

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chairman and Planning Board Members

**From:** Brendon Cunningham

**Through:** Donald Leland Craig, AICP, Planning Director

**Meeting Date:** September 15, 2011

**Agenda Item:** An application for a variance to allowed signage size, illumination and location in the Single-Family zoning district for property located at 2318 Fogarty Avenue & 1311 Fifth Street (RE#00048900-000000), per Division 2 of Chapter 114 Section 114-71 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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**Request:** To consider a variance for the purpose of reconstructing an existing non-conforming sign

**Applicant:** Trustees of the Fifth Street Baptist Church

**Agent:** Edward R. Boza

**Location:** 2318 Fogarty Avenue / 1311 Fifth Street, RE# 00048900-000000

**Zoning:** Single Family Residential (SF) District

**Background:**

The sign is within the required twelve foot setback for non-illuminated signs located within the SF zoning district. By removing the original sign, the applicant would be required to locate any new sign at the proper distance from the lot line and would then have to comply with the rest of Section 114 regarding size and illumination. Section 114 allows for non-illuminated pole or projecting sign no greater than five square feet in area.

**Request:**

The applicant is proposing the reconstruction of an existing sign identifying the church and the hours of service. A replacement sign of the same size in the same location and an LED electronic reader board replacing printed text is proposed for “church and community announcements and activities.”

	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>
Front Setback	12'	0'	0"
Illumination	No	No	Yes
Size	5 square feet	26 square feet	Same

**Process:**

**Planning Board Meeting:**

September 15, 2011

**Analysis – Evaluation for Compliance With The Land Development Regulations:**

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board before granting a variance must find all of the following:

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

There are no special conditions or circumstances regarding this property.

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

By replacing the existing sign with an illuminated sign of the same non-conforming size and location, the applicant is creating the conditions that require a request for a variance.

- 3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, structures or structures in the same zoning district.**

Granting the variance request will confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district.

- 4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.**

There is no evidence that the applicant would be deprived of reasonable use of the land and the existing structure without the specific proposed replacement of the existing sign.

5. **Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

The applicant has reasonable use of the land and existing structure without a freestanding sign.

6. **Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.**

The granting of this request will not be detrimental to the public interest. Several neighbors have expressed approval of the project.

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

This request is not based on existing conditions on surrounding properties.

**The Planning Board shall make factual findings regarding the following:**

1. **That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.**

The applicant does not meet all of the standards established by the City Code of Ordinances for a variance request.

2. **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.**

There is no indication that the applicant has contacted any surrounding property owners as the Planning Department has received no comment at this time.

**Concurrency Facilities and Other Utilities or Service (Section 108-233):**

Not applicable

**RECOMMENDATION:**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for a variance be **denied**.

**Draft  
Resolution**

**PLANNING BOARD RESOLUTION  
NO- 2011-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING VARIANCES TO THE FRONT-YARD SETBACK REQUIREMENT AND PROHIBITION ON ILLUMINATED SIGNAGE TO REPLACE AN EXISTING NON-CONFORMING SIGN FOR PROPERTY LOCATED AT 2318 FOGARTY AVENUE / 1311 FIFTH STREET (RE#00048900-000000), PURSUANT TO DIVISION 2 SECTION 114-71 UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Division 2, Section 114-71 of the Code of Ordinances provides that the front-yard setback for signs in the Single Family (SF) zoning district is twelve feet; and

**WHEREAS**, the proposed replacement sign has an illuminated changing-copy electronic display with the existing setback of zero feet; and

**WHEREAS**, the applicant requests a variance to the front-yard setback requirement and prohibition on illuminated signage to allow for the replacement of an existing non-conforming sign; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on September 15, 2011; and

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

**WHEREAS,** the Planning Board finds 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 district; and

**WHEREAS,** the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

**WHEREAS,** the Planning Board finds that granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district; and

**WHEREAS,** the Planning Board finds 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; and

**WHEREAS,** the Planning Board finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

**WHEREAS,** the Planning Board finds that the granting of the variance will be in harmony

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

**WHEREAS**, the Planning Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.

**Section 2.** That a variance for the replacement of a non-conforming sign with an illuminated sign of the same size within the required front-yard setback for a property in the Single Family (SF) zoning district located at 2318 Fogarty Avenue / 1311 Fifth Street (RE# 00048900-000000), per Division 2, Section 114-71 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown on the attached plan set.

**Section 3.** It is a condition of this variance that full, complete, and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application or shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

**Section 4.** The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to this variance in accordance with the terms of and as described in Section 3 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

**Section 5.** This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

**Section 6.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the Planning Board Chairman, the Planning Director and the City Clerk.

**Section 7.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director



has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 15th day of September, 2011.

Authenticated by the Chairman of the Planning Board and the Planning Director.

---

Richard Klitenick, Chairman  
Key West Planning Board

\_\_\_\_\_ Date

**Attest:**

**Page 5 of 6  
Resolution Number 2011-**

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

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Donald Leland Craig, AICP, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

Draft

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

# Application

**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 THE HEARING**

*Variance Application*

City of Key West  
Planning Department

Please print or type a response to the following:

1. Site Address 2318 FOGARTY AVE
2. Name of Applicant TRUSTEES OF THE FIFTH STREET BAPTIST
3. Applicant is: Owner X Authorized Representative \_\_\_\_\_  
(attached Authorization Form must be completed)
4. Address of Applicant 1311 FIFTH ST.  
KEY WEST, FL 33040
5. Phone # of Applicant 395-2897 Mobile# SAME Fax# 296-4020
6. E-Mail Address OSCAR.RODRIGUEZ@BELLSOUTH.NET
7. Name of Owner, if different than above \_\_\_\_\_
8. Address of Owner \_\_\_\_\_

9. Phone Number of Owner \_\_\_\_\_ Fax# \_\_\_\_\_

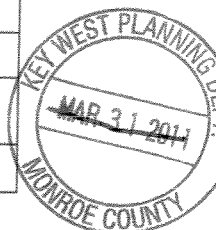
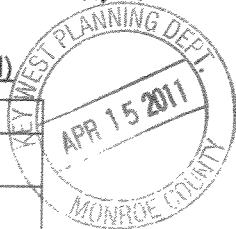
10. Email Address \_\_\_\_\_

11. Zoning District of Parcel SF RE# 00048900-000000

12. Description of Proposed Construction, Development, and Use  
REFURBISH EXISTING SIGN FROM WOOD TO ALUMINUM WITH  
SIMILAR COPY AND THE ADDITZON OF AN ELECTRONIC READER  
BOARD FOR CHURCH AND COMMUNITY ANNOUNCEMENTS AND ACTIVITIES

13. Required information: (application will not move forward until all information is provided)

	Required	Existing	Requested
Front Setback	5'*	0'	0'
Side Setback			
Side Setback			
Rear Setback			
Building Coverage			
Open Space Requirements			
Impervious Surface			



\* Accessory Structure in Front Yard

14. Is Subject Property located within the Historic District? Yes \_\_\_\_\_ No X  
 If Yes, indicate date of HARC approval as well as the HARC Approval Number. Attach minutes of the meeting.

Date \_\_\_\_\_ HARC # \_\_\_\_\_

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

16. Will the work be within the dripline (canopy) of any tree on or off the property?  
 YES \_\_\_\_\_ NO X  
 If yes, provide date of landscape approval, and attach a copy of such approval.

**Check List**

*(to be completed by Planning Staff and Applicant at time of submittal)*

Applicant Initials	Staff Initials	<b>The following must be included with this application</b>
_____	<u>A</u>	Copy of the most recent recorded deed showing ownership and a legal description of the subject property
_____	<u>W</u>	Application Fee (to be determined according to fee schedule)
_____	<u>NA</u>	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
_____		Floor Plans of existing and proposed development (8.5 x 11)
_____		Copy of the most recent survey of the subject property
_____		Elevation drawings as measured from crown of road
_____		Stormwater management plan
_____		HARC Approval (if applicable)
_____		Notarized Verification Form
_____		A PDF or compatible electronic copy of the complete application on a compact disk

Please note that all architecture or engineering designs must be prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Two signed and sealed copies will be required at time of submittal.



## STANDARDS FOR CONSIDERING VARIANCES

Before any variance may be granted, the board of adjustment must find all of the following:

(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.

OUR EXISTING SIGN IS OVER 20 YEARS OLD + WAS DAMAGED BY HURRICANE WILMA IN 2005. IT IS IN NEED OF REPLACEMENT DUE TO THE DAMAGE AND AGE DETERIORATION.

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

THE SIGN HAS ALWAYS BEEN PROPERLY MAINTAINED INCLUDING REPAINTING WHEN NECESSARY. ITS CURRENT CONDITION IS SIMPLY THE RESULT OF AGE + WEATHER EXPOSURE.

(3) Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

REPLACEMENT OF THIS SIGN IS A REASONABLE REQUEST CONSIDERING ITS AGE + CONDITION. WE ARE NOT ASKING FOR ANY SPECIAL PRIVILEGES.

(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 ARE AN ACTIVE AND THRIVING CHURCH WITH MANY MINISTRIES OFFERED TO OUR CONGREGATION AND COMMUNITY AT LARGE. OUR PREFERENCE IS TO INSTALL A DIGITAL SIGN WHOSE MESSAGES CAN INFORM SAID TARGET GROUP OF THESE OPPORTUNITIES.

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

(6) Not injurious to the public welfare. That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

IT IS OUR DESIRE TO ENHANCE OUR COMMUNITY THROUGH BETTER INFORMING THEM OF OUR ACTIVITIES + EVENTS. FURTHERMORE, IF THIS VARIANCE WILL PERMIT A DIGITAL SIGN IT COULD BE USED TO PROVIDE PERTINENT INFORMATION AS PERTAINING TO AMSECCLETS, EVACUATIONS, ETC..

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

NOT APPLICABLE

- (b) The board of adjustment shall make factual findings regarding the following:
  - (1) That the standards established in subsection (a) have been met by the applicant for a variance.
  - (2) 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.

# Verification Form



**City of Key West  
Planning Department**



**Verification Form**  
*(Where Authorized Representative is an entity)*

I, Rev Ozzie VATER, in my capacity as SENIOR PASTOR  
(print name) (print position; president, managing member)  
of FIFTH STREET BAPTIST church  
(print name of entity serving as Authorized Representative)

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

1311 FIFTH STREET, Key West, FL 33040  
Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

Rev Ozzie VATER  
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this June 2, 2011 by  
date

Rev Ozzie VATER  
Name of Authorized Representative

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

[Signature]  
Notary's Signature and Seal

[Notary Seal]  
Name of Notary Public Underwriter

\_\_\_\_\_  
Commission Number, if any

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, Edward R. Boza (Trustee), being duly sworn, depose and say  
Name(s) of Applicant(s)

that: I am (check one) the \_\_\_ Owner \_\_\_ Owner's Legal Representative  
for the property identified as the subject matter of this application:

Fifth Street Baptist Church 1311 Fifth St Key West FL 33040  
Street Address and Commonly Used Name if any

All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

[Signature] Signature of Owner/Legal Representative  
[Signature] Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on 5/15/2011 (date) by  
EDUARDO BOZA (name). He/She is personally known to me or has  
presented \_\_\_\_\_ as identification.

[Signature]  
Notary's Signature and Seal



\_\_\_\_\_  
Name of Acknowledger typed, printed or stamped  
\_\_\_\_\_  
Title or Rank \_\_\_\_\_ Commission Number, if any

**Authorization Form**

**Authorization Form**

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

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

I, Edward R. Boza (Trustee) authorize  
Please Print Name(s) of Owner(s)

Rev. Ozzie S. VATER  
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the Board of Adjustment.

[Signature]  
Signature of Owner

n/a  
Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on 5/15/2011 (date) by

EDWARD R. BOZA  
Please Print Name of Affiant

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

[Signature]  
Notary's Signature and Seal

\_\_\_\_\_  
Name of Acknowledger printed or stamped



\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Commission Number, if any



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**No Events**      **No Name History**

**Detail by Officer/Registered Agent Name**

**Florida Non Profit Corporation**

THE FIFTH STREET BAPTIST CHURCH OF KEY WEST, INC.

**Filing Information**

**Document Number** 709640  
**FEI/EIN Number** 709640540  
**Date Filed** 09/23/1965  
**State** FL  
**Status** ACTIVE

**Principal Address**

1311 FIFTH STREET  
 KEY WEST FL 33040 US  
 Changed 03/08/2011

**Mailing Address**

1311 FIFTH STREET  
 KEY WEST FL 33040 US  
 Changed 03/08/2011

**Registered Agent Name & Address**

BOZA, EDWARD R SD  
 2226 HARRIS AVENUE  
 KEY WEST FL 33040 US  
 Name Changed: 05/13/2008

**Officer/Director Detail**

**Name & Address**

Title D  
 GIBSON, BEN  
 22808 PRIVATEER DRIVE  
 CUDJOE KEY FL 33042

Title SD  
 BOZA, EDWARD R  
 2226 HARRIS AVE  
 KEY WEST FL

Title T

FLENNER, SHIRLEY A  
84 KEY HAVEN ROAD  
KEY WEST FL 33040

Title D

LETO, DAROLD  
404 CACTUS DRIVE  
KEY WEST FL 33040

**Annual Reports**

**Report Year Filed Date**

2009	04/07/2009
2010	03/29/2010
2011	03/08/2011

**Document Images**

- [03/08/2011 -- ANNUAL REPORT](#) [View image in PDF format](#)
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- [02/01/1995 -- ANNUAL REPORT](#) [View image in PDF format](#)

**Note:** This is not official record. See documents if question or conflict.

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State of Florida, Department of State

**Deed**





William R. Neblett  
of the Law Office of  
NEBLETT AND SAUER  
8600 N. Roosevelt Blvd.  
KEY WEST, FLORIDA 33040

**CORRECTIVE**  
**Warranty Deed** (STATUTORY FORM — SECTION 689.02 F.S.)  
66555

This Indenture, Made this 5<sup>th</sup> day of May

THOMAS R. GIBSON and JULIA M. GIBSON, his wife,

of the County of Martin, State of Florida

THE FIFTH STREET BAPTIST CHURCH OF KEY WEST, INC.,

whose post office address is 2318 Fogarty Avenue, Key West,

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 (\$10.00) DOLLARS

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 said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lots One (1) and Two (2), in Square Thirty (30) in the Key West Realty Company's Subdivision of Tract Twenty-One (21) and Salt Pond Lots One (1), Two (2), Three (3), Four (4) and Five (5), on the Island of Key West, Monroe County, State of Florida, according to the plat of said subdivision recorded in Plat Book One (1), Page Forty-three (43), Monroe County, Florida Records.

This corrective deed is given to correct the grantee in deed dated January 22, 1969, filed January 28, 1969, in OFFICIAL RECORD BOOK 424, pages 526/527, public records of Monroe County, Florida in which the named grantees were "CHARLES W. HOUCHINS, LEONARD G. BLAIR and DONALD E. KIRCHNER, as Trustees of the Fifth Street Baptist Church". The said Fifth Street Baptist Church has been a duly registered non-profit corporation since the filing of Articles of Incorporation in the office of the Secretary of State of Florida on the 23rd day of September 1965, under the name of THE FIFTH STREET BAPTIST CHURCH OF KEY WEST, INC.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the 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:

*James H. ...*  
*William R. Neblett*

*Thomas R. Gibson* (Seal)  
*Julia M. Gibson* (Seal)

STATE OF FLORIDA  
COUNTY OF MARTIN

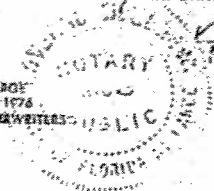
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared THOMAS R. GIBSON and JULIA M. GIBSON, his wife,

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 5<sup>th</sup> day of May 1975

My commission expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES NOV. 24, 1978  
BONDED THRU GENERAL INSURANCE UNDERWRITERS

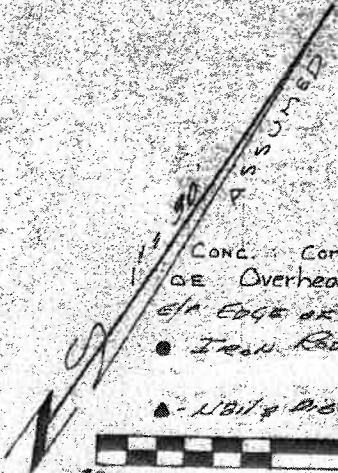


*James H. ...*  
Notary Public



FILED FOR RECORD  
MONROE COUNTY, FLORIDA  
1975 MAY -7 PM 1:08  
ALPHA STATE  
CLERK OF CIRCUIT COURT

# Survey

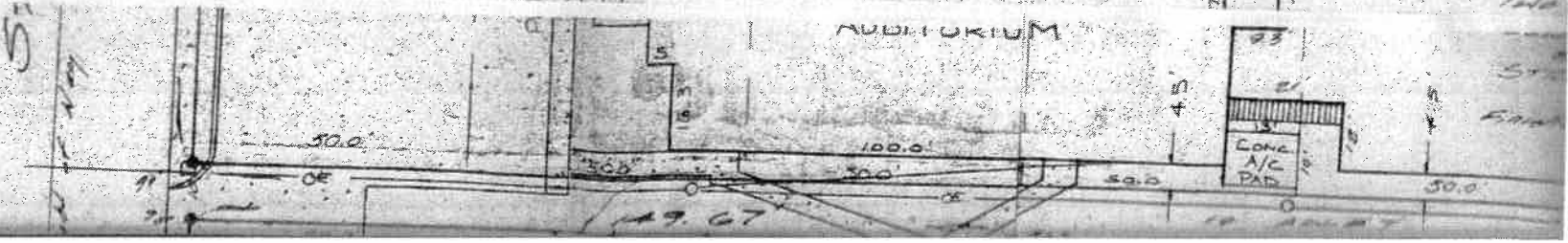
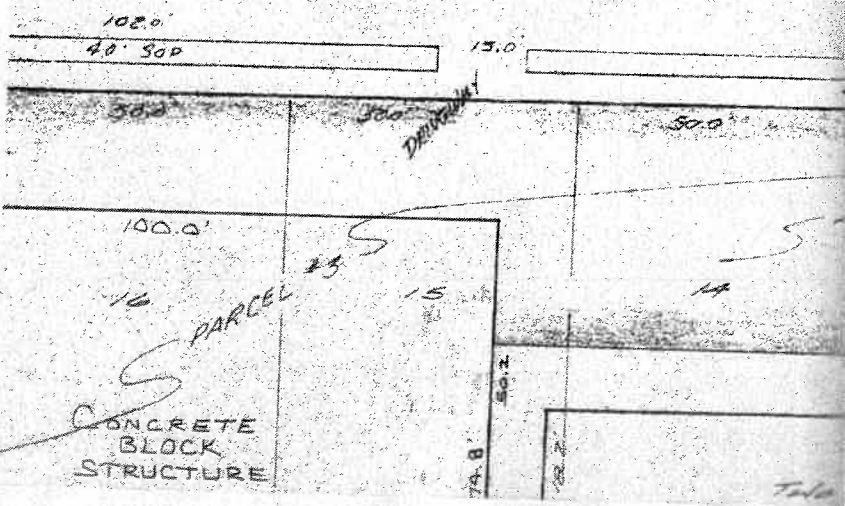
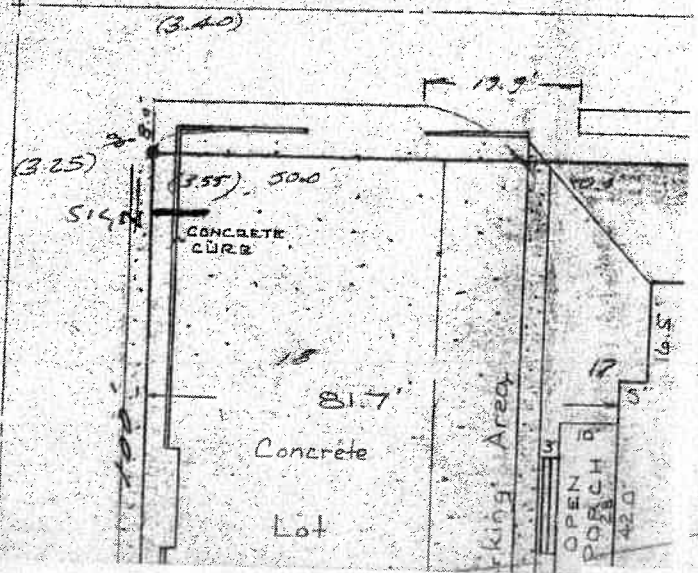


CONC. Concrete  
 OE Overhead Electric  
 EA EDGE OF PAVEMENT  
 ● IRON ROD FOUND  
 ● LIBIT & DISC FOUND

FOGART

Bench Mark  
 1/2" dia. in Wood Log  
 Point Pale Elev. =  
 (8.00) MSL

ELEVATIONS ARE SHOWN  
 IN PARENTHESSES AND  
 REFER TO MEAN SEA  
 LEVEL NGVD (1929)



**Elevation Drawings  
And  
Existing Location Photos**

DATE: 03/21/2011

FAX: 296-4020

EMAIL: Oscar.Rodriguez@bellsouth.net

INVOICE #: SO1278 v2

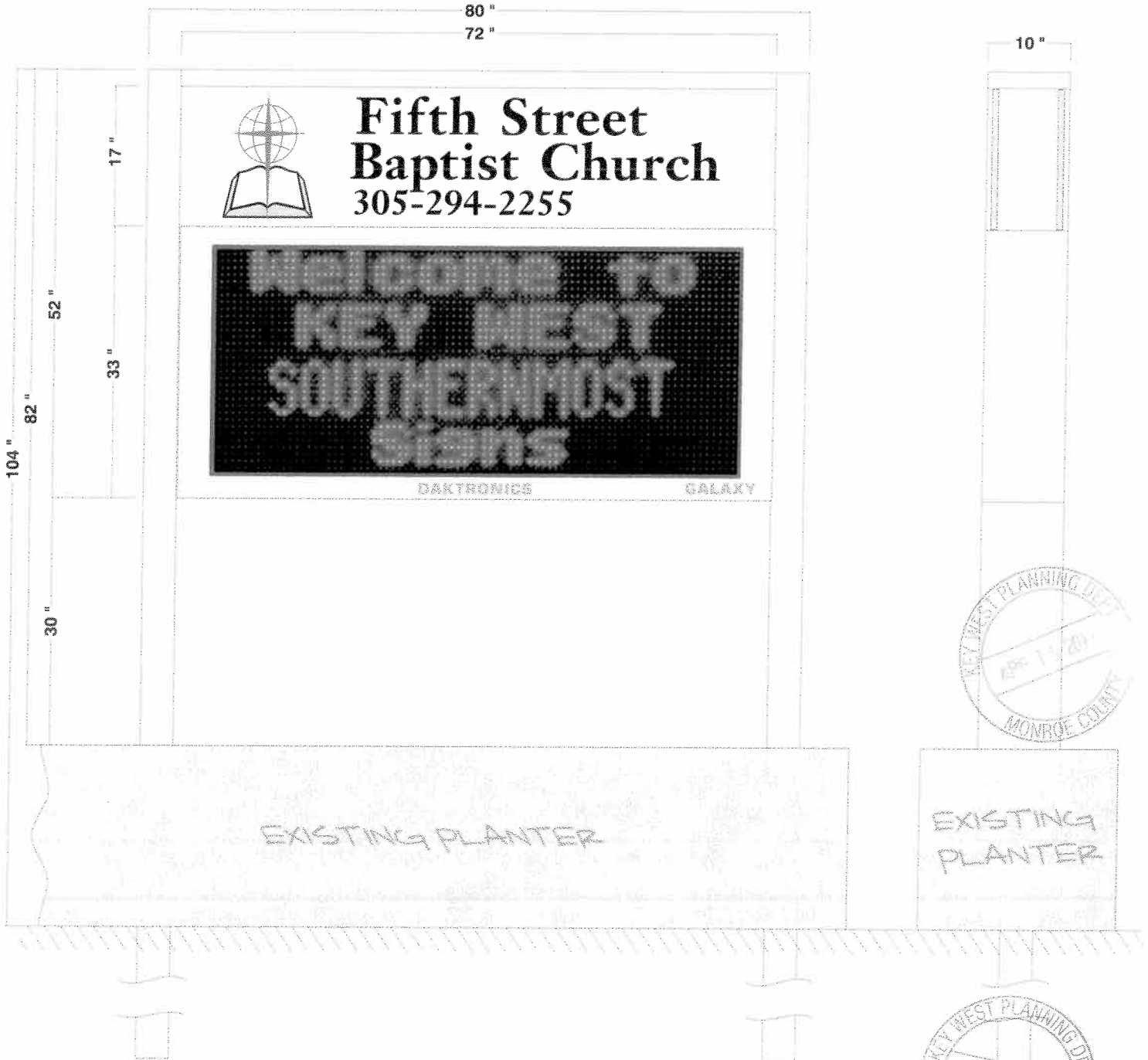
# Fifth Street Baptist Church

CONTACT: Oscar 395-2897



305-294-1877 FAX 305-295-6699  
smsigns@bellsouth.net www.SouthernmostSigns.com

Double-sided Post Sign, quantity = 1  
upper panel: 2 single-faced 72"w x 17"h x 3/4" PVC, white with applied copy  
lower section: Daktronics Galaxy AF-3500-32x80-R-DF display  
red LED, 4 lines of 16" characters max (5" letters), letter size range: 5" - 25"  
custom painted bezel and box, white  
posts: 2 12' 4x4x1/4" aluminum post, painted white, set 3' into cap rock



**Please fax back → X your signature**

**Client Signature - Approval to Fabricate**

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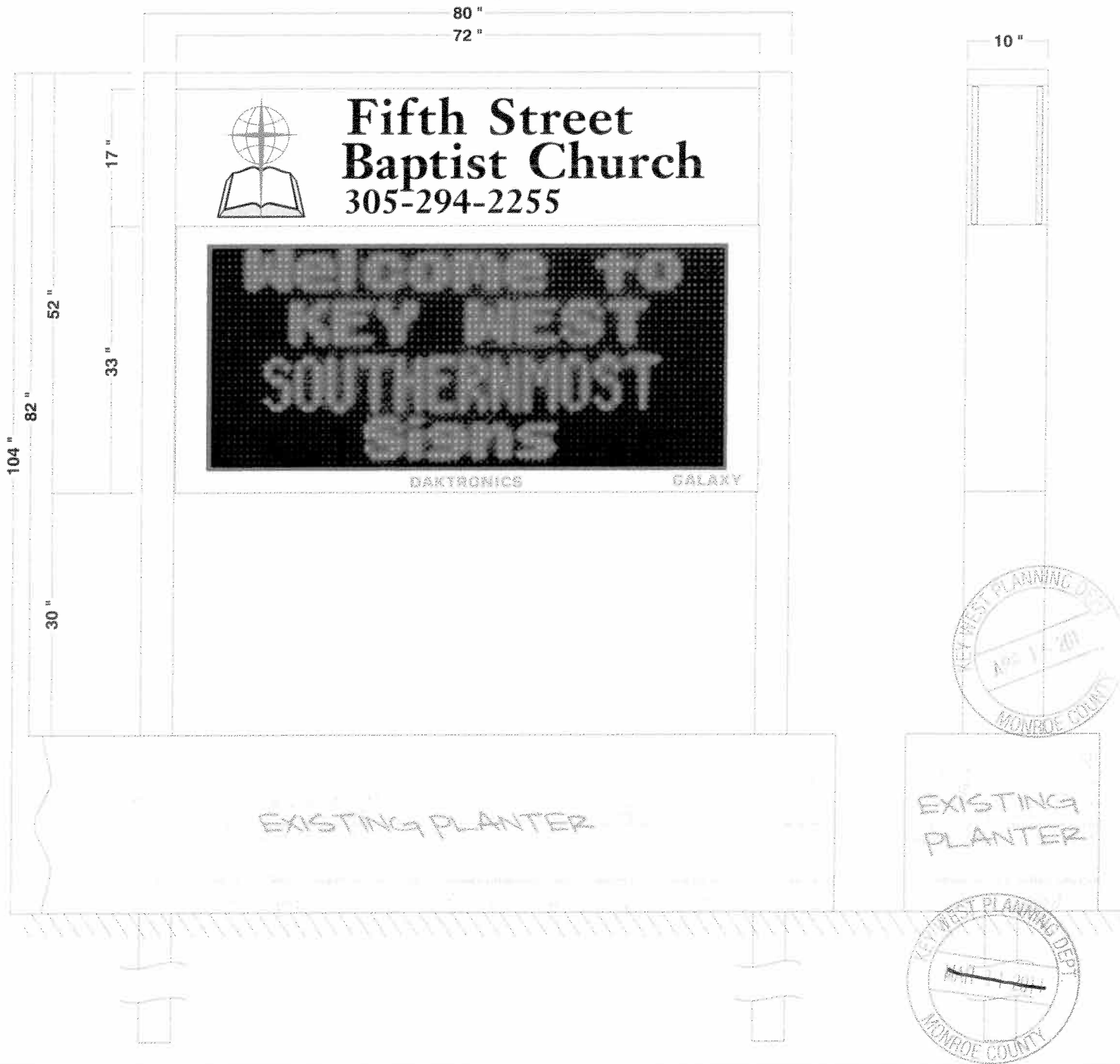
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**Please fax back →**  
**your signature**

**Client Signature - Approval to Fabricate**

# Proposed new post sign for Fifth Street Baptist Church

**SOUTHERNMOST**  
**SIGNS**  
305-294-1877 FAX 305-295-6699  
smsigns@bellsouth.net www.SouthernmostSigns.com

**Existing  
26 sqft  
Post  
Sign**



**New  
Post  
Sign  
(retains the  
same overall  
dimensions  
as original)**



# Proposed new post sign for Fifth Street Baptist Church



305-294-1877 FAX 305-295-6699  
smsigns@bellsouth.net www.SouthernmostSigns.com

**Existing Post Sign**  
(note illuminated post sign at church across the street)



**New Post Sign**  
(retains the same overall dimensions as original)





# Proposed new post sign for Fifth Street Baptist Church



305-294-1877 FAX 305-295-6699  
smsigns@bellsouth.net www.SouthernmostSigns.com



**New  
Post  
Sign**  
(retains the  
same overall  
dimensions  
as original)



# **Property Appraiser Information**

# Ervin A. Higgs, CFA Property Appraiser Monroe County, Florida

office (305) 292-3420  
fax (305) 292-3501

## Property Record View

Alternate Key: 1049492 Parcel ID: 00048900-000000

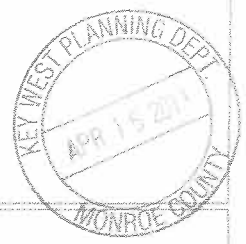
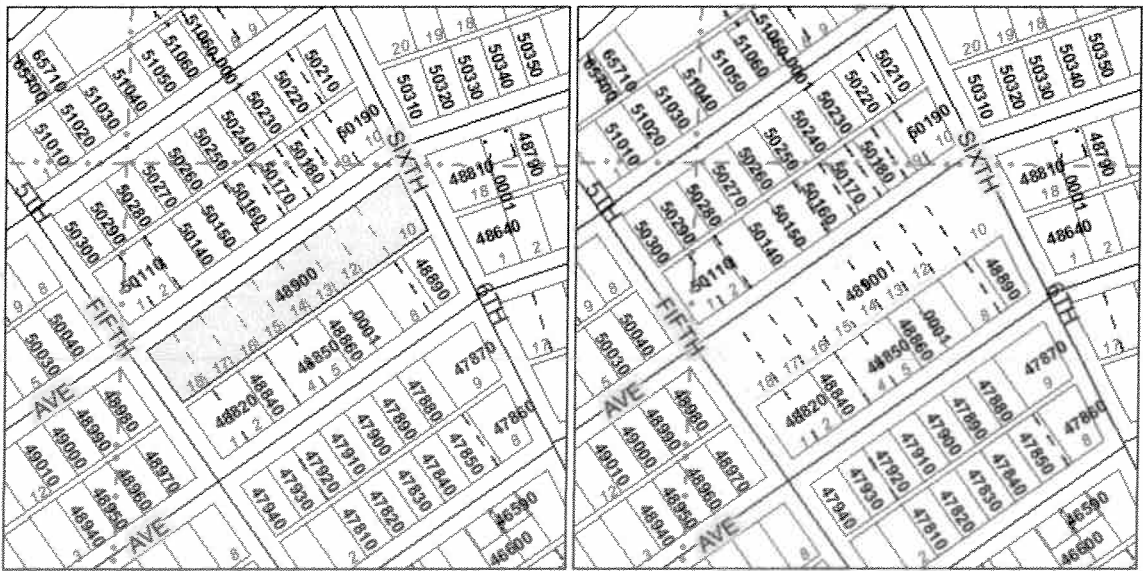
### Ownership Details

Mailing Address:  
TRUSTEES OF THE FIFTH  
1311 FIFTH ST  
KEY WEST, FL 33040

### Property Details

PC Code: 71 - CHURCHES  
Millage Group: 10KW  
Affordable Housing: No  
Section-Township-Range: 04-68-25  
Property Location: 2318 FOGARTY AVE KEY WEST  
Subdivision: Key West Realty Co's First Sub  
Legal Description: KW KW REALTYC COS FIRST SUB PB 1-43 LOTS 10 TO 18 SQR 30 TR 21 OR160-473 OR348-483-484 OR613-27 OR614-227-228

### Parcel Map



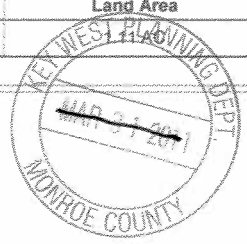
### Exemptions

Exemption	Amount
10 - RELIGIOUS	4,766,315.00

### Land Details

Land Use Code	Frontage	Depth	Land Area
100E - COMMERCIAL EXEMPT	484	100	

### Building Summary





- Legend
- Highlighted Feature
  - Real Estate Number
  - Parcel Lot Text
  - Dimension Text
  - Block Text
  - Point of Interest Text
  - ↘ Hooks/Leads
  - ↘ Lot Lines
  - ↘ Easements
  - ↘ Road Centerlines
  - ↘ Water Names
  - Parcels
  - ↘ Shoreline
  - ↘ Section Lines
  - 2006 Aerials

PALMIS

Monroe County Property Appraiser  
 500 Whitehead Street  
 Key West, FL

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Date Created: March 30, 2011 10:38 AM

**Public Notices**  
**(radius map & mailing list)**

# Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., September 15, 2011 at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Variance - 2318 Fogarty Avenue / 1311 Fifth Street (RE# 00048900-000000)** – A request for the required front yard setback for signage in the SF zoning district per Section 114-71 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at [www.keywestcity.com](http://www.keywestcity.com).

**YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY**

The City of Key West Planning Board will be holding a Public Hearing:

**Request: Variance - 2318 Fogarty Avenue / 1311 Fifth Street (RE# 00048900-000000) – A request for the required front yard setback for signage in the SF zoning district per Section 114-71 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

<b>Applicant:</b>	Trustees of the Fifth Street Baptist	<b>Owner:</b>	Fifth Street Baptist Church of Key West, Inc.
<b>Project Location:</b>	2318 Fogarty Ave / 1311 Fifth St	<b>Date of Hearing:</b>	Thursday, September 15, 2011
<b>Time of Hearing:</b>	6:00 PM	<b>Location of Hearing:</b>	Old City Hall, City Commission Chambers 510 Greene St

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. **Packets can be viewed online at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas.**

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email [ccowart@keywestcity.com](mailto:ccowart@keywestcity.com) .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

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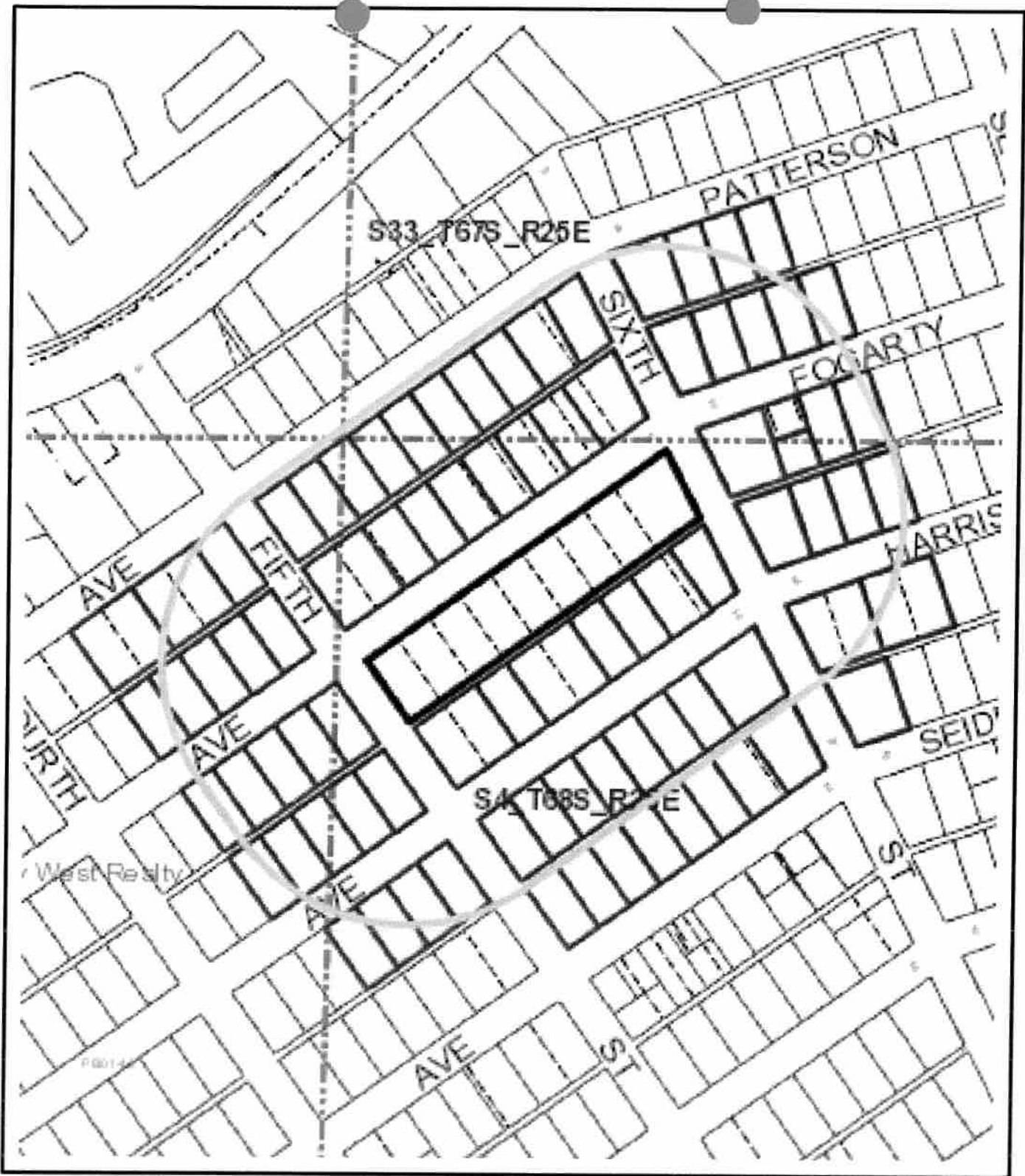
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## Monroe County, Florida

Printed: Sep 02, 2011 **2318 Fogarty / Fifth Street Baptist**

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	NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1	WILLIAMS MARILYN YVONNE	10 CYPRESS TER		KEY WEST	FL	33040	
2	WILSON MICHAEL B	1002 WASHINGTON ST		KEY WEST	FL	33040	
3	THE HUNTER N HARDEN LIVING TRUST 7/27/2011	1065 BOCA CHICA RD		KEY WEST	FL	33040-6343	
4	F AND A HOLDINGS LLC	117 KEY HAVEN RD		KEY WEST	FL	33040	
5	MELLIES NEIL S II AND ELIZABETH C	1229 5TH ST		KEY WEST	FL	33040	
6	HODGDON KATHRYN	1300 5TH ST		KEY WEST	FL	33040	
7	ASOR SAMI S	1301 SE 14TH DR		DEERFIELD BEACH	FL	33441	
8	BROWN JAMES DOUGLAS	1307 FLAGLER AVE		KEY WEST	FL	33040	
9	BUCKNER RITA L	1310 SUGARLOAF BLVD		SUGARLOAF KEY	FL	33042	
10	THE FIFTH STREET BAPTIST CHURCH OF KEY WEST INC	1311 FIFTH ST		KEY WEST	FL	33040	
11	PEREZ ERASTO AND HORTENSIA G TR DTD 12/13/93	1317 6TH ST		KEY WEST	FL	33040	
12	CRH-YLH 2307 LLC	13301 SW 204 ST		MIAMI	FL	33177	
13	O'HARA JOHN	155 1ST ST		NORTH EAST	MD	21901	
14	WARD ROBERT A	1600 RINCON DE AMIGOS		LAS CRUCES	NM	88012	
15	GIBBONS MICHAEL K	1620 BAHAMA DR		KEY WEST	FL	33040	
16	SHEPARDSON DAVID P	2208 FOGARTY AVE		KEY WEST	FL	33040	
17	CURRY DONALD R	2210 PATTERSON AVE		KEY WEST	FL	33040	
18	RENGIIL PRINCE AND WILLIANA	2211 FOGARTY AVE		KEY WEST	FL	33040-3807	
19	MOSS D MARK	2212 FOGARTY AVE		KEY WEST	FL	33040	
20	BERVALDI HOLLON R JR AND CHERYL M	2212 HARRIS AVE		KEY WEST	FL	33040	
21	HABECK JACKSON R AND SHELLY	2213 FOGARTY AVE		KEY WEST	FL	33040	
22	LEARY DENISE M	2213 HARRIS AVE		KEY WEST	FL	33040	
23	GIBSON SCOTT ANDREW	2215 FOGARTY AVE		KEY WEST	FL	33040	
24	MOORE WALLACE REID JR AND VALERIE A	2216 FOGARTY AVE		KEY WEST	FL	33040	
25	HAWTHORNE DAVID M AND ESMERALDA L/E	2216 HARRIS AVE		KEY WEST	FL	33040	
26	SLAUNWHITE DAVID	2217 FOGARTY AVE		KEY WEST	FL	33040	
27	FERNANDEZ ROBERT Y AND DOROTHY M	2217 YAUPON RD		TALLAHASSEE	FL	32303	
28	MALONE GERALDINE E	2220 FOGARTY AVE		KEY WEST	FL	33040	
29	HERNANDEZ GARY H	2221 HARRIS AVE		KEY WEST	FL	33040	
30	CABALLERO ARNALDO AND AIDA	2222 PATTERSON AVE		KEY WEST	FL	33040	
31	BOZA EDWARD R AND BELINDA L	2226 HARRIS AVE		KEY WEST	FL	33040	
32	SMITH CARSON LEE	2230 HARRIS AVE		KEY WEST	FL	33040	
33	OROPEZA CARLEEN A TRUSTEE	224 KEY HAVEN ROAD		KEY WEST	FL	33040	
34	LEAMARD WARREN	2300 HARRIS AVE		KEY WEST	FL	33040	

	NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35	CASTRO JOHN A AND MARIA D	2303 SEIDENBERG AVE		KEY WEST	FL	33040	
36	CASTRO JOHN ALLEN	2303 SEIDENBERG AVE		KEY WEST	FL	33040	
37	MCCOURT MICHAEL AND ROSEMARY	2304 HARRIS AVE		KEY WEST	FL	33040	
38	PLANELL MELISSA L	2304 PATTERSON AVE		KEY WEST	FL	33040-3816	
39	FRANCO RAUL	2305 SEIDENBERG AVE		KEY WEST	FL	33040	
40	PISCOPIK DENNIS AND KYLA M	2306 PATTERSON AVE		KEY WEST	FL	33040	
41	LOGUN FAYE	2310 PATTERSON AVE		KEY WEST	FL	33040	
42	LOGUN FAYE G	2310 PATTERSON AVE		KEY WEST	FL	33040	
43	CABALEIRO MARTA	2311 FOGARTY AVE		KEY WEST	FL	33040	
44	NESS LARS	2311 SEIDENBERG AVE		KEY WEST	FL	33040	
45	SUMMERS MARILYN P LIV TR 10/17/97	2312 PATTERSON AVE		KEY WEST	FL	33040	
46	HOVEY WENDY J	2313 FOGARTY AVE		KEY WEST	FL	33040	
47	HARDEN MICHAEL C	2316 PATTERSON AVE		KEY WEST	FL	33040	
48	TIBBETTS FREDERICK M III	2317 FOGARTY AVE		KEY WEST	FL	33040	
49	PHELPS JAMES ALLEN AND MARIA A	2318 PATTERSON AVE		KEY WEST	FL	33040	
50	KUKODA JIM	2319 HARRIS AVE		KEY WEST	FL	33040	
51	PERINA ANNE M	2320 HARRIS AVE		KEY WEST	FL	33040	
52	SANDRIE ROSE	2321 FOGARTY AVE		KEY WEST	FL	33040	
53	MCGRAW WILLIAM B	2322 HARRIS AVE		KEY WEST	FL	33040	
54	BERZELLINI MICHAEL	2324 HARRIS AVE		KEY WEST	FL	33040	
55	CONNOLLY ZITA	2325 SEIDENBERG AVE		KEY WEST	FL	33040	
56	MCPMAHON GAIL PRATHER L/E	2326 HARRIS AVE		KEY WEST	FL	33040	
57	PAUL MABEL M R/S	2328 HARRIS AVE		KEY WEST	FL	33040	
58	SHIMP TERRY S AND CATHY A	2329 FOGARTY AVE		KEY WEST	FL	33040-3809	
59	EVANS GLENN A JR	2400 PATTERSON AVE		KEY WEST	FL	33040	
60	HARPIN PATRICK W AND JENNIFER A	2401 FOGARTY AVE		KEY WEST	FL	33040	
61	RAMIREZ JOSE LUIS	2401 HARRIS AVE		KEY WEST	FL	33040	
62	GREENWOOD WILLIAM H AND KATHLEEN	2401 SEIDENBERG AVE		KEY WEST	FL	33040	
63	POWELL RICHARD B AND BONNIE G	2404 PATTERSON AVE		KEY WEST	FL	33040	
64	FERGUS PERRY AND ANN	2405 FOGARTY AVE		KEY WEST	FL	33040	
65	HARRIS AVENUE CONDOMINIUM	2406-2410 HARRIS AVE		KEY WEST	FL	33040	
66	SPENCER JACK F AND VICTORIA	2408 FOGARTY AVE		KEY WEST	FL	33040	
67	BLATT C CHANCE	2409 FOGARTY AVE		KEY WEST	FL	33040	
68	NELSON JOEL R AND DONNA	2409 HARRIS AVE		KEY WEST	FL	33040	

	NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
69	RIVERA HANNIA A	2412 FOGARTY AVE		KEY WEST	FL	33040	
70	MCINNIS SHELLEY E	2412 PATTERSON AVE		KEY WEST	FL	33040	
71	HULL OPHELIA	2415 FOGARTY AVE		KEY WEST	FL	33040	
72	GIL ANTONIO JR AND MELBA	2417 FOGARTY AVE		KEY WEST	FL	33040	
73	SIVLEY ALEXANDRA	2417 HARRIS AVE		KEY WEST	FL	33040	
74	GALBRAITH MARTHA A ESTATE	258 GOODMAN HILL RD		SUDBURY	MA	01776-2414	
75	CITIBANK NA	400 COUNTRYWIDE WAY		SIMI VALLEY	CA	93065-6298	
76	PERELMAN ALAN	444 W 35TH ST APT 14A		NEW YORK	NY	10001-1553	
77	GASSEN REGINALD T/C	6438 CITY WEST PKWY		EDEN PRAIRIE	MN	55344-3245	
78	MARSTON THOMAS G	P O BOX 1144		KEY WEST	FL	33040	
79	LUKNIS KAREN	P O BOX 1603		KEY WEST	FL	33041-1603	
80	DISSON ADAM	P O BOX 2627		KEY WEST	FL	33045	
81	EBBITT DONALD T	P O BOX 991		KEY WEST	FL	33041	
82	WOOD WILLIAM F AND ROBIN J	PO BOX 4087		KEY WEST	FL	33041-4087	
83	VASQUEZ JOLEE A	PO BOX 41		KEY WEST	FL	33041	