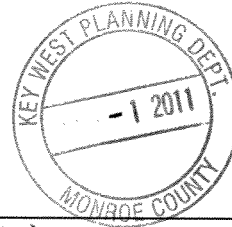


Application

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 313 Truman Ave
2. Name of Applicant Carlos Rojas AIA
3. Applicant is: Owner Authorized Representative
(attached Authorization Form must be completed)
4. Address of Applicant 816 South St #2 Key West
5. Phone # of Applicant _____ Mobile# 9233567 Fax# _____
6. E-Mail Address ArchitectKW@hotmail.com
7. Name of Owner, if different than above James Haller
8. Address of Owner 313 Truman Ave
9. Phone Number of Owner 2924870 Fax# _____
10. Email Address Jt@ABSCconsulting.com
11. Zoning District of Parcel H RE# _____
12. Description of Proposed Construction, Development, and Use

Bedroom + Bath + Deck expansion of an existing nonconformity

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

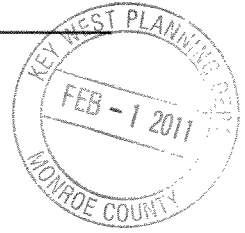
	Required	Existing	Requested
Front Setback	10'	6'-7"	6'-7"
Side Setback	5'	3'-3"	3'-3"
Side Setback	street side 7.5'	3'-3" 18'	3'-3" 8'
Rear Setback	15'	6'-5"	6'-5"
Building Coverage	40% Allowed	1032/1067 exist	1139 (+72)
Open Space Requirements	—	—	—
Impervious Surface	60% Allowed	54%	58%

14. Is Subject Property located within the Historic District? Yes No
 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 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
 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	The following must be included with this application
_____	_____	Copy of the most recent recorded deed showing ownership and a legal description of the subject property
<u>mg</u>	_____	Application Fee (to be determined according to fee schedule)
<u>mt</u>	_____	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
<u>mt</u>	_____	Floor Plans of existing and proposed development (8.5 x 11)
<u>upx</u>	_____	Copy of the most recent survey of the subject property
<u>mt</u>	_____	Elevation drawings as measured from crown of road
<u>/</u>	_____	Stormwater management plan
<u>W1</u>	_____	HARC Approval (if applicable)
<u>/</u>	_____	Notarized Verification Form
<u>/</u>	_____	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 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.

Undersized Lot. existing nonconformity. corner Lot
Historic renovation. small House needs room.

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

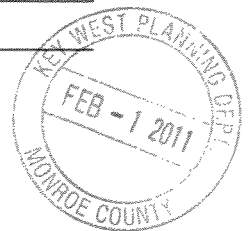
Under sized Lot. Existing Historic Structure.
existing tree. corner Lot

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.

Request is modest scope + size. most
structures in this area do not fit with the
CDR's.

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.

existing Historic Structure is non conforming.
Undersized Lot. corner Lot.



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.

Very small, short Addition - HARC Approved.
Minimum Amenities - A bedroom + A deck.

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.

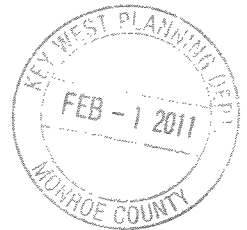
does not harm the public welfare.
Neighbor doesn't mind.

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.

HAVE NOT COMPARED TO OTHER PROPERTIES

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.



Verification Form

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member 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, Carlos Rojas, 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:

313 Truman Ave
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.

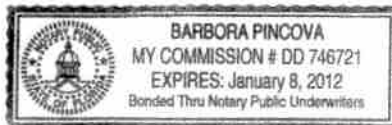
[Signature]
Signature of Owner/Legal Representative

[Signature]
Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on 1/31/2011 (date) by
CARLOS OCTAVIO ROJAS JR (name). He/She is personally known to me or has

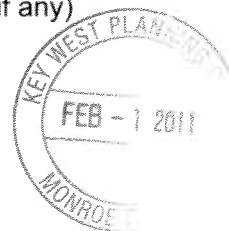
presented DRIVER LICENSE as identification.

[Signature]
Notary's Signature and Seal



PINCOVA BARBORA Name of Acknowledger typed, printed or stamped

NOTARY Title or Rank DD 746721 Commission Number (if any)



Authorization Form

Authorization Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member 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, James Thaller authorize
Please Print Name(s) of Owner(s)

Carlos Rojas
Please Print Name of Representative

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

Signature of Owner Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on 1/31/11 (date) by
JAMES T THALLER
Please Print Name of Affiant

He/She is personally known to me or has presented US PASSPORT as identification.

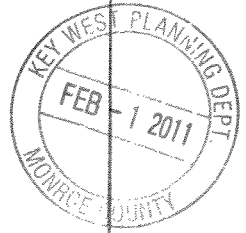
Notary's Signature and Seal

My Commission
EXPIRES July 17, 2014

JAMES R. CUNNINGHAM Name of Acknowledger printed or stamped

Title or Rank

Commission Number (if any)



Deed

Return Original Document to:
FIRST AMERICAN TITLE
WARRENVILLE POST CLOSING
27775 Diehl Rd.
Warrenville, IL 60555

Doc# 1768759 12/02/2009 9:59AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Prepared by
Mendy Walden, an employee of
First American Title Insurance Company
3132 Northside Drive, Suite 101, Building C
Key West, Florida 33040
(877)928-4853

12/02/2009 9:59AM
DEED DOC STAMP CL: TRINA \$1,680.00

Doc# 1768759
Bk# 2442 Pg# 1411

Return to: Grantee

File No.: 1064-2199284

Florida
Monroe

WARRANTY DEED

Made this November 11, of 2009 by and between

Andrew E. Richardson, a single person

whose address is: **313 Truman Avenue, Key West, FL 33040**
hereinafter called the "grantor", to

James T. Thaller, a single person

whose post office address is: **33 Newark Pomton Turnpike, Riverdale, NJ 07457**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Monroe** County, **Florida**, to-wit:

On the ISLAND OF KEY WEST, AND KNOWN AS WILLIAM A. WHITEHEAD'S map of said Island delineated in February, A.D. 1829 as a part of Lot Nine (9) in Square Three (3) of Tract Three (3), COMMENCING at the intersection of the Northwesterly right of way line of Truman Avenue with the Southwesterly right of way line of Terry Lane for the Point of Beginning, and run thence Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 75.00 feet; thence continue Northwesterly and at right angles for a distance of 58.33 feet; thence Northeasterly and at right angles for a distance of 75.00 feet; thence Southeasterly for a distance of 58.33 feet back to the Point of Beginning.



LESS AND EXCEPT the following described property: On the ISLAND OF KEY WEST, AND KNOWN AS WILLIAM A. WHITEHEAD'S map of said Island delineated in February, A.D. 1829 as a part of Lot Nine (9) in Square Three (3) of Tract Three (3), COMMENCING at the intersection of the Northwesterly right of way line of Truman Avenue with the Southerly right of way line of Terry Lane and run thence Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 44.15 feet to the Point of Beginning; thence continue Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 30.85 feet; thence Northwesterly and at right angles for a distance of 45.33 feet; thence Northeasterly and at right angles for a distance of 3.70 feet; thence Northwesterly and at right angles for a distance of 13.00 feet; thence Northeasterly and at right angles for a distance of 27.06 feet; thence Southeasterly with a deflection angle of 89°54'22" to the right and along a line that is 0.30 feet Northeasterly of an existing one story frame and concrete block structure and extensions thereof for a distance of 58.33 feet back to the Point of Beginning.

Parcel Identification Number: **0001494000000066825**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee 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; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2009.

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



Andrew E. Richardson
Andrew E. Richardson

Signed, sealed and delivered in the presence of these witnesses:

[Signature]
Witness Signature

Print Name: MELINDA A WALDEN

[Signature]
Witness Signature

Print Name: CLIFFORD P. PACE

State of Florida

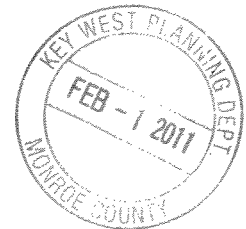
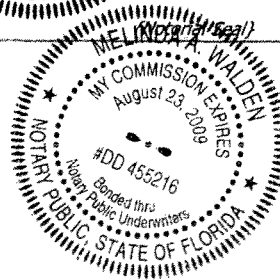
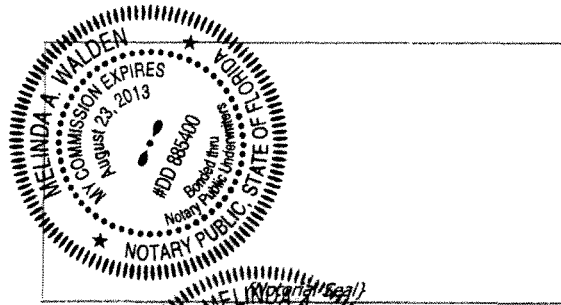
County of Monroe

The foregoing instrument was acknowledged before me on Nov. 3, 2009, by **Andrew E. Richardson, a single person** who is/are personally known to me or who has/have produced a valid driver's license as identification.

[Signature]
Notary Public

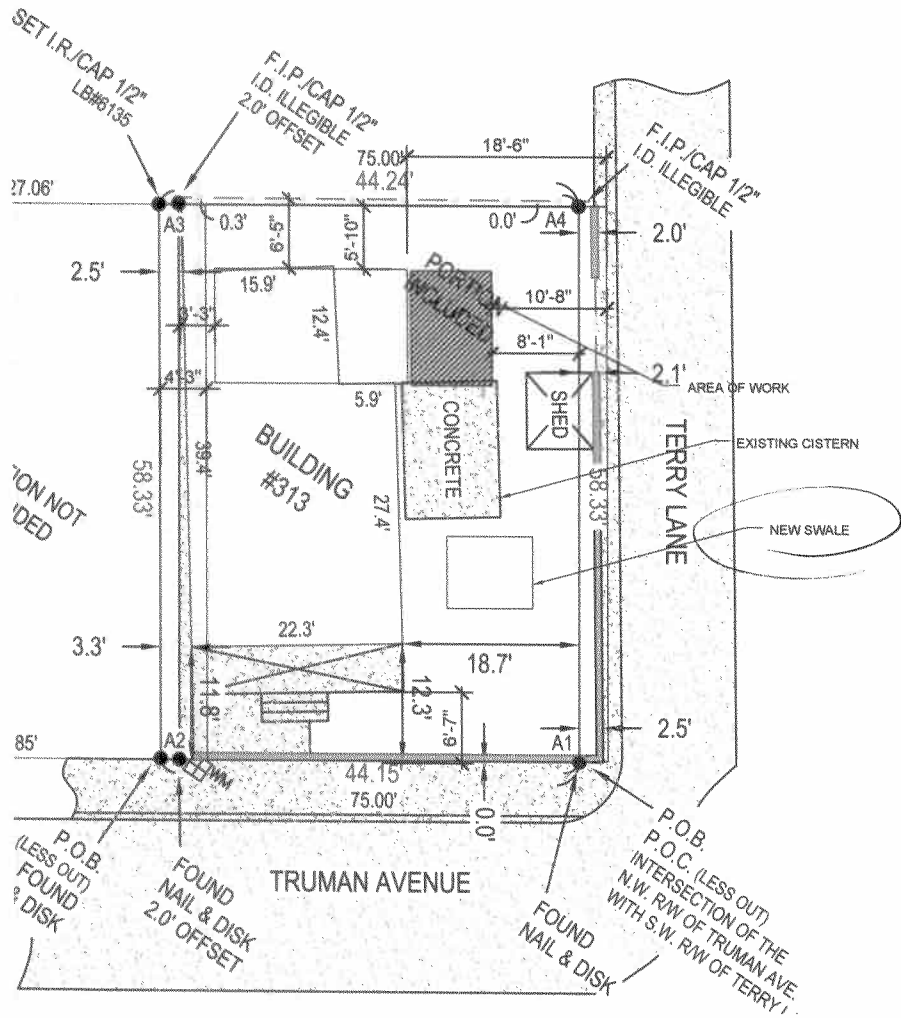
(Printed Name)

My Commission expires: _____



MONROE COUNTY
OFFICIAL RECORDS

Site Plans



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

GENERAL SCOPE OF WORK

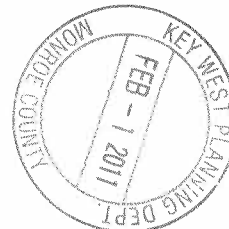
THIS PROJECT CONSISTS OF THE REMODELING OF AN EXISTING STRUCTURE IN THE HISTORIC SECTION OF KEY WEST. THE REAR OF THE STRUCTURE CONSISTS OF SEVERAL ADDITIONS DONE OVER A PERIOD OF YEARS.

1. RECONFIGURE WINDOWS ON RIGHT SIDE OF NEW ADDITION.
2. BUILD 2 STOREY PORCH.

NOTE: THIS IS A GENERAL SCOPE OF WORK AND DOES NOT DESCRIBE ALL THE TASKS REQUIRED TO ACCOMPLISH THESE MAJOR ITEMS. THERE IS AN ADDITION TO THE FOOTPRINT.

STORMWATER DRAINAGE PLAN

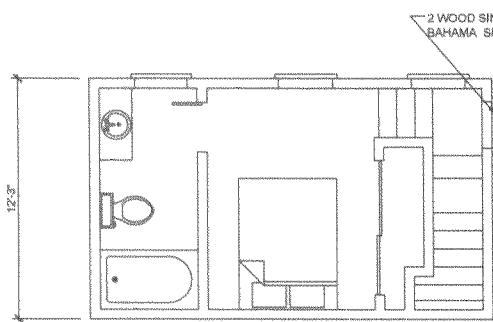
EXISTING ROOF RUNOFF TO BE COLLECTED BY GUTTERS AND DIRECTED INTO EXISTING CISTERN. NEW ROOF RUNOFF SHALL BE COLLECTED BY GUTTERS AND DIRECTED TO A 25 CUBIC FOOT SWALE AS SHOWN IN THE DRAWING.



Joseph J. Schroeder
 Owner
 Member of Key West Business Guild

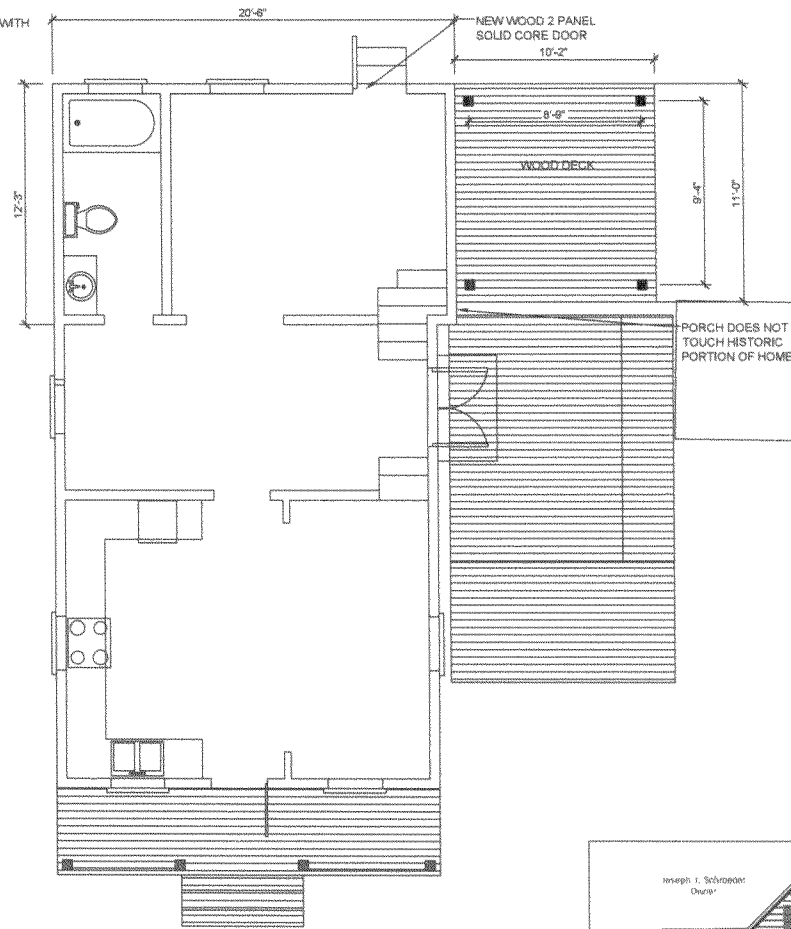
SCHROEDER
 BUILDERS

Office: (305) 293-9600 Fax: (305) 293-9644
 3019 Truman Ave., Key West, FL 33040
 LIC #CB0-050032 schroedjw@aol.com




PROPOSED 2ND FLOOR PLAN
 1/4" = 1'-0"

2 WOOD SINGLE LITE DOORS WITH BAHAMA SHUTTERS



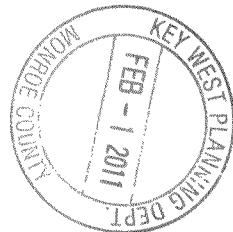

PROPOSED 1ST FLOOR PLAN
 1/4" = 1'-0"

Joseph J. Schroeder
 Owner

Member of Key West
 Business Guild


SCHROEDER
 BUILDERS

Office: (305) 263-1833 Fax: (305) 263-9644
 1115 DuPont Ave., Key West, FL 33040
 Lic #CFC-050032 schroeder@jpc.com



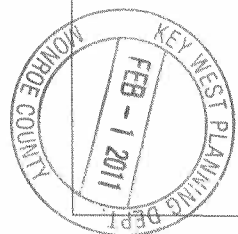
PORCH DOES NOT TOUCH HISTORIC PORTION OF HOME



RIGHT ELEVATION
1/4"=1'-0"



LEFT ELEVATION
1/4"=1'-0"



Joseph J. Schroeder
Owner

Member of Key West
Historical Guild

SCHROEDER
ARCHITECTURE

Office: (305) 293-9820 Fax: (305) 293-9844
1013 Turner Ave., Key West, FL 33040
LIC #C80000002E schroeder@keywest.com

Survey

Boundary Survey

153331

LEGAL DESCRIPTION: (AS FURNISHED)

On the Island of Key West, and known as William A. Whitehead's map of said Island delineated in February, A.D. 1829 as a part of Lot Nine in Square Three of Tract Three, Commencing at the intersection of the Northwesterly right of way line of Truman Avenue with the Southwesterly right of way line of Terry Lane and run thence Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 75.00 feet; thence continue Northwesterly and at right angles for a distance of 58.33 feet; thence Northeasterly and at right angles for a distance of 75.00 feet; thence Southeasterly for a distance of 58.33 feet back to the Point of Beginning.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

On the Island of Key West, and known as William A. Whitehead's map of said Island delineated in February, A.D. 1829 as a part of Lot Nine in Square Three of Tract Three, Commencing at the intersection of the Northwesterly right of way line of Truman Avenue with the Southwesterly right of way line of Terry Lane and run thence Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 44.15 feet to the Point of Beginning; thence continue Southwesterly along the Northwesterly right of way line of the said Truman Avenue for a distance of 30.85 feet; thence Northwesterly and at right angles for a distance of 45.33 feet; thence Northeasterly and at right angles for a distance of 3.70 feet, thence Northwesterly and at right angles for a distance of 13.00 feet; thence Northeasterly and at right angles for a distance of 27.06 feet; thence Southeasterly with a deflection angle of 89°54'22" to the right and along a line that is 0.30 feet Northeasterly of an existing one story frame and concrete block structure and extensions thereof for a distance of 58.33 feet back to the Point of Beginning.



RLS #: 09-09-0206
 CLIENT #: 1064-2195284
 FIELD DATE: 09.17.09
 DRAFTER: S.J.D.
 APPROVED: C.O.M.
 SCALE: 1" = 20'

ADDRESS

313 TRUMAN AVENUE
 KEY WEST, FLORIDA 33040

LEGAL DESCRIPTION: (AS FURNISHED)

SEE ABOVE

BASIS OF BEARINGS: The angles shown hereon are based upon the most Easterly corner of subject property, having a bead angle of 90°00'00".

LIST OF POSSIBLE ENCROACHMENTS: AS SHOWN (if applicable)

SURVEYOR INFORMATION:

SURVEYOR FILE NUMBER: Your Job Number

The Certified Registered Professional Land Surveyor signing this survey plan certifies the accuracy and sufficiency of the survey attached hereto.

CERTIFIED TO: (AS FURNISHED)

First American Title Insurance Company
 Andrew E. Richardson
 James Thaller

NOTES

1. UNDERGROUND UTILITY INST. ALLIATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY.
2. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LEGEND

AC: AIR CONDITIONER	OP: OVERHEAD UTILITY LINE
BLDG.: BUILDING	P-1: PLATTED
CL: CALCULATED	P.C.: POINT OF CURVATURE
C.B.: CHAIN BEARING	P.O.B.: POINT OF BEGINNING
CBW: CONCRETE BLOCK WALL	P.O.C.: POINT OF COMMENCEMENT
C: CENTERLINE	P.P.: POWER POLE
CA: CORNER NOT ACCESSIBLE	P.R.C.: POINT OF REVERSE CURVATURE
CONC.: CONCRETE	P.R.M.: PERMANENT REFERENCE MONUMENT
COV: COVERED	RM: RIGHT OF WAY
C.S.: CONCRETE SLAB	SW: SIDEWALK
D: DESCRIPTION	C.F.: CHAIN LINK FENCE
D.W.: DRIVEWAY	WF: WOOD FENCE
DA: DRIVEWAY	
MA: MEASURED	

FLOOD ZONE
 (FOR INFORMATIONAL PURPOSES ONLY)
 SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X" AREA OF MINOR FLOODING PER F.A.R.A. PANEL NUMBER 2008-01-01-01. LAST REVISION DATE 04/15/08. THIS SURVEY MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

RESIDENTIAL LAND SERVICES
 FOR ALL INQUIRIES CONTACT:
 RLS
 rls.info@rlsnow.com
 (405)378-5800
 Form 6.7

SURVEYOR'S CERTIFICATE

I hereby certify that the survey represented hereon meets the minimum technical standards for land surveys in Florida. As set forth in Chapter 61G 17-6, Florida administrative code, Pursuant to Chapter 61G 17-6, Florida statutes.



SURVEYOR'S NAME DATED:
 Clyde O. McNeal 09.28.09

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

DATE REVISION DATE REVISION

Reviewed & Accepted by: _____ Date _____ / _____ Date _____