

# **APPLICATION**



# VARIANCE AND AFTER THE FACT VARIANCE APPLICATION

CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

Application Fee Schedule	
Variance Application Fee	\$ 2,431.01
Advertising and Noticing Fee	\$ 341.78
Fire Department Review Fee	\$ 121.55
Total Application Fee	\$ 2,894.34

After the Fact Application Fee Schedule	
After the Fact Variance Application Fee	\$ 4,862.03
Advertising and Noticing Fee	\$ 341.78
Fire Department Review Fee	\$ 121.55
Total Application Fee	\$ 5,325.35

## **Please read the following carefully before filling out the application**

This application and all required attachments should be submitted to the City Planning Department at 1300 White Street.

- Owners and applicants are notified of their scheduled Planning Board hearing date.
- Attendance at the formal public hearing is mandatory.
- Notice of Public Meeting is published in the newspaper.
- Owners of property within 300 feet of the subject property or parcels are notified by mail.
- Notice of the public hearing will be posted on the property and must be left up until after the hearing.
- 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 of the hearing.

## **Application Process**

- Prior to submittal, the applicant will schedule a pre-application meeting with staff to review the application and suggest any modifications that may be necessary before submittal. A pre-application meeting is free of charge and should be the final step before submittal. To schedule a pre-application meeting, please call the Planning Department at (305) 809-3764.
- After submittal, the application will be reviewed by staff and additional modifications to the site plan may be necessary at that time. Any modifications within eight (8) days of the scheduled Planning Board meeting may result in the item being postponed till the following Planning Board meeting.
- The applicant will be responsible for submitting a landscape approval letter from the Urban Forestry Program Manager and a Stormwater approval letter from the Director of Engineering.
- **When the application is determined to be complete**, it will be brought forth to the Planning Board. If the application is approved, there is a 10-day appeal period.
- After the 10-day appeal period, the application will be sent to the Department of Environmental Opportunity (DEO) for rendering. The rendering period is 45 days.

**Please include the following with this application:**

1. A copy of the most recent warranty deed with the Book and Page numbers from the office of the Clerk of Circuit Court for Monroe County containing a legal description of the subject parcel. The application forms must be signed by all owners listed on the deed. For business/corporate ownership, please attach authorization for name of executive authorized to make the application.
2. An application fee is determined according to the attached fee schedule. Make the check payable to the City of Key West and include the site address on the memo portion of the check. Be advised that upon review by the Planning Department, additional or fewer variances may be required necessitating a different fee.
3. Sign and Sealed site plan(s) of the subject site, indicating the following:
  - a. **Existing and proposed** lot coverage including buildings, pools, spas, driveways and other walkways, patios, porches, covered areas, and decks.
  - b. Location and identification/names of existing trees of 3.5 inches diameter or greater on the property or extending over the proposed work (including access routes and stormwater areas). Please provide photos.
  - c. All proposed changes to what exist, including those which make the variance(s) necessary.
  - d. Lot dimensions on all drawings and the distance from all property lines of all existing and proposed structures.
  - e. Dimensions (**existing and proposed**) of all the items in (a) above, including the height and number of stories of the structure.
  - f. Parking spaces and dimensions (**existing and proposed**).
  - g. Easements or other encumbrances on the property.
4. A survey of the property no more than ten years old
5. Elevation drawings or proposed structures, indicating finished height above established grade as measured from crown of road
6. Floor Plans of existing and proposed development
7. Stormwater management plan
8. PDF version of application and all required materials submitted to the Planning Department

The attached Verification and Authorization Forms must be notarized. This can be done at City Hall or the Planning Department. Identification is required. An out-of-state notarization is acceptable, if necessary.

**Make sure that the applicable application and authorization forms are signed by all people listed as owners on the recorded Warranty Deed.**

Be advised that the City will not grant a variance unless the City Impact Fees of sewer and solid waste services are paid in full.

For assistance, please call the Planning Department at (305) 809-3764.



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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 305-809-3764.

**PROPERTY DESCRIPTION:**

Site Address: 2509 Fogarty Avenue

Zoning District: SF

Real Estate (RE) #: 000 505 50 - 000000

Property located within the Historic District?  Yes  No

**APPLICANT:**

Owner  Authorized Representative

Name: Carlos Rojas Mailing Address: 2012 Roosevelt Dr

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 3059233567 Office: SAME Fax: N/A

Email: ArchitectKW@hotmail.com

**PROPERTY OWNER:** (if different than above)

Name: Vasil Jolev, Maja Stamenovska Mailing Address: 2509 Fogarty Ave

City: Key West State: FL Zip: 33046

Home/Mobile Phone: 305-240-3357 Office: / Fax: /

Email: VASILJOLEV@gmail.com

Description of Proposed Construction, Development, and Use: \_\_\_\_\_

Accessory structure / Mother in law unit

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

Building Coverage 330 sqft over



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

If yes, please describe and attach relevant documents: \_\_\_\_\_

10' Alley. See Survey

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		See Drawings		
Flood Zone				
Size of Site				
Height				
Front Setback		SITE CONDITIONS CHART		
Side Setback				
Side Setback				
Street Side Setback				
Rear Setback				
F.A.R.				
Building Coverage				
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](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: Please print your responses.

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.

Hardship Exists Lot is 5000 sqft -  
minimum allowed is 6000 sqft

Also 10' alley

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

Hardship not created by applicant

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.

No special privilege

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.

Hardship exists 5000 sqft Lot / min 6000

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.

minimum variance of only 330

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.

this will help alleviate the current Housing crisis  
And is not injurious to anyone.

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.

No other property mentioned

**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 materials listed below must be submitted in order to have a complete application. Applications will not be processed until all materials are provided. Please submit one (1) paper copy of the materials to the Planning Department and one (1) electronic version in PDF format.**

- Correct application fee, made payable to "City of Key West."
- Pre-application meeting form
- Notarized verification form signed by property owner or authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Monroe County Property record card
- Signed and sealed survey (Survey must be within 10 years from submittal of this application)
- Sign and sealed site plan (sign and sealed by an Engineer or Architect)
- Floor plans
- Any additional supplemental information necessary to render a determination related to the variance request



# Pre-Application Meeting Notes

City of Key West, Florida • Planning Department • 1300 White Street •  
Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Meeting Date: 7/24/24 Zoning District: SF

Address/Location: 2509 Fogarty

Request: Variance for Building Coverage

Type of Application: Variance

Attendees: Carlos Roja, Ben Guyton

## Notes:

Applicant is applying for a building coverage variance to add a room in law suite/Accessory structure to Backyard in SF district.

Asked about Zoom into PB

## SITE CONDITIONS

	EXISTING CONDITIONS	ALLOWABLE CONDITIONS	PROPOSED CONDITIONS	COMMENTS
DISTRICT	SF	SF	SF	
LOT SIZE	5000 SF	6000 SF	5000 SF	HARDSHIP 20% UNDER 1000 SQFT UNDER
BUILDING COVERAGE	1759 SF	1750 SF	+606 additions 2080 SF	330 NET SQFT OVER
BUILDING COVERAGE %	35.18%	35%	41.6%	VARIANCE REQUESTED INCREASING NON COMPLIANCE
IMPERVIOUS COVERAGE	1815.5 SF	2500 SF	2136 SF	IN COMPLIANCE
IMPERVIOUS COVERAGE %	36.31%	50%	42.7%	IN COMPLIANCE
BUILDING HEIGHT	12'-0"	30'-0"	23'-0"	IN COMPLIANCE
FRONT SETBACK	14'-5"	20'-0"	14'-5"	NO CHANGE NOT IN AREA OF WORK
SIDE SETBACK	4'-9"	5'-0"	5'-0"	IN COMPLIANCE REMOVING NON COMPLIANCE
REAR SETBACK	1'-9"	5'-0"	5'-0"	IN COMPLIANCE REMOVING NON COMPLIANCE
OPEN SPACE	3184.5 SF	30% / 1500 SF MINIMUM	3216 SF	IN COMPLIANCE

# Plans



Carlos O. Rojas, AIA  
 2012 Rosebank Drive  
 Key West, FL 33040  
 (305) 923-4870  
 (305) 923-9567  
 c.rosas@carlosrojas.com  
 crosas@carlosrojas.com

Revisions

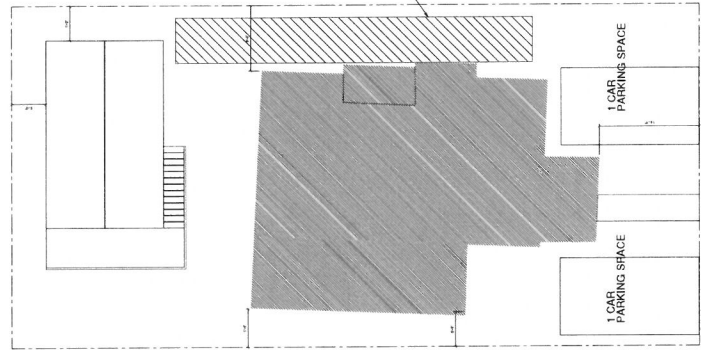

Carlos O. Rojas, AIA  
 2509 Fogarty Avenue  
 Key West, Florida

Project Number: 0626024  
 Date: 2/26/24  
 Drawn By: COR  
 CCR

**A1**

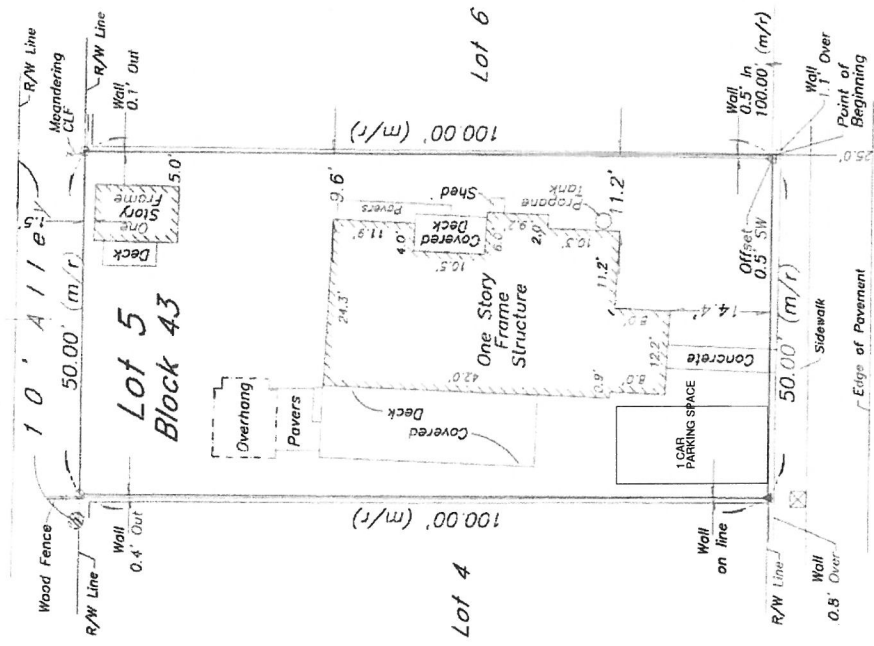
Drawn by: Carlos Rojas  
 Date: 02/26/24  
 Project: 0626024  
 Location: 2509 Fogarty Ave.  
 City: Key West, FL 33040  
 State: FL  
 Country: USA  
 Scale: 1/8" = 1'-0"  
 Drawing Title: EXISTING SITE PLAN  
 Drawing Number: 0626024-01

10' ALLEY



ITEM	DESCRIPTION	LOCATION	COMMENTS
1	EXISTING	SP	SP
2	EXISTING	SP	SP
3	EXISTING	SP	SP
4	EXISTING	SP	SP
5	EXISTING	SP	SP
6	EXISTING	SP	SP
7	EXISTING	SP	SP
8	EXISTING	SP	SP
9	EXISTING	SP	SP
10	EXISTING	SP	SP
11	EXISTING	SP	SP
12	EXISTING	SP	SP
13	EXISTING	SP	SP
14	EXISTING	SP	SP
15	EXISTING	SP	SP
16	EXISTING	SP	SP
17	EXISTING	SP	SP
18	EXISTING	SP	SP
19	EXISTING	SP	SP
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21	EXISTING	SP	SP
22	EXISTING	SP	SP
23	EXISTING	SP	SP
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39	EXISTING	SP	SP
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41	EXISTING	SP	SP
42	EXISTING	SP	SP
43	EXISTING	SP	SP
44	EXISTING	SP	SP
45	EXISTING	SP	SP
46	EXISTING	SP	SP
47	EXISTING	SP	SP
48	EXISTING	SP	SP
49	EXISTING	SP	SP
50	EXISTING	SP	SP

FOGARTY AVENUE







Carlos O. Rojas, AIA  
 2012 Roosevelt Drive  
 Key West, FL 33040  
 (305) 292-4870  
 (305) 923-3577  
 MROJAS@HOTMAIL.COM

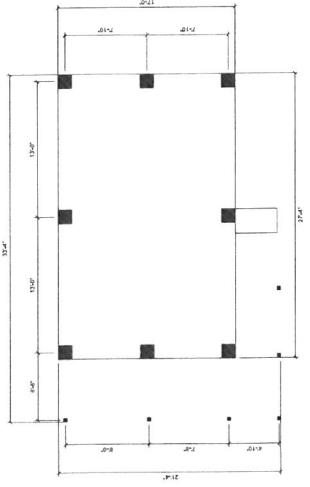
Revisions

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 2509 Fogarty Avenue  
 Key West, Florida

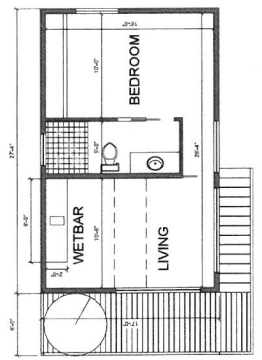
Project Number  
 05232024  
 Date  
 2/26/24  
 Drawn By  
 COR

**A2**

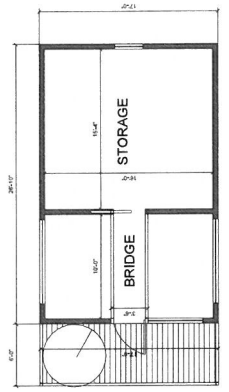
Designed by: Carlos Rojas  
 DN: CAUS, SN: Rojas, G: Carlos,  
 E: architect@rojas.com, CN:  
 Carlos Rojas  
 Location: 2012 Roosevelt Drive  
 Key West, FL 33040  
 Date: 02/26/24  
 Version: 17:30:36  
 Project: 05232024  
 Release: 2024.2.2



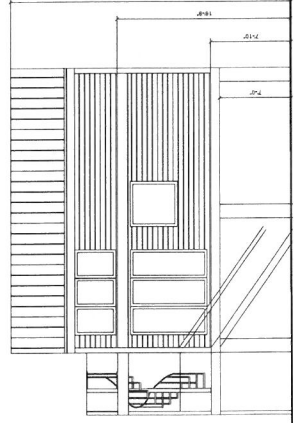
**FOUNDATION PLAN**  
 1/8" = 1'-0"



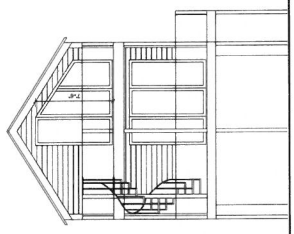
**PROPOSED PLAN**  
 1/8" = 1'-0"



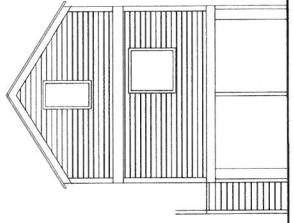
**STORAGE ABOVE**  
 1/8" = 1'-0"



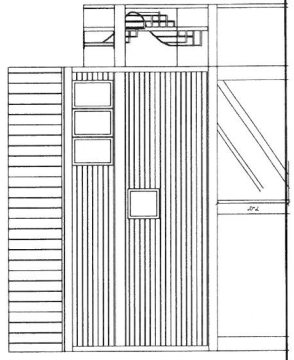
**FRONT ELEVATION**  
 1/8" = 1'-0"



**LEFT SIDE ELEVATION**  
 1/8" = 1'-0"



**RIGHT SIDE ELEVATION**  
 1/8" = 1'-0"



**REAR ELEVATION**  
 1/8" = 1'-0"

## SITE CONDITIONS

	EXISTING CONDITIONS	ALLOWABLE CONDITIONS	PROPOSED CONDITIONS	COMMENTS
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# **PROPERTY CARD**

# Monroe County, FL

## \*\*PROPERTY RECORD CARD\*\*

### Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

Parcel ID 00050550-000000  
 Account# 1051152  
 Property ID 1051152  
 Millage Group 10KW  
 Location 2509 FOGARTY Ave, KEY WEST  
 Address  
 Legal KW KW REALTY COS FIRST SUB PB1-43 LOT 5 SQR 43 TR 21 G38-503/04 OR553-895 OR742-628 OR830-1777 OR1024-533/34 OR2711-1469/71 OR2921-2241/2242 OR3011-0298 OR3195-1820  
 Description (Note: Not to be used on legal documents.)  
 Neighborhood 6183  
 Property Class SINGLE FAMILY RESID (0100)  
 Subdivision Key West Realty Co's First Sub  
 Sec/Twp/Rng 33/67/25  
 Affordable No  
 Housing



### Owner

JOLEV VASIL 2018 Harris Ave Key West FL 33040  
 STAMENOVSKA MAJA 2018 Harris Ave Key West FL 33040

### Valuation

	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
+ Market Improvement Value	\$185,587	\$161,007	\$138,610	\$163,782
+ Market Misc Value	\$482	\$1,190	\$1,190	\$1,190
+ Market Land Value	\$455,000	\$390,000	\$297,500	\$295,000
= Just Market Value	<b>\$641,069</b>	<b>\$552,197</b>	<b>\$437,300</b>	<b>\$459,972</b>
= Total Assessed Value	<b>\$641,069</b>	<b>\$481,030</b>	<b>\$437,300</b>	<b>\$403,018</b>
- School Exempt Value	\$0	\$0	\$0	(\$25,000)
= School Taxable Value	<b>\$641,069</b>	<b>\$552,197</b>	<b>\$437,300</b>	<b>\$378,018</b>

### Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2022	\$390,000	\$161,007	\$1,190	\$552,197	\$481,030	\$0	\$552,197	\$0
2021	\$297,500	\$138,610	\$1,190	\$437,300	\$437,300	\$0	\$437,300	\$0
2020	\$295,000	\$163,782	\$1,190	\$459,972	\$403,018	\$25,000	\$378,018	\$56,954
2019	\$290,000	\$102,767	\$1,190	\$393,957	\$393,957	\$25,000	\$368,957	\$0
2018	\$250,000	\$104,257	\$1,190	\$355,447	\$355,447	\$0	\$355,447	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY (010D)	5,000.00	Square Foot	50	100



**Buildings**

<b>Building ID</b>	4086	<b>Exterior Walls</b>	WD FRAME
<b>Style</b>	GROUND LEVEL	<b>Year Built</b>	1938
<b>Building Type</b>	S.F.R. - R1 / R1	<b>EffectiveYearBuilt</b>	2011
<b>Building Name</b>		<b>Foundation</b>	CONC BLOCK
<b>Gross Sq Ft</b>	1584	<b>Roof Type</b>	GABLE/HIP
<b>Finished Sq Ft</b>	1188	<b>Roof Coverage</b>	METAL
<b>Stories</b>	1 Floor	<b>Flooring Type</b>	VINYL/LAMINATE
<b>Condition</b>	AVERAGE	<b>Heating Type</b>	FCD/AIR NON-DC with 0% NONE
<b>Perimeter</b>	144	<b>Bedrooms</b>	3
<b>Functional Obs</b>	0	<b>Full Bathrooms</b>	2
<b>Economic Obs</b>	0	<b>Half Bathrooms</b>	0
<b>Depreciation %</b>	13	<b>Grade</b>	450
<b>Interior Walls</b>	DRYWALL	<b>Number of Fire Pl</b>	0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,188	1,188	188
OPF	OP PRCH FIN LL	352	0	86
PTO	PATIO	44	0	30
<b>TOTAL</b>		<b>1,584</b>	<b>1,188</b>	<b>304</b>

**Yard Items**

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
CONC PATIO	1949	1950	0 x 0	1	39 SF	1
UTILITY BLDG	1988	1989	8 x 12	1	96 SF	1

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
9/23/2022	\$780,000	Warranty Deed	2392762	3195	1820	01 - Qualified	Improved		
2/27/2020	\$530,000	Warranty Deed	2257916	3011	0298	01 - Qualified	Improved		
8/10/2018	\$394,000	Warranty Deed	2182202	2921	2241	30 - Unqualified	Improved		
11/5/2014	\$275,000	Warranty Deed		2711	1469	37 - Unqualified	Improved		
4/1/1981	\$45,000	Warranty Deed		830	1777	Q - Qualified	Improved		
11/1/1977	\$25,000	Conversion Code		742	628	Q - Qualified	Improved		

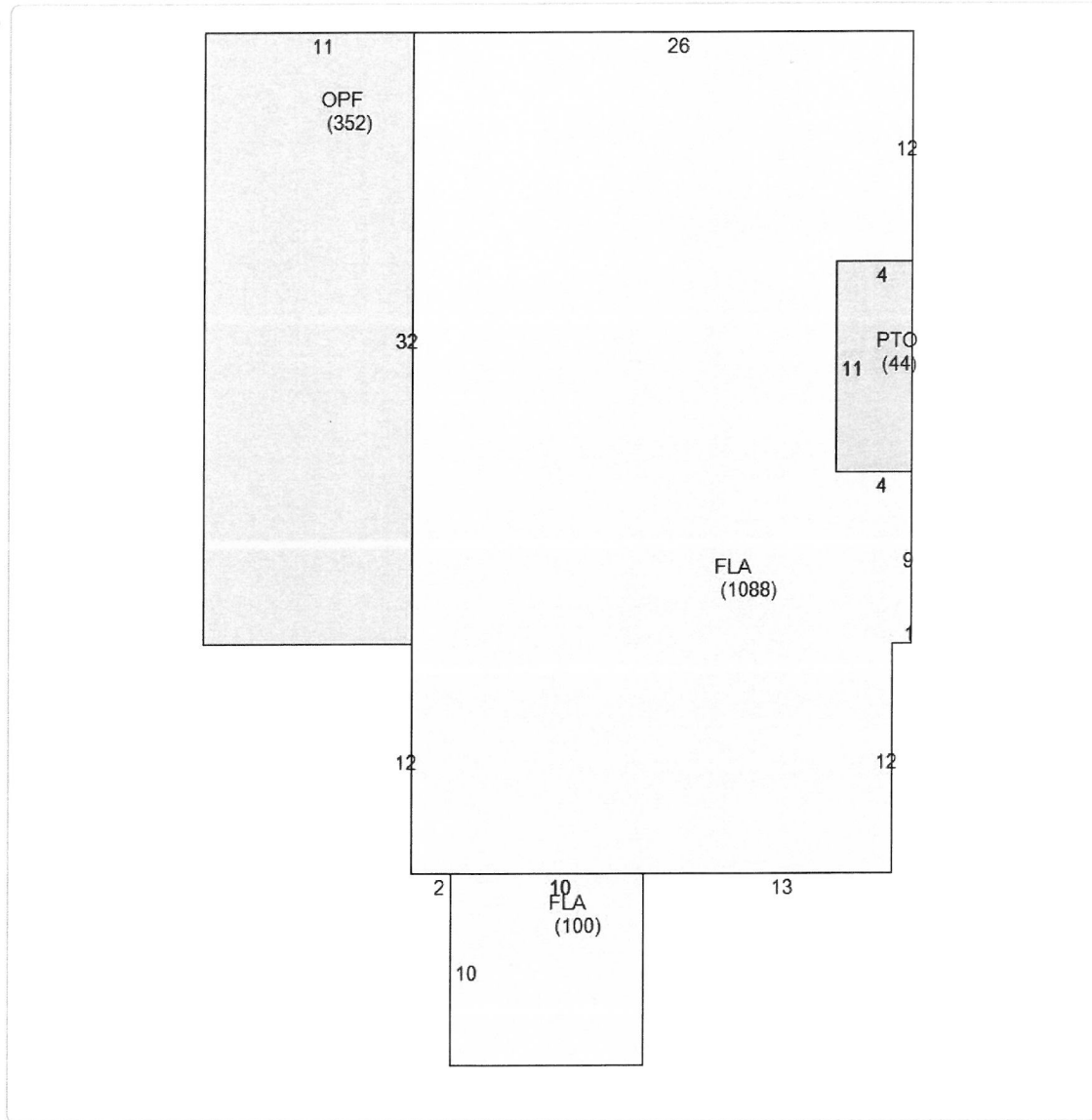
**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
14-5345	11/20/2014	2/27/2015	\$1,995		INSTALL STORM WINDOWS ON ALL DOOR AND WINDOWS

**View Tax Info**

[View Taxes for this Parcel](#)

**Sketches (click to enlarge)**



Photos



Map



TRIM Notice

[2023 TRIM Notice \(PDF\)](#)

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[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
Last Data Upload: 7/23/2024, 6:57:29 AM

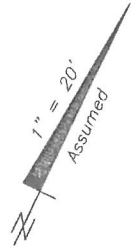
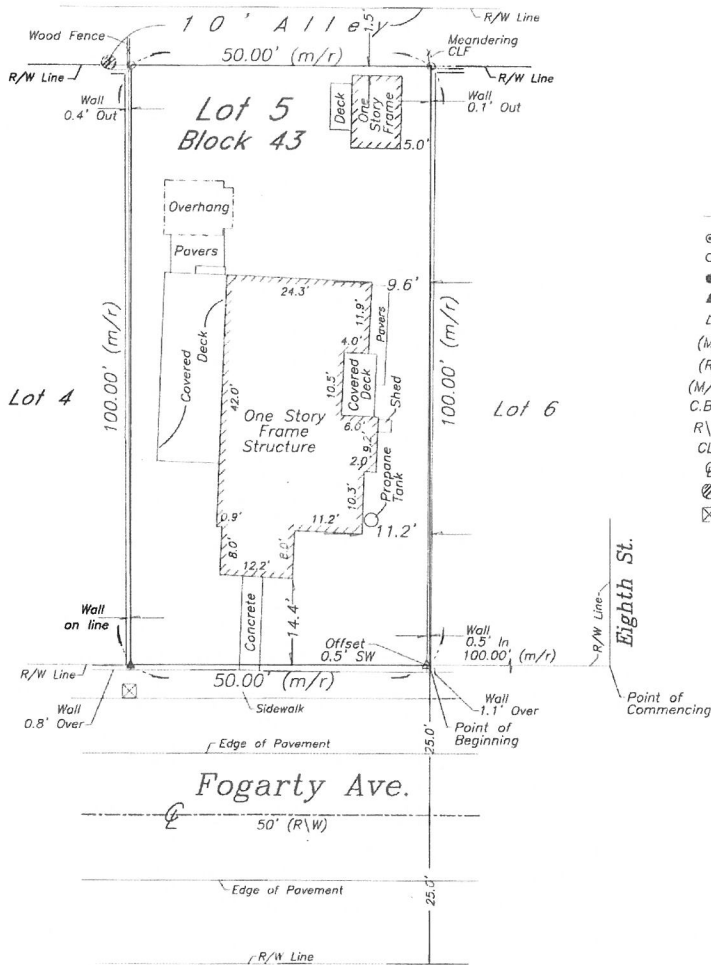
[Contact Us](#)

Developed by  
 **Schneider**  
GEOSPATIAL

# **SURVEY**



# Boundary Survey Map of Lot 5, Block 43, KEY WEST REALTY CO'S FIRST SUBDIVISION



### LEGEND

- ⊙ Found 2" Iron Pipe (Fence Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (2863)
- ▲ Found Nail & Disc (5234)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole

**NOTES:**

1. The legal description shown hereon was 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: 2509 Fogarty Avenue, 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: February 13, 2020.
9. Ownership of fences is undeterminable, unless otherwise noted.

**BOUNDARY SURVEY OF:** On the Island of Key West and known on the Key West Realty Company's Subdivision No. 1 of Tract 21 and Salt Pond Lots 1, 2, 3, 4 and 5 as Lot No. Five (5) in Block Forty-three (43) according to a diagram of said subdivision recorded in Plat Book No. 1, Page 43, of the Public Records of Monroe County, Florida. Commencing at a point One Hundred (100) feet distant from the Northwest corner of Fogarty Avenue and Eighth Street and running in a Westerly direction along Fogarty Avenue Fifty (50) feet; thence at right angles in a Northerly direction One Hundred (100) feet to an alley; thence at right angles in an Easterly direction along said alley Fifty (50) feet; thence at right angles in a Southerly direction One Hundred (100) feet to the Point of Beginning.

**BOUNDARY SURVEY FOR:** Ingo Bretschneider; Casandra Leigh Ferreira;  
Centennial Bank;  
Oropeza Stones Cardenas, PLLC;  
Chicago Title Insurance Company;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

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

February 13, 2020

THIS SURVEY  
IS NOT  
ASSIGNABLE

**J. LYNN O'FLYNN, Inc.**



Professional Surveyor & Mapper  
PSM #6298

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

**From:** [Carlos Rojas](#)  
**To:** [Benjamin Gagnon](#)  
**Subject:** [EXTERNAL] Re: 2509 Fogarty  
**Date:** Tuesday, August 6, 2024 5:12:45 PM  
**Attachments:** [image001.png](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Benjamin,

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.

Answer: Granting of this variance will not be injurious to the public welfare. It does not affect the public health, welfare, safety or interest. It will not make noise or any pollution, nor impose anything upon any neighbors. Without a BPAS it will better accommodate the existing family. If a BPAS is ever granted, it will help reduce the housing crisis by one.

I will get you a Site Data table to follow.

Sincerely,

Carlos Rojas

Carlos O. Rojas, Architect  
2012 Roosevelt Drive  
Key West, FL 33040  
(305) 923-3567

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**From:** Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Sent:** Tuesday, August 6, 2024 4:17 PM  
**To:** Carlos Rojas <[architectkw@hotmail.com](mailto:architectkw@hotmail.com)>; Vasil Jolev <[vasiljolev@gmail.com](mailto:vasiljolev@gmail.com)>  
**Subject:** 2509 Fogarty

Hi Carlos,

I received the check that Vasil dropped today.

Planning needs you to update your answer for number 6 on the application. This unit can NOT be rented out without a BPAS. This will not alleviate the housing crisis as it will not be rented without a BPAS.

If you could make the site data table that is signed and sealed more legible that would be appreciated.

**Ben Gagnon**

Planner

City of Key West

1300 White Street

Key West, FL 33040

305-809-3723 | [benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)



**VERIFICATION  
FORM**

**AUTHORIZATION  
FORM**



**City of Key West  
Planning Department  
Verification Form**  
*(Where Applicant is an entity)*

I, Carlos Rojas, in my capacity as President, Architect  
*(print name)* *(print position; president, managing member)*  
of Carlos O. Rojas Jr. AIA Inc.  
*(print name of entity)*

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:

2509 Fogarty Avenue  
*Street address of subject property*

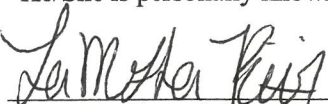
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

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.

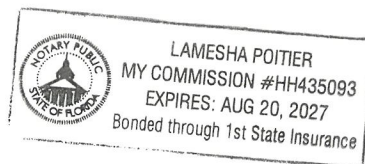
AR   
*Signature of Applicant*

Subscribed and sworn to (or affirmed) before me on this July 25, 2024 by  
Carlos Rojas  
*Name of Applicant* *date*

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

  
*Notary's Signature and Seal*

LAMESHA POITIER  
*Name of Acknowledger typed, printed or stamped*



HH435093  
*Commission Number, if any*





**City of Key West  
Planning Department**

**Authorization Form  
(Individual or Joint Owner)**

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

I, VASIL JOLEV, MAJA STAMENOVSKA authorize  
*Please Print Name(s) of Owner(s) as appears on the deed*

CARLOS O. ROJAS JR. AIA INC.  
*Please Print Name of Representative*

to be the representative for this application and act on my/our behalf before the City of Key West.

OX [Signature]  
*Signature of Owner*

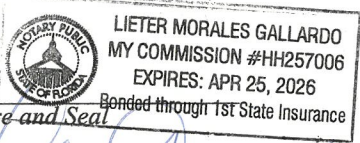
[Signature]  
*Signature of Joint/Co-owner if applicable*

Subscribed and sworn to (or affirmed) before me on this 07/26/2024  
*Date*

by Vasil Jolev  
*Name of Owner*

He/She is personally known to me or has presented ID#: J410-860-86-129-0 as identification.

[Signature]  
*Notary's Signature and Seal*



Lieter Morales Gallardo  
*Name of Acknowledger typed, printed or stamped*

APR 25, 2026  
*Commission Number, if any*

**DEED**

Prepared by and return to:  
Gregory S. Oropeza, Esq.  
Attorney at Law  
Oropeza Stones Cardenas, PLLC  
221 Simonton Street  
Key West, FL 33040  
305-294-0252  
File Number: 22-745  
Consideration: \$780,000.00

Parcel Identification No. 00050550-000000

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 23<sup>rd</sup> day of September, 2022 between Ingo Bretschneider and Casandra Bretschneider, husband and wife whose post office address is 2509 Fogarty Avenue, Key West, FL 33040 of the County of Monroe, State of Florida, grantor\*, and Vasil Jolev and Maja Stamenovska, a married couple whose post office address is 2018 Harris Avenue, Key West, FL 33040 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 DOLLARS (\$10.00) 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 the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lot 5, in Block 43, of KEY WEST REALTY CO'S FIRST SUBDIVISION OF PART OF TRACT 21, AND LOTS 1,2,3,4,5., ISLAND OF KEY WEST, according to the map or plat thereof, as recorded in Plat Book 1, Page 43, of the Public Records of Monroe County, Florida.

Commencing at a point One Hundred (100) feet distant from the Northwest corner of Fogarty Avenue and Eighth Street and running in a Westerly direction along Fogarty Avenue Fifty (50) feet; thence at right angles in a Northerly direction One Hundred (100) feet to an alley; thence at right angles in an Easterly direction along said alley Fifty (50) feet; thence at right angles in a Southerly direction One Hundred (100) feet to the Point of Beginning.

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

SD 0 0 0  
Witness Name: Gregory Oropeza

A  
Witness Name: SEAN FARREN

SD 0 0 0  
Witness Name: Gregory Oropeza

A  
Witness Name: SEAN FARREN

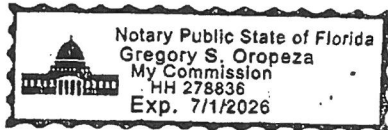
Ingo Bretschneider  
Ingo Bretschneider

Casandra Bretschneider  
Casandra Bretschneider

State of FL  
County of MONROE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22 day of September, 2022 by Ingo Bretschneider and Casandra Bretschneider, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]



Ingo Bretschneider  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_