

Application



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February 16, 2011

Don Craig
Interim City Planner
City of Key West
PO Box 1409
Key West, FL 33040



RE: APPLICATION FOR WAIVER
PURSUANT TO CITY CODE §118-68
906 TRINITY DRIVE
CHABAD OF KEY WEST, INC.

Dear Mr. Craig:

This is an Application for Waiver pursuant to Key West City Code Section 118-68 submitted on behalf of Chabad of Key West, Inc., a Florida not-for-profit corporation, which is the owner of 906 Trinity Drive, Key West, FL. As you know, when Chabad of Key West, Inc. purchased the property on May 22, 2008, the church on the property (which has now been converted to a synagogue) had not yet been completed or issued a certificate of occupancy. Further, the property had been subdivided in 2007 without City approval by the prior owner. This lack of City approval was unknown to Chabad when it purchased the property.

Based on the following, Chabad respectfully requests that you issue a waiver from strict compliance with subdivision requirements that should have been met by the previous owner prior to subdividing the lot:

(1) General criteria:

(a) The waiver is consistent with the stated purpose and intent of the comprehensive plan. The lot owned by Chabad exceeds minimum lot size required by the Code and the Plan. It is clear that the subdivision would have been granted had the previous owner requested same from the City.

(b) There is no adverse impact on the public interest or adjacent property. The previous and current owner's use of the property, and the size of the subdivided lot, are consistent with the Code and the Plan. A church/synagogue is a conditional use in this zoning area.

(c) The waiver is not discriminatory, considering similar situations in the general area and in past subdivision regulations. As mentioned above, the subdivision would have been granted, had the previous owner requested same in a timely manner.

(2) Specific Standards:

(a) Superior alternatives to those provided by the Plan and the Code are not relevant because the current use meets the requirements of the Plan and the Code. The only problem is that the current owner did not apply for the subdivision in a timely manner.

(b) The requirement regarding protection of significant features is also not relevant because the Plan and the Code are consistent with the current use.

(c) The requirement regarding deprivation of reasonable use is also not relevant because the Plan and the Code are consistent with the current use.


(d) The requirement concerning technical impracticality is also not relevant because the Plan and the Code are consistent with the current use.

(e) The requirement concerning relationship to proposed development or its impacts is also not relevant because the Plan and the Code are consistent with the current use and there is no "development" planned for the future. All development was in place, albeit uncompleted, when Chabad purchased the property.

(f) The requirements concerning planned residential or mixed use developments are also not relevant because the Plan and the Code are consistent with the current use and there is no "development" planned for the future. All development was in place, albeit uncompleted, when Chabad purchased the property.

(g) The requirement concerning nonresidential subdivisions is also not relevant because the Plan and the Code are consistent with the current use.

Respectfully submitted,


DIANE TOLBERT COVAN

cc: Chabad of Key West, Inc.





MEMO

TO: Brendon Cunningham
Planning

FROM: Cynthia Domenech-Coogle
Urban Forestry Program Mgr.

DATE: February 23, 2011

SUBJECT: Trinity Drive, Chabad

On February 01, 2011, I inspected the above property. I have identified several aspects of the existing landscaping that would serve as moving towards a final for Landscape compliance.

Buffers were noted on three (3) sides of the property; north, south and west.
Trees at rear of property will be counted and credit given towards total tree count.

Requirements for compliance:

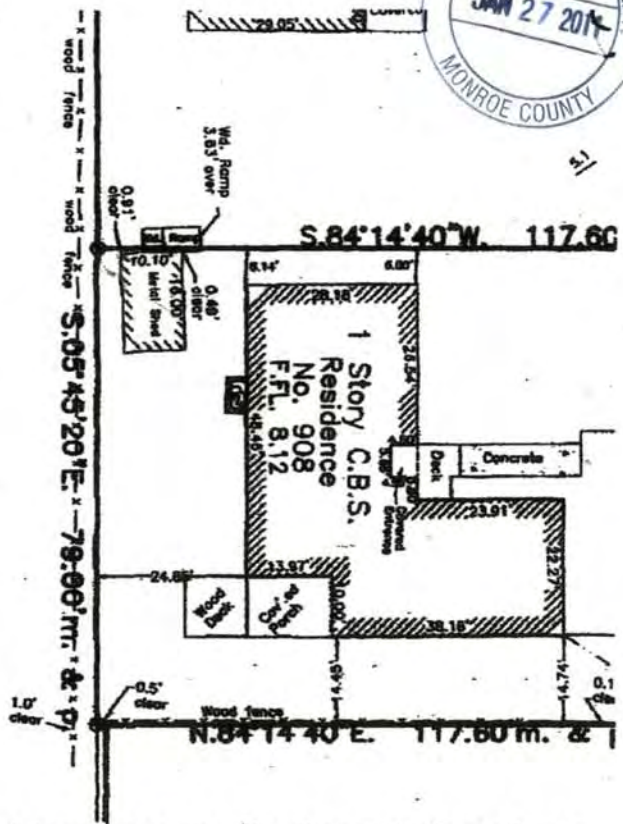
Plant buffer between curb and swale and plant three native shade trees, minimum 8'-10' over all height. All trees and buffers shall be maintained in perpetuity.

I have been assured the trees will be planted within thirty days of my inspection.

While the landscape is in need of some TLC I believe they are working in the right direction.



M A D A
I N N.



LEGAL DESCRIPTION:

A portion of Tract A of Trinity Subdivision, according to the plat thereof, as recorded in Plat Book 7, at Page 72, of the Public records of Monroe County, Florida, and being more particularly described as follows:
 Commence at the Southeast corner of the said parcel 5; thence N 05°45'20" W along the East boundary line of the said parcel 5 a distance of 205.00 feet; thence S 84°14'40" W for a distance of 137.50 feet to the Point of Beginning; thence N 05°45'20" W for a distance of 79.00 feet; thence S 84°14'40" W for a distance of 117.60 feet; thence S 05°45'20" E for a distance of 79.00 feet; thence N 84°14'40" E for a distance of 117.60 feet to the Point of Beginning.
 Containing 9290.40 Square Feet, more or less.

SURVEYOR'S NOTES:

North arrow based on deeds
 Reference Bearing: East Line Parcel no. 5
 * Denotes existing elevation
 Elevations based on N.G.V.D. 1929 Datum
 Bench Mark No.: Bayou Elevation: 4.229

Monumentation:

⊙ = Set 1/2" I.B., P.L.S. No. 2749
 ⊗ = Found 1/2" Iron Pipe
 ⊕ = Found 1/2" Iron Bar
 ▲ = Set P.K. Nail, P.L.S. No. 2749

Abbreviations:

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|--------------------------------|-------------------------------------|
| Sty. = Story | P.O.C. = Point of Commence |
| R.O.W. = Right-of-Way | P.O.B. = Point of Beginning |
| Found = Found | P.B. = Plat Book |
| Plat = Plat | pg. = page |
| Measured = Measured | C.L.F. = Chain Link Fence |
| Deed = Deed | o/h = Overhead |
| N.T.S. = Not to Scale | F.F.L. = Finish Floor Elevation |
| C. = Centerline | conc. = concrete |
| Elev. = Elevation | I.P. = Iron Pipe |
| B.M. = Bench Mark | I.B. = Iron Bar |
| P.C. = Point of Curvature | |
| C.B.S. = Concrete Block Stucco | |
| cov.d. = Covered | |
| wd. = Wood | B = Concrete Utility Pole |
| R = Radius | ⊙ = Wood utility Pole |
| A = Arc (Length) | ⊕ = Wood Utility Pole with Guy wire |
| D = Delta, (Central angle) | ⊗ = Water Meter |
| w.m. = Water Meter | ⊕ = Water Valve |