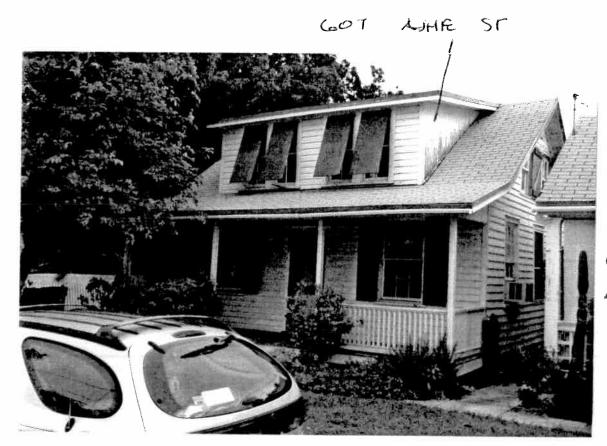
Pak. 1

-20



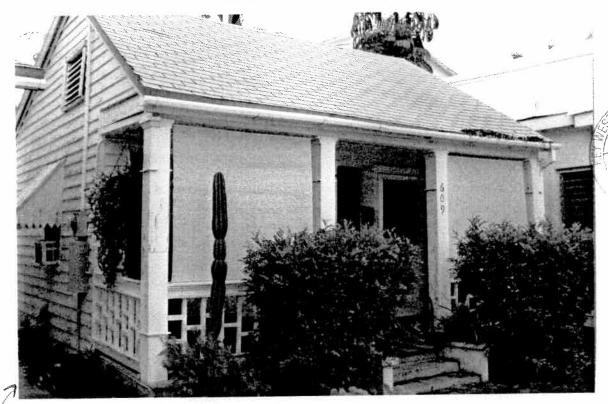
GOT NIHE STREET





609 AJHE

609 ASHE SIDERT



FRONT VIEW (MUHE ST.)



SIDE VIEW

609 XSHE STRET

SOJACENT BUDG.



PEAR / SIDE VIEW J

LOJACENT BLOG NEAR VIEW & 607 ASHE ST



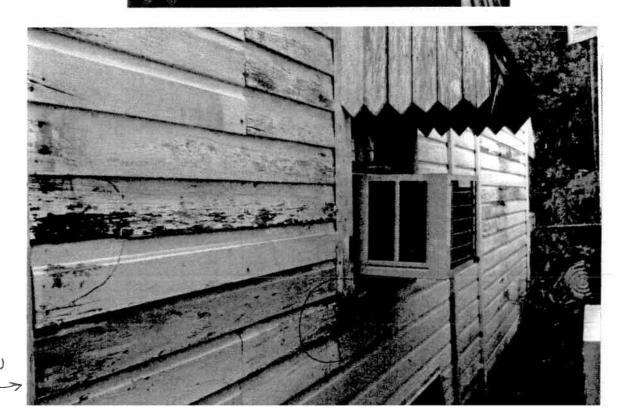
609 ASHR STEET





MOJACENT property

Side VIEW

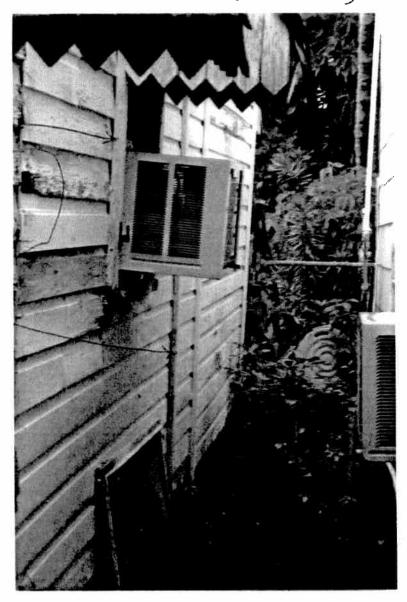


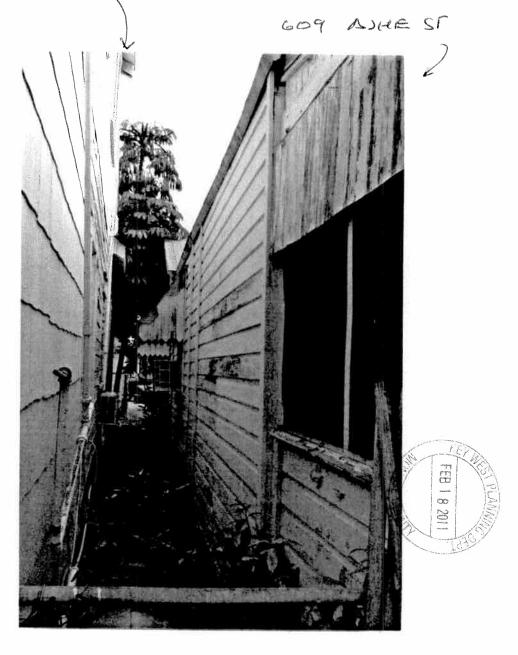
2009 SITE SI SIDE VIEW

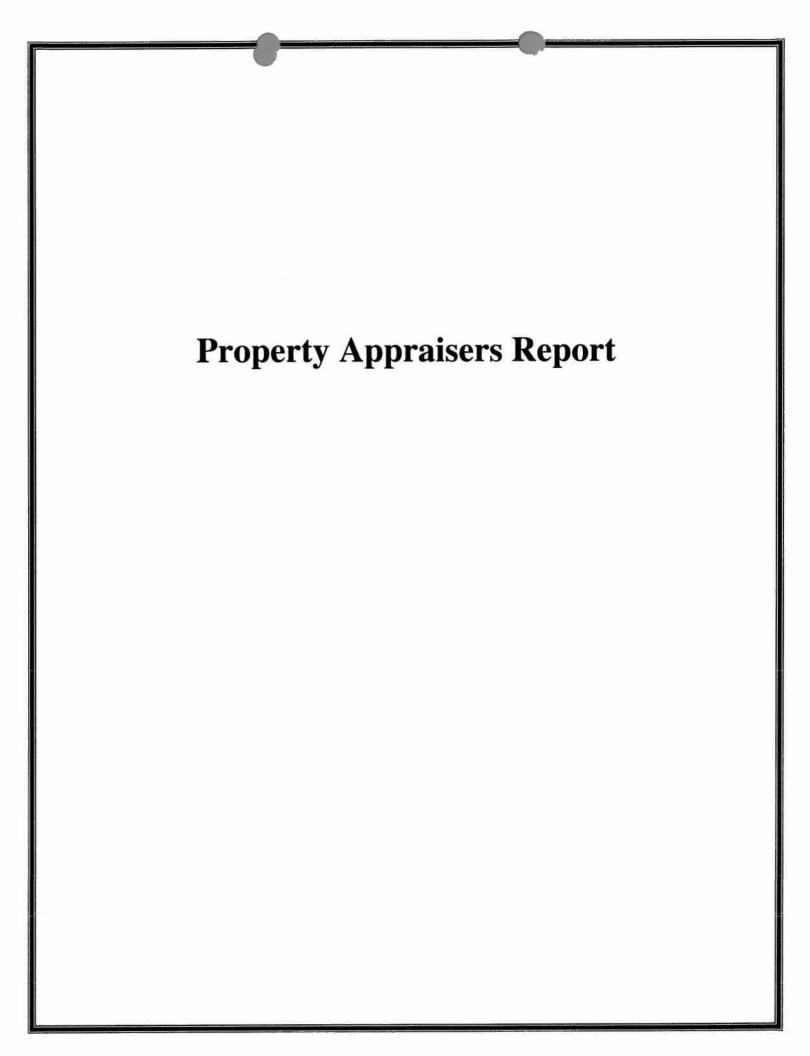
609 ASHE STREET

ADJACENT BLOG

609 AJHE ST.]







Ervin A. Higgs, CFA **Property Appraiser** Monroe County, Florida

office (305) 292-3420 fax (305) 292-3501

Property Record View

Alternate Key: 1010553 Parcel ID: 00010270-000000

Ownership Details

Mailing Address:

THE STUDIOS KEYWEST INC 600 WHITE ST KEYWEST, FL 33040

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS

Millage Group: 10KW Affordable No Housing: Section-

Township- 06-68-25

Range:

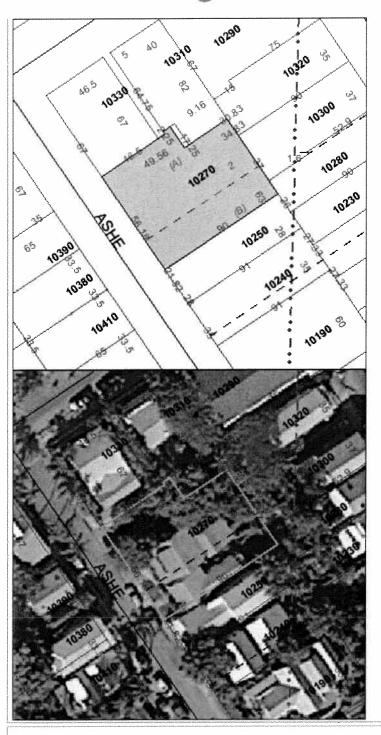
Property 607 ASHE ST KEYWEST

Legal KW PT LOT 2 SQR 55 OR38-52/54 OR282-110/12 (UNR D/C ON FILE-GOOTEE E M) OR2052-168/172(WILL)

Description: OR2189-1396/01PR/D OR2190-743/49PET(PRO#44-2004-CP-000196-K) OR2190-750/52(ORDER)

OR2212-1269/76AFF OR2212-1277/82AFF OR2220-2215/16

Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	0	0	6,509.00 SF

Building Summary

Number of Buildings: 2

Number of Commercial Buildings: 0

Total Living Area: 1620 Year Built: 1886

Building 1 Details

Building Type R1 Effective Age 22 Year Built 1886

Functional Obs 0

Condition A Perimeter 150 Special Arch 0 Economic Obs 0

Quality Grade 500 Depreciation % 30 **Grnd Floor Area** 970

Inclusions:

R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP Roof Cover METAL Heat 1 NONE

Heat Src 1 NONE

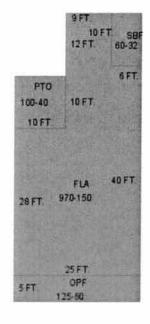
Heat 2 NONE Heat Src 2 NONE Foundation WD CONC PADS

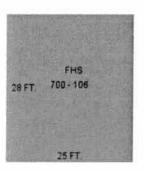
Bedrooms 2

Extra Features:

2 Fix Bath 0 3 Fix Bath 1 4 Fix Bath 0 5 Fix Bath 0 6 Fix Bath 0 7 Fix Bath 0 Extra Fix 0

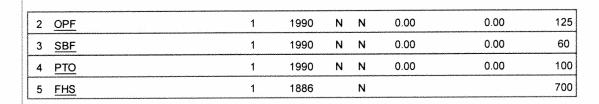
Vacuum **Garbage Disposal** Compactor Security Intercom 0 Fireplaces Dishwasher 0





Sections:

onologica dalla sociationese	Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
or temporal format Administration and temporal	1	FLA	12:ABOVE AVERAGE WOOD	1	1886	N	N	0.00	0.00	970



Building 2 Details

Building Type R1 Effective Age 25 Year Built 1938

Functional Obs 0

Condition A
Perimeter 134
Special Arch 0
Economic Obs 0

Quality Grade 450 Depreciation % 32 Grnd Floor Area 650

Inclusions:

R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP Heat 1 NONE Roof Cover METAL Heat 2 NONE Foundation WD CONC PADS Bedrooms 2

Heat Src 1 NONE

Heat Src 2 NONE

Extra Features:

2 Fix Bath 0
3 Fix Bath 1
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 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:



Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1987	N	N	0.00	0.00	650
2	OPF		1	1987	N	Ν	0.00	0.00	90
3	SPF	12:ABOVE AVERAGE WOOD	1	1987	N	N	0.00	0.00	80

Misc Improvement Details

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	FN2:FENCES	324 SF	54	6	2008	2009	2	30
1	PT3:PATIO	195 SF	3	65	1999	2000	2	50
2	AC2:WALL AIR COND	1 UT	0	0	1984	1985	1	20
3	UB2:UTILITY BLDG	75 SF	15	5	1939	1940	3	50

Appraiser Notes

2002 - MRS GOOTEE LIVES IN 607 100% AND RENTS OUT 609 WHICH IS 1 UNIT. MRS GOOTEE HAS 60% AS HOMESTEAD PERCENTAGE. THESE UNITS WERE INSPECTED ON 5/8/02 BY 015. 2001/10/29 SB, TPP ACCOUNT #8512431.

2006-02-10 BEIN OFFERED FOR \$2,995,000. 4BEDS/2BATHS FROM THE MLS LISTINGS-SKI

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount Description		Notes
1	06-4314	10/26/2006	09/28/2006	2,250 Residential		REPLACE CARPET & SUB FLOOR FRONT 11X12 DEN
3	E94-4058	12/01/1994	10/01/1995	520	Residential	UPDATE 100 AMP SVC
2	B95-1635	05/01/1995	10/01/1995	500	Residential	REPL 3 PORCH POST
4	07-5254	12/04/2007	03/02/2010	4,500	Residential	BUILD 55 LN FT OF 6' HI PICKET FENCE 50% OPEN AND PAINT WHITE

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
2010	185,731	3,108	156,112	344,951	344,951	0	344,951
2009	196,395	2,039	446,651	645,085	645,085	0	645,085
2008	190,664	2,070	650,900	843,634	843,634	0	843,634

2007	254,829	1,982	1,073,985	1,330,796	1,330,796	0	1,330,796
2006	349,866	2,013	618,355	970,234	970,234	0	970,234
2005	349,866	2,044	488,175	840,085	840,085	0	840,085
2004	191,666	2,075	455,630	649,371	395,928	25,500	370,428
2003	184,568	2,106	227,815	414,489	299,436	25,500	273,936
2002	209,711	2,138	175,743	387,592	285,545	25,500	260,045
2001	203,388	2,169	175,743	381,300	280,973	25,500	255,473
2000	203,645	0	123,671	327,316	255,638	25,500	230,138
1999	163,552	0	123,671	287,223	236,322	25,500	210,822
1998	133,642	0	123,671	257,313	222,446	25,500	196,946
1997	124,096	0	110,653	234,749	211,424	25,500	185,924
1996	85,913	0	110,653	196,566	192,727	25,500	167,227
1995	78,276	0	110,653	188,929	186,891	25,500	161,391
1994	70,003	0	110,653	180,656	180,656	25,500	155,156
1993	78,106	0	110,653	188,759	188,759	25,500	163,259
1992	78,106	0	110,653	188,759	188,759	25,500	163,259
1991	85,203	0	110,653	195,856	195,856	25,500	170,356
1990	53,387	0	86,244	139,631	139,631	25,500	114,131
1989	44,121	0	84,617	128,738	128,738	25,500	103,238

113,488

87,724

86,300

68,664

65,726

65,726

66,561

113,488

87,724

86,300

68,664

65,726

65,726

66,561

25,500

25,500

25,500

25,500

25,500

25,500

25,500

87,988

62,224

60,800

43,164

40,226

40,226

41,061

Parcel Sales History

38,634

42,678

42.898

41,899

38,961

38,961

39.796

0

0

0

0

0

0

0

74,854

45,046

43,402

26,765

26,765

26,765

26,765

1988

1987

1986

1985

1984

1983

1982

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
6/30/2006	2220 / 2215	2,150,000	WD	Q
				HANCO-CONTENTION CONTENTION OF THE PROPERTY OF

This page has been visited 9,404 times.

Monroe County Property Appraiser Ervin A. Higgs, CFA P.O. Box 1176 Key West, FL 33041-1176

	ng list)	
	Public Notices radius map & mailin	Public Notices radius map & mailing list)

The Key West Planning Board will hold a public hearing at 6:00 p.m., March 17, 2010, at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Variance - 607-609 Ashe Street (RE# 00010270-000000) - For side-yard setback requirements in the HHDR zoning district per Section 122-630 (6) b. as required when the renovation or reconstruction exceeds 66% of the assessed or appraised value of the structure per Section 122-28 (b) of the Land Development Regulations of the City of Key West.

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

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Variance - 607-609 Ashe Street (RE# 00010270-000000) - For side-yard setback requirements in the HHDR zon-

ing district per Section 122-630 (6) b. as required when the renovation or reconstruction exceeds 66% of the assessed or appraised value of the structure per Section 122-28 (b) of the Land Development Regulations of the City

of Key West.

Applicant: Jay Scott Owner: Studios of Key West

Project Location: 607-609 Ashe Street Date of Hearing: Thursday, March 17, 2011

Time of Hearing: 6:00 PM Location of Hearing: Old City Hall – City Commission Chambers, 510 Greene St

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

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3978 or by email ccowart@keywestcity.com.

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

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

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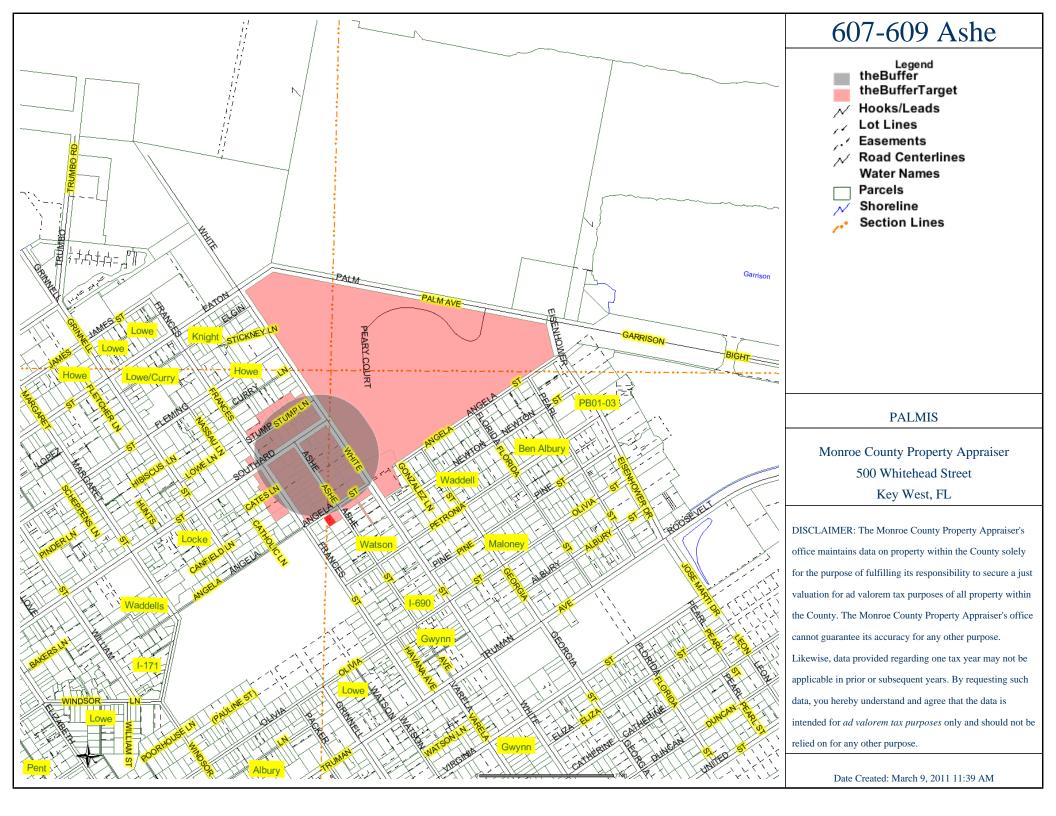
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KRONHOLM CONRAD J JR FL QPRT **BLIVES YAKOV** JANSEN CHRISTINE E 02/26/03 1 BAY DR $1000~\mathrm{WEST}~\mathrm{AVE}$ 101 LYME ST KEY WEST, FL 33040 MIAMI BEACH, FL 33139 OLD LYME, CT 06371 610 WHITE STREET LLC ROSS ELIZABETH J J J'S A PLACE IN THE SUN INC 1015 FLAGLER AVE 1015 FLEMING ST 1029 SOUTHARD ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 LEROY VIVE A PINDER FLORIDA C ESTATE BRICKHOUSE JOHNNA J 1107 KEY PLAZA 1107 SOUTHARD ST 1111 SOUTHARD ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 RODRIGUEZ JOSE AND JOY STEWART MARTHA E POPOVICE MICHAEL STICKNEY 1111 STUMP LANE 1119 SOUTHARD ST 1113 STUMP LN KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 VON SEGGERN CHRISTINA LANE WILLIAM T MYREN BRENDALYNN 1121 SOUTHARD ST 1122 ANGELA ST 1123 STUMP LN KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 RICCIUTI ANN P WEITZEN ELAINE G ROBERTS KEITH AND JUDY 1203 KAREN LN 130 1/2 EAST 65TH ST 1375 DEAL RD WEST CHESTER, PA 19380 NEW YORK, NY 10001 MOORESVILLE, NC 28115 SONI AND SONS LIMITED RUDOLPHI ROSEANNE MCCLURE JACQUELYN R PARTNERSHIP 14 WALNUT DR 1509 CONSTASO CT 1425 LAKE FRONT CIRCLE SHOREHAM, NY 11786 **SAN JOSE, CA 95129** THE WOODLANDS, TX 77380 WOOD JOHN E REV TRUST 9/30/99 KEYS PARADISE HOLDINGS LLC STEFFIAN PETER AND BETH 1617 RIGGS PL NW 1824 FLAGLER AVE 190 TREMONT ST WASHINGTON, DC 20009 KEY WEST, FL 33040 SOMERVILLE, MA 02143 MAYER CHRISTINE B STICKNEY CLYDE P LYON DAUNE 2060 BROADWAY 233 CROSSGATE DR 282 N PINE CREEK RD BOULDER, CO 80302 ELMORE, AL 36025 FAIRFIELD, CT 06824

MCNALLY TERRENCE

NEW YORK, NY 10003

29 E 9TH ST

PECKOLICK ALAN J REV TR

8/10/2004

30 EAST 10TH ST

NEW YORK, NY 10003

BERGERY BENJAMIN

29 BIS RUE BOURET

PARIS, F75019

WHEELER PHILIP H JR TRUST SCRANTON JOHN G WUNSCH RICHARD E 10/7/96 35 BETHUME ST 3516 17TH TER 3322 BEAVER MEADOW RD NEW YORK, NY 10014 KEY WEST, FL 33040 SHARON, VT 05065 HAFFENREFFER MARY LAND SIMPSON PATRICIA R BERMAN ANDREW N ANDLINDA C KARL 501 SLATERS LN 524 WHITE ST 525 FRANCES ST ALEXANDRIA, VA 22314 KEY WEST, FL 33040 KEY WEST, FL 33040 MCCULLOCH JAMES B MATARAZZO KURT FRANCES STREET BOTTLE INN LLC 531 FRANCES ST 532 DUVAL ST 535 FRANCES STREET KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 KERRY ALECIA JUNE LEVIN JAY J BALDWIN MAUREEN K TRUST 540 WHITE ST 5516 PUTNAM DR 60 CANNEY RD KEY WEST, FL 33040 WEST BLOOMFIELD, MI 48323 DURHAM, NH 03824 JAN AND GEORGE LIMITED THE STUDIOS KEY WEST INC SEEMILLER JOSEPH J III LIABILITY CO 600 WHITE ST 604 FRANCES ST 600 FRANCES ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 SCHETTIG ROBERT CAND LIGGETT ANNETTE M REAVES SHIRLEY R CELESTE M 606 FRANCES ST 608 FRANCES ST 609 FRANCES ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 PADGET-DEKKER HOLDINGS LTD MALLOY KEVIN P AND HOLLY J BAUMGARTNER EDWARD L 611 FRANCES ST 614 WHITE ST 615 ASHE ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 SIEMINSKI DAVID THOMAS GRIBIK SUZANNE J MULLIGAN JAMES J 616 ASHE ST 616 FRANCES ST 617 FRANCES ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040 JACKSON THOMAS A AND GUADAGNO MICHAEL R JR AND JACOBSON CHRISTOPHER N DEBORAH ANN SUSAN D 618 WHITE ST 620 ASHE ST 622 ASHE ST KEY WEST, FL 33040 KEY WEST, FL 33040 KEY WEST, FL 33040

GST TRUST 2/11/2000
624 ASHE ST
KEY WEST, FL 33040

PERPALL L T & SHIRLEY KAY
TRUSTEES
624 ASHE ST
KEY WEST, FL 33040

KEY WEST, FL 33040

FABISIEWICZ WALTER AND LOUISE 700 WHITE ST KEY WEST, FL 33040 GRIFFITH RICHARD TRUSTEE 717 FLEMING STREET KEY WEST, FL 33040

KENDRICK MELISSA POBOX 6391 KEY WEST, FL 33041

RODEL CHARITABLE FOUNDATION PO BOX 4014 KEY WEST, FL 33041

HYNES JON PO BOX 70231 NEW ORLEANS, LA 70172 MELNICK EUNICE M 901 NAVESINK RIVER RD LOCUST, NJ 07760

WEYMOUTH LISA A P O BOX 791249 PAIA, HI 96779

GARTNER LEONARD PO BOX 489 COLD SPRING HARBOR, NY 11724 AKERS ROGER W HCR 62 BOX 42 RATON, NM 87740

UNION CROSSING MANAGEMENT INCTRUSTEE PO BOX 1990 NORTH FALMOUTH, MA 02556

CORELLA PASQUALE J PO BOX 5501 KEY WEST, FL 33045