



# VARIANCE AND AFTER THE FACT VARIANCE APPLICATION

## CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

### Application Fee Schedule

|                              |             |
|------------------------------|-------------|
| Variance Application Fee     | \$ 2,552.56 |
| Advertising and Noticing Fee | \$ 358.87   |
| Fire Department Review Fee   | \$ 127.63   |
| Total Application Fee        | \$ 3,039.06 |

### After the Fact Application Fee Schedule

|   |             |
|---|-------------|
| After the Fact Variance Application Fee | \$ 5,105.13 |
| Advertising and Noticing Fee            | \$ 358.87   |
| Fire Department Review Fee              | \$ 127.63   |
| Total Application Fee                   | \$ 5,591.63 |

### **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.

- 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.
- 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 of the hearing.

### **Application Process**

- Prior to submittal, the applicant will schedule a pre-application meeting with staff to review the application and suggest any modifications that may be necessary before submittal. A pre-application meeting is free of charge and should be the final step before submittal. To schedule a pre-application meeting, please call the Planning Department at (305) 809-3764.
- After submittal, the application will be reviewed by staff and additional modifications to the site plan may be necessary at that time. Any modifications within eight (8) days of the scheduled Planning Board meeting may result in the item being postponed till the following Planning Board meeting.
- 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 10-day appeal period.
- After the 10-day appeal period, the application will be sent to the Department of Environmental Opportunity (DEO) for rendering. The rendering period is 45 days.

**Please include the following with this application:**

1. A copy of the most recent 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.
3. Sign and Sealed site plan(s) 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 exist, 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. A survey of the property no more than ten years old
5. Elevation drawings or 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 version of application and all required materials submitted to the Planning Department

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.

For assistance, please call the Planning Department at (305) 809-3764.



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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: 1119 VARELA

Zoning District: HMDR

Real Estate (RE) #: 0032850-001000

Property located within the Historic District? ☒ Yes ☐ No

### APPLICANT:

☐ Owner

☒ Authorized Representative

Name: MARK TIPSORD

Mailing Address: 112 HERCULES DRIVE

City: ROTONDA WEST

State: FL

Zip: 33947

Home/Mobile Phone: 305-748-7451

Office: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: tipsordm@gmail.com

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

Name: SCOTT AND HEIDI DUDGEN

Mailing Address: 1119 VARELA STREET, A

City: KEY WEST

State: FL

Zip: 33040

Home/Mobile Phone: 949-836-3230

Office: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: sdudgeon1@gmail.com

Description of Proposed Construction, Development, and Use: Construct a new 8'-10"x12'-0" concrete swimming pool in rear yard.

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

Seeking variance to Impervious Area and Open Space requirements.

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?  
If yes, provide date of landscape approval, and attach a copy of such approval.

☐ Yes ☒ No

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☒ No

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

**Site Data Table**

|                                  | Code Requirement | Existing        | Proposed        | Variance Request |
|----------------------------------|------------------|-----------------|-----------------|------------------|
| Zoning                           | HMDR             |                 |                 |                  |
| Flood Zone                       | X                |                 |                 |                  |
| Size of Site                     | 4,000 SQ FT      |                 |                 |                  |
| Height                           | NA               |                 | NO CHANGE       | NO               |
| Front Setback                    | 10 FT            | NO CHANGE       | NA              | NO               |
| Side Setback                     | 7.5 FT           | NO CHANGE       | NA              | NO               |
| Side Setback                     | 7.5              | NO CHANGE       | NA              | NO               |
| Street Side Setback              | 10 FT            | NO CHANGE       | NA              | NO               |
| Rear Setback                     | 15 FT            | NO CHANGE       | NA              | NO               |
| F.A.R                            | NA               |                 |                 | NO               |
| Building Coverage                | NA               |                 |                 | NO               |
| Impervious Surface               | 60% 9,818 SQ FT  | 62% 1,020 SQ FT | 71% 1,153 SQ FT | YES              |
| Parking                          | NA               |                 |                 | NO               |
| Handicap Parking                 | NA               |                 |                 | NO               |
| Bicycle Parking                  | NA               |                 |                 | NO               |
| Open Space/ Landscaping          | 35% 572 SQ FT    | 38% 615 SQ FT   | 29% 482 SQ FT   | YES              |
| Number and type of units         | NA               |                 |                 | NO               |
| Consumption Area or No. of seats | NA               |                 |                 | NO               |

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

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

## Standards for Considering Variances

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

None

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

This property was sub-divided for fee simple residential unit ownership which did not provide for a swimming pool.

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.

Small swimming pools are customary in the HMDR 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.

Small swimming pools are customary in the HMDR District.

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 requested variances are the minimum needed for a reasonable swimming pool

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.

Granting of this variance is in harmony with the intent of the Land Development regulations.

Small swimming pools are common in the neighborhood.

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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.

No such consideration is being requested.

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**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 and one (1) electronic version in PDF format.**

- ☐ Correct application fee, made payable to “City of Key West.”
- ☐ Pre-application meeting form
- ☐ Notarized verification form signed by property owner or 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)
- ☐ Sign and sealed site plan (sign and sealed by an Engineer or Architect)
- ☐ Floor plans
- ☐ Any additional supplemental information necessary to render a determination related to the variance request

City of Key West, Florida • Planning Department • 1300 White Street •  
Key West, Florida 33040 • 305-809-3764 • [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

Attendees: Ben Gagnon, Mark Tipsford

Ben and Mark spoke over the phone to discuss variance process and best way to submit application

[illegible]



# **Verification & Authorization Forms**



**City of Key West  
Planning Department  
Verification Form**

*(Where Authorized Representative is an individual)*

I, MARK TIPSON, 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:

1119 VARELA

*Street address of subject property*

I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

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.

A handwritten signature in black ink, appearing to read "Mark Tipson", is written over a horizontal line.

*Signature of Authorized Representative*

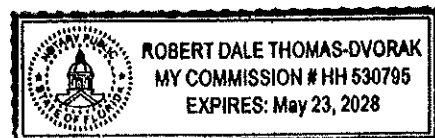
Subscribed and sworn to (or affirmed) before me on this 7/14/2025 by  
*date*

Mark Tipson  
*Name of Authorized Representative*

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

Robert Thomas-Dvorak  
*Notary's Signature and Seal*

Robert Thomas-Dvorak  
*Name of Acknowledger typed, printed or stamped*



HH 530795

*Commission Number, if any*



**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, Scott Dudgeon authorize  
*Please Print Name(s) of Owner(s) as appears on the deed*

Mark Tipsord

*Please Print Name of Representative*

to be the representative for this application and act on my/our behalf before the City of Key West.

Scott Dudgeon *Signature of Owner* *Signature of Joint/Co-owner if applicable*

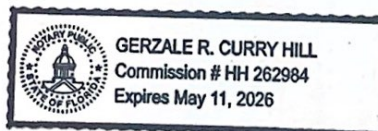
Subscribed and sworn to (or affirmed) before me on this 5/13/2025  
*Date*

by Scott Dudgeon  
*Name of Owner*

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

Gerzale R. Curry Hill  
*Notary's Signature and Seal*  
Gerzale R. Curry Hill  
*Name of Acknowledger typed, printed or stamped*

MAY 13, 2025



*Commission Number, if any*

# **Property Card**

# Monroe County, FL

## \*\*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 00032850-001000  
Account# 9103483  
Property ID 9103483  
Millage Group 10KW  
Location 1119 VARELA St A, KEY WEST  
Address  
Legal Description RESIDENTIAL UNIT A OF 1119 VARELA OWNERS ASSOCIATION A/K/A KW GWYNN  
SUB 0-195 PT LTS 10, 11 AND 12 SQR 2 TR 13 OR2581-187 OR2688-1443 OR2755-1714/1761DEC/REST OR2755-1762 OR2845-951 OR3228-0127  
(Note: Not to be used on legal documents.)  
Neighborhood 6096  
Property Class SINGLE FAMILY RESID (0100)  
Subdivision  
Sec/Twp/Rng 05/68/25  
Affordable No  
Housing



### Owner

DUDGEON SCOTT E  
1119 Varela St  
Unit A  
Key West FL 33040

DUDGEON HEIDI A  
1119 Varela St  
Unit A  
Key West FL 33040

### Valuation

|                            | 2024 Certified Values | 2023 Certified Values | 2022 Certified Values | 2021 Certified Values |
|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| + Market Improvement Value | \$499,920             | \$302,902             | \$306,090             | \$269,489             |
| + Market Misc Value        | \$3,070               | \$3,146               | \$3,222               | \$3,298               |
| + Market Land Value        | \$494,333             | \$429,988             | \$369,729             | \$275,765             |
| = Just Market Value        | \$997,323             | \$736,036             | \$679,041             | \$548,552             |
| = Total Assessed Value     | \$997,323             | \$663,748             | \$603,407             | \$548,552             |
| - School Exempt Value      | (\$25,000)            | \$0                   | \$0                   | \$0                   |
| = School Taxable Value     | \$972,323             | \$736,036             | \$679,041             | \$548,552             |

### Historical Assessments

| Year | Land Value | Building Value | Yard Item Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value | Maximum Portability |
|------|------------|----------------|-----------------|---------------------|----------------|--------------|---------------|---------------------|
| 2024 | \$494,333  | \$499,920      | \$3,070         | \$997,323           | \$997,323      | \$25,000     | \$972,323     | \$0                 |
| 2023 | \$429,988  | \$302,902      | \$3,146         | \$736,036           | \$663,748      | \$0          | \$736,036     | \$0                 |
| 2022 | \$369,729  | \$306,090      | \$3,222         | \$679,041           | \$603,407      | \$0          | \$679,041     | \$0                 |
| 2021 | \$275,765  | \$269,489      | \$3,298         | \$548,552           | \$548,552      | \$0          | \$548,552     | \$0                 |
| 2020 | \$302,320  | \$247,676      | \$3,374         | \$553,370           | \$553,370      | \$0          | \$553,370     | \$0                 |
| 2019 | \$298,884  | \$250,284      | \$3,532         | \$552,700           | \$552,700      | \$0          | \$552,700     | \$0                 |
| 2018 | \$292,617  | \$252,891      | \$3,690         | \$549,198           | \$549,198      | \$0          | \$549,198     | \$0                 |

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

| Land Use                | Number of Units | Unit Type   | Frontage | Depth |
|-------------------------|-----------------|-------------|----------|-------|
| RES SUPERIOR DRY (01SD) | 1,857.00        | Square Foot | 0        | 0     |

Buildings

|                |                         |                    |                    |
|----------------|-------------------------|--------------------|--------------------|
| Building ID    | 6451                    | Exterior Walls     | ABOVE AVERAGE WOOD |
| Style          | 2 STORY ELEV FOUNDATION | Year Built         | 1942               |
| Building Type  | S.F.R. - R1 / R1        | EffectiveYearBuilt | 2013               |
| Building Name  |                         | Foundation         | WD CONC PADS       |
| Gross Sq Ft    | 2020                    | Roof Type          | GABLE/HIP          |
| Finished Sq Ft | 1260                    | Roof Coverage      | METAL              |
| Stories        | 2 Floor                 | Flooring Type      | SFT/HD WD          |
| Condition      | AVERAGE                 | Heating Type       | FCD/AIR NON-DC     |
| Perimeter      | 184                     | Bedrooms           | 2                  |
| Functional Obs | 0                       | Full Bathrooms     | 2                  |
| Economic Obs   | 0                       | Half Bathrooms     | 0                  |
| Depreciation % | 12                      | Grade              | 550                |
| Interior Walls | DRYWALL                 | Number of Fire Pl  | 0                  |

| Code  | Description    | Sketch Area | Finished Area | Perimeter |
|-------|----------------|-------------|---------------|-----------|
| OPX   | EXC OPEN PORCH | 420         | 0             | 162       |
| FLA   | FLOOR LIV AREA | 1,260       | 1,260         | 206       |
| OPU   | OP PR UNFIN LL | 180         | 0             | 58        |
| OUU   | OP PR UNFIN UL | 48          | 0             | 40        |
| SBF   | UTIL FIN BLK   | 80          | 0             | 56        |
| SBU   | UTIL UNFIN BLK | 32          | 0             | 24        |
| TOTAL |                | 2,020       | 1,260         | 546       |

Yard Items

| Description | Year Built | Roll Year | Size    | Quantity | Units  | Grade |
|-------------|------------|-----------|---------|----------|--------|-------|
| WOOD DECK   | 1996       | 1997      | 16 x 24 | 1        | 384 SF | 1     |
| BRICK PATIO | 1996       | 1997      | 20 x 20 | 1        | 400 SF | 2     |
| FENCES      | 1997       | 1998      | 5 x 10  | 1        | 50 SF  | 2     |

Sales

| Sale Date | Sale Price  | Instrument    | Instrument Number | Deed Book | Deed Page | Sale Qualification | Vacant or Improved | Grantor                            | Grantee |
|-----------|-------------|---------------|-------------------|-----------|-----------|--------------------|--------------------|------------------------------------|---------|
| 5/30/2023 | \$1,140,000 | Warranty Deed | 2420132           | 3228      | 0127      | 01 - Qualified     | Improved           |                                    |         |
| 3/21/2017 | \$674,000   | Warranty Deed | 2115647           | 2845      | 951       | 02 - Qualified     | Improved           | COSTENOBLE HANS LAURENT MARCEL VAN |         |

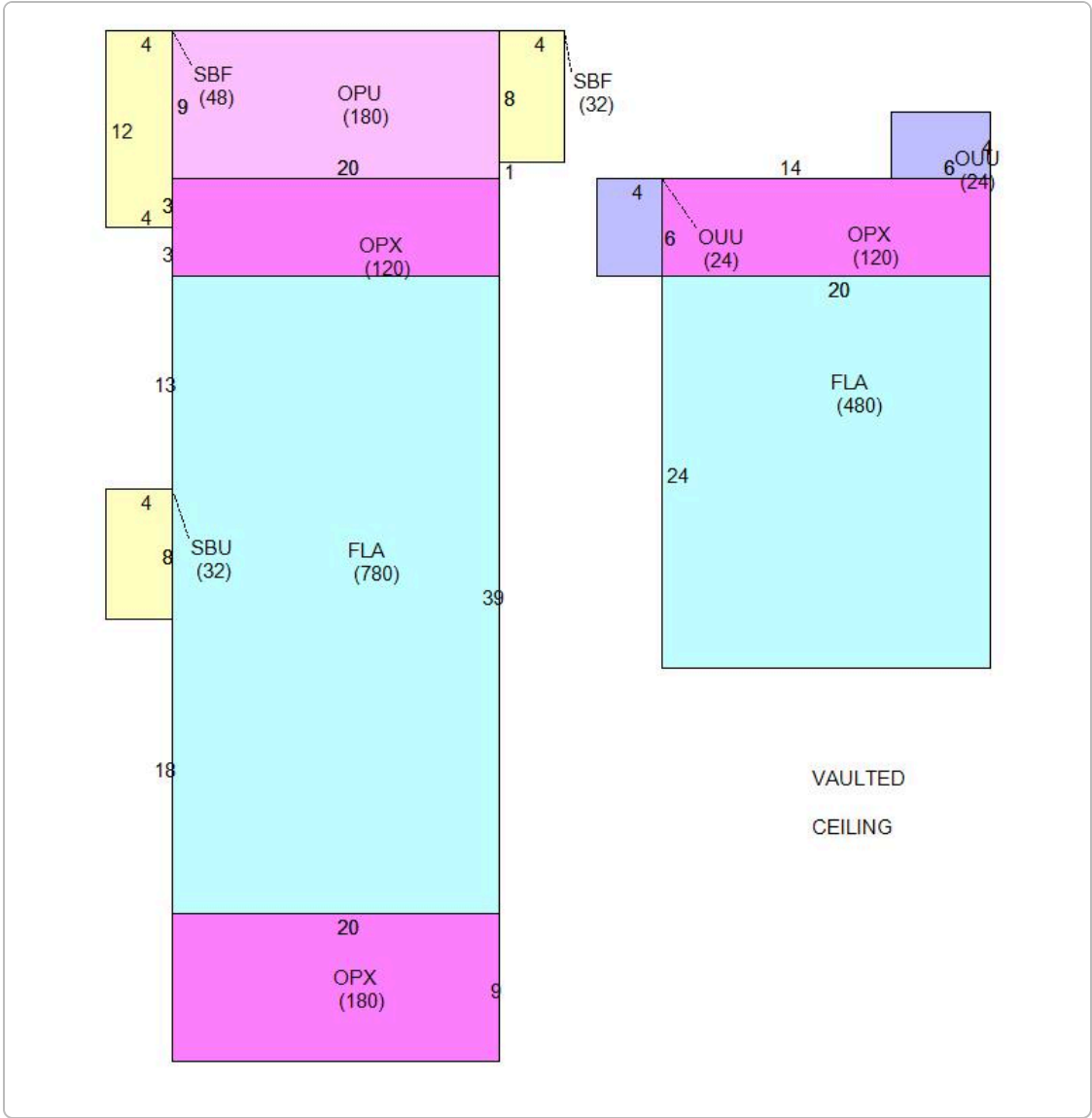
Permits

| Number  | Date Issued | Status    | Amount   | Permit Type | Notes  |
|---------|-------------|-----------|----------|-------------|--|
| 13-1387 | 04/20/2013  | Completed | \$1,800  | Residential | ALL WINDOWS & DOORS COVERED W/ALUM. HURRICANE PANELS.  |
| 13-0934 | 03/12/2013  | Completed | \$1,400  | Residential | UPGRADE EXISTING TO 200 AMP METER CAN & 2" RISER WITH 2/0 WIRE AND 2" WEATHER HEAD   |
| 12-3805 | 10/18/2012  | Completed | \$1,800  | Residential | RUN NEW CIRCUIT FOR THREE OUTSIDE CONSISTING UNITS AND THREE INSIDE UNITS FOR NEW A/C SPLIT SYSTEM.  |
| 12-3602 | 10/02/2012  | Completed | \$16,100 | Residential | SPLIT DUCTLESS HEAT PUMPS MITSUBISHI. REAR COTTAGE 1- 1.5 TON SYSTEM. 1 INDOOR, 1 OUTDOOR. FRONT HOUSE 2 - 1.5 TON SYSTEMS, 1 - 1 TON SYSTEM, 2 OUTDOOR UNITS, 3 INDOOR  |
| 12-2858 | 08/06/2012  | Completed | \$13,173 | Residential | INSTALL 975 SQ. FT. (9 3/4 SQS.) OF 24 G GALVALUME VICTORIAN METAL SHINGLES ON THE MAIN ROOF & FRONT PORCH. INSTALL 375 SQ. FT. (3 3/4 SQS.) OF 26 GALVALUME V-CRIMP METAL ROOFING ON THE UPPER REAR ADDITION. |
| 98-0728 | 04/07/1998  | Completed | \$1,500  | Residential | REPLACE ALUMINUM WINDOWS   |

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

2024 TRIM Notice (PDF)

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

[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
Last Data Upload: 12/3/2024, 11:08:28 AM

Contact Us

Developed by  
 **SCHNEIDER**  
GEOSPATIAL



# Survey

## **Exhibit A**

### **1119 Varela Street Unit A Legal Description**

**PARCEL "A":** A parcel of land on the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D., 1829, as a part of Tract Thirteen (13), but better known as part of Lots Ten (10), Eleven (11) and Twelve (12) of Square Two (2) in said Tract Thirteen (13) according to a diagram of one- third of said Tract Thirteen (13) made by W.A. Gwynn, County Surveyor, and recorded in Deed Book O, Page 195, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

**COMMENCING** at the intersection of the Northwestern right of way line of Catherine Street with the Northeasterly right of way line of Varela Street and run thence Northwesternly along the Northeasterly right of way line of the said Varela Street for a distance of 104.83 feet to the Point of Beginning; thence continue Northwesternly along the Northeasterly right of way line of the said Varela Street for a distance of 22.37 feet; thence Northeasterly with a deflection angle of 89°22'58" to the right for a distance of 31.36 feet; thence Southeasterly and at right angles for a distance of 0.47 feet; thence Northeasterly and at right angles for a distance of 24.63 feet; thence Southeasterly with a deflection angle of 90°37'02" to the right for a distance of 1.24 feet; thence Northeasterly and at right angles for a distance of 21.16 feet; thence Easterly with a deflection angle of 32°00'00" to the right for a distance of 4.91 feet; thence Southeasterly with a deflection angle of 58°00'00" to the right for a distance of 18.66 feet; thence Southwesterly and at right angles for a distance of 18.00 feet; thence Southeasterly and at right angles for a distance of 0.60 feet; thence Southwesterly with a deflection angle of 89°07'49" to the right and along the Southeasterly face of the said wood deck and the Southeasterly face of an existing one and two story frame structure for a distance of 61.50 feet to the Southerly corner of said structure; thence Northwesternly and at right angles for a distance of 1.53 feet to a point, said point being 104.83 feet Northwesternly from the Northwestern right of way line of the said Catherine Street; thence Southwesterly with a deflection angle of 89°07'49" to the left for a distance of 1.84 feet back to the Point of Beginning.

**Parcel Identification Number:** 00032850-001000

## **Exhibit B**

### **1121 Varela Street Legal Description**

On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829, as a part of Tract Thirteen (13), but better known as part of Lot Eleven (11) of Square Two (2) in said Tract Thirteen (13) according to a diagram of one-third of said Tract Thirteen (13) made by W.A. Gwynn, county Surveyor, and recorded in Book "O" of Deeds, Page 195, Monroe County, Florida, Public Records. COMMENCING at a point, which is Seventy-Five (75) feet, Six (6) inches, from the corner of Varela and Catherine Streets and running thence Northwesterly along Varela Street Twenty-Nine (29) feet, Four (4) inches; thence at right angles in a Northeasterly direction Fifty-Five (55) feet, Four (4) inches, more or less; thence at right angles in a Southeasterly direction Twenty-Nine (29) feet, Four (4) inches; thence at right angles in a Southwesterly direction Fifty-Five (55) feet, Four (4) inches, more or less, to the Point of Beginning on Varela Street.

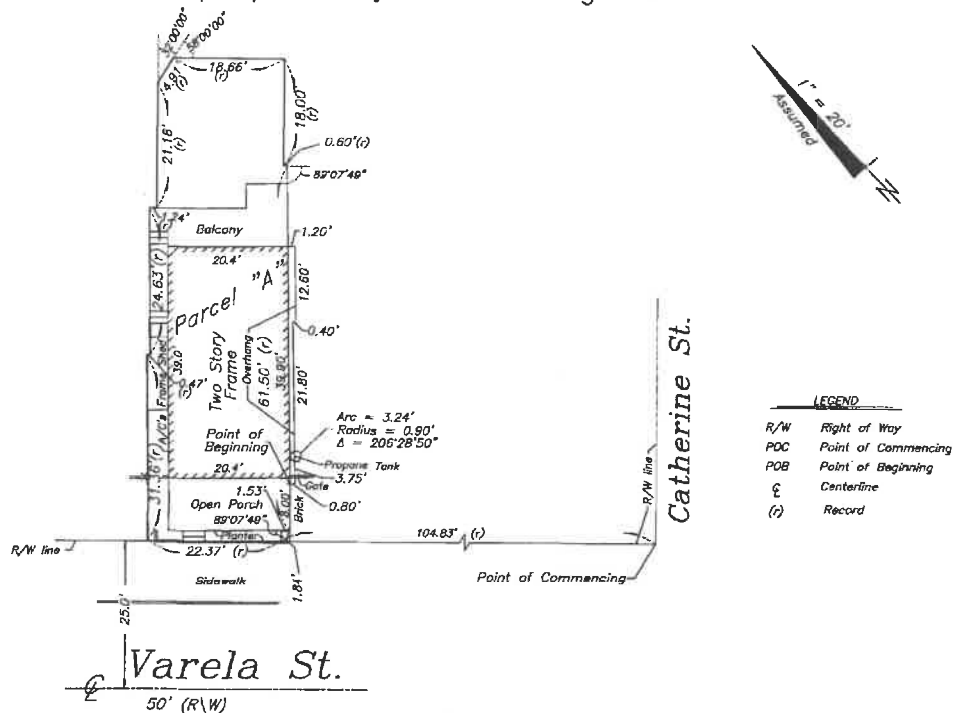
#### **LESS & EXCEPT:**

A parcel of land on the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829, as a part of Tract Thirteen (13), but better known as part of Lot Eleven (11) of Square Two (2) in said Tract Thirteen (13) according to a diagram of one-third of said Tract Thirteen (13) made by W.A. Gwynn, County Surveyor, and recorded in Deed Book "O", Page 195, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows: COMMENCING at the intersection of the NW'ly right of way line of Catherine Street with the NE'ly right of way line of Varela Street and run thence NW'ly along the NE'ly right of way line of the said Varela Street for a distance of 104.83 feet; thence NE'ly and at right angles for a distance of 55.33 feet to the Point of Beginning; thence SE'ly and at right angles for a distance of 0.72 feet to the SE'ly face of a one and two story frame structure; thence SW'ly with a deflection angle of 89°07'49" to the right and along said SE'ly face of said structure for a distance of 53.5 feet to the S'ly corner of said structure; thence NW'ly and at right angles for a distance of 1.53 feet to a point, said point being 104.83 feet NW'ly from the NW'ly right of way line of the said Catherine Street; thence NE'ly for a distance of 53.49 feet back to the Point of Beginning.

**Parcel Identification Number: 00032840-000000**

# EXHIBIT C: Specific Purpose Survey

Specific Purpose Survey Map to illustrate a legal description of part of Square 2, Tract 13, W.A. Gwynn's diagram prepared by the undersigned



## NOTES:

1. The legal description shown hereon was authored by the undersigned.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 1119 Varela Street, Unit A, 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. Ownership of fences is undeterminable, unless otherwise noted.
9. Adjoiners are not furnished.
10. The description contained herein and sketch, do not represent a field Boundary Survey.

## SPECIFIC PURPOSE SURVEY TO ILLUSTRATE THE LEGAL DESCRIPTION AUTHORED BY THE UNDERSIGNED

**BOUNDARY SURVEY OF:** A parcel of land on the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829, as a part of Tract Thirteen (13), but better known as part of Lots Ten (10), Eleven (11) and Twelve (12) of Square Two (2) in said Tract Thirteen (13) according to a diagram of one-third of said Tract Thirteen (13) made by W.A. Gwynn, County Surveyor, and recorded in Deed Book "0", Page 195, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:  
**COMMENCING** at the intersection of the Northwestern right of way line of Catherine Street with the Northeastly right of way line of Varela Street and run thence Northwesternly along the Northeastly right of way line of the said Varela Street for a distance of 104.83 feet; thence Northeastly and at right angles for a distance of 1.84 feet to the Southwestly face of an existing frame structure; thence Southeastly with a deflection angle of 89°07'49" to the right and along said Southwestly face for a distance of 1.53 feet to the Southerly corner of the said structure; thence Northeastly and at right angles along the Southeastly face of said structure for a distance of 8.00 feet to the Southwestly face of an overhang on the said structure, said point also being the Point of Beginning; thence continue Northwestly along the previously described course, Southeastly face of structure, for a distance of 39.90 feet to the Easterly corner of said structure; thence Southeastly and at right angles for a distance of 1.20 feet to the Southeastly face of said overhang; thence Southwestly and at right angles along the said Southeastly face of overhang for a distance of 12.60 feet; thence Northwestly and at right angles along said overhang for a distance of 0.40 feet; thence Southwestly and at right angles along said overhang for a distance of 21.80 feet to a propane tank and a non-tangential curve being concave to the Northwest; said curve having a radius of 0.90 feet and a delta of 208°28'50"; thence along said curve for an arc distance of 3.24 feet, ending at a point 1.75 feet Southwestly and along the previously described course from beginning of said curve and the face of said overhang; thence continuing along said Southwestly course and overhang for a distance of 3.75 feet; thence Northwestly and at right angles along said overhang for a distance of 0.80 feet back to the Point of Beginning.

**SPECIFIC PURPOSE SURVEY FOR:** Scott Dudgeon & Heidi Dudgeon;

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

August 26, 2022

THIS SURVEY  
IS NOT  
ASSIGNABLE

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper  
PSM #6298

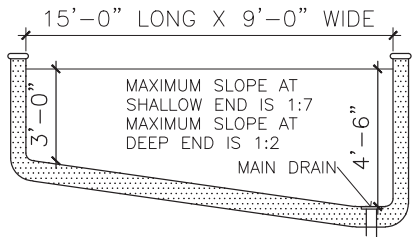
3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244

# Plans



GENERAL NOTES:

1. DESIGN CONSTRUCTION AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE 2020 FLORIDA BUILDING CODE, RESIDENTIAL, THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE FOR ONE AND TWO FAMILY DWELLINGS, AND THE ANSI/NSPI "STANDARD FOR ABOVE GROUND AND IN-GROUND RESIDENTIAL SWIMMING POOLS.
2. THE POOL DESIGN IS BASED ON SOIL CONDITIONS CONSISTING OF WELL COMPACTED STRUCTURAL FILL OR CORAL ROCK. IF OTHER SOIL CONDITIONS ARE ENCOUNTERED, SUCH AS MUCK, MARL, ORGANICS ETC., THE CONTRACTOR SHALL STOP WORK AND NOTIFY THE OWNER AND ENGINEER.
3. THE POOL CONTRACTOR SHALL ALWAYS TAKE ALL PRECAUTIONS NECESSARY TO PROTECT EXISTING STRUCTURES FROM FAILURE BY SHEETING, SHORING OR OTHER ACCEPTABLE MEANS. THE DESIGN ENGINEER TAKES NO RESPONSIBILITY FOR THE SAFETY OF EXISTING STRUCTURES.
4. THE POOL CONTRACTOR SHALL ESTABLISH THE LOCATIONS OF ALL UTILITIES ON THE SITE. MINIMUM CLEARANCES BETWEEN PROPOSED AND EXISTING UTILITIES SHALL BE PER THE FLORIDA BUILDING CODE AND ANY OTHER LOCAL REQUIREMENTS.
5. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR POOL CONSTRUCTION WITHIN EASEMENTS OR REQUIRED SETBACK AREAS. THE SITE PLAN FOR THE POOL LOCATION MAY NOT BE BASED ON AN UPDATED LEGAL SURVEY OF THE PROPERTY. THE POOL CONTRACTOR SHALL VERIFY WITH A FLORIDA REGISTERED LAND SURVEYOR ALL DIMENSIONS IN THE FIELD AND ESTABLISHED LOT LINES, IF NECESSARY.
6. THE CONTRACTOR SHALL BACKFILL THE POOL SHELL WITH CAUTION. THE PLUMBING SHALL BE SECURED AND PROTECTED DURING BACKFILLING AND SHALL NOT BE DISTURBED. BACKFILL SHALL BE CLEAN SAND OR STRUCTURAL FILL, FREE OF ORGANIC MATERIAL, MUCK OR MARL AND SHALL BE PLACED IN LIFTS NOT EXCEEDING 12" AND SHALL BE COMPACTED TO 90% OF THE MATERIALS DRY DENSITY.
7. WARNING: TO EMPTY THE POOL AFTER CONSTRUCTION FOR REPAIRS OR ANY OTHER REASON, THE HYDROSTATIC UPLIFT PRESSURE FROM BENEATH THE POOLS MUST BE ELIMINATED TO PREVENT THE POOL FROM FLOATING UPWARD. THE OWNER SHOULD CONSULT A POOL CONSTRUCTION REPAIR CONTRACTOR EXPERIENCED IN ELIMINATING HYDROSTATIC UPLIFT PRESSURES.
8. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE QUALITY OR COMPOSITION OF MATERIALS, SHOP DRAWINGS, FABRICATION, CONSTRUCTION INSPECTION, SUPERVISION, REVIEW SPECIAL INSPECTION OR THE QUALITY OR CORRECTNESS OF CONSTRUCTION. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR SITE AND CONSTRUCTION SAFETY OR THE SAFETY OF WORKERS. SITE AND CONSTRUCTION SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR.
9. THE THERMOSTAT FOR THE WATER SHALL BE SET SO THAT THE MAXIMUM WATER TEMPERATURE CANNOT EXCEED 102 DEGREES FAHRENHEIT.
10. SWIMMING POOL BARRIER: RESIDENTIAL SWIMMING POOLS SHALL COMPLY WITH SECTIONS R4501.17.1 THROUGH R4501.17.3 OF THE FLORIDA RESIDENTIAL BUILDING CODE.



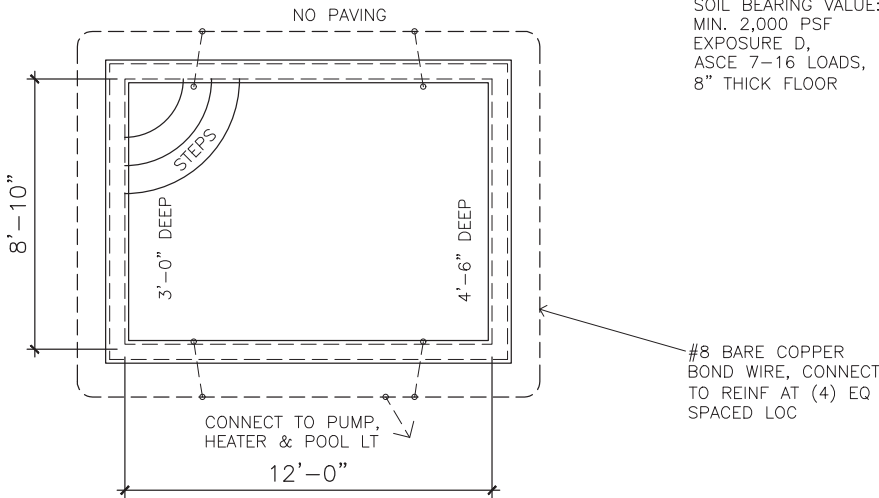
- NOTES:
1. NO DIVING BOARD AND NO DIVING IS ALLOWED ON THIS POOL WITH A DEPTH OF LESS THAN 8'-0".
  2. THIS POOL IS NOT DESIGNED FOR DIVING.
  3. STEPS ARE LOCATED IN SHALLOW END.

LONGITUDINAL POOL SECTION

SCALE: NOT TO SCALE

NOTE:  
TWO (2) MAIN DRAINS  
OR (1) 8" MAIN DRAIN  
LOCATED IN THE DEEP  
PORTION OF THE  
POOL. INSTALL  
POOLBOND PB-2008  
OR EQUAL IN  
SPRINKLER VALVE  
BOX. INSTALL PER  
MANUF DIRECTIONS,  
BOND WITH #8 BARE  
COPPER TO  
PERIMETER BONDING  
WIRE

BASIS OF DESIGN:  
ULT WIND SPEED:  
180 MPH  
NOMINAL WIND SPEED:  
139.4 MPH  
SOIL BEARING VALUE:  
MIN. 2,000 PSF  
EXPOSURE D,  
ASCE 7-16 LOADS,  
8" THICK FLOOR



POOL FOUNDATION PIER LOCATIONS

SCALE: 1/4"=1'-0"

REVISIONS

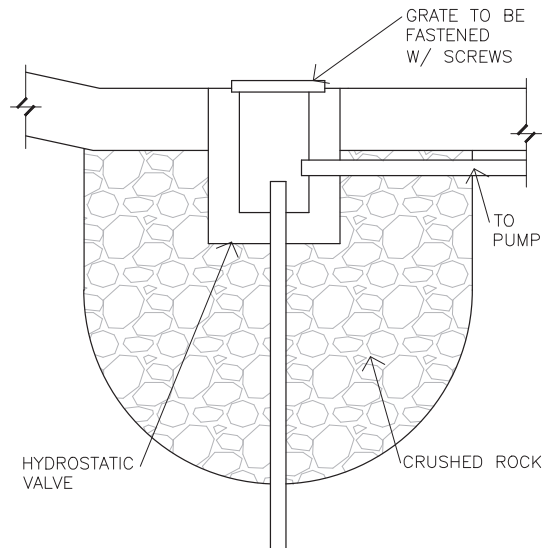
DAVID S. KOPPEL, P.E.  
P.E. #40164

David S. Koppel, P.E.  
(305) 797-1465  
2773 Kochu Avenue  
Big Pine Key, FL 33043

NEW POOL - DUDGEON  
1119 VARELA ST  
KEY WEST, FLORIDA

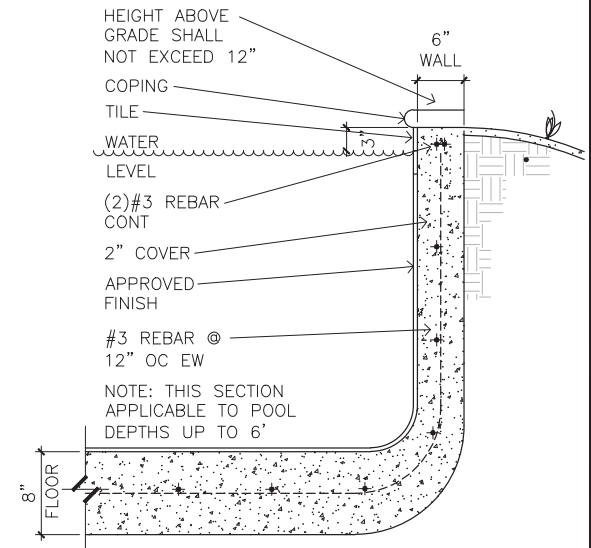
11-20-24 POOL PLAN, SECTION & NOTES

S-2



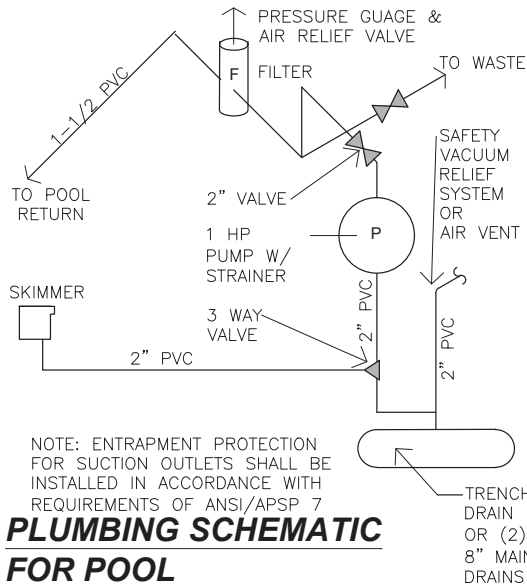
**HYDROSTATIC VALVE DETAIL**

SCALE: 3/4"=1'-0"



**TYPICAL POOL SECTION**

SCALE: 3/4"=1'-0"



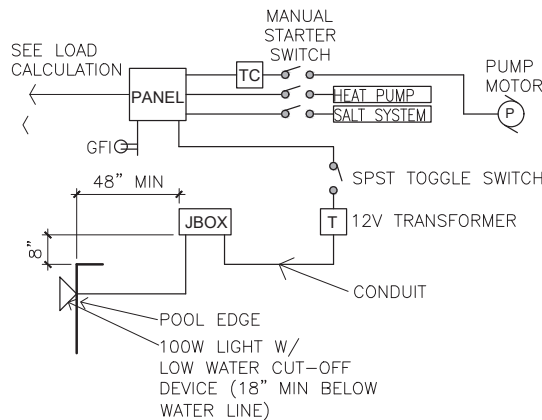
NOTE: ENTRAPMENT PROTECTION FOR SUCTION OUTLETS SHALL BE INSTALLED IN ACCORDANCE WITH REQUIREMENTS OF ANSI/APSP 7

**PLUMBING SCHEMATIC FOR POOL**

NO SCALE

|   |  |
|---|--|
| REVISIONS   | DAVID S. KOPPEL, P.E.<br>P.E. #40164             |
| David S. Koppel, P.E.<br>(305) 797-1465<br>2773 Kochin Avenue<br>Big Pine Key, FL 33043 |  |
| NEW POOL - DUDGEON<br>1119 VARELA ST<br>KEY WEST, FLORIDA                               | DATE: 11-20-24<br>DRAWN BY: MT<br>CHECKED BY: MT |
| S-3   | SECTIONS & DETAILS                               |





NOTES:

1. ALL ELECTRICAL WORK SHALL CONFORM W/ NEC ART 680.
2. IN POOL AREA, GROUND ALL BOXES, RAILS, LIGHTS, MOTORS & REINF STEEL ETC, W/ #8 WIRE

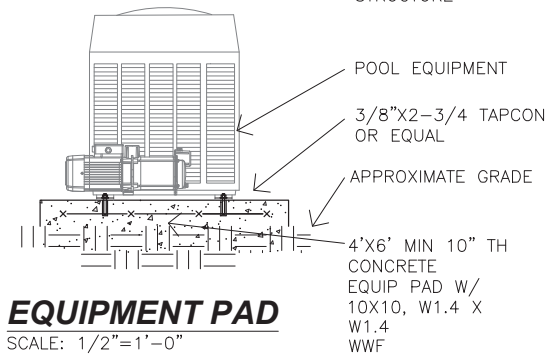
## POOL ELECTRICAL DIAGRAM

SCALE: NONE

## ELECTRICAL NOTES

1. ALL WORK SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND ALL OTHER APPLICABLE CODES AND STANDARDS.
2. ALL WIRE SIZE SHALL BE #12 THHN/THWN UNLESS OTHERWISE NOTED ON DRAWINGS. CONDUCTORS #6 AND LARGER SHALL BE THW.
3. ALL CONDUCTORS SHALL BE COPPER.
4. ALL MATERIAL SHALL BE UL APPROVED.
5. A TYPEWRITTEN PANEL TALLY SHALL BE AFFIXED TO THE PANEL DOOR AFTER COMPLETION OF WORK THAT REFLECTS ALL CHANGES AND ADDITIONS.
6. ALL BRANCH CIRCUITS SHALL BE PROPERLY PHASE BALANCED.
7. ALL BRANCH CIRCUITS SHALL BE EQUIPPED WITH A GREEN EQUIPMENT GROUNDING CONDUCTOR SIZED IN ACCORDANCE WITH NEC 250.95.
8. ALL CABLES SHALL BE RUN WITHOUT SPLICES UNLESS OTHERWISE NOTED.
9. ALL EXTERIOR RECEPTACLE SHALL BE GFI PROTECTED. ALL EXTERIOR RECEPTACLE OUTLETS SHALL BE WATER-PROOF PROTECTED.
10. SERVICE PANEL SHALL BE WITHIN 6 FT OF THE EQUIPMENT AND MOUNTED ABOVE DFE.
11. ALL ELECTRICAL WORK SHALL CONFORM W/ NEC ART 680
12. IN POOL AREA, GROUND ALL BOXES, RAILS, LIGHTS MOTORS ETC W/ #8 WIRE.
13. HEAT PUMP AND SALT SYSTEM ARE OPTIONAL.
14. ALL CONDUIT SHALL BE SCHEDULE 40 PVC.

THIS DETAIL IS APPLICABLE TO EQUIPMENT NOT PLACED UNDER OR WITHIN ANY STRUCTURE



## PANEL SCHEDULE

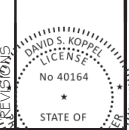
SINGLE PHASE, 3-WIRE - 208Y/120 VAC OR 240 VAC INSULATED/BONDABLE NEUTRAL CURRENT WITHSTAND RATING MAX. RMS. SYM. 10,000A 12/240V, PANEL BUS 100A, M.L.O. 80A GFCI PROTECT AT SERVICE OR HOUSE PANEL

| CIRCUIT              | POLE | TRIP    | LOAD              | WATTS | WIRE | BOND | CONDUIT  |
|----------------------|------|---------|-------------------|-------|------|------|----------|
| 1-2                  | 2    | 20A GFI | RECIRC. PUMP      | 2,400 | #12  | #8   | 3/4" PVC |
| 3-4                  | 2    | 20A GFI | OPT. FEATURE PUMP | 960   | #12  | #8   | 3/4" PVC |
| 5-6                  | 2    | 50A GFI | OPT HEAT PUMP     | 3,900 | #8   | #8   | 1" PVC   |
| 5                    | 1    | 20A     | OPT SALT SYSTEM   | 180   | #12  |      | 1/2" PVC |
| 6                    | 1    | 20A     | LED POOL LIGHT    | 360   | #12  |      | 1/2" PVC |
| 6                    | 1    | 20A     | GFCI              | 360   | #12  |      | 1/2" PVC |
| TOTAL CONNECTED LOAD |      |         |                   | 8,160 |      |      |          |

OPTIONAL EQUIPMENT IS SHOWN

## LOAD CALCULATION

|  |          |       |
|--|----------|-------|
| TOTAL CONNECTED LOAD:  | 8,160    | WATTS |
| TOTAL LOAD LESS A/C:   | 8,160    | WATTS |
| LESS FIRST 10KW AT 100%  | (10,000) | WATTS |
| REMAINDER  | 0        | WATTS |
| FIRST 10KW AT 100%   | 10,000   | WATTS |
| REMAINDER AT 40%   | 0        | WATTS |
| 240 VOLTS =  | 41.67    | AMPS  |
| PROVIDE 100A SERVICE, 1.5" SCHEDULE 40 PVC (3)-1/0 MCM COPPER, THW & (1)-#6 GROUND |          |       |



David S. Koppel, State of Florida, Professional Engineer, License No. 40164

This item has been digitally signed and sealed by David S. Koppel on the date indicated here.

Any copies of this document are not considered signed and sealed and the signature must be on any electronic copies.

DAVID S. KOPPEL, P.E.

(305) 797-1465

2773 Kochin Avenue

Big Pine Key, FL 33043

NEW POOL - DUDGEON

1119 VARELA ST

KEY WEST, FLORIDA

11-20-24

MT

S-4

# **Warranty Deed**

Prepared by and return to:  
Gregory S. Oropeza, Esq.  
Attorney at Law  
Oropeza Stones Cardenas, PLLC  
221 Simonton Street  
Key West, FL 33040  
305-294-0252  
File Number: 23-278  
Consideration: \$1,140,000.00

Parcel Identification No. 00032850-001000

[Space Above This Line For Recording Data]

## Warranty Deed

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

**This Indenture** made this 30<sup>th</sup> day of May, 2023 between Louisiana Pacific Land & Water Conservancy, a Louisiana non-profit corporation whose post office address is 2727 Kaliste Saloom Rd, Suite 800, Lafayette, LA 70508 of the County of Lafayette, State of Louisiana, grantor\*, and Scott E. Dudgeon and Heidi A. Dudgeon, husband and wife whose post office address is 1119 Varela Street, Unit A, 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:

**PARCEL "A":** A parcel of land on the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D., 1829, as a part of Tract Thirteen (13), but better known as part of Lots Ten (10), Eleven (11) and Twelve (12) of Square Two (2) in said Tract Thirteen (13) according to a diagram of one-third of said Tract Thirteen (13) made by W.A. Gwynn, County Surveyor, and recorded in Deed Book O, Page 195, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

**COMMENCING** at the intersection of the Northwesterly right of way line of Catherine Street with the Northeasterly right of way line of Varela Street and run thence Northwesterly along the Northeasterly right of way line of the said Varela Street for a distance of 104.83 feet to the Point of Beginning; thence continue Northwesterly along the Northeasterly right of way line of the said Varela Street for a distance of 22.37 feet; thence Northeasterly with a deflection angle of 89°22'58" to the right for a distance of 31.36 feet; thence Southeasterly and at right angles for a distance of 0.47 feet; thence Northeasterly and at right angles for a distance of 24.63 feet; thence Southeasterly with a deflection angle of 90°37'02" to the right for a distance of 1.24 feet; thence Northeasterly and at right angles for a distance of 21.16 feet; thence Easterly with a deflection angle of 32°00'00" to the right for a distance of 4.91 feet; thence Southeasterly with a deflection angle of 58°00'00" to the right for a distance of 18.66 feet; thence Southwesterly and at right angles for a distance of 18.00 feet; thence Southeasterly and at right angles for a distance of 0.60 feet; thence Southwesterly with a deflection angle of 89°07'49" to the right and along the Southeasterly face of the said wood deck and the Southeasterly face of an existing one and two story frame structure for a distance of 61.50 feet to the Southerly corner of said structure; thence Northwesterly and at right angles for a distance of 1.53 feet to a point, said point being 104.83 feet Northwesterly from the Northwesterly right of way line of the said Catherine Street; thence Southwesterly with a deflection angle of 89°07'49" to the left for a distance of 1.84 feet back to the Point of Beginning.

Subject to taxes for 2023 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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.

Signed, sealed and delivered in our presence:

Witness Name: Kayne Broussard  
Witness Name: Lana Kountz

Louisiana Pacific Land & Water Conservancy, a Louisiana non-profit corporation

By: Bryant Kountz  
Bryant Kountz, Director

(Corporate Seal)

State of Louisiana  
County of Lafayette

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26<sup>th</sup> day of May, 2023 by Bryant Kountz of Louisiana Pacific Land & Water Conservancy, a Louisiana non-profit corporation, on behalf of the corporation. He ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Notary Seal]

Dawn K. Trosclair  
Notary Public  
Printed Name: Dawn K. Trosclair  
My Commission Expires: at death

Dawn K. Trosclair  
NOTARY PUBLIC, ID # 87597  
LOUISIANA - Lafayette Parish  
Statewide Jurisdiction  
Commissioned for Life