

Application

SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING, PLLC

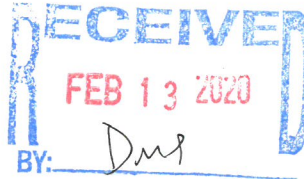
ATTORNEYS AND COUNSELORS AT LAW
500 FLEMING STREET
KEY WEST, FLORIDA 33040

JOHN M. SPOTTSWOOD, JR.
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Telephone | 305-294-9556
Facsimile | 305-504-2696

OF COUNSEL:

JOHN M. SPOTTSWOOD (1920 – 1975)
ROBERT A. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD, JR. of Counsel



February 12, 2020

VIA HAND DELIVERY AND
ELECTRONIC MAIL

Roy Bishop, Interim Planning Director
City of Key West Planning Department
1300 White Street
Key West, Florida 33040

RE: Rear Yard Setback Variance – 3749 Duck Avenue, Key West, Florida 33040

Dear Mr. Bishop,

Please allow this letter and supporting documentation to serve as my client, Christine Baratto (“Applicant”) application for a variance to the rear yard setback at 3749 Duck Avenue, Key West, Florida 33040 (the “Property”) located in the Single Family Residential (“SF”) Zoning District. By way of background, the Property is an oversized double lot consisting of 13,500 sq. ft. The Applicant has applied for one market rate residential BPAS unit as part of the current Year 7 BPAS cycle. Originally, the Applicant was going to construct an accessory structure in the rear yard of the Property, which would be subject to a five-foot rear yard setback requirement. However, the FEMA 50% rule prohibited the Applicant from constructing the accessory structure because it would have required lifting the entire primary structure. In applying for a BPAS unit to construct a second unit on the Property, the Applicant is not subject to the FEMA 50% rule. The Applicant seeks to construct the second unit in the same location that the accessory structure would have been located. This second unit will be raised to comply with FEMA guidelines, and will be meet all baseline requirements of the BPAS application. In support hereof, the Applicant states as follows with respect to the criteria for granting the variance.

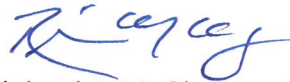
1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.

- a. The location of the second unit is dictated by the existence of a very large Mahogany tree located in the backyard. The location of the tree requires the location of the second unit to be pushed further back thus triggering the requirement for the variance.
2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.
 - a. The Applicant purchased the property with the existing tree and building configuration. The Applicant could choose to remove the tree but prefers to leave it as is. The applicant did not create the existing layout of the property and thus is not responsible for the factors requiring the variance.
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.
 - a. Allowing the construction does not confer special privileges upon the Applicant. Other properties in the immediate area have multiple units and accessory structures which allow for reduced setback requirements.
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.
 - a. The Applicant can construct an accessory structure with a rear yard setback of five feet. However, if this same exact structure contains a kitchen, the setback changes from 5 feet to 25 feet. The Applicant is unable to build an accessory structure due to the FEMA requirements. Being forced to comply with the FEMA rule would cause economic hardship to the Applicant.
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.
 - a. The variance requested is the minimum variance that will make possible the continued use of the land, building, or structure. The proposed second unit will be 6 feet from the rear yard property line which allows the existing tree to remain in its current location.
6. Not injurious to the public welfare. That granting of the variance 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.

- a. The granting of the variance does not appear to be injurious to the area involved or 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 uses 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.
 - a. The Applicant did not consider other nonconforming uses of other property in developing this application.

If you should have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. McChesney".

Richard J. McChesney, Esq.
For the Firm

Enc.



Variance Information sheet

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Application Fee: \$2,300.00 / After-the-Fact: \$4,300.00

(includes \$200.00 advertising/ noticing fee and \$100.00 fire review fee)

Please read the following carefully before filling out the application

This application and all required attachments should be submitted to the City Planning Department at 1300 White Street.

Application Process

- After submittal, the application will be reviewed by Staff and additional modifications to the site plan may be necessary at that time.
- The applicant will be responsible for submitting a landscape approval letter from the Urban Forestry Program Manager and a Stormwater approval letter from the Director of Engineering.
- **When the application is determined to be complete**, it will be brought forth to the Planning Board. If the application is approved, there is a 30-day appeal period.
- After the 30-day appeal period, the application will be sent to the Department of Environmental Opportunity (DEO) for rendering. The rendering period is 45 days.

PLEASE NOTE:

- Owners and applicants are notified of their scheduled Planning Board hearing date.
- Attendance at the formal public hearing is mandatory.
- Notice of Public Meeting is published in the newspaper.
- Owners of property within 300 feet of the subject property or parcels are notified by mail.
- Notice of public hearing will be posted on the property and must be left up until after the hearing.

Please include the following with this application:

1. A **copy of the most recent recorded** warranty deed with the Book and Page numbers from the office of the Clerk of Circuit Court for Monroe County containing a legal description of the subject parcel. The application forms must be signed by all owners listed on the deed. For business/corporate ownership, please attach authorization for name of executive authorized to make the application.
2. An application fee is determined according to the attached fee schedule. Make the check payable to the City of Key West and include the site address on the memo portion of the check. Be advised that upon review by the Planning Department, additional or fewer variances may be required necessitating a different fee. It is best to see a Planner before turning in the application.

3. A site plan or site plans (**plans MUST be signed and sealed by an Engineer or Architect**) of the subject site, indicating the following:
 - a. **Existing and proposed** lot coverage including buildings, pools, spas, driveways and other walkways, patios, porches, covered areas and decks.
 - b. Location and identification/names of existing trees of 3.5 inches diameter or greater on the property or extending over the proposed work (including access routes and stormwater areas). Please provide photos.
 - c. All proposed changes to what exists, including those which make the variance(s) necessary.
 - d. Lot dimensions on all drawings and the distance from all property lines of all existing and proposed structures.
 - e. Dimensions (**existing and proposed**) of all the items in (a) above, including the height and number of stories of the structure.
 - f. Parking spaces and dimensions (**existing and proposed**).
 - g. Easements or other encumbrances on the property.
4. One copy of the most recent survey of the property.
5. Elevation drawings of proposed structures, indicating finished height above established grade as measured from crown of road.
6. Floor Plans of **existing and proposed** development.
7. Stormwater management plan.
8. PDF of entire application on Flash Drive

The attached Verification and Authorization Forms must be notarized. This can be done at City Hall or the Planning Department. Identification is required. An out-of-state notarization is acceptable, if necessary.

Make sure that the applicable application and authorization forms are signed by all people listed as owners on the recorded Warranty Deed.

Be advised that the City will not grant a variance unless the City Impact Fees of sewer and solid waste services are paid in full.

If you have any questions, please call the Planning Department. We will be happy to assist you in the application process.



Application for Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Application Fee: \$2,300.00 / After-the-Fact: \$4,300.00
(includes \$200.00 advertising/noticing fee and \$100.00 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 305-809-3764.

PROPERTY DESCRIPTION:

Site Address: 3749 Duck Avenue, Key West, Florida 33040

Zoning District: Single-Family (SF)

Real Estate (RE) #: 00054160-000000

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Richard McChesney - Spottswood, Spottswood, Spottswood & Sterling

Mailing Address:

City: 500 Fleming Street, Key West State: FL 33040 Zip:

Home/Mobile Phone: _____ Office: (305) 293-8791 Fax: _____

Email: richard@spottswoodlaw.com

PROPERTY OWNER: (if different than above)

Name: Christine Baratto

Mailing Address:

City: 3749 Duck Avenue, Key West State: FL 33040 Zip:

Home/Mobile Phone: _____ Office: _____ Fax: _____

Email: mark@launch6.com

Description of Proposed Construction, Development, and Use: The Property Owner is applying for one market rate BPAS unit to construct a separate detached unit in the back yard of the existing lot. This unit will be used by the property owners Mother.

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

Rear yard setback variance

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				
Flood Zone				
Size of Site				
Height				
Front Setback				
Side Setback				
Side Setback				
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage				
Impervious Surface				
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
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.**



Exhibit B – Site Data Table

Building Permit Allocation System Application

305-809-3720 • www.cityofkeywest-fl.gov

SITE DATA TABLE

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 (y/n)
Zoning	SF			
Flood Zone	AE 7			
Size of Site	13,366 Sq. Ft.			
Height	25'	0*	15'8"	None
Front Setback	20'	0*	113'10"	None
Side Setback	5'	0*	31'	None
Side Setback				
Street Side Setback	10'	0*	26'	None
Rear Setback	25'	0*	6'	19'
Residential Floor Area	1.0	2,478 sq.ft / 18.5%	2,970 sq.ft / 22.2%	N/A
Density	8 du/acre	2	2	N/A
Commercial Floor Area	0	0	0	N/A
F.A.R (Commercial)	0	0	0	
Building Coverage	35%	3,567 sq.ft. 26%	4,193 sq.ft. 31%	None
Impervious Surface	50%	5,619 sq.ft. 42%	6,272 sq.ft. 47%	None
Parking	2 per unit	4	4	None
Handicap Parking				N/A
Bicycle Parking				
Open Space/ Landscaping	35%	7,747 sq.ft. 58%	7,094 sq.ft. 53%	None
Number and type of units				N/A
Consumption Area or Number of seats				N/A

*All setback measurements are related to location of second unit to be built, not the existing structure.

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: Please print your responses.

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.

Please see attached cover letter.

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

Please see attached cover letter.

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.

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.

Please see attached cover letter.

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.

Please see attached cover letter.

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.

Please see attached cover letter.

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.

Please see attached cover letter.

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 materials listed below must be submitted in order to have a complete application. Applications will not be processed until all materials are provided. Please submit one (1) paper copy of the materials to the Planning Department along with one (1) electronic copy of materials on a flash drive.

- 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
- Monroe County Property record card
- Signed and sealed survey (Survey must be within 10 years from submittal of this application)
- Site plan (plans **MUST** be signed and sealed by an Engineer or Architect)
- Floor plans
- Stormwater management plan

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an entity)

I, Richard McChesney, in my capacity as Associate Attorney
(print name) *(print position; president, managing member)*

of Spottswood, Spottswood, Spottswood & Sterling PLLC
(print name of entity serving as Authorized Representative)

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:

3749 Duck Avenue, Key West, Florida 33040

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 of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this Feb. 13, 2020 by
date

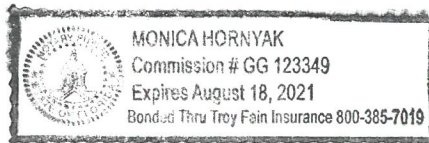
Richard McChesney
Name of Authorized Representative

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


Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Individual or Joint Owner)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Christine Baratto authorize
Please Print Name(s) of Owner(s) as appears on the deed

Richard McChesney - Spottswood, Spottswood, Spottswood & Sterling
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 Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 2-6-20
Date

by Christine Baratto
Name of Owner

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

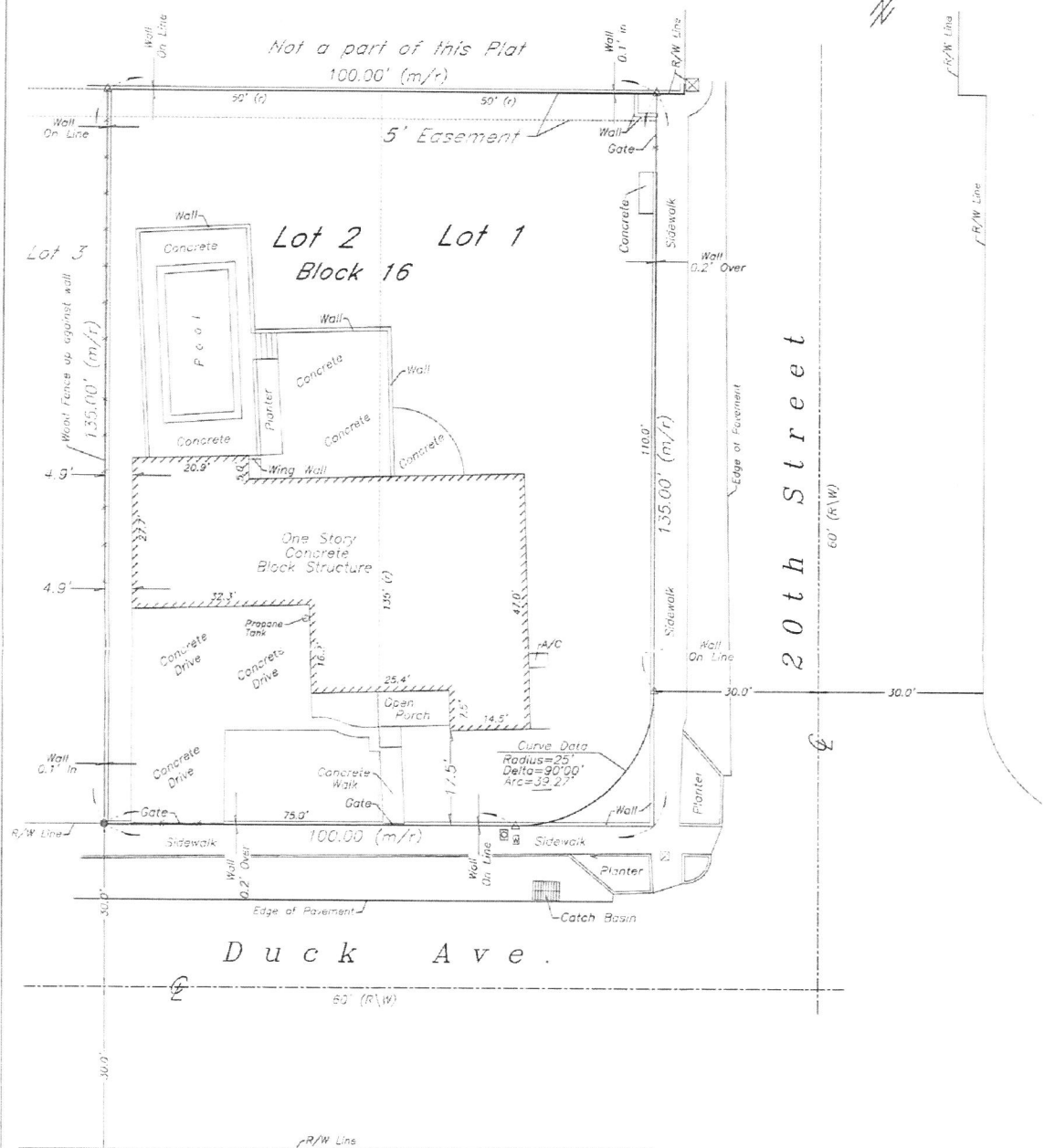
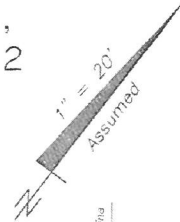
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Boundary Survey

Boundary Survey Map of Lots 1 & 2, Block 16, KEY WEST FOUNDATION COMPANY'S PLAT NO. 2



LEGEND

- | | |
|-----------------------------------|----------------------------|
| ⊙ Found 2" Iron Pipe (Fence Post) | R/W Right of Way |
| ○ Set 3/4" Iron Pipe w/cap (629B) | CLF Chain Link Fence |
| ● Found 1/2" Iron Rod (FKLS) | ⊕ Centerline |
| ▲ Found Nail & Disc (629B) | ⊕ Wood Utility Pole |
| △ Set Nail & Disc (629B) | ⊕ Concrete Utility Pole |
| (M) Measured | -P- Overhead Utility Lines |
| (R) Record | ⊕ Fire Hydrant |
| (M/R) Measured & Record | ⊕ Sewer Cleanout |
| C.B.S. Concrete Block Structure | ⊕ Water Meter |

NOTE:
This Survey Map is not full and complete without the attached Survey Report.

Sheet One of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #629B

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

Boundary Survey Report of Lots 1 & 2, Block 16,
KEY WEST FOUNDATION COMPANY'S PLAT NO. 2

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: 3749 Duck Avenue, 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: January 6, 2017
9. Ownership of fences is undeterminable, unless otherwise noted.
10. The Survey Report is not full and complete without the attached Survey Map.

BOUNDARY SURVEY OF: Lots 1 and 2, Block 16, KEY WEST FOUNDATION COMPANY'S PLAT NUMBER TWO, according to the Plat thereof as recorded in Plat Book 1, at Page 189 of the Public Records of Monroe County, Florida.

BOUNDARY SURVEY FOR: Daniel Bready and Kevin Dickinson;
First American Title Insurance Company;
Spottswood Spottswood & Spottswood;

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

January 13, 2017

THIS SURVEY
IS NOT
ASSIGNABLE

Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-1244

Ukg' Rnc p

SITE DATA

ADDRESS: 3749 DUCK AVE. KEY WEST, FLORIDA 33040
 RE: 00054160-000000
 ZONING: SF (SINGLE FAMILY)
 FLOOD ZONE: AE7
 F.I.R.M. - COMMUNITY #12087, MAP & PANEL #1379 SUFFIX K, DATE 02-18-05
 SECTION/TOWNSHIP/RANGE: 34/6/725
 LEGAL DESCRIPTION: KW KW FWDN SUB PLAT 2 PB1-189 LOTS 1 & 2 SOR 16
 OCCUPANCY: R-3
 CONSTRUCTION: V-B

DESIGN DATA

THE WORK DEPICTED HEREIN WAS DESIGNED TO MEET THE REQUIREMENTS OF THE 2017 FLORIDA RESIDENTIAL BUILDING CODE AND THE LATEST EDITIONS OF THE FLORIDA MODEL ENERGY CODE, FIRE CODE, LIFE SAFETY CODE AND THE NATIONAL ELECTRIC CODE.
 THE FOLLOWING LOADINGS WERE USED:
 WIND LOAD: 180 MPH (3-SEC GUST), EXPOSURE C, ASCE 7-10 CODE
 LIVE LOADS: FLOOR 40 PSF, ROOF 20 PSF
 DEAD LOADS: 10 PSF, FLOOR 10 PSF
 FEMA FLOOD DESIGN PER ASCE 24-14

INDEX OF DRAWINGS

SHEET CS-1 - SITE PLAN
 SHEET S-1 - STRUCTURAL PLAN AND DETAILS

GENERAL NOTES

- THESE PLANS ARE FOR THE CONSTRUCTION AT THE LOCATION SO DESIGNATED HEREIN.
- THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
- THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.
- THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.
- NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL WILL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.
- THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THE WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
- NO RESEARCH AS TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED ON OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND UTILITY EASEMENTS, ETC.).
- THE GENERAL CONTRACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSIGHTLY CONDITIONS.
- THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT COMPLIANCE WITH THE PLANS, 2017 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
- SHOP DRAWINGS OF ALL PREFABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2017 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
- THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
- THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
- THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND (2) COMPLETE AS-BUILT SETS SHALL BE DELIVERED TO THE OWNER AFTER COMPLETION OF WORK.
- THESE PLANS, AS DRAWN AND NOTED, COMPLY WITH THE BUILDING ENVELOPE ENERGY REQUIREMENTS OF THE FLORIDA MODEL ENERGY CODE. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE GOVERNING CODE IN ITS ENTIRETY AND BUILD IN ACCORDANCE WITH ALL PROVISIONS OF THIS CODE.
- PORTABLE RESTROOM FACILITIES TO BE PROVIDED AT THE SITE BY THE CONTRACTOR.

LEGEND

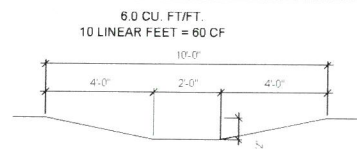
SYMBOLS	MATERIAL INDICATIONS	LIST OF ABBREVIATIONS
		& AND AT APPROX. (APPROXIMATELY)
		FT FOOT/FEET
		FFL FINISH FLOOR LEVEL
		IN INCH
		MAX MAXIMUM
		MN MINIMUM
		# NUMBER
		O.C ON CENTER
		LB POUND
		PSI POUND PER SQUARE INCH
		PT PRESSURE TREATED
		SF SQUARE FOOT/FEET
		T & G TONGUE AND GROOVE
		WWW WELDED WIRE MESH

SITE DRAINAGE CALCULATIONS

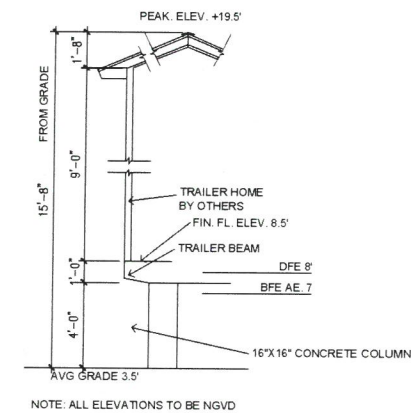
TOTAL LOT SIZE.....2,500 SQ. FT.
 NEW IMPERVIOUS COVERAGE:
 BUILDING AREA, STAIRS, PORCHES
653 SF

CUBIC FT. REQUIRED 653 sf * 0.083 = 55 CF

CUBIC FT. PROVIDED.....60 CF

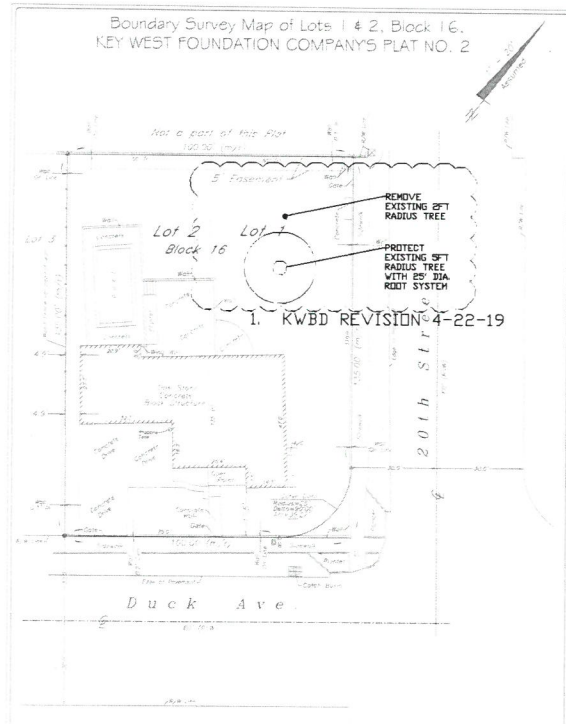


1. KWBD REVISION 4-22-19



BUILDING SECTION

SCALE NTS



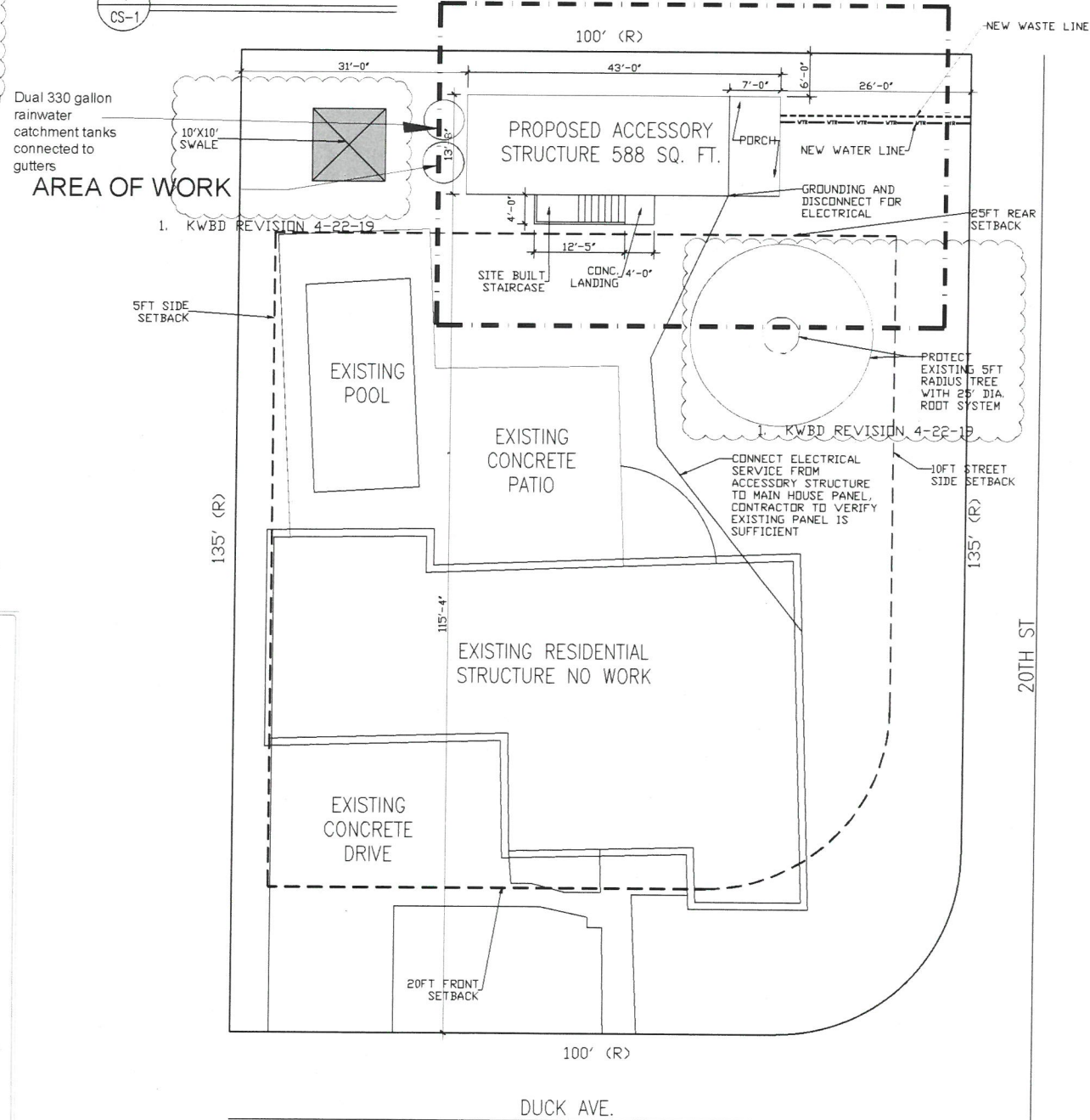
SURVEY

SCALE: 1"=30'-0"



SITE

LOCATION MAP

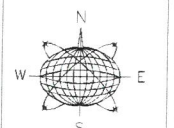


PROPOSED SITE PLAN

SCALE: 1"=10'-0"

PROJECT DATA FOR ACCESSORY STRUCTURE					
RE NO.	PROPOSED	EXISTING	REQUIRED	VARIANCE REQUESTED	
RENO	000420-00000				
SETBACKS					
FRONT	17'-0"	17'-0"	20'	NONE	
STREET SIDE	25'-0"	15'-0"	10'	NONE	
SIDE	5'-0"	4'-0"	5'	NONE	
REAR	8'-0"	8'-0"	15'	NONE	
LOT SIZE	NO CHANGE	13,360 SQ. FT.	600 SQ. FT.	NONE	
BUILDING COVERAGE	4,193 SQ. FT.	31%	3,967 SQ. FT.	36%	35% MAX.
FLOOR AREA	2,876 SQ. FT.	22%	2,471 SQ. FT.	19.6%	1:0
BUILDING HEIGHT	15'-0"	N/A	N/A	20' MAX.	NONE
IMPERVIOUS AREA	6,272 SQ. FT.	47%	5,619 SQ. FT.	42%	50% MAX.
OPEN SPACE	7,084 SQ. FT.	53%	7,747 SQ. FT.	58%	35% MIN.

* ACCESSORY STRUCTURE TAKES UP 23% OF ALLOWED 30% REAR YARD SETBACK



Mendian Engineering LLC
 201 Front Street, Suite 203
 Key West, Florida 33040
 AUTHORIZATION #20401
 PH: 305-293-5283 FAX: 293-4899

Seal:
 NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED IN THE BLOCK
 RICHARD J. MILELLI
 PE #56315

RESIDENTIAL CONSTRUCTION
 3749 DUCK AVE.
 KEY WEST, FL

Drawn By: JMT
 Checked By: RJM
 Project No:
 Scale: AS NOTED
 AutoCad File No.

Revisions:
 1. KWBD REVISION 4-22-19
 Title: SITE PLAN
 Sheet Number: CS-1
 Date: MARCH 31, 2019

Corrective Deed

Prepared by and return to:

Erica Hughes Sterling
Spottswood, Spottswood, Spottswood & Sterling, PLLC
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 101-18.00570EMA
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of February, 2019 between Daniel Bready, a single man, and Kevin Dickinson, a single man, grantor, and Christine Baratto, a single woman, whose post office address is 3749 Duck Avenue, 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:

Lots 1 and 2, Block 16, Key West Foundation Company's Plat Number Two, according to the map or plat thereof, as recorded in Plat Book 1, Page(s) 189, of the Public Records of Monroe County, Florida.

Parcel Identification Number: 00054160-000000

Subject to taxes for 2019 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, 2018**.

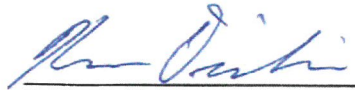
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

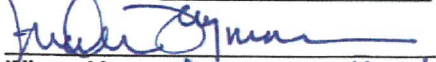
Witness Name: _____

Daniel Bready (Seal)

Witness Name: _____


Kevin Dickinson (Seal)


Witness Name: RICHARD M KLITENICK


Witness Name: NICOLE TWYMAN

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 13th day of February, 2019 by Daniel Bready, who is personally known or has produced a driver's license as identification.

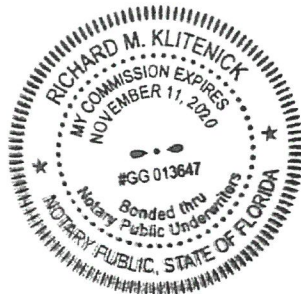
[Notary Seal]

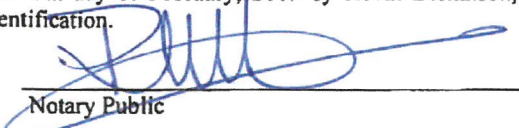
Notary Public
Printed Name: _____
My Commission Expires: _____

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 13th day of February, 2019 by Kevin Dickinson, who is personally known or has produced a driver's license as identification.

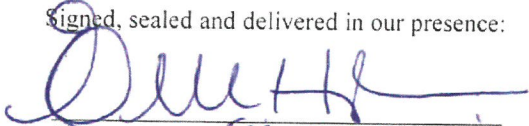
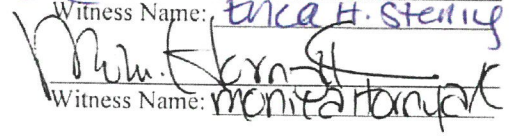
[Notary Seal]

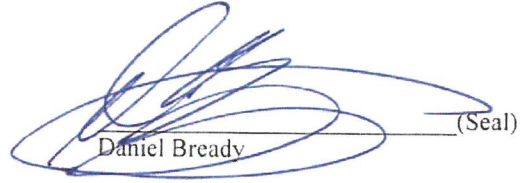



Notary Public
Printed Name: RICHARD M KLITENICK
My Commission Expires: 11/11/2020

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:


Witness Name: Enca H. Stening

Witness Name: Monica Hornyak

 (Seal)
Daniel Bready

Witness Name: _____

Kevin Dickinson (Seal)

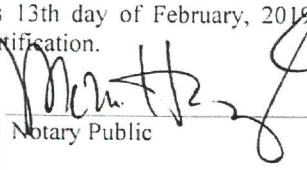
Witness Name: _____

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 13th day of February, 2019 by Daniel Bready, who is personally known or has produced a driver's license as identification.

[Notary Seal]




Notary Public
Printed Name: _____
My Commission Expires: _____

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 13th day of February, 2019 by Kevin Dickinson, who is personally known or has produced a driver's license as identification.

[Notary Seal]

Notary Public
Printed Name: _____
My Commission Expires: _____

Property Record Card



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 00054160-000000
 Account# 1054780
 Property ID 1054780
 Millage Group 10KW
 Location 3749 DUCK Ave, KEY WEST
 Address
 Legal KW KW FWDN SUB PLAT 2 PB1-189 LOTS 1 & 2 SQR 16 OR148-512/13 OR446-330
 Description OR1122-2171/72P/R OR1246-1368/69 OR1474-1367/1368M/T OR1513-1374 OR2824-814C/T OR2834-2355/56 OR2949-1320
 (Note: Not to be used on legal documents.)
 Neighborhood 6203
 Property SINGLE FAMILY RESID (0100)
 Class
 Subdivision Key West Foundation Co's Plat No 2
 Sec/Twp/Rng 34/67/25
 Affordable No
 Housing



Owner

BARATTO CHRISTINE
 3749 Duck Ave
 Key West FL 33040

Valuation

	2019	2018	2017	2016
+ Market Improvement Value	\$358,861	\$193,950	\$193,950	\$166,909
+ Market Misc Value	\$67,045	\$39,346	\$39,630	\$33,940
+ Market Land Value	\$365,472	\$371,520	\$518,400	\$627,480
= Just Market Value	\$791,378	\$604,816	\$751,980	\$828,329
= Total Assessed Value	\$665,298	\$604,816	\$751,980	\$342,995
- School Exempt Value	\$0	\$0	\$0	(\$25,000)
= School Taxable Value	\$791,378	\$604,816	\$751,980	\$317,995

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	13,500.00	Square Foot	100	135

Buildings

Building ID 4399
 Style GROUND LEVEL
 Building Type S.F.R. - R1 / R1
 Gross Sq Ft 2324
 Finished Sq Ft 1906
 Stories 1 Floor
 Condition GOOD
 Perimeter 192
 Functional Obs 0
 Economic Obs 0
 Depreciation % 3
 Interior Walls WD PANL/CUSTOM
 Exterior Walls C.B.S.
 Year Built 1963
 EffectiveYearBuilt 2015
 Foundation CONCR FTR
 Roof Type GABLE/HIP
 Roof Coverage METAL
 Flooring Type CONC ABOVE GRD
 Heating Type FCD/AIR DUCTED with 0% NONE
 Bedrooms 4
 Full Bathrooms 3
 Half Bathrooms 1
 Grade 600
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,906	1,906	280
GBF	GAR FIN BLOCK	418	0	82
TOTAL		2,324	1,906	362

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1975	1976	1	1410 SF	5
WALL AIR COND	1984	1985	1	3 UT	2
FENCES	1975	1976	1	1140 SF	2
CONC PATIO	1975	1976	1	900 SF	2
FENCES	1975	1976	1	1080 SF	4
CUSTOM POOL	1975	1976	1	406 SF	3
AIR COND	2017	2018	0	1 UT	3

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
2/13/2019	\$950,000	Warranty Deed	2207031	2949	1320	01 - Qualified	Improved
1/9/2017	\$519,800	Warranty Deed	2106901	2834	2355	12 - Unqualified	Improved
11/2/2016	\$501,000	Certificate of Title	2098218	2824	814	12 - Unqualified	Improved
4/1/1998	\$315,000	Warranty Deed		1513	1374	Q - Qualified	Improved
2/1/1990	\$195,000	Warranty Deed		1122	2171	Q - Qualified	Improved

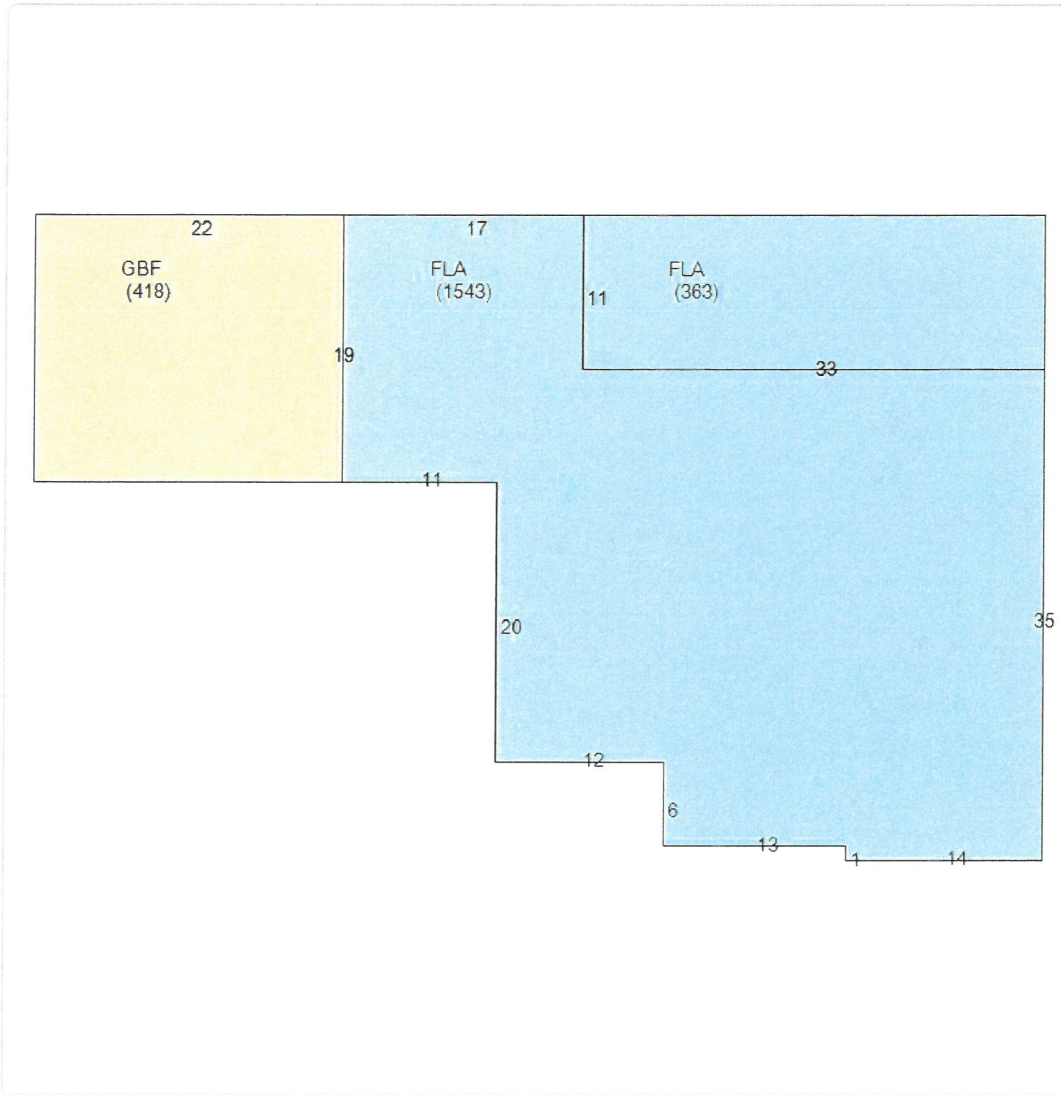
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
19-2336	7/25/2019		\$25,000	Residential	FENCE
19-0950	3/18/2019	3/28/2019	\$2,000	Residential	REPLACE EXISTING REPAIR ONLY. REMOVE & REPLACE EXISTING PIPE BOOTS W/NEW. REMOVE EXISTING 5V CRIMP ROOF PANELS (WHERE RUSTED) & REPLACE WITH NEW 5V CRIMP METAL ROOF PANELS. REMOVE EXISTING FASTNERS & REPLACE W/NEW 2 IN STAINLESS STEEL CAP FASTNERS.
18-2591	6/16/2018	6/6/2018	\$4,500	Residential	RESURFACE EXISTING POOL. WIRE & BOND POOL.
18-2289	6/4/2018	7/27/2018	\$500	Residential	BOND EXISTING POOL HEATER; POOL PUMP; POOL LIGHT & EXISTING POOL SHELL.
18-1180	5/8/2018	5/23/2018	\$7,390	Residential	INSTALL NEW THEEM A/C SYSTEM OF THE SAME SIZE SAME LOCATION 4 TON REPAIR OR REPLACE THE DUCT WORK.
18-1266	3/27/2018	7/19/2018	\$4,900	Residential	ROUGH AND SET ONE TOILET, ONE SHOWER, ONE CLOTHES WASHER, TWO LAVATORIES. TIE INTO EXISTING PLUMBING.
18-0859	3/5/2018	5/2/2018	\$4,500	Residential	INSTALL ROOFING SYSTEM GAF EVERGUARD FREEDOM OVER WOOD DECK, APPROXIMATELY 340 SF OF AREA. HURRICANE RELATED.
17-4867	2/7/2018	6/6/2018	\$81,275	Residential	REMOVE FROM PLANS, RENOVATION TO BEDROOM/GARAGE. CONVERT NON-HABITABLE PATIO TO HABITABLE PATIO 320 SF WITH NEW ROOF AND ELEVATE FLOOR TO MATCH MAIN RESIDENCE. RENOVATED EXISTING PATIO BATHROOM, REPLACE 7 WINDOWS, 3 DOORS. REVISIONS NEW FOUNDATION & WALLS.
18-0459	2/5/2018	8/6/2018	\$7,500	Residential	DISCONNECT EXISTING ELECTRICAL PLANS, INTERCONNECT EXISTING SMOKE DETECTORS.
06-4875	8/18/2006	12/18/2006	\$15,000	Residential	REPLACE EXISTING 14 WINDOWS
06-1934	3/24/2006	12/18/2006	\$5,700	Residential	INSTALL NEW 3.5 TON SYSTEM-ELAVATED ON WALL BRACKETS
19-1960	6/18/2000	7/19/2019	\$1,500	Residential	DEMO CEILING STRUCTURE AND REMOVE EXISTING INTERIOR CONCRETE WALL. SUPPORT BEAM INSTALL IN PLACE OF WALL OPENING.
99-0297	1/25/1999	7/19/1999	\$6,645	Residential	NEW V-CRIMP ROOF
99-0174	1/14/1999	7/19/1999	\$3,000	Residential	UPGRADE SERCICE

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos





Map



TRIM Notice

Trim Notice

2019 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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