

**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 variances to front and rear-yard setback requirements in the Single-Family zoning district for property located at 2801 Venetian Drive (RE#00070990-000000), per Section 122-238 (6)a.1.&3. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

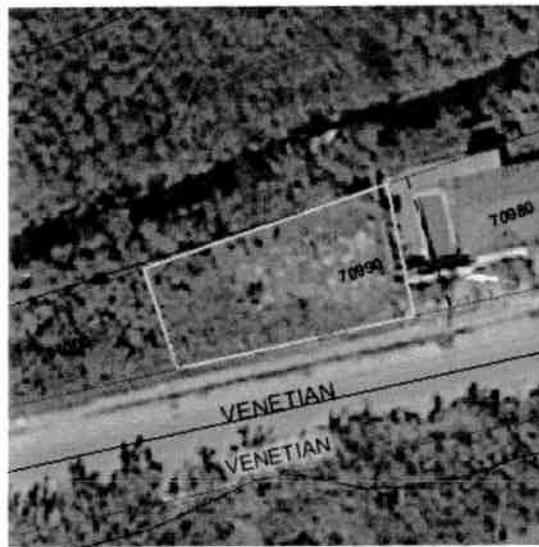
Request: To consider variances for the purpose of constructing a single-family house

Applicant: Joseph D. Cleghorn

Property Owner: 2801 Venetian Drive LLC

Location: 2801 Venetian Drive, RE# 00070990-000000

Zoning: Single Family Residential (SF) District



Background:

The property does not comply with any dimensional requirements of the existing code. The property has received variance approvals on two separate occasions September 10, 1999 (BOA Resolution 99-326) and October 5, 2007 (BOA Resolution 07-358) for the same purpose of building a house.

Request:

The applicant is proposing the construction of a single family house which will encroach into the required front and rear setbacks thus requiring a variance.

	Allowed/Required	Existing	Proposed
Building Coverage	30%	NA	29%
Impervious Ratio	50%	NA	50%
Front*	20' - 30'	NA	14'
Right Side	5'	NA	5'
Left Side	5'	NA	5'
Rear*	25'	NA	5'

*Subject of variance request

Process:

Development Review Committee Meeting:

July 28, 2011

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.**

The property, as platted, does not meet any of the dimensional requirements. As such, special conditions exist that would prevent construction of a house that would meet the requirements.

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

The lot, as platted, was not created by the applicant. Thus the prevailing conditions are not created by the applicant.

- 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 not 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.**

The lot, as platted, creates a hardship for the applicant.

- 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 variances requested are the minimum variances needed to make reasonable use of the land and existing structure.

- 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.

- 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 meets 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):

The applicant intends to make improvements to drainage through best management practices by the installation of swales.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for variance be **approved** with the following conditions to be completed prior to the issuance of a Certificate of Occupancy:

1. Removal of all Holly and Cork trees.
2. Protect all Mangroves, Seagrasses and Radiata during construction.
3. Trimming of Mangroves by FDEP permit and City of Key West permit only.
4. All Mangrove branches overhanging the property shall be flagged and protected during construction.



Draft Resolution

PLANNING BOARD RESOLUTION 2011-

A VARIANCE APPROVAL FOR FRONT AND REAR-YARD SETBACK REQUIREMENTS FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING FOR PROPERTY LOCATED AT 2801 VENETIAN DRIVE (RE# 00070990-000000) IN THE SF ZONING DISTRICT PER SECTION 122-238 (6) 1. & 3. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Section 122-238(6) 1. & 3. of the Code of Ordinances provides that the maximum dimensional requirements for building setbacks in the single-family zoning district are 30 feet in the front, and 25 feet at the rear; and

WHEREAS, the applicant requested variances to front (14') and rear yard (5') setbacks for the construction of a single family dwelling; and

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

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

_____ Chairman

_____ Planning Director

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 variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Planning Board finds that the granting of the variances 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; and

WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands,

_____ Chairman
_____ Planning Director

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

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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. A variance approval for front and rear-yard setback requirements for the construction of a single-family dwelling located at 2801 Venetian Drive (RE# 00070990-000000) in the SF zoning district per Section 122-238(6) 1. & 3. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown on the attached plan set dated July 29, 2011, with the following conditions:

1. Removal of all Holly and Cork tree.
2. Protect all Mangroves, Seagrapes and Radiata during construction.
3. Trimming of Mangroves by FDEP permit and City of Key West permit only.
4. All Mangrove branches overhanging the property shall be flagged and protected during construction.

_____ Chairman

_____ Planning Director

Section 3. It is a condition of these variances that full, complete, and final application for all conditions of this approval for any use and occupancy for which these variances are wholly or partly 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 these variances in accordance with the terms of the as described in Section 3 hereof, shall immediately operate to terminate these variances, which variances shall be of no force or effect.

Section 5. These variances do 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 Chairman of the Planning Board, the Planning Director and the City Clerk.

_____ Chairman

_____ Planning Director

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 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, Planning Board Chairman

Date

_____ Chairman

_____ Planning Director

Attest:

Donald Leland Craig, AICP, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

Draft

_____ Chairman
_____ Planning Director

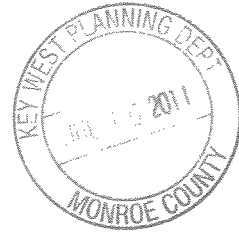


Application

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 2801 Venetian DR.
2. Name of Applicant Joseph D. CLEGHORN JR.
3. Applicant is: Owner _____ Authorized Representative X
(attached Authorization Form must be completed)
4. Address of Applicant 701 WADDELL ST
Key West FL 33040
5. Phone # of Applicant 305 292-7729 Mobile# 304 6627 Fax# 292-0240
6. E-Mail Address JCLEGHORN@Bellsouth.net
7. Name of Owner, if different than above STEPHEN FISKE
8. Address of Owner 5821 HOLLYWOOD BLVD ST 200
Hollywood, FL 33021
9. Phone Number of Owner 954-967-6600 Fax# 954 967 6603
10. Email Address SF@CFMIMG.COM
11. Zoning District of Parcel SF RE# 7099
12. Description of Proposed Construction, Development, and Use
CONSTRUCT A SINGLE FAMILY HOME.

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

	Required	Existing	Requested
Front Setback	30 FT		14 FT
Side Setback	5 FT		5 FT
Side Setback	5 FT		5 FT
Rear Setback	25 FT		5 FT
Building Coverage	35 %		35%
Open Space Requirements	30 %		30%
Impervious Surface	50 %	100%	50%
CCCL			± 14 FT

N/A

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	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>E</u>	Application Fee (to be determined according to fee schedule)
_____	<u>D</u>	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
_____	<u>B</u>	Floor Plans of existing and proposed development (8.5 x 11)
_____	<u>B</u>	Copy of the most recent survey of the subject property
_____	<u>D</u>	Elevation drawings as measured from crown of road
_____	<u>B</u>	Stormwater management plan
_____	<u>B</u>	HARC Approval (if applicable)
_____	<u>B</u>	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 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.

The existing platted lot does ^{NOT} currently comply with the current zoning regulations for Venetian Subdivision . The lot shape is peculiar in nature. The required setbacks would create a hardship for the owner with only a two-foot deep buildable area or less.

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

The small size and peculiar shape of the lot are the conditions creating the special circumstances. These were created by the developer and City upon platting the subdivision decades ago, not the owner.

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

Other buildings, including odd shapes, in the subdivision were provided permits for construction of large single family homes. Therefore no special privileges will be conferred by providing the variance for a 1,404 SF home.

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 conditions exist. Literal interpretation of the LDR's would prohibit construction of any building on the lot. That would cause undue hardship for property owners by denying building rights. This lot has previously had at least one variance requested and approved by the City to construct a single family home with these setbacks.

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.

The requested setbacks are the minimum to require for reasonable use of this lot, including a future porch.

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.

Venetian Drive is part of a fully developed subdivision. Currently the lot is used for dumping and the growth of exotic species. The development of the lot will be more in harmony with the Venetian Drive neighborhood and the LDR's and will not be injurious to the public welfare.

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.

This variance is being requested due only to the existing conditions on the lot, and not due to any other uses.

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, Joseph Cleghorn, 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:

2801 Venetian
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 of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on May 13, 2006 (date) by
Joseph Cleghorn (name). He/She is personally known to me or has
presented _____ as identification.

[Signature]
Notary's Signature and Seal

NOTARY PUBLIC-STATE OF FLORIDA
Wendy S. Gonzalez
Commission # DD849298
Expires: JAN. 17, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

Wendy S. Gonzalez Name of Acknowledger typed, printed or stamped
Notary Public Title or Rank DD849298 Commission Number (if any)





Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Individual Owner)

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

I, Joseph Cleghorn Jr. authorize
Please Print Name(s) of Owner(s) (as appears on the deed)

Analise Mannix
Please Print Name of Representative

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

X [Signature]
Signature of Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 9/13/2011 by
date

Joseph Cleghorn Jr.
Name of Authorized Representative

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



[Signature]

Name of Acknowledger typed, printed or stamped

Commission Number, if any



RECEIVED
September 13, 2011
KW Planning Dpt

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

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

I, Stephen Fiske as President of City 1st Mortgage Corporation, Managing Member of 2801 Venetian, LLC
authorize Joseph Cleghorn to be the representative for this application and act on my/our behalf before
the City of Key West.

A handwritten signature in black ink, appearing to read "Stephen Fiske", is written above a horizontal line.

Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this September 8, 2011 by
date

Stephen Fiske

Name of Authorized Representative

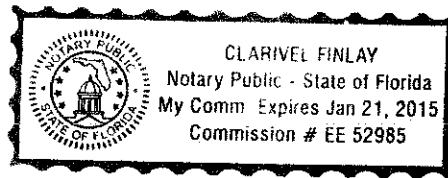
He/She is personally known to me or has presented _____ as identification.

A handwritten signature in black ink, appearing to read "Clarivel Finlay", is written above a horizontal line.

Notary's Signature and Seal

Clarivel Finlay

Name of Acknowledger typed, printed or stamped



1-21-2015

Commission Number, if any

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No Events

No Name History

Detail by Entity Name

Florida Limited Liability Company

2801 VENETIAN DRIVE LLC

Filing Information

Document Number L09000058001**FEI/EIN Number** 270685463**Date Filed** 06/15/2009**State** FL**Status** ACTIVE**Effective Date** 06/09/2009

Principal Address

5821 HOLLYWOOD BLVD
200
HOLLYWOOD FL 33021

Mailing Address

5821 HOLLYWOOD BLVD
200
HOLLYWOOD FL 33021

Registered Agent Name & Address

FISKE, STEPHEN
5821 HOLLYWOOD BLVD
200
HOLLYWOOD FL 33021 US

Manager/Member Detail

Name & Address

Title MGR

CITY FIRST MORTGAGE CORP
5821 HOLLYWOOD BLVD 200
HOLLYWOOD FL 33021

Annual Reports

Report Year Filed Date

2010 04/22/2010

Document Images

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[06/15/2009 -- Florida Limited Liability](#)

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

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State of Florida, Department of State

Deed

99-
Baker

Prepared by and return to:
Eric P. Stein, P.A.
1820 Northeast 163rd Street, Suite 100
North Miami Beach, FL 33162
786-248-1000



01/07/2011 1:31PM
DEED DOC STAMP CL: JD

\$0.70

Doc# 1819557
Bk# 2499 Pg# 1967

Parcel Identification Number: 0007099000000046825
[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 28 day of Dec, 2010 between Bonefish Partnership LTD, a Nevada Limited Partnership, and Irwin Anhalt as Trustee of the Irwin Anhalt Trust u/a/d 3/23/92, whose post office address is 5821 Hollywood Blvd., Suite No. 200, Hollywood, FL 33021, grantor, and 2801 Venetian Drive LLC, a Florida limited liability company, whose post office address is 5821 Hollywood Blvd, Suite No. 200, Hollywood, FL 33021, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **MONROE County, Florida** to-wit:

Lot 88, RIVIERA SHORES, FIRST ADDITION, according to the amended Plat recorded in Plat Book 5, Page 88, MONROE County, Florida.

Less:

Part of Lot 88, AMENDED PLAT OF RIVIERA SHORE FIRST ADDITION according to the Plat thereof as recorded in Plat Book 5, at Page 88 of the Public Records of Monroe County, Florida, being more particularly described as follows: Begin at the Southeast corner of said Lot 88; thence run N degrees 14'20" W along the E'ly line of said Lot 88, 54.31 feet to the Northwest corner of said Lot 88; thence run S 68 degrees 45'45" W along the N'ly line of said Lot 88, 8.2 feet to a point on the W'ly face of an existing concrete block wall; thence S 14 degrees 18'05" E along the said W'ly face and the SE'ly extension of said W'ly face, 53.00 feet to S'ly line of said Lot 88; thence run N 7 degrees 22'40" E along the S'ly line, 14.7 feet back to the point of beginning.

The preparer of this instrument has not been furnished with nor requested to review an abstract of title and therefore expresses no opinion as to condition of title.

This is a conveyance between related entities of unencumbered real property; therefore, minimum documentary stamp taxes are affixed hereto.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

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:

Clarivel Finlay
Witness Name: Clarivel Finlay

Angela M. Tari
Witness Name: Angela M. Tari

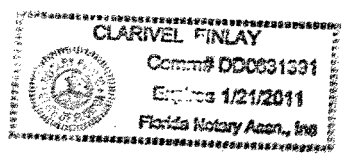
Irwin Anhalt Trust u/a/d 3/23/92
Irwin Anhalt (Seal)
By: Irwin Anhalt, Trustee

STATE OF Florida
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23rd day of December, 2010
by Irwin Anhalt as Trustee of the Irwin Anhalt Trust u/a/d 3/23/92 who is personally known to me or has
produced a _____ as identification.

[Notary Seal]

Clarivel Finlay
Notary Public
Printed Name: Clarivel Finlay
Commission Expires: 1-21-2011



Signed, sealed and delivered in our presence:

Bonefish Partnership LTD,
a Nevada Limited Partnership

Witness Name: [Signature]

By: [Signature] ^{MST Inc} as general partner
Title: [Signature] General Partner MST Inc

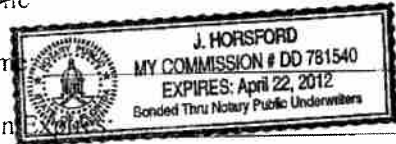
Witness Name: Samantha Luipersbeck

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 28 day of December, 2010 by M. Stephen Jackson, as General Partner of Bonefish Partnership LTD, a Nevada Limited Partnership, who is personally known to me or has produced a _____ as identification.

[Notary Seal]

[Signature]
Notary Public
Printed Name _____
Commission _____



IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA
(General Jurisdiction Division)

CASE NO. 2008 CA 1936 K

Doc# 1762136 10/08/2009 9:13AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

BONEFISH PARTNERSHIP LTD C/O STEVE JACKMAN
and IRWIN ANHALT TUA 3-23-92 IRWIN ANHALT TTEE,
as assignee of CITY FIRST MORTGAGE CORP.,

Plaintiff,

-vs-

JAMES W. BAKER, JR.; THOMAS J. SIRECI, JR.;
MARCIA A. SIRECI; ROSE MARIE BARRETT; JOHN E.
SCHMINK; TONILYNN B. SCHMINK and UNITED STATES
OF AMERICA-INTERNAL REVENUE SERVICE

Defendants.

Doc# 1762136
Bk# 2435 Pg# 366

FILED FOR RECORD
2009 OCT -7 PM 4:16
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

CERTIFICATE OF SALE

The undersigned Clerk of the Court certifies that the Notice of Public Sale of the property described in the Order of Final Judgment was published in the Key West Citizen, a newspaper circulated in Monroe County, in the manner shown by proof of publication attached, and on October 7, 2009, the property was offered for public sale to the highest and best bidder for cash. The highest and best bidder received for the property was submitted by

BONEFISH PARTNERSHIP LTD C/O Steve Jackman and Irwin Anhalt TUA, to
03-23-92 Irwin Anhalt TTEE as assignee of City First Mortgage Corp.
whom the property was sold.

WITNESS my hand and seal of this Court on this 7 day of October, 2009.



DANNY L. KOLHAGE
AS CLERK OF THE COURT

By: 
Deputy Clerk

Doc# 1762136
Bk# 2435 Pg# 369

IN THE COUNTY COURT OF
THE SIXTEENTH JUDICIAL
CIRCUIT IN AND FOR MONROE
COUNTY, FLORIDA
GENERAL JURISDICTION
DIVISION

Case No.: 2008-CA-1936-K

BONEFISH PARTNERSHIP
LTD C/O STEVE JACKMAN
and IRWIN ANHALT TUA
3-23-92 IRWIN ANHALT
TTEE, as assignee of CITY
FIRST MORTGAGE CORP.,
Plaintiff

vs.

JAMES W. BAKER, JR. ;
THOMAS J. SIRECI, JR.
MARCIA A. SIRECI;
ROSE MARIE BARRETT;
JOHN E. SCHMINK;
TONILYNN B. SCHMINK
and UNITED STATES OF
AMERICA-INTERNAL
REVENUE SERVICE
Defendant(s).

**NOTICE OF
FORECLOSURE SALE**

NOTICE IS HEREBY GIVEN pursuant to an Amended Final Judgment of Foreclosure dated July 30, 2009, and by further order of this Court entered in Case No. 2008-CA-1936-K of the Circuit Court of the Sixteenth Judicial Circuit in and for Monroe County, Florida, wherein BONEFISH PARTNERSHIP LTD C/O STEVE JACKMAN and IRWIN ANHALT TUA 3-23-92 IRWIN ANHALT TTEE, as assignees of CITY FIRST MORTGAGE CORP., is the Plaintiff and JAMES W. BAKER, JR.; THOMAS J. SIRECI, JR.; MARCIA A. SIRECI, ROSE MARIE BARRETT, JOHN E. SCHMINK; TONILYNN B. SCHMINK and UNITED STATES OF AMERICA-INTERNAL REVENUE SERVICE, are the Defendants, I will sell to the highest and best bidder for cash on the front steps of the Monroe County Courthouse, 500 Whitehead Street, Key West, Florida, 33040, at 11:00 AM on the 7 day of October, 2009, the following described property set forth in said Final Judgment to wit:

Lot 88, RIVIERA SHORES,
FIRST ADDITION, according to
the amended Plat recorded in
Plat Book 5, Page 88, Monroe
County, Florida.

LESS:

Part of Lot 88, Amended Plat of
Riviera Shore First Addition
according to the plat thereof as
recorded in Plat Book 5, at page
88 of the Public Records of
Monroe County, Florida., being
more particularly described as
follows: Begin at the Southeast
corner of said Lot 88; thence
run N 21 degrees 14'20" W along
the E'y line of said Lot 88, 54.31
feet to the Northeast corner of
said Lot 88; thence run S 68
degrees 45'45" W along the N'y
line of said Lot 88, 8.2 feet to a
point on the W'y face of an
existing concrete block wall;
thence S 14 degrees 18'05" E
along the said W'y face and the
SE'y extension of said W'y
face, 53.00 feet to S'y line of
said Lot 88; thence run N 75
degrees 22'40" E along S'y line,
14.7 feet back to the point
beginning.

Any person claiming an interest in
the surplus from the sale, if any,
other than the property owners as of
the date of the Lis Pendens must
file a claim within sixty(60) days
after the sale.

Dated: This 9 day of
September, 2009.

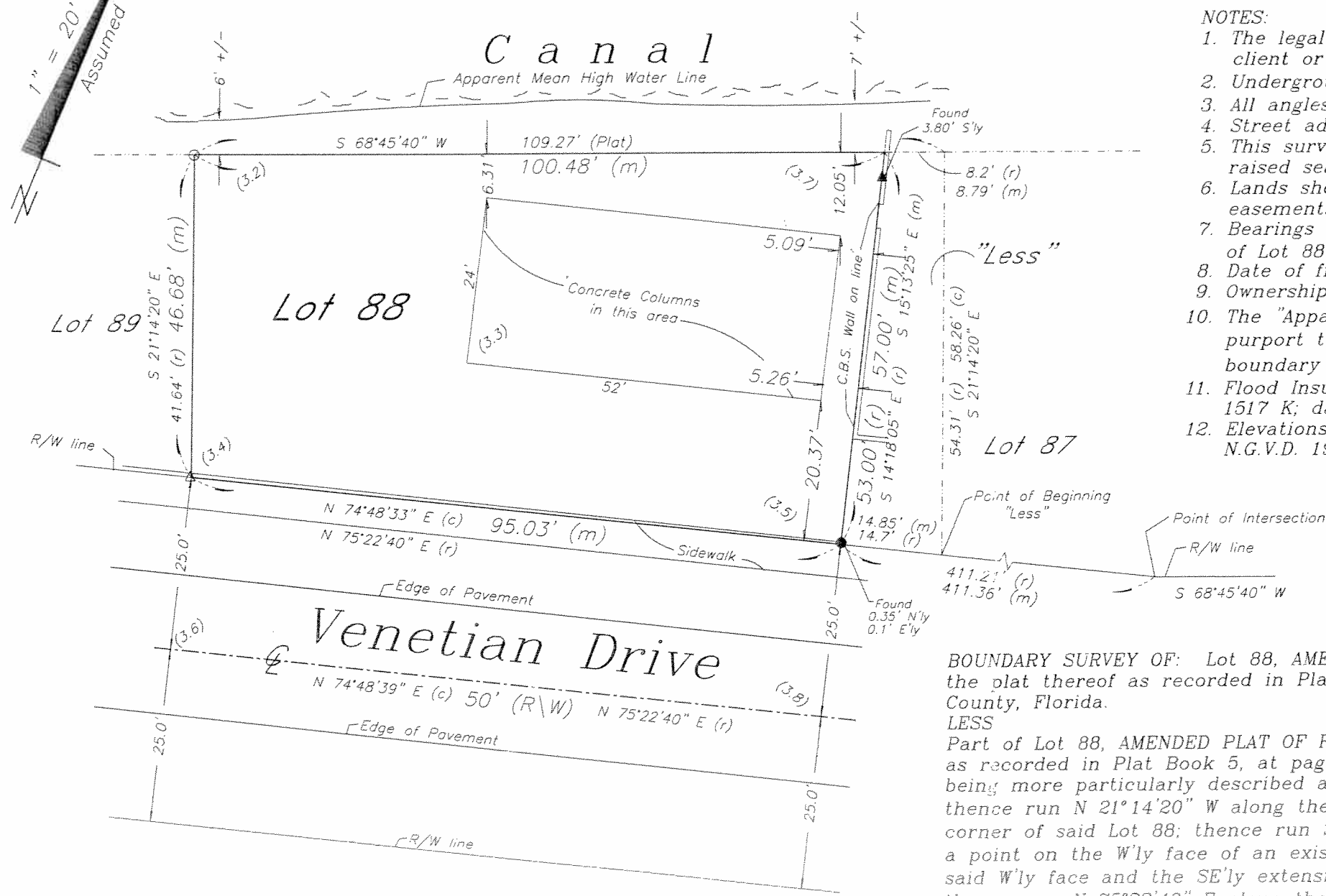
Danny L. KOLHAGE
Clerk of the Circuit Court
Monroe County, Florida
By: Riza Tabag
Deputy Clerk

Bruce R. Jacobs, Esq.
Wedderburn & Jacobs.P.A
5821 Hollywood Blvd.,
Suite 201
Hollywood, Florida 33021
(954)961-1992
September 24 & October 1, 2009

MONROE COUNTY
OFFICIAL RECORDS

Survey

Boundary Survey Map of Part of Lot 88, AMENDED PLAT OF RIVIERA SHORES FIRST ADDITION



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: 2801 Venetian Drive, 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. Bearings are assumed and based on the NWly boundary line of Lot 88 as S 68°45'40" W.
8. Date of field work: January 25, 2011.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. The "Apparent Mean High Water Line" shown hereon does not purport to establish the actual Mean High Water Line for tidal boundary purposes.
11. Flood Insurance Rate Map Zone: AE (EL 8); Community Panel #120168; 1517 K; dated 2-18-05.
12. Elevations are shown in parenthesis and refer to Mean Sea Level, N.G.V.D. 1929 Datum.



BOUNDARY SURVEY OF: Lot 88, AMENDED PLAT OF RIVIERA SHORES FIRST ADDITION according to the plat thereof as recorded in Plat Book 5, at page 88 of the Public Records of Monroe County, Florida.

LESS

Part of Lot 88, AMENDED PLAT OF RIVIERA SHORES FIRST ADDITION according to the plat thereof as recorded in Plat Book 5, at page 88 of the Public Records of Monroe County, Florida, being more particularly described as follows: Begin at the Southeast corner of said Lot 88; thence run N 21°14'20" W along the E'ly line of said Lot 88, 54.31 feet to the Northeast corner of said Lot 88; thence run S 68°45'45" W along the N'ly line of said Lot 88, 8.2 feet to a point on the W'ly face of an existing concrete block wall; thence S 14°18'05" E along the said W'ly face and the SE'ly extension of said W'ly face, 53.00 feet to S'ly line of said Lot 88; thence run N 75°22'40" E along the S'ly line, 14.7 feet back to the point of beginning.

LEGEND

- | | |
|-----------------------------------|---------------------------------|
| ○ Set 3/4" Iron Pipe w/cap (6298) | C.B.S. Concrete Block Structure |
| ● Found 1/2" Iron Rod (PTS) | R\W Right of Way |
| ▲ Found Nail & Disc (PTS) | CLF Chain Link Fence |
| △ Set Nail & Disc (6298) | ⊕ Centerline |
| (M) Measured | ⊗ Wood Utility Pole |
| (R) Record | ⊠ Concrete Utility Pole |
| (M/R) Measured & Record | -P- Overhead Utility Lines |
| | (3.A) Spot Elevation |

BOUNDARY SURVEY FOR: Joe Cleghorn Homes:

J. LYNN O'FLYNN, INC.

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

THIS SURVEY
IS NOT
ASSIGNABLE

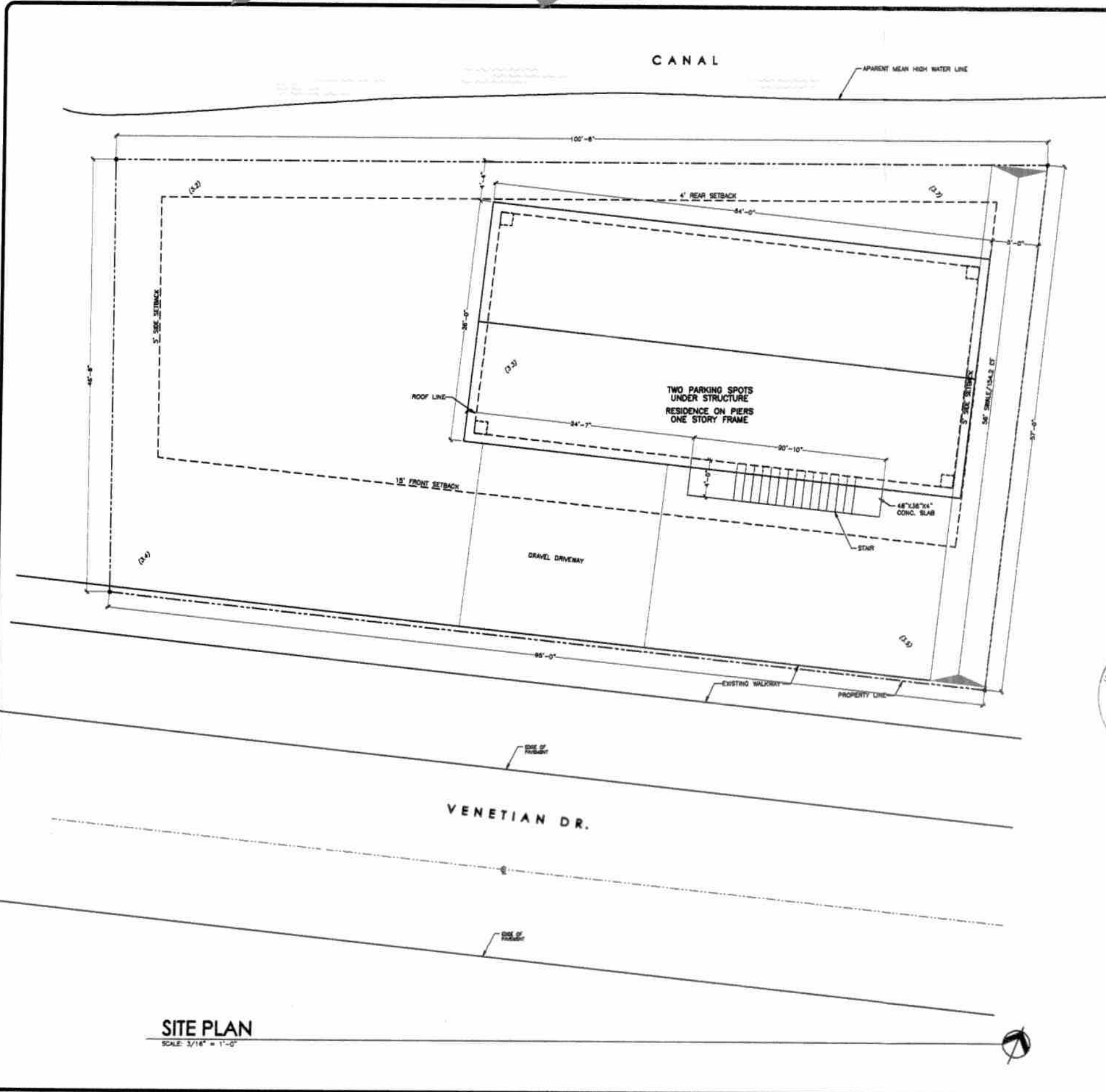
J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

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

January 27, 2011



SITE PLAN
SCALE: 3/16" = 1'-0"

CANAL

APPARENT MEAN HIGH WATER LINE

VENETIAN DR.

INDEX OF DRAWINGS

SITE PLAN	C-1
FOUNDATION/DETAILS	N/A

DRAINAGE CALCULATIONS

LOT AREA	8,064 SF
IMPERVIOUS AREA	
DRIVEWAY	380 SF
ROOFS	1,404 SF
DECKS/PATIOS OVER 30"	88.8 SF
TOTAL AREA	1,882.5 SF
% IMPERVIOUS AREA	37%
MAX. REQUIRED	50%

SWALE CALCULATIONS

SWALE VOLUME:
LESS THAN 40% IMPERVIOUS COVERAGE
1,882.5 SF DISTURBED AREA / 12 = 154.2 CF
SWALE VOLUME 3 CF PER FOOT
SWALE LENGTH REQUIRED 51.40 FEET
* ACCOUNTS FOR REDUCTION DUE TO SAVI



SWALE SECTION
SCALE: 1/2" = 1'-0"

SITE ANALYSIS

ZONING	RF	
REQUIRED SITE AREA	8,000 SF	
SITE AREA	8,064 SF (0.118 AC)	
FLOOD ZONE	AE 8	
MAX BLDG COVERAGE REQ	30%	
PROPOSED BLDG COVERAGE	29%	
PROPOSED OPEN SPACE RATIO	0.71 (3,581.5 SF)	
MAX HEIGHT	35'	
PROPOSED HEIGHT	23'	
SETBACKS	REQUIRED	PROPOSED
FRONT	35'	15'
REAR	30'	4'
SIDE	5'/6'	5'/6'

NOTES

BUILDING DESIGNED AND TO BE BUILT IN COMPLIANCE WITH FLORIDA BUILDING CODE RESIDENTIAL 2007 AND IN ACCORDANCE WITH 2008 SUPPLEMENTS AND ASCE 7-05
WINDLOAD: 150



JOE CLEGHORN HOMES
1421 FIRST STREET
KEY WEST, FL 33040

G. M. SELBY Inc.
8888 N. WATERWAY
DR. MIAMI, FL 33188
TEL : (305) 888-0718
FAX : (305) 888-0784
818 EATON ST. SUITE 2
KEY WEST, FL 33040
TEL : (305) 888-0718

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G.M. SELBY NO: GMSKW201143 VENETIAN
DRAWN BY: J.L. DATE: 03-15-11
CHECKED BY:
ENGINEER: ANNALISE MANNIX
LICENSE NO.: PE# 57533 FL
MEAU

REVISIONS

NO.	DATE	DESCRIPTION

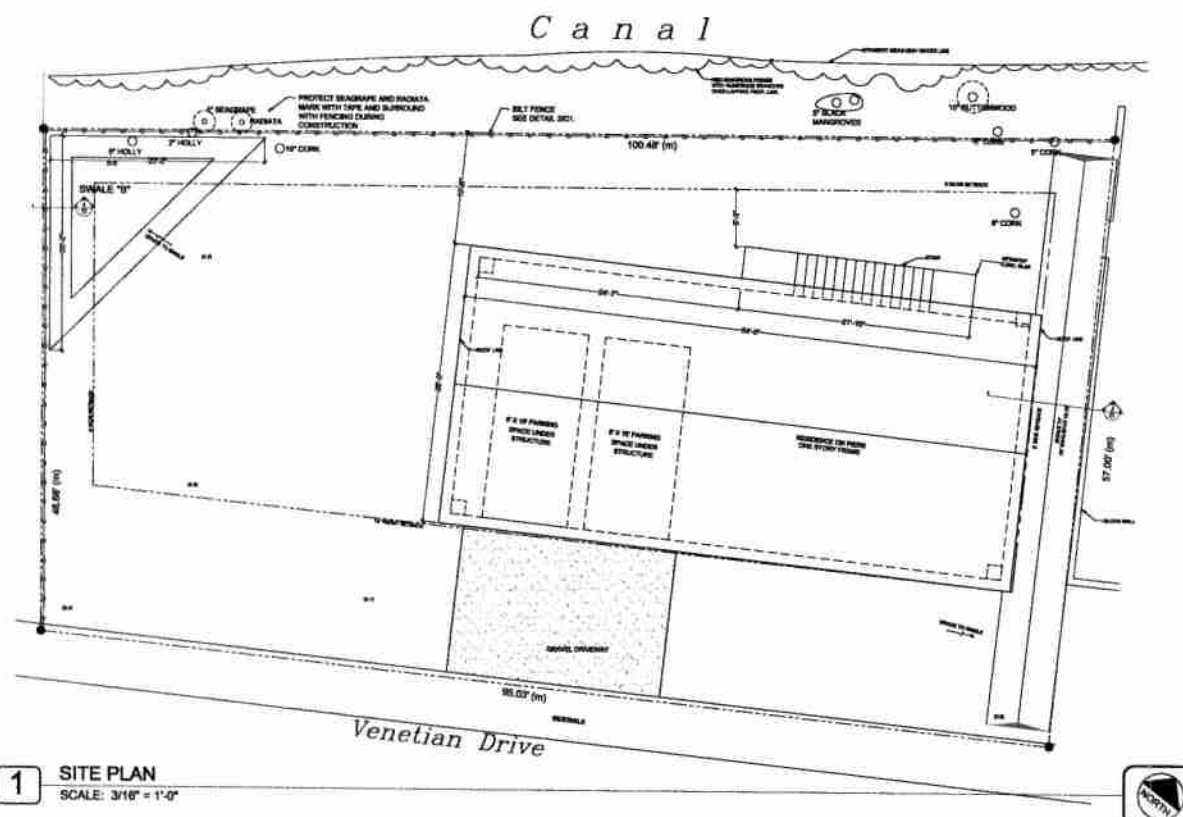
2801 VENETIAN DR.
KEY WEST
FLORIDA 33040

SHEET TITLE:
SITE PLAN

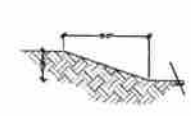
SHEET NO:
C-1

3/15/11

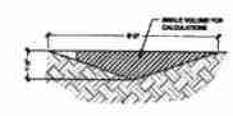
Site Plans



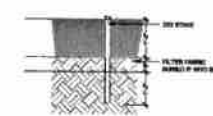
1 SITE PLAN
SCALE: 3/16" = 1'-0"



4 SWALE "B" SECTION
SCALE: 1/2" = 1'-0"



3 SWALE "A" SECTION
SCALE: 1/2" = 1'-0"



2 SILT FENCE
SCALE: 1/2" = 1'-0"

DRAWING INDEX	
SITE PLAN	C-1
FOUNDATION DETAILS	NA

- LANDSCAPE NOTES**
1. REMOVE ALL HOLLY AND CORK TREES.
 2. PROTECT ALL MANGROVES, SEAGRASSES, AND RADIATA. OBTAIN CITY PERMISSION TO INSTALL PROTECTIVE FENCES.
 3. NO TRIMMING OF MANGROVES WITHOUT FDEP PERMIT AND CITY OF KEY WEST TREE PERMIT.
 4. SEE SURVEY FOR SITE DETAILS.
 5. FLAD ALL MANGROVE BRANCHES OVERHANGING PROPERTY AND PROTECT DURING CONSTRUCTION.

DRAINAGE CALCULATIONS

LOT AREA	8,064 SF
IMPERVIOUS AREA	
DRIVEWAY	300 SF
ROOFS	1,404 SF
CONCRETE	15 SF
TOTAL AREA	1,719 SF
% IMPERVIOUS AREA	21%
MAX. IMPERVIOUS AREA	80%

SWALE CALCULATIONS

BY BUILDING AREA -
LESS THAN 40% IMPERVIOUS COVERAGE
1,719 SF DISTURBED AREA(12) = 143.25 CF

BY FULL LOT -
804 SF X 1.8 IN. /12 IN/FT = 891.75 CF
80% CREDIT FOR OUV RETENTION = 211.88 CF

SWALE DESIGN -
SWALE "B" VOLUME 2.83 CF PER FOOT
SWALE "A" LENGTH 82 FT WITH PROFILES SHOWN = 147.16 CF
SWALE "B" IS 168.1 CF AS DESIGNED.

SITE ANALYSIS

ZONE	SP
REQUIRED SITE AREA	8,000 SF
SITE AREA	8,064 SF (0.116 AC)
FLOOD ZONE	AE 1
MAX. BLDG COVERAGE	30%
PROPOSED BLDG COVERAGE	28%
PROPOSED OPEN SPACE RATIO	0.71 (5,341.5 SF)
MAX HEIGHT	PROPOSED 22' REQUIRED 35'
SETBACKS	
FRONT	14' 25'
REAR	5' 30'
SIDES	5' 30'

ANNALISE MANNIX ENGINEERING AND CONSULTING, LLC
3730 Paula Avenue
Key West, Florida 33040
Tel: 305-797-0483
Email: amannix@aol.com
FLORIDA REG. P.E. #57933



Revisions:

JOE CLEGHORN HOMES
2801 VENETIAN DRIVE
Key West, FL 33040

Title:
SITE PLAN

Sheet Number:
C-1
Date: 29 JULY 2011



Prior Approvals

VARIANCE: 2801 VENETIAN DRIVE

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT GRANTING VARIANCES TO THE BUILDING SETBACK AND MINIMUM LOT SIZE REGULATIONS FOR PROPERTY IN THE SF, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PERMITTING VARIANCES TO: THE REAR YARD SETBACK REGULATIONS OF 21 FEET, FROM THE 25 FEET REQUIRED TO THE 4 FEET PROPOSED; TO THE MINIMUM LOT SIZE REGULATIONS OF 3,800 FEET, FROM THE 8,000 SQUARE FEET REQUIRED TO THE 4,200 SQUARE FEET PROPOSED AND EXISTING; AND TO THE FRONT YARD SETBACK REGULATIONS OF 10 FEET, FROM THE 30 FEET REQUIRED TO THE 20 FEET PROPOSED; PROVIDING CONDITIONS. THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF A 1,248 S.F. (24 FEET BY 52 FEET) SINGLE FAMILY RESIDENCE ON AN EXISTING PLATTED, NARROW, VACANT LOT ON PROPERTY LOCATED AT 2801 VENETIAN DRIVE (RE# 7099).

REAL ESTATE PARCEL #7099, ALSO KNOWN AS 2801 VENETIAN DRIVE, KEY WEST, MONROE COUNTY, FLORIDA

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Land Development Regulations.

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district.

WHEREAS, the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

WHEREAS, the granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; now therefore,

BE IT RESOLVED by the Board of Adjustment of the City of Key West, Florida:

Section 1. That variances to the building setback and minimum lot size regulations in the SF, Single Family Residential Zoning District, under the Land Development Regulations of the City of Key West, Florida, are hereby granted as follows: THE REAR YARD SETBACK REGULATIONS OF 21 FEET, FROM THE 25 FEET REQUIRED TO THE 4 FEET PROPOSED; THE MINIMUM LOT SIZE REGULATIONS OF 3,800 FEET, FROM THE

8,000 SQUARE FEET REQUIRED TO THE 4,200 SQUARE FEET PROPOSED AND EXISTING; AND THE FRONT YARD SETBACK REGULATIONS OF 10 FEET, FROM THE 30 FEET REQUIRED TO THE 20 FEET PROPOSED; PROVIDING CONDITIONS.

THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF A 1,248 S.F. (24 FEET BY 52 FEET) SINGLE FAMILY RESIDENCE ON AN EXISTING PLATTED, NARROW, VACANT LOT ON PROPERTY LOCATED AT 2801 VENETIAN DRIVE (RE# 7099).

REAL ESTATE PARCEL #7099, ALSO KNOWN AS 2801 VENETIAN DRIVE, KEY WEST, MONROE COUNTY, FLORIDA

Section 2. It is an essential condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within 12 months after the date hereof. It is an essential condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as

described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

Section 4. 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 5. This variance is conditioned upon there being Key West Tree Commission review, if necessary, before a building permit shall be issued.

Section 6. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 9th day of September, 1999.

Authenticated by the presiding officer and Clerk of the Board on 10th day of September, 1999.

Filed with the Clerk on September 10, 1999.


SHEILA K. MULLINS, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK

RESOLUTION NO. 07-358

VARIANCE: 2801 VENETIAN DRIVE

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY HOUSE BY GRANTING VARIANCES TO BUILDING SETBACK AND LOT SIZE REGULATIONS FOR PROPERTY IN THE SFS, SINGLE FAMILY SPECIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 2801 VENETIAN DRIVE, KEY WEST, FLORIDA (RE# 00070990-000000)

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

WHEREAS, the Board of Adjustment 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 Board of Adjustment 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 Board of Adjustment 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 Board of Adjustment finds 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; and

WHEREAS, the Board of Adjustment 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 a variance; and

WHEREAS, the Board of Adjustment finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors.

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

Section 1. That variances to **BUILDING SETBACK AND LOT SIZE** regulations in the **SFS, SINGLE FAMILY SPECIAL Zoning District**, under the Code of Ordinances of the City of Key West, Florida, are hereby granted as follows to: SECTION 122-238(5)(A)(1), FROM THE 8000 SQUARE FEET REQUIRED TO THE 4200 SQUARE FEET EXISTING; TO SECTION 122-238(6)(a)(1 & 4), FROM THE 30 FOOT MINIMUM FRONT YARD SETBACK REQUIRED TO THE 15 FEET PROPOSED; AND FROM THE 25 FOOT REAR YARD SETBACK REQUIRED TO THE 4 FEET PROPOSED. **THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY HOUSE FOR PROPERTY LOCATED AT 2801 VENETIAN DRIVE, KEY WEST, FLORIDA (RE# 00070990-000000).**

Section 2. It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance

is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within 2 years after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the 2 year period without the applicant obtaining an extension from the Board of Adjustment and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 3. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

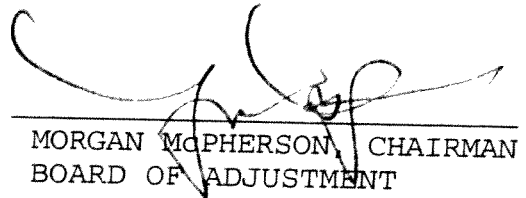
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.


Read and passed on first reading at a regular meeting held this, the 4th day of October, 2007.

Authenticated by the presiding officer and Clerk of the Board on 5th day of October, 2007.

Filed with the Clerk on October 5, 2007.


MORGAN MCPHERSON, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK

DRC
Minutes & Comments

Mr. Torrence asked that the applicant open up communication with the residents of Casa Marina Ct. and Mr. Horn stated that the residents of Casa Marina Ct. had been extensively involved in the public meetings.

Mr. Torrence expressed concern for the homeless issue in that area and suggested the applicant communicate ways to address it.

Mr. Craig stated that the parking calculations be redone to insure it is consistent.

Ms. Ignaffo asked if there will be a service road to the fort and Mr. Horn stated that there will be an event plaza area that also provides service access.

Mr. Averette requested that all service entrances be accessible by fire department and emergency services.

Mrs. Torregrosa recommended the applicant coordinate with NEPA and the State Historic Preservation office.

Ms. Ignaffo pointed out impacts the plans made on Indigenous Park, Atlantic Blvd. and White St. She requested plans for parking, landscape, storm water, drainage and lighting for these areas.

Mr. Craig advised the applicant be ready to address issues of location and intensity of lighting and hours of operation.

The following comments from Diane Nicklaus, ADA Coordinator were read into the record:

I have been a part of the planning process for this renovation and understand care is being taken to provide accessibility in all aspects of the project. I will withhold final comments until such time plans are provided to the Building Department for review.

The following comments from Keys Energy were read into the record:

Keys Energy has reviewed the site plans. KEYS will need to remove or relocate high voltage primary to accommodate the shift in the road. KEYS has power running to West Martello Towers and existing restaurant that will need to be maintained. KEYS will also need to have truck access to all poles. If this design is approved, KEYS will require 8 to 12 months for budgeting and design.

9. Variances - 2801 Venetia Drive (RE#00070990-000000) - A request for setback variances to front and rear-yard setbacks for the construction of a single-family house per Section 122-238 (6) (a) (1 & 3) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Brendon Cunningham presented the project.

Mr. Craig, Mr. Torrence, Mrs. Torregrosa, and Mr. Woodson had no comments.

Ms. Nicklaus and Keys Energy had no comments.

Mr. Averette asked if the rear setback is calling for 4' as stated in the agenda, or 6.31' as stated on the plans. He added that the Fire Department and Emergency Services need at least 5' on all sides.

Mr. Cunningham indicated that the rear setback calls for 4' along the canal and a 15' setback in the front.

Mr. Averette inquired if the plans could be changed to reflect a 5' setback in the back and a 14' setback in the front.

Ms. Ignaffo expressed the applicant needs to correct the percentage of building coverage on the application. She also reminded the applicant that the drainage plan must be in compliance.

Annalise Mannix, Engineer representing the client, stated that she perceives no issues with any of the changes to the plans.

Adjournment

A motion to adjourn was made by Mrs. Torregrosa and seconded by Mr. Averette.

Motion was carried by unanimous voice vote.

Meeting adjourned at 11:20 am.

Respectively Submitted,

Angelica Rabago
Temporary Administrative Coordinator

DRAFT



(305) 295-1000
1001 James Street
PO Box 6100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

June 16, 2011

Mr. Don Craig
City of Key West
PO Box 1409
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE
KEYS ENERGY SERVICES COMMENTS MEETING OF JUNE 23, 2011.

Dear Mr. Don Craig:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for June 23, 2011. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 2786 N. Roosevelt Blvd – Conditional Use
COMMENT: KEYS has no objections to the Conditional Use.
2. LOCATION: 512 Margaret Street – After the fact Variance
COMMENT: KEYS has no objections to the after the fact Variance.
3. LOCATION: 2801 Venetian Drive – Variances
COMMENT: KEYS has no objections to the Variances.

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely:

Matthew Alfonso

Matthew Alfonso

Matthew Alfonso
Supervisor of Engineering
Matthew.Alfonso@KeysEnergy.com

c:

L. Tejada, General Manager & CEO
J. Wetzler, Asst. General Manager & CFO
D. Finigan, Director of Engineering/Control Center
A. Tejada, Director of Customer Service
File: PLI-132

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

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

Property Record View

Alternate Key: 1074829 Parcel ID: 00070990-000000

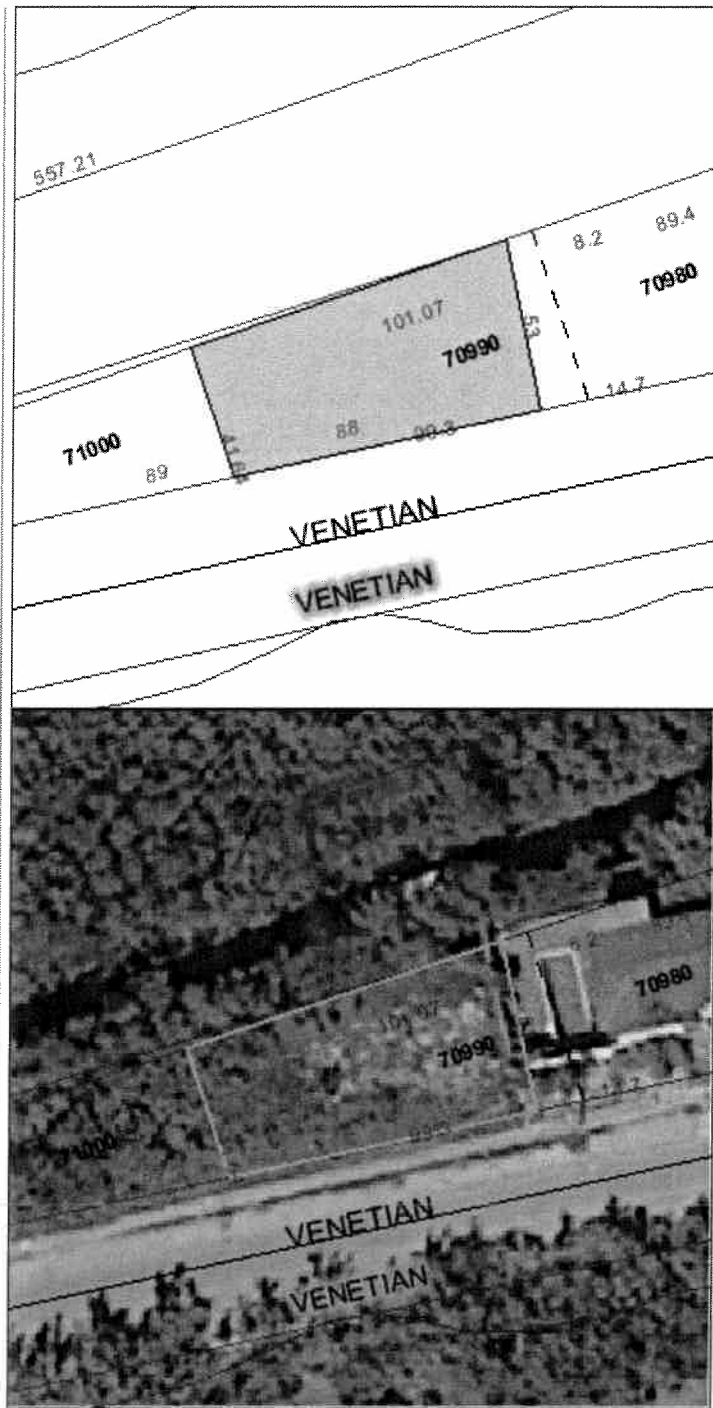
Ownership Details

Mailing Address:
2801 VENETIAN DRIVE LLC
5821 HOLLYWOOD BLVD STE 200
HOLLYWOOD, FL 33021-6308

Property Details

PC Code: 00 - VACANT RESIDENTIAL
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 04-68-25
Property Location: 2801 VENETIAN DR KEYWEST
Subdivision: Amended Plat of Riviera Shores First Addn
Legal Description: PT LT 88 KW AMENDED PLAT OF RIVIERA SHORES-FIRST ADDN PB5-88 OR524-321 OR684-646/47
Description: OR848-685 OR900-616/17 OR1022-2468 OR1560-1248/49AMD/TR OR2337-1225/27 OR2416-1211/12C/T OR2436-1834/35C/T OR2499-1967/69

Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
01EC - END CANAL	100	47	4,715.00 SF

Building Permits

Bldg Number	Date Issued	Date Completed	Amount Description	Notes
-------------	-------------	----------------	--------------------	-------

3	02-2661	02/27/2003	07/08/2004	17,100	Residential	ATF SLAB FOR MODULAR HM
1	9701087	04/01/1997	12/01/1997	1	Residential	CLEAN UP BROKEN CONCRETE
2	02-3363	01/09/2003	07/08/2004	2,000	Residential	ATF FILL
4	07-5320	12/11/2007		17,000	Residential	RENEW PERMIT # 02-2661 AUGER PILES, COLUMNS, & SLAB FOR MODULAR HOME

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2010	0	0	87,263	87,263	87,263	0	87,263
2009	0	0	130,895	130,895	130,895	0	130,895
2008	0	0	282,900	282,900	282,900	0	282,900
2007	0	0	355,556	355,556	355,556	0	355,556
2006	0	0	298,667	298,667	298,667	0	298,667
2005	294,771	5,986	203,852	504,609	504,609	0	504,609
2004	0	0	128,000	128,000	128,000	0	128,000
2003	0	0	80,593	80,593	80,593	0	80,593
2002	0	0	67,319	67,319	67,319	0	67,319
2001	0	0	67,319	67,319	67,319	0	67,319
2000	0	0	54,519	54,519	54,519	0	54,519
1999	0	0	49,496	49,496	49,496	0	49,496
1998	0	0	49,496	49,496	49,496	0	49,496
1997	0	0	40,888	40,888	40,888	0	40,888
1996	0	0	40,888	40,888	40,888	0	40,888
1995	0	0	40,888	40,888	40,888	0	40,888
1994	0	0	40,888	40,888	40,888	0	40,888
1993	0	0	40,888	40,888	40,888	0	40,888
1992	0	0	46,313	46,313	46,313	0	46,313
1991	0	0	46,313	46,313	46,313	0	46,313
1990	0	0	35,855	35,855	35,855	0	35,855
1989	0	0	34,859	34,859	34,859	0	34,859
1988	0	0	29,509	29,509	29,509	0	29,509
1987	0	0	19,869	19,869	19,869	0	19,869
1986	0	0	18,886	18,886	18,886	0	18,886
1985	0	0	17,811	17,811	17,811	0	17,811
1984	0	0	17,811	17,811	17,811	0	17,811
1983	0	0	17,811	17,811	17,811	0	17,811

1982	0	0	13,593	13,593	13,593	0	13,593
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Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
12/23/2010	2499 / 1967	100	<u>QC</u>	<u>11</u>
10/19/2009	2436 / 1834	100	<u>CT</u>	<u>12</u>
6/5/2009	2416 / 1211	100	<u>CT</u>	<u>12</u>
8/1/1987	1022 / 2468	150,000	<u>WD</u>	<u>M</u>
1/1/1984	900 / 616	1	<u>WD</u>	<u>M</u>
2/1/1982	848 / 685	45	<u>WD</u>	<u>M</u>

This page has been visited 24,881 times.

Monroe County Property Appraiser
Karl Borglum
P.O. Box 1176
Key West, FL 33041-1176

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

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

Property Record View

Alternate Key: 1074829 Parcel ID: 00070990-000000

Ownership Details

Mailing Address:
 BONEFISH PARTNERSHIP LTD
 C/O WEDDERBURN AND JACOBS PA

5821 HOLLYWOOD BLVD
 STE 201
 HOLLYWOOD, FL 33021

Property Details

PC Code: 00 - VACANT RESIDENTIAL
 Millage Group: 10KW
 Affordable Housing: No
 Section-Township-Range: 04-68-25
 Property Location: 2801 VENETIAN DR KEY WEST
 Subdivision: Amended Plat of Riviera Shores First Addn
 Legal Description: KW AMENDED PLAT OF RIVIERA SHORES-FIRST ADDN PB5-88 PT LOT 88 OR524-321 OR684-646/47 OR848-685 OR900-616/17 OR1022-2468 OR1560-1248/49AMD/TR OR2337-1225/27 OR2416-1211/12C/T OR2436-1834/35C/T

Show Parcel Map

Land Details

Land Use Code	Frontage	Depth	Land Area
01EC - END CANAL	100	47	4,715.00 SF

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
4	07-5320	12/11/2007	17,000	Residential	RENEW PERMIT # 02-2661 AUGER PILES, COLUMNS, & SLAB FOR MODULAR HOME
1	9701087	04/01/1997	1	Residential	CLEAN UP BROKEN CONCRETE
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1985	0	0	17,811	17,811	17,811	0	17,811
1984	0	0	17,811	17,811	17,811	0	17,811
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This page has been visited 114,171 times.

Monroe County Property Appraiser
 Ervin A. Higgs, CFA
 P.O. Box 1176
 Key West, FL 33041-1176

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:

Variations - 2801 Venetian Drive (RE# 00070990-000000) – A request for front and rear-yard setbacks in the SF zoning district per Section 122-238 (6)a.1.&3. 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.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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

Request: Variances - 2801 Venetian Drive (RE# 00070990-000000) – A request for front and rear-yard setbacks in the SF zoning district per Section 122-238 (6)a.1.&3. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant: Joseph Cleghorn, Jr.	Owner: 2801 Venetian Drive, LLC
Project Location: 2801 Venetian	Date of Hearing: Thursday, September 15, 2011
Time of Hearing: 6:00 PM	Location of Hearing: 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. 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 .

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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Printed: Sep 02, 2011

Monroe County, Florida 2801 Venetian

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.



	NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1	CHABAD OF KEY WEST INC	321 GRINNELL ST		KEY WEST	FL	33040	
2	HERNANDEZ OSBALDO AND JANET T	2809 VENETIAN DR		KEY WEST	FL	33040	
3	DURBIN SHARON G	24066 STATE RD 247		O BRIEN	FL	32071	
4	GARRISON DAVID	116 PROSPECT DR		BARRINGTON	IL	60010	
5	SAFE HARBOR ENTERPRISES INC	PO BOX 2455		KEY WEST	FL	33041-2455	
6	2801 VENETIAN DRIVE LLC	5821 HOLLYWOOD BLVD STE 200		HOLLYWOOD	FL	33021-6308	
7	HERNANDEZ DOLORES I L/E	123 HICKORY SNICK COURT		DEBANY	FL	32713	
8	CARROLL COLEMAN F B OF THE DIOC OF MIAMI ROM	9401 BISCAYNE BLVD		MIAMI SHORES	FL	33138-2970	
9	DOT/ST.OF FL	605 Suwannee St		TALLAHASSEE	FL	32399	
10	GOLAN A E TRUST UNDER WILL OF A E GOLAN	5529 ANZA ST		SAN FRANCISCO	CA	94121	