

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major
 Minor _____

Conditional Use

Historic District

Yes _____
 No _____

Please print or type:

- 1) Site Address 724 Truman
- 2) Name of Applicant Carlos Hue mbes
- 3) Applicant is: Owner _____ Authorized Representative
 (attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 7344 SW 48th St. #201
Miami, FL 33155
- 5) Applicant's Phone # 305.661.8181 Email villarchitecture@att.net
- 6) Email Address: villarchitecture@att.net
- 7) Name of Owner, if different than above The Most Reverend Thomas G Wenski Archbishop of
- 8) Address of Owner 9401 Biscayne Blvd., Miami Shores, FL 33138 Archdiocese of Miami
- 9) Owner Phone # _____ Email _____
- 10) Zoning District of Parcel HPS RE# 00030020-000000
- 11) Is Subject Property located within the Historic District? Yes No _____
 If Yes: Date of approval _____ HARC approval # Pending
 OR: Date of meeting _____

12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

Replacement Bldg for existing Gym Building utilizing existing footprint and envelope

RECEIVED
JUL 18 2016
 [Signature]

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



13) Has subject Property received any variance(s)? Yes _____ No _____
If Yes: Date of approval _____ Resolution # _____

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes _____ No _____

If Yes, describe and attach relevant documents.

- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, Horacio C Huembes, 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:

724 Truman Avenue, Key West, Florida 33040

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.

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this July 14th, 2016 by
date

Horacio C Huembes

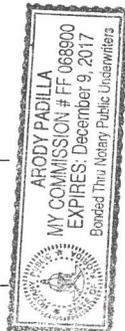
Name of Authorized Representative

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

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



**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, Rev. John C. Baker as
Please Print Name of person with authority to execute documents on behalf of entity

Pastor of for the Archbishop of Miami
Name of office (President, Managing Member) *Name of owner from deed*

authorize Carlos Huembes
Please Print Name of Representative

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

John C. Baker
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 7/8/2016
Date

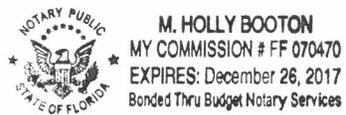
by John Baker
Name of person with authority to execute documents on behalf on entity owner

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

M. Holly Booton
Notary's Signature and Seal

M. Holly Booton
Name of Acknowledger typed, printed or stamped

070470
Commission Number, if any



City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, John O'Neill, 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:

724 Truman

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.

A handwritten signature in blue ink, appearing to read "John O'Neill", written over a horizontal line.

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 7/8/2016 by

John O'Neill

Name of Authorized Representative

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

M. Holly Booton

Notary's Signature and Seal

M. Holly Booton

Name of Acknowledger typed, printed or stamped



M. HOLLY BOOTON
MY COMMISSION # FF 070470
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services

070470

Commission Number, if any

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, Rev. John E. Baker as
Please Print Name of person with authority to execute documents on behalf of entity

Pastor or for the Archbishop of Miami
Name of office (President, Managing Member) *Name of owner from deed*

authorize John O'Neill
Please Print Name of Representative

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

John E. Baker
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 7/8/2016
Date

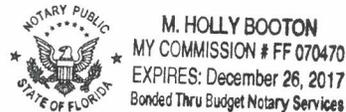
by John Baker
Name of person with authority to execute documents on behalf on entity owner

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

M. Holly Booton
Notary's Signature and Seal

M. Holly Booton
Name of Acknowledger typed, printed or stamped

070470
Commission Number, if any



City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, Tom Pope, 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:

724 Truman

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.

[Handwritten Signature]

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 7/8/2016 by

date

Tom Pope

Name of Authorized Representative

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

M. Holly Booton

Notary's Signature and Seal

M. Holly Booton

Name of Acknowledger typed, printed or stamped



M. HOLLY BOOTON
MY COMMISSION # FF 070470
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services

070470

Commission Number, if any

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, Rev. John C. Baker as
Please Print Name of person with authority to execute documents on behalf of entity

Pastor offer the Archbishop of Miami
Name of office (President, Managing Member) *Name of owner from deed*

authorize Tom Pope
Please Print Name of Representative

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

John C. Baker
Signature of person with authority to execute documents on behalf on entity owner

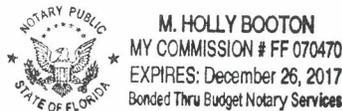
Subscribed and sworn to (or affirmed) before me on this 7/8/2016
Date

by John Baker
Name of person with authority to execute documents on behalf on entity owner

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

M. Holly Booton
Notary's Signature and Seal

M. Holly Booton
Name of Acknowledger typed, printed or stamped



070470
Commission Number, if any

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, Rev. John C. Baker as
Please Print Name of person with authority to execute documents on behalf of entity

Pastor of for the Archdiocese of Miami
Name of office (President, Managing Member) *Name of owner from deed*

authorize Ashley Monnier
Please Print Name of Representative

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

John C. Baker
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 7/8/2016
Date

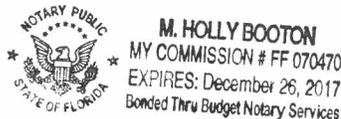
by John Baker
Name of person with authority to execute documents on behalf on entity owner

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

M. Holly Booton
Notary's Signature and Seal

M. Holly Booton
Name of Acknowledger typed, printed or stamped

070470
Commission Number, if any



**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, JORGE VILLAVICENCIO 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:

724 TRUMAN AVE. KEY WEST, FL. 33040

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.

Jorge Villavicencio

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 7/13/16 by _____ date

JORGE VILLAVICENCIO
Name of Authorized Representative

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

Amalia Barrueta

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped



Commission Number, if any

J. PATRICK FITZGERALD & ASSOCIATES, P.A.

ATTORNEYS AT LAW
110 MERRICK WAY
SUITE 3-B

CORAL GABLES, FLORIDA 33134

TELEPHONE (305) 443-9162
TELEFAX (305) 443-6613

J. PATRICK FITZGERALD
ROBERTO J. DIAZ
THOMAS H. COURTNEY
MAURA FITZGERALD JENNINGS

PALM BEACH ADDRESS
1615 FORUM PLACE, SUITE 200
WEST PALM BEACH, FLORIDA 33401
(561) 659-6438

OF COUNSEL:
SUZANNE A. DOCKERTY

Reply To:
Coral Gables

February 15, 2013

To Whom It May Concern:

Re: Real Estate and related interests held by the Archbishop of the Archdiocese of Miami
Property: St. Mary Star of the Sea Parish
Address: 1010 Windsor Lane, Key West, Florida 33040

This letter shall serve as an opinion of title to confirm ownership for the above-referenced Property. I hereby certify that the fee simple title owner of the Property is The Most Reverend Thomas G. Wenski, Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole.

Property conveyed to the Roman Catholic Church is taken in the name of the bishop or archbishop of the diocese. This presents the concept of a "corporation sole." A corporation sole consists of a single person (and his successors in office) who is made a corporation by common law in order to give him legal capacity and advantages which, as a natural person, he would otherwise not have. Upon the death, retirement or removal of the bishop or archbishop, the powers automatically pass to the next appointed bishop or archbishop of the diocese. The concept of the corporation sole originated as a means to the orderly transfer of Church property serving to keep title within the Church and for it not to be treated as the estate of the bishop or archbishop. The State of Florida recognizes corporation soles under common law for acquiring, holding and disposing of title to Church property. As such, the archbishop is not deemed a corporate entity under Florida law.

Attached are copies of the Succession Affidavits confirming passage from The Most Reverend Coleman F. Carroll to The Most Reverend Edward A. McCarthy, and then from The Most Reverend Edward A. McCarthy to The Most Reverend John C. Favalora; and from The Most Reverend John C. Favalora to The Most Reverend Thomas G. Wenski.

Very truly yours,



Suzanne A. Dockerty

5501-613

77R221901

77 SEP 7 AM 10 26

9792 #1022

A P P I D A V I T

STATE OF FLORIDA:
SS:
COUNTY OF DADE :

BEFORE ME, the undersigned authority, personally appeared REVEREND MONSIGNOR MOREL POGARTY, who being on oath, first duly sworn, deposes and says:

1. That he is a resident of Dade County, Florida, a priest of the Roman Catholic Church and Vicar General and Chancellor of the Archdiocese of Miami, Florida.

2. The Affiant further says that on the twenty-sixth (26) day of July, 1977, The Most Reverend Coleman F. Carroll, Archbishop of the Archdiocese of Miami, County of Dade, State of Florida, died (see Exhibit "A"), at which time he was succeeded by The Most Reverend Edward A. McCarthy as Archbishop of the Archdiocese of Miami, pursuant to a Papal Bull issued by His Holiness Pope Paul VI on July 7, 1976 in which Archbishop Edward A. McCarthy was designated as Co-Adjutor Archbishop of the Archdiocese of Miami, with right of succession and, as such, The Most Reverend Edward A. McCarthy assumes all right, title and interest to all property, real, personal and/or mixed, together with whatever else is officially registered in the name of The Most Reverend Coleman F. Carroll as Archbishop of the Archdiocese of Miami.

3. The Affiant further says that the Archdiocese of Miami comprises the following counties: Glades, Martin, Hendry, Palm Beach, Collier, Broward, Dade and Monroe, all within the State of Florida.

FURTHER AFFIANT SAYETH NAUGHT...

Morel Pogarty

(SEAL)

REVEREND MONSIGNOR MOREL POGARTY, Vicar General and Chancellor of the Archdiocese of Miami

SWORN TO and SUBSCRIBED before me this 23rd day of August, A.D., 1977.

Notary Public
NOTARY PUBLIC - State of Florida, at Large



My Commission Expires:

MY COMMISSION EXPIRES 7/1/87

6.00

871171

OFF REC 1334 PAGE 2367

62

AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF DADE) SS:

Before me, the undersigned authority, personally appeared The Most Reverend Edward A. McCarthy, Archbishop Emeritus of the Archdiocese of Miami, who being duly sworn according to law, deposes and says as follows:

1. that on December 20, 1994, The Most Reverend John C. Favalora was installed as the Archbishop of the Archdiocese of Miami, succeeding myself, The Most Reverend Edward A. McCarthy.

2. that effective December 20, 1994, The Most Reverend John C. Favalora, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, is the Metropolitan Archbishop of the Archdiocese of Miami which embraces the counties of Dade, Broward and Monroe in the State of Florida.

3. that pursuant to the Canon Law of the Roman Catholic Church, The Most Reverend John C. Favalora, has all rights of succession to myself, The Most Reverend Edward A. McCarthy.

4. that under the doctrine of corporation sole, the title to all property in the Archdiocese of Miami, which encompasses the counties of Dade, Broward and Monroe, was held by The Most Reverend Edward A. McCarthy, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, as of July 26, 1977 through December 20, 1994.

5. that under the doctrine of corporation sole, the title to all property in the Archdiocese of Miami, which encompasses the counties of Dade, Broward and Monroe, is held by The Most Reverend John C. Favalora, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, as of December 20, 1994.

6. That under penalties of perjury, I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NOT.

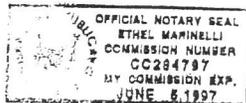
Edward A. McCarthy
The Most Reverend Edward A. McCarthy

The foregoing instrument was acknowledged before me this 20th day of December, 1994, by The Most Reverend Edward A. McCarthy, Archbishop Emeritus of the Archdiocese of Miami, who is personally known to me or who has produced _____ as identification.

Ethel Marinelli
NOTARY PUBLIC-STATE OF FLORIDA,
At Large

FILED IN RECORDS
94 DEC 22 12:59
DANN
MONROE COUNTY FLA

My Commission Expires: June 5, 1997



Recorded in Public Records
in Miami-Dade County, Florida
Record Book of
Edward A. McCarthy
Clerk Circuit Court



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

TO: Ginny Haller, Planner II

FROM: Elizabeth Ignoffo, E.I., Permits Engineer

CC: Thomas E. Pope, P.A., Architect

DATE: July 11, 2016

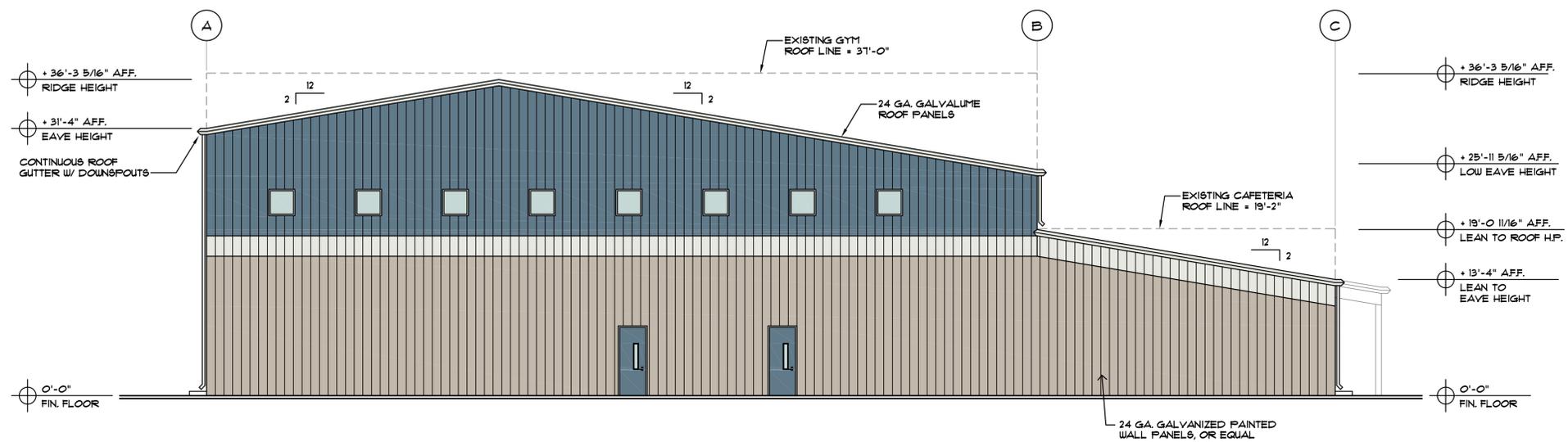
**SUBJECT: Proposed Gymnasium Building
Saint Mary's Star of the Sea
724 Truman Avenue
Stormwater Management Plan Exemption**

Plans for the proposed gymnasium building replacement, dated June 13, 2016, were reviewed. The new steel building will be built on the same footprint as the existing steel with concrete foundation structure. A canopy, less than 500 sq.ft., will be erected over the main entrance.

Pursuant to City of Key West Code of Ordinances Sec. 108-716, construction or modification which does not create an impervious surface exceeding 500 square feet is exempt from obtaining a permit for surface water management. Therefore, a stormwater management plan will not be required for this application.



NORTH EAST ELEVATION 1/8" = 1'-0"



SOUTH EAST ELEVATION 1/8" = 1'-0"

REVISIONS:

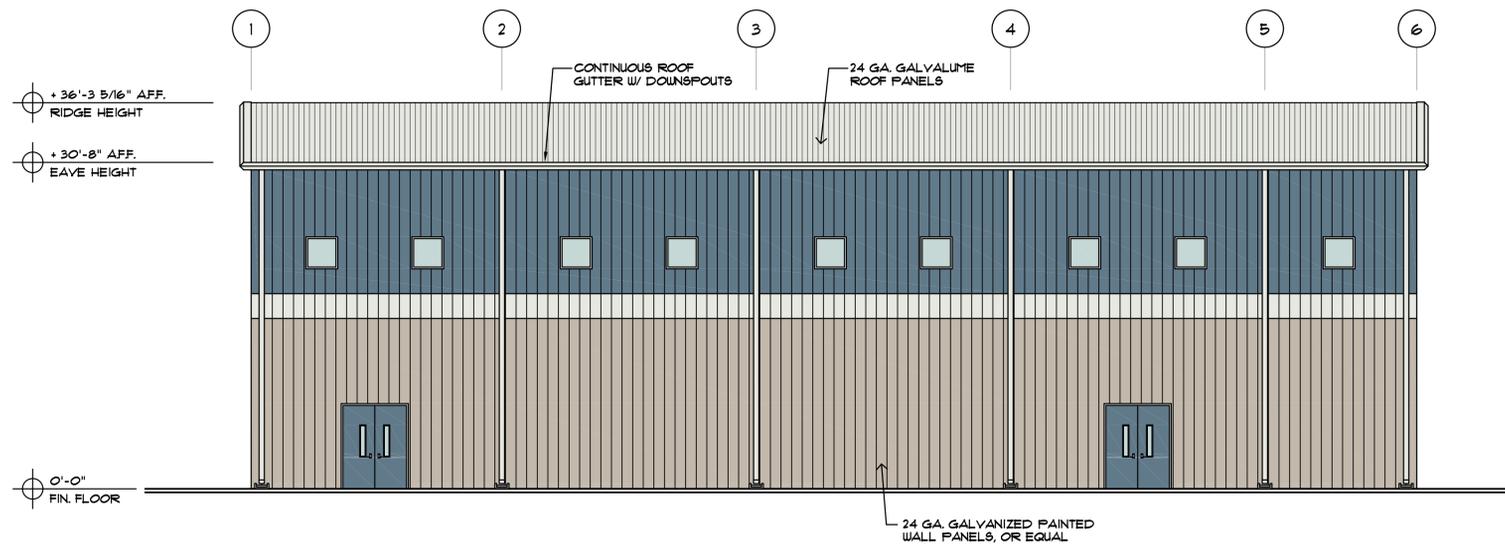
PROPOSED GYMNASIUM BUILDING
 FOR:
 SAINT MARY'S STAR OF THE SEA CATHOLIC SCHOOL
 724 TRUMAN AVENUE, KEY WEST, FLORIDA 33040
 OWNER: MOST REVEREND THOMAS G. WENSKI, ARCHBISHOP OF MIAMI
 ARCHDIOCESE OF MIAMI, 9401 BISCAYNE BLVD., MIAMI SHORES, FL 33138



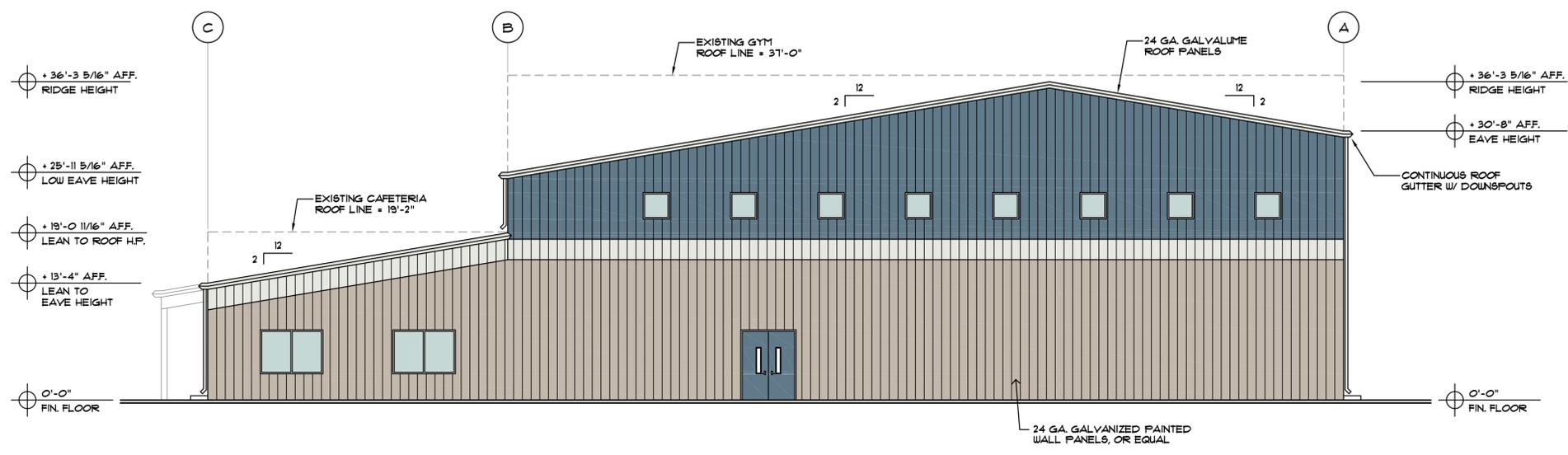
VILLA & ASSOCIATES INC.
 ARCHITECTURE - PLANNING - INTERIOR DESIGN
 7344 SW 48 STREET - MIAMI FL 33155 - (305) 661-8181
 CONSULTANT:



DATE:	SCALE:
07-14-16	1/8"
DATE SUBMITTED FOR BIDS:	
--	
DRAWING NO.:	
A-4	OF 6



SOUTH WEST ELEVATION 1/8" = 1'-0"



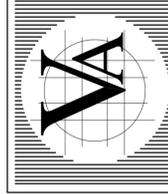
NORTH WEST ELEVATION 1/8" = 1'-0"

REVISIONS:

PROPOSED GYMNASIUM BUILDING
FOR:
SAINT MARY'S STAR OF THE SEA CATHOLIC SCHOOL
724 TRUMAN AVENUE, KEY WEST, FLORIDA 33040
OWNER: MOST REVEREND THOMAS G. WENSKI, ARCHBISHOP OF MIAMI
ARCHDIOCESE OF MIAMI, 9401 BISCAYNE BLVD., MIAMI SHORES, FL 33138



VILLA & ASSOCIATES INC.
ARCHITECTURE - PLANNING - INTERIOR DESIGN
7344 SW 48 STREET - MIAMI FL 33155 - (305) 661-8181
CONSULTANT:



DATE:	SCALE:
07-14-16	
DATE SUBMITTED FOR BIDS:	
DRAWING NO.:	
A-5	OF 6