

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Variance Application

Please completely fill out this application and attach all necessary documents. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305-809-3720 to schedule an appointment with a Planner.

Please print or type a response to the following:

1. Site Address 226 JULIA ST.
2. Name of Applicant DAVID KNOLL
3. Applicant is: Owner _____ Authorized Representative
4. Address of Applicant 19581 MAYANGT. CUGARLOAF KEY, FL.
33042
5. Phone # of Applicant 305.745.8617 Mobile# 305.731.9037
6. E-Mail Address david@davidknollarch.com
7. Name of Owner, if different than above STEPHANIE L. NADEAU
8. Address of Owner P.O. BOX 584 KENNEBUNKPORT, ME.
04046
9. Phone # of Owner 207.332.6347
10. Email Address lobco@roadrunner.com
11. Zoning District of Parcel HMDR RE# 26710
12. Description of Proposed Construction, Development, and Use
DEMOLITION OF DESTROYED STORAGE SHED TO BE REBUILT
AT ELEVATION OF INTERIOR FLOOR AT WITH GAME
FOOTPRINT; ENCLOSE EXISTING OUTDOOR SHOWER WITH
NEW WALLS AND ROOF; ADD BEDROOM, BATH AND PORCH.
13. List and describe the specific variance(s) being requested:
REBUILD NON-CONFORMING, ATTACHED, ~~EXISTING~~ DESTROYED
STORAGE SHED TO GAME FOOTPRINT; ENCLOSE EXISTING
OUTDOOR SHOWER WITH NEW WALLS AND ROOF;

Variance Application
City of Key West Planning Department
 3140 Flagler Avenue, Key West, FL 33040
 (305) 809-3720



EXCEED ALLOWABLE BUILDING COVERAGE BY 6%.

14. 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	AE7			
Size of Site	5131 sq ft.			
Height	30'-0"	12'-3"	12'-3"	-
Front Setback	10'-0"	3'-11"	SAME	YES
Side Setback	5'-0"	3'-3"	27'-1"	-
Side Setback	-			
Street Side Setback	7'-6"	1'-8"	SAME	YES
Rear Setback	15'-0"	47'-7"	SAME	-
F.A.R				
Building Coverage	40%	42%	46%	YES
Impervious Surface	60%	52%	52%	-
Parking	-			
Handicap Parking	-			
Bicycle Parking	-			
Open Space/ Landscaping	-			
Number and type of units	-			
Consumption Area or Number of seats	-			

15. Is Subject Property located within the Historic District? Yes No
 If Yes, attach HARC approval and approved site plans

Meeting Date 10.23.12 HARC Approval # H12-01-1080

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



16. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes _____ No If Yes, please describe and attach relevant documents

17. Will the work be within the dripline (canopy) of any tree on or off the property?

YES _____ NO _____

PAUL
809-3728

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

This application is pursuant to Section 106-51 & 52 City of Key West Land Development Regulations.

If the applicant would like additional information, electronic version of the City's Code of Ordinances can be found either through www.keywestcity.com, Planning Department archives or at www.municode.com. Once there, search Online Library/Florida/Key West/Chapter 122.

***Please note, variance approvals are quasi-judicial hearings, and it is improper for the owner or signatory to speak to a Planning Board member or City Commissioner about the hearing.**

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Standards for Considering Variances

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

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

THIS IS A NON-HISTORIC STRUCTURE WHICH WAS BUILT BY PREVIOUS OWNERS TO THE EXISTING CONDITIONS AND WHICH DO NOT CONFORM TO THE LDR REQUIREMENTS FOR BUILDING GETBACKS WITHIN THIS ZONING DISTRICT.

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

THE EXISTING NON-CONFORMING CONDITIONS AND CIRCUMSTANCES WERE CREATED SOLELY BY PREVIOUS OWNERS.

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.

THE CURRENT OWNER IS COMPELED BY THE CITY LDR TO SEEK THESE VARIANCES IN ORDER TO CARRY OUT THE PROPOSED RENOVATIONS AND ADDITIONS WITHOUT ANY SPECIAL PRIVILEGES BEING CONFERRED UPON THE CURRENT OWNER.

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



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.

BECAUSE OF THE EXISTING CONDITIONS, A LITERAL
INTERPRETATION OF THE PROVISIONS OF THE LDR
WOULD PREVENT THE OWNER FROM RENOVATING
AND ADDING TO THE STRUCTURE AND WOULD
CREATE A HARDSHIP UPON HER NEEDS.

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

THIS APPLICATION REQUESTS THE MINIMUM
VARIANCES NEEDED TO ALLOW REASONABLE
USE OF THE PROPERTY AS PROPOSED BY THE
ATTACHED DRAWINGS.

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.

NO INJURY OR DETRIMENT WILL OCCUR FROM GRANTING
THESE VARIANCES CONFERRED UPON THE EXISTING
CONDITIONS AND THAT OF THE MINOR INCREASE
IN THE ALLOWABLE BUILDING COVERAGE RATIO
AND WHICH WILL BE IN HARMONY WITH THE GENERAL
INTENT OF THE CITY LDR

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



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.

*THIS VARIANCE APPLICATION IS BASED SOLELY ON
THE SPECIFIC CONDITIONS OF THE SUBJECT
PROPERTY AND THE OWNER'S NEED FOR A
REASONABLE USE OF HER PROPERTY.*

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

- That the standards established in subsection (a) have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, DAVID KNOLL, 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:

226 JULIA ST.

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.

David Knoll

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this November 09, 2012 by

David Knoll

date

Name of Authorized Representative

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

Jo Bennett

Notary's Signature and Seal

Jo Bennett

Name of Acknowledger typed, printed or stamped

EE 097995

Commission Number, if any



Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Individual Owner)

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

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

David Knoll
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]
Signature of Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this Oct. 17 2012 by
date

David Knoll
Name of Authorized Representative

He/She is personally known to me or has presented Maine Driver's Lic as identification.

[Signature]
Notary's Signature and Seal

RHONDA J. HEBERT
Notary Public, State of Maine
My Commission Expires 1/14/2018

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Deed

Prepared by and return to:
Jerry Coleman, Esq.

JERRY COLEMAN, P.L.
1430 Flagler Avenue
Key West, FL 33040
305-292-3095
File Number: Gilbert-Nadeau

Parcel Identification No. 1027502

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture made this 17th day of August, 2012 between Constance Gilbert, a single person whose post office address is 226 Julia Street, Key West, FL 33040 of the County of Monroe, State of Florida, grantor*, and Stephanie L. Nadeau, a married woman whose post office address is P.O. Box 584, Kennebunkport, ME 04046 of the County of York, State of Maine, 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:

All that piece or parcel of land known as part of Tract Ten (10) according to a map or plat of William A. Whitehead delineated in February, 1829, but more particularly described in a diagram of E.C. Howe recorded in Monroe County, Florida records and is Lot Five (5) of Square Six (6), Tract Ten (10); Commencing at Julia and Howe Streets and extending in a Northeasterly direction on Julia Street Sixty-Four (64) feet, Six (6) inches; thence in a Southeasterly direction Seventy-Nine (79) feet, Seven (7) inches, thence in a Southwesterly direction Sixty-Four (64) feet, Six (6) inches, thence on Howe Street in a Northwesterly direction Seventy-Nine (79) feet, Seven (7) inches to the Point of Beginning at the corner of Julia and Howe Streets.

a/k/a 226 and 228 Julia Street and 1027 Howe Street, Key West, Florida 33040

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

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

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

Signed, sealed and delivered in our presence:

Witness Name: Shannon McDonald


Constance Gilbert (Seal)

Witness Name: Jerry Coleman

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 16 day of August, 2012 by Constance Gilbert, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

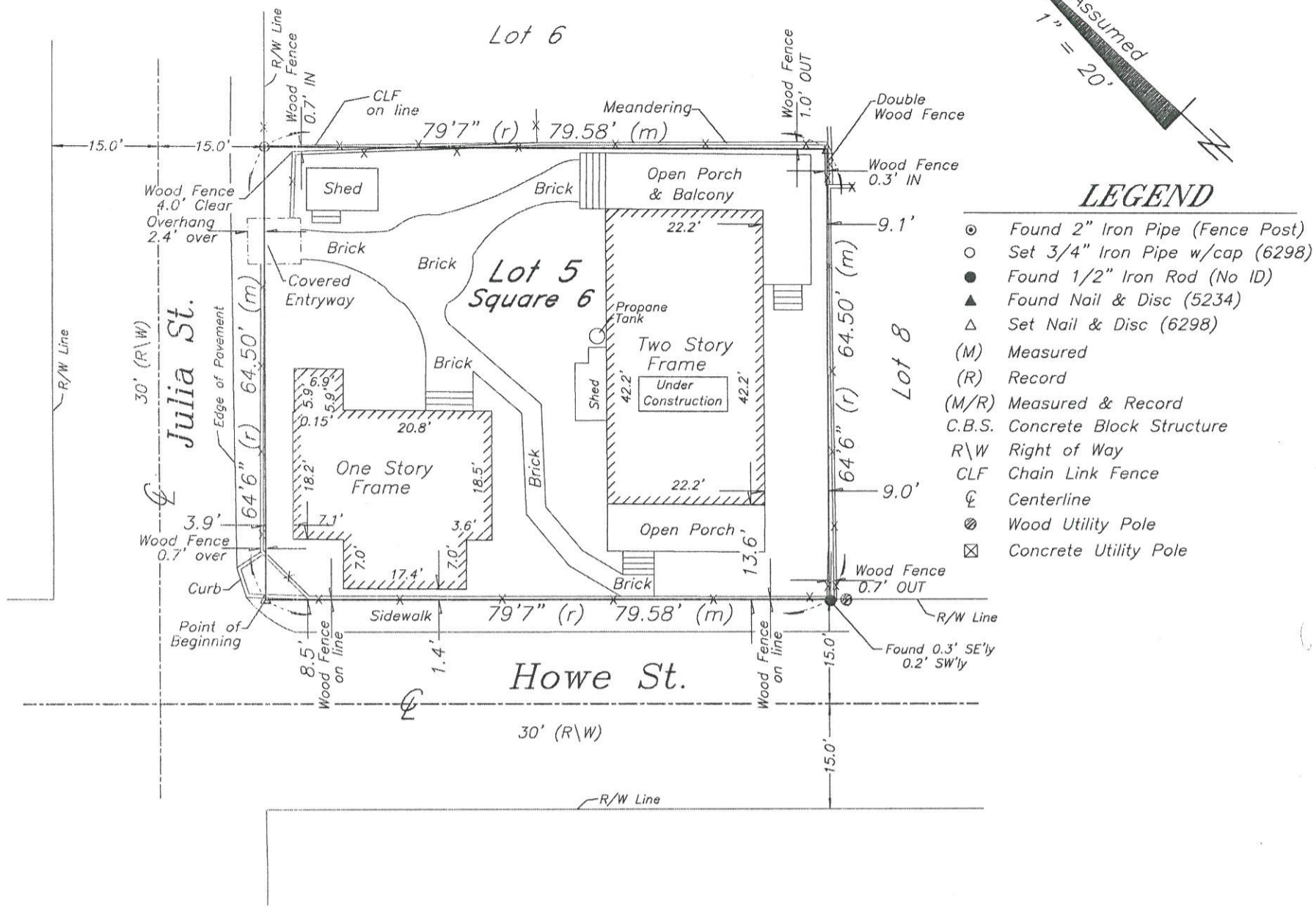
Printed Name: Shannon McDonald

My Commission Expires: 2/7/2013



Survey

Boundary Survey Map of Lot 5, Square 6, Tract 10, Island of Key West



NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 226 Julia Street & 1027 Howe Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Adjoiners are not furnished.
9. Date of field work: October 30, 2012
10. Ownership of fences is undeterminable, unless otherwise noted.

BOUNDARY SURVEY OF: All that piece or parcel of land known as part of Tract Ten (10), according to a map or plat of William A. Whitehead delineated in February, 1829, but more particularly described in a diagram of E.C. Howe recorded in Monroe County, Florida Records and is Lot Five (5) of Square Six (6), Tract Ten (10): COMMENCING at Julia and Howe Streets and extending in a Northeasterly direction on Julia Street Sixty-four (64) feet, Six (6) inches; thence in a Southeasterly direction Seventy-nine (79) feet, Seven (7) inches; thence in a Southwesterly direction Sixty-four (64) feet, Six (6) inches; thence on Howe Street, in a Northwesterly direction Seventy-nine (79) feet, Seven (7) inches to the Point of Beginning at the corner of Julia and Howe Streets.

BOUNDARY SURVEY FOR: Stephanie Nadeau;

J. LYNN O'FLYNN, INC.

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

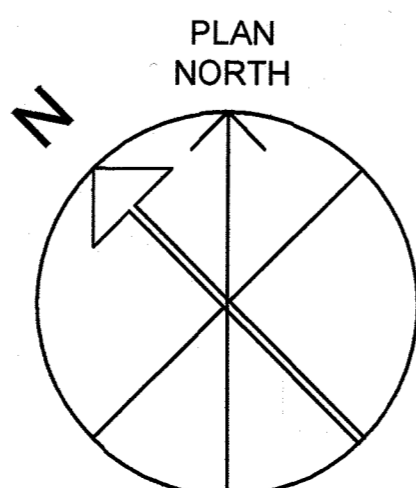
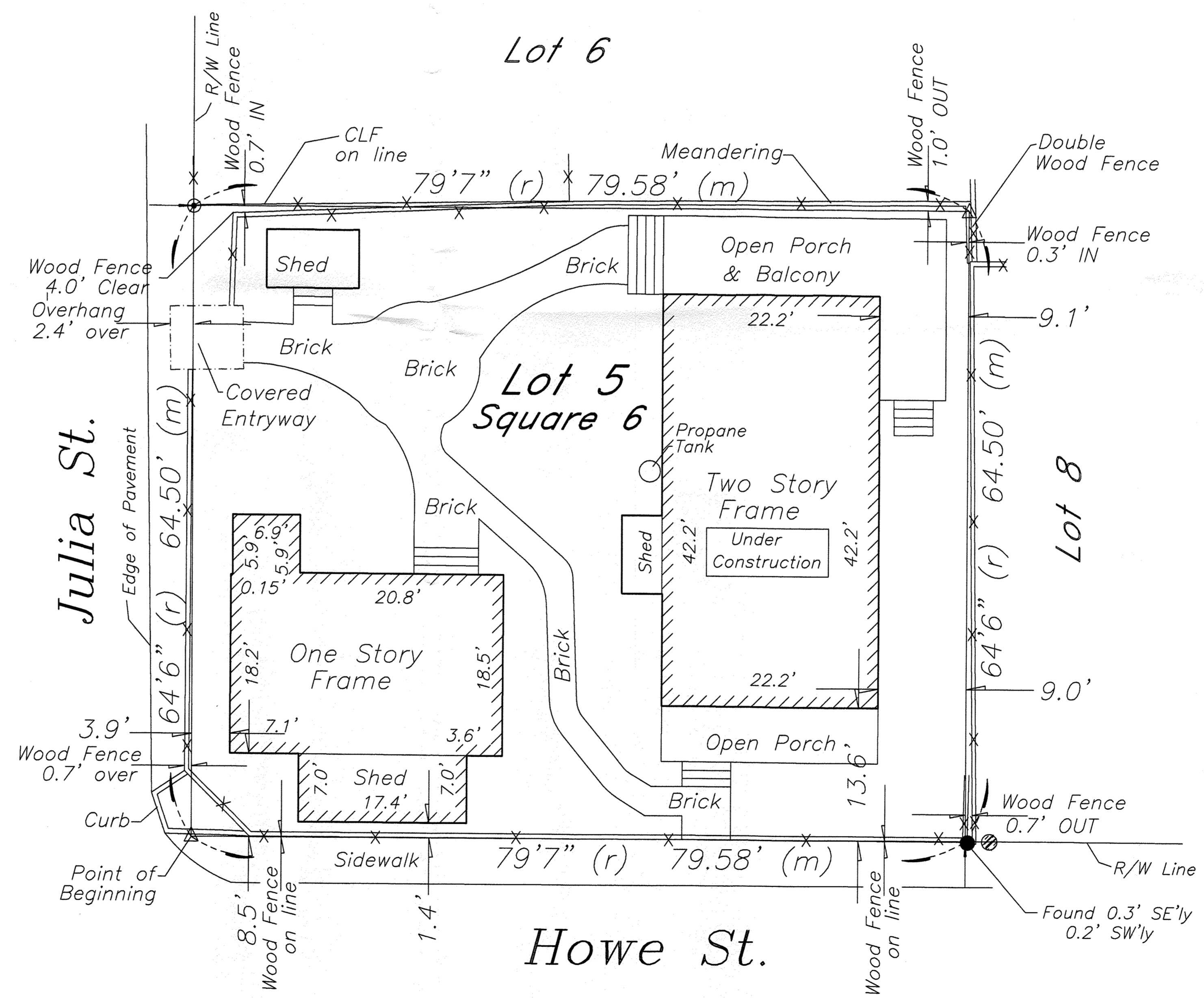
THIS SURVEY
 IS NOT
 ASSIGNABLE

October 31, 2012

J. LYNN O'FLYNN, Inc.
 Professional Surveyor & Mapper
 PSM #6298

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

Site Plans



SURVEY
1/8" = 1'-0"

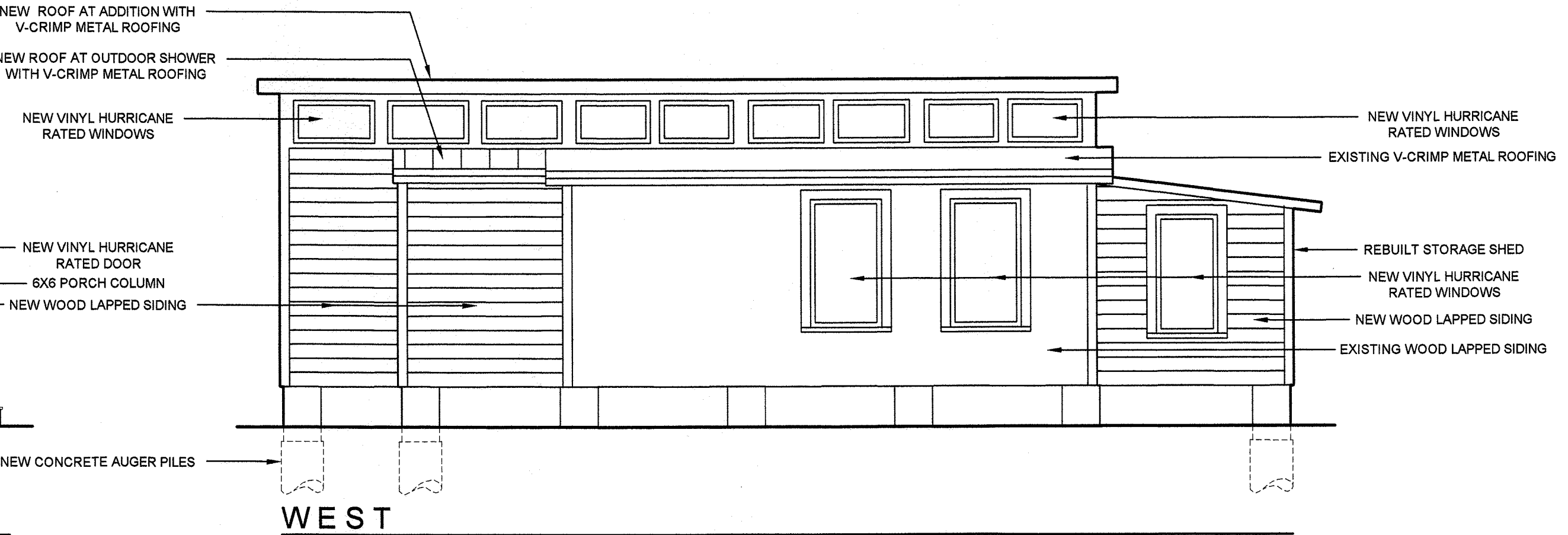
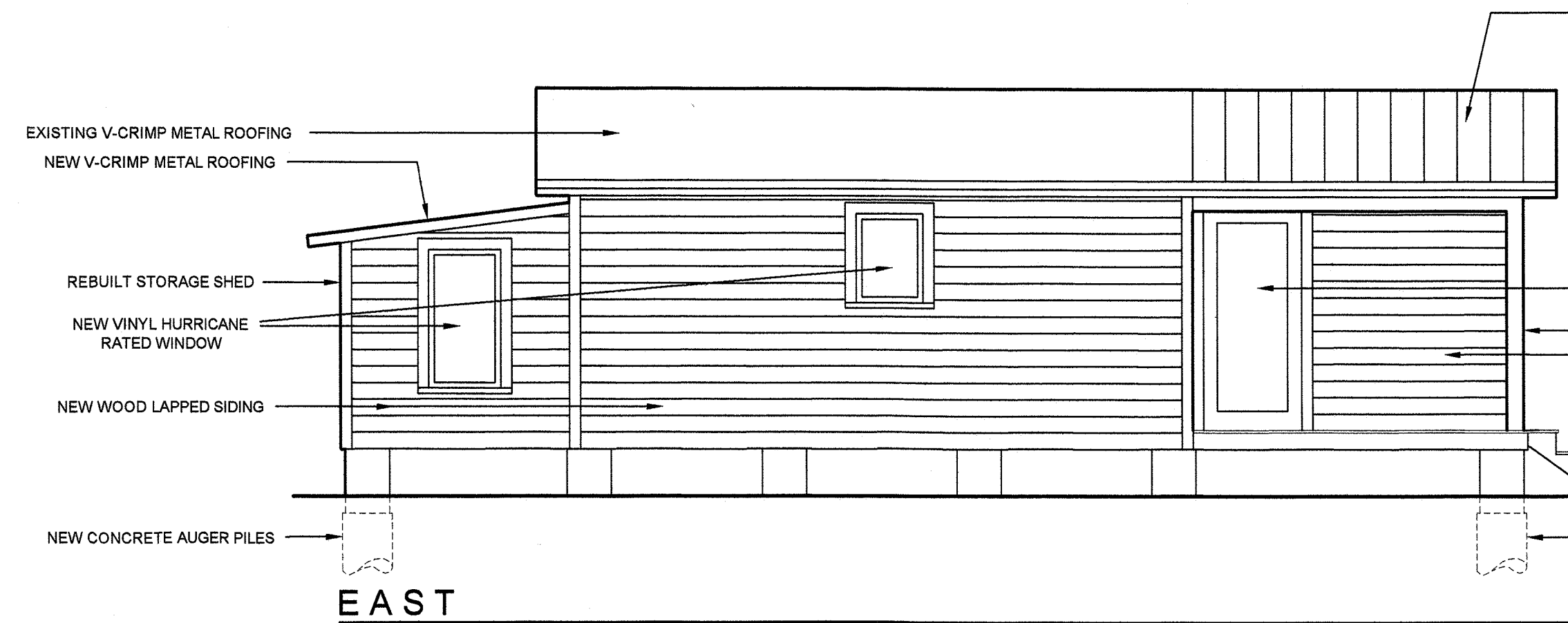
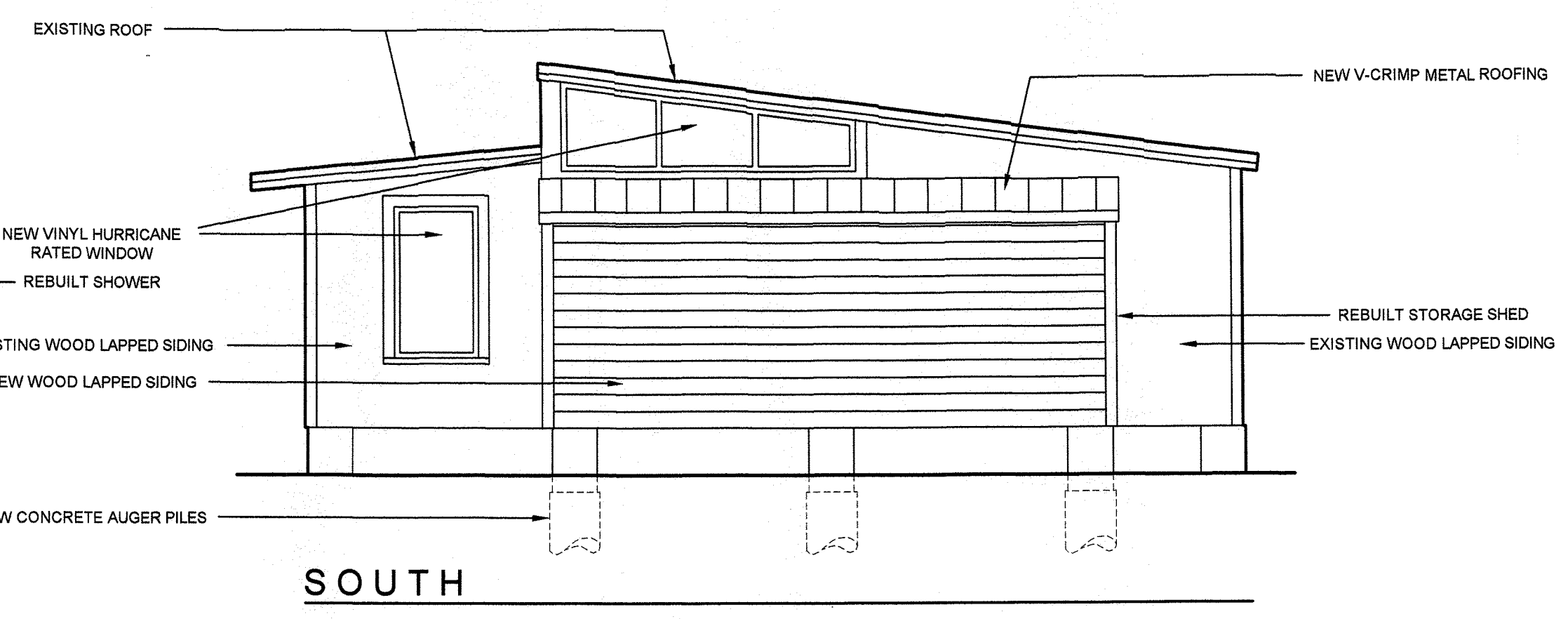
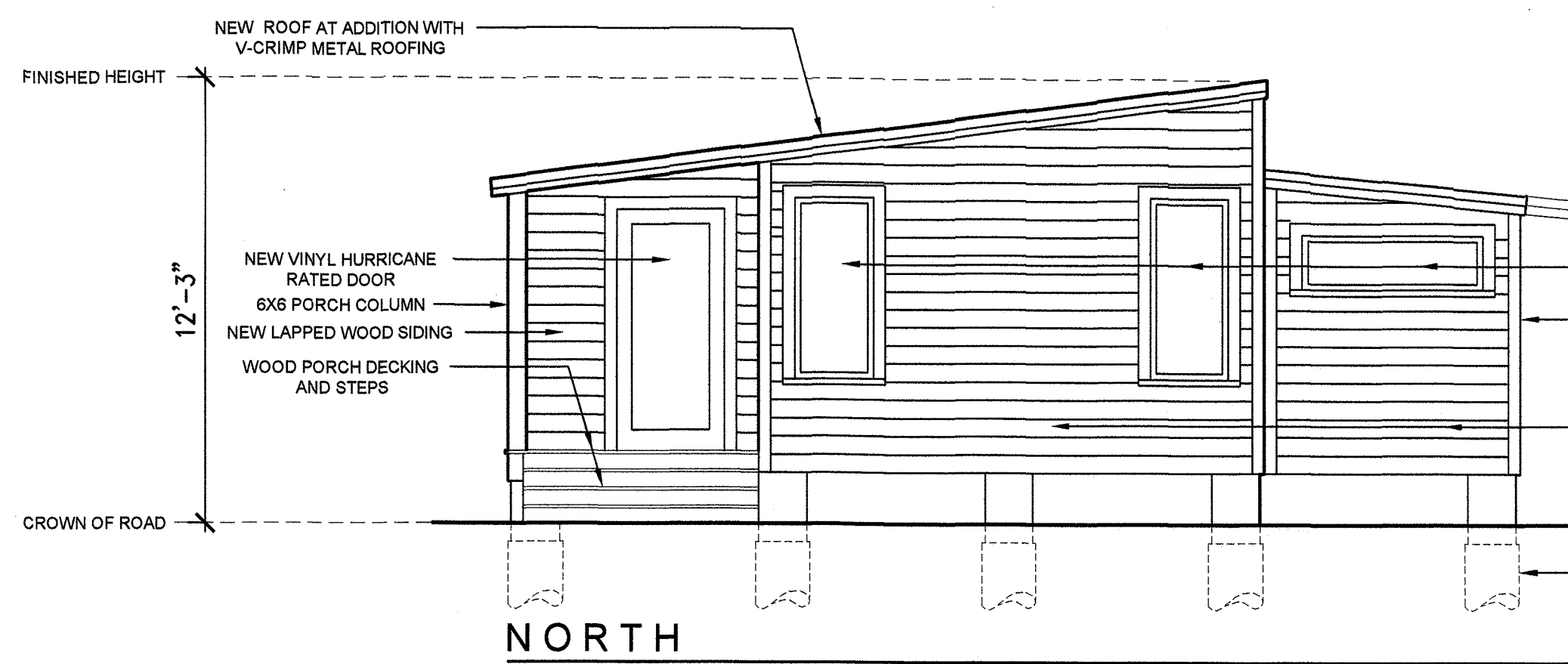
REVISIONS	
NO.	DATE

DATE OF ISSUE:
11 / 9 / 12

VARIANCE APPLICATION FOR:
226 JULIA STREET
KEY WEST, FLORIDA

DAVID KNOLL
ARCHITECT

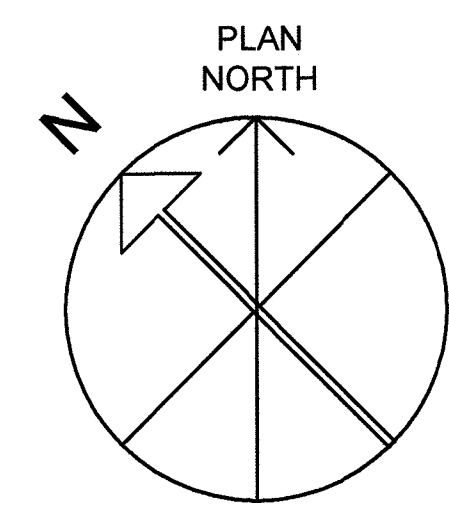
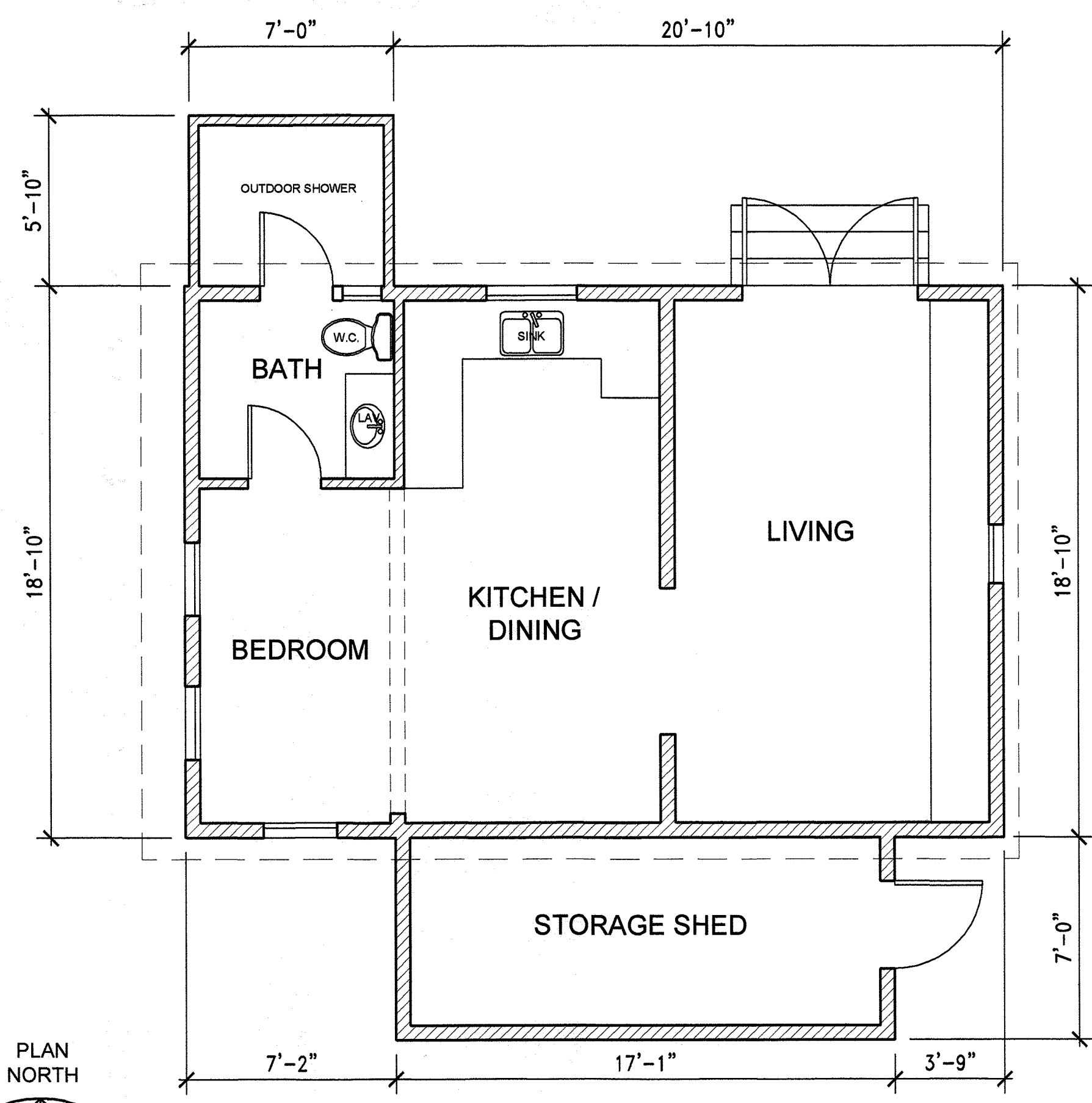
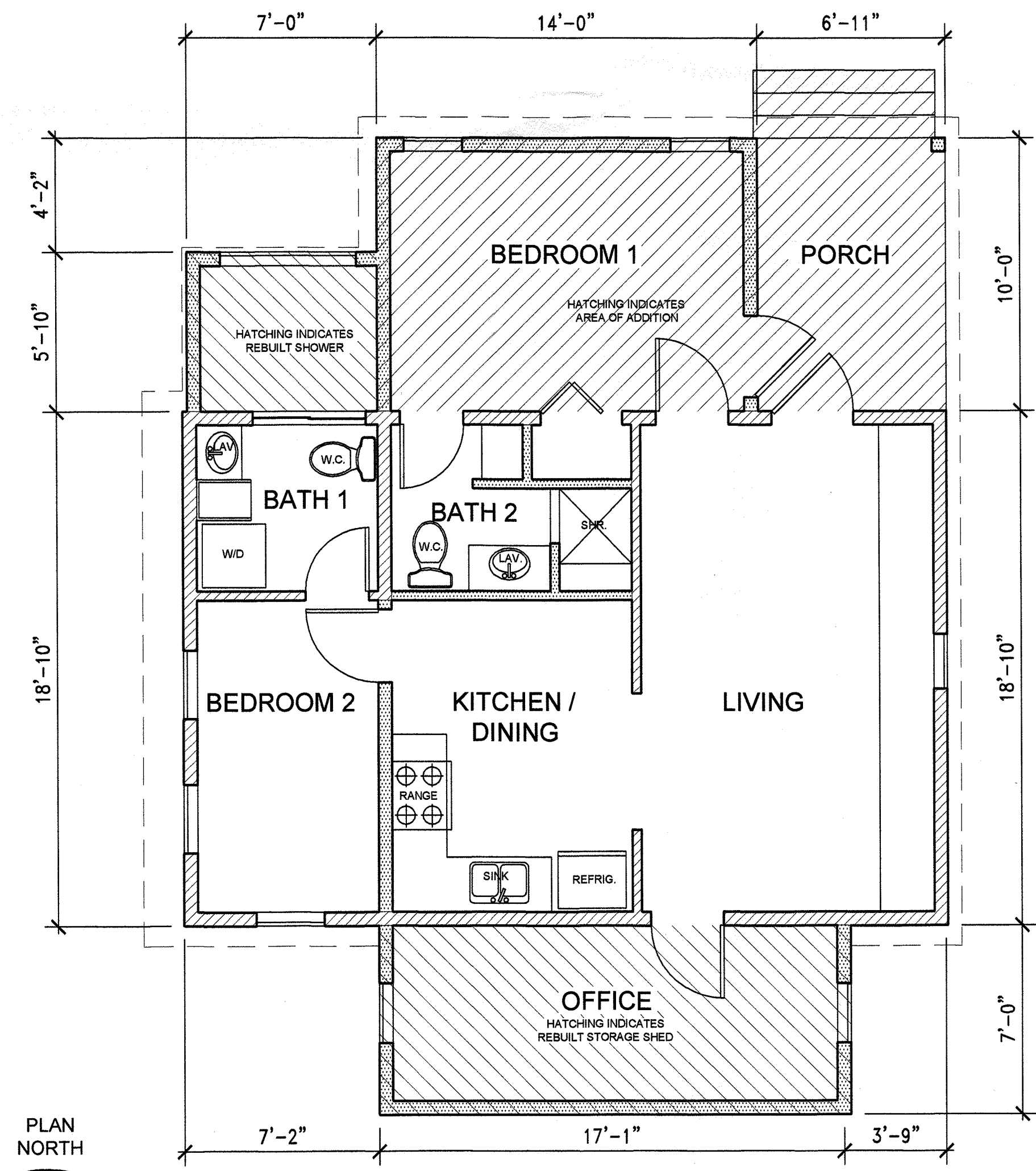
KEY WEST, FL (305) 715-8617
SHEET **3** OF 3 SHEETS



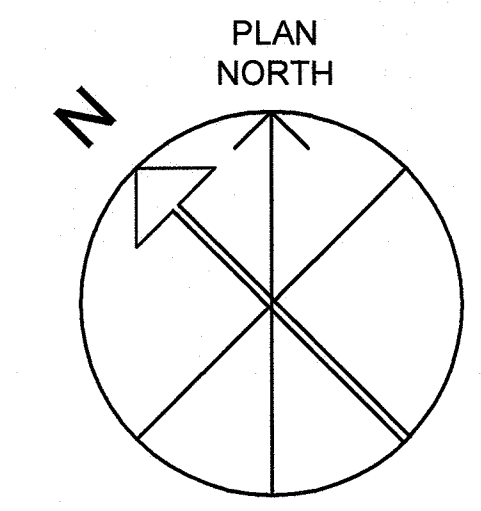
PROPOSED BUILDING ELEVATIONS
1/4" = 1' - 0"

REVISIONS	
NO.	DATE

VARIANCE APPLICATION FOR:
226 JULIA STREET
KEY WEST, FLORIDA



PROPOSED PLAN
1/4" = 1' - 0"



EXISTING PLAN
1/4" = 1' - 0"

DATE OF ISSUE:
11/9/12

DAVID KNOLL
ARCHITECT
KEY WEST, FL. (305) 715-8617

SHEET **2** OF 3 SHEETS

VARIANCE APPLICATION FOR:

226 JULIA STREET

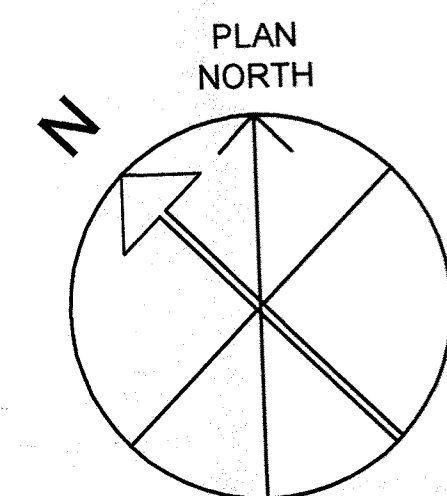
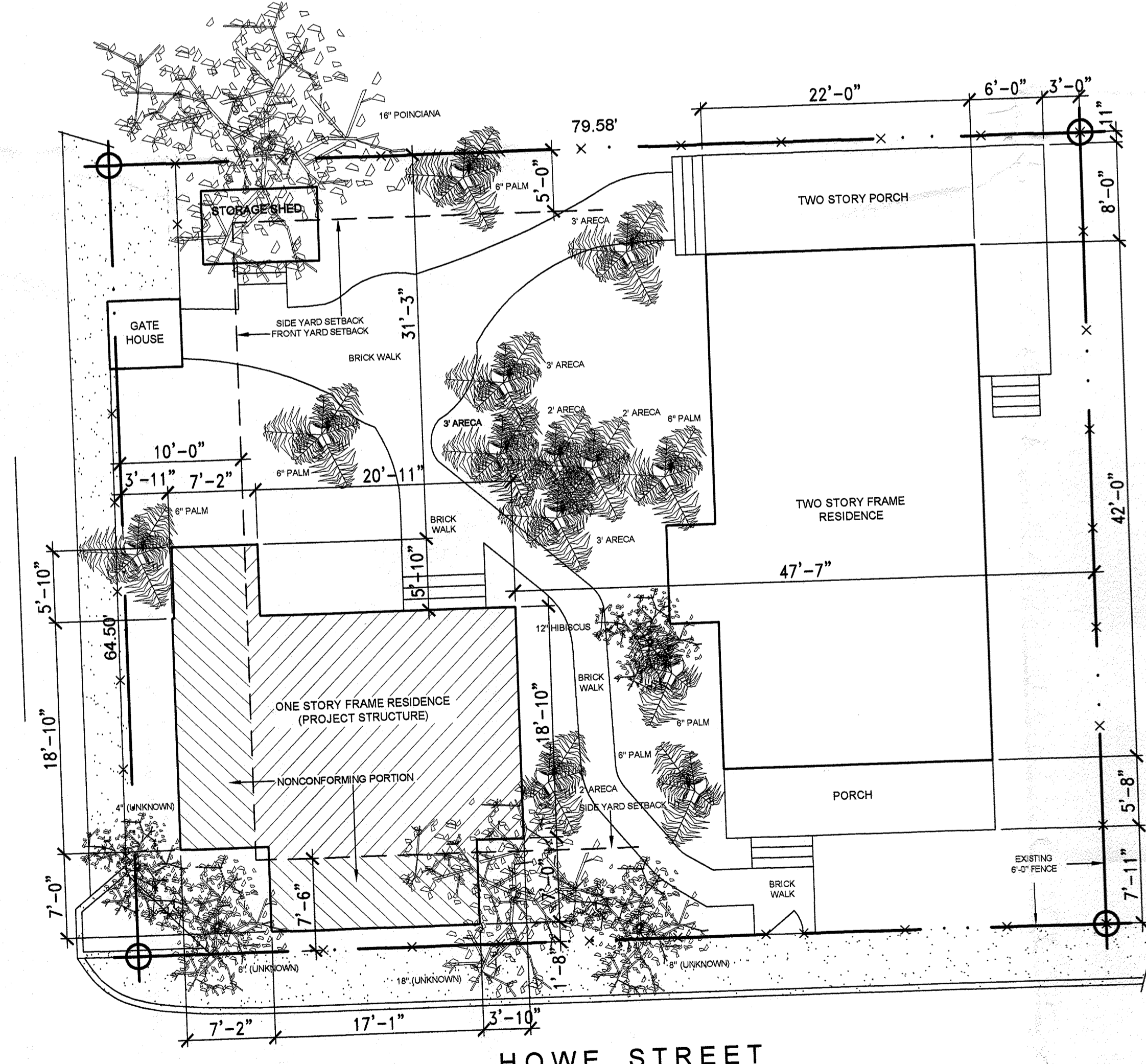
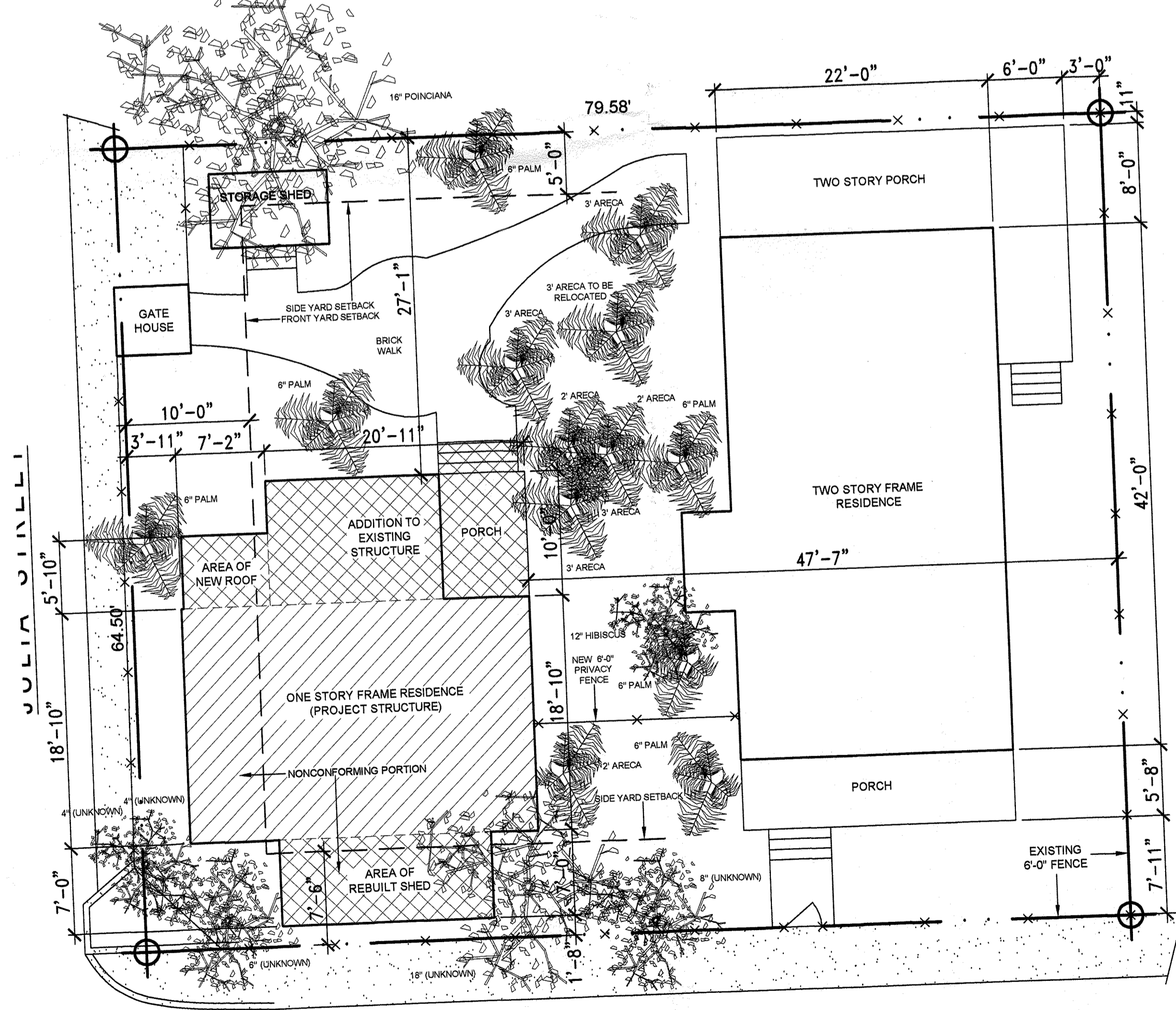
KEY WEST, FLORIDA

PROPOSED SITE DATA		
1. LAND USE DISTRICT: HMDR (HISTORIC MEDIUM DENSITY RESIDENTIAL)		
2. LOT AREA: 5131 SQ. FT.		
3. SETBACKS:		
	ALLOWED	PROPOSED
FRONT	10.0'	3.9' (NO CHANGE)
SIDE	5.0' + 7.5'	27.1' + 1.7'
REAR	15.0'	47.8' (NO CHANGE)
4. LOT COVERAGE:		
	ALLOWED	PROPOSED
BUILDING	40%	2353 S.F. (46%)
IMP. SURFACE	60%	2667 S.F. (52%)
5. STORMWATER RETENTION: THE WORK DEPICTED IN THESE DRAWINGS DOES NOT SIGNIFICANTLY INCREASE STORMWATER RUNOFF		

2353 BUILDING (46%)
314 WALK
2667 IMPERVIOUS SUR. (52%)

EXISTING SITE DATA		
1. LAND USE DISTRICT: HMDR (HISTORIC MEDIUM DENSITY RESIDENTIAL)		
2. LOT AREA: 5131 SQ. FT.		
3. SETBACKS:		
	ALLOWED	EXISTING
FRONT	10.0'	3.9'
SIDE	5.0' + 7.5'	31.3' + 1.7'
REAR	15.0'	47.8'
4. LOT COVERAGE:		
	ALLOWED	EXISTING
BUILDING	40%	2143 S.F. (42%)
IMP. SURFACE	60%	2647 S.F. (52%)
5. STORMWATER RETENTION: NOT APPLICABLE		

2143 BUILDING (42%)
504 WALK (42%)
2647 IMPERVIOUS SUR. (52%)



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

REVISIONS	
NO.	DATE

DATE OF ISSUE:
11 / 9 / 12

PROPOSED SITE PLAN

VARIANCE APPLICATION FOR:
226 JULIA STREET
KEY WEST, FLORIDA

DAVID KNOLL

ARCHITECT

KEY WEST, FL. (305) 715-8617

SHEET

1

OF 3 SHEETS

Additional Information



City Of Key West
Planning Department
3140 Flagler Avenue
Key West, Florida 33040

October 26, 2012

Arch. David Knoll
#19581 Mayan Street
Sugarloaf Key, Florida 33042

**RE: RENOVATION AND ADDITIONS TO A NON-HISTORIC HOUSE.
CONSTRUCTION OF 6' TALL PRIVATE FENCE. REMOVAL OF
EXISTING ATTACHED SHED.
FOR: #226 JULIA/ #1027 HOWE STREETS
HARC APPLICATION # H12-01-1680
KEY WEST HISTORIC DISTRICT**

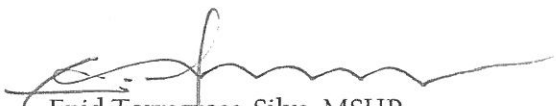
Dear Architect Knoll:

This letter is to notify you that the Key West Historic Architectural Review Commission **approved** the request for the above mentioned project on the public hearing held on Tuesday, October 23, 2012. The Commission motioned this approval based on the submitted documents and your presentation.

You may now apply for the necessary permits and required approvals. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West's historic heritage.

Sincerely:


Enid Torregrosa-Silva, MSHP
Historic Preservation Planner
City of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com



WARNING!
POLICE
WORK
DOG

ONE WAY









