



Application For Variance

City of Key West, Florida • Planning Department

3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com



Application Fee: \$1,150.00 / After-the-Fact: \$2,150.00
(includes \$100.00 advertising/noticing fee and \$50.00 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 305-809-3720.

PROPERTY DESCRIPTION:

Site Address: 540 White Street, Key West, FL

Zoning District: _____ Real Estate (RE) #: _____

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Terry Barrett & Rich Dericks

Mailing Address: 108 CONSTITUTION DRIVE

City: COUNTRON TWP State: PA Zip: 18444

Home/Mobile Phone: 570-470-8633 Office: _____ Fax: 570-842-2245

Email: _____

PROPERTY OWNER: (if different than above)

Name: (SAME)

Mailing Address: _____

City: _____ State: _____ Zip: _____

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

Email: _____

Description of Proposed Construction, Development, and Use:

Former owner turned a one-car ^{attached} garage into a bedroom with bath without approval. Not sure how long ago.

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

recognize this one room cottage as a legal unit.

Are there any easements, deed restrictions or other encumbrances attached to the property? Yes No

If yes, please describe and attach relevant documents: _____

City of Key West • Application for Variance

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				
Flood Zone				
Size of Site	2,352 ft ²			
Height				
Front Setback				
Side Setback				
Side Setback				
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage	1,700 ft ²			
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.

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.

One car garage converted to a 1 bedroom cottage w/ bath.
Entrance is separate from mainhouse (French doors).

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

Done by a previous owner. Have photos from house inspection showing preexisting.

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.

Other homes in the area also have separate one room cottages or pool houses

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.

We bought this house because it had this little one room cottage. We plan to retire and live in the main house in five years. Now we can rent the house and stay in the cottage when visiting

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.

asking for cottage to be a legal unit

City of Key West • Application for Variance

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.

Will not cause any harm to the public

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

The unit also has its own mailbox and
US postal address (1179 South St)

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 following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- 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
- Property record card
- Signed and sealed survey — currently with other variance application submitted
- Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- Floor plans
- Stormwater management plan

by Joe Schroeder to
add a door for
street access.

the recorded deed
is also with this
other application

Verification

**City of Key West
Planning Department**



Verification Form
(Where Owner is the applicant)

I, Terry J Barrett, being duly sworn, depose and say that I am the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

540 White Street, Key West
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.

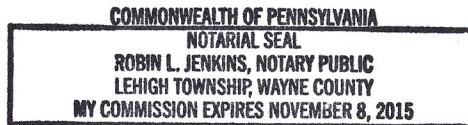
Terry J Barrett
Signature of Owner

Subscribed and sworn to (or affirmed) before me on this 6/20/14 by

Terry J Barrett
Name of Owner

He/She is personally known to me or has presented PA Drivers License as identification.

Robin L. Jenkins
Notary's Signature and Seal



ROBIN L. JENKINS
Name of Acknowledger typed, printed or stamped

Commission Number, if any

Deed

PREPARED BY & RETURN TO

Name United One Resources, Inc.
Address 270 North Sherman Street
Wilkes-Barre, PA 18702
File No 38034PUR
Parcel No 00006780-000000

07/10/2012 9:45AM
DEED DOC STAMP CL: DS \$3,937.50

Doc# 1890639
Bk# 2579 Pg# 52

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This **WARRANTY DEED**, made the day of **June, 2012**, by **ALECIA ROJAS, NOW KNOWN AS ALECIA JUNE KERRY**, hereinafter called the Grantor, to **TERRY J. BARRETT and RICHARD H. DERICKS**, as joint tenants with the right of survivorship and not as tenants in common, whose post office address is 108 Constitution Drive, Moosic PA 18444, hereinafter called the Grantees

WITNESSETH That the Grantor, for and in consideration of the sum of \$562,500.00 Five Hundred Sixty-Two Thousand, Five Hundred and 00/100 Dollars and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantees all that certain land situate in County of Monroe, State of Florida, viz

Parcel No. 1 on the Island of Key West, Monroe County, Florida and is a part of Lot 1, Square 44, but being described more particularly by metes and bounds as follows: COMMENCE at a point where the Northwesterly line of Southard Street and the Southwesterly line of White Street intersect, said point being the Point of Beginning of the parcel of land herein described; thence Southwesterly along the Northwesterly line of Southard Street, 51.65 feet to a point; thence Northwesterly at right angles 46 feet to a point; thence Northeasterly at right angles 51.65 feet to a point on the Southwesterly line of White Street; thence Southeasterly along the Southwesterly line of White Street, 46 feet back to the Point of Beginning.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

SUBJECT TO TAXES FOR THE YEAR 2012 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD the same in fee simple forever

And the Grantor hereby covenants with the Grantees 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 and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever. Grantor further warrants that said land is free of all encumbrances, except as noted herein and except taxes accruing subsequent to December 31, 2011

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents, the day and year first above written

Signed, sealed and delivered in the presence of:

Joann Brunelli
Witness Signature
Printed Name JOANN BRUNELLI

Alecia Rojas L S
Name Alecia Rojas (now known as Alecia June Kerry)
Address 540 White Street, Key West, FL 33040

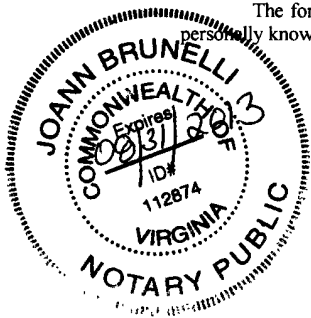
Joann Brunelli
Witness Signature
Printed Name JOANN BRUNELLI

Alecia June Kerry L S
Name Alecia June Kerry
Address 540 White Street, Key West, FL 33040

STATE OF ~~FLORIDA~~ VIRGINIA
COUNTY OF ~~MONROE~~ Chesterfield

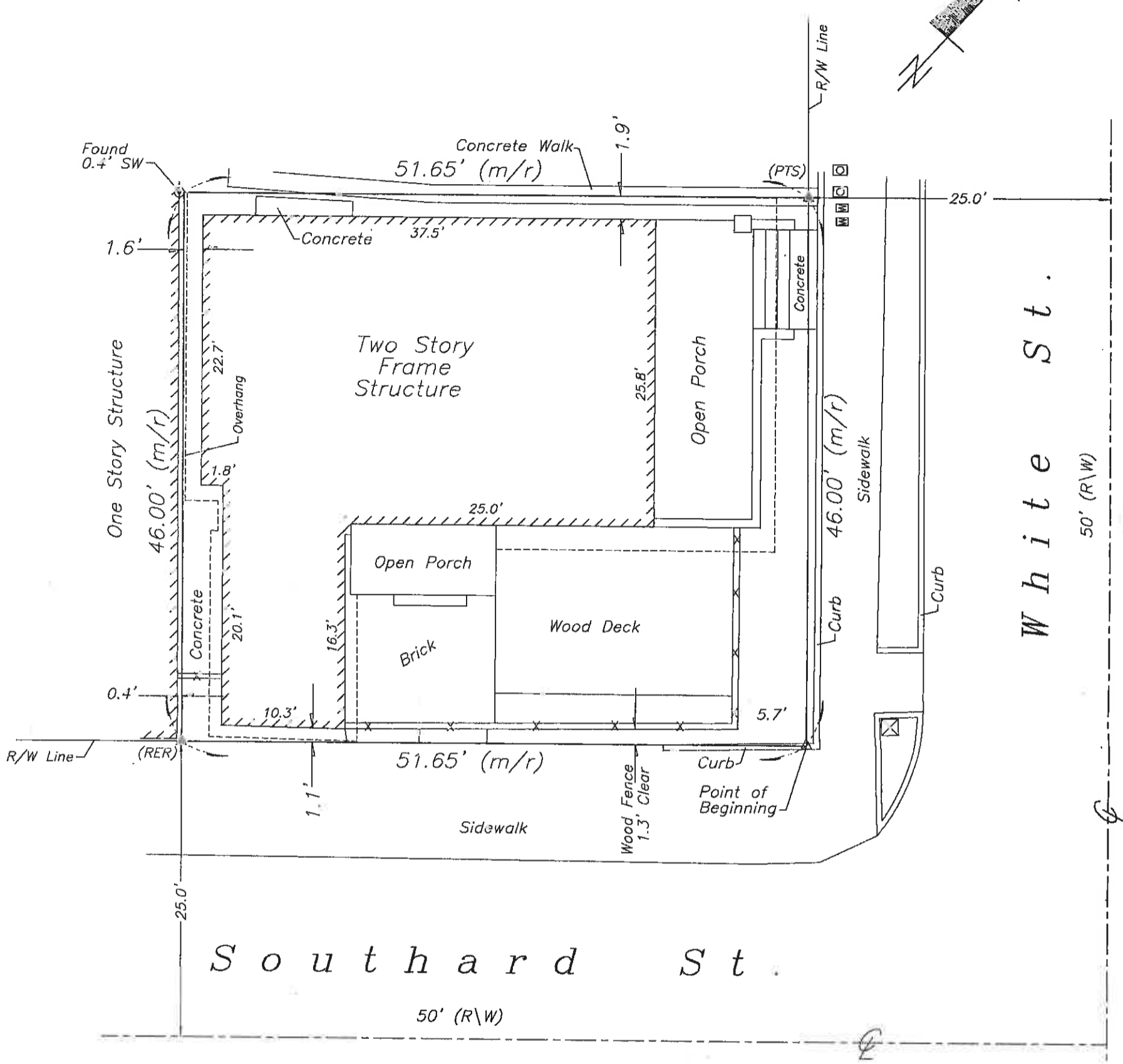
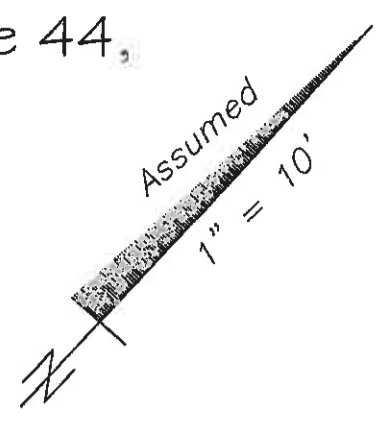
The foregoing instrument was acknowledged before me this 4 day of June, 2012, by Alecia June Kerry, who is personally known to me or who has produced va Driver's Lic as identification.

Joann Brunelli
Signature of Notary
Printed Name JOANN BRUNELLI
My Commission expires 08/31/2013



Survey

Boundary Survey Map of part of Lot 1, Square 44, Island of Key West



LEGEND

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> ⊙ Found Cut Nail ○ Set 3/4" Iron Pipe w/cap (6298) ● Found 1/2" Iron Rod (No ID) ▲ Found Nail & Disc (PTS) (RER) △ Set Nail & Disc (6298) (M) Measured (R) Record (M/R) Measured & Record C.B.S. Concrete Block Structure | <ul style="list-style-type: none"> R\W Right of Way CLF Chain Link Fence ⊕ Centerline ⊗ Wood Utility Pole ⊠ Concrete Utility Pole -P- Overhead Utility Lines ⊕ Fire Hydrant ⊠ Sewer Cleanout ⊠ 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 #6298

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

Boundary Survey Report of part of Lot 1, Square 44,
Island of Key West

NOTES:

1. The legal descriptions shown hereon were furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 540 White Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: January 24, 2014
9. The ownership of fences is undeterminable unless otherwise noted.
10. This Survey Report is not full and complete without the attached Survey Map.

BOUNDARY SURVEY OF: On the Island of Key West, Monroe County, Florida and is a part of Lot 1, Square 44, but being described more particularly described by metes and bounds as follows:

Commence at a point where the Northwesternly line of Southard Street and the Southwesterly line of White Street intersect, said point being the Point of Beginning of the parcel of land herein described; thence Southwesterly along the Northwesternly line of Southard Street, 51.65 feet to a point; thence Northwesternly at right angles 46 feet to a point; thence Northeasterly at right angles 51.65 feet to a point on the Southwesterly line of White Street; thence Southeasterly along the Southwesterly line of White Street, 46 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: Terry Barrett and Rich Dericks;

J. LYNN O'FLYNN, INC.

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

January 27, 2014

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) 296-2244

Site Plans



Carlos O. Rojas, Jr. AIA
 AR 0016764
 540 White Street
 Key West, FL 33040
 (305) 292-4870
 Tcarolr@bellsouth.com

Carlos O. Rojas, Jr. AIA
 540 White Street
 Key West, Florida

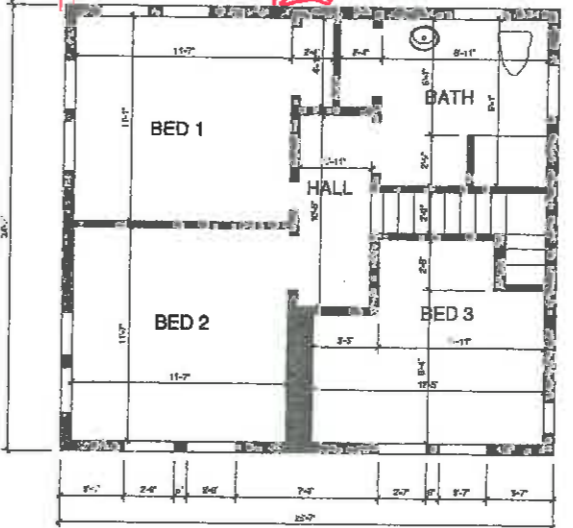
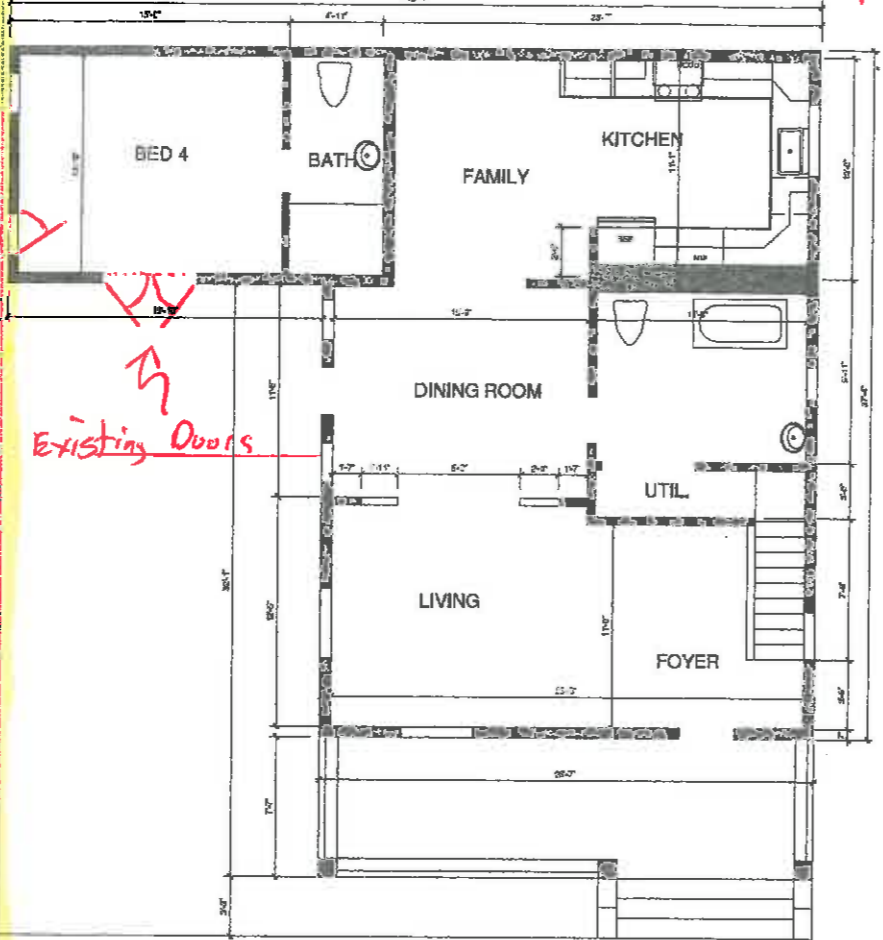
Project Number
 2003540
 Date
 05-04-03
 Drawn By
 COR

A1

Shed roof above 1st floor

Proposed Knee Wall

Proposed HVAC



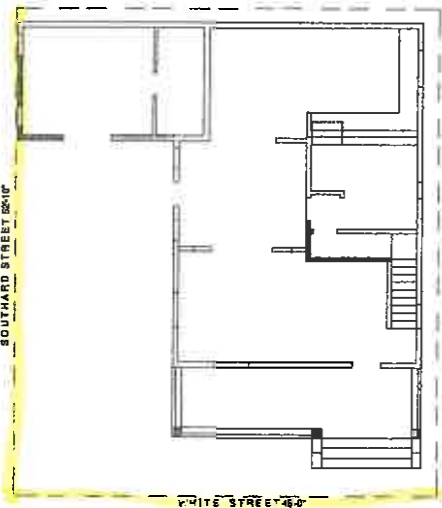
Remove Window

New Proposed Door 3'-0"

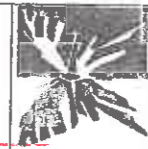
Existing Doors

Southard St

White St



SITE PLAN
14-16



Carlos O. Rojas, Jr. AIA
AR 0018774
640 White Street
Key West, FL 33040
(305) 292-4870
TinaRojas@Echostar.com

Carlos O. Rojas, Jr. AIA
540 White Street
Key West, Florida

Project Number
2003540
Date
05-04-03
Drawn By
COF

A1

Shed roof above 1st floor

Proposed Knee Wall

Proposed HVAC

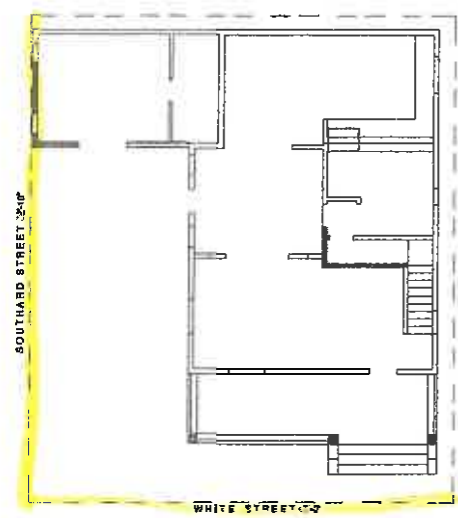
Southard St

White St

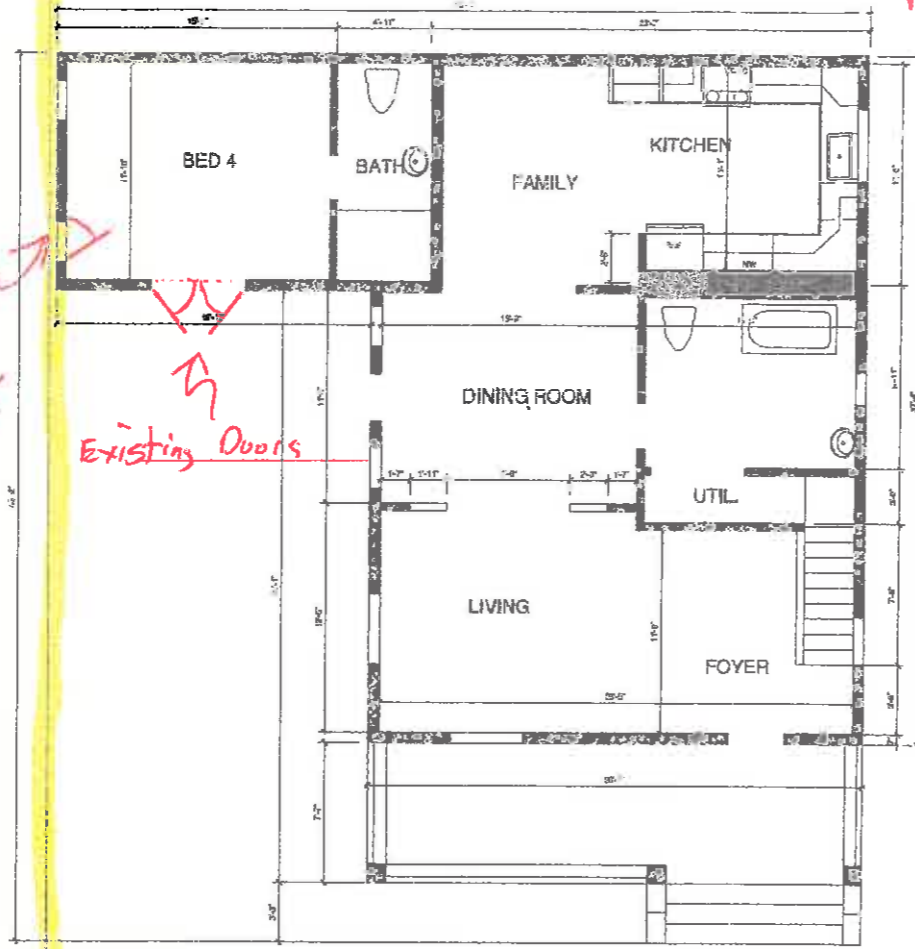
Remove Window

New Proposed Door 3'-0"

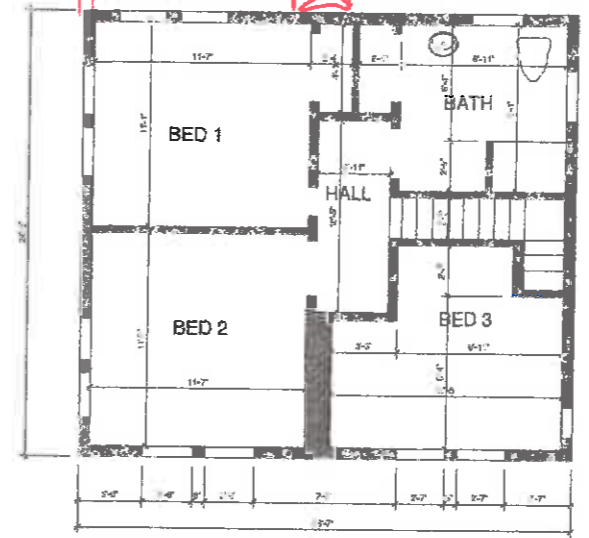
Existing Doors



⊗ SITE PLAN
1.4-1.5



⊗ 1st FLOOR PLAN
1.4-1.5



⊗ 2nd FLOOR PLAN
1.6-1.7

Site Photos

Proposed
knee
wall

540 White St



© 2014 Google
© 2013 Google

Google earth

Google earth

feet
meters



Property Appraiser Information



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305)
852-7130

Property Record Card -

Maps are now launching the new map application version.

Alternate Key: 1007013 Parcel ID: 00006780-000000

Ownership Details

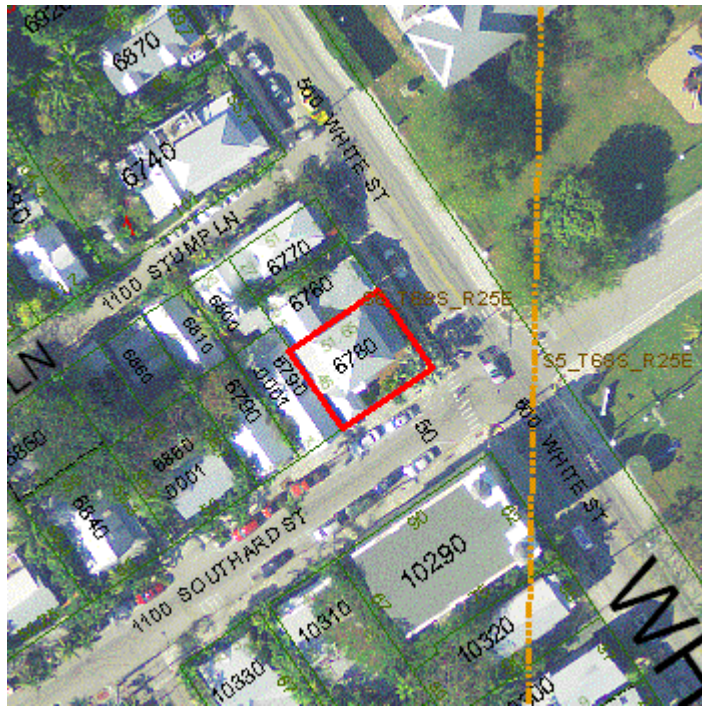
Mailing Address:
BARRETT TERRY J
108 CONSTITUTION DR
MOSCOW, PA 18444-9125

All Owners:
BARRETT TERRY J, DERICKS RICHARD H R/S

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 06-68-25
Property Location: 540 WHITE ST KEY WEST
Legal Description: KW PT LT 1 SQR 44 H3-344 OR449-21-22 OR636-586 OR685-77/78 OR776-859 OR776-860 OR804-1820/21OR812-668 OR892-536/37 OR1006-299/300 OR1194-896/97 OR1731-958 OR2485-1376/77 OR2579-52

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
01SD - RES SUPERIOR DRY	51	46	2,376.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0
Total Living Area: 1700
Year Built: 1933

Building 1 Details

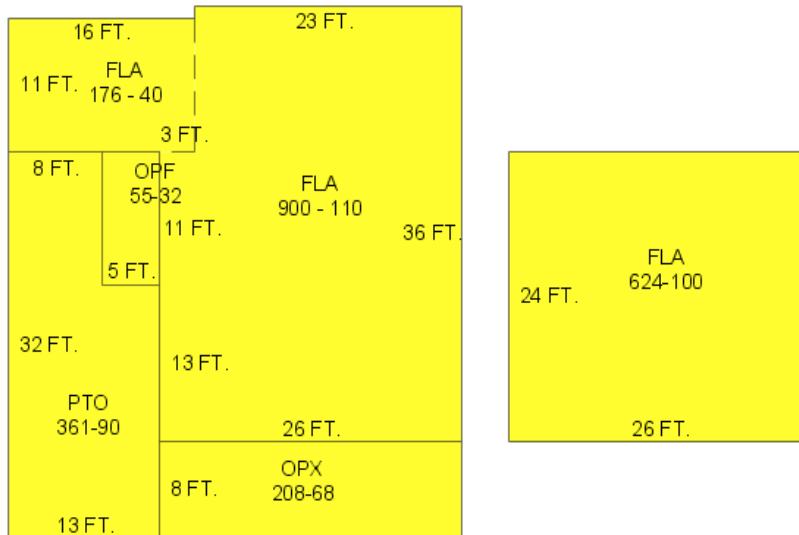
Building Type R2	Condition A	Quality Grade 550
Effective Age 23	Perimeter 250	Depreciation % 30
Year Built 1933	Special Arch 0	Grnd Floor Area 1,700
Functional Obs 0	Economic Obs 0	

Inclusions: R2 includes 2 3-fixture baths and 2 kitchens.

Roof Type IRR/CUSTOM	Roof Cover METAL	Foundation CONCRETE SLAB
Heat 1 NONE	Heat 2 NONE	Bedrooms 3
Heat Src 1 NONE	Heat Src 2 NONE	

Extra Features:

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	Garbage Disposal 0
4 Fix Bath 0	Compactor 0
5 Fix Bath 0	Security 0
6 Fix Bath 0	Intercom 0
7 Fix Bath 0	Fireplaces 0
Extra Fix 0	Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1987	N N	0.00	0.00	900
2	OPX		1	1987	N N	0.00	0.00	208
3	OPF		1	1987	N N	0.00	0.00	55
4	PTO		1	1987	N N	0.00	0.00	361
5	FLA	12:ABOVE AVERAGE WOOD	1	1987	N N	0.00	0.00	624
6	FLA	12:ABOVE AVERAGE WOOD	1	1987	N N			176

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	294 SF	0	0	1986	1987	2	30
2	AC2:WALL AIR COND	4 UT	0	0	1988	1989	2	20

Appraiser Notes

TPP 8870141 - CARLOS O ROJAS JR AIA INC

2012-03-21 MLS \$699,000 4/3 HISTORIC OLD TOWN FOUR BEDROOM AND THREE BATH HOME FEATURING AN OPEN FLOOR PLAN DOWNSTAIRS WITH THE BEAUTIFUL NEW KITCHEN, DINING AND LIVING AREAS OPEN TO THE PATIO. A MODERN BATH, SOAKING TUB AND RAIN SHOWER FINISH OFF THE FIRST FLOOR. THREE BEDROOMS UPSTAIRS ARE COMPLEMENTED BY THE SPACIOUS NEW BATH WITH SHOWER. AN ATTACHED STUDIO WITH EFFICIENCY KITCHEN AND BATH IS GREAT FOR GUESTS, AN OFFICE OR AN ARTIST'S STUDIO OFFERING GREAT LIGHT THROUGH FRENCH DOORS. ENJOY YOUR FRONT PORCH OVERLOOKING THE CENTER OF KEY WEST'S ARTIST COMMUNITY, THE STUDIOS OF KEY WEST.

2006-07-12 DKRAUSE HX WAS LISTED AS 92%. RECALC VERIFIED HX AS 90%. 176 SF NON HX PORTION

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	0202111	08/07/2002	10/10/2002	1,499		CRICKET DMG 3SQ ROOF
2	03-2970	08/25/2003	12/31/2003	1,000		BRICK PAVERS
3	03-3275	09/12/2003	12/31/2003	6,000		WOOD SHUTTERS
4	03-4143	12/10/2003	11/18/2004	15,000		REMODEL KITHCEN
2	05-0047	01/07/2005	12/20/2005	14,000		REPLACE 14SQ OF CONCH SHINGLES
6	05-1106	04/07/2005	12/20/2005	1,000		DEMO 2ND FLR BATH
7				0		

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2013	180,361	1,212	298,655	480,228	480,228	0	480,228
2012	211,280	1,212	255,451	467,943	325,942	25,000	316,193
2011	213,857	1,212	117,901	332,970	310,627	25,000	285,856
2010	216,434	1,212	83,833	301,479	301,479	25,000	276,479
2009	243,502	1,212	236,495	481,209	378,281	25,000	353,281
2008	223,939	1,212	234,600	459,751	373,533	25,000	348,533
2007	294,467	1,212	387,090	682,769	398,114	25,000	373,114
2006	418,356	1,212	222,870	642,438	413,099	25,000	388,099
2005	424,962	1,212	140,760	566,934	372,380	25,000	347,380
2004	319,959	1,242	140,760	461,961	354,457	25,000	329,457
2003	308,681	1,284	65,688	375,653	341,632	25,000	316,632
2002	277,222	1,315	52,199	330,736	330,736	25,000	305,736
2001	175,249	3,398	52,199	230,846	134,404	25,000	109,404
2000	138,026	4,555	42,228	184,809	126,558	25,000	101,558
1999	106,129	3,748	42,228	152,105	120,446	25,000	95,446
1998	98,590	3,732	42,228	144,549	118,033	25,000	93,033
1997	89,891	3,618	37,536	131,044	114,951	25,000	89,951
1996	78,292	3,348	37,536	119,176	110,799	25,000	85,799
1995	71,333	3,216	37,536	112,085	107,678	25,000	82,678
1994	63,793	3,042	37,536	104,371	104,371	25,000	79,371
1993	64,045	1,431	37,536	103,012	103,012	25,000	78,012
1992	64,045	1,482	37,536	103,063	103,063	25,000	78,063
1991	64,045	1,523	37,536	103,105	103,105	0	103,105
1990	54,313	1,575	29,912	85,800	85,800	0	85,800
1989	49,375	1,467	29,325	80,167	80,167	0	80,167
1988	42,195	1,174	26,979	70,348	70,348	0	70,348
1987	40,949	0	16,070	57,019	57,019	25,000	32,019
1986	41,158	0	15,484	56,642	56,642	25,000	31,642
1985	39,854	0	9,267	49,121	49,121	25,000	24,121
1984	37,519	0	9,267	46,786	46,786	25,000	21,786
1983	37,519	0	9,267	46,786	46,786	25,000	21,786
1982	34,941	0	9,267	44,208	44,208	25,000	19,208

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
6/4/2012	2579 / 52	562,500	WD	01 ...
9/23/2010	2485 / 1376	100	QC	11 ...
10/15/2001	1731 / 0958	339,000	WD	Q ...
12/1/1991	1194 / 896	110,000	WD	Q ...
3/1/1987	1006 / 299	89,500	WD	Q ...
9/1/1983	892 / 536	49,500	WD	Q ...
11/1/1978	776 / 859	45,000	00	U ..

This page has been visited 50,987 times.

Monroe County Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176