



Application For Variance

City of Key West, Florida • Planning Department

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

RECEIVED

SEP 30 2014

**CITY OF KEY WEST
PLANNING DEPT.**

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: 920 Eisenhower

Zoning District: HMDR Real Estate (RE) #: 00024260-000000

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Meridian Engineering LLC / Rick Milelli

Mailing Address: 201 Front St Ste 203

City: Key West State: FL Zip: 33040

Home/Mobile Phone: 305-481-0400 Office: 305-293-3263 Fax: _____

Email: rmilelli@meridianengineeringflkeys.com

PROPERTY OWNER: (if different than above)

Name: David Wolkowsky Living Trust

Mailing Address: P.O. Box 7429, Key West

City: Key West State: FL Zip: 33041

Home/Mobile Phone: 305-432-0332 Office: _____ Fax: _____

Email: _____

Description of Proposed Construction, Development, and Use: Raise single family structure above design flood elevation (approx. 3'-6" above existing finished floor elevation)

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

Height 30'-0" required
30'-9 3/4" proposed
27'-3 3/4" existing

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	HMOR			
Flood Zone	AE 6			
Size of Site	7,768.5 SF			
Height	30'	27'-3 ³ / ₄ "	30'-0 ³ / ₄ "	YES
Front Setback	10'	12'-4"	9'-5³/₄"	NO *
Side Setback	5'	5' 4.26'	NO CHANGE	NO YES
Side Setback	5'	11'-3"	NO CHANGE	NO
Street Side Setback	7.5'	N/A		
Rear Setback	15'	11' 23 FT	NO CHANGE	NO
F.A.R	1.0	2108 SF (0.27)	2108 SF (0.27)	NO
Building Coverage	40	2273 SF (29)	2273 (29)	NO
Impervious Surface	60	5808 SF (75)	5808 (75)	NO
Parking	N/A			
Handicap Parking	N/A			
Bicycle Parking	N/A			
Open Space/ Landscaping	N/A			
Number and type of units	N/A			
Consumption Area or Number of seats	N/A			

* Front Steps less than 30" above grade

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 existing structure is below FEMA Flood elevation (AE6).

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

The structure was below FEMA flood elevation when he purchased it.

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.

Special privileges will not be conferred.

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 hardship condition does exist. The owner cannot renovate/repair the structure above 50% of the value of the building. The structure also has the potential to be damaged during a flood event.

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.

Only the minimum variance is being requested. The owner is requesting to raise the structure a few inches above the design flood elevation.

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.

Granting the variance would 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.

Existing nonconforming uses of other properties were not considered.

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

Verification

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, David Wolkowsky, in my capacity as Managing Member
(print name) (print position; president, managing member)
of David Wolkowsky Living Trust
(print name of entity serving as Authorized Representative)

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:

920 Eisenhower

Street Address of subject property

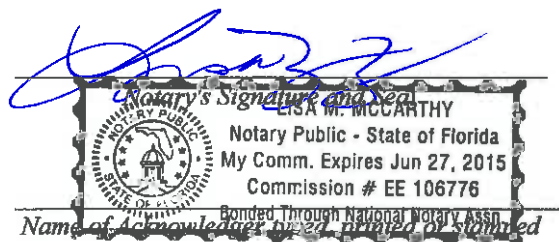
All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect,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

[Signature]
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 9/30/14 by
date

David Wolkowsky
Name of Authorized Representative

He/She is personally known to me or has presented Florida D.L. as identification.



Name of Acknowledger, typed, printed or stamped

EE 106776

Commission Number, if any

Authorization

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, Richard J. Milelli, 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:

920 Eisenhower

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]
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 9/30/14 by _____ by
date

Richard J. Milelli
Name of Authorized Representative

She is personally known to me or has presented Florida D.L. as identification.

[Signature]

Name of Acknowledger

EE106776
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, David Wolkowsky as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of David Wolkowsky Living Trust
Name of office (President, Managing Member) Name of owner from deed

authorize Richard J. Melelli
Please Print Name of Representative

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

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

Subscribed and sworn to (or affirmed) before me on this 9/30/14
Date

by David Wolkowsky
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented Florida D.L. as identification.

[Signature]
Notary's Signature and Seal
LISA M. MCCARTHY
Notary Public - State of Florida
My Comm. Expires Jun 27, 2015
Commission # EE 106776
Name of Acknowledger typed, printed or stamped

EE 106776
Commission Number, if any

**City of Key West
Planning Department**



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

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

I, David Wolkowsky authorize
Please Print Name(s) of Owner(s) as appears on the deed

Richard J. Mitelli
Please Print Name of Representative

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

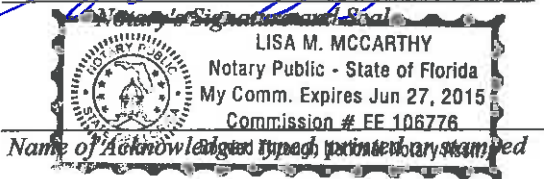
[Signature] *Signature of Owner* [Signature] *Signature of Joint/Co-owner if applicable*

Subscribed and sworn to (or affirmed) before me on this 9/30/14
Date

by David Wolkowsky
Name of Owner

He/She is personally known to me or has presented Florida D.L. as identification.

[Signature]



EE 106776
Commission Number, if any

Deed

Doc# 1990596 07/18/2014 3:02PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

07/18/2014 3:02PM
DEED DOC STAMP CL: MT \$0.70

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: 14-243-JM
Will Call No.:

Doc# 1990596
Bk# 2694 Pg# 1643

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 11th day of July, 2014 between Robin Lacey and Diana M. Mellon-Lacey, his wife whose post office address is P.O. BOX 5181, Key West, FL 33041, grantor, and David W. Wolkowsky or his successor as Trustee of the David W. Wolkowsky Living Trust dated July 5, 2001 whose post office address is P.O. BOX 1429, Key West, FL 33041, 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:

See Exhibit "A" Attached Hereto

Parcel Identification Number: 00024260-000000

SUBJECT TO: Taxes for the current and subsequent years.

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

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:

Witness Name: John Sathkoral
Witness Name: Monica Hornyak

Robin Lacey (Seal)
Robin Lacey

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 11th day of July, 2014 by Robin Lacey, who is personally known or has produced a driver's license as identification.

[Notary Seal]

Monica Hornyak
Notary Public

Printed Name: _____

My Commission Expires: _____



Michelle Dickinson
Witness Name: Michelle Dickinson

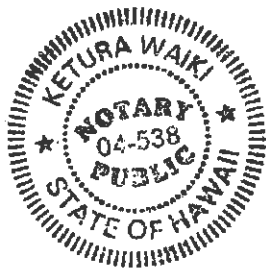
Diana M. Mellon-Lacey (Seal)
Diana M. Mellon-Lacey

Andrea Engleman
Witness Name: Andrea Engleman

State of HAWAII
County of HAWAII

The foregoing instrument was acknowledged before me this 11th day of July, 2014 by Diana M. Mellon-Lacey, who is personally known or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: _____

Ketura Waiki

Expiration Date: **September 26, 2016**

My Commission Expires: _____

Doc Date: 7/11/14 # Pages: 4
Name: Ketura Waiki Circuit
Doc. Description: Quitclaim Deed

[Signature] 7/14/14
Signature Date

NOTARY CERTIFICATION

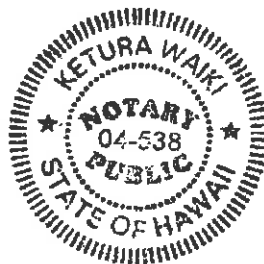


EXHIBIT "A"

On the Island of Key West, Monroe County, Florida and being North of part of Tract Seven (7) according to a diagram recorded in Deed Book I at Page 389 of the Public Records of Monroe County, Florida, and being North of part of Lot Eight (8) and Nine (9) in Square (3) of said Tract Seven (7); and being more particularly described as follows:

Commence at the intersection of the Southeasterly Right-of-Way Line of Albury Street and the Southwesterly Right-of-Line of Eisenhower Drive as existing and constructed; thence S 29°17'20" E along the said Southwesterly Right-of-Way Line of Eisenhower Drive for 40.23 feet to the Point of Beginning; thence continue S 29°17'20" E along the Southwesterly Right-of-Way Line of Eisenhower Drive for 78.12 feet; thence S 53°36'30" W for a distance of 3.29 feet to the platted Right-of-Way Line of Eisenhower Drive; thence N 32°34'34" W along the platted Right-of-Way line of Eisenhower Drive for a distance of 77.69 feet; thence N 53°36'30" E for a distance of 7.78 feet to the Existing Right-of-Way Line of Eisenhower Drive and the Point of Beginning.
Containing 428.96 square feet, more or less.

Property Appraiser Information



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Property Record Card -

Maps are now launching the new map application version.

Website tested on IE8,
IE9, & Firefox.
Requires Adobe Flash
10.3 or higher

Alternate Key: 1025054 Parcel ID: 00024260-000000

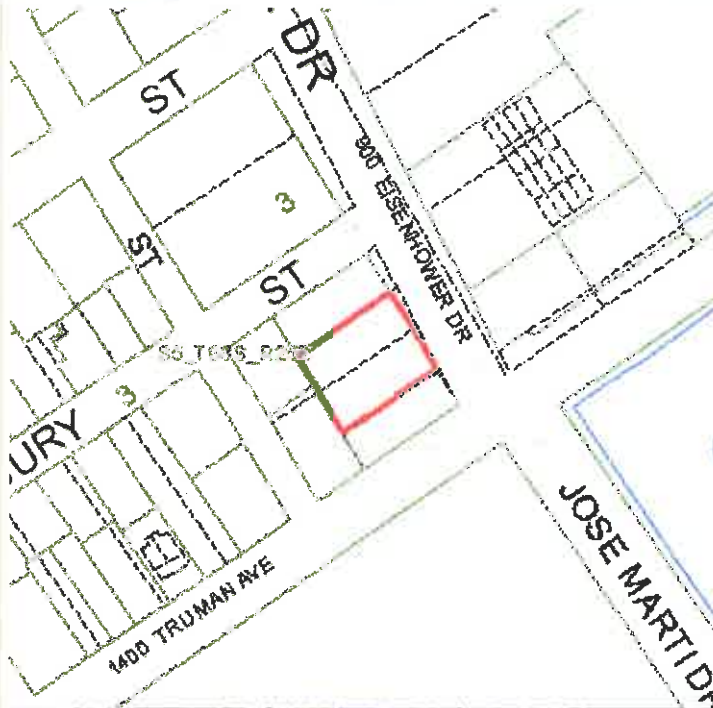
Ownership Details

Mailing Address:
WOLKOWSKY DAVID W LIVING TRUST 7/5/2001
PO BOX 1429
KEY WEST, FL 33041-1429

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 05-68-25
Property Location: 920 EISENHOWER DR KEY WEST
Legal Description: KW BENJ ALBURY'S SUBD DIAGRAM I-389 PT LOTS 8 & 9 SQR 3 TR 7 A5-516 OR713-807 OR998-254/55
OR1124-513/14R/S OR1127-311M/L OR1248-1060/65FJ OR1256-1297/98 OR1276-528/29 OR1441-2423
OR1595-2200/01 OR1595-2202/03 OR1978-588/595E OR2694-1639/42 OR2694-1643/46

[Click Map Image to open interactive viewer](#)



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	77	107	7,768.50 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0

Total Living Area: 2040
Year Built: 1928

Building 1 Details

Building Type R1
Effective Age 27
Year Built 1928
Functional Obs 0

Condition A
Perimeter 346
Special Arch 0
Economic Obs 0

Quality Grade 550
Depreciation % 33
Gmd Floor Area 2,040

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP
Heat 1 FCD/AIR DUCTED
Heat Src 1 ELECTRIC

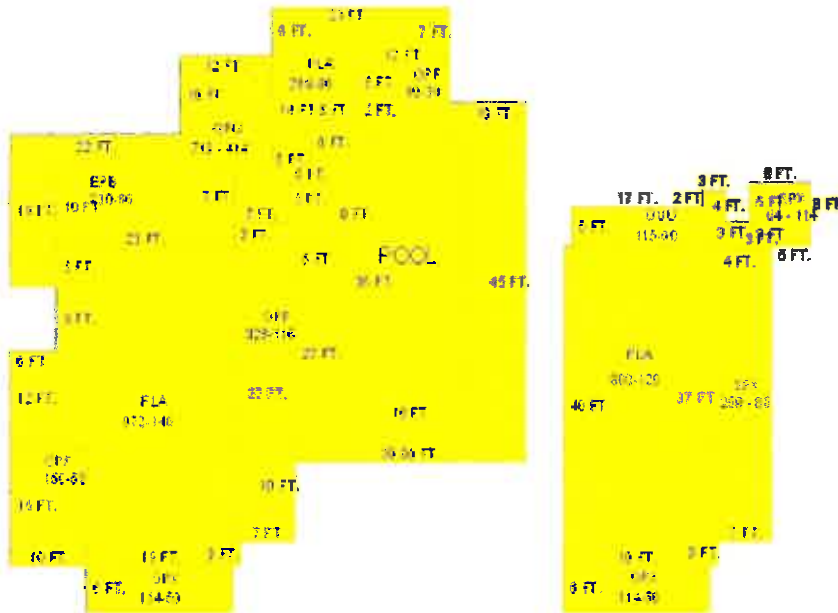
Roof Cover METAL
Heat 2 NONE
Heat Src 2 NONE

Foundation WD CONC PADS
Bedrooms 3

Extra Features:

2 Fix Bath 1
3 Fix Bath 1
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 3

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 1
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	SPX		1	1994				259
1	FLA	12: ABOVE AVERAGE WOOD	1	1989	N Y	0.00	0.00	972
2	OPX		1	1989	N Y	0.00	0.00	114
3	CPF		1	1989	N Y	0.00	0.00	150

4	EPB	12:ABOVE AVERAGE WOOD	1	1989	N	Y	0.00	0.00	230
5	OPU		1	1989	N	Y	0.00	0.00	719
6	OPF		1	1994	N	Y	0.00	0.00	328
7	FLA	12:ABOVE AVERAGE WOOD	1	1989	N	Y	0.00	0.00	800
8	OUU		1	1994	N	Y	0.00	0.00	115
9	OPX		1	1994	N	Y	0.00	0.00	64
10	OPX		1	1989	N	Y	0.00	0.00	114
11	FLA	12:ABOVE AVERAGE WOOD	1	1989	N	Y	0.00	0.00	268
12	OPF		1	1989	N	Y	0.00	0.00	60

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	518 SF	74	7	1988	1989	2	30
2	FN2:FENCES	264 SF	66	4	2006	2007	2	30
3	PO4:RES POOL	560 SF	16	35	1988	1989	2	50
4	HT2:HOT TUB	1 UT	6	6	1988	1989	2	50
5	FN2:FENCES	702 SF	117	6	1988	1989	2	30

Appraiser Notes

2004-03-22 FOR THE 2004 TAX ROLL THIS PARCEL HAS INCREASED IN SIZE FROM BEING 39' WIDE TO 77' WIDE. THE FEB 2004 SALE FOR RE 24220 DID NOT INCLUDE THE LOT NEXT DOOR WHICH HAS POOL ON IT. ADJUSTED LOT LINES AND INCLUDED SAID LOT WITHIN THIS PARCEL FOR 2004 TAX ROLL.

NOTE THE LOT WITH POOL ON IT WAS FORMERLY ASSESSED UNDER RE 24220. - LG

PETITION #074 1999

2014-03-31 MLS \$799,000 3/2.5 HISTORIC TWO STORY CONCH HOUSE, ONCE OWNED BY JOE RUSSELL OF SLOPPY JOE'S FAME. DOUBLE LOT WITH BEAUTIFUL POOL AND TROPICAL LANDSCAPING. HOUSE NEEDS MAJOR TLC.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	B933130	11/01/1993	06/01/1994	45,000		PORCHES 2 FLOORS (RE2422)
	P943821	11/01/1994	10/01/1995	2,000		ADD BATHROOM
	9900897	03/12/1999	11/02/1999	3,600		CHANGEOUT AC
	06-1769	03/20/2006	07/19/2006	1,000		REPLACE WOODEN PICKET FENCE

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
2014	235,277	21,573	430,068	686,918	686,918	0	686,918
2013	253,649	22,367	521,141	797,157	738,314	0	797,157
2012	253,649	23,161	394,385	671,195	671,195	0	671,195
2011	257,379	23,964	373,689	655,032	655,032	0	655,032
2010	261,109	24,759	469,528	755,396	755,396	0	755,396
2009	286,933	25,552	713,683	1,026,168	1,026,168	0	1,026,168
2008	263,711	26,355	844,824	1,134,890	1,134,890	0	1,134,890
2007	441,252	21,755	1,188,581	1,651,588	1,651,588	0	1,651,588
2006	419,716	21,928	660,323	1,101,967	1,101,967	0	1,101,967
2005	438,622	22,695	462,226	923,543	923,543	0	923,543
2004	406,229	23,422	407,846	837,497	837,497	0	837,497
2003	382,874	7,048	122,047	511,969	511,969	0	511,969
2002	320,631	7,447	104,331	432,409	432,409	0	432,409
2001	328,515	7,810	104,331	440,656	440,656	0	440,656
2000	328,515	5,996	74,803	409,313	409,313	0	409,313
1999	392,508	5,523	74,803	472,834	472,834	0	472,834
1998	295,249	4,327	74,803	374,379	374,379	0	374,379
1997	269,198	4,081	66,929	340,208	340,208	0	340,208
1996	225,779	3,562	66,929	296,270	296,270	0	296,270
1995	210,174	3,488	66,929	280,591	280,591	0	280,591
1994	172,142	3,138	66,929	242,210	242,210	0	242,210
1993	135,546	2,817	66,929	205,293	205,293	25,000	180,293
1992	135,546	2,933	66,929	205,408	205,408	25,000	180,408
1991	135,546	3,033	66,929	205,508	205,508	25,000	180,508
1990	137,158	3,154	52,165	192,477	192,477	0	192,477
1989	93,305	0	51,181	144,486	144,486	0	144,486
1988	89,427	0	45,276	134,703	134,703	0	134,703
1987	96,455	0	26,968	123,423	123,423	0	123,423
1986	52,021	0	25,984	78,005	78,005	25,000	53,005
1985	50,434	0	16,848	67,282	67,282	25,000	42,282
1984	47,002	0	16,848	63,850	63,850	25,000	38,850
1983	47,002	0	16,848	63,850	63,850	25,000	38,850
1982	37,960	0	16,848	54,808	54,808	5,000	49,808

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
7/14/2014	2694 / 1639	750,000	WD	03
7/14/2014	2694 / 1643	100	QC	11
9/8/1999	1595 / 2202	1	WD	M

10/1/1993	1276 / 0528	238,000	<u>WD</u>	<u>Q</u> ...
3/1/1990	1124 / 513	270,000	<u>WD</u>	<u>Q</u> ...
12/1/1986	998 / 254	160,000	<u>WD</u>	<u>Q</u> ...
2/1/1977	713 / 807	35,000	00	<u>Q</u> ...

This page has been visited 1,399 times.

Monroe County Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176