

August 17, 2011

Ms. Cheri Smith, City Clerk
City of Key West
525 Angela Street
Key West, FL 33040



**RE: 730 Southard Street Variance
August 18, 2011 Meeting Agenda Item #4**

Dear Ms. Smith,

Please read and enter this letter into the public record.

This application involves two issues: the 66% Rule and setbacks for a new garage attached to the house.

The requirement to obtain variances for proposed renovations that exceed 66% of the value of the structure is in direct conflict with other City requirements to protect our historic structures. It is common that renovations of historic structures exceed 66% of the value of the original structure. Therefore, variances are routinely granted for these items. I recommend that the L.D.R.'s be amended to exempt historic structures. Such action will reduce the Planning Department's work load and associated costs for both the City and the applicant.

The second issue deals with the garage and attached pantry. Its configuration, attached to the main building, triggers the need for a variance. It is important to note that if the garage had been detached from the main structure, the 66% Rule notwithstanding, it would have been an accessory structure and no variance would have been required. However, this is a unique property and an extremely valuable historic resource. While the garage is technically in the rear yard and a variance could easily have been avoided, this location reads as a side yard on the William Street elevation. As such, it complies with setback requirements for side yards. Therefore, I have no objections and support approval of this request.

Sincerely,



Bert L. Bender, Architect

BLB/ddk

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