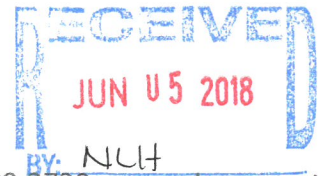


Application



Application For Variance

City of Key West, Florida • Planning Department
3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com



Application Fee: \$1,150.00 / After-the-Fact: \$2,150.00
(includes \$100.00 advertising/ noticing fee and \$50.00 fire review fee)

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 305-809-3720.

PROPERTY DESCRIPTION:

Site Address: 409 Margaret Street Key West, Florida
Zoning District: HMDR Real Estate (RE) #: 000050621-000400
Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: David Knoll
Mailing Address: 19581 Mayan Street
City: Sugarloaf Key State: Florida Zip: 33042
Home/Mobile Phone: 305-745-8617 Office: 305-745-8617 Fax: _____
N/A Email: david@davidknollarch.com

PROPERTY OWNER: (if different than above)

Name: Glenn Jackson and Denise Yaag
Mailing Address: 17727 Striley Drive
City: Ashton State: Maryland Zip: 20861
Home/Mobile Phone: 202-302-1403 Office: _____ Fax: _____
Email: glennfjackson@yahoo.com dayaag@yahoo.com

Description of Proposed Construction, Development, and Use: The construction of a new roof over an existing rear yard wood deck and will not exceed the footprint of the deck.

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

2289 s.f. building coverage (10% over required); 2940 s.f. impervious surface coverage (4% over required); 3.54 feet side yard setback (1.46 feet less than required)

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

If yes, please describe and attach relevant documents: _____

Will any work be within the dripline (canopy) of any tree on or off the property? Yes No
 If yes, provide date of landscape approval, and attach a copy of such approval.

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	HMDR			
Flood Zone	AE6			
Size of Site	4623 s.f.			
Height	30 ft. maximum	18. 2 ft.	No change	None
Front Setback	10 ft.	2.83 ft.	No change	None
Side Setback	5 ft.	3.54 ft.	No change	1.46 ft.
Side Setback				
Street Side Setback	n/a	n/a	n/a	n/a
Rear Setback	15 ft.	32.5 ft.	17.75 ft.	None
F.A.R				
Building Coverage	40% (1849 s.f.)	2085 s.f. (45%)	2289 s.f. (49%)	204s.f. (4%)
Impervious Surface	60% (2774 s.f.)	2700 s.f. (58%)	2940 s.f. (64%)	204 s.f. (4%)
Parking	n/a	0	No change	None
Handicap Parking	n/a	0	No change	None
Bicycle Parking	n/a			
Open Space/Landscaping	35% (1618 s.f.)	518 s.f. (11%)	No change	None
Number and type of units	1.6 residential	6 residential	No change	None
Consumption Area or Number of seats	n/a	n/a	n/a	n/a

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 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:

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 historic property is substandard in size with six non-compliant residential units, with small habitable areas that are the result of the conversion of the property into a condominium development and the applicant has no useable outdoor area that is protected from the sun.

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

The existing conditions preexisted the applicant's purchase of the property.

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 privileges would be conferred to the applicant by the granting of these variances.

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.

A protected outdoor area should be the privilege of the applicant and all citizens.

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 variances requested are such that they will allow a reasonable use of the property.

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.

No injury to the public welfare would be caused by the granting of these variances.

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 application is not predicated on existing nonconforming uses of other properties.

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 following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- Correct application fee. Check may be payable to "City of Key West."
- Notarized verification form signed by property owner or the authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Property record card
- Signed and sealed survey
- Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- Floor plans
- Stormwater management plan

Warranty Deed

Prepared by and return to:

Monica Hornyak
Real Estate Closer
Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 525-16.00556RM
Will Call No.:

10⁰⁰
11/15/2016 3:22PM
DEED DOC STAMP CL: Krys

\$0.70

Doc# 2099500
Bk# 2825 Pg# 2176

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this day of October, 2016 between Glenn F. Jackson and Denise A. Yaag, his wife, grantor, and Glenn F. Jackson, Co-Trustee, and Denise A. Yaag, Co-Trustee, of the Glenn F. Jackson Revocable Living Trust, dated the 4th day of March 2013, and Denise A. Yaag, Co-Trustee and Glenn F. Jackson, Co-Trustee of the Denise A. Yaag Revocable Living Trust, dated the 4th day of March, 2013, whose post office address is 17727 Striley Drive, Ashton, MD 20861, 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 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:

Unit D and Unit E of 409 MARGARET STREET CONDOMINIUM, together with all appurtenances thereto, as the same are contained and defined in the Declaration of Condominium, recorded in Official Records Book 2208, Page 930 of the Public Records of Monroe County, Florida, together with an undivided interest in the common elements.

Parcel Identification Number: 00005621-000400 & 00005621-000500

SUBJECT TO: Taxes for the current and subsequent years.

SUBJECT TO: Conditions, limitations, easements and restrictions of record, if any.

Pursuant to Crescent Miami Center, LLC vs. Florida Department of Revenue, 903 So.2d 913 (Fla 2005), documentary stamp tax does not apply to this transfer because the Grantee is a trust that is solely owned and controlled by the Grantor and this transaction is merely a change in the form of ownership.

The preparer of this instrument was neither furnished with, nor requested to review, an abstract on the described property and therefore expresses no opinion as to condition of title.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2014.

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:

1. *Gabriel Rosa*
Witness Name: Gabriel Rosa

Glenn F. Jackson (Seal)
Glenn F. Jackson

2. *Sergio Lopez*
Witness Name: Sergio Lopez

1. *Gabriel Rosa*
Witness Name: Gabriel Rosa

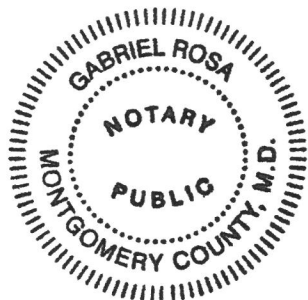
Denise A. Yaag (Seal)
Denise A. Yaag

2. *Sergio Lopez*
Witness Name: Sergio Lopez

State of Maryland
County of Montgomery

The foregoing instrument was acknowledged before me this 29th day of October, 2016 by Glenn F. Jackson and Denise A. Yaag, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Gabriel Rosa
Notary Public

Printed Name: Gabriel Rosa

My Commission Expires: 12/08/2018

MONROE COUNTY
OFFICIAL RECORDS

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 00005621-000000
Account # 9085535
Property ID 9085535
Millage Group 10KW
Location Address 409 MARGARET St 101-302, KEY WEST
Legal Description 409 MARGARET STREET CONDOMINIUM (F/K/A RE 00005620-000000 AK 1005801) OR2208-930/992DEC
 (Note: Not to be used on legal documents)

Neighborhood
Property Class (4H00)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



9085535 409 MARGARET STREET CONDOMINIUM 07/30/10

Owner

409 MARGARET ST CONDOMINIUM

Valuation

	2017	2016
+ Market Improvement Value	\$0	\$0
+ Market Misc Value	\$0	\$0
+ Market Land Value	\$0	\$0
= Just Market Value	\$0	\$0
= Total Assessed Value	\$0	\$0
- School Exempt Value		
= School Taxable Value		

Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
17-00000290	2/1/2017	5/8/2017	\$3,000		REMOVE AND REPLACE 5 WINDOWS (IMPACT) AT REAR OF STRUCTURE.
16-00004180	12/5/2016	1/26/2017	\$3,700		RE / RE 4 WINDOWS @ FRONT OF HOUSE REPLACE OLD WINDOWS W / IMPACT WINDOWS OF SAME DIMENSIONS. UNIT 101.
16-00004488	12/5/2016		\$1,800		
16-00004488	12/5/2016		\$1,800		REMOVE EXISTING SIDE DOOR SET AND SIDELIGHTS, REPLACE WITH 6'0" = TRUE DIVIDED LIGHT FRONT DOOR SET WITH NO SIDELIGHTS, OPENING TO DECREASE FROM 9' TO 6'. INFILL INTERIOR AND EXTERIOR TO MATCH EXISTING - NEW OPENING TO BE PROTECTED W / CORRUGATED ALUM. STORM SHUTTERS. UNIT 101.
16-00003793	11/30/2016	2/13/2017	\$25,000		REMOVE 375 SF FLOORING, LEVEL EXISTING FLOOR JOIST AND ADD FLOOR JOIST. ADD HURRICANE TIES AND CONNECTORS. INSTALL NEW PLYWOOD AND T & G FLOORING DRYWALL REPAIR AND INTERIOR PAINTING TOUCH UP.
16-00004208	11/1/2016	12/20/2016	\$2,375		INSTALL 150 SF 24 G VICTORIAN METAL SHINGLES ON THE FRONT PORCH ROOF.

Photos



No data available for the following modules: Land, Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Sales, Sketches (click to enlarge).

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

Last Data Upload: 7/5/2018 1:48:47 AM

Developed by
Schnei
GEOSPA

Survey

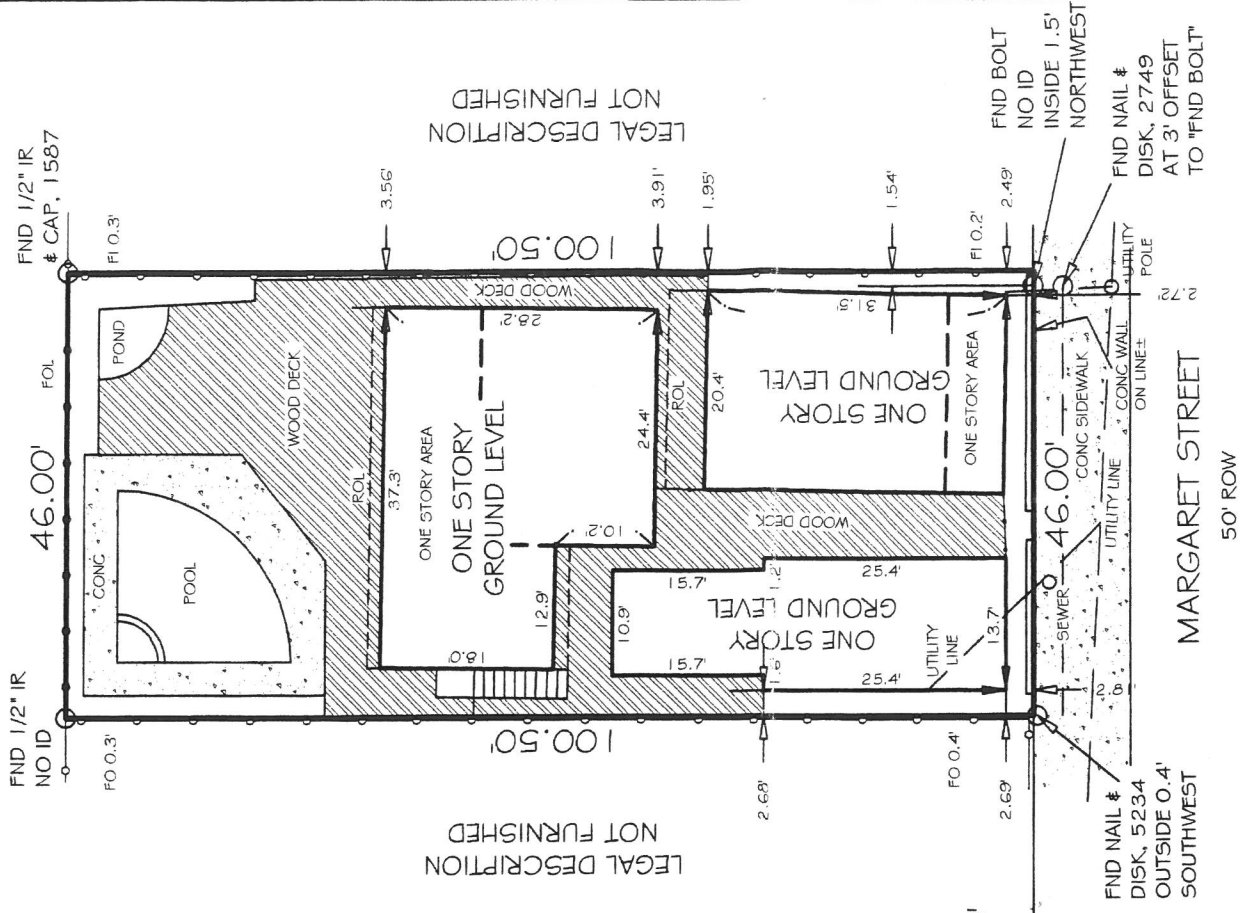
MAP OF BOUNDARY SURVEY PART OF LOT 3, SQUARE 33 WILLIAM A. WHITEHEAD'S MAP OF KEY WEST



LEGAL DESCRIPTION -

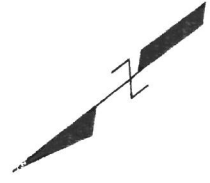
On the Island of Key West, and known as Part of Lot Three (3), of Square Thirty-three (33) of William A. Whitehead's map delineated in February A.D. 1829 and being more particularly described by metes and bounds as follows: COMMENCING at the intersection of the Northeasterly right of way boundary line of Margaret Street with the Southeasterly right of way boundary line of Eaton Street and running thence in a Southeasterly direction along the said right of way line of Margaret Street for a distance of 130.0 feet to the Point of Beginning; thence at right angles in a Northeasterly direction for a distance of 100.5 feet; thence at right angles in a Southeasterly direction for a distance of 46.0 feet; thence at right angles in a Southwesterly direction for a distance of 100.5 feet to the said right of way line of Margaret Street; thence at right angles in a Northwesterly direction along Margaret Street for a distance of 46.0 feet back to the Point of Beginning.

LEGAL DESCRIPTION
NOT FURNISHED



LEGAL DESCRIPTION
NOT FURNISHED

LEGAL DESCRIPTION
NOT FURNISHED



SCALE: 1" = 20'

BEARING BASE:
DERIVED FROM PLAT

ALL ANGLES DEPICTED
ARE 90 DEGREES UNLESS
OTHERWISE INDICATED

ADDRESS:
409 MARGARET STREET
KEY WEST, FL
33040

CERTIFIED TO -
RESIDENCE REVIVAL, LLC
MARINE BANK OF THE FLORIDA KEYS, ITS SUCCESSORS
and/or assigns
SOUTHERNMOST TITLE, INC.
UNITED GENERAL TITLE INSURANCE COMPANY

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.

THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

- | | | |
|---------------------------|--|------------------------------------|
| DELTA = CENTRAL ANGLE | IP = IRON PIPE | PRC = POINT OF REVERSE CURVE |
| ASPH = ASPHALT | IR = IRON ROD | PRM = PERMANENT REFERENCE MONUMENT |
| MEAS = MEASURED | NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929) | PT = POINT OF TANGENT |
| CL = CENTERLINE | NTS = NOT TO SCALE | R = RADIUS |
| CM = CONCRETE MONUMENT | PC = POINT OF CURVE | RES = RESIDENCE |
| CONC = CONCRETE | PCC = POINT OF CURVE CONTROL POINT | ROW = RIGHT OF WAY |
| DRASE = DRAINAGE EASEMENT | PK = PARKER KALON NAIL | ROWL = RIGHT OF WAY LINE |
| ELEV = ELEVATION | PL = PROPERTY LINE | TP = TYPICAL ENGAGEMENT |
| ENCL = ENCLOSURE | POB = POINT OF BEGINNING | UP = UTILITY POLE |
| ENCR = ENCROACHMENT | PI = POINT OF INTERSECTION | WM = WATER METER |
| EDP = EDGE OF PAVEMENT | FIN = FINISHED FLOOR | |
| FF = FINISHED FLOOR | FND = FOUND | |
| FI = FENCE INSIDE | FND = FOUND | |
| FOL = FENCE OUTSIDE | FOL = FENCE ON LINE | |

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-5, FLORIDA ADMINISTRATIVE CODE. FURSUJANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH 1 (B) (SCHEDULE "B") HAS NOT BEEN PROVIDED.

Robert E. Reece
SIGNED

ROBERT E. REECE, PSM #5632, PROFESSIONAL SURVEYOR AND MAPPER, LB #6884

NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER

R.E. REECE, P.A.
PROFESSIONAL SURVEYOR AND MAPPER

#5 SHIPS WAY, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
FAX (305) 872 - 5622

SCALE:	1" = 20'
FIELD WORK DATE	06/07/04
REVISION DATE	-/-
SHEET	1 OF 1
DRAWN BY:	JM
CHECKED BY:	RR
INVOICE NO.:	4052009

Proposed Plans

ADDITION TO:
409 MARGARET ST.
 KEY WEST, FLORIDA

DATE OF ISSUE:
 6 / 4 / 18

David Knoll

ADDITION TO:

409 MARGARET ST.

KEY WEST, FLORIDA

OWNERS: GLENN JACKSON AND DENISE YAAG

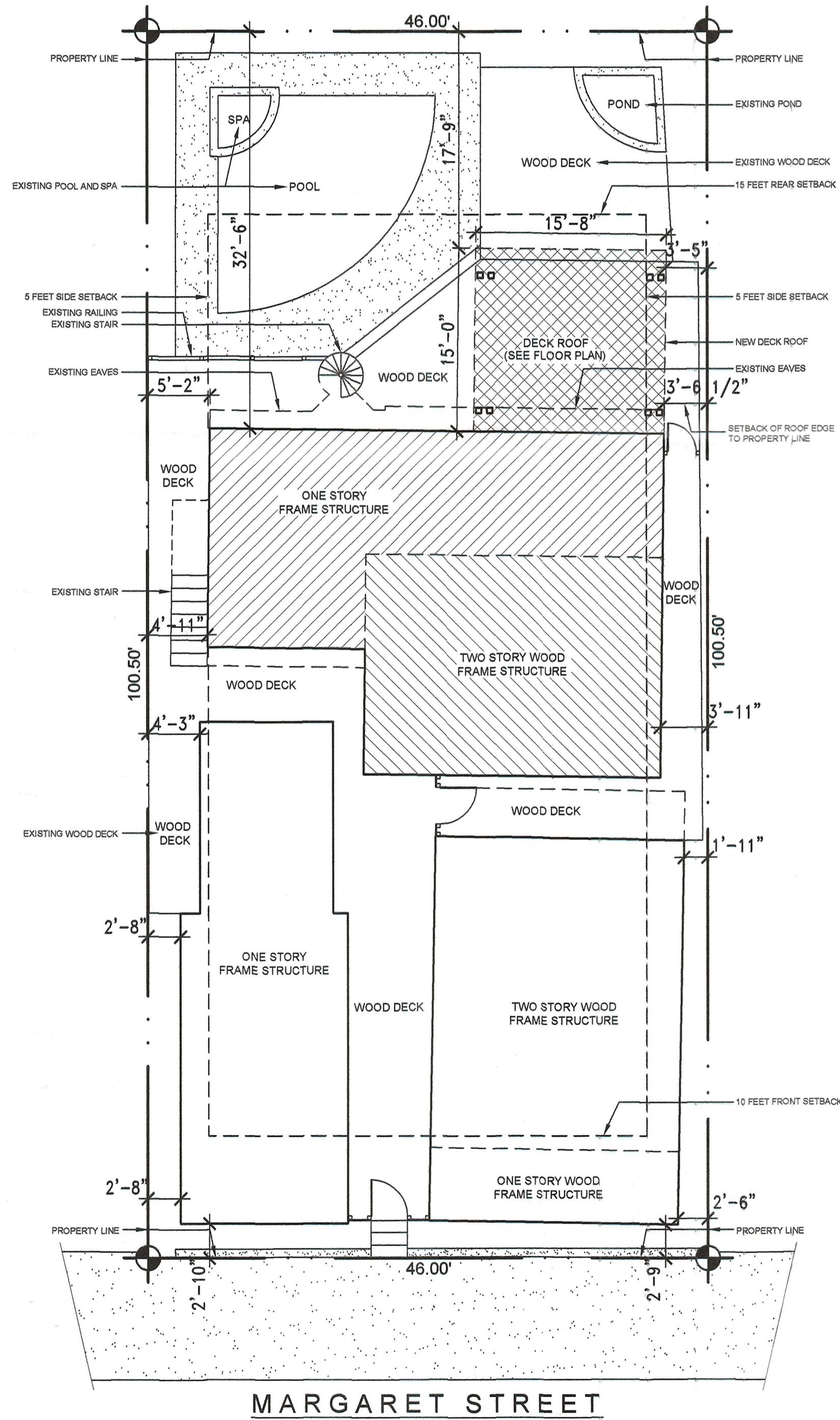
DAVID KNOLL
 ARCHITECT

KEY WEST, FLORIDA · 305.775.8617

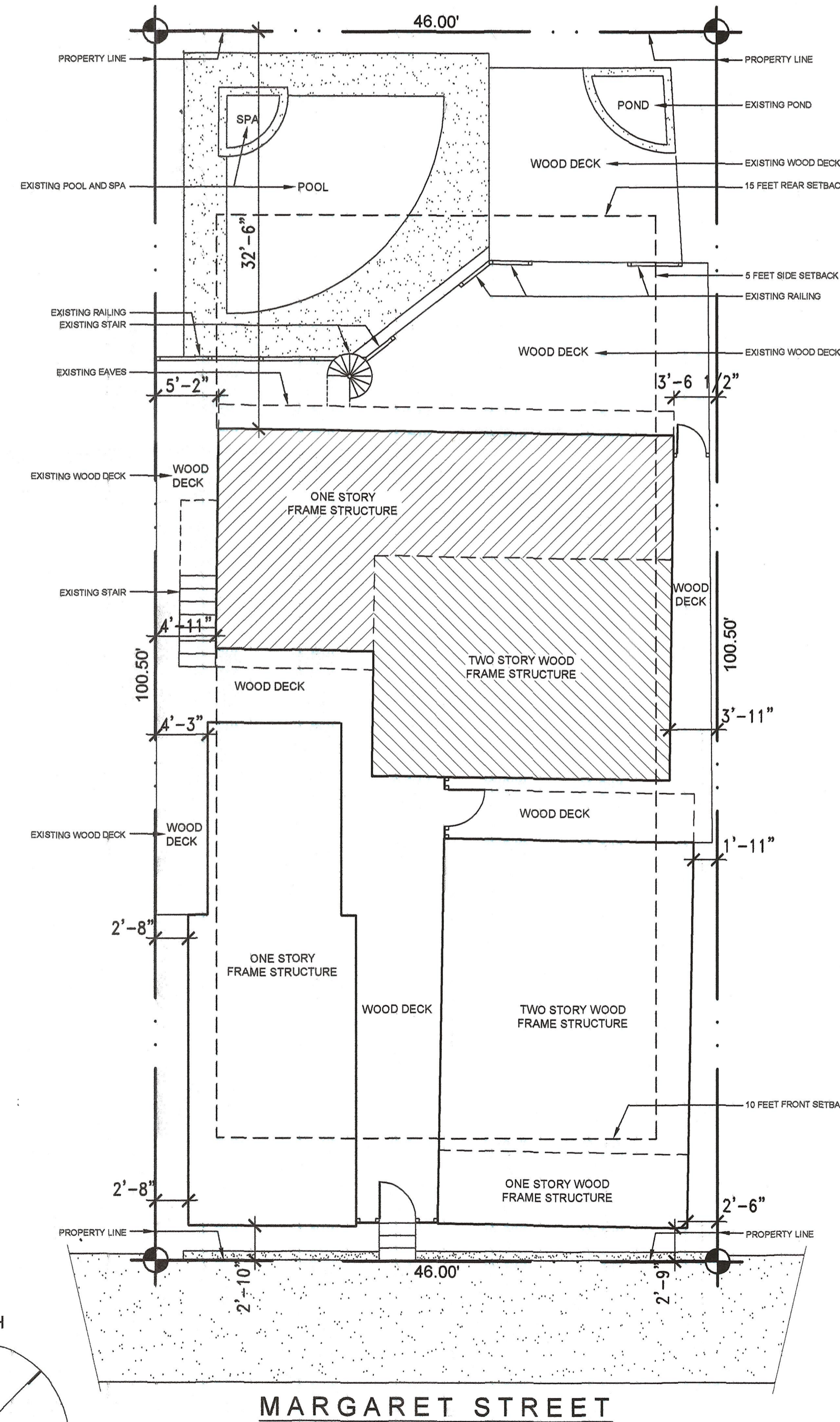
1

OF 2 SHEETS

SITE DATA			
1. LAND USE DISTRICT: HMDR			
2. LOT AREA: 4623 S.F.			
3. SETBACKS:	ALLOWED	EXISTING	PROPOSED
FRONT	10.0'	2.66' + 2.50'	NO CHANGE
SIDE	5.0'	3.54'	NO CHANGE
REAR	15.0'	32.5'	17.75'
4. LOT COVERAGE:	ALLOWED	EXISTING	PROPOSED
BUILDING	40% (1849 S.F.)	45% (2085 S.F.)	49% (2289 S.F.)
IMP. SURFACE	60% (2774 S.F.)	2700 S.F. (58%)	2940 S.F. (64%)
5. STORMWATER RETENTION: THE WORK DEPICTED IN THESE DRAWINGS WILL NOT INCREASE STORMWATER RUNOFF			

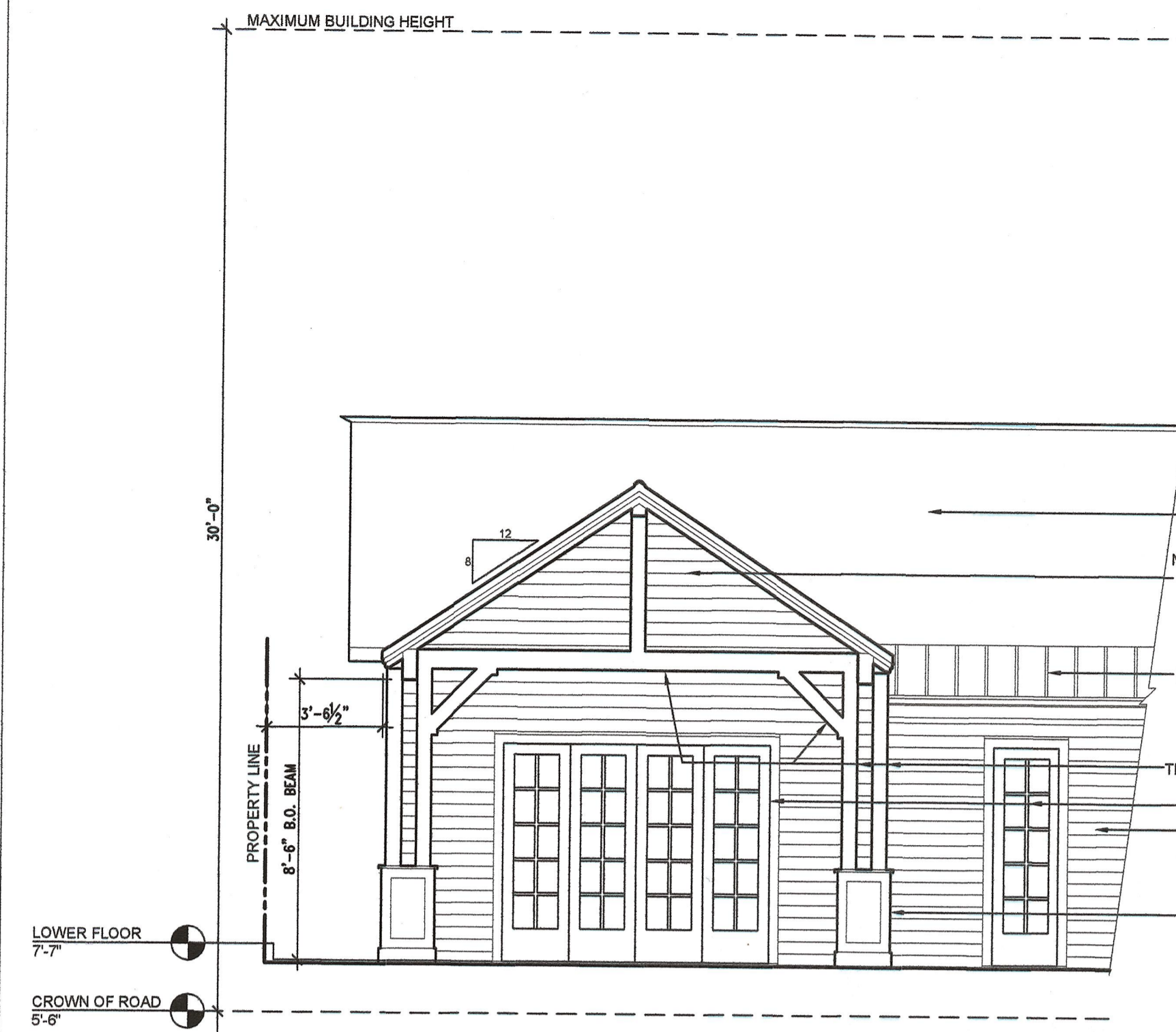


PROPOSED SITE PLAN
 1/8" = 1'-0"

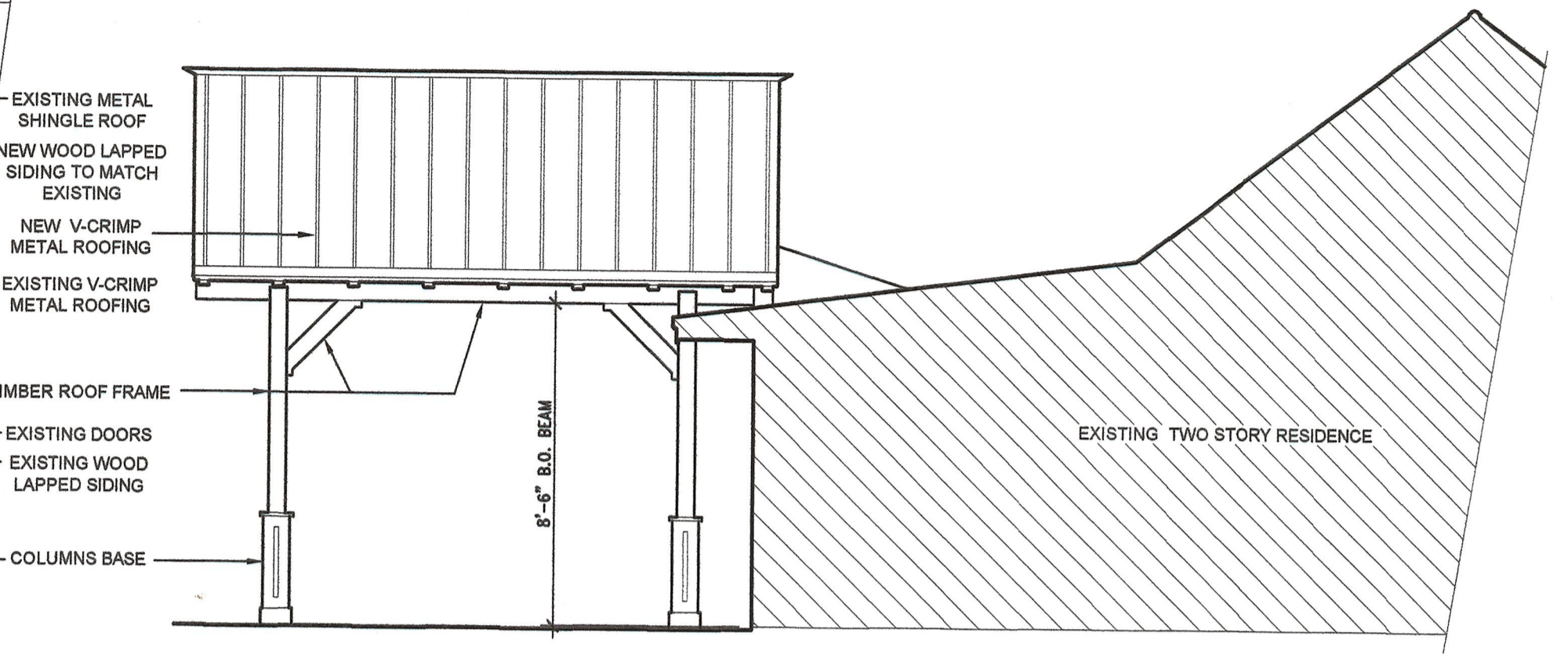


EXISTING SITE PLAN
 1/8" = 1'-0"

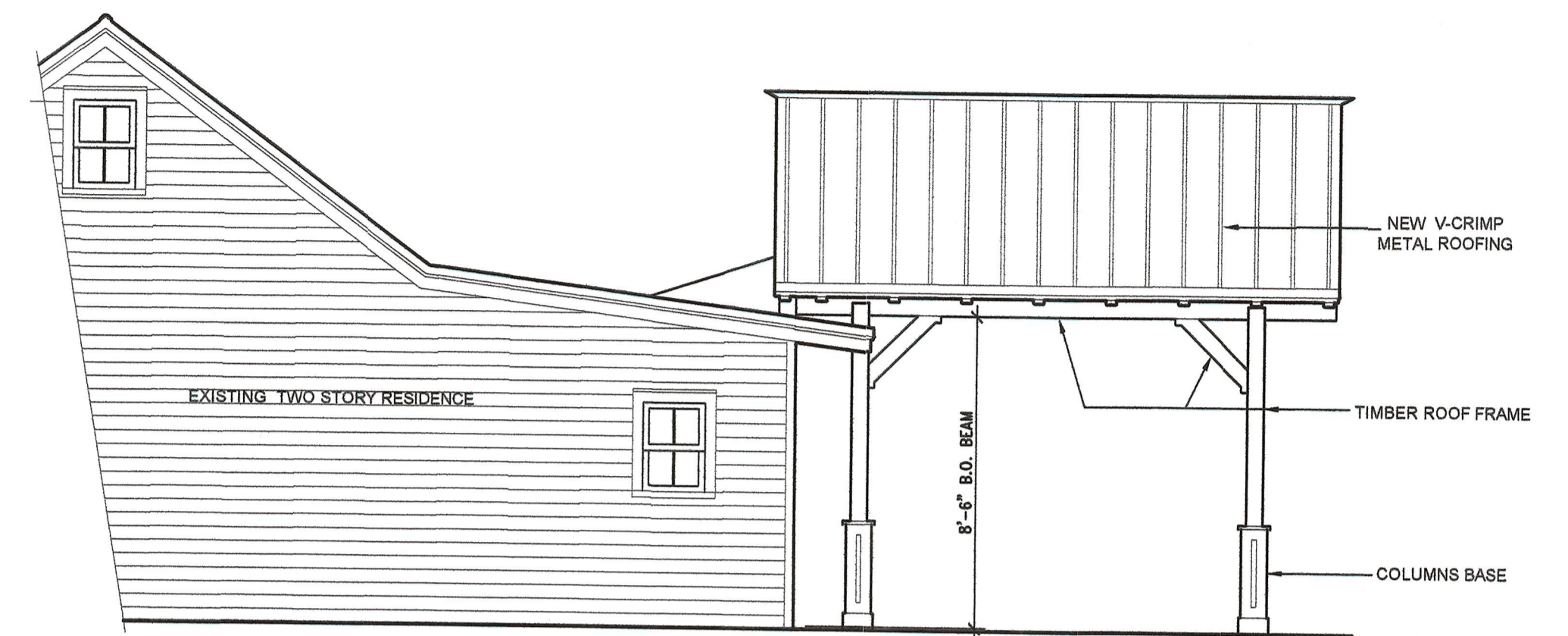
David Knoll
 DATE OF ISSUE:
 6 / 4 / 18



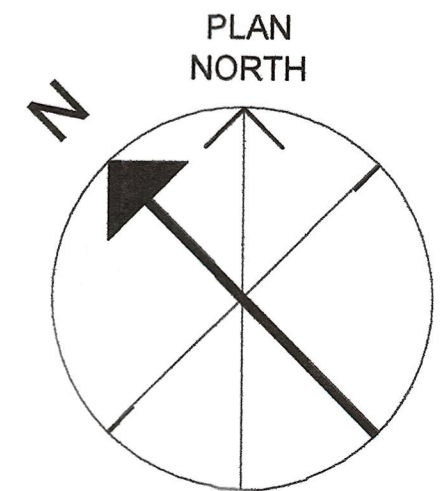
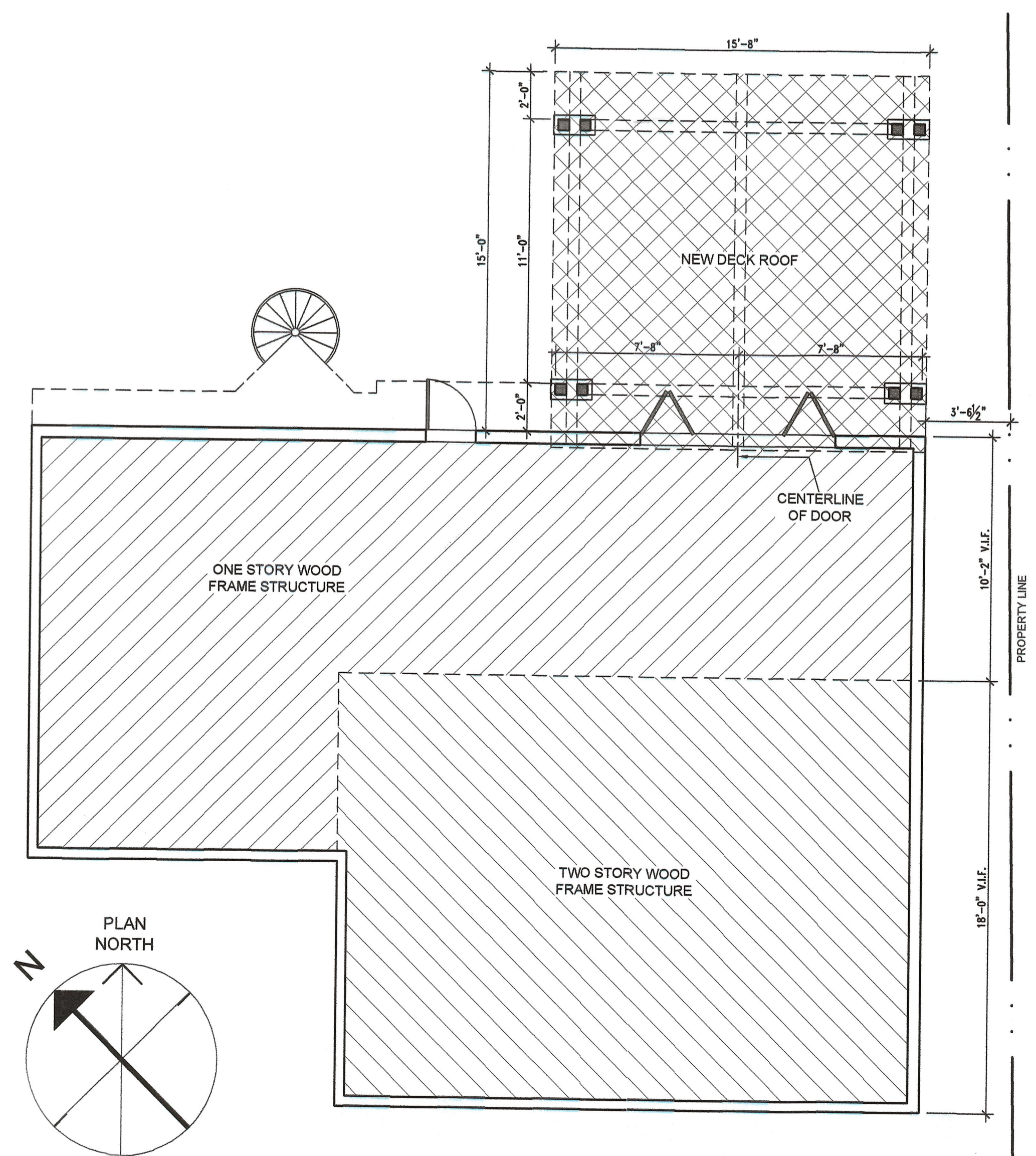
SOUTH ELEVATION
 1/4" = 1' - 0"



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



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



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

ADDITION TO:

409 MARGARET ST.

KEY WEST, FLORIDA
 OWNERS: GLENN JACKSON AND DENISE YAAG

DAVID KNOLL
 ARCHITECT

KEY WEST, FLORIDA · 305.775.8611

2

OF 2 SHEETS

Authorization Form

**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, Glenn Jackson and Denise Yaag authorize
Please Print Name(s) of Owner(s) as appears on the deed

David Knoll
Please Print Name of Representative

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

[Signature] *Signature of Owner* Denise A Yaag *Signature of Joint/Co-owner if applicable*

Subscribed and sworn to (or affirmed) before me on this 2nd DAY OF JUNE 2018
Date

by GLENN JACKSON AND DENISE YAAG
Name of Owner

He/She is personally known to me or has presented VALID DRIVER'S LICENSE as identification.

[Signature]

Notary's Signature and Seal
IKENNA EMERUEH
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND

My Commission Expires 01/15/2022

Commission Number, if any

Verification Form

**City of Key West
Planning Department**



Verification Form
(Where Authorized Representative is an individual)

I, DAVID KNOLL, 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:

409 MARGARET ST., KEY WEST, FLORIDA

Street address of subject property

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

David Knoll
Signature of Authorized Representative

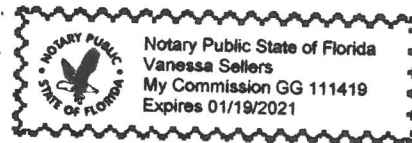
Subscribed and sworn to (or affirmed) before me on this 02/29/18 by

DAVID KNOLL
Name of Authorized Representative

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

Vanessa Sellers
Notary's Signature and Seal

Vanessa Sellers
Name of Acknowledger typed, printed or stamped



CG111419
Commission Number, if any